

October 8, 1962
Minute Book 42 - Page 236

SUBJECT

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, October 8, 1962, at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

* * * * *

INVOCATION.

The invocation was given by the Reverend P. L. Sherrill, Pastor of Chalmers Memorial A. R. P. Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and un-animously carried, the Minutes of the last meeting on October 1, 1962 were approved as submitted.

VISITORS FROM AREQUIPA, PERU WELCOMED BY MAYOR BROOKSHIRE.

Mayor Brookshire recognized his neighbor, Dr. Ed F. Hardman, and his two distinguished guests from our sister city of Arequipa, Peru, and expressed his great pleasure on behalf of the City of Charlotte at having them visit with us. He introduced Senor Jose Herrera, who is a member of the City Council of Arequipa. Senor Herrera expressed his great pleasure in accepting the hospitality of Charlotte, stating they are here at the invitation of Mayor Brookshire and the group from Charlotte who recently visited the City of Arequipa, and he presented Mayor Brookshire with a gift from the Mayor of Arequipa as an expression of his affection. Mayor Brookshire then introduced Senor Angel P. Valdevia, who too expressed his pleasure at visiting in Charlotte. Mayor Brookshire thanked the gentlemen for coming and expressed the hope that they would have the opportunity to revisit us. He introduced Dr. Hardman as host to the guests, who stated it has been a sincere pleasure to try to repay the beautiful hospitality which the members of the City of Arequipa extended to the Charlotte group on their visit with them.

MAYOR PRO TEM WHITTINGTON PRESIDES FOR REMAINDER OF SESSION.

Mayor Brookshire left the meeting to go to the Airport to extend official greetings to visitors arriving from Italy and turned the gavel over to Mayor pro tem Whittington who presided for the remainder of the session.

CONSIDERATION OF SALE OF TAX FORECLOSED PROPERTY AT 1109-11 N. CALDWELL STREET POSTPONED ONE WEEK.

Upon motion of Councilman Smith, seconded by Councilman Albea, and un-animously carried consideration of the sale at public auction on August 20th of tax foreclosed property located at 1109-11 North Caldwell Street, was postponed for one week.

October 8, 1962
Minute Book 42 - Page 237

EXTRA WORK ITEM IN CONTRACT WITH J. N. PEASE & COMPANY AUTHORIZED FOR BORING AND SOIL TESTS AT PROPOSED HOSKINS ELEVATED WATER TANK SITE.

Upon motion of Councilman Thrower, seconded by Councilman Smith, and un-animously carried, Extra Work Item not to exceed \$750.00 for boring and soil tests at the proposed Hoskins Elevated Water Tank Site was authorized to contract with J. N. Pease & Company for Engineering Services for Improvements and Additions to the Water and Sewer Facilities.

AGREEMENT AUTHORIZED COSIGNED BETWEEN SOUTHERN RAILWAY COMPANY AND J. A. JONES CONSTRUCTION COMPANY FOR RIGHT-OF-WAY FOR WATER MAIN INSTALLATION.

Councilman Smith moved that the Mayor and City Clerk be authorized to co-sign an agreement between the Southern Railway Company and J. A. Jones Construction Company for right-of-way for the installation of an 8-inch water main between the Railway Company's tracks at Milepost R-7 plus 2,632 feet at Hebron, N. C. The motion was seconded by Councilman Jordan, and un-animously carried.

CONTRACTS FOR THE INSTALLATION OF WATER MAINS AUTHORIZED.

Upon motion of Councilman Albaea, seconded by Councilman Bryant, and un-animously carried, the following contracts were authorized for the installation of water mains:

- (a) Contract with Nance-Trotter, Inc. for the installation of 2,595-ft. of mains and 2 hydrants in a portion of Bingham Park Subdivision, inside the city limits, at an estimated cost of \$7,400.00. The City to finance all costs and applicant to guarantee an annual gross water revenue equal to 10% of the total cost.
- (b) Supplementary Contract with American Investment Company for the installation of 5,835-ft. of main and 3 hydrants in Singing Springs Subdivision, outside the city limits, at an estimated cost of \$17,435.00. The applicant to pay all costs and own same until the area is incorporated into the city limits.

LEASE OF AIRPORT BUILDING #285 AND LAND AROUND BUILDING AUTHORIZED TO MR. BUCK BAKER.

Motion was made by Councilman Dellinger, seconded by Councilman Bryant, and un-animously carried, authorizing the lease of Airport Building #285 and an area of land 20-ft. in width around the building, to Mr. Buck Baker, at a monthly rental of \$125.00, for a term of one year effective October 1, 1962.

PAYMENTS FOR RIGHT-OF-WAY FOR RELOCATION OF IRWIN CREEK SANITARY SEWER OUTFALL AUTHORIZED.

Upon motion of Councilman Bryant, seconded by Councilman Thrower, and un-animously carried, payment of \$1,538.07 was authorized to Radiator Specialty Company, and \$461.31 to Blumenthal Properties, Inc., for right-of-way for the relocation of the Irwin Creek Sanitary Sewer Outfall.

SETTLEMENT OF CLAIM OF NANCE-TROTTER BUILDERS FOR DAMAGES TO SEWER LATERAL CONNECTIONS ON LEWISTON AVENUE.

Councilman Jordan moved approval of the payment of \$40.25 to Nance-Trotter

October 8, 1962
Minute Book 42 - Page 238

Builders in settlement of their claim for damages to their sewer lateral connections along Lewiston Avenue, as recommended by the City Attorney. The motion was seconded by Councilman Thrower, and unanimously carried.

RENEWAL OF SPECIAL OFFICER PERMIT TO RAYMOND L. JOLLY.

Councilman Bryant moved approval of the renewal of Special Officer Permit to Mr. Raymond L. Jolly for one year for use on the premises of Johnson Motor Lines. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER TRUNK AND MAIN AUTHORIZED IN MONROE ROAD.

Motion was made by Councilman Alba, seconded by Councilman Bryant, and unanimously carried, authorizing the construction of a 10-inch sanitary sewer trunk and an 8-inch main in Monroe Road, at an estimated cost of \$5,965.00, with all costs to be borne by the City.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Dellinger, seconded by Councilman Bryant, and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with Mr. Frank Marion Diehl, for Lot 239, Section 2, Evergreen Cemetery, at \$480.00.

CONTRACT AWARDED THE A. P. SMITH COMPANY FOR SIX MECHANICAL JOINT TAPPING SLEEVES.

Councilman Thrower moved the award of contract to the low bidder, the A. P. Smith Company for Six Mechanical Joint Tapping Sleeves, as specified, at their bid price of \$1,054.92. The motion was seconded by Councilman Jordan, and unanimously carried.

The following bids were received:

The A. P. Smith Company	\$ 1,054.92
Grinnell Company, Inc.	1,097.35
Darling Valve & Mfg. Co.	1,223.87
James B. Clow & Sons, Inc.	1,234.31
Shelby Supply Company	1,350.67

CONTRACT AWARDED HERSEY-SPARLING METER COMPANY FOR ONE COMPOUND WATER METER.

Upon motion of Councilman Dellinger, seconded by Councilman Thrower, and unanimously carried, contract was awarded the only bidder, Hersey-Sparling Meter Company for One Compound Water Meter, as specified, at their bid price of \$1,479.81

RIGHT-OF-WAY SETTLEMENTS FOR KENILWORTH AVENUE EXTENSION PROJECT AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Dellinger, and unanimously carried, the following settlements for rights-of-way for the Kenilworth Avenue Extension Project were authorized:

- (1) Payment of \$910.00 to Mr. H. O. Green and wife, Elizabeth W. Green, for 757.5 sq. ft. of property at the corner of Fernwood Road and Hemlock Street, being Tract #1 of 91 tracts.

SUBJECT

October 8, 1962
Minute Book 42 - Page 239

- (2) Payment of \$616.13 to Mr. William E. Kerr, et al, for 252.5 sq. ft. of property at 2112 Fernwood Road, being Tract #2 of 91 tracts.
- (3) Payment of \$603.38 to Mr. John J. McIlroy, for 252.5 sq. ft. of property at 2116 Fernwood Road, being Tract #3 of 91 tracts.
- (4) Payment of \$629.73 to Mr. William E. Kerr and wife Louise Kerr, for 252.5 sq. ft. of property at 2120 Fernwood Road, being Tract #4 of 91 tracts.
- (5) Payment of \$120.00 to Mr Neal S. Zeigler and wife Bess R. Zeigler, for 300 sq. ft. of property on the west side of Kenilworth Avenue between Hemlock Street and Lattimore Street, being Tract #5 of 91 tracts.
- (6) Payment of \$370.00 to Maude L. Hargett, for 300 sq. ft. of property on the west side of Kenilworth Avenue, between Hemlock Street and Lattimore Street, being Tract #6 of 91 tracts.
- (7) Payment of \$170.00 to Elinor Brooks Caddell, for 300 sq. ft. of property on the west side of Kenilworth Avenue, between Hemlock Street and Lattimore Street, being Tract #7 of 91 tracts.
- (8) Payment of \$200.00 to Claudia M. Hawkins, for 300 sq. ft. of property at the corner of Kenilworth Avenue and Lattimore Street, being Tract #8 of 91 tracts.
- (9) Payment of \$250.00 to Mr. John Gantt Dickson and wife, Cora M. Dickson, for 300 sq. ft. of property at the corner of Kenilworth Avenue and Lattimore Street, being Tract #9 of 91 tracts.

REPORT TO BE FURNISHED AT NEXT COUNCIL MEETING AS TO STATUS OF SEWER INSTALLATION IN MIDLAND STREET.

Councilman Dellinger asked Mr. Bobo, Administrative Assistant, if he can give a report on the sewer installation in Midland Street off Wilkinson Boulevard which was authorized about 6 weeks ago, that he has had some requests as to the progress being made. Mr. Bobo stated he does not know but they are probably making a right-of-way survey for the trunks, which will have to be acquired leading up to street, and he will have a report for him at next week's meeting.

ORDINANCE NO. 129 AMENDING CHAPTER 13, ARTICLE IV, SECTION 13-56 OF THE CITY CODE, TO PROVIDE FOR THE DUE OBSERVANCE OF SUNDAY.

Mr. Morrissey, City Attorney, presented a suggested amendment to the Sunday Observance Ordinance to correct an error that was made in the recently adopted original ordinance, to change the word "magazines" to "magazine stands" which it should have been originally.

Councilman Jordan moved the adoption of an ordinance entitled: Ordinance No. 129 Amending Chapter 13, Article IV, Section 13-56 of the City Code, to Provide for the Due Observance of Sunday. The motion was seconded by Councilman Albea, and carried by the following recorded vote:

YEAS: Councilmen Albea, Bryant, Dellinger, Jordan and Smith.
NAYS: Councilman Thrower.

Councilman Thrower stated in order to be consistent with his vote on the

206EJ

original ordinance, he is voting against this amendment. Mayor pro tem Whittington stated he agreed with him and if he were not presiding, he too would vote against the amendment for the same reason.

The ordinance is recorded in full in Ordinance Book 13, at Page 362.

CONTRACT AWARDED REA CONSTRUCTION COMPANY FOR RESURFACING VARIOUS STREETS.

Upon motion of Councilman Dellinger, seconded by Councilman Bryant, and un-animously carried, contract was awarded the low bidder, Rea Construction Company, for asphalt resurfacing various streets, at their bid price of \$112,571.34.

The following bids were received:

Rea Construction Company	\$112,571.34
Blythe Brothers Company	113,003.00
Dickerson Construction Company, Inc.	119,551.00

SENATORS JORDAN AND ERVIN AND CONGRESSMEN KITCHEN AND JONAS REQUESTED TO ASSIST IN DETERMINING IF CITY CAN PROCEED WITH BROOKLYN URBAN RENEWAL PROJECT WITHOUT ADDITIONAL PUBLIC HOUSING WHICH REGIONAL HOUSING & HOME FINANCE AGENCY INDICATE NOT FEASIBLE.

The Council was advised in Conference prior to the formal meeting by Mr. Elmer Rouser, Chairman of the Redevelopment Commission, that the application for funds with which to plan the details of the Second Phase of the Brooklyn Urban Renewal Project was filed with the Regional Office of the Housing and Home Finance Agency in Atlanta in August and has not been cleared by them for forwarding to their Washington office for final approval because the Regional office feels there is not sufficient low rental property available in Charlotte to rehouse the Brooklyn residents. Mr. Rouser outlined three possible courses of action. (1) Come up with a public housing program, (2) work out a specific program of rent-subsidy payments to those who cannot afford decent, safe and sanitary housing on the private market, or (3) forget about Phase Two for the present and wait a year or more until Phase One is completed - in which case he thinks they might be up against the same problem again.

Mayor pro tem Whittington advised that as requested in the Conference session a telegram has been prepared by the City Manager, Mr. Rouser and Mr. Sawyer to be sent to Senator B. Everett Jordan, Senator Sam J. Ervin, Jr., Congressman A. Paul Kitchen and Congressman Charles R. Jonas asking their assistance. Copies of the telegram were now given to each Councilman, which they read.

Councilman Thrower moved that the Mayor be directed to send the telegram to Senators Jordan and Ervin and Congressmen Kitchen and Jonas demanding some resolution of the problem in connection with our urban renewal program raised by the Regional Officials in Atlanta. The motion was seconded by Councilman Albea.

Councilman Smith asked if the telegram could not go out over the signatures of the Council as well as the Mayor, as this is not just the Mayor's idea and the whole Council will be behind it. He also requested that the word "immediate" be included between the words "your" and "assistance" in the last sentence of the telegram.

Councilman Bryant called attention that it would not be unanimous and he

October 8, 1962
Minute Book 42 - Page 241

asked if there would be any note to show that the telegram was sent by six of the seven members of the Council so that the Officials would know there was one dissenting member? Councilman Dellinger suggested that the telegram could show it was sent by a majority of the Council, and Councilman Smith suggested that Councilman Bryant could send a telegram saying he is not going along with the request and is a dissenting member. Councilman Bryant stated he would send a telegram to that effect.

Councilman Thrower and Councilman Albea accepted the amendments to the motion that the telegram be sent over the signatures of the Mayor and the consenting members of Council and that the word "immediate" be inserted.

The vote was taken on the motion, and carried by the following recorded vote:

YEAS: Councilmen Albea, Dellinger, Jordan, Smith and Thrower.
NAYS: Councilman Bryant.

CITY MANAGER DIRECTED TO REQUEST HOUSING AUTHORITY TO ADVISE IN WRITING WHAT FEDERAL GOVERNMENT WILL EXPECT OF THE CITY OF CHARLOTTE IN REGARD TO A FEDERAL HOUSING PROGRAM IN CONNECTION WITH THE URBAN REDEVELOPMENT PROGRAM.

Councilman Dellinger asked the Council to request the City Manager to secure from the Housing Authority in writing just what the Federal Government will expect from the City with regard to a federal housing program in connection with our urban redevelopment project. He stated he thinks before Council can consider this intelligently they must have the program in writing so they can study it. The Mayor pro tem suggested that Mr. Jones, Chairman of the Authority, or Mr. Dillehay, Director, come down next week and explain the program. Councilman Dellinger stated he wants something from the Authority in writing and if Mr. Jones wants to come down it is alright with him.

At the request of the City Manager as to just what Councilman Dellinger wants, the City Attorney suggested that the information desired is how the public housing for the redevelopment program would be financed and if the City of Charlotte would have any responsibility for the financing. Councilman Dellinger stated that is primarily correct, that the Council knows what the present federal housing program is but we do not know what the Federal Government might expect of the City under the redevelopment program as to cost and the City's share in the cost, that it may be entirely different from the present policy.

Mayor pro tem Whittington asked the City Manager to obtain the information in writing for Council by next week's meeting, and Councilman Dellinger asked that he mail it out to Council as soon as he obtains it.

Councilman Smith stated there is one thing he does not understand about urban redevelopment, especially the Agency in Atlanta. That they seem to be playing cat and mouse with us, they sit back and say "you present what you can do" and then we ask if this is not right what can we do or what do you expect us to do. That ^{but} he was of the opinion that they were suppose to help put the program over/~~it~~ seems they are trying to dam the program up. That they should speak out and say that we need 100 public housing units or whatever number we do need, but instead they say "you come up with a proposition and we will tell you whether it is right or not". That they are suppose to be pushing the program and the Secretary of Commerce has asked the Mayors of the United States to push these programs as one of the things

to offset recession and urged local communities to take action, and then Charlotte takes action and the group in Atlanta blocks it, and he wonders what kind of government that is.

Councilman Albea stated for 25 years this Council has had to request what they got from the Government, and we have never had anyone to tell us what we needed. That the Housing Authority always came before the Council and asked us for so many units and we either voted yes or no. Councilman Smith stated further the point he is trying to make is, if the Atlanta Agency knows what we have to have to put the program over, why not come out in the open and say that we will need so many units or even they think we will need so many, and the Council can go from there.

CITY MANAGER TO ATTEND CITY MANAGERS' MEETING IN PHILADELPHIA.

The City Manager advised he is planning on attending the Annual City Managers' Meeting next week and with Council concurrence he will be in Philadelphia a week from today. The Council was unanimously agreeable to his attending the meeting.

ADJOURNMENT.

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

Lillian R. Hoffman

Lillian R. Hoffman, City Clerk