

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday February 7, 1951, at 11 o'clock a.m., with Mayor Shaw presiding, and Councilmen Aitken, Albea, Boyd, Coddington, Daughtry, Jordan and Wilkinson present.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Daughtry, seconded by Councilman Aitken, and unanimously carried, the minutes of the last meeting on January 31st were approved as submitted.

ORDINANCE (NO. 127) AMENDING THE ZONING ORDINANCE CHANGING THE BUILDING ZONE MAP ON PROPERTY AT 3400-06 AND 3401-15 TUCKASEEGEE ROAD.

The hearing was called by the Mayor on an amendment to the zoning ordinance and the ordinance entitled, "Ordinance (No. 127) Amending the Zoning Ordinance" was read, providing for a change in the Building Zone Map from R-2 to B-1 on property at 3400-06 and 3401-15 Tuckaseegee Road. Mr. Thomas Owens property owner on Tuckaseegee Road, requested that action be deferred until the hearing on February 21st to change the zone on his adjoining property, which change he stated he had reason to believe would be protested by the petitioners for a change at 3400-06 and 3401-15 Tuckaseegee Road. He was advised that the Council would make its own decision on the amendment to be presented on the 21st. Whereupon, Councilman Wilkinson moved the adoption of the ordinance as read, which was seconded by Councilman Daughtry, and unanimously carried. The Ordinance is recorded in full in Ordinance Book 11, at Page 200.

NEW STREET BETWEEN BALDWIN AVENUE AND INDEPENDENCE BOULEVARD NAMED "BALDWIN CIRCLE".

Mrs. F. W. Barr was spokesman for a delegation of property owners of Kings Drive who voiced objections to the City naming the new street between Baldwin Avenue and Independence Boulevard "Kings Drive"; she stated it was not in fact a continuation of Kings Drive; that Kings Drive is located in exclusive Myers Park and they wished to keep it exclusive; that the new street runs through a colored area and if the new street is known as Kings Drive it will devalue their property. Councilman Coddington presented a letter from Mrs. O. Z. Russell, a colored resident of Baxter Street adjacent to the new street, stating the residents of the area did not wish it named Kings Drive and suggested that it be named "Baldwin Circle". Councilman Coddington moved that the street be named Baldwin Circle as recommended. Motion was seconded by Councilman Jordan, and unanimously carried.

DRAINAGE CONDITION AT 512 EAST TREMONT AVENUE AUTHORIZED CORRECTED BY CITY.

Councilman Aitken reported that he and Councilman Wilkinson had investigated the drainage condition at 512 East Tremont Avenue, as requested at the last Council Meeting upon complaint of Mr. K. L. Lippard. He explained in detail that since the drainage ditch was relocated by the City about a year ago in order to avoid the water therefrom flooding adjacent property, it has caused a bad condition and cave in on Mr. Lippard's property. He moved that since the ditch was relocated from the City owned adjacent lot, that the condition be corrected by the City. Motion was seconded by Councilman Wilkinson, and unanimously carried.

REQUEST BY MRS. L. B. ANDREWS THAT PUBLIC CARRIERS OPERATING IN CHARLOTTE HAVE FRANCHISE ISSUED BY CITY.

Mrs. L. B. Andrews and members of the Merry Oaks Civic Club again appeared before Council with regard to bus service on and adjacent to Central Avenue. She stated they wished a revision made to the City Code with regard to public carriers having proper franchises; she asked why Duke Power Company does not have a franchise, and who actually issues them? The City Attorney explained that such franchises are granted by the State Utilities Commission, and that usually a City Council's approval is asked by the Commission; that Duke Power Company has a non-exclusive franchise to operate a bus system in Charlotte; that if Mrs. Andrews wishes to have the law changed with regard to the issuance of such franchises by the State Utilities Commission, then she should handle the matter with the State Legislature. Following the discussion, Councilman Boyd requested the City Attorney to write the Merry Oaks Civic Club a brief, clear outline of the law regarding the bus franchise, in order that they may be correctly informed and the matter clarified. Mr. John D. Shaw, City Attorney, stated he would be glad to do so.

Mrs. Andrews further requested that the Council give its undivided attention to securing adequate bus service for Charlotte and a bus route to the city limits on Central Avenue.

PLAT OF ROSEDALE HEIGHTS SUBDIVISION APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, a plat of Rosedale Heights Subdivision, located at the northwest corner of Park Road and Woodlawn Road, was approved as recommended by the Planning Board.

VIRGINIA AVENUE TAKEN OVER FOR MAINTENANCE.

Motion was made by Councilman Daughtry, seconded by Councilman Albea, and unanimously carried, authorizing Virginia Avenue, from Eastway Drive 150 feet south, be taken over for maintenance.

RELOCATION OF SANITARY SEWER MAIN AT NORTHWEST CORNER LOT OF EAST MOREHEAD STREET AND BALDWIN AVENUE.

Upon motion of Councilman Aitken, seconded by Councilman Wilkinson, and unanimously carried, approval was given for the relocation of 72-foot of 10-inch sanitary sewer main at the northwest corner lot of East Morehead Street and Baldwin Avenue, at an estimated cost of \$490.00, to be borne by the applicant, Gulf Oil Corporation.

AGREEMENT WITH S.A.L. RY. FOR INSTALLATION OF WATER MAIN ON THEIR RIGHT-OF-WAY IN WEDDINGTON AVENUE, DUNN STREET AND WASHBURN AVENUE.

Motion was made by Councilman Albea, seconded by Councilman Aitken, and unanimously carried, authorizing an agreement with the Seaboard Airline Railway Company for the installation of a 16-inch water main on their right-of-way in Weddington Avenue, Dunn Street and Washburn Avenue.

CONTRACTS AUTHORIZED FOR THE CONSTRUCTION OF WATER MAINS.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, the following contracts for the construction of water mains were authorized:

- (a) Contract with Charles H. Ketcham for constructing 1,060 feet of 2 inch main in West Kingston Avenue to serve 10 residential lots, at an estimated cost of \$1,100.00. The City to finance all costs and applicant to guarantee a gross annual water revenue equal to 10% of total construction cost.
- (b) Contract with Sam H. McDonald, for constructing 930 feet of main in Pharr Acres, at an estimated cost of \$1,078.00. The City to finance all costs and applicant to guarantee a gross annual water revenue equal to 10% of total construction cost.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 9-foot driveway at 3239 Selwyn Ave.
- (b) One 8-foot driveway on Hampton Avenue for 2242 Malvern Road.
- (c) One 9-foot driveway on Westfield Road for 1870 Queens Road W.
- (d) One 10-foot driveway at 836 Colville Road.
- (e) One 9-foot driveway at 1861 Queens Road West.
- (f) One 15-ft. driveway at 225 S. Graham St. and One 15-ft. driveway on Third Street for 225 South Graham Street.
- (g) One 16-foot driveway on Stanford Place for 2101 Wellesley Ave.

TRANSFER OF CEMETERY LOT.

Councilman Albea moved that the Mayor and City Clerk be authorized to execute a deed with Mrs. J. H. Parks for the transfer of the south-half of Lot 123, in Section 3, of Evergreen Cemetery, at a price of \$78.00. Motion was seconded by Councilman Jordan, and unanimously carried.

UNANIMOUS CONSENT GIVEN CITY MANAGER TO PRESENT UNDOCKETED ITEMS.

Upon motion of Councilman Jordan, seconded by Councilman Coddington, and unanimously carried, the Council consented to the presentation of undocketed items by the City Manager.

CONDEMNATION OF PROPERTY FOR ACQUISITION OF RIGHTS-OF-WAY FOR BRIAR CREEK TRUNK SEWER NEAR CAROLYN DRIVE.

Councilman Albea moved that the City Attorney be directed to proceed with the necessary papers for the condemnation of property of Ralph R. Holland and wife, and Jackson S. Blythe and wife, as rights-of-way for the Briar Creek Road Trunk Sewer Line near Carolyn Drive, if the said rights-of-way cannot otherwise be obtained from them. Motion was seconded by Councilman Aitken, and unanimously carried.

PURCHASE OF LAND AUTHORIZED FOR EXTENSION OF GREENLAND AVENUE.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the purchase of Lot 14 in Block 3-A of property at the dead-end of Greenland Avenue was authorized from Mr. C. W. Todd at \$1,000.00 and of 8-feet of land in Lot 15, for the extension of Greenland Avenue from Remount Avenue to Greene Street, as recommended by the City Manager.

LEASE OF LOTS 7, 8 and 9 IN BLOCK 2 OF SHUMAN AVENUE PROPERTY TO MECKLENBURG PRESBYTERY, AND SALE OF SAID PROPERTY AT PUBLIC AUCTION, AUTHORIZED.

Councilman Coddington moved that lease for Lots 7, 8 and 9 in Block 2 of the C. W. Shuman Property on the northerly side of Shuman Avenue be executed by the Mayor and City Clerk, and the sale of said lots at public auction subject to the said lease be authorized. Motion was seconded by Councilman Aitken, and unanimously carried.

CITY MANAGER AUTHORIZED TO NEGOTIATE WITH LEROY DULIN FOR TRADE OF LAND FOR EVERGREEN CEMETERY PURPOSES.

Councilman Jordan moved that the City negotiate with Mr. Leroy Dulin for the trade of 46 acres of Evergreen Cemetery property for 39 acres of land owned by him adjacent to the Cemetery, the City Manager having stated that the 39 acres belonging to Mr. Dulin are more desirable for Cemetery purposes than the land owned by the City. Motion was seconded by Councilman Wilkinson, and unanimously carried.

MATTERS PENDING FOR COUNCIL ATTENTION PRESENTED BY CITY MANAGER.

Mr. Yancey, City Manager, called attention to the following matters which are pending and should receive the attention of the Council within the near future:

1. Revision of the Zoning Ordinance, recommended by the Zoning Board of Adjustment.
2. Request for additional personnel for the Fire Department to operate the aerial truck.
3. Adoption of Trailer-Coach Ordinance, previously considered.
4. Final action on request to Southern Railway regarding speed of trains and proper signs at various grade crossings.

Councilman Aitken requested that the Revised Zoning Ordinance be placed on the Agenda for next week's meeting.

DUKE POWER COMPANY REQUESTED TO MAKE BUS ROUTE EXTENSIONS AND IMPROVEMENTS.

Councilman Boyd requested the Council to agree upon and adopt an official bus route map to be presented to Duke Power Company together with an official request that the extensions be made as outlined on said map with no changes in the existing routes.

Mayor Shaw stated he did not believe anything would be accomplished by making such demands upon the Duke Power Company. That he will arrange a meeting with the Duke Power Company Officials for tonight or tomorrow night to discuss the matter and probably a compromise can be reached that will better serve the citizens in avoiding the delay that will be occasioned if the demand is turned down by the Duke Power Company and the matter has to go on to the State Utilities Commission.

Councilman Boyd stated that the resolution he is going to present is not a demand by the Council but a request to the Duke Power Company for route extensions and service improvements, and in presenting the request to Duke Power Company the Council will be performing its duty to the people of Charlotte, and until this is done the Council will not have made an official request to the Duke Power Company.

Mr. Yancey, City Manager, stated he did not feel that the Council taking this action would close the door to the Duke Power Company and that such action should be taken; that if Duke Power Company then desires a meeting with the Council it can be held.

The map was then presented by Mr. Herman Hoose, Traffic Engineer, and the following extensions were agreed upon by the Council and so indicated on the map:

- (a) On Central Avenue to Eastway Drive.
- (b) On Monroe Road to Chipley Ave - to Washburn Avenue.
- (d) On Selwyn Avenue to Wakefield Drive.
- (d) On Park Road to Reece Street at the city limits.
- (e) On Cumberland Avenue to turn around at Freedom Park.
- (f) On South Tryon Street to Fairwood Avenue (with present loop in Wilmore section to remain as at present.)
- (g) On Wilmore Drive line to Scotland Hills, to Shuman Avenue.

- (h) On Wilkinson Boulevard via Weyland Ave. to Green Street.
- (i) (Routes 1 and 8) Thrift Road line on Glenwood Drive, Rowan Street and Bradford Drive, and Mt. Holly line to Hoskins Ave. and Glenwood Drive.
- (j) The Wesley Heights line to remain as at present.
- (k) On Oaklawn Avenue via Double Oaks Road to Statesville Ave.
- (l) On Hutchinson Avenue to Atando Avenue.

A motion was then made by Councilman Boyd - "that the map of the City of Charlotte prepared by Traffic Engineer Hoose which shows the present routes of the Duke Power Company Bus System designated with Red Lines, and which map also shows extended routes into various areas now without Bus transportation service as designated with Blue Lines, be adopted by the City Council as representing the extended Bus service of the Duke Power Company which the City Council hereby finds as a fact is needed in the interest of public convenience and necessity for the citizens of Charlotte; that a copy of this map to be designated as the Official Bus Route Extensions Map, be sent by the City Manager with a letter of transmittal to the Duke Power Company, together with a certified copy of this motion,

"I further move that we hereby request the Duke Power Company to take the necessary steps to put said extensions into operation and add to their equipment whatever additional busses necessary for these extensions and the continued maintenance of adequate schedules over the entire system, leaving the exact extended courses to the Duke Power Company, if they care to alter the suggested routes shown on the Blue Lines on the said map. The Council's position being that we request bus service extensions to the areas shown on the Blue Lines of the attached map whether over the exact routes designated in Blue, or some altered route or routes preferred by the Duke Power Company to serve the most people in the areas now without service.

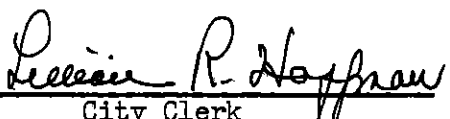
"And further, we request that the Duke Power Company provide bus service to the new Doctors Building on Kings Drive.

"I further move that we hereby request the Duke Power Company to adopt a system of schedules so that their busses will arrive at The Square at different intervals rather than in numbers as they now do, and that we hereby request additional busses to take care of the riding public at peak hours, and that in the public interest we hereby request that the Mayor and City Council be advised not later than Tuesday, February 13, 1951 of the acceptance or rejection of the requests herein contained".

The motion for adoption was seconded by Councilman Albea, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Coddington, seconded by Councilman Jordan, and unanimously carried, the meeting was adjourned.


City Clerk