

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Wednesday, October 1, 1958, at 4 o'clock p.m., with Mayor Smith presiding, and Council members Albea, Baxter, Brown, Dellinger, Evans, Foard and Wilkinson being present.

ABSENT: None

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, the Minutes of the last meeting on September 24th were approved as submitted.

MAYOR TO APPOINT COMMITTEE OF THREE TO STUDY GROUP FOR THE CONSOLIDATION OF THE CITY AND COUNTY POLICE DEPARTMENTS, AS REQUESTED BY CHAMBER OF COMMERCE.

Mr. Thomas L. Robinson, President of The Chamber of Commerce, appeared before Council and advised that Subcommittee on Police Departments Consolidation of the Greater Mecklenburg Committee of the Chamber, of which Mr. Victor Shaw is Chairman, made a study of the possibilities of the consolidation of the Charlotte and Mecklenburg County Police Departments and they recommended that a Committee be appointed comprised of one member from the City Council, the Board of Mecklenburg County Commissioners, the City and County Legal Departments, the Charlotte Police Department and Mecklenburg County Police Department. He stated further that he presented the matter to the Board of Mecklenburg County Commissioners on Monday and they appointed Mr. J. Herbert Garrison, County Commissioners, Mr. Henry C. Dockery, County Attorney and Chief Joe D. Whitley to the Committee. Mr. Robinson asked that the Council appoint three members to this Study Committee so that the study may go ahead.

Mr. Robinson presented the Mayor and Council copies of the Report of the Chamber of Commerce Subcommittee on the Consolidation of the City and County Police Departments, outlining in detail the basis of the proposal, its feasibility and desirability in the public interest; and he stated that to their thinking the geographical distribution of the policing problem -- would seem to dictate as an ideal a centralized police system - rather than one with several independent departments whose areas of activity are marked off by lines so unrelated to the true nature of the policing problem as city limits lines are unrelated. From the standpoint of effective policing over such an area, a single, centralized system would permit over-all direction and planning to meet a policing problem obviously not logically divisible by political subdivision lines. It would also permit gradual internal adjustment to meet the changing conditions involved in population changes, in lieu of the sudden and violent inter-departmental adjustments inevitable under the present arrangement. Neither the Institute of Government nor this subcommittee has attempted to estimate the financial savings, if any, that might result from consolidation. It is apparent that some savings

could accrue from the elimination of duplication in record keeping, identification bureaus, radio dispatching, and from the better utilization of personnel and equipment. Major emphasis must be placed, however, on the potential for better law enforcement that is implicit in consolidation.

Mr. Robinson stated further that they feel if this Study Group can work in unison and get whatever outside technical help they need, it will prove of great help to us all.

Councilman Baxter moved that the Report be accepted as information and that the Mayor appoint the three members to the Committee as requested. The motion was seconded by Councilman Dellinger, and unanimously carried.

PROTEST BY J.R. THOMAS AGAINST BEING PRESENTED TRAFFIC VIOLATION TICKET FOR DRIVING EAST ON ONE-WAY STREET WEST, WHEN OCCUPANTS OF ANOTHER CAR DOING LIKEWISE WERE NOT CITED FOR SAME VIOLATION.

Mr. J. R. Thomas stated that on last Sunday he was driving east on Fifth Street, and two ladies were in a car bearing a North Carolina License ahead of him driving in the same direction, that they were all stopped by Police Officer Treadwell who stated it was a One-Way Street west; that the Officer talked with the ladies in their car and then told them to go ahead without giving them a traffic violation ticket, but the Officer gave him one and the fine was \$13.00. Mr. Thomas stated he did not think it fair to give him a ticket and not give one to the occupants of the other car; that he did not know that Fifth Street was a one-way street west; however, he felt that both he and the ladies should have been punished for the violation of the law.

Mayor Smith asked the City Manager to have the matter checked with Officer Treadwell and advise Mr. Thomas the results.

RESOLUTION GRANTING APPEAL OF W. FRANK GRAHAM FROM RULING OF CHARLOTTE MECKLENBURG PLANNING COMMISSION RELATING TO LOCATION OF MONTFORD DRIVE AT PARK ROAD.

Mr. Charles Henderson, Attorney, appeared before Council on behalf of his clients, Mr. W. Frank Graham and others, and requested approval of a variance under provisions of Section 13 of the Charlotte Subdivision Ordinance relative to the existing 60 foot roadway extending from Wood-lawn Road near Sugaw Creek Bridge to Park Road.

A resolution entitled: "Resolution Granting Appeal of W. Frank Graham from Ruling of Charlotte-Mecklenburg Planning Commission Relating to Location of Montford Drive at Park Road" was introduced by Councilman Baxter, who moved its adoption following the reading thereof. The motion was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 259.

SCHOOL BOARDS COMMENDED BY COUNCILMAN BAXTER OF FINE STAND AND COOPERATIVE ATTITUDE TAKEN TOWARD STARTING OF SCHOOLS AND CONTINUED EDUCATION OF OUR YOUNG PEOPLE.

Councilman Baxter stated he would like to make a general statement about the fine stand and co-operative attitude our School Boards have taken toward the starting of schools and the continued education of our young people.

I would like to preface my statement by the fact that uninterrupted

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education of our youth will provide the necessary "I Q" toward getting them good jobs when they graduate and protect their future life through education.

Schools are closing or have closed in quite a few southern cities duet, not to the children's needs to go to school, but because of the "Stubborn attitude" of the older generation and certain men in public offices, who are more or less "die hards" and refuse to give in to "changing times" and the principles of life as set forth in the Bible, the Bill of Rights, and as ordered by the Supreme Court.

My statement is simply this: Come to Charlotte to live where we believe in "changing times", the "live and let live" policy, and where our School Boards are composed of men with vision and understanding, capable of handling any given problem with a co-operative attitude and consideration for all.

COUNCILMAN DELLINGER REQUESTED THE PREPARATION OF AN ORDINANCE PROHIBITING THE ERECTION OF HOUSES IN LOW AREAS OF THE CITY SUBJECT TO FLOODING AND/OR IMPROPER DRAINAGE.

Councilman Dellinger stated that as our Charter provides permissive legislation for the control of housing projects and that since we are having so much trouble with the drainage and flooding problem, it would seem that the City Attorney and City Manager should confer and give the Council some kind of ordinance prohibiting the erection of houses in low areas that is causing so much trouble. He requested Mr. Shaw, the City Attorney to prepare such ordinance. Mr. Shaw stated he would be glad to do so if the Council would tell him what they want included in the ordinance. Mr. Yancey, City Manager, stated if he will read the Charter provision he will have the information, and Mr. Yancey offered a verbal suggested ordinance.

EMERGENCY PROGRAM OF REMEDIAL STORM DRAINAGE CONSTRUCTION FROM \$10,000 EMERGENCY RELIEF TO FLOODED AREAS ADOPTED BY COUNCIL AS RECOMMENDED BY CITY ENGINEER.

Councilman Wilkinson moved the adoption of the recommendations of the City Engineer, as contained in his report to the City Manager dated September 25, 1958 which is on file in the office of the City Clerk, outlining a program of remedial construction of storm drainage at six given locations, and the addition of two possible locations, and the estimated cost to be paid from the \$10,000.00 allocated by the Council on August 13, 1958, for emergency relief to flood areas. The motion was seconded by Councilman Dellinger, and unanimously carried.

PROGRAM OF REMEDIAL FLOOD RELIEF AND/OR DRAINAGE PURPOSES TO BE PAID FROM \$100,000 ABC FUNDS ALLOCATED TO CITY AND COUNTY FOR SUCH PURPOSES, ADOPTED BY COUNCIL AS RECOMMENDED BY CITY ENGINEER AND CHAIRMAN OF MECKLENBURG COUNTY DRAINAGE COMMISSION.

Upon motion of Councilman Wilkinson, seconded by Councilwoman Evans, and unanimously carried, the recommendations of the City Engineer and Chairman of the Mecklenburg Drainage Commission, were unanimously adopted as contained in a report to the City Manager, dated September 29, 1958 which is on file in the office of the City Clerk, outlining in detail the policy and procedures to be followed in alleviating conditions contributory to flooding of areas, and establishing Four areas along streams for priority

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remedial construction work, under the direction and supervision of the Mecklenburg Drainage Commission, the cost of which will be paid from the \$100,000.00 of ABC funds allocated to the City and County for flood and/or drainage relief.

RESOLUTION RELATIVE TO REBATE TO MECKLENBURG COUNTY OF CITY TAXES IN THE AMOUNT OF \$474.60 ON PROPERTY AT 122 SOUTH MYERS STREET, UPON PAYMENT BY COUNTY OF \$56.40.

A resolution entitled: "Resolution Relative to Rebate to Mecklenburg County of City Taxes in the Amount of \$474.60 on Property at 122 South Myers Street, upon Payment by County of \$56.40" was introduced by Councilman Brown, who moved its adoption following the reading thereof. The motion was seconded by Councilman Dellinger, and unanimously carried.

The resolution is recorded in full in Resolutions Book 3, at Page 260.

JOB CLASSIFICATION POINTS OF LONNIE P. DELLINGER, RADIO DISPATCHER POLICE DEPARTMENT, INCREASED.

Councilman Brown moved that the Job Classification points of Mr Lonnie P. Dellinger, Radio Dispatcher Police Department be changed from 300, with a salary of \$259.00 to 360 with a salary of \$303.00 per month. The motion was seconded by Councilwoman Evans, and unanimously carried.

JOB CLASSIFICATION POINTS OF MRS IDA COOPER, ASSISTANT CLERK OF RECORDER'S COURT, INCREASED.

Upon motion of Councilman Brown, seconded by Councilwoman Evans, and unanimously carried, the Job Classification points of Mrs Ida Cooper, Assistant Clerk of Recorder's Court were increased to 440, with a salary of \$361.00 per month.

CONSIDERATION OF THE ESTABLISHMENT OF SETBACK LINES IN AREAS OTHER THAN DOWNTOWN REQUESTED.

Councilwoman Evans requested that consideration be given the establishment of setback lines in areas other than downtown, particularly in areas where shopping centers are being developed.

Mr. Yancey, City Manager, advised that the Engineering Department is making surveys relative to the establishment of such lines in areas all over the city as rapidly as they have time. That the downtown area is given first consideration because of the construction of larger buildings; however, the shopping areas that are being developed over the city are providing off-street parking lots at the front of their buildings which is taking care of the situation in that the store buildings are setback well from the street.

ORDINANCE NO. 504 AMENDING THE SUNDAY OBSERVANCE ORDINANCE BY PERMITTING THE OPERATION OF COIN OPERATED WASHERETTES.

An ordinance entitled: "Ordinance No. 504 Amending the Sunday Observance Ordinance by Permitting the Operation of Coin Operated Washerettes" was introduced and read, and upon motion of Councilman Baxter, seconded by Councilman Brown, was adopted with the votes cast as follows:

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YEAS: Council members Baxter, Brown, Dellinger, Evans, Foard and Wilkinson.

NAYS: Council member Albea.

Councilman Albea stated it appears to him that the Sunday Observance Ordinance is being amended piece meal until the time might come when we would have no such ordinance.

The Ordinance is recorded in full in Ordinance Book 12, at Page 287.

SICK LEAVE EXTENDED FOR ENGINEERING DEPARTMENT EMPLOYEES THROUGH OCTOBER 31ST.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, sick leave was extended through October 31, 1958 to the following employees of the Engineering Department:

Tom Martin	Employed 1930
Henry Porter	Employed 1920
Govan B. Carter	Employed 1951
Jack S. Brown	Employed 1951
Allen Blair	Employed 1939
J. B. Cherry	Employed 1943

CONTRACT AWARDED GENARCO, INC. FOR TWO SPOTLIGHTS FOR COLISEUM.

Councilman Baxter moved the award of contract to the second lowest bidder, Genarco, Inc., for Two Spotlights for the Coliseum, as specified, at a net delivered price of \$5,787.20, as recommended by the Auditorium-Coliseum Manager, in the interest of conforming to the standarization of their lighting equipment, where 8 Genarco spotlights are now in service. The motion was seconded by Councilman Brown, and unanimously carried.

Net delivered bids received are as follows:

Standard Theatre Supply Company	\$3,704.40
Genarco, Inc.	\$5,787.20

CONTRACT AWARDED MITCHELL DISTRIBUTING COMPANY, INC. FOR AUGER FOR WATER DEPARTMENT.

Councilwoman Evans moved the award of contract to the low bidder, Mitchell Distributing Company, Inc., for One 4-ft. section 20-inch Ka-Mo Auger and cutting head; 28 additional feet of Auger and One Adapter for same, at a price of \$1,181.10, subject to 10% cash discount of \$118.11, or a net delivered price of \$1,062.99. The motion was seconded by Councilman Dellinger, and unanimously carried.

Net delivered bids received are as follows:

Mitchell Distributing Company	\$1,062.99
A. E. Finley & Associates, Inc.	\$1,082.48
Ka-Mo Tools, Inc.	f.o.b. Chicago \$1,155.00

CONTRACT AWARDED W.J. COOLEY & COMPANY, INC. FOR METAL AUTO AND MOTORCYCLE TAGS.

Motion was made by Councilman Wilkinson, seconded by Councilman Baxter,

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and unanimously carried, awarding contract to the only bidder, W.J. Cooley and Company, Inc., for 47,000 metal Auto Tags and 400 metal Motorcycle Tags, as specified, at a total bid price of \$3,917.50, subject to cash discount of \$19.59, or a net delivered price of \$3,897.91.

CONTRACT AWARDED CREECH MOTORCYCLE COMPANY, INC. FOR FOUR MOTORCYCLES.

Upon motion of Councilman Brown, seconded by Councilman Dellinger, and unanimously carried, contract was awarded the only bidder, Creech Motorcycle Company, Inc., for Four 1959 Harley-Davidson Motorcycles, as specified, at their net delivered price of \$4,514.00.

CONTRACT AWARDED STEEL & TANK SERVICE COMPANY TO CLEAN AND PAINT THREE TRICKLING FILTERS AT SUGAW CREEK SEWAGE & INDUSTRIAL WASTE TREATMENT PLANT.

Councilman Albea moved the award of contract to the only bidder, Steel and Tank Service Company, to clean and paint three trickling filters at the Sugaw Creek Sewage and Industrial Waste Treatment Plant, at a lump sum price of \$2,750.00. The motion was seconded by Councilman Wilkinson, and unanimously carried.

REPORT OF GEO G. SCOTT & COMPANY THAT ACCOUNTS AND RECORDS OF THE CLERK OF RECORDER'S COURT FOR PERIOD JULY 1, 1958 THROUGH SEPTEMBER 15, 1958, DURING SUPERVISION OF SGT. C. E. ADAMS AND MRS IDA COOPER, AUDITED AND FOUND IN PROPER CONDITION.

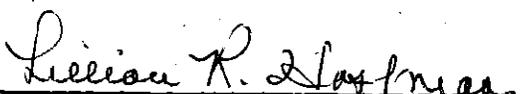
Mr. Yancey, City Manager, stated he received a letter from Geo G. Scott and Company, under date of September 23, 1958, to the effect that they have examined the books of accounts and records of the Clerk of Recorder's Court for the period from July 1, 1958 through September 15, 1958 under the supervision of Sergeant C.E. Adams and Mrs Ida Cooper, and they were found to be in proper condition.

ATTORNEY GENERAL ADVISES ONLY ONE VICE-RECORDER AND ONE CLERK OF RECORDER'S COURT MAY BE APPOINTED.

Mr. John Shaw, City Attorney, advised that at the request of Chief Selvey he wrote to the Attorney General with respect to the Recorder's Court having only the Vice Recorder to preside over Court due to the extended leave of Judge Boyd, and asked what steps should be taken in case of the illness or absence of the Vice Recorder. Also, the matter of the Act establishing the Court providing for only one Clerk of Court, and asking if the City has authority to appoint an Assistant Clerk of Court. That he has been advised by the Attorney General that under the provisions of the Private Act the Court can have only one Vice Recorder and One Clerk of Court. Mr Shaw called attention that the appointment of Mrs Cooper as Assistant Clerk of Court is without authority. Mr. Yancey advised that the Attorney General suggested that steps be taken to remedy the situation when the Legislature next meets.

ADJOURNMENT.

Upon motion of Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, the meeting was adjourned.


Lillian R. Hoffman, City Clerk