

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, January 25, 1960, at 4 o'clock p.m., with Mayor Smith presiding, and Councilmen Babcock, Dellinger, Hitch, Myers, Smith and Whittington being present.

ABSENT: Councilman Albea

* * * * *

INVOCATION.

The invocation was given by Councilman Herbert Hitch.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Hitch, and unanimously carried, the Minutes of the last meeting on January 18th were approved as submitted with the insertion of the following statement by Councilmen Myers and Babcock on Page 318 of said Minutes, relative to Urban Redevelopment:

"The Blighted Brooklyn Area is as disturbing to us as to any citizen of Charlotte. We are ashamed of the squalor and unsightliness there, but we do not believe that Urban Redevelopment is the answer. Our objection is that the program proceeds on a number of ASSUMPTIONS which we do not believe to be valid.

- (1) It ASSUMES that the enabling legislation passed by the Legislature is constitutional in the State of North Carolina. This has yet to be tested.
- (2) It ASSUMES, if proved constitutional, that the law is morally right. This we strongly reject. It violates the basic and fundamental right of an individual to own property and to use it in whatever lawful manner he chooses. The only exception to this right is the power of condemnation which historically could be enforced only for a necessary public use. The majority of the area will not be used for a necessary public use, but rather will be sold to promoters for their own exploitation. This is just another example of the constant gnawing away at our constitutional liberties.
- (3) It ASSUMES that the slums are going to be eradicated. The overwhelming evidence is that they will be simply relocated in other sections of the city, and the cost of law enforcement and fire prevention will continue to remain disproportionately high.
- (4) It ASSUMES that the area once cleared will immediately be bought and developed into thriving commercial and industrial enterprises, thus pouring a bonanza of tax dollars into the City Treasury. The truth is that much of the land so cleared in other cities still stands in weeds, because there has been no economic need for the property.
- (5) It ASSUMES that no windfall profits will accrue to the developers at the taxpayers' expense. This we question in view of the experience in other cities.

(6) It ASSUMES that private capital would not redevelop the Brooklyn Area. There is ample evidence to the contrary if the threat of condemnation had not been present for more than eight years.

(7) It ASSUMES that no Government housing projects will be built for the displaced families. Seldom has this been the case in other cities.

(8) It ASSUMES that the schools and churches which are left standing will continue to be attended after the people's homes have been bulldozed away. This hardly seems plausible.

(9) It ASSUMES that no hardship will be worked on the more than 100 private home owners in the area. We question that they will be able to acquire another home for the value received through condemnation proceedings.

(10) It ASSUMES that the estimated project costs are reasonable. Experience in other cities shows the inaccuracy of such preliminary estimates. We are concerned about sizeable overages and the added cost to the citizens of Charlotte.

(11) It ASSUMES that Urban Renewal will not work and that Urban Redevelopment is the only solution. We submit that Urban Renewal is less expensive to the taxpayer and a much more practical approach in view of the staggering capital outlays facing Charlotte.

Aside from the reservations expressed above, we are advocates of economy in government and strenuously object to federal handouts, the principal purpose of which is to buy votes. Urban Redevelopment is simply another form of federal handout under the now popular guise of "If the Government pays for it, it doesn't cost us anything".

The proponents argue that Urban Redevelopment is national policy, that the money is there and we would be foolhardy not to take our share. That reasoning, in our judgment, is the root of the whole problem. Everybody grabs for their share and that is the signal for the Congress to appropriate more money, and the cycle of spend and tax starts all over again. It is all a part of the Government's inflationary program under which we are deluding ourselves into financial disaster.

Brevard Myers
Randolph Babcock"

RESOLUTION APPROVING PETITION OF AMERICAN BAKERIES COMPANY TO CLOSE A PORTION OF ALLEYWAY ON ANDRILL TERRACE.

The public hearing was held in connection with the Petition of the American Bakeries Company to close an alleyway from the north side of West Trade Street on Andrill Terrace. No objections were expressed to the proposed closing. Councilman Smith moved the adoption of a "Resolution Approving the Petition of American Bakeries Company to Close a Portion of Alleyway on Andrill Terrace", which was seconded by Councilman Hitch, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, beginning at Page 448.

OPENING OF CHESTNUT STREET BETWEEN PECAN AVENUE AND HAWTHORNE LANE TO BE ADDED TO LIST OF STREET IMPROVEMENTS TO BE MADE IN THE FUTURE.

Mr. Paul Ervin, Attorney, spoke in behalf of Belmont Park Methodist Church

on Hawthorne Lane and residents of the area relative to their previous requests that Chestnut Street, between Pecan Avenue and Hawthorne Lane, be opened to provide access to the Church, the School and to the arterial street. He stated they feel it is in the interest of the community and city that the street be opened, and he understands the only objection comes from the one property owner who owns a strip of land that would be affected. Mrs. C. T. Gallagher, resident of the area, spoke on the need for the street to be opened and urged that it be done. Mr. Lee Heath, owner of a 12-ft. strip of the property fronting on Hawthorne Lane, stated the opening of Chestnut Street would serve no purpose except egress and ingress for the church; that it would split his property in the middle. That he has withdrawn from dedication the right-of-way from Pecan Avenue to the 12-ft. strip; therefore, if the City condemns the 12-ft. strip, they will have to condemn the entire property 50 ft. x 300 ft. long. Mr Heath stated further that they contemplate developing the property and may want Chestnut Street to be opened some day, maybe through the edge of the property or maybe through the middle. That if the City will give him time something will be done in the next few years at their expense, and the street will be located where he wishes it.

Councilman Dellinger stated in view of the statements by the Engineering and Traffic Engineering Departments to the effect that the street should be opened sometime but that it was not a top priority improvement, and also in view of the shortage of funds, he moved that the opening of Chestnut Street from Pecan Avenue to Hawthorne Lane be added to the list of street improvements to be made in the future, in its proper place. The motion was seconded by Councilman Whittington, and unanimously carried.

RESOLUTION FROM THE TEN FUNERAL HOMES, OPERATING EMERGENCY AMBULANCE SERVICE, REQUESTING THE CITY TO BE RESPONSIBLE FOR ALL EMERGENCY AMBULANCE SERVICE ON AND AFTER MARCH 1, 1960, RECEIVED FOR COUNCIL CONSIDERATION.

Mr. W. N. Hovis, Funeral Director, presented the following resolution, signed by each of the Funeral Home Directors in Charlotte who operate emergency ambulance service:

"Whereas the Funeral Directors of Charlotte have operated the Emergency Ambulance Service for many years at a financial loss; and

Whereas the Funeral Directors have provided first class and adequate service but still have received undue and unjustified criticism; and

Whereas the Funeral Directors feel that all Emergency Vehicles should be operated by the City,

We, therefore, respectfully request that the City of Charlotte as of March 1st, 1960, be responsible for all Emergency Ambulance service and as of that date we will refer all such ambulance calls to the Agency named by the City to perform this service.

ALEXANDER FUNERAL HOME, INC.

By Kelly M. Alexander

GRIER FUNERAL SERVICE

By A. S. Grier

HAIRSTON FUNERAL HOME

By W. D. Hairston

LONG MORTUARY SERVICE

By Lem Long, Jr.

WALLACE FUNERAL HOME

By S. F. Wallace

BEAMON LONG FUNERAL SERVICE

By Beamon Long"

HANKINS-WHITTINGTON FUNERAL DIRECTORS

By Irvin W. Hankins

HARRY AND BRYANT CO, INC.

By Don G. Bryant

HOVIS FUNERAL HOME

By W. N. Hovis, Sr.

MCEWEN FUNERAL SERVICE, INC.

By W. Dave Brisendine

MILLER & KERNS FUNERAL DIRECTORS

By J. Marcus Kerns

Mayor Smith asked by whom the criticism was made? Mr. Hovis replied it has been continuous during his 30 odd years in the funeral business. Mr. Hovis stated further they feel that emergency ambulance service is a public service to the citizens, and they have been furnishing it at a great financial loss; that in many, many cases calls for this service by the Police Department are not, in fact, emergency cases, and the person could be carried in a Police Car just as well. He stated they intend to continue private ambulance service but ask the City to take over the public service by March 1st, and they think it can be handled by one of the City's departments.

Mr. Kelly Alexander of Alexander Funeral Home, Mr. W. D. Hairston of Hairston Funeral Home, Mr. Arthur Grier of Grier Funeral Home and Mr. Don Bryant of Harry and Bryant Company spoke relative to their request that the City take over the service. Mr. Alexander stated the service must be rendered in a great hurry, and then it is 30 to 40 minutes before the patient receives attention at the hospital. Mr. Hairston stated since December 31st they have answered sixteen Police calls for emergency ambulance service and collected for one, and that nine out of ten of the Police calls are not real emergencies. Mr. Grier stated it is a service they should not render, that it is dangerous, and thankless and a financial loss to them. Mr. Bryant stated it is a service that should be controlled by the City and to have proper control and proper service, it should be handled from a central point.

Mr. Hovis stated they could decrease their insurance cost by almost two-thirds if they did not furnish public emergency service. That they seriously feel it is a City responsibility and they are perfectly willing to appoint a Committee of Funeral Directors to work with the City on the problem.

Mayor Smith stated it is not a matter that can be decided today, that the Council will study the resolution presented and consider the matter.

ORDINANCE NO. 641 AMENDING ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE CHANGING ZONING ON PROPERTY ON BOTH SIDES OF PARKER DRIVE, ADOPTED.

Upon motion of Councilman Dellinger, seconded by Councilman Babcock, and unanimously carried, Ordinance No. 641 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing zoning on Parker Drive, from R-2 to Industrial, on petition of Edna Corporation et al was adopted as recommended by the Planning Board eliminating that portion within 100-ft. of its easterly boundary and south of Parker Drive and that portion north of Parker Drive and east of an unnamed branch that traverses the property. The ordinance is recorded in full in Ordinance Book 12, at Page 444.

ORDINANCE NO. 642 AMENDING ZONING ORDINANCE TO AMEND BUILDING ZONE MAP OF CHARLOTTE TO CHANGE ZONING ON PROPERTY ADJACENT TO PUBLIC LIBRARY ON PROVIDENCE AND QUEENS ROADS, DEFERRED ONE WEEK FOR CLARIFICATION OF ACCESS ROAD INTO PROPERTY FROM QUEENS ROAD.

Councilman Babcock moved that Ordinance No. 642 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing zoning on property adjacent to the Public Library on Providence and Queens Roads, from R-2 to O/I, on petition of A. H. and Aileen R. Cash, be adopted as recommended by the Planning Board on that portion fronting on Providence Road only. The motion was seconded by Councilman Hitch. Councilman Myers stated he is of the opinion this zoning change should be deferred until

the entire block is rezoned. Mr. Caldwell McDonald, representing the property owner, stated the house on the property is old and vacant and a fire trap and should come down; that the Library property is zoned O/I and has an entrance from Queens Road, and he can see no difference in the two properties; that it is necessary to have access from Queens Road because the traffic congestion on Providence Road is such that the one entrance from that street would not be sufficient. He urged that the property be zoned as recommended by the Planning Board and that a driveway into the property from Queens Road also be authorized by the Council. Councilman Smith offered a substitute motion that action be deferred for one week and the Planning Board be asked to clarify the access road from Queens Road. The motion was seconded by Councilman Whittington and unanimously carried.

ORDINANCE NO. 631 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY EAST OF SUGAW CREEK ROAD, BETWEEN GROVE AVENUE EAST AND CINDERELLA ROAD, ADOPTED.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, Ordinance No. 631 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte changing property east of Sugaw Creek Road, from R-2 to B-1, on petition of Goodyear Mortgage Corp. was adopted as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, at Page 445.

ORDINANCE NO. 649 AMENDING THE CITY CODE WITH RESPECT TO THE SALE OF ICE CREAM FROM VEHICLES ON CITY STREETS, ADOPTED.

An ordinance entitled: "Ordinance No. 649 Amending the City Code with Respect to the Sale of Ice Cream from Vehicles on City Streets" was introduced and read. Councilman Whittington raised the question of noise usually made by these trucks by ringing a bell or other device announcing their approach. Mr DeLaney stated he thought this would be covered by the city's Anti-Noise Ordinance. Councilman Babcock asked that a sentence be incorporated in the ordinance to the effect that their drivers would comply with the provisions of the Anti-Noise Ordinance. Councilman Smith raised the question of the danger to children running into the street after the Ice Cream Trucks; also, if the licensing of the Ice Cream Trucks will not bring about requests from venders of soft drinks, etc. and it would probably be better to draw the line here. Councilman Hitch moved the adoption of the ordinance, which was seconded by Councilman Whittington, and carried, with the votes cast as follows:

YEAS: Councilmen Babcock, Dellinger, Hitch, Myers and Whittington.

NAYS: Councilman Smith.

The ordinance is recorded in full in Ordinance Book 12, beginning at Page 446.

ORDINANCE NO. 650-X AMENDING THE REVENUE ORDINANCE, BEING THE LICENSING ORDINANCE OF THE CITY OF CHARLOTTE, WITH RESPECT TO ICE CREAM SALES ON CITY STREETS, ADOPTED.

An ordinance entitled: "Ordinance No. 650-X Amending the Revenue Ordinance Being the Licensing Ordinance of the City of Charlotte, with Respect to Ice Cream Sales on City Streets" was introduced and read. Councilman Dellinger moved the adoption of the ordinance, and that the license fee be on a prorata basis in proportion to the number of quarters that have elapsed since July 1, 1959. The motion was seconded by Councilman Babcock and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 449.

PAYMENT AUTHORIZED TO HENRY G. NEWSON FOR OBTAINING RIGHTS-OF-WAY IN CONNECTION WITH SANITARY SEWER EXTENSIONS TO PERIMETER AREA.

Upon motion of Councilman Smith, seconded by Councilman Babcock, and unanimously carried, payments from the Sewer Bond Fund were authorized to Mr. Henry G. Newson, in the amount of \$320.00 for right-of-way obtained in connection with sanitary sewer extensions to Sharon-Amity Road, York Road, Linda Lane, Cloister Drive and Sherwood Forest, and of \$280.00 for extensions to York Road, Montgomery Avenue, Biddle Park, Julia Avenue and Meadowood.

CONTRACT AUTHORIZED WITH MERIWETHER COMPANY, INC., PIERRE COMPANY, INC., CARGO COMPANY, INC. AND RICHARD H. WRIGHT, III, ATTORNEY-IN-FACT, FOR CONSTRUCTION OF WATER MAINS IN GLENDALE ACRES SUBDIVISION, AND ACTION ON JANUARY 4, 1960 RESCINDED AUTHORIZING SAME CONTRACT WITH WRIGHT HOMES, INC.

Upon motion of Councilman Hitch, seconded by Councilman Whittington, and unanimously carried, action on January 4, 1960 awarding contract with Wright Homes, Inc., was rescinded and contract was awarded to Meriwether Company, Inc., Pierre Company, Inc., Cargo Company, Inc., and Richard H. Wright, III, Attorney-in-fact, because of the change in the name of Wright Homes, Inc. to the said companies as listed herein.

RENEWAL OF SPECIAL OFFICER PERMIT TO JOHN H. MCCALL FOR USE ON PREMISES OF HOTEL BARRINGER.

Councilman Babcock moved the renewal of Special Officer Permit to Mr. John H. McCall, 2037 East 5th Street, for use on the premises of Hotel Barringer. The motion was seconded by Councilman Hitch, and unanimously carried.

BIDS ON SODIUM SILICOFLUORIDE REJECTED.

Upon motion of Councilman Smith, seconded by Councilman Dellinger and unanimously carried, all bids received on Sodium Silicofluoride were rejected, as recommended, as none of them fully met the specifications, and the City Manager was authorized to have the specifications reworked and new bids taken.

CONTRACT AWARDED COURTESY MOTORS, INC. FOR ONE 3/4 TON PICKUP TRUCK.

Upon motion of Councilman Whittington, seconded by Councilman Hitch, and unanimously carried, contract was awarded Courtesy Motors, Inc., for One 3/4-Ton Pickup Truck as specified, at a net delivered price of \$1,877.02.

The following net delivered bids were received:

| | |
|---------------------------------|-------------|
| Courtesy Motors, Inc. | \$ 1,877.02 |
| International Harvester Company | \$ 1,907.80 |
| Hutton-Scott Company | \$ 1,992.07 |
| Don Allen Chevrolet Company | \$ 2,010.09 |

TRANSFER OF CEMETERY LOT.

Councilman Babcock moved that the Mayor and City Clerk be authorized to execute a deed with Mr. Karl E. Thies, Sr., and wife, for Lot 125, Section 2, Evergreen Cemetery, at \$160.00. The motion was seconded by Councilman Whittington, and unanimously carried.

JOHN H. VICKERS REAPPOINTED TO FIREMEN'S RELIEF BOARD OF TRUSTEES.

Upon motion of Councilman Smith, seconded by Councilman Whittington, and unanimously carried, Mr. John H. Vickers was reappointed to the Firemen's Relief Board of Trustees for a term of two years from the expiration of his present term on January 18, 1960.

WALTER HOOK AND ASSOCIATES, ARCHITECTS, AUTHORIZED TO PROCEED WITH PLANS AND SPECIFICATIONS FOR ADDITION TO AIRPORT TERMINAL BUILDING.

Motion was made by Councilman Hitch, seconded by Councilman Babcock, and unanimously carried, authorizing Walter Hook and Associates, Architects, to proceed with the plans and specifications for the addition of approximately 5,200 square feet of space on the second floor of the Airport Terminal Building, with the understanding that it be budgeted in the Operational Budget for the next fiscal year.

RESOLUTION RELATIVE TO AGREEMENT BETWEEN STATE HIGHWAY DEPARTMENT, SOUTHERN RAILWAY SYSTEM AND CITY OF CHARLOTTE APPROVING THE INSTALLATION OF FLASHING LIGHT CROSSING SIGNALS AT HUTCHISON AVENUE AND ATANDO AVENUE, ADOPTED.

Upon motion of Councilman Babcock, seconded by Councilman Smith, and unanimously carried, a Resolution Relative to an Agreement between the State Highway Department, Southern Railway System and City of Charlotte Approving the Installation of Flashing Light Crossing Signals at Hutchison Avenue and Atando Avenue, was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 450.

TRAFFIC SURVEY REQUESTED AT MCDOWELL AND EAST FIFTH STREETS.

Councilman Dellinger requested the City Manager to have a traffic survey made of the intersection of McDowell Street and East 5th Street, and report to Council.

BOND ELECTION FOR SEWER LINE EXTENSIONS AND STREET IMPROVEMENTS SUGGESTED HELD ON MARCH 8TH WHEN MECKLENBURG COUNTY WILL HOLD BOND ELECTION.

Councilman Dellinger suggested if more bonds can be issued for sewer line extensions and street improvements, which are badly needed, that arrangements be made to have the election on March 8th when Mecklenburg County is having a bond election. Mr. Veeder, City Manager, stated he will discuss the matter with the City Attorney on his return to the city.

ORGANIZATION OF SPECIAL ENGINEERING CREW SUGGESTED TO CHECK HOLES IN CITY STREET PAVEMENT TO EXPEDITE REPAIR WORK.

Councilman Dellinger stated he is receiving more and more calls about holes

January 25, 1960
Minute Book 39 - Page 229

in street pavement, as they are bad on tires. He suggested that the Engineering Department put on a special crew to check for these places and thereby expedite their repair. Mr. Veeder, City Manager advised he will discuss the matter with the City Engineer and make a report to Council.

TUCKASEEGEE ROAD AUTHORIZED PAVED WITH STREET BOND FUNDS WHEN BRIDGE COMPLETED.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, Tuckaseege Road, from bridge to main road, was authorized paved from Street Bond Funds upon the completion of the bridge. Councilman Babcock asked Mr. Hoose, Traffic Engineer, if in his opinion this work has top priority and should be done? Mr. Hoose replied that it does.

CITY MANAGER REQUESTED TO CHECK INTO REASON GARBAGE COLLECTION BEING MADE FROM ONLY ONE SIDE OF STREET IN ANNEXED AREA.

Councilman Smith stated residents of the annexed perimeter area say they have been told to put all garbage on one side of the street only for collections by the City. He asked the City Manager to check into this and advise the reason.

STATEMENT BY COUNCILMAN MYERS THAT FAMILY OWNS NO PROPERTY IN BROOKLYN AREA AND HIS VOTE ON URBAN REDEVELOPMENT QUESTION NOT INFLUENCED BY THIS AS HAS BEEN INFERRED.


Councilman Myers stated it has been inferred that his decision on the Urban Redevelopment question was biased, as his family owns property within the area. He advised this is not true, as neither his family nor he owns any property west of Sugaw Creek. He stated further that neither is any of their property under threat of condemnation by the Urban Redevelopment Commission, or by the previous Commission, and that within his financial resources he intends that none of it will ever of necessity come under the threat of condemnation.

PRESENT POLICY REGARDING TAPPING ONTO CITY SEWER LINES ONLY BY CITY FORCES UPHOLD.

In connection with the request of Mr. C.W. Coppala, Plumber, at the January 18th meeting that he be permitted to make taps to the city sewer lines in the annexed area at a fee less than that fixed by the City, Councilman Myers stated he feels the present policy of the City is correct, and, in his opinion, most of the plumbers do not want a change. Mr. Coppala stated he was asking for the privilege of making the taps only for himself and was not speaking for the plumbers as a group, and he desires to make these taps only where he could save the property owner some money. He stated further that Chapter 6, Section 39 gives the City Engineer the right to issue permits to individuals for this work, under city supervision. Mr. Bobo of the Engineering Department advised that Mr. Coppala was recently stopped from doing such work as he did not have a permit to work in the street or on the city's right-of-way. Mr. Bobo stated further that Section 39, referred to by Mr. Coppala, has been amended and does not provide for granting such permission.

ADJOURNMENT.

Upon motion of Councilman Dellinger, seconded by Councilman Babcock, and unanimously carried, the meeting was adjourned.


Lillian R. Hoffman, City Clerk