

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, August 1, 1951, at 3 o'clock p.m., with Mayor Shaw presiding, and Councilmen Albea, Baxter, Boyd, Coddington, Dellinger, Jordan and Van Every present.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Van Every, and unanimously carried, the minutes of the last meeting on July 18th, were approved as submitted.

CONTRACT AWARDED HERSEY MANUFACTURING COMPANY FOR WATER METERS.

Mr. Harry Siebert, representing Neptune Meter Company, stated his company submitted a bid on 1,500 water meters at a price of \$19.00 per meter, which was .19 cents per meter higher than the lowest bidder, Hersey Manufacturing Company at a price of \$18.81 per meter; that he understands the Purchasing Agent has recommended the award of contract for the order to the Hersey Manufacturing Company, and he wishes consideration given his bid, based on the savings to the City on freight costs, repair parts and maintenance requirements, which he explained in detail. Mr. Yancey, City Manager, advised that the City has used both meters for a number of years and that the costs to the City on the items outlined by Mr. Siebert are comparable for both the meters, with no appreciable difference, and he recommends that the meters be purchased from the low bidder, Hersey Manufacturing Company. Mr. Beatty, Purchasing Agent, stated three bids were received, two of which are lower than that of Neptune Meter Company, and that both he and Mr. Franklin, Water Department Superintendent, recommend that the low bid be accepted. Councilman Van Every moved that that contract for the 1,500, 5/8 inch meters be awarded to Hersey Manufacturing Company, on a unit price basis, representing a net delivered price of \$28,215.00. The motion was seconded by Councilman Coddington, and unanimously carried.

BAYMENT REPRESENTING UNCLAIMED AWARDS IN RECORDER'S COURT AUTHORIZED MADE TO ESCHEATS OFFICER OF UNIVERSITY OF NORTH CAROLINA.

Councilman Coddington moved that payment of \$16.50, representing unclaimed awards in the City Recorder's Court, be made to the Escheats Officer, University of North Carolina, as provided in Section 116-23 of the General Statutes of North Carolina. The motion was seconded by Councilman Van Every, and unanimously carried.

CONFIRMATION OF SALE OF TRIANGULAR LOT IN HOSKINS RESERVOIR TRACT TO PINOCA VOLUNTEER FIRE DEPARTMENT.

The sale at public auction on May 7, 1951 of a triangular lot in the Hoskins Reservoir Tract of land, containing 0.20 acres, was confirmed to the highest bidder, the Pinoca Volunteer Fire Department at \$50.00, upon motion of Councilman Jordan, seconded by Councilman Van Every, and unanimously carried.

CLAIM OF EUPHANSENIA CALLOWAY, ADMINISTRATRIX OF ESTATE OF MARY KIRKPATRICK, REFERRED TO CITY ATTORNEY.

Motion was made by Councilman Dellinger, seconded by Councilman Jordan, and unanimously carried, referring to the City Attorney the claim of Mrs. Euphansenia Calloway, Administratrix of the Estate of Mary Kirkpatrick, in the amount of \$25,000.00, for injuries, resulting in death, sustained on Independence Boulevard on June 21, 1951.

RENEWAL OF LEASE OF AIRPORT BUILDING NO. 39 TO AMERICAN LEGION HORNET'S NEST POST NO. 9.

Councilman Dellinger moved that the lease of Airport Building No. 39 be renewed to the American Legion Hornet's Nest Post No. 9, for a period of five years, at a rental of \$1.00 per annum. Motion was seconded by Councilman Coddington, and unanimously carried.

CONTRACT RENEWED WITH J. N. PEASE & COMPANY FOR PROFESSIONAL SERVICES TO THE CHARLOTTE PLANNING BOARD.

Upon motion of Councilman Boyd, seconded by Councilman Van Every, and unanimously carried, the contract with J. N. Pease and Company for professional services to the Charlotte Planning Board, was renewed for one year, at the present rate of \$4,000.00.

PORTION OF BOYD STREET TAKEN OVER FOR LIMITED MAINTENANCE.

Councilman Albea moved that Boyd Street, from Anderson Street to Dade Street, be taken over for limited maintenance. Motion was seconded by Councilman Baxter, and unanimously carried.

CONSTRUCTION OF NEW SANITARY SEWERS AUTHORIZED.

Upon motion of Councilman Boyd, seconded by Councilman Coddington, and unanimously carried, the construction of new sanitary sewers was authorized at the following locations:

- (a) 653 feet of trunk sewer and 360 feet of main in Enderly Park, at an estimated cost of \$3,255.00, to serve 14 family units and 5 vacant lots. All costs to be borne by the City.
- (b) 268 feet of trunk sewer and 376 feet of main in Sparrow Street, at an estimated cost of \$1,500.00, to serve 7 family units and 3 vacant lots in Biddleville. All costs to be borne by the City.
- (c) 258 feet of sewer main in Ivey Drive, at an estimated cost of \$520.00, to serve 7 business units and 2 vacant lots. All costs to be borne by the City.
- (d) 1,752 feet of main and 248 feet of trunk sewer in Country Club Village, at an estimated cost of \$5,305.00, to serve 49 vacant lots. All costs to be borne by the City and \$3,870.00 of applicant's deposit of full amount to be refunded as per the contract.
- (e) 156 feet of sewer main in Gallagher Street, at an estimated cost of \$290.00, to serve 1 family unit and 4 vacant lots. \$200.00 of construction cost to be borne by the City and applicant's deposit of \$90.00 not to be refunded.

CONTRACTS AWARDED FOR MISCELLANEOUS SUPPLIES.

Motion was made by Councilman Albea, seconded by Councilman Van Every, and unanimously carried, awarding contracts for supplies as follows:

- (a) Contract with Crane Company for 5,000 lineal ft. of Cast Iron Soil Pipe, on a unit price basis, representing a total of \$2,990.00, subject to cash discount of \$59.80.
- (b) Contract with H. E. Pennigar Company, for 5,000 lineal ft. of Cast Iron Soil Pipe, on a unit price basis, representing a total of \$2,990.00, subject to cash discount of \$59.80.
- (c) Contract with The Pure Oil Company, for 12 months estimated requirement of gasoline, based on posted tankwagon price at time of delivery, all on a unit price basis, representing a total price of \$81,770.00.

- (d) Contract with The Pure Oil Company, for 6,000 Pounds Gear Lubricant, in 100 lbs. kits, on a unit price basis of \$.10 per lb., representing a net delivered price of \$600.00.
- (e) Contract with Esso Standard Oil Company, for 3,010 lbs. Chassis Lubricant, representing a total price of \$278.15, subject to cash discount of \$2.78.
- (f) Contract with Columbus Oil Company, Inc., for 6,000 gallons of Kerosene, on a unit price basis of \$.122, representing a net delivered price of \$732.00.
- (g) Contract with The Pure Oil Company, for 6,500 Gallons Heavy Duty Motor Oil, on a unit price basis of \$.499, representing a total price of \$3,243.50, subject to cash discount of \$32.44.
- (h) Contract with Columbus Oil Company, Inc., for 42,000 gallons of Fuel Oil, on a unit price basis of \$.144, representing a net delivered price of \$4,788.00.
- (i) Contract with The Pure Oil Company, for 20,000 gallons of Diesel Fuel, on a unit price basis of \$.126, representing a net delivered price of \$2,520.00.
- (j) Contract with Carolina Willys Company, for a Willys Station Wagon, at a total price of \$1,995.10, subject to 2% cash discount.

SPECIAL OFFICER PERMIT RENEWED TO MRS. STELLA PATTERSON.

Councilman Dellinger moved that the Special Officer Permit be renewed to Mrs. Stella Patterson for one year, for use on the premises of J. B. Ivey & Company. Motion was seconded by Councilman Albea, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Motion was made by Councilman Jordan, seconded by Councilman Van Every, and unanimously carried, authorzzing the construction of driveway entrances at the following locations:

- (a) One 35 ft. entrance at 1401 E. Northhead Street.
- (b) One 8½ ft. entrance at 609 E. 11th Street.
- (c) One 8 ft. entrance at 172 Huntley Place.
- (d) One 30 ft. and One 12 ft. and One 35 ft. entrance at 2516 Wilkinson Boulevard.
- (e) Two 30 ft. entrances on N. Tryon Street and One 30 ft. entrance on 26th Street, for The Texas Co. at the intersection of 26th and N. Tryon Street.
- (f) One 40 ft. entrance on Statesville Ave. and One 40 ft. entrance on Hutshinson Avenue, for 1100 Statesville Ave.

SALE OF CEMETERY LOTS.

Upon motion of Councilman Boyd, seconded by Councilman Albea, and unanimously carried, the sale of cemetery lots was authorized as follows:

- (a) Deed with C. Keiger and Mrs. Maude McGee Keiger, for Lot No. 236, Section 3, Evergreen Cemetery, at \$208.00.
- (b) Deed with Walter A. Foster and wife, for Lot No. 73, in Section 3, Evergreen Cemetery, at \$156.00.
- (c) Deed with Mrs. Ila M. Helms, for west half of Lot No. 142, in Section 3, Evergreen Cemetery, at \$52.00.

ORDINANCE FIXING TAX RATE AND LEVYING A TAX UPON ALL REAL AND PERSONAL PROPERTY FOR THE FISCAL YEAR 1951-1952.

An ordinance entitled, "An Ordinance Fixing the Tax Rate for the City of Charlotte for the Fiscal Year 1951-52 and Levying a Tax Upon All Real and Personal Property Located within the Limits of the City of Charlotte for the said Fiscal Year" was introduced and read.

Councilman Boyd stated that he realized the increase in the salaries of city employees is reflected in the ~~tax~~ rate of \$2.15 and had something to do with the increase in the rate over last year. That he voted for the salary increases and has no idea of disturbing them in any way; however, he thinks it is entirely possible to reduce the tax rate two cents without in any way hurting the efficiency of any city department; that he thinks the Council is obligated to keep the tax rate at the lowest figure possible. He advised that he has gone over the budget figures and tabulated by page and item certain figures ranging from \$200 to \$5,000 which could be trimmed down and make up the two cents reduction in the tax rate, if the Council is interested in considering it. He stated further, that the rate could be reduced still another cent by the elimination of the \$62,000

allocated to Good Samaritan Hospital, if the legal technicalities are going to prevent it being appropriated to the Hospital. The City Attorney explained the details of the proposed test case relative to making the appropriation to the said hospital.

Mayor Shaw stated the appropriation is to be used for a communicable disease unit which is badly needed, and he thinks the funds should be left in the budget for this purpose if it is legal to so use it.

Councilman Van Every stated he thinks the tax rate should be left at the present rate, and if there are funds, such as the hospital allocation, that the City cannot legally use for the purpose named, then they should go into the street improvement fund.

Councilman Van Every moved that the ordinance be adopted as presented. The motion was seconded by Councilman Jordan, and unanimously carried. The ordinance is recorded in full in Ordinance Book 11, at Page 217.

FUNDS ADVANCED TO PARK AND RECREATION COMMISSION TO MEET GENERAL EXPENSES.

Upon motion of Councilman Coddington, seconded by Councilman Albea, and unanimously carried, \$25,000 was authorized advanced to the Park and Recreation Commission from the General Fund of the City, to meet their expenses until tax funds are available.

AIRPORT BUILDING NO. 102 SOLD TO STATE HIGHWAY EMPLOYEES ASSOCIATION FOR RECREATIONAL PURPOSES.

Councilman Baxter stated that the State Highway Employees Association wishes to secure one of the surplus buildings at the Airport for use as a recreational building, and he moved that Building No. 102 be sold therefor for \$1.00. The motion was seconded by Councilman Coddington, and unanimously carried.

AIRPORT BUILDING NO. 63 SOLD TO CALVARY BAPTIST CHURCH.

Mr. Yancey, City Manager, advised that two bids have been received for the purchase and removal of surplus Airport Building No. 63. He recommended that the building be sold to the highest bidder, Calvary Baptist Church at \$611.00, and the second bidder, Woodlawn Baptist Church be advised that the City will be glad to consider a bid from them on another building of their selection. Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the recommendation was accepted.

RESOLUTION WITH RESPECT TO ACQUISITION OF PROPERTY OF LYDA REID COCHRAN AND HUSBAND AND NANCY A. BERNARD AND HUSBAND FOR EXTENSION OF SEWER SYSTEM NEAR SUGAW CREEK DISPOSAL PLANT.

A resolution entitled, "Resolution with respect to acquisition of property of Lyda Reid Cochran and husband, and Nancy A. Bernard and husband for the extension of the City's sewer system near it's Sugaw Creek Disposal Plant", was introduced and read. Councilman Van Every moved the adoption of the resolution, which was seconded by Councilman Albea, and unanimously adopted. The resolution is recorded in full in Resolutions Book 1, at Pages 418 and 419.

PURCHASE OF HANGAR AT DOUGLAS MUNICIPAL AIRPORT FROM CLEARVIEW AIRCRAFT INDUSTRIES.

Mr. Yancey, City Manager, reported relative to the negotiations with Clearview Aircraft Industries for their hangar facilities at Douglas Municipal Airport, the site on which it is located being required for the new administration building. He stated that the owners original price of \$100,800 was reduced by them to \$65,000, which was not acceptable to the City, and that he then submitted the City's offer of \$44,964.00 to the property owners, which was refused. He advised that the owners have now advised they will accept \$50,000.00 for the hangar, with payment to be made by the City within 30 days; the City to have possession of the property on September 20, 1951, and the City to furnish adequate storage space for the hangar equipment, rent free, for one year. Mr. Yancey recommended that the offer of \$50,000 be accepted by the Council; he stated that the necessary storage space is available on the airport property.

Councilman Baxter moved that the offer be accepted, which motion was seconded by Councilman Van Every, and carried, with the votes cast as follows:

AYE: Councilmen Albea, Baxter, Dellinger, Jordan and Van Every.

NAY: Councilmen Boyd and Coddington.

RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO CONSIDER CREATION OF REDEVELOPMENT COMMISSION AT MEETING ON AUGUST 29TH, 1951.

A resolution entitled, "Resolution authorizing publication of Notice of Intent to consider creation of a Redevelopment Commission" at the Council Meeting on August 29th, was introduced and read. Councilman Coddington moved the adoption of the resolution, which was seconded by Councilman Jordan, and unanimously carried. Resolution is recorded in full in Resolutions Book 1, at Page 420.

APPOINTMENT OF CITY'S REAL ESTATE COMMITTEE.

Mayor Shaw appointed Councilmen Van Every, Baxter and Dellinger as the City's Real Estate Committee.

LETTERS PROTESTING PRIVILEGE LICENSE TAX SCALE FILED BY CAROLINAS AUTO SUPPLY HOUSE AND CASKIE PAPER COMPANY.

Mayor Shaw presented letters from the Carolinas Auto Supply House and Caskie Paper Company protesting the privilege license tax scale and requesting that he appoint a Committee to review the license tax ordinance with the view toward eliminating alleged inequities in the tax scale. No action was taken in the matter.

SETTLEMENT AUTHORIZED WITH THE STEPHENS COMPANY AND ERVIN CONSTRUCTION COMPANY FOR PAVING ASSESSMENTS ON PRINCETON AVENUE.

Mr. John D. Shaw, City Attorney, recommended that he be authorized to make settlement for paving assessments on Princeton Avenue with The Stephens Company, in the amount of \$3,000.00 and with Ervin Construction Company,

in the amount of \$1,425.00, if it meets with the approval of the Superior Court in which the case is now pending.

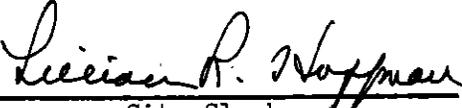
Upon motion of Councilman Coddington, seconded by Councilman Baxter, and unanimously carried, the City Attorney was authorized to make settlement as recommended.

MAYOR SHAW EXPRESSES APPRECIATION TO COUNCIL FOR COOPERATION.

Mayor Shaw expressed his appreciation for the fine cooperative spirit, and good humor manifested by the Councilmen today, and the hope that such spirit will prevail throughout the remaining term of this administration.

ADJOURNMENT.

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



City Clerk