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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, May 16, 1956, at 11 o'clock a.m., with Mayor Van Every presiding and Council members Albea, Baxter, Brown, Dellinger, Evans and Wilkinson being present.

ABSENT: Councilman Smith.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, the Minutes of the last meeting on May 9th were approved as submitted.

ORDINANCE NO. 307 AMENDING THE ZONING ORDINANCE CHANGING THE ZONING FROM R-2 TO B-2 ON PROPERTY OF W. W. SCHOLTZ, JR. ON FLORAL AVENUE, ADOPTED.

Councilman Brown moved the adoption of Ordinance No. 307 Amending the Zoning Ordinance, to change the zoning from R-2 to B-2 on property located on Floral Avenue, upon the petition of W. W. Scholtz, Jr., on which the hearing was held May 9th. The motion was seconded by Councilwoman Evans, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 52.

ORDINANCE NO. 315 AMENDING THE ZONING ORDINANCE CHANGING THE ZONING FROM R-2 TO B I-A ON PROPERTY ON THE SOUTHWEST SIDE OF SHAMROCK DRIVE, ADOPTED.

Councilman Dellinger moved the adoption of Ordinance No. 315 Amending the Zoning Ordinance, changing the zoning from R-2 to B I-A on property on the southwest side of Shamrock Drive, upon petition of W. D. McNaull and J. S. Brown, the hearing on which was held May 9th. The motion was seconded by Councilwoman Evans, and carried, with the votes cast as follows:

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

NAYS: Councilman Albea.

The ordinance is recorded in full in Ordinance Book 12, at Page 53.

ORDINANCE NO. 316 AMENDING THE ZONING ORDINANCE CHANGING THE ZONING FROM RURAL TO INDUSTRIAL ON PROPERTY ON NEW THRIFT ROAD, IN THE PERIMETER AREA, ADOPTED.

Upon motion of Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, Ordinance No. 316 Amending the Zoning Ordinance, was adopted, changing the zoning from Rural to Industrial on property located on the north side of New Thrift Road, upon petition of J. T. Laney on which the hearing was held May 9th. The ordinance is recorded in full in Ordinance Book 12, at Page 54.

ORDINANCE NO. 317 AMENDING THE ZONING ORDINANCE CHANGING THE ZONING FROM R-2 TO B-1 ON 8 FEET OF PROPERTY AT 1518 SHUMAN AVENUE, ADOPTED.

Councilman Brown moved the adoption of Ordinance No. 317 Amending the Zoning Ordinance, changing the zoning from R-2 to B-1, on 8 feet of the 80-foot strip of property of R. E. Strawn located at 1518 Shuman Avenue on which the hearing was held May 9th. The motion was seconded by Councilman Dellinger, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 55.

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ORDINANCE NO. 318 AMENDING THE ZONING ORDINANCE CHANGING THE ZONING FROM R-1 TO B-1 ON PROPERTY AT THE SOUTHEAST CORNER OF SHARON-AMITY ROAD AND RANDOLPH ROAD, IN THE PERIMETER AREA, ADOPTED.

Upon motion of Councilman Baxter, seconded by Councilwoman Evans, and unanimously carried, Ordinance No. 318 Amending the Zoning Ordinance, was adopted, changing the zoning from R-1 to B-1 on property located at the southeast corner of Sharon-Amity Road and Randolph Road, in the Perimeter Area, upon petition of The Sharon Corporation, on which the hearing was held May 9th. The ordinance is recorded in full in Ordinance Book 12, at Page 56.

ORDINANCE NO. 319 AMENDING THE ZONING ORDINANCE CHANGING THE ZONING FROM R-1 TO B-1 ON PROPERTY AT THE SOUTHWEST CORNER OF SHARON-AMITY ROAD AND RANDOLPH ROAD, IN THE PERIMETER AREA, ADOPTED.

Councilwoman Evans moved the adoption of Ordinance No. 319 Amending the Zoning Ordinance, changing the zoning from R-1 to B-1 on the property located at the southwest corner of Sharon-Amity and Randolph Roads, in the Perimeter Area, upon petition of the Heirs of the A. G. Randolph Estate, on which the hearing was held May 9th. The motion was seconded by Councilman Brown, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 57.

ORDINANCE NO. 320 AMENDING THE ZONING ORDINANCE CHANGING THE ZONING FROM R-2 TO B I-A ON PROPERTY ON THE WEST SIDE OF AMITY ROAD, 230 FEET SOUTH OF THE INTERSECTION OF AMITY ROAD AND INDEPENDENCE BLVD, IN THE PERIMETER AREA, ADOPTED.

Councilman Dellinger moved the adoption of Ordinance No. 320 Amending the Zoning Ordinance, changing the zoning from R-2 to B I-A on the property located on Amity Road, 230 feet south of the intersection of Amity Road and Independence Boulevard, in the Perimeter Area, upon the petition of L. J. Haney, on which the hearing was held May 9th. The motion was seconded by Councilman Baxter, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 58.

ORDINANCE NO. 321 AMENDING THE ZONING ORDINANCE CHANGING THE ZONING FROM B-1 AND RURAL TO INDUSTRIAL ON PROPERTY ON THE WESTERLY AND EASTERLY SIDES OF STEELE CREEK ROAD AND ON THE NORTHERLY SIDE OF MORRIS FIELD ROAD, IN THE PERIMETER AREA, ADOPTED.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and unanimously carried, Ordinance No. 321 Amending the Zoning Ordinance, was adopted, changing the zoning from B-1 and Rural to Industrial on property on the westerly and easterly sides of Steele Creek Road and on the northerly side of Morris Field Road, in the Perimeter Area, upon petition of Bowman-Dunn Mfg. Company, Schachner Leather & Belting Company, Southern Real Estate & Insurance Company, C. J. and Don Robertson, M. E. Alexander, Geo. Wingate, E. L. Roberts, Ramsey S. Yandle, Mrs. Johnsie Messick, W. Floyd Cochran, E. J. Withrow, J. D. Withrow, A. L. Stephens and M. C. Milling, the hearing on which was held May 9th. The ordinance is recorded in full in Ordinance Book 12, at Pages 59-60.

ORDINANCE NO. 322 AMENDING THE ZONING ORDINANCE CHANGING THE ZONING FROM RURAL AND R-2 TO B-1 ON PROPERTY AT THE INTERSECTION OF WILMOUNT ROAD AND MORRIS FIELD ROAD, IN THE PERIMETER AREA, ADOPTED.

Motion was made by Councilman Baxter, seconded by Councilman Wilkinson, and unanimously carried, adopting Ordinance No. 322 Amending the Zoning Ordinance, changing the zoning from Rural and R-2 to B-1 on property at the intersection of Wilmount Road and Morris Field Road, in the Perimeter Area, on the request of the Charlotte-Mecklenburg Planning Commission, the hearing on which was held May 9th. The ordinance is recorded in full in Ordinance Book 12, at Page 61.

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DOUGHBOY MONUMENT AUTHORIZED MOVED TO FREEDOM PARK AND FUNDS ALLOCATED FOR ITS REPAIR AND TRANSPORTATION.

Mr. Arthur Goodman, representing the Mecklenburg Barracks of the Association of Veterans of World War I, stated the Doughboy Monument located on Cecil Street on the Armory property must be moved because of the rebuilding of the Armory and they would like it moved to a permanent resting place in Freedom Park. He advised that the Monument is in need of cleaning and repairs, one arm and the rifle have been destroyed. He stated he appeared before the County Commissioners on Monday with the suggestion, and they authorized the expenditure of half the funds for repairs and moving, not exceeding \$400.00, if the City Council authorized payment of the other half.

Councilman Barter asked who would select the site for the Monument in Freedom Park? Mr. Goodman stated it was their thought that the City would do so. Councilman Albea stated he felt Mr. Goodman should consult with the Park & Recreation Commission, who has control over Freedom Park.

Councilman Albea moved that the Monument be authorized moved to Freedom Park on a site to be selected by the Park & Recreation Commission and that the County's contribution be duplicated by the City for the needed repairs and transportation to Freedom Park. The motion was seconded by Councilwoman Evans, and unanimously carried.

REQUEST FOR ASSISTANCE IN REPAIRING AND RENOVATING INTERIOR OF MINT MUSEUM OF ART AUTHORIZED CONSIDERED WHEN BUDGET MADE, AND COMMITTEE APPOINTED TO MAKE SURVEY OF PHYSICAL NEEDS OF BUILDING AND SUBMIT COST ESTIMATE.

Mr. E. C. Griffith, representing the Mint Museum of Art, advised that a Committee of the Board of Trustees, with Mr. C. D. Spangler, chairman, have made a survey of the building as to its physical needs. He advised the building was erected in 1936 by the W.P.A., and the building itself is substantial but the interior is badly in need of repairs and renovating. He stated the Board would like a Committee of Council members to make another survey with them, and assist them in determining the needs that are vital to the welfare of the property, and the costs.

Councilman Dellinger stated that the Mint property was deeded by the City to the Park & Recreation Commission four years ago. Mr. Yancey, City Manager, advised this is correct and funds for the Mint can only be allocated by the Park Commission and not by the City. The City Attorney explained that the City is legally restrained from making capital improvements and by placing the property under the Park Commission, such repairs could be made. Mr. Sam Galabow, President of the Mint Museum of Art, stated the Park and Recreation Commission made a charge of \$25.00 to \$30.00 per month against the Mint for maintenance of the grounds.

Mr. Griffith stated he donated the property to the City some 20 years ago for the erection of the Mint and he was unaware that it had been given to the Park Commission, and he does not think they will get very far with the Commission, as they have never spent a nickle on the park at the rear of the Mint. Mr. Galabow stated it was his understanding that the Park Commission accepted the title to the Mint contingent upon the City giving them funds for its maintenance over and above their 8 cents tax levy. Mr. Yancey stated that after the City had deeded the property to the Park Commission, the City Council told them to take the Mint funds from the 8 cents.

Mayor Van Every suggested that Mr. Griffith and Mr. Galabow meet with the Park Commission and have them appoint a Committee to work with the Mint Committee and see what can be worked out.

Councilman Barter moved that the Council receive Mr. Griffith's statement as information and that the request be seriously considered at the time the new Budget is made, and that the Mayor appoint a Committee to survey the property, as requested. The motion was seconded by Councilman Brown, and unanimously carried.

The Mayor then appointed Councilman Brown, Chairman, and Council members Evans and Albea to the Committee.

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DECISION TO BE MADE AT NEXT WEEK'S MEETING ON OFFER OF GIFT OF OAKLAWN CEMETERY BY MRS. ADELE HENDRICKS.

Mr. Frank McCleneghan asked if a decision has been made on the offer of Mrs. Adele Hendricks to make a gift to the City of Oaklawn Cemetery? Mayor Van Every stated the City Manager had today given the Council a report on his findings in the matter, and a decision would be made by the Council at next week's meeting.

CITY MANAGER'S OFFICE AUTHORIZED AIR CONDITIONED.

Councilman Wilkinson moved that the City Manager be authorized to air condition his office. The motion was seconded by Councilman Brown, and unanimously carried.

RESOLUTION RELATIVE TO THE DEATH OF PAUL V. BETTERS.

Councilwoman Evans introduced the following resolution and moved its adoption, which was seconded by Councilman Baxter, and unanimously carried:

"RESOLUTION RELATIVE TO THE DEATH OF
PAUL V. BETTERS.

WHEREAS, in the Providence of the Almighty God and in His Divine Wisdom, He has called Paul V. Betters from the Church Militant to the Church Triumphant; and

WHEREAS, his genial nature, and kindly consideration of others endeared him to his many friends and associates, and made for him a lasting place in their memory; and

WHEREAS, his outstanding service as Executive Director of the United States Conference of Mayors, in which he labored so steadfastly for many years, with vision and courage, will long be reflected in the progress of cities and towns throughout the United States; and

WHEREAS, it is with a deep knowledge of the great loss to Municipal Officials throughout the Country, that we mourn his passing and honor his memory.

NOW, THEREFORE, BE IT RESOLVED that we, the members of the City Council of the City of Charlotte, North Carolina extend to his family our deepest sympathy and pray God's blessings to rest upon them.

AND FURTHER, that a copy of this resolution be spread upon the Minutes of this meeting of the City Council, a copy sent to his family and copies furnished to the newspapers in the City of Charlotte."

CLAIM OF MRS. COLIE R. STARNES REFERRED TO CITY ATTORNEY.

Councilman Dellinger moved that the claim of Mrs. Colie R. Starnes, filed by her attorney, Mr. J. E. Stukes, in the amount of \$3,000.00 for injuries sustained on April 6, 1956, from stepping into an open meter hole on the southeast corner of West Park Avenue and Cliffwood Place, alleged to have been left open by the City of Charlotte, be referred to the City Attorney. The motion was seconded by Councilman Wilkinson, and unanimously carried.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO SPECIAL APPROPRIATIONS FOR THE NATIONAL GUARD ARMORY AT THE AIRPORT.

Upon motion of Councilman Brown, seconded by Councilman Dellinger, and unanimously carried, \$6,025.94 was authorized transferred from the Emergency Fund, Code 110, to Special Appropriations, Code 109, to supplement the \$57,500.00 budgeted towards the City's contribution of \$63,705.94 for the National Guard Armory at Douglas Municipal Airport.

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CHANGE ORDERS #11 AND #12 IN CONTRACT OF REA CONSTRUCTION COMPANY FOR THE GENERAL CONSTRUCTION OF IRWIN CREEK SEWAGE TREATMENT PLANT, AUTHORIZED PAID.

Motion was made by Councilman Albea, seconded by Councilman Baxter, and unanimously carried, authorizing the payment of the following changes in the contract of Rea Construction Company for the general construction of the Irwin Creek Sewage Treatment Plant:

- (a) Change Order No. 11 in the total amount of \$5,699.47, covering Items 1 thru 12.
- (b) Change Order No. 12 in the total amount of \$4,221.65, for shrubbery and trees, to be maintained by the City, in accordance with the Specifications.

RIGHT-OF-WAY AGREEMENT APPROVED BETWEEN STATE HIGHWAY COMMISSION AND J. A. JONES CONSTRUCTION COMPANY FOR INSTALLATION OF WATER MAIN IN RAMA ROAD.

Councilman Dellinger moved approval of the Agreement between The State Highway & Public Works Commission and J. A. Jones Construction Company, for right-of-way for the installation of an 8-inch water main in Rama Road, outside the city limits. The motion was seconded by Councilman Baxter, and unanimously carried.

RIGHT-OF-WAY AGREEMENT BETWEEN STATE HIGHWAY COMMISSION AND THE TRIANGLE DEVELOPMENT & SALES COMPANY AUTHORIZED CO-SIGNED BY CITY.

Upon motion of Councilwoman Evans, seconded by Councilman Baxter, and unanimously carried, the Mayor and City Clerk were authorized to co-sign an agreement between The State Highway & Public Works Commission and The Triangle Development & Sales Company for right-of-way for the installation of a 6-inch water main in Choyce Avenue, outside the city.

CONTRACT AWARDED THE FORD METER BOX COMPANY FOR METER YOKES.

Motion was made by Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, awarding contract to The Ford Meter Box Company for 1,500 Meter Yokes #209-U as specified, on a unit price basis, representing a total net delivered price of \$6,660.00.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Brown, and unanimously carried, the construction of driveway entrances was authorized as follows:

- (a) Two 32-ft. entrances on Central Avenue and One 35-ft. entrance on Morningside Drive, all for 2603 Central Avenue.
- (b) Two 35-ft. entrances on Freedom Drive and Two 30-ft. entrances on Enderly Road West Extension, all for 2800 Freedom Drive.

LEASE OF AIRPORT BUILDINGS.

The City Manager advised that leases had been concluded on the following buildings at Douglas Municipal Airport:

BUILDING NO.	LESSEE	MONTHLY RENTAL	DATE AND TERM OF LEASE
287	Wingate Mfg. Co.	\$25.99	4-15-56 1 yr. renewal
Tanks	H. M. Short	\$30.00	2-1-56 1 yr. renewal
249	H. M. Hicks	\$30.00	4-1-56 1 yr. renewal

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TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with Mr. Joseph Zappalorto, for Graves #1 and #4, in Lot 119, Section 3, of Evergreen Cemetery, at a price of \$80.00.

LEASE WITH AIRPORT AUTO SERVICE, INC. AUTHORIZED PROVIDING FOR CARPORT AND SERVICE STATION SERVICE AT DOUGLAS MUNICIPAL AIRPORT.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, the Mayor and City Clerk were authorized to execute a lease with the Airport Auto Service, Inc., subject to the approval of the City Manager and City Attorney providing for Service Station and Carport Service, at Douglas Municipal Airport on the property set apart for this purpose in the Master Plan.

RESOLUTION WITH RESPECT TO NON-RETIREMENT OF CERTAIN EMPLOYEES SIXTY-FIVE YEARS OLD OR OLDER ON JULY 1, 1956.

A resolution entitled: "Resolution With Respect to Non-Retirement of Certain Employees Sixty-Five Years Old or Older on July 1, 1956" was introduced and read. Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, the resolution was adopted. The resolution is recorded in Resolutions Book 2, at Page 427.

LEASE OF PROPERTY AT EAST 6TH STREET AND ALEXANDER STREET FROM PYRAMID MOTOR COMPANY, FOR USE AS STORAGE OF TOW-IN VEHICLES.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, the Mayor and City Clerk were authorized to execute a Lease with the Pyramid Motor Company, for the vacant property at the corner of East 6th Street and Alexander Street, for the purpose of the storage of tow-in vehicles.

PURCHASE OF PROPERTY AUTHORIZED FOR USE AS RIGHT-OF-WAY FOR THE WIDENING OF SOUTH CEDAR STREET.

Motion was made by Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, authorizing the purchase of property for right-of-way for the widening of South Cedar Street, as follows:

- (1) Purchase of 20 foot strip from Dunbar St. to Post St. from Ida J. Clanton, A. Louise Clanton, et als, for the sum of \$12,500.00. This price includes moving of 5 frame houses.
- (2) Purchase of 20 foot strip from Dunbar St. to W. Morehead St. from Kirk Cousart for the sum of \$39,000.00. This price includes costs necessary to remodel the brick building. Figures for remodeling the building were based on the lowest of three bids.
- (3) In addition to the above cost for the Cousart property it will be necessary to purchase property fronting on W. Morehead Street from Mr. Gene Williams at a cost of \$14,500.00 in order to remodel the Cousart building. This property would have to be transferred to Mr. Cousart.

ADJOURNMENT.

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

Lillian R. Hayman
City Clerk