

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, June 14, 1965 at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Alexander, Jordan, Short, Thrower, Tuttle and Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by the Reverend R. J. Andress, Pastor of Thomasboro Church of the Nazarene.

MINUTES APPROVED AS CHANGED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and unanimously carried, the Minutes of the last meeting of the City Council on June 7th were approved with the following change: On Page 388 change the amount of the contract awarded Howie Crane Service Company for the Johnston Street sanitary sewer project from \$16,746.50 to \$16,371.50.

CITIZENSHIP AWARDS PRESENTED MEMBERS OF CHARTER REVIEW COMMISSION IN RECOGNITION OF THEIR SERVICE IN REVISING THE CITY CHARTER.

Mayor Brookshire presented the Citizenship Award to the following members of the Charter Review Commission who were present in recognition for their arduous and splendid service to the City in the revision of the Charter of the City of Charlotte:

Mr. Joseph W. Grier, Chairman  
Mrs J. L. Barach, Secretary  
Mr G. Douglas Aiken  
Dr. G. A. Lowe  
Mr. W. Frank Phillips  
Mr Henry A. Yancey

Mr. J. Herbert Bridges, Vice-Chairman, was absent because of a conflicting engagement.  
Mr. J. E. Dowd, who was out of the city.  
Mr. John D. Shaw, who is recuperating from an illness.

RESOLUTION CLOSING A CERTAIN ALLEY OFF NORTH DAVIDSON STREET.

The public hearing was held on the Petition of Pyramid Motor Company that the City close an alleyway off North Davidson Street, approximately 10 feet in width by 117 feet in length, leading in a northwesterly direction from North Davidson Street, and beginning at a point on North Davidson Street approximately 80.5 feet from East Fifth Street.

No opposition was expressed to the proposed closing of the alley.

Upon motion of Councilman Short, seconded by Councilman Thrower, and unanimously carried, a Resolution Closing the Alley off North Davidson Street, was adopted. The resolution is recorded in full in Resolutions Book 5, beginning at Page 37.

DECISION ON PETITION FOR STREET IMPROVEMENTS ON WESTBURY ROAD, FROM PROVIDENCE ROAD TO ROBIN ROAD, AND ON CLOVER ROAD, FROM SHARON-AMITY ROAD TO WESTBURY ROAD, DELAYED FOR FOUR WEEKS.

The public hearing was held on Petition for Street Improvements on Westbury Road, from Providence Road to Robin Road, and on Clover Road, from Sharon-Amity Road to Westbury Road, signed by 56.6% of the number of owners of property on said streets, by installing storm drainage facilities and constructing standard curb and gutter at an estimated cost of \$43,754.35; the City's share being \$25,017.39, and the amount to be assessed against the abutting properties being estimated at \$18,736.96, at an estimated assessment rate of \$3.94.

Mr. Fred Meekins stated he is not the owner of property on this street but he is a prospective owner. That his petition today is in the form of a motion, if someone on the Council will make it, to continue this for two weeks or a month, for three reasons: the first one is personal, secondly, he understands there is some minor objections to the nature of the improvements contemplated on Westbury extending down to Clover Road, and the two weeks would give them the opportunity to get together with the owners and see if they would not reconsider their petition in such way that it would meet with the approval of everyone concerned; thirdly, he understands there are others not in favor of the improvements who could not be present today but will be available in two weeks or a month.

Mrs Hugh B. Howser also asked that the hearing today be continued for at least two weeks or a month if possible.

Councilman Tuttle moved that it be continued for a period of 30 days. The City Attorney advised that the hearing was advertised, and the Statutes prescribe a rather precise procedure to follow on these assessments, and if we are to have a further hearing then it will have to be advertised. He stated the Council is not required to act upon the matter today, but when they so desire. The motion did not receive a second.

Councilman Thrower asked if the petition was in any way amended it would have to be readvertised and reheard, in other words Council has to act on the petition that is before them, and the City Attorney stated that is correct.

Councilman Alexander asked Mr. Meekins if they could not get the information they want in a week's time, and Mr. Meekins stated he does not think that all of the land owners affected would be available in one week. Councilman Whittington asked in what form the revised version would be and Mr. Meekins stated the inclusion of sidewalks or take off a portion of the street, at least they would present something to Council that would be 100% acceptable.

Mr. Meekins stated further that he is neither for nor against the petition, that he is simply speaking for himself as a prospective land owner and also on behalf of one of the land owners who has not signed the petition and who is not in favor of the improvements.

Councilman Whittington asked Mr. Cheek, City Engineer, if Council were to delay the decision until such time as Mr. Meekins became a property owner and he elected to be against the petition, what position would Council be in as far as the 50% is concerned? Mr. Cheek advised it would not make any difference in the petition if the present owner of the property Mr. Meekins is interested in had not signed the petition. Councilman Whittington stated he thinks Council should consider the people who initiated the improvements.

Mr. R. H. Barber, Westbury Road, stated he is one of the original owners on the street, and helped to get up the petition for the improvements and represents the majority of the owners. That they have held numerous meetings among the

home owners and are interested in their street and want to improve it, and their petition was in order and they would like Council to act on it today unless they feel that a delay in taking action would be better.

Councilman Short commented that he believes what Mr. Meekins is asking for will require not just further action and Council is therefore faced with the question of either approving the petition or voting it down, and he does not see how any good could be accomplished by continuing the Council's own deliberations without further hearing - we should make a clean cut decision.

Mr. Meekins pointed out that he has not said that he is against the petition and it may well be when he is in a position to speak that he will be in favor of it; that his point is there are some property owners out there who are dissatisfied with the petition as it is now, and they should be given time to see if they cannot resolve this for the good of all.

Councilman Thrower commented that the Council is faced with a legal responsibility.

Councilman Tuttle pointed out that Mr. Barber has stated that he represents the majority of the petitioners and would have no objections to a two or three weeks delay.

Councilman Whittington stated since Mr. Barber, who represents a majority of the property owners, says he does not object to a delay in the decision, he moved that decision be delayed for four weeks. The motion was seconded by Councilman Jordan, and unanimously carried.

ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE BY ANNEXING 82.09 ACRES OF PROPERTY IN BERRYHILL TOWNSHIP, ADOPTED.

The public hearing was held on the Petition of Ervin Construction Company for the annexation to the City of Charlotte of 82.09 acres of property in Berryhill Township, lying on both sides of I-85 and a small portion fronting on Tuckaseegee Road. It was pointed out that the extension of sewer lines necessary to serve the property includes the extension of Taggart Creek Outfall and a tunnel under I-85 estimated to cost \$110,000, and the approximate cost to provide water to the area is \$82,000.00.

The Mayor asked the City Manager for his recommendation and Mr. Veeder replied that in the past Council has acted favorably on requests for annexation as they are presented.

Mr. Ben Horack, Attorney for Ervin Construction Company, presented a map of the area and pointed out the present city limits line and the property in question; he stated the property to be annexed consists of 7.423 acres on the southerly side of I-85 and will be developed industrially; the property on the northerly side of I-85 consists of about 69 acres of which the 17 acres fronting on I-85 will be developed as a trucking terminal site, the balance of 62 acres lying between the industrial-terminal area in a northerly direction is proposed to be developed with 5 single family residences, 37 triplexes and 13 duplexes. He stated from the information he has received there should be a city tax revenue resulting from this of about \$30,000 a year and the annual water revenue will amount to about \$13,000 a year and a like amount of city sewer revenue. In reply to the question by Councilman Albea as to the zoning of the property, Mr. Horack stated it is presently zoned for the purposes for which they will use it.

No opposition was expressed to the proposed annexation.

Councilman Thrower moved the adoption of an Ordinance extending the corporate limits by annexing the property. The motion was seconded by Councilman Alexander.

Councilman Tuttle commented that he is very much concerned about all of this land and no future plans for playgrounds and parks.

Mayor Brookshire pointed out that it will take the City about eight years to recover the cost of extending water and sewer to this property.

The vote was then taken on the motion, and carried unanimously. The ordinance is recorded in full in Ordinance Book 14, at Page 176.

**RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON CHESTERFIELD AVENUE, FROM ST. JULIAN STREET TO PECAN AVENUE, ADOPTED.**

Upon motion of Councilman Whittington, seconded by Councilman Albea, and unanimously carried, a Resolution was adopted at 3:46 o'clock p.m. Confirming the Preliminary Assessment Roll as the Final Assessment Roll for improvements completed on Chesterfield Avenue, from St. Julian Street to Pecan Avenue. The resolution is recorded in full in Resolutions Book 5, at Page 39.

**CONTRACT WITH G. A. HUTCHINSON FOR APPRAISAL OF LAND IN CONNECTION WITH THE NORTHWEST EXPRESSWAY.**

Councilman Whittington moved approval of a contract with Mr. G. A. Hutchinson for the appraisal of a parcel of land at 1006-10 East 6th Street for right-of-way for the Northwest Expressway. The motion was seconded by Councilman Alexander, and unanimously carried.

**CONSTRUCTION OF SANITARY SEWER TRUNK AND MAIN TO SERVE HELENA STREET APPROVED.**

Motion was made by Councilman Albea, seconded by Councilman Alexander, and unanimously carried, authorizing the construction of 280-ft. of sanitary sewer trunk and 170-ft. of main to serve a portion of Helena Street, at the request of Town & Country Hardware & Builders Supply, at an estimated cost of \$2,285.00. All cost to be borne by the applicant whose deposit of the entire amount of the cost will be refunded as per terms of the contract.

**CONTRACTS FOR INSTALLATION OF WATER MAINS IN RAMA WOODS SUBDIVISION AND QUEENS GRANT AUTHORIZED.**

Upon motion of Councilman Thrower, seconded by Councilman Jordan, and unanimously carried, the following contracts for the installation of water mains were authorized:

- (a) Contract with Kavanagh-Smith-Weaver, Inc. for the installation of approximately 7,765 ft. of mains and 6 fire hydrants, in Rama Woods Subdivision, inside the city, at an estimated cost of \$28,800.00, with the city to finance all costs and the applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (b) Contract with Kavanagh-Smith-Weaver, Inc. for the installation of approximately 33,100 ft. of water mains and 20 fire hydrants in Queens Grant and a portion of Rama Woods Subdivision, outside the city, at an estimated cost of \$121,240.00 with the applicant to pay the entire cost and to own same until such time as the area is incorporated into the city at which time the mains will become the property of the city without further agreement.

REAPPOINTMENT OF WALTER D. TOY TO PLANNING COMMISSION, AND NOMINATION OF HUGH G. ASHCRAFT AND CHARLES A. WILLIS TO FILL VACANCY TO REMAIN OPEN FOR ONE WEEK.

Consideration was given to filling the unexpired term of Everett Suddreth, resigned, on the Planning Commission and also the term of Mr. Walter D. Toy, both expiring on June 30th.

Councilman Short placed in nomination Mr. Hugh G. Ashcraft, and stated he is a native of Charlotte, 46 years of age, and has been associated for many years with R. S. Dickson Company, and he also has a background in Real Estate and in Farming and Dairying, and he and his family have for many years been prominent in Church and Civic affairs in the city and country; that he has an excellent war record in World War II.

Councilman Albea called attention that two weeks ago he placed in nomination Mr. Walter D. Toy to succeed himself on the Commission and asked that it be held open for a week, then last week the Council voted to postpone the appointment for another week; therefore, he moved the appointment of Mr. Toy to succeed himself for a three year term. The motion was seconded by Councilman Tuttle, and carried by the following recorded vote:

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

Mayor Brookshire called attention that the vacancy is still to be filled on the Commission, and Mr. Ashcraft has been nominated and he called for other nominations, and stated they will remain open for one week.

Councilman Thrower placed in nomination Mr. Charles A. Willis, who was the local District Engineer for the State Stream Sanitarian Department; he is 28 years old and did not serve in the War. That he is entirely familiar with our local sanitation and water problems. The Planning Commission, as he understands it, does not have an Engineer on its staff at present, and he thinks in view of the problems we are going to have in Mecklenburg extending the city limits, that an Engineer and man of his calibre would be most advantageous to the city.

#### TRANSFER OF CEMETERY LOT.

Councilman Jordan moved that the Mayor and City Clerk be authorized to execute a deed to Mrs Margaret A. Rappe, for the transfer of Grave No. 1 on the Northwest quarter of Lot 75, Section T, Elmwood Cemetery, at \$72.00. The motion was seconded by Councilman Albea, and unanimously carried.

#### CONTRACT AWARDED POMONA PIPE PRODUCTS FOR VITRIFIED CLAY PIPE.

Upon motion of Councilman Albea, seconded by Councilman Alexander, and unanimously carried, contract was awarded the low bidder, Pomona Pipe Products, for the purchase of 64,000 linear feet of vitrified clay pipe, as specified, in the amount of \$61,616.66, on a unit price basis.

The following bids were received:

Pomona Pipe Products	\$61,616.66
Tucker-Kirby Company	61,925.66
Georgia Vitrified Brick & Clay Co.	62,445.27
Richland Shale Products Co, d/b/a Columbia Pipe	63,042.00

CONTRACT AWARDED BLISS GAMEWELL DIVISION OF E.V. BLISS COMPANY FOR FIRE ALARM EQUIPMENT.

Councilman Thrower moved the award of contract to the only bidder, Bliss Gamewell Division of E. V. Bliss Company, for Fire Alarm Equipment, as specified, in the amount of \$2,385.26. The motion was seconded by Councilman Albea, and unanimously carried.

SALE AT PUBLIC AUCTION OF LOT AT 805 EAST 16TH STREET AUTHORIZED.

Councilman Thrower moved approval of the sale at public auction, of a lot 50' x 150' x 150' at 805 East 16th Street, with the bid starting at \$1,000.00. The motion was seconded by Councilman Tuttle, and unanimously carried.

ACQUISITION OF PROPERTY FOR LINDA LANE SANITARY SEWER, SANITARY SEWER TO FORD MOTOR COMPANY AND FOR NORTHWEST EXPRESSWAY.

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

- (a) A 10 foot strip, 729.85 ft. long at 1000 Amble Drive, from M. B. Thomas, at \$730.00, for sanitary sewer line right of way to the Ford Motor Company.
- (b) Property 10' x 68.65' off Linda Lane, from Mrs Leona T. Mason, at \$50.00, for Linda Lane sanitary sewer right of way.
- (c) 432.53 sq. ft. of property at the northeast corner of East 12th and southeast corner of East Caldwell Street, from Furr Realty Company, Inc., for right of way for the Northwest Expressway.
- (d) 137,535 sq. ft. of property located north of West 11th Street between the Southern Railway and Seaboard Airline Railway, from Henderson Investment Company, at \$49,000.00, for right of way for the Northwest Expressway.

CONDEMNATION OF PROPERTY FOR RIGHT OF WAY FOR THE NORTHWEST EXPRESSWAY.

Upon motion of Councilman Albea, seconded by Councilman Tuttle, and unanimously carried, the condemnation of 16,298 sq. ft. of property located north of West 11th Street, between the Southern and Seaboard Railways, owned by Henderson Investment Company, was authorized.

REQUEST FOR REINSTATEMENT OF TAXICAB DRIVER'S PERMIT TO WILLIAM BRIGMAN DENIED DUE TO HIS PERMIT HAVING BEEN SUSPENDED FOR THE THIRD TIME.

Mr. John Warren, Attorney, stated he was before Council last week asking for the reinstatement of the privilege of driving a taxicab for William Brigman, and he was asked to return today for a decision.

Mr. Veeder, City Manager, stated he has a report from the City Attorney indicating that Section 19-75 of the City Code provides that "a third suspension of a taxicab driver's permit will result in a permanent revocation by the City Council of his permit which will be mandatory". And the Taxicab Inspector's report shows that Mr. Brigman's permit was permanently revoked in 1947 and again in 1959, therefore the City Council is without authority to grant the request for the reinstatement of his permit.

ENDORSEMENT OF THE REAPPOINTMENT OF JUDGE BEACHUM TO CITY RECORDER'S COURT  
URGED BY CHARLOTTE CITIZENS.

Dr. J. Nathaniel Tross stated he is appearing before the Council to voice his interest in a matter that he thinks is of tremendous concern to the whole city and that is the rumors that persist about the type of service rendered by the Judges of our Courts and especially pertaining to Judge Beachum and Judge Grist - impinges upon the success or failure of administrative heads of our city in meeting the very pressing and vexing problems. He stated he has not talked with these men but has visited their Courts and watched them and watched their attitudes toward the people before them, and he has followed these prisoners on many occasions and have often slept with them in their cells. That he has found many of these prisoners hostile and they feel they have no friends and they feel there is no welcome place for them in society and consequently they assume a certain right to do as they please and act as they please, but the manner in which their cases are heard by these Judges often leaves them subdued and they have left the Court with bowed heads and they have said to him, why didn't these men say these things to me long before? Dr. Tross said that he is here today to say what he knows and what he has seen in the administration of these Judges and it has been wholesome with their fine service to their City. He is merely bringing to the Council the information as he has seen and heard it, and in his opinion the manner in which these Judges conduct themselves and administer their jobs bring distinction and credit to our city.

Mayor Brookshire thanked Dr. Tross for bringing this information to the Council.

Mr. John Warren, Attorney, stated he practices in the City Courts quite a bit and those Attorneys who are there frequently have the highest esteem for Judge Beachum and Judge Grist, and it is his personal opinion that Judge Beachum has probably done more for our city courts than any other judge we have ever had. That it is a tough job and the work load is tremendous. That there has been some complaints that Judge Beachum takes too much time, but the time he takes is in the interest of the prisoner, and he personally feels that everyone who comes into Court goes out with the feeling that he has his right to be heard and his problem has been dealt with according to law; therefore, any criticism that is directed in that direction does not realize the scope of the job that Judge Beachum must do. He stated he thinks the City is extremely fortunate to have Judge Beachum and Judge Grist.

Mrs James W. Coker, President of the Parent League of Charlotte, stated that she wants to add her voice in behalf of Judge Beachum, and that the Parents League heartily endorses him and urges his reappointment.

Mr. Dan Hood stated he is concerned over the possible shake up in the City Courts. That Judge Beachum has lent an air of respect to our City Court that you will not find in any other court in the State of North Carolina. That his little safety program is so worthwhile and it is for our well being and touches each of us. All of these young teenagers, regardless of their attitude, in their subconscious mind have a warm desire to be corrected. That he sat in Judge Beachum's court some few months ago and in every case touching youth he was most patient and took time to counsel with them and it was a fine gesture and should be encouraged instead of criticized.

Mrs Carlton Watkins, First Vice President of the North Carolina Conference of Parents and Teachers, stated they are deeply interested in the Court review. As a private citizen and a parent she wants to speak for the reappointment of Judge Beachum; that she feels that the type of court that Judge Beachum has certainly does provide all types of juvenile protection and she hopes that the Council will reappoint him to this position.

Mayor Brookshire commented that the remarks about Judge Beachum today are well deserved.

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REQUEST OF HOWARD HODGES THAT HE BE GRANTED A LICENSE BASED ON HIS PASSING THE REFRIGERATION TEST AND THAT HE BE PERMITTED TO TAKE THE MECHANICAL FUEL-BURNING TEST, REFERRED TO CITY MANAGER FOR REVIEW AND REPORT TO COUNCIL.

Mr. Howard Hodges, 2146 Dorchester Place, stated he comes before Council to appeal for help; that in September 1961 he enrolled at Central Piedmont Community College in an Electronics Technology program and at age 43 with great difficulty completed the course in March 1963, a total of 2,160 hours of class instruction and laboratory work. That the offers of employment were discouraging, ranging from \$37.25 for 9 hour day, 6 days a week, to \$1.40 per hour, and he soon realized it was impossible to find employment in this field and since Electricity was the most closely related field to his training, he talked with several Electrical Contractors in Charlotte and one gave him a job and he was assigned as helper for an experienced Electrical Mechanic, at \$1.40 an hour and he realized that he could not support his family on this any longer and looked around for something better.

Mayor Brookshire asked Mr. Hodges to please tell the Council what they can do for him as he stated he was seeking help.

Mr. Hodges stated he then applied to the Building Inspection Department about becoming licensed as a Journeyman Electrician and was told by Mr. McClelland of the Department that he would be allowed only 6 months credit toward the apprenticeship requirement of the City Code. That Mr. McClelland also told him that it did not matter whether he could pass the examination that he did not have the practical experience required for taking the examination; that he asked to be allowed to go before the Electrical Advisory Board and request credit for the training he had had, and Mr. McClelland told him he would advise him the next date the Board was meeting. That an Electrical Contractor told him the Board was nothing but a rubber stamp for whatever Mr. McClelland said so he went back to Central Piedmont College and took over 1,000 hours of Airconditioning and Refrigeration. In December 1963 he applied to take the Refrigeration examination; on January 8, 1964 he took the examination and February 15th had not heard whether he had passed and attempted to get the information from the Building Inspection Department, and he wrote the Board and they ignored his letter, so he wrote them again and sent a copy to Mr. Veeder and asked for his assistance and the Board replied that he had passed the examination but they were going to deny him a license because he had not completed a three year apprenticeship requirement, which Mr. Hodges said does not actually exist. That he found that licenses were being issued to men who had not completed three years apprenticeship - because there is no such thing in Charlotte as a 3 year apprenticeship requirement. That he again went before the Mechanical Advisory Board and they refused him and he asked to see the record of licenses issued and they denied that they had ever issued a license to anyone who had not been through the 3 year requirement. That he went by the Building Inspection Department to see Mr. Bailey and he said they did not keep the records there, and Mr. Jamison told him later they were too crowded for space to keep the records - which is merely a 5" x 11" form. Mr. Hodges stated he knows they are issuing licenses in what they call special dispensation or special interest cases. That he thinks he is entitled to his license. That he asked Mr. Bailey where you got the apprenticeship training and he replied they would accept any field experience training or equivalent experience. Mr. Hodges said that Mr. Morrissey will tell the Council that the Code does not say anything about "equivalent experience", 98% of the licenses that have been issued in the Department since the law went on the books are invalid if the law is followed. That he then applied for his Mechanical Fuel Burners Examination and did not even find out the day the exam was given.



Mayor Brookshire suggested that Mr. Veeder go over the entire written statement that Mr. Hodges has with him and let Mr. Veeder talk with him later. Mr. Veeder stated that he would be glad to do so however, Mr. Jamison is present.

Councilman Alexander asked Mr. Hodges if he understands that he has training in electrical engineering and refrigeration and has applied to take the examination that is required for licensing in these fields? Mr. Hodges replied that he has taken the refrigeration mechanics examination and he has applied for mechanical fuel burning and they did not allow him to take the examination the date the exam was being given and said he did not qualify.

Mr. Jamison stated he has Mr. Glenn Agnew with him who is Chairman of the Mechanical Advisory Board and would like for him to speak.

Mr. Agnew stated he is presently a member of the Board. That for a good many years now it has been recognized by responsible persons in trade organizations that it is necessary to qualify and certify mechanics; open to these qualifications are two things - experience and examination. The experience requirement is based on what good practice would require; the examination is based on what we can get a man reasonably to put on paper. The authenticated record of experience of Mr. Hodges presented to the Board did not give us anything on which we could base our judgement in his favor.

Councilman Short asked if there is any appeal from their Board? Mr. Agnew stated there is - to the Building Standards Board, to the City Manager and to the City Council.

Councilman Alexander commented that Mr. Hodges states he has not been permitted to take the mechanical fuel burning exam, and he asked if Mr. Agnew has any record of denying him this privilege? Mr. Agnew said that he does not have any personal knowledge; that Mr. Hodges used the word "apprenticeship", that the Code says "experience" and they all have an experience requirement. That Mr. Hodges did not present to the Board any record of experience on which they could base a decision.

Councilman Whittington commented that Mr. Hodges says that he can prove that license have been issued to other people who were in similar categories, and refused him. He asked if Mr. Agnew has any knowledge of this? Mr. Agnew replied that he does not have any knowledge of that at all.

Councilman Alexander commented that he would like to settle one side of this issues, the mechanical fuel burning examination that Mr. Hodges has not been permitted to take; the other may be tied in with technicalities that involve the Code and maybe Mr. Veeder can clear this up for him and for the Council sometime, but could we not decide on the mechanical fuel burning side of it and so state here that he be given permission to apply, whatever that means, and so there be no question of his being refused the opportunity to take the examination. Could we not suggest that he be given an application or notified when the examination would be, so that would be settled? Mr. Veeder stated he would like Mr. Jamison to speak on this. Mr. Jamison stated there are various parts involved in taking the examination, the experience portion is based on the experience the person has had, in his opinion the experience he has had is more important than the written examination, for mechanical fuel burning equipment 2 years of field experience, and on the refrigeration aspect it is 3 years. He stated he thinks it is most important that these people who go to our houses to work on our equipment should be qualified and you can't get this out of a book, it must be experience, so he thinks the regulation on it is good, and Mr. Hodges has not had that experience. Councilman Alexander asked Mr. Hodges if he has had any experience with mechanical fuel burning

equipment, and Mr. Hodges replied that from 1947 to 1963 he owned and operated two restaurants and helped install the refrigeration, the gas burners etc., and it is equivalent to what is being done for special people in the City of Charlotte, and the Code, Sec. 5.108 states it plainly and does not say anything about field experience at all, it says "apprenticeship training period", and it is simply an assumed authority they are reading into the Code.

Mr. Jamison stated that "apprenticeship training" is actually on the job and the job is considered as the field.

Councilman Thrower moved that we turn this over to Mr. Veeder to handle and see if he cannot come back with a report to Council. The motion was seconded by Councilman Alexander. Councilman Short asked that we consider helping Mr. Hodges by letting him be examined by the Building Standards Board. Councilman Thrower stated he would assume that Mr. Veeder would take all of this into consideration. The vote was taken on the motion, and unanimously carried.

#### APPOINTMENT OF JUDGE WILLIAM GRIST AS ASSOCIATE JUDGE OF CITY RECORDER'S COURT.

Councilman Thrower moved the appointment of Judge William Grist as Associate Judge of City Recorder's Court for a two year term beginning July 1st. The motion was seconded by Councilman Whittington and unanimously carried.

#### CITY MANAGER REQUESTED TO SEND MEMORANDUM TO WATER CUSTOMER THAT THEY MAY SECURE A SECOND WATER METER FOR SEASONAL USE.

Councilman Thrower asked the City Manager to discuss further the second water meter question he was discussing in the Conference Session. Mr. Veeder stated that one point was left hanging on what happens about the charge when you do not need the meter say for the winter months. That it is cut off without charge and reconnected on request without charge.

Councilman Whittington commenting on the use of a second water meter stated it seems to him that what has been discussed would go to naught if we did not attempt to get this message to the people who use our water and sewer facilities. He asked if Mr. Veeder had thought about sending a memorandum out with customers water bill and now would be the time to do it while this additional facility could be added if they elected to do so?

#### REAPPOINTMENT OF JIMMIE KISER AS ASSISTANT CITY ATTORNEY.

Councilman Whittington moved the reappointment of Mr. Jimmie Kiser as Assistant City Attorney. The motion was seconded by Councilman Thrower, and unanimously carried.

#### APPOINTMENT OF MARSHALL HAYWOOD AS SOLICITOR OF CITY RECORDER'S COURT.

Councilman Whittington moved the appointment of Mr. Marshall Haywood as Solicitor of City Recorder's Court replacing Mr. Scarborough who resigned, at the same salary now paid Mr. Scarborough, effective July 1st. The motion was seconded by Councilman Jordan, and unanimously carried.

STREET LIGHT REQUESTED IN 5300 BLOCK OF BUENA VISTA STREET.

Councilman Jordan requested the City Manager to make a note of the request for a street light in the 5300 block of Buena Vista Street.

NO PARKING SIGNS REQUESTED ON DAVIDSON STREET, FROM MERCURY STREET OUT.

Councilman Jordan requested the City Manager to note the request for No Parking signs on Davidson Street, from Mercury Street out.

BETTER MAINTENANCE OF WELLESLEY AVENUE IN BLOCK NEAR NATURE MUSEUM REQUESTED.

Councilman Jordan requested the City Manager to make a note of the complaint of the residents on Wellesley Avenue, that the block near the Nature Museum is not being properly maintained; it is a gravel street and needs to be maintained.

APPOINTMENT OF WARREN BLAIR AS ASSISTANT SOLICITOR OF CITY RECORDER'S COURT.

Councilman Alexander placed in nomination Attorney Calvin Brown as Assistant Solicitor of City Recorder's Court. He stated Mr. Brown is a partner in the law firm of Nivens and Brown; he has practiced law in the City of Charlotte for approximately five years; he graduated from the University of North Carolina law school in the top half of his class; he is well respected in our community and carries the respect of the members of the Bar. He stated he is told that practically 85% to 90% of the case load of our City Courts involves negroes and certainly he feels there would not be any objections to Mr. Brown serving in this capacity. That he also feels Charlotte is a progressive city and this would be one of the things that would add to its progressiveness and show the nature of the progressiveness that Charlotte now enjoys.

Councilman Thrower asked if Mr. Alexander in referring to 90% of the cases, is speaking of criminal court or traffic court? Councilman Alexander replied that the way it was told him it must cover the full City Court operation and he does not know the percentage of the total in each court; however, he would say a sufficient number of cases in both the criminal and traffic courts.

Councilman Short moved the appointment immediately of Mr. Warren Blair as Assistant Solicitor for a term of two years, beginning July 1, 1965. He advised that Mr. Blair was reared in Charlotte; he is the son of Ed Blair who was Court Reporter here for many years; Warren Blair is 32 years old, graduated from the Law School at Chapel Hill in 1956 after which for 3 years he was a Prosecutor as well as a Defense Attorney in General Courts Marshal for the Army, handling appeals and two or three felony trials every week. He has filled in for Solicitor Scarborough and Solicitor Haywood in our Courts many times when they were away or unavailable; he has a large law practice and has specialized in the Court to which he is moving his appointment as Assistant Solicitor. Councilman Short advised that he is familiar with Mr. Blair's work personally, and it is excellent and he has the recommendation of a number of people in this Court. The motion was seconded by Councilman Albea who stated he was going to nominate Mr. Blair himself but yielded to Mr. Short.

The vote was taken by show of hands and the motion unanimously carried.

APPOINTMENT OF JUDGE P.B. BEACHUM AS JUDGE OF CITY RECORDER'S COURT.

Councilman Tuttle moved the appointment of Judge P. B. Beachum as Judge of City Recorder's Court for a two year term, effective July 1, 1965. The motion was seconded by Councilman Albea, and unanimously carried.

REAPPOINTMENT OF RUTH ARMSTRONG AS DEPUTY CITY CLERK.

Councilman Tuttle moved the reappointment of Miss Ruth Armstrong, Clerk-Stenographer in the office of the City Clerk, as Deputy City Clerk. The motion was seconded by Councilman Jordan, and unanimously carried.

ADJOURNMENT.

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

  
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Lillian R. Hoffman, City Clerk