

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 27, 1958, at 11 o'clock a.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 Herman A. Brown.

MINUTES APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilwoman Evans, and unanimously carried, the Minutes of the Special Meetings on August 11th and 20th and the Regular Meeting on August 13th were approved as submitted.

REQUEST THAT SIDEWALKS ON PHILMON STREET BE IMPROVED REFERRED TO CITY MANAGER.

Mrs. Carrie Philmon stated she owns five houses on Philmon Street, on which she has paid taxes for nine years and has never been able to get the sidewalks improved by the City. She urged that the needed work be done. Upon motion of Councilman Baxter, seconded by Councilman Albea, and unanimously carried, the request was referred to the City Manager.

ABC BOARD REQUESTED TO ALLOCATE \$100,000 EXTRA TO CITY AND COUNTY FOR FLOOD RELIEF AND/OR DRAINAGE PURPOSES IN CHARLOTTE AND COUNTY.

Councilman Baxter moved that the ABC Board be requested to allocate an extra \$100,000 of ABC funds to the City and County to be ear-marked for flood relief and/or drainage purposes in Charlotte and Mecklenburg County, to be supervised and spent as approved by the City Engineer and the Mecklenburg Drainage Commission. The motion was seconded by Councilwoman Evans, and unanimously carried.

CHANGES IN CLERK OF RECORDER'S COURT OFFICE RECOMMENDED BY COUNCILMAN BAXTER AS SUGGESTED MADE BY THE GRAND JURY, AND AS RECOMMENDED BY THE COMMITTEE OF THE MECKLENBURG COUNTY BAR ASSOCIATION.

Councilman Baxter stated that in view of the fact that the Grand Jury has suggested that the City Council should proceed without delay to make certain corrective changes in the Clerk of Recorder's Court office, that he would like to carry out their wishes and he wished to offer several motions to that effect, which have the sanction of the Committee of the Mecklenburg Bar Association, who have submitted recommended changes to the Council.

CITY MANAGER DIRECTED TO SUPERVISE OPERATION AND PROCEDURE OF OFFICE OF CLERK OF RECORDER'S COURT AND MAKE QUARTERLY REPORTS TO THE CITY COUNCIL.

Councilman Baxter moved that the Council instruct Mr. Yancey, City Manager, to personally supervise the operation and procedure of the Office of the Clerk of Recorder's Court, in line with the recommendations of the Mecklenburg Bar Association Committee, with special attention given to keeping the records straight, and the proper disposition and record of each individual case before the Court, and make quarterly reports to the City Council. The motion was seconded by Councilman Dellinger, and unanimously carried.

DUTIES OF CLERK OF RECORDER'S COURT DEFINED AND BOND FIXED AT \$20,000 TO BE FILED WITH CLERK OF SUPERIOR COURT OF MECKLENBURG COUNTY.

Councilman Baxter stated he is of the opinion that the Council should spell out the duties of the new Clerk of the City Recorder's Court, and he moved that the Clerk of City Recorder's Court perform the duties, and exercise the authorities prescribed by Sections 7-201 and 7-202 of the General Statutes of North Carolina applicable to Municipal Recorder's Courts provided for under the General Laws of N. C. and that in addition thereto he perform other duties and keep other records and make other reports as the City Manager may hereafter prescribe, and that the said Clerk enter into a Bond with sufficient surety in the sum of \$20,000.00, and conditioned upon true and faithful accounting for and paying over all money which may come into his hands by virtue of his office as Clerk of said Court whose duty shall be to collect all fines, Court costs and forfeitures ordered by the Judge, and such other monies as the City Manager may designate to be paid to and collected by the said Clerk, said Bond to be filed with the Clerk of Superior Court of Mecklenburg County as provided for in Section 7-200 of the General Statutes of North Carolina. The motion was seconded by Councilwoman Evans. Councilman Dellinger questioned the amount of the Bond, stating he felt it should be for \$50,000.00. The City Manager advised that the City Treasurer is only bonded for \$50,000.00, and the \$20,000 Bond for the Clerk should be sufficient for the funds passing through his hands, which is deposited daily. The vote was then taken on the motion and unanimously carried.

MRS IDA COOPER APPOINTED ASSISTANT CLERK OF CITY RECORDER'S COURT.

Councilman Baxter moved that Mrs Ida Cooper, who has been for four years in the office of the Clerk of City Recorder's Court, be appointed Assistant Clerk of said Court. The motion was seconded by Councilwoman Evans, and unanimously carried.

PRESS REQUESTED TO CARRY NEWS ARTICLE TELLING PUBLIC DISTINCTION BETWEEN THE CITY RECORDER'S COURT AND THE DUTIES AND RESPONSIBILITIES OF THE CLERK OF THE COURT.

Councilman Baxter stated he would like the Press, who have been so critical, to carry a news article telling the public the distinction between the Recorder's Court and the duties and responsibilities of the Clerk of the Court. The Judge is the Judicial head of the Court and his duties and responsibilities are performed in open Court. The Clerk's duties are administrative, collecting and accounting for fines, penalties, forfeitures and costs assessed by the Judge in the execution of the Judge's judgements. He stated further that the City Council is trying to carry out the wishes of the Grand Jury and it would be helpful for the public to have a correct and clear understanding of the functions of the Court and of the Clerk.

FRANK N. LITTLEJOHN REIMBURSED \$500.00 SPENT PERSONALLY FOR LEGAL FEES DURING THE CIVIL SERVICE HEARING OF CAPTAIN L.W. HENKEL.

Councilman Baxter moved that Frank N. Littlejohn, while discharging the office of Chief of Police of the City of Charlotte, be reimbursed for legal fees spent personally in the interest of the City during the recent Civil Service Hearing of Captain L. W. Henkel, in the amount of \$500.00, and that the money be appropriated from the Emergency Fund. The motion was seconded by Councilwoman Evans, and unanimously carried.

ADDITIONAL COMPENSATION AUTHORIZED TO SERGEANT CHARLES ADAMS AND MRS IDA COOPER, AS BONUS FOR EXTRA WORK PERFORMED IN OFFICE OF CLERK OF RECORDER'S COURT DURING FOUR MONTHS PERIOD TO SEPTEMBER 15, 1958.

Councilman Brown moved that additional compensation as a bonus be paid to Sergeant Charles Adams, in the amount of \$272.00 and to Mrs Ida Cooper, Clerk, in the amount of \$160.00 for extra work performed during the four months period to September 15, 1958. The motion was seconded by Councilwoman Evans, and unanimously carried.

IMPROVEMENTS TO SUMTER STREET TO BE MADE FROM POWELL BILL FUNDS WHEN RECEIVED.

Councilman Dellinger asked the City Manager when the improvements to Sumter Street would be made? Mr. Yancey replied that the work would be done as soon as Powell Bill Funds are received, which will be a month later than last year.

COUNCILMEN DELLINGER AND BROWN RECOMMEND THE EMPLOYMENT OF A CIVIL ENGINEER TO FILL VACANCY IN OFFICE OF THE PLANNING BOARD.

Councilman Dellinger stated he has talked with Mr. McIntyre, Planning Director, regarding the drainage situation and it seems the Planning Board has other problems in that their personnel is short. He suggested that the City Manager confer with the Chairman and Director of the Planning Board regarding their office personnel and if and when the vacancy in the office is filled that a Civil Engineer be employed. Councilman Brown stated that they need a Civil Engineer and if one can be secured at the salary the City can pay he should be employed. Councilman Baxter called attention that the spending of the ABC funds for drainage is an emergency and should not be held up. That the Planning Board is busy with other matters, and he is of the opinion that the City should have an engineer assigned to this drainage work or it should be let to private enterprise.

CITY MANAGER REQUESTED TO HAVE SURVEY MADE AS TO CONSTRUCTION OF TEMPORARY SIDEWALKS ON RIGHT SIDE OF WEST TRADE STREET, BETWEEN BACON STREET AND STEWART CREEK.

Councilman Dellinger requested the City Manager to have a survey made as to the construction of sidewalks on the right side of West Trade Street, between Bacon Street and Stewart Creek.

TWO BLOCKS OF STATE STREET REQUESTED OPEN FOR TRAFFIC INTO WEST TRADE STREET, WHICH ARE PRESENTLY ONE-WAY FROM WEST TRADE STREET.

Councilman Wilkinson requested the City Manager to have the Traffic Engineer see if the two blocks of State Street leading into West Trade

Street cannot be opened for traffic into West Trade Street, as they are presently one-way leading from West Trade Street, and there have been many complaints about having to go a roundabout way getting to town. That now with Tuckaseegee Road being closed for repairs, State Street is even more badly needed for traffic into Trade Street. He stated further that there is a similar situation at East Morehead Street and King's Drive, which has been worked out satisfactorily by the Traffic Engineer. He asked that a report be made at the Council Meeting next week.

CENTRAL LION'S CLUB GRANTED PERMISSION TO HOLD PARADE OF BABE RUTH CHAMPIONS ON AUGUST 28TH WITH NAME OF BOY ON CAR IN WHICH HE RIDES.

Councilman Brown moved that permission be granted the Central Lion's Club to stage a parade at 11 o'clock tomorrow of the Babe Ruth Champions, beginning at Morehead and South Tryon Street and going to 11th Street, and the name of each boy be permitted on the car in which he rides. The motion was seconded by Councilman Albea, and unanimously carried.

DRAINAGE PROBLEMS ON QUEENS ROAD EAST AND WEST AND DANGEROUS CONDITION ON SHAMROCK ROAD AT SCHOOL, REQUESTED CHECKED INTO BY COUNCILMAN FOARD.

Councilman Foard requested the City Manager to check into the drainage problems at each of the following locations:

1. 2300 Queens Road East at Bucknell Avenue. Street fills up and runs over the sidewalk and into basements.
2. Queens Road West, between Princeton Avenue and Westfield Road. Street fills up and sometimes into cars. That Mr. Jim Huff, who lives at the corner had his basement flooded and has his furnace out now because of this.
3. Shamrock Road by school, there are two gullies about 150-feet long. That school children walk along here and it is very dangerous.

Mr. Yancey stated that Shamrock Road is maintained by the State Highway Commission; that he will be glad to have it checked and ask the Highway Department to fix it.

CITY MANAGER REQUESTED TO CHECK INTO THE AUTHORIZED INSTALLATION OF A TRAFFIC SIGNAL AT NORTH TRYON AND 24TH STREETS.

Councilman Foard asked the City Manager to see if the traffic signal at North Tryon Street and 24th Street, which was requested installed about 90 days ago, cannot get installed without delay.

COUNCILWOMAN EVANS REIMBURSED FOR RENTAL OF TWO FILMS ON RECORDER'S COURT PROCEDURE.

Councilman Foard moved that Councilwoman Evans be reimbursed \$20.00 to cover the rental fee of two films on Recorder's Court Procedure, which were publically shown by her last week. The motion was seconded by Councilman Albea, and unanimously carried.

ORDINANCE NO. 467 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY ON PROVIDENCE ROAD AND OLD PROVIDENCE ROAD, FROM RURAL TO B I-A, DENIED AS RECOMMENDED BY PLANNING BOARD.

Upon motion of Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, Ordinance No. 467 Amending the Zoning Ordinance by amending the Building Zone Map of the Perimeter Area by changing property at intersection of Providence and Old Providence Roads from Rural to B I-A, on petition of W. T. Alexander and wife, was denied, as recommended by the Planning Board.

ORDINANCE NO. 475 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY AT SE CORNER OF W. BOULEVARD AND HAWKINS STREET, FROM R-2 TO INDUSTRIAL, ADOPTED.

Motion was made by Councilman Baxter, and seconded by Councilman Dellinger that Ordinance No. 467 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte by changing property at the SE corner of W. Boulevard and Hawkins Street, from R-2 to Industrial, on petition of Terminix Service, Inc. be adopted. The motion carried, with the votes cast as follows:

YEAS: Council members Baxter, Brown, Dellinger, Evans, Foard and Wilkinson.

NAYS: Councilman Albea.

The Ordinance is recorded in full in Ordinance Book 12, beginning at Page 273.

ORDINANCE NO. 476 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY AT THE SE CORNER OF EAST KINGSTON AVENUE AND CLEVELAND AVENUE, FROM R-2 TO OFFICE/INSTITUTION, ADOPTED AS RECOMMENDED BY THE PLANNING BOARD.

Upon motion of Councilman Foard, seconded by Councilman Wilkinson, and unanimously carried, Ordinance No. 476 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte by changing property at the SE corner of E. Kingston Avenue and Cleveland Avenue, from R-2 to Office-Institution, on petition of Mrs. D. R. Alston, et al, was adopted as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, beginning at Page 274.

ORDINANCE NO. 477 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY ON EAST SIDE OF TURNER AVENUE FROM R-2 TO INDUSTRIAL, ADOPTED AS RECOMMENDED BY THE PLANNING BOARD.

Councilman Dellinger moved that Ordinance No. 477 Amending the Zoning Ordinance by Amending the Building Zone Map of Charlotte by changing property on the east side of Turner Avenue, from R-2 to Industrial, on petition of John O. Ross, et al, be adopted, as recommended by the Planning Board. The motion was seconded by Councilwoman Evans, and unanimously carried.

The Ordinance is recorded in full in Ordinance Book 12, beginning at Page 275.

ORDINANCE NO. 478 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY ON THURMOND PLACE, BETWEEN BELVEDERE AVE AND MIMOSA AVE, FROM R-I TO R-2, ADOPTED AS RECOMMENDED BY PLANNING BOARD.

Upon motion of Councilman Wilkinson, seconded by Councilwoman Evans, and unanimously carried, Ordinance No. 478 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte by changing property on Thurmond Place, between Belvedere Avenue and Mimosa Avenue, from R-I to R-2, on petition of Charles L. Glenn, Sr., was adopted as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, beginning at Page 276.

ORDINANCE NO. 479 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY ON SOUTH SIDE OF MIDDLETON DRIVE, EAST OF PROVIDENCE ROAD, FROM R-2 TO B-I, DEFERRED FOR ONE WEEK.

Motion was made by Councilwoman Evans, and seconded by Councilman Dellinger that Ordinance No. 479 Amending the Zoning Ordinance by Amending the Building Zone Map of Charlotte by changing property on the south side of Middleton Drive, east of Providence Road, from R-2 to B-1, on petition of Edward C. Dwelle, Jr. be denied as recommended by the Planning Board.

A substitute motion was offered by Councilman Baxter, and seconded by Councilman Wilkinson, that the Ordinance be adopted. Following the discussion, Councilman Baxter withdrew his substitute motion for the adoption of the ordinance and offered a second substitute motion that action be deferred on the ordinance for one week, which was seconded by Councilman Wilkinson, and unanimously carried.

ORDINANCE NO. 480 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY ON US HIGHWAY 74 9/10 MILES FROM NEW CITY LIMITS, FROM RURAL TO B-I, DENIED, AS RECOMMENDED BY PLANNING BOARD.

Upon motion of Councilman Brown, seconded by Councilman Foard, and unanimously carried, Ordinance No. 480 Amending the Zoning Ordinance by amending the Building Zone Map of the Perimeter Area by changing property on U S Highway #74, 9/10 miles from new city limits, from Rural to B-1, on petition of Edward C. Griffin and wife, was denied as recommended by the Planning Board.

ORDINANCE NO. 481 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY ON SOUTH SIDE OF MONTFORD DRIVE, BETWEEN PARK ROAD AND SUGAW CREEK, FROM R-2 TO B-I, ADOPTED AS RECOMMENDED BY THE PLANNING BOARD.

Upon motion of Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, Ordinance No. 481 Amending the Zoning Ordinance by amending the Building Zone Map of the Perimeter Area by changing property on the south side of Montford Drive, between Park Road and Sugaw Creek, from R-2 to B-1, adopted as recommended by the Planning Board.

The ordinance is recorded in full in Ordinance Book 12, beginning at Page 277.

ORDINANCE NO. 482 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING THE 150 FEET OF PROPERTY THAT LIES WITHIN THE MANDATORY PORTION AT THE NE CORNER OF FOURTH STREET AND SHAMROCK ROAD, FROM R-2 TO B-1, ADOPTED AS RECOMMENDED BY THE PLANNING BOARD.

Upon motion of Councilman Brown, seconded by Councilwoman Evans, and un-animously carried, Ordinance No. 482 Amending the Zoning Ordinance by amending the Building Zone Map of the Perimeter Area by changing the 150 feet of property that lies within the mandatory portion at the NE corner of Fourth Street and Shamrock Road, from R-2 to B-1, on petition of W. W. Lawing et al, was adopted as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, at Page 278.

ORDINANCE NO. 483 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PART OF LOT 12 IN BLOCK B OF AMITY GARDENS #2 ON EAST SIDE OF PIERSON DRIVE, NORTH OF INDEPENDENCE BOULEVARD, FROM B I-A TO B -I, ADOPTED.

Councilman Baxter moved the adoption of Ordinance No. 483 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing part of Lot 12 in Block B of Amity Gardens #2, on east side of Pierson Drive, north of Independence Boulevard, from B I-A to B-1, on petition of Zenphon F. Nixon, et al. The motion was seconded by Councilman Brown, and carried, with the votes cast as follows:

YEAS: Council members Baxter, Brown, Dellinger and Wilkinson.

NAYS: Council members Albea, Evans and Foard.

The ordinance is recorded in full in Ordinance Book 12, beginning at Page 279.

ORDINANCE NO. 484 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY ON THE SW SIDE OF INDEPENDENCE BOULEVARD EAST OF PIERSON DRIVE, FROM B I-A TO B-I, ADOPTED.

Upon motion of Councilman Baxter, seconded by Councilman Brown, and carried, Ordinance No. 484 Amending the Zoning Ordinance to Amend the Building Zone Map of the Perimeter Area by changing property on the SW side of Independence Boulevard, east of Pierson Drive, from B I-A to B-1, on petition of J. A. Reid Wholesale Co., Inc. was adopted, with the votes cast as follows:

YEAS: Council members Baxter, Brown, Dellinger, Evans, Foard and Wilkinson.

NAYS: Councilman Albea.

The ordinance is recorded in full in Ordinance Book 12, beginning at Page 280.

ORDINANCE NO. 485 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY BOUNDED BY TUCKASEEGEE ROAD, BIGHAM STREET, ROGERS STREET AND ENDERLY PARK BAPTIST CHURCH, FROM R-2 TO B-1, DEFERRED FOR ONE WEEK, AS RECOMMENDED BY THE PLANNING BOARD.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and un-animously carried, Ordinance No. 485 Amending the Zoning Ordinance by

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Amending the Building Zone Map of Charlotte by changing property bounded by Tuckaseegee Road, Bigham Street, Rogers Street and Enderly Park Baptist Church, from R-2 to B-1, on petition of T. K. Davis, et al, was deferred for one week, as recommended by the Planning Board.

ORDINANCE NO. 486 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING SO MUCH OF THE PROPERTY NORTH OF FREELAND LANE AND EAST OF ELLENWOOD PLACE, AS LIES BETWEEN ITS EASTERLY BOUNDARY AND A LINE PARALLEL TO AND 190 FEET EAST OF ITS WESTERLY BOUNDARY, FROM R-2 TO B-2, ADOPTED AS RECOMMENDED BY THE PLANNING BOARD.

Councilman Wilkinson moved the adoption of Ordinance No. 486 Amending the Zoning Ordinance by amending the Building Zone Map of the Perimeter Area by changing so much of the property north of Freeland Lane and East of Ellenwood Place as lies between its easterly boundary and a line parallel to and 190 feet east of its westerly boundary, from R-2 to Industrial, on petition of Jacobs Manufacturing Company. The motion was seconded by Councilman Dellinger, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, beginning at Page 281.

ORDINANCE NO. 488 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA, BY CHANGING PROPERTY AT PROVIDENCE ROAD, REA ROAD, AND OLD PROVIDENCE ROAD, FROM RURAL TO B-1, DENIED AS RECOMMENDED BY THE PLANNING BOARD.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, Ordinance No. 488 Amending the Zoning Ordinance by Amending the Building Zone Map of the Perimeter Area by changing property at Providence Road, Rea Road and Old Providence Road, from Rural to B-1, on petition of Dr. Aubrey L. Palmer and wife, was denied as recommended by the Planning Board.

ORDINANCE NO. 461 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY AT THE SE CORNER OF DUCKWORTH AVENUE AND BRUNS AVENUE, FROM R-2 TO LIGHT INDUSTRIAL, ADOPTED.

Upon motion of Councilman Dellinger, seconded by Councilman Foard, and unanimously carried, Ordinance No. 461 Amending the Zoning Ordinance by Amending the Building Zone Map of Charlotte by changing property at the SE corner of Duckworth and Bruns Avenues, from R-2 to Light Industrial, on petition of Westside Ice & Fuel Company, was adopted. The ordinance is recorded in full in Ordinance Book 12, beginning at Page 282.

RESOLUTION RELATIVE TO THE RETIREMENT OF FRANK N. LITTLEJOHN, CHIEF OF POLICE.

A resolution entitled: "Resolution Relative to the Retirement of Frank N. Littlejohn, Chief of Police" was introduced and read, and upon motion of Councilman Brown, seconded by Councilman Baxter, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3 at Page 248.

APPROVAL OF APPLICATION OF PALMER DETECTIVE AGENCY FOR PRIVILEGE LICENSE TO OPERATE DETECTIVE AGENCY.

Upon motion of Councilwoman Evans, seconded by Councilman Foard, and unanimously carried, the application of Palmer Detective Agency for privilege license to operate a Detective Agency was approved.

SALARY AND EXPENSES OF GEORGE MILLER, CITY SOLICITOR, AUTHORIZED PAID WHILE ATTENDING TRAFFIC COURT CONFERENCE AT UNIVERSITY OF TENNESSEE.

Councilman Brown moved that salary and expenses, not to exceed \$100.00 be paid Mr. George Miller, City Solicitor, while he is attending a Traffic Court Conference at the University of Tennessee on September 8th to 12th. The motion was seconded by Councilman Baxter, and unanimously carried.

SICK LEAVE EXTENDED TO MRS HELEN CHRISTENSON, TAX DEPARTMENT EMPLOYEE, THROUGH AUGUST 31, 1958.

Upon motion of Councilman Foard, seconded by Councilman Baxter, and unanimously carried, sick leave of Mrs Helen Christenson, Tax Department employee, was extended through August 31, 1958.

MECKLENBURG ENGINEERS & CONTRACTORS, INC. PERMITTED TO CONNECT 8,082 FEET OF SANITARY SEWER PRESSURE LINE TO CITY'S SANITARY SEWERAGE SYSTEM AT SUGAW CREEK DISPOSAL PLANT.

Councilman Wilkinson moved that Mecklenburg Engineers & Contractors, Inc. be permitted to connect 8,082 feet of 12-inch sanitary sewer pressure line, outside the city limits, to the City's Sanitary sewerage system at Sugaw Creek Disposal Plant, upon condition that they comply with all laws, rules and regulations now in effect, or which may thereafter become effective relative to property similarly situated. The motion was seconded by Councilman Baxter, and unanimously carried.

AUDITORIUM-COLISEUM AUTHORITY AUTHORIZED TO SETTLE CLAIM FOR DAMAGES TO COLISEUM ROOF IN THE AMOUNT OF \$45,000.00.

Councilwoman Evans moved that the Auditorium-Coliseum Authority be authorized to settle claim for damages to the Coliseum roof in the amount of \$45,000.00. The motion was seconded by Councilman Foard, and unanimously carried.

AGREEMENT WITH JOHN CROSLAND COMPANY FOR RIGHT-OF-WAY FOR INSTALLATION OF SEWER FORCE MAIN ACROSS SUGAW CREEK SEWAGE TREATMENT PLANT PROPERTY, AUTHORIZED.

Councilman Brown moved approval of an Agreement with John Crosland Company for right-of-way for the installation of a 6-inch sewer force main across the property of the Sugaw Creek Sewage Treatment Plant. The motion was seconded by Councilman Baxter, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER LINES AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, the construction of sanitary sewer lines at the following locations was authorized:

- (a) Construction of 1,430 feet of 8-inch main in Lincoln Heights by Marsh Realty Company to serve 15 family units and 32 vacant lots, at an estimated cost of \$4,485.00. All costs to be borne by the City.

- (b) Construction of 390 feet of 8-inch main in Celia Street by George Lefler, 634 State Street, to serve 5 family units, at an estimated cost of \$1,185.00. All costs to be borne by the City.
- (c) Construction of 116 feet of 8-inch main in Montgomery Street by J. W. Barber, 518 Ashworth Road, to serve four family units, at an estimated cost of \$505.00, to be borne by the City.

CONTRACT WITH BRYAN ASSOCIATES, FOR ENGINEERING WORK FOR FURNISHING SPECIFICATIONS AND INSTALLATION OF BOILERS AT CITY HALL, AUTHORIZED.

Councilman Foard moved that the Mayor and City Clerk be authorized to execute a contract with Bryan Associates, for engineering work for furnishing specifications and installation of boilers at the City Hall. The motion was seconded by Councilman Dellinger, and unanimously carried.

SPECIAL OFFICER PERMIT AUTHORIZED ISSUED TO DONALD A.B. YEARGIN:

Motion was made by Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, authorizing the issuance of a Special Officer Permit to Donald A. B. Yeargin, 825 East 4th Street, for use on the premises of Southern Railway Company.

TRANSFER OF \$2,000.00 FROM EMERGENCY FUND TO SPECIAL APPROPRIATIONS, AUDITING ACCOUNT, FOR SPECIAL INVESTIGATION IN CONNECTION WITH THE EXAMINATION OF RECORDS OF CITY RECORDER'S COURT.

Councilman Brown moved the transfer of \$2,000.00 from the Emergency Fund (Code 110) to Special Appropriations, Auditing Account (Code 109 F-1) for Special Investigation in connection with the examination of records in the City Recorder's Court. The motion was seconded by Councilman Dellinger, and unanimously carried.

Councilman Dellinger requested the City Manager to contact the Auditors and ask them to give the Council the Report back to 1953, and that each Council member be furnished a copy of the Report. He stated that he did not think the Bill for their Audit should be paid until the Report is submitted.

CONTRACT WITH W. FRANK GRAHAM AND OTHERS FOR CONSTRUCTION OF WATER MAINS IN MONTFORD DRIVE, AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, contract was authorized with W. Frank Graham and others, for the construction of 1,560 feet of water mains and 2 hydrants in Montford Drive, outside the city, to serve a business area, at an estimated cost of \$5,000.00. All costs to be borne by the applicants, who will dedicate the mains to the City, without cost or further agreement, upon the acceptance by the City.

SICK LEAVE EXTENDED THROUGH OCTOBER 31, 1958 TO PAT MUNGO AND RUSSELL ALEXANDER, WATER DEPARTMENT EMPLOYEES.

Upon motion of Councilman Albea, seconded by Councilman Baxter, and unanimously carried, sick leave was extended to Pat Mungo and Russell Alexander, Water Department Employees, through October 31, 1958.

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CONTRACT AWARDED R. H. WIGGINS COMPANY FOR INSTALLTION OF WATER MAIN IN NORTH INDEPENDENCE BOULEVARD.

Councilman Dellinger moved that contract be awarded the low bidder, R. H. Wiggins Company, for the installation of 3,700 lineal feet of 12-inch C.I. Water main in North Independence Boulevard, in accordance with plans and specifications, at a total bid price of \$6,463.00. The motion was seconded by Councilman Baxter, and unanimously carried.

The bids received are as follows:

R. H. Wiggins Company	\$ 6,463.00
C. W. Gallant, Inc.	\$ 6,556.00
C. M. Allen & Company	\$ 7,520.00
A. P. White & Associates	\$ 7,884.00
W. K. Batson Company	\$ 8,615.00
Outen Bros. Ditching Company	\$ 9,055.00
Glenn Construction Company	\$10,854.00
Blythe Bros. Company	\$11,819.00
Boyd & Goforth, Inc.	\$12,130.00

CONTRACT AWARDED ARMCO DRAINAGE & METAL PRODUCTS, INC. FOR STRUCTURAL PIPE PLATE.

Upon motion of Councilman Brown, seconded by Councilwoman Evans, and unanimously carried, contract was awarded the low bidder, Armco Drainage & Metal Products, Inc. for 16 lineal feet of Structural Pipe Plate, as specified, delivered to job site at a net delivered price of \$1,274.00.

The bids received are as follows:

Armco Drainage & Metal Products, Inc.	\$1,274.00
Republic Steel Corporation	\$1,301.60
Carolina Culvert & Metal Company	\$1,340.96

CONTRACT AWARDED PRODUCTION METALS, INC. FOR 60 SHEETS ALUMINUM ALLOY.

Motion was made by Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, awarding contract to the low bidder, Production Metals, Inc. for 60 Sheets of Aluminum Alloy, as specified, representing an estimated total of 3,330 pounds, on a unit price basis, representing a net delivered price of \$1,381.95

Bids received are as follows:

Production Metals, Inc.	\$1,381.95
Atlantic Aluminum & Metal Distributors	\$1,461.90
Hill-Chase Steel Company	\$1,608.67
Kiser Aluminum & Chemical Sales, Inc.	\$1,629.74
Edgecomb Steel Company	\$1,630.16
Joseph T. Ryerson & Son, Inc.	\$1,680.31
Southern Engineering Company	\$1,900.00

CONTRACT AWARDED THE SEAGRAVE CORPORATION FOR TWO TRIPLE COMBINATION PUMPING ENGINES AND HOSE CAR WITH BOOSTER SYSTEM.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and unanimously carried, contract was awarded The Seagrave Corporation for

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Two 1,000-gallon per minute Triple Combination Pumping Engines and Hose Car with Booster System, as specified, at a net delivered price of \$49,776.00.

Net delivered bids received are as follows:

The Seagrave Corporation	\$49,776.00
The Seagrave Corporation Alternate Bid	\$47,300.00
Maxim Motor Company	\$49,450.00
Mack Trucks, Inc.	\$49,970.00
American LaFrance	\$53,990.00

HOLIDAY GRANTED CITY EMPLOYEES ON SEPTEMBER 1ST, IN OBSERVANCE OF LABOR DAY.

Councilman Evans moved that a holiday be granted City Employees on Monday, September 1st, in observance of Labor Day. The motion was seconded by Councilman Brown, and unanimously carried.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with J. M. Harry & Bryant Company, for Graves 4, 5 and 6, in Lot 95, Section 3, Evergreen Cemetery, at \$120.00.
- (b) Deed with Mrs. Egbert Gribble, for Lot 312, Section 2, Evergreen Cemetery, at \$160.00.

CLAIM OF PRITCHARD PAINT & GLASS COMPANY FOR WATER DAMAGES REFERRED TO CITY ATTORNEY.

Upon motion of Councilman Brown, seconded by Councilwoman Evans, and unanimously carried, the claim of Pritchard Paint & Glass Company for damages alleged to have been caused by two broken water mains was referred to the City Attorney.

SICK LEAVE THROUGH AUGUST 31, 1958 EXTENDED TO MRS VIRGINIA MCNAIR, HEALTH DEPARTMENT EMPLOYEE.

Councilman Albea moved that sick leave be extended to Mrs. Virginia McNair, Health Department Employee, through August 31, 1958. The motion was seconded by Councilman Foard, and unanimously carried.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO CIVIL SERVICE COMMISSION FOR PAYMENT OF STENOGRAPHIC TRANSCRIPT OF HEARING OF CAPTAIN L.W. HENKEL, POLICE DEPARTMENT.

Mr. Yancey, City Manager, reported that the stenographic transcripts of the Hearing of Captain L.W. Henkel, Police Department, before the Civil

Service Commission have been received, and he recommended the transfer of \$628.00 from the Emergency Fund (Code 110) to the Civil Service Commission (Code 112 B-21) for payment thereof. Upon motion of Councilman Foard, seconded by Councilman Baxter, and unanimously carried, the said transfer of funds was authorized.

PLANNING BOARD REQUESTED TO CONSIDER POSSIBILITY OF REZONING PROPERTY ON EAST BOULEVARD FROM SOUTH BOULEVARD TO SUGAW CREEK TO PROVIDE ADDITIONAL BUSINESS AREAS.

Councilman Dellinger moved that the Planning Board be requested to consider and recommend the rezoning of property on East Boulevard, from South Boulevard to Sugaw Creek, to provide more business sites, as he feels more business could be located in this area if the zoning permitted. The motion was seconded by Councilman Baxter, and unanimously carried.

ADJOURNMENT.

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

Lillian R. Hoffman  
Lillian R. Hoffman, City Clerk