

January 9, 1967
Minute Book 43 - Page 101

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Monday, January 9, 1967, 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 Tuttle and James B. Whittington present.

ABSENT: None.

* * * * *

INVOCATION.

The invocation was given by Reverend Paul B. Cobb, Minister of St. Thomas Lutheran Church.

MINUTES APPROVED AS CORRECTED:

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the Minutes of January 3 were approved as submitted with the following corrections: On page 97, the sixth paragraph remove the "period" and add "because the other two blocks of Fifth Street were not widened". On page 99, the fifth paragraph at the beginning of the paragraph between the words "Thrower" and "he" insert the word "stated".

RESOLUTION ORDERING THE MAKING OF CERTAIN LOCAL IMPROVEMENTS ON SHENANDOAH AVENUE, FROM BASCOM STREET TO HANOVER STREET.

The scheduled hearing was held on the petition for street improvements on Shenandoah Avenue, from Bascom Street to Hanover Street, to determine if the improvements should be made by the installation of storm drainage facilities and the construction of standard curb and gutter, a distance of approximately 1,100 front feet, at a total estimated project cost of \$10,327.00, of which the City's share is estimated at \$5,271.00, and the amount to be assessed against the property abutting upon the improvement is estimated at \$5,056.00, at an estimated \$4.60 per front foot.

No objections were expressed to the petition.

Councilman Whittington asked if Shenandoah Avenue has been improved by the installation of the storm drainage and curb and gutter back up to the Plaza? Mr. Josh Birmingham, Assistant City Engineer, replied this is a total of four blocks; three have already been approved, and this is the fourth which will make it complete.

Councilman Whittington asked if the people are now paying on the sections that have been approved? Mr. Birmingham replied on two blocks only; that four are pending which will be put out for bids with this one.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and unanimously carried, the subject resolution was adopted, and is recorded in full in Resolutions Book 5, at Page 393.

AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY FOR THE
INSTALLATION OF A WATER LINE FROM OWEN BOULEVARD TO UNIVERSITY OF NORTH
CAROLINA AT CHARLOTTE, AUTHORIZED.

Mr. Harry Weatherly, County Manager, advised at a meeting of the Board of County Commissioners this morning he was instructed to come to the Council Meeting and advised the Mayor and City Council that the Board approved the agreement between the City and County for the extension of a water main to U.N.C.C.

Mr. Weatherly stated the Board took further action by passing the following resolution:

"Resolved, that Mayor Stanford R. Brookshire, City Councilman H. Milton Short, City Manager W. J. Veeder, County Commissioner Robert D. Potter, and County Manager J. Harry Weatherly be commended for their joint efforts and diligent attention in expeditiously formulating terms and conditions upon which the City and County could agree to make available extension of water service to the University of North Carolina at Charlotte at the earliest practical time."

Mr. Veeder, City Manager, outlined the points of agreement reached jointly with the County Commissioners last Friday stating that basically the agreement provides that the City will proceed to design and have the water line installed from Owen Boulevard to the Campus along Highway 29 and then along Highway 49; that the City will supply water through the main - excess water; that the City will operate, maintain and own the facility; that the cost will be shared on a 50-50 basis and that the County will be reimbursed its cost from 40% of the revenue from the line until it is fully reimbursed; plus the fact, of monies received from the University that a defrayed portion of the cost will be credited equally to the two portions provided by the City and County.

Councilman Short moved that the City Council formally ratify the action it took informally last Friday and that the City Council/^{adopt} and approve the agreement as explained by Mr. Veeder concerning water and sewer extension. The motion was seconded by Councilman Alexander and carried unanimously.

Mayor Brookshire stated he thinks the record should show and he hopes the news media present will take note, that during the entire term of the present City Council, the Council, the Mayor and the city administration have worked diligently to promote the idea of a City-County Cooperative Agreement as the best and most feasible means of extending water and sewer into the developing areas of the County. That he is speaking for all the members of Council, he is sure, in saying that they are delighted that the new County Commissioners have quickly gone along with the more feasible approach. On behalf of Council he thanked the new Board of County Commissioners and Mr. Weatherly for their splendid cooperation.

Councilman Alexander moved that the Mayor's statement be adopted. The motion was seconded by Councilman Whittington.

Councilman Thrower asked that Mr. Veeder's name and Mr. Short's name be included in the motion.

The vote was taken on the motion and carried unanimously.

ALBERT PEARSON AND W.J. ELVIN EXPRESS OPPOSITION TO THE EDITORIALS AND PROCEDURES DURING THE RECENT BOND ELECTION.

Mr. Albert Pearson referring to an editorial in the December 17 issue of The Charlotte Observer stated the editorial refers to people listed on the back page - some of which are members of the Council, the Mayor and a few others. The editorial calls anybody who is against the bond issue of December 17 a handful of doubters and scoffers, some of whom have vested interest in their opposition, and says the contrast is striking. Mr. Pearson stated if he wanted to pick out individuals on either side, the contrast would be striking indeed; but this is not a matter of anything personal. When an organization such as the City Council deliberately or through neglect uses the race question to obtain the desired results on any issue such as the urban renewal section which according to the head of this administration it was their decision to put the urban renewal for the slum areas in with the downtown business area. That it went further and representatives appointed speakers through their organizations to deliberately cater to getting certain segments of the people at paid dinners and then to use them as going on record that they wanted to do away with slums.

Mr. Pearson stated there is a lot of room for discussion on this without being called vested interest or being referred to as a couple of East Trade Street merchants. When they do that, it will boomerang on the goodwill that we are striving so desperately to maintain in Charlotte.

He stated you can put public housing anywhere in Charlotte without urban renewal; that one has nothing to do with the other.

Mr. Pearson stated he would like to make the following suggestions:

(1) Improve parking. Sit down with the Belks to get their plans on developing the block that was left for them to get a multi-story parking area. Find out what is going to be done. If you can help them do it. That is the biggest bottleneck; it is not the widening of streets. There is not much use of widening the streets if you do not have any place to put them when they get there.

(2) Public Housing. The builders group endorse this; the real estate people endorse it and yet he does not know of any organization in Charlotte that knows how many people will vote for public housing. Council should get with these people to see if they can help; and if these people can furnish it they should.

These are the things Council could do some good towards. They could call the Planning Department who said this was a blighted area, and assume if it is true, that maybe some other buildings are blighted as a great deal of the town is approximately the same age. In other parts of town, Council should go ahead and enforce the law that should have been enforced before to see that the blight is cleared up through the Building Code and things of that type.

Mr. W. J. Elvin stated he would have to say amen to some of the things that Mr. Pearson has said. He stated he spoke about one point to his service club - that is the unethical approach during the bond issue of bringing people into the service clubs and other places and giving them time, even until the Friday before the election when there was no time for the opposition - which nobody in the club had any intention of giving them equal time. That in the whole he thinks it is very unfortunate the way this was handled from the beginning to the end and he hopes we will not see any recurrence of this when the educational bond issue comes up.

January 9, 1967

Minute Book 48 - Page 104

PETITION NO. 66-92 BY J.A. JONES CONSTRUCTION COMPANY ET AL FOR CHANGE IN ZONING FROM B-1 AND B-2 TO B-3 ON FOUR TRACTS OF LAND DEFERRED AND PLANNING COMMISSION REQUESTED TO COME UP WITH A DECISION FROM THE MAJORITY OF THE MEMBERS OF THE COMMISSION.

Council was advised that the Planning Commission recommends that the subject petition for a change in zoning from B-1 and B-2 to B-3 be approved.

Councilman Tuttle stated he would hope in our anxiety over revenue values that we would not let our better judgment be carried away by multi-million dollar projects to the extent that we allow a precedent to be set and one with which we may have trouble living with without justification of our action. The fact that a minority of the Planning Commission voted for this petition - 4 out of 9 of the members, 8 were present - and the fact that our professional staff apparently feels the change to be wrong in principle should make us at least ask for a yea or nay from at least a majority of the nine present members. Mr. Godley and Mr. Toy abstained from voting without expressing any conflicts of interest; they eventually had serious doubts. Two voted nay. Of the eight members present only four voted for this change. That he does not question the decision. He does question the number of members making so important a decision, and he moved that the petition be deferred and ask the Planning Commission to try and come up with a decision from the majority of their members. Councilman Albea seconded the motion and stated they did not even have a quorum to vote; they had a quorum present but four is not a quorum of nine members.

Councilman Tuttle stated he does not question the parliamentary procedure; in his motion he made very plain the fact that only four of a nine man commission have voted for it.

Mr. Kiser, City Attorney, stated a quorum was present and according to Roberts Rules of Order a majority of the quorum voting is sufficient, absent any special rules governing the organization, and there were none, so four being a majority of those voting was sufficient to pass it from the standpoint of the Planning Board.

Councilman Alexander asked if Council is in a position to force any group to come up with a decision such as Mr. Tuttle has requested? Councilman Tuttle stated his motion is to ask the Planning Commission. Mr. Kiser replied the Council has the final vote on the approval or disapproval of the zoning petition and may request anything of the Commission that it desires, including the request that they have another vote to give the benefit of the vote of the full membership of the Planning Commission.

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

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

NAYS: Councilman Alexander.

PETITION NO. 66-93 BY CHESAPEAKE PAPER STOCK COMPANY FOR CHANGE IN ZONING FROM B-2 TO I-3 OF PROPERTY FRONTING WEST TRADE STREET BEGINNING AT THE SOUTHERN RAILROAD AND EXTENDING TOWARD CEDAR STREET, REFERRED BACK TO THE PLANNING COMMISSION.

Councilman Whittington moved approval of the petition of Chesapeake Paper Stock Company for a change in zoning from B-2 to I-3 on the subject property as recommended by the Planning Commission. The motion was seconded by Councilman Jordan.

Councilman Tuttle stated at the time of the hearing on the petition he expressed grave doubts about allowing an Industrial-3 situation being created only five blocks from the Square. That he reiterates his statement that he does not doubt the integrity of Chesapeake in doing exactly what they say they will do, but Chesapeakes or people is not zoned; property is and once it is zoned he knows of little Council could do to stop an undesirable use of the location if circumstances should change. That Mr. Short also questioned this and brought up the question of a conditional industrial zoning. That a precedent has been set on zoning laws which has been established by the Court. That he refers to trucking and shopping centers et cetera. He sees no reason why the City cannot have something to cover a situation such as this to enable the petitioner to expand his business in a controlled manner to guarantee the original zoning should the petitioner discontinue or seek to change his operation.

Councilman Tuttle made a substitute motion that the petition be referred back to the Planning Commission to see if they can come up with something to safeguard this type zoning. The motion was seconded by Councilman Short who stated he would question whether we should rezone something just opposite one of the older hotels for such use as would allow it to be used for a blast furnace, a smolder house and things of that sort. That he has concluded this is a situation for Council to push the Planning Commission a little on the matter of conditional industrial zoning if there is any opportunity to work out the Chesapeake Company some other way.

Councilman Short stated he was impressed with what Brock Arms said to the Architects Association sometime last summer when he pointed out that the practice in American cities is to banish industry to "limbo" and perhaps good neighbors could be made out of them if they were made to live up to high standards. He stated it seems to him this is the only procedure where they could be made to live up to high standards. That the City and County together are spending \$60,000 a year advertising for industry. Under this conditional zoning proposal we could have an opportunity for a possibility of more advantageously locating industries that might be willing to come in here. For this reason he thinks the Planning Commission should be asked to consider further whether Chesapeake Company could not be accommodated on the basis of a conditional industrial zoning category which would be established.

Councilman Tuttle stated he wants Chesapeake to get what they want because according to the plans they will beautify the front of the building. But he is concerned about 1980. We talk about a million people in Charlotte by 1980 or 1985 and you can imagine what would happen to Trade and Tryon Streets and how this town would have to grow by then. This would put us in the position of having Industrial-3 zoning in the heart of the city. He is asking that Chesapeakes request be granted but that it be fixed in such a way that it cannot ultimately become a junk yard or blast furnace.

January 9, 1957
Minute Book 48 - Page 106

Councilman Thrower asked if there is any I-3 zoning in Downtown Charlotte? Mr. Fred Bryant, Assistant Planning Director, stated in the central area. That I-3 is a central area industrial classification. There is not any on the main arteries - on Trade nor Tryon Streets. Councilman Jordan asked how far out is it located? Mr. Bryant replied he is thinking particularly of the area that would be encompassed by the circumferential expressway system. There is some beyond that point on Trade Street out near Five Points.

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

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

DECISION ON PETITION NO. 66-96 BY MCDANIEL JACKSON FOR CHANGE IN ZONING FROM R-6 TO R-6MF OF APPROXIMATELY 15 ACRES OF LAND FRONTING ON THE NORTH SIDE OF GRIERS GROVE ROAD BEGINNING WEST OF BEATTIES FORD ROAD, DEFERRED FOR TWO WEEKS.

Councilman Albea moved that the subject petition be approved changing the zoning from R-6 to R-6MF on approximately 700 feet of the eastern portion of the property as recommended by the Planning Commission. The motion did not receive a second.

Councilman Alexander moved that action be deferred on the subject petition for two weeks in order to give the Council members an opportunity to view the site. The motion was seconded by Councilman Whittington, and carried unanimously.

LEASE WITH HOWARD HUGHES POST OF THE AMERICAN LEGION FOR BUILDING 109 AND GROUNDS AT DOUGLAS MUNICIPAL AIRPORT CANCELLED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the subject lease was authorized terminated as requested by the Commander of the Post.

CONTRACT WITH PITOMETER ASSOCIATES OF PITTSBURG AND NEW YORK FOR WASTE WATER STUDY APPROVED.

Councilman Alexander moved approval of a contract with Pitometer Associates of Pittsburg and New York for the continuation of the waste water study in Districts 1A and 2b of the northwest section of the City's water distribution system in the amount of \$6,000. The motion was seconded by Councilman Short and carried unanimously.

CONTRACT WITH ERVIN CONSTRUCTION COMPANY FOR THE INSTALLATION OF WATER MAINS TO SERVE INDUSTRIAL PROPERTY ON I-85 APPROVED.

Motion was made by Councilman Albea approving a contract with Ervin Construction Company for the installation of 6,065 feet of water mains and one fire hydrant to serve Industrial Property located on Interstate '85, inside the city, at an estimated cost of \$20,318, with the City to finance all construction costs and applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost. The motion was seconded by Councilman Short, and carried unanimously.

CONSTRUCTION OF SANITARY SEWER MAIN IN NORTH TRYON STREET AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, the construction of 100-feet of 8-inch sanitary sewer main in North Tryon Street at Craighead Road, inside the city, at the request of Gulf Oil Corporation at an estimated cost of \$1,170 with all construction cost to be borne by the Applicant whose deposit in the full amount has been received and will be refunded as per terms of the agreement, was authorized.

ENCROACHMENT AGREEMENT WITH NORTH CAROLINA STATE HIGHWAY COMMISSION FOR INSTALLATION OF SANITARY SEWER LINE IN BELLHAVEN BOULEVARD, BETWEEN NELSON STREET AND HONEYWOOD STREET, AUTHORIZED.

Councilman Thrower moved that the Mayor and City Clerk be authorized to execute a sanitary sewer encroachment contract with the North Carolina State Highway Commission in connection with the installation of a sanitary sewer line in Bellhaven Boulevard, between Nelson Street and Honeywood Street. The motion was seconded by Councilman Whittington, and carried unanimously.

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE BY THE CITY.

Upon motion of Councilman Albea, seconded by Councilman Short, and unanimously carried, the following streets were authorized taken over for continuous maintenance by the City:

STREET	FROM	TO
Eastport Road	370' S. of Havenwood Drive	Lookout Lane
Lookout Lane	Eastport Road	157' S. of Eastport Rd.
Abbeydale Drive	Sharon Amity Road	700' N. of Sharon Amity
Gillespie Court	Abbeydale Drive	end of cul-de-sac
Carriage Dr. E	Rosehaven Drive	Lot line of Lots Sand 6, Block 3
Coral Way	Carriage Drive E	150' E. of Carriage Dr. E
Woodbriar Trail	180' E. of Maypole Court	Carriage Drive E
Tryclan Drive	South Tryon Street	Clanton Road
Colonnade Drive	East 7th Street	Briar Creek Road

APPRAISAL CONTRACTS APPROVED.

Motion was made by Councilman Whittington, seconded by Councilman Albea, and unanimously carried, approving the following appraisal contracts:

- (a) Contract with Henry C. Bryant for appraisal of 13 parcels of land in connection with the West Fourth Street Extension Project.
- (b) Contract with Stuart Elliott for appraisal of 9 parcels of land in connection with the Poplar Street Widening Project.
- (c) Contract with G.A. Hutchinson for appraisal of 16 parcels of land in connection with the West Fourth Street Extension Project.

January 9, 1967
Minute Book 48 - Page 108

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Tuttle, seconded by Councilman Thrower, 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 Jeanne L. Newcomb for Lot No. 387, Section 6, Evergreen Cemetery, at \$240.00.
- (b) Deed with Hugh A. Wess and Marvin E. Conner for Graves Nos. 6 and 7, in Lot No. 182, Section 2, Evergreen Cemetery, at \$120.00.
- (c) Duplicate deed with Mr & Mrs T. B. Ratliff for Lots No. 147 and 148, Section 6, Oaklawn Cemetery, at \$3.00 for new deed.

CONTRACT AWARDED MOORE BUSINESS FORMS, INC. FOR PAYROLL CHECKS.

Councilman Thrower moved award of contract to the low bidder meeting specifications, Moore Business Forms, Inc., in the amount of \$1,336.12 for 120,000 payroll checks. The motion was seconded by Councilman Albea and carried unanimously.

The following bids were received:

Moore Business Forms, Inc.	\$1,336.12
International Business Machines	1,374.62
Standard Register Company - did not meet specifications -	1,274.32

CONTRACT AWARDED CHARLES BRUNING COMPANY, INC. FOR WHITE PRINT MACHINE.

Motion was made by Councilman Thrower awarding contract to the low bidder, Charles Bruning Company, Inc., in the amount of \$4,159.85 for one 42" white print machine. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

Charles Bruning Co., Inc.	\$4,159.85
Duncan Printmakers, Inc.	5,093.35
Ditto Division, Bell & Howell Co.	5,410.59

CONTRACT AWARDED BELK BROTHERS COMPANY FOR CARPET FOR THE AUDITORIUM.

Upon motion of Councilman Alexander, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, Belk Brothers Company in the amount of \$2,032.47 for carpet for all the front stairs in the Auditorium.

The following bids were received:

Belk Brothers Company	\$2,032.47
Piedmont Floor Covering	2,217.12
Dorsey's, Inc.	2,634.50

January 9, 1957
Minute Book 48 - Page 109

RESOLUTION AMENDING THE ARTERIAL STREET PLAN AND THE THOROUGHFARE PLAN DEFERRED FOR ONE WEEK.

Councilman Thrower moved that action be deferred for one week on the Resolution amending the arterial street plan and the thoroughfare plan. The motion was seconded by Councilman Whittington, and carried unanimously.

COMMUNITY RADIO WATCH PROGRAM FOR POLICE DEPARTMENT APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, the law enforcement public service program called "Community Radio Watch" was approved.

The basic purpose of the program is to encourage citizens - especially those who use two-way radios to serve as "eyes and ears" for the Police Department throughout the community by observing and reporting the suspicious and unusual to their office by the two way radio, their office would then relay the reports to the Police for further action.

CITY MANAGER REQUESTED TO CHECK NEED FOR STREET LIGHTS ON PARK ROAD.

Councilman Jordan requested the City Manager to check the need for street lights on Park Road. That there is only one light which is located at the corner of Archdale and Park Road; he requested that a check be made from Fairview Road to Sul Kirk Drive.

CITY MANAGER REQUESTED TO CHECK MEDIAN STRIP IN THE 4900 AND 5000 BLOCKS OF PARK ROAD WHERE PEOPLE ARE DEPOSITING TRASH.

Councilman Jordan stated that people are depositing trash in the median strip in the 4900 and 5000 blocks of Park Road and the residents are complaining about this practice. He requested the City Manager to have this checked.

COUNCIL NOTIFIED THAT MEETING HAS BEEN SET FOR TUESDAY, JANUARY 17 AT 4 O'CLOCK P.M., WITH WILBUR SMITH AND OTHERS ON THE DESIGN OF THE DOWNTOWN STREETS.

Councilman Whittington asked the City Manager what progress has been made for the meeting with Wilbur Smith, Mr. Hoose and the Engineering Department about the Downtown streets? Mr. Veeder replied subject to it being satisfactory with Council, the meeting has been set for Tuesday afternoon, January 17 at 4 o'clock in the Conference Room.

Councilman Whittington asked if he has received any more designs on 5th Street from Wilbur Smith since last week? Mr. Veeder replied 5th Street is all set up. The block approved last Monday, between College and Tryon Streets is being designed by our own Engineering Department.

CITY MANAGER REQUESTED TO CHECK NEED FOR FIRE HYDRANTS AT QUEENS COLLEGE.

Councilman Thrower asked the City Manager to check the need for additional fire hydrants at Queens College. That there is only one hydrant there.

January 9, 1967
Minute Book 48 - Page 110

DISCUSSION OF CITY'S LIABILITY FOR POLICE OFFICERS WORKING OFF DUTY HOURS
IN UNIFORM.

Councilman Alexander asked the City Attorney if the city is liable for any actions of Police Officers who are working off duty and are in uniform? Mr. Kiser replied with respect to false arrest and perhaps malicious prosecution the officer himself stands to pay for any acts which he performs leading to a malicious prosecution or false arrest. That he is thinking of a case more than two years ago in which two officers were charged and brought to court and the officers themselves stood to lose if they had lost the case and not the City because in such case they would be acting outside the scope of their responsibility and duties for the city.

Councilman Tuttle stated the city is not liable unless it makes itself liable, is it? Mr. Kiser replied with respect to governmental functions, which are strictly governmental functions, the city is not liable except to the extent that it makes itself liable by insurance.

Councilman Alexander asked if the fact that an officer is in uniform sets up any liability? Mr. Kiser replied it does not make any difference whether he is in uniform or not if he sees a violation and makes an arrest for it he can do so whether in uniform or not. Councilman Alexander stated he is talking about when they are employed by someone other than the city? Mr. Kiser replied if the question is confined specifically to a case of false arrest and malicious prosecution, the answer is no, the City would not be liable.

CITY MANAGER REQUESTED TO GIVE PERIODIC REPORTS AS A PART OF THE CONFERENCE
AGENDA ON EACH OF THE FIVE ISSUES APPROVED IN THE RECENT BOND ELECTION.

Councilman Short asked if a plan can be arranged where the Council would have periodic reports as a part of the agenda of the conference session - perhaps once every six weeks or once a month - from the City Manager himself on the progress of each of the five issues that were approved in the bond issue, from now until the end of the term of this present Council. It appears to him rather than individual Councilmen attempting to push information as to the progress on one or another of the issues that Council would need to have, and the public would like to have, a two sentence comment on each of the five issues.

Councilman Whittington stated he thinks the suggestion is excellent, but if he wants more information and wants to push something, he wants to be free to push it.

Councilman Short stated he would think they would have to understand that any item which had just been exhaustively covered the week before or at the same session, there would be no comment at all. This would not inhibit anyone from exploring anything or making any comment they would like to make. Where it is appropriate and is not otherwise being immediately handled, he thinks this kind of information from the City Manager is in order. That it is not necessary for the department head to be called in and to prepare a long presentation - but a two sentence comment on some periodic basis which he would hope would be made a part of the agenda.

DISCUSSION OF COUNCIL MEMBERS GOING TO RALEIGH AND MEETING WITH LEGISLATORS FROM THE SMALL COUNTIES TO DISCUSS THE NEED FOR A NEW SOURCE OF REVENUE IN CHARLOTTE.

Councilman Short stated after the meeting Friday with the legislative delegation, he has been wanting and thinking about the possibility of going to Raleigh personally on some day during the early part of the legislative session. That he would hope to make the acquaintance of perhaps three or four of the small county legislators or the eastern legislators, and perhaps take them out to lunch and discuss with them the need for a new source of revenue in Charlotte. That he talked this over with Mr. Vogler and he encouraged him to do this and said he would be delighted to arrange it. Councilman Short stated he does not have any great expectations that anything might be accomplished from this in terms of enhancing Charlotte's chances for another source of revenue immediately. He thinks we can reasonably conclude that the Senators on Friday evaluated the situation and knew what they were talking about when they said that chances were slim; that it would be difficult to change the minds of some of these small county legislators.

He stated he feels that some good could come from Council's going there personally and even being turned down at first. He thinks that some good can come from a face to face, one for one, type of situation. He believes it would be valuable if all the Councilmen could see in person the eastern legislators and hear what they think on this matter. He thinks even though the chances are slim eventually we might get some clue that would enable us to figure out how we can make them understand our situation and make them realize that a metropolitan city like Charlotte cannot continue to operate on just the property tax alone. That he would like to urge any members of Council to join in this activity, and he thinks this could be done in addition to what is being done by the Committee of larger cities and in addition to what is done by the League of Municipalities and in addition to what is being done by our own legislative delegation. If four or five or the Mayor and all members of Council went over and approached three of the legislators that would be 24 good contacts. He believes this type of activity by Councilmen and other individuals is appropriate in view of the fact that we are advised that the other large towns are not particularly interested. That it looks to him that lobbying by Charlotte, as was done when Charlotte College was made a part of the university, may be what is needed here. If we could all agree exactly and specifically what we want and do our own lobbying in addition to all the other approaches, this would be good.

Mayor Brookshire stated he would encourage all members of Council to do anything they can in a personal way to promote our legislative program in the interest of the City. With reference to Mr. Vogler's comments and others on last Friday, that in his opening remarks to the joint session he indicated that it definitely would be an uphill fight to gain any broader tax base for Charlotte and Mecklenburg County. One of the reasons for the meeting last week was to see if we could not develop a united front and that he hopes still to do with our own delegation to Raleigh.

Mayor Brookshire stated in a telephone conversation this morning with Mrs Steed, Executive Director of the League, she informed him that the executive committee of the League has set February 22 for a meeting in Raleigh for the Mayors of all the cities in the state who are to invite their own local

January 9, 1967
Minute Book 48 - Page 112

or county delegates to the general assembly to attend the 3:30 p.m. meeting for the purpose of discussing the League's legislative program and new sources of revenue, with a reception given that evening by the League for all the general assembly delegates.

Mayor Brookshire stated Mrs Steed insisted that they wanted the Mayor or Mayor pro tem or the legislative liaison man between Council and our legislative group - one of the three is urged to be there for the afternoon meeting and the reception that evening.

That as far as the joint meeting with members of the County Boards of Commission across the State, she did not think the two staffs would be able to work anything out. That it might be more effective if each worked on their own county delegations to the General Assembly.

Councilman Whittington stated he cannot accept that as a recommendation from Mrs Steed. The members of the Board of County Commissioners in a joint session here last week, along with the City Council and our own delegation to the General Assembly voted unanimously that we would have such a meeting. Mayor Brookshire stated he thinks the motion was to try through the League office in Raleigh and through the North Carolina Association of County Commissioners to have it set up; we did not vote to have it. Councilman Whittington replied that we have been stopped right here by Mrs Steed, and apparently she is not going to approach the North Carolina Association of County Commissioners about the meeting. As he understands this from the beginning over a year ago this was the approach that was to be made when the General Assembly met - approached by the Association of County Commissioners and the League of Municipalities. Mayor Brookshire stated this is not necessarily Mrs Steed's idea but is the official action of the executive committee.

Councilman Whittington stated he thinks the problem lies within the fact that there has never been any cooperation and everybody is going off in different directions. Mayor Brookshire stated he thinks the strength of the League lies in the ability of the Mayors and Councilmen across the State influencing and working with their own delegates to the General Assembly. This is the present plan of operation plus the meeting in Raleigh on February 22.

Councilman Short asked the Mayor if he believes the League is very enthusiastic about additional revenue sources in view of the fact that apparently only one City in the state is doing all the asking? Mayor Brookshire replied the League's legislative program is rather lengthy but the first two items on it have to do with revenue.

THOMAS M. MULLEN APPOINTED AS VICE RECORDER OF THE CITY RECORDER'S COURT TO SERVE UNTIL JULY 1, 1967.

Councilman Short moved the appointment of Mr. Thomas M. Mullen as Vice-Recorder of the City Recorder's Court to serve until July 1, 1967. The motion was seconded by Councilman Albea, and carried unanimously.

January 9, 1967
Minute Book 48 - Page 113

W. DONALD BREWER NOMINATED FOR APPOINTMENT TO THE ZONING BOARD OF ADJUSTMENT.

Councilman Tuttle nominated Mr. W. Donald Brewer for appointment to the Zoning Board of Adjustment to fill the vacancy that will be created by the resignation of Mr. C. C. McGinnis when his term expires on January 30.

TRAFFIC ENGINEER REQUESTED TO CONTACT GEORGE BROADRICK REGARDING PROBLEMS ON PROVIDENCE ROAD FROM SHARON AMITY ROAD TO CARMEL ROAD.

Councilman Tuttle stated that an article in the morning's Charlotte Observer brought out very forcibly the problem of children having to walk in the street or on someone's property to gain access to St. Gabriel's School on Providence Road. That this whole area on Providence presents a problem which he has mentioned many times to this Council, and Mr. Whittington has brought it up from time to time.

He stated he discussed this problem this morning with Mr. George Broadrick, State Highway Commissioner, and they looked at it on a little broader basis. Providence Road going out from Sharon Amity involves a need embracing not only St. Gabriel School but access at Greentree Drive and the impossible "U" turn situation created by the new apartment complex - Pinehurst Apartments - just on this side of Sardis Road. That Mr. Broadrick feels, and he agrees, that a comprehensive study of this entire stretch of Providence Road should be made from Sharon Amity to Carmel Road. That if Mr. Hoose, Traffic Engineer, will instigate a study, Mr. Broadrick's Department will cooperate fully to the extent that some modest state funds may be available to alleviate what appears to be a situation which is gradually getting worse. Councilman Tuttle stated according to the paper this morning, Mr. Hoose said he was studying the St. Gabriel problem and he believes it would be well to ask Mr. Veeder to go ahead with Mr. Broadrick and make a study of the whole problem.

Mayor Brookshire asked about Providence Road back to the creek; that there are no sidewalks along there either? Councilman Tuttle replied he has heard of no serious complaints about the children having to travel that section. He is sure we have problems all over town that need attention, but this one is acute. That a child is going to be killed on this stretch sooner or later if something is not done about it. There was another serious accident the other day involving someone making a "U" turn below Greentree Drive trying to get back into Providence Road, and the "U" turn situation at the new Pinehurst Apartments is a problem. So he can only ask that we take this one step.

Mr. Veeder, City Manager, stated the City will be happy to work with the State on anything that might end up with the State putting some money in sidewalks. That he would suggest in the interest of the Number 1 problem - the children - that we can do something faster if this is separated into two pieces. That the Traffic Engineering Department has completed a study in order to improve the situation for the children - they are now trying to price it so they can bring it to Council as a package, with the recommendations and the cost. If we wait until this is considered all the way to Carmel Road, it will slow down the process.

January 9, 1967
Minute Book 48 - Page 114.

Councilman Tuttle stated what he is talking about is the possibility of widening Providence Road to the extent that a turn lane might be put at Sharon-Amity, and land will be taken for widening clear down below Trinity, which would give enough room for what is called a storage area in order to cut Greentree Drive through. That Mr. Broadrick has some ideas about this and he thinks they are good and as long as we have an offer of some possible state funds, he thinks we should take advantage of it.


Mr. Veeder advised they will get in touch with Mr. Broadrick right away and see what he has in mind.

CLAIM OF MRS E. J. MASLANKA FOR LOSS OF CANVAS LEAF SHEET DENIED.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and unanimously carried, the claim of Mrs E. J. Maslanka in the amount of \$1.81 for the loss of a canvas leaf sheet was denied as recommended by the City Attorney, who advised that claimant placed a bundle of leaves wrapped in the leaf sheet in her front yard for collection and employees of the City Sanitation Department threw the entire collection of leaves along with the leaf sheet into the truck.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk