

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, December 5, 1960, at 3 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Babcock, Dellinger, Hitch, Myers, Smith and Whittington present.

ABSENT: None

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Hitch, seconded by Councilman Whittington, and unanimously carried, the minutes of the last meeting on November 28th were approved as submitted.

HEARING ON ORDINANCE NO. 712 TO AMEND CHAPTER 16 OF THE CITY CODE, ARTICLE I, SUBDIVISIONS AND PROPOSED STREET LINES, TO REQUIRE THE CONSTRUCTION OF SIDEWALKS ON CERTAIN STREETS IN FUTURE SUBDIVISIONS.

Mr. McIntyre, Planning Director stated that it is not the intent of the amendment to the Subdivision Ordinance to require sidewalks in Industrial Areas other than on arterial streets and suggested that the sidewalk requirements in industrial areas be eliminated except where such streets lead to schools, in (a) secondary streets, (c) streets with such existing or potential continuity that they may serve as general traffic access streets for the neighborhood and, (d) collector streets which may carry neighborhood traffic destined for arterial streets, secondary streets, places of public assembly or general neighborhood traffic access streets.

Councilman Myers asked Mr. McIntyre what constitutes an arterial street, and he replied it is defined in the Subdivision Ordinance.

Mr. J. L. Delaney, representing the Home Builders Association, stated they would like to go on record as being in favor of the generally proposed sidewalk plan as proposed throughout the high density areas.

Mr. Delaney asked how far does a street go leading to school property; that a single side of street could be a mile or longer. That in developing school property, the School Board has been omitted; that they should be required to build sidewalks; that the proposed amendment is limited to a concrete type surfacing and the cost can be absorbed in low density areas but in high density areas, cost to purchasers of lot or building must be kept low. He suggested that an alternate be permitted which would be an asphalt concrete type sidewalk. That there is nothing wrong with a phalt concrete if properly constructed and the durability has been well established; and with proper type installation, such sidewalks give dual-long type wear.

Mayor Smith asked if the asphalt would not soften during hot weather and Mr. Delaney replied that it would depend upon the way it is mixed.

Councilman Myers asked if there would not be a maintenance problem of vegetation, to which Mr. Delaney replied that no grass grows in a busy street.

Mr. Tom Lynch, P & N Railway representative, stated they object to the construction of sidewalks in an Industrial development. They are concerned about the way the ordinance is drawn as it will be subject to administrative interpretation. He requested that a revision be written in the ordinance which would exclude industrial districts. That sidewalks in these areas would be luxury parking lots and are not needed in front of the industrial buildings as parking lots are provided. That the cost to develop industrial property is great and they are now developing an area on Chemway Drive of around 102 acres and with grading, streets, water, sewer and storm drains the cost now runs around \$4,800 per acre. That they have paved three streets to a width of 40 feet which lead into 18-ft. roadways. That costs upon costs have been placed upon developers, and only last December they were required to add curb and gutter and they are concerned about the future property that will be developed.

He proposed that the following revision to amend Section 1 (b) of the proposed ordinance be added as a new paragraph after subsection (d), as follows:

"Sidewalks shall not be required on streets upon which there about predominantly industrial properties."

Mr. Lynch also asked who is going to decide what is an arterial street.

Mr. J. E. Dowd, representing the Downtown Charlotte Association, stated that the sidewalks in the downtown area need attention. If a hole was to come in the middle of Trade and Tryon Streets, the city would rush down to fix it, but if holes come in sidewalks or they are broken, nobody does anything about it. They leave it up to the property owner and if he is agreeable and will pay for it, the City will repair the sidewalk. He stated that the City should take the initiative and assert their authority over repairs and maintenance of sidewalks in the downtown area.

Mr. McIntyre, Planning Director, read the definition of an Arterial Street as defined in the Subdivision Ordinance which reads as follows:

"An arterial street is a Federal or State highway or a street connecting widely separated areas and which carries or may be expected to carry a large volume of traffic between such areas."

He suggested that it might be amended by adding, "and all Major Streets proposed in Wilbur Smith Thoroughfare Plan."

Councilman Myers asked if it would exclude expressways and Mr. McIntyre replied that no State or Federal highway would be subject to the sidewalk ordinance.

Mr. McIntyre stated that it is his belief that sidewalks are needed on all arterial streets regardless of use.

It was brought out that sidewalks are not necessarily constructed for the people along the street, but for people in other areas who send their children along the street to school. Councilman Dellinger asked why a person should have to pay for sidewalks if it is not for his benefit. Mr. McIntyre stated that it provides a general service for the neighborhood.

Councilman Smith asked if the city can require the school board to put in sidewalks on school properties. Mr. Shaw, City Attorney, replied as an assessment.

Councilman Smith stated he would like this incorporated into the ordinance. Mr. Veeder stated that he, the Planning Board and Engineering Department all subscribe to this.

Mr. Shaw, City Attorney, suggested that Mr. McIntyre contact the school board in this matter. Mr. McIntyre stated that this does not affect the proposed ordinance. That school developments are not classified as subdivisions. Councilman Smith asked if they could not be so classified.

Mr. Veeder, City Manager, stated that progress is being made now. That Mr. Hoose has been in contact with Mr. J. B. Bell, former Supt. of the Inspection Department who is now with the School Board, in regard to where sidewalks are to be and to get them in. Councilman Smith asked if it would be pursued and Mr. Veeder replied that it would.

Councilman Myers asked, when a commercial building is built, under what ordinance does it come and Mr. McIntyre replied that it is under Mr. Hoose's ordinance. Councilman Myers then asked why the schools cannot be required to take care of their portion of curb and sidewalk under the same ordinance.

Council decision was deferred for one week at which time a revised ordinance will be presented for Council consideration.

AGREEMENT BETWEEN CITY OF CHARLOTTE AND CHARLOTTE AIRPORT HOTEL COMPANY, AUTHORIZED.

Mr. Frank McCleneghan, Attorney, presented a proposed agreement between the City of Charlotte and Charlotte Airport Hotel Company dealing with a \$250,000 loan to the Company for the purpose of enlarging the Airport Motel. Mr. Shaw explained that the proposed agreement was only for the purpose of protecting the interests of the Insurance Company in the loan and does not change any provisions of the city's lease with the company. Upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, the agreement was authorized.

ORDINANCE NO. 699 AMENDING THE ZONING ORDINANCE OF CHARLOTTE BY CHANGING ZONING ON PROPERTY AT 2443 PLAZA ROAD, FROM R-2 TO B-1, ON PETITION OF DR. CHARLES LEIGHTON DENIED AS RECOMMENDED BY PLANNING COMMISSION.

Mr. Mark Bernstein, Attorney for Dr. Leighton, was present and requested Council to adopt the petition for rezoning as Dr. Leighton is ready to build and has a contractor and the contract is ready to be signed. He stated that the lot is set up in such a way that a blind corner is inevitable. He presented a map and pictures showing the surrounding area, and also stated the property is across from the Plaza Hills Shopping center which is a very thriving business.

Councilman Albea moved that the petition be denied as recommended by the Planning Board. The motion was seconded by Councilman Whittington.

Councilman Babcock made a substitute motion that the petition be granted as requested by Dr. Leighton. The motion was seconded by Councilman Hitch and lost on the following recorded vote:

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

The petition was therefore denied.

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ORDINANCE NO. 704 AMENDING THE ZONING ORDINANCE OF THE CHARLOTTE PERIMETER AREA BY CHANGING ZONING ON PROPERTY BETWEEN TODDVILLE ROAD AND PAW CREEK FROM RURAL TO INDUSTRIAL, ON PETITION OF SUSAN AND W. P. TODD, REFERRED BACK TO PLANNING BOARD FOR FURTHER RECOMMENDATION AND TO BE PRESENTED AT NEXT COUNCIL MEETING.

Councilman Dellinger moved that Ordinance No. 704 Amending the Zoning Ordinance of the Charlotte Perimeter Area by changing zoning on property south of the P & N Railway, between Toddville Road and Paw Creek, from Rural to Industrial, on petition of Susan and W. P. Todd be referred back to the Planning Board for further consideration as requested by Mr. Ken Griffin, Attorney, who stated that a mistake has been discovered in the original map and his clients would like the Commission to consider the request once again. The motion was seconded by Councilman Smith, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAINS IN LOMAX AVENUE AND GILBERT STREET, AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, the construction of sanitary sewer mains was authorized at the following locations:

- (a) Construction of 125-feet of sanitary sewer main in Lomax Avenue, inside the city limits, to serve 4 family units, at request of Griffin Realty Company. Estimated cost of \$440.00 to be borne by the applicant, whose deposit of the entire amount will be refunded as per terms of the contract.
- (b) Construction of 220-ft. of sanitary sewer main in Gilbert Street, inside the city limits, to serve 4 family units, at request of J. A. Roberts Construction Company. Estimated cost of \$500.00, to be borne by the applicant, whose deposit of the entire amount will be refunded as per terms of the contract.

CONTRACT AUTHORIZED WITH PITOMETER ASSOCIATES FOR WATER WASTE SURVEY.

Motion was made by Councilman Albea, seconded by Councilman Babcock, and unanimously carried, authorizing contract with Pitometer Associates for Water Waste Survey, in the amount of \$8,000.00, for which funds are budgeted, being one-fifth of a long range program for the next four years to determine points of water leakage or waste, to locate closed valves and check on unauthorized use of water.

PAYMENT OF FEE AUTHORIZED TO DAVIS & DAVIS REALTY COMPANY, INC. FOR OBTAINING RIGHTS-OF-WAY IN CONNECTION WITH SANITARY SEWER EXTENSIONS.

Upon motion of Councilman Babcock, seconded by Councilman Dellinger, and unanimously carried, the payment of \$120.00 was authorized to Davis & Davis Realty Company, Inc. for obtaining rights-of-way in connection with sanitary sewer extensions to Derita Branch Trunk, Rozzells Ferry Road, Sharon Avenue and Greentree Subdivision.

PAYMENTS AUTHORIZED FOR RIGHTS-OF-WAY FOR SANITARY SEWER EXTENSIONS TO VARIOUS STREETS AND SUBDIVISIONS.

Motion was made by Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, authorizing total payment of \$1,472.45 from various funds to the following persons, for rights-of-way for sanitary sewer extensions to various streets and subdivisions:

Mary Uldeen Davis Potter, F.F. Potter, Mrs. Julia Davis Boyd, Miss Winnie Bell Davis, \$379.06 from Old Sewer Bond Fund.  
Floyd F. Potter and wife, Uldeen, \$161.82, from Old Sewer Bond Fund.  
John Cecil Mills and wife, Grace, \$150.22 from New Sewer Bond Fund.  
Walter J. Black, Administrator for the estate of Mittie Elmira Black, and as Agent for the Heirs of Mittie Elmira Black, \$200.50, from New Sewer Bond Fund.  
Henry David Eddins and wife, Nancy, \$126.50 from New Sewer Bond Fund.  
Emma N. Orr (unmarried), \$115.44, from New Sewer Bond Fund.  
Olsa S. Bechtler (widow), \$126.50, from New Sewer Bond Fund.  
Bernard Richter and wife, Sherry, \$212.41, from deposit of Charlotte Development Company.

STREETS TAKEN OVER FOR CITY MAINTENANCE.

Councilman Albea moved that the following streets be taken over for city maintenance, which was seconded by Councilman Babcock, and unanimously carried:

- (a) Dalebrook Drive from Spring Street to Crestdale Drive.
- (b) Crestdale Drive from Newland Road to 120 ft. east of Dalebrook Drive.
- (c) Trentwood Place from Dalebrook Drive 150 ft. east.
- (d) Vickery Drive from Plaza Road to 125 ft. north of Venado Street.
- (e) Venado Street from Vickery Drive to school property.
- (f) Dunstan Court from Vickery Drive 260 ft. west to end.
- (g) Farrior Drive from Plaza Road to Vickery Drive.

CONTRACT AUTHORIZED WITH WILBUR SMITH & ASSOCIATES FOR COMPREHENSIVE TRAFFIC PLAN AND PARKING STUDY FOR CENTRAL BUSINESS DISTRICT.

Mr. John R. Knott, Chairman Traffic & Transportation Committee Charlotte Chamber of Commerce, was present and stated that his Committee had a special meeting on December 2nd to again consider the proposed Downtown Parking and Traffic Survey and adopted the following resolution:

"Resolved, That the Traffic and Transportation Committee of the Charlotte Chamber of Commerce unanimously recommend to the City Council of Charlotte, North Carolina, that the proposed 'Downtown Parking and Traffic Survey' as presented and interpreted by Herman J. Hoose, City Traffic Engineer, be made."

Mr. Hoose was asked if the Uptown Parking Committee has been considered. Councilman Dellinger stated that some of the parking people have been under the impression that the City is going into the parking business.

Councilman Whittington stated that he believes the parking lot people have had an opportunity to be heard if they desired. He thought Mr. Hoose and Mr. Knott should be commended for their work.

Councilman Dellinger stated that some people believe this is too much money to spend for a survey, but if Charlotte had had the survey some 20 years ago it would have been less and we would not have the problems we have today.

Mr. W. G. Camper, representing the Downtown Charlotte Association, stated the Association at the request of Mr. Hoose has made a careful study to the prospectus he has prepared for a comprehensive study of parking and traffic in the central business district. They had hoped more emphasis would be placed on the traffic phase of the program and less on parking. However, they realize how closely parking and traffic are related and endorse the proposed survey as presented by Mr. Hoose, and further, offer any assistance that might be given in the execution of the survey; that for the immediate future parking needs are fairly well defined as evidence by the Association's parking survey held in May of this year; however, they feel that there is an extreme urgency in construction and completion of traffic facilities for access and egress especially on the north side of the central business district.

Mr. Camper stated that since January of this year there have been at least two major retail facilities who have cancelled their building plans because of lack of shopper traffic in this area. That he feels sure that until there is proper access and egress in the downtown area there is unlikely to be any new construction and will probably lose some of the facilities that are there now. That as an Association, they are vitally interested in expansion of traffic facilities in every portion of the central business district; that access from the west and egress to the east, north of Trade Street is practically non-existent so far as current volume is concerned. Mr. Camper stated that expansion of Fifth Street to the east began sometime ago with a cost to the City of approximately \$200,000; however, this was only widened from Brevard to McDowell Street and is being used very little because of the bottlenecks at both ends of the expansion. He suggested a plan to complete the extension of Fifth Street from McDowell to Morrow Streets, a short bridge over the creek and slight fill over the Park Center parking lot to raise to the level of Armory Drive, and a clover leaf to tie into Independence Boulevard. That the Association feels that completion of this project already started would be logical before any new construction is begun, but they would like attention given to Fifth Street West to the junction with Sixth Street. He stated that the Downtown Association is vitally interested in all access and egress avenues to the central business district but feel the project mentioned before would be an ideal beginning in the alleviation of downtown traffic congestion. Mr. Camper again offered the whole hearted support and cooperation of the Association in all matters concerning the Central Business district of Charlotte.

Councilman Dellinger stated that the 5th Street program is long range and that the Engineering Department is not asleep; that they brought in a report two weeks ago and their problem is where the tie-in should be.

Councilman Myers asked if the time element has been considered? Mr. Hoose stated that the engineers would start within 30 days after the contract is signed with the report to be made by the 31st of August.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and unanimously carried, contract in the amount of \$25,000 was authorized with Wilbur Smith & Associates for making Comprehensive Traffic Plan and Parking Study for the central business district.

The following bids were received:

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|--|--|
| Wilbur Smith & Associates                | \$ 25,000.00                               |
| Vogt, Ivers, Seaman & Associates         | \$ 48,000.00                               |
| Bruce Campbell & Associates              | \$ 97,500.00                               |
| Parsons, Brincherhoff, Quade and Douglas | Proposal received but price not submitted. |

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Grantland Graham, for north portion of Lot GG, Section U, Elmwood Cemetery, transferred from Mrs. Adelaide L. Stiles, at \$1.00 for transfer deed.
- (b) Deed with Mrs Adelaide L. Stiles, for south portion of Lot GG, Section U, Elmwood Cemetery, at \$1.00 for new deed.

TOMMY NELSON JUNIOR HIGH SCHOOL STUDENT PRESENT AT COUNCIL MEETING.

Tommy Nelson, Civic's student from A.G. Junior High School, was present during the Council Meeting to gain information on the City's Government.

LEASE-AGREEMENT AUTHORIZED WITH TRANSPORTATION DISPLAYS, INC. FOR SPACE IN THE AIRPORT TERMINAL.

Upon motion of Councilman Hitch, seconded by Councilman Whittington, and unanimously carried, a lease-agreement was authorized with Transportation Displays, Inc. for space in the main lobby on the first floor of the Airport Terminal Building for a period of one year, with the Company to pay to the City, sixty per cent of gross income received for exhibit areas, forty per cent of gross income received for island displays and forty-five per cent of gross income received for wall dioramas.

STATEMENT RELATIVE TO MEMORIAL HOSPITAL AUTHORITY TAKING OVER GOOD SAMARITAN HOSPITAL.

Councilman Hitch stated that several weeks ago the Charlotte Memorial Hospital Authority was requested to report concerning their action relative to Good Samaritan Hospital. That the Authority has worked very hard to bring this about. He stated he would like to clarify their position and not place the blame for the delay in taking over Good Samaritan Hospital; that they have not delayed but have done everything they have been requested to do.

LETTER FROM F. J. BEATTY, CHAIRMAN, COMMUNITY HEALTH STUDY COMMITTEE, RELATIVE TO THEIR APPROVAL OF THE RANKIN REPORT.

Councilman Hitch presented a letter from F. J. Beatty, Chairman Community Health Study Committee which he requested recorded into the Minutes of the meeting.

Mr. W. J. Veeder  
City Manager  
City of Charlotte  
Charlotte, N. C.

December 5, 1960

Dear Mr. Veeder:

The Community Health Study Committee at a meeting held on November 14, 1960, approved the following resolution:

"RESOLVED, that the Community Health Study Committee gives general approval of the Rankin Report, Section 1, "Study of Health and Medical Facilities of Mecklenburg County", and recommends that the report be referred to the Social Planning Council, to be implemented by that body through the organizations and institutions responsible for the care of ill persons in the county." There was no dissenting vote.

Recommendation 4 of Section 1, Rankin Report, is as follows: "It is recommended that: Good Samaritan Hospital be made a unit of the Charlotte Memorial Hospital Authority; the bond issue voted by the people of Charlotte be used as necessary to renovate and add to Good Samaritan Hospital to develop a facility meeting standards for licensure and operation, of all the state and local agencies and departments, as at least a 121-bed acute general hospital; that plans and specifications be developed and the project begun without further delay to provide these beds and necessary ancillary facilities, and that these plans encompass long-range projections of architectural and engineering design to provide ready conversion to some type of health facility other than a general hospital with a minimum of demolition, alteration, construction and costs; and Good Samaritan Hospital be used as a general hospital until such time as the Charlotte Memorial Hospital Authority may decide to convert it to other health purposes."

The Community Health Study Committee was sponsored by the Social Planning Council of the UCS.

Yours truly,

COMMUNITY HEALTH STUDY COMMITTEE

Signed - F. J. Beatty  
Chairman"

BEATTY REPORT ON THE GOOD SAMARITAN HOSPITAL ACCEPTED.

Upon motion of Councilman Hitch, seconded by Councilman Smith, and un-animously carried, the Beatty Report on the Good Samaritan Hospital was accepted.

ENGINEERING DEPARTMENT REQUESTED TO GIVE COST ESTIMATE OF WIDENING CLANTON ROAD.

Councilman Whittington requested the City Manager to have the Engineering Department to give a cost estimate on the widening of Clanton Road, ~~from York Road to South Boulevard,~~ from South Boulevard to Clanton Park.

Corrected  
12-12-60



AMENDMENT TO CIVIL SERVICE ACT WITH RESPECT TO THE FIRE DEPARTMENT AGE LIMITS TO BE PRESENTED TO MECKLENBURG LEGISLATORS.

Councilman Dellinger moved that the Mecklenburg Legislators be requested to present the request of the Charlotte Civil Service Commission to the General Assembly that the Civil Service Act be amended to provide for the age limits of the Fire Department Applicants to be from 21 through 29 years of age. The motion was seconded by Councilman Whittington, and unanimously carried.

CITY MANAGER REQUESTED TO GIVE COST ESTIMATE ON WIDENING OF WOODLAWN ROAD, FROM PARK ROAD TO YORK ROAD.

Councilman Dellinger requested the City Manager to have cost estimate made on the widening of Woodlawn Road, from Park Road to York Road.

AMBULANCE SERVICE REQUESTED TO GIVE SIX MONTHS' REPORT.

Councilman Smith requested the City Manager to obtain the six months' report which is due at end of December from Mr. Brandes of the Ambulance Service, showing the uncollectables and the age of the uncollectables.

CITY ATTORNEY REQUESTED TO DRAW BILL ON RECORDER'S COURT LEGISLATION.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and unanimously carried, Mr. John Shaw, City Attorney, was requested to draw the necessary Bill for Recorder's Court Legislation.

TRAFFIC SURVEY REQUESTED AT HARTFORD AND SOUTH BOULEVARD.

Upon motion of Councilman Hitch, seconded by Councilman Albea, and unanimously carried, the Traffic Engineering Department was requested to make a traffic survey at the intersection of Hartford and South Boulevard with the view of installing a traffic signal at this location.

DUKE POWER REQUESTED TO INSTALL STREET LIGHTS ON WESTERLY HILLS DRIVE (FORMERLY MARGARET AVENUE).

Councilman Dellinger requested the City Manager to ask Duke Power Company to install street lights on Westerly Hills Drive (formerly Margaret Avenue) off Wilkinson Boulevard, as far out as they need them.

STREET LIGHTS REQUESTED FOR GLENWOOD DRIVE.

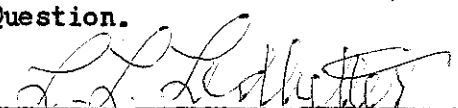
Councilman Albea requested the City Manager to have the Traffic Engineering Department to install street lights on Glenwood Drive.

CITY MANAGER REQUESTED TO HAVE RUNNEYMED ROAD REPAIRED.

Councilman Smith requested the City Manager to have the Engineering Department repair Runnymede Road as pot-holes have begun to appear again.

ADJOURNMENT.

Upon motion of Councilman Albea, seconded by Councilman Smith, and unanimously carried, the meeting was adjourned to 2 o'clock p.m., December 12th to consider Water and Sewer Rates Question.

  
L. L. Ledbetter, Deputy City Clerk