

October 15, 1962  
Minute Book 42 - Page 243

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 Monday, October 15, 1962, at 2 o'clock p.m., with Mayor Brookshire presiding and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

Charlotte-Mecklenburg Planning Board members present during the hearings on Petitions for changes in Zoning Classifications were Mr. Sibley, Chairman, Mr. Ervin, Mr. Hanks, Mr. Lakey, Mr. Toy and Mr. Turner.

ABSENT: Mr. Jones, Mr. Stone, Mr. Suddreth and Mr. Ward.

\*\*\* \*\*

INVOCATION.

The invocation was given by the Reverend Olin W. Sink, Pastor of Holy Trinity Lutheran Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the Minutes of the last meeting on October 8th were approved as submitted.

HEARING ON PETITION NO. 62-46 FOR CHANGE IN ZONING OF PROPERTY FRONTING ON ALLEGHANY STREET AND INTERSTATE HIGHWAY #85.

The scheduled hearing was held on Petition No. 62-46 by Mrs Essie Rhyne for change in zoning from R-9MF to I-2 of property fronting on Alleghany Street and Interstate Highway #85.

Mr. McIntyre, Planning Director stated the petition covers a 41 acre tract of land lying on the southerly side of Interstate 85, Highway 29 By-pass, between Mulberry Church Road and Ashley Road and is essentially vacant except for two residential structures within the boundaries. That immediately to the east of the property is Harding High School, which is located on Alleghany Street; to the south of the property there is vacant land which has been subdivided for residential purposes but undeveloped; to the west of the property and across Interstate 85 the land is vacant, and it is adjoined on the easterly boundary by R-9MF zoning, on the south by residential zoning and on the west by an area already zoned for Industry.

Mr. Lewis Parham, Attorney for the Petitioner, stated the major reason for Mrs Rhyne's request is that the property as presently zoned is not in a marketable condition, as it lies directly beneath the flight pattern of the Airport and this makes it undesirable for residential purposes because of the noise; also obtaining financing of the property is impossible as the Federal Housing Administration and the Veterans Administration have taken the stand that they will not insure any loans made on property which lies in the flight pattern of an Airport. He advised that Mrs. Rhyne has tried to sell the land since the death of her husband under its present zoning but has been unable to do so; that Mr. Rhyne purchased the major portion of the land as far back as 1910 and has lived there since that time; that the house is in bad need of repairs and Mrs. Rhyne needs to provide herself with an income from the land. He stated he did not feel

October 15, 1962  
Minute Book 42 - Page 244

SUBJECT

that the rezoning would affect Harding High School as it is air conditioned, however, should Council feel that it would, then the petitioner requests that instead of rezoning the entire 41 acre tract as they have requested, that a buffer zone of 150 or 200 feet adjoining the High School be set aside and the remainder of the property be rezoned.

No objections were registered to the request for the rezoning.

Council decision was deferred one week.

HEARING ON PETITION NO. 62-47 FOR CHANGE IN ZONING OF PROPERTY AT 601 SHARON-AMITY ROAD.

The public hearing was held on Petition No. 62-47 by Welco, Inc., for change in zoning from O-6 to B-1 of property at 601 Sharon-Amity Road, in Providence Park Sub-division, fronting 50 ft. on Sharon-Amity Road and 300 ft on Crosby Drive.

The Planning Director advised this is a small tract of land on which there are office buildings located, occupied principally by doctors and dentists, and it is 50 ft. wide and 300 ft. deep. That immediately across Crosby Drive there is an established residential area of single-family homes which extends out Sharon-Amity Road to Cotswold Shopping Center. That the property is adjoined by Southern Bell Telephone Exchange Building and beyond that the Providence Village Shopping Center. That across Sharon-Amity Road from the property the land is vacant as is the land behind the property, although there are residences down Crosby Drive to Westbury Road. That the property is adjoined by a small O-6 zoning area and B-1 zoning extending from this point out in the direction of Providence Road, and the zoning on all other sides is multi-family.

Mr. Luther Creel, representing the Petitioner, advised the property was purchased in 1958 for the purpose of erecting a Medical Center, and long term leases were secured on all of the offices by doctors, however one of the doctors could not make a go of it out there and asked to be relieved of his lease, which was done and another doctor built his own Clinic and was also relieved of his lease, and the property has been vacant for three months. That they have a prospective tenant, a Hair Stylist who wants the offices and they feel since the building is adjoined by the Telephone Exchange and the Shopping Center, this type of tenant would not be out of character with the neighborhood. Mr. Creel presented a letter signed by the other tenants in his building, stating they have no objections to the lease of these offices to the Hair Stylist, and in fact requesting that the zoning be changed so that he can occupy the property. Mr. Creel urged that the zoning be so changed.

No objections were expressed to the proposed zoning.

Council decision was deferred one week.

HEARING ON PETITION NO. 62-48 FOR CHANGE IN ZONING OF PROPERTY LOCATED NORTHEAST OF SADLER ROAD, ADJOINING PHILLIPS PETROLEUM COMPANY TANK FARM IN PAW CREEK TOWNSHIP.

The scheduled hearing was held on Petition No. 62-48 by Phillips Pipeline Company for change in zoning from R-15 to I-2 of property located northeast of Sadler Road, adjoining Phillips Petroleum Company Tank Farm in Paw Creek Township.

October 15, 1962  
Minute Book 42 - Page 245

Mr. McIntyre, Planning Director advised the petition has three different elements in it, that it is not only a petition for zoning change but it is also a petition for Council to grant use of the property for a petroleum oil storage tank. That the use of property already zoned for industrial purposes requires specific approval of the Council before it can be used for petroleum of storage tank purposes. That the area the petitioners want to use for oil storage tanks is already zoned I-2, and the remainder of their property, as shown on a map he presented, is zoned Residential which they are asking rezoned Industrial, a portion of which they also wish to use for oil storage tanks. That the property is presently vacant and is adjoined along Sadler Road by existing Petroleum Oil Storage Tank installations. That a portion of the property to the southwest is the rear line of residential lots; along the northwesterly side of the land is vacant as it is also along the northeasterly side. That a portion of the easterly side of the property is adjoined by the rear line of residential lots that front on adjoining streets and along the southerly boundary there is an abandoned school.

Mr. Frank Snapp, attorney representing the Petitioner, Colonial Pipe Line Company and Phillips Pipe Line Company, advised that Colonial Pipe Line Company is a common carrier of petroleum products by Pipe line, which will extend when completed from Texas to the New York Harbor, and the right of way will pass near Charlotte in the Paw Creek Area and has been acquired, and the property in question will be utilized for a Booster Station and a distributing point for the petroleum products shipped by pipe line into the Charlotte area. That there are three prongs to this matter, Phillips Pipeline Company owns a large tract of land and only a small tract is presently occupied by their own Tank Farm, and they are asking for their unoccupied portion of land adjoining their Tank Farm to be rezoned Industrial so they can expand if necessary. That the tract which is presently zoned Industrial has been acquired in fee by Colonial Pipe Line Company and they are asking for permission to use it for a Tank Farm. That they have been able to work out with Phillips so that the large tract of land to be occupied by the Tank Farm will be at least 1,500 feet from the residential area. That they have presented to the Planning Board a tentative plan for the Tank Farm, and Mr. Snapp presented to the Council aerial photographs of their proposed plans. He stated this is the only land available in the area and it is necessary that they have the Booster Station.

Mr. Don McClure, a property owner in the area in question, stated they do not feel that the rezoning would affect them but they would like a buffer zone between the Tank Farm and residential area. That if the company were to establish a Terminal their only way of expansion would be toward the Coulwood residential area, therefore they would like to ask if the petition is granted that a buffer zone be established that would prohibit additional tank at least 1,200 feet from their residential property.

Mr. Snapp stated this is not a Terminal as such, that their North Carolina Terminal is located in Greensboro on a 300 acre tract of land, and this will be merely a Booster Station and only the Charlotte area products will be taken off here and he has worked it out with the Planning Commission to definitely leave a buffer area.

Council decision was deferred one week.

October 15, 1962  
Minute Book 42 - Page 246

HEARING ON PETITION NO. 62-49 FOR CHANGE IN ZONING OF PROPERTY ON BOTH SIDES OF EATON ROAD, FROM MONROE ROAD TO ERICKSON ROAD, AND LANIER AVENUE, FROM MONROE ROAD TO LYNNVILLE AVENUE

The public hearing was held on Petition No. 62-49 by Mrs. Howard Graham et al for change in zoning from R-9 to R-9MF of property located on both sides of Eaton Road, from Monroe Road to Erickson Road, and Lanier Avenue, from Monroe Road to Lynnville Avenue.

The Planning Director advised that the petition covers about 2 1/2 blocks of property with individual lots extending from Monroe Road north along Eaton Road to a short distance beyond Lynnville Avenue or about to Erickson Road and also covers property on the adjoining parallel street which is Lanier Avenue paralleling Eaton Road going up to Lynnville Avenue. That generally speaking the properties are developed with single-family homes with a few duplexes and apartments and a few vacant lots. He advised the property is across Monroe Road from an area developed with single-family homes and is adjoined by other such areas, that on two sides the zoning is R-9, and across Monroe Road a portion is R-9 and another portion R-9MF.

Mrs. Graham, Petitioner, advised that most of the families on these streets have rental units in their homes to add to their income and want to make needed repairs to their homes and also additions, and under the present zoning they have become aware that this is prohibited, therefore they are requesting the zoning change to permit these things.

No objections were expressed to the proposed zoning change.

Council decision was deferred one week.

HEARING ON PETITION NO. 62-50 FOR CHANGE IN ZONING OF PROPERTY ON THE NORTHEAST SIDE OF BELHAVEN BOULEVARD.

The scheduled hearing was held on Petition No. 62-50 by Mr. U. G. Hager for change in zoning from R-12 to I-2 of a 30 acre tract of land on the northeast side of Belhaven Boulevard near Gum Branch and extending north to Plank Road.

Mr. McIntyre, Planning Director, advised that essentially the property is vacant, with the exception of one single family home. That the property lies between Highway 16 and Plank Road, and is adjoined on the west by vacant land and along the easterly side it is adjoined by vacant and residential developments, and across Plank Road there are scattered single-family homes on large tracts of land, while diagonally across Plank Road there are single-family homes along Plumcrest Road and the property is presently zoned R-12 and is adjoined on all sides by similar residential zoning except for a portion on the east side where the adjoining zoning is I-1.

Mr. Walter Spearman, representing the Petitioner, stated the property in question is outside the city limits, and two miles beyond the Water Works and the nearest structure is at least 1/4 of a mile distant; that the property fronts on Highway 16, and the adjoining property is zoned Commercial and they are requesting that their property be zoned Industrial. He advised they wish to use the property to crush rock for streets and roadways and driveways and will get the rock from the land.

Mr. C. R. Mitchell, Jr., a property owner adjoining the property in question and also spokesman for the large group present who opposed the zoning change. He stated that the property to the north, south and west are zoned residential and the homes range in price from \$10,000 to \$30,000. He presented pictures of the homes to Council. Mr. Mitchell stated they feel that I-2 zoning is not in keeping with the character of the area and if granted the only decent residential area in that portion of the County will be affected very severely; that towards Charlotte there is I-1 zoning and there must be a stopping place somewhere. That it has become common knowledge that the petitioner plans to use the property for a rock quarry and it will be detrimental to the health and welfare of the residential community and will have a grave effect on their property values. He stated further that the delegation with him have expressed their opposition to the zoning change in the form of a signed Petition, which he presented to the Clerk, and they would like to register an official protest invoking the 20% rule.

Mr. Noland Sines, 1500 Plumcrest Drive, also speaking for the delegation present, advised that most of them are buying homes on Plumcrest Drive and it is a nice neighborhood, with a new school and they want to keep it that way. That they feel this change in zoning would severely affect their property and they urge that it not be done.

Mrs. T. W. Davenport, Jr. resident of the area, advised the group is fully behind this movement to protest the zoning change, that they have children who would be endangered if a rock quarry was built and also trucks hauling the gravel would add to traffic hazards.

Council decision was deferred one week.

HEARING ON PETITION NO. 62-51 FOR CHANGE IN ZONING OF PROPERTY ON SOUTH SIDE OF RILEY AVENUE, 402.20 FEET FROM STATESVILLE ROAD.

The public hearing was held on Petition No. 62-51 by Improved Order of Redmen, Catawba Tribe #13, by Mr. M. C. Bradley, for change in zoning from R-9 to O-6 of lot on the south side of Riley Avenue, 402.20 feet from Statesville Road.

The Planning Director stated the petition covers one lot on the southerly side of Riley Avenue and is vacant. and is located across the street from a residential area, and is adjoined on the west by vacant land and by B-2 zoning on Statesville Avenue otherwise it is adjoined by single-family zoning.

Mr. Louis Carter, Attorney for the Petitioner the Improved Order of Redmen, which he advised was a fraternal orgzniation and has nothing to do with communism stated what they are wanting to do is construct a building for a Lodge in which they will hold weekly meetings. He advised they have heard no opposition to the rezoning nor their plans to erect the building.

No objections were expressed to the proposed zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 62-52 FOR CHANGE IN ZONING OF PROPERTY IN THE 900 BLOCK OF SUGAW CREEK ROAD EAST.

The scheduled hearing was held on Petition No. 62-52 by Mr. John A. Payne, for change in zoning from B-1 to B-2 of property located in the 900 block of Sugaw Creek Road East.

October 15, 1962  
Minute Book 42 - Page 248

The Planning Director advised the property lies between Dinglewood Avenue and Redwood Avenue and fronts on Sugaw Creek Road north of Plaza Road; that a portion of one lot is presently used for a Used Car Sales Lot and the remaining property is developed by single family homes. That the property is adjoined along the rear lot line by residential properties on Dinglewood and Redwood Avenues; directly across Sugaw Creek Road the land is vacant, however it is zoned Industrial.

Councilman Smith asked where the property is located that was previously requested rezoned in this area? Mr. McIntyre advised it is the property at the corner of Dinglewood and Sugaw Creek Road consisting of one lot, and is included in this petition with other adjoining property added, which takes in the entire block.

Mr. William Scarborough, Attorney for the Petitioner and Mr. Canipe and Mr. Rice corrected Mr. McIntyre with regard to his statement that a Used Car Lot exists on one of the lots, and advised that Mr. Rice made application to the State for Permit and had graded and gravelled the lot but was denied the license. That the property they have requested rezoned extends back 170 feet between Dinglewood and Redwood. That Mr. Rice owns the three houses to the rear of the property on Dinglewood, that there are some colored residential houses on Redwood and a colored cemetery between there and the railroad, and back towards the Plaza is industry. That they think in view of the decision taken last time, and that they now have all the property owners in the area sought to be rezoned, that they are presenting a more valid position. That Mr. Rice is retired and wants to operate a Used Car Lot on the corner and he would operate it himself and it would not be detrimental to the neighborhood.

No objections were expressed to the proposed rezoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 62-53 FOR CHANGE IN ZONING OF BLOCK BOUNDED BY SOUTH TRYON STREET, EAST MOREHEAD STREET, SOUTH COLLEGE STREET AND INDEPENDENCE BOULEVARD, EXCEPT FOR TWO PARCELS ALREADY ZONED B-3.

The public hearing was held on Petition No. 62-53 by the Charlotte-Mecklenburg Planning Commission for change in zoning from I-2 to B-3 of block bounded by South Tryon Street, East Morehead Street, South College Street and Independence Boulevard, except for two parcels already zoned B-3.

Mr. McIntyre, Planning Director, advised the petition is the result of previous rezoning action in this block where there are two individual properties rezoned from Industrial to Business, and he believes at that time it was the consensus that the entire block, covered by this petition, might reasonably be added to the B-3 zoning classification, which is the central business district type of zoning.

No objections were expressed to the proposed change in zoning.

Council decision was deferred for one week.

HEARING ON PETITION NO. 62-54 BY THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION FOR CHANGES AND ADDITIONS IN THE ZONING ORDINANCE.

The scheduled hearing was held on Petition No. 62-54 by the Charlotte-Mecklenburg Planning Commission for the following changes and additions in the Zoning Ordinance:

- (a) Amend Article III, Division 1, Sec. 23-31, Table of Permitted Uses to permit "commercial uses in conjunction with certain multi-family

October 15, 1962  
Minute Book 42 - Page 249

and office buildings subject to regulations in Sec. 23-32.1" in all Multi-Family and Office Districts.

- (b) Add to Article III, Division 2, Special Requirements for Certain Permitted Uses a new Section 23-32.1 entitled "Commercial Uses in Multi-Family and Office Districts".
- (c) Amend Article III, Division 1, Sec. 23-31 Table of Permitted Uses to require "cafeterias and snack bars" for employees in office buildings to observe regulations established in (b) above.

The Planning Director advised these are changes in the Zoning Ordinances that the Planning Commission developed at the time a major apartment building was to be built and found it desirable to have some limited commercial uses. That this is consistent with the Planning Commission's thinking expressed before the adoption of the new zoning ordinance, but the Commission did not take time to work out all of the details of this particular type of commercial provisions in major residential and office buildings, the thought being that these larger establishments would find it a convenience to have limited commercial uses operate within the buildings as a service to the occupants of the building.

No objections were expressed to the proposed changes in the Zoning Ordinance.

Council decision was deferred one week.

HEARING ON ORDINANCE NO. 130 AMENDING THE CHARLOTTE SUBDIVISION ORDINANCE TO RESTRICT THE SUBDIVISION FOR RESIDENTIAL PURPOSES OF LAND SUBJECT TO FLOODING.

The public hearing was held on the proposed ordinance entitled "Ordinance No. 130 Amending the Charlotte Subdivision Ordinance to Restrict the Subdivision for Residential Purposes of Land Subject to Flooding."

No objections were expressed to the ordinance.

Councilman Whittington stated the ordinance is the results of the study by Council and the Department Heads in cooperation with interested groups and individuals.

Councilman Dellinger moved the adoption of the ordinance, which was seconded by Councilman Bryant, and unanimously carried. The ordinance is recorded in full in Ordinance Book 13, beginning at Page 363.

MEETING RECESSED FOR FIVE MINUTES AT 3:10 P.M. AND RECONVENED AT 3:15 P.M.

Mayor Brookshire declared a five minute recess at 3:10 p.m., and the meeting was reconvened at 3:15 p.m. and called to order by the Mayor.

October 15, 1962  
Minute Book 42 - Page 250

PETITION BEARING SIGNATURES OF RESIDENTS OF MYERS PARK MANOR AREA  
FAVORING IMPROVEMENTS IN DRAINAGE CONDITION BY ASSESSMENT UNDER PLAN #2  
SUBMITTED THEM, REQUESTED FILED WITH CITY COUNCIL.

Mr. Wiley Shaw appeared before Council with regard to the City's proposal on October 1st that in addition to the improvements to the drainage conditions in the Myers Park Manor Area to be paid for by the City and known as Plan #1, the residents in the area further improve the conditions by the installation of surface improvements on private properties, known as Plan #2, at an estimated cost of \$26,760.00 to be assessed against the residents.

Mr. Shaw advised that all 92 residents of the area who would be benefited by Plan #2 were notified of a meeting to discuss the proposal, which was held on yesterday, at which Mr. Birmingham and Mr. Broom from the City Engineering Department explained the proposal in detail. He stated there was little opposition to the Plan and at the end of the meeting a poll vote was taken to learn the feeling of those present and 99% voted by raising their hands that they were willing to go along with the Plan. He stated further it was made very clear to those present that Plan #2 was on an assessment basis and they appeared willing to go ahead with it. That only one person did not appear too willing.

Mr. Shaw asked now that the meeting has been held, as suggested by Council, what are the next steps they should take to proceed with the work.

Councilman Dellinger asked Mr. Shaw if the people who were present yesterday said they would subscribe the amount of the cost. Mr. Shaw stated it was understood and practically everyone there said they would go along with it 100%. Councilman Dellinger asked if those who were not present are going to underwrite it? Mr. Shaw stated he could not answer for them, that they were notified but were not present. Councilman Dellinger asked the City Attorney if Council can proceed on the basis of the report of their meeting? Mr. Morrisey advised the Council could do so, that it is the only requirement in the Statutes governing this assessment. Councilman Smith stated that he, personally, would like to have Mr. Shaw get a petition with signatures, because often in a meeting a person could say that he did not hold up his hand. Mr. Shaw said he could try to get a signed petition but it was the understanding when he was here before that no petition was necessary, and they did not go along with the petition and told the people at the meeting that a petition was not necessary. Councilman Smith stated he does not want to assess anyone without them having the opportunity to be heard and he would like a petition, because when a man is charged an assessment on his taxes for a period of five years, his consent should be more than hear say. Councilman Smith suggested that the persons interested, with Mr. Morrisey's assistance, draw up a petition and see how many names they could get on it and then Council could see how many people are in favor of the assessment plan. Mr. Shaw said that would be satisfactory to him. Mr. Morrisey asked if he understand that Council requests that he assist Mr. Shaw in the preparation of a petition expressing the sentiments for the plan? Councilman Smith asked that the petition include the estimated amount that it will cost them, then the Council will have something to go on. Mr. Morrisey advised that under the Statute this machinery is first initiated by the Health Department, determining that the conditions existing constitutes a nuisance, then certify that to the Council. He stated further that the statutory provisions under which assessment is made for drainage - aside from storm drains in the streets - are for initiation as he has just outlined. That he thinks Council could ask the residents for a petition in order that they be better informed as to the sentiments of the residents, and he will be happy to prepare such petition, however, action by the Health Department would also be necessary.

SUBJECT

CITY

CITY

CITY

October 15, 1962  
Minute Book 42 - Page 251

Mr. Bobo asked if he understand Council is favoring making improvements on private property and assesing the cost, or are they favoring the City making improvements in the street right of way and assessing the cost and then letting whatever improvements that are to be done on private property be handled by the property owners? Councilman Smith stated he would consider this a community project, where the residents would share equally whether the line ran across their lot or their neighbors lot, it would take off the water and he thought it could be done as a unit proposition, sharing equally in the cost.

Mr. Bobo said it was a matter of how far the City wanted to go with the project - that drainage in the street can be provided to drain private property and let the property owners take it from there, or you can go on private property under the Health laws - and he is asking which one the Council wants? Mr. Bobo stated further this is a matter of a principle involved, not necessarily the legal viewpoint.

Councilman Smith asked that Mr. Morrissey and Mr. Bobo work it out.

FIVE PETITIONS FOR PERMANENT IMPROVEMENTS TO STREET IN THE MYERS PARK MANOR AREA FILED BY MR. ALBERT PEARSON.

Mr. Albert Pearson, stated he lives in the Myers Park Manor section and attended the meeting on yesterday of the residents of the area to hear a discussion on the City's proposal for improving the drainage condition by assessment against the residents, and he presumes he is the 1% referred to by Mr. Wiley Shaw previously in the meeting. That he took exceptions to the reference to a health hazard as a more or less indirect threat, and he considers this a legal matter, but will not go further into that, but will proceed with what he thinks is a very forward step for the area.

He advised he has petitions for street improvements which call for curb, sidewalks and drainage for various streets in the area, one of which is Plantation Place, from Westfield Road to Manor Road. That he was under the impression when the petitions were obtained there were legal requirements for things of this type and one had to have at least 25% of the property owners on the street before it could be presented to the Council. He filed the petition with the City Clerk. He stated this petition represents 360 feet at \$6.50 per foot and is a survey made by the Engineering Department based on a letter which he stated he gave the Mayor some time ago.

Councilman Whittington asked Mr. Pearson if he is talking about his street only - Plantation Place and is asking the City to make permanent improvements and if they are willing to pay for them? Mr. Pearson stated that is correct, he will ask the City to check on the drainage. He advised further there are six lots on the street.

Mr. Morrissey advised that he thinks the requirement is 25% of the number of owners owning at least 25% of the linear footage, however, there is an established procedure for routine handling of this type of petition. That the petition is secured from the Engineering Department, signed by the petitioners, then returned to the office of the City Clerk and the Engineering Department verifies the signature and determines the sufficiency of the petition, and we will follow that procedure in checking this petition.

Mr. Pearson then presented a second petition for Rocklyn Place, from Westfield Road to Manor Road, and stated the petition has only three signatures and he is here for information as to whether they should go ahead and whether the Council is interested in making definite improvements in the neighborhood or not. That this petition represents 270 feet, and the cost is \$6.50 per foot.

October 15, 1962  
Minute Book 42 - Page 252

206EJ

Mr. Pearson presented a third petition for Westfield Road, from Tranquil Avenue to Brandywine Avenue, a distance of 719 feet at \$7.70 per foot. He stated this is the street about which he called the Mayor some two or three months ago.

Councilman Whittington stated he does not know what Mr. Pearson is talking about. He asked if he is giving Council petitions by streets for permanent improvements? Mr. Pearson stated he is giving the Council petitions partially signed and asking for Council's advice as to what they should do about them. Mayor Brookshire asked if he is representing himself as an agent for the people who live on these streets? Mr. Pearson stated he is representing himself only, and the petitions speak for themselves.

Councilman Whittington asked the City Attorney if this is the proper procedure? Mr. Morrisey stated that assuming these are petitions for street improvements and they appear to be on forms from the Engineering Department, they will be checked by the Engineering Department to determine their sufficiency, and Mr. Pearson will then be advised as to whether they are or are not sufficient. Mr. Pearson stated he would like that statement clarified, as he is asking for advice as to whether to proceed or not. Mr. Morrisey suggested that Mr. Pearson might obtain the advice he seeks from the Engineering Department, the personnel of which is in position to check the petition against the total project and determine the relative sufficiency. Mr. Pearson stated that would not help him on what he is trying to find out; that he is trying to find out whether they should go ahead with the petitions.

He then presented a fourth petition for improvements on Manor Road, from Tranquil Avenue to Westfield Road, for 520 feet at \$10.55 per foot.

Mr. Morrisey stated the usual procedure when people seek improvements is to submit the petition and if there are enough signatures on the petition to make it sufficient for the Council to consider, a resolution is prepared and the matter is then considered by the Council. If the Council feels they have sufficient money on hand to undertake the improvement, or to finance it subject to the assessment, they give it the same consideration in relation to all other petitions received.

Councilman Dellinger suggested that Council receive these petitions from Mr. Pearson and refer them to Council when it is learned if they are in order.

Mr. Pearson then presented a fifth petition for improvements on Fieldbrook Place, from Manor Road to Westfield Road.

Mr. Pearson insisted that Council advise him whether to proceed, and Mayor Brookshire told him the petitioners would have to come to Council in proper form and the right procedure has been suggested to him, and after they are handled in that manner, Council will consider the improvements if the City has money with which to do the work; however, at this point Council cannot give him the answer.

Mr. Pearson asked if he is out of order in asking the City Council for advice as to whether to go ahead with these petitions or not? He stated the Engineering Department is not in position to give him that advice. Mayor Brookshire stated the only advice the Council can give him at this time is to use his own initiative and judgment in the matter but to confer with the Engineering Department in complying with the rules and regulations.

Councilman Dellinger stated he thinks that what Mr. Pearson wants to know is whether he has a sufficient number of people signing the petitions to proceed with these projects. Mr. Pearson stated he wants to know if it is worth while, and if he is on the right track to go ahead.

October 15, 1962  
Minute Book 42- Page 253

Councilman Smith suggested to Mr. Pearson that when he got 25% of the people signed up, the Council will have a hearing and hear both sides and then it is up to Council to decide whether to proceed or not.

Councilman Bryant suggested that since everyone is guessing as to what Mr. Pearson wants, let him make his guess as to what it seems he wants, that in view of the path the Council has taken in the drainage situation under Option #1 and Option #2, Mr. Pearson wants to know whether this will do any good in the matter of further drainage and whether they should proceed or not.

Mayor Brookshire stated again that is information he would have to obtain from the Engineering Department.

Mr. Pearson stated he will leave the petitions with the Council for their consideration. That relative to Plan #2, he will comment - that out where he lives call for drainage from a low spot under the road and under the creek, and he would like for Council to know that.

RESOLUTION APPROVING A CONTRACT BETWEEN THE STATE BOARD OF HEALTH AND THE CITY HEALTH DEPARTMENT FOR MENTAL HEALTH SERVICES.

A resolution entitled: "Resolution Approving a Contract between the State Board of Health and the City Health Department for Mental Health Services" was presented, and upon motion of Councilman Dellinger, seconded by Councilman Whittington was unanimously adopted. The resolution is recorded in full in Resolution Book 4, at Page 224.

SALE OF TAX FORECLOSED PROPERTY AT 1109-11 NORTH CALDWELL STREET CONFIRMED TO THE HIGH BIDDER, JOHN H. CORRIHER, SR. AND WIFE.

Councilman Whittington moved that the sale at public auction of tax foreclosed property at 1109-11 North Caldwell Street be confirmed to the high bidder, Mr. John H. Corriher, Sr., and wife, at \$1,2500.00. Councilman Smith stated that he, personally cannot vote for this, as he does not think this is enough money for the property. The motion was seconded by Councilman Dellinger and carried by the following recorded vote:

YEAS: Councilmen Albea, Bryant, Dellinger, Jordan, Thrower and Whittington.  
NAYS: Councilman Smith.

RESOLUTION APPROVING AGREEMENT WITH THE N. C. STATE HIGHWAY COMMISSION FOR WEST SIDE GRADE CROSSING ELIMINATION PROJECT.

A resolution entitled: "Resolution approving agreement with the N. C. State Highway Commission for West Side Grade Crossing Elimination Project" was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Whittington, was unanimously adopted. The resolution is recorded in full in Resolution Book 4, at Page 223.

CONSTRUCTION OF SANITARY SEWERS AUTHORIZED.

Motion was made by Councilman Bryant, seconded by Councilman Dellinger, and unanimously carried, authorizing the construction of sanitary sewers, inside the city limits, at the following locations:

- (a) Construction of 2,214 ft. of 8-inch main in University Park #5, at the request of C. D. Spangler Construction Company, at an estimated cost of \$8,805.00. All costs to be borne by the Applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.

- (b) Construction of 105-ft. of 8-inch main in Sharon-Amity Road, at the request of Ed Griffin Development Corp., at an estimated cost of \$220.00. All costs to be borne by the Applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.
- (c) Construction of 580-ft of 8-inch main in Sharon Amity Road, at request of Ervin Construction Company, at an estimated cost of \$1,670.00. All costs to be borne by the Applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.
- (d) Construction of 2,652 ft. of 8-inch main in Rock Brook Sub-division, at the request of C. H. & Rex H. Wheatley and Ben F. Turner, at an estimated cost of \$8,735.00. All costs to be borne by the Applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.
- (e) Construction of 130-ft. of 8-inch main in Nottingham Drive at request of Mrs. C. A. Seawright, 3800 Warrington Drive, at an estimated cost of \$470.00. All costs to be borne by the Applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.
- (f) Construction of 40-ft. of 8-inch main in Newland Road, at the request of Helms Construction Company, at an estimated cost of \$240.00. All costs to be borne by the applicant, whose deposit of the entire amount of the cost will be refunded as per terms of the contract.

## TRANSFER OF CEMETERY LOTS

Upon motion of Councilman Jordan, seconded by Councilman Albea, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mr. H. Claude Young and wife, Maxine for Lot 366, Section 3, Evergreen Cemetery, at \$378.00.
- (b) Deed with Trust Department, N. C. National Bank, for perpetual care on south half of Lot 3, Section U, Elmwood Cemetery, at \$59.50.

## CONTRACT AWARDED CAROLINA CONCRETE PIPE COMPANY, DIVISION OF MARTIN MARIETTA CORP., FOR 10,000 FEET OF REINFORCED CONCRETE PIPE.

Councilman Dellinger moved the award of contract to the low bidder, Carolina Concrete Pipe Company, Division of Martin Marietta Corporation, for 10,000 feet of Reinforced Concrete Pipe, as specified, on a unit price basis, at their bid price of \$45,838.60. The motion was seconded by Councilman Bryant, and unanimously carried.

The following bids were received:

Carolina Concrete Pipe Company	\$45,838.60
Division of Martin Marietta Corporation	
Foltz Concrete Pipe Company, Inc.	46,938.75
Gray Concrete Pipe Company, Inc.	49,630.40

Bid not meeting specifications:

Republic Steel Corporation	53,249.35
----------------------------	-----------

October 15, 1962  
Minute Book 42 - Page 255

CONTRACT AWARDED PARNELL-MARTIN SUPPLY COMPANY FOR 70,300 FEET CAST IRON SOIL PIPE & FITTINGS.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Parnell-Martin Supply Company, for 70,300 feet of Cast Iron Soil Pipe and Fittings, as specified, on a unit price basis at their bid price of \$44,715.44.

The following bids were received:

Parnell-Martin Supply Company	\$ 44,715.44
Atlas Supply Company	\$ 44,856.65
Shelby Supply Company	\$ 45,122.64
Horne-Wilson, Inc.	\$ 45,167.66
Hajoca Corporation	\$ 45,195.83
Crane Supply Company	\$ 45,258.51
Grinnell Company, Inc.	\$ 46,334.13
Noland Company	\$ 46,710.78

CONTRACT AWARDED G & L JANITOR SUPPLY & SERVICE COMPANY FOR FLOOR MAINTENANCE MACHINE.

Councilman Dellinger moved the award of contract to the low bidder meeting the specifications, G & L Janitor Supply & Service Company, for One Floor Maintenance Machine, at their bid price of \$1,783.96. The motion was seconded by Councilman Jordan, and unanimously carried.

The following bids were received:

G & L. Janitor Supply & Service Company	\$ 1,783.96
Clarke Floor Machine Company	\$ 1,815.40

Bids not meeting specifications.

Wilmar, Inc.	\$ 1,265.10
American Floor Machine Company	\$ 1,342.32
Edco Chemical Company, Inc.	\$ 1,399.61
Apsco Allied Products & Supply Company	\$ 1,606.80
Alternate Bid	\$ 1,622.25

CONTRACT AWARDED WRIGHT LINE, INC., FOR FIVE IBM CARD FILES.

Upon motion of Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, contract was awarded the low bidder, Wright Line, Inc., for Five IBM Card Files, as specified, at their bid price of \$1,320.20.

The following bids were received.

Wright Lines, Inc.	\$ 1,320.20
Diebold, Inc.	\$ 1,336.94
Tab Products	\$ 1,459.25
Pound & Moore Company	\$ 1,799.85

October 15, 1962  
Minute Book 42 - Page 256

SUBJECT

CONTRACT AWARDED L. A. ARMSTRONG FOR 3000 CUBIC YARDS OF PIT GRAVEL

Motion was made by Councilman Jordan, seconded by Councilman Dellinger, and unanimously carried, awarding contract to the low bidder, L. A. Armstrong for 3,000 cubic yards of Pit Gravel, on a unit price basis, at their bid price of \$4,326.00.

The following bids were received:

L. A. Armstrong	\$ 4,326.00
R. L. Holt	\$ 4,604.10
Cochran & Ross Construction Company	\$ 4,913.10

RIGHT-OF-WAY SETTLEMENT FOR KENILWORTH AVENUE EXTENSION PROJECT AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Smith, and unanimously carried, the following settlements for rights-of-way for the Kenilworth Avenue Extension Project were authorized:

- (1) Payment of \$8,000.00 to Mr. Robert C. Fisher and wife, Brenda W. Fisher for 10,558 square feet of property at 1324 Ordermore Avenue, being Lot 10 of 91 tracts.
- (2) Payment of \$200.00 to Mr. Hubert D. Crotts and wife, Eugenia F. Crotts, for 240 square feet of property at 1300 Ordermore Avenue, being Lot 11 of 91 tracts.
- (3) Payment of \$270.00 to Juanita Summerow and Willye Summerow, for 300 square feet of property at 2013 Charlotte Drive, being Lot 12 of 91 tracts.
- (4) Payment of \$195.00 to Mr. Samuel E. Stowe and wife, Eleanor B. Stowe, for 300 square feet of property at 2131 Charlotte Drive, being Lot 13 of 91 tracts.
- (5) Payment of \$125.00 to Mr. Charles I. Myers and wife, Cleola Myers, for 25 square feet of property at 2209 Charlotte Drive, being Lot 14 of 91 tracts.
- (6) Payment of \$370.00 to Mr. M. D. Abraham and wife Vanetta Abraham, for 300 square feet of property at 2125 Charlotte Drive, being Lot 15 of 91 tracts.

APPROPRIATION AUTHORIZED FROM CONTINGENCY FUND FOR CONSTRUCTION OF WALKWAY AND FOOTBRIDGE ON PIERSON DRIVE.

Councilman Dellinger moved that \$1,210.00 be appropriated from the Contingency Fund for the construction of a gravel walkway and footbridge on Pierson Drive. The motion was seconded by Councilman Whittington, and unanimously carried.

ACQUISITION OF PROPERTY FOR RIGHT-OF-WAY FOR GRADE CROSSING ELIMINATION PROJECT.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the acquisition of property on Eldridge Street from Miss Mary L. Butts at a price of \$4,500.00, for right-of-way for the Grade Crossing Elimination Project was authorized.

October 15, 1962  
Minute Book 42 - Page 257

WATER DISTRIBUTION ORGANIZATIONAL CHANGES APPROVED.

Mr. Bobo Administrative Assistant, advised changes are proposed to be made in the Water Distribution Division with Council approval. He distributed to Council organizational charts pertaining to these changes, and advised that as shown on the chart, the Division is being regrouped into three sections, (1) Construction and Maintenance, (2) Materials and Supplies and (3) Meters and Customers Service, which it is thought will make a more efficient organization. Mr. Bobo stated that in order to carry out this operation they would like to make the following changes and promotions:

- (1) Put Mr. Paul Dellinger, Distribution Foreman, who has already been approved, in charge of Construction and Maintenance Division, which would be promoting him from Foreman II at pay range 17, step "F" monthly salary of \$480.00 to range 20, step "D" monthly salary of \$500.00.
- (2) In the Meters and Customer Service Section, promote Mr. J. B. Norman from Meter Repairman III at pay range 15, step "D" monthly salary of \$400.00 to Water Meter and Service Foreman, pay range 18, step "B" monthly salary of \$420.00.
- (3) In the Materials and Supplies section, promote Mr. Wade M. Welch, now employed as Storekeeper at pay range 11, step "E" monthly salary \$364.00 to pay range 15, step "C" monthly salary of \$382.00.

Councilman Whittington asked who will take Mr. Norman's place as Meter Repairman III and Mr. Bobo advised this position will be deleted. Councilman Dellinger asked who will be in charge of meter repairs, and Mr. Bobo advised that Mr. Norman will be over Meter Repairs and Customers Service. Councilman Whittington expressed doubt as to the wisdom of this move, stating that more complaints are received right there than anywhere, the men saying they are not paid enough and they do someone else's work. He asked if consideration was to be given others in the Division, some of whom have not had a raise in three years and Mr. Bobo explained that the responsibilities of the men are not being changed, and Councilman Whittington stated Mr. Norman's responsibilities are being changed if he is being promoted and others will have to do his work in addition to their own. Mr. Bobo stated that Mr. Norman will normally do his former duties, which was Supervisor of the Repairmen, and he will also be over Customer Service, which places him over two former sections. That the salaries of the other men in the Division are reviewed annually and presented to Council for approval. That they feel by this grouping of positions, better control will be realized as heretofore everyone has been directly responsible to Mr. Beaver, Supervisor of the Water Distribution System.

Councilman Whittington asked for the names of the foremen under Mr. Dellinger and Mr. Bobo stated the list will be furnished Council as soon as it is completed. Councilman Whittington asked that Mr. Bobo bring to next Council Meeting the names of the construction foreman and maintenance foreman.

Councilman Albea moved approval of the proposed reorganization of Division 610 of the Charlotte Water Department as submitted, and of the promotions of Mr. Beaver, Mr. Dellinger, Mr. Norman and Mr. Welch as a part of the reorganization. The motion was seconded by Councilman Thrower, and un-animously carried.

October 15, 1962  
Minute Book 42 - Page 258

SUBJECT

Mr. Bobo further recommended that Council approve the employment of two additional Laborers II, who will be used to work the late evening and night shifts and holidays to aid existing servicemen in making minor repairs, one of whom will be available for such repairs and will eliminate the majority of calls that a foreman and part of their crews are recalled for duty at night, Sundays and Holidays. He also recommended the purchase of a 1/2 ton pick-up truck to be used by the maintenance and construction Foreman. He advised that no additional appropriation is required to make these revisions. Councilman Smith moved approval of the employment of two additional Laborers II and the purchase of a 1/2 ton pick-up truck, as recommended. The motion was seconded by Councilman Dellinger, and un-animously carried.

GRAVEL AUTHORIZED PLACED ON STREET ON NORTH SIDE OF OFFICE BUILDING IN THE 2600 BLOCK OF 29TH STREET TO RESTORE IT TO ITS ORIGINAL CONDITION BEFORE THE SEWER LINE WAS LAID BY THE CITY.

Councilman Whittington advised that he asked Mr. Bobo last week to go out on 29th Street in the 2600 block, and look at the condition of the street on the north side of the Carolina Motor Lines/<sup>office building</sup> which is not maintained by the City, and there are two homes on the street and 25 cars use the street as a parking lot. That there is a sewer line, which the City laid in the street, which is now in a sunken condition making it a very difficult area for the two home owners to get into and out of, plus the people who park in there. That he contends if the City puts a load of gravel on the street we would do a thousand dollars of goodwill and it would only cost the City \$4.00 or \$5.00. He stated he does not believe in this case the City would be waiving from its street policy because of the large number of people using the street. Mr. Bobo commented that it is possible that the sunken condition of the street is because of the sewer line which was relaid in the street two years ago; that the street has gravel on it and all of it is in good shape generally except where the sewer line was laid.

Councilman Dellinger stated he is in favor of doing something about it, and also wants to say that "he told the Council so" when the ordinance was passed and now when a load of gravel is put on a street it is put under city maintenance. He emphasized the fact that there were no exemptions made in the ordinance when it was passed, so when he brings in a request for repairs to a street he wants the same treatment being accorded today.

Councilman Thrower asked the City Attorney if this would constitute taking over the street? Mr. Morrissey advised he thinks it is obvious that the City has a responsibility to maintain the area over a sewer line in a safe condition and it is quite possible that the actual maintenance would constitute acceptance of the street provided there has been a dedication of it.

Councilman Bryant asked if the street is repaired if it will mean it is in the city street system? Mr. Morrissey advised if the Council wanted to accept it as part of the system, they could do so; this act of maintenance is evidence of City acceptance if someone wanted to press the question.

Councilman Whittington moved that a load of gravel be put on the street to restore it to its original condition before the sewer line was laid by the City. The motion was seconded by Councilman Dellinger, and carried by the following recorded vote:

YEAS: Councilmen Albea, Dellinger, Jordan, Smith, Thrower and Whittington.  
NAY: Councilman Bryant.

Councilman Whittington stated he wants to make it clear that he does not feel he is breaking any precedent as to how he voted on the Street program originally; that he feels this is a problem that should be corrected, and it is not a street improvement nor a maintained street.

October 15, 1962  
Minute Book 42 - Page 259

REQUEST FOR STOP SIGNS AT THE FOUR-WAY INTERESECTION OF HOPEDALE ROAD,  
GRANVILLE ROAD, QUEENS ROAD AND ARDSLEY ROAD REFERRED TO CITY MANAGER  
FOR RECOMMENDATION OF TRAFFIC ENGINEER ✓

Councilman Whittington advised he has had requests from residents that Stops Signs, not a Traffic Signal, be placed at the four-way intersection of Hopedale Avenue, Granville Road, Queens Road and Ardsley Road, as this is a blind intersection any way you enter it. He asks Mr. Bobo to take the request up with the Traffic Engineer and have his recommendation at next week's meeting.

STATEMENT MADE BY COUNCILMAN WHITTINGTON EXPRESSING RESENTMENT AT ATTEMPTS BY CHAIRMAN OF THE REPUBLICAN PARTY TO LABEL AS PARTISAN POLITICS HIS EFFORT TO CONTINUE THE URBAN RENEWAL PROGRAM THROUGH A MEETING WITH CONGRESSMAN KITCH N IN THE OFFICE OF THE DEMOCRATIC PARTY CHAIRMAN.

Councilman Whittington stated there was an article in The Charlotte News last Tuesday accusing Mr. Albea and himself of partisan politics on the City Council, and he felt that he should answer this charge and he did not want to do so until a meeting of the Council was held so he would not be misquoted. He read the following statement:

"Last week I was accused of playing partisan politics along with Councilman Claude L. Albea for attending a meeting with Congressman A. Paul Kitchin in the office of the Democratic Party Chairman. The purpose of this meeting was to ask the aid of our National Representatives in helping the City of Charlotte and its citizens get the second phase of Urban Redevelopment in Brooklyn approved. Briefly the facts concerning this meeting are:

(1) The local Redevelopment Commission applied for planning funds for phase two of the Brooklyn Renewal Project October 12, 1961, to the Atlanta office of the Urban Renewal Administration. This application was not acted upon because the Atlanta office said they were out of money. Our Urban Redevelopment Commission made a relocation feaseability survey and re-applied for funds for planning in phase two in August of this year.

(2) October 5, 1962, Mr. Veeder, The City Manager, Mr. Rouzer, Chairman of Urban Development Commission and Mr. Sawyer, The Executive Director of the Urban Redevelopment Commission went to Atlanta to attempt to get phase two approved.

(3) Monday October 8, 1962, these three gentlemen reported to the City Council that the Atlanta Office was not satisfied with our relocation plan for the Brooklyn residents but did not give a clear cut reason for holding up planning funds for phase two. They probably hinted at public housing to our representatives but never said so directly.

(4) Upon receipt of this information, the Mayor and City Council sent telegrams to all of our representatives, Senators Irwin and Jordan, and Representatives Jonas and Kitchin asking their aid in this matter.

(5) The Chairman of the Democratic Party in Mecklenburg County, Mr. Ray King, upon seeing this on our Television News media Monday Night called and offered to arrange a meeting between the City Council and Congressman Kitchen. I called Mayor Stan Brookshire early Tuesday morning and relayed this information to him. The Mayor approved the idea but stated he could not attend because of a speaking engagement at Davidson College. I then asked the Mayor if he objected to my calling the meeting. He said No. Mr. King was then notified. Mr. Veeder, the City Manager, was then asked to call the members of the City Council that he could reach and inform them of the meeting.

October 15, 1962  
Minute Book 42 - Page 260

(6) The meeting was held at 10:30 a.m. October 9th in the office of Mr. King with Mr. Veeder, Mr. Swayer, Congressman Kitchin, Mr. Connah of the Charlotte Observer, Mr. King and Councilman Albea and myself present. Congressman Kitchin was quoted in The Charlotte Observer that he was there by invitation and having been asked for help he would try to furnish it. He made it perfectly clear he was not trying to usurp Congressman Jonas prerogative.

(7) If Mr. Hickman had shown similar interests or offered to arrange a meeting with Congressman Jonas the City Council, I am sure, would have been equally pleased to meet with him.

These are the facts, requests for help were sent to all our representatives in both Houses of Congress. We met with Congressman Kitchin because the meeting was arranged for us. When Secretary of Commerce, Luther Hodges, was here on Friday of last week Mayor Brookshire and I both asked him to help us with the problem.

I believe in and have always stood for better housing for all of the people of Charlotte. The Urban Renewal Program and the Minimum Housing Code are both programs which I supported and will continue to support. I have always made it a policy to encourage meetings with individuals or groups that are interested in and will work for these programs which are for the benefit of the people of Charlotte.

This is not a political issue, but my obligation, as a member of the Charlotte City Council to work for the programs which I believe to be in the best interest of all the people of Charlotte.

I deeply resent this attempt by the Chairman of the Republican Party to label as Partisan Politics this effort to continue this long range and vital program which has already been approved by the citizens of Charlotte."

Councilman Dellinger stated he cannot see how anyone could accuse a Councilman of being a partisan politician as he holds an office of non-partisan status.

Mayor Brookshire stated he has only this comment, when Mr. Whittington called him about the meeting it did not occur to him there was maybe a technicality involved, and he now recognizes that Mr. Kitchin is in the new 8th District and he presumes until the election on November 6th our official Congressman is Mr. Jonas; however, be that as it may, he simply was willing to accept any offered help at hand and he believes that all of us would do the same thing.

Councilman Bryant commented that since the Council is a non-partisan group, and since there was this possibility, Mr. Jonas was also in town that day.

Councilman Albea stated that Councilman Bryant or some body should have seen that Mr. Jonas was called to the meeting. That he had nothing to do with getting up the meeting, he was invited to go by our City Manager who said the Mayor pro tem has requested the meeting, and he went as a citizen of Charlotte and a member of the Council and gave a statement Tuesday night to The Charlotte Observer and they quoted him word for word and he is satisfied. He would just like to say he was doing it in the interest of the citizens of Charlotte and had no political aims and would meet with Mr. Jonas or anyone in the city's interest, and he has no apologies to make to anyone.

October 15, 1962  
Minute Book 42 - Page 261

MAYOR ADVISES REPLIES RECEIVED TO TELEGRAMS TO CONGRESSMEN AND SENATORS WITH REGARD TO THE REDEVELOPMENT PROGRAM AND COUNCILMAN SMITH ASKS THAT SUCH REPLIES BE COPIED AND SENT TO THE COUNCIL.

Councilman Smith asked if any official response was received from the telegrams to Congressmen Kitchin and Jonas and Senators Erwin and Jordan with regard to the Redevelopment program? Mayor Brookshire stated he received replies from both Senators and a telegram from Mr. Jonas, who offered to set up a meeting in Washington if we would like to have such a meeting. Councilman Smith suggested that replies to any telegrams sent by Councilmen should be mimeographed and sent on to the Council so they would not have to get the information from the press.

Councilman Whittington stated the first information received he did not get, which was sent by Senator Jordan to the City Hall, and the second information was received by telephone from Congressman Kitchin and then he thinks that a reply was received from Congressman Jonas but nothing from Senator Ervin.

Mayor Brookshire stated the News media has covered the matter, and Councilman Smith stated that is his point, he respects the newspapers but prefers to get his information officially from the Administration. Councilman Albea called attention that the Newspapers are always way ahead, and Councilman Smith stated this telegram was signed by individuals, the Mayor and Councilmen and he thinks any replies to such a message should be sent out to them.

Councilman Bryant stated he received replies from everyone on his telegram.

ESTABLISHMENT OF INVENTORY CONTROL IN ALL DEPARTMENTS HANDLING MERCHANDISE REQUESTED AS SOON AS POSSIBLE.

Councilman Dellinger asked Mr. Bobo if any consideration has been given to setting up inventory controls in the departments where merchandise of any kind is stored? Mr. Bobo stated it has been considered, and he is making a study of it now and will shortly have regulations and procedures set up whereby it will be taken care of. Councilman Dellinger asked how long it will be before they are ready, and Mr. Bobo replied within the next week the machinery will be started, as it will take quite a while. Councilman Dellinger stated it should be set up within two weeks, inventory controls in each department handling merchandise. Mr. Bobo said there is a system actually in effect now, but we want to refine it and it will take some time as it will not only involve expendable items but non-expendable ones. Councilman Dellinger asked how efficiently the departmental systems work, 85% or 75%? Mr. Bobo stated he would not like to comment on that at this time, except to say they are planning to redesign and refine it. Councilman Dellinger asked him to keep the Council advised as to the progress made on this.

ATTENTION CALLED TO BAD CONDITION OF EASTWAY DRIVE, FROM INDEPENDENCE BOULEVARD TO CENTRAL AVENUE, AND THE BRIDGE ON THE NORTH END OF EASTWAY DRIVE.

Councilman Bryant advised that one street which he understands is partially in the State and partially in the City Street System, is getting worse, it is Eastway Drive between Independence and Central Avenue that it is shredding off the edges and getting some narrower and it needs to be widened and the other is the Bridge on the north side of Eastway Drive; that it is probably not in the immediate future but he would like to stump for that particular road as it has become a major thoroughfare.

October 15, 1962  
Minute Book 42 - Page 262

NEGOTIATIONS AUTHORIZED WITH SHARON WATER COMPANY IN CONNECTION WITH THE CITY'S COUNTER PROPOSAL TO REQUEST FOR REPAYMENT FOR WATER MAINS UNDER CONTRACT DATED 1930.

Mr. Morrissey, City Attorney, advised that the Sharon Water Company has made formal demand upon the City for repayment of some \$83,000 as the amount due, under a contract secured in 1930, for water mains constructed since that time by the Company and taken over by the City when the City extended its limits in 1960. He requested Council to authorize the City Manger and Superintendent of the Water Department and the City Attorney to make a counter proposal to the Water Company that the Company sell and the City purchase all of the mains constructed by the Company since the date of the contract, whether those mains lie within the City or without the City or within the area subject to the contract or outside that area, all at a price to be determined by the replacement cost of such mains as of January 1, 1960, less 2% depreciation annually from the date the lines were put in place, all upon condition that this contract then be terminated by the mutual consent of the parties. He asked the Council to authorize negotiations with the Company on that basis.

Councilman Thrower moved that negotiations with Sharon Water Company be authorized as recommended, which was seconded by Councilman Bryant, and unanimously carried.

Mr. Morrissey advised when such negotiations are concluded they will be reported back to Council for action.

REPRESENTATIVE OF HUSKI-BUILT HOMES, INC. ASKS FOR CONSIDERATION OF THEIR LOW-COST HOMES FOR HOUSING DISPLACED PERSONS IN THE URBAN REDEVELOPMENT PROGRAM AND COUNCIL TABLES MATTER OF HOUSING TO AWAIT REPLY FROM APPLICATION FOR PHASE TWO OF BROOKLYN RENEWAL PROJECT AND REPORT OF LOW COST HOUSING NEEDS FROM CHARLOTTE HOUSING AUTHORITY.

Mr. John Clark, representing Huski-built Homes, Inc. of Charlotte, appeared on behalf of his Company in opposition to public housing and advised that sometime in May they wrote to Mr. Sawyer of the Redevelopment Commission, making a proposition whereby they could provide low-cost housing for a number of the residents who will be displaced by urban renewal. That he would like to impress upon the Council before any decisions are made concerning public housing, they would like to have the chance to go over what they have in mind.

Mayor Brookshire asked Mr. Clark if his Company is able to furnish standard housing at rental rates comparable to those charged in public housing, which they were told this afternoon range in Charlotte from \$31 to \$37 per month per unit? Mr. Clark stated they are primarily concerned with selling owner occupied homes, not renting homes. Mayor Brookshire stated then they are not prepared to take care of those individuals who are being displaced who cannot buy? Mr. Clark stated he is not too sure they cannot buy.

Councilman Dellinger stated he thought Mr. Clark wanted to talk about rental units, but he thinks the Council should explore every possibility of private industry supplying homes, like the Spangler Project, and if that can be done he thinks the Federal Government would be satisfied as far as Urban Renewal is concerned, and he believes the Council would be agreeable to go along with a program if we found private industry that would tackle the situation. Mr. Clark stated they are prepared to build homes that will meet the City of Charlotte Code of Requirements, a home with 3 bedrooms that would satisfy these people could be built for \$7,000.00, and a two bedroom house would run \$1,500.00 less, completely finished, and they do their own financing, and these prices are exclusive of the lot. However, they propose, if the City would run the water and sewer lines to a designated

October 15, 1962  
Minute Book 42 - Page 263

piece of property, they would furnish the lot and provide the housing at prices these people can afford. Mr. Clark stated further that a \$7,000.00 house on a 10 or 15 year basis, would cost around \$50.00 or \$60.00 per month.

Councilman Bryant commented that he has had conversations with quite a few companies such as this and there are a good many alternatives to be offered if the people of Charlotte and the Council is willing to be progressive in the matter, as they were progressive in adopting Urban Renewal, as this was a radical type of procedure. That he would plead for and ask for a fair hearing for these people, a hearing where all these things can be laid on the table where Council can discuss them with open minds. He stated he feels like the assertion that might leak out from the first statement or two might scare off this type who are willing to come forward with a plan to help us out and maintain free enterprise in such circumstance as this, and he hopes the Council can have a little different atmosphere rather than trying to shut it off just by saying they cannot furnish something for a man who is only able to pay \$6.00 per week. That he feels Council should hear all the plans, because it is obvious the Council is up against something they have never had before and it is going to take some planning and some new innovations and apparently this Company has come up with something that at least shows promise and a good number of hearings should be planned to hear all of these people with plans to offer.

Mr. Clark stated their business has been providing low cost housing for the past three years and they have been successful at it, and what they would consider a risk, various other lending agencies would not consider them at all. That as far as what these people are paying now, they have found in the past it is no indication as to what they can afford to pay. That they want to lay their plan wide open, and they are against public housing in any form, as they are of the opinion that it can nurture socialism, but they think given a chance they can present a program where they can keep it to a minimum.

Mayor Brookshire stated he still has not yet suggested that they can take care of those low income families who can afford to pay only \$20.00 per month. Mr. Clark stated he doubted if they could provide anything that cheap but he knows they can provide housing for a goodly number of these displaced people.

Councilman Jordan stated many of our builders can build homes for these people, but he thinks we are missing the point here, that it is rental places that is needed that they can afford.

Mayor Brookshire advised Mr. Clark that the audience here at Council Meetings are given an opportunity every week to speak on any subject they wish, so he too may be heard at any time.

Councilman Dellinger stated he is of the opinion that a hearing on housing should be set and invite them all.

Councilman Bryant asked that we have a public hearing on a day other than Council Meeting and spend the whole afternoon if necessary.

Councilman Smith suggested that we give a little time to hear from our request to Washington, before going into the subject of public housing?

Mayor Brookshire stated he had intended asking Council before adjournment what their judgment would be in the matter of sending a Special Committee to Washington to talk with the top men about our Phase #2 Application, to see whether or not before proceeding further we are absolutely blocked off or whether we are going to make some other move before it can be considered.

October 15, 1962  
Minute Book 42 - Page 264

Councilman Dellinger asked if it would not be advisable to wait until we get the report requested made by the Charlotte Housing Authority today?

Councilman Whittington stated he feels that everyone who wants to be heard in this matter of public housing should be given an opportunity, but he does think we have been out of the proper steps in the matter of public housing by this meeting today. We first sent the telegrams to our Representatives in Washington and we have not heard except that they have spoken to Mr. Weaver. That he thinks the Council should first have a Committee from the Council, including the Mayor and City Manager to get an appointment through Mr. Wilson, the Administrative Assistant at the White House with Mr. Weaver and go and talk with him about our urban renewal problem and find out what the matter is with our Second Phase. That he thinks we should have that before any other steps are taken.

Councilman Smith stated he thinks the matter should be tabled for the moment.

Mayor Brookshire stated he thinks Council would like to know everything they can know about the needs which were outlined by Mr. Dillehay this afternoon. He thinks it is logical to wait until Mr. Dillehay presents to the Council in writing the results of the study you authorized this afternoon.

Councilman Bryant stated that he talked over the phone today with Mr. Banks, who is Assistant Commissioner of Relocation in the HHFA and he was familiar with our application and said he was on the way to Washington, and we should talk with Atlanta rather than with him. That he asked what about it, and he said the only reason they have held up the application was by reason of the fact that just as they told us, our relocation problem was not done properly. He stated he then asked him what we could draw from that and he said we could conceivably draw from it-public housing, and Mr. Bryant then asked him if there would be another conclusion by the fact that our relocation office has been slow in relocating these people when they could have been otherwise, and he said that would be the second assumption. However, he would not give a final analysis, he said talk with Atlanta.

Councilman Smith stated now that the application is in Washington, they can't send it back without comment, so we are bound to get some reaction within the next two weeks and to him it would be foolish to take any steps until then, and he asked the Council to wait before having a Committee go to Washington.

Mayor Brookshire stated in the meantime the Housing Authority has been requested to make a survey of Charlotte's low-cost housing needs, and he suggested because of the lateness of the hour that it would be well to curtail the conversation.

STATEMENT PRESENTED BY MAYOR BROOKSHIRE AT THE INFORMAL SESSION WITH CHARLOTTE HOUSING AUTHORITY PRIOR TO COUNCIL MEETING.

Mayor Brookshire requested the City Clerk to include in the Minutes of this meeting the following statement made by him to the Council at the informal conference with the members of the Charlotte Housing Authority prior to the Council Meeting, at which the Authority was requested by the Council to make a survey of Charlotte's low-cost housing needs.

"Since my election to office I believe I have demonstrated a sincere concern for the welfare of all of our citizens as well as an interest in the forward progress of our City.

206EJ

October 15, 1962  
Minute Book 42 - Page 265

I have been particularly concerned with the inadequacy of housing and health facilities and the lack of economic opportunities, which have resulted in inequities, and in consequence contributes to under-privileged and second class citizenship. These conditions produce crime and delinquency and in many ways are costly to our community.

The encouraging part of the picture is that we are trying to do something about these liabilities through Urban Renewal, housing codes and other programs.

At the moment our efforts towards the eradication of Brooklyn slums under our Urban Redevelopment program appears to be stymied by a lack of suitable and decent housing available to some of the displaced persons being removed from Brooklyn, at prices which they are able to pay.

This last statement is made on the basis of our difficulty in getting approval of Phase 2 of our Brooklyn project from the Federal Offices of HHFA in Atlanta.

We can argue the merits of our case with that office and we can go to Washington, but the question revolves around our ability and willingness to meet specified requirements.

Most if not all of us have taken the defensible position that private enterprise should be given the opportunity and encouragement to provide the required housing. Our realtors and developers have not only agreed with us but have made strong efforts to provide the needs. Certainly we cannot criticize their sincere efforts to lend us every cooperation. To the contrary, we should commend and thank them.

But the fact remains, and this is a point we cannot successfully argue with the realtors, the government or ourselves, that private industry cannot afford to supply standard housing for many families because of their size and limited income. Social responsibility stops with private industry at the marginal line between profit and loss. Beyond that point organized society has a responsibility, which can be met, and is being met elsewhere, by public housing.

Before we brand public housing as socialism, let us consider the fact that it is no closer to socialism than county homes, welfare programs, social security or our United Appeal. All have in common a humanitarian interest in helping those who need help. You can add to that our interest in building a better, as well as a bigger city.

Having given this matter much thought I am prepared not only to accept additional public housing in Charlotte, but to recommend it to you as an effective means of immediately removing a road-block to our Urban Renewal program.

The picture can be and should be enlarged upon.

A program of additional public housing in Charlotte, based on a careful survey of the communities' requirements, should also meet the needs of many displaced families caused by the demolition of sub-standard houses under our new housing code.

In addition, the construction of our thoroughfare system of expressways will go through slum areas besides Brooklyn, making it necessary and establishing a community responsibility to provide standard housing for other displaced low income families, whose needs will be quite as acute as some of the families affected by Urban Renewal.

October 15, 1962  
Minute Book 42 - Page 266

SUBJECT

In addition to families whose needs must be met because of our Urban Renewal program, housing code and expressway construction, there is an ever increasing number of old people in our community whose reduced and limited income will not cover the cost of private housing and leave anything for food and medicine. They too create a community responsibility which can be met and is being met elsewhere, by public housing.

It has been said that public housing competes only with slums. Certainly it does not compete with private industry that cannot provide standard housing below minimum income requirements. We are talking about needs and markets that private enterprise does not and cannot touch.

Further, our experience in Charlotte with public housing, under a local authority, whose members are recognized as outstanding citizens, successful and conservative business men, has been highly satisfactory over a period of some 25 years.

The program has never cost the city a single cent. True we have not collected taxes from it, but we have had substantial contributions from it in lieu of taxes.

Additional public housing, if we authorize it, will not cost the city any money. It will be financed through revenue bonds issued by the Charlotte Housing Authority and will in no way affect the credit of the city.

I have no hesitation in recommending additional public housing to you, satisfied in my own mind that it will meet some of our humanitarian problems and satisfy certain needs in the continuing progress of our community."

ADJOURNMENT.

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

  
Lillian R. Hoffman, City Clerk