

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 7, 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 F. M. Allen, Pastor of Gethsemane AME Zion Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and un-animously carried, the minutes of the last meeting on May 31st were approved as submitted.

HEARING ON PRELIMINARY ASSESSMENT ROLL FOR IMPROVEMENTS COMPLETED ON CHESTERFIELD AVENUE, FROM ST. JULIAN STREET TO PECAN AVENUE.

The scheduled hearing was held on the Preliminary Assessment Roll for improvements completed on Chesterfield Avenue, from St. Julian Street to Pecan Avenue, by installing storm drainage facilities and constructing roll type curb and gutter, at a total project cost of \$11,970.31, of which the city's share is \$5,801.11, and the share to be assessed against the abutting properties is \$6,169.20, at an assessment rate of \$2.65 per front foot.

Mr. Henry Cowell stated he was not notified that this project was under consideration, and the first he knew about it they were getting ready to put the curb and gutter in. That he talked with the two City departments about the condition of the curb at the intersection of Pecan and Chesterfield and tried to get them to do something about it. One would not be in favor of it and the other said it was too late to do anything about it. He stated that the street is within 1 and 1/2 feet of his property and leaves no room for a sidewalk. That he has about 130 feet of curb and gutter and he thinks he has been overcharged with the footage. That he would like to see Pecan Avenue straightened out.

The City Manager requested Mr. Josh Birmingham of the Engineering Department to go over this with Mr. Cowell and effect whatever is necessary to satisfy him; and in view of the possible change in footage he would suggest that Council withhold action for one week.

Councilman Thrower moved that action on the Preliminary Assessment Roll be deferred for one week. The motion was seconded by Councilman Whittington, and carried unanimously.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL AS THE FINAL ASSESEMENT ROLL FOR IMPROVEMENTS COMPLETED ON WOODLAND DRIVE, FROM ROANOKE AVENUE TO SHEFFIELD DRIVE, ADOPTED.

The public hearing was held on the Preliminary Assessment Roll for improvements

completed on Woodland Drive, from Roanoke Avenue to Sheffield Drive, by constructing concrete sidewalk on the northeast side of the street, at a total project cost of \$2,511.00 with the entire cost to be assessed against the abutting properties at an assessment rate of \$2.70 per front foot.

Mrs W. A. Hartis stated she lives at the corner of Sheffield and Woodland Drive, and was never approached when the petition was put before the Council. That she disapproves because it is in an area of an undivided block and accomplishes nothing as it goes nowhere except in the area of Eastway Park and there is no other sidewalk in the whole park. The assessment rate is awfully high for a long block to cost \$2,511.00 with each to be assessed \$2.70 a foot; that this figures about \$49.00 a yard for the concrete and labor and she thinks this is completely out of line. Mrs Hartis stated when the sidewalk was laid they covered the gas cut offs, and this presented a hazard a few years ago when lightening struck a house in the neighborhood and it went into the gas line and had they not been able to cut it off at the street, the house would have burned.

Mr. Birmingham of the Engineering Department stated they took competitive bids on this work in January and there were three contractors to bid, and the low bid was Crowder Construction Company. They feel the assessment is not too excessive as they had estimated the cost to be about \$2.50 per front foot. That the bid was put out and they ran into bad weather; there were shrubs to be moved and grass which they had to be careful with; there were about 6 items in the contract that had to be put in in order to restore the property to its original condition. They contacted Mr. Barr with Piedmont Gas Company who stated the gas cut offs are obsolete and are not in use any more and it is alright if they were covered; they belong to the gas company and they maintain the lines from the street to the back of the house and there is a cut off at the back of the house.

The City Manager advised that 8 out of the 12 property owners signed the petition and there is no question about it being a majority of the property owners.

Mrs Hartis asked if they are responsible for the eleven feet on the corner which is the city right-of-way and if they were assessed for this footage? Mr. Birmingham replied they were not assessed to his knowledge. That it is true there is a curb in the street but the line as projected at the intersection did not throw it into where she would be paying for the assessment.

Councilman Tuttle asked how the \$2.70 assessment compares with like bids, and Mr. Birmingham stated they estimate sidewalks at \$2.50 per foot, but this is with city forces and when it is put out to bid they feel this is in line with standard bidding.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, a Resolution Confirming the Assessment Roll as the Final Assessment Roll for improvements completed on Woodland Drive, from Roanoke Avenue to Sheffield Drive, was adopted at 3:20 o'clock p.m.

The resolution is recorded in full in Resolutions Book 5, at Page 34.

HOUSING AUTHORITY PRESENTS CHECK IN LIEU OF PAYMENT OF TAXES TO THE CITY.

Mr. Harold Dillehay, Director of Housing Authority, stated it is a pleasure to make his annual trip; that the Housing Authority is pleased to present checks in lieu of payment of taxes for the fiscal year ending March 31, 1965.

The check for Piedmont Courts and Fairview Homes is in the amount of \$23,021.17; the check for Southside Homes and Belvedere Homes in the amount of \$19,333.08, for a total of \$42,354.25. That the above represents 10% of the shelter rent for public housing developments which is operated by the Authority; and when the auditors complete the audit a copy of the review will be transmitted to the City Manager.

In connection with their new units, Mr. Dillehay stated they have missed the target date for putting them out to bid; that bids will be received on the high rise on June 24th, and the garden type project is still in Atlanta and it should be out in August.

BOB CHESSON, SEDGEFIELD JUNIOR HIGH STUDENT, WELCOMED TO COUNCIL MEETING.

Mayor Brookshire recognized Bob Chesson and welcomed him to the Council Meeting. He stated that Bob is a 7th Grade Student at Sedgfield Junior High School and is very interested in Charlotte's history and its government. That he makes straight "A's" in history.

CITY MANAGER TO INVESTIGATE REQUEST FOR REINSTATEMENT OF PERMIT TO WILLIAM ELMORE BRIGMAN TO OPERATE A TAXICAB.

Mr. John Warren, Attorney, stated that in 1958 Council suspended Mr. William Elmore Brigman's permit to operate a cab in Charlotte and he now asks this privilege be reinstated so he might again earn his living by driving a cab. He has an offer of employment by Baker Cab Company if the city reinstates his privilege of driving. That he has had no problems as far as he can find out in any way - financially or with the law - since 1958 when his permit to drive was taken; and the Taxicab Inspector is agreeable to this.

Councilman Jordan moved that the matter be turned over to Mr. Veeder to investigate and bring back the report to Council next week. The motion was seconded by Councilman Whittington, and carried unanimously.

CITIZEN REQUEST THAT CHIEF HORD DECLARE HIMSELF BEFORE BEING REAPPOINTED BY COUNCIL.

Mr. John Bennett stated he has noticed there has been some discussion about reappointing Chief Hord. That the one person who has not been heard from is Chief Hord as he has elected to remain silent; he wants to plead a demurrer instead of facing the facts. That a man always wins a lot more respect by facing the facts even if he loses. That he suspects there has been some political arm twisting back of this whole thing. That a very expensive book has been written of all these 40 warrants - a professional book written at great expense to the taxpayers. That everybody wants to close the book now before the preface has been read; and he thinks we should let Chief Hord say something for himself. That he should face the facts, and if any other public official has been guilty of wrong doing they are trying to cover up, he thinks the taxpayers are entitled to know about it. That he wants to go on record of asking Chief Hord to declare himself before he is passed for reappointment.

Mayor Brookshire stated the Chief has made several statements to the effect that he is satisfied that any court conducting a trial of charges made against him would give him clearance.

Councilman Albea stated he thinks Chief Hord has declared himself several times through the press and the record: speaks for itself.

**SUGGESTIONS FOR TRAFFIC MOVEMENT IN THE INDEPENDENCE BOULEVARD-K-MART AREA
MADE BY JIM MCDUFFIE.**

Mr. Jim McDuffie referred to a statement in Roy Covington's column Sunday made by Mr. Hoose about Independence Boulevard near the K-Mart. That Mr. Hoose's statement indicated he was helpless to do anything further in this area. Mr. McDuffie stated since he lives in this area he is interested in helping the traffic situation. That a rear entrance to the K-Mart would help if 1/3 of the traffic leads out to Monroe Road where they are building apartments, and there are several streets to the rear of the K-Mart which have now been closed from the K-Mart on to the Amity Garden Shopping Center, and a road could have been put through there. A center strip comparable to what is already in the Boulevard making traffic turn right would eliminate traffic hazards for people crossing the Boulevard coming out the exit entrance. Now is the time to do something about an easterly highway, at least on planning. He asked Council to remember that people's habits will change if you give them a way to go. For example, there is no way to get on Monroe Road if you go off Independence coming toward town. There is not a stop light. At Briar Creek you cannot get onto Monroe Road by getting off Independence because there is no light there in the morning. The Commonwealth intersection has been changed at Eastway but in his opinion it is worse than it was, and we might need to block Commonwealth all together and shuttle traffic up Woodland and put a light there for people who want to get to Eastway. That the same problem is going to occur at Eastway Drive and Shamrock which can be eliminated now. A fire station will be built at Shamrock and there is a dirt road which dead ends. There are 5 lights there now and one could be eliminated if you made it one-way in only.

Mr. McDuffie stated he realizes that a meeting such as this is not the place to discuss individual traffic situations. That he would hope a committee would be appointed and hearings held on the development of traffic at intersections and people who go through them everyday would feel they could come and talk about them without having to attend a Council Meeting, or getting up a petition for a traffic light and having to bring 300 or 400 people down. That people could be made to know they are wanted.

He stated that traffic going eastward is limited to those two streets and he thinks there should be some one-way streets in Eastway Park. Woodland could be made one-way coming back; Dresden Drive could be made one-way going the other way and it would help traffic considerably. That they get no results individually; you have to get up a mad group of people who get petitions and raise cane, and it takes a much longer time than it should. That a rear entrance to the K-Mart blocking up Independence with right turns only coming out of the K-Mart would make it a safer road.

Mayor Brookshire thanked Mr. McDuffie for his suggestions and stated Council does have to rely on the expert advise of the Traffic Engineering Department and his suggestions will be turned over to them.

**PETITION NO. 65-48 BY JOHN CROSLAND COMPANY FOR CHANGE IN ZONING OF TRACT
OF LAND ON THE SE SIDE OF NC 49 OPPOSITE CHARLOTTE COLLEGE, WITHDRAWN.**

Petition No. 65-48 by John Crosland Company for a change in zoning from R-12MF to R-9MF of a tract of land on the southeast side of NC 49 opposite Charlotte College, beginning at Mark Twain Road and extending along NC 49 eastward was requested withdrawn by the Attorneys for the petitioner.

Councilman Thrower moved that the petitioner be allowed to withdraw the petition. The motion was seconded by Councilman Alexander.

Councilman Short stated the petition if granted would allow the Crosland Company to build about 72 efficiency apartments. It is now R-12MF and would allow them to build only 60 efficiency apartments. That Dr. Cone was content to leave the zoning as it is now, and Mr. Crosland concluded they could not prevail in the matter and they would rather withdraw the petition at this time. He stated he hopes Council will not be asking the taxpayers to put this type of units out there as a part of the College in a year or so.

Mr. McIntyre, Planning Director, stated that the R-12MF zoning prevails generally throughout the area and to allow the change on a smaller piece of property would be inconsistent with the general zoning regulations in the area as a whole.

Mr. Morrissey, City Attorney, advised the motion is out of order as the petition now before Council has been withdrawn and there is nothing to act upon as they have withdrawn the petition which is their right.

PETITION NO. 65-55 FOR A CHANGE IN ZONING OF A LOT AT 301 PETERSON DRIVE, DENIED.

Petition No. 65-55 by L. L. Beman, Jr. for a change in zoning from R-6MF to O-6 of a lot at 301 Peterson Drive, on which a protest petition has been filed and which is sufficient to require the affirmative vote of six members of Council to approve the change was presented for Council consideration.

Councilman Short moved that the petition be approved as recommended by the Planning Commission. The motion was seconded by Councilman Whittington.

Councilman Thrower stated the previous Council went to a great deal of effort to protect the property just across the street. That Council was greatly concerned over the big Queen Drive-In Theatre which might impose on the privacy of these other homes, and yet we go right across the street and allow it to be rezoned. That these people are just as proud of their homes and the homes are just as nice, so for that reason he will not vote in favor of the petition.

Mr. McIntyre, Planning Director, stated this was recommended by the Planning Commission primarily as an equity - who has the greater or lesser hardship; is it more of a hardship for a house to be lived in next door to an industrial establishment or is it more of a hardship for a house to be lived in next to an office. That it was the judgment of the Commission that it would be easier and more equitable and less of a hardship for someone to occupy a house next to an office than it would be for someone else to occupy a house next to an industrial establishment.

Councilman Tuttle stated these people are proud of their homes out there and he thinks this is a case of letting the bars down.

The vote was taken on the motion to approve the petition and failed to carry for lack of the affirmative vote of six members, on the following recorded vote:

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

Councilman Alexander asked the City Attorney if a person can withdraw a request for a zoning change anytime before final action of the Council? Mr. Morrissey replied yes. That Council has discussed this previously and instructed him to prepare an ordinance that would limit the right to withdraw

and he has delayed doing so until the new Charter becomes effective July 1 which will vest in Council authority to grant modifications in petitions, and he thinks at that time it might be appropriate to consider plugging the loophole of withdrawal if the Council still desires it to be done.

Councilman Tuttle stated the house on Peterson is now occupied by Eastway Builders office and he asked what happens to this now and how did it get in there. Mr. McIntyre stated he is not sure how it got in there; sofar as he knows this property has been zoned residentially as long as he remembers. It would appear that the office moved into a residential district. That the enforcement of the Zoning Ordinance is up to the Building Inspection Department and he understands that the matter has been brought to the Building Inspection Department's attention.

CONSTRUCTION OF SANITARY SEWER MAINS AND TRUNKS AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and un-animously carried, the construction of sanitary sewer mains and trunks were authorized as follows:

- (a) Construction of 1,285 ft. of trunk and 1,380 ft. of mains to serve a portion of the Kilborne Acres Subdivision, inside the city, at the request of Ed Griffin Construction Co., at an estimated cost of \$15,045.00, with all cost to be borne by the applicant whose deposit of the entire amount will be refunded as per terms of the agreement.
- (b) Construction of 996 ft. of trunk and 930 ft. of main in Old Pineville Road, inside the city, at the request of Charlotte Chemical Laboratories, Inc., at an estimated cost of \$10,825.00, with all costs to be borne by the Applicant whose deposit of the entire amount will be refunded as per terms of the agreement.
- (c) Construction of 70-ft. of main, in Amy James Street, inside the city, at the request of Norman's House Demolishing Company, at an estimated cost of \$500.00, with all cost to be borne by the applicant whose deposit of the full amount will be refunded as per terms of the agreement.

CONTRACT WITH C.D. SPANGLER CONSTRUCTION COMPANY FOR INSTALLATION OF WATER MAINS IN LAKE PLAZA SUBDIVISION, AUTHORIZED.

Councilman Albea moved approval of a contract with C. D. Spangler Construction Company for the construction of approximately 5,550 ft. of water mains and 5 hydrants, in Lake Plaza Subdivision, inside the city limits, at an estimated cost of \$18,300.00, 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. The motion was seconded by Councilman Whittington, and carried unanimously.

CLAIMS OF PRESBYTERIAN BOOK STORE AND FOARD CONSTRUCTION COMPANY, DENIED.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and un-animously carried, denying the following two claims as recommended by the City Attorney:

- (a) Claim of Presbyterian Book Store, 118 West Fifth Street, in the amount of \$314.37 for damages allegedly sustained when water flooded the basement of the Book Store caused by water leaking from a service line lying between the water main and the claimant's property line.
- (b) Claim of Foard Construction Company, in the amount of \$45.23, for costs in pumping out water which had flooded the basement of the Presbyterian Book Store.

QUIT-CLAIM DEED CONVEYING CITY'S INTEREST IN PORTION OF NORTH ALEXANDER STREET TO HOUSING AUTHORITY, AUTHORIZED.

Councilman Jordan moved that the Mayor and City Clerk be authorized to execute a quit-claim deed conveying any interest the City of Charlotte might have in that portion of North Alexander Street lying between East 6th and East 7th Streets, to the Housing Authority. The motion was seconded by Councilman Thrower, and carried unanimously.

CONSIDERATION OF APPOINTMENT TO FILL VACANCIES ON THE PLANNING COMMISSION DEFERRED FOR ONE WEEK.

Council was advised that Mr. Walter D. Toy was nominated at the last meeting of Council to succeed himself for a three year term on the Planning Commission, which nomination was to remain open for one week.

Councilman Whittington stated he is not ready to vote today. Councilman Albea stated he nominated Mr. Toy last week and he understands that it might conflict with his successful bid for the City Jail, and as he sees no conflict he is ready to vote for him today.

Councilman Whittington moved that consideration of the appointment be delayed for one week. The motion was seconded by Councilman Alexander, and carried by the following recorded vote:

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

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 the following cemetery lots:

- (a) Deed with Raymond R. Clontz and wife, Irene, for Lot No. 257, Section 3, Evergreen Cemetery, at \$283.50.
- (b) Deed with Mrs Marjorie Hadden for Grave 7, in Lot No. 13, Section 3, Evergreen Cemetery, at \$60.00.
- (c) Deed with R. D. Helms, for Graves 5 and 6, in Lot No. 13, Section 3, Evergreen Cemetery, at \$120.00.
- (d) Deed with Mr or Mrs Daniel Hughes, for Graves 5 and 6, in Lot No. 141, Section 2, Evergreen Cemetery, at \$120.00.
- (e) Deed with J. Norton Stribling and wife, Esther, for Lot No. 389, Section 4-A, Evergreen Cemetery, at \$189.00.
- (f) Deed with Richard C. and Thelma J. Hicks, for Lot No. 256, Section 3, Evergreen Cemetery, at \$283.50.
- (g) Deed with Louis W. Rathbun and wife, Beatrice Rathbun, for Lot No. 441, Section 3, Oaklawn Cemetery, transferred from Mrs Marie Stroupe, at \$3.00 for transfer deed.

CONTRACT AWARDED BLYTHE BROTHERS COMPANY FOR ASPHALT RESURFACING ON VARIOUS STREETS.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Blythe Brothers Company, in the amount of \$105,176.00, on a unit price basis, for the asphalt resurfacing of 34 streets, as specified.

The following bids were received:

Blythe Brothers Company	\$105,176.00
Rea Construction Company	109,387.00
Dickerson, Inc.	113,995.00

CONTRACT AWARDED REPUBLIC STEEL CORP. FOR CULVERT PIPE ARCHES.

Councilman Jordan moved award of contract to Republic Steel Corporation, the low bidder, for 80 lineal feet of culvert pipe arches, as specified, in the amount of \$2,546.41. The motion was seconded by Councilman Alexander, and carried unanimously.

The following bids were received:

Republic Steel Corp.	\$ 2,546.41
Carolina Culvert & Metal Co.	2,951.98
Metal Products Div., Armco Steel Co.	3,055.93

CONTRACT AWARDED HOWIE CRANE SERVICE COMPANY FOR JOHNSTON STREET SANITARY SEWER PROJECT.

Upon motion of Councilman Thrower, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low bidder, Howie Crane Service Company, for the Johnston Street sanitary sewer project, as specified, in the amount of \$16,746.50, on a unit price basis.

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The following bids were received:

Howie Crane Service Co.	\$-16,746.50	16,371.50
C. M. Allen Construction Co.	16,994.50	
Sanders Brothers Company	17,127.00	
C. D. Spangler Constr. Co.	17,950.50	

BID OF MARY LOU STILWELL FOR THE SALE AND REMOVAL OF FRAME HOUSE ON AIRPORT PROPERTY, CONFIRMED.

Councilman Alba moved that the high bid of Mary Lou Stilwell in the amount of \$2,500.61, for the sale and removal of frame house on Airport property be confirmed. The motion was seconded by Councilman Thrower, and carried unanimously.

The following bids were received:

Mary Lou Stilwell	\$ 2,500.61
C.C. Philbeck	1,800.00
E. F. Slaughter	1,525.00
Crouch Bros. House Moving Contrs.	1,505.00
Thelma V. Burroughs	1,300.00
Jackie M. Rosebury	601.01
Margaret W. Means	400.00
Mary Anne Sledge	250.00
Mrs Dorothy C. Barber	250.00

FUNDS AUTHORIZED SET UP IN NEXT FISCAL YEAR BUDGET FOR CITY'S PARTICIPATION IN A COUNTYWIDE RECREATION SURVEY.

Councilman Albea moved that \$3,534.00 be allocated as the City's 1/3 share of the cost of a countywide recreational survey in cooperation with the Social Planning Council of the United Community Services and Mecklenburg County. The motion was seconded by Councilman Alexander.

Mr. Veeder advised that in effect Council was expressing a willingness to participate with the money to be budgeted in the next fiscal year starting July 1, 1965.

The vote was taken on the motion and carried unanimously.

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHARLOTTE AND MECKLENBURG COUNTY AND THE NORTH CAROLINA STATE HIGHWAY COMMISSION IN COOPERATION WITH THE UNITED STATES DEPARTMENT OF COMMERCE, BUREAU OF PUBLIC ROADS, AUTHORIZED.

Councilman Thrower moved approval of the Memorandum of Understanding between the City of Charlotte and Mecklenburg County and the North Carolina State Highway Commission in cooperation with the United States Department of Commerce, Bureau of Public Roads in connection with the continuing transportation planning process. The motion was seconded by Councilman Jordan, and carried unanimously.

WEST FIFTH STREET AND WEST SIXTH STREET MADE ONE-WAY STREETS.

Councilman Albea moved that the proposal as outlined by the report of the Traffic Engineering for making West Fifth Street and West Sixth Street one-way be approved. The motion was seconded by Councilman Short and carried unanimously.

Councilman Short complimented Mr. Hoose for the excellent report on the matter.

RETIREMENT OF MR. O.G. OVERCASH EFFECTIVE JULY 31, 1965 AUTHORIZED.

Upon motion of Councilman Jordan, the retirement of Mr. O. G. Overcash, Police Department, was authorized to become effective July 31st as recommended by the City Manager. The motion was seconded by Councilman Alexander, and carried unanimously.

PROPERTY TRANSACTIONS AUTHORIZED IN CONNECTION WITH SANITARY SEWER EASEMENTS AND NORTHWEST EXPRESSWAY RIGHT OF WAY.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the following property transactions were authorized:

- (a) Acquisition of right of way 5' x 150' in Haines Street, from Ray E. Skidmore and wife, Evelyn, at \$75.00, for the Lincoln Heights sanitary sewer line.
- (b) Acquisition of right of way 93.70' x 10' in Haines Street, from Miss Lottie Ruth Edwards, at \$94.00, for the Lincoln Heights sanitary sewer line.

- (c) Acquisition of 8,250 sq. ft. of property at 439-41 Beaumont Avenue, from L. L. Thomas, at \$14,100.00 for the Northwest Expressway right of way.
- (d) Acquisition of 9,900 sq. ft. of property at 609 Central Avenue, from the J. Arthur Eagle Estate, at \$14,000.00 for the Northwest Expressway right of way.
- (e) Acquisition of 6,700 sq. ft. of property at 928-30 and 932-34 East 9th Street, from F. D. and Effie E. Collins, at \$6,700.00 for the Northwest Expressway right of way.
- (f) Acquisition of 6,750 sq. ft. of property at 815 E. 9th Street, from James Torrence and wife, Sallie, at \$5,250.00 for the Northwest Expressway right of way.
- (g) Acquisition of 5,148 sq. ft. of property at 308-10 E. 12th Street, from M. J. Armeen and A. A. Motter, at \$3,000.00 for the Northwest Expressway right of way.
- (h) Acquisition of 12,750 sq. ft. of property at 807-15 Ross Street, from J. P. Hackney, Jr., at \$10,500.00 for the Northwest Expressway right of way.

RESOLUTION OF ACKNOWLEDGMENT AND APPRECIATION OF OUTSTANDING SERVICE TO THE CITY OF CHARLOTTE BY THE MEMBERS OF THE CHARTER REVIEW COMMISSION OF THE CITY OF CHARLOTTE, ADOPTED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, a resolution entitled: A Resolution of Acknowledgment and Appreciation of Outstanding Service to the City of Charlotte by the Members of the Charter Review Commission of the City of Charlotte, was adopted.

The resolution is recorded in full in Resolutions Book 5, at Page 36.

TRAFFIC ENGINEERING DEPARTMENT TO STUDY DOWNTOWN PARKING SITUATION REGARDING PARKING RESTRICTIONS WITH IDEA OF REMOVING 4:30 AND 5:00 O'CLOCK RESTRICTIONS.

Councilman Tuttle stated that in September 1963 on motion of Mr. Dellinger, an ordinance was adopted on a trial basis to January 1, 1964 to remove the parking from 4:30 to 6:30 and from 5:00 to 6:30 in some instances, in the heart of downtown, particularly Trade and Tryon Streets. That several downtown merchants have called his attention to the fact that Downtown Charlotte starts becoming a ghost town at 4:30. That is when the shoppers begin to leave the stores and move their cars before they are hauled off at 4:30 or 5:00 o'clock, and they do not come back. That it is a fact that everyone moving their cars from the meters at 4:30 and 5:00 o'clock meet headon with the office workers as they leave contributing to the traffic problem. That he is speaking of the four heart of downtown streets. What is the sense of all the talk of bringing back trade to Downtown when we may be slowly killing it with these parking regulations. There was a day when people would take their time in the stores in the afternoon, later staying on to closing time, then eating dinner at some cafeteria or restaurant and browsing in front of the stores before going home. Not now. They rush off to beat the wrecker to their car. Some of the cars they are hauling off are from out-of-town, and he wonders if these people ever come back. That he proposes that Council seriously consider removing the 4:30 and 5:00 o'clock limits on the meters now in use

for a period of at least 90 days and see what happens to the traffic, and at the same time see what would happen as far as the benefit to the merchants is concerned. That he does not propose that any meters which were removed be returned but simply that we take off the 4:30 and 5:00 o'clock limit. That we owe this effort to the downtown merchant and even the downtown as a whole. He has a feeling that such a move can actually help the situation, as we would be removing the confusion of practically all the cars in town leaving meters and going into the street with traffic at approximately the same time. Councilman Tuttle then moved that Council seriously consider this to the extent that at least the Mayor name a committee to talk with Mr. Hoose and bring back a report at the next meeting.

Councilman Jordan stated that Mr Tuttle as well as he is on the Downtown Association Committee and at this time they are making surveys and working on the downtown plan, and he thinks this is premature. Councilman Tuttle replied he considered this but anything that happens there will be two to four years hence; what he is talking about is today; the merchants are suffering. It is his understanding that one large cafeteria downtown is considering closing because they use to get a lot of these people who park their cars and browsed around the stores and met their husbands, and now they go home at 4:30.

Councilman Thrower asked if Councilman Tuttle's motion is to appoint a committee to talk to Mr. Hoose about the situation or if it is that Council voluntarily remove the traffic for a 90 day period. Councilman Tuttle replied his motion is that Council ask the Mayor to name a committee to discuss this with Mr. Hoose and in the meantime Council be giving serious consideration to it because a week, or two, hence whenever the committee finishes he is going to make the motion.

Councilman Albea stated he is opposed to committees and if this thing is going to be handled he wants the whole council to be present.

Councilman Tuttle then changed his motion to read that the Mayor instruct the whole council to study the situation and discuss it with Mr. Hoose and some of the Downtown Merchants between now and the next meeting. The motion was seconded by Councilman Albea.

Councilman Tuttle stated he is talking primarily about the area from Church Street over to Poplar Street including Tryon Street, and Trade Street down through 5th and 4th Streets - the immediate downtown heart of town section.

Councilman Alexander stated he sees nothing wrong with considering this but he has some doubts about doing it between now and next Monday. If Council is going to do this, then give justice to the situation so we will have facts and will have had an opportunity to contact everybody concerned. That he may agree to vote for it if the limitations can be relieved.

Councilman Alexander offered a substitute motion that the matter of the Committee be tabled and the idea be referred to the Traffic Engineering Department for their study before Council takes formal action. The motion was seconded by Councilman Thrower.

The City Manager advised they would certainly have a study of this within the two weeks period.

Councilman Whittington requested Councilman Alexander to include in his motion the thinking of the Downtown Association and the Charlotte Merchants Association, which amendment was accepted by both Councilman Alexander and Councilman Thrower.

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

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

Mr. Veeder stated the Traffic Engineering Department is to take a look at preparing a report on the possible removal of peak hour restrictions that now exist on curb parking on Trade, from Poplar two blocks east of the Square, and on Tryon, from approximately 6th Street to Third Street.

JIM BATTEN, CHARLOTTE OBSERVER REPORTER WHO IS LEAVING CHARLOTTE, COMPLIMENTED BY COUNCIL.

Councilman Alexander stated he has noticed the absence of Mr. Jim Batten, Charlotte Observer Reporter, and he understands he has moved to Washington on another assignment. That he thinks the Council and community at large has benefited much by the type of reporting that Mr. Batten has contributed and he asked that the record show Council appreciates having gentlemen of the press of this caliber, who are in the eyes of other places to the extent they are taken from us.

Councilman Whittington stated he did not know that Mr. Batten had left for good but he would like to echo what Councilman Alexander has said; that he has been a very valuable asset down here.

Councilman Tuttle remarked if he had no more to fear from the press than from the gentlemanly conduct of Jim Batten he would be happy with his job.

Mayor Brookshire welcomed Mr. Stan Brennan, Observer Reporter, to City Hall.

JOHN T. MORRISEY REAPPOINTED AS CITY ATTORNEY.

Councilman Alexander moved that Mr. John T. Morrissey be reappointed as City Attorney. The motion was seconded by Councilman Short, and carried unanimously.

WALTER J. BLACK REAPPOINTED AS CHIEF OF THE FIRE DEPARTMENT.

Councilman Jordan moved the reappointment of Mr. Walter J. Black as Chief of the Fire Department. The motion was seconded by Councilman Thrower, and carried unanimously.

REAPPOINTMENT OF BRUCE SMITH AS CITY TREASURER.

Upon motion of Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, Mr. Bruce Smith was reappointed as City Treasurer.

J. B. FENNELL REAPPOINTED AS FINANCE DIRECTOR.

Motion was made by Councilman Whittington reappointing Mr. J.B. Fennell as Finance Director. The motion was seconded by Councilman Jordan, and carried unanimously.

RECOMMENDATION BY COUNCILMAN WHITTINGTON THAT COMMITTEES BE FORMED ACROSS THE STATE REGARDING NEED FOR NEW REVENUES ADOPTED.

Councilman Whittington stated a need for new revenue in the form of some kind of taxes has been discussed by the previous Council and the County Commissioners. That one of the papers editorialized some two or three weeks ago what is needed and why we can't get it, because it takes state legislation or permissive legislation to get new revenue. The thought he has in mind is the time has come when this Council should ask through the League of Municipalities, of which the Mayor is president, that all of the cities throughout North Carolina, and all the counties throughout North Carolina represented by the Board of County Commissioners, attempt to have Committees appointed from each one of these cities and towns, and from each one of these counties where the cities and town are - the thought behind it is that these committees would come together some time in the fall of this year and then meet subsequently as many times as is necessary to decide together what they need to ask the Legislature for in 1967 and then a joint effort be approached by the County Commissioners and by the Cities - by the cities and counties themselves as well as the organization of League of Municipalities headed by Mr. Alex McMahon and the organization of League of Municipalities headed by Mrs Steed and her staff. That he visions trying to put up a united front for what is needed, not only by Charlotte but what will be needed from a town in another county. That it seems to him this is the only way that we as cities and other areas across the state are going to be able to get what is needed or at least approach what is needed. That this should be done in conjunction with the study commission we have had on the legislature of new revenue and it also should be done with any effort being made by the legislature in the future so that cities and counties, together, across the state can agree by 1967 on what is needed and then go to the legislature with a united front to get this new tax base or additional tax that Mecklenburg alone would not be asking for but everybody across the state would be. The time has come when both cities and counties must put up a united effort for their needs with the legislature and go down and try and get it. That he moved that this Council initiate this today. The motion was seconded by Councilman Jordan.

Mayor Brookshire stated he could not be more in agreement with Councilman Whittington's motivations or purposes; that he would like to relate the thoughts expressed to certain facts as he sees them, hoping that they will put the whole thing in a little better perspective for all of us.

- (a) No other city in the State of North Carolina has the growth problems which Charlotte has - Charlotte being the largest and fastest growing city. The fact that we have doubled our population every 20 years since the turn of the century and anticipate the same growth in the next 20 years means the same facilities and services we are now providing for 225,000 people has to be doubled in the next 20 years.
- (2) The other larger cities of the State - 10,000 and over - have demonstrated in the past a complete lack of interest in this. That when he made a speech at the regional meeting of the League last July he talked about the trend towards urbanization, growth problems, inequity and inadequacy of the ad valorem tax structures and it got very little response from the representatives of any of the other cities and towns represented.
- (3) Any proposal will be resisted in every community in the State including our own.
- (4) Governor Moore promised that he would not propose and would oppose any new taxes in the State of North Carolina while he is governor.

- (5) The Meares Bill introduced at the last meeting of the state legislature calls for a state wide study. Both Mr. McMahon of the Association of County Commissioners and our own League staff are studying the Bill hopeful to get it admitted in some respects so that it will call for a complete study of the tax resources and equity of tax distribution for both local and state government and perhaps redistribution of some of the taxes that are collected in Raleigh by the state government to local government. The he would even hope that the study might recommend a 4% sales tax with 1% to be returned to the communities.
- (6) Our League does have each bi-annum a legislative program which is carefully prepared at regional meetings across the state, and the Association does likewise, and there is a very fine relationship between the two organizations. That if push comes to shove, perhaps the only alternative in Charlotte to raising local tax rates, both county and city, will be to seek restrictive legislation for cities 200,000 and over which the Legislature might be willing to pass and permissive legislation which would give us the opportunity locally to either impose or call a referendum that would provide either sales tax or income payroll tax, or tax on automobile license plates or luxuries as tobacco, alcoholic beverages and such.

Mayor Brookshire stated further this is not such a pleasant picture for this Council which has the responsibility of providing for some of the enlargement of facilities and services for the next two years. That in the past we have been able to keep up with the demands of growth through gradually increasing the ad valorem taxes and through long term financing.

Councilman Thrower stated he heartily supports Councilman Whittington's recommendations that we go ahead and do this and use it in any other channel to let the municipalities and counties let their influence be felt in Raleigh. That communications are lacking between local government and Raleigh, and anything we can do to discourage this would be an asset.

Councilman Whittington amended his motion at the request of Mayor Brookshire to read that Mayor Brookshire make the suggestion through both the League and the Association.

Mayor Brookshire stated we have two organizations - The League of Municipalities representing the 360 member cities and towns and the Association of County Commissioners -representing 100 counties - which are expected to concern themselves with this sort of thing along with other problems of municipal and local county government across the state.

Mr. Morrissey, City Attorney, stated he thinks the Mayor has characterized problems that have existed in the past and that Mr. Whittington's motion is aimed as a solution to these problems. That it is the intent of the motion that this Council go on record urging both the League and the Association to take immediate steps toward identification of the needs of all the cities and the counties. That he does not think you can be selective, you have to operate on the broadest possible political base; and some of the most potent political power comes from the less urbanized areas. All have to go at it together. That both Associations would formalize legislative programs customarily by the '67 Session of the General Assembly, but it seems that the pace at which that has been done in the past leaves something to be desired. Again he thinks it is the intent of the motion to let the Associations know that this Council is interested in taking steps at an earlier date towards the identification of these needs, their evaluation in dollars and cents and to point to some equitable financial solutions to the problems with respect to the allocation of all tax revenues in North Carolina. That he thinks the means by which this

can be done should be left to the Executive Committees of the two Associations with the present support of the local governing bodies; that whatever program may be devised needs to be devised at an early enough date to let it be known to persons who become candidates for legislative office before and not afterwards.

The vote was taken on the motion and carried unanimously.

MR. GEORGE BROADRICK ENDORSED BY COUNCIL AS HIGHWAY COMMISSIONER FROM THIS DISTRICT.

Councilman Whittington stated some three months ago it became known to the people of this community, that Mr. George Broadrick with the First Citizens Bank had been proposed as the nominee for highway commissioner from this district. That he has talked with Mr. Broadrick about this and many people of the county have written the Governor about his candidacy and urged that he be appointed; and this morning the Board of County Commissioners went on record endorsing Mr. Broadrick and he moved that this Council go on record endorsing him as Highway Commissioner from Mecklenburg and the Governor be so notified. The motion was seconded by Councilman Tuttle, and carried unanimously.

CITY MANAGER REQUESTED TO HAVE TWO DEPARTMENTS TO CHECK INTERSECTION OF NORLAND-KILBORNE & CENTRAL AVENUE REGARDING OBTAINING NECESSARY LAND TO STRAIGHTEN INTERSECTION.

Councilman Whittington referred to a picture in the Charlotte News on Friday, June 4th, of the intersection of Norland-Kilborne and Central Avenue. That the article points out that the intersection needs to be straightened to run squarely across, and the engineers agree with this; that a building is planned soon for one of the corners and officials say chances are slim they will have an opportunity to do away with the offset. He stated that Council has talked about, and the paper is printing a story that, we need to do something about east-west traffic, particularly streets getting traffic in and out of town and Central Avenue is one of those two streets, along with Independence and 7th, and Randolph and Providence. That if there is such a building to be put there, it would seem to him that Council should move now to do what is possible to obtain enough land to straighten this street out and not let the building be put there and then not be able to do anything about it in the future. He requested the City Manager to have the Engineering and Traffic Engineering Departments to investigate this and come back with an answer at the earliest possible date.

JOHN S. HORD REAPPOINTED AS CHIEF OF POLICE DEPARTMENT.

Councilman Albea moved the reappointment of John S. Hord as Chief of the Police Department. The motion was seconded by Councilman Tuttle and carried unanimously.

REAPPOINTMENT OF GEORGE LIVINGSTON AS CITY ACCOUNTANT.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and unanimously carried, George B. Livingston was reappointed as City Accountant.

CITY MANAGER TO MEET WITH VETERANS RECREATION AUTHORITY AND FORMULATE PLANS FOR RECONDITIONING VETERANS BUILDING.

Councilman Thrower stated one of the most run down situations - buildings, grounds and all - is the Veterans Building in Charlotte. That Council has been given the authority to give the Veterans Recreation Authority monies and assistance to fix it up. He requested that the local Authority meet with the City Manager and formulate some plan to get this building back in a reasonable condition.

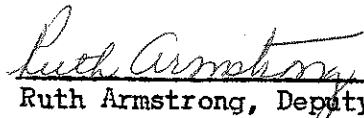
PAYMENT TO NORTH CAROLINA LEAGUE OF MUNICIPALITIES AND INSTITUTE OF GOVERNMENT IN CONNECTION WITH THE CHARTER REVIEW COMMISSION, AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, Council authorized payment of statements from General Fund, Contingency Account, in connection with the work done by the Charter Review Commission, as follows:

North Carolina League of Municipalities	\$1,254.10
Institute of Government	220.00

ADJOURNMENT.

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


Ruth Armstrong, Deputy City Clerk