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A regular meeting of the City Council was held in the Council Chamber, City Hall at 4 p.m., on Wednesday, November 5, 1947, with Mayor pro tem Lambeth presiding, and Councilmen Albea, Childs, DeLaney, Jordan and McKee present.

Absent: Mayor Baxter and Councilman White.

INVOCATION.

The invocation was given by the Reverend Mr. Holmes Rolston, Pastor, West Avenue Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Childs, and unanimously carried, the minutes of the last meeting, on ~~October~~ 29th, were approved as submitted.

ORDINANCE (NO. 32) AMENDING CITY CODE WITH RESPECT TO THE ZONING ORDINANCE REJECTED.

Pursuant to the introduction of an Ordinance with respect to amending the Zoning Ordinance on October 15th, and the adoption of a resolution providing for a public hearing on November 5th, and the publication of notice of said hearing in The Charlotte Observer on October 21st and 28th, the following ordinance was presented and read:

ORDINANCE NO. 32. AN ORDINANCE AMENDING CHAPTER 21 OF THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

"BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 21, Section 2 of the City Code of the City of Charlotte, (O.B.10) be amended by having Building Zone Map, City of Charlotte, North Carolina amended by changing from Residence -2 District to Business-1 District, the following described area:

'The four corner lots adjacent to the intersection of South Tryon Street Extension and West Boulevard, viz., Lot 1 Block 11, Lot 13 Block 5, Lot 11 Block 6 and Lot 1 Block 12, as shown on Map of Wilmore, recorded in Book 332, Page 96, in the office of the Register of Deeds for Mecklenburg County, North Carolina.'

Section 2. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith."

Councilman Childs moved that the ordinance be rejected. Motion seconded by Councilman McKee.

Mr. Frances Fairley, Attorney representing the owners of the lots proposed to be redistricted, spoke in behalf of the zoning change. He stated the property was purchased prior to the adoption of the Zoning Ordinance with the view of constructing thereon business houses, and that the owners would suffer financial losses if the restriction as to its use is not removed. Also, that two of the lots were purchased at Tax Foreclosure property sales by the City, with the understanding that business houses could be constructed thereon.

Mr. Sam Hinson, resident of the affected area, stated his appeal for rejection of the proposed change in zoning was both personal and on behalf of some fifty ladies who reside within the section. He called attention to the fact that on May 6, 1947, while he was serving on the City Council, that the same zoning change was proposed and unanimously rejected. He urged that the present zoning of the area not be changed.

Mr. Walter Orr, property owner within the area, stated the lots in question were suitable for apartments and/or duplex houses construction, which could be erected under the present zoning regulation and which were badly needed in view of the present housing shortage. Therefore, he requested that the proposed ordinance not be adopted.

The vote was taken on the motion to reject the ordinance, and unanimously carried.

RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE SUITS, INCLUDING EJECTMENT ACTIONS, WITH RESPECT TO LEASED PROPERTIES AT MORRIS FIELD.

A resolution entitled, "RESOLUTION AUTHORIZING CITY ATTORNEY TO INSTITUTE SUITS, INCLUDING EJECTMENT ACTIONS, WITH RESPECT TO LEASED PROPERTIES AT MORRIS FIELD" was presented and read. Upon motion of Councilman Childs, and seconded by Councilman McKee, the resolution was unanimously adopted as presented. Resolution is recorded in full in Resolutions Book 1, at Page 69.

RESOLUTION WITH RESPECT TO EXTENDING CITY WATER AND SEWER LINES TO A PROPOSED 1,000 BED VETERANS HOSPITAL.

A resolution entitled, "RESOLUTION WITH RESPECT TO EXTENDING CITY WATER AND SEWER LINES TO A PROPOSED 1,000 BED VETERANS HOSPITAL" was introduced and read. Motion was made by Councilman Albea that the resolution be adopted as read. Motion seconded by Councilman Jordan, and unanimously carried. Resolution is recorded in full in Resolutions Book 1, at Page 69.

RESOLUTION RELATIVE TO CHANGE AND WIDENING OF WEST BOULEVARD.

A resolution entitled, "RESOLUTION RELATIVE TO CHANGE AND WIDENING OF WEST BOULEVARD", was presented and read. Councilman Albea moved the adoption of the resolution was read. Motion seconded by Councilman Childs, and unanimously carried. Resolution is recorded in full in Resolutions Book 1, at Page 70.

PAYMENT OF CLAIM OF MRS. R. SMITH PITTS FOR DAMAGES TO AUTOMOBILE.

Councilman McKee moved that payment of \$13.00 be made to Mrs. R. Smith Pitts in settlement of claim for damages to her automobile caused by a Police car. Motion seconded by Councilman Jordan, and unanimously carried.

PLAT OF SMALLWOOD HOMES SUBDIVISION.

Upon motion of Councilman Albea, seconded by Councilman DeLaney and unanimously carried, Plat of Smallwood Homes Subdivision, located in the western section of the city between the Seaboard Railway, Stewart Creek and Biddleville, and being developed by C. D. Spangler, was approved as recommended by the Planning Board.

PLAT OF B. L. BLACKWELL PROPERTY SUBDIVISION.

Upon motion of Councilman McKee, seconded by Councilman Jordan, and unanimously carried, plat of Subdivision known as B. L. Blackwell property, situated between Druid Hills, Douglas Terrace and Statesville Road, was approved, as recommended by the Planning Board.

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LEASE OF AIRPORT BUILDINGS T-DR-32 and 33 WITH TRUSTEES OF CHARLOTTE CITY MISSION SOCIETY OF THE METHODIST CHURCH.

Motion was made by Councilman Jordan, seconded by Councilman McKee, and unanimously carried, authorizing the lease of Airport Buildings T-DR-32 and T-DR-33 with the Trustees of the Charlotte City Mission Society of the Methodist Church, for a period of five years, at an annual rental of \$1.00 per annum.

CONTRACTS FOR PURCHASES.

Councilman McKee moved that the following contracts, and the allocation of funds therefor if necessary, be authorized. Motion seconded by Councilman Albea, and unanimously carried:

- (a) Contract with Blythe Bros. Company, for street improvements on West Boulevard, from Cliffwood Place to Wilmore Drive, in the amount of \$29,027.60.
- (b) Contract with Miss Cora A. Harris, for furnishing shrubs, sod, seeds and fertilizer and planting the Traffic Circle on The Plaza, in the amount of \$293.00.
- (c) Contract with Crawford Sprinkler Company, for Five Detector Check Valves complete, at a net delivered price of \$947.83 for the Water Department.
- (d) Contract with Pomona Terra Cotta Company for 1500 feet of pipe, at a net delivered price of \$577.50.
- (e) Contract with Fred M. Link, Charlotte, for Four 2-way Mobile Radio Units, for use in new police cars, at a net delivered price of \$1,796.00.
- (f) Contract with Heath Motor Company, for One 1947 Ford Super DeLuxe Sedan, at a net delivered price of \$1,544.17, for the Motor Transport Department.
- (g) Contract with Atwell Motor Company, Cornelius, N.C., for one 1947 Super DeLuxe Ford Sedan, at a net delivered price of \$1,492.56, for the Sanitary Division.
- (h) Contract with Yandell Motor Sales, Pineville, N.C., for One 1947 Super DeLuxe Ford Sedan, at a net delivered price of \$1,491.28.

TRANSFER OF FUNDS FROM MOTOR TRANSPORT DEPARTMENT TO FIRE DEPARTMENT.

Upon motion of Councilman Albea, seconded by Councilman McKee, and unanimously carried, the transfer from the Motor Transport Department Budget, Capital Outlay Automobile Account (Code 1507-G-1) to the Fire Department Budget, Capital Outlay Truck Account (Code 1402-G-21) of \$2,437.60 for payment of the balance of purchase price of Aerial Ladder, and of \$1,796.00 for payment of Four 2-way Mobile Radio Units, was authorized as recommended by the City Manager.

HOLIDAY GRANTED CITY EMPLOYEES ON ARMISTICE DAY.

Upon motion of Councilman Albea, seconded by Councilman McKee, and unanimously carried, a holiday was granted to City Employees on Tuesday, November 11th, in observance of Armistice Day.

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REPORT OF LEASE OF AIRPORT BUILDING.

The City Manager reported that lease had been concluded and executed with the Hanover Distributing Company for Building No. 41 at Douglas Municipal Airport, at a monthly rental of \$41.60 for a period of two years from November 1, 1947.

CEMETERY DEEDS.

Motion was made by Councilman McKee, seconded by Councilman Childs, and unanimously carried, authorizing the Mayor and City Clerk to execute the following deeds for cemetery lots:

- (a) Deed to Charlie Rozzelle Mullis or Wilma Lee Mullis, for Lot 69, Section 3, Evergreen Cemetery, at \$156.00.
- (b) Duplicate deed to Mrs. Kathleen B. Keys, for Lot 49, Section M, Elmwood Cemetery, at \$1.00.
- (c) Deed to Mrs. Willie Lois Hill, for Lot B, Section B, North Pinewood Cemetery, at \$81.90.

ADJOURNMENT.

Upon motion of Councilman Childs, seconded by Councilman Jordan, the meeting was unanimously adjourned.

Richard R. Hayman
City Clerk