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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, March 6, 1957, at 4 o'clock p.m., with Mayor pro tem Smith presiding, and Council members Albea, Baxter, Brown, Dellinger, Evans and Wilkinson being present.

ABSENT: Mayor Van Every

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

APPROVAL OF MINUTES.

Upon motion of Councilman Dellinger, seconded by Councilman Brown and unanimously carried, the Minutes of the last meeting of the Council on February 27, 1957 were approved as submitted.

ORDINANCE NO. 371 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA, BY CHANGING ZONING ON PROPERTY ON GREENWICH ROAD, BETWEEN OLD SARDIS ROAD AND COTSWOLD SCHOOL, FROM R-1 AND B-1, TO R-2 AND R-1 CONTINUED FOR ONE WEEK.

Upon motion of Councilman Baxter, seconded by Councilman Wilkinson, and unanimously carried, decision on Ordinance No. 371 Amending the Zoning Ordinance to Amend the Building Zone Map of the Charlotte Perimeter Area by changing zoning on property on Greenwich Road, between Old Sardis Road and Cotswold School from R-1 and B-1 to R-2 and R-1, was deferred until 4 o'clock p.m., on Wednesday, March 13th, due to technicalities and in view of the fact that the recommendation of the Planning Commission was not received until today.

COUNCILMAN BAXTER ABSENT FROM REMAINDER OF MEETING.

Councilman Baxter left the meeting at this time and was absent for the remainder of the session.

CITY ENGINEER AND TRAFFIC ENGINEER DIRECTED TO WORK WITH CENTRAL AVENUE MERCHANTS REGARDING WIDTH OF DRIVEWAY ENTRANCES AND CURB ISLANDS, BETWEEN CHATHAM AVENUE AND CLUB ROAD, AND DO WHATEVER POSSIBLE TO MEET THEIR REQUEST NOT IN VIOLATION OF CITY LAWS.

Mr. Elmer Hilker, Attorney, was spokesman for a large delegation of merchants whose places of business are located on Central Avenue between Chatham Avenue and Club Road, with regard to the width of driveway entrances and curb islands to be laid in the widening of Central Avenue. Mr. Hilker stated that they have conferred with the City Traffic Engineering Department as to the proposed 20 foot curb islands, which they feel are too wide and will limit the driveway entrances to the business area. He stated the present arrangement of a continuous driveway entrance across the entire front of the business establishments permits many more cars to park off-street than will be the case if the entrances are established; he asked that the islands not be made more than 8 feet wide at the most. Mr. Corbett, Assistant Traffic Engineer stated that

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the street has been laid out in accordance with regulations under the city ordinance, giving the maximum 35 foot driveway entrances with 20 foot curb islands in between; that the main reason for the islands is one of safety to pedestrians who now have no protection while walking the entire length of the area and that it is a fact that there have been 16 accidents in this area, between Chatham Avenue and Club Road, from cars pulling in and out of this business area, and not at the street intersections. Mr. Corbett stated further that they have suggested to these merchants that they do away with perpendicular parking and use 45-degree parking, which will permit many more cars to be parked in the area.

Councilman Brown asked if the City should relent and meet the request for 8 foot curb islands, how would it effect the other places of business in town? Mr. Corbett replied there would be 500 similar requests received immediately. Councilwoman Evans asked if he thought it would be jeopardizing the State street widening project on Central Avenue or effect the overall cost? Mr. Corbett stated he would not say that it would; however, it is the safety angle that the Traffic Engineering Department is so concerned about. Councilman Dellinger stated in the six years he has been on the City Council, no one has appeared before Council with a similar request that the curb islands be reduced in width.

Mr. Hilker stated further that these people were in business at these locations before any such law was passed regulating the width of driveway entrances and curb islands, and all they are doing is asking the Council to help them and not take the life blood of these people.

It was called to the attention of the Council by Mr. J. R. Purser, who operates a Service Station at the corner of Central Avenue and Club Road, that he will not be able to get his Fuel Oil Trucks in and out of his place of business with the limited driveway entrances and that another station located at Thomas Avenue and Central Avenue has no such limited spaces.

Councilman Dellinger stated that maybe the exceptions in the city should be checked; that he would like the Engineers to work with these people and help them work out a solution, and he moved that the City Manager and City Engineer work with these merchants and see if they cannot work out something satisfactory. The motion lost for the lack of a second.

Councilman Wilkinson then moved that the City Engineer and Traffic Engineer work with these people and do everything possible to meet their requests not in violation of the City laws. The motion was seconded by Councilwoman Evans, and carried, with the votes cast as follows:

YEAS: Council members Albea, Brown, Evans and Wilkinson.

NAYS: Councilman Dellinger.

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ENGINEERING AND WATER DEPARTMENT AUTHORIZED TO GO ON 40 HOUR WEEK SCHEDULE AND ALSO OTHER DEPARTMENTS THAT CAN KEEP UP THEIR WORK BE PERMITTED TO GO ON SAME 40 HOUR WEEK SCHEDULE.

Councilman Dellinger stated that in order to keep employees in certain departments on an equal basis, he moved that the Engineering and Water Departments be allowed to go on a 40 hour week and if there are other departments that can work on the same schedule and keep up their work, that they too go on a 40 hour week. The motion was seconded by Councilman Albea, and unanimously carried.

RESOLUTION CONCERNING AID TO THE CHARLOTTE MEMORIAL HOSPITAL AUTHORITY OF CHARLOTTE, N.C., AND NOTICE OF INTENTION TO APPLY TO THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF \$9,000,000 CITY OF CHARLOTTE BONDS.

A resolution entitled: "Resolution Concerning Aid to the Charlotte Memorial Hospital Authority of Charlotte, North Carolina" and "Notice of Intention to Apply to the Local Government Commission for Approval of \$9,000,000 City of Charlotte Bonds", was introduced and read, and upon motion of Councilwoman Evans, seconded by Councilman Albea, and unanimously carried, was adopted. The resolution and notice of intention are recorded in full in Resolutions Book 3, beginning at Page 43 and ending at Page 45.

CONTRACT AWARDED ROSS & WITMER, INC. & J. V. ANDREWS CO. FOR FURNISHING AND INSTALLING AIR CONDITIONING, HEATING AND VENTILATING SYSTEM IN THE MINT MUSEUM OF ART, AND TRANSFER OF \$7,000.00 FROM EMERGENCY FUND TO MINT MUSEUM ACCOUNT TO SUPPLEMENT BUDGETED FUNDS FOR SYSTEM.

Councilman Brown moved that contract be awarded the low bidder, Ross & Witmer, Inc., and J. V. Andrews Co., for furnishing and installing air conditioning, heating and ventilating system in the Mint Museum of Art building, as specified, at a bid price of \$37,433.00 plus Alternate No. 1, \$830.00, minus Alternate No. 2, \$4,266.00, making a contract amount of \$33,997.00, and the transfer of \$7,000.00 from the Emergency Fund (Code 110) to Mint Museum (Code 110-109-1109 MM), to supplement budgeted funds for payment of contract. Motion was seconded by Councilwoman Evans and unanimously carried.

BIDS RECEIVED WERE AS FOLLOWS:

	<u>Alt. #1</u>	<u>Alt. #2</u>	<u>Alt. #3 &amp; 4</u>	<u>Total</u>
Ross & Witmer, Inc				
\$37,433.00	+\$830.00	-\$4,266.00	Not accepted	\$33,997.00
Michelson-Page				
\$38,430.00	+\$750.00	-\$3,000.00	Not accepted	\$36,180.00
Southern Comfort				
\$39,807.00	+\$773.00	-\$4,556.00	Not accepted	\$36,024.00
Sou. Piping & Engr. Co.				
\$41,006.00	+\$950.00	-\$4,100.00	Not accepted	\$37,856.00
Engineering, Inc.				
\$43,293.00	+\$895.00	-\$3,704.00	Not accepted	\$40,484.00
A. Z. Price				
\$48,974.00	+\$950.00	-\$3,971.00	Not accepted	\$45,953.00

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**TRANSFER OF FUNDS FROM EMERGENCY FUND TO VARIOUS DEPARTMENTS AND FROM WATER & SEWER EMERGENCY FUND TO VARIOUS WATER DIVISIONS, FOR PURCHASE OF HEATERS FOR TRUCKS.**

Upon motion of Councilwoman Evans, seconded by Councilman Brown and un-animously carried, \$2,476.42 was authorized transferred from the Emergency Fund (Code 110) to the following department divisions, for the purchase of heaters for trucks: Health Department, Equipment Depot, Sanitation & Garbage, Street Cleaning, Garbage Disposal, Engineering, Street, Evergreen Cemetery, Sanitation & Garbage Outlay and Elmwood Cemetery, and the transfer of \$349.11 from Water & Sewer Emergency Fund (Code 613) to the Water Works Shop, Sewer Maintenance, Sugaw Creek Disposal Plant and Irwin Creek Disposal Plant.

**CHANGE ORDER NO. 1 IN CONTRACT WITH BOYD & GOFORTH, INC. FOR REPAIRS TO CLEAR WELL NO. 3 AT VEST PUMPING STATION, AUTHORIZED.**

Councilman Dellinger moved approval of the payment of Change Order No.1 for installing six columns with caps and footings, in the amount of \$2,790.00, in contract with Boyd & Goforth, Inc., for repairs to Clear Well No. 3 at Vest Pumping Station. The motion was seconded by Councilman Brown and un-animously carried.

**SUPPLEMENTARY CONTRACT WITH JOHN CROSLAND COMPANY FOR CONSTRUCTION OF ADDITIONAL WATER MAINS IN SENECA PARK.**

Motion was made by Councilman Wilkinson, seconded by Councilwoman Evans and un-animously carried, authorizing a supplementary contract with John Crosland Company, to contract dated August 24, 1955, covering the construction of 600 feet of additional water mains in Seneca Park, outside the city limits, at an estimated cost of \$960.00. All costs to be borne by the applicant, who will dedicate the mains to the city upon acceptance by the City.

**CONTRACT WITH CHARLOTTE LUMBER AND MFG. COMPANY FOR CONSTRUCTION OF WATER MAINS IN FOSTER STREET.**

Councilman Dellinger moved approval of a contract with Charlotte Lumber & Mfg. Company, for the construction of 530 feet of water mains in Foster Street, outside the city limits at an estimated cost of \$1,150.00. All costs to be borne by the applicant, who will dedicate the mains to the city upon completion. The motion was seconded by Councilman Wilkinson, and un-animously carried.

**CONSTRUCTION OF SANITARY SEWERS IN PARKER DRIVE AND BERRYHILL ROAD, AND IN COUNTRY CLUB DRIVE AUTHORIZED.**

Upon motion of Councilman Albea, seconded by Councilwoman Evans and un-animously carried, the construction of sanitary sewers was authorized at the following locations:

- (a) Construction of 1,350 feet of sewer mains in Parker Drive and Berryhill Road, to serve two business units, at an estimated cost of \$4,700.00. All costs to be borne by the city and applicant's deposit of \$2,980.00 to be refunded in accordance with the terms of the contract.
- (b) Construction of 101 feet of sewer main in Country Club Drive, to serve two family units, at an estimated cost of \$380.00. All costs to be borne by the City.

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**CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.**

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

- (a) Two 30-ft driveway entrances at 2640 Freedom Drive.
- (b) Two 30-ft driveway entrances at 2415 Wilkinson Boulevard.

**PETITION FOR THE ANNEXATION TO THE CITY OF CHARLOTTE OF 6.95 ACRES OF PROPERTY, CONSISTING OF 21 LOTS, IN CRAB ORCHARD TOWNSHIP CONTIGUOUS TO THE CITY OF CHARLOTTE, FILED BY J.C. EVANS AND WIFE, ALICE B. EVANS.**

The City Manager reported that the following petition has been filed by Mr. Parker Whedon, Attorney in behalf of Mr. J. C. Evans and wife, Alice B. Evans, for the annexation to the City of Charlotte of 6.95 acres of property in Crab Orchard Township, contiguous to the city limits:

**"PETITION FOR ANNEXATION OF CERTAIN PROPERTY  
TO THE CITY OF CHARLOTTE."**

TO THE HONORABLE MAYOR AND

CITY COUNCIL OF THE CITY OF CHARLOTTE:

Pursuant to the provisions of Chapter 725, Section 8, of the 1947 Public Session Laws of the General Assembly of North Carolina, we, the undersigned, do petition for annexation of the property hereinafter described to the City of Charlotte, and do show as follows:

1. That the property, containing 6.95 acres, sought to be annexed to the City of Charlotte, and thereby to be within the boundaries of the said City, is in Crab Orchard Township, particularly described as follows:

BEGINNING at a point in the dividing line between Lots 12 and 13 in Block M. of EASTWAY as shown on map thereof recorded in Map Book 3 at page 463 in the Mecklenburg Public Registry, to which map reference is hereby made, said point being located South 18-57-15 West 200.0 feet measured along said dividing line from a point in the southerly margin of Hillside Drive; thence with the westerly margin of Harrow Place (map of which is recorded in Book 1698 at page 583 in said Registry) South 18-57-15 West 682.37 feet to a point in the center of Briar Creek; thence with the center of Briar Creek South 55-50-00 West 57.51 feet to a point in the center of Briar Creek; thence with the City limits of the City of Charlotte North 80-32-00 West 303.38 feet to the Mid point of the rear line of Lot 9 Block M of EASTWAY as shown on said map recorded in Map Book 3 at page 463; thence North 18-00 East 822.70 feet to the southwest corner of the John T. Godley property; thence with two of Godley's lines as follows: (1) South 72-00 East 150.0 feet to an iron; (2) North 18-00 East 150.0 feet to a point in the southerly margin of Hillside Drive, the same being the northeast front corner of Lot 10, Block M of Eastway as shown on the aforesaid map thereof; thence

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with the southerly margin of Hillside Drive South 72-00 East 50 feet to the northwest corner of the Sam Gunter property; thence with (2) of Gunter's lines as follows: (1) South 18-00 West 200.0 feet to an iron; (2) thence South 72-00 West 146.67 feet to the point and place of beginning.

2. That the undersigned comprise all of the owners of all of the property described above and sought to be annexed to the City of Charlotte.

WHEREFORE, the petitioners pray that notice be given as provided by Section 1, Chapter 725, of the 1947 Public Session Laws of the General Assembly of North Carolina, and that an Ordinance be adopted at a Session of the City Council of the City of Charlotte called for that purpose extending the corporation limits of the City of Charlotte by annexing thereto the property described in this petition as therein provided.

This the 15th day of February, 1957.

WITNESS:

Lois T. Oshwalt

J. C. Evans (SEAL)  
(Signature of Petitioner)  
Alice B. Evans (SEAL)

I do hereby certify that I have examined the records of Mecklenburg County and that James C. Evans and wife, Alice B. Evans constitute all of the owners of the property described in the foregoing petition.

Parker Whedon  
Attorney

I do hereby certify that the property described in the foregoing petition is contiguous to the present corporate limit boundary of the City of Charlotte.

L. C. Cheek, Jr.  
L. C. Cheek, Jr, City Engineer

Petition for the inclusion in the Charlotte School District of the area requested annexed to the City of Charlotte has been filed with the Board of School Commissioners.

John M. Dunlap  
Associate Supt. of Schools."

RESOLUTION PROVIDING FOR THE CONSIDERATION OF THE PETITION OF J. C. EVANS AND WIFE, FOR THE ANNEXATION OF 6.95 ACRES OF PROPERTY IN CRAB ORCHARD TOWNSHIP, CONTIGUOUS TO THE CITY LIMITS, ON APRIL 3, 1957.

A resolution entitled: "Resolution Providing for the Consideration of the Petition of J. C. Evans and Wife, for the Annexation of 6.95 Acres of Property in Crab Orchard Township, Contiguous to the City Limits", was introduced and read, and upon motion of Councilman Wilkinson, seconded by Councilman Albea was unanimously carried, fixing the date of consideration on April 3, 1957. The resolution is recorded in full in Resolutions Book 3, at Page 41.

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TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Brown, seconded by Councilwoman Evans, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Rev. John W. Moore and wife, for Lot 298, Section 2, Evergreen Cemetery, at \$160.00.
- (b) Deed with J. M. Pague and wife, for northwest quarter of Lot 7, Section BB, Elmwood Cemetery, at \$1.00 for transfer from J. A. Bechtler.
- (c) Deed with J. A. Bechtler, for northeast quarter of Lot 7, Section BB, Elmwood Cemetery, at \$1.00 for new deed.

WIDENING OF NORTH CECIL STREET BETWEEN ARMORY DRIVE AND EAST 7TH STREET BY FOUR FEET AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson and unanimously carried, North Cecil Street between Armory Drive and East 7th Street was authorized widened by four feet.

RESOLUTION FOR COUNTIES, CITIES, TOWNS, BOARDS OF EDUCATION, AND OTHER PUBLIC AGENCIES MAKING APPLICATION FOR COVERAGE OF EMPLOYEES UNDER THE OLD AGE AND SURVIVORS INSURANCE PROVISIONS OF TITLE II OF THE FEDERAL SOCIAL SECURITY ACT AS PROVIDED BY REFERENDUM.

A resolution entitled: "Resolution for Counties, Cities, Towns, Boards of Education, and Other Public Agencies Making Application for Coverage of Employees Under the Old Age and Survivors Insurance Provisions of Title II of the Federal Social Security Act as Approved by Referendum", relating to the Social Security Referendum by Policemen belonging to the N. C. Local Governmental Employees' Retirement System, was introduced 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 42.

PAYMENT OF ADJUSTMENT IN CONTRACT FOR MOWING EQUIPMENT AUTHORIZED MADE TO H. B. OWSLEY & SON, INC.

Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, payment of \$90.58 was authorized to H. B. Owsley & Son, Inc., for adjustment in contract for Mowing Equipment, purchased November 7, 1956.

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LEASE WITH AIRPORT AUTO SERVICE, INC. FOR ADDITIONAL PARKING AREAS AT DOUGLAS MUNICIPAL AIRPORT.

Councilman Brown moved approval of Lease with Airport Auto Service, Inc., for additional parking areas at Douglas Municipal Airport, as shown on maps attached to said lease, subject to the approval of the City Attorney. The motion was seconded by Councilwoman Evans, and unanimously carried.

ADJOURNMENT.

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

Lillian R. Hoffman  
Lillian R. Hoffman, City Clerk