

January 18, 1956  
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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber of the City Hall, on Wednesday, January 18, 1956, at 4 o'clock p.m., with Mayor Van Every presiding, and Council members Albea, Baxter, Dellinger, Evans, Smith and Wilkinson being present.

Absent: Councilman Brown.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, the Minutes of the last meeting on January 11, 1956, were approved as submitted.

REAPPOINTMENT OF S. Y. MCADEN TO FIREMEN'S RELIEF BOARD OF TRUSTEES.

Councilman Wilkinson moved the reappointment of Mr. S. Y. McAden to the Firemen's Relief Board of Trustees, for a term of two years from January 18, 1956. The motion was seconded by Councilman Smith, and unanimously carried.

COUNCIL MEMBERS SMITH, BAXTER AND EVANS APPOINTED AS COMMITTEE TO ASSIST CITY HEALTH ADVISORY COMMITTEE IN SELECTION OF SITE FOR PROPOSED HEALTH CENTER.

Mayor Van Every appointed Council members Smith, Baxter and Evans as a Committee to assist the City Health Advisory Committee in the selection of a site for the proposed Health Center, at the request of the Health Advisory Committee.

ORDINANCE NO. 290 REGULATING MATTERS PERTAINING TO TREES, SHRUBS, VINES AND FLOWERS IN THE CITY OF CHARLOTTE AND CREATING A TREE COMMISSION.

An ordinance entitled: "Ordinance No. 290 Regulating Matters Pertaining to Trees, Shrubs, Vines and Flowers in the City of Charlotte and Creating a Tree Commission" was introduced by Councilman Albea. Following the reading thereof, Councilman Albea moved its adoption, which was seconded by Councilman Wilkinson, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Pages 2-4.

Councilman Albea suggested that the appointment of a Tree Commission be deferred until next week so that the Council may have time to consider persons for appointment to the Commission.

PUBLIC HEARING FIXED FOR FEBRUARY 8, 1956 ON ORDINANCE NO. 293 TO REGULATE THE SUBDIVISION OF LAND IN THE CITY OF CHARLOTTE AND THE CHARLOTTE PERIMETER AREA.

Councilman Baxter moved that a public hearing be held on February 8th on Ordinance No. 293 to Regulate the Subdivision of Land in the City of Charlotte and the Charlotte Perimeter Area, pursuant to Section 5 of S.B. 106 of the 1955 General Assembly, and that the City Clerk be authorized to publish notice of such hearing. The motion was seconded by Councilman Smith, and unanimously carried.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO PLANNING BOARD FOR PUBLICATION OF PERIMETER ZONING ORDINANCE AND MAP, AND MAP FRAME FOR CITY CLERK.

Councilman Smith moved approval of the transfer of \$1,400.00 from the Emergency Fund (Code 110) to the Planning Board (Code 109-B-2) for the publication of Perimeter Zoning Ordinance and Map, and for Map Frame and installation in the office of the City Clerk. The motion was seconded by Councilwoman Evans, and unanimously carried.

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**BANCROFT STREET TAKEN OVER FOR CITY MAINTENANCE.**

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, Bancroft Street, from Moretz Avenue north 740-feet to dead-end, was taken over for city maintenance.

**EXECUTION OF CONTRACT BETWEEN CITY AND STATE BOARD OF HEALTH FOR PUBLIC HEALTH ACTIVITIES FOR FISCAL YEAR JULY 1, 1955 TO JUNE 30, 1956, AUTHORIZED.**

Motion was made by Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, authorizing the Mayor and City Clerk to execute a contract between the City and State Board of Health covering public health activities in Charlotte for the fiscal year July 1, 1955 to June 30, 1956.

**J. A. JONES CONSTRUCTION COMPANY AUTHORIZED TO CONNECT SANITARY SEWER LINES TO CITY'S SANITARY SEWERAGE SYSTEM IN GREENSBORO STREET.**

Upon motion of Councilman Wilkinson, seconded by Councilwoman Evans, and unanimously carried, permission was granted J. A. Jones Construction Company to connect 2,900 feet of 12-inch sanitary sewer lines to the City's Sanitary Sewerage System in Greensboro Street, upon condition that they comply with all laws, rules and regulations now in effect, or which may hereafter become effective relative to property similarly situated.

**CONSTRUCTION OF DRIVEWAY ENTRANCES FOR 1000 INDEPENDENCE BOULEVARD AUTHORIZED.**

Councilman Smith moved approval of the construction of two 35-foot driveway entrances on Independence Boulevard and two 35-foot entrances on South Summitt Avenue, all for 1000 Independence Boulevard. The motion was seconded by Councilman Dellinger, and unanimously carried.

**AGREEMENT BETWEEN STATE HIGHWAY COMMISSION AND ERVIN CONSTRUCTION COMPANY FOR RIGHT-OF-WAY FOR SANITARY SEWER LINES CONSTRUCTION AUTHORIZED CO-SIGNED BY CITY.**

Motion was made by Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, authorizing the City to co-sign an agreement between the State Highway Commission and Ervin Construction Company for right-of-way in Albemarle Road for the construction of sanitary sewer lines.

**ERVIN CONSTRUCTION COMPANY AUTHORIZED TO CONNECT SANITARY SEWER LINES TO CITY'S SANITARY SEWERAGE SYSTEM.**

Upon motion of Councilman Smith, seconded by Councilman Albea, and unanimously carried, permission was granted Ervin Construction Company to connect 1,233 feet of sanitary sewer trunk and mains to the City's Sanitary Sewerage System along Albemarle Road and Independence Boulevard, upon the condition that they comply with all laws, rules and regulations now in effect, or which may hereafter become effective relative to property similarly situated.

**CONTRACTS AUTHORIZED WITH NIVENS CONSTRUCTION COMPANY, AND ERVIN CONSTRUCTION COMPANY, FOR INSTALLATION OF WATER MAINS.**

Motion was made by Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, authorizing the following contracts for the installation of water mains:

- (a) Contract with Nivens Construction Company, Inc., for the construction of 1,520 feet of water main and one hydrant in Scaleybark Park, to serve 29 lots, at an estimated cost of \$3,488.00. All costs to be financed by the City, and Applicant to guarantee a gross annual water revenue equal to 10% of the cost.

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- (b) Supplementary contract to contract dated May 26, 1954, with Ervin Construction Company, for the construction of 350 feet of water main in Markham Village, to serve residential property, at an estimated cost of \$1,121.00. All cost to be borne by the Applicant, who will own the mains until the territory is taken into the city.

CONSTRUCTION OF SANITARY SEWERS IN MARKHAM VILLAGE AUTHORIZED.

Councilman Smith moved approval of the construction of 2,819 feet of sanitary sewers in Markham Village, at an estimated cost of \$7,080.00, with the cost to be borne by the City, and the refund of the deposit of the said amount by the Applicant in accordance with the terms of the contract. The motion was seconded by Councilwoman Evans, and unanimously carried.

LEASE OF AIRPORT BUILDINGS TO HALLS TEXTILE MACHINERY COMPANY CONCLUDED.

The City Manager reported that the lease of Airport Buildings #216 and #30 has been concluded with Halls Textile Machinery Company, for a period of one year from January 1, 1956, at a monthly rental of \$62.00.

TRANSFER OF EVERGREEN CEMETERY LOT.

Upon motion of Councilman Wilkinson, seconded by Councilman Smith, and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with Mr. T. J. Revelle, for the transfer of Evergreen Cemetery Lot #298, in Section 4-A, at a cost of \$126.00.

RESOLUTION ABANDONING A PORTION OF PEARL STREET.

A resolution entitled: "Resolution Abandoning A Portion of Pearl Street" was introduced and read. Councilman Baxter 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 388.

ORDINANCE NO. 292 AMENDING THE BUILDING CODE (PLUMBING CODE) WITH RESPECT TO SEWER CONNECTIONS OUTSIDE THE CITY LIMITS.

An ordinance entitled: "Ordinance No. 292 Amending The Building Code (Plumbing Code) With Respect to Sewer Connections Outside The City Limits" was introduced and read. Councilman Albea moved the adoption of the ordinance, which was seconded by Councilwoman Evans, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 5.

INVESTIGATION OF INSTALLATION OF TRAFFIC SIGNAL AT IDEAL WAY AND AVONDALE AVENUE.

Councilman Baxter requested the City Manager to have an investigation made of the feasibility of installing a traffic signal at Ideal Way and Avondale Avenue.

PURPOSE OF REQUESTED STUDY OF FIRE ARMS LAW TO CONTROL AND CURTAIL PROMISCUOUS SHOOTING OF PERSONS IN CHARLOTTE.

Councilman Baxter stated that since his request at last week's meeting that the City Attorney study the fire arms law, he has had many calls from sportsmen who seem quite perturbed at the proposal, and he would like to state that his purpose in asking for the study was an effort to control and curtail the promiscuous shooting of persons in Charlotte.

ADJOURNMENT.

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

*Lillian R. Hoffman*  
Lillian R. Hoffman, City Clerk