

May 5, 1969  
Minute Book 52 - Page 4

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 5, 1969, at 3:00 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, Gibson L. Smith, James B. Stegall, Jerry Tuttle, and James B. Whittington present.

ABSENT: None.

\* \* \* \* \*

INVOCATION.

The invocation was given by Councilman James B. Whittington.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the minutes of the last Council Meeting, on April 21, 1969, were approved as submitted.

CITY OF CHARLOTTE EMPLOYEE AWARD PRESENTED MRS. GLADYS T. COOK.

Mayor Brookshire recognized Mrs. Gladys T. Cook who was employed by the City of Charlotte Tax Department on June 20, 1940, and retired after 28 years and 10 months of service on April 30, 1969.

He presented Mrs. Cook with the City of Charlotte Employee Award Plaque and wished her well in her retirement.

ORDINANCE NO. 183-X AMENDING ORDINANCE 939-X, THE 1968-69 BUDGET ORDINANCE, AUTHORIZING THE TRANSFER OF FUNDS FROM THE UNAPPROPRIATED GENERAL FUND BALANCE, ADOPTED AND AGREEMENT WITH CITY OF CHARLOTTE REDEVELOPMENT COMMISSION FOR THE RE-IMBURSEMENT OF THE FUNDS, AUTHORIZED.

Councilman Short moved the adoption of the subject ordinance authorizing the transfer of \$82,000 to the Redevelopment Commission for Project N. C.E-2 "Belmont Neighborhood Improvement Program", and moved the approval of an agreement for the re-imbusement of the \$82,000 by the Redevelopment Commission. The motion was seconded by Councilman Jordan, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 143.

RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES LEVIED AND PAID THROUGH ERROR.

Motion was made by Councilman Stegall adopting the subject resolution authorizing the refund of taxes in the total amount of \$113.33 which were levied through error against six taxpayers. The motion was seconded by Councilman Smith, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 297.

May 5, 1969  
Minute Book 52 - Page 5

RESOLUTION SETTING DATE OF PUBLIC HEARING ON MONDAY, MAY 26, ON PETITIONS FOR ZONING CHANGES.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, the subject resolution was adopted setting date of public hearing on Monday, May 26, on Petitions No. 69-47, 69-48 and 69-50 through 69-58 for zoning changes.

The resolution is recorded in full in Resolutions Book 6, at Page 298.

ORDINANCES ORDERING THE REMOVAL OF ABANDONED MOTOR VEHICLES PURSUANT TO ARTICLE 13-1.2 OF THE CODE OF CHARLOTTE, AND CHAPTER 160-200(43) OF THE GENERAL STATUTES OF NORTH CAROLINA.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, adopting ordinances ordering the removal of abandoned motor vehicles as follows:

- (a) Ordinance No. 184-X ordering the removal of a 1957 black Plymouth, 1958 blue Dodge, blue and white Ford, and a 1948 blue and white Pontiac at 116 Cherry Street.
- (b) Ordinance No. 185-X ordering the removal of a 1953 black Plymouth at 721 East 15th Street.

The ordinances are recorded in full in Ordinance Book 16, beginning at Page 144.

ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTION 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160-200 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Upon motion of Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, ordinances ordering the removal of weeds and grass were adopted as follows:

- (a) Ordinance No. 186-X ordering the removal of weeds and grass on property adjacent to 2205 Custer Street.
- (b) Ordinance No. 187-X ordering the removal of weeds and grass on property at the rear of 508-12 North Myers Street.
- (c) Ordinance No. 188-X ordering the removal of weeds and grass on property adjacent to 2801 Royston Road.

The ordinances are recorded in full in Ordinance Book 16, beginning at Page 146.

PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilman Whittington and seconded by Councilman Jordan, to approve the following property transactions:

- (a) Negotiated settlement in the total amount of \$6,000 with Thomas F. Kerr Company, for 1,126.125 square feet of land containing one 1-1/2 story frame residence, at 410 North McDowell Street, for McDowell Street Widening Project.

May 5, 1969  
Minute Book 52 - Page 6

- (b) Negotiated settlement in the total amount of \$7,800.00, with Peerless Management Company, et al, for 6,525 square feet of property containing two-story frame duplex and frame warehouse building, at 611 Seigle Avenue, for the Northwest Freeway.
- (c) Acquisition of 8,811.79 square feet of property at 101 Sugar Creek Road West, from Sugaw Creek Presbyterian Church, at \$10,000 for the Sugar Creek Road-North Tryon Street Intersection Project.
- (d) Acquisition of 13,316.9 square feet of property at 101 Sugar Creek Road West, from Sugaw Creek Presbyterian Church Cemetery, at \$15,000.00, for the Sugar Creek Road-North Tryon Street Intersection Project.
- (e) Acquisition of 12,558.98 square feet of easement at 4300 North Tryon Street, from Linda Corporation, at \$41,500.00, for Sugar Creek Road-North Tryon Street Intersection Project.
- (f) Acquisition of 3,775.20 square feet of easement at 2010 Brandon Circle, from Evitt Cann Goode and wife, Isolee, at \$116.00, for the Briar Creek Outfall Sanitary Sewer.
- (g) Acquisition of 6,029.10 square feet of easement in 2000 block of Brandon Circle, from Evitt Cann Goode and wife, Isolee, at \$201.00, for the Briar Creek Outfall Sanitary Sewer.
- (h) Acquisition of 4,447.50 square feet of easement in 2000 block of Brandon Circle, from Evitt Cann Goode and wife, Isolee, at \$148.00, for Briar Creek Outfall Sanitary Sewer.
- (i) Acquisition of 2,724.38 square feet of easement at 2018 Pinewood Circle, from Enloe McClain and wife, Caroline H., at \$219.00, for Briar Creek Outfall Sanitary Sewer.
- (j) Acquisition of 2,478.45 square feet of easement at 2010 Pinewood Circle, from William H. Pitt, Jr., and wife, Anna R., at \$160.00, for Briar Creek Outfall Sanitary Sewer.
- (k) Temporary construction easement of 4,858 square feet in Lot 1, Block 11, Barclay Downs Subdivision, from Constructors Investment Corporation and Tryon Processing Company, at \$1.00, for Barclay Downs Drive Drainage Culvert.
- (l) Acquisition of 830 square feet of easement at 1100 Branch Street, from the State of North Carolina, at \$1.00, for sanitary sewer to serve North-South-Northwest Expressway Interchange.
- (m) Acquisition of 1,800 square feet of easement off 3600 Block Weona Avenue, from Sotiris Copsis, George Copsis and Nick Copsis, at \$1.00, for sanitary sewer to serve Weona Avenue.

Mr. Poley, Right-of-Way Agent, explained Item (e), stating the city is acquiring 12,558 feet in fee, and taking a permanent slope easement area of 4,000 feet additional which deprives the property owner of using that amount; it calculates at about \$2.58 per square foot for the entire 16,589 feet in total; this is well within keeping with the price being paid by oil companies for service stations on these corners, and this is the basis on which this transaction is being settled with the Park and Shop people.

The vote was taken on the motion and carried unanimously.

PROPERTY AT 1530 PEGRAM STREET AUTHORIZED ADVERTISED FOR SALE.

Councilman Jordan moved that city-owned property at 1530 Pegram Street be advertised for sale to the highest bidder at an opening bid of \$1,500.00. The motion was seconded by Councilman Stegall.

Mr. Poley, Right of Way Agent, stated this parcel consists of about five 50-foot building lots and there is an open drainage ditch on the frontage of the property; the whole property is about five feet below street level; there is a spring in the center of the area which makes it a year round marsh area, and will cost an estimated \$5,750 to prepare the land for building. He stated the property is offered for the purpose of being bought by a non-profit corporation on which to build low-cost housing units; that the property has been there for a number of years as it is and there has been no interest from private industry. Mr. Carstarphen, Administrative Assistant, advised the property is presently zoned for residential use; the plans that have been developed called for a townhouse arrangement in which the actual units will be sold to families; it is an apartment situation in the sense that the structure will be a common unit. Mr. Carstarphen stated this grew out of a small group of concerned private citizens who have formed together in the Model Cities Housing Foundation; they asked the City to take a look at land and with the help of the Planning Commission, the Model Neighborhood people, and after viewing what land was available within the whole Model Neighborhood area and what it could best be used for in terms of mini-parks or parts of larger parks or housing, we arrived, and they concurred, that this represented the best possible small site that they could begin to make housing available for purchase to low income families of a design acceptable, and economically feasible to fit in with the Model Cities plan.

Mr. Veeder, City Manager, stated this is in the Model Cities area and is closely related to that activity; that the Housing Authority previously looked at the property and preferred not to use this piece of property for any scattered site development.

The vote was taken on the motion and carried unanimously.

RESOLUTIONS AUTHORIZING CONDEMNATION PROCEEDINGS, ADOPTED.

- (a) Councilman Whittington moved adoption of a resolution authorizing condemnation proceedings for acquisition of 5,116 square feet of property on the southside of West Fourth Street, between the Railroad and Graham Street, from NCNB Co-Trustee, and Edward L. Whitton and Beaumert H. Whitton, Co-Trustees, at a condemnation price of \$50,000 for the West Third and Fourth Streets Connector. The motion was seconded by Councilman Short, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 299.

- (b) Motion was made by Councilman Jordan to adopt a resolution authorizing condemnation proceedings for acquisition of 37 feet of property from center of creek, plus a four-foot construction easement at 3312 Westfield Road, from Ned R. West and wife, Frances A., for the Sugar Creek-Briar Creek Flood Control Project. The motion was seconded by Councilman Whittington.

Councilman Tuttle asked the width of the creek at this point, and stated he is asking the question because Council does not know how far this is going into someone's property? Mr. Poley, Right of Way Agent, replied the actual details have been checked on the grounds on each property; the width of the creeks varies at different locations; that the 20-foot taken is a haul-road easement which will be restored and will not be a permanent easement; it is just a right to use a truck to get in and haul the spoil away, and in all cases the 20 feet is temporary and the land will be re-landscaped as a part of the construction.

Councilman Tuttle stated when Council votes on these condemnations it is voting with implicit faith in the judgement of those who made these appraisals and decisions as it is hardly possible for us to get out and look at them. Mr. Poley stated the right of way on this project has been, in the main, under the activity of Mr. C. E. Owens who is doing this under contract with the County and City; he stated he is not as familiar with it nor did he supervise it to the extent that he does the right-of-way transactions that are handled in his office.

Councilman Smith stated since Mr. Tuttle has not seen these, he thinks Council should see them before voting on them; Councilman Tuttle stated if he were being interviewed by a lawyer he would still have to say that he has not seen them.

The vote was taken on the motion and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 300.

- (c) Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, a resolution authorizing condemnation proceedings for acquisition of 35 feet from center of creek, plus a four-foot construction easement at 2100 Hassell Place, from John B. Yarborough and wife, Ruby L., for Sugar Creek-Briar Creek Flood Control Project, was adopted.

The resolution is recorded in full in Resolutions Book 6, at Page 301.

- (d) Councilman Short moved adoption of a resolution authorizing condemnation proceedings for the acquisition of 37 feet from center of creek, plus a 20 foot easement at 3917 Arbor Lane, from Husien A. Saleh and wife, Kay S., for the Sugar Creek-Briar Creek Flood Control Project. The motion was seconded by Councilman Tuttle, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 302.

#### CONSTRUCTION OF SANITARY SEWER MAIN IN MORRIS FIELD DRIVE, AUTHORIZED.

Motion was made by Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, approving the construction of 250 feet of 8-inch sanitary sewer main in Morris Field Drive, inside the city, at the request of Equipment and Supply Company (Division of Charlotte Aircraft Company), at an estimated cost of \$2,180.00, with all cost of construction 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.

#### WATER MAIN INSTALLATIONS AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, contracts for water main installations were authorized, as follows:

- (a) Contract with Roseland Apartments, Inc., for the installation of 1,420 feet of water main and three fire hydrants, to serve the Roseland Apartment Complex, inside the city, at an estimated cost of \$6,622.00, with the city to finance all the construction costs and the applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost.

May 5, 1969  
Minute Book 52 - Page 9

- (b) Contract with Perry Manufacturing Company for the installation of 400 feet of water main and one fire hydrant in Cama Street East, inside the City, at an estimated cost of \$2,365.00, with the City to finance all construction costs and the applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (c) Contract with Charlotte-Mecklenburg Board of Education for the installation of 800 feet of water main and one fire hydrant to serve McClintock Junior High School, outside the city, at an estimated cost of \$4,350.00, with the installation to be made under D-1 of the Water and Sewer Extension Policy, dated April 17, 1967.
- (d) Contract with G & E Realty Corporation for the installation of 1,050 feet of water main and one fire hydrant to serve an office warehouse complex on Morris Field Drive, inside the city, at an estimated cost of \$7,400.00, with the city to finance all construction costs and the applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (e) Contract with Willian Trotter Development Company for the installation of 1,225 feet of water main and one fire hydrant to serve Eastbrook Woods Subdivision IV, inside the city, at an estimated cost of \$4,600.00, with the city to finance all construction cost and the applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost.

**UTILITY RELOCATION AGREEMENTS BETWEEN CITY AND STATE HIGHWAY COMMISSION, APPROVED.**

Councilman Jordan moved approval of utility relocation agreements between the City of Charlotte and State Highway Commission, which motion was seconded by Councilman Stegall, and carried unanimously.

The agreements are as follows:

- (a) Agreement to relocate and adjust an 8-inch sanitary sewer main in Sycamore Street near West Sixth Street at the North-South Freeway (I-77), with the total cost of \$1,517.71, to be paid by the State.
- (b) Agreement to relocate certain 6-inch and 2-inch diameter water mains and fire hydrants in the vicinity of Sycamore and West Sixth Streets, in connection with the construction of the North-West Expressway, at an estimated cost of \$909.95, to be financed 100% by the State.

**RIGHT OF WAY AGREEMENTS, AUTHORIZED.**

Motion was made by Councilman Whittington, seconded by Councilman Stegall, and unanimously carried, authorizing the Mayor and City Clerk to execute rights of way agreements, with the State Highway Commission, as follows:

- (a) Encroachment agreement with State Highway Commission permitting the City to construct an 8-inch sanitary sewer line with two manholes within the right-of-way of Morris Field Road, from the intersection of Morris Field Drive and Wilkinson Boulevard, for a proposed sanitary sewer line.

May 5, 1969  
Minute Book 52 - Page 10

- (b) Right-of-Way Agreement with the State Highway Commission for the installation of an 8-inch water main in Rama Road, between McNair Road and Florence Avenue, to serve McClintock Junior High School.
- (c) Right-of-Way Agreement with the State Highway Commission for pipe line locations in Church Street, Tryon Street, College Street, Caldwell Street and Alexander Street, in connection with the relocation and relaying of water mains disrupted by the construction of the Northwest Expressway.

**CHANGE IN UTILITY RELOCATION AGREEMENT WITH STATE HIGHWAY COMMISSION FOR RELOCATION OF WATER MAINS IN CONFLICT WITH I-77 EXPRESSWAY, FROM P & N RAILROAD TO OAKLAWN, APPROVED.**

Councilman Jordan moved approval of the subject change in utility relocation agreement which was approved by Council in meeting on February 17, 1969. The motion was seconded by Councilman Alexander, and carried unanimously.

The changes are at the request of the U. S. Bureau of Public Roads and requires that policy procedures be made a part of the agreement, as follows:

- (1) Preliminary engineering cost incurred in preparing plans are in conformance with U. S. Bureau of Public Roads' Policy and Procedure Memorandum 30-4, dated October 15, 1966, and such amendments thereto as may be in effect at the date of the agreement.
- (2) The work provided for in the agreement will be performed by the city's own forces.
- (3) The method used by the Company in developing the relocation cost shall be actual direct and related indirect cost accumulated in accordance with a work order accounting procedure prescribed by the applicable federal or state regulatory body.

**SUPPLEMENTAL AGREEMENT NO. 3 TO LEASE WITH FAA (SO-2921) AUTHORIZED.**

Upon motion of Councilman Tuttle, seconded by Councilman Stegall, and unanimously carried, Supplemental Agreement No. 3 was authorized to lease with Federal Aviation Administration SO-2921 for 519 square feet of additional space on the ground floor of the FAA building for a term of 13-1/2 months, at \$3.50 per square foot per year, increasing the total annual payment from \$5,652.50 to \$7,469.00.

**LEASE WITH JONES ELECTRIC REPAIR COMPANY FOR LAND, BUILDING AND IMPROVEMENTS AT 715 EAST SEVENTH STREET, AUTHORIZED.**

Motion was made by Councilman Stegall, seconded by Councilman Whittington, and unanimously carried, approving a lease with Jones Electric Repair Company for land, building and other improvements at 715 East Seventh Street, for a term of 12 months, ending March 1970, at \$300.00 per month.

**CLAIM OF ROBERT R. FREEMAN DEFERRED FOR FURTHER INFORMATION.**

Council was advised that a claim in the amount of \$128.62 has been filed by Mr. Robert R. Freeman for alleged damage to his automobile on December 12, 1968, when he was proceeding at a legal speed on North Tryon Street and the traffic signals at the intersection of Eastway Drive had fallen and the support cables were still hanging across the road; the cable was black and about an inch in diameter; the signals themselves were not in the road; claimant struck the cable, doing an alleged damage to his automobile in the amount of \$128.62. Claimant stated he received a bill from the City for

May 5, 1969  
Minute Book 52 - Page 11

damages to the signals and cable in the amount of \$330.76 which he delivered to his liability insurance company for handling. The City Attorney recommends that Mr. Freeman's claim of \$128.62 be denied; and that the city's claim against Mr. Freeman be waived and relinquished.

Mr. Underhill, City Attorney, advised the accident occurred around 2:30 in the morning; from Mr. Freeman's letter and the police files the best they can determine is that the cables were not hanging in the road, but very close to the end, and Mr. Freeman claims he came upon them before he had an opportunity to stop; that the City was not aware the cables were down until the accident report was made. Mr. Underhill stated we cannot determine any negligence on the part of the City, and Mr. Freeman has not alleged anything that would indicate the City was negligent.

Councilman Tuttle moved that decision on the claim be delayed until Council received more information. The motion was seconded by Councilman Stegall.

Mr. Veeder, City Manager, stated Mr. Freeman indicates this happened on December 12; the City was notified of this by Mr. Freeman on March 1; the Traffic Engineering Department's report had the disadvantage of a lapse of time and the only thing they could do was go back to the police reports; that the memorandum from Mr. Hoose stated their maintenance division was notified on December 13 that an automobile had caused damage to the signal installation at Eastway Drive and North Tryon; the investigation showed the eyebolt was broken and the cable and three signals were down in the street; the eyebolt and signals were replaced and they subsequently obtained a copy of the accident report showing that Mr. Robert Freeman had been involved in the accident, and since his accident was the only one reported at the intersection, he was invoiced for the damages; that if Mr. Freeman did not cause the cable to fall, then he should not pay for the damage to the signal equipment; that it should be pointed out we have never had a case previously where an eyebolt broke without a vehicle striking the pole or some other part of the signal installation. Mr. Veeder stated part of the problem is the passage of time.

The vote was taken on the motion to delay decision and carried unanimously.

**SPECIAL OFFICER PERMITS AUTHORIZED.**

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, authorizing the issuance of Special Officer Permits for a term of one year, as follows:

- (a) Issuance of permit to Mr. Willie Joel Vincent, for use on the premises of K-Mart Stores, 6025 Pineville Road.
- (b) Renewal of Permit to Mr. Erskine C. Bennett, for use on the premises of Fredrickson Motor Express Corporation.

**TRANSFER OF CEMETERY LOTS.**

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of cemetery lots, as follows:

- (a) Deed with J. Will Patterson and wife, Ruth S. Patterson, for Graves No. 3, 4, 5 & 6 of Lot 317, Section 6, Evergreen Cemetery, at \$320.00.
- (b) Deed with Julius L. Patterson and wife, Helen J. Patterson, for Graves No. 1 and 2, Lot No. 317, Section 6, Evergreen Cemetery, at \$160.00.



May 5, 1969  
Minute Book 52 - Page 12

- (c) Deed with Mrs. Frances B. Hartman for East half of Lot No. 88, Section D-Annex, Elmwood Cemetery, transferred from Mrs. Mildred V. Brady, at \$3.00, for transfer deed.
- (d) Deed with Other Heirs of William C. McIntire for Lot 39, A-Annex, Elmwood Cemetery, transferred from Mrs. Margaret Lee McIntire, widow of William C. McIntire, at \$3.00, for transfer deed.

**CONTRACT AWARDED WALKER PROCESS EQUIPMENT, DIVISION OF CHICAGO BRIDGE AND IRON COMPANY FOR TRICKLING FILTER DISTRIBUTOR AT IRWIN CREEK PLANT.**

Councilman Jordan moved award of contract to Walker Process Equipment Division of Chicago Bridge & Iron Company, on their low alternate bid, in the amount of \$14,721.00, on a unit price basis, for a trickling filter distributor at Irwin Creek Plant. The motion was seconded by Councilman Tuttle, and carried unanimously.

The following bids were received:

**BASE BID - Trickling Filter with black steel arms:**

Walker Process Eqpt.,	
Div. of Chicago Bridge & Iron Co.	\$13,471.00
American Bowser Corp.	14,123.00
Fuller Co., Infilco Products	14,177.00
Pacific Flush Tank Co.	18,500.00

**ALTERNATE BID - same filter with hot dipped galvanized arms:**

Walker Process Eqpt.,	
Division of Chicago Bridge & Iron Co.	\$14,721.00
American Bowser Corp.	14,821.00
Fuller Co., Infilco Products	16,427.00
Pacific Flush Tank Co.	19,500.00

**CONTRACT AWARDED GRINNELL COMPANY, INC. FOR CAST IRON PIPE FITTINGS.**

Motion was made by Councilman Jordan, seconded by Councilman Stegall, and unanimously carried, awarding contract to Grinnell Company, Inc., the only complete bid received, in the amount of \$13,600.56, on a unit price basis, for cast iron pipe fittings for the Water Department.

The following bids were received:

Grinnell Co., Inc.	\$13,600.56
--------------------	-------------

**Incomplete bids received:**

Southern Meter & Supply Co.	\$15,898.33
American Cast Iron Pipe Co.	18,850.88
U. S. Pipe & Foundry	18,468.46
Lynchburg Foundry Co.	14,515.87

**CONTRACT AWARDED SOUTHERN SHADE TREE EXPERT COMPANY FOR TREE CARE AT OLD SETTLER'S CEMETERY.**

Upon motion of Councilman Smith, seconded by Councilman Stegall, and unanimously carried, contract was awarded the low bidder, Southern Shade Tree Expert Company, in the amount of \$5,560.00, on a unit price basis, for tree care at Old Settler's Cemetery.

The following bids were received:

Southern Shade Tree Expert Co.	\$ 5,560.00
Davey Tree Expert Company	6,500.00
The F. A. Bartlett Tree Expert Co.	6,630.00

May 5, 1969  
Minute Book 52 - Page 13

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR CONSTRUCTION OF SANITARY SEWER FOR NORTHWEST EXPRESSWAY IN THE BEATTIES FORD ROAD-STEWART CREEK AREA

Councilman Tuttle moved award of contract to the low bidder, Crowder Construction Company, in the amount of \$36,513.75, on a unit price basis, for the construction of sanitary sewer for the Northwest Expressway in the Beatties Ford Road-Stewart Creek Area. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

Crowder Construction Co.	\$36,513.75
Thomas Structure Co.	40,174.00
Boyd & Goforth, Inc.	52,406.60
Dickerson, Incorporated	59,945.75

MEMORANDUM OF AGREEMENT BETWEEN CITY OF CHARLOTTE AND MECKLENBURG COUNTY CREATING A CITY-COUNTY OFFICE OF INTERGOVERNMENTAL PROGRAM COORDINATION.

Councilman Short moved approval of the subject memorandum of agreement between the City and Mecklenburg County making the services of the existing city office of the Local-Federal Program Coordinator available to the county, and changing the name of the office to Intergovernmental Program Coordination. The motion was seconded by Councilman Whittington and carried unanimously.

RESOLUTIONS AUTHORIZING FILING OF APPLICATIONS FOR NEIGHBORHOOD FACILITIES GRANT WITH DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Motion was made by Councilman Smith, seconded by Councilman Stegall, and unanimously carried, approving the following resolutions:

- (a) Resolution authorizing filing of application for neighborhood facilities grant with Department of Housing and Urban Development for Greenville Area;
- (b) Resolution authorizing filing of application for neighborhood facilities grant with Department of Housing and Urban Development for First Ward Area.

The resolutions are recorded in full in Resolutions Book 6, beginning at Page 303.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA AUTHORIZING FILING OF APPLICATION FOR GRANT TO ACQUIRE AND DEVELOP OPEN-SPACE LAND.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, adopting the subject resolution in connection with the proposed Model Neighborhood open space land acquisition and park development.

The resolution is recorded in full in Resolutions Book 6, beginning at Page 307.

May 5, 1969  
Minute Book 52 - Page 14

REPORT ON LEGISLATION FOR CIVIC CENTER, APPROVED.

Councilman Tuttle moved adoption of the report by the City Attorney on legislation for Civic Center, subject to the question the Attorney is working on relating to whether or not the ground rent will be charged against the debt limitation. The motion was seconded by Councilman Alexander, and carried unanimously.

COUNCIL NOTIFIED THAT PETER J. VERNA IS RESIGNING AS CHAIRMAN OF MANPOWER SUPERVISORY COMMITTEE EFFECTIVE JUNE 1, 1969.

Mayor Brookshire stated he received a letter this morning from Mr. Peter J. Verna in which he is resigning as Chairman of the Manpower Supervisory Committee as of June 1, 1969, and suggests since his resignation is effective as of June 1, 1969 the appointment of his successor be delayed and the new mayor for the City make the appointment.

Mayor Brookshire stated in accepting his resignation he will thank him for the very fine service he has rendered; that Mr. Verna more than any other one individual was able to get the CEP Program off to a start. That he and the full committee are due our thanks in the matter.

ENGINEERING DEPARTMENT REQUESTED TO CHECK DITCHES IN 3100 BLOCK OF COMMONWEALTH AND FILL THEM IN.

Councilman Jordan requested the City Manager to have the Engineering Department check the 3100 block of Commonwealth Avenue where there are four or five ditches along the side of the road; that these are the only ones left on the street and cars have been running off into the ditches especially in bad weather causing accidents; that one of them makes a bad turn into a side street. He asked that the Engineering Department fill these ditches in.

REPORT OF RAW SEWAGE IN CREEK IN EASTWAY DRIVE AREA REQUESTED LOOKED INTO.

Councilman Jordan stated he has received a number of complaints about the raw sewage in the creek on Eastway Drive; this concerns a lot of people in the neighborhood and they feel it is caused by so many apartment houses having been built there recently. He requested the City Manager to have this looked into.

Councilman Tuttle stated some immediate treatment should be given to this situation. That he received a letter from a man on Providence Road who stated that all of Council should be ashamed of this situation.

BENEFITS FOR RETIRED CITY EMPLOYEES REQUESTED LOOKED INTO AT BUDGET TIME.

Councilman Jordan stated the retired city employees feel that Council should take a look at their situation as the cost of living has gone up; that it is rather difficult for some of them; he requested Council to look at the benefits for the retired employees at budget time; that there are about 160 employees who have retired.

May 5, 1969  
Minute Book 52 - Page 15

REPORT ON RAMA ROAD IMPROVEMENTS.

Councilman Tuttle asked what is in the making for Rama Road paving? Mr. Veeder, City Manager, replied a portion is scheduled to be resurfaced; there has been some widening from Sardis back towards the school, and the Engineering Department has done some preliminary widening; from the foot of the hill as you approach the railroad crossing headed towards Monroe Road, the curve needs to be straightened out by continuing the alignment that deadends at the end of the subdivision improvement and continue from there all the way to Monroe Road, and possibly to Independence Boulevard.

GRASS IN ELMWOOD CEMETERY REQUESTED CUT FOR MOTHERS DAY.

Councilman Tuttle asked the City Manager to check a report on the grass being cut on one side of a drive in Elmwood Cemetery, and the person who called asked that the grass be cut for Mothers Day.

CITY REQUESTED TO AID IN CLEANING UP AREA OFF NORTH TRYON STREET AT THE REAR OF WADSWORTH PLACE.

Councilman Alexander stated the residents off North Tryon Street, above East Liddell Street, from Wadsworth Place to the Railroad and back are making efforts to clean up the area. That at the rear of the houses right off North Tryon Street on Wadsworth Place they have not been able to get any cooperation from the owners of that property in getting the creek bank cleaned up, and they would like the City to see that the condition is cleared up.

REPORT ON INVESTIGATION OF COMPLAINT OF POLICE DEPARTMENT NOT ANSWERING EARLY MORNING CALL.

Councilman Alexander stated at the last Council Meeting he brought to Council's attention a matter concerning complaints from some people about policemen answering a call at an early morning hour. He stated proper investigation was made and the results as resolved are satisfactory, and good public relations were obtained from the manner in which the police department went about its investigation in taking care of the matter.

Councilman Alexander requested that the conclusion of the police report be made a part of the minutes as a follow up and as it was brought to Council's attention at its last meeting.

"Conclusions

1. It appears that the complaints failed to receive proper Police service. In addition, the evidence indicates Officer R. K. Saunders was the dispatcher that refused to send a car to 1404 Parkwood Avenue, as he was the only dispatcher other than Phil Bryan. However, this can not be proven beyond a reasonable doubt.
2. The Police Department does not have any control over the Magistrates. Therefore, any complaint against them will have to be directed to Judge Williard I. Gatling.

May 5, 1969  
Minute Book 52 - Page 16

Corrective Actions

1. Officer R. K. Saunders has been relieved of his assignment as a Radio Dispatcher and assigned to other duties.
2. It is a general practice for the dispatchers to dispatch an officer to the scene any time they receive a call that a crime has been committed. However, I have reminded them that an officer will be sent upon receipt of a call that a crime has been committed even though the persons that committed the crime are no longer on the scene."

COUNCILMAN SMITH COMMENDS POLICE DEPARTMENT.

Councilman Smith stated we have a fine police department and we are going to make it finer at budget time; that the department is moving into new facilities and he thinks the whole council joins him in commending the department; that he will give them all the support he possibly can, if elected Mayor.

POLICE DEPARTMENT COMMENDED FOR CITING RAILROAD CONDUCTOR WHEN TRAIN BLOKED INTERSECTION.

Councilman Stegall stated he would like to commend the police department for writing the citation to the railroad conductor the other day; that a local radio station has a program which gives people an opportunity to call in their complaints, and he has discussed this with a member of their staff, and he says one of the greatest complaints is the blockage of railroad crossings.

DITCH ON EASTWAY DRIVE REQUESTED FILLED.

Councilman Stegall stated on Eastway Drive going south where the median ends there is a ditch on the right hand side of the street about three feet deep; and cars attempting to make a U-turn around the median run into this ditch and have to be pulled out. He requested the City Manager to have someone look at it and see if it can be filled with gravel.

ADJOURNMENT.

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



Ruth Armstrong, City Clerk