

January 28, 1959
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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 28, 1959, at 4 o'clock p.m., with Mayor Smith presiding and Council members Albea, Baxter, Dellinger, Evans, Foard 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 21st were approved as read.

ORDINANCE NO. 528-X EXTENDING CORPORATE LIMITS BY ANNEXING 57.955 ACRES OF PROPERTY IN CRAB ORCHARD TOWNSHIP, ON PETITION OF GREEN GARDENS, INC.

Public consideration was given to the petition of Green Gardens, Inc., for the annexation of 57.955 acres of property in Crab Orchard Township to the City of Charlotte. No objections were expressed by the public to the proposed annexation.

Councilman Albea moved the adoption of Ordinance No. 528-X Extending the Corporate Limits of Charlotte by Annexing 57.955 Acres of property in Crab Orchard Township. The motion was seconded by Councilman Wilkinson, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Pages 312 and 313.

ORDINANCE NO. 490 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE CHANGING PROPERTY AT THE SE CORNER OF INDEPENDENCE BOULEVARD AND ROCKWAY DRIVE FROM R-1 TO O-I DENIED AS RECOMMENDED BY PLANNING BOARD.

Upon motion of Councilman Albea, seconded by Councilman Baxter, and unanimously carried, Ordinance No. 490 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing property at the southeast intersection of Independence Boulevard and Rockway Drive, from R-1 to O-I, on appeal of Mr. Ray Barrier and wife, was denied as recommended by the Planning Board.

ORDINANCE NO. 519 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY AT 1532-34 CLIFFWOOD PLACE, FROM R-2 TO B-1, DENIED AS RECOMMENDED BY THE PLANNING BOARD.

Councilman Albea moved that Ordinance No. 519 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing property at 1532-34 Cliffwood Place, from R-2 to B-1, on petition of Mr. L.E. Mikeal and wife, be denied, as recommended by the Planning Board. The motion was seconded by Councilwoman Evans, and unanimously carried.

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 FROM RURAL TO B-1, DEFERRED FOR TWO WEEKS.

Councilwoman Evans moved that 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, be denied as recommended by the Planning Board. The motion was seconded by Councilman Albea.

Councilman Dellinger offered a substitute motion that action be deferred for two weeks, as he wishes to look at the property, as he understands that the owner has in mind a park development that is badly needed in the area. The motion was seconded by Councilman Baxter, and carried with the votes cast as follows:

YEAS: Council members Dellinger, Baxter and Wilkinson.

NAYS: Council members Albea, Evans and Foard.

Mayor Smith casting a YEA vote in favor of the motion, breaking the tied vote.

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, ADOPTED.

Upon motion of Councilman Foard, seconded by Councilwoman Evans, and unanimously carried, 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, was adopted as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, at Page 314.

DESCRIPTION AND MAP OF PROPOSED PERIMETER AREA DIRECTED FURNISHED CITY ATTORNEY BY CITY MANAGER, FOR DRAFTING LEGISLATION FOR ITS ESTABLISHMENT.

Councilman Baxter requested the City Manager to furnish the City Attorney a copy of the letter and map describing the proposed perimeter area which was sent the Council by the Planning Board, and that the City Attorney draft the proper legislation to establish the new perimeter area for ratification by the Legislature.

CITY MANAGER TO FURNISH COUNCIL WITH COST ESTIMATE OF THE PROPOSED EXTENSION OF HAYWOOD COURT TO HAWTHORNE LANE.

Councilman Dellinger stated he now understands that a Mr. Threatt will donate the land for right-of-way for the extension of Haywood Court through to Hawthorne Lane. Mr. Yancey stated he understands that Mr. Lee Heath is the owner of the land over which the right-of-way will be needed; however, he would suggest that the whole matter be held in abeyance until the cost estimate is received, which he is having made by the Engineering Department.

EMPLOYMENT OF TWO ADDITIONAL EMPLOYEES IN FIRE DEPARTMENT IN ORDER TO ESTABLISH A 5-DAY WORK WEEK FOR SWITCHBOARD AND FIRE ALARM OPERATORS.

Councilman Dellinger moved that the request of Chief Charles be granted

to employ two additional employees in the Fire Department in order to establish a five-day duty week for the Switchboard and Fire Alarm operators, for whom Chief advises funds are available in his budgeted salary account. The motion was seconded by Councilman Albea, and unanimously carried.

CITY MANAGER DIRECTED TO MAKE SURVEY AND ADVISE COUNCIL THE NUMBER OF CITY EMPLOYEES WORKING MORE THAN 5-DAYS PER WEEK.

Councilman Albea requested the City Manager to make a survey of the work schedule of city employees and advise the Council the number of employees working more than 5 days per week.

CLERK OF RECORDER'S COURT DIRECTED TO SUBMIT OPERATIONAL REPORT SINCE REORGANIZATION OF COURT.

Councilman Dellinger called attention that a periodic operational report by the Clerk of Recorder's Court was provided for in the reorganization of the Court, and he requested the City Manager to have the Clerk render such report for the period since his employment, as soon as possible.

RESOLUTION TO PROVIDE FOR A REFERENDUM ON APRIL 28, 1959 BY THE CITY'S ELIGIBLE FIREMEN UNDER PROVISIONS OF SECTION 11 OF CHAPTER 1154 OF THE 1955 SESSION LAWS OF N. C. ADOPTED.

A resolution entitled: "Resolution to Provide for a Referendum on April 28, 1959 by the City's Eligible Firemen under Provisions of Section 11 of Chapter 1154 of the 1955 Session Laws of N. C." was introduced and read, and upon motion of Councilwoman Evans, seconded by Councilman Albea, and unanimously carried, was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 299.

RESOLUTION GRANTING PIEDMONT & NORTHERN RAILWAY COMPANY PERMISSION TO LAY SIDETRACK ACROSS WALNUT AVENUE.

A resolution entitled: "Resolution Granting Piedmont & Northern Railway Company Permission to Lay Sidetrack Across Walnut Avenue" was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Wilkinson, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 300.

ACTION ON REQUEST FOR CHANGE IN NAME OF CELANESE DRIVE TO BARCLAY DOWNS DRIVE DEFERRED FOR ONE WEEK.

Councilman Albea moved that the name of Celanese Drive be changed to Barclay Downs Drive, as requested by the majority of property owners on the street, and recommended by the City Engineer and Planning Board. The motion was seconded by Councilman Foard.

Councilwoman Evans asked if the Celanese Corporation is in favor of the change, or if they have been consulted? The City Manager stated he did not have this information; however, it is customary for the Engineering Department and Planning Board to approve a street name change requested by the majority of property owners on a street, when it is not a duplication.

Councilman Baxter offered a substitute motion that action be deferred for one week, and the City Manager consult with Celanese Corporation officials as to their wishes in the matter. The motion was seconded by Councilwoman Evans, and carried, with the votes cast as follows:

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

NAYS: Councilman Albea.

RIGHT-OF-WAY AGREEMENTS AUTHORIZED WITH THE SAL RAILWAY COMPANY AND SOUTHERN RAILWAY COMPANY.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, the following right-of-way agreements were approved:

- (a) Agreement with the Seaboard Airline Railway Company for right-of-way in connection with the construction of the 24-inch Stewart Creek Outfall sewer by the City.
- (b) Agreement with the Southern Railway Company for the construction of the 10-inch Ashley Road trunk sewer by the City.

CONSTRUCTION OF SANITARY SEWER LINES IN PERIMETER AREA APPROVED.

Councilman Wilkinson moved approval of the construction of sanitary sewer lines in the perimeter area, as follows, which was seconded by Councilman Baxter, and unanimously carried:

- (a) Construction of 192-feet of sanitary sewer main in Lansdale Drive, to serve four family units, at request of Mr. D.E. Allen. Cost estimated at \$880.00, to be paid by the City.
- (b) Construction of 1,050-feet of sanitary sewer main in Albemarle Road to serve 9 family units, at request of Memorial Methodist Church, Albemarle Road. Cost estimated at \$2,495.00 to be borne by the City.
- (c) Construction of 2,000-feet of sanitary sewer main in Burgin Street, to serve 33 family units, at request of Mr. H. D. Galbraith, 1806 Burgin Street. Cost estimated at \$9,220.00, to be borne by the City.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, the construction of driveway entrances at the following locations was authorized:

- (a) One 30-ft. driveway entrance at 2732 Rozzells Ferry Road.
- (b) One 20-ft. entrance on Kenilworth Ave. for 1300 E. Morehead St.
- (c) Two 30-ft. entrances at 513 South College Street.
- (d) One 30-ft. entrance at 1120 E. 36th Street.
- (e) One 20-ft. entrance at 2133 S. Tryon Street.
- (f) One 25-ft. entrance at 120 Fairwood Avenue, and One 25-ft. entrance at 200 Fairwood Avenue.
- (g) One 20-ft. entrance on West Trade Street and One 20-ft. entrance on W. 4th Street, both for 401 W. Trade Street.
- (h) One 10-ft. entrance at 1808 Montford Drive.
- (i) Two 35-ft. entrances on S. Tryon Street and two 35-ft. entrances on Woodcrest Avenue, all for 1926 S. Tryon Street.

CONTRACT WITH SOUTHERN RUBBER COMPANY FOR 90 RUBBER SUITS FOR GARBAGE COLLECTORS.

Motion was made by Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, awarding contract to Southern Rubber Company for 90 Tower Rubber Suits complete, as specified, for delivery within 3 weeks, consisting of hat, jacket and overalls, at a net delivered price of \$1,235.20, subject to 2% cash discount of \$24.70, or a net delivered price of \$1,210.50. The low bid of Industrial & Textile Supply Co. offers suits and hats which do not meet the specifications. The second low bid of Tidewater Supply Company offers suits which do not meet the specifications.

All net delivered bids received are as follows:	\$1,058.40
Industrial & Textile Supply Company	\$1,089.27
Tidewater Supply Company	\$1,210.50
Southern Rubber Company	\$1,257.00
LeNeave Supply Company	\$1,274.88
Shelby Supply Company	\$1,368.57
Little's Hardware Company	\$1,380.83
Mine Safety Appliance Company	\$1,526.74
Matthews-Morse Sales Company	

CONTRACT AWARDED BILL SHAW COMPANY FOR OFFICE EQUIPMENT FOR NEW FIRE STATION #11.

Upon motion of Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, contract was awarded Bill Shaw Company, for Six #1660-F Grey, G.F. flat top Desks, #8604 Y & E, One #1672-TD Grey G.F. 72-inch Table #8724-T Y&E, Three #7502-D silver with grey top Telephone Stands #4940, Y & E and Two grey, with grey Royaloid top, royal metal Table 36-inch x 36-inch, all as specified, at a total net delivered price of \$1,218.51.

All net delivered bids received are as follows:

Bill Shaw Company	\$1,218.51
Fowler's	\$1,231.50
Pound & Moore Company	\$1,265.85
Kale-Lawing Company	\$1,267.40
Funderburk Office Supply Company	\$1,293.38

SICK LEAVE EXTENSION TO EMPLOYEES OF TAX AND ENGINEERING DEPARTMENT.

Upon motion of Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, sick leave was extended to the following city employees, as recommended by their Departmental Heads:

- (a) Extension of sick leave to Miss Nadine White, employee of Tax Department, to January 24th.
- (b) Extension of sick leave to Mr. J. B. Cherry, Mr. Henry Porter and Mr. Tom Martin, Engineering Department employees, through February 28th.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Foard, 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:

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- (a) Deed to Mr. R. Marion Ross, Sr. for Lot 243, Section 2, Evergreen Cemetery, at \$240.00.
- (b) Deed to Mr. Lloyd L. Hart and wife, for Graves #3 and #4, Oaklawn Cemetery, at \$80.00.

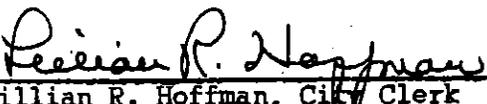
RESOLUTION OF THE CITY COUNCIL WITH REFERENCE TO PETITION OF ERVIN CONSTRUCTION COMPANY, FOR THE ANNEXATION TO THE CITY OF CHARLOTTE OF 100.78 ACRES OF PROPERTY LOCATED IN BERRYHILL TOWNSHIP, AND PROVIDING FOR THE PUBLICATION OF NOTICE OF SESSION OF CITY COUNCIL ON FEBRUARY 25TH TO CONSIDER THE ANNEXATION OF THE SAID PROPERTY.

The City Manager advised that a Petition has been filed by Ervin Construction Company requesting the annexation of 100.78 acres of property in Berryhill Township to the City of Charlotte.

A resolution entitled: "Resolution of the City Council with Reference to Petition of Ervin Construction Company, Inc. for the Annexation to the City of Charlotte of 100.78 Acres of Property located in Berryhill Township, And Providing for the Publication of Notice of Session of City Council on February 25th to Consider the Annexation of the Said Property" was then presented and read, and upon motion of Councilman Albea, seconded by Councilman Wilkinson, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 301.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk