

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 24, 1960, at 3 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Babcock, Dellinger, Hitch, Myers, Smith and Whittington being present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Babcock, and unanimously carried, the Minutes of the last meeting on October 17th were approved as submitted.

PATROLMAN JOHNNY R. ANNAS POSTHUMOUSLY AWARDED PLAQUE AND MEDAL OF MERIT BY NATIONAL POLICE OFFICERS ASSOCIATION AND MEDAL FOR HEROISM BY CITY OF CHARLOTTE.

Chief Jesse R. James presented Mrs. John R. Annas a Plaque and Medal of Merit posthumously awarded her husband, Patrolman Johnny R. Annas, of the Charlotte Police Department, by the National Police Officers Association of America, for heroism far beyond the call of duty on the night of May 21, 1960 when he was shot to death while attempting to break up a street riot. Chief James advised Mrs Annas that Patrolman Annas' name will be inscribed in the Association's Hall of Fame at Port Charlotte, Florida.

Mayor Smith presented Mrs Annas the City's Medal of Honor for Heroism, on behalf of the citizens of Charlotte and the members of the Charlotte Police Department, posthumously awarded her husband by the City Council, being the first such medal awarded by the city.

Mayor Smith asked Councilman Smith to speak as he was instrumental in the City awarding medals. Councilman Smith stated the medal is only a symbol and cannot express our deep feeling, and the City is glad to have a medal to award Patrolman Annas, posthumously.

Mayor Smith stated he feels the wives of our Policemen also deserve a Medal and he introduced the mother, brothers and family of Mr. Annas who were present.

Chief James expressed his appreciation to the citizens of Charlotte for the \$14,000 donated for a trust fund for the Annas children.

POLICE OFFICERS COMPLIMENTED ON COMPLETING THE NORTHWESTERN UNIVERSITY COURSES.

Councilman Hitch complimented the fourteen Police Officers who have just

completed the Northwestern University courses. Chief James stated the school was attended by twenty-two officers of the City and County Police Departments and he feels it will mean much to the department; that they are trying to train the personnel so that they will be a credit to the City of Charlotte.

DECISION ON ORDINANCE NO. 699 AMENDING THE ZONING ORDINANCE BY CHANGING PROPERTY AT 2443 PLAZA ROAD, FROM R-2 TO B-1, DEFERRED UNTIL NOVEMBER 21ST ON REQUEST OF PETITIONER.

Mr. Mark Bernstein, Attorney representing Dr. Charles Leighton, petitioner for change in zoning from R-2 to B-1 on property at 2443 Plaza Road, advised that his client is negotiating for the purchase of the adjoining property and if he is successful his request for the rezoning of his present property will not be necessary, as the added tract will afford sufficient space to construct the size building he desires; therefore, he requested the Council to defer their decision until the next date for handling zoning matters on November 21st. Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, the request was granted.

ORDINANCE NO. 693 TO AMEND THE ZONING ORDINANCE TO CHANGE PROPERTY AT 145 SOUTH KINGS DRIVE FROM R-2 TO B-1 DENIED, AND PLANNING BOARD DIRECTED TO PREPARE PAPERS FOR A HEARING ON THE REZONING OF ALL PROPERTY FROM EAST 4TH STREET TO BAXTER STREET FROM R-2 TO B-1.

Councilman Alba moved that Ordinance No. 693 to Amend the Zoning Ordinance to change the property at 145 South Kings Drive from R-2 to B-1 be denied, as recommended by the Planning Board, as it would constitute spot zoning in a restricted residential area. The motion was seconded by Councilman Whittington.

Councilman Dellinger stated this section has developed into a business area at both ends of the street and he feels the property owners should be allowed to so develop the block. In view of the Planning Board recommending that consideration of the rezoning of the entire block be deferred until the new Zoning Ordinance is adopted, he asked Mr. Bryant of the Planning Board when the ordinance would be ready. Mr. Bryant explained that the exact date is uncertain, probably 60 to 90 days before the Planning Board can have their hearings on it and then the Council must hold a similar hearing. That the new ordinance will provide for a more restricted and better class of business developments in the B-1 zones, which is desirable for this particular section. Councilman Dellinger recommended that the petition for the change in zoning at 145 South Kings Drive be denied and consideration be given the rezoning of the entire block.

The vote was taken on the motion to deny the petition, and unanimously carried.

Councilman Dellinger then moved that the Planning Board be directed to prepare the necessary papers for a hearing date to be set by the Council on the rezoning of all the property on Kings Drive between East 4th Street and Baxter Street. The motion was seconded by Councilman Myers, who stated the Council is tired of waiting for the new zoning ordinance and holding up plans of private enterprise, which the Planning Board has had under preparation for quite sometime, and if they cannot get it ready then the Council will have to take these matters into their own hands.

The vote was taken on the motion, and unanimously carried.

DECISION ON ORDINANCE NO. 698 TO AMEND THE ZONING ORDINANCE BY CHANGING PROPERTY NEAR THE NE CORNER OF PLAZA ROAD AND EASTWAY DRIVE DEFERRED UNTIL NOVEMBER 28TH FOR FURTHER STUDY BY PLANNING BOARD.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, Ordinance No. 698 to Amend the Zoning Ordinance by changing property near the NE corner of Plaza Road and Eastway Drive was deferred until November 28th, on the request of the Planning Board for their further study.

CONSIDERATION OF CONSTRUCTION OF A TEMPORARY SIDEWALK ON RANDOLPH ROAD DEFERRED ONE WEEK.

Councilman Albea moved that consideration of the construction of a temporary sidewalk, on Randolph Road, from Rutledge Avenue to Greenwich Road, estimated to cost \$4,260.00, be deferred for one week and that persons who filed the petition for the sidewalk be invited to the Council Meeting to discuss the request. The motion was seconded by Councilman Hitch, and unanimously carried.

AGREEMENT AUTHORIZED WITH SEABOARD AIRLINE RAILROAD COMPANY FOR RIGHT-OF-WAY FOR SANITARY SEWER TRUNK TO SERVE PORTION OF ROZZELLS FERRY ROAD AREA.

Councilman Whittington moved approval of an Agreement with the Seaboard Airline Railroad Company for right-of-way for the construction of a sanitary sewer trunk to serve a portion of Rozzells Ferry Road area. The motion was seconded by Councilman Babcock, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAIN AUTHORIZED IN WESTCHESTER SUBDIVISION.

Motion was made by Councilman Smith, seconded by Councilman Albea, and unanimously carried, authorizing the construction of 3,337-feet of sanitary sewer mains to serve a portion of Westchester Subdivision, at request of Ervin Construction Company, at an estimated cost of \$9,965.00. All costs to be borne by the applicant, whose required deposit of the entire cost is to be refunded as per terms of the contract.

STREETS TAKEN OVER FOR CITY MAINTENANCE.

Upon motion of Councilman Hitch, seconded by Councilman Albea, and unanimously carried, the following streets were taken over for city maintenance:

- (a) Crestridge Drive, from Scottsdale Road to 300 ft. past Broadview Drive.
- (b) Broadview Drive, from Crestridge Dr. to Scottsdale Road.
- (c) Fieldcrest Road, from Broadview Dr. to Rollingwood Drive.
- (d) Sunnycrest Lane, from Scottsdale Rd. to Crestridge Drive.
- (e) Abeline Road, from Crestridge Dr. 380-ft. to end.
- (f) Whitehurst Road, from Abeline Rd. 250-ft. to end.
- (g) Scottsdale Road, from Crestridge Dr. to 100-ft. past Broadview Dr.
- (h) Burlwood Road, from Lido Ave. to 400-ft. south of Sonata Place.

ISSUANCE OF PRIVATE INVESTIGATOR'S LICENSE AUTHORIZED TO LEO W. JOHNSON.

Councilman Babcock moved approval of the issuance of a Private Investigator's

License to Mr. Leo W. Johnson, 301 Mill Road. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Hitch, seconded by Councilman Babcock, and unanimously carried, the construction of the following driveway entrances was authorized:

- (a) Extension of existing 10-ft. driveway to 24-ft. at 419 W. 8th Street.
- (b) One 30-ft. driveway at 206 S. Church Street.
- (c) Three 30-ft. driveways at 642 Anderson Street.
- (d) One 16-ft. driveway at 1561 Mint Street.
- (e) Two 30-ft. driveways at 3014 Washburn Avenue.

CONTRACT AWARDED SPENCER CARLYLE ADVERTISING COMPANY FOR 900 SERVICE AWARD PINS.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, contract was awarded Spencer Carlyle Advertising Company for 900 Bastian Bros. 10-Karat gold filled Pins with enamel background, at a price of \$1.33 1/3 each, representing a net delivered price of \$1,200.00. The low bids of Eagle Regalia Company, Inc. were on a medal of whose weight and workmanship was not acceptable.

The following net delivered bids were received:

Eagle Regalia Company, Inc.	Bid #1	\$ 816.00
	Bid #2	915.00
Spencer Carlyle Advertising Company	Bid #1	\$1,358.00
	Bid #2	1,002.00
	Bid #3	984.00
	Bid #4	1,200.00
L. G. Balfour Company		\$1,125.00
Engel & Company		\$1,712.00

CONTRACT AWARDED ARMCO DRAINAGE & METAL PRODUCTS, INC. FOR BRIDGE STEEL DECKING.

Upon motion of Councilman Hitch, seconded by Councilman Albea, and unanimously carried, contract was awarded the low bidder, Armco Drainage and Metal Products, Inc., for Bridge Steel Decking for the Summit Avenue, Newland Road and Pearl Street Projects, as specified, for a total price of \$6,098.29, subject to cash discount of \$30.49, representing a net delivered price of \$6,067.80.

The following net delivered bids were received:

Armco Drainage Metal Products, Inc.	\$6,067.80
Carolina Culvert & Metal Division	\$7,251.58
Bethlehem Steel Corp.	\$7,519.22

CONTRACT AWARDED GOODALL RUBBER COMPANY FOR RAIN SUITS & HATS.

Councilman Albea moved the award of contract to the low bidder, Goodall Rubber Company, for 174 Rain Suits complete with hats, as specified, at a net delivered price of \$2,507.34. The motion was seconded by Councilman Babcock, and unanimously carried.

The following net delivered bids were received:

Goodall Rubber Company	\$2,507.34
Southern Rubber Company	\$2,573.15
Mine Safety Appliances Company	\$2,724.91
The Henry Walke Company	\$2,745.37
Belk Bros. Company	\$3,031.08
Little Hardware Company	\$3,074.84

CONTRACT AWARDED GRINNELL COMPANY FOR CAST IRON PIPE FITTINGS.

Upon motion of Councilman Hitch, seconded by Councilman Smith, and un-animously carried, contract was awarded the low bidder, Grinnell Company, for Fifty 6-inch Tees and 62 Cast Iron Plugs, as specified, at a net delivered price of \$1,482.70.

The following net delivered bids were received:

Grinnell Company	\$1,482.70
Glamorgan Pipe & Foundry Company	\$1,639.04
Crane Company	\$1,894.03

PURCHASE OF LOT ON INWOOD DRIVE FROM GEORGE GOODYEAR AS SITE FOR WOOD-LAWN FIRE STATION AUTHORIZED.

Councilman Hitch moved that the lot in the 400 block of Inwood Drive, with a 135-foot frontage and depth of 200-feet be purchased from Mr. George Goodyear, at a price of \$13,500.00 as the site for the Woodlawn Fire Station subject to the Architect approving the site as being satisfactory for the station. The motion was seconded by Councilman Whittington, and unanimously carried.

ARCHITECT AUTHORIZED TO PROCEED WITH PLANS FOR WOODLAWN FIRE STATION, SAME TO BE SUBMITTED TO COUNCIL PRIOR TO ASKING FOR BIDS.

Councilman Myers moved that Mr. Charles M. Grier, Architect, be authoriz- ed to proceed with the preparation of plans for the Woodlawn Fire Station, and to submit them to Council prior to asking for bids. The motion was seconded by Councilman Albea, and unanimously carried.

CHANGE IN PAY PLAN FOR POSITION OF SWITCHBOARD OPERATOR DISAPPROVED.

Councilman Dellinger moved that the Pay Plan Schedule for Switchboard Operator be changed from Pay Range 7 to Pay Range 8. The motion was seconded by Councilman Whittington. Councilman Babcock expressed dis- agreement with the recommendation, stating he thinks \$300.00 is sufficient for the position. Councilman Smith stated he feels this would be a spot salary raise and longevity benefits will take care of it. Councilman Dellinger stated no salary increase has been allowed the position for four years and he feels the adjustment should be granted. The vote was taken on the motion, and lost, with the following vote recorded:

- YEAS: Councilmen Dellinger, Whittington and Albea.
- NAYS: Councilmen Babcock, Hitch, Myers and Smith.

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POLICE CONSOLIDATION COMMITTEE MEETING WITH ALBERT COATES, INSTITUTE OF GOVERNMENT, OCTOBER 25TH AT 2:30 P.M.

Councilman Smith stated the Committee is still working on the Consolidation of the Police Departments and will have a meeting tomorrow at 2:30 p.m. with Mr. Albert Coates of the Institute of Government to which the Council is invited.

LEGISLATIVE MATTERS REQUESTED FILED WITH COMMITTEE BEFORE THEIR MEETING WITH MECKLENBURG REPRESENTATIVES SHORTLY AFTER NOVEMBER 1ST.

Councilman Whittington stated the Legislative Committee will meet with the Mecklenburg Representatives shortly after November 1st and present items the City wishes enacted into law by the General Assembly. He presented the following items which have so far been filed with the Committee and asked that any additional ones desired by the Council be given the Committee as soon as possible:

1. Damages for injury.
2. National Guard Building at the Airport relative to reimbursement of advance on building.
3. City Recorder's Court relative to additional officials and sessions.
4. Revolving Fund for sidewalks in the Downtown Area.
5. Any Tax Items.
6. Cash Reserve Fund for capital improvements.
7. Staggered terms of office for City Council, suggested by Councilman Dellinger.

TWO WEEKS VACATION PAY REQUESTED FOR FIREMAN G. L. GREENE, WHICH HE WILL NOT RECEIVE UNDER WORKMAN'S COMPENSATION.

Councilman Whittington asked if Fireman G. L. Green, who was badly injured in the chemical explosion fire in July 1959 and who is being paid by Workmen's Compensation, could not be paid for the two weeks vacation period to which he is entitled and which he will not receive from Workmen's Compensation? The City Manager stated he will be glad to check into the matter and advise.

PURCHASE OF TOUPEE REQUESTED FOR FIREMEN DISFIGURED IN FIRE.

Councilman Whittington advised that one of the Firemen who was injured in the chemical explosion fire in July 1959 had his hair burned completely off and his head badly disfigured; that his request that the City purchase a toupee for him has been turned down. Councilman Whittington stated he feels the request should be granted and asked the City Manager to look into the matter and advise.

CONSULTANTS MAKING WATER RATES SURVEY TO COMPLETE REPORT BY NOVEMBER 15TH.

Councilman Smith stated he has received several calls about water rates, in some instances the sewer charge was higher than the water bill, and he asked how the Survey is coming along. Mr. Veeder, City Manager, stated that the Superintendent of the Water Department has been in touch today with the Consultants making the study and they are trying to complete the survey report by November 15th.

MAYOR AND CITY MANAGER COMMENDED ON CONTRIBUTION TO SETTLEMENT OF STREET BUS CONTROVERSY.

Councilman Hitch commended the Mayor and City Manager for their contribution in the settlement of the Street Bus Controversy, for which the Council owe them a vote of thanks.

ERECTION OF PROPER STREET SIGN AT DARWIN CIRCLE AND RUSKIN DRIVE REQUESTED.

Councilman Hitch stated he understands there is no proper street sign at Darwin Circle and Ruskin Drive, and asked the City Manager to check into the matter and have one erected.

CITY ATTORNEY ADVISES ACTION OF BEATTY COMMITTEE AND OF THE CITY COUNCIL ON RANKIN REPORT CONCERNING GOOD SAMARITAN HOSPITAL NECESSARY FOR BOND ATTORNEYS AND LOCAL GOVERNMENT COMMISSION.

Councilman Hitch stated he has copy of a letter from the City Attorney which he wrote the Bond Attorneys in New York in connection with Good Samaritan Hospital, in which he conveyed to them the deed to Good Samaritan property from the Episcopal Diocese; that it appears from the letter that the Council has taken no action on the matter. He stated the reason that nothing has been presented Council on the Rankin Report is that it is identical with the interim Beatty Report, which has been approved by Council. He asked the City Attorney just what the Council has to do now in order to implement the changes at Good Samaritan, and is it necessary to get copies of the complete Beatty Report for Council action next week? Mr. Shaw stated he would like to have the Beatty Committee report to Council their approval or disapproval of the Rankin Report, and Council's approval, so that the Bond Attorneys may have it all at one time. Councilman Hitch asked if Mr. Shaw wants approval of the entire Hospital Report or just that which affects Good Samaritan, to which Mr. Shaw replied that if the Report is all that affects Good Samaritan, then he wants that and will send it to the Attorneys and to the Local Government Commission. Councilman Hitch stated he will see that he gets it.

MAYOR AND CITY MANAGER LEFT MEETING AT THIS TIME AND MAYOR PRO TEM HITCH PRESIDED FOR REMAINDER OF SESSION.

Mayor Smith and Mr. Veeder, City Manager, left the meeting at this time and Mayor pro tem Hitch presided for the remainder of the session.

REQUEST OF JUDGE ARBUCKLE FOR OFFICE SUPPLIES FOR RECORDER'S COURT REFERRED TO CITY MANAGER FOR REPORT.

Councilman Babcock stated he had a call from Judge Arbuckle who was in no way critical of the Council because of its action regarding the drapes for the Court Room; however, he did say the reason he proceeded with their purchase was that requisitions from his office are apparently ignored; that he has no waste basket nor place to put his hat and requisitioned these items more than four months ago; that the lighting should be changed in the Court Room, the same as has been done throughout the Police Building, and the windows have not been washed in 25 years. Councilman Babcock stated

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it seems to him that the Judge is entitled to these things. Councilman Albea stated this is an administrative matter to be handled by the City Manager, and Mayor pro tem Hitch asked that the City Manager be requested to check into the matter and advise.

ADJOURNMENT.

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

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk