



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 28, 1958, at 11 o'clock a.m., with Mayor Smith presiding and Council members Albea, Baxter, Brown, Dellinger, Evans, Foard and Wilkinson being present.

ABSENT: None

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Brown, seconded by Councilwoman Evans, and un-animously carried, the Minutes of the last meeting on May 21st were approved as submitted.

COMPLAINTS REGISTERED BY RESIDENTS OF 3100 BLOCK OF WESTFIELD REGARDING FLOODING BY SUGAW CREEK AND REQUEST IMMEDIATE FILLING OF DEEP HOLES CREATED BY FLOOD WATER ON MAY 17th.

Mrs. J. H. Paylor, 3126 Westfield Road, Mrs. John B. Howren, 3120 Westfield Road and Mrs. G. A. Campbell, 3114 Westfield Road, appeared before Council and requested that something be done immediately to eliminate the flooding condition of Sugaw Creek in the 3100 block of Westfield Road, between Tranquil Avenue and Hillside Avenue. They stated that much property damage was realized from the heavy rain on May 17th, and the overflow of water and refuse from Sugaw Creek flooded their premises and created an offensive odor. They advised that two large holes, approximately 10 feet deep were created by the flood water on the rear of Mrs. Campbell's property at 3114 Westfield Road, that are hazardous to children, and requested that the City have them filled immediately before a tragedy occurs.

Councilman Brown requested the City Manager to have the holes filled at once. Mr. Yancey asked the City Attorney if the City can do such work on private property? Mr. Shaw stated the City can go on to private property and do such work only if there is a health menace, and Mrs. Campbell replied that the general condition of their premises is a health menace caused by the overflow of Sugaw Creek.

Mayor Smith advised the ladies that the City is making every effort to work out some relief that can legally be given the residents of flooded areas all over Charlotte; however, keeping the creeks in condition to take care of the correct flow of the water is the responsibility of the Mecklenburg Drainage Commission, and their authority to carry on the work is vested in the Board of Mecklenburg County Commissioners; therefore, he would suggest that the ladies present their problem to the County Commissioners and get them to assume their responsibility along with the city, and have the creek cleaned and dredged and banked by the Drainage Commission.

Mrs. Howren stated they have this condition every time we have a hard rain, not just from a flood as we experienced on May 17th, and that they have previously been to see Mr. McAden, Chairman of Mecklenburg County

Board of Commissioners, who has been out and viewed the situation, and that when the creek is dredged and the banks smoothed down, the water pours over the banks worse than before. That it not only needs proper dredging but the bank should be built up to prevent the overflow.

Mayor Smith assured the ladies that the City wishes to do everything possible under the law, and will cooperate with them just as much as possible.

**COUNCILMAN BAXTER REQUESTED BY MAYOR SMITH TO REPRESENT CITY AT CEREMONIES OPENING BY-PASS 29.**

Councilman Baxter called attention that the Ceremonies opening new By-Pass 29 will be held on the 10th of June, which is the same day the Mayor and several Council members plan to attend N. C. League of Municipalities meeting in Greensboro. He stated he felt it important that they be present when the State Highway Commissioners are in Charlotte for the ceremonies. Mayor Smith stated they committed themselves to attend the meeting in Greensboro prior to learning the date of the ceremonies and must fill the engagement. He requested Councilman Baxter to represent the City of Charlotte at the ceremonies and explain to the Commissioners why they are not present.

**FUNDS AUTHORIZED FROM EMERGENCY FUND TO ERECT BRONZE MARKER ON OLD SPANISH CANNON LOCATED ON CITY HALL GROUNDS.**

Councilman Baxter moved that \$200.00 be appropriated from the Emergency Fund (Code 110) for the purchase and erection of a bronze marker on the Old Spanish Cannon recently located on City Hall Grounds, and that the Mecklenburg Historical Society be requested to prepare the wording on the marker. The motion was seconded by Councilwoman Evans, and unanimously carried.

**CONSTRUCTION OF SEWER AT 417 COX AVENUE AUTHORIZED.**

Upon motion of Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, the City Manager was directed to have constructed a sewer at 417 Cox Avenue, and that the cost be charged to the Sewer Bond Fund.

**REQUEST THAT WEEDS AND HIGH GRASS BE KEPT CUT ON VACANT PROPERTY.**

Councilman Dellinger requested the City Manager to start a program for having weeds and high grass kept cut on vacant property, in which mosquitoes and bugs breed and rats bed down.

**NEWSPAPER REPORTERS REQUESTED TO EXPLAIN TO CITIZENS CAUSE OF RAW SEWAGE BACKING UP ON THEIR PROPERTY.**

Councilman Brown stated it is impossible to contact all of the residents individually who had raw sewage back up on their premises during the May 17th flood, and he requested the Reporters to advise the residents through the press that it is caused by the infiltration of water into the seams of the sewer pipes and overflow of creeks, and it is not that there is anything wrong with the City's sewerage system.

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CITY MANAGER DIRECTED TO CONFER WITH RESIDENTS OF 2700, 2800 and 2900 BLOCKS OF CLEMSON AVENUE PROTESTING CONSTRUCTION OF TEMPORARY SIDEWALKS AND REQUESTING INSTALLATION OF CURB, GUTTERS AND PERMANENT CONCRETE SIDEWALKS.

Councilman Albea presented a petition signed by twenty-one property owners of the 2700, 2800 and 2900 blocks of the west side of Clemson Avenue, protesting the construction of temporary sidewalks in front of their properties, and requesting the installation of curbs, gutters and permanent concrete sidewalks.

Mr. Yancey, City Manager, advised that the work of constructing temporary sidewalks, as authorized by the City Council and requested by the P.T.A. Association, and others, is well under way.

Councilman Albea moved that the petition be received as information and that Mr. Yancey confer with the petitioners and see what can be worked out. The motion was seconded by Councilman Baxter, and unanimously carried.

PETITION OF RESIDENTS OF MANOR ROAD, WILLOW DRIVE AND VICINITY FOR ELIMINATION OF FLOOD CONDITION.

Councilwoman Evans moved that the petition signed by 137 residents of Manor Road, Willow Drive and vicinity, for the elimination of flood conditions in the area, be recorded for consideration by the Council, along with others from the same area. The motion was seconded by Councilman Wilkinson, and unanimously carried.

CITY MANAGER ADVISES THAT BOND FUNDS NOT AVAILABLE FOR REQUESTED ERECTION OF BRIDGE OVER SUGAW CREEK AT EAST 25TH STREET.

Councilman Foard called attention to the letter received by Council members requesting the erection of a bridge over Sugaw Creek at East 25th Street, which he had previously discussed with the Council. Mr. Yancey, City Manager, advised that the letter was from Vinson Realty Company and that he has advised them that the cost for the construction of the bridge is estimated at \$55,500.00, and that bond funds are not available at this time and he will bring the matter to the attention of Council when bond funds are on hand.

CONTRACT AWARDED PRYAMID LIFE INSURANCE COMPANY FOR GROUP LIFE INSURANCE FOR CITY EMPLOYEES.

Consideration was given the bids received on May 22nd for Group Life Insurance for city employees, the low bid being that of Pyramid Life Insurance Company, at a quarterly premium of \$4,003.77, reduced by 6% discount so long as the monthly premium exceeds \$1,000.00. Mr. W.H. Gaither, representing Pilot Life Insurance Company, with whom the City is presently under contract for the insurance, whose bid is second low at an unconditional quarterly premium of \$4,093.53, stated the service rendered by the Company to city employees during the years of their coverage is worthy of serious consideration. He called attention that the Pilot Life Insurance Company is a North Carolina concern, and their ownership of large interests in Charlotte brings into the city treasurer a large amount of taxes. That under their present coverage the City has saved a possible \$95,000.00 in the past 13 years, which could be realized under their proposed coverage. He explained the details of their proposal, which he stated were set forth in a letter accompanying their bid. Councilwoman Evans asked the City Manager if it is his recommendation that the

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contract be given Pilot Life Insurance Company, and Mr. Yancey replied it is both his and Mr. Ledbetter's, the City Treasurer, who handles the details of employees insurance.

Councilman Baxter stated it is possible that the Council would be criticized for not awarding the contract to the low bidder; that he would like to continue the contract with Pilot but since Pyramid's bid is lowest, he feels it is proper that they receive the contract, and he moved the award of the contract to the low bidder, Pyramid Life Insurance Company, at a quarterly premium of \$4,003.70, based on a 6% discount as long as monthly premiums exceeds \$1,000.00. The motion was seconded by Councilman Foard.

Councilman Alba stated he agrees with Councilman Baxter's statement but the tabulation of bids on the Docket is confusing. Mr. Ledbetter explained that the bid of Pyramid is conditional on the monthly premiums exceeding \$1,000.00 at all times, which puts the burden on the City to continually solicit employees to maintain this position; that there are 58 employees covered whose ages range from 66 to 82, with an average of 71, and for each employee with an average age of 71 leaving the city, we would have to employ 15 persons, with an average age of 30, to hold the premium at the present level, all of which was taken into consideration in his recommendation. Councilman Dellinger stated that with the possibility of an increase in employees he cannot see why the monthly premiums should ever go below \$1,000.00.

The vote was then taken on the motion to award the contract to Pyramid Life Insurance Company, and was unanimously adopted.

Bids received are as follows:

	Average Quarterly Rate Per Table Submitted		Net Less Quarterly Discount Rate	Quarterly Quarterly Premium
* Pyramid Life Insurance Co.	3.153	6%*	2.964*	\$4,003.77
Pilot Life Insurance Co.	3.14	3 1/2%	3.03	\$4,093.53
Gulf Life Insurance Co.	3.27	5%	3.11	\$4,419.18
# Washington Nat'l Insurance Co.	3.29		3.29#	\$4,455.34#
Mutual Life Ins. Co. of N.Y.	3.546		3.546	\$4,790.65

\* The above rates are reduced by 6% discount. This discount will continue as long as the monthly premium exceeds \$1,000.00.

# An additional premium of 15¢ per month per \$1,000.00 of life insurance shall be charged on the first \$75,000.00 of life insurance volume.

CHANGE ORDER #13 IN CONTRACT WITH REA CONSTRUCTION COMPANY FOR CONSTRUCTION OF HOSKINS FILTER PLANT, APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, Change Order #13 representing a net addition of \$6,570.90 was authorized in the contract with Rea Construction Company, dated September 5, 1956 for the construction of Hoskins Filter Plant, covering changes in grading, curbing, fencing, seeding and drainage in access road area, and the reduction in the thickness of concrete paving from 2 1/2" to 1 1/2" in certain paved areas.

CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED.

Motion was made by Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, authorizing the construction of sanitary sewer

mains at the following locations:

- (a) 852-feet of sewer main in McIlwane Street, inside the city limits to serve 9 family units and 7 vacant lots, at an estimated cost of \$2,435.00, to be borne by the City, at request of Helms Construction Company.
- (b) 1,720-feet of sewer main in Darby Acres #2, inside the city limits, to serve a portion of the subdivision, at an estimated cost of \$5,650.00, at request of Donald B. Stilwell, RFD #2, Matthews. All costs to be borne by the City and applicant's required deposit of the entire amount to be refunded as per terms of the contract.

JOHN CROSLAND COMPANY GRANTED PERMISSION TO CONNECT SANITARY SEWERS IN FAIRMEADOWS SUBDIVISION TO THE CITY'S SANITARY SEWERAGE SYSTEM.

Councilman Brown moved that John Crosland Company be granted permission to connect 7,315 feet of privately owned sanitary sewers in Fairmeadows Subdivision, outside the city limits, to the City's sanitary sewerage system, upon condition that they comply with all laws, rules and regulations now in effect, or which may hereafter become effective relative to property similarly situated. The motion was seconded by Councilman Wilkinson, and unanimously carried.

SUPPLEMENTARY CONTRACT WITH JOHN CROSLAND COMPANY FOR INSTALLATION OF WATER MAINS IN PARKSTONE SUBDIVISION IN PARK ROAD AREA.

Motion was made by Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, authorizing a Supplementary Contract with John Crosland Company for the installation of 2,665-feet of 6" and 2" water mains and one hydrant in the Parkstone Subdivision, outside the city limits, at an estimated cost of \$5,800.00. All costs to be borne by the applicant, who will own the mains until the area is taken into the city, at which time they will become the property of the City without further contract.

CONTRACT AWARDED LOW BIDDER, ELECTRIC ICE & FUEL COMPANY FOR ESTIMATED YEAR'S REQUIREMENT OF COAL FOR VARIOUS CITY BUILDINGS.

Upon motion of Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, contract was awarded the low bidder, Electric Ice & Fuel Company for 400 tons, estimated quantity, Stoker Coal and 500 tons, estimated quantity Pocahontas Stove Coal or Egg Coal, all as specified, on a unit price basis, representing a total net delivered price of \$10,804.00.

Bids received were as follows:

Electric Ice & Fuel Company	\$10,804.00
H. V. Johnson & Son	\$11,129.00
Royal Coal & Coke Company	
Bid submitted on 500 tons only	\$ 6,575.00

CONTRACTS AWARDED LOW BIDDERS ON GENERAL CONSTRUCTION OF FIRE STATION #11 AND CENTRAL MAINTENANCE SHOP, ON BANCROFT & MORETZ STREETS, AND ON HEATING & AIR CONDITIONING SAME, PLUMBING AND ELECTRICAL WORK.

Upon motion of Councilman Brown, seconded by Councilman Foard, and unanimously carried, contracts were awarded to the low bidders for the construction of new Fire Station #11 and Central Maintenance Shop, on Bancroft and Moretz Streets, heating and air conditioning same and the plumbing and electrical work, as follows:

GENERAL CONSTRUCTION:	R. H. Wheatley Company	\$135,900.00
HEATING & AIR CONDITIONING:	Mechanical Contractors	\$ 14,775.00
PLUMBING:	Acme Plumbing Company.	\$ 11,196.00
ELECTRICAL:	Ross Electric Company	\$ 15,612.00

Bids received are as follows:

GENERAL BUILDING CONSTRUCTION

R. H. Wheatley Company	\$135,900.00
R. Marret Wheeler	\$136,863.00
R. C. Hicks	\$136,890.00
Whitton Brothers	\$137,478.00
John W. Craig	\$137,575.00
Atlantic Building Company	\$139,600.00
Blythe & Isenhour	\$144,280.00
Laxton Construction Company	\$145,300.00
Myers & Chapman	\$149,750.00
Wiggins-Tull Construction Company	\$151,074.00

HEATING & AIR CONDITIONING

Mechanical Contractors, Inc.	\$ 14,775.00
A. Z. Price & Associates	\$ 15,783.00
J. V. Andrews Company	\$ 15,943.00
W. T. Branson Heating Co.	\$ 16,495.00
Southern Comfort	\$ 16,666.00
Southern Piping & Engineering Co.	\$ 16,854.00
Chas. E. Petty & Associates	\$ 16,997.00
Tompkins-Johnston Plumbing & Heating Company	\$ 17,575.00
Toomey Bros. Plumbing & Heating Co.	\$ 17,816.00
P. C. Godfrey Plumbing & Heating Co.	\$ 17,930.00

PLUMBING

Acme Plumbing Company	\$ 11,196.00
W. H. Hobbs, Inc.	\$ 11,392.00
Toomey Bros. Plumbing & Heating Co.	\$ 11,841.00
P. C. Godfrey Plumbing & Heating Co.	\$ 12,383.00
J. V. Andrews Company	\$ 12,476.00

ELECTRICAL

Ross Electric Company	\$ 15,612.00
F. E. Robinson Company	\$ 16,790.00
Broadhurst-Allen Electric Co.	\$ 16,990.00
Austin Electric Company	\$ 17,551.00
Industrial Electric Company	\$ 18,780.00
Elam Electric Company	\$ 19,641.00

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, the construction of driveway entrances was authorized at the following locations:

- (a) One 12-ft. driveway entrance at 700 East 5th Street.
- (b) One 35-ft. driveway entrance at 704 S. Mint Street.
- (c) Two 35-ft. driveway entrances at 2801 N. Independence Boulevard.
- (d) Two 35-ft. driveway entrances on Preston Street for 1570 Central Ave.

SICK LEAVE EXTENDED TO HORACE N. PORTER, WATER DEPARTMENT EMPLOYEE, THROUGH JUNE 30, 1958 AND HIS RETIREMENT ON JULY 1, 1958 AUTHORIZED.

Councilman Albea moved approval of the extension of sick leave to Mr. Horace N. Porter, Water Department Employee, through June 30, 1958 and his automatic retirement on July 1, 1958. The motion was seconded by Councilwoman Evans, and unanimously carried.

CONTRACT AWARDED BLYTHE BROS. COMPANY FOR STREET IMPROVEMENTS ON LISTER DRIVE.

Councilwoman Evans moved the award of contract to the low bidder, Blythe Bros. Company, for the construction of street improvements on Lister Drive, as specified, on a unit price basis, representing a total price of \$42,496.00. The motion was seconded by Councilman Brown, and unanimously carried.

EMPLOYMENT OF CLERK IN RECORDER'S COURT AUTHORIZED.

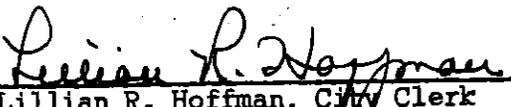
Upon motion of Councilman Brown, seconded by Councilman Baxter, and unanimously carried, the City Manager was authorized to employ a Clerk in the City Recorder's Court at a salary of \$3,600.00.

CONTRACT AUTHORIZED WITH PITOMETER ASSOCIATES FOR SURVEY COVERING MEASUREMENTS OF FLOWS AND CAPACITIES OF WATER PIPE LINES.

Motion was made by Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, authorizing the Mayor and City Clerk to execute a contract with Pitometer Associates for making a survey covering measurements of flows and capacities of water pipe lines, at a cost not exceeding \$15,500.00, to be paid from the existing Water Bond Fund.

ADJOURNMENT.

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

  
Lillian R. Hoffman, City Clerk