

October 6, 1969  
Minute Book 52 - Page 339

A regular meeting of the City Council of the City of Charlotte, North Carolina was held in the Council Chamber, City Hall, on Monday, October 6, 1969, at 7:30 o'clock p.m., with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, Jerry Tuttle, James B. Whittington, and Joe D. Withrow present.

ABSENT: Councilman John Thrower.

\* \* \* \* \*

#### INVOCATION.

The invocation was given by Reverend Jack Bullard, Executive Director of Charlotte-Mecklenburg Community Relations Committee.

#### MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, the minutes of the last meeting, on September 29, 1969, were approved as submitted.

#### STUDENT LEADERS FROM COLLEGES, UNIVERSITIES AND HIGH SCHOOLS IN AREA RECOGNIZED AND REQUESTED TO PARTICIPATE IN CITY GOVERNMENT.

Mayor Belk stated now that the Community Relations Committee has been made a part of the County, they feel the Youth should be brought into this group, and tonight Student Leaders from all Colleges and Universities will be recognized as advisors to this Committee at its monthly meetings or any special call meetings. He stated the Committee feels it can learn a lot from the students who have been elected to leadership in their respective schools.

Mayor Belk then presented the following students who came to the front of the Chambers for recognition:

Mr. Dan Suther, Central Piedmont Community College  
Mr. Pete Hobbie, Davidson College  
Mr. Grover Smith, of Johnson C. Smith University, was not present and  
Mr. Vernon Ross, of Johnson C. Smith University, represented Mr. Smith  
Miss Charlene (Charlie) Carlock of Queens College  
Mr. Felton N. Stewart, University of North Carolina at Charlotte.

Mayor Belk congratulated these students for the fine work they are doing in their schools and on being elected to this high honor in their respective colleges and universities.

Mayor Belk stated all the presidents of the Student Bodies of the High Schools in this area have been invited to attend the meeting tonight to be recognized, and the following were asked to come to the front of the Chambers:

Mr. Sidney Kistler, Independence High School  
Mr. John Crane, Olympic High School  
Mr. James Kenney, Charlotte Catholic High School  
Mr. Robert Donnan, Myers Park High School  
Mr. Bill Kessler, East Mecklenburg High School  
Mr. Tom McAlway, Charlotte Country Day School  
Miss Christy Rushing, Co-President, West Charlotte High School  
Mr. Timothy Cotton, Co-President, West Charlotte High School  
Mr. Mike Hague, South Mecklenburg High School  
Mr. Reece Ward, Harding High School  
Mr. Robin Rhodes, Treasurer, North Mecklenburg High School  
Mr. Dennis Ritchie, Vice President, West Mecklenburg High School  
Mr. Steve Cochran, Garinger High School.

October 6, 1969  
Minute Book 52 - Page 340

Mayor Belk thanked the students for their leadership and the work the schools have done for the future of our citizens, and stated these students will be looked to more and more to make Charlotte a progressive city. He stated this group will work under the Charlotte-Mecklenburg Youth Council.

Mr. Jim Shere, Youth Coordinator with United Community Services, stated he, along with several youths, are present tonight at Council's invitation; they have been working closely with United Community Services in re-activating and re-structuring the Youth Council for Charlotte-Mecklenburg under the sponsorship of the United Community Services. That through a series of meetings with agency personnel and individual interviews with youth throughout the area, and with youth groups, a proposal is presently under discussion by the youth in the area. These discussions are especially involving youths from the high schools, youths representing service agencies in the city, the Charlotte Area Fund and also the Model Cities Program; they are also attempting to bring in the other many youth throughout the area who are not involved in any organized program as such; the steering committee has been formed and Dr. Barry Miller has agreed to continue as Chairman of the Youth Council during this steering phase. Mr. Don Bryant, Chairman of the Social Planning Council of the United Community Services, is aware of the present focus of the Youth Council and has given his support to the Council and the present proposals. He stated Scott Turner, a student at Myers Park High School and a past representative and member of the Board of Directors of the Youth Councils of North Carolina, is present with him tonight and will present a brief summary of where the Youth Council stands right now.

Mr. Scott Turner stated it is his purpose to inform the Mayor and Council of the activities concerning the re-formation of the Youth Council in Charlotte-Mecklenburg; this proposed Youth Council will be a part of the Social Planning Council of the United Community Services; this Council will also be a committee on youth activities in Charlotte-Mecklenburg County, and will be wholly made up of youth and for youth. Its main purpose will be to organize and coordinate programs for the betterment of the Community with special emphasis on the youth. The Youth Council will work with the associate youth services and agencies in seeing that the programs are carried out. Since the Council will be to coordinate youth services, it will never duplicate programs or projects that belong to another agency. In case there is no appropriate agency for such a program, the Youth Council could undertake such a program on its own. The Youth Council will also serve as a common meeting ground for all Charlotte-Mecklenburg Youth to promote interest in civic affairs and serve as a line of communication between the adults and the youth of the county.

Mr. Turner stated the structure of the Youth Council is still undecided and is the main block in the development so far. But it will definitely consist of an executive committee and a general assembly which will be made up of youth. The representation in these two bodies has not been decided yet, but will be soon; there will also be non-voting associate members who will be adults from the youth serving agencies of the county; there will be an executive director who will be paid by the United Community Services.

Councilman Tuttle asked Mr. Shere if he has been in touch with Dr. Barry Miller today; that Dr. Miller called him and was asking questions; that he did not know Mr. Shere was coming here and he is very anxious to continue this work; he suggested that Mr. Shere communicate with him.

Mayor Belk requested Mr. Shere to have two representatives elected by this group to serve on the Community Relations Committee to give suggestions.

Dr. Warner Hall, Chairman of the Charlotte-Mecklenburg Community Relations Committee, stated he is grateful for the opportunity to extend a word of welcome in behalf of the Community Relations Committee to these newly appointed youth members; this is a very fine idea which he believes was born in the Mayor's imagination and understanding; this is a move in the right direction, and this fresh point of view will be appreciated - the insight and

October 6, 1969  
Minute Book 52 - Page 341

understanding which he believes they can bring to the operation of the Committee. He stated he is confident that we will profit from their contribution. He assured the new representatives that the Committee will hear them gladly and attentively. That he hopes they will find the association with the Committee also profitable to them.

Dr. Hall stated there are no simple, easy solutions to any of the problems that confront us. If it is big enough to get the attention of the community, it is usually too big for an easy, quick solution, and the patience and understanding and insight which is necessary to work any of these is a lesson in the affairs of human nature.

Dr. Hall expressed a word of appreciation on behalf of the Committee to the Mayor, Chairman Lowe and the County Commissioners for their willingness to enlarge the bounds of the responsibilities assigned this Committee. He stated the Committee had undertaken the work assigned within the City of Charlotte but found their problems constantly ran over and beyond the city limits, and if they were to deal with any effectiveness they needed a larger unit within which to operate.

He stated this Committee is a kind of fireman whose major responsibility was to put out any sort of conflagration before it got out of hand; this still is an important function of the Committee insofar as it is able to perform it; inevitably in any society there are tensions and justice is never quite even-handed and some people even feel themselves put upon and badly used. He stated whenever they have been aware of this, they have sought to deal helpfully and creatively with this kind of situation in the interest of bringing a more even-handed justice in the life of our community. They have advertised rather bravely that they will hear any man who feels himself to be aggrieved within the community, and will undertake to the limit of their capacity to work with him and to contribute helpfully to the resolution of his problem. Some have come to them and they have helped in a number of instances. He stated the major task they face is that of trying to be aware of major areas of injustice, inequity, potential creators of discord and disharmony and trouble within the community and to turn their attention to these and try as best they can to help to heal these hurts before they become dangerous to the health of the body politics. It is in this particular area he believes the contribution of these young men and women presented tonight will be the most fruitful; it is one of the providences of youth to be particularly sensitive to some of the area of injustice within our corporate life; he has great hopes that they will help us all, and together they may work vigorously toward making, under the Mayor and Council's leadership and direction, our community a community of order, justice and of large opportunities for all the citizens that dwell within it.

Councilman Whittington stated he would like to commend and thank the Mayor for involving young people in the Charlotte-Mecklenburg Community Relations Committee, and also the Youth Council. That he thinks it is significant and important that we recognize the student leaders from our high schools. The Mayor and Council are trying to involve the young people in our local government and ask their help and assistance as we move this city forward. He thanked the Mayor for doing this and said he hopes as this year ends and 1970 begins that we do even more in programs in getting ready for the spring and summer of next year. That there are so many more things we can do, and he hopes we can do more come 1970.

Mayor Belk replied he appreciates these remarks because Mr. Whittington has spent so many hours working with youth and the scouts and he knows the benefits that have been paying off; that he knows Mr. Whittington's remarks come from the bottom of his heart.

October 6, 1969  
Minute Book 52 - Page 342

MAYOR NOTIFIED THAT STATE HIGHWAY COMMISSION ACCEPTS INVITATION TO HOLD NOVEMBER MEETING IN CHARLOTTE.

Mr. Charles Maxwell, State Highway Commissioner, stated the Commission is grateful for the City of Charlotte's invitation to hold its November meeting in Charlotte and will furnish a date for the meeting very soon.

STATE HIGHWAY COMMISSIONER PRESENTS URBAN PRIORITIES FOR CHARLOTTE.

Mr. Charles Maxwell, State Highway Commissioner, stated he would like to discuss the priorities he has listed, other than the three priorities announced in Raleigh.

He stated he appreciates the help he has received from Mr. Jim Whittington and the other Council Members and the help he has received from Mr. Veeder; that Mr. Whittington and Mr. Veeder have counselled with him and it has meant a lot to him; that it is a hard task to try to come up with what he thought the ten best things for Charlotte and Mecklenburg County.

Mr. Maxwell stated the priority list includes the urban priorities; the Sugar Creek Road, North Tryon Street to Interstate 85, Belt Road, the Myers Park Link, from Goodwin Avenue to Park Road. Since the third link involves out of the city property and because he felt the Council wanted very much to put the three links in to complete the Belt Road, he included in the first priorities of the primary road projects the Airport Parkway. This gives two projects at one time; the third is the Myers Park link of the Belt Road.

Mr. Maxwell presented the following priorities:

1. Sugar Creek Road, from North Tryon Street to Interstate 85.
2. Belt Road - Wendover-Myers Park link - from Goodwin Avenue to Park Road.
3. North Tryon Street.
4. Graham Street.
5. Freedom Drive.
6. Statesville Avenue.
7. The Plaza.
8. Park Road.
9. 30th Street.
10. Independence Boulevard.

He stated he requested from the Highway Commission that work should begin immediately on Independence Freeway and that work should be continued on all projects now under construction until their completion. If it is only the survey part, they want it started now as to the Independence Freeway to give us Freeways all around the heart of the city; we want the Belt Road finished and hopefully the right of way for another road bought to be used from six to eight to ten years from now.

Mr. Maxwell stated the City Manager can furnish Council the full explanation of the different items.

Mayor Belk thanked Mr. Maxwell for this information and stated to make a progressive city there are two things you have to have - highways and water. That with Mr. Maxwell's leadership on this Commission he knows Charlotte will be a progressive city; that Council will back him in any way it can.

Mr. Maxwell stated the full Highway Commission has to approve these priorities but they usually depend on the local senator or representatives to present the priority bill. He stated he feels these priorities are the ones the City Council wants, and this is what he is working towards; that there are no politics involved; it is all for the betterment of Charlotte. That Charlotte has been helpful in guiding him in coming up with a list that he feels he can stand behind and fight for; that he has this opportunity to help

October 6, 1969  
Minute Book 52 - Page 343

and hopes he has a sympathetic ear in Raleigh and this helps; that he knows the City Council has a sympathetic ear because we have gotten so much.

Mr. Jim McDuffey stated for someone who has been involved and concerned with roads in Charlotte for eight or ten years, and especially the belt road, he thinks it is important that the citizens express to Mr. Maxwell their appreciation for his frankness and willingness to list the priorities. He stated he has appeared numerous times asking for such a list so there could be some reasoning and some debate if there was objection to the manner in which our roads are built.

Mr. McDuffey stated Mr. Maxwell's priority list can only be implemented with the cooperation of City Council in providing the funds. That he is glad The Plaza has been mentioned in the list as he planned to come to Mr. Maxwell's meeting at Newell tomorrow night to point out that funds for Plaza Road were listed for 1969-70 which is this current year; but the new budget for this year lists them for 1975. That the priority list will not mean a whole lot unless this City Council either provides funds from operating budget or bonds that the citizens can make these proper selections. Some of the road priorities that have supposedly been waiting for local funds have gone on four or five years. It is good that the public now knows Mr. Maxwell's intentions and leaves the ball where everyone can see it - in the laps of City Council.

Mr. McDuffey stated he had also planned to ask Mr. Maxwell how they can get a blinker light at Tipperary and the railroad; that over a year ago they asked the City Council to tell them how to go about that, and today they have not had an answer. Yet similar railroad crossings, as Archdale Drive, appear to have less traffic, appear to serve fewer people, appear to be clear terrain, and they have a blinker light. It would appear there are some politics in road building in Charlotte.

Councilman Whittington stated a request for this blinker light has been made by Council; street lights were put up on Tipperary Place and some other street running off Tipperary beyond the railroad tracks in the last two weeks. The light Mr. McDuffey is referring to has been requested.

Mr. Maxwell stated in working out his priorities, politics were never mentioned one time; that he hopes he will not let politics enter into what is best for Charlotte and not one City Councilman has said one thing about politics up to now. That this is the reason he is holding these township meetings so that citizens like Mr. McDuffey can come and express their wishes. That they have seen approximately 750-800 citizens so far; before it is over, he believes they will see 3,000. Of all the requests there is not a maintenance request that has not been honored within seven days. During each meeting he has held in Gaston and Mecklenburg County, politics have not been mentioned one time. He stated he is not interested in politics, he is interested in what is best for the two counties.

**COMMITTEE FROM CHAMBER OF COMMERCE CONGRATULATED ON AVIATION DAY PROGRAM PRESENTED SUNDAY, OCTOBER 5.**

Mr. Jim Lofton of the Charlotte Chamber of Commerce was recognized and Mayor Belk expressed appreciation for the fine work he and Mr. Pat Hall did on the Aviation Day on Sunday, October 5; Mayor Belk stated he would like to congratulate the Chamber on this program; it was a terrific demonstration and it shows the people need some leadership for entertainment which we will have to give.

Mayor Belk requested that a letter be written to Mr. Pat Hall and his committee congratulating them for the fine participation they received on the program.

October 6, 1969  
Minute Book 52 - Page 344

CHAMBER OF COMMERCE AMBULANCE STUDY REPORT PRESENTED.

Mr. Mike Allen of the Chamber of Commerce Ambulance Study Committee introduced the other two members of the committee - Mr. Bob Mauldin, Kemper Insurance, and Mr. Bill Moore, Corporate Insurers.

Mr. Allen stated they spent a world of time on this study and it shows in the report; that they are present tonight to formally present the report for Council's consideration. He stated he knows Council Members have a copy of the study and have discussed it previously.

He filed with the City Clerk a copy of the Charlotte-Mecklenburg Ambulance Study dated August, 1969.

Councilman Withrow stated Councilman John Thrower is in the hospital tonight and has asked him to read the following statement he has prepared:

"We have discussed, read and listened to many words concerning emergency ambulance service for Charlotte. We have had the benefit of a report and study compiled by our Chamber of Commerce. We each have been made aware of the changes that other cities with circumstances similar to Charlotte have made. We owe to our City and the Charlotte Ambulance Service a decision on this matter. I feel we have reached the point where we, as Council Members, should make our desires known. I am of the opinion that we have passed the probing and opinion-seeking stage, and now should proceed with a specific course of action."

Councilman Withrow stated he does not want to make a motion, but he thinks Council should hold this in abeyance and should study very seriously the possibilities of combining our ambulance service with the Fire Department; that he thinks we should go forth and seek an answer to this problem immediately.

Councilman Tuttle stated he agrees and he thinks it is very appropriate that our professional staff give Council its reaction to this report and boil it down to dollars so that Council can make a positive and definite decision one way or the other.

APPROVAL OF MODIFICATION IN SPEED ZONES FOR U. S. 521-PINEVILLE ROAD.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, approving modification in speed zones for U. S. 521, as requested by the State Highway Commission, and approved by the Traffic Engineering Department, as follows:

- (a) Rescind the 45 MPH limit on Pineville Road (U.S. 21) from a point approximately 0.06 miles south of Scaleybark Road to a point approximately 0.13 miles south of Tyvola Road.
- (b) Declare the following speed limits:
  - 45 MPH on Pineville Road (U.S. 521) from a point 0.06 miles south of Scaleybark Road to Woodlawn Road (S.R. 1291-3814).
  - 45 MPH on Pineville Road (U.S. 521) from Woodlawn Road (S.R. 1291-3814) to a point approximately 0.15 miles south of Old Pineville Road (S.R. 1308).

October 6, 1969  
Minute Book 52 - Page 345

ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160-200 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Upon motion of Councilman Short, seconded by Councilman Jordan, and unanimously carried, ordinances ordering the removal of weeds and grass were adopted, as follows:

- (a) Ordinance No. 399-X ordering the removal of weeds and grass at 114 Williamson Street.
- (b) Ordinance No. 400-X ordering the removal of weeds and grass at rear of 219-301 Remount Road.
- (c) Ordinance No. 401-X ordering the removal of weeds and grass at 4915 Buckingham Drive.
- (d) Ordinance No. 402-X ordering the removal of weeds and grass adjacent to 708 McAlway Road.
- (e) Ordinance No. 403-X ordering the removal of weeds and grass adjacent to 4832 Central Avenue.

The ordinances are recorded in full in Ordinance Book 16, beginning at Page 372.

ORDINANCE NO. 404-X ORDERING THE REMOVAL OF AN ABANDONED MOTOR VEHICLE LOCATED AT 114 WILLIAMSON STREET PURSUANT TO ARTICLE 13-1.2 OF THE CODE OF THE CITY OF CHARLOTTE AND CHAPTER 160-200(43) OF THE GENERAL STATUTES OF NORTH CAROLINA.

Councilman Jordan moved adoption of the subject ordinance ordering the removal of an abandoned 1960 red 4-door Chevrolet located at 114 Williamson Street. The motion was seconded by Councilman Tuttle and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 377.

ORDINANCES ORDERING THE DEMOLITION AND REMOVAL OF DWELLINGS PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

The following four ordinances were presented for Council action:

- (a) Ordinance No. 405-X ordering the demolition and removal of dwelling at 427 North Pine Street.
- (b) Ordinance No. 406-X ordering the demolition and removal of dwelling at 1009 Wainwright Street.
- (c) Ordinance No. 407-X ordering the demolition and removal of dwelling at 405 North Summit Avenue.
- (d) Ordinance No. 408-X ordering the demolition and removal of dwelling at 1101 Wainwright Street.

Mr. Jippy Carter, Attorney, stated he represents the owner of the dwelling at 427 North Pine Street, Mr. Clarence Deese. He stated as he understands the code requiring the demolition of the house if it takes over 50% of the valuation to repair the house then it can be demolished. He stated these valuations are usually based on 60% of the full valuation so this is flexible. He stated Mr. Deese has quite a few houses in the community which he buys and repairs. That the valuation on the tax books of this dwelling at 427 North Pine Street is \$5,750; the property owner has just gotten a repair bid in the amount of \$1,535 which will take care of all the little defects and bring the house up to specifications to pass under the city code; that Mr. Deese is very anxious to get a permit to do this.

October 6, 1969  
Minute Book 52 - Page 346

Mr. W. L. Cuthbertson, Chief Housing Inspector, stated the valuation on the land is \$2,510 and the structure is \$3,240.00, rather than the \$5,750; that they base their estimation on repairs to the structure and not the land.

Mr. Carter stated Mr. Deese claims this property is worth \$7800 - 9000. Mr. Deese stated the property next to it is worth \$15,500.00 and his is worth \$10,000; that he is getting \$150.00 per month rent and that would be 6% on \$30,000. That you base the value of the property on income and not on the tax records.

Councilman Tuttle showed Mr. Carter the snapshots of the interior and exterior of the house and asked if this is the property he says can be put in shape for \$1500? Mr. Carter stated they have a bill that has been submitted; that he is not familiar with the recent photographs but Mr. Deese does his own work and he is willing to do what is necessary to bring it to the code standard.

Mr. Deese stated the house was repaired in 1966 for \$2500.00 and came up to standard at that time; that the records show that the outlets are not sufficient and he can show a record where \$217.00 was spent to bring this up to code and it was okayed.

Mr. Cuthbertson stated the house has never been completely brought up to minimum standards of the housing code; the initial inspection was made on August 9, 1968; they sent their first letter August 13, 1968 and on October 10, 1968, they sent the second letter; on March 17 they sent a legal notice of complaint by certified mail and Mr. Deese would not accept it; on April 7 they sent another legal complaint and notice of hearing and Mr. Deese would not accept; then they made a re-inspection on the property June 26, 1969; a complaint and notice of hearing was sent June 27, 1969; a hearing was held July 11, 1969 and the house was ordered demolished; a finding of fact and order was sent July 14, 1969 with the dwelling to be demolished by August 18, 1969; nothing was done. That this is where they take the tax value and the tax value of the dwelling is \$3,240.00 with the tax value of the land \$2,510. He stated they estimate the repairs to the house would be \$3,500.00.

Mr. Carter stated he contends that the important thing is that Mr. Deese is willing to go ahead and do anything that is necessary; it is not a question of lack of funds for him, but whatever is necessary to get this to the shape where the city will inspect it and give him a permit to make the necessary repairs; that the bills for repairs include (1) repair of porch floors; (2) nail up porch ceiling; (3) repair rear steps; (4) repair gutters; (5) replace broken glass; (6) repair plaster; (7) replace two shower stalls; (8) repair foundation; (9) repair chimney; (10) repair roof; (11) replace screens; (12) replace rail or rear steps; (13) paint interior; (14) paint exterior. That Mr. C. C. Thomas is the general contractor on this.

Councilman Alexander stated it has been stated that money is no problem; he asked why the owner of the property has not attempted to reply to the request as submitted by the Housing Department? Mr. Carter replied Mr. Deese owns between 75 and 100 of these houses and has a lot to do to repair and keep the houses in suitable condition.

Councilman Jordan asked if someone lives in the house at present? Mr. Deese replied yes and he gets \$150.00 a month rent.

Mr. Cuthbertson stated the Department has the following list of the repairs that would be necessary: Exterior - rear steps rotten, exit from second floor steps rotten, broken window glass; roof and sheeting on rear porch rotting out; chimney top falling off; siding rotting and coming loose from building; down spout missing; porch floors rotted out; ceiling coming loose from front porch; shingles missing off front part of house; window screens

October 6, 1969  
Minute Book 52 - Page 347

missing; screen door torn; sides of roof leaking. Interior - not enough duplex outlets; some outlets not operable; long drop cords throughout the house; no thimble in one flue; one thimble broken; needs painting inside; windows not weather tight, cracks and holes in plastering throughout the entire house; kitchen floor sunken and needs more support; bath floor rotted out; outlet torn out of the wall; electrical wires hanging loose; some fixtures missing; paint peeling; no locks on any doors; only one exit from downstairs apartment; the house has four bathrooms; two upper and two lower; one bath upstairs not in use and full of junk; the other bath has no lavatory and no shower, the shower is torn up; lower bath no lavatory, no shower or tub.

Councilman Tuttle asked if there are any objections to the other three ordinances? No one spoke to (b), (c) or (d).

Councilman Tuttle moved adoption of the four ordinances as presented. The motion was seconded by Councilman Withrow, and carried unanimously.

The ordinances are recorded in full in Ordinance Book 16, beginning on Page 378.

#### CONSTRUCTION OF SANITARY SEWER MAIN, APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the request of Mrs. Dorothy K. McMillian was approved for the construction of 888 linear feet of 8-inch sanitary sewer main to serve property on South Boulevard, across from Tyvola Mall, inside the city, at an estimated cost of \$8,500.00, with all cost of construction to be borne by the applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement.

#### APPROVAL OF AMENDMENT TO CONTRACT N. C. B-3(G) WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE URBAN BEAUTIFICATION PROGRAM.

Motion was made by Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, approving the subject amendment extending the end of the fiscal year of the 1968-69 Urban Beautification Program from June 30, 1969 to September 30, 1969, and reducing the amount of the Federal Grant from \$92,435.00 to \$91,171.75.

#### CONTRACTURAL AGREEMENTS BETWEEN CHARLOTTE MODEL NEIGHBORHOOD COMMISSION AND MECKLENBURG COUNTY HEALTH DEPARTMENT, MECKLENBURG COUNTY CENTER FOR HUMAN DEVELOPMENT AND NORTH CAROLINA BLUE CROSS AND BLUE SHIELD, INC. FOR SERVICES TO BE PROVIDED AS PART OF THE MODEL CITIES PROGRAM, AUTHORIZED.

The following contractual agreements between the Model Neighborhood Commission and Mecklenburg County Health Department, Mecklenburg County Center for Human Development and North Carolina Blue Cross and Blue Shield, Inc. were presented for Council's consideration:

- (1) Mecklenburg County Health Department for Neighborhood Health Unit, at \$133,816.83.
- (2) Mecklenburg County Health Department for maternal and infant care at \$42,525.00.
- (3) Mecklenburg County Center for Human Development for Mental Health at no cost.
- (4) N. C. Blue Cross-Blue Shield, Inc., for medical and dental insurance at \$183,564.00.

October 6, 1969  
Minute Book 52 - Page 348

Councilman Tuttle asked how many people are involved and the terms? Mr. Howard Barnhill, Health Coordinator, replied this is a group plan and will involve 1,000 individuals. Councilman Jordan asked if the city puts up any money? Mr. Barnhill replied this is totally supplemental funds which means it is 100% federal money; this is an experiment to try to determine just what it will cost to provide complete medical and dental coverage in a group plan insurance; that no one has the answer to this at this time; that this involve about 250 families.

Mr. Veeder, City Manager, stated this is an experiment for one year; that this has never been done in the nation before; the monthly fees are as follows: \$22.27 for an individual; \$43.29 for a parent and child; \$61.56 for a family. This not only includes medical, it includes dental as well.

Councilman Alexander stated this is an experiment; the insurance company does not say that these figures are normal figures; they are attempting to find out if it is possible to give coverage to indigent people at this level in any form or fashion and to what extent and what the cost would be by actual experience; that it may never work but this is the program to see if it can be made practical.

Mr. Veeder stated the program is designed to provide a resident-related comprehensive, medical, dental plan for Model Neighborhood residents for approximately 1,000 people for the first year. All in-patient hospital service will be paid in full, including mental illness, alcoholism and drug addiction. Out-patient benefits refer to the out-patient department of hospitals and doctor's offices; prevention care examination will be provided in the hospital and doctor's office; dental benefits are included; residents of the area covered by any workmen's compensation or medicare or any other federal, state, or county welfare program or any other group cannot be included. Nursing home or extended care prescription drugs are provided.

Councilman Tuttle stated this is a fantastic amount of coverage for \$183,000 and this he does not understand. Councilman Jordan stated Blue Cross is the only company that can do this as this is a pilot program and it is only for one year.

Mayor Belk stated they will use this until the \$183,000 runs out and then that is the end of the program.

Councilman Short stated Mr. Jones has a family improvement contract and various other means of inducing families to join the main stream; he asked if this is related in any way to that? Mr. Barnhill replied it is in the sense that it is a part of the total package in trying to raise the quality life of the families whereby health is very important if they are going to be able to really take advantage of the program. In this plan, it does not mean that certain families will not be making a contribution toward the payment of the premium; only those families whose income is below the OEO guide lines - \$3300 a year - will get the complete payment through the supplemental funds. Families whose income is above \$3300 on each \$500, they will be paying an amount toward the premium. The idea is as the family income is raised then they will take on a greater responsibility; in addition to this, there will be an education proponent built in whereby workers will be recruited from the neighborhood who will be working directly with these families from a standpoint of trying to get them to see the advantage of better health care and also the advantage of insurance as a means of a part of a family's program.

Councilman Short stated this is not a broad side donation but is carefully tied into all those inducements that apply to those in the Model Cities Neighborhood; it is an effort not just to give something away but to use it as a tool to elevate these families.

October 6, 1969  
Minute Book 52 - Page 349

Councilman Tuttle stated he hopes that no one is under the delusion that this \$183,000 is going to last for one year; you are taking 1,000 underprivileged people and giving them total dental care, total medical for \$183.00 a year. Councilman Short stated this is not \$183,000, that this total amount is \$360,000 for the total package.

Councilman Alexander moved approval of the four contractual agreements. The motion was seconded by Councilman Whittington and carried unanimously.

**RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES WHICH WERE LEVIED THROUGH CLERICAL ERROR.**

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the subject resolution was adopted authorizing the refund of certain taxes in the total amount of \$41.27 which were levied against Ralph Harold Blackwelder, Jr. through clerical error.

The resolution is recorded in full in Resolutions Book 6, on Page 427.

**APPROVAL OF CITY PRIVILEGE LICENSE FOR PRIVATE DETECTIVE TO ROBERT L. LEE.**

Motion was made by Councilman Tuttle to approve the issuance of a city privilege license covering the classification of "Private Detective" to Robert L. Lee, State License No. 170. The motion was seconded by Councilman Whittington.

Councilman Short asked if the approval of this privilege license permits this individual to carry a concealed weapon at any time? Mr. Underhill, City Attorney, replied it will not.

The vote was taken on the motion and carried unanimously.

**APPRAISAL CONTRACTS APPROVED.**

Councilman Whittington moved approval of the following appraisal contract which motion was seconded by Councilman Tuttle, and carried unanimously.

- (a) Contract with Henry E. Bryant for appraisal of four parcels of land for the Airport Expansion Project, at fees of \$225.00, \$150.00, \$225.00 and \$400.00.
- (b) Contract with Wallace D. Gibbs, Jr. for appraisal of four parcels of land for the Airport Expansion Project at fees of \$225.00, \$150.00, \$225.00 and \$400.00.

**APPROVAL OF SETTLEMENT IN THE AMOUNT OF \$60,000 FOR PROPERTY OF F. GELDER ROBINSON, ET AL, AT THE INTERSECTION OF NORTH TRYON STREET AND EAST SIXTH STREET FOR THE SIXTH STREET WIDENING PROJECT.**

Motion was made by Councilman Jordan and seconded by Councilman Whittington, to approve the subject settlement in the amount of \$60,000 for property of F. Gelder Robinson, et al, for the Sixth Street Widening Project.

Councilman Short asked what was paid for the Lucielle's building? Mr. Underhill, City Attorney, replied \$240,000, of which the city is getting back in the assignment of the lease.

The vote was taken on the motion and carried unanimously.

October 6, 1969  
Minute Book 52 - Page 350

#### APPROVAL OF ENCROACHMENT AGREEMENTS.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, the following encroachment agreements were authorized:

- (a) Encroachment Agreement with Celanese Corporation allowing Celanese to remove an 8-inch sanitary sewer line and a 6-inch water line located underneath the bridge, and to relocate along the edge of Archdale Drive and along the south side of a new bridge, for the widening of the bridge at Sugar Creek on Archdale Drive.
- (b) Encroachment agreement with State Highway Commission to serve Monroe Road, Idlewild Road, Bainbridge Road and Vista Drive for the proposed sanitary sewer line to serve East Forest Subdivision.

#### PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, authorizing the following property transactions:

- (a) Acquisition of 30' x 104.19' easement at 138 Placid Place from James L. Britt and wife, Elizabeth, at \$1,000.00, for the Briar Creek Outfall.
- (b) Acquisition of 30' x 5,112.33' of easement on Randolph Road, at Crescent Avenue Extension, from E. C. Griffith Company, at \$5,112.30, for the Briar Creek Outfall.
- (c) Acquisition of 25' x 77.57' of easement at 3014 Airlie Street, from David H. White and wife, Helen R., at \$213.00, for the upper Briar Creek Outfall.
- (d) Acquisition of 32,000 sq. ft. (165.1' x 191.5' x 160.3' x 195.5') of property on Berryhill Lane, Block 56, Lot 5, from Sue Hicks Vorhies and husband, John P. Vorhies, at \$11,650.00, for the Airport Expansion Project.

#### STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE.

Motion was made by Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, authorizing the following streets taken over for continuous maintenance by the City:

- (a) Eastbrook Road, from 110 feet east of Cardigan Avenue to 200 feet north of Millport Place.
- (b) Unnamed Street from Eastbrook Road to 160 feet south of Eastbrook Road.
- (c) Millport Place, from 295 feet west of Eastbrook Road to 290 feet east of Eastbrook Road.
- (d) Colony Road, from 480 feet south of Wickersham Road to Sharon Road.

#### ISSUANCE OF SPECIAL OFFICER PERMITS AUTHORIZED.

Motion was made by Councilman Whittington, seconded by Councilman Withrow, and unanimously carried, authorizing the issuance of a special officer permit and the renewal of permits, each for a period of one year, as follows:

- (a) Renewal of permit to Shirley Griffin for use on the premises of K-Mart, 6025 Pineville Road.
- (b) Renewal of permit to Lester Phifer for use on the premises of Kings Business College.
- (c) Renewal of permit to James Archer Brown for use on the premises of Johnson C. Smith University Campus, 100 Beatties Ford Road.
- (d) Issuance of permit to Thomas Lee King for use on the premises of Johnson C. Smith University, 100 Beatties Ford Road.
- (e) Issuance of permit to Otis Jones, Jr. for use on the premises of Kingspark Apartments, Kingspark Drive and Dr. Carver Road.

October 6, 1969  
Minute Book 52 - Page 352

STATEMENT CONCERNING THE BOND ELECTION.

Councilman Whittington stated Council to night has taken action on the \$36.1 million bond issue to be held on Friday, December 12th. That he would hope all would understand that City Council and the Mayor are behind this bond issue 100% and will do all they can between now and December 12th to get this message to the public for the needs of this bond issue. It is important that Council should state that this money in the bond issue for the civic center will be a civic center built on land owned by the city and it will be a civic center owned by the citizens of this community and not a lease arrangement. That he hopes we will get off on a positive step as we approach this bond issue as it is vitally important to the citizens that this pass and that this city continues to prosper and grow.

Mayor Belk stated he endorses this statement; that in order for Charlotte to be progressive we will have to continue to do things in order to make it the leader of the two Carolinas.

MEMBERS OF AUDIENCE INTRODUCED BY COUNCILMAN WHITTINGTON.

Councilman Whittington stated he would like to introduce four gentlemen in the audience who are friends of most of the members of Council. They are Mr. Roy Johnson, Mr. Bob Whisnant, Mr. Frank Statt and Mr. Lee Jones.

RESOLUTION EXTENDING SYMPATHY AND HONORING THE MEMORIES OF THE REVEREND C. H. MYERS AND THE REVEREND THOMAS BOYER RUFF.

Councilman Whittington stated he noted yesterday and today that two of Charlotte's good citizens had passed away; both of them are ministers; one is the father of Mr. Charles T. Myers, a member of the Board of County Commissioners, and the other, the father of Mr. Tom C. Ruff, County Attorney

He presented the following resolution:

"It is with deep sadness and a feeling of great loss that the City Council of the City of Charlotte takes note of the passing of Reverend C. H. Myers, the father of County Commissioner Charles T. Myers and Reverend Thomas Boyer Ruff, the father of County Attorney Thomas C. Ruff.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte in regular session assembled on this 6th day of October, 1969 does hereby extend its deepest sympathy to the families of Reverend C. H. Myers and Reverend Thomas Boyer Ruff; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the members of his family, and that this Resolution be spread upon the minutes of this meeting".

Councilman Whittington moved the adoption of the resolution. The motion was seconded by Councilman Tuttle, and carried unanimously.

STATUS REPORT ON BRIDGE TO HUNTINGTOWNE FARMS PARK.

Councilman Whittington asked for a status report on the bridge over Sugar Creek for Huntingtowne Farms Park. Mr. Bobo, Administrative Assistant, replied there has been a delay in the building of the deck slab because of a strike at this plant; that the strike is now over and they have promised as soon as they can catch up on their back log, they will get the slab built and get it to us.

October 6, 1969  
Minute Book 52 - Page 353

REQUEST THAT RESIDENTS OF DUNLAVIN WAY BE NOTIFIED OF THE STATUS OF THE WORK ON THE OVERFLOW VALVE ON LITTLE SUGAR CREEK AT EASTWAY DRIVE AND THE PARK.

Councilman Whittington stated he is sure that other members of Council have received letters from the residents on Dunlavin Way about the overflow valve on Little Sugar Creek at Eastway Drive and the Park. That he has attempted to answer all these letters and to tell the people who are concerned that this contract has been let and this work will be done.

Councilman Whittington stated he thinks it would be well for Mr. Woodward, Information Officer, to write all these people on Dunlavin Way and give them the dates the contract was awarded and when the work will be completed. That this information would relieve a lot of people. That it will be a very simple matter to look into the city directory and pick up the names of everyone who lives on Dunlavin.

TRAFFIC ENGINEER TO BE REQUESTED TO INVESTIGATE TRAFFIC PROBLEM AT BAXTER, KINGS DRIVE AND KENILWORTH AVENUE.

Councilman Tuttle passed to Mr. Veeder, City Manager, a letter he received from Mr. Bob Mauldin; that they are having a problem along with the bank at Baxter Street, Kings Drive and Kenilworth Avenue. He requested that the letter be sent to Mr. Hoose, Traffic Engineer, for his investigation.

COMMENTS ON NEW CENTREX SYSTEM.

Councilman Tuttle stated he is still getting complaints, and he still has trouble, with this new telephone system. At lunch time people call and they get no answer in the small offices; they still get busy signals during rush hours and early morning. He asked how we handle those people who get the wrong department and that department does not know where to refer them. He stated the most serious aspect is the busy signal in the mornings.

INTRODUCTION OF MR. HAROLD HERMAN.

Councilman Short introduced Mr. Harold Herman and stated Mr. Herman has been involved in local government in his original town in New Jersey; he now lives in Charlotte and he knows a great deal about government. He stated he hopes Mr. Herman will find ways to give us the benefit of his experience and knowledge from time to time.

CITY MANAGER REQUESTED TO HAVE ALL MATTERS CONCERNING COMMUNITY FACILITIES COMMITTEE REFERRED TO THE COMMITTEE AND THAT ALL AFFECTED CITY DEPARTMENTS COOPERATE WITH THE COMMITTEE IN ITS WORK.

Councilman Short stated he appreciates the comments of Councilman Alexander that the City refer everything that it should refer to the Community Facilities Committee. He requested the City Manager to make certain that all departments of the city involved in any way cooperate with this committee as they proceed to make the study of specifications and all the other things they have to do; that he thinks we will come to be real proud of this organization and wonder how we ever got along without it. One of the wisest moves made by city and county elected officials was that each of the twelve subscribed to the proposition that we would let the CFC exercise judgement in water line matters. That he hopes all the Councilmen will back them up in every way and help them if needed.

October 6, 1969  
Minute Book 52 - Page 354

COMMENT ON AIR SHOW AT DOUGLAS MUNICIPAL AIRPORT ON AVIATION DAY.

Councilman Alexander stated he hopes the impression that one received from the crowd of people who witnessed the air show on yesterday will realize how hungry the people in Charlotte are for entertainment.

REVISED PERSONNEL RULES AND REGULATIONS ADOPTED.

Mr. Veeder, City Manager, stated the Mayor and members of Council have received copies of the revised personnel rules and regulations and he has had an opportunity to discuss this with some of the Council Members; he would hope that Council is in a position tonight to act on them.

Councilman Short moved the adoption of the revised personnel rules and regulations as distributed to Council. The motion was seconded by Councilman Withrow, and carried unanimously.

Mr. Veeder stated he thinks Council has accomplished something tonight and has followed through on what it agreed.

REPORT FROM SECRETARY ROMNEY ON MODEL CITIES FUNDS.

Mr. Veeder stated a telegram has been received from Secretary Romney as a result of some reports in the news media involving model cities program; the news media reports a cut back in Model Cities money from the Federal Government, and Secretary Romney wanted the cities involved in the program to have the correct facts so he sent the following wire to us:

"Please be assured that your Model Cities Program will continue to be fully funded as approved. Press reports of a cut back in Model Cities activities are misleading. Our estimates of likely cash outlays by all model cities in the fiscal year 1970 have been revised downward because of delays in local programs started, but this does not affect the funds already obligated to your program. I assure you that all existing funding commitments to your city will be honored.

Signed: Secretary Romney"

Mr. Veeder stated apparently there are relatively few cities who have proceeded as rapidly as Charlotte in the Model Cities activities and because of these delays, other cities are not going to be required to put up as much cash as originally thought. All those programs that have been funded and those relatively few cities that have proceeded as far as Charlotte have no concern over this cut back in funds.

Mayor Belk congratulated the citizens for working this up and having it this far along; this shows what good planning will do, and Charlotte will benefit from this program.

COUNCILMAN ALEXANDER ASKED THAT THE RECORD SHOW HE ASKED FOR MR. CURTIS MASSEY TO SPEAK, AND MR. MASSEY DID NOT RESPOND.

Councilman Alexander asked if Mr. Curtis Massey is present. He asked that the record show he asked for Mr. Massey and he is not present. That Mr. Massey brought a matter to his attention, and he suggested that he come to Council and talk about it.

PERSONNEL RULES AND REGULATIONS

10/6/69

Minute Book 52

Page 354

RULE I. General Provisions

Section 1. Purpose.

In accordance with Section 4.41 of the City Charter, it is the purpose of these rules to establish procedures which will serve as a guide to administrative action concerning the various personnel activities and transactions consistent with the following general standards:

- (1) Employment shall be based on merit without regard to race, creed, color, or political affiliation.
- (2) Conditions of employment shall be maintained to promote efficiency and economy in the operation of the city government.
- (3) Position classification and compensation plans shall be established and revised from time to time to meet changing conditions.
- (4) Appointments and promotions shall be made solely on the basis of merit and fitness, demonstrated by examination or other evidence or competence.
- (5) Tenure of employment shall be subject to satisfactory performance of work, personal conduct compatible with the trust inherent in public service, necessity for the performance of work, and availability of funds.

Section 2. Positions Covered.

These rules shall cover and be equally applicable to all employees in the City's service without regard to age, sex, marital status, race, color, creed, natural origin or political affiliation including uniformed members of the Police

and Fire Departments except where application is in conflict with the provisions for Civil Service as set forth in the City Charter.

Section 3. Administration.

These rules shall be administered by the Personnel Director under the direction of the City Manager.

Section 4. Employee Organizations.

The City recognizes the right of its employees to belong freely and without discrimination to a union or other employee association of their choice.

Equally, the City recognizes the right of its employees to not belong to a union or other employee association. The City, therefore, will not coerce or discriminate against any employee nor will it knowingly permit coercion or discrimination against any employee in the exercise of his right to join or not to join a union or other employee organization.

Section 5. Employee-Employer Relations Policy.

I. Salaries, Wages, and Employee Benefits.

It is recognized that salaries, wages and employee benefits affect the budget and are affected by the budget, and that the budget is of concern to all citizens. It is therefore deemed appropriate that employees, individually and as a group, together with employee organizations, citizens and citizen groups be given an opportunity at the appropriate time to present their suggestions concerning salaries, wages and employee benefits.

The following timetable is established for considering such suggestions:

- (a) Employees, employee groups and organizations, citizens and citizen groups, who desire to make requests and suggestions

concerning salaries, wages and employee benefits shall submit their requests and suggestions in writing to the City Council prior to February 1st each year.

(b) The City Manager shall analyze and consider such requests and suggestions in the preparation of the recommended salary and wage schedules to be included in the preliminary budget. The City Manager shall then submit the recommended salary and wage schedules to the City Council on or about June 15th of each year.

(c) Within ten days after the receipt of the preliminary budget and recommended salary and wage schedules and after the City Manager has completed his presentation on program needs for the City as a whole the City Council shall schedule hearings on the proposals and will consider statements from interested citizens or groups. The Council reserves the right to establish time limits for each speaker based upon the number of people desiring to be heard.

(d) After giving due consideration to all requests, the City Council will make its final decisions and adopt an appropriation and tax levy ordinance as provided by law.

Requests for consideration of salaries, wages and wage related benefits must be submitted within the time limit set forth above.

## II. Conditions of Work.

Productive and harmonious relationships between City employees and management and between City employee groups and management can best be achieved with respect to working conditions if relationships

and policies are clearly set forth. The following shall be considered the official policy of the City of Charlotte relating to conditions of work.

- (a) The City of Charlotte in accordance with North Carolina State Law does not accept any employee organization as the sole spokesman for any category of employees.
- (b) Employees, employee groups, citizens and citizen groups will be accorded the right to present suggestions and make statements on any issue relating to conditions of work.
- (c) Strikes and work stoppages by City employees will not be permitted. Infractions of work rules including unauthorized absences from work shall be cause for disciplinary action.

### III. Designation of City Manager as Spokesman.

The City Manager is hereby designated as the spokesman for the City of Charlotte in matters concerning employee relations under ordinary conditions. The City Manager, or his designee, is hereby empowered to meet and confer with employees. The final determination of employee policy rests with the Mayor and City Council.

## RULE II. Classification Plan

### Section 1. Purpose.

The classification plan provides a complete inventory of all positions in the City's service and an accurate description and specifications for each class of employment. The plan standardizes titles, each of which is indicative of a definite range of duties and responsibilities and has the same meaning throughout the classified service.

Section 2. Composition of the Classification Plan.

The classification plan shall consist of: (a) a grouping in classes of positions which are approximately equal in difficulty and responsibility, which call for the same general qualifications, and which can be equitably compensated within the same range of pay under similar working conditions; (b) class titles, descriptive of the work of the class, which identify the class; (c) written specifications for each class of positions; and (d) an allocation list showing the class title of each position in the classified service as identified by the name of the incumbent.

Section 3. Use of Class Titles.

Class titles are to be used in all personnel, accounting, budget, appropriation, and financial records. No person will be appointed to or employed in a position in the classified service under a title not included in the classification plan. Other job titles may be used in the course of departmental routine to indicate authority, status in the organization or administrative rank.

Section 4. Use of Class Specifications.

Specifications are to be interpreted in their entirety and in relation to others in the classification plan. Particular phrases or examples are not to be isolated and treated as a full definition of the class. Specifications are deemed to be descriptive and explanatory of the kind of work performed and not necessarily inclusive of all duties performed.

Section 5. Use of Classification Plan.

The classification plan is to be used: (a) as a guide in recruiting and evaluating candidates for employment; (b) in determining lines of promotion and in developing employee training programs; (c) in determining salary to be paid for various types of work; (d) in determining personal service items in

departmental budgets; and (e) in providing uniform job terminology understandable by all City officers and employees and by the public.

Section 6. Administration of the Classification Plan.

The Personnel Director, under the direction of the City Manager is charged with maintenance of the classification plan so that it will reflect the duties performed by each employee and the class to which each position is allocated. It is his duty to examine the nature of the positions as they are created and to allocate them to the existing class or to create new classes in conformity with Section 7 of this rule; to make such changes in the classification plan as are made necessary by changes in the duties and responsibilities of existing positions; and periodically to review the entire classification plan and recommend appropriate changes in allocations or in the classification plan.

Section 7. Allocation of Positions.

Whenever a new position is established, or duties of an old position change, department heads shall submit in writing a comprehensive description of the duties of such a position. The Personnel Director shall thereupon investigate the actual or suggested duties and recommend to the City Manager the appropriate class allocation or the establishment of a new class.

Section 8. Request for Reclassification.

Any employee who considers his position improperly classified shall first submit a request for reclassification to his supervisor who shall immediately transmit the request to the department head. If the department head finds that there is merit in the request, he shall immediately transmit his recommendation to the Personnel Director. If the department head finds the request is not justified, he shall so advise the employee of his decision and also of the employee's right of appeal under the grievance procedure in Rule VI.

RULE III. Pay Plan

Section 1. Composition of the Pay Plan.

The Pay Plan shall include:

- (1) The "Schedule of Pay Ranges" as adopted by the City Council to be effective October 1, 1960, and subsequent amendments thereto.
- (2) The "Schedule of Class Assignments to Pay Range" (consisting of minimum and maximum rates of pay and intermediate steps for each existing class of employment) as adopted by the City Council to be effective October 1, 1960, and the subsequent amendments thereto.

Section 2. Development of Pay Ranges.

The plan shall establish a pay range for every class of employment in the City service. Such pay ranges shall be determined with due regard to ranges of pay for other classes, relative responsibility and difficulty of positions in the class, availability of employees in particular occupational categories, prevailing rates of pay for similar employment in the Charlotte area, rates of pay in other governmental jurisdictions, costs of living factors, the financial policies of the City, and other economic considerations.

Section 3. Maintenance of Pay Ranges.

The City Manager shall make or cause to have made such comparative studies as he deems necessary of the factors affecting the level of salary ranges prior to the preparation of the annual budget as well as at other times. On the basis of information derived from such studies, the City Manager shall recommend to the

City Council such changes in salary ranges as he deems necessary to maintain the fairness and adequacy of the over-all salary structure.

Section 4. Applicable Pay Ranges.

For those classes where the hours in the workweek vary among positions, the following shall apply:

- (1) The pay range for a position with a forty-four or forty-five workweek shall be two pay ranges above the range established for the forty-hour workweek.
- (2) The pay range for a position with a forty-eight hour workweek shall be four pay ranges above the range established for a forty-hour workweek.

Section 5. Use of Pay Ranges.

The pay ranges are intended to furnish administrative flexibility in recognizing individual differences between positions allocated to the same class, in providing employee incentives, in rewarding employees for meritorious service, and in meeting emergency conditions requiring pay adjustments.

Salary increases within appropriate ranges shall normally be from one step to the next higher step. Upon successful completion of the probationary period, employees will be advanced to the next higher step. Thereafter salary increases may be made at intervals of not less than fifty-two weeks upon the written recommendation of the department head concerned and with the approval of the City Manager; provided, that where circumstances warrant, an increase within the appropriate range of more than one step may be granted with the approval of the City Council.

Salary increases within appropriate ranges for unusual or meritorious service may be granted without regard to limitations of time with the approval of the City Council.

Section 6. Probationary Employees.

Any person on his original appointment to a position shall be deemed probationary during his first twenty-six weeks of employment. Upon satisfactory completion of the probationary period he shall be advanced to the next higher pay step in the appropriate pay range.

An additional probationary period of up to twenty-six weeks may be requested by the department head. No employee shall serve more than fifty-two weeks on a probationary basis.

Section 7. Entrance at the Minimum Rate.

The minimum rate of pay for a class shall be paid any person on his original appointment to a position except when, as determined by the City Manager, there has been demonstrated inability to recruit at the minimum rate of pay or the new employee possesses exceptional qualifications warranting employment at a higher rate in the pay range.

Section 8. Employment of Trainees.

Persons may be employed as trainees in positions for which the City is unable to recruit experienced and qualified applicants. Such persons shall be compensated at least two pay steps below the minimum of the class for which they are training as determined by the department head and the Personnel Director.

Section 9. Pay Rates in Promotion, Demotion, Transfer and Reclassification

- (1) Promotion. Promotion is defined as the change of an employee from a position in one class to a position in another class at a higher level.

An employee who is promoted shall receive a one-step salary increase of an increase to the minimum step of the new salary range, whichever is higher. However, in no case shall the employee's salary exceed the maximum rate of the new salary range.

If an employee who is promoted fails to complete successfully the probationary period following promotion, the employee shall be reinstated in his former position or in a position in the same class at his former pay-step.

(2) Demotion. Demotion is defined as the change of an employee from a position in one class to a position in another class at a lower level.

The salary of an employee who is demoted shall be adjusted to the maximum step of the new range or to one pay-step below his former salary, whichever is lower. However, in no case shall the employee's salary be lower than the minimum rate of the new salary range.

(3) Transfer. Transfer is defined as the change of an employee from a position in one class to a position in another class at the same level.

The salary of an employee who is transferred shall not be changed by the reassignment.

(4) Reclassification. The salary of an employee whose position is reclassified and allocated to another class at the same or a higher level shall be determined by the rules for transfer and promotion. The salary of an employee whose position is reclassified and allocated to another class at a lower level shall not be changed.

Section 10. Reinstatement.

An employee who is reinstated shall be paid at the pay step of the pay range for his class which he had attained at the time of separation. The employee shall be reinstated without loss of seniority and shall be eligible to participate in insurance and other benefits on the same basis as other City employees.

(1) Reinstatement After Voluntary Separation.

An employee who resigned in good standing may be reinstated to his former position or to a similar position with the recommendation of the department head and the approval of the Personnel Director, provided:

- (a) His former position, or a similar position, is vacant.
- (b) He makes application for reinstatement within one year of the date of his resignation.
- (c) He still is qualified to perform the duties of his former position or a similar position.

(2) Reinstatement After Military Service.

An employee called to extended active duty with the United States armed forces, who does not volunteer for service beyond the period for which called, shall be reinstated to his former position, or a similar position, provided:

- (a) He makes application for reinstatement within ninety days of his release from military service.
- (b) He still is able to perform the duties of his former position or a similar position.
- (c) If he is unable to perform the duties of his former position or a similar position due to disability sustained during military service but is able to perform the duties of another position in the City service, he

shall be reemployed in such other position as will provide the nearest approximation of the seniority, status, and pay to which he would otherwise have been entitled.

Section 11. Overtime.

Overtime work shall be that work performed by an employee which either exceeds the number of hours constituting the established workweek for the employee's position or which is accomplished on an unscheduled workday.

Overtime opportunities will be distributed as equally as practicable among employees in the same job classification, department and shift.

Employees required to work overtime may be compensated with time ~~off~~ or paid for such overtime on the basis of  $1\frac{1}{2}$  times the overtime hours worked provided that:

- (1) The work is of an unusual, unscheduled or emergency nature and is directed by a department head or his authorized representative.
- (2) The class of work is not excluded from entitlement to overtime compensation in Schedule IV; except that Police Patrolmen, Police Sergeants and uniformed Fire Department personnel up to and including the rank of Deputy Fire Chief may be compensated on an overtime basis under the provisions of this section when in the judgment of the Chief of their department and the City Manager it becomes necessary, due to an unusual or emergency situation, to recall off-duty personnel or to implement an emergency shift schedule in which the assigned workday and workweek exceed the established workday and workweek for positions within their department.

- (3) Compensatory time shall be granted whenever feasible and taken within three months from the time it is earned.
- (4) Department heads may with prior approval of the Personnel Director pay employees for overtime work when it is not feasible to permit their absence for the purpose of taking compensatory time off.
- (5) The payment of overtime pay shall depend upon the availability of funds in the personal services account of the department.
- (6) Employees required to perform work on regularly scheduled holidays may be granted compensatory time off or paid at their hourly rate for the hours actually worked in addition to any holiday pay to which they may be entitled. Compensatory time shall be granted whenever feasible and taken within three months from the time it is earned.

Section 12. Longevity Allowance.

Full time regular employees shall receive an annual longevity allowance as additional compensation for ten or more years of continuous, full-time service. Continuous, full time service shall mean service from the last date of employment which is uninterrupted except by authorized leave of absence and shall be computed through December 1st of the year in which payment is to be made. Payment shall be made on or about December 1st of each year, except as to retiring employees, in accordance with the following schedule:

<u>Total Continuous Service</u>	<u>Annual Longevity Allowance</u>
10 through 14 years	$\frac{1}{2}$ Week's Pay
15 through 19 years	1 Week's Pay
20 through 24 years	$1\frac{1}{2}$ Week's Pay
25 or more years	2 Week's Pay

Payment to eligible retiring employees shall be made at the time of retirement, as a part of final compensation, and shall be computed at 1/12th of the total annual allowance which would otherwise accrue, for each full month of service for which no allowance has been paid.

Employees separating for reasons other than retirement shall not be eligible for a longevity allowance.

Section 13. Court Appearances.

Police officers shall be reimbursed for expenses incurred for off-duty court appearances. Such reimbursement shall be made at the rate of four dollars per each off-duty day in which one or more court appearances are required. Reimbursement shall be made as a voucher-payment upon submission of an approved request for reimbursement.

Section 14. Clothing Allowance.

Police officers required to wear civilian clothing in the performance of their official duties shall be paid a clothing allowance of \$200 per year; such allowance to be paid as two semi-annual payments of \$100 each.

Section 15. Reimbursement for Training Expense.

When a City employee enters into a job-related training program with the prior approval of his department head and the City Manager, he will be reimbursed for expenses such as tuition and books upon successful completion of the course.

Section 16. Educational Incentive Pay.

Police Patrolmen who attain an associate or baccalaureate degree in Criminology or Police Science and who demonstrate superior job performance shall be eligible to receive educational incentive pay in addition to basic salary, after

completing one year of employment. Educational incentive pay shall be one pay step in addition to basic salary for Patrolmen with an associate degree, and no more than two pay steps in addition to basic salary for Patrolmen with a baccalaureate degree.

Police Patrolmen on special assignments which entitle them to additional pay shall be eligible for educational incentive pay, however, in no case shall a Patrolman receive more than two pay steps in addition to basic salary.

RULE IV. Leaves of Absence

Section 1. Vacation Leave.

Each full time employee shall be entitled to annual vacation leave with pay. Such leave shall be earned as follows:

- (1) Employees with fewer than nine years continuous service shall earn vacation leave at the rate of 5/6 of a workday for each full month of service.
- (2) Employees with nine but fewer than fourteen years continuous service shall earn vacation leave at the rate of one and one-fourth workdays for each full month of service.
- (3) Employees with fourteen but fewer than nineteen years continuous service shall earn vacation leave at the rate of one and one-half workdays for each full month of service.
- (4) Employees with nineteen or more years continuous service shall earn vacation leave at the rate of one and two-thirds workdays for each full month of service.

Vacation leave may be taken as earned subject to the approval of the department head. Earned vacation leave shall not be taken by employees with fewer than six months of continuous service. Vacation leave may accumulate to a maximum of the leave earned in two calendar years. An employee resigning from the City service shall be compensated for vacation leave accumulated to the date of separation provided he has completed six or more months of continuous service and provided he has submitted notice to his immediate superior at least one week in advance of the effective date of resignation. An employee who is involuntarily separated from the City service without fault or delinquency on his part shall be compensated for vacation leave accumulated to the date of separation.

Compensation for accumulated vacation leave shall not be paid an employee separated for reasons of fault or delinquency or who does not submit the required notice.

Section 2. Sick Leave With Pay.

Each full-time employee shall be entitled to take sick leave with pay in case of personal illness or disability, or serious illness within the immediate household of the employee. Sick leave with pay shall accrue at the rate of one working day of leave for each full month of the employee's service. Sick leave is accumulative, but shall not be accumulated for the period prior to January 1, 1955. Sick leave may be utilized subject to the following:

- (1) The employee has completed six or more months of continuous service.
- (2) The absence is necessitated by:
  - a. Personal illness or physical incapacity resulting from causes beyond the employee's control.

- (b) The illness of a member of the employee's immediate household that requires the employee's personal care and attention.
- (3) Notification of the reason for absence is submitted not later than two hours after the beginning of the scheduled workday or as required by departmental rules or regulations.
- (4) The employee will submit to such medical examination, nursing visit or inquiry which the City deems desirable.
- (5) At the discretion of the department head, the employee may be required to present a certificate from a physician attesting illness or incapacity.
- (6) Vacation leave may be used for sick leave purposes after sick leave is exhausted. Employees who have exhausted all sick leave and vacation leave credits may, at the discretion of the department head and the City Manager, be granted leave of absence without pay for a period not to exceed one year.
- (7) An employee utilizing sick leave for appointments with doctor or dentist or other acceptable reason requiring his absence for a fraction or a part of a day shall be charged proportionately in an amount not smaller than one-half of a day.
- (8) In the case of retirement or death, payment will be made to the employee or to his estate for one-fifth the unused portion of his accumulated sick leave. Such payment shall not exceed an amount equal to regular salary for two calendar months. In the case

of voluntary or involuntary separation from the City service other than for retirement or death, no payment will be made for accumulated sick leave.

Section 3. Injury Leave With Pay.

An employee incapacitated and absent from work because of on-the-job injury shall be entitled to injury leave with pay up to 250 workdays, exclusive of holidays, during the one year period immediately following the date of injury.

Such employee shall receive that portion of his regular salary which will, together with compensation received under Workmen's Compensation laws, equal his regular salary.

If such employee's incapacitation and absence from work continues beyond the period covered by injury leave, he may use accrued sick leave as a supplement to Workmen's Compensation payments. Sick leave used in this manner will be charged at the rate of one-half ( $\frac{1}{2}$ ) day for each day absent or fraction thereof.

Entitlement to the leave benefits provided herein shall be contingent upon entitlement to Workmen's Compensation benefits under the laws of the State of North Carolina.

Section 4. Authorized Absences With Pay.

An employee may be excused, at the discretion of the department head, without charge to sick leave or vacation leave credits as follows:

- (1) Absence not to exceed five work days in any calendar year in the case of death in the immediate family. Family shall be defined as spouse, parent, grandparent, child, brother or sister.

- (2) Absences required for jury duty shall be excused provided the employee deposits the money received for jury duty with the City Treasurer.
- (3) Leave for required annual training as a member of the organized military reserves shall be granted not to exceed two calendar weeks in a calendar year. Such leave shall be with pay for the first calendar week. The remaining period may, at the employee's option, be charged to accrued vacation leave, or be taken as leave of absence without pay.

Section 5. Leave of Absence Without Pay.

A permanent employee may be granted leave of absence without pay for good and sufficient reason. Such leave shall not exceed one year and must have the prior approval of the department head and the City Manager. Leave of absence without pay for a period of less than 15 calendar days may be granted by the department head.

Section 6. Holidays with Pay.

Holidays to be observed by the City's employees are: New Year's Day, Washington's Birthday, Easter Monday, Mecklenburg Independence Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day and such other days as may be designated from time to time by the City Council. When a holiday falls on a Saturday or Sunday, the following Monday shall be declared a holiday for the City's employees.

In order to be eligible for holiday pay, an employee must be on the active payroll of the City and must have worked his full regularly scheduled workday before and after the holiday, unless excused by the City.

RULE V. Retirement Policy

Section 1. Local Governmental Employees Retirement System.

Excluding disability or voluntary earlier retirement, an employee member of the North Carolina Local Governmental Employees' Retirement System shall be retired on the June 30th following his 65th birthday; provided that, subject to the annual approval of the City Council such employee may be granted one-year extensions in service to age 70. Such approval shall be based upon the recommendation of the employee's department head and the recommendation of the City's Medical Examiner, who shall provide annual medical examinations for such employees. Retirement shall be mandatory for employee members of this retirement system.

Section 2. Law Enforcement Officers Benefit and Retirement Fund.

Excluding disability or voluntary earlier retirement, employee members of the Law Enforcement Officers' Benefit and Retirement Fund shall, for the purposes of this Resolution, be governed by the provisions of Section 2 hereof.

Section 3. Charlotte Fireman's Retirement System.

Excluding disability or voluntary earlier retirement, an employee member of the Charlotte Fireman's Retirement System shall be retired on his 65th birthday unless he is prevented therefrom by the provisions of Chapter 926 of the 1947 Session Laws of North Carolina, as amended; in such event, he shall be retired at the earliest date thereafter permitted by said law.

Section 4. Pre-retirement Counseling.

The Personnel Director shall be responsible to the City Manager for the development and direction of a pre-retirement counseling program which shall be designed to inform employees approaching retirement of their retirement benefits and to offer counsel upon the complex problems of their retiring years.

RULE VI. Grievance Procedures.

Section 1. Definition.

A grievance is a complaint or a dispute concerning the interpretation and application of the provisions of the Personnel Rules or of established departmental work rules.

Section 2. Procedure.

Step I. An aggrieved employee may personally or through a representative of his choosing present his grievance to his immediate supervisor within ten (10) days of its occurrence or the employee's knowledge of its occurrence. The supervisor shall then attempt to adjust the matter and shall respond to the employee and/or his representative within three (3) working days.

Step II. If the grievance has not been settled, it shall be presented in writing by the employee or his representative to the department head within five (5) working days after the supervisor's response is due. The department head shall respond to the employee and/or his representative within five (5) working days.

Step III. If the grievance has not been settled, the written grievance and all pertinent correspondence shall be presented by the employee or his representative to the City Manager within five (5) working days after the department head's response is due. The City Manager shall respond to the employee and/or his representative within twenty (20) working days after receiving the written grievance. The City Manager may, after consultation with the aggrieved employee and/or his representative, refer the grievance to a mutually acceptable third party for recommendations. In the event this step is taken, fees and expenses shall be shared equally by the City and the aggrieved employee.

Section 3. Grievances Involving Suspensions or Discharges.

Any employee who has completed his probationary period and who is suspended or discharged may file a grievance concerning same. Such grievance may be filed at Step II of the procedures.

Section 4. Extension of Time Limits.

Time limits as specified in Section 2 may be extended by mutual agreement of the parties.

Section 5. Investigation of Grievances.

Aggrieved employees and their representatives may investigate and discuss grievances in their work areas, provided, however, they first secure the permission of their immediate supervisor.

RULE VII. Promotion, Lay-Off, and Recall

Section 1. Promotion.

Where a vacancy is to be filled by promotion the following factors will be considered:

- (a) Length of continuous service from the last date of hire.
- (b) Knowledge, training, ability, skill and efficiency.
- (c) Physical fitness.
- (d) Attendance record.

Where factors (b), (c) and (d) are relatively equal, the length of continuous service shall govern.

Section 2. Lay-off and Recall.

In case of lay-offs, length of continuous service shall be recognized as a factor to be given substantial weight, together with other factors in determining the order of layoff. Recall from layoff shall be inverse to the order of layoff.

RULE VIII. Safety

Section 1. Purpose.

It is the City's desire to establish and maintain safe working conditions and practices and to encourage safe and healthy work habits. For these purposes the various departments engaged in physical and hazardous work shall establish safety committees composed of employees and supervisors who shall meet from time to time to discuss problems arising in this area, make recommendations for the prevention of accidents and the enforcement of safe working habits, and to recommend departmental safety rules and regulations.

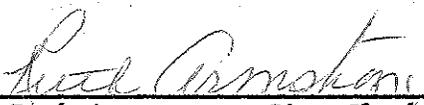
October 6, 1969  
Minute Book 52 - Page 355

ANNOUNCEMENT OF APPOINTMENT OF COUNCIL COMMITTEE ON ZONING MATTERS.

Mayor Belk stated he has appointed Councilman Short, Councilman Thrower and Councilman Withrow to serve on the Council Committee for zoning matters.

COUNCIL ADJOURNED BY SILENT PRAYER FOR COUNCILMAN JOHN THROWER.

Mayor Belk stated Councilman John Thrower is entering the hospital tomorrow and he asked that Council and the audience stand and be dismissed after silent prayer in Councilman Thrower's behalf.

  
Ruth Armstrong, City Clerk