

May 2, 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, May 2, 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, Jerry Tuttle and James B. Whittington present.

ABSENT: Councilman John H. Thrower.

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#### INVOCATION.

The invocation was given by the Reverend Robert J. Ralls, Pastor of Saint Andrews Methodist Church.

#### MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the Minutes of the last meeting on April 25, 1966, were approved as submitted to the City Council.

MAYOR PRESENTED FRAMED COPY OF SONG, "OUR QUEEN CITY", COMPOSED BY STUDENTS IN MISS BAKER'S SIXTH GRADE AT EASTOVER SCHOOL.

Mayor Brookshire welcomed Miss Louise Baker, teacher of the Sixth Grade at Eastover School and five of her students. Miss Baker introduced one of her students, Rusty Dickson, who presented the Mayor a framed copy of a song, "Our Queen City", which was composed by the students in Miss Baker's classroom.

Mayor Brookshire read the words of the song and expressed his appreciation to the students and told them that he would give it a place of prominence in his house.

PETITION NO. 66-40 BY J. B. S. CORPORATION FOR CHANGE IN ZONING FROM R-12 AND R-15 TO I-1 ON PROPERTY FRONTING APPROXIMATELY 1,100 FEET ON THE NORTH SIDE OF PENCE ROAD, 1,600 FEET EAST OF BANDY DRIVE, DENIED.

Councilman Tuttle moved that the subject petition be denied, as recommended by the Planning Commission. The motion was seconded by Councilman Albea and unanimously carried.

RESOLUTION PRESCRIBING POLICY TO BE FOLLOWED IN CONNECTION WITH LAND ACQUISITION FOR A RAW WATER TRANSMISSION LINE PROJECT.

A resolution entitled: Resolution Prescribing Policy to be Followed in Connection with Land Acquisition for a Raw Water Transmission Line Project was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Short, was unanimously adopted.

The resolution is recorded in full in Resolutions Book 5, beginning at Page 241.

AMENDMENT TO LEASE WITH DOBBS HOUSES, INC. FOR OPERATION OF RESTAURANT AND RELATED FACILITIES AT THE AIRPORT, INCREASING THE AMOUNT OF FLOOR SPACE IN SAID LEASE FOR THE EXPANSION OF THEIR FACILITIES ON THE SECOND FLOOR.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle and unanimously carried, an Amendment was authorized to the Lease with Dobbs Houses, Inc., dated August 30, 1965, for the operation of Restaurant and related facilities at Douglas Municipal Airport, increasing the amount of floor space on the second floor from 667 square feet to 1,213 square feet for the expansion of the restaurant.

LEASE WITH PACIFIC AIR FREIGHT, INC., FOR BUILDING 257 AT AIRPORT.

Councilman Whittington moved approval of the Lease of Building 257 at Douglas Municipal Airport to Pacific Air Freight, Inc., for use as an office and warehouse, for a term of one year, at a rental of \$100.00 per month, plus \$2.50 for water. The motion was seconded by Councilman Albea and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAINS IN ABBEY PLACE, AND TO SERVE CENTRAL PARK, AUTHORIZED.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan and unanimously carried, the construction of sanitary sewer mains and trunk line, was authorized as follows:

- (a) Construction of 1,213 feet of eight-inch main in Abbey Place, inside the city limits, at the request of Park Place of Charlotte, Inc. The construction cost is estimated at \$6,480.00 and will be borne by the Applicant, whose deposit of this amount has been received and will be refunded as per terms of the contract.
- (b) Construction of 393 feet of eight-inch sanitary sewer trunk, 2,400 feet of eight-inch main to serve Central Park, inside the city limits, at the request of Ed Griffin Construction Company. The construction cost is estimated at \$19,661.00 and will be borne by the Applicant, whose deposit of this amount has been received and will be refunded as per terms of the contract.

CONTRACTS AUTHORIZED FOR APPRAISAL OF RIGHTS OF WAY FOR SHARON-AMITY ROAD WIDENING PROJECT AND EASTWAY DRIVE WIDENING PROJECT.

Motion was made by Councilman Whittington, seconded by Councilman Albea and unanimously carried, authorizing the following contracts for the appraisals of rights of way:

- (a) Contract with G. A. Hutchinson for the appraisal of one parcel of land on Sharon Amity Road, in connection with Sharon Amity Road Widening Project.
- (b) Contract with John McDonald for the appraisal of two parcels of land on Sharon Amity Road, in connection with Sharon Amity Road Widening Project.
- (c) Contract with L. H. Griffith for the appraisal of two parcels of land on Sharon Amity Road, in connection with Sharon Amity Road Widening Project.
- (d) Contract with Alfred E. Smith, for the appraisal of two parcels of land on Sharon Amity Road, in connection with Sharon Amity Road Widening Project.
- (e) Contract with James L. Varnadore for the appraisal of two parcel of land on Sharon Amity Road, in connection with Sharon Amity Road Widening Project.

- (f) Contract with Harry G. Brown for the appraisal of one parcel of land on Sharon Amity Road, in connection with Sharon Amity Road Widening Project.
- (g) Contract with Stuart W. Elliott for the appraisal of one parcel of land on Eastway Drive, in connection with Eastway Drive Widening Project.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Albaea, seconded by Councilman Tuttle 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. Honorine H. Christian, for Graves No. 1 and 2, Lot 169, Section 2, Evergreen Cemetery, at \$120.00.
- (b) Deed with R. Lee Hendley, Jr. and Sarah M. Hendley, for Lot 308, Section 3, Evergreen Cemetery, at \$283.50.
- (c) Deed with Mrs. Alice Bryson Privette, for Graves No. 1 and 2, Section 2, Evergreen Cemetery, at \$120.00.
- (d) Deed with Mrs. M. Angel Stewart, for Graves No. 3 and 4, Section 7, Evergreen Cemetery, at \$120.00.
- (e) Deed with Mrs. Mattie B. Plyler, for Graves No. 3 and 4, Section 7, Oaklawn Cemetery, at \$120.00.
- (f) Deed with Willie J. Callahan, for the Northeast quarters of Lot 51, Section A-Annex, Elmwood Cemetery, transferred by the Heirs of Mrs. Sara J. Jenkins, at \$3.00 for the transfer deed.
- (g) Deed with Mrs. Mamie B. Dale, for the Northwest quarter of Lot 51, Section A-Annex, Elmwood Cemetery, at \$3.00 for the deed.

CONTRACT AWARDED BOYD & GOFORTH, INC. FOR CONSTRUCTION OF SANITARY SEWERS IN SPRING VALLEY SUBDIVISION.

Councilman Jordan moved the award of contract for the construction of sanitary sewers in Spring Valley Subdivision, as specified, to the low bidder, Boyd & Goforth, Inc., in the amount of \$30,848.83, on a unit price basis. The motion was seconded by Councilman Whittington and unanimously carried.

The following bids were received:

Boyd & Goforth, Inc.	\$30,848.83
Howie Crane Service Co.	44,170.00
A. P. White & Associates	75,028.00
Crowder Construction Co., Inc.	78,945.00

GRADY COLE AND THE REVEREND THOMAS A. JENKINS NOMINATED FOR APPOINTMENT TO CIVIL SERVICE BOARD.

The City Council was advised that the term of office of Mr. Grady Cole on the Civil Service Board will expire on May 15, 1966.

Councilman Jordan nominated Mr. Cole to succeed himself on the Board.

Councilman Alexander placed in nomination for the appointment the Reverend Thomas A. Jenkins, Minister of Statesville Avenue Presbyterian Church, and stated that Mr. Jenkins is a native of Charlotte, served in World War II as Chaplain with distinction, and is highly respected in Charlotte.

Mayor Brookshire stated that the nominations would remain open for one week, as is the usual custom.

ORDINANCE NO. 463-X AMENDING THE CAPITAL IMPROVEMENT BUDGET FOR 1965-66 AUTHORIZING THE TRANSFER OF FUNDS WITHIN THE WATER AND SEWER FUND, FOR THE INSTALLATION OF SANITARY SEWER MAINS AND LATERALS ON EASTWAY DRIVE AND WOODLAWN ROAD.

An ordinance entitled: ORDINANCE NO. 463-X AMENDING THE CAPITAL IMPROVEMENT BUDGET FOR 1965-66 AUTHORIZING THE TRANSFER OF FUNDS WITHIN THE WATER AND SEWER FUND, for the installation of sanitary sewer mains and laterals on Eastway and Woodlawn, was introduced and read, and upon motion of Councilman Whittington, seconded by Councilman Tuttle, was unanimously adopted.

The ordinance is recorded in full in Ordinance Book 14, beginning at Page 312.

ACQUISITION OF PROPERTY FOR ROADWAY WIDENING PROJECTS ON SHARON AMITY ROAD, WOODLAWN ROAD, PLAZA ROAD AND EASTWAY DRIVE.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan and unanimously carried, the acquisition of the following property was approved:

- (a) Acquisition of construction easement over property of W. R. Helms, located at 1701 Sharon Amity Road, at \$100.00 for Sharon Amity Road Widening.
- (b) Acquisition of construction easement over property of Henry B. Baucom, located at 1733 Sharon Amity Road, at \$225.00, for Sharon Amity Road Widening.
- (c) Acquisition of construction easement over property of W. I. Peninger, located at 1927 Sharon Amity Road, at \$300.00, for Sharon Amity Road Widening.
- (d) Acquisition of construction easement over property of Dora A. Craig, located at 1421 Sharon Amity Road, at \$100.00 for Sharon Amity Road Widening.
- (e) Acquisition of construction easement over property of Dora A. Craig, located at Sharon Amity Road at the Railroad, at \$40.00 for Sharon Amity Road Widening.
- (f) Acquisition of construction easement over property of Thomas B. Watkins, Jr., located at 1601 Sharon Amity Road, at \$100.00, for Sharon Amity Road Widening.
- (g) Acquisition of construction easement over property of Lone T. Protor, located at 1625 Sharon Amity Road, at \$250.00 for Sharon Amity Road Widening.
- (h) Acquisition of construction easement over property of James E. Jones and wife, Elizabeth, located at 2501 Sharon Amity Road, at \$50.00 for Sharon Amity Road Widening.
- (i) Acquisition of construction easement over property of D. P. Wilson, located at 1120 Woodlawn Road, at \$150.00 for Woodlawn Road Widening.
- (j) Acquisition of 125 square feet of property located at 4208 The Plaza, from William M. James, Jr. and wife Willie, at \$26.00 for Plaza Road Widening.
- (k) Acquisition of 223 square feet of property located at 4200 The Plaza, from Gilberto D. Colina and wife Marguerita, at \$101.00, for Plaza Road Widening.
- (l) Acquisition of 116 square feet of property located at 4215 The Plaza, from Thomas F. Simpson and wife Annie, at \$1.00, for Plaza Road Widening.
- (m) Acquisition of 1,165.0 square feet of property located at 2713 Eastway Drive, from Ed Griffin Construction Company, at \$800.00, for Eastway Drive Widening.
- (n) Acquisition of 1,113 square feet of property located at the Northeast corner of Woodlawn Road and South Boulevard, at \$2,450.00, from Atlantic Refining Company for Woodlawn Road Widening.

SUPPORT OF GOVERNOR DAN MOORE'S DESIGNATION OF THE MONTH OF MAY AS ANTI-LITTER MONTH IN NORTH CAROLINA AUTHORIZED BY COUNCIL.

Mayor Brookshire advised that he has received a letter from Mrs. W. C. Landolina, President of The Garden Club of North Carolina, Inc., advising that Governor Dan Moore has designated the month of May as Anti-Litter Month in North Carolina, and requesting that this effort be supported by Charlotteans. The Mayor stated that in view of the City Council having only recently adopted an Anti-Litter Ordinance, he feels sure they will be glad to give support to the Governor's efforts in this connection.

Councilman Alba moved that the City support the Governor in his designation of May as Anti-Litter Month. The motion was seconded by Councilman Short and unanimously carried.

RESOLUTION CONGRATULATING THE CITY OF WINSTON-SALEM ON ITS 200TH ANNIVERSARY.

Mayor Brookshire advised that the City of Winston-Salem is observing the 200th anniversary of the founding of Salem, which developed into the City of Winston-Salem, and there will be a Chamber of Commerce Get-Acquainted affair next week. He presented and read a suggested resolution of congratulation to be carried to Winston-Salem.

Councilman Jordan moved the adoption of the Resolution, which was seconded by Councilman Alexander and unanimously carried.

The resolution is recorded in full in Resolutions Book 5, beginning at Page 242.

MAYOR TO GIVE REPORT OF ACCOMPLISHMENTS OF THE PRESENT ADMINISTRATION DURING THE PAST TWELVE MONTHS.

Councilman Alexander called attention that the City Council has just about completed twelve months in office and stated that he thinks it would be very fine if there was prepared a report to the citizens of the accomplishments of the Administration during this period; that he believes many of our citizens would be most interested in such report.

Mayor Brookshire replied that what the Council has done during the past twelve months is, of course, a matter of record; that he will be glad to review it for Mr. Alexander and for the public on next Monday; that he has from time to time in the past reviewed the progress of the Administration to the citizens; that sometimes it is helpful to put in summary form our accomplishments that might otherwise be forgotten.

CITY MANAGER DIRECTED TO DISCUSS WITH CHIEF OF POLICE THE STATIONING OF AN OFFICER AT HOTELS DURING ARRIVAL OF GUESTS ATTENDING CONVENTIONS TO CAUTION THEM REGARDING DOUBLE PARKING WHILE UNLOADING.

Councilman Alexander stated that this week there is a Convention of Cosmetologists in Charlotte, and last week the meeting of a Fraternity, and they have been involved with some traffic problems. That he does not know if the City has a Courtesy System towards visitors such as these, or whether it has been previously tried but not adopted. Many cities have some kind of a courtesy system, and with many of our visitors coming from cities where this is the custom, he is of the opinion that they believe it is in effect in Charlotte.

He thinks it can prove most embarrassing when visitors like these are given parking tickets, even though they are violating a traffic regulation. That he thinks it would be far better to give them a Warning Citation rather than a Ticket which they have to pay, and he thinks this merits some type of consideration so when organizations have their Conventions here, such violations as double parking when registering would call for a Warning Citation as to our regulations.

Councilman Albea stated that years ago Courtesy Tickets were given visitors and he does not recall why it was discontinued.

At the request of Mayor Brookshire that he explain the City's policy in this regard, the City Manager advised that he thinks our policy would have to be confined to one that assumes that parking regulations apply in most cities, and visitors to Charlotte should not find these regulations strange or be unaccustomed to working within the framework of such regulations in their own community. Also, the fact that we are located close to the State line is of some consequence. That from time to time comments are made that such courtesy should be extended not only to Convention guests but to individuals who might be in Charlotte for other purposes - for example, people coming here to shop; however, if this privilege were extended to all out-of-town cars, it could become a difficult situation to cope with. That this is not to say that some recognition should not be afforded to out-of-town visitors.

Councilman Tuttle remarked that he thinks we are too close to the State line to let the bars down. He said to Councilman Alexander that he thinks he will find that the Police use discretion in these matters, not only to Conventions but to Traveling Men in the matter of double parking while unloading cars, and he thinks the Police have done a very commendable job in this connection. Councilman Alexander replied that all of these statements being true, he is still not convinced that we cannot give some consideration in the case of Conventions; that he can easily understand that we cannot let down the bars completely for daily visitors, but Charlotte is a big city in the southeastern region, and from now on many organizations will want to hold their meetings in Charlotte, which benefits our entire town, and he does not see why we could not for the short duration of a Convention extend Courtesy Privileges that, in his opinion, would be well worth the good public relations it would create. He stated that he wishes he could agree with Mr. Tuttle that parking tickets are not handed out freely, because they definitely are in some instances. Maybe the Council cannot find the solution to it, but he still thinks something should be done.

Mayor Brookshire remarked that we would like to display our friendliness, but if visitors were given complete latitude in the matter of parking, traffic would no doubt be fouled up, and they might even expect to be allowed to park in restricted zones on Trade and Tryon Street, etcetera, at 5 o'clock in the afternoon - and even one car parked in a restricted block at 5 o'clock would disrupt traffic a great deal. That he believes what Mr. Alexander suggests would add problems rather than solving them.

Councilman Short asked if someone were in charge of a Convention, could he not apply in advance to the Police Department for authority to allow guests certain leaway in parking in certain areas?

Councilman Alexander remarked that if we do nothing more, we could at least have an Officer stationed at the hotel when the people attending the Convention were arriving to caution them that they could not double park for unloading -- that for these people to be given a Traffic Ticket just as they are arriving is certainly disconcerting.

Councilman Short commented that with the arrival of a large group, such as the 800 people in this Cosmetologist Group, he wishes it were possible for, somehow, the Police to have latitude, upon advance application, to make some arrangement as they arrive in the City.

Councilman Jordan called attention to the fact that this particular Group of people come to Charlotte every year on Convention, and once the bars are let down, a lot of these people are going to take advantage of the parking, and we will have parking problems more than we have now.

Councilman Alexander again remarked that certainly we could not do wrong in stationing an Officer to remind them not to double park, and he thinks that the word would get around the next day and the days after, but showing these people just that little courtesy would mean more to us in good will than not having an Officer there for this purpose, but for an Officer to show up and begin handing out Traffic Tickets, which he rightfully should do.

Mayor Brookshire remarked that he suspects that the last suggestion could be implemented without any violation to city ordinances, and he asked the City Manager to talk with Chief Hord about it.

RESOLUTION AUTHORIZING CANCELLATION OF INTEREST AND PENALTIES ON TWO STREET ASSESSMENTS ON LYTTLETON DRIVE.

Mr. Kiser, City Attorney, advised that through error and misinformation two landowners did not receive bills for street assessments on Lyttleton Drive. This came to light recently when these landowners were in the process of transferring their property. The street improvement was approved on November 21, 1960, the street assessment was approved on December 10, 1962, and the wrong property owner was listed as the owner of the property of each of these two lots. As a result, the landowners did not receive bills, and they are willing now to pay the principal but feel that the interest and penalty should not be charged against them; that he, therefore, recommends authorizing this, under the provisions of the General Statute relating to the cancellation of interest and penalties with respect to errors made, by the adoption of a resolution to that effect.

Councilman Jordan moved the adoption of a resolution entitled: Resolution Authorizing the Cancellation of Interest and Penalties on Two Street Assessments on Lyttleton Drive, which was seconded by Councilman Tuttle and unanimously carried.

The resolution is recorded in full in Resolutions Book 5, beginning at Page 243.

CITY ATTORNEY ADVISES WILL HAVE READY FOR COUNCIL NEXT MONDAY THE AMENDMENT TO ZONING ORDINANCE RELATIVE TO THE WITHDRAWAL OF A PETITION RECOMMENDED BY COUNCILMAN SHORT.

Councilman Whittington asked the City Attorney when he would give Council the revised Amendment to the Zoning Ordinance with regard to the withdrawal of a petition that was recommended by Mr. Short? Mr. Kiser, City Attorney, replied that he would try to have the Amendment on that point next Monday.

Councilman Whittington then asked when the public hearing would be held on the Amendment to the Zoning Ordinance relative to Truck and Freight Terminals, and the City Manager replied that it would be held on May 23rd.

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APPOINTMENT OF MRS. EVELYN C. BYRUM AS ASSISTANT CLERK OF RECORDER'S COURT ON A RELIEF BASIS IN CASE OF LONG COURT SESSIONS, ILLNESS AND VACATION OF THE OTHER ASSISTANT CLERKS.

The City Manager reported that, in line with the request of the Council two weeks ago, the Judges, Clerk and Solicitor of Recorder's Court met last week to discuss the appointment of Mrs. Byrum as Assistant Clerk of Court to serve on a relief basis during long Court sessions, illness and vacation of the other Assistant Clerks, and all of them agreed that the appointment is badly needed and recommended it. He stated this will not involve any change in the present status of Mrs. Byrum.


Councilman Jordan moved the appointment of Mrs. Evelyn C. Byrum as Assistant Clerk of Recorder's Court on a relief basis. The motion was seconded by Councilman Tuttle.

Councilman Short asked if those whom the City Manager mentioned did not suggest that the priority of duties of Mrs. Byrum be set in some way - they were just willing that it be done on a relief basis? The City Manager replied that they also agreed on what her duties and responsibilities would be - just emergency relief in case of long Court sessions, illness and vacation.

The vote was taken on the motion and unanimously carried.

ADJOURNMENT.

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

  
Lillian R. Hoffman, City Clerk