

April 22, 1959
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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Wednesday, April 22, 1959, at 4 o'clock p.m., with Mayor Smith presiding, and Council members Albea, Baxter, Brown, Dellinger, Evans, Foard and Wilkinson being present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Brown, seconded by Councilman Foard, and un-animously carried, the Minutes of the last meeting on April 15th were approved as submitted.

ORDINANCE NO. 550-X EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE BY ANNEXING THERETO 38 ACRES OF PROPERTY IN CRAB ORCHARD TOWNSHIP, ON PETITION OF W. MARSHALL MOORE, ADOPTED.

The public hearing was held on the petition of Mr. W. Marshall Moore for the annexation to the City of Charlotte of 38 acres of property, located in Crab Orchard Township, contiguous to the city limits of Charlotte. No objections were expressed by the Public. Councilman Albea moved the adoption of Ordinance No. 550-X Extending the Corporate Limits of the City of Charlotte by Annexing 38 Acres of property located in Crab Orchard Township. The motion was seconded by Councilman Foard, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 335.

EMPLOYMENT OF ADDITIONAL ASSISTANT TRAFFIC ENGINEER AUTHORIZED.

Councilman Baxter moved that the employment of an additional Assistant Traffic Engineer be authorized, at a salary of \$500.00 per month, as recommended by Mr. Herman Hoose, Traffic Engineer. The motion was seconded by Councilman Brown, and unanimously carried.

JOB CLASSIFICATION POINT LEVEL OF THREE MECHANICS IN FIRE DEPARTMENT INCREASED.

Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, the Job Classification Point Level of Fire Department Mechanics H. H. King, J. H. Honeycutt and E. C. Williamson were increased from 480 to 520, effective May 1, 1959, as recommended by the Chief of the Fire Department.

REPORT OF COMMITTEE THAT USE OF PREDATED WARRANTS HAS BEEN PUT INTO EFFECT IN POLICE DEPARTMENT.

Councilman Dellinger reported for the Council Committee, composed of

himself, and Councilmen Baxter and Foard, that they have worked out the matter of using predated warrants in the Police Department. That at present the Chief of Police is dating the warrants and responsible for them, and as soon as the supply is exhausted the new warrants will be predated and printed in triplicate and will be the responsibility of the Chief.

AMENDMENT TO CITY CHARTER AUTHORIZED FOR ELECTING CITY COUNCIL FOR FOUR YEAR TERMS IN 1961.

Councilman Dellinger moved that the City Attorney be instructed to draw an Amendment to the City Charter providing for electing the City Council for four year terms in 1961; the four candidates receiving the largest number of votes to serve for four years and the three candidates receiving the next largest number of votes to serve for two years and thereafter for four years, and the Mayor to be elected each two years, and that this Amendment be sent to the Mecklenburg Delegation to the Legislature for their attention. The motion was seconded by Councilman Foard, and unanimously carried.

CONTRACT AWARDED REA CONSTRUCTION COMPANY FOR CONSTRUCTION OF SANITARY SEWERS IN STEWART CREEK OUTFALL.

Councilman Albea moved that contract be awarded the low bidder, Rea Construction Company for the construction of Sanitary Sewers in Stewart Creek Outfall, as specified, on a unit price basis, representing a total price of \$279,533.08. The motion was seconded by Councilman Baxter, and unanimously carried.

The following net delivered bids were received:

Rea Construction Company	\$279,533.08
Blankenship Brothers	\$284,638.30
Noll Construction Company	\$314,245.00
A. P. White & Associates and C. M. Allen & Company, Inc.	\$322,192.00
Ray D. Lowder, Inc.	\$323,752.75
C. W. Gallant, Inc.	\$330,207.50
Blythe Bros. Company	\$336,874.55
Boyd & Goforth, Inc.	\$358,112.89
A. H. Guion & Company	\$370,227.01

CONGRATULATORY TELEGRAM DIRECTED SENT TO DR. GRIER MARTIN ON HIS INAUGURATION AS PRESIDENT OF DAVIDSON COLLEGE.

Councilwoman Evans moved that the Mayor and members of the Council send a congratulatory telegram to Dr. Grier Martin, who this afternoon is being inaugurated as President of Davidson College. The motion was seconded by Councilman Baxter, and unanimously carried.

CITY AUTHORIZED TO ENTER INTO CONTRACT WITH THE MENTAL HEALTH SOCIETY, INC. FOR FINANCING THEIR STRUCTURE AT THE NEW HEALTH CENTER.

Councilwoman Evans moved that the City of Charlotte enter into a contract with the Mental Health Society, Inc., for the financing of their structure at the City's new Health Center. The motion was seconded by Councilman Baxter, and unanimously carried.

ARCHITECTS WHO DESIGNED HEALTH CENTER DESIGNATED FOR MENTAL HEALTH CENTER.

Councilwoman Evans moved that the same architects who designed the Health Center be designated for the Mental Health Center. The motion was seconded by Councilman Brown, and unanimously carried.

THE PITOMETER ASSOCIATES EMPLOYED TO RUN TESTS ON PUMPING UNITS AT NEW HOSKINS FILTER PLANT.

Councilman Foard moved that the Pitometer Associates be employed to conduct tests on the pumping units at the new Hoskins Filter Plant, and they be paid from the Water Bond Fund at the rate of \$100.00 per day plus expenses, the total sum not to be in excess of \$1,500.00. The motion was seconded by Councilman Albea, and unanimously carried.

PETITIONS WITHDRAWN FOR CHANGE IN ZONING OF PROPERTIES LOCATED AT COMMONWEALTH AVENUE, INDEPENDENCE BOULEVARD, NORTH SIDE OF MCGEE STREET AND NORTH SIDE OF ALBEMARLE ROAD.

Upon motion of Councilman Foard, seconded by Councilman Dellinger, and unanimously carried, the withdrawal of petitions for the rezoning of the following properties was accepted:

- (a) Petition by the property owners in the 2100 block of Commonwealth Avenue for the change in zoning of property on both sides of Commonwealth Avenue between The Plaza and St. Julian Street, from R1 and R-2 to B 1-A, withdrawn by letter dated April 22, 1959 signed by Jack T. Hamilton, Attorney for the petitioners.
- (b) Petition by the property owners in the 1500 block of Independence Boulevard for the change in zoning on both sides of Independence Boulevard, between The Plaza and St. Julian Street, from R1 and R-2 to B-1, withdrawn by letter dated April 22, 1959 signed by Miss Leila J. Finlayson, 1532 Independence Boulevard, one of the petitioners.
- (c) Petition by Hiram S. Green and wife, 3524 Rozzells Ferry Road for the change in zoning of property on the north side of McGee Street, between Mount Holly Road and NC #16, from R-2 to B-1, withdrawn by letter dated April 22, 1959, signed by R. B. McKnight, Jr. Attorney for petitioners.
- (d) Petition by Easthaven Development Company for the change in zoning of property on the north side of Albemarle Road, from Rural to B-1, withdrawn by letter dated April 22, 1959, signed by Ray Rankin, Attorney for Easthaven Development Corporation.

changed
5-6-59
to read
"was postponed to
May 6th"

ORDINANCE NO. 543 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE, ADOPTED.

Councilman Foard moved the adoption of Ordinance No. 543 Amending Chapter 21, Article I, Section 2 of the City Code amending the Building Zone Map of Charlotte by changing property on the west side of Camp Greene Avenue, north of Freedom Drive, from R-2 to B-1, on petition of Charles R. McArn and wife, as recommended by the Planning Board. The motion was seconded by Councilman Baxter, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 336.

ORDINANCE NO. 544 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE, TO AMEND THE BUILDING ZONE MAP OF THE PERIMETER AREA, ADOPTED.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and un-
animously carried, Ordinance No. 544 Amending Chapter 21, Article II,
Section 5 of the City Code, amending the Building Zone Map of the Peri-
meter Area, by changing property on the south side of Woodlawn Road,
west of Hazel Street, from Rural to B-1, on petition of Lester Hoyle,
was adopted, as recommended by the Planning Board. The ordinance is
recorded in full in Ordinance Book 12, at Page 337.

ORDINANCE NO. 546 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY
CODE AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA, ADOPTED.

Councilman Dellinger moved that Ordinance No. 546 Amending Chapter 21,
Article II, Section 5 of the City Code, to amend the Building Zone Map
of the Perimeter Area by changing property on the north side of Indepen-
dence Boulevard, west of Campbell's Creek, from Rural to B 1-A, on peti-
tion of E. Fred Dunn et al be adopted, as recommended by the Planning
Board. The motion was seconded by Councilman Baxter, and unanimously
carried. The ordinance is recorded in full in Ordinance Book 12, at
Page 338.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON MAY 27TH ON PETITION FOR
THE ANNEXATION TO THE CITY OF CHARLOTTE OF 8 ACRES OF PROPERTY IN CRAB
ORCHARD TOWNSHIP.

The City Manager reported that a Petition has been filed by Trotter and
Allan Construction Company for the annexation of 8 acres of property in
Crab Orchard Township. A resolution entitled: "Resolution Providing
for a Public Hearing on the Petition for the Annexation of 8 Acres of
Property in Crab Orchard Township, to the City of Charlotte, was introduc-
ed by Councilman Baxter, who moved its adoption. The motion was seconded
by Councilman Albea, and unanimously carried. The resolution is recorded
in full in Resolutions Book 3, at Page 351.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON MAY 27TH ON PETITION FOR
THE ANNEXATION TO THE CITY OF CHARLOTTE OF 33.197 ACRES OF PROPERTY IN
CRAB ORCHARD TOWNSHIP.

The City Manager reported that a Petition has been filed by James C. Evans
and Alice B. Evans for the annexation of 33.197 acres of property in Crab
Orchard Township. A resolution entitled: "Resolution Providing for a
Public Hearing on May 27th on Petition for the Annexation of 33.197 Acres
of Property in Crab Orchard Township to the City of Charlotte " was in-
troduced by Councilman Baxter who moved its adoption. The motion was
seconded by Councilman Albea, and unanimously carried. The resolution
is recorded in full in Resolutions Book 3, at Page 352.

PAYMENT AUTHORIZED TO MITCHELL, PERSHING, SHETTERLY & MITCHELL, BOND
ATTORNEYS, FOR PROFESSIONAL FEES IN CONNECTION WITH \$5,785,000 BONDS.

Upon motion of Councilman Foard, seconded by Councilman Wilkinson, and
unanimously carried, payment was authorized to Mitchell, Pershing,
Shetterly and Mitchell, Bond Attorneys, for professional fees in the
amount of \$9,009.14, in connection with the \$5,785,000.00 Bonds.

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CONDEMNATION PROCEEDINGS AUTHORIZED STARTED AGAINST CHAS. J. HENDERSON AND WIFE, ED F. EDWARDS AND WIFE, AND OLA MAE HENDERSON AND HUSBAND FOR RIGHT-OF-WAY FOR MCMULLEN CREEK OUTFALL.

Councilman Brown moved that the City Attorney be authorized to begin condemnation proceedings against Charles J. Henderson and wife, Edward F. Edwards and wife, and Ola Mae Henderson and husband, for right-of-way across their property for the construction of McMullen Creek Outfall. The Motion was seconded by Councilman Baxter, and unanimously carried.

ERVIN CONSTRUCTION COMPANY AUTHORIZED TO CONNECT SEWER TRUNK AND MAIN TO CITY'S SANITARY SEWERAGE SYSTEM FROM WENSLEY DRIVE.

Upon motion of Councilman Dellinger, seconded by Councilman Foard, and unanimously carried, Ervin Construction Company was authorized to connect sewer trunk and main to the City's sanitary sewerage system from Wensley Drive, upon condition that they comply with all laws, rules and regulations now in effect relative to property similarly situated.

SUPPLEMENTARY CONTRACT AUTHORIZED WITH D. E. ALLEN DEVELOPMENT COMPANY FOR INSTALLATION OF WATER MAINS IN DARBY ACRES NO. 3 SUBDIVISION.

Motion was made by Councilman Alba, seconded by Councilman Baxter, and unanimously carried, authorizing a Supplementary Contract with D. E. Allen Development Company for the installation of 1,300 feet of additional water mains in Darby Acres No. 3 Subdivision, at an estimated cost of \$3,925.00. The City to finance all costs and applicant to guarantee a gross annual water revenue equal to 10% of the total cost.

SICK LEAVE OF EMPLOYEES EXTENDED.

Upon motion of Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, the following sick leave extensions were granted:

- (a) Extension to May 31, 1959 to Mr. J. B. Fowler, Mr. Henry Porter and Mr. Tom Martin, City Engineering Department employees.
- (b) Extension to June 15, 1959 to Fireman A. L. Wallace and to July 15, 1959 to Fireman F. C. Stone.

CONTRACT AWARDED STEEL & TANK SERVICE FOR CLEANING AND COATING ELEVATED STEEL WATER TANKS.

Councilman Dellinger moved that contract be awarded the low bidder, Steel and Tank Service for Cleaning and Coating Elevated Steel Water Tanks, at a net bid price of \$6,058.00. The motion was seconded by Councilman Foard and unanimously carried.

All net bids are as follows:

Steel & Tank Service	\$6,058.00
R. E. McLean Tank Company	\$6,149.17
W. C. Wallace & Son, Inc.	\$6,600.00

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CONTRACT AWARDED MATERIAL HANDLERS, INC. FOR CONVERTING GRAVITY ROLLER CONVEYOR UNIT AT HOSKINS FILTER PLANT TO A POWERED BELT CONVEYOR.

Upon motion of Councilman Foard, seconded by Councilman Baxter, and un-
animously carried, contract was awarded the low bidder, Material Handlers,
Inc. to furnish materials, labor, equipment and supervision to convert
gravity roller unit at Hoskins Filter Plant to a powered belt conveyor,
as specified, at a total delivered installed price of \$2,570.00.

The following net delivered bids were received:

Material Handlers, Inc.	\$2,570.00
Engineering Sales Company	\$3,831.49

CONTRACT AWARDED BROOKSIDE INDUSTRIES, INC. FOR SHIRTS FOR POLICE AND FIRE DEPARTMENTS.

Councilman Wilkinson moved that contract be awarded the low bidder, Brook-
side Industries, Inc. for furnishing 1,350 Patrolman Blue Shirts, 66
Police Officer White Shirts, 1,476 Firemen Blue Shirts and 354 Fire Of-
ficers White Shirts, representing a net delivered price of \$6,831.84.
The motion was seconded by Councilman Dellinger, and unanimously carried.

The following net delivered bids were received:

BROOKSIDE INDUSTRIES, INC.	\$6,831.84
The Hub Uniform Company	\$7,466.88
Kaley Shirts, Inc.	\$7,737.90
Merson Uniform Company, Inc.	\$7,904.94
Alternate Bid #1	\$7,621.02
Donald S. Lavigne, Inc.	\$8,104.56
Alternate Bid #1	\$7,846.62

SPECIAL OFFICER PERMIT AUTHORIZED ISSUED TO EMORY C. SULLIVAN ON PREMISES OF LANCE, INC.

Upon motion of Councilman Baxter, seconded by Councilman Foard, and un-
animously carried, a Special Officer Permit was authorized issued to
Emory C. Sullivan for use on the premises of Lance, Inc.

HOLIDAY GRANTED CITY EMPLOYEES ON WEDNESDAY, MAY 20, 1959 IN OBSERVANCE OF THE MECKLENBURG DECLARATION OF INDEPENDENCE.

Councilman Albea moved that the usual holiday be granted city employees
on Wednesday, May 20, 1959 in observance of the Mecklenburg Declaration
of Independence. The motion was seconded by Councilman Dellinger, and
unanimously carried.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Brown, seconded by Councilman Albea, and un-
animously carried, the Mayor and City Clerk were authorized to execute
a deed to Mrs. Irene J. Steere for Lot 59, Section A, Elmwood Cemetery,
at \$1.00 for deed.

ADJOURNMENT.

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

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk