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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, March 19, 1962, at 2 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

Charlotte-Mecklenburg Planning Board members, Mr. Sibley, Chairman, Mr. Delaney, Mr. Hanks, Mr. Jones, Mr. Lakey, Mr. Turner and Mr. Ward were present during the hearings on petitions for changes in zoning classifications of certain properties.

ABSENT: Mr. Craig, Mr. Ervin and Mr. Toy.

* * * * *

INVOCATION.

The invocation was given by the Reverend Leland K. Stephens, Pastor of Grace Baptist Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the Minutes of the last meeting on March 12th were approved as submitted.

ORDINANCE NO. 67-X EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE BY ANNEXING THERETO 60 ACRES OF PROPERTY LOCATED IN CRAB ORCHARD TOWNSHIP ON PETITION OF JOHN CROSLAND COMPANY, ADOPTED.

Hearing was held on the Petition of John Crosland Company for the annexation of 60 acres of property to the City of Charlotte, located in Crab Orchard Township adjacent to Plaza Road-Milton Road intersection.

Mr. Veeder stated the petition has been reviewed by the Planning Director, City Engineer and Supt. of the Water Department and each of them has commented favorably on the annexation.

Councilman Dellinger moved the adoption of Ordinance No. 67-X Extending the Corporate Limits of the City by Annexing Thereto the 60 Acres of Property. The motion was seconded by Councilman Jordan, and unanimously carried. The ordinance is recorded in full in Ordinance Book 13, at Page 231.

HEARING ON PETITION NO. 62-1 BY EDGAR C. PHIFER FOR CHANGE IN ZONING FROM R-9 TO R-6MF ON A 20-FT. STRIP OF LAND AT REAR OF TWO LOTS FRONTING ON NORTH SIDE OF CENTRAL AVENUE ADJACENT TO AND WEST OF PROPERTY BELONGING TO ST. ANDREWS EPISCIPAL CHURCH.

The scheduled hearing was held on Petition No. 62-1 by Edgar C. Phifer for a change in zoning from R-9 to R-6MF on a 20-ft. strip of land at the rear of two lots fronting on the north side of Central Avenue adjacent to and west of property belonging to St. Andrews Episcopal Church.

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Mr. McIntyre, Planning Director, stated this is a long, narrow, shallow strip of property, which is actually the rear portion of two lots fronting on Central Avenue near Merry Oaks Drive and is across the street from Carolyn Drive. The change would be to give the rear portion of the property the same zoning as the front portion. The property is presently used for a single family residential development and also has an insurance office in a home. Adjoining the property on the Merry Oaks side are two duplexes fronting on Central Avenue. The adjoining property on the other side is occupied by a church. The property across the street is generally used for single family purposes, and there is some vacant property and an establishment for pest control. The zoning along Central Avenue in this area is generally for multi-family use.

Mr. Edgar Phifer, petitioner, stated that the property was formerly zoned R-2 and last summer they had plans drawn up for duplexes and apartments and they were tentatively approved by the Inspection Department, and the rezoning of the entire length of the lot to R-9 caught them and they ask that the 20-ft. strip be zoned R-6MF according to the property line. He stated he has owned the property for some time.

No opposition to the requested zoning change was expressed.

HEARING ON PETITION NO. 62-2 BY CARROLL D. PRESNELL FOR CHANGE IN ZONING FROM R-9MF TO B-1 ON TRACT OF LAND 150' X 250' FRONTING ON THE NORTH SIDE OF GLORY ROAD BEGINNING 634 FEET WEST OF SUGAR CREEK ROAD.

The public hearing was held on Petition No. 62-2 by Carroll D. Presnell for a change in zoning from R-9MF to B-1 on a tract of land 150' X 250' fronting on the north side of Glory Road, beginning 634 feet west of Sugar Creek Road.

The Planning Director stated the property is west of Sugar Creek Road, is 150' x 250' wide and is vacant. It adjoins on one side a farm type establishment, directly across the street the land is vacant and is adjoined on the western boundary by a small amount of residential uses; that all of the adjoining property is zoned multi-family, as is the property in question. About 200 or 300 feet from the property there is an industrial zone along Glory Street.

Mr. Bob Perry, Attorney representing the Petitioner, stated this to all appearances is spot zoning; however, he has done some reading on the definition of "spot zoning" and Yokely, who is said to be an expert on the question of Zoning, says "all amendments that change the character of use-districts, fall within the category of spot zoning as we understand the term, there have been numerous instances where the establishment of a district or zone might appear out of harmony with the general plan and the Courts have upheld it because it did no violence to the spirit and intent of the comprehensive zoning plan as expressed in the zoning ordinance". As examples, Mr. Perry cited where a Railroad Station was put in the middle of a first-class residential area and was allowed and altho being "spot zoning" in one definition of the word, it was still held to be in keeping with the comprehensive zoning plan, and another case of the establishment of a Shopping Center in the middle of a residential area. He stated their argument for the change they request is that each case must stand on its own feet. He called attention that they are very near some residential property but can safely say that his client's house is the best residence in the area, and that no property, from the property they are requesting rezoned, to Sugar Creek Road is going to be injured by the change. That if there is any possibility of injury to property it will be down the street. He pointed out a nearby shopping center and market and laundry, and also a junk yard.

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He presented pictures of the properties in the area and also a drawing of the building they propose to construct on the property if rezoned, which will house a photo processing plant, from which there will be no odor, no fires, no traffic. Pictures will be taken by their representatives out in town and not at the plant, and only the developing of the pictures will be done there. He stated they pledge that this is the building and the business that will be erected and carried on if the B-1 zoning will be allowed.

No objections to the proposed change were expressed.

HEARING ON PETITION NO. 62-3 BY COR-PHIL COMPANY, INC. TO ALLOW PARKING FOR OFFICE PURPOSES IN AN R-6MF DISTRICT, AS A CONDITIONAL USE ON A 60 FOOT LOT ON THE SOUTHWEST SIDE OF HARDING PLACE, BEGINNING 100 FEET NORTHWEST OF BERKELEY AVENUE.

The scheduled hearing was held on Petition No. 62-3 by Cor-Phil Company, Inc. to allow parking for office purposes in an R-6MF district, as a conditional use on a 60-ft. lot on the southwest side of Harding Place, beginning 100 feet northwest of Berkeley Avenue.

Mr. McIntyre, Planning Director, stated the petition is not for a zoning change but for conditional parking space for office use in a residential district and covers a lot 160 x 20 and the lot directly adjoins the rear line of the Phil-Mor office property fronting on Morehead Street. That the property at the present time has on it a single family house and is adjoined on both sides by single-family residential developments, some of which fronts on Berkeley and some on Harding Place. That the existing zoning of the property is Multi-family, which will not be changed.

Mr. Hunter Warlick, Attorney representing the petitioners who own the property in question, stated they desire to use this lot in conjunction with the Phil-Mor Office Building fronting on Morehead Street. That there is a rundown residence on the property, which is in an unrentable condition and they wish to use it in conjunction with the Office Building for parking purposes in view of the congested conditions for parking. That the present driveway to the rear of the Office Building separated from this lot by a brick wall, and they would like to use the driveway as an entrance to the parking lot, and an exit be made on Harding Place, and let the traffic flow through the lot in one direction only. If it should be decided this would create a traffic congestion on Harding Place, then the parking lot on the property in question could be arranged so that cars could turn around and come out by the same entrance onto Morehead Street. However, they feel the desirable exit would be on Harding Place. He called attention that the area has been rezoned for multi-family use and that immediately beyond this particular area it backs into the second phase of the Urban Renewal Project, so that the pocket in this immediate area is the only area between East Morehead Street and Independence Boulevard at 4th Street that is zoned for other than office usage.

Councilman Dellinger asked under what procedure the Council would allow this? Mr. McIntyre stated it would be approved or disapproved the same as a zoning change; that it would be submitted to the Building Inspection Department and Traffic Engineering Department for approval of the plans in line with the requirements of the new zoning ordinance. Mr. Warlick called attention that the new zoning ordinance provides that where usage of this type is granted, that the area must be screened from the adjacent residential property by a wall or natural foliage and in addition the setback requirements in an R-6MF zone would be affective, which is that the parking lot could come no nearer Harding Place than 25 feet.

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Mr. Jerry Hendricks, 1131 Harding Place, stated he is not here to object to the petition for a parking area but ask if it is approved that it be with the stipulation that neither entrance nor exit be on Harding Place because they feel it will definitely increase traffic on the street, which is already hazardous for children in particular.

Mr. Thomas B. Allan, 1126 Harding Place, stated his residence is a 60 ft. lot two doors from the lot in question and he also owns the fourth house from the lot, and he feels if the lot is turned into a parking area it will ruin a nice residential area and be dusty and they object to it, and consider it spot zoning.

Mr. Warlick stated they could work it out satisfactorily without the entrance from Harding Place; he stated further in connection with Mr. Allan's objections, that the parking lot will be paved which is, in fact, required under the ordinance.

Mrs B. E. Benson, 1101 Harding Place, asked if this will take any of the houses on Berkeley? Mr. McIntyre advised the property in question adjoins two houses on Berkeley but the houses are not included under the petition.

HEARING ON PETITION NO. 62-4 BY WM. T. ALEXANDER & COMPANY FOR CHANGE IN ZONING FROM R-12 MF AND B-2 TO I-2 ON PROPERTY ON SOUTHEAST SIDE OF NC HIGHWAY #49 EAST OF MALLARD CREEK ROAD.

The public hearing was held on Petition No. 62-4 by William T. Alexander & Company for a change in zoning from R-12MF and B-2 to I-2 on property on the southeast side of NC Highway #49 east of Mallard Creek Road and adjoining Alexander Tank Company.

Factual information regarding the property and surrounding area was presented by the Planning Director, who stated the property consists of about 5 acres, is presently vacant extending from Highway 49 across Old Concord Road and adjoins the Southern Railroad tracks. That along some of the property it adjoins Alexander Tank Company, which is owned by the petitioner. That to the north the property is adjoined by a residential development and vacant land, and across Highway 49 the property is vacant and across Mallard Creek Road is the property of Charlotte College.

Mr. W. T. Alexander, the petitioner, stated that 4 acres of the property was bought in 1947 by Alexander Tank & Equipment Company, and at the same time they tried to buy all the adjoining property from a Mrs Query but could not do so but secured a 5 year lease with option to renew and with the stipulation if property was sold it would be sold to the Tank & Equipment Company. At their Board of Directors Meeting December 27, 1950 they voted to start negotiations with Mrs Query to buy the land adjoining the present property needed for future storage and expansion. At the Board meeting on Sept. 4, 1951, they voted to buy 4 3/10 acres, which was all she would sell at that time. That they continued to hold a lease on the property and finally in 1954 they were able to buy an additional tract consisting of 5 acres. That at the Board meeting on December 29, 1951, the sale of the land to William T. Alexander Company, being himself and brother, was authorized to improve the capital structure of Alexander Tank & Equipment Company. That they burned down in 1952, and on Aug. 18, 1952 William T. Alexander & Company agreed to rebuild the Alexander Tank & Equipment Co. plant and lease the property for 5 years to them with the privilege of renewal. In 1956 they renewed that lease, and Dec. 29, 1961 it was agreed that Alexander Tank & Equipment Company would have William T. Alexander & Company erect an office and warehouse 60 x 100 on the property. That the first time they knew the property had been rezoned residentially was on

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January 31st, just one day after the passing of the ordinance, when they applied for a permit to erect their building. That they have never had any intention of using the property other than to expand and they would certainly like to use it for their industrial purposes as planned; that it is on a railroad, between two highways, and as far as the residents are concerned they consist of Mrs Query in one house and her son-in-law in the other, and of course, knew the purpose for which they obtained the property.

No opposition to the proposed change was expressed.

HEARING ON PETITION NO. 62-5 BY DR. JOHN DIXON, DR. PAUL DONNER ET AL, FOR CHANGE IN ZONING FROM R-6MF TO O-6 ON PROPERTY ON RANDOLPH ROAD, FROM CHASE STREET TO VAN NESS STREET.

The scheduled hearing was held on Petition No. 62-5 by Dr. John Dixon, Dr. Paul Donner et al for a change in zoning from R-6MF to O-6 on property on Randolph Road, from Chase Street to Van Ness Street.

Mr. McIntyre, Planning Director, stated the petition covers one side of the property fronting on Randolph Road, from Chase Street out two blocks to Van Ness Street, and also includes a triangular piece of property on the opposite side formed by the intersection of Crescent Avenue and Randolph Road. That the property within the area is used for residential purposes, with single-family homes and some duplexes, and at the corner of Durham Street and Randolph Road there is a Clinic. He stated the adjoining land usage both to the rear and on both sides of Randolph Road is residential.

Mr. Don Davis, Attorney representing the Petitioners, stated the situation is that the property is zoned R-6MF and prior to this new zoning the area was zoned R-2, which permitted the use of Medical Clinics. That under the present zoning, Medical Clinics are permitted on only 25% of the floor space of the structure, and the physician must reside in the structure. That the homes in the area requested rezoned are very large, old homes, some 40 years old, and by zoning this area R-6MF the only way in which these property owners can realize an income from these structures would be to destroy the present structures and build multi-family ones, which is quite expensive and impractical. However, it seems it would be quite feasible to convert these structures into Medical Clinics. That he could not, however, promise that all of the property would be converted to Medical Clinics but it is the desire of the owners to use it in this fashion and the O-6 operation is a clean operation, without a great influx of cars. He called attention to the fact of the inequities involved, the first inequity is that prior to the passage of the present zoning ordinance they were allowed to erect Medical Clinics, now they are allowed this privilege with only limited usage. Secondly, they feel there is another inequity in that the area towards town on Randolph Road has been zoned O-6, allowing Medical Clinics, which has the same type of older residences and the owners will without doubt convert to Medical and other type Clinics. That they cannot see any reason why the same zoning cannot extend to and include the property in question, and they urge that their request be granted. Councilman Jordan asked why the triangular piece of property, or prong, between Crescent and Randolph was included, and if a Clinic would actually be erected there if the property were rezoned? Mr. Davis stated it is, in fact, not a portion of the other property fronting Randolph Road, but is included in the petition and he feels if it meets the requirements of the Building Inspection Department, a Clinic would be erected on it.

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Councilman Whittington asked how far the O-6 zoning extends on Randolph Road from Caswell Road, and Mr. McIntyre stated it comes to Chase Street, and the petitioners are requesting the rezoning of that portion of Randolph Road from Chase Street to Van Ness Street.

No objections were expressed to the proposed zoning.

HEARING ON PETITION NO. 62-6 BY THE CHARLOTTE CITY COUNCIL FOR CHANGE IN ZONING FROM R-9 TO R-9MF ON THE METHODIST HOME PROPERTY ON THE SOUTH SIDE OF SHAMROCK DRIVE.

The public hearing was held on Petition No. 62-6 by the Charlotte City Council for a change in zoning from R-9 to R-9MF on the Methodist Home property on the south side of Shamrock Drive.

Mr. McIntyre, Planning Director, stated this covers the entire Methodist Home property, extending a considerable distance along Shamrock Drive, and extending out Shamrock Road to Windale Street; that the property extends a considerable distance in a southerly direction to the rear line of property on Summerville Lane, a residential subdivision; that the adjoining property extending back from Eastway Drive is essentially vacant and across Shamrock Road the property is developed for single-family usage. That the property is presently zoned single-family and is adjoined along the westerly line by multi-family zoning, otherwise the zoning is single family.

Councilman Whittington asked if the purpose of the request is because of the addition to Methodist Home for apartments for the people who will be residents there? Mr. McIntyre stated that is it in part, but basically, Nursing Homes are not allowed single-family zoning and this actually is an oversight on the part of the Planning staff. Councilman Whittington then asked if all of the property is owned by the Methodist Home now, and Mr. McIntyre stated it is.

No objections were expressed to the proposed zoning.

INVITATION EXTENDED CITY OFFICIALS TO ATTEND ROTARY SCOUT CIRCUS AT COLISEUM THE EVENINGS OF MARCH 24TH AND 25TH.

Mr. Frank McNeill extended an invitation to the Mayor, Council and City Manager to attend the Rotary Scout Circus, sponsored by the three Rotary Clubs, at the Coliseum on next Friday and Saturday evenings, for whom reserved seat tickets will be held at the Box Office. Mr. McNeill stated that 5,000 Boy Scouts will participate in the Circus, and it will be well worthwhile.

Mayor Brookshire expressed appreciation for the invitations and advised he and Mrs Brookshire will be present on Saturday evening.

REQUEST FOR WATER AND SEWER FACILITIES IN REID PARK REFERRED TO CITY MANAGER FOR INVESTIGATION AND REPORT.

Mrs Quist stated she was very surprised to see in The Charlotte News last Saturday and also in the Observer Sunday morning the development she and her husband own, known as Reid Park, termed a slum area. That since 1946 she has done her best to make it a nice, desirable place to live. That she realizes it looks bad but a great deal of the fault lies right here

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with the City of Charlotte, as she has endeavored without results to get the cooperation of the Water Department and the Sewerage Department; that she has one well out there for 22 people to use and it has been condemned by the Health Department; that the streets are terrible and the houses look bad. That she was advertising lots for sale in the paper last weekend and people called up asking for the location and when she told them they said "why that is a slum area" - the Ad has, of course, been taken out of the paper. Now, her request is that the Council lend their assistance to her in securing water and sewer lines for the development. She stated the colored people who have bought property are really clean and their homes inside look good, they have TVs, good furniture and nice cars, and they deserve the convenience of proper facilities. That she has just finished paying around \$1,600.00 in taxes and should have city facilities. That she is not asking for water lines where there are no houses, but does want it made possible to secure water and sewer facilities for the houses. That she knows of one block with eight houses and the owners have had their money posted with the City Water Department, and she came down here herself and put up \$76.00 just to try it out and after about eight months finally got water but not sewer. That it is most embarrassing to her to own a slum area, and the time has come when it should be stopped if the Council will help her find the way to stop it. That she would, of course, like to have water and sewer throughout the development but she is not asking for that. That she must close up the well, which has been condemned, because if someone should get sick from it, they could sue her, and that means these 22 families will have no water at all.

Councilman Whittington asked how many acres of land she has in the Park? Mrs Quist stated there are about 500 lots and they were unfortunately, cut up in 25 ft. lots when she purchased the property but she sells only 75 ft. lots now. Mayor Brookshire asked if it would not pay her to put in water and sewer at her expense in order to sell the lots? Mrs Quist advised that she does not have sufficient money for that, and she is not asking for water and sewer services for her own benefit, but for the colored people who live there and pay city taxes. She stated she sells the lots without water and sewer connections and tells the people so when they purchase lots from her.

Councilman Dellinger stated he is of the opinion that water and sewer lines were installed in this area some four years ago.

Mayor Brookshire suggested that it be referred to the City Manager to check into it and see what the City can do and the Council will let Mrs Quist know what can be done and make recommendations as to what she might do.

ORDINANCE NO. 66-X GRANTING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO THE AMBULANCE SERVICE OF CHARLOTTE, INC., ADOPTED.

Upon motion of Councilman Dellinger, seconded by Councilman Bryant, and unanimously carried, Ordinance No. 66-X Granting a Certificate of Public Convenience and Necessity to The Ambulance Service of Charlotte, Inc. for a term of ten years beginning on November 20, 1961, was adopted.

The ordinance is recorded in full in Ordinance Book 13, at Page 233.

AMENDATORY AGREEMENTS TO EXISTING LEASES WITH DELTA AIR LINES, PIEDMONT AVIATION, INC., CAPITAL AIRLINES AND SOUTHERN AIRWAYS TO INCREASE LANDING FEES AND TO LEASE WITH EASTERN AIR LINES TO INCREASE LANDING FEES AND FOR NEW AND ADDITIONAL SPACE ON THE SECOND FLOOR OF THE AIRPORT TERMINAL.

Councilman Thrower moved approval of Amendatory Agreements to existing leases with Delta Air Lines, Piedmont Aviation, Inc., Capital Airlines and Southern Airways, increasing their landing fees at Douglas Municipal Airport, and to the lease with Eastern Air Lines to increase their landing fees and for additional space on the second floor of the Airport Terminal. The motion was seconded by Councilman Bryant and unanimously carried.

Mayor Brookshire asked the City Manager how much increase the City would receive under the renegotiation of the leases? Mr. Veeder advised these are the leases that were negotiated about a year or more ago and have just now reached his office. That the landing fees are increased on the basis of so much per pound instead of so much per flight, 5 cents per 1,000 pounds for the first 15,000,000 lbs, 4½ cents per 1,000 pounds for the next 10,000,000 etc. That the increase is substantial but is not in line with other Airports as we have been getting this for better than a year; the leases were just not brought in for formal approval. Councilman Whittington asked how long before the leases can be renegotiated, and the City Manager advised 1974. Councilman Whittington stated that is the term of the lease he knows but is it not the intention of the City Manager to tackle this again in less time? Mr. Veeder stated he would like to discuss that with the Council.

ACQUISITION OF RIGHT-OF-WAY AND AGREEMENT FOR DAMAGES TO CHESAPEAKE PAPER STOCK COMPANY IN CONNECTION WITH WEST SIDE GRADE CROSSING ELIMINATION PROJECT.

Upon motion of Councilman Smith, seconded by Councilman Bryant, and unanimously carried, the acquisition of right-of-way and agreement for damages to Chesapeake Paper Stock Company, situated between West Trade and West Fifth Streets on the west side of the Southern Railway tracks, for the West Side Grade Crossing Elimination Project, were authorized on the following basis, representing an expenditure of \$85,000.00:

- (a) Payment for land needed for railroad right-of-way in the amount of \$6,484.00 and land needed for widening of W. 5th Street in the amount of \$2,807.50.
- (b) Payment of \$50,909.50 for all other damages to existing facilities of the Company, including damages to business during construction, necessary modification of building structure and realignment of normal work procedures on the property.
- (c) Other modifications to and relocations of side track which will be necessary before the railroad can continue to serve the property, and which will be included in the general contract for the project, at a total estimate of \$45,000.00, of which approximately \$25,000.00 is assignable to the Chesapeake Paper Stock Company transaction. The balance represents expenditures required in any event as a part of the construction of the project.

ACQUISITION OF TWO PARCELS OF PROPERTY ON NORTH SIDE OF WEST FOURTH STREET BETWEEN SOUTHERN RAILWAY TRACKS AND SOUTH CEDAR STREET FOR RIGHT-OF-WAY FOR WIDENING OF WEST FOURTH STREET IN CONNECTION WITH WEST SIDE GRADE CROSSING ELIMINATION PROJECT.

Motion was made by Councilman Alba, seconded by Councilman Thrower, and

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unanimously carried, authorizing the acquisition of the following described two parcels of property on the north side of West Fourth Street, between the Southern Railway tracks and South Cedar Street, for right-of-way for the widening of West Fourth Street incident to the West Side Grade Crossing Elimination Project at a total purchase price of \$5,811.67:

- (a) Property owned by H. P. Cook and wife, Faye R. Cook, and Edwin L. Faires and wife, Lillian B. Faires, containing 2,629 sq. feet for a price of \$2,629.00, plus \$2,371.00 for a two story frame house which will be demolished, or a total consideration of \$5,000.00.
- (b) Property owned by Mrs Ann Barrentine Brown, containing 538 sq. feet for a price of \$538.00, plus \$273.67 which is for modification of the porch and entrance steps in order to avoid moving the house, or a total consideration of \$811.67.

CONSTRUCTION OF SANITARY SEWER MAIN IN CUMMINS AVENUE AND MADRID STREET APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Alba, and unanimously carried, the construction of 250-ft. of sanitary sewer main in Cummins Avenue and Madrid Street, at an estimated cost of \$800.00, was approved upon the request of Mr. K. Martin Waters, Jr. All cost to be borne by the applicant, whose deposit of the entire amount will be refunded as per terms of the contract.

SETTLEMENT OF CLAIM OF MRS MARY ANN LAZARIDES AUTHORIZED.

Councilman Jordan moved that the claim of Mrs Mary Ann Lazarides for personal injuries and damage to clothing resulting from a fall at Park Road Shopping Center on January 24, 1962 alleged to have been caused from stepping on a water meter cover, be settled in the amount of \$250.00 as recommended by the City Attorney. The motion was seconded by Councilman Whittington, and unanimously carried.

RENEWAL OF SPECIAL OFFICER PERMIT TO FRANK W. HAAS.

Motion was made by Councilman Whittington, seconded by Councilman Bryant, and unanimously carried, renewing the Special Officer Permit to Mr. Frank W. Haas, Supt. of City Cemeteries, for use on the premises of Elmwood, Evergreen, Pinewood, Fifth Street and Oaklawn Cemeteries.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mrs Mary B. Reeves, for Grave #1, Lot 20-A, Section 3, Evergreen Cemetery, at \$60.00.
- (b) Deed with Mrs W. L. Jones, for Grave #1, Lot 20-C, Section 3, Evergreen Cemetery, at \$40.00.

CONTRACT AWARDED INTERSTATE ROOFING & ASPHALT COMPANY FOR REPLACING ROOF ON WATERWORKS SHOP BUILDING, 811 FAIRMONT STREET.

Councilman Thrower moved the award of contract to Interstate Roofing and

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Asphalt Company, the low bidder, for reroofing the Waterworks Shop Building at 811 Fairmont Street, as specified, at their total bid price of \$1,043.00. The motion was seconded by Councilman Whittington, and unanimously carried.

The following bids were received:

Interstate Roofing & Asphalt Co.	\$ 1,043.00
Averett & Ledbetter Roofing & Heating	1,062.00
Associated Roofing & Sheet Metal Co.	1,513.58

CONTRACT AWARDED LEE CONSTRUCTION COMPANY FOR ADDITIONS TO THE 36 INCH DIAMETER YARD PIPING AT HOSKINS FILTER PLANT.

Upon motion of Councilman Albea, seconded by Councilman Bryant, and unanimously carried, contract was awarded Lee Construction Company, the low bidder, for constructing additions to the 36-inch diameter Yard Piping at Hoskins Filter Plant, as specified, at their total bid price of \$96,564.00.

The following bids were received:

Lee Construction Company	\$ 96,564.00
Boyd & Goforth, Inc.	97,000.00
L. O. Chapman Company, Inc.	98,649.00
C. W. Gallant, Inc.	104,813.00
Potts-Brown Company	110,500.00

CONTRACT AWARDED THE GAMEWELL COMPANY FOR FIRE ALARM EQUIPMENT FOR NEW FIRE STATIONS #13 AND #14.

Motion was made by Councilman Bryant, seconded by Councilman Whittington, and unanimously carried, awarding contract to the only bidder, The Gamewell Company, for Fire Alarm Equipment for New Stations #13 and #14, as specified at their total bid price of \$2,160.47.

JUDGE OF CITY RECORDER'S COURT REQUESTED TO MAKE RECOMMENDATION IN WRITING TO COUNCIL FOR NEXT WEEK'S MEETING REGARDING THE EXPANSION OF THE COURT.

Councilman Jordan moved that the City Manager ask the Judge of City Recorder's Court to put his request regarding the expansion of the Court in writing to the Council and bring it to next week's Council Meeting. The motion was seconded by Councilman Dellinger.

Councilman Dellinger asked the City Attorney if this action will allow the Council to set up the same operation that was planned two years ago whereby the Chief Recorder and the Solicitor would have additional help? Mr. Morrisey advised the result would be the same. Councilman Albea stated he wants a Traffic Court, that if they are going to have another Court and operate them the same, he doesn't know if this will be sufficient. Councilman Whittington stated that the City Attorney has made a lot of study on this and his recommendation is all the Council can legally do and he certainly thinks that it is a step in the right direction and he urges the Council to approve it today and ask Judge Beacham to make his recommendations so the Council can go ahead and create another division of the Court. Councilman Smith stated he has wanted to get this Court set up for quite some time and he agrees with Councilman Whittington that we are moving in the right direction. That by calling it a Traffic Court you are creating a separate court and the Council does not have that

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authority. Mr. Morrissey stated that is correct in substance, and the same result can be reached legally in accordance with his recommendation. Councilman Albea stated he wants it made plain that he is for the court but thinks the Traffic Court is needed and that is what has been talked about all the time, but if this is the only way to go about it then there is nothing for him to do but go along with it.

The vote was taken on the motion and unanimously carried.

WIDENING AND IMPROVEMENTS TO SOUTH BOULEVARD, BETWEEN SCALEYBARK ROAD AND CITY LIMITS, ON EQUAL SHARE COST BASIS WITH STATE HIGHWAY DEPARTMENT APPROVED AND FUNDS REALLOCATED TO TAKE CARE OF CITY'S SHARE OF COST.

Councilman Thrower moved approval of a joint project with the State Highway Department to widen and improve South Boulevard, between Scaleybark Road and the city limits, at a total estimated cost of \$180,000 to be shared on an equal basis, and that \$50,000 be reallocated from funds budgeted for right-of-way protection and \$40,000 be reallocated from funds budgeted for the Northwest Expressway, to finance the City's share of \$90,000. The motion was seconded by Councilman Albea, and unanimously carried.

COUNCIL CONFERENCE TO BE HELD AT 1 O'CLOCK P.M. NEXT MONDAY, MARCH 26TH TO DISCUSS WITH PLANNING BOARD THOSE ZONING CASES NOT AGREED ON AT NIGHT SESSION AND THESE ZONING CASES BEFORE COUNCIL FROM HEARING ON FEBRUARY 20TH TO BE ACTED ON AT COUNCIL MEETING NEXT MONDAY.

Councilman Jordan moved that the Council meet at 1 p.m. next Monday, March 26th to discuss with the Planning Board and Planning Director those few zoning cases on which agreement was not reached at the recent night session, and that these zoning cases before Council from the Hearing on February 20th be acted on at the Council Meeting next Monday. The motion was seconded by Councilman Whittington, and unanimously carried.

DISCUSSION OF REQUEST TO FAA FOR FUNDS FOR EXTENSION OF AIRPORT RUNWAYS.

Councilman Bryant commented regarding the City's request to FAA for funds in connection with the Airport. He stated he understands that the reason the NS runway was extended was because of the problem with the railway, but he is very much concerned with the extension of the main runway now, which he understands had to be deleted in this particular request to FAA. That he thinks the request was certainly in order, however, he would like to ask the Council to consider very seriously budgeting the item to extend that runway, if it can be done from such funds.

Mr. Veeder advised that it is conceivable that the next application would have to be in October of this year, and it would be entirely proper to include such request at that time. That this would be based to a degree on changes, if any, that would be made in the national airport plan between now and then, that this is one of the criteria involved.

Councilman Bryant stated that sounds good, it is just that he thinks this facility is of such importance that every means to do it should be investigated.

Councilman Whittington asked if the reason for going into the NS runway first is not that one has to be done before the other can be done? Mr. Veeder stated that is partially correct; that actually, to do the major work this year, assuming that the City can get FAA approval on the NS runway now, would certainly make it much easier to go ahead with the required work on the existing instrument runway.

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CITY MANAGER REQUESTED TO MAKE CHECK ON REQUEST FOR A TEMPORARY SIDEWALK ON WILANN DRIVE, FROM THE PLAZA TO BRIARWOOD SCHOOL.

Councilman Dellinger advised that Briarwood School is requesting a temporary sidewalk on Wilann Drive, from The Plaza to Briarwood School, and he requested the City Manager to make a check and recommendation.

MEETING RECESSED AT 3:20 P.M.

Upon motion of Councilman Dellinger, seconded by Councilman Thrower, and unanimously carried, the meeting was recessed temporarily at 3:20 p.m., to confer with the Board of Mecklenburg County Commissioners regarding a Federal flood control plan for Sugar and Briar Creeks.

MEETING RECONVENED AT 4:10 P.M.

The meeting was reconvened at 4:10 p.m. and was called to order by Mayor Brookshire.

DISCUSSION OF CRIME PROBLEM AND OF INCREASED PERSONNEL AND SALARIES IN POLICE DEPARTMENT.

Councilman Whittington stated he wished to discuss the thoughts he has on the problem of crime, which the Mayor brought up in the Conference session today, that he realizes there is nothing the Council can do about it today, but he thinks it should be given serious thought and the Council should realize it will face them at budget time. Through the news media and the people on the street, crime in Charlotte seems to be the No. 1 topic, and he believes the Courts will tell you this time of the year it gets worse and it is not going to get any better, and perhaps worse. That in talking with people in Charlotte, they tell you that economic opportunities, better recreation, better health facilities, better housing, higher morals will reduce the crime rate, but he thinks we now have to face up to the fact that to help the problem we should plan now to increase the personnel of the Police Department in the new budget. That it may be unreasonable to think that 50 more men can be added to the Department but he does not think it is unreasonable if the men can be found, and to find the men he thinks the Council has to face up to the fact that we are going to have to consider increasing the present starting salary of \$330.00. That he understands 16 men were interviewed last week and probably 5 were acceptable, and the Department is 12 men short now. That he has discussed the problem with Mr. Veeder, Mr. Earle and Chief Hord, and he realizes it is a problem everywhere, but he thinks it is the Council's responsibility to look toward the new budget and get this personnel and plan now to pay them more money so that perhaps recruiting will not be the problem it has been in the past. That another thing he thinks the Council should think about in the new budget is having the Traffic Engineer to request more mercury vapor street lights to install in these areas where crime is being harbored and get these people out of the darkness, that it may be recalled this was one of the main requests of Chief James two or three years ago and Chief Hord agrees. That he thinks it is inevitable that the problem must be faced and he thinks more policemen must be employed and the pay must be increased.

Councilman Dellinger stated that the percentage of men who pass these examinations are not too bad off, that in private industry you might interview 15 or 20 people and only get one or two that fill the bill. That the standards may be set too high or the salaries may be too low but that is

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the kind of thing that should come from the Chief of Police who is in position to know how many men he needs and what type of men he needs and he should make his recommendations to Council. That he thinks during the years he has been on the Council, they have always gone along with the requests of the Department to a great degree. That he was in hopes that Mr. Whittington was going to talk about a training program in the Police Department, as it seems to him we fall short in that respect. However, he does not mean to be critical of anyone. That he thinks some of the older men in the Department could stand more training in certain techniques.

Councilman Bryant stated he thinks Mr. Dellinger's position is well taken and believes he has seen somewhere a recommendation or a stated fact that we need additional policemen; that the other point is the matter of training, and he understands it has been stated that 10 to 15 minutes training before going on duty is sufficient for these men and that is the training they are now getting and he would like to revive the idea, which he did to begin with and which he understood all the men who are interested in becoming Chief are interested in, and that is a Police Academy, which would have to be planned and the Council could work toward that end. That he would like to reiterate that if we want top grade men this is going to be a necessity.

Councilman Smith stated the problem of getting men is very difficult, and he thinks Mrs Hoffman will agree. That just recently a school was held for Police Officers, and he asked the City Manager to discuss that.

Mr. Veeder stated this program has just been completed. That there were two instructors here from Northwestern for three or four weeks, and during this period about eighty men went through a 40 hour program with them. That this was started some two years ago and it will be continued. That there are other avenues of training the Department is investigating and they certainly have the support of his office and his interest.

Councilman Smith stated he understands Chief Hord has included in his new budget a request for funds for 16 more men, which with the 12 he is now short would give him 28 more men than he has now, and this would be a pretty good increase in personnel; that Chief Hord has to watch the budget, and has to do with the money he has the same as the other Departments.

Councilman Albea stated they did have a 6-weeks training course for new Policemen before they go on duty and he asked if this is not now done? Mr. Veeder stated they still have this period of training. Councilman Albea stated that is not bad training for a recruit, and that is more than they use to get.

Councilman Jordan stated he had a long talk with Chief Hord a few days ago and Chief Hord discussed all the training that is being done, the course referred to by Mr. Veeder and the 6-weeks training for new men, and he feels they are getting enough.

Councilman Dellinger stated he still thinks we should have dogs in the Police Department, that their worth has been proven over and over again and he thinks the night men should have dogs regardless.

Councilman Whittington stated the only point he wants to make is that Council should be aware of the need for more policemen to combat the crime rate and anything he has said here today he has previously discussed it with the Chief of Police and Mr. Veeder and Mr. Earle, that he thinks training is important but secondary because you have to get the men before you can train them, and if the starting pay is the problem then the Council should plan to do something about it in the new budget.

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REQUEST OF JOSEPH L. KELLERMAN, DIRECTOR OF ALCOHOLISM INFORMATION CENTER, RELATIVE TO EMPLOYMENT OF ASSISTANT TO AID HIM IN WORK AT CITY'S EXPENSE REFERRED TO CITY ATTORNEY FOR RECOMMENDATION.

Mayor Brookshire referred to the recent conference with the Reverend Joseph Kellerman on the subject of alcoholics at which time he asked the City to pay a probation officer until 1963 when he would like to transfer the financial responsibility to the State, which he thinks he can do. The Mayor advised he has received a letter from him on the subject, which states in part:

"Last week I spent two and one-half hours with Mr Charles Cahoon, the new Director of the State Probation Department, and also met with Mr. Lee Bounds, Assistant Director of the Institute of Government at Chapel Hill. The State Probation Department plans to include public drunkenness probation in their program and this will be their primary item in Budget "B" for 1963. Mr. Bounds and Mr. Cahoon feel that a working program in Charlotte will give tremendous support in presenting this program to the legislature of 1963. When their department expands they will absorb into their department the work begun in Charlotte. Unless we begin our work on or about July 1 we will not have half a year of records to present in evaluating the work. This involves not only finding and hiring a man to do the work, it means setting up this program. Also, our organization would like to give the person who will do this work an opportunity to attend the Summer School of Alcohol Studies. He should spend at least one week in Washington, D. C. observing the program there and have this as a minimum on the job training. The State Probation Department is vitally interested in expanding their program to include this work. In view of this fact may I open a screening process or search to find the right man to begin this work with salary to be paid by the City of Charlotte? This salary would be in keeping with the salary scale of the State Probation Officer."

Councilman Dellinger stated he has checked into this position suggested by Mr. Kellerman and he cannot subscribe to it; that he believes there is a place for it but it is the responsibility of the State and ABC Board; that the ABC Board has a surplus every year and makes more money than anyone in private industry and they are the people who cause these things primarily, and he believes Mr. Kellerman should pursue that course. That we have a situation here that needs care and there is none, this is where a man has a short prison sentence and he comes back to Charlotte and has no way of finding work and knows no way to turn to find help. He stated he thinks if we have money to spend in a category of this type then we should look into this, as well as the alcoholic problem.

Councilman Whittington asked the City Attorney if the Council under the law can use tax money for this purpose? Mr. Morrissey advised that the only possibility that occurs to him is that provision of the ABC law that provides for a certain percentage of the ABC profits to be used for law enforcement; that he knows of no other authority the City has to spend money for probation purposes. Councilman Dellinger asked if there is any way the City could help in a rehabilitation program? Mr. Morrissey advised it would seem to him that might go in the Welfare field which is a County and State function.

Councilman Whittington stated he does not think the Council should give Mr. Kellerman a flat no, and he would suggest that Mr. Morrissey look up the law, and, if necessary, confer with the ABC folks and see if it cannot be worked out, taking the merits of the case into consideration; that it is a problem and if the City can help he feels we should do so.

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Councilman Albea stated he is in favor of doing all that can legally be done to help both of these type people. Councilman Dellinger stated that Mr. Kellerman is now drawing money from the ABC Board of the State Department and if he wants another man he should go down there and tell them he cannot do all the work and they should furnish him a man.

Councilman Jordan suggested that Mr. Morrisey look into this and see if it is legal. Mayor Brookshire advised Mr. Morrisey there have been two suggestions that this be referred to him for study and opinion and he will turn Mr. Kellerman's letter over to him for reply, and also ask that he make a report to Council later.

ADJOURNMENT.

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

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk