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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, January 12, 1955, at 4 o'clock p.m., with Mayor Van Every presiding, and Councilmen Albea, Baxter, Boyd, Dellinger, Smith and Wilkinson present.

Absent: Councilman Brown.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the minutes of the last meeting on January 7th were approved as submitted.

HEARING ON ORDINANCE ASSESSING BENEFITS IN THE IMPROVEMENT DISTRICT ON WEST 5th STREET CONTINUED TO 4 P.M. ON WEDNESDAY, JANUARY 26, 1955.

The hearing relative to the assessing of benefits in the improvement district on West 5th Street was opened with the introduction of the Ordinance setting forth the property owners and amounts of benefits assessed against their property. Following the reading of the ordinance, Councilman Dellinger moved that the Council accept the recommendations of the Board of Appraisers with the exception of those property owners from whom no right-of-way was purchased by the City, and that they be assessed no benefits. The motion was seconded by Councilman Smith.

Councilman Wilkinson stated he agrees with the motion in part, that those property owners who received no payment should not be assessed; however, he could not support all of the remainder of the motion as, in his opinion, some of the assessments are too high. That he thinks each piece of property should be considered separately and decided upon individually.

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

YEAS: Councilmen Dellinger, Smith and Baxter.

NAYS: Councilmen Albea and Wilkinson.

Councilman Boyd asked to be recorded as not voting. Mr. John D. Shaw, City Attorney, stated that as he understands the law, if a Councilman is present he must cast a vote. Mayor Van Every asked Councilman Boyd what he wished to do, and Councilman Boyd stated in that case he would leave the room, although this is the first time the City Attorney has made such ruling, to which the City Attorney replied that he had previously made this ruling.

Councilman Boyd then left the room, and was absent for the remainder of the session.

Councilman Wilkinson requested that the matter be placed on the calendar for the next meeting, and in the meanwhile the Council get together and see if a compromise cannot be worked out.

Councilman Smith stated that although the Council has previously stated the question will not be voted on unless the entire Council is present, it appears that it may be difficult to have all of the Council present for sometime due to Councilman Brown's illness, and that Councilman Brown has advised it is agreeable with him for the matter to be settled without him being present.

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Councilman Dellinger then withdrew his former motion, and moved that the hearing be continued until 4 o'clock p.m., on Wednesday, January 26th, and asked the Mayor to call a conference of the Council prior to that time to discuss the question. Motion was seconded by Councilman Smith, and unanimously carried.

After discussion with the Council, Mayor Van Every announced that the conference on the question would be held in his office on Tuesday evening, January 25th, at 7 o'clock.

CONSTRUCTION OF SKATING RINK IN ENDERLY PARK REQUESTED AND COMMITTEE REFERRED TO PARK & RECREATION COMMISSION.

Mr. R. M. Query, Mrs. J. A. Nichols and Mr. Jesse Royster were spokesmen for a delegation from Enderly Park Playgrounds and requested that funds be provided for the construction of a Skating Rink in Enderly Park Playgrounds. They advised that the Enderly Park Men's Club has spent roughly \$1,300.00 on equipment for the Playgrounds and feel that the badly needed Skating Rink for the smaller children should be provided by the Parks & Recreation Commission. They advised further that when the Park was laid out, a skating rink area was provided but never paved. That the question has been discussed with Mr. Diehl, Supt. of the Commission, many times and that on yesterday he stated they would do nothing further at Enderly Park.

Mayor Van Every stated that the Committee should present their request to the Park & Recreation Commission; that the Commission no doubt endeavors to divide their funds among all of the parks in the city and to fill the needs that are greatest.

Councilman Baxter stated to the delegation that if they are unable to work out a satisfactory arrangement with the Park & Recreation Commission, they should bring their request back to the Council for further discussion.

EMPLOYMENT OF AN ADDITIONAL SCHOOL GUARD AUTHORIZED.

Councilman Albea moved that the employment of an additional School Guard be authorized. The motion was seconded by Councilman Smith, and unanimously carried.

STREET NAMES CHANGED.

Upon motion of Councilman Smith, seconded by Councilman Albea, and unanimously carried, the names of the following streets were changed as recommended by the Planning Commission:

- (a) "Lyngwyn Drive" changed to "Carlyle Drive".
- (b) "Sheffield Court (from Woodland Drive to Winfield Drive) changed to "Sheffield Drive".
- (c) "Eastwood Drive" (from Potters Road to termination in Eastwood Acres) and "Fifth Avenue" (from Shamrock Drive to intersection with Eastwood Drive at termination) both changed to "Pinehley Road".

CONSTRUCTION OF SANITARY SEWER MAIN IN SPARROW STREET AUTHORIZED.

Councilman Dellinger moved approval of the request of Helms Construction Company for the construction of 120-ft. of 8-inch sanitary sewer main in Sparrow Street, to serve two 4-family units and two vacant lots, at an estimated cost of \$360.00 to be borne by the City. The motion was seconded by Councilman Wilkinson, and unanimously carried.

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CONSTRUCTION OF DRIVEWAY ENTRANCES AT 1424 N. TRYON ST. AND 1506 SOUTH BOULEVARD APPROVED.

Motion was made by Councilman Albea, seconded by Councilman Smith, and unanimously carried, authorizing the construction of the following driveway entrances:

- (a) One 30-ft. driveway at 1424 N. Tryon Street.
- (b) Two 30-ft. driveways at 1506 S. Boulevard.

CONTRACT AWARDED AUTOMATIC SIGNAL DIVISION, EASTERN INDUSTRIES, INC. FOR TRAFFIC CONTROL EQUIPMENT FOR INTERSECTION OF S. TRYON ST., CAMDEN ROAD AND GOLD STREET.

Upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, contract was awarded Automatic Signal Division, Eastern Industries, Inc., for One 826-D Dispatcher complete in cabinet, wood pole mounting, 3 DR-5 relay units and One 8-ft. HRD pressure sensitive detectors, as specified at a total net delivered price of \$1,413.55.

CONTRACT AWARDED RICHLAND SHALE PRODUCTS COMPANY, D.B.A. COLUMBIA PIPE COMPANY, FOR VITRIFIED CLAY PIPE.

Motion was made by Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, awarding contract to Richland Shale Products Company, D.B.A. Columbia Pipe Company, for 30,000 Linear Ft. 8" and 500 Linear Ft. 6" No. 1 Vitrified Clay Pipe, as specified, on a unit price basis, representing a total price of \$12,875.00, less cash discount of \$643.75, or a net delivered price of \$12,231.25.

ADVERTISEMENT OF PERSONAL PROPERTY DELINQUENT TAXES FOR 1951 THROUGH 1953 AUTHORIZED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the Collector of Revenue was authorized to advertise personal property delinquent taxes for 1951, 1952 and 1953.

SETTLEMENT OF CLAIM OF JAMES E. BLACKWELL FOR PERSONAL INJURIES.

Motion was made by Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, authorizing the settlement of claim in the amount of \$15.00, of Mr. James E. Blackwell for personal injuries sustained on October 6, 1954, at the Garbage Landfill site off Statesville Road by being struck by the City's bulldozer.

SETTLEMENT OF CLAIM OF MRS. F. O. CLARKSON FOR DAMAGES TO CAR.

Councilman Smith moved that the claim of Mrs. F. O. Clarkson in the amount of \$16.39 be paid, for damages to her car by the City's Street Maintenance Truck on December 22, 1954, at 300 West 10th Street. The motion was seconded by Councilman Wilkinson, and unanimously carried.

ANNUAL REPORT OF CITY ATTORNEY FILED.

The City Manager stated the City Attorney's Annual Report for 1954 was filed on January 10th.

RESOLUTION AUTHORIZING FRANK T. MILLER, CONSULTING ENGINEER, TO PROCEED WITH RESPECT TO THE RAILROAD CROSSLINE.

A resolution entitled: "Resolution Authorizing Frank T. Miller, Consulting Engineer, To Proceed With Respect To The Railroad Crossline" was introduced and read. Councilman Smith moved the adoption of the resolution, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 260.

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TRIBUTE PAID TO THE LATE GOVERNOR UMSTEAD AND TO MR. J. A. HARDISON, STATE HIGHWAY & PUBLIC WORKS COMMISSIONER FOR THE STATE'S CONTRIBUTION OF \$500,000 TO THE CITY OF CHARLOTTE GRADE CROSSING ELIMINATION PROJECT.

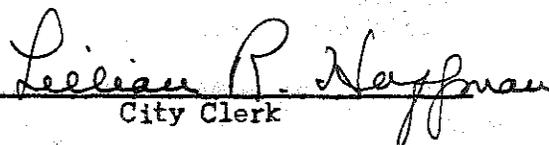
Mayor Van Every paid tribute to the late Governor Umstead and stated that he was one of North Carolina's outstanding Governors, a personal friend and an able leader who had the great vision and wisdom to see that the citizens of Charlotte would be relieved of a great traffic problem by the contribution of \$500,000 by the State of North Carolina towards a cross-connection track in the City's grade crossing elimination project. The Mayor also paid tribute to Mr. James A. Hardison, State Highway & Public Works Commissioner for this district, whom he stated was aware of the pressing need in Charlotte and who had much to do with the funds being allocated for the project.

MAYOR AND CITY MANAGER CONGRATULATED ON THEIR WORK IN CONNECTION WITH THE CONTRIBUTION BY THE STATE FOR THE RAILROAD CROSSLINE,

Councilman Dellinger expressed his congratulations to Mayor Van Every and City Manager Henry Yancey for the time and effort they spent in securing the State's contribution for the railroad crossline and the grade crossing elimination project. The motion was seconded by Councilman Wilkinson, and unanimously carried.

ADJOURNMENT.

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


City Clerk