

A regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, November 8, 1950, at 11 o'clock a.m., with Mayor Shaw presiding, and Councilmen Albea, Boyd, Daughtry and Wilkinson present.

Absent: Councilmen Aitken, Coddington and Jordan.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Daughtry, seconded by Councilman Wilkinson, and unanimously carried, the minutes of the last meeting, on November 1st, were approved as submitted.

CITY PROPERTY ON HARDING PLACE AND GREENWOOD CLIFF AUTHORIZED ADVERTISED AND SOLD WITH RESTRICTIONS AS TO USAGE UPON PETITION OF PROPERTY OWNERS.

Mr. Tom Ruff, Attorney, representing owners of property on Harding Place and Greenwood Cliff, presented a petition signed by forty-four property owners and/or residents of the area, requesting that the City owned property on these streets, being Lots 14, 15 and 16 in Block 7 of the subdivision, which is now in the process of being sold, be sold and conveyed subject to the following restrictions as to usage:

1. Residential use only.
2. Single family units only.
3. One residential building per lot, each a single family unit, set back 25 feet from the street line.
4. Each residential building to cost not less than \$10,000 based on construction costs as of January 1, 1950.
5. And, for such other relief as the petitioners, residents and property owners of the City of Charlotte may be entitled.

Mr. Ruff stated that the property in question is unrestricted and the petitioners desire that the property owned by them in this vicinity be protected against usage which would be detrimental to the character of the neighborhood and that would detract from the value of their property. He further stated that since the sale of the property by the City an upset higher bid of \$2,045.00 has been made by residents of the area, and, therefore, the property is, or will be, readvertised for sale and the property owners urge that the restrictions requested be placed in the advertisement and included in the bill of sale.

Councilman Boyd moved that in the readvertisement and resale of the property the restrictions requested in the petition be incorporated, and that the property be sold in accordance with these restrictions. Motion was seconded by Councilman Wilkinson, and unanimously carried.

UNANIMOUS CONSENT GIVEN PRESENTATION OF UNDOCKETED ITEMS.

Upon motion of Councilman Wilkinson, seconded by Councilman Albea, the unanimous consent of Council was given for the presentation of the following three undocketed items.

RESURFACING OF THIRTY-SIXTH STREET.

Councilman Boyd moved that Thirty-sixth Street be resurfaced in the City's street resurfacing program. Motion was seconded by Councilman Albea, and unanimously carried.

WIDENING OF CENTRAL AVENUE FROM S.A.L. RR TO THE PLAZA.

Councilman Albea moved that the City Manager proceed with the widening of Central Avenue, from the Seaboard Airline Railroad to The Plaza in accordance with the plans now on file in the office of the City Engineer. Motion was seconded by Councilman Wilkinson, and unanimously carried.

CONTRACTS FOR SEWAGE SLUDGE PUMPS AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson and unanimously carried, contracts for the purchase of sewage sludge pumps were awarded as follows:

- (a) Contract with Chicago Pump Company for One Sewage Sludge Pump, Centrifugal Type, at a net delivered price of \$2,254.00.
- (b) Contract with Marlow Pumps, for Two Sewage Sludge Pumps, Plunger Type, at a net delivered price of \$4,070.00.

ORDINANCE (NO. 123) AMENDING THE BUILDING CODE WITH RESPECT TO REGULATING THE CONSTRUCTION OF COOLING TOWERS.

An ordinance entitled, "Ordinance (No. 123) Amending the Building Code with Respect to Regulating the Construction of Cooling Towers" was introduced and read. Councilman Boyd moved the adoption of the ordinance, which was seconded by Councilman Wilkinson, and unanimously carried. Ordinance is recorded in full in Ordinance Book 11, at Page 190.

RESOLUTION ABANDONING ALLEYWAY AND PORTION OF STREET BETWEEN LOUISE AVENUE AND HAWTHORNE LANE.

A resolution entitled, "Resolution Abandoning Alleyway and Portion of Street Between Louise Avenue and Hawthorne Lane" was introduced and read, and upon motion of Councilman Boyd, seconded by Councilman Wilkinson, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Page 333.

RESOLUTION PROVIDING FOR THE ISSUANCE OF \$100,000 AUDITORIUM BOND ANTICIPATION NOTES.

A resolution entitled, "Resolution Providing for the Issuance of \$100,000 Auditorium Bond Anticipation Notes" was introduced and read, and upon motion of Councilman Daughtry, seconded by Councilman Albea, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Pages 334-338.

RESOLUTION APPOINTING THE AUDITORIUM-COLISEUM BUILDING COMMITTEE AND PRESCRIBING THE DUTIES THEREOF.

A resolution entitled, "Resolution Appointing the Auditorium-Coliseum Building Committee and Prescribing the Duties Thereof" was introduced and read.

Councilman Boyd stated that in his opinion the Committee should include at least two citizens other than those persons who have been connected with the Auditorium Project since its inception, so that a wider representation of citizens may be had.

Councilman Albea stated that in his opinion the entire Council should be present to vote on the appointment of the Committee rather than just a majority of members; however, he would not hold up the matter by objecting to the appointment today.

Mayor Shaw urged that the appointment be made today so that the Committee may begin to function without further delay.

Following the discussion, Councilman Boyd moved the adoption of the resolution appointing the Committee, which was seconded by Councilman Daughtry, and unanimously carried. Mayor Shaw expressed his appreciation to the Council for their action. The Resolution is recorded in full in Resolutions Book 1, at Pages 339-342.

PLAT OF ECHO HILLS SUBDIVISION APPROVED.

Motion was made by Councilman Wilkinson, seconded by Councilman Akbea, and unanimously carried, approving the Plat of Echo Hills Subdivision as recommended by the Planning Board.

CONSTRUCTION OF NEW SANITARY SEWERS AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Daughtry, and unanimously carried, the construction of new sanitary sewers was authorized at the following locations:

- (a) 950 feet of sewer and trunk line in Thrift Road, at an estimated cost of \$2,800.00, to serve 14 vacant lots, at request of P & N Realty Company. All costs to be borne by the City and applicant's deposit of full amount to be refunded as per terms of the contract.
- (b) 710-feet of sewer and trunk line in Annette Street, at an estimated cost of \$1,595.00, to serve 6 family units and 11 vacant lots, at request of J. W. Rosebro and E. L. Vinson. All costs to be borne by the City.

PURCHASE OF SANITARY SEWERS IN DOWD HEIGHTS FROM REALTY DEVELOPMENT COMPANY.

Councilman Wilkinson moved that the purchase of 2,732 feet of 8 inch sanitary sewers in Dowd Heights be authorized from Realty Development Company, at a price of \$5,902.00, subject to approval of deed or bill-of-sale by the City Attorney. Motion was seconded by Councilman Daughtry, and unanimously carried.

CONTRACTS FOR MATERIALS AWARDED.

Upon motion of Councilman Boyd, seconded by Councilman Albea, and unanimously carried, contracts for materials were awarded as follows:

- (a) Contract with Bethlehem Steel Company for all structural steel and miscellaneous iron required for the Stonewall Street Underpass Project, f.o.b. cars, Southern Railway Team Track Charlotte, at a net delivered price of \$47,500.00.
- (b) Contract with Baker-Mitchell Company, for 2,350 feet of Cast Iron Soil Pipe and 100 Soil Pipe Bends, on a unit price basis, representing a total of \$1,886.66, subject to cash discount of \$37.73.
- (c) Contract with Horne-Wilson, Inc., for 8,025 feet of Cast Iron Soil Pipe and 295 Soil Pipe Bends, on a unit price basis, representing a total of \$6,471.31, subject to cash discount of \$129.43.
- (d) Contract with Crane Company, for 8,250 feet of Cast Iron Soil Pipe and 425 Soil Pipe Bends, on a unit price basis, representing a total of \$6,803.38, subject to discount of \$136.07.
- (e) Contract with Hajoca Corp., for 10,000 feet of Cast Iron Soil Pipe and 215 Soil Pipe Bends, on a unit price basis, representing a total of \$7,822.85, subject to cash discount of \$156.46.

RENEWAL OF SPECIAL OFFICER PERMIT TO CLINE J. FAULKNER.

Councilman Wilkinson moved approval of the renewal of the Special Officer permit to Cline J. Faulkner on the premises of Whitin Machine Works. Motion was seconded by Councilman Albea, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 9-foot driveway at 2048 Conniston Place.
- (b) One 30-foot driveway at the side of Court House on South Alexander Street.
- (c) One 9-foot driveway at 1616 East 35th Street.
- (d) Two 30-foot driveways on Baldwin Avenue and Two 30-foot driveways on new street from Baldwin Ave. to Independence Boulevard.
- (e) One 20-foot driveway at 305 East 7th Street.
- (f) One 30-foot driveway at 701 South Church Street.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Daughtry, seconded by Councilman Wilkinson, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed to T. L. Clary, for the southwest quarter of Lot 176, Section 3, Evergreen Cemetery, at \$26.00.
- (b) Deed to Mrs. Oliver E. Kearns, for southwest quarter of Lot 163, in Section 3, Evergreen Cemetery, at \$26.00.
- (c) Deed to Mrs. R. S. Bigham, for Perpetual Care on Lot 72, in Section T, Elmwood Cemetery, at \$144.00.

ADJOURNMENT.

Upon motion of Councilman Albea, seconded by Councilman Boyd, and unanimously carried, the meeting was adjourned.

Lillian R. Hayman
City Clerk