

June 20, 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 in the City Hall, on Wednesday, June 20, 1956, at 11 o'clock a.m., with Mayor Van Every presiding, and Council members Baxter, Brown, Dellinger, Evans and Smith being present.

ABSENT: Councilmen Albea and Wilkinson.

INVOCATION.

The invocation was given by Councilman Herman A. Brown.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, the Minutes of the last meeting on June 13th were approved as submitted.

RESOLUTION COMMENDING THE OFFICIALS OF THE SOUTHERN RAILWAY SYSTEM FOR THEIR FORESIGHT IN CONTRIBUTING TO THE GROWTH OF CHARLOTTE BY THE DEVELOPMENT OF THE QUEEN CITY PARKING CENTER.

A resolution entitled: "Resolution Commending the Officials of the Southern Railway System for Their Foresight in Contributing to the Growth of Charlotte by the Development of the Queen City Parking Center" was introduced by Councilman Baxter, who moved its adoption following the reading thereof. The motion was seconded by Councilman Smith, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 444.

CONSIDERATION DEFERRED ONE WEEK OF ORDINANCE NO. 314 AMENDING THE ZONING ORDINANCE OF THE CITY OF CHARLOTTE TO PROVIDE FOR UNDERTAKING ESTABLISHMENTS IN AN R-2 DISTRICT.

Upon motion of Councilman Baxter, seconded by Councilman Brown, and unanimously carried, consideration of Ordinance No. 314 Amending the Zoning Ordinance of the City of Charlotte to provide for Undertaking Establishments in an R-2 District, was deferred one week.

ORDINANCE NO. 325 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING FROM R-2 TO B-1 THE PROPERTY AT THE NORTHERLY SIDE OF WILKINSON BOULEVARD NEAR THE INTERSECTION OF HIGHLAND STREET AND WILKINSON BOULEVARD ADOPTED.

Councilman Dellinger moved the adoption of Ordinance No. 325 Amending the Zoning Ordinance to Amend the Building Zone Map of the City of Charlotte, by changing from R-2 to B-1 the property at the northerly side of Wilkinson Boulevard near the Intersection of Highland Street and Wilkinson Boulevard, upon petition of Marsh Land Company. The motion was seconded by Councilman Smith, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 64.

ORDINANCE NO. 326 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING FROM R-1 TO B-1 THE PROPERTY AT THE NORTHERLY CORNER OF INDEPENDENCE BOULEVARD AND MORNINGSIDE DRIVE ADOPTED.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, Ordinance No. 326 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte, by changing from R-1 to B-1 the property located at the northerly corner of Independence Boulevard and Morningside Drive, upon petition of Dwight L. Phillips, was adopted. The ordinance is recorded in full in Ordinance Book 12, at Page 65.

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ORDINANCE NO. 327 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA BY CHANGING FROM RURAL TO B-1 THE PROPERTY ON OLD MONROE ROAD ADJACENT TO MCALPINE CREEK AND THE SEABOARD AIRLINE RAILWAY ADOPTED.

Councilman Dellinger moved the adoption of Ordinance No. 327 Amending the Zoning Ordinance to amend the Building Zone Map of the Charlotte Perimeter Area, by changing from Rural to B-1 the property located on the Old Monroe Road adjacent to McAlpine Creek and the Seaboard Airline Railway, upon petition of Walter W. Hook and Rosalie H. Gwathney. The motion was seconded by Councilman Smith, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 66.

RESOLUTION ADOPTED PROVIDING FOR PUBLIC HEARING ON JULY 11TH ON ORDINANCE NO. 331 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA BY CHANGING FROM RURAL TO B-1 TRACT #1 AND FROM RURAL TO R-1 TRACT #2 OF PROPERTY LOCATED BETWEEN YORK ROAD AND NATIONS FORD ROAD SOUTH OF YORKMONT ROAD.

Ordinance No. 331 Amending the Zoning Ordinance to amend the Building Zone Map of the Charlotte Perimeter Area, by changing from Rural to B-1, Tract #1 and from Rural to R-1, Tract #2 of property located between York Road and Nations Ford Road, south of Yorkmont Road, upon petition of Alson Goode Corporation, was introduced and read. A Resolution Providing for a Public Hearing on July 11th on the proposed Amendment to the Zoning Ordinance, was presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Smith, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Pages 434-436.

RESOLUTION ADOPTED PROVIDING FOR PUBLIC HEARING ON JULY 11TH ON ORDINANCE NO. 332 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING FROM INDUSTRIAL TO LIGHT INDUSTRIAL THE PROPERTY LOCATED OFF SUMMIT AVENUE AND WHAT WOULD BE WEST 2ND STREET.

Ordinance No. 332 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte, by changing from Industrial to Light Industrial the property located off Summit Avenue and what would be West 2nd Street, upon petition of E. C. Griffith Company, was introduced and read. A Resolution Providing for a Public Hearing on July 11th on the proposed Amendment to the Zoning Ordinance was then presented and read. Upon motion of Councilwoman Evans, seconded by Councilman Smith, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 2, at Page 437.

RESOLUTION ADOPTED PROVIDING FOR PUBLIC HEARING ON JULY 11TH ON ORDINANCE NO. 333 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING FROM B-1 TO INDUSTRIAL THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF NORTH MYERS STREET AND BELMONT AVENUE.

Ordinance No. 333 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte, by changing from B-1 to Industrial the property located at the northwest corner of North Myers Street and Belmont Avenue, upon petition of Mr. Wade H. Vause, was introduced and read. A Resolution Providing for a Public Hearing on July 11th on the proposed Amendment to the Zoning Ordinance was presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Smith, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 438.

RESOLUTION ADOPTED PROVIDING FOR A PUBLIC HEARING ON JULY 11TH ON ORDINANCE NO. 334 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING FROM R-2 TO B-1 PROPERTY LOCATED ON THE WEST SIDE OF STATESVILLE AVENUE, BETWEEN MCCALL AND CASE STREETS.

Ordinance No. 334 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte, by changing from R-2 to B-1 the property located on the west side of Statesville Avenue, between McCall and Case Streets, upon petition of the Hebrew Cemetery Association, was introduced and read. A Resolution Providing for a Public Hearing on July 11th on the proposed Amendment to the Zoning Ordinance, was presented and read. Upon motion of Councilwoman Evans, seconded by Councilman Smith, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 2, at Page 439.

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RESOLUTION ADOPTED PROVIDING FOR A PUBLIC HEARING ON JULY 11TH ON ORDINANCE NO. 335 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA BY CHANGING FROM RURAL TO INDUSTRIAL THE PROPERTY AT THE SOUTHEAST CORNER OF DR. CARVER ROAD AND MERCURY DRIVE.

Ordinance No. 335 Amending the Zoning to Amend the Building Zone Map of the Charlotte Perimeter Area, by changing from Rural to Industrial, the property at the southeast corner of Dr. Carver Road and Mercury Drive, on petition of E. E. Pearson and wife, was introduced and read. A Resolution Providing for a Public Hearing on July 11th on the proposed Amendment to the Zoning Ordinance, was presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Smith, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 440.

RESOLUTION ADOPTED PROVIDING FOR A PUBLIC HEARING ON JULY 11TH ON ORDINANCE NO. 336 AMENDING THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA BY CHANGING FROM RURAL TO INDUSTRIAL TRACT #1 AND FROM RURAL TO B-1 TRACT #3, OF PROPERTY LOCATED ON YORK ROAD.

Ordinance No. 336 Amending the Zoning Ordinance to Amend the Building Zone Map of the Charlotte Perimeter Area, by changing from Rural to Industrial Tract #1 and from Rural to B-1 Tract #3 of property located on York Road, on appeal of Alson Goode Corporation to the City Council from the decision of the Planning Commission denying his petition for the change. A Resolution Providing for a Public Hearing on July 11th on the proposed Amendment to the Zoning Ordinance, was then introduced and read. Motion was made by Councilwoman Evans, seconded by Councilman Smith, and unanimously carried, adopting the resolution. The resolution is recorded in full in Resolutions Book 2, at Pages 441-442.

RESOLUTION ABANDONING ALLEYWAY RUNNING BETWEEN MOREHEAD STREET AND DUNBAR STREET.

A resolution entitled: "Resolution Abandoning Alleyway Running Between Morehead Street and Dunbar Street" was introduced and read. Councilman Brown moved the adoption of the resolution, which was seconded by Councilman Smith, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 443

COUNCIL MEETINGS AUTHORIZED HELD EVERY OTHER WEEK DURING JULY AND AUGUST, OMITTING THE MEETING ON THE FIRST WEDNESDAY IN JULY.

Councilman Dellinger moved that the Council Meetings be held every other week during July and August, omitting the meeting on the first Wednesday in July. The motion was seconded by Councilman Smith, and carried, with the votes cast as follows:

YEAS: Council members Baxter, Dellinger, Evans and Smith.

NAYS: Councilman Brown.

CHANGE ORDER NO. 7 COVERING OVERRUN IN GRADING IN CONTRACT OF BLYTHE BROS COMPANY FOR THE CONSTRUCTION OF THE CROSSLINE RAILROAD, APPROVED FOR PAYMENT.

Upon motion of Councilman Dellinger, seconded by Councilman Brown, and carried, Change Order No. 7, covering overrun in grading in the amount of \$45,130.60, in the contract of Blythe Bros Company for the construction of the Crossline Railroad, was authorized paid, with the votes cast as follows:

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

NAYS: Councilman Smith

ADDITION TO RULES AND REGULATIONS GOVERNING VACATION AND SICK LEAVE TO PROVIDE FOR MILITARY RESERVE TRAINING LEAVE.

Upon motion of Councilman Smith, seconded by Councilwoman Evans, and unanimously carried, the following addition to the Rules and Regulations Governing Vacation and Sick Leave for City Employees was adopted:

Article 7. Military Reserve Training Leave

Employees who are required to take leave from City service by virtue of membership in a Military Reserve Unit, to attend an authorized Military Reserve Training post shall be granted Military Reserve Training Leave after he has met the requirement of Article 2 (a) above but not in excess of one (1) week. Military Reserve Training Leave is not to be confused with either vacation leave nor with leave granted City personnel when entering Regular Armed Services.

INSTALLATION OF GRATING IN SIDEWALK OF 100 BLOCK OF NORTH CHURCH STREET AT SITE OF NEW MYERS PARKING GARAGE, APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, the installing of grating in the sidewalk of the 100 block of North Church Street, at the site of the new Myers Parking Garage, was approved.

STREETS TAKEN OVER FOR CITY MAINTENANCE.

Upon motion of Councilman Smith, seconded by Councilwoman Evans, and unanimously carried, the following streets were taken over for city maintenance:

- (a) LaSalle Street from Beatties Ford Rd. to English Dr.
- (b) Senior Drive from LaSalle Street to Keller Avenue.
- (c) Quentin Street from LaSalle Street to Southwest Boulevard.
- (d) Botany Street from LaSalle Street to Science Street.
- (e) English Drive from LaSalle Street to Southwest Boulevard.
- (f) Engelhardt Street from English Drive to Quentin Street.
- (g) Southwest Boulevard from Senior Drive to near English Dr.
- (h) Museum Place from the Mint Museum of Art to Twiford Place.
- (i) Twiford Place, from Hempstead Place to Hungerford Drive.
- (j) Lockely Drive from Hempstead Place to Museum Place.

CONSTRUCTION OF SANITARY SEWER MAIN AUTHORIZED IN SOUTH LONG STREET.

Councilman Smith moved approval of the construction of 43-foot of sanitary sewer main in South Long Street, to serve two triplex units, at an estimated cost of \$120.00, to be borne by the City, as requested by Mr. E. E. Abernethy. The motion was seconded by Councilman Baxter, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 20-ft. driveway entrance at 1400 South Tryon Street.
- (b) One 23-ft. driveway entrance on Bland Street for 1401 South Tryon Street.

CONTRACT AWARDED BLYTHE BROS. COMPANY FOR CONSTRUCTION OF BRIDGE ON THE SEWAGE DISPOSAL PLANT ROAD, OVER THE CROSSLINE RAILROAD.

Upon motion of Councilman Baxter, seconded by Councilman Brown, and unanimously carried, contract was awarded the low bidder, Blythe Bros. Company for the construction of a Bridge on the Sewage Disposal Plant Road over the Crossline Railroad, as specified, on a unit price basis, representing a total price of \$33,846.44.

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CONTRACT AWARDED BOYD & GOFORTH, INC. FOR CONSTRUCTION OF 30-INCH DISTRIBUTION SYSTEM WATER MAIN FROM SHUMAN AVENUE AND S. TRYON STREET, TO PARK ROAD AND WOODLAWN ROAD.

Councilman Smith moved that contract be awarded the low bidder, Boyd & Goforth, Inc., for the construction of a 30-inch distribution system water main from Shuman Avenue and South Tryon Street to Park Road and Woodlawn Road, as specified, on a unit price basis, representing a total price of \$414,793.12. The motion was seconded by Councilman Baxter, and unanimously carried.

CONTRACT AWARDED LYNCHBURG FOUNDRY COMPANY FOR SCHEDULE OF CAST IRON PIPE AND FITTINGS.

Motion was made by Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, awarding contract to Lynchburg Foundry Company for a schedule of 10 pieces of flanged Cast Iron Pipe and 36 Pipe Fittings flanged, all as specified, and in accordance with the specifications, at a total net delivered price of \$3,427.40.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilwoman Evans, seconded by Councilman Brown, and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with Joseph P. and Martha Headen for the south half of Lot #74, Section L-Annex, in Elmwood Cemetery, transferred from Mrs. Pearl J. Henderson, at \$1.00 for the new deed.

MOTION TO ADJOURN MEETING.

Councilman Smith moved that the meeting be adjourned, which was seconded by Councilman Baxter, and unanimously carried.

MEETING RECONVENED.

Upon the request of a gentleman in the audience to be heard, Councilwoman Evans moved that the meeting be reconvened. The motion was seconded by Councilman Dellinger, and unanimously carried.

CITY PRIVILEGE LICENSE ORDINANCE ATTACKED BY NON-RESIDENT.

Mr. P. C. Wyatt, who advised he resided on Highway #29 North, addressed the Council, stating he came as a lover of peace. He held in his hand a copy of the City Privilege License Ordinance and waving it at the Council stated it was a Communist manifesto provided by the ADL and probably copied by the City. He stated further that the City was promoting its own destruction, not his, by such a program; that the money system is in the hands of merciless, money grinding scoundrels. Mayor Van Every told Mr. Wyatt he had gone far enough with such accusations, and the Mayor explained the purpose of the ordinance. He also asked Mr. Wyatt if he resided within the city limits of Charlotte and paid city taxes, to which Mr. Wyatt replied he did not. Mayor Van Every then stated to Mr. Wyatt that he was not affected by the ordinance. Mr. Wyatt replied that other people are affected when taxes are collected from those who are overburdened; that it might be funny to the City Officials but the power to tax is the power to destroy and the best governed people are the least governed. Mayor Van Every attempted to explain that governments are operated by taxes legally levied. At this point Councilman Dellinger stated the City does not levy a tax on persons residing outside the city limits. The Mayor ruled that Mr. Wyatt was out of order, and asked for adjournment of the meeting.

ADJOURNMENT.

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

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk