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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 10, 1962, at 3 o'clock p.m., with Mayor Brookshire presiding and Councilmen Albea, Bryant, Dellinger, Smith, Thrower and Whittington present.

ABSENT: Councilman Jordan.

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INVOCATION.

The invocation was given by the Reverend R. W. Turkelson, Rector of Saint Andrews Episcopal Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and un-animously carried, the Minutes of the last meeting on December 3, 1962 were approved as submitted.

RESOLUTION CONFIRMING THE ASSESSMENT MAP-ROLL FOR LOCAL IMPROVEMENTS ON ISENHOUR STREET, FROM NORRIS AVENUE TO RODEY AVENUE, ADOPTED.

The public hearing was held on the preliminary assessment map-roll for improvements completed on Isenhour Street, from Norris Avenue to Rodey Avenue, a total of approximately 600 front feet, by paving to a 25-foot width and installing storm drains, at a total cost of \$1,981.00 to be assessed against the properties abutting upon the improvements at \$3.30 per front foot for paving, the storm drains being paid for by the city.

No opposition to the assessment for the improvements was expressed, the petition requesting the said improvements having been signed by 100% of the abutting property owners.

Upon motion of Councilman Thrower, seconded by Councilman Dellinger, and un-animously carried, a Resolution Confirming the Assessment Map-roll for Local Improvements on Isenhour Street, from Norris Avenue to Rodey Avenue, was adopted on December 10th, 1962, at 3:10 p.m. The resolution is recorded in full in Resolutions Book 4, at Page 247.

RESOLUTION CONFIRMING THE ASSESSMENT MAP-ROLL FOR LOCAL IMPROVEMENTS ON ASHLEY ROAD, FROM DUBLIN ROAD TO JOY STREET AND ON KEMPTON PLACE, FROM ASHLEY ROAD TO HEYWOOD AVENUE, ADOPTED.

The public hearing was held on the preliminary assessment map-roll for improvements completed on Ashley Road, from Dublin Road to Joy Street, and on the south side of Kempton Place, from Ashley Road to Heywood Avenue, a total of approximately 1,960.12 front feet, by the construction of a 5-ft wide concrete sidewalk, at a total cost of \$4,421.00 to be assessed against the properties abutting upon the improvement at \$2.25 per front foot. The petition requesting the improvement having been signed by 84.2% of the abutting property owners, representing 81.9% of the total lineal feet of frontage upon the improvement, which was determined to be sufficient.

No opposition to the assessment for the improvement was expressed.

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Upon motion of Councilman Whittington, seconded by Councilman Bryant, and unanimously carried, a Resolution Confirming the Assessment Map-roll for Local Improvements on Ashley Road, from Dublin Road to Joy Street, and on Kempton Place, from Ashley Road to Heywood Avenue, was adopted on December 10, 1962, at 3:18 p.m. The resolution is recorded in full in Resolutions Book 4, at Page 248.

RESOLUTION CONFIRMING THE ASSESSMENT MAP-ROLL FOR LOCAL IMPROVEMENTS ON CHATHAM AVENUE, FROM CENTRAL AVENUE TO 1830 AND 1827 CHATHAM AVENUE, ADOPTED.

The public hearing was held on the preliminary assessment map-roll for improvements completed on Chatham Avenue, from Central Avenue to 1830 and 1827 Chatham Avenue, by widening and resurfacing, installing storm drains for a total of approximately 2,902.05 feet, and constructing standard curb and gutter for a total of approximately 2,722.05 feet, at a total cost of \$11,826.55 to be assessed against the properties abutting upon the improvements, at \$1.78 per front foot for storm drainage and \$2.19 per front foot for curb and gutter. The petition requesting the improvements having been signed by 61.9% of the abutting property owners, representing 64.5% of the total lineal feet of frontage upon the improvement, which was determined to be sufficient.

Mrs Cox stated they have property on the corner of Central Avenue and Chatham Avenue and completed their improvement several years ago and they are now being assessed for storm drains \$320.40 which she cannot understand.

The City Attorney advised that the assessment on Mrs Cox's property does not include curb and gutter for the reason that she had curb and gutter, the storm drainage, however, is located on the opposite side of the street from her but it serves the whole street and her property abuts directly on the improvement 180 feet. Mrs Cox stated this explains the assessment but she still does not feel that it is right.

Upon motion of Councilman Bryant, seconded by Councilman Whittington, and unanimously carried, a Resolution Confirming the Assessment Map-roll for Local Improvements on Chatham Avenue, from Central Avenue to 1830 and 1827 Chatham Avenue, was adopted on December 10, 1962, at 3:30 p.m. The resolution is recorded in full in Resolutions Book 4, at Page 249.

RESOLUTION CONFIRMING THE ASSESSMENT MAP-ROLL FOR LOCAL IMPROVEMENTS ON KILDARE DRIVE, FROM THE PLAZA TO OLINDA STREET, ADOPTED.

The public hearing was held on the preliminary assessment map-roll for improvements completed on Kildare Drive, from The Plaza to Olinda Street, by grading, installing storm drains and constructing curb and gutter for a total of 805 lineal feet, at a total cost of \$3,670.90 to be assessed against the properties abutting upon the improvements at \$2.88 per front foot for street base and \$1.68 per front foot for curb and gutter, the storm drains being paid for by the city. The petition requesting the improvements having been signed by 67% of the abutting property owners, representing 69% of the total lineal feet of frontage upon the improvement, which was determined to be sufficient.

No opposition to the assessment for the improvements was expressed.

Councilman Dellinger asked why the difference in price of \$1.68 for curb and gutter, while it was \$2.19 for curb and gutter on Chatham Avenue? The City

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Engineer advised the curb and gutter on Kildare Drive is roll type. Councilman Dellinger then asked if we have a standard policy on the type curb and gutter? The City Engineer stated there is a policy on it, that roll type is permitted in all residential or subdivision developments except where a thoroughfare or major street is involved, and also in an industrial section, where standard type is required.

Councilman Thrower asked the City Engineer if the roll type has already been installed and someone comes along and wants standard type on the same street, would they be allowed to have it? The City Engineer advised they would endeavor to keep the street uniform, however, if they wanted to put in the standard type they would not object. However, any where there is a business establishment, under the policy of the Council governing driveway entrances, the standard curb and gutter is required.

Councilman Bryant asked what the reason is that the City is paying for the storm drainage on Kildare and not on Chatham Avenue? Mr. Cheek advised that normally on any city-system street any storm drainage that benefits the drainage of the street itself the City would install it, provided the property owners pay for the pipe.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and un-animously carried, a Resolution Confirming the Assessment Map-roll for Local Improvements on Kildare Drive, from The Plaza to Olinda Street, was adopted on December 10, 1962, at 3:40 p.m. The resolution is recorded in full in Resolutions Book 4, at Page 250.

RESOLUTION CONFIRMING THE ASSESSMENT MAP-ROLL FOR LOCAL IMPROVEMENTS ON LEWISTON STREET, FROM THE DEAD END 400 FEET ACROSS WILLARD STREET AND 560 FEET TO THE DEAD END, ADOPTED.

The public hearing was held on the preliminary assessment map-roll for improvements completed on Lewiston Street, from the dead end 400 feet across Willard Street and 560 feet to the dead end, a total of approximately 1,788 front feet, by grading and paving, installing storm drains and constructing standard curb and gutter, at a total cost of \$9,977.04 to be assessed against the properties abutting upon the improvements at \$5.58 per front foot. The petition requesting the improvements having been signed by 67% of the abutting property owners, representing 79% of the total lineal feet of frontage upon the improvement, which was determined to be sufficient.

Mrs Perry Jones stated she has property 150 feet fronting on Lewiston Street, and there has been no petition signed and only they and the Reverend Davenport have received the notice of assessment, and she has called all the people on the street and they have not received the notice. She advised that Nance-Trotter built the homes of the other people on the street.

The City Manager stated a petition for the improvements was filed, and is signed by Nance-Trotter, Inc., as the owner of 980 front footage, Opal H. Davenport as the owner of 100 front feet, Trustees of the Gospel Chapel Church as the owners of 200 front feet and a Mrs Dollie Wingate who owns 200 front feet. Mrs Jones stated these people gave the City 10 foot right of way and that is why they do not have to pay any assessment if they are assessed, and that Nance-Trotter wanted her to give the City 10 foot of their property as a road right of way and they would not do so. The City Manager advised this is incorrect, and the possible explanation is that Nance-Trotter has agreed to pay this for them and they will certainly be billed for it, and whether they, or Nance-Trotter for them pays the bill is something else. The City Manager advised further there are six abutting property owners, four of whom signed the petition.

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The Reverend Davenport stated he has a contract with Nance-Trotter to pay the assessment on the Church and in front of his house and would like to know whether he will be billed and then he settle with Nance-Trotter? The City Manager advised he thinks the bill will be made out to him and the Church and then he would have to work it out with whomever he has the contract, unless other arrangements have been made. Mr. Cheek, City Engineer, advised that Nance-Trotter has already made arrangements with the Engineering Department for this and has deposited the money. Mr. Davenport advised they deeded a corner of their church lot for the right of way.

Councilman Whittington asked if there are any vacant lots in the block in which Mrs Jones lives. The City Manager advised the map does not indicate whether the lot is vacant. Mrs Jones advised her lot is vacant.

Councilman Smith stated he thinks the fact that Mrs Jones property is vacant and it is not her home place should be brought out for the record.

Upon motion of Councilman Bryant, seconded by Councilman Thrower, and un-animously carried, a Resolution Confirming the Assessment Map-roll for Local Improvements on Lewiston Street, from the dead end 400 feet across Willard Street and 560 feet to the dead end, was adopted on December 10, 1962, at 4:06 p.m. The resolution is recorded in full in Resolutions Book 4, at Page 251.

RESOLUTION CONFIRMING THE ASSESSMENT MAP-ROLL FOR LOCAL IMPROVEMENTS ON LYTTLETON DRIVE, FROM SHARON-AMITY ROAD TO ADDISON DRIVE, ADOPTED.

The public hearing was held on the preliminary assessment map-roll for improvements completed on Lyttleton Drive, from Sharon-Amity Road to Addison Drive, a total of 3,716.57 front feet, by grading, installing storm drainage and concrete curb and gutter, at a total cost of \$11,848.46, to be assessed against the properties abutting upon the improvement at \$2.73 per front foot for curb and gutter and \$0.45 per front foot for storm drains. The petition requesting the improvement having been signed by 80% of the abutting property owners, representing 86% of the total lineal feet of frontage upon the improvement, which was determined to be sufficient.

No opposition was expressed to the assessment for the improvements.

Councilman Smith asked the City Manager if the notice to the property owners regarding the assessment gave them the information as to the period of time they have in which to pay the assessment? The City Attorney advised this is included in the resolution and it will be published in The Notice and he agrees that it could well be given to the individual property owners.

Upon motion of Councilman Thrower, seconded by Councilman Whittington, and un-animously carried, a Resolution Confirming the Assessment Map-roll for Local Improvements on Lyttleton Drive, from Sharon-Amity Road to Addison Drive, was adopted on December 10, 1962, at 4:15 p.m. The resolution is recorded in full in Resolutions Book 4, at Page 252.

RESOLUTION CONFIRMING THE ASSESSMENT MAP-ROLL FOR LOCAL IMPROVEMENTS ON PINEHURST PLACE, FROM WOODLAWN ROAD TO WITHIN APPROXIMATELY 200 FEET OF WAKEFIELD DRIVE, ADOPTED.

The public hearing was held on the preliminary assessment map-roll for improvements completed on Pinehurst Place, from Woodlawn Road to within

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approximately 200 feet of Wakefield Drive, a total of approximately 1,835 front feet, by centering the street in the right of way, paving to a 26-foot width, installing storm drainage and constructing standard curb and gutter, at a total cost of \$5,760.04, to be assessed against the properties abutting upon the improvement at \$3.11 per front foot plus the cost of two driveways. The petition requesting the improvements having been signed by 56.52% of the abutting property owners, representing 58.4% of the total lineal feet of frontage upon the improvement, which was determined to be sufficient.

No opposition was expressed to the assessment for the improvement.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, a Resolution Confirming the Assessment Map-roll for Local Improvements on Pinehurst Place, from Woodlawn Road to within approximately 200 feet of Wakefield Drive, was adopted on December 10, 1962, at 4:25 p.m. The resolution is recorded in full in Resolutions Book 4, at Page 253.

ACTION DEFERRED ON THE ASSESSMENT MAP-ROLL FOR LOCAL IMPROVEMENTS ON SHADY BLUFF DRIVE, FROM DONCASTER DRIVE TO DEAD END.

The public hearing was held on the preliminary assessment map-roll for improvements completed on Shady Bluff Drive, from Doncaster Drive to dead-end, a total of approximately 410 front feet, by widening and paving to a 26-foot width, installing storm drainage, and constructing valley curb and gutter, at a total cost of \$4,627.80, to be assessed only against the petitioners at \$10.73 per front foot, plus cost of one driveway. The petition requesting the improvements having been signed by 75% of the abutting property owners, representing 50% of the total lineal feet of frontage upon the improvement.

Mr. Robert Lindsay, Jr., attorney for Mr. John C. Bennett, one of the three petitioners, stated that Mr. Bennett resides on the corner of Shady Bluff and Doncaster and wishes to object to the assessment of \$247.00 for a driveway, his position being that he had a driveway and one foot of it had to be cut off for the street but the contractor doing the work said they had ruined his driveway and were sorry and would fix it and he talked with Mr. Sherrill who said the City would take care of it for him. Mr. Cheek, City Engineer, stated it is true there was a charge for the driveway adjustment which was made inside the right of way and the assessment roll has subsequently been corrected so that the cost of doing the work is apportioned throughout the project, which is the way it should have been done in the first place, and he will not be charged the full cost just his proportion. Councilman Dellinger stated he thought we had a policy where a driveway was cut in doing street work, it was put back as it was found. The City Engineer stated the Statutes provide that all cost of adjusting driveways in the street right of way shall be apportioned throughout the project; however, if an adjustment of a driveway has to be extended as the right of way onto private property, then the burden of the cost falls on the private property. Mr. Lindsay stated further that Mr. Bennett states had he known the cost on the driveway would be so much, he would have seen what he could have had the work done for.

Councilman Smith moved that action be deferred on the Assessment Map-roll until everything is straightened out and then consider it further. The motion was seconded by Councilman Albea, and unanimously carried.

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SUBJECT

ACTION DEFERRED ON THE ASSESSMENT MAP-ROLL FOR LOCAL IMPROVEMENTS ON SHARON ROAD, FROM HARRIS ROAD TO WENDOVER ROAD.

The public hearing was held on the preliminary assessment map-roll for improvements completed on Sharon Road, from Harris Road to Wendover Road, a total of approximately 1,655 front feet, by grading, installing storm drainage, constructing concrete curb and gutter and constructing concrete sidewalks on both sides of the street, at a total cost of \$9,717.23 to be assessed against the properties abutting upon the improvements, at \$1.08 per front foot for storm drains, \$2.79 per front foot for curb and gutter and \$2.40 per front foot for sidewalks. The petition requesting the improvements having been signed by 100% of the abutting property owners.

Mr. John Small, Attorney representing the property owners on Sharon Road between Harris Road and Wendover Road, stated it is not his purpose nor intention at this time to discuss anything controversial and he thinks he can give Council two very good concrete, fair-minded reasons why this assessment should be deferred momentarily and he does not mean any long period of time. He stated the improvements were done by petition of the property owners, since which time two things have occurred. On September 1962 the Council (in Minute Book 42, at Page 175 and Resolutions Book 4, Page 218) adopted a plan of making the same arterial improvements of Sharon Road, from Wendover to the City limits and beyond that to Fairfield Drive, at no expense to the property owners. That if that were his only reason for appearing today, he would feel entirely justified to appeal to Council's fairness, if they are going to do the same thing for property owners beyond Wendover, then the one block this side of Wendover should be considered. However, he has a much more compelling reason and calls Council attention to the fact that a week ago in adopting the Belt Road from Providence Road northeast, they approved extending the Belt Road along the creek to Sharon Road, and unless we face the impossible fact that Council intends to cut across Myers Park Golf Course, then it must be assumed that the Belt Road would turn into a dog-leg up Sharon Road to some point, either Wendover or some point before it again turns west. If this were done, with the contemplated right of way for this Belt Road being 80 feet, the \$9,000 having just been spent, with assessment running from \$350.00 to over \$1,000.00 for the improvements on Sharon Road, extending only 60 feet, if you did run your Belt Road up Sharon Road you would be destroying the property for which you are now assessing the property owners on Sharon Road. Mr. Small stated in his opinion there should be more engineering consideration given within the confines of the City Council before this matter is referred to the Highway Commission and he is not asking today that anything be done in reference to the Belt Road but he is pointing out no engineering survey has been made for a Belt Road south and southwest of Providence Road but Council without engineering advice has approved extending it across Providence down to Sharon along the creek. Now, in fairness to Council itself, there should be some engineering consideration of these matters before that is finally decided, and he believes Council will agree if the Belt Road goes to Sharon it will either dead-end there or go out Sharon. Therefore, because Council is making the same improvements south of Wendover Road at no expense to the property owners and because of the fact that Council action last week might have put a serious question on the value of these improvements to the property owners, he respectfully suggests that the matter be deferred.

Councilman Bryant moved that action on the assessment be deferred. The motion was seconded by Councilman Albea.

Councilman Dellinger asked what Mr Small meant by no engineering study? Mr. Small stated he is told there has been no engineering study made west of Providence Road.

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Mayor Brookshire stated that he might say, for the record, that Council last week approved a public hearing on that portion of the Belt Road from Eastway Drive to Providence Road, and discussed the possibility of extending it from there to Sharon Road but without taking any action on that portion of it at all. Mr. Small stated the Minutes of last week's meeting do not so read. They state that the project was approved to be extended to Providence Road along the Creek to the intersection of Sharon Road. Mayor Brookshire stated in any event the Road would not be so located or located at all without a public hearing in the future. Mr. Small stated, however, it would go to the Highway Commission with stamp of approval of the Council. Mr. Small stated he agrees that there is a great need for a Belt Road from that section but without destroying the Golf Course or many fine homes. He requested a deferment on the ^{said} question of the assessment until they could get together with the City and they are subject to the invitation of the City Attorney, the City Manager or anyone to meet and confer at any time.

Councilman Smith commented that the improvements to Sharon Road has been completed and he asked if this is the normal process for Council to get the assessment map-roll after the work is completed or before it is done? The City Attorney advised the procedure is to give it to Council after the work is completed. Councilman Smith asked what the Council can do once the work is done, either absorb the cost or confirm the assessment map-roll and the property owners pay for it? The City Attorney advised in this case the petition for the improvements was signed by 100% of the property owners, owning 100% of the footage. Mr. Small stated that no notice was given the property owners as to the assessment until the work was completed, and the other two actions which have occurred subsequent to the petition are contributing factors - that is the extension of Sharon Road making it an arterial beyond Wendover Road, and secondly, bringing a belt road into Sharon Road. Councilman Smith stated it appears to him Council should have a public hearing prior to the work being done. He asked if such hearings were held on all improvements presented today? The City Attorney advised it was just decided a couple of weeks ago that hearings be held prior to the work being done. The City Manager advised he believes what Mr. Smith has in mind is where the petition represents only 25% of the property owners, then there would be a hearing. The City Attorney advised that the statutory procedure was followed explicitly in the construction of this work and the making of the assessment roll, and there is no statutory requirement for public notice prior to the construction, particularly where 100% of the property owners petitioned for the work; therefore, they cannot claim lack of notice.

Mr. Small stated they are not making any legal claims, they are merely appealing to Council's fairness to defer the matter for the purpose of consideration.

Mr. Veeder stated that Council considered the petition for the improvements and passed on it prior to the work being done.

Councilman Thrower stated his understanding is that the petitioners requested the work done, and it was done and now in view of the fact that this belt road may be extended on over to Sharon Road they do not feel they should pay for the improvements. Mr. Small stated they do not feel they should pay for 60 feet of the improvements when 80 feet may be required for the belt road and destroy their portion of the 60 feet. Councilman Smith stated Mr. Small may have a valid claim on that, however, the belt road will be 52 feet with an 80 foot right-of-way, so the 60 feet would not be destroyed. However, he is inclined to go along with him that if the other work is going to be paid, then the improvements from Harris Road to Wendover Road should also be paid.

The vote was taken on the motion to defer action on the assessment map-roll and carried unanimously.

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RESIDENTS OF MOCKINGBIRD LANE AREA REQUEST THAT AMBULANCE ANSWER CALLS IMMEDIATELY, AND POLICY OF CITY DISCUSSED.

Mr. Leon Mayfield referred to the petition filed at the last meeting by residents regarding the service rendered by the Ambulance Company at an automobile accident on Mockingbird Lane, and stated he was asked to appear before Council today and go further into the matter. He asked the City Manager if he checked with the Telephone Company as to the time the call was made to the Ambulance Company?

Mr. Veeder replied the only thing he can say on the point raised is the Telephone Company's contact with the Ambulance Service was made at 10:43 A.M. on the morning in question.

Mr. Mayfield stated he talked with Mr. Schrieber, District Manager of the Telephone Company, this morning and they have logged this on their machine at 10:40 a.m., however, there could have been other calls before so it was made not later than 10:40 and could have been made before that time. That the point the petitioners is not to start a controversy, but their point is when an ambulance is called they want an ambulance and not the Police, that they have no objection to the Police, but in this case the Police appeared first and had to drive from City Hall out to Mockingbird Lane, that the Police was driving a Plymouth Stationwagon, he was a Sergeant and in his shirt sleeves and without a hat, which indicated he was working in the office and, in fact, something was said to that effect. He stated he was at the scene just seconds after it happened, and was there until the ambulance arrived. That what they want is some kind of assurance that emergency calls for an ambulance do not have to be checked out by the Police Department and the whole controversy will be ended.

Councilman Dellinger asked if it is possible to dispatch an ambulance without the Police Department first checking? Mr. Veeder replied it absolutely is, that if the Police Department receives the call first and sufficient information is received that indicates the need for an ambulance without any further check, they will instruct an ambulance to depart without delay; at the same time if the first information on any given instance is received by the Ambulance Service in such fashion to leave no doubt whatsoever as to the need for an ambulance, they will depart immediately; that there is no question on that by either the Ambulance Service or the Police Department, and they are both in strong agreement with this point. He stated further there is a difference of 3 minutes indicated - that the time stamped by the Ambulance Service and that stamped by the Police Department both indicate the first knowledge they had of the instance was at 10:43 A.M.

Councilman Dellinger stated he has had several calls this morning about this, and people feel that Ambulance Service should be direct and he does not know if this is possible; that the ambulance people evidently made a lot of dead runs but if it could be worked out in case of an accident where injured persons are involved it would be to the best interest of everyone to have the ambulance there first. He asked if the City has a policy that the Police always go to the scene first? Mr. Veeder advised that the Police always know when an ambulance is running. Councilman Dellinger asked if it is mandatory that the Police answer the call to the scene? Mr. Veeder replied that it is not, and Councilman Dellinger asked then whose policy it is that the Police go to the scene first, and Mr. Veeder replied there is no such policy.

Mr. Mayfield stated the ambulance was dispatched after the Police arrived because the Policeman radioed back for the ambulance and a total of four Policemen in three different cars arrived before the ambulance did, and the young man involved in the accident was lying on the ground bleeding profusely

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all this time. Councilman Dellinger stated he was at the scene of an accident one day where a man was thrown from the car to the road and his wife was killed on the spot, and two Police cars came to the scene first and they then called the ambulance. This particular case happened in front of his place of business and the call was made to the Ambulance Company over his telephone. That he thinks the ambulance should be dispatched first and immediately.

Councilman Smith stated it is not that simple, that some excited person calls the Ambulance on the least provocation, for example if a drunk falls down on the street, and the service has to be regulated in some way because someone has to pay for the ambulance. Councilman Albea stated if a drunk pulls a fire alarm, the fire truck answers the call, and Councilman Smith called attention that the City pays for this service. He stated he thinks the Ambulance Service is doing a wonderful job and we have the best ambulance service we have ever had, but there must be some control over who pays for the trip.

Councilman Dellinger asked if there is not some way the Police could verify the call and certify if the ambulance is really needed? Mr. Veeder stated he is of the opinion after reviewing the circumstances that the policy in effect between the Ambulance Service and the Police Department is in the best interest of the residents of Charlotte. Towards that end he would like to point out that since the Ambulance Service has been in business as of the end of November, they have handled 15,000 plus calls and have been in operation now about two and a half years; during that period they have received 3,000 written compliments regarding their services, and also received 27 written complaints about their activities, of which only 3 came from the patients or the families of patients who called the Ambulance Service. He stated he says this most sincerely and is not trying to defend anything that is not worthy of a positive statement, that if he were of the opinion that there were things that could be done differently that would result in improved service he would not hesitate to do so, but he most sincerely believes that here in Charlotte we have ambulance service that is today superior to anything that was available in the past, and service that is at least equal to any other such service in the South, and that is most superior.

Mr. Mayfield stated he assumes then we are still at the same place as before on the subject, that is the Police will continue to check out the calls. Mr. Veeder advised that the Police Department is not and has not been checking out all requests for ambulances before ambulances are dispatched, that has never been the policy of the department nor is it their policy today. He quoted from Chief Hord's letter regarding this - "It is not and never has been the policy of this Department to dispatch Police to the scene of every emergency to determine the need for an ambulance. However, it must be recognized that on occasions, due to insufficient information received by Ambulance Service and/or the Police Department, it is necessary to dispatch nearby Officers to the scene of an accident or complaint to determine the need for emergency equipment. We feel this is consistent with good Police practice and this is what occurred in the case in question". Mr. Veeder advised that he agrees with Chief Hord.

Councilman Dellinger asked if this was released to the press yesterday? Mr. Veeder replied it was released to the press by someone other than himself on Saturday. Councilman Dellinger stated he thinks this caused the confusion. The Council asked for a report and the newspapers gave it to them rather than it coming direct. That he thinks if it had been handled on an executive level, the papers would have handled it more equitably. Mayor Brookshire stated it appears that someone who got a copy of Mr. Veeder's report to Council on Saturday, divulged the information to the press, which was not Mr. Veeder's fault.

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Mayor Brookshire stated to Mr. Mayfield that in answering his question the Council has gone into some discussion as to just how these matters are handled under our policy. Mr. Mayfield stated, as he said earlier, that the whole matter would be settled if the citizens had some kind of assurance that when they call an ambulance they would get one immediately. Mayor Brookshire stated that Mr. Veeder has explained that under the policy the Police do not have to go to the scene and confirm the request. Mr. Mayfield stated in the case in question, the Ambulance Service was told there had been an accident and it was an emergency and a person was bleeding profusely and it appears they would have answered the call immediately unless there was an agreement with the Police Department for them to answer calls first.

Mayor Brookshire stated the City's experience with Mr. Brandes has been very satisfactory as has been indicated here today, with only very few complaints.

Mr. Mayfield stated then their's seems to be an isolated instance.

Mrs Mary Smith stated she can prove the information they had in their petition that the call was made at 10:28 A.M., because at 10:30 her husband was there and looked at his watch and the call had been made. That Mr. Robert K. Ballard also looked at his watch and it was 10:30 when he got to the scene; also she talked personally to the Telephone Operator at Southern Bell last night who took the call and she said that the clock on her board and the clock on the wall were different; that they were very busy that night and she more than likely made other calls before she put it down; that she called Mr. Brandes and told him there had been an accident and a boy had been injured. That the newspaper states that nothing was said about an injury, which is untrue, and if there is anything that anybody wants to know, they have about 10 witnesses who will be glad to verify everything, including the fact that Mr. Brandes' driver apologized to the mother of the injured boy on the way to the hospital, saying he was sorry, that he personally took the call himself at 10:28 and they would not let him move.

CONSTRUCTION OF SANITARY SEWER IN ALLEGHANY STREET AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Bryant, and unanimously carried, the construction of 1,855 feet of sanitary sewer line was authorized in Alleghany Street, inside the city limits, at the request of C. D. Spangler Construction Company, at an estimated cost of \$4,570.00. All costs to be borne by the applicant, whose deposit of the estimated cost will be refunded him as per terms of the contract.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed to T.B.E. Spencer, for Lot 352, Section 2, Evergreen Cemetery, at \$360.00.
- (b) Deed to Mr. W. S. Gordon, Sr., for Lot 490, Section 6, Evergreen Cemetery, at \$240.00.

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

Motion was made by Councilman Albea, seconded by Councilman Whittington,

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and unanimously carried, authorizing the settlement for the following parcels of land for right-of-way for the Kenilworth Avenue Extension Project:

- (a) Payment of \$188.38 to Bessie G. Blankenship, 2000 Fernwood Drive, for 252.5 square feet of property.
- (b) Payment of \$900.00 to D. H. and Mary Sturgis Moffatt, 2201 Fernwood Drive, for 505 square feet of property.
- (c) Payment of \$600.00 to Archie B. and Margaret C. Hall, 2131 Fernwood Drive, for 252 square feet of property.
- (d) Payment of \$454.00 to Frank W. and Sara B. Foard, 2209 Fernwood Drive, for 252.5 square feet of property.
- (e) Payment of \$684.78 to Billy S. and Ruth A. Fish, 2125 Fernwood Drive, for 252.5 square feet of property.
- (f) Payment of \$650.00 to Edna L. Bradford, et al, 2217 Fernwood Drive, for 348.45 square feet of property.

CONDEMNATION PROCEEDINGS AUTHORIZED STARTED FOR ACQUISITION OF THREE PARCELS OF LAND FOR RIGHT-OF-WAY FOR KENILWORTH AVENUE EXTENSION PROJECT.

Upon motion of Councilman Dellinger, seconded by Councilman Bryant, and unanimously carried, condemnation proceedings were authorized started for the acquisition of the following parcels of land for right-of-way for Kenilworth Avenue extension Project:

- (a) 757.5 square feet of property owned by H. E. Kiser and wife, Inez C. Kiser, 2024 Fernwood Drive.
- (b) 252.5 square feet of property owned by James F. Poston and Elizabeth B. Poston and James F. Poston, Jr. and wife, Ethel Poston, 2033 Fernwood Drive.
- (c) 252 square feet of property owned by W. Mack Freeman and wife, Virginia A. Freeman, 2024 Fernwood Drive.

HEARING ON DUPLICATED STREET NAMES SET FOR MONDAY, JANUARY 14TH.

Councilman Dellinger moved that a public hearing be held on January 14th on the list of duplicated street names submitted by the Planning Board. The motion was seconded by Councilman Albea, and unanimously carried.

ADMINISTRATIVE ASSISTANT REQUESTED TO HAVE PROPERTY OWNERS FRONTING ON UNPAVED BLOCK OF CINDERELLA ROAD CONTACTED RELATIVE TO IMPROVING STREET UNDER ASSESSMENT PLAN.

Councilman Whittington advised that several people have called about an unpaved block of Cinderella Road, which intersects with Sugaw Creek Road and runs through Hidden Valley Subdivision; that it appears all of the residents in Hidden Valley Subdivision use the unpaved portion to get into Hidden Valley and they wish it paved. Councilman Thrower stated that he has discussed this with Mr. Bobo, who probably has a report. Councilman Dellinger asked if Cinderella Road is a collector street and Councilman Whittington stated he does not know as he has not been out there. Mr. Bobo advised it is a

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dedicated right-of-way connecting with the subdivision developed by Mr. Goodyear, and the Engineering Department has discussed with Mr. Goodyear improving the unpaved block and he has agreed to do so under the assessment plan. He advised further that Mr. Goodyear owns 50% of the frontage. Councilman Dellinger stated he is willing to go along with this but the Council has set up a policy that unless it is a collector street the work cannot be done. Mayor Brookshire pointed out if there is a petition by the property owners for the work to be done under the assessment plan this policy would not apply.

Councilman Whittington requested Mr. Bobo to have the Engineering Department contact the other owners of property abutting on the unpaved portion regarding the paving under the assessment plan and give Council a report.

CITY MANAGER REQUESTED TO REPORT ON STUDY REGARDING REMOVAL OF SHRUBBERY OBSTRUCTING VIEW AT STREET INTERSECTIONS.

Councilman Smith asked what the status is of the study regarding shrubbery obstructing the view at street intersections? Mr. Veeder advised that Mr. Hoose is obtaining information from other areas of the country that have developed ordinances along this line and he will have a report for Council just as soon as possible. Councilman Smith stated he thinks this is most important and something should be done.

REQUEST FOR TRAFFIC SIGNAL SOMEWHERE ON PROVIDENCE ROAD BETWEEN CHEROKEE ROAD AND THE CREEK, AND CITY MANAGER REQUESTED TO MAKE REPORT NEXT WEEK.

Councilman Bryant stated he continues to have his same request for a traffic signal somewhere on Providence Road between Cherokee Road and the creek; that it seems to be getting worse instead of better if you need to get out of a side street during peak hours.

Mr. Veeder stated he thinks a study was made less than 60 days ago and he will have a report for Council on it next week.

AGREEMENT AUTHORIZED BETWEEN THE CITY AND STATE HIGHWAY COMMISSION RELATIVE TO THEIR RESPECTIVE RESPONSIBILITIES FOR THE ACQUISITION AND COSTS OF RIGHTS OF WAY WITHIN THE MUNICIPALITY NECESSARY FOR THE CONSTRUCTION OF THE NORTHWEST AND NORTH-SOUTH EXPRESSWAYS.

Mayor Brookshire advised that the State Highway Commission will hold its last meeting of the year within the next week and if Council wishes to take action on the Agreement between the City and the Commission with regard to the North-South and Northwest Expressways, the City Manager will explain the provisions of the Agreement. The Council concurred in the suggestion.

The City Manager advised that the Highway Commission proposes to construct a Northwest Expressway and a North-South Expressway on the State Highway System in and around Charlotte, the said expressway projects being a part of the master thoroughfare plan heretofore mutually agreed upon between the Commission and the City of Charlotte, and the Agreement covers the respective responsibilities for the acquisition and costs of rights-of way within the City of Charlotte necessary for such projects, whereby (1) The Commission shall acquire all rights of way necessary to complete the construction of the Northwest Expressway from the eastern limits of the interchange of the Northwest Expressway with the North-South Expressway to the intersection with Interstate Route 85, (2) The Commission shall acquire all rights of

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way necessary to complete the construction of the interchange of the Northwest Expressway with the North-South Expressway. (3) The Commission shall acquire all rights of way necessary to complete the construction of the North-South Expressway from the south city limits north to the southern limits of the interchange of Interstate 85, Interstate 77 and the North-South Expressway. (4) The Municipality shall acquire all rights of way necessary to complete the construction of the Northwest Expressway from the eastern limits of the interchange of the Northwest Expressway with the North-South Expressway to the termini of the Northwest Expressway near the intersection of Independence Boulevard and McDowell Street and the intersection of Independence Boulevard and Louise Avenue. (5) The Municipality shall bear the full cost of the final design and preparation of construction plans and specifications for the Northwest Expressway project under a contract with a consulting engineer for such services as approved by the Commission. (6) The Municipality shall reimburse the Commission as hereinafter set forth for twenty-five per cent (25%) of the costs of acquiring rights of way as hereinabove defined in Paragraphs 1, 2 and 3; Provided, that the Commission shall credit to this obligation of the Municipality the fair market value of all property or interests in property acquired or owned by the Municipality and conveyed to the Commission for right of way for said expressway projects. (7) The Municipality shall pay its proportionate part of the costs of acquisition of rights of way as set forth in Paragraphs 1, 2 and 3 above in annual installments of \$100,000 to the Commission until such time as the total obligation is satisfied; the first installment to be paid in January, 1964, and a like sum of \$100,000 in January each succeeding year thereafter until the total obligation is satisfied, the last installment being tentative and subject to final adjustment when actual cost figures are known; Provided that whenever at any time, or from time to time, the cumulative total of said installments paid equals or exceeds 25% of the cumulative amounts paid by the Commission for said rights of way, no installment otherwise due and payable under this agreement shall be paid until the unpaid obligation of the Municipality becomes equal to at least the above specified annual installment. (8) The Commission shall, from time to time, and at least annually, furnish to the Municipality the actual itemized cost figures expended under this agreement by the Commission for the acquisition of said rights of way.

Councilman Thrower stated he thinks the City Manager has done an excellent job in working out the details of the program with the Highway Commission, and that it is one of the best programs he has ever seen and it will certainly ease the burden of the City of Charlotte. He moved approval of the Agreement between the City and Highway Commission as presented by the City Manager. The motion was seconded by Councilman Bryant.

Councilman Dellinger expressed some concern as to the final survey and asked if there is any way to learn what the cost will be? The City Manager advised that the cost of the right of way itself on each of the Expressways, in a large measure, is an unknown quantity at this time, and the only way to handle the situation is to reflect a percentage, splitting the cost. That a know factor is in the engineering cost, which, under the present agreement, calls for the City spending \$183,500, and if we agreed to this with the State it would mean increasing our engineering cost about \$240,000 to take care of not only the preliminary but the final engineering cost of the Northwest Expressway. That they have tried to work out something that is equitable and fair to both the State and the City and he is satisfied that this is fair.

Councilman Smith asked if there is any way the City could express this to satisfy the unknown quantity that the engineering, plus the 25% for the right of way, will not exceed 50% of the right of way? Mr. Veeder stated he is

satisfied that the right of way cost for the North-South Expressway will be such that if we did do the North-South on a 50-50 basis, he is sure it would cost us more than this arrangement is costing. Councilman Smith stated he is trying to eliminate the unknown quantity and asked what is the right of way going to cost? Mr. Veeder stated he does not know, that he thinks our acquisition of 100% is certainly going to cost us as much as had we authorized it by bonds. Councilman Smith stated he thinks a very good contract has been negotiated and the only thing that could be better would be that the cost of the engineering plus the 25% would not exceed 50% of the total cost of the right of way for the Northwest Expressway, and Mr. Veeder advised the City has already obligated itself to acquire 100% of the right of way for that portion of the Northwest Expressway coming from town to the North-South Expressway.

Councilman Dellinger stated the Council would like to know what it is buying and he would like to know what the cost will be on the right of way, then they would have something to shoot at and know where they are going.

The City Manager then presented a map showing both expressways and explained in detail the routes of each, the rights of way and the cost to the City and the negotiations with the Highway Commission on each of the two projects.

Mayor Brookshire then asked the City Manager if he thinks there is any need to negotiate further with the Commission and if this is the best agreement that can be worked out with the Commission? Mr. Veeder stated he does not know of any instance where any project might be construed as being more favorable to the City than this.

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

COLLECTION OF LEAVES FROM PRIVATE PREMISES DISCUSSED.

Mayor Brookshire asked the City Manager to comment on the collection of leaves from private premises, as many complaints are being received from citizens who say they have had leaves piled up in their yards for two or three weeks; that the Council recognizes the fact that we have a limited number of trucks especially equipped to vacuum the leaves but this is probably not understood by the citizens.

Mr. Veeder advised the leaf situation at this time of the year is at its peak, and we have twice the equipment this year that we had last year; that we will have picked up 700 loads in the seven day period ending this week; that by Wednesday of this week, Mr. Davis, Superintendent of the Motor Transport Department advises we will be over the hump, as it were; this does not mean all of the leaves will be picked up but we will be over the peak and will be catching up quicker; that additional people were pressed into service to work on the situation last Saturday. That the only thing he can add is to ask that everyone please be patient, as we would like to accommodate everyone the minute the leaves are piled up but of course this is not feasible but he thinks they will be collected by the end of the week, weather permitting.

ANNUAL MEETING IN JANUARY WITH GOVERNING BODIES OF SURROUNDING TOWNS SUGGESTED FOR BETTER UNDERSTANDING OF MUTUAL PROBLEMS.

Councilman Bryant suggested that in view of the fact that we are reaching out farther and farther into the County and towards the smaller towns surrounding Charlotte and with the necessity for area planning, it seems

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to him it would be good sense and good public relations if at least once a year we, as a Council, would invite the Governing Bodies of the various smaller communities around Charlotte to come in and discuss what our general plans are that might affect them in a general way, and they could do the same, at our expense or anyway it was decided upon. That he thinks it will be found to be advisable and appreciated by these people. He suggested that maybe in January of each year, Council make this a habit.

Councilman Whittington concurred in the suggestion and Councilman Smith stated he thinks a better understanding of mutual problems would be helpful to both them and us.

CLAIM FOR DAMAGES TO CAR SPLATTERED BY YELLOW TRAFFIC PAINT DEFERRED FOR ONE WEEK.

The City Attorney advised a claim in the amount of \$15.00 has been filed against the City for yellow traffic paint being splattered on the side of a car. That there is such a conflict and disparity between the claim and the report of the Traffic Engineering Department it is impossible to find any negligence on the part of the City, and he, therefore, recommends the denial of the claim.

Councilman Bryant moved that the claim be denied, which was seconded by Councilman Whittington.

Councilman Dellinger advised he had some conversation with these people today about this claim and he thinks that it merits further investigation and he would like to have them come in and discuss it. The City Attorney stated he would be happy to do so, that the Traffic Engineering Department investigated it at his request. Councilman Dellinger stated he would contact the people and ask them to come in and discuss it with the City Manager and City Attorney.

Councilman Dellinger offered a substitute motion that the matter be deferred for one week. The motion was seconded by Councilman Albea, and unanimously carried.

CONTRACT AWARDED RICHLAND WRECKING COMPANY FOR DEMOLITION OF CRISMAN REALTY BUILDINGS ON WEST FIFTH STREET.

Councilman Smith moved the award of contract to the low bidder, Richland Wrecking Company for the demolition and removal of Crisman Realty Buildings on West Fifth Street at the Southern Railway in the West Side Grade Crossing Elimination Project, as specified, at their bid price of \$2,965.00. The motion was seconded by Councilman Albea, and unanimously carried.

The following bids were received:

Richland Wrecking Company	\$ 2,965.00
Rike Wrecking Company	7,256.00
Crouch Bros House Moving Contractors, Inc.	7,953.00
Norman's House Demolishing Company	8,873.67

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REPORT ON BULLDOZER THAT CAUGHT FIRE AT THE LANDFILL GARBAGE SITE.

In response to the former request of Councilman Whittington for information regarding the bulldozer that caught fire at the Landfill Garbage Site, the City Manager reported this is covered by insurance and will cost between \$1,000 and \$1,200; that the fire was started from the exhaust of a private haulers pick-up truck which was dumping at that time.

ADJOURNMENT.

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

Lillian R. Hoffman

Lillian R. Hoffman, City Clerk

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