

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, October 10, 1951, at 4 o'clock p.m., with Mayor Shaw presiding, and Councilmen Albea, Baxter, Boyd, Dellinger, Jordan and Van Every present.

Absent: Councilman Coddington.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Van Every, and unanimously carried, the minutes of the last meeting were approved as submitted.

DUKE POWER COMPANY OFFICIALS REQUESTED TO ATTEND NEXT COUNCIL MEETING FOR DISCUSSION OF PETITION FOR BUS SERVICE IN PROVIDENCE ROAD AREA TO MYERS PARK HIGH SCHOOL.

Councilman Boyd stated that Mrs. E. McA. Currie and Mrs. John M. Dwelle were present in the interest of their petition presented to Council on September 12th for bus service in the Providence Road area to transport children to and from Myers Park High School. He requested Mayor Shaw to give a brief report of the conference with the Duke Power Company officials relative to the matter.

Mayor Shaw advised that he and Mr. Yancey, City Manager, met in his office with Mr. Forney and Mr. Vandiver of the Duke Power Company and with Mrs. Currie and Mrs. Dwelle present, as requested by the Council. That the Power Company representatives stated they are losing \$60.00 a day on the newly established route via Eastover to the new Myers Park High School and that it is not practical for them to change the route nor to put into operation a bus via the Providence Road route; that they have many requests for additional services to different schools and if this request is granted they will be placed in a position that similar requests must be granted.

Councilman Boyd stated he believes the service over the Providence Road route is badly needed and the matter should not be dropped. That he is advised that four busses are now in operation over the Eastover Route to the School and it is desired that the fourth bus, which trails the other three on the route and is usually empty to the transfer point, be routed via Providence Road during the morning and afternoon hours that the children are going to and coming from school, which would not necessitate the Power Company placing an additional bus in operation. He further stated that if the Duke Power Company is not willing to provide this public convenience and necessity to the citizens, then the Council as the elected representatives of the people should take the next step to secure the service. Councilman Baxter stated that he has outlined the present route of the four busses and the requested route via Providence Road, and the distance appears to be practically the same, and he feels that the service should be provided. Mrs. Dwelle stated that the distance has been clocked and is only 7/10th of a mile more by Providence Road than by the Eastover Road route.

Councilman Van Every expressed the opinion that it would be unfair for the Council to insist upon the Duke Power Company operating their busses at a loss of money to them. Councilman Dellinger stated that in fairness to all concerned he would like to have another meeting held with the Power Company Officials and see if they cannot re-route one of the present four busses to provide the needed service on Providence Road.

Following the discussion, Councilman Van Every moved that the City Manager request the Duke Power Company Officials to meet with the Council at their meeting on next Wednesday, and that Mrs. Currie and Mrs. Dwelle be present, for a further discussion of the question. The motion was seconded by Councilman Albea, and unanimously carried.

#### DISCUSSION OF FIREMEN'S RETIREMENT SYSTEM.

Councilman Van Every stated that he was surprised and amazed to learn from a newspaper article that Geo. G. Scott & Company, who had audited the Firemen's Retirement System Fund, considered the System unsound and that it is probable that the funds being contributed by the firemen and by the City of Charlotte to the System will not be sufficient to pay the retirement of firemen and that the System may eventually be bankrupt. He stated that in his opinion the City should not contribute funds to something that is known to be unsound, and that the interest of the contributing firemen should be protected. It was pointed out by various Councilmen and the City Manager that the System was set up by the firemen themselves and its creation ratified by the State Legislature at the request of the firemen and that any change in the System will have to be done by the Legislature. That the retirement system in effect for city employees generally was open to the firemen and they did not see fit to come under it. Mr. John D. Shaw, City Attorney, explained in detail the creation of the firemen's system, and stated that they have been told time and again that it is not considered actuarially sound. The City Manager stated that insofar as he knows the System has never been examined by an Actuary; that under the System only six firemen can be retired in any one year and the amount of money that goes into the fund each year has been in excess of the amount drawn out. Councilman Van Every stated that he just wanted to voice his opinion and that he does not think it is right to allow the matter to continue on the present basis if it is actually unsound.

#### RESOLUTION PROVIDING FOR PUBLIC HEARING ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE TO CHANGE THE BUILDING ZONE MAP FROM R-1 TO B-1 ON LOT ON COMMONWEALTH AVENUE.

An ordinance entitled, "Ordinance No. 134 Amending the Zoning Ordinance" to change the Building Zone Map from R-1 to B-1 on a triangular lot located at 1800 Commonwealth Avenue, was introduced and read, following which a Resolution Providing for a Public Hearing on October 31st in connection therewith was presented and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Albea, and unanimously carried. The resolution is recorded in full in Resolutions Book 1, at Page 432.

#### RESOLUTION PROVIDING FOR PUBLIC HEARING ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE TO CHANGE THE BUILDING ZONE MAP FROM R-2 TO LIGHT INDUSTRIAL ON APPROXIMATELY 25.38 ACRES OF PROPERTY ON NEW THRIFT ROAD.

An ordinance entitled, "Ordinance No. 135 Amending the Zoning Ordinance" to change the Building Zone Map from R-2 to Light Industrial on approximately 25.38 acres of undevelopment property located on New Thrift Road, was introduced and read, following which a Resolution Providing for a Public Hearing on October 31st in connection therewith was presented and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilman Boyd, and unanimously carried. The resolution is recorded in full in Resolutions Book 1, at Page 433.

#### CONSTRUCTION OF SANITARY SEWER IN WOODLAND DRIVE.

Councilman Albea moved approval of the construction of 100 feet of 8 inch sanitary sewer in Woodland Drive, at an estimated cost of \$200.00, at the City's expense, to serve one family unit. The motion was seconded by Councilman Boyd, and unanimously carried.

STREETS TAKEN OVER FOR MAINTENANCE.

Upon motion of Councilman Boyd, seconded by Councilman Jordan, and unanimously carried, the following streets were taken over for maintenance by the City:

- (a) Dublin Road, from Ashley Rd. to 150 ft. east of Lumina Ave.
- (b) Iris Drive, from Central Ave. to McClintock Rd.
- (c) Ivey Drive, from Iris Drive to Morningside Ave.
- (d) Lumina Avenue, from Ashley Rd. to Dublin Rd.
- (e) Cumberland Avenue, from Ridgewood Ave. to Hillside Ave.

CONTRACTS FOR THE CONSTRUCTION OF WATER MAINS.

Upon motion of Councilman Van Every, seconded by Councilman Dellinger and unanimously carried, contracts for the construction of new water mains were authorized as follows:

(a) Contract with J. A. Jones Construction Co., for the construction of 260 feet of 6 inch main in Lake Street, inside the City, at an estimated cost of \$620.00, to serve residential property abutting on Creosote Road and Lake Street. All costs to be borne by the applicant and the City to pay to the applicant the first cost of the project if and when the mains produce an annual revenue equal to 5% of the costs during any 12 months continuous period.

(b) Contract with J. A. Jones Construction Company for the construction of 200 feet of 6 inch main in Lake Street, outside the city limits, at an estimated cost of \$450.00, to serve industrial property. All costs to be borne by the applicant, who will own same until the area is taken into the city, when the mains will become the property of the City without further cost.

(c) Contract with Mack Sanders, Inc., for the construction of 10,220 feet of 6 and 2 inch mains and 6 fire hydrants, in Eastwood Park, inside the city, at an estimated cost of \$21,780.00, to serve 166 residential lots. The City to finance all construction cost and the applicant to guarantee a gross annual revenue equal to 10% of the cost.

CONTRACT AWARDED BELK BROS. CO. FOR WORK CLOTHING FOR THE WATER DEPARTMENT.

Upon motion of Councilman Albea, seconded by Councilman Baxter, and unanimously carried, contract was awarded to Belk Bros. Company for 96 pairs of khaki trousers, 18 khaki shirts, 81 pairs corduroy trousers, 41 corduroy coats, 118 pairs overalls, 60 overall jackets and 116 blue shirts, all as specified, on a unit price basis, representing a net delivered price of \$2,311.73, for the Water Department.

CONTRACT AWARDED BELK BROS. CO. FOR WORK CLOTHING FOR ENGINEERING DEPARTMENT.

Upon motion of Councilman Van Every, seconded by Councilman Jordan, and unanimously carried, contract was awarded to Belk Bros. Company for 150 pairs khaki trousers, 224 khaki shirts, 78 pairs corduroy trousers, 15 corduroy coats, 183 pairs overalls and 190 overall jackets, all as specified, on a unit price basis, representing a net delivered price of \$3,403.82, for the Engineering Department.

CONTRACT AWARDED H. D. LEE CO. INC. FOR WORK CLOTHING FOR CEMETERY DEPARTMENT.

Motion was made by Councilman Dellinger, seconded by Councilman Jordan, and unanimously carried, awarding contract to the H. D. Lee Co. Inc., for 69 pairs Coveralls, as specified, on a unit price basis, representing a net delivered price of \$353.63, for the Cemetery Department.

CONTRACT AWARDED H. D. LEE CO. INC., FOR WORK CLOTHING FOR EQUIPMENT DEPOT.

Motion was made by Councilman Van Every, seconded by Councilman Baxter, and unanimously carried, awarding contract to the H. D. Lee Co. Inc., for 800 pairs overalls, 800 shirts, 400 overall jackets, 600 pairs coveralls and 200 caps with extra cover, all as specified, on a unit price basis, representing a net delivered price of \$6,322.50, for the Equipment Depot.

## CONTRACT AWARDED INTERSTATE EQUIPMENT COMPANY FOR ROAD ROLLER.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, contract was awarded to the Interstate Equipment Co., for One Road Roller, 3-wheel, Huber 10-ton, as specified, at a total price of \$7,857.14, subject to cash discount of \$157.14, for the Engineering Department.

## CONTRACT AWARDED INTERSTATE EQUIPMENT COMPANY FOR DRAGLINE.

The City Manager advised that bids had been received for a Dragline, 3/4 cubic yard capacity and he recommends the award of contract to the North Carolina Equipment Company at a price of \$16,180.00, subject to a cash discount of \$323.60, as it is believed that this equipment will serve the needs of the City better than the equipment offered by the lowest bidder, Interstate Equipment Company, at a price of \$15,610.00. Councilman Baxter stated that he favors the acceptance of the low bid in all cases where the quality is equal, which statement was concurred in by Councilman Dellinger.

Mr. Beatty, Purchasing Agent, explained in detail the two types of equipment on which bids were submitted by the aforementioned companies, and stated that the weight and general construction of all the larger operating parts of the Dragline offered by the North Carolina Equipment Company are generally heavier in their makeup than the other equipment, which is an indication of durability and longer life.

Councilman Van Every moved that the contract be awarded to the North Carolina Equipment Company, at a price of \$16,180.00, as recommended. The motion was seconded by Councilman Jordan, and was lost, with the votes cast as follows:

AYE: Councilmen Jordan and Van Every.  
NAY: Councilmen Albea, Baxter, Boyd and Dellinger.

Councilman Dellinger moved that the contract be awarded to the low bidder, Interstate Equipment Company, at a price of \$15,610.00, which was seconded by Councilman Baxter, and carried, with the votes cast as follows:

AYE: Councilmen Albea, Baxter, Boyd and Dellinger.  
NAY: Councilmen Jordan and Van Every.

## CONTRACT AWARDED NORTH CAROLINA EQUIPMENT COMPANY FOR STREET SWEEPER.

Mr. Yancey, City Manager, recommended the award of contract for a Street Sweeper to the North Carolina Equipment Company, on their Elgin Sweeper, at a price of \$10,470.00, subject to cash discount of \$209.40, which he stated is \$2,860.60 higher than the low bid of \$7,400.00 submitted by Interstate Equipment Company. He advised that in his judgment the two bids are not on comparable equipment and the City of Charlotte has never purchased any sweeper but the Elgin.

Mr. Beatty, Purchasing Agent, stated the sweeper offered by the Interstate Equipment Company does not meet the specifications for a 3 cubic yard hopper, it having a 2 cubic yard hopper; that the Elgin sweeper has a belt that will load until the machine is full, whereas the other sweeper does not, and that the Elgin machine sweeps 6 feet while the lighter one only sweeps 4 feet.

Councilman Van Every moved that the contract be awarded the North Carolina Equipment Company on the Elgin Sweeper, at a price of \$10,470.00, subject to cash discount of \$209.40, as recommended. The motion was seconded by Councilman Baxter, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 9 ft. entrance at 2109 Princeton Avenue.
- (b) One 8 ft. entrance at 800 Hempstead Place.
- (c) Two 14 ft. entrances at the rear of 401 N. Church St.
- (d) Two 30 ft. entrances on S. Tryon St. and One 30 ft. entrance on W. Griffith St. for 2900 S. Tryon Street.

RENEWAL LEASES ON AIRPORT BUILDINGS REPORTED.

The City Manager reported that renewal leases have been concluded on the following buildings at Douglas Municipal Airport:

BUILDING NO.	LESSEE	MONTHLY RENTAL	DATE AND TERM OF LEASE.
Tanks	Shields Oil Company	\$30.00	9-15-51 for 1 year
216-30	Airport Market	62.00	10-1-51 for 5 years
48	Charlotte 7-Up Bottling Co.	25.80	10-1-51 for 1 year

SALE OF CEMETERY LOTS.

Upon motion of Councilman Van Every, seconded by Councilman Albea, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the sale of the following cemetery lots:

- (a) Deed to T. R. Horton, for northwest quarter of Lot No. 130, in Section 3, Evergreen Cemetery, at \$26.00.
- (b) Deed to J. S. Stone and wife, for Lot No. 65, in Section 3, Evergreen Cemetery, at \$156.00.

QUIT-CLAIM DEED TO W. D. HYLAND FOR PORTION OF LAND NEAR PARK TERRACE.

Councilman Baxter moved that the Mayor and City Clerk be authorized to execute a Quit-claim Deed to Mr. W. D. Hyland for land that cuts him off the street on Park Terrace, with the reservation by the City of a right-of-way across the said land for sewer and water lines as presently exists and the maintenance and/or relaying of said lines, as recommended by the City Manager. The motion was seconded by Councilman Dellinger, and unanimously carried.

AUDITORIUM AND COLISEUM PLANS APPROVED AS SUBMITTED BY THE BUILDING COMMITTEE.

Councilman Baxter moved that the plans of the Auditorium-Coliseum be approved as prepared by the Architect and submitted by the Building Committee. He stated that in viewing the scale models and plans in the office of the Architect today, along with the other Councilmen, he felt that some of the items are not quite large enough, however the plans should be approved so that they may proceed with the working drawings. The motion was seconded by Councilman Dellinger, and unanimously carried.

COUNCIL ADVISED OF MATTERS TO BE PRESENTED AT THE NEXT MEETING BY COUNCILMAN BOYD.

Councilman Boyd advised the Council that at the Council Meeting on next Wednesday, he will offer a motion that the Council authorize the erection of a traffic light at the intersection of Independence Boulevard and Alexander Streets. Also, that he will offer an amendment to the Taxicab Ordinance to provide for cruising, cab stands at various locations selected by the Council and to provide the optional use of taximeters.

ADJOURNMENT.

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

*Lillian R. Hoffman*  
City Clerk