

April 25, 1966
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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, April 25, 1966, at 3 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Claude L. Albea, Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry C. Tuttle and James B. Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by the Reverend John Lowder, Pastor of Central Avenue Methodist Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and unanimously carried, the Minutes of the last meeting on April 18th were approved as submitted to the City Council.

RESOLUTION OF REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE, CHARLOTTE NORTH CAROLINA, APPROVING AMENDMENT NO. 1, REDEVELOPMENT PLAN FOR PROJECT NO. N.C. R-37, ADOPTED.

The public hearing was held on proposed Amendment No. 1, Redevelopment Plan for Project No. N. C. R-37.

The City Manager commented that this amendment would put into play the same restrictions that apply on Sections No. 1 and No. 2 of the Brooklyn Urban Renewal Area.

No objections to the proposed amendment were expressed.

Councilman Jordan introduced and moved the adoption of a resolution entitled: Resolution of Redevelopment Commission of the City of Charlotte, Charlotte, North Carolina, Approving Amendment No. 1, Redevelopment Plan for Project No. N. C. R-37. The motion was seconded by Councilman Tuttle, and unanimously carried. The resolution is recorded in full in Resolutions Book 5, beginning at Page 238.

DECISION ON THE PROPOSED AMENDMENT TO CHAPTER 23, ZONING ORDINANCE DEFERRED, AND THE CITY ATTORNEY INSTRUCTED TO PRESENT TO THE CITY COUNCIL ALSO FOR CONSIDERATION AN AMENDMENT TO CHAPTER 23, ZONING ORDINANCE, THAT WOULD BE APPLICABLE ONLY TO ZONING PETITION AMENDMENTS AND WITHDRAWALS WHICH WOULD NOT RESULT IN CHANGING THE PERCENTAGE OF THE VOTE NEEDED TO GRANT THE PETITION.

The public hearing was held on a proposed Amendment to Chapter 23, Zoning Ordinance, Division 3, Section 23-96(b) of the Code of the City of Charlotte, reading as follows:

"A petitioner may amend or withdraw his petition at any time prior to the day on which Council takes action to establish a date for the public hearing and to authorize publication of the legal notice for the proposed amendment, but not thereafter. The public hearing on a petition for an amendment will be held on the proposed amendment as contained in the petition for which Council authorized advertisement."

Mr. Thomas Broughton stated he served as Co-Chairman of a group opposing the rezoning of the Graham property on Park Road recently, and they spent a great deal of time and money on it and experienced a considerable amount of delay because of the amendments, withdrawal and refileing of the petition, and they urge the Council to adopt this proposed amendment, or do anything to prevent this type of thing in the future.

Mr. Benjamin Horack, Attorney, stated he is appearing in his own behalf and he is not here at the prodding of anybody, either directly or indirectly. That this type of amendment is not one that is apt to generate much abstract interest or objections, because, in the first place, it is not going to apply to pending petitions, and in the next place, few if any of our citizens have any future matters in mind which would induce them to think about this amendment either pro or con, much less to disturb themselves to appear before Council today. He has appeared before Council, from time to time, in connection with zoning matters, and his interest in zoning and procedures prompts him to appear today and express his personal thoughts.

He stated his understanding of the current routine zoning procedures runs along these lines - and he will use April filing of petitions as an example - the deadline for filing petitions with the Planning Commission was April 13th, at which time \$100.00 filing fee was paid. On the following Monday, April 18th, the Council passed a Resolution which set the hearing date on May 16th and ordered the publication of the legal notice of the said hearing once a week for two weeks - on April 29th and May 6th - then the hearing on these petitions would be on May 16th. As he understands this proposed amendment to the ordinance, it would be that a petitioner who filed on April 13th deadline had either Thursday or Friday or Monday morning within which he could withdraw his petition, but thereafter he could not, and if he did not do so within that two and a half day period, then the hearing must be held and the Planning Commission must make its recommendation and the Council must render its decision on the petition as filed, whether the Petitioner wants his petition considered or not.

That he thinks he understands the Council's problem and the inconvenience the amendment is designed to minimize. In the first place, one thing that it is intended to minimize is that frequently delegations of interested neighbors interested in a petition appear at the hearing only to get here and learn that the petition has been withdrawn and will not be heard after all; secondly, they may get here and learn that the petition has been amended, which negates the previously filed protest of 20 per cent of the adjoining owners owning property within the 100-foot strip, which would otherwise have required the three-quarter vote of this Council. That he realizes this is an inconvenience to these busy people who have come to the hearing, but he would ask Council in considering the wisdom of adopting this amendment, that the inconvenience and effect of the present procedures be balanced against the effect that this amendment will have if it is adopted. When this is added to the limitations already built into our Zoning Ordinance, it is his conviction that the proposed amendment will too severely circumscribe the right of a property owner to petition his government to determine how he can use his property. In the first place, in his opinion zoning regulations, though necessary, are a most drastic restriction on the normal rights of an owner as to how to use his property. Secondly, he thinks that a Legislative Body, such as the City Council, should use restraint when adopting procedures which will impair a property owners' rights to have his zoning problems considered when and if he wants them considered. That he thinks his rights are already drastically circumscribed by the so-called 20 percent or 3/4 rule, requiring the affirmative vote of six of the seven members of the City Council to approve a change in zoning, and in his opinion, this is a rather severe departure from the normal ground rule that a decision by the majority of an elected body ought to control as, indeed,

it does in most other categories that come before the Council. Secondly, we are circumscribed in the Zoning Ordinance which says that a denied petition cannot be filed again within a two-year period unless there is some change in the circumstances.

He stated he would suggest to Council that this proposed amendment may occasion more inequities than the inconveniences it is designed to lessen, and he would suggest there are many good reasons why a petitioner might wish to withdraw his petition. First, the petitioner may have rushed in in order to meet the filing deadline and then realized that he has asked for the wrong classification and did not wake up until three days thereafter instead of the two and a half days allowed for withdrawal. Or the petitioner may have been told by his advisors that he has described his property wrong, or that his request is ill-advised; or he may wish to withdraw his petition in order to have more time to discuss the matter more fully with the affected neighbors. That he recognizes that the Council is very considerate in granting postponements for good cause shown, but all petitioners do not know that they will do so, or he may find that he will be out of town, or he may find he needs more time to prepare an intelligent presentation to Council, or he may have sold his property or he may have died, hence having sold his property or being dead he would have no further interest in pursuing the matter.

He asked what would be the nature of a hearing in the case of someone who really wants to withdraw his petition but cannot do so; that he cannot help but believe when it is heard by the Council, jointly with the Planning Commission, it will be little more than a charade, or in any event, there will be a remarkable absence of a sensible and intelligent presentation of the pros and cons of the matter. And if the hearing is held, and Council does make a decision without an adequate presentation of the pros of the matter, he would prophesy it would result in a denial, then the matter is in its status quo for another two years, and the petitioner did not want to be heard in the first place. So, he thinks these possible results must be balanced against the inconveniences, as indeed they are, of protesting neighbors who, if withdrawal was permitted, usually get what they wanted in the first place. Although he sympathizes with their inconvenience at coming down here, all charged up with speeches and then not be able to make those speeches, but nevertheless they go out of here with what they wanted in the first place, the non-passage of the change in zoning. Now, on partial withdrawals, or amendments to a petition which takes the matter out of the 3/4 rule - that is a little sticky, but nevertheless our Legislature has said, in effect, there is a 100-foot strip there, which if the requisite number of protestants come in and do what they are supposed to do in order to effect their protest, then they have such an immediate and vital interest where they can emasculate the usual situation of a majority rule of the Council and require a situation where it takes six out of seven to act affirmatively.

Mr. Horack stated it is his belief that the Council should use restraint in effecting procedures which frees petitions so that by withdrawal the petitioner is unable to back away from the 100-foot area, which requires the six votes. Suppose he does back away, the Council is still mindful of the force and effect of the written protest, and would take it into account in arriving at the majority vote. He stated he thinks the dice is pretty well loaded in favor of limiting the number and frequency of the change, and he would suggest that we do not load the dice too much against a person's basic right to come before the City Council and have the matter considered or not considered as he requests, if he wants to back up and start over, or back up and never start over, he thinks that should be his privilege.

Councilman Albea asked Mr. Horack if he does not think that when a man has spent his \$100.00 and has a date set for the hearing, he should have his case prepared by that time? Why should he go and get the neighborhood all stirred up and then when he finds he has a 3/4 vote against him withdraw his petition?

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If he remembers correctly those are the only ones who have withdrawn their petitions. Mr. Horack replied that he intended to anticipate that he thinks it is presuming too much to assume that all withdrawals are skulduggery. There are too many instances of backing up to double check - and in order to get rid of these inconvenient cases where large groups of very busy homeowners take the trouble to come down here, he would suggest that Council think of the other side of the scales and that is limiting a person's right to come before his elected officials when and if he wants to, in order to have matters vitally affecting his property considered - it does not affect the outcome of Council's vote, but it may vitally affect his method or time of his presentation and he thinks he should have that latitude. He remarked that he thinks the 3/4 rule is awfully drastic and should not be expanded. Councilman Albea remarked that this is the law, and if Mr. Horack wants to go to Raleigh and get the Legislature to amend the law, that is his privilege. Mr. Horack commented he does not suggest that it be changed, but he does suggest using restraint in putting it into effect, and backing down and tightening the hatch does even more than that drastic rule already does, which emasculates the usual rule of the majority vote of an elected body.

Councilman Short asked the City Attorney if Council could legally enact the proposed Amendment but add to it, at the end, the following proviso, and he would like to ask Mr. Horack what he thinks of the proviso:

"provided that a petitioner may amend his petition at any time prior to the public hearing if the amendment does not result in changing the percentage of Council votes required to grant or deny the petition."

Mr. Kiser, City Attorney, asked Councilman Short if he is asking whether Council could adopt that amendment today without the requirement of an additional public hearing? Councilman Short replied that he assumed it might require a public hearing, but would it be unfair or unconstitutional or illegal? Mr. Kiser stated that he thinks if he wants to add something like that, it might be wiser to change the text of the proposed amendment, rather than adding a proviso to the amendment. Councilman Short remarked that he can sympathize with Mr. Horack's point of view on this matter. That some other lawyers have called him about this amendment, and they were quite a bit discouraged about it; there are situations that a person cannot help that makes it necessary for him to have a partial withdrawal right up almost to the last minute. The only thing the Council is aiming at is merely those which changed the vote, and he does not see why we cannot work our Amending Ordinance accordingly. Mr. Kiser remarked that, of course, we could change the text of the ordinance as it is now proposed to take into consideration the point that Mr. Short has just mentioned. Councilman Short stated he believes it would be worth it because of the inconvenience to those bringing these petitions. He asked Mr. Horack what his reaction is to this?

Mr. Horack replied that what Mr. Short has said would cover the matter of amendments but much of his reaction is aimed at the basic matter of complete withdrawal, in addition to the partial withdrawal.

Mr. Kiser, City Attorney, remarked that with respect to the amendment to the petition, what is generally required or desired on the part of the petitioner, is to withdraw a portion of the property which was legally included in the petition. And, in some instances, a desire to change from the zoning classification that was originally requested in the petition to another classification. In situations such as that, Council and the Planning Commission have the authority to rezone to a higher classification all or part of the property included in the original petition. That he just wanted to point that out so that Council is aware of that consideration when they are thinking of a vote.

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Councilman Tuttle asked the City Attorney how the petitioner knows the deadline dates? Mr. Kiser replied that the proposal is to prepare information and instructions to be handed out by the Planning Commission at the time a person comes in to file his petition. This can either be done by a separate set of instructions or it could be put on the back of the application form that he gets from the Planning Commission. Normally the date of hearing on petitions is set by Resolution adopted by the Council on the day of the hearings in the prior month; for example, the third Monday in April would be the day on which the Council sets the date for hearing petitions in May.

Councilman Short moved that we ask Mr. Kiser to reword the amendment in such way as to eliminate only those amendments and withdrawals that would result in changing the vote of the Council required to grant or deny the petition. That he thinks this is all Council is aiming at anyway, and he thinks it will help in a lot of situations that Mr. Horack has mentioned, and that we reschedule the hearing on the amendment accordingly. The motion was seconded by Councilman Thrower.

Councilman Albea asked Mr. Short if he means that if it takes a 3/4 vote of the Council, it cannot be cut down to just a majority? Councilman Short replied that he knows Mr. Albea's point of view on this matter, that his wording was probably not too clear, and he apologizes; that he is positive that it includes exactly what Mr. Albea thinks about it.

Councilman Whittington remarked that he would like to comment on what Mr. Short has said; he does not oppose what Mr. Short is attempting to do; however, he would ask him to change his motion and this decision be postponed until the City Attorney has a copy of what Mr. Short is proposing, and then let him recommend whether Council adopt Mr. Short's amendment, together with the Amendment to the Ordinance now before Council. That he does not want to vote against Mr. Short's proposal for he really does not know what he said; neither does he want to vote for it at this time. That he thinks the Amendment to Chapter 23 that has been proposed by the Attorney at the request of the Council is a very serious matter and made for the convenience of the public who are brought down here on matters of zoning petitions and then the petitioner is able to withdraw his petition after everyone is here. He said to Mr. Horack that this is the inconvenience of the whole thing. And he agrees with Mr. Albea that when the \$100.00 fee is paid by the petitioner and he says he wants X lot changed from I-2 to I-3, he knows what he wants and, obviously, some emergencies might come up, but he thinks the history of zoning is that the petitioner has withdrawn his petition for his own convenience, rather than for the convenience of the people who objected. And he does not want to vote against what Mr. Short proposes, but if Mr. Short is not willing to postpone a decision today and ask the City Attorney to make a recommendation, then he would be compelled to make a motion that the proposed Amendment to Chapter 23 be adopted. Councilman Tuttle asked the City Attorney if after studying Mr. Short's proposal he finds it not to be feasible, could Council then vote on the Amendment before us today? Mr. Kiser replied that is correct.

Councilman Short remarked that he does not see the difference between Mr. Whittington's motion and his. That he asked that this matter be deferred and he asked Mr. Kiser to present to Council a version or wording which would make the proposed Amendment not apply to all amendments and withdrawals to petitions but only to those that would affect the vote. Councilman Whittington stated he did not know that Mr. Short used the word "deferred" in his motion. That he just does not want to vote on Mr. Short's suggested amendment to the proposed Amendment today, because Mr. Short read his amendment, and he does not remember everything that was read. Councilman Short stated he was just hip-shooting and his intent was that the City Attorney rewrite his proviso.

Mr. James E. Walker, Attorney, remarked that anything he has to say on the subject has nothing to do with any pending petitions for rezoning. In fact, at the end of last year he suggested to the City Attorney that such Amendment to the Zoning Ordinance as is before Council today should be adopted because of the unfairness to people who oppose these zoning petitions. If you say that zoning is valid, then the rules and regulations that go along with it are valid too. The thing that perhaps some of the Council may be overlooking is that these last minute withdrawals and last minute amendments many, many times come as a complete surprise to those who are here in opposition to a petition. When do they ever have an opportunity to know that there has been some change? Now, in a regular law suit when we have our pleadings filed, one party may come in and amend his complaint, and the people on the other side get a copy of it, and they know about it, but in a zoning hearing, when the petitioner comes in and changes his petition at the last minute, the people who are protesting the petition are caught by surprise, and there is no provision for letting them know. That he sees no great inequity in the original motion, as it was read here today, because of this - even though there is no amendment after a certain date, you still have the Planning Commission. If a petitioner decides he wants a higher classification than petitioned for, he just gets the word to the Planning Commission, and they can make their recommendation to Council that it be changed to the higher classification. It is not a question of Yes or No from that point on, because there can be withdrawals even after the public hearing before the Planning Commission, and so a person seeking a change in zoning is protected in that way. Mr. Walker stated that he speaks in favor of the original proposed Amendment to the Zoning Ordinance and hopes that will be passed.

Mr. James E. Martin, Jr. stated he is with the firm of Moore and Van Allen, and he is speaking for Mr. Beverly Webb with their firm who is out of the City today. He wishes to speak against the proposed Amendment to the Zoning Code. That their idea on the matter is such that they feel even though there is no protest to a petition for rezoning, the power to amend or withdraw is taken away by this proposed Amendment. That they realize it is a problem where there is a protest, but they feel that the proposed Amendment goes too far, and they have attempted, as a mere suggestion, to draft an Amendment that more or less expresses what they feel about it, which reads as follows:

"A petitioner may, at the petitioner's discretion, amend his petition at any time prior to the public hearing on the petition, provided that, in the event, a timely protest is filed against such petition, which protest invokes the requirement of G. S. Chapter 160-176 for a three-fourths majority vote of the City Council, all as set forth in Section 23-96(a) herein, such amendment to the petition shall not bar applicability of the aforesaid three-fourths vote required."

Mr. Martin said, in other words, a man can go ahead and withdraw his petition at will, but if the protest is filed, then notwithstanding the amendment that would withdraw it, the 3/4 vote is still there - and this is Mr. Short's idea exactly, he thinks.

Mr. Martin stated they had a similar idea for withdrawals, and their draft reads as follows:

"A petitioner may, at the petitioner's discretion, withdraw his petition at any time prior to the public hearing on the petition, provided that, in the event, a timely protest is filed against such petition, which protest invokes the requirement of G. S. Chapter 160-176 for a three-fourths majority vote of the City

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Council, all as set forth in Section 23-96(a) herein, such petitioner may only withdraw the original or an amended petition once during the six-month period commencing on the date such protest is filed, without approval of the City Council."

Mr. Martin said, in other words, if a protest is filed then the man would get one free withdrawal, but he then could not withdraw again for six months. In other words, he could not wear the neighbors down.

Councilman Albea remarked that the person would just wait six months and file again - that is just giving him a longer time to work on it. Mr. Martin stated that is correct, they are just trying to look at both sides, and thinking in terms that if the petition may not be withdrawn, and it is heard and denied, then the property owner must wait two years in order to refile his petition. With the way Charlotte and Mecklenburg County are growing, it would seem this would be unfair to the property owners.

Councilman Albea asked if he does not think if no change is made in the community, then it should be two years before he comes back? Mr. Martin replied that it is possible that the property owners may change the situation within the two years - that what they are trying to do is to leave some discretion in the individual property owner, instead of giving it all to the Government.

Councilman Alexander stated that what the Council wants to do is to get around waiting until the last day for these withdrawals, and he is concerned with this point - he heard Mr. Horack state that by some possibility a person at the last minute may be forced to seek withdrawal - this is the only point at issue at present to his way of thinking as far as the Amendment is written, and certainly it appears to him that if the fee has been paid, a sufficient time has elapsed, that a person knows to a certain point what may happen or happens about a certain situation that would make him want to withdraw. There are times that something may happen at the last minute that may necessitate something of the sort - sickness for example - but certainly just from a general point of view, he is not convinced that a person waits all that time and does not know what he wants to do. We are trying to stop this last minute withdrawal, which as Mr. Horack used the term, does show skulduggery somewhere. He asked if he is correct?

Mr. Martin remarked that Mr. Alexander is correct; that his primary position is this -- the way the proposed Amendment is written, it applies whether there is a protest or not -- that is the whole point, and Mr. Short has offered an amendment to change this, and he agrees with him.

Mr. Thomas Broughton stated he wants to make one other suggestion - that if we allow Mr. Martin and Mr. Horack too much room, it would be just like letting the fox in the hen house. But he thinks the thing Council really needs is a period of time in which the man who owns the property, from the day he buys it until the day he spends his \$100.00 and hires a lawyer, must make up his mind and then have the hearing thirty days after he definitely makes up his mind. If Council can establish a time during which he cannot change his mind, then everyone should be happy. That he thinks a man should be given the proper time in which to prepare his case, but then have a period of time in which he cannot change his mind and he can come up here and be heard on the basis of his petition.

Mayor Brookshire asked Mr. Short to either restate his motion, or to advise Council if the intent of his motion is merely to defer consideration of the proposed Amendment to the Zoning Ordinance for one week. Mr. Short replied that he would not say "for one week" but rather "until such time as Mr. Kiser is able to handle it," and there was added to the motion "and that Mr. Kiser present to Council also for consideration an Amendment to the Code which would not be applicable to all zoning petition amendments or withdrawals

but only to those which result in changing the percentage of vote needed."

The City Attorney asked Mr. Short if he wants the ordinance that he will be studying for preparation to include withdrawals as well as amendments? Councilman Short replied that he does. Councilman Albea commented that withdrawals are the crux of the whole thing, and he cannot vote for that. That we are just wasting a lot of time sitting up here talking about withdrawals, that is what the whole issue is up about, and we have just spent thirty minutes or more for nothing.

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

YEAS: Councilmen Short, Thrower, Alexander, Jordan, Tuttle and Whittington.
NAYS: Councilman Albea.

ORDINANCE NO. 460-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE CHANGING ZONING FROM R-12 TO R-12MF AND O-15 OF PROPERTY EXTENDING FROM SHARON ROAD TO NEAR INVERNESS ROAD AND LYING TO THE SOUTH OF WICKERSHAM ROAD, ON PETITION OF SHARON LOAN COMPANY AND JAMES J. HARRIS.

Councilman Whittington moved approval of the subject ordinance, as recommended by the Planning Commission. The motion was seconded by Councilman Short, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 14, at Page 309.

PETITION NO. 66-35 BY THE TROPICANA, INC., AND OTHERS FOR CHANGE IN ZONING FROM R-15 TO R-12MF OF 15 LOTS LOCATED BETWEEN CROSBY ROAD AND BERMUDA ROAD, NORTHWEST OF WESTBURY ROAD, FRONTING APPROXIMATELY 206 FEET ON CROSBY ROAD, DENIED.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan and unanimously carried, the subject petition was denied, as recommended by the Planning Commission.

ORDINANCE NO. 461-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CODE, CHANGING ZONING FROM R-9 TO R-9MF OF PROPERTY FRONTING ON ROLLING HILLS DRIVE, BEGINNING APPROXIMATELY 180 FEET EAST OF SUGAR CREEK ROAD, ON PETITION OF MERWIN E. FOARD ET. AL.

Councilman Jordan moved the adoption of the subject ordinance, as recommended by the Planning Commission. The motion was seconded by Councilman Whittington and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14, beginning at Page 310.

ORDINANCE NO 462-Z AMENDING CHAPTER 23, SECTION 23-39 OF THE CITY CODE, GRANTING CONDITIONAL APPROVAL FOR OFF-STREET PARKING ON A LOT 60' X 258', ZONED R-9, LOCATED ON MARSH ROAD, ON PETITION OF MRS. J. H. SPEARMAN.

Upon motion of Councilman Albea, seconded by Councilman Jordan and unanimously carried, the subject ordinance was adopted, as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 14, beginning at Page 311.

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PETITION NO. 66-38 BY A. A. SHORT FOR CHANGE IN ZONING FROM O-6 TO B-1 OF FOUR LOTS ON THE WEST SIDE OF SUGAR CREEK ROAD, BEGINNING AT CUSHMAN STREET AND CHANGE FROM R-9 TO B-1 ONE LOT FRONTING 50 FEET ON SOUTH SIDE OF CUSHMAN STREET, DENIED.

Councilman Thrower moved that the subject Petition be denied as recommended by the Planning Commission. The motion was seconded by Councilman Alexander and unanimously carried.

PETITION NO. 66-39 BY P. O. WILSON FOR CHANGE IN ZONING FROM R-9 TO I-1 ON A TRIANGULAR SHAPED TRACT OF LAND FRONTING 445.85 FEET ON THE SOUTHWEST SIDE OF BELHAVEN BOULEVARD AT GUM BRANCH ROAD, DEFERRED PENDING THE RECOMMENDATION OF THE PLANNING COMMISSION.

Upon motion of Councilman Whittington, seconded by Councilman Tuttle and unanimously carried, consideration of the subject Petition was deferred, pending recommendation of the Planning Commission following their further study of the petition.

PETITION NO. 66-40 BY J. B. S. CORPORATION FOR CHANGE IN ZONING FROM R-12 AND R-15 TO I-1 OF PROPERTY FRONTING ON THE NORTH SIDE OF PENCE ROAD, BEGINNING APPROXIMATELY 1,800 FEET EAST OF BANDY DRIVE, DEFERRED FOR ONE WEEK.

Councilman Thrower moved that the subject petition be deferred for one week so that he might go out and look at the property. The motion was seconded by Councilman Alexander and unanimously carried.

PETITION NO. 66-41 BY GLENN R. LANE FOR CHANGE IN ZONING FROM R-9 TO B-1 OF FOUR LOTS FRONTING 200.6 FEET ON THE EAST SIDE OF STATESVILLE ROAD, BEGINNING APPROXIMATELY 170 FEET NORTH OF CINDY LANE, DENIED.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan and unanimously carried, the subject Petition was denied, as recommended by the Planning Commission.

CONTRACTS AUTHORIZED FOR APPRAISAL OF PROPERTY FOR WOODLAWN ROAD WIDENING PROJECT, NORTHWEST EXPRESSWAY AND EASTWAY DRIVE WIDENING PROJECT.

Motion was made by Councilman Thrower, seconded by Councilman Jordan and unanimously carried, authorizing appraisal contracts for the following rights-of-way:

- (a) Contract with Robert R. Rhyne, Sr., for appraisal of one parcel of land on 700 Woodlawn Road, in connection with the Northwest Expressway.
- (b) Contract with Robert R. Rhyne, Sr., for appraisal of one parcel of land on North Poplar Street, in connection with the Northwest Expressway.
- (c) Contract with G. A. Hutchinson, for appraisal of one parcel of land at the corner of Eastway Drive and Central Avenue, in connection with the Eastway Drive Widening Project.

CONTRACTS AUTHORIZED FOR THE INSTALLATION OF WATER MAINS.

Upon motion of Councilman Short, seconded by Councilman Jordan, and unanimously carried, the following contracts were authorized for the installation of water mains and hydrants, all inside the city limits:

- (a) Supplementary contract with S & T Development Company, Inc., to contract dated November 18, 1963, for the installation of 550 feet of water mains in Robinson Woods Addition No. 3 Subdivision, at an estimated cost of \$1,000.00. The City to finance all construction costs and the Applicant to guarantee an annual gross water revenue equal to 10% of the total cost.
- (b) Contract with Nance-Trotter Realty, Inc., for the installation of 870 feet of water mains and one hydrant, in Colebrook Subdivision, at an estimated cost of \$3,000.00. The City to finance all construction costs and Applicant to guarantee an annual gross water revenue equal to 10% of the total cost.
- (c) Supplementary contract with Ervin Construction Company, Inc., to contract dated November 4, 1963, for the installation of 500 feet of water mains in Westchester No. 8 Subdivision, at an estimated cost of \$1,700.00. The City to finance all construction costs and applicant to guarantee an annual gross water revenue equal to 10% of the total cost.
- (d) Contract with Liles Construction Company, Inc. for the installation of 1,650 feet of water mains and two hydrants, in Montford Drive and Abbey Place, to serve Abbey Place Apartments, at an estimated cost of \$6,500.00. The City to finance all construction costs and the Applicant to guarantee an annual gross water revenue equal to 10% of the total cost.

RIGHT-OF-WAY AGREEMENT WITH STATE HIGHWAY COMMISSION FOR INSTALLATION OF DISTRIBUTION SYSTEM WATER MAINS ALONG N.C. NO. 29 BETWEEN EASTWAY DRIVE AND OLD CONCORD ROAD, U.S. 29B.

Councilman Whittington moved approval of a right of way agreement with the State Highway Commission, for the installation of a 24-inch Distribution System Water main northward toward Mallard Creek area, along N. C. Highway 29, between Eastway Drive and Old Concord Road, U. S. 29B. The motion was seconded by Councilman Thrower and unanimously carried.

RENEWAL OF SPECIAL OFFICER PERMIT TO FRANK W. HAAS FOR USE ON CITY CEMETERIES.

Councilman Jordan moved approval of the renewal of the Special Officer Permit issued to Mr. Frank W. Haas, Superintendent of City Cemeteries, for use on the premises of Elmwood, Evergreen, Pinewood, Fifth Street and Oaklawn Cemeteries. The motion was seconded by Councilman Whittington, and unanimously carried.

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 Charles L. Riggs, for Graves No. 1 and 2, Lot 172, Section 2, Evergreen Cemetery, at \$120.00.
- (b) Deed with Boykin F. Williams and wife, Dorothy C. Williams, for Lot No. 498, Section 6, Evergreen Cemetery, at \$360.00.
- (c) Deed with Mrs Elizabeth B. Keck, for Lot No. 34, Section 4-A, Evergreen Cemetery, at \$378.00.
- (d) Deed with Mrs Jewell C. Harris, for Grave No. 4, Lot No. 161, Section 3, Evergreen Cemetery, at \$3.00 for new deed.
- (e) Deed with Mrs J. A. Grant, for Grave No. 3, Lot No. 161, Section 3, Evergreen Cemetery, at \$3.00 for new deed.
- (f) Deed with Mrs Alwilda V. N. Andrews, for Lot No. 27, Section J, Elmwood Cemetery, at \$3.00 for new deed.

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CONTRACT AWARDED COURTESY MOTORS, INC., FOR ONE 1-TON STAKE BODY TRUCK.

Councilman Thrower moved the award of contract for One 1-ton stake body Truck, as specified, to the low bidder, Courtesy Motors, Inc., in the amount of \$1,992.02. The motion was seconded by Councilman Albea and unanimously carried.

The following bids were received:

Courtesy Motors, Inc.	\$ 1,992.02
Young Motor Company	2,042.31
G.M. C. Truck & Coach Div.	2,192.51

CONTRACT AWARDED LYNCHBURG FOUNDRY COMPANY FOR CAST IRON PIPE & FITTINGS.

Upon motion of Councilman Jordan, seconded by Councilman Thrower and unanimously carried, contract was awarded the low bidder, Lynchburg Foundry Company for 1,116 linear feet of Cast Iron Pipe and 7 Cast Iron Fittings, as specified, in the amount of \$10,055.05, on a unit price basis.

The following bids were received:

Lynchburg Foundry Company	\$10,055.05
U. S. Pipe & Foundry Co.	10,241.85

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

Councilman Tuttle moved the award of contract to the only bidder, Hersey Sparling Meter Mfg. Company, for One Compound Water Meter, as specified, in the amount of \$1,470.45. The motion was seconded by Councilman Albea and unanimously carried.

CONTRACT AWARDED DONALD S. LAVIGNE, INC., FOR UNIFORMS AND UNIFORM SHIRTS FOR POLICE AND FIRE DEPARTMENT ON A FIVE-YEAR BASIS.

Councilman Thrower moved award of contract to the low bidder, Donald S. Lavigne Inc., on a unit price basis for a period of five years, the first year being \$76,280.87 for uniforms and uniforms shirts for the Police and Fire Departments. The motion was seconded by Councilman Short.

Mr. Veeder, City Manager, stated that the prices are fixed for five years. The only thing that might change is the cost of materials.

Labor costs have been fixed for five years. That we have just completed a five-year contract on this, and this is the second five-year contract, and it has worked very favorably as far as the City Government is concerned.

Councilman Short stated that whenever a contract runs out, you have to execute another one at that time regardless of where it falls with reference to the budget chronology? Mr. Veeder replied yes, and we try to schedule these with Lavigne's workload; for instance, we could not bid everything one month and not bid anything the other months. Councilman Short stated this is a good way to keep the price from going up.

The vote was taken on the motion and carried unanimously.

The following bids were received:

Donald S. Lavigne, Inc.	\$76,280.87
Fechheimer Bros. Company	88,845.44

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Councilman Jordan asked if this would be the same type uniforms the men are wearing now? Mr. Veeder replied that they are. Councilman Jordan stated there have been quite a few policemen in the past few years who have been to different cities and have seen the different styles of uniforms, and he thinks he has spoken to Mr. Veeder about a change in uniforms; he asked if under this five-year plan, it would be possible to change if they decided to go into a different uniform as we have had the same uniform for many, many years? Mr. Veeder replied yes that could be worked out.

Councilman Tuttle remarked that Mr. Veeder has stated the labor is guaranteed in this, but some designers might change their labor picture.

Mr. Veeder stated he would presume under those circumstances whatever difference there might be in the revisions would have to be worked out with the successful bidder.

Councilman Tuttle stated he would dislike to tie us down to five years with this type uniform we have now. Councilman Jordan stated that we are asking for a survey and certainly we will probably have a new Police Chief, and this could be one of the recommendations, and he is sure many of the Policemen have expressed themselves to him and to other members of the Council that they have had the same type uniform for many years, and they would like to see it changed to something a little sharper than what they have.

Mr. Veeder replied without question, within the framework of this, we could, in his opinion, make this change.

CONTRACT AWARDED LAWSON CONSTRUCTION COMPANY FOR CONSTRUCTION OF FIRE STATION NO. 16, LOCATED AT PARK ROAD & SULKIRK ROAD.

Councilman Tuttle moved the award of contract to the low bidder, Lawson Construction Company, for the general construction of Fire Station No. 16, as specified, in the amount of \$71,700.00, on a unit price basis. The motion was seconded by Councilman Alexander and unanimously carried.

The following bids were received:

Lawson Construction Co.	\$71,700.00
Butler & Sidbury, Inc.	74,656.00
Foard Construction Co.	75,149.00
Myers & Chapman, Inc.	77,737.00
R. Marrett Wheeler Co.	82,542.00

CONTRACT AWARDED AIR MASTERS, INC., FOR HEATING & AIR CONDITIONING FIRE STATION NO. 16.

Upon motion of Councilman Tuttle, seconded by Councilman Albea and unanimously carried, contract was awarded the low bidder, Air Masters, Inc., for Heating and Air Conditioning Fire Station No. 16, as specified, in the amount of \$6,419.00, on a unit price basis.

The following bids were received:

Air Masters, Inc.	\$ 6,419.00
Mechanical Contractors, Inc.	6,944.00
P. C. Godfrey, Inc.	8,284.00
A. Z. Price & Associates, Inc.	9,421.00
Tompkins-Johnston Co.	9,468.00
J. V. Andrews Company	10,300.00

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CONTRACT AWARDED MECKLENBURG PLUMBING COMPANY FOR PLUMBING WORK ON FIRE STATION NO. 16.

Councilman Tuttle moved the award of contract to the low bidder, Mecklenburg Plumbing Company, for the Plumbing work on Fire Station No. 16, as specified, in the amount of \$8,135.00, on a unit price basis. The motion was seconded by Councilman Whittington and carried unanimously.

The following bids were received:

Mecklenburg Plumbing Company	\$ 8,135.00
H. A. Lentz Plumbing Company	8,449.00
Tompkins-Johnston Company, Inc.	8,582.00
P. C. Godfrey, Inc.	8,610.00
J. V. Andrews Company	8,800.00

CONTRACT AWARDED K. W. LAIL ELECTRIC COMPANY FOR ELECTRICAL WORK ON FIRE STATION NO. 16.

Motion was made by Councilman Tuttle, seconded by Councilman Whittington and unanimously carried, awarding contract to the low bidder, K. W. Lail Electrical Company, for the electrical work on Fire Station No. 16, as specified, in the amount of \$5,760.00, on a unit price basis.

The following bids were received:

K. W. Lail Electric Company	\$ 5,760.00
Amity Electric Company	5,934.00
Ross Electric Company	6,365.00
Reid Electric Company	6,651.00
Howard Electric Company	6,794.00
Power Electric Company	7,600.00

CITY MANAGER DRAWS COMPARISON IN COSTS OF CONSTRUCTING FIRE STATION TODAY WITH THE COST IN 1961.

Mr. Veeder, City Manager, stated he thinks it appropriate to draw some comparisons on the cost of construction of Fire Stations. That he thinks we are in a position to make a pretty good comparison because we have been standardizing on Fire Stations for about six years. That we have used the same Architect and basically the same plan and have built the fourth Station similar to the one which was awarded today. That the station which was approved today is costing about 50 per cent more than the same Station which was built in 1961. In 1961 it cost \$57,979.00; today it costs \$89,400.00.

Councilman Short asked if this is true of all ingredients or has just one ingredient gone way up? Mr. Veeder replied that the general contract has gone up more than any of the others; the electrical and plumbing have all gone up but the general contract has gone up 100 per cent.

Councilman Short asked if there is any further development with relations to the signal system of the people in this area which was discussed so much last summer, that something new and dramatic was being developed. Mr. Veeder replied that has not turned out to be as economical as we thought it would. Councilman Short stated there is no signal system in this immediate area now; and Mr. Veeder replied we are putting in some wiring now. Councilman Thrower asked if he is going to buy the cameras for installing in some fire alarm boxes, and Mr. Veeder replied they are going forward with Council's request.

CONSTRUCTION OF STREET IMPROVEMENTS TO THIRD, FOURTH, FIFTH, PINE AND POP-
LAR STREETS, IN CENTRAL BUSINESS DISTRICT AUTHORIZED, AND ENGINEERING
AUTHORIZED STARTED ON PROJECTED IMPROVEMENTS TO SIXTH STREET.

Councilman Albaea moved that we proceed with the approximately \$2,500,000
street improvements in the Central Business District; these improvements
being improvements to Third Street, Fourth Street, Fifth Street, Pine
Street and Poplar Street, and in addition to proceeding with these improve-
ments, at the same time proceed with the engineering on the projected improve-
ments to Sixth Street. The motion was seconded by Councilman Tuttle.

Councilman Jordan asked how much the engineering to Sixth Street will cost,
and Mr. Veeder replied it is estimated to be \$13,840.00.

The vote was taken on the motion and carried unanimously.

REVISION OF EMPLOYEES' GROUP LIFE INSURANCE PLAN, APPROVED.

Councilman Jordan moved the approval of the revision of the City Employees'
Group Life Insurance Plan, as recommended. The motion was seconded by Coun-
cilman Alexander and carried unanimously.

PROPERTY TRANSACTIONS IN CONNECTION WITH VARIOUS PROJECTS, AUTHORIZED.

Upon motion of Councilman Albaea, seconded by Councilman Short and unani-
mously carried, property transactions were authorized, as follows:

- (a) Acquisition of 4,950 sq. ft. of property, at 811 N. Brevard Street,
from United States Director of Internal Revenue, in the amount of
\$4,000.00, in connection with the Northwest Expressway.
- (b) Acquisition of 650 sq. ft. of property, at 2827 Eastway Drive, from
Sarah K. Brown, widow, in the amount of \$100.00, in connection with
the Eastway Drive Widening Project.
- (c) Acquisition of 350 sq. ft. of property at 3623 Eastway Drive, from
David E. Elliott and wife, Doris J. Elliott, in the amount of \$300.00,
in connection with the Eastway Drive Widening Project.
- (d) Acquisition of 1,258 sq. ft. of property, at 3501 Eastway Drive, from
Joseph I. O'Donnell and wife, Mildred R. O'Donnell, in the amount of
\$800.00, in connection with the Eastway Drive Widening Project.
- (e) Acquisition of 675 sq. ft. of property, at 2815 Eastway Drive, from
Mrs. Eva P. Orr, widow, in the amount of \$250.00, in connection with
the Eastway Drive Widening Project.
- (f) Acquisition of 615 sq. ft. of property at the southwest corner of
Baldwin Avenue and Third Street, from Kathryn Burgin, in the amount of
\$50.00, for construction easement in enforcing the City's Sight Distance
Ordinance at Baldwin Avenue and Third Street.
- (g) Acquisition of 615 sq. ft. of property at the northeast corner of Baldwin
Avenue and Third Street, in the amount of \$1.00, for construction ease-
ment in enforcing the City's Sight Distance Ordinance at Baldwin Avenue
and Third Street.

(Continued)

- (h) Acquisition of easement 15' x 222.75' in the 1200 block of Northbrook Drive, from Ervin Construction Company, in the amount of \$222.75, for right of way for sanitary sewer line to serve Garden Park.
- (i) Acquisition of 240 sq. ft. of property at 855 Woodlawn Road, from K. D. Shaver in the amount of \$100.00, for construction easement in connection with the Woodlawn Road Widening Project.

MAYOR BROOKSHIRE PRESENTS MEMORANDUMS FROM CITY MANAGER AND CITY'S RIGHTS-OF-WAY AGENT EXPLAINING THE ASSIGNMENT OF RIGHTS-OF-WAY APPRAISALS TO B. B. BROKSHIRE AND D. A. STOUT.

Mayor Brookshire stated in the end that the public not be mislead, he would like to straighten some facts that have been bandied around with some speculation of conjecture this past week. That Council was furnished last week, at the request of Mr. Whittington, a list of Charlotte real estate men who have been given appraisal work on street rights-of-way appraisals. The Charlotte News was also furished a copy from which a story and headlines appeared to leave the impression that partiality may have been shown to Brevard Brookshire because he is the Mayor's brother. In consequence, both Brevard and he have been subjected to some embarrassment and criticism. And he would like to set the record straight and keep it straight. In the first place, the Mayor has nothing to do with these appointments which are made by the City Council on the basis of recommendations of the Department Head and the City Manager. In the second place, he has never asked Mr. Owens, Mr. Veeder nor any member of this Council to give Brevard Brookshire or anyone else any kind of special consideration at any time. On last Tuesday morning, he wrote Mr. Veeder the following memorandum:

"I want a factual report from Mr. Owens explaining in detail the methods his office has employed in the selection of Charlotte real estate agents for street rights-of-way appraisals, subject to Council's appointment, with a full explanation of why B. B. Brookshire and D. A. Stout have been used more than others. If favoritism has been shown, I want to know by whom and why. I would also like your comment on this in writing."

Mayor Brookshire stated he was given by Mr. Veeder this morning the report on this matter from Mr. Owens, which he read:

"Your memo dated April 19, 1966, relative to Selection of Appraisers.

The methods used by this office in selecting appraisers from among those of a list approved by the City Council are as follows:

When appraisal work is needed, the approved list is checked for those appraisers whose qualifications meet the needs for the specific property to be appraised. A time limit is determined and the individual is called and asked if he wishes to be assigned. Very frequently the appraiser cannot work an assignment into his schedule. The qualified appraiser who takes all assignments offered and does a good job and is prompt, can easily receive more work when work is available.

Mr. D. A. Stout and Mr. B. B. Brookshire have always accepted assignments and by doing the work and being prompt to complete the appraisal assignment have made themselves available for more assignments. Favoritism has not been shown in the selection of any appraisers.

Mr. D. A. Stout and Mr. B. B. Brookshire have been assigned more appraisals than other appraisers simply because they accepted all appraisals offered and completed their work promptly and are available for additional assignment when needed by the City."

Mayor Brookshire then read Mr. Veeder's cover memorandum to him:

"This is to confirm our conversation concerning the selection of appraisals from a list approved by the City Council. Appraisers on this list have been given assignments on the basis of their willingness to accept assignments and their ability to meet assignments, thereby making themselves available for additional appraisals.

No favoritism has been shown in the selection of appraisers from the list."

Mayor Brookshire stated with all the facts now in the open as far as he is concerned that closes the matter.

Councilman Tuttle stated when he saw the list he was a little surprised and he has talked with three of the appraisers. One man is the low man, who had received only one appraisal assignment, and other two were highly competent appraisers who had received some five or six assignments each. The low man told him that he was the low man at his own choosing; that he has been offered cases and he had not had the time to take them and has so told Mr. Owens and requested that he not be called anymore. He stated that he is now available and would like some cases. The two highly competent appraisers who had had only five or six each stated they did not have the time, and the reason they had only this number was because they had been called and they had turned them down. Councilman Tuttle remarked that he is satisfied there has been no favoritism whatsoever.

Councilman Whittington stated he asked Mr. Owens to give him a list of the appraisers who were doing work for the City and how much work they had done because he had had complaints from realtors who felt they were not getting their share of the work. That he has never shown this list to anyone. That Mr. Owen elected to send the list he had requested to the City Manager instead of him, and he got it two weeks later and the story was in the newspaper before he ever received the memorandum from the City Manager. That he has discussed it with no one. That he has discussed with Mr. Owens the service that the Mayor's brother has rendered as an appraiser and his work has been outstanding; he has rendered a service when called upon - probably perhaps more readily than anyone else.

COUNCILMAN DISPLAYS BOTTLE OF COUGH SYRUP CONTAINING CODINE SOLD IN CHARLOTTE DRUG STORES BEING PURCHASED BY YOUNGSTERS AND ADULTS FOR USE AS A "KICKER" BECAUSE OF ITS POTENCY.

Councilman Alexander stated he makes this statement in much consternation and after all of Mr. Tuttle's concern in passing the "glue sniffing" ordinance. That what he is about to present is proof that the City of Charlotte will not be legislated by ordinance. Since the glue sniffing ordinance was adopted the little insignificant package which he held in his hand contained what is called simple Cough Syrup "AC", and this now has become the favorite kicker for those who resort to this type of activity, and it has suddenly skyrocketed in sales in some drugstores throughout the city. That this "AC" is used by mixing it with Coca-Cola or lemon extract and

youngsters and anybody else who so desires resorts to this and gets a tremendous kick out of it. And it is causing a problem in some schools. He stated he paid \$1.70 for this, and as he understands the prices vary, based on the areas in which it is sold. That it violates no Federal, State or local laws. All you do is go into a drugstore and ask for a bottle of "AC", and if you have the price, pay for it, sign your name and then you can get it. That he could have bought as many bottles as he wanted from any drugstore in town. That he is bringing this to Council's attention with no hope of trying to get anybody to pass an ordinance to regulate it but just to let them know that vigilance is the watchword and we can never close our eyes to this type of activity which seems to be taking over in our city.

Councilman Alexander stated they mix this ordinary cough syrup - that many persons use it straight so the Druggists and others tell him. That it is regular cough syrup and has a lot of codine in it and that comes under the narcotics provision where you have to sign for it. That the druggists admit they recognize why it is being purchased but it is no violation, and all they have to do is sell it.

Councilman Short asked whether Mr. Alexander intended to imply that this product is somehow manufactured just for a kicker purpose, or is this actually something which is designed and fairly sold for the relief of cough, but is subject to this misuse? Councilman Alexander replied the druggists he talked with say this is a reputable firm, and they have no idea that the firm which puts it out does so for any purpose other than a cough medicine. That it just so happens that youngsters and people who resort to this type of activity are aware now of its potency and this is taking the place of cheap wine and other things, because it is easy to purchase and it gives them a bigger kick than cheap wine.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON MAY 23RD ON A CHANGE IN THE ZONING ORDINANCE TO PROVIDE FOR CONDITIONAL USE IN AN I-1 ZONE FOR TRUCK AND FREIGHT TERMINALS.

Councilman Thrower moved the adoption of a Resolution Providing for a Public Hearing on May 23rd on Petition No. 65-89A for a change in the zoning ordinance to provide for conditional use in I-1 zones for truck and freight terminals. The motion was seconded by Councilman Jordan.

Councilman Short asked what would be the effect now when we have had one hearing with reference to the 300 foot buffer and we have not acted on that, and we now have another hearing with reference to this change, would it be possible to go both ways. Can we ignore one and go ahead with either of the other two? We would just have the option if we have this second hearing?

Mr. Kiser, City Attorney, replied no final action has been taken on the petition as presented in the first public hearing and that will remain open so that final action could be taken on that after this hearing.

Councilman Short stated he believes you have to be rather legally technical about this. That what is involved in the zoning ordinance is not only truck terminals but several actual categories - two, anyway. That depots are listed as one, motor terminals listed as one, and he does not know how legalistic you would have to be in this motion.

Mr. Kiser stated the public advertisement will take care of that.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 5, at Page 240.

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COUNCILMAN COMMENTS ON GOOD PUBLIC RELATIONS ENGENDERED BY LETTER FROM COMMUNITY IMPROVEMENT SUPERVISOR TO PROPERTY OWNER RELATIVE TO REMOVAL OF DEBRIS ACCUMULATED ON HIS PREMISES.

Councilman Whittington stated two weeks ago he requested Mr. Veeder to have the Building Inspection Department look into an area in the Marsh Development where a lot of debris had been left in a yard. He remarked that he wants Council to see a copy of the letter which Mr. Charlie Frost wrote these people, in which he says "I have a very important favor to ask you," and he goes on to say he was riding through the neighborhood and saw this condition and he asked them if they would please help the City and help the neighborhood by getting it cleaned up. Councilman Whittington stated he thinks this very good public relations and something from the City that certainly would not offend anyone, and he thinks it is very helpful.

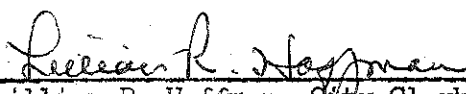
Councilman Jordan stated he thinks this would be a good suggestion for the Information Bureau when we put it into effect in July.

CITY MANAGER REQUESTED TO NOTIFY TAXICAB COMPANIES THAT CITY COUNCILMEN ARE RECEIVING COMPLAINTS RELATIVE TO INADEQUATE SERVICE BEING RENDERED MOTELS, HOTELS AND RESTAURANT PATRONS.

Councilman Whittington stated he has had four complaints from Motel and Hotel people and Restaurant people that taxicabs since the raise in fares, are not rendering service to these places when called without a long delay. One man told him he waited for one hour and fifteen minutes after he called a cab from a Restaurant on Independence Boulevard. He has talked with the president of the Motel & Hotel Restaurant Association, who says his folks have been complaining about this. Councilman Whittington remarked that he would like this to be a matter of record and for Mr. Veeder to notify the Cab Companies that Council members are getting complaints about their service.

ADJOURNMENT.

Councilman Thrower moved the meeting be adjourned which was seconded by Councilman Short and carried unanimously.


Lillian R. Hoffman, City Clerk