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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, January 21, 1959, at 3 O'clock p.m., with Mayor Smith presiding and Council members Albea, Baxter, Dellinger, Evans, Foard and Wilkinson being present.

ABSENT: Councilman Brown.

Planning Board members Sibley, Chairman, and Craig, Ervin, Hanks, Schwartz and Toy were also present during the hearings on petitions to amend the Zoning Ordinance to change the Building Zone Maps of Charlotte and the Perimeter Area.

ABSENT: Commissioners Hook, Marsh, McClure and Wilkinson.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, the Minutes of the last meeting on January 14th were approved as submitted.

HEARING ON ORDINANCE NO. 526 AMENDING CHAPTER 21, ARTICLE II, SECTION 5, OF THE CITY CODE, AND DECISION DEFERRED FOR ONE WEEK.

The public hearing was held on Ordinance No. 526 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing property on the north side of US-29 Bypass east of Little Rock Road, from Rural to B-1, on petition of Mr. H. C. and Mildred Davis.

Mr. McIntyre, Planning Director, stated the property is approximately 467-feet along Little Rock Road with a depth of 1200-feet; that it is used residentially, as is the property across the road, while to the north and south the land is undeveloped, and across the Bypass an Industrial district has been established.

Mr. Davis, the petitioner, stated that 100-feet of the property adjacent to his is swampy and there is a lake on his property which extends up to the property line.

No opposition to the proposed change was voiced.

Council decision was deferred for one week.

HEARING ON ORDINANCE NO. 525 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE, WITH DECISION DEFERRED FOR ONE WEEK.

The scheduled hearing was held on Ordinance No. 525 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing property at 1124 Ordermore Avenue, from R-2 to B-1, on petition of Mr. H. J. McManus and wife.

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Factual information as to the property and surrounding area was given by the Planning Director, who stated the property consists of one residential lot, and all adjoining property is used residentially; that there is a business development on Avondale Avenue about 300-feet distant.

Mr. J. H. Frickhoeffler, speaking for the petitioner, stated that several months ago the Council approved the rezoning of his property on Avondale, adjacent to the property in question, and it is their desire that the entire block be zoned for Business.

No opposition was expressed to the proposed change.

Council decision was deferred for one week.

BILLS TO BE PRESENTED GENERAL ASSEMBLY DISCUSSED.

" Councilman Baxter asked the City Attorney for a progress report on the legislative matters for the General Assembly. He asked first regarding the National Guard Armory at the Airport. Mr. Shaw stated that the City Manager had received a letter from the Adjutant General asking that the \$65,000.00 advanced by the city as a loan for the construction of the Armory be absorbed by the City. Mr. Yancey stated he took the matter up with the Council who feel that the City should be reimbursed in accordance with the agreement with the Adjutant General, and he has so advised him. Mr. Shaw was, therefore, directed to draw a Bill requesting the General Assembly to earmark funds in the Adjutant General's budget for this refund. "

Councilman Baxter then asked for the status of the legislation on the County-Wide Recreation Commission. Mr. Shaw stated that Mr. Grier, Chairman of the Committee has advised him they had met with the Legislators and the Bill will be drafted in Raleigh by the Attorney General's office.

Mayor Smith stated that our members to the Legislature have asked the Council to have all of the Bills drawn here and hand them to them before they leave Charlotte.

Councilman Baxter then asked the City Attorney if he has drawn the Bill relative to the Consolidation of the City and County Tax Departments. Mr. Shaw replied that nothing has been done as he does not know what the Council wants, and he would like to be instructed as to the details. Councilman Baxter stated that the contract made with Mecklenburg County on June 18, 1958 to get the consolidation started, was contingent on the necessary action by the Legislature and the matter must be handled and the Bill drawn. The said contract was then secured from the office of the City Clerk and read, and discussed in general. The City Attorney stated that while the contract between the City and County is for the period June 18, 1958 to June 30, 1959, it is renewable and he thinks it covers the matter entirely as it is and a Bill before the Legislature is not needed. It was agreed that a definite agreement should be reached with the County as to the location of the consolidated tax department; the amount the County should pay as their proportionate share of the collection of the joint taxes and similar matters. Councilman Baxter then moved that the City Manager ascertain from the Acting Collector of Revenue the extra expense in the collection of the county taxes through December 31st with report to Council. The motion was seconded by Councilman Foard, and unanimously carried.

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Councilman Baxter then asked about the status of the Bill to strengthen the procedures of the Civil Service Commission and the City Attorney stated this has not been drawn as he does not know what is desired. Councilman Baxter moved that the City Manager ascertain from the Civil Service Commissioners just what is needed to strengthen their procedures and authority. The motion was seconded by Councilwoman Evans, and unanimously carried.

Councilman Baxter asked about the Bill regarding the City Recorder's Court. Councilwoman Evans stated she was wondering if the Council should not review the Report by the Institute of Government and consider their recommendations. Councilman Baxter moved that the City Manager find out whether any changes are needed in the present procedure of the Court. The motion was seconded by Councilman Dellinger, and unanimously carried.

Councilman Baxter discussed the matter of the Bill to aid in Flood Relief; he pointed out that the question of entering onto private property in this connection must be handled. He asked the City Attorney to make this his No. 1 consideration, so that something can be worked out before the flood season begins this year.

Mr. Yancey, City Manager, stated he has a Bill prepared for the Legislature, and asked for the approval of the Council. He advised that when the General Assembly in 1933 passed a Bill providing for cities to consolidate their Water and Sewage Systems, Mecklenburg County and the cities and towns therein, were exempted, and in order to correct this situation, the following Bill has been prepared:

" A BILL ENTITLED AN ACT - TO PROVIDE FOR
THE FORM OF FINANCIAL STATEMENT OF THE
CITY OF CHARLOTTE REQUIRED UNDER
G. S. 160-383

THE GENERAL ASSEMBLY OF NORTH CAROLINA DO ENACT:

Section 1. That Chapter 321 of the Public Laws of 1933 be, and the same is hereby amended, by adding,

". . . except the City of Charlotte, located in said County of Mecklenburg".

Section 2. That, this Act shall be applicable to the City of Charlotte only.

Section 3. That, this Act shall be in full force and effect from and after its ratification."

Councilman Baxter moved that the Bill as read be presented to the General Assembly. The motion was seconded by Councilman Dellinger, and unanimously carried.

CITY PROPERTY BEHIND DOG POUND AUTHORIZED ADVERTISED FOR PUBLIC SALE.

Councilman Baxter moved that the property behind the Dog Pound, consisting of 3.62 acres be advertised for sale at public auction. The motion was seconded by Councilman Dellinger, and unanimously carried.

NEW CITY MAPS REQUESTED PREPARED.

Councilman Dellinger stated he thinks that new city maps should be made,

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as we are using a map prepared in 1954. The City Manager advised that a new map is now being worked on.

CITY MANAGER REQUESTED TO CONFER WITH POLICE AND COURT OFFICIALS REGARDING USE OF PRENUMBERED WARRANTS.

Councilman Dellinger moved that the City Manager confer with the Chief of Police and Clerk of Recorder's Court regarding the advisability of prenumbering warrants and advise Council the results of their conference. The motion was seconded by Councilman Baxter, and unanimously carried.

CITY MANAGER REQUESTED TO CHECK INTO IMPROVING SOUTH SIDE OF LAKEWOOD AVENUE, FROM SUMMIT AVENUE TO WALNUT AVENUE.

Councilman Wilkinson advised that several years ago Lakewood Avenue was improved with Powell Funds, and that the city has a right-of-way on both sides of the P & N Railway tracks, and he would like to renew his request of approximately a year ago that the south side of Lakewood Avenue, from Summit Avenue to Walnut Avenue, be improved, as it needs it badly. The City Manager advised he would check into the matter and advise.

FIVE-DAY WORK WEEK AND EMPLOYMENT OF 15 ADDITIONAL MEN AUTHORIZED IN POLICE DEPARTMENT.

Councilman Albea asked the City Manager if there are funds available to establish a 5-day work week in the Police Department on March 15th as requested by Chief Selvey? Mr. Yancey stated there is as much as \$15,000 left in the Police Salary Fund, and there are no funds available for use from other sources. Councilman Albea then requested the City Manager to find the funds somewhere, as it apparently can always be found for other things that arise, and get the Policemen on a 5-day work week.

Councilman Dellinger moved that Chief Selvey be allowed to establish the 5-day work week on May 1st, and to employ fifteen additional men on April 1st. The motion was seconded by Councilman Baxter.

Councilman Albea offered a substitute motion that the Council follow the recommendation of Chief Selvey for the employment of 15 additional men on March 15th and put the 5-day work week into effect as of April 15th. The motion was seconded by Councilwoman Evans, who stated she thinks the Council should comply with the procedure recommended by the Chief.

During the discussion, Councilman Dellinger stated that since the availability of sufficient funds is doubtful, that by employing the men as of April 1st only half the amount required for salaries will be needed, and he feels sure this will be agreeable with Chief Selvey.

The vote was then taken on the substitute motion, and lost, with the following votes cast:

YEAS: Council members Albea, Evans and Foard.

NAYS: Council members Baxter, Dellinger and Wilkinson, with Mayor Smith casting the deciding negative ballot in the tied-vote.

The vote was then taken on the main motion by Councilman Dellinger, and carried unanimously.

ADEQUATE FIRE PROTECTION IN PERIMETER AREA TO BE ANNEXED REQUESTED.

Councilwoman Evans referred to the newly constructed residence which burned in Mountainbrook subdivision recently and the information that there was no fire hydrant sufficiently near for use. The City Manager stated this is outside the city limits and the City is not responsible for hydrants in the perimeter area, and that the Mountainbrook area is beyond the perimeter area to be annexed January 1, 1960. She then asked what fire protection is being provided for the perimeter area to be annexed, and Mr. Yancey advised that a new Fire Station is now being constructed. She stated further that the Council should give serious thought to adequate protection in the area to be annexed.

CITY MANAGER REQUESTED TO INVESTIGATE DRAINAGE CONDITION AT 3919 AVALON AVENUE.

Councilman Foard requested the City Manager to investigate a condition at 3919 Avalon Avenue where the water runs from the street across the yard.

ORDINANCE NO. 532 AMENDING THE VEHICLE WRECKER OR TOW-IN SERVICE ORDINANCE TO PROVIDE FOR INSURANCE OF CONTENTS IN CARS, ADOPTED.

An ordinance entitled: "Ordinance No. 532 Amending the Vehicle Wrecker or Tow-In Service Ordinance to Provide for Insurance of Contents in Cars" was introduced and read. Councilman Wilkinson moved the adoption of the ordinance, which was seconded by Councilman Dellinger, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 309.

ORDINANCE NO. 533 AMENDING THE TOW-IN ORDINANCE REQUIRING PRIVATELY OPERATED WRECKER STORAGE LOTS TO BE ENCLOSED BY BARRIERS AT THE ENTRANCES AND EXITS IN CONNECTION THEREWITH.

An ordinance entitled: "Ordinance No. 533 Amending the Tow-In Ordinance Requiring Privately Operated Wrecker Storage Lots to be Enclosed by Barriers at the Entrances and Exits in Connection Therewith" was introduced and read, and upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, was unanimously adopted. The ordinance is recorded in full in Ordinance Book 12, at Page 310.

CITY ATTORNEY INSTRUCTED TO INSTITUTE INJUNCTION PROCEEDINGS AGAINST W. O. FLOWE, 4800 THRIFT ROAD, FOR VIOLATION OF PERIMETER ZONING ORDINANCE.

The Council was advised by the City Manager that Mr. W. O. Flowe was reported by the Inspection Department to be using a garage on his premises at 4800 Thrift Road for business purposes, which is in violation of the Perimeter Zoning Ordinance, whereas the building permit was issued for the construction of the garage for private use only. He stated that the City Attorney has advised that if this is the case, the injunction proceedings should be instituted against him for the violation. Councilman Dellinger moved that the City Attorney be instructed to institute injunction proceedings, as recommended. The motion was seconded by Councilwoman Evans, and unanimously carried.

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ORDINANCE NO. 531 AMENDING CHAPTER 2, OF THE CITY CODE - TRAFFIC ORDINANCE,
ADOPTED.

Ordinance No. 531 Amending Chapter 2, of the City Code - Traffic Ordinance, relative to parking restrictions and one-way streets, was introduced and read. Councilman Wilkinson moved the adoption of the ordinance, which was seconded by Councilman Foard, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 311.

RESOLUTION GRANTING DUKE POWER COMPANY PERMISSION TO CONSTRUCT TRANSFORMER VAULT UNDER SIDEWALK IN 100 BLOCK OF WEST STONEWALL STREET,
ADOPTED.

A resolution entitled: "Resolution Granting Duke Power Company Permission to Construct Transformer Vault Under Sidewalk in 100 Block of West Stonewall Street" was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Foard, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 298.

CONTRACTS AUTHORIZED FOR INSTALLATION OF WATER MAINS.

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

- (a) Contract with Radiator Specialty Company for the installation of 350-ft. of water mains in Jack Street, inside the city limits, to serve industrial property, at an estimated cost of \$1,400.00. The City to finance all costs and applicant to guarantee a gross annual water revenue equal to 10% of the total cost.
- (b) Supplementary Contract (to contract dated July 27, 1958) with Ervin Construction Company for the installation of 300-ft. of water mains in Amity Gardens No. 8, outside the city limits, to serve residential property, at an estimated cost of \$500.00. The Applicant to pay the entire cost and own the mains until the area is incorporated into the city.

CONTRACT AWARDED OSHKOSH B'GOSH, INC. FOR SCHEDULE OF 5,425 ITEMS OF WORK CLOTHING FOR VARIOUS CITY DEPARTMENTS.

Councilman Dellinger moved that contract be awarded Oshkosh B'Gosh, Inc., for a schedule of work clothing consisting of 5,425 items, as specified, representing a total price of \$15,716.23, subject to 5% cash discount of \$785.81, or a net delivered price of \$14,930.42. The motion was seconded by Councilman Baxter, and unanimously carried. The low bid of the Hub Uniform Company was incomplete, they having failed to bid on nine items, while the specifications stipulated that the section including all items would be considered a complete order and contract would be awarded accordingly.

All net delivered bids received are as follows:

The Hub Uniform Company	\$ 7,875.42
Oshkosh B'Gosh, Inc.	\$14,930.42
ALTERNATE BID	\$14,367.37
Not meeting specifications.	
Belk Bros. Company	\$16,600.90
ALTERNATE BID	\$15,897.04
The H. D. Lee Company	\$16,688.68

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CONTRACT AWARDED BELK BROS COMPANY FOR 215 CORDUROY TROUSERS AND 465 CORDUROY JACKETS.

Upon motion of Councilwoman Evans, seconded by Councilman Albea, and un-animously carried, contract was awarded Belk Bros. Company for 215 Cor-duroy Trousers and 465 Corduroy Jackets, as specified, at a net delivered price of \$5,559.00. The low bid of The Hub Uniform Company was not acceptable in that they could not deliver the articles of clothing until September 15, 1959 and they are required for use now.

All net delivered bids received are as follows:

The Hub Uniform Company	\$5,003.15
Belk Bros. Company	\$5,559.00

CONTRACT AWARDED ESSO STANDARD OIL COMPANY FOR 63,000 GALLONS FUEL OIL.

Councilman Wilkinson moved that contract be awarded the low bidder, Esso Standard Oil Company for 63,000 Gallons of No. 5 Fuel Oil, as specified, on a unit price basis of 8.579 per gallon, or a net delivered price of \$5,404.77. The motion was seconded by Councilman Baxter, and un-animously carried.

All net delivered bids received are as follows:

Esso Standard Oil Company	\$5,404.77
Gulf Oil Company	\$5,499.90

REPORT OF LEASES CONCLUDED WITH BROWN TRUCK & TRAILER COMPANY FOR AIR-PORT BUILDINGS.

The City Manager reported that leases have been concluded with Brown Truck and Trailer Company for Buildings #219 and #289 at Douglas Muni-cipal Airport, for a period of one year, beginning January 1, 1959; Building #219 at a rental of \$138.19 per month and Building #289 at \$187.71 per month.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Albea, seconded by Councilwoman Evans, and un-animously carried, the Mayor and City Clerk were authorized to execute a deed with Mrs. W. C. Merrill, Sr., for the transfer of Graves #6 and #7, in Section 3 of Evergreen Cemetery, at \$80.00.

QUARTERLY UNFIT HOUSING PROGRESS REPORT.

The following Quarterly Unfit Housing Progress Report was submitted by the City Manager:

"Number of Housing Units brought up to standard	56
Number of property owners cited for Hearings	21
Number of Housing units condemned	19
Number of bathing facilities installed	22
Number of housing units demolished	58

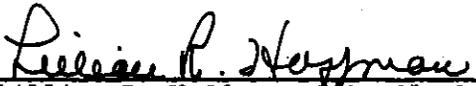
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Progress of Housing Program since the beginning in August - 1948

Number of Housing Units brought up to Standard to-date	11,661
Number of Houses demolished to-date	2,104
Housing Units demolished in 1957	119
Housing Units demolished in 1958	255"

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk