

March 19, 1958  
Minute Book 37 - Page 423

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, March 19, 1958, at 4 o'clock p.m., with Mayor Smith presiding, and Council members Albea, Baxter, Brown, Dellinger, Evans and Wilkinson being present.

ABSENT: Councilman Foard

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, the Minutes of the last meeting on March 12th were approved as submitted.

WIDENING OF ROSWELL AVENUE TO 40-FOOT WIDTH OPPOSED BY RESIDENTS, AND 30-FOOT WIDTH REQUESTED OR NOTHING.

A delegation of residents of Roswell Avenue appeared before Council in opposition to the proposed widening of Roswell Avenue, from Queens Road West to Colony Road.

Objections to the proposed widening were based on making the street a thoroughfare, whereas it is now a quiet residential street; to the elimination of trees which would be necessary in the widening process; to the resulting devaluation of property values from \$4,000.00 to \$6,000.00; to the increased traffic on the street; to the waste of taxpayers money in widening only four and one-half blocks of an eight block, dead-end street, and that the widening of Roswell Avenue and not widening Colony Road into which it dead-ends, would serve no purpose and would only create a worse traffic congestion than at present. It was the unanimous request of the residents that the street be widened to only 30-feet or that no widening be done.

It was explained that the widening of Roswell was proposed by the City to relieve traffic to the Myers Park High School. That the City does not widen streets to only 30-foot width; that it was first requested by the residents that the street be widened to 36-feet at their expense, but it is the considered opinion of the Council that the 40-foot width is needed and by declaring Roswell Avenue a thoroughfare, curb and gutter and the paving can be done at public expense.

Residents speaking in opposition to 40-foot width were Mr. C.R. Willard, 2101 Roswell Avenue, who also stated that the proposed width will be the same as Selwyn Avenue, which is some two miles long; Mr. T. R. Jones, 2518 Roswell Avenue, who also stated that the 40-foot width will mean six lanes of traffic emptying into Colony Road, a very narrow street, which will serve no purpose; Mr. Julius Duncan, 238 Cottage Place who is erecting a residence at 2213 Roswell, Mrs. Robert Wiley, who also called attention that Roswell Avenue will never be extended as it would mean the City purchase two houses in the right-of-way and constructing a bridge over the creek beyond Colony Road; that until and unless Colony Road is also widened, the widening of Roswell Avenue will serve no purpose

March 19, 1958  
Minute Book 37 - Page 424

whatsoever, Mrs. Wiley also called attention that it is not the widening of Roswell Avenue that would prove of aid to the congested condition at Myers Park High School, but another entrance should be made to the school property on Sharon Lane; Mr. M. G. Morris, 2715 Roswell Avenue, who stated he resides at the lower end of Roswell Avenue where there is a bad ditch condition and he has spent over \$1,100.00 in getting better drainage for his property; however, he, and the other six families at this end of the street object to the street being widened to 40-feet; Mrs. Ralph Schmucker, 2330 Roswell Avenue, who suggested it would be much better to make Roswell Avenue a one-way street, and she stressed the devaluation in property if the 40-ft. widening is accomplished; Mr. T. A. Price, 2549 Roswell Avenue, who stated the only petition he has seen is for the widening of the street to 30-feet and that he objects virorously to the 40-foot width; Mr. J. E. Browning, 2533 Roswell Avenue, and Mr. D. A. Gibson, 2565 Roswell Avenue.

Mayor Smith thanked the delegation for coming to the meeting and expressing their views in the matter, and stated that no action had been contemplated by the Council today, and they would be glad to consider the objections as expressed by the residents.

REGULAR COUNCIL MEETINGS HOUR CHANGED TO 11 O'CLOCK ON EACH WEDNESDAY, FROM APRIL 1ST TO OCTOBER 1ST, 1958.

Councilman Baxter moved that the hour for holding regular Council Meetings be changed to 11 o'clock each Wednesday, from April 1st to October 1st, 1958, as has been the custom for the summer months. The motion was seconded by Councilman Dellinger, and unanimously carried.

HEARING FIXED FOR APRIL 9TH ON ORDINANCE TO AMEND CHAPTER 21, ARTICLE I, SECTION 4 (A), OFFICE INSTITUTION DISTRICTS, SUBSECTION I, OF THE CITY CODE TO INCLUDE "FUNERAL HOMES".

Councilman Baxter moved that a hearing be held on April 9th on an Ordinance to Amend Chapter 21, Article I, Section 4(A) Office-Institution Districts, sub-section I, Uses Permitted, of the City Code, to include "Funeral Homes". The motion was seconded by Councilman Wilkinson, and unanimously carried.

A Resolution to this effect is recorded in full in Resolutions Book 3, Page 195.

IMPROVEMENTS TO SUMTER STREET AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, improvements to Sumter Street were authorized at a cost of \$4,500.00 in accordance with the recent survey.

SUPPLEMENTARY CONTRACT WITH JACK AMMANN PHOTOGRAMMETRIC ENGINEERS FOR MAKING TOPOGRAPHIC MAP OF UPTOWN AREA OF CHARLOTTE.

Upon motion of Councilman Dellinger, seconded by Councilwoman Evans, and unanimously carried, a supplementary contract was authorized with Jack Ammann Photogrammetric Engineers for making a topographic map of the uptown area of Charlotte in the amount of \$7,779.00 to be paid from the Street Bond Funds already allocated for this project.

March 19, 1958  
Minute Book 37 - Page 425

CITY MANAGER AUTHORIZED TO RECEIVE BIDS FOR THE CONSTRUCTION OF BRIDGE OVER P & N RAILROAD TRACKS ON TUCKASEEGEE ROAD WITH UNDERSTANDING THAT P & N RAILROAD PAY HALF OF COST.

Motion was made by Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, authorizing the City Manager to receive bids for the construction of a Bridge over the P & N Railroad tracks on Tuckaseegee Road, with the understanding that the P & N Railway Company pay one-half of the cost of said construction.

CITY MANAGER COMMENDED FOR SECURING CONSENT OF P & N RAILWAY COMPANY TO PARTICIPATE IN COST OF CONSTRUCTING BRIDGE OVER THEIR TRACKS ON TUCKASEEGEE ROAD.

Councilman Dellinger commended Mr. Yancey, City Manager on the very fine job he did in securing the agreement of the officials of the Piedmont and Northern Railway Company to pay half the cost of constructing a bridge over their railway tracks on Tuckaseegee Road.

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WIDENING OF RADCLIFFE AVENUE, FROM QUEENS ROAD TO SELWYN AVENUE AUTHORIZED AND SURVEY FOR WIDENING WELLESLEY AVENUE REQUESTED MADE.

Councilwoman Evans moved that Radcliffe Avenue, from Queens Road to Selwyn Avenue, be widened to a 40-foot roadway at a cost of \$40,500.00, and that a survey be made of the cost of widening Wellesley Avenue to a similar width. The motion was seconded by Councilman Baxter, and unanimously carried.

REQUEST THAT QUESTION OF ELIMINATING LARGE AMOUNT OF SMOKE FROM MEMORIAL HOSPITAL HEATING PLANT BE HANDLED BY SMOKE CONTROL ENGINEER WITH HOSPITAL ADMINISTRATOR,

Councilman Brown called attention to the amount of smoke from the heating plant at Memorial Hospital, and requested the City Manager to have Mr. Frost, Smoke Control Engineer, look over the plant and discuss the matter with the Hospital Administrator, and see if it cannot be corrected.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON APRIL 9TH ON ORDINANCE NO. 452 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY ON WILMORE DRIVE BETWEEN DOWD ROAD AND LARCH STREET, FROM R-2 TO INDUSTRIAL, ADOPTED.

Ordinance No. 452 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property located on Wilmore Drive, between Dowd Road and Larch Street, from R-2 to Industrial, on appeal of Mr. H. V. Lang, from the decision of the Planning Commission, was introduced and read. A Resolution Providing for a Public Hearing on said Ordinance on April 9th was then presented and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 189.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON APRIL 9TH ON ORDINANCE NO. 453 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY ON SHORTER AVENUE, BETWEEN INDEPENDENCE BOULEVARD AND TORRENCE STREET, FROM R-2 TO B-1, ADOPTED.

Ordinance No. 453 Amending Chapter 21, Article I, Section 2 of the City

March 19, 1958  
Minute Book 37 - Page 426

Code by amending the Building Zone Map of Charlotte by changing property located on Shorter Avenue, between Independence Boulevard and Torrence Street, from R-2 to B-1, on appeal of Mr. J. O. Long from the decision of the Planning Commission, was introduced and read. A Resolution Providing for a Public Hearing on said Ordinance on April 9th was then presented and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 190.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON APRIL 9TH ON ORDINANCE NO. 454 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY ON GARDNER AVENUE, AT CHAMBERLAIN AVENUE, FROM R-2 to B I-A, ADOPTED.

Ordinance No. 454 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property located on Gardner Avenue, at Chamberlain Avenue, from R-2 to B I-A, on petition of Mr. Zeb R. Little, et al, was introduced and read. A Resolution Providing for a Public Hearing on said Ordinance on April 9th was then presented and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 191.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON APRIL 9TH ON ORDINANCE NO. 455 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY ON SOUTH TORRENCE STREET, NEAR EAST FOURTH STREET, FROM R-2 TO B-2, ADOPTED.

Ordinance No. 455 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property located on South Torrence Street, near East Fourth Street, from R-2 to B-2, on petition of Mrs. Nannie M. Stowe, was introduced and read. A Resolution Providing for a Public Hearing on said Ordinance on April 9th was then presented and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 192.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON APRIL 9TH ON ORDINANCE NO. 456 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY ON LAMAR AVENUE AT PARK DRIVE, FROM R-2 TO OFFICE-INSTITUTION, ADOPTED.

Ordinance No. 456 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property located on Lamar Avenue at Park Drive, from R-2 to Office-Institution, on petition of Mr. Jonas L. Courtney, et al, was introduced and read. A Resolution Providing for a Public Hearing on said Ordinance on April 9th was then presented and read, and upon motion of Councilman Dellinger seconded by Councilman Wilkinson, and unanimously carried, was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 193.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON APRIL 9TH ON ORDINANCE NO. 457 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY AT THE SE CORNER OF SHARON-AMITY ROAD AND CROSBY ROAD FROM R-1 to B-1, ADOPTED.

Ordinance No. 457 Amending Chapter 21, Article I, Section 2 of the City

March 19, 1958  
Minute Book 37 - Page 427

Code by amending the Building Zone Map of Charlotte by changing property located at the southeast corner of Sharon-Amity Road and Crosby Road, from R-1 to B-1, was introduced and read. A Resolution Providing for a Public Hearing on April 9th on said ordinance was then presented 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 194.

**PAYMENT AUTHORIZED TO MITCHELL, PERSHING, SHETTERLY & MITCHELL, ATTORNEYS FOR LEGAL SERVICES IN CONNECTION WITH ISSUANCE OF \$9,000,000 BONDS.**

Upon motion of Councilman Albea, seconded by Councilman Baxter, and un-animously carried, the payment of \$7,961.51 was authorized to Mitchell, Pershing, Shetterly & Mitchell, Attorneys for professional services in connection with the issuance of \$9,000,000 City of Charlotte bonds.

**TRANSFER OF FUNDS FROM EMERGENCY FUND TO HEALTH DEPARTMENT, FOR CITY'S PORTION TO MENTAL HEALTH CLINIC THROUGH JUNE 30, 1958.**

Councilman Dellinger moved approval of the transfer of \$2,845.00 from the Emergency Fund (Code 110) to the Health Department, (Code 301) Mental Health Clinic through June 30, 1958. The motion was seconded by Councilman Baxter, and unanimously carried.

**LEASE WITH SOUTHERN FLIGHT RENTAL CAR, INC. FOR AIRPORT BUILDING NO. TO-66.**

The City Manager advised that lease had been concluded with Southern Flight Rental Car, Inc., for Airport Building No. TO-66, for a period of 3 years, at a monthly rental of \$45.00 plus water and garbage collection charges, for use for car rental and fixed base operations.

**ALLRIGHT CHARLOTTE COMPANY, INC. GRANTED PERMISSION TO CONSTRUCT FOOTINGS TO PARKING GARAGE BUILDING ON EAST SIDE OF 100 BLOCK OF SOUTH CHURCH STREET AND NORTH SIDE OF 100 BLOCK OF WEST FOURTH STREET.**

Upon motion of Councilman Baxter, seconded by Councilman Wilkinson, and un-animously carried, Allright Charlotte Company, Inc., was granted permission to construct footings, to a new parking garage building, under the sidewalk area on the east side of the 100 block of South Church Street and the north side of the 100 block of West 4th Street.

**CONSTRUCTION OF SANITARY SEWERS AUTHORIZED.**

Motion was made by Councilman Albea, seconded by Councilman Brown, and un-animously carried, authorizing the construction of sanitary sewer mains as follows:

- (a) Construction of 245-ft. of sanitary sewer main in Shamrock Hills, at request of D. E. Allen Construction Company, at an estimated cost of \$655.00, with all costs to be borne by the City.
- (b) Construction of 2,366-ft. of sanitary sewer main and trunk in Milton Park, at request of S. M. Hobbs, at an estimated cost of \$11,200.00. All cost to be borne by the City, with return of applicant's required deposit of the full cost, as per terms of the contract.

March 19, 1958  
Minute Book 37 - Page 428

SPECIAL OFFICER PERMITS AUTHORIZED ISSUED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, Special Officer Permits were authorized issued to the following persons:

- (a) Issuance of Permits to John H. Wheeler, James Smith and John F. Helms, for use on the premises of Old Dominion Box Company.
- (b) Issuance of Permit to Calvin Christenbury for use on the premises of East Fourth Street Sales Company.
- (c) Renewal of Permit for one year to Emory C. Sullivan for use on the premises of Lance, Inc.

EASTER HOLIDAY GRANTED CITY EMPLOYEES ON MONDAY, APRIL 7TH.

Councilman Alba moved that a holiday be granted city employees on Monday, April 7th, in observance of Easter. The motion was seconded by Councilman Brown, and unanimously carried.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed to H. M. Burleson, for Grave #6, Lot 94, Section 3, Evergreen Cemetery, at \$40.00.
- (b) Deed to Miss Margery D. Isenhour, for Perpetual Care on Lot 160, Section Q, Elmwood Cemetery, at \$140.00.

ADJOURNMENT.

Upon motion of Councilman Alba, seconded by Councilman Brown, and unanimously carried, the meeting was adjourned.

  
Lillian R. Hoffman, City Clerk