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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 9, 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 Charles Dustin, Pastor of Yorkmont Baptist Church.

#### MINUTES APPROVED.

Upon motion of Councilman Thrower, seconded by Councilman Albea and unanimously carried, the Minutes of the last meeting on May 2, 1966, were approved as submitted to the City Council.

#### CONSIDERATION OF APPROPRIATING FUNDS FOR A HOMEMAKING PROGRAM THROUGH THE COUNTY EXTENSION SERVICE DEFERRED FOR ONE WEEK FOR RULING BY CITY ATTORNEY AS TO THE LEGALITY OF SUCH APPROPRIATION.

Mr. John Zuidema, Executive Director of the Charlotte Area Fund, stated they are here to ask the assistance of the City in conducting what they consider a unique, new and effective program of homemaking education for the low income residents of our County and City. That most of the persons who will be benefitted by this program are residents of either public housing or low-cost private housing, many of whom have been displaced by urban renewal, expressways and other programs. He stated they feel that the County Extension Services, which have been so successful in serving not only the rural residents but the city residents as well in programs of agricultural education and home economic education, have a great deal to offer in the way of training, and their office is merely trying to make available to them funds to do something they have wanted to do for a long time. He stated that Mr. George Hobson, Supervisor, Home Demonstration Service, has worked very closely with them in the development of this proposal.

Mr. Zuidema asked Miss Kathleen Nelson, Supervising Home Economist for the County Extension Service, to explain the details of the program.

Miss Nelson stated the idea is to have a Home Economist who will work in their office under the direction of the Extension Service benefitting from the services they have through their organization and through their warehouses in Raleigh. She, in turn, will have three Home Economists who will work in the three established neighborhood centers that are now in operation in Charlotte. Under her supervision will be 15 aids who will help carry the Home Economics Program to the grass-roots, the families themselves. The Home Economist, who will be under her supervision, will be giving a total program in Home Economics as they think it best for the needs of the people, that is in food-buying, clothes shopping, budgeting, child care, home management or whatever the areas might need in working out a program for the people.

Mayor Brookshire asked if the program suggested is not very similar in all respects to that which has operated in the County in the past? Miss Nelson stated they feel that the services they now have in the County program can be of much help to these low-income people, and the Council can very well see that with the masses of people in Charlotte that one or two Staff Members could not reach this many people. The Mayor remarked that if they are going to serve the people of Mecklenburg County, they certainly do need to be active in Charlotte, where three-fourths of the people live.

Councilman Whittington remarked that we have discussed this for a long time in the City, and he is sure it has been discussed in the County too; he asked if Miss Nelson, Mr. Hobson, Mr. Zuidema or anyone in the Extension Service made this proposal to the Housing Authority or Mr. Dillehay as to their area of cooperation in the program if these funds are appropriated? Miss Nelson replied that they realize they have services that are available that these people can use. That Mr. Zuidema approached them with this proposal and asked their cooperation, and they said they would be happy to cooperate in any way they could, because it is their aim to reach more people, and they thought the plan was very feasible and could be carried out very well. That she cannot answer Mr. Whittington's question regarding contact with the Housing Authority.

Miss Betty Chafin, Coordinator of Neighborhood Service Centers in the Charlotte Area, stated they have talked with Mr. Dillehay, and he is very eager to cooperate with them in this program; he feels it is the kind of thing that needs to be done, particularly with the large number of people who are being relocated in housing projects in the urban renewal area, and Mr. Dillehay has offered them the use of one of the apartment units in Piedmont Courts, and they hope in time that they can do this in other housing projects. She stated that it should be noted that the emphasis in this program is on the individual attention. The philosophy of having people recruited from their own neighborhood, who communicate the same language, to go into the homes of these families and literally lead them by the hand as far as budgeting, child care, consumer education, hygiene are concerned, and stay with them until the Aid feels that the mother in the family has acquired sufficient skills to carry on for herself, and then, out of the individual attention, they hope classes and demonstrations will develop, but with the class of people they hope to work with, they are going to have to go to the people and not expect the people to come to them.

Councilman Whittington asked Mr. Veeder or Mr. Zuidema what we are talking about in the way of finances?

Mr. Zuidema stated they have budgeted for a fifteen-months period a total of \$133,661.00; the Office of Economic Opportunity will provide 90 per cent of the cost of this project; they have a little credit coming to them from the State for Piedmont Courts and for the office in the Arcade Building, which would be used for supervisors. That the minimum amount of money necessary, hopefully to be divided between the City and County, would be on a yearly basis \$12,096.00, which would go for the salary of the Supervisor of this Program and for the Secretary to the Supervisor. That would be \$6,048.00 each for the City and County.

Mr. George Hobson, Supervisor, Home Demonstration Agency, stated they feel this is a program designed to help the people that no one has helped before. In order to break the cycle of poverty, they must be encouraged to have cleaner homes; many of them will be going into new low-cost developments, and they feel the program will be of untold worth. That the Extension

Service has the know-how but does not have the personnel to carry out a program of this scope, and now that 90 per cent of the funds are available, with only 10 per cent from local sources, they feel it is a big opportunity to have the needed personnel and carry out the program. He stated they are here today at the request of Mr. Atkinson, Chairman of the County Commissioners.

Mayor Brookshire asked if Mr. Atkinson has indicated that the County would bear half of the funds represented by the 10 per cent, and Mr. Hobson said that he has not said Yes or No.

Councilman Alexander commented that he is in favor of this program for it is a program that has been close to his heart for many years. In fact, several years ago he took the liberty to present the matter to the County Commissioners and the City Council asking that consideration be given this same type service to bring it into the city, and the County said they would endorse the proposal if the City would share the cost, and the City did not do so. That since being on the City Council he has again brought it up and this is the outgrowth. That certainly he feels it is our beginning, if we adopt it, to reach the cause of much of the crime in Charlotte; this is the thing that has been needed for some time, and he feels the money the City and County would spend in the program would be well spent; that we could not get the services otherwise that could grow out of this program if we attempted to do it alone at the minimum figure of some \$6,000.00 each.

Councilman Alexander moved that the City of Charlotte endorse the proposal and appropriate the funds to share equally with the County in the cost to the local governments of \$12,096.00. The motion was seconded by Councilman Tuttle, who stated that he thinks this would be one of the best \$6,000.00 this Council has ever spent.

Councilman Whittington asked Mr. Jamison, Superintendent of the Building Inspection Department, for his thoughts, for the record, after having worked with his Inspectors for two or more years in minimum housing and in regard to the anti-litter ordinance.

Mr. Jamison commented that he certainly thinks that much benefit would result from the program; that this is one of the big problems in the enforcement of the minimum housing code. That many of the people they take out of bad housing and put into better housing do not know, or do not care how to take care of the property and how to manage in better surroundings, and he thinks this program would be most helpful.

Mr. Kiser, City Attorney, suggested that Council postpone taking a vote on the request until the next Council Meeting for the reason that recently the Attorney General's office was asked a question about cities and counties appropriating money for certain Funds with respect to OEO and the opinion was rendered that it would not be proper or legal. Mr. Kiser stated he would like to take a look at that opinion again to see if this was included within the scope of that opinion.

Councilman Albea offered a substitute motion that the matter be deferred for one week on the request of the City Attorney. The motion was seconded by Councilman Jordan and unanimously carried.

Mayor Brookshire asked, if the money should be made available, when the program would begin, and Mr. Zuidema replied on July 1, 1966.

CITY MANAGER DIRECTED TO HAVE TRAFFIC COUNT MADE AT INTERSECTION OF PROVIDENCE ROAD AND COLVILLE ROAD IN CONNECTION WITH REQUEST FOR ERECTION OF TRAFFIC SIGNAL.

Mr. Earl Mulwee stated that he is spokesman for 266 residents of the Providence Road-Colville Road-Eastover area, who have signed a petition for a Traffic Control Signal at the intersection of Providence and Colville Roads. He stated they have gone through the usual channels seeking the traffic signal, but that has failed, and they understand that the statistics compiled by the Traffic Engineering Department do not show justification for the Signal. However, they submit there are other factors that outweigh the statistics. Daily the citizens of Biltmore Drive and Scotland Avenue and Colville Road risk their lives getting into the Providence Road traffic, and what is more important, the young people going to school in the morning, the mothers taking their children to school and the school busses take a like risk getting out into Providence Road. The same thing is true in the afternoon, and traffic piles up on Colville Road trying to get into Providence Road. There are numerous children on Biltmore and Scotland, and these streets are only 24 feet 8 inches wide, and when cars are parked on each side of the street, it makes a hazardous driving situation. Whereas, if they had a Traffic Control at Providence Road, it would provide an orderly entrance into Providence and Colville. He stated that the Petition he will file with the Clerk has been signed by people far out Providence Road, who find it most convenient to come through Colville Road to get to their homes; that there are many other reasons they could advance for the necessity of the Signal, and they earnestly request Council's consideration of their request.

The City Manager suggested that he would like Mr. Mulwee to give the other reasons he states there are for the request, and the Mayor suggested that Mr. Hoose, Traffic Engineer, be asked to come in, so he will be acquainted with the reasons for the request. Mr. Mulwee commented their request is largely one of safety; certainly above all people in Charlotte Mr. Hoose should be interested in safety; that if the figures were put on paper, they, no doubt, would show the necessity of the control signal; they are certainly conscious every day of many reasons that the signal needs to be erected at this location.

Councilman Albea asked if there is a School Crossing Guard there, and Mr. Mulwee replied that there is one.

Mr. Mulwee repeated his conversation for Mr. Hoose and stated it is not only impossible to get into Providence Road without risking your life, but more dangerous to pedestrians crossing on foot for there is no break in the traffic; that people from Malvern Road, Beverly Drive area come into Providence which swells the traffic load at this point; perhaps the greatest danger is around 8 o'clock in the morning when children are trying to get to Myers Park, A. G. Junior High, Country Day School and Christian High School.

A correction was made in his statement to Councilman Albea about the School Crossing Guard at this point; the Guard is, in fact, at Cherokee and Providence and not at Colville Road.

The City Manager advised that the last study was made of this intersection in February, 1964, and this was the sixth time since 1951. That from what has been said, he thinks it might be appropriate to take another look at the intersection and see what has happened during the two year interim and give Council a report on their findings.

Councilman Jordan moved that the City Manager have a study made and have Mr. Hoose bring a report to Council. The motion was seconded by Councilman Whittington, who asked that Mr. Hoose make the survey before the school term is over in order to get a better picture of the situation. The vote was taken on the motion and unanimously carried.

Councilman Short asked Mr. Hoose when the Traffic Signal will be erected that was authorized about six months ago at Cherokee and Providence? Mr. Hoose replied that the equipment came in last week, and they would probably have the Signal in within the next few days.

Councilman Short asked if some look-see could not be taken as to whether this thirty-foot shrubbery set back could not be applied to the corner of Colville and Providence. Mr. Hoose replied that they have had it cut back five times.

REQUEST OF CO-ADMINISTRATORS OF ESTATE OF S. FRANK GAY FOR FOUR MONTHS DELAY IN THE CITY DEMOLISHING FOURTEEN HOUSES BELONGING TO THE ESTATE THAT DO NOT MEET THE MINIMUM HOUSING CODE, DENIED.

Mr. Warren Stack, Attorney, advised that he represents three Co-Administrators, Dr. Charles Houston Gay, Mrs. Mattie Kissiah and Mr. John Hurt, who are administering the estate of their deceased uncle Mr. S. Frank Gay. He stated that Mr. Culbertson, Chief Housing Inspector, has issued a Finding of Fact in an order for some fourteen homes, situated here in the City of Charlotte, to be demolished by tomorrow. That he is appearing before the City Council to ask if they will, before hearing an order, grant these administrators a four-months delay. The reason for it is that they are caught in a situation over which they have no control, and they believe that in four-months time the matter can be cleared up.

He stated that Mr. Gay died without leaving a Will and, apparently, without filing any Income Tax returns, so it was necessary for them to prepare and file Income Tax returns for 1943 to the date of his death in 1962. Those returns have been in the hands of the Internal Revenue Service and the North Carolina Department of Revenue about two years, and they cannot get any approval or disapproval from either of these Tax Agencies as to whether they accept the returns or whether they are going to come back. In addition to that, once the matter came to administration through the request of Mr. Jamison, Building Inspection Department Superintendent, who has been most diligent in this matter, he went before Mr. Stukes, Clerk of Court, and asked him if funds could be used from the Estate with which to try to help correct this condition, and Mr. Stukes ruled that funds available for administration could not be used for this purpose, and forbade the Administrators to take any action. Later Mr. Jamison called him about it again, and he suggested that Mr. Jamison and Mr. Morrissey talk with Mr. Stukes and, perhaps, they could persuade him to help. Again, Mr. Stukes ruled that the Administrators were forbidden to do anything about it.

He stated they owe Federal Estate taxes, and they owe Inheritance taxes to the State of North Carolina; any property that is being sold, which it is under special proceedings and converted to cash, the Clerk of Court Mr. Stukes has ordered the Administrators to hold in that fund until such time as they get relief from both Internal Revenue Service and the State of North Carolina. It may be that the Federal Government will come in on a net-worth basis and eat up most or all of this estate, and there will be nothing available to repay the City for the expense of demolishing these buildings. They believe that within the next four months they can get these fourteen parcels, now under consideration, transferred

by an order of confirmation to purchasers who surely will demolish these dilapidated buildings. Under Section 10-A of the Code, they have a right to go into Superior Court and attack this ordinance and get an Injunction; they do not want to do that, and they are coming before Council today in good faith and say give us four months at a maximum, and we hope we can get the matter completed and can get such buildings as are then there destroyed. But in the meantime, the Administrators are on the horns of a dilemma; they are powerless to act, they have no funds available to comply, and they are at the mercy of everyone. So before tomorrow, the deadline for demolishing these buildings, he has come before Council to let them know the position of his clients, and the reasons why they cannot comply at this time.

The Mayor asked Mr. Jamison, Superintendent of the Building Inspection Department, to comment on the subject.

Mr. Jamison stated that he feels strongly about this matter, as he has been negotiating with these people since 1961 trying to get a very hazardous, deplorable condition corrected. This was prior to the time Mr. Frank Gay died, and at that time he was considered incompetent and Mr. Joe Travis, Attorney, was Trustee and he negotiated with him and, also, with Mr. Charles Henderson and brought to their attention the hazardous conditions in these structures, trying to get something done. They asked for delays and said they would be ready to do something within just a few weeks. He stated he thinks we have been most patient. After the death of Mr. Gay in 1962, a relative, Dr. Charles Gay, was appointed Administrator of the estate, and he has been negotiating with him and Mr. Warren Stack, Mr. Bill Scarborough, Judge Stukes and others involved since that time. The story has been the same - just a few more days, just a few more weeks, and he would recommend that the City proceed and demolish these structures. He passed to Council some photographs of some of the structures in question and called attention to two pictures taken of one of the structures, one taken in 1961, and the other taken just a few months ago which shows the building actually collapsing to the ground. He stated that these buildings are open and unoccupied, they attract children and are dangerous and vagrants occupy them.

Councilman Tuttle asked the City Attorney if Council takes no action then the City will proceed to destroy the buildings? Mr. Kiser replied if Council takes no action today, he supposes that within the next few days, if the buildings are not demolished by the Estate, Mr. Jamison will present an ordinance to Council for their demolition, at which time the Section of the Code to which Mr. Stack referred, giving him the right to appeal to Superior Court, would be available to him.

Councilman Whittington asked Mr. Stack why clearing up the matter with the Internal Revenue Departments would have anything to do with the demolition of these houses? Mr. Stack stated that right now they have offers of purchase of these structures, and the Clerk of Court has already entered an Order of Confirmation of Sale. Mr. Parker Whedon represents the prospective purchasers, and he is examining the titles, and others who come along with offers to purchase would be entitled to have the titles examined, dependent upon the availability of the Lawyer at the time; that they have a lot on North Graham Street that they can sell through the Order of the Clerk of Court and get it in independent hands and out from under the Estate, then Mr. Jamison's office can act diligently against the owner should the owner not want to tear it down. But their problem today is that when you come along and put \$200.00 on each lot for fourteen structures to be torn down, and they have had orders of purchase which did not encompass such expenditure, then if they do not get any relief from the Council, he is going to have to go to Superior Court and get an Injunction. Then if he has to do that, he will delay things until they can get the matter completed -- and that is why he came to Council today to let them know just where they stand and what they are trying to do.

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Mayor Brookshire asked Mr. Stack if he would react to the statement of Mr. Jamison that the City has been trying to get these buildings removed for four or five years and has been given one reprieve after another? Mr. Stack replied, they were not reprieves because they have consistently represented to Mr. Jamison that the Clerk of Court has forbidden them to take any action; he asked Mr. Jamison if this is not true, and if he and Mr. Morrissey, who was City Attorney, did not go over to the Clerk of Court and talk with him? Mr. Jamison replied that is correct, and Mr. Stack asked him what Mr. Stukes, Clerk of Superior Court told him? Mr. Jamison replied, "No money." Mr. Stack said that he has only followed the edict of the Probate Judge.

Councilman Jordan remarked that after looking at the pictures of these structures he cannot help but wonder why anyone would buy a building in this condition or would the purchaser be buying it for the land, and Mr. Stack said they would be purchasing them for the land. Councilman Jordan then asked why the City cannot go ahead with the demolition of the buildings now? Mr. Stack replied because, at the time that Judge Stukes issued the Order of Confirmation of Sale, it did not encompass, for example, tract No. 80 which would carry the burden of \$200.00 for its demolition. And what they are trying to do is to get the burden, if any, of the demolishing transferred to the purchaser, because it was not encompassed at the time Judge Stukes confirmed it. Mr. Jamison remarked that the chances of getting a package deal are that the City could get it done cheaper than it could be done individually.

Councilman Short remarked to Mr. Stack that in effect he wants to prevent a \$2,800.00 lien against the estate and leave the City to deal with the new owners, rather than dealing with the estate? Mr. Stack replied because the estate is incapable of packaging. Councilman Short remarked that the estate is also incapable of producing the new owners, so the City is almost forced to deal with the estate, is it not? Mr. Stack replied that they have the Order of Confirmation of Sale from the Clerk of Court of certain of these tracts at this time - for example, 1222 North Caldwell Street and 1300 North Caldwell Street - and they are waiting for Mr. Whedon to complete the title examinations and make the Deed of the Commissioners to Mr. C. D. Martin who will then own the property which is adjacent to some business property he now owns.

Mayor Brookshire asked how many buildings they have sold subject to the approval of the Clerk of Court, and Mr. Stack replied they have sold five structures so far.

Councilman Whittington asked Mr. Stack if it would help him any if the City demolished all of the buildings except those five, and Mr. Stack replied that they would not object if the City demolished them all, but not at the expense of the estate. Councilman Albea asked if it would not be at the expense of the City, and Mr. Stack replied No, it is at the owner's expense.

The City Attorney remarked that it is difficult for him to understand exactly what difference it makes to Mr. Stack whether the property is demolished and a lien placed against it, as opposed to a lesser price offered for the property by the purchaser now. If Mr. Stack will explain that to him perhaps he would be in a better position to have some idea what to suggest. Mr. Stack replied that Tract A was appraised by independent appraisers at \$2,500.00, the offer by the prospective purchaser was \$2,500.00, and the Order of Confirmation of Sale was \$2,500.00; now if the City intervenes and instead of getting \$2,500.00, they get \$2,300.00; it is not within the appraised value. We would then have to go back to the Clerk of Court and say - the picture has now changed; an additional burden has been placed upon this land; therefore, we will have to readvertise it and resell it.

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The City Attorney asked Mr. Stack if that would be with respect to the five buildings on which they already have the Order of Confirmation of Sale, and Mr. Stack replied that is correct. Mr. Kiser then asked what about the other nine structures, and Mr. Stack replied if the City tells them it is going to impose \$200.00 on each one of the nine houses, of course, that would have to be taken into consideration in the appraisal figure. Mr. Kiser then asked what the value was given to the houses in the appraisal figure, and Mr. Stack replied that it varied with the house; they had a complete survey made of the land and of the houses, and the appraisals are on file with the Clerk of Courts.

The City Attorney remarked that he can only point out to the Council that he knows Mr. Stack as an Attorney is pretty good at his word, and he will follow the procedure available to him in the Superior Court, and it is conceivable that the Superior Court Injunction may delay demolition of the houses beyond the four months period of time Mr. Stack is requesting, although it is not absolutely determinable at this point that the Superior Court would issue an Injunction; that is a matter that we would have to take into consideration.

Councilman Tuttle asked Mr. Stack if at the end of the four months period his problems have not been solved, would he come back to Council for another extension? Mr. Stack replied that he would not. Their position is this, they are asking for no more than four months from today. Those houses that have still not complied under this formula, they would want the City to proceed, and there would be no appeal or any suit for injunction or anything else.

Councilman Tuttle then asked Mr. Stack if Council refused to allow what he has asked, would it be easier for him to go to Superior Court or go back to Judge Stukes and ask for a reappraisal? Mr. Stack replied that Mr. Stukes has already announced his decision and put a marker over the grave of his hopes, and he would look to the Superior Court for relief.

Councilman Thrower moved that Council grant the four-months delay. The motion was seconded by Councilman Short.

Councilman Jordan asked Mr. Jamison if he will have to deal with the people who buy the five buildings, and Mr. Jamison replied that is correct, he will have to go through this whole procedure again.

Councilman Thrower remarked if we had the nine parcels that still belonged to the estate, we could destroy them without question. The people who invest the money in the five parcels - they would not buy the property for the houses themselves, certainly they are going to destroy the houses for the real estate - so he thinks we are sending our Attorney to the Court for nothing and that is why he made his motion.

Mayor Brookshire asked Mr. Stack if he has any objections to the demolition of the nine structures that he does not have a sale prospect for? Mr. Stack replied that he does object, because he does not think it would be fair to the people who have submitted prior bids by imposing the burden of demolition on them that would not be imposed on the other nine purchasers. Mr. Stack remarked further suppose the City clears the nine lots and suppose they file a lis pendens in the Clerk's office, this is a lien imposed on this property, then suppose the taxing authorities decide they will net worth this estate and take the assets of the estate, either land or land having been converted to cash, the City may end up spending money from city bonds to abolish buildings for which the city cannot receive reimbursement, because the Federal and State Taxes take priority over the City's demolition clause regarding these houses.



Councilman Albea asked why Mr. Stack waited until the last day before the deadline for demolishing these houses to come before Council. Mr. Stack replied that he has not waited in the first place; that he did not represent Mr. Gay during his latter days when he was adjudged incompetent, and he did not get into the matter until after he died. That on April 25th the hearing was held in Mr. Jamison's office at which they predicated the Finding of Fact in an order for the demolition, and tomorrow is the last day for them to comply with the Order and that is why he is before Council today. Councilman Albea asked why he did not come last week, and Mr. Stack replied that he could have come then but rather than do that he wrote a letter about it and asked if we could not work the matter out and that he wanted to appear before Council today. Councilman Albea stated then Mr. Stack has not dragged his feet in the matter.

Councilman Short left the meeting at this time and was absent for the remainder of the session.

The discussion relative to the demolition of the fourteen structures was continued, and Mr. M. F. McNeil stated in his work with the Mayor's Community Improvement Committee beginning with the middle of 1962, one of his first assignments was to work with people at the Chapel of Hope. That these people were headed up by Mr. Walter Wesloski, and they went to work trying to rehabilitate many, many of their homes. That a Mr. Lewis lives on the corner of 16th Street and Caldwell Street, and has 3 or 4 attractive little homes diagonally across from these fourteen dilapidated buildings under discussion, and he also has just behind his house two nice apartment houses that meet all the minimum code requirements plus. That he is saying the people over there have become disheartened with the continuing situation. If Mr. Stack will remember he talked with him late last year about when we might expect some action in connection with these houses, and if he remembers right, Mr. Stack said it should be cleared up within a couple of months. That he is thinking about the people who live in this community, not the houses but the people who say, "Look, we can't get those houses out of here; what is the use in fixing up my house; what the use in me cleaning it up." That he submits it is more than just a couple of hundreds dollars a piece for these houses in there; their whole outlook is in the balance. Not only that immediate vicinity, but that whole Belmont Villa Heights area is wavering around which way it will go. The people over there are watching, and they will be watching the City Council in what they do. They will be watching Mr. Stack in what he does; they will be watching Judge Stukes in what he does. The people over there know a lot more about this thing than many might think. They wonder why it is taking so long to get a little simple job of demolishing four little unfit, unused houses done.

Councilman Jordan stated the Council's problem is whether they are going to allow four months extension to get this thing out of the way, or if Mr. Stack takes it to Superior Court, it may be eight months, ten months or twelve months.

Councilman Thrower stated that everybody on this Council knows that he was as strong an advocate as anybody could be for the minimum housing code. What he is trying to do here is to guarantee the Council and guarantee the City that this problem will be eliminated in four months by Mr. Stack's own words. If this gets into litigation, it can go on and on and on. That this Council is slow but the Courts are slower.

Councilman Alexander asked Mr. Kiser if Mr. Stack would be legally bound by the statement made in regard to conditions at the expiration of four months if Council should grant this extension, or if Mr. Stack could disregard it if he wanted? Mr. Kiser replied he would take Mr. Stack's word

that he would be as good as his word. That Council could request, if they so desire, that he submit this promise in writing; that would be an additional guarantee which we could get from him.

Councilman Alexander stated suppose we did vote to have these houses demolished; suppose he did request an injunction, would it take four months for the Judge to grant a hearing? And would not the Building Inspection Department have the same privilege to appear before the Judge and submit the proof as to why they are requesting the demolition of these houses? Mr. Kiser replied that is correct, but the problem is this. If Mr. Stack sought an injunction, he could probably get a hearing on a temporary restraining order within a few weeks. If the Judge or the Court felt that an injunction should be granted until Mr. Stack has an opportunity to clear the estate problems, he could grant one on a temporary basis until the final hearing with his determination on the merits and that final hearing may be several months in coming.

Councilman Tuttle stated he is not concerned for one moment with Mr. Stack's word. That he is sure Council can rely on that; but this is a situation that already for one reason or another has dragged five years. We have no assurance that something could not happen to Mr. Stack. His client could change attorneys, and we would be right back to this same thing again; this is what concerns him.

Mr. Veeder, City Manager, stated he is not too clear on exactly what it is that Mr. Stack would agree to. Would he agree that at the end of four months these structures will be down? Mr. Stack replied he is saying that four months from today if this problem has not been corrected in toto, then he would want the City Council to proceed to take such action on the remainder of the fourteen parcels as the Council may deem necessary.

Mr. Veeder asked if he is assuming the ownership will be out of the estate at that time? Mr. Stack replied if they have not been able to comply, they are here not to appeal or to threaten with Superior Court Action, but to say give them four months, and if in four months they have not accomplished it, then the order is in effect; there is no appeal from it and that is it.

Councilman Whittington asked where the five parcels are located that he thinks he has sold? Mr. Stack replied they are at 1222 North Caldwell, 1300 North Caldwell, 1308 North Caldwell, 1312 North Caldwell and 1908 Parson Street, and they are among the worse. Councilman Whittington asked if the other nine are scattered in various places? Mr. Stack replied that is right; if they do not appeal or take action within sixty days, they are out.

Councilman Whittington stated he thinks Mr. Stack has come here in good conscience and has given Council his problems, and he thinks Mr. Jamison, representing the Council for five years, has tried to eliminate it and has not been able to do so; that he would think the fair thing for this Council to do is to condemn the nine and allow the five to stay for the four months period and hope that Mr. Stack would comply with that. That it seems to him if Mr. Stack would agree with that, then Council would be sort of meeting him halfway and he meeting Council in the same fashion. That he would rather do it this way than to delay the entire matter another four months, because this thing that Mr. McNeil has been talking about in the Caldwell Street area is one of the worse situations that we have had not only in the last five years but as long as he can remember as a resident of this City.

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Mr. Stack replied that they are dealing with fourteen and the order applies to fourteen. That he has explained his position on all of them, and he has to rise or fall with the fourteen because he does not believe it would be fair to those who have submitted their bids on the five.

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

YEAS: Councilman Thrower.

NAYS: Councilmen Albea, Alexander, Jordan, Tuttle and Whittington.

Councilman Short, who seconded the motion, had left the meeting during the discussion of the subject, as noted.

REQUEST OF RESIDENT OF EAST 35TH STREET FOR TRAFFIC MAINTENANCE REFERRED TO CITY MANAGER FOR STUDY BY THE TRAFFIC ENGINEER.

Mr. Eugene McDonald, 1201 East 35th Street, stated last Friday, a week ago, a seven year old boy was hit by an automobile in the 1100 block of East 35th Street. That for the past six months, they have tried to get some kind of traffic control in that area. So far, all their efforts have failed. Recently, they tried to get a Signal at the 35th Street and Plaza Road intersection to make it easier to get out into The Plaza and that has failed. Now they come to Council asking for some kind of traffic maintenance down 35th Street to reduce the speed and reckless driving and racing - from the 500 block at North Caldwell to the 1200 block of The Plaza.

Mayor Brookshire requested the City Manager to refer the request to Mr. Hoose for study.

Councilman Tuttle stated this is a problem that both the Police Department and Mr. Hoose should take a look at immediately.

Mr. McDonald stated that for the past two or three months late at night they have had racing on the street from 75 to 85 MPH. Everytime they have called about it, by the time the Police get there, there is no one in sight, and they request that a uniform patrolman, for at least a week or so, be stationed out there late at night to reduce the racing, plus traffic lights at the intersection of Spencer Street, Whiting Avenue and 35th Street. That they come down Whiting, cut across Holt going over to the Plaza Road School, completely ignoring the stop signs on Holt Street.

RESIDENTS SUPPORT THE NOMINATION OF REVEREND THOMAS A. JENKINS FOR APPOINTMENT TO THE CIVIL SERVICE BOARD.

Mr. Darius L. Swann stated he is here as a representative of the United Presbyterian Fellowship, representing some 38 clergymen in the City, to offer an endorsement of the nomination of Reverend Thomas A. Jenkins to the Civil Service Board.

There are just two things that he would like to say in this regard. First, and most important, is in regard to Mr. Jenkins himself. He has known him personally for twenty years, and he is well known in this City. He is a man of unimpeachable integrity, a man of demonstrated ability, and he and those whom he represents know that Mr. Jenkins will do honor both to the Commission he would serve and to himself, and they, therefore, urge his appointment.

In addition to this, he would like to make another point. Here in the City we have very grave problems facing us. They realize the matter of an appointment of this kind is not merely a matter of whether an individual gets appointed or not. That he thinks it affects the whole tone, realm and spirit of our City; the relationships that exist between groups in the City, and the future of this City as an attractive place, as a progressive place, a place in which people would like to come and live. That he thinks since last November they have been very conscious, and they who belong to a minority ethnical group especially so and have been looking with a great deal of hope and anticipation for some progress - in the matter of a full integration, full participation, full uses of our talents in this City for the service of us all. That they are often told that we ought to qualify for jobs before we seek them. Here is a man who is well qualified, and they would like to urge that he be considered.

Mr. Swann stated we might turn to a quotation from Langston Hughes, from which the title of the play "A Raisin in the Sun" was taken, "What happens to hope deferred? It withers like a raisin in the Sun." This is one of the things that happens to hope deferred. Other things also happen. One is a growing sense of frustration, a lack of spirit, a lack of morale. Sometimes as in other places, we discover that this frustration boils up in destructive action. That we would hope here in Charlotte we may move forward to be the kind of progressive City, the City which makes use of the talents of us all since we are composed of many groups here, and he would like, therefore, to urge the appointment of Reverend Thomas Jenkins.

Mayor Brookshire stated to Reverend Swann that his words were well spoken.

Mrs. Robert Meacham commented that she, as a resident of Charlotte, wishes to encourage the appointment of Reverend Jenkins to the Civil Service Board. During the ten years in which she has made Charlotte her home, she has found him to be one of the most highly respected members of this community. Charlotte is a growing city with many people of ability, and she feels we would be doing less than our duty if we did not take advantage of these people. That Reverend Jenkins would not only be an asset to the Commission but to the City as a whole.

Reverend George J. Leake, 1331 Moretz Avenue, stated the Mayor should have had a telegram from him endorsing the nomination of his good friend, Tom Jenkins. That his qualifications speak for themselves. That they are greatly concerned about representation in all forms of government as they have said on many occasions. Certainly when an occasion like this comes, they have to come and say they trust Council will give it every possible consideration.

Reverend Leake stated he knows we have our "in" groups and "out" groups and sometimes these things are decided as patronage and as long standing loyalties and friendships. They just ask respectfully that it be given grave consideration.

COMPLAINT OF RESIDENT TO OVERCROWDING OF CITY SCHOOL BUSES REFERRED TO CITY ATTORNEY FOR REPORT ON NEXT WEEK.

Mr. Sol Bedame, 1501 Landis Avenue, stated he has never made a complaint to this Council or any previous Council, because he has always thought they were doing a bang-up job. This time he is asking for help - he would like to know what he can do or what the Council can do about the City Busses crowding school children in their busses. If there is a wreck or fire in one of these busses, there will be a bunch of children burned to death, or crushed to death. That last week he counted 81 children on the bus; this afternoon he counted 91; that he has checked them three or four times,

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they are loaded from the front windshield to the back windshield. That the bus driver cannot see to turn the bus; he has to put his head out the window to turn. That he asked why he had them so crowded, and the bus driver said, "Bud, I just work for this Company," and he said the total capacity of the bus is 34 children. Mr. Bedame stated he has a boy who rides one of the busses, and if anything should happen to him, he does not know what he would do.

Mr. Kiser, City Attorney, suggested that he look into the matter and see if there is anything the City Council can do with respect to this problem, and he will bring in a report next Monday.

RESOLUTION PROVIDING FOR THE ISSUANCE OF \$9,600,000 CITY OF CHARLOTTE WATER BONDS, SERIES B, SANITARY SEWER BONDS, SERIES B, STREET WIDENING, EXTENSION AND IMPROVEMENT BONDS AND POLICE HEADQUARTERS BUILDING BONDS, AND FIXING THE FORM AND MANNER OF THE EXECUTION OF SAID BONDS, PROVIDING FOR THE REGISTRATION OF SAID BONDS, AND RATIFYING THE APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR THE ADVERTISEMENT AND SALE OF SAID BONDS, AND RATIFYING ACTION OF THE LOCAL GOVERNMENT COMMISSION IN ASKING FOR SEALED BIDS FOR SAID BONDS, AND AUTHORIZING THE PRINTING OF LEGAL OPINIONS ON SAID BONDS TO BE ISSUED UNDER DATE OF MAY 1, 1966.

Councilman Albea introduced the following resolution which was read: "Resolution Providing for the Issuance of \$2,615,000 Water Bonds, Series B." Upon motion of Councilman Albea, seconded by Councilman Tuttle and unanimously carried, the foregoing resolution was passed by the following vote:

YEAS: Councilmen Albea, Alexander, Jordan, Thrower, Tuttle and Whittington.  
NAYS: None.

Thereupon, Councilman Albea introduced the following resolution which was read: "Resolution Providing for the Issuance of \$1,485,000 Sanitary Sewer Bonds, Series B." Upon motion of Councilman Albea, seconded by Councilman Tuttle and unanimously carried, the foregoing resolution was passed by the following vote:

YEAS: Councilmen Albea, Alexander, Jordan, Thrower, Tuttle and Whittington.  
NAYS: None.

Thereupon, Councilman Albea introduced the following resolution which was read: "Resolution Providing for the Issuance of \$3,500,000 Street Widening, Extension and Improvement Bonds." Upon motion of Councilman Albea, seconded by Councilman Tuttle and unanimously carried, the foregoing resolution was passed by the following vote:

YEAS: Councilmen Albea, Alexander, Jordan, Thrower, Tuttle and Whittington.  
NAYS: None.

Thereupon, Councilman Albea introduced the following resolution which was read: "Resolution Providing for the Issuance of \$2,000,000 Police Headquarters Building Bonds." Upon motion of Councilman Albea, seconded by Councilman Tuttle, and unanimously carried, the foregoing resolution was passed by the following vote:

YEAS: Councilmen Albea, Alexander, Jordan, Thrower, Tuttle and Whittington.  
NAYS: None.

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Thereupon, Councilman Albea introduced the following resolution which was read: "Resolution Fixing the Form and Manner of Execution of \$9,600,000 Bonds to be Issued Under Date of May 1, 1966, Providing for the Registration Thereof, Ratifying Application to Local Government Commission for the Advertisement and Sale of Said Bonds, and Ratifying Action of Local Government Commission in Asking for Sealed Bids For Said Bonds." Upon motion of Councilman Albea, seconded by Councilman Tuttle and unanimously carried, the foregoing resolution was passed by the following vote:

YEAS: Councilmen Albea, Alexander, Jordan, Thrower, Tuttle and Whittington.  
NAYS: None.

Thereupon, Councilman Albea introduced the following resolution which was read: "Resolution Authorizing the Printing of Legal Opinions on \$9,600,000 Bonds to be Issued Under Date of May 1, 1966." Upon motion of Councilman Albea, seconded by Councilman Tuttle and unanimously carried, the foregoing resolution was passed by the following vote:

YEAS: Councilmen Albea, Alexander, Jordan, Thrower, Tuttle and Whittington.  
NAYS: None.

The resolutions are recorded in full in Resolutions Book 5, beginning at Page 244

RESOLUTION FIXING DATE OF PUBLIC HEARING ON MAY 23RD ON PETITION FOR LOCAL IMPROVEMENTS ON CHESTERFIELD AVENUE FROM BASCOM STREET TO HANOVER STREET.

Upon motion of Councilman Whittington, seconded by Councilman Jordan and unanimously carried, the subject resolution was adopted and is recorded in full in Resolutions Book 5, beginning at Page 258.

CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE WITH RESPECT TO WITHDRAWALS AND AMENDMENTS TO PETITIONS FOR REZONING OF PROPERTY, DEFERRED FOR ONE WEEK.

Councilman Jordan moved approval of the subject Amendments, which was seconded by Councilman Albea.

Councilman Thrower offered a substitute motion to defer consideration of the Amendments for one week, which was seconded by Councilman Alexander and carried unanimously.

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

Councilman Albea moved approval of the change in zoning of the subject Petition, as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle.

Councilman Whittington made a substitute motion to defer action for one week on the subject petition at the request of Councilman Short who had to leave the meeting. The motion was seconded by Councilman Thrower and carried unanimously.

SETTLEMENT OF CLAIM OF RONALD E. BROWN FOR DAMAGES TO CAR.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, the claim of Mr. Ronald E. Brown, 1512 Parkwood Avenue, in the amount of \$112.85, for damages to his car on March 13, 1966 when he ran over a catch basin on Remount Road and the grate flipped out and hit the right side of his car, was authorized paid as recommended by the City Attorney.

AGREEMENT WITH THE SOUTHERN RAILWAY COMPANY FOR THE CONSTRUCTION AND MAINTENANCE OF STONE UNLOADING PIT BENEATH THEIR INDUSTRIAL TRACK SERVING THE CITY'S SOUTH STORAGE YARD, AUTHORIZED.

Councilman Thrower moved approval of an agreement with the Southern Railway Company giving the City permission to construct and maintain a Stone Unloading Pit beneath the Railway Company's industrial track serving the City's South Storage Yard. The motion was seconded by Councilman Alexander, and carried unanimously.

REQUEST OF ERVIN CONSTRUCTION COMPANY TO CONNECT PRIVATE SANITARY SEWER LINES IN PORTION OF STARMOUNT NO. 10, OUTSIDE THE CITY, TO THE CITY'S SANITARY SEWERAGE SYSTEM, APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and unanimously carried, the request of Ervin Construction Company to connect their private sanitary sewer lines in a portion of Starmount No. 10, outside the city limits, to the City's Sanitary Sewerage System was approved, with the contract to stipulate that these lines will become the property of the City when the area is annexed.

CONSTRUCTION OF SANITARY SEWERS AUTHORIZED.

Upon motion of Councilman Thrower, seconded by Councilman Jordan, and unanimously carried, the construction of sanitary sewer trunks and mains was authorized at the following locations:

- (a) Construction of 370 feet of sewer trunk and 475 feet of mains to serve a portion of Colebrook Subdivision, inside the city limits, at the request of Nance-Trotter Realty, Inc. The construction cost is estimated at \$5,425.00 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 218 feet of sewer main in Suttle Avenue, inside the city limits, at the request of Mecklenburg Plumbing Company. The construction cost is estimated at \$1,300.00, and will be borne by the applicant, whose deposit of this amount has been received and is not refundable.

CONTRACTS AUTHORIZED FOR INSTALLATION OF WATER MAINS.

Motion was made by Councilman Thrower, seconded by Councilman Albea, and unanimously carried, authorizing the following contracts for the installation of water mains:

- (a) Contract with John Crosland Company for the installation of 6,170 feet of water mains and 6 hydrants to serve a part of Beverly Woods Subdivision, inside the city limits. The cost is estimated at \$24,300.00, which the City will finance and the Applicant will guarantee an annual gross water revenue equal to 10 per cent of the total construction cost.
- (b) Supplementary Contract, to contract dated April 18, 1966, with Nance-Trotter Realty, Inc., for the installation of 770 feet of additional water mains and one hydrant, to serve the Royal Orleans Apartment Area in the Garden Park Subdivision, inside the city limits. The cost is estimated at \$3,700.00, which the City will finance and the Applicant will guarantee an annual gross water revenue equal to 10 per cent of the total construction cost.
- (c) Supplementary Contract, to contract dated August 22, 1956, with American Investment Company, for the installation of 2,925 feet of water mains and two hydrants, in Columbine Circle Subdivision, outside the city limits. The cost is estimated at \$9,400.00, which the Applicant will pay, and will own the mains and hydrants until such time as the area is incorporated into the city limits, when they will become the property of the City of Charlotte without further agreement.

CONTRACTS APPROVED FOR APPRAISAL OF RIGHTS-OF-WAY FOR EASTWAY DRIVE WIDENING PROJECT.

Councilman Whittington moved approval of contracts with Mr. L. D. Bass, Sr. and Mr. Henry E. Bryant, for the appraisal of one parcel of land on Eastway Drive by each, for the Eastway Drive Widening Project. The motion was seconded by Councilman Jordan, and unanimously carried.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Tuttle, seconded by Councilman Alexander, 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. Marie Stiles McCall, for Graves 2 and 3, in Lot 173, Section 2, Evergreen Cemetery, at \$120.00.
- (b) Deed with Miss Lola Clontz, for Perpetual Care on the Southeast quarter of Lot 79, Section "T", Elmwood Cemetery, at \$50.40.

CONTRACT AWARDED C. M. ALLEN & COMPANY, INC. FOR CONSTRUCTION SANITARY SEWER FACILITIES IN GARDEN PARK SUBDIVISION.

Councilman Jordan moved the award of contract to the low bidder C. M. Allen & Company, Inc. for the construction of sanitary sewer facilities in Garden Park Subdivision, as specified, in the amount of \$27,551.50, on a unit price basis. The motion was seconded by Councilman Alexander and unanimously carried.



The following bids were received:

C. M. Allen & Company, Inc.	\$27,551.50
Howie Crane Service	28,190.00
C. D. Spangler Construction Co.	28,545.00
Crowder Construction Co., Inc.	28,762.50
A. P. White & Associates	31,818.00
Weco, Inc.	33,685.50

RESOLUTION ADOPTING A POLICY FOR TRAFFIC CONTROL AT MAJOR TRAFFIC GENERATOR DRIVEWAYS, ADOPTED.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and unanimously carried, a Resolution Adopting a Policy for Traffic Control at Major Traffic Generator Driveways, was adopted and is recorded in full in Resolutions Book 5, at Page 259.

PROGRESS REPORT OF CITY OF CHARLOTTE FOR PAST TWELVE MONTHS BY MAYOR BROOKSHIRE.

Mayor Brookshire remarked that at last week's meeting he was requested to prepare a report of the accomplishments of the City Council during their first twelve months in office, just ended. He stated he has prepared a summation of items which he read:

PROGRESS REPORT  
CITY OF CHARLOTTE, N. C.

"Progress of our City during the first year of the present Council has been made principally in four specific areas, namely, (1) growth, (2) current improvements, (3) long-range planning, and (4) pursuit of inter-governmental programs.

(1) GROWTH:

With normal growth plus the annexation of four and one-half square miles, on ordinance voted by a prior Council, we have added some 20,000 new citizens which called for the expansion of both facilities and services, currently being accommodated.

(2) CURRENT IMPROVEMENTS:

Anti-litter and vandalism ordinances passed by this Council and a start under a limited budget item for beautification of city property represent efforts to make our City more attractive and livable. This Council has stepped up the schedule of the Brooklyn Urban Renewal Program and continues stringent minimum housing code enforcement in its efforts to eliminate slums and halt blight. This past year has seen the beginning of construction on 600 new public housing units, the often discussed belt road, major expansion to our water and sewer treatment facilities, the completion of one and start of another fire station and completion of major expansions at the Airport.

(3) LONG-RANGE PLANNING:

Studies and planning have been extensive and include studies on metropolitan water and sewer, eligible Urban Renewal areas, a convention center, law enforcement needs and, in conjunction with the Downtown Association, a central city master plan. Reports have been received and tentatively approved on a previously engaged study on the master plan of development for our expanded Government Plaza and Community Center. A study was also called for on additional public housing needs, the recommendations on which are presently before Council, to be considered along with additional Urban Renewal projects.

(4) INTER-GOVERNMENTAL PROGRAMS:

The appointment of an Inter-Government Task Force, our successful bid for One Million Dollars of water-sewer money awarded to us as a prototype city under the 1965 Federal Housing and Urban Development Act, our bid to become a demonstration city under The President's proposed Demonstration Cities Act, and our efforts to promote City-County cooperation in the extension of water and sewer into the developing areas of the County; all of these, and other efforts of Council and Administration, recognize and emphasize the importance of full inter-governmental cooperation in meeting the needs of our growing urban society and for meeting the challenges we see facing us in Charlotte and Mecklenburg County. Council has unanimously sought both State and Federal available assistance programs for which we have a need and can qualify, and good working relationships have been established with Raleigh and Washington which should continue to return some of our State and Federal tax money to this community.

These and many other routine matters related to the every-day affairs of our City, including public hearings and decisions on zoning petitions, have indeed kept this Council busy. Be it said for the record that on all major matters Council has worked well together and with the City Manager and Mayor in the discharge of its elected duty."

GRADY COLE REAPPOINTED TO CIVIL SERVICE BOARD FOR THREE-YEAR TERM.

Councilman Jordan remarked that last week he placed in nomination Mr. Grady Cole to succeed himself on the Civil Service Board, and he now moves that Mr. Cole be reappointed to succeed himself on the Civil Service Board for a three-year term of office. The motion was seconded by Councilman Whittington.

Council Alexander offered a substitute motion for the appointment of the Reverend Thomas Jenkins to the Civil Service Board, which did not receive a second.

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

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

ACQUISITION OF PROPERTY FOR ROADWAY WIDENING PROJECTS ON SHARON-AMITY ROAD, WOODLAWN ROAD, NORTHWEST EXPRESSWAY AND SANITARY SEWER EASEMENTS.

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

- (a) Acquisition of 47,800 sq. ft. of property between North Graham Street, West 11th Street, West 10th Street and North Pine Street, at \$72,000.00, from G. Howard Webb, Louise K. Webb, E. J. Webb and Irene B. Webb, for the Northwest Expressway.
- (b) Acquisition of right of way 30' x 103.22' off the 1300 block of Morehead Street, from Duke Power Company, at \$1.00, for sanitary sewer easement to serve Irwin Creek Outfall.
- (c) Acquisition of right of way 10' x 26.54' at 4111 Tamerlane, from Belshire Investors, Inc., at \$1.00, for sanitary sewer easement to serve Central Park.
- (d) Acquisition of right of way 15' x 1476.07' at 4100 Providence Road, from E. H. Thomas & wife, William H. VanEvery, Jr. and wife, and Jesse M. Waller and wife, at \$1.00, for sanitary sewer easement to serve Pinehurst Apartments.
- (e) Acquisition of right of way 15' x 60' at 1901 Cloister Drive, from W. D. Flintom, at \$60.00, for sanitary sewer easement to serve Pinehurst Apartments.
- (f) Acquisition of 255.40 sq. ft. of property at the Southwest Quadrant of Lynville Avenue and North Sharon Amity Road, from Pliney Kiker and wife, at \$150.00, in connection with the Sharon Amity Road widening project.
- (g) Acquisition of 78.38 sq. ft. of property at 2415-20 North Sharon Amity Road, from Alvin Thomas Jordan and wife, at \$1.00, in connection with the Sharon Amity Road Widening Project.
- (h) Acquisition of construction easement over property of John L. Mendler and wife at 1320 North Sharon Amity Road, at \$195.00, in connection with the Sharon Amity Road Widening Project.
- (i) Acquisition of construction easement over property of Tom B. Flatt and wife, at 1425 North Sharon Amity Road, at \$200.00, in connection with the Sharon Amity Road Widening Project.
- (j) Acquisition of construction easement over property of Lucille M. Duncan, at 1801 Sharon Amity Road, at \$37.50, in connection with the Sharon Amity Road Widening Project.
- (k) Acquisition of construction easement over property of Gladys C. Welsh, at 1832 Sharon Amity Road, at \$100.00, in connection with the Sharon Amity Road Widening Project.
- (l) Acquisition of construction easement over property of Ethel Covington and W. W. Covington, heirs, at 1915-19 Sharon Amity Road, at \$50.00, in connection with the Sharon Amity Road Widening Project.
- (m) Acquisition of construction easement over property of Arthur N. Price, at 1939 Sharon Amity Road, at \$200.00, in connection with the Sharon-Amity Road Widening Project.

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- (n) Acquisition of construction easement over property of W. J. Rice and wife, at 2137 North Sharon Amity Road, at \$100.00, in connection with the Sharon Amity Road Widening Project.
- (o) Acquisition of construction easement over property of John Max Seagle and wife, at 2201 North Sharon Amity Road, at \$25.00, in connection with the Sharon Amity Road Widening Project.
- (p) Acquisition of construction easement over property of Arthur S. Flowers and wife, at 2207 North Sharon Amity Road, at \$25.00, in connection with the Sharon Amity Road Widening Project.
- (q) Acquisition of construction easement over property of Thomas Franklin Griffin and wife, at 2220 Sharon Amity Road, at \$100.00, in connection with the Sharon Amity Road Widening Project.
- (r) Acquisition of construction easement over property of Heath S. McRorie and wife, at 2225 North Sharon Amity Road, at \$50.00, in connection with the Sharon Amity Road Widening Project.
- (s) Acquisition of construction easement over property of Carol Vic Johnston and wife, at 2300 North Sharon Amity Road, at \$20.00, in connection with the Sharon Amity Road Widening Project.
- (t) Acquisition of construction easement over property of Richard S. Page and wife, at 2435 North Sharon Amity Road, at \$5.00, in connection with the Sharon Amity Road Widening Project.
- (u) Acquisition of construction easement over property of Frank X. Cromer and wife, at 2509 North Sharon Amity Road, at \$15.00, in connection with the Sharon Amity Road Widening Project.
- (v) Acquisition of construction easement over property of Stephen A. Hunter, Jr. and wife, at 770 Woodlawn Road, at \$150.00, in connection with the Woodlawn Road Widening Project.
- (w) Acquisition of construction easement over property of Stephen A. Wilson and wife, at 808 Woodlawn Road, at \$25.00, in connection with the Woodlawn Road Widening Project.
- (x) Acquisition of construction easement over property of Joseph G. Bingham and wife at 823 Woodlawn Road, at \$40.00, in connection with the Woodlawn Road Widening Project.
- (y) Acquisition of construction easement over property of W. B. Wolfe and wife, at 854 Woodlawn Road, at \$50.00, in connection with the Woodlawn Road Widening Project.
- (z) Acquisition of construction easement over property of Claude Massey at 1100 Woodlawn Road, at \$200.00, in connection with the Woodlawn Road Widening Project.
- (aa) Acquisition of construction easement over property of Duncan S. Macrae, Jr., at 1348 Woodlawn Road, at \$50.00, in connection with the Woodlawn Road Widening Project.

## CITY MANAGER REQUESTED TO LOOK INTO MATTER OF DELAY IN THE CITY'S COLLECTION OF TRASH.

Councilman Thrower remarked that he knows people are tired of hearing this and he is tired of hearing it and tired of getting telephone calls, but something has got to be done about this trash pickup, and whether it is going to take overtime, working on Saturdays or what, we are going to have to take care of the situation better than we are doing. People are complaining to the extent that their grass is dying and say it has been four to five to six weeks in some cases. That he is sure the rest of the Council is getting an equal number of these complaints. He requested the City Manager to look into this and see if he cannot do something about it.

Mayor Brookshire remarked that the solution may have to be sought in the budget for next year. Councilman Thrower replied we have an Emergency Fund and we can always use funds from it for overtime, and he does not think that is going to be the problem. Councilman Jordan stated he thinks it is a labor problem. Mr. Veeder, City Manager, commented that it is a combination of things and he had thought the efforts that were made a couple of weeks ago got us over the hump; that we may be backlogging again and if so, we will do the necessary job

Councilman Albea remarked that he had this same complaint and he took it up with the Assistant Manager two weeks ago to handle with Mr. Veeder, and he assured him that it was going to be looked into. So he did not have anything to say about it, taking for granted that he had looked into it.

## CITY MANAGER DIRECTED TO ADVISE SOUTHERN RAILWAY COMPANY THAT UNLESS IMMEDIATE RELIEF IS GIVEN FROM THEIR TRAINS BLOCKING THOROUGHFARE CROSSINGS THE COUNCIL INTENDS TO ENFORCE ITS ORDINANCE IN THIS CONNECTION.

Councilman Alexander stated he would like to talk about the railroads blocking thoroughfare crossings. That since the representative of the Southern Railway was here discussing the problem, he has on three occasions witnessed the holding up and blocking of traffic at the North Tryon Street crossing at Speas Vinegar Company. That no later than this morning was the third time he witnessed this, and he is sure that either the message of the Railroad's representative never got back to the right people or the railroad is not concerned about doing anything about it. That when you see traffic backed up for fifteen or twenty minutes at 11:00 or 11:30 in the morning, you have a traffic problem on your hand. And traffic was backed up this morning to the north as far as Sugar Creek Road, and the train was standing still. The point he is speaking about is the train was dead still. That he does not think that a City should be stopped by a Railroad Company in that fashion and nothing be done about it; he thinks we owe it to the citizens to do something about it. That he is not saying that we need to arrest any engineers, but he certainly thinks we have to control this by ordinance. They can either have these trains stopped before they get to these congested crossings if they know there is going to be a holdup in the terminal yard or they can uncouple the cars at the crossing. That if it takes an ordinance to do it, he is in favor of submitting a motion that an ordinance be drawn requiring them to uncouple cars if they are going to be stationed as long as five minutes across a crossing.

Councilman Tuttle remarked that we have an ordinance to that effect, it is just not being enforced. The ordinance states you cannot block a crossing more than five minutes. So if it requires them to uncouple the cars to comply with the law, it requires us to arrest them.

Councilman Alexander stated whatever it is, he thinks it is important enough

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for Council to do something about it. That it was appalling this morning to see people get out of their cars and trucks and just stand out in the road looking dumbfounded.

Mr. Kiser, City Attorney, read the applicable ordinance:

"Any railroad company or any agent or employee thereof, that stops or permits any train, car or locomotive to be stopped across any of the streets of the city, so as to hinder or delay the free passage of vehicles or persons for a longer time than five minutes, shall be subject to penalty of fifty dollars for each violation, except that this provision shall not apply to trains or cars in motion other than those engaged in switching; and it shall be unlawful for any train, car or locomotive to stop within an intersection or on a crosswalk for the purpose of receiving or discharging passengers."

Councilman Jordan remarked that he agrees heartily with Mr. Alexander on this. That this happens most every day between 11 and 12 o'clock and what makes it so bad is that so many people are coming into town for lunch and going out that way. That it happened the two or three times he has been out there to Rogers Barbecue, one time they were held up for nearly thirty minutes. The train was moving but it was moving so slow that he could have walked faster than the train was moving, and under our ordinance they would be able to get by with that. If they know this situation is going to occur, then they should correct it so they could speed up.

Councilman Thrower suggested that since the gentleman from Southern Railway offered to be so cooperative that we get back in touch with him and tell him the situation. Mr. Veeder, City Manager, advised that we have been in touch with him once since he was here on the basis of a letter making the same general comments the Council has made, and they have had good response from him in terms of his recognition of the problem, but obviously the problem is still with us, and he thinks it is most appropriate that we get in touch with him again.

Councilman Alexander moved that the Southern Railway be informed of our criticism concerning the blocking of thoroughfares by their trains, and unless they give consideration to this that will lead toward immediate relief, we intend to enforce our ordinance. The motion was seconded by Councilman Whittington.

Council Whittington stated he thinks the letter should be sent, not only to Greenville, but he thinks it should go to Washington, Richmond, Atlanta and everywhere else.

Councilman Jordan asked the City Manager in writing this letter if he could not spell out some of these specifics such as happened this morning - that it happens most every morning between 11 and 12 o'clock at the North Tryon Street Crossing.

The vote was taken on the motion and carried unanimously.

CITY MANAGER REQUESTED TO MAKE COMPARISON IN PRICE OF PRESENT CITY AUTO TAGS WITH A TWO AND ONE-HALF INCH DECAL OF THE CITY SEAL.

Councilman Tuttle read a letter he had received recommending that the City stop using the large yellow metal City Tags, and instead purchase a two and one-half inch Decal of the City Seal for display on the rear window of cars, using a different color decal each year. That other large cities in Ohio, Texas and in Washington, D. C. have stopped the practice of hanging "Dime Store Signs" on their cars and so should Charlotte. And calling attention that the cost of storage and mailing the Decal would be much less than the present tags.

Councilman Tuttle commented that he, personally, does not understand the value of the big yellow tags we are using, that we see it around Charlotte, but out on the highways no one sees it going 60 MPH. While a small, neat Decal bearing a number and the year on the rear window of cars would be seen by hundred of cars trailing Charlotte residents on the highways, and from the standpoint of advertising our City would be far superior. He stated he is not suggesting that we change to the Decal, but he would like to ask the City Manager to check into it from the cost standpoint - how much we would save in mailing, printing, et cetera.

Mayor Brookshire commented that a few years ago Council voted to enlarge the size of the city tag for the purpose of getting greater advertisement of Charlotte.

ATTENDANCE AT PLANNING COMMISSION MEETING ON APRIL 5, 1966 RELATIVE TO CONSIDERATION OF ZONING PETITIONS CLARIFIED BY MEMBER OF COMMISSION.

Councilman Tuttle advised that he was requested to make the following letter a matter of record at today's meeting; the letter is from Mr. Art Jones, member of the Planning Commission and is addressed to him, and copies were sent to the Mayor, City Manager, and Chairman and Director of the Planning Commission:

"May 2, 1966

Councilman Jerry Tuttle  
Jerry Tuttle, Incorporated  
810 American Building  
Charlotte, North Carolina

As a member of the Planning Commission, Jerry, I felt that while your comments about zoning meeting attendance seem to have been warranted there were additional background facts of which you might not have been aware.

Due to the size of the Harris project, it had been discussed informally by most commission members even before it had been officially filed. When the hearing took place, only one member was absent. Following the hearing, a long, thorough discussion did take place. There was a unanimous consensus of both members and staff that if a suitable buffer between Barclay Downs and the proposed office park could be worked out with the developers, there would be no question about approval, based on its sound planning principles.

I was a member of a small group which met with the petitioners. Our first suggestion was a buffer park. There were reasons this did not seem feasible, and the present residential buffer ensued. Inasmuch as it met the requirements discussed at the initial meeting, it follows that every member of the Commission was thoroughly familiar with the proposal as finally voted. I was one of those who personally viewed the property, not once but twice and while I was out of town when the actual vote was taken, my views were fully known to the chairman, the members present, and the staff. I am confident that if an issue as large as this had come before the body with no prior knowledge or discussion whatever, and only half the members were present, it undoubtedly would have been postponed for fuller participation.

The members of the Commission are conscientious about seeing land being petitioned for zoning changes, and about attendance at meetings. As you know, many meetings other than the joint hearing with City Council are held. There are regular monthly meetings. There are also many sub-committee meetings (Lake Norman 4-county zoning, Government Plaza, Greenway projects, development of new ordinances or amendments, joint session on certain urban renewal phases, etc.)

We know how demanding the job of city councilman is, and I personally admire your participation in running the affairs of our city. In view of your remarks being part of the official record, I wanted only to present these additional facts for that record.

Cordially,

Arthur H. Jones

AHJ:jle

cc: Mayor Brookshire  
Mr. George Sibley  
Mr. William McIntyre  
Mr. William Veeder"

CONTRACT AWARDED SECURITY COLUMBIAN BANK NOTE COMPANY FOR PRINTING \$9,600,000 CITY OF CHARLOTTE BONDS.


Upon motion of Councilman Thrower, seconded by Councilman Alexander, and unanimously carried, contract was awarded the low bidder, Security-Columbian Bank Note Company for printing the \$9,600,000 City of Charlotte Bonds, at a cost of \$2,019.00 in \$5,000 denomination and \$3,659.00 in \$1,000 denomination as the successful bidder may desire, plus \$25.00 for each interest rate exceeding one per issue.

The following bids were received:

	<u>\$5,000 Denomination</u>	<u>\$1,000 Denomination</u>
Security-Columbian Bank Note Company	\$2,019.00	\$3,659.00
Northern Bank Note Company	2,556.00	4,238.00

ADJOURNMENT.

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

  
Lillian R. Hoffman, City Clerk