

A regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, September 13, 1950, at 11 o'clock a.m., with Mayor Shaw presiding, and Councilmen Aitken, Albea, Boyd, Coddington, Daughtry, Jordan and Wilkinson being present.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Wilkinson and unanimously carried, the Minutes of the last meeting were approved as submitted.

BARRIERS AROUND OLD ROCK QUARRY TO BE PROPERTY OF CITY AND REMOVED WHEN SO DESIRED.

A communication from Mr. J. Frank Flowers, Administrator of the Ed. H. McCorkle Estate, was presented by Mr. Henry Strickland, Attorney, in which the Council was advised that any fence or barrier the City sees fit to construct around the Old Rock Quarry, on Tremont Avenue, may be considered the City's property and may be removed by the City when it has served its purpose.

SEWER AND FIRE FACILITIES AND BUS SERVICE FOR CENTRAL AVENUE EXTENSION AREA REQUESTED BY MERRY OAKS CIVIC CLUB.

A delegation of ladies from the Merry Oaks Civic Club, with Mrs. L. B. Andrews as spokesman, presented requests for the extension of sewer lines out Central Avenue extension, the installation of fire hydrants and adequate Bus service.

The City's policy for extending sewer lines was explained by the City Attorney, and the City Manager requested that he be furnished the locations in which sewers were desired. He also explained that facilities for fire protection are being installed daily where mains are adequate.

Mrs. Andrews advised she was again appealing for adequate Bus service, especially for school children, petitions for which were filed with the City seven months ago; that the citizens of the area favor the recommendations for their section in the recent Bus Survey by the City, and particularly the recommendation for cross-town bus service. She urged that bus service be extended out Central Avenue to Eastway Drive, down Briar Creek Road and on Commonwealth Ave. to pass the Chantilly School. She advised that at present school children of this area are walking two to three miles to the Chantilly and Midwood Schools. Mayor Shaw inquired if the Shuttle Bus, which was operated within the area last year, would benefit the school children, to which Mrs. Andrews replied that it would, as an emergency measure, and only if the route above suggested is followed. She urged that service be forthcoming immediately, not months hence, and if Duke Power Company will not render adequate bus service in Charlotte that the City take over the Bus system. She advised further, that unless adequate bus service is rendered this area of the city, that the citizens of the section intend to take the matter before the State Utilities Commission.

Mayor Shaw advised the delegation that he, personally, would confer with Duke Power Company officials and that he promised that before the arrival of winter months the Shuttle Bus service will be provided the area, even if the Bus Survey matter has not been settled.

NOTICE FILED OF APPEAL TO SUPERIOR COURT BY CHAS. C. ERWIN AND WIFE AGAINST ASSESSMENT OF BENEFITS IN IMPROVEMENTS TO PRINCETON AVENUE.

Mr. Benjamin S. Horack, Attorney, filed a written notice with the Council in behalf of Mr. Chas. C. Erwin and wife, Mary Frances Erwin, owners of property on the south side of Princeton Avenue, that an appeal will be taken to the next term of Superior Court against the assessment of one-half the cost (in the amount of \$4,232.41) of benefits from improvements to Princeton Avenue by the City, in accordance with Notice of said assessment published in The Charlotte Observer on September 1, 1950.

BUS SURVEY MEETING WITH DUKE POWER COMPANY SCHEDULED FOR SEPTEMBER 21st, AND PRIOR CONFERENCE BETWEEN CITY MANAGER AND TRAFFIC ENGINEER WITH POWER COMPANY DIRECTED.

The matter of the recent Bus Survey was discussed by Councilman Daughtry, who stated it was his impression that Mr. Hoose, the Traffic Engineer, would discuss the Survey with Duke Power Company officials, but now understands this has not been done. The City Manager stated he did not understand that this was the Council's desire, but rather that following a study of the Survey by the Council, they would discuss it with the Power Company officials. That he has arranged a meeting with the said Officials on September 21st if agreeable with the Council. Also, that he has had Mr. Hoose prepare a map showing all routes requested in petitions filed by citizens, and the map is now available.

Councilman Coddington stated he believes a conference between Mr. Hoose and the Power Company officials should be held and a master bus route plan worked out that could be satisfactory to both the City and Power Company, and it be submitted to the Council.

Following the discussion, Councilman Daughtry moved that Mr. Hoose, together with Mr. Yancey, arrange a meeting with Duke Power Company officials and study the Survey and bring back to the Council a plan of their combined recommendations, as soon as possible. The motion was seconded by Councilman Coddington, and carried, with the votes cast as follows:

AYE: Councilmen Daughtry, Aitken, Coddington, Jordan and Wilkinson.
NAY: Councilmen Albea and Boyd.

The City Manager expressed the opinion that the Council should sit in on such meeting; that he and the Traffic Engineer could only lobby for the recommendations of the Survey, while it is not known if the Survey meets the approval of the Council; therefore, he does not know what the Council wishes him to discuss with the Power Company officials.

Councilman Boyd stated he does not favor all of the recommendations in the Survey, and does not wish to be represented before Duke Power Company but believes the matter should be discussed by the City Council with the Power Company officials.

Councilman Albea stated that even though Mr. Hoose is a Traffic expert and a Transportation expert that this is a matter between the Duke Power Company and the City Council. That he considers Mr. Yancey an expert City Manager and he, himself, says he does not understand what he would be supposed to discuss with the Power Company officials; therefore, Councilman Albea stated, he is against a conference between Mr. Yancey, Mr. Hoose and Duke Power officials.

Councilman Aitken stated he believes a conference between Mr. Yancey, Mr. Hoose and Duke Power officials prior to the meeting with the Council would enable the City to know the reaction of the Power Company to the Survey.

Mayor Shaw then suggested that the entire Council be present at the conference.

Councilman Albea moved that the City Council and the City Manager and Mr. Hoose meet with the Duke Power Company officials on September 21st to discuss the Survey. Motion was seconded by Councilman Boyd, and unanimously carried.

Mr. Yancey stated that he desires to carry out the wishes of the Council in the matter, and that he, together with Mr. Hoose, will arrange a conference with Duke Power Company officials and endeavor to learn their reaction to the Survey.

REPORT OF BOARD OF APPRAISERS OF BENEFITS AND DAMAGES RESULTING FROM PERMANENT IMPROVEMENTS TO GREENE STREET, ROCKWAY DRIVE, BARBOUR'S COURT AND PARKWOOD AVENUE.

The City Clerk reported that the Reports of the Board of Appraisers of benefits and damages to property resulting from permanent improvements to Greene Street, Rockway Drive, Barbour's Court and Parkwood Avenue were filed on August 8, 1950.

NOTICE OF PUBLIC HEARING WITH RESPECT TO BENEFITS AND DAMAGES ASSESSED BY BOARD OF APPRAISERS FOR IMPROVEMENTS TO GREENE STREET EXTENSION.

Upon motion of Councilman Aitken, seconded by Councilman Jordan, and unanimously carried, the publication of Notice of Public Hearing on September 20, 1950 with respect to benefits and damages as assessed by the Board of Appraisers for improvements to Greene Street Extension connecting Greene Street and Elon Street, was authorized.

AND DAMAGES
NOTICE OF PUBLIC HEARING WITH RESPECT TO BENEFITS/AS ASSESSED BY BOARD OF APPRAISERS FOR IMPROVEMENTS TO ROCKWAY DRIVE.

Motion was made by Councilman Wilkinson, seconded by Councilman Aitken, and unanimously carried, authorizing the publication of Notice of Public Hearing on September 20, 1950 with respect to benefits and damages as assessed by the Board of Appraisers for improvements to Rockway Drive, between Independence Boulevard and Chantilly School property.

RESOLUTION WITH RESPECT TO BENEFITS AS REPORTED BY BOARD OF APPRAISERS FOR IMPROVEMENTS ON PARKWOOD AVENUE.

A resolution entitled, "Resolution with respect to benefits as reported by the Board of Appraisers for Improvements on Parkwood Avenue Extending in an easterly direction from Parsons Street to The Plaza" was introduced and read. Upon motion of Councilman Jordan, seconded by Councilman Aitken, and unanimously carried, the resolution was adopted. Resolution is recorded in full in Resolutions Book 1, at Page 324.

RESOLUTION WITH RESPECT TO BENEFITS AS REPORTED BY BOARD OF APPRAISERS FOR IMPROVEMENTS TO BARBOUR'S COURT.

A resolution entitled, "Resolution with respect to benefits as reported by the Board of Appraisers for improvements to Barbour's Court between East Fifth and Sixth Streets" was introduced and read, and upon motion of Councilman Jordan, and seconded by Councilman Aitken, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Page 325.

RESOLUTION ACCEPTING GRANT OFFER OF THE UNITED STATES, DATED AUGUST 10, 1950, THROUGH THE CIVIL AERONAUTICS ADMINISTRATION, FOR RESURFACING RUNWAYS AND TAXIWAYS AT DOUGLAS MUNICIPAL AIRPORT.

A resolution entitled, "Resolution Accepting Grant Offer of the United States, dated August 10, 1950, through the Civil Aeronautics Administration, for Resurfacing Runways and Taxiways at Douglas Municipal Airport" was introduced and read. Councilman Coddington moved the adoption of the resolution, which motion was seconded by Councilman Jordan, and unanimously carried, and the resolution was adopted. Resolution is recorded in full in Resolutions Book 1, beginning at Page 326.

CONTRACT AWARDED BLYTHE BROS COMPANY FOR RUNWAY & TAXIWAY RESURFACING AT AIRPORT.

Upon motion of Councilman Albea, seconded by Councilman Coddington and unanimously carried, contract was awarded Blythe Bros. Company for re-surfacing runways and taxiways at Douglas Municipal Airport, on a unit price basis, for the sum of \$129,974.80.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO SPECIAL APPROPRIATIONS FOR FOOT-BRIDGE OVER SUGAW CREEK TO PARK ROAD SCHOOL.

Motion was made by Councilman Albea, seconded by Councilman Jordan and unanimously carried, authorizing the transfer of \$1,250.00 from the Emergency Fund (Code 110) to Special Appropriations (Code 109) for foot-bridge over Sugaw Creek to Park Road School.

CONTRACT AUTHORIZED WITH J. N. PEASE & COMPANY FOR PROFESSIONAL ENGINEERING SERVICES TO CHARLOTTE PLANNING BOARD.

Upon motion of Councilman Daughtry, seconded by Councilman Wilkinson, and unanimously carried, contract was authorized with J. N. Pease & Co., for professional engineering services to the Charlotte Planning Board, for one year in the amount of \$4,000.00.

CATAWBA AVENUE TAKEN OVER FOR LIMITED MAINTENANCE.

Motion was made by Councilman Wilkinson, seconded by Councilman Jordan, and unanimously carried, authorizing taking over Catawba Avenue, from Pegrans Street 200 feet east, for limited maintenance.

REMOVAL OF TREE AT SOUTH BOULEVARD AND GRADE STREET.

Councilman Jordan moved that the request of Mr. C. D. Spangler be granted to remove a tree from the planting strip at South Boulevard and Grade Street, which interferes with a driveway entrance. Motion was seconded by Councilman Wilkinson, and unanimously carried.

STREETS TAKEN OVER FOR MAINTENANCE.

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

- (a) Bryant Street, from Walnut Ave. 300 feet west to dead end.
- (b) Enderly Road, from end of present maintenance 150 feet south.

CONSTRUCTION OF SANITARY SEWER IN SPIERS COURT.

Upon motion of Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, the construction of 1,350 feet of sewer in Spiers Court was authorized, at an estimated cost of \$3,790.00, at request of Erwin Construction Company. All cost to be borne by the City and applicant's deposit of full amount to be refunded as per contract.

CLAIM OF MRS. NANCY A. STOTT FOR PERSONAL INJURIES REFERRED TO CITY ATTORNEY.

The claim of Mrs. Nancy A. Stott, 2115 Dartmouth Place, in the amount of \$50,000.00, as filed by her attorney, Mr. Uhlman S. Alexander, for injuries sustained on August 4, 1950, alleged to have been caused by a defect in the sidewalk at 225 West Trade Street, was referred to the City Attorney for handling, upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried.

LEASE AUTHORIZED WITH CAPITAL AIRLINES FOR USE OF AIRPORT PREMISES AND FACILITIES.

Councilman Jordan moved that the Mayor and City Clerk be authorized to execute a lease with Capital Airlines for the use of the premises and facilities at Douglas Municipal Airport, for a period of twenty years. Motion was seconded by Councilman Wilkinson, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES.

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

- (a) One 18 ft. driveway at 943 Romany Road.
- (b) One 20 ft. driveway at 1802 North Tryon Street.
- (c) One 8 ft. driveway on Tenth Street, for 632 Seigle Ave.
- (d) One 9 ft. driveway at 1605-07 Mimosa Avenue.

CONTRACTS FOR PURCHASES.

Motion was made by Councilman Coddington, seconded by Councilman Albea, and unanimously carried, authorizing the award of contracts for purchases as follows:

- (a) Contract with Belk Bros. Co. for Uniforms for the Equipment Depot, on a unit price basis, representing a net delivered price of \$5,854.05.
- (b) Contract with Belk Bros. Co. for Uniforms for the Engineering Department, on a unit price basis, representing a net delivered price of \$2,647.41.
- (c) Contract with Belk Bros. Co. for Uniforms for Cemetery Department, on a unit price basis, representing a net delivered price of \$403.00.
- (d) Contract with Belk Bros. Co. for Uniforms for the Building & Grounds Department, on a unit price basis, representing a net delivered price of \$124.32.
- (e) Contract with Heath Motor Company, for Two Chassis & Cabs, at a net delivered price of \$4,680.00.
- (f) Contract with Atkinson Motors, Inc. for One Chassis & Cab, at a net exchange delivered price of \$3,849.96.
- (g) Contract with General Truck Company, Inc. for One Street Flusher mounted on Chassis & Cab, at a net delivered price of \$6,142.88.
- (h) Contract with North Carolina Equipment Company, for One Crawler Type Tractor, as specified, at a total price of \$12,300.00, subject to cash discount of \$200.00.
- (i) Contract with Atkinson Motors, Inc., for One Chassis and Cab, as specified, at a net exchange delivered price of \$1,698.17.
- (j) Contract with Atkinson Motors, Inc. for One, 1-ton Express Truck, as specified, at a total price of \$1,714.00, subject to cash discount of \$266.25.
- (k) Contract with Heath Motor Company, for One Chassis & Cab, with metal dump body and hoist, at a net delivered price of \$2,345.00.
- (l) Contract with Atkinson Motors, Inc., for One 3/4 Ton Pickup Truck, at a total price of \$1,517.45, subject to cash discount of \$219.25.
- (m) Contract with General Truck Company, Inc., for One Standard Suburban, at a total net exchange delivered price of \$1,589.29.
- (n) Contract with Atkinson Motors, Inc., for Two Chassis and Cabs, complete, at a total price of \$5,052.78, subject to cash discount of \$754.74.

- (o) Contract with North Carolina Equipment Company, for One Portable Road Roller, at a total price of \$2,890.00, subject to cash discount of \$56.80.
- (p) Contract with North Carolina Equipment Company, for One Tractor Unit Complete with attachments, at a total price of \$1,894.00 subject to cash discount of \$37.38.
- (q) Contract with Minnesota Mining & Mfg. Company for Ten Rolls of Scotchlite, as specified, representing a total price of \$2,200.00 subject to 10% discount, for the Traffic Engineering Department.
- (r) Contract with Pomona Terra Cotta Company, for Vitriified Clay Pipe, Tees and Bends, as specified, on a unit price basis, at a total price of \$17,161.19, subject to cash discount of \$343.22.
- (s) Contract with The J. F. W. Dorman Company, Inc., for 32,000 Metal Auto Tags and 500 Metal Motorcycle Tags, as specified, at a net delivered price of \$2,980.00.

SPECIAL OFFICER PERMITS.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, Special Officer Permits were authorized renewed for one year to Mr. Onie Hill, for use on the premises of Rulane Gas and Charlotte Tank Company, and to Mr. Robert H. Styron, for use on the premises of Southern Railway Company.

CEMETERY LOTS TRANSFERRED.

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

- (a) Deed to E. Robert Davis, for Lot 220, in Section 3, Evergreen Cemetery, at \$156.00.
- (b) Deed to Walter J. Black, for Lot 74, Section 3, Evergreen Cemetery, at \$156.00.
- (c) Deed to Sherman D. Guest and wife, for Lot 380, Section 4-A, Evergreen Cemetery, at \$81.90.

UNANIMOUS CONSENT GIVEN PRESENTATION OF UNDOCKETED ITEMS.

Upon motion of Councilman Coddington, seconded by Councilman Jordan, the unanimous consent of Council was given the presentation of the following undocketed items.

POLICY REGARDING PURCHASE OF FIRE AND POLICEMEN UNIFORMS AND RELATED ARTICLES.

Upon motion of Councilman Coddington, seconded by Councilman Jordan, and unanimously carried, the following policy was adopted with regard to the purchase of uniforms and related articles for Police and Firemen, as recommended by the City Manager:

1. Cause to be made a complete survey of equipment now in the hands of each man,
 - (a) Winter
 - (b) Summer
 - (c) Miscellaneous all weather
2. Charge to each man's account the material now on hand.
3. When requisition is made for new article, old is to be surveyed by Department Head, before new is ordered.
4. When new is issued to employee, old is to be turned in and held for disposal by the Purchasing Department, in such manner as may be directed by the City Council.

5. (a) Upon death, retirement, or severance of employment from the City, all material in the hands of the employee to be turned in for re-use if possible by new employee.
- (b) Employee's account as provided in (2) above to be checked, and if found short, proper deduction to be made from final pay check to cover shortage.
6. Purchasing Department to negotiate 2 to 5 year contract subject to approval of City Council for furnishing uniforms and wearing apparel as needed - reconditioning and altering old when desired."

BIDS REJECTED ON UNIFORMS FOR POLICE AND FIREMEN, RECEIVED SEPT. 1, 1950.

Motion was made by Councilman Daughtry, seconded by Councilman Coddington, and unanimously carried, rejecting all bids on Police and Firemen uniforms as received on September 1st.

INVESTIGATION OF CONDITIONS AT OLD ROCK QUARRY FROM STANDPOINT OF HEALTH AND SAFETY ORDERED.

Councilman Aitken moved that the City Manager be directed to have the Health Department and Fire Department officials make an investigation of conditions at the Old Quarry on Tremont Avenue from the standpoint of public health and safety, and determine whether or not the existing conditions are hazardous in any respect, and to report their findings of facts in writing. Motion was seconded by Councilman Coddington, and unanimously carried.

CONFERENCE RELATIVE TO AMENDMENTS TO ZONING ORDINANCE CALLED ON WEDNESDAY, SEPTEMBER 20, 1950 at 2:30 P.M.

Mayor Shaw requested the Council to be present at a meeting in his office on next Wednesday, September 20th, at 2:30 o'clock p.m., with the Zoning Board of Adjustment, Realtors, the Building Inspection Supt. and the Health Housing Inspector, to discuss the proposed amendments to the Zoning Ordinance.

INCREASE IN SALARY OF TRAFFIC ENGINEER DENIED.

Councilman Jordan moved that the salary of Mr. Herman Hoose, Traffic Engineer, be increased to \$7,500.00 per year. Motion was seconded by Councilman Coddington, and the motion did not carry, with the votes cast as follows:

AYE: Councilmen Jordan, Coddington and Aitken.
NAY: Councilmen Albea, Boyd, Daughtry and Wilkinson.

ADJOURNMENT.

Upon motion of Councilman Jordan, which unanimously carried, the meeting was adjourned.

Lillian R. Hayman
City Clerk