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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, March 31, 1954, at 4 o'clock p.m., with Mayor Van Every presiding, and Councilmen Albea, Baxter, Boyd, Brown, Dellinger, Smith and Wilkinson present.

Absent: None.

INVOCATION.

The invocation was given by Mayor Philip L. Van Every.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Baxter, and unanimously carried, the minutes of the last meeting were approved as submitted.

REQUEST OF RESIDENTS OF HABERSHAM DRIVE THAT OPEN DITCH IN STREET BE PERMANENTLY IMPROVED REFERRED TO CITY MANAGER FOR CONSIDERATION BY THE COUNCIL.

Mr. Thomas G. Lane, Attorney, appeared before Council representing the residents of Habersham Drive and presented a request that the open ditch running the length of the street be permanently improved by piping, filling in and enclosing. Mr. Jim Groom, resident of the street, also spoke in support of the request.

Mr. Lane stated that the street is located in an R-1 zoning district, and there are 24 families residing on the street, who have a total of 47 children. That the open ditch is approximately 1/5 of a mile in length, 40-foot wide, with a 24-foot paved street on each side. That it is unkept, dangerous, a hazard to the children and is insanitary. That it is also dangerous to motorist as there is a deep drop from the street, without barricades.

He advised further that under the laws of the City residents must keep their premises in a clean, sanitary condition; therefore, it is the rightful obligation of the City to do likewise with the City's property, and the ditch, being a part of the street, is the City's property.

He requested that the ditch be permanently improved by piping, filling it in and enclosing, which can legally be done by the City under Section 51 of the City Charter, wherein permanent improvements may be made when it is in the public interest, as the improvement to this ditch would be.

Councilman Boyd asked Mr. Groom if it is found that the City can make the improvement, would the property owners on the street be willing to pay a portion of the cost? Mr. Groom replied that they would be glad to do so, and Mr. Lane stated that they had anticipated this and are, in fact, willing to pay 50 percent of the cost.

Councilman Baxter moved that the request be referred to the City Manager for consideration by the Council. The motion was seconded by Councilman Albea, and unanimously carried.

THOMAS & HOWARD COMPANY GRANTED PERMISSION TO PARADE BUDWEISER HORSES ON APRIL 12-14 AND TO STOP ON STREETS ONLY IN AVAILABLE METERED PARKING SPACES.

Mr. Archie Smith representing Thomas & Howard Company, advised they are the distributors of Budweiser Beer in Charlotte and they will have the World Famous Budweiser Horses in Charlotte from April 10th through 14th, and they wish to parade the horses on Trade and Tryon Streets on April 12th, 13th and 14th, and also wish to stop the horses at short intervals so that

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the public may see them. He stated that Captain Henkel of the Police Traffic Department and the City Manager are agreeable to parading the horses but prohibit their stopping on the streets for exhibition purposes. Mr. Smith requested that they be permitted to do so.

Mr. Yancey, City Manager, stated his denial of the request was because of added traffic congestion and that the Horses are merely to advertise Budweiser Beer and he does not feel that the streets should be used for the purpose of advertising.

Councilman Brown moved that the ruling of the City Manager, and Captain Henkel be upheld and the request be denied. The motion was seconded by Councilman Albea, and unanimously carried.

Councilman Smith suggested that they are privileged to use regular metered parking space, and Mr. Archie Smith stated he believed they could work it out so that they could do so. The City Manager advised that it would be satisfactory to use the metered space for the regulation period, at the metered rate, if they can find sufficient space available.

#### COUNCIL TO INVESTIGATE CONDITION OF GARNET PLACE UPON REQUEST FOR STREET IMPROVEMENTS.

Mr. Joe McMullan, who resides at 1955 Garnet Place, requested that the street be improved, which he stated is practically impassable, in fact so bad that recently when he was ill and had appendicitis, neither the doctor nor ambulance could get on the street and because of this fact which prevented him having the proper medical attention, his appendix ruptured.

Mr. Yancey, City Manager, advised that the street is in extremely bad condition and is not under city maintenance and is in an isolated area. That it would be necessary that it be put in proper condition to meet the City's requirements before it can be put under maintenance.

Mr. McMullan advised there are only four families on the street and they are buying their homes and have no funds available with which to put the street in condition to be taken over.

Mayor Van Every advised that the Council will go out and see the street and decide what can be done and will give Mr. McMullen a reply two weeks from today.

#### SALARY OF MANAGER OF AUDITORIUM-COLISEUM FIXED AT \$11,000.00 PER ANNUM.

Councilman Baxter moved that the recommendation of the Auditorium-Coliseum Authority be accepted that the salary of the Manager of the Auditorium-Coliseum be fixed at \$11,000.00 per annum, and he moved further that the salary be payable semi-monthly and that the said Manager serve at the pleasure of the said Authority. The motion was seconded by Councilman Brown, and unanimously carried.

#### AGREEMENT WITH STATE HIGHWAY & PUBLIC WORKS COMMISSION FOR RIGHT-OF-WAY FOR WATER MAINS CONSTRUCTION IN WOODLAWN ROAD.

Councilman Albea moved approval of an Agreement with the State Highway & Public Works Commission for right-of-way in Woodlawn Road for the construction of water mains by the City. The motion was seconded by Councilman Smith, and unanimously carried.

#### LEASE WITH U. S. GOVERNMENT, GENERAL SERVICES ADMINISTRATION, FOR SPACE IN AIRPORT TERMINAL BUILDING BY C.A.A. FLYING SAFETY DISTRICT OFFICE, UNDER LEASE NO. GS-04B-2297.

Motion was made by Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, authorizing a lease with the U. S. Government General Services Administration, covering the use of 696 square feet of space by the Civil Aeronautics Administration, Flying Safety District Office, in the new Airport Terminal Building, under Lease No. GS-04B-2297, for a period of one year from July 1, 1954, at an annual rental of \$825.00.

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LEASES WITH CAPITAL AIRLINES AND STATE AIRLINES FOR SPACE IN NEW AIRPORT TERMINAL BUILDING AND GROUNDS.

Upon motion of Councilman Brown, seconded by Councilman Smith, and unanimously carried, leases were authorized as follows:

- (a) Lease with Capital Airlines for 333-feet of space in the new Airport Terminal Building, for a period of 5 years, at a monthly rental of \$55.50.
- (b) Lease with States Airlines for use of Airport property on which is erected a building for their base operation, for a period of 15 years, for the period March 1, 1954 to February 28, 1969, at a rental of \$150.00 for the first 5 years, \$200.00 for the second 5 years and \$250.00 for the last 5 years.

CONTRACT WITH GEORGE C. SCOTT & COMPANY FOR ANNUAL AUDIT FOR FISCAL YEAR 1953-54.

Councilman Smith moved that contract be authorized with George C. Scott & Company for the annual audit of the City's accounts for the fiscal year 1953-54, at a price of \$7,000.00. The motion was seconded by Councilman Albea, and unanimously carried.

PLAT OF HOLMES-ASHCRAFT SUBDIVISION APPROVED.

Motion was made by Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, approving the Plat of Holmes-Ashcraft Subdivision, as recommended by the Planning Board.

PERMISSION GRANTED GEO. GOODYEAR COMPANY AND ERVIN CONSTRUCTION COMPANY TO CONNECT PRIVATE SEWER LINES TO THE CITY'S SANITARY SEWERAGE SYSTEM.

Upon motion of Councilman Smith, seconded by Councilman Baxter, and unanimously carried, the following Companies were granted permission to connect their privately owned sanitary sewer lines to the City's Sanitary Sewerage System:

- (a) Geo. S. Goodyear Company to connect lines to serve Selwyn Park Subdivision No. 3, outside the city limits.
- (b) Ervin Construction Company to connect lines to System in Tillman Road, to serve area outside the city limits.

CONSTRUCTION OF SANITARY SEWER MAIN IN MORETZ AVENUE, AUTHORIZED.

Councilman Dellinger moved approval of the construction of 250-foot of sanitary sewer main in Moretz Avenue, at an estimated cost of \$400.00 to serve two family units and one vacant lot, with all costs to be borne by the City. The motion was seconded by Councilman Smith, and unanimously carried.

CONTRACTS AUTHORIZED FOR THE CONSTRUCTION OF WATER MAINS.

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

- (a) Contract with J. Albert Hisklin for the construction of 800 feet of water main in Drexel Place, outside the city limits, at an estimated cost of \$1,200.00, to serve 12 lots. All costs to be borne by the Applicant, who will dedicate mains to the city upon completion.

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- (b) Contract with W. P. Cherry & Son for the construction of 860 feet of main in Billingsley Road area, inside the city, at an estimated cost of \$1,350.00, to serve 30 family units. The City to finance all construction costs and applicant to guarantee a gross annual water revenue equal to 10% of the cost.
- (c) Contract with George Goodyear Company, for the construction of 5,595 feet of water mains in Selwyn Park Subdivision, Addition #3, at an estimated cost of \$14,600.00, to serve residential property outside the city limits. All costs to be borne by the Applicant, who will dedicate the mains to the city upon completion.

CONSTRUCTION OF DRIVEWAY ENTRANCE FOR 833 EAST BOULEVARD APPROVED.

Councilman Baxter moved that the construction of a 12 $\frac{1}{2}$ -foot extension to the present 10-foot driveway on Avondale Avenue, for 833 East Boulevard, be approved. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONTRACT AWARDED PETTIT MOTOR COMPANY FOR SIX POLICE CARS.

Motion was made by Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, awarding contract to Pettit Motor Company for Two, 6-cylinder Mainline Fords at \$1,247.86 and Four, 8-cylinder Mainline Fords at \$1,360.36, representing a net delivered price of \$7,937.16, for the Police Department.

SALE OF SIX USED POLICE CARS AUTHORIZED.

Upon motion of Councilman Smith, seconded by Councilman Baxter, and unanimously carried, the sale of six used Police Cars was authorized, in view of the fact that the trade-in allowance on the purchase of six new cars for the Department was too small to be considered.

CONTRACT AWARDED DEWEY BROS. INC. FOR MANHOLE RINGS AND COVERS.

Motion was made by Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, awarding contract to Dewey Bros., Inc., for 150 Manhole Rings and Covers, machined, as specified, on a unit price basis, representing a total price of \$3,469.50, less 1% cash discount, or a price of \$3,434.80.

CONTRACTS AWARDED FOR THE CONSTRUCTION OF IRWIN CREEK SEWAGE TREATMENT PLANT.

Upon motion of Councilman Baxter, seconded by Councilman Brown, and unanimously carried, contracts were awarded for the construction of Irwin Creek Sewage Treatment Plant, as follows:

- (a) Contract awarded Rea Construction Company for the General Construction, Piping and Equipment, on their base bid and alternates Nos. 1, 2, 3 and 4(b) in the amount of \$1,837,750.00, including an allowance for stabilizer material in accordance with the unit price bid and the estimated amount of such material.
- (b) Contract awarded Chicago Pump Company for the Compressor Units, at a total price of \$57,471.00.
- (c) Contract awarded Fairbanks-Morse & Company for the Sewage Lift and Recirculation Pumping Units at a total price of \$36,213.00.
- (d) Contract awarded Fairbanks-Morse & Company for the Sludge Pumping Units, at a total price of \$6,382.00.
- (e) Contract awarded Worthington Corporation for Sludge and Recirculating Units, at a total price of \$4,900.00.

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- (f) Contract awarded Marlowe Pump Company for Sludge Pumping Units, Plunger Type, at a total price of \$7,056.00.
- (g) Contract awarded Fairbanks-Morse & Company, for Flushing Water Units at a total price of \$1,247.00.
- (h) Contract awarded Purser & London, Inc., for Portable Pumping Unit, at a total price of \$3,478.00.
- (i) Contract awarded Charlotte Chemical Laboratories, for Laboratory Furniture, at a total price of \$6,415.00.
- (j) Contract awarded R. H. Bouligny, Inc., for the Electrical Work, on their base bid, at a total price of \$74,400.00.
- (k) Contract awarded A. Z. Price & Associates, for the Heating and Ventilation Work, at a total price of \$6,485.00.
- (l) Contract awarded Toomey Brothers, for the Plumbing, at a total price of \$4,561.00.

EMPLOYMENT OF REPLACEMENT PERSONNEL IN WATER DEPT. AUTHORIZED AT HIGHER SALARY THAN FORMERLY FIXED.

Upon the recommendation of the City Manager, Councilman Brown moved that the employment of a replacement personnel in the Water Department at a salary of \$7,200.00 per annum be authorized in lieu of the salary of \$6,500.00 authorized by Council on September 14, 1953. The motion was seconded by Councilman Wilkinson, and unanimously carried.

PLAT OF PORTION OF H. G. ASHCRAFT PROPERTY SUBDIVISION APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, the Plat of a Portion of the H. G. Ashcraft Property Subdivision was approved, as recommended by the Planning Board.

PURCHASE OF LAND ON EAST ELEVENTH STREET FROM E. C. GRIFFITH COMPANY FOR RIGHT-OF-WAY FOR WIDENING ELEVENTH STREET.

Councilman Smith moved that the purchase of a strip of land along the southwesterly side of East 11th Street, together with a rectangular shaped parcel of land, be authorized from E. C. Griffith Company, at a price of \$4,500.00, for right-of-way for the widening of East Eleventh Street. The motion was seconded by Councilman Brown, and unanimously carried.

CONFIRMATION OF SALE OF SUGAW CREEK DISPOSAL PLANT PROPERTY TO HELEN M. DAVIS AND B. Z. FURR.

Motion was made by Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, confirming the sale of 3.49 acres of Sugaw Creek Disposal Plant property to Helen M. Davis and B. Z. Furr, at the high bid of \$551.00.

EMPLOYMENT OF ADDITIONAL SCHOOL CROSSING GUARD FOR SERVICE TO LAKEVIEW SCHOOL AUTHORIZED.

Councilman Albea moved that the employment of an additional School Crossing Guard be authorized for service to the new Lakeview School as recommended by the City Manager. The motion was seconded by Councilman Dellinger, and unanimously carried.

ADJOURNMENT.

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

*Lillian R. Napfman*  
City Clerk