

August 22, 1956
Minute Book 36 - Page 401

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, August 22, 1956, at 11 o'clock a.m., with Mayor Van Every presiding, and Council members Baxter, Brown, Dellinger, Evans, Smith and Wilkinson being present.

ABSENT: Councilman Albea,

INVOCATION.

The invocation was given by Mayor Philip L. Van Every.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the Minutes of the last meeting were approved as submitted.

ORDINANCE NO. 335 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA, BY CHANGING FROM RURAL TO INDUSTRIAL PROPERTY AT THE SOUTHEAST CORNER OF DR. CARVER ROAD AND MERCURY DRIVE, ADOPTED.

Councilman Brown moved the adoption of Ordinance No. 335 Amending the Zoning Ordinance to amend the Building Zone Map of the Charlotte Perimeter Area by changing from Rural to Industrial property at the southeast corner of Dr. Carver Road and Mercury Drive, on petition of E. E. Pearson and wife. The motion was seconded by Councilman Baxter, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 78.

ORDINANCE NO. 338 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING FROM R-2 TO LIGHT INDUSTRIAL THE PROPERTY LOCATED ON REMOUNT ROAD, BETWEEN WILKINSON BOULEVARD AND GREENLAND AVENUE, ADOPTED.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and unanimously carried, Ordinance No. 338 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte by changing from R-2 to Light Industrial property located on Remount Road, between Wilkinson Boulevard and Greenland Avenue, on petition of Alda G. Newton, was adopted. The ordinance is recorded in full in Ordinance Book 12, at Page 79.

ORDINANCE NO. 339 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING FROM R-2 TO LIGHT INDUSTRIAL PROPERTY LOCATED ON THE NORTHERLY SIDE OF FREEDOM DRIVE, NEAR THE INTERSECTION OF CAMP GREENE STREET, ADOPTED.

Motion was made by Councilman Brown, seconded by Councilman Baxter, and unanimously carried, adopting Ordinance No. 339 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte by changing from R-2 to Light Industrial property located on the northerly side of Freedom Drive near the intersection of Camp Greene Street, on petition of J. H. Carson and Wallace D. Gibbs, Jr. The ordinance is recorded in full in Ordinance Book 12, at Page 80.

ORDINANCE NO. 340 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA, BY CHANGING FROM RURAL TO B-1 PROPERTY LOCATED ON BEATTY'S FORD ROAD NEAR INTERSECTION OF BELT ROAD LEADING TO HOSKINS, DENIED.

Councilman Brown moved that Ordinance No. 340 Amending the Zoning Ordinance to amend the Building Zone Map of the Charlotte Perimeter Area, by changing from Rural to B-1 property located on Beatty's Ford Road near the intersection of Belt Road leading to Hoskins, on petition of Mr. George E. James, be denied. The motion was seconded by Councilman Baxter, and carried, with the following votes cast:

YEAS: Council members Baxter, Brown, Evans, Smith and Wilkinson.
NAYS: Councilman Dellinger.

August 22, 1956
Minute Book 36 - Page 402

ORDINANCE NO. 343 AMENDING CHAPTER 19, ARTICLE III, SECTION 46 OF THE CITY CODE SO AS TO PERMIT SHOWS AND SPORTS TO BE OPERATED FOR GAIN AFTER 1:30 P. M. ON SUNDAYS.

An ordinance entitled: "Ordinance No. 343 Amending Chapter 19, Article III, Section 46 of the City Code so as to Permit Shows and Sports to be Operated for Gain after 1:30 P. M. on Sundays" was introduced by Councilman Baxter who moved its adoption and stated he was submitting the ordinance in view of the fact that Charlotte is growing so rapidly and citizens are looking for something to do, and in order to cooperate in the Mayor's efforts to reduce juvenile delinquency. The motion for the adoption of the ordinance was seconded by Councilman Brown.

Councilwoman Evans offered a substitute motion that action on the question be deferred until all members of the City Council are present. The motion lost because of the lack of a second.

The vote was then taken on the main motion, with the votes cast as follows:

YEAS: Councilmen Baxter, Brown and Smith.

NAYS: Council members Dellinger, Evans and Wilkinson.

Mayor Van Every then cast the deciding ballot in the tie vote, voting in the affirmative, and the motion carried.

The ordinance is recorded in full in Ordinance Book 12, at Page 81.

REPORT OF COMMITTEE INVESTIGATING THE ADVISABILITY OF THE ERECTION OF A JUVENILE DETENTION HOME, ACCEPTED BY CITY COUNCIL.

Councilman Brown stated that in view of the fact that the Mayor's Committee to investigate the advisability of erecting a Juvenile Detention Home, has submitted their Report, recommending that such Home be erected and the Report has been accepted by the County Commissioners, subject to the approval of the City Council, he moves that the Council proceed according to the Report, in line with the legality thereof. The motion was seconded by Councilman Dellinger, and unanimously carried.

COMMITTEE RECOMMENDED APPOINTED TO EMPLOY ARCHITECT FOR JUVENILE DETENTION HOME.

Councilman Wilkinson moved that the Council recommend the appointment of Mayor Van Every, Mr. Wallace Kuralt and Mr. McAden, Chairman of the Board of Mecklenburg County Commissioners to employ an architect for the proposed Juvenile Detention Home. The motion was seconded by Councilman Brown, and unanimously carried.

RESOLUTION CONCERNING AIR CONDITIONING CITY HALL, CENTRAL POLICE STATION AND FIRE DEPARTMENT HEADQUARTERS.

Councilman Smith introduced a resolution entitled: "Resolution Concerning Air Conditioning City Hall, Central Police Station and Fire Department Headquarters" and moved its adoption. The motion was seconded by Councilwoman Evans, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 463.

RESOLUTION ADDING EAST FIFTH STREET TO PENDING STREET PROJECT.

A resolution entitled: "Resolution Adding East Fifth Street To Pending Street Project" was introduced by Councilman Smith, who moved its adoption. The motion was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 464.

August 22, 1956
Minute Book 36 - Page 403

RESOLUTION PROVIDING FOR PUBLIC HEARING ON OCTOBER 10TH ON ORDINANCE NO. 341 TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING FROM R-2 TO B-1 PROPERTY LOCATED AT 2200 EAST 7TH STREET ON APPEAL OF THE PETITIONER, DOUGLAS & SING, INC. AND CONCURRED IN BY THE PROPERTY OWNER, MRS. DOROTHY D. THIGPEN.

An ordinance entitled: "Ordinance No. 341 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte", by changing from R-2 to B-1 property located at 2200 East 7th Street on appeal of the petitioner, Douglas & Sing, Inc., and concurred in by the property owner, Mrs. Dorothy D. Thigpen, was introduced and read. Thereupon, a Resolution Providing for a Public Hearing on October 10th on the Proposed Ordinance was presented and read. Councilman Brown moved the adoption of the resolution, which was seconded by Councilwoman Evans, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 460.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON OCTOBER 10TH ON ORDINANCE NO. 342 TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA, BY CHANGING FROM R-2 TO B-1 PROPERTY LOCATED ON THE WEST OF THE INTERSECTION OF REID STREET NORTH OF THRIFT ROAD.

An ordinance entitled: "Ordinance No. 342 Amending the Zoning Ordinance to amend the Building Zone Map of the Charlotte Perimeter Area", by changing from R-2 to B-1 property located on the west of the intersection of Reid Street north of Thrift Road, on petition of J. W. and M. L. Thompson, was introduced and read. Thereupon, a Resolution Providing for a Public Hearing on October 10th on the Proposed Ordinance was presented and read. Upon motion of Councilman Smith, seconded by Councilman Brown, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 2, at Page 461.

RESOLUTION RELATIVE TO AGREEMENT WITH THE STATE HIGHWAY & PUBLIC WORKS COMMISSION FOR IMPROVEMENTS TO PARK ROAD, FROM AVONDALE AND BROOKSIDE AVENUES SOUTH TO CITY LIMITS.

A resolution entitled: "Resolution Relative to Agreement with the State Highway & Public Works Commission for Improvements to Park Road, from Avondale and Brookside Avenues South to City Limits" was introduced and read. Councilman Brown moved the adoption of the resolution, which was seconded by Councilman Baxter, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 462.

RESOLUTION DEFERRED FOR FURTHER INFORMATION RELATIVE TO AGREEMENT WITH STATE HIGHWAY & PUBLIC WORKS COMMISSION FOR IMPROVEMENTS TO AND RELOCATION OF OLD SARDIS ROAD.

Upon motion of Councilman Brown, seconded by Councilman Dellinger, and unanimously carried, action was deferred on the resolution relative to the Agreement with the State Highway Commission regarding improvements to and relocation of Old Sardis Road.

RESOLUTION RELATIVE TO AGREEMENT WITH THE STATE HIGHWAY & PUBLIC WORKS COMMISSION FOR RELOCATION OF N. C. HIGHWAY #16 FROM ROZZELL'S FERRY ROAD AT COTTAGE WAY NORTH TO INTERSECTION WITH N. C. HIGHWAY #16 NEAR GUM BRANCH ROAD.

A resolution entitled: "Resolution Relative to Agreement with the State Highway & Public Works Commission for Relocation of N. C. Highway #16 from Rozzell's Ferry Road at Cottage Way North to Intersection with N. C. Highway #16 Near Gum Branch Road" was introduced and read. Motion was made by Councilman Baxter, seconded by Councilman Smith and unanimously carried, adopting the said resolution. The resolution is recorded in full in Resolutions Book 2, at Page 465.

August 22, 1956
Minute Book 36 - Page 404

PURCHASE OF 15.86 ACRES OF LAND BETWEEN SAL RAILWAY AND CRAIG AVENUE, FROM MORRIS SPEIZMAN, FOR LOCATION OF ELEVATED WATER TANK.

Councilwoman Evans moved approval of the purchase of 15.86 acres of land, between the SAL Railway and Craig Avenue, from Mr. Morris Speizman, as a site for the location of an elevated water tank. The motion was seconded by Councilman Smith, and unanimously carried.

CONTRACTS FOR INSTALLATION OF WATER MAINS AUTHORIZED.

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

- (a) Supplementary contract, to contract dated October 26, 1955, with American Investment Company, for the installation of 2,245 feet of additional water mains and one hydrant in Columbine Circle Development, at an estimated cost of \$6,325.00. All costs to be borne by the applicant, who will own the mains until the territory is taken into the city.
- (b) Supplementary contract, to contract dated September 30, 1953, with J. A. Jones Construction Company, for the installation of 1,200 feet of additional water mains and one hydrant in E. B. Dickson property adjacent to Sherwood Forest, at an estimated cost of \$3,125.00. The applicant to pay all costs and own the mains until the territory is taken into the city.
- (c) Supplementary contract, to contract dated June 10, 1953, with Frank D. Koon, for the installation of 300 feet of additional water mains in Holton Avenue, at an estimated cost of \$475.00. All costs to be borne by the applicant who will dedicate the mains to the city upon completion.

RIGHT-OF-WAY AGREEMENTS FOR INSTALLATION OF WATER MAINS AUTHORIZED CO-SIGNED BY CITY.

Upon motion of Councilman Smith, seconded by Councilman Baxter, and unanimously carried, the Mayor and City Clerk were authorized to co-sign the following agreements for rights-of-way for the installation of water mains:

- (a) Agreement between the City of Charlotte, State Highway Commission and American Investment Company, for right-of-way for the installation, maintenance and operation of water mains in Providence and Carmel Roads, to serve Columbine Circle Development.
- (b) Agreement between the City of Charlotte, State Highway Commission and J. A. Jones Construction Company, for right-of-way for the installation, maintenance and operation of a 6" water main across Stafford Circle and along the west side of Emory Lane in the Sherwood Forest area, to serve the E. B. Dickson property.

RIGHT-OF-WAY AGREEMENTS WITH SOUTHERN RAILWAY & P & N RAILWAY FOR CONSTRUCTION OF SANITARY SEWERS.

Motion was made by Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, authorizing the following right-of-way agreements for the construction of sanitary sewers:

- (a) Agreement with Southern Railway Company for right-of-way to install, operate and maintain a 20-inch sanitary sewer line under their tracks at a point 18-ft. southwest of Milepost 378.

August 22, 1956
Minute Book 36 - Page 405

- (b) Agreement with the Piedmont & Northern Railway Company for right-of-way to install, operate and maintain 16-inch sanitary sewer lines beneath their tracks in Mint Street at 2nd Street and in Mint Street between 1st and 2nd Streets; and 20-inch sanitary sewer lines beneath their tracks between S. Graham and S. Cedar Streets and along their main line tracks from S. Cedar Street to near S. Graham Street.

CONSTRUCTION OF SANITARY SEWERS AUTHORIZED IN WOODWARD AVENUE.

Councilman Dellinger moved approval of the construction of 565 feet of sanitary sewer mains in Woodward Avenue, at request of McDevitt & Street Company, to serve the Nike Plant, at an estimated cost of \$2,150.00, to be paid by the applicant. The motion was seconded by Councilman Smith and unanimously carried.

STREETS TAKEN OVER FOR MAINTENANCE.

Upon motion of Councilwoman Evans, seconded by Councilman Baxter, and unanimously carried, the following streets were taken over for city maintenance:

- (a) Jennings Street, from Hunter St. north to dead-end near Lincoln Boulevard.
- (b) Bancroft Street from end of present maintenance to Norris Avenue.

THOMAS K. FUNDERBURK AUTHORIZED TO CONNECT PRIVATELY OWNED SANITARY SEWER LINES TO CITY'S SANITARY SEWERAGE SYSTEM AT SOUTHGATE DRIVE.

Motion was made by Councilman Smith, seconded by Councilwoman Evans, and unanimously carried, permitting Mr. Thomas K. Funderburk to connect 790 feet of privately owned sanitary sewer lines to the City's Sanitary Sewerage System at Southgate Drive.

CONTRACT AWARDED CREECH MOTORCYCLE COMPANY FOR FIVE MOTORCYCLES FOR POLICE DEPARTMENT.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, contract was awarded Creech Motorcycle Company for Five Model 1957 FL Solo Motorcycles, as specified, less trade-in allowance, on old equipment and less allowance for City using present radio carriers, representing a total net exchanged delivered price of \$5,634.50.

CONTRACT AWARDED THE SEAGRAVE CORPORATION FOR ONE TRIPLE COMBINATION PUMPING ENGINE AND HOSE CAR, FOR FIRE DEPARTMENT.

Councilman Wilkinson moved that contract be awarded The Seagrave Corporation for One 1,000 gallon per minute triple combination Pumping Engine and Hose Car with booster system, as specified, at a total net delivered price of \$26,466.00. The motion was seconded by Councilman Brown, and unanimously carried.

CONTRACT AWARDED BOST BUILDING EQUIPMENT COMPANY, INC. FOR FLOOR COVERING FOR MAIN FLOOR OF MINT MUSEUM OF ART.

Upon motion of Councilman Smith, seconded by Councilwoman Evans, and unanimously carried, contract was awarded Bost Building Equipment Company, Inc., to furnish all necessary machinery, equipment, tools, apparatus, labor, do all work and furnish all materials necessary to remove present asphalt tile floors in main floor, closets and toilets and condition floor properly and install plain black and white vinyl tile in Mint Museum Building, all as specified, for a total sum of \$2,633.00.

CONTRACT AWARDED AUTOMATIC SIGNAL DIVISION, EASTERN INDUSTRIES, INC. FOR ONE VOLUME DENSITY CONTROLLER, FOR TRAFFIC ENGINEERING DEPARTMENT.

Motion was made by Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, awarding contract to Automatic Signal Division, Eastern Industries, Inc., for One 1033 volume density Controller, one type "G" cabinet wired for 1033 volume density controller with double overlap relay A plus B, and A plus C, for wood pole mounting, and one DR-5 relay, all as specified, at a total delivered price of \$1,783.30.

OPERATION OF TIRE RECAPPING PLANT BY JACK HAWFIELD AT 3119 SOUTH BOULEVARD, IN INDUSTRIAL ZONE, APPROVED.

Councilman Brown moved that the application of Mr. Jack Hawfield to operate a tire recapping plant at 3119 South Boulevard, in an Industrial Zone, be approved. The motion was seconded by Councilman Wilkinson and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the construction of driveway entrances was approved at the following locations:

- (a) One 12-ft. driveway entrance at 721 S. Brevard Street.
- (b) One 30-ft. and One 25-ft. driveway entrance at 222 S. Tryon Street.
- (c) One 20-ft. driveway entrance at 113 E. 7th Street.
- (d) One 25-ft. and One 35-ft. driveway entrance at 2500 South Boulevard.

SPECIAL OFFICER PERMITS AUTHORIZED ISSUED.

Upon motion of Councilwoman Evans, seconded by Councilman Smith, and unanimously carried, Special Officer Permits were authorized issued as follows:

- (a) Issuance of Permit to Frontis B. Hartis for use on the premises of Foremost-International Dairies, 1224 N. Tryon Street.
- (b) Renewal of Permit to Charlie Dean for use on the premises of the House of Prayer, 312 S. McDowell Street.
- (c) Renewal of Permit to Onnie M. Hill for use on the premises of Rulane Gas Company and Charlotte Tank Company, Border Drive.

LABOR DAY HOLIDAY DESIGNATED ON SEPTEMBER 3, 1956.

Councilman Dellinger moved that Monday, September 3rd be designated as a holiday for city employees, in observance of Labor Day. The motion was seconded by Councilman Smith, and unanimously carried.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Brown, seconded by Councilman Baxter, and unanimously carried, authorizing the Mayor and City Clerk to execute the following deeds for the transfer of cemetery lots:

- (a) Deed with R. R. Stubbs, for Lot 259, Section 2, Evergreen Cemetery, at \$160.00.
- (b) Deed with A. Fred Love & wife, for Lot 202, Section 4-A Evergreen Cemetery, at \$126.00.
- (c) Deed with Estate of Albert W. St. Clair, for Lot 315, Section 2, Evergreen Cemetery, at \$160.00.
- (d) Deed with R. O. Baker, for Lot 218, Section 4-A, Evergreen Cemetery, at \$126.00.
- (e) Deed with A. W. Roth and E. F. Roth, for Lot 78, Section 2, Evergreen Cemetery, at \$240.00.
- (f) Deed with Mrs. O. A. Pruitt, for Grave #6, Lot 117, Section 3, Evergreen Cemetery, at \$40.00.
- (g) Deed with Mrs. A. N. Behle, for Graves #4 & #5, Lot 146, Section 3, Evergreen Cemetery, at \$80.00.
- (h) Deed with Mr. & Mrs. R. L. Fox & Mrs. Ruby F. Padgett & Gwendolyn Padgett, for Lot 34, Section 4-A, Evergreen Cemetery, at \$252.00.

August 22, 1956
Minute Book 36 - Page 407

COUNCIL MEETINGS TO BE HELD AT 4 O'CLOCK P.M. EACH WEDNESDAY BEGINNING SEPTEMBER 1ST WITH EXCEPTION THAT MEETINGS BE HELD AT 3 O'CLOCK P.M. ON WEDNESDAYS ZONING HEARINGS ARE HELD.

Councilman Dellinger moved that the regular Council Meetings be held at 4 o'clock p.m. each Wednesday beginning September 1st, with the exception that meetings be held at 3 o'clock p.m., on Wednesdays that zoning hearings are held. The motion was seconded by Councilwoman Evans, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Smith, seconded by Councilman Baxter, and unanimously carried, the meeting was adjourned.

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk