

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, January 16, 1952, at 4 o'clock p.m., with Mayor pro tem Van Every presiding, and Councilmen Albea, Baxter, Boyd, Coddington and Dellinger present.

Absent: Mayor Shaw and Councilman Jordan.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Coddington, seconded by Councilman Baxter, and unanimously carried, the minutes of the last meeting were approved as submitted.

ACQUISITION OF RIGHT-OF-WAY FOR OPENING WEST FIFTH STREET AUTHORIZED.

Councilman Albea moved that the Council instruct the City Manager to negotiate for the acquisition of the right-of-way for the opening of West Fifth Street in line with the plans submitted. The motion was seconded by Councilman Dellinger, and unanimously carried.

CITY MANAGER REQUESTED TO SECURE REPLY FROM CITY ATTORNEY AS TO USE OF UNUSED PORTION OF POWELL ACT FUNDS AFTER JUNE 30th.

Councilman Boyd asked if the information has been received from the City Attorney, requested at last Council Meeting, as to whether it is a fact that the unused portion of the Powell Act funds will revert to the State Treasury on June 30th. The City Manager replied that he has not received the information from the City Attorney, but has received a letter from the N. C. League of Municipalities stating that the Charlotte newspaper editorial on the subject had been noted and that the funds will not revert to the State Treasury but are for the disposition of the municipality.

Councilman Boyd then moved that once again the City Manager be requested to obtain from the City Attorney an answer to the question not later than next Wednesday. The motion was seconded by Councilman Dellinger, and carried, with the votes cast as follows:

AYE: Councilmen Albea, Baxter, Boyd and Dellinger.

NAY: Councilman Coddington, who stated that the delay is no doubt occasioned by the City Attorney not having received a reply from the Attorney General.

SALE OF AIRPORT BUILDINGS NO. 253 and 266 TO STATE AIRLINES.

Councilman Dellinger moved that Airport Buildings No. 253 and 266 be sold to the State Airlines, as requested, at a total price of \$400.00. The motion was seconded by Councilman Albea, and unanimously carried.

PERMISSION GRANTED GENERAL SUPPLY & EQUIPMENT CORP. TO ERECT BUILDING AT 2414 NORTH BREVARD STREET, IN INDUSTRIAL ZONE.

Upon motion of Councilman Albea, seconded by Councilman Baxter, and unanimously carried, the General Supply & Equipment Corp., was granted permission to erect a building at 2414 North Brevard Street for the manufacture of sprinkler systems.

## PLAT OF LAKE VIEW PARK SUBDIVISION APPROVED.

Motion was made by Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, approving the Plat of Lake View Park Subdivision, located adjacent to the Country Club property and owned by Messrs. Russell Canady and F. J. Wiggins.

## CONTRACT WITH ESTATE OF C. A. MEISENHEIMER FOR INSTALLATION OF WATER MAINS IN FIELDWOOD ROAD.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, a contract was authorized with the Estate of C. A. Meisenheimer for the installation of 700 feet of 2 inch water mains in Fieldwood Road, Wendover Hills Subdivision, at an estimated cost of \$875.00 to serve 5 residential lots. The City to finance all costs and applicant to guarantee a gross annual water revenue equal to 10% of the original cost.

## WEDDINGTON AVENUE TAKEN OVER FOR MAINTENANCE.

Councilman Boyd moved that Weddington Avenue be taken over for maintenance from the end of the present maintenance to East 5th Street, as recommended by the City Manager. The motion was seconded by Councilman Baxter, and unanimously carried.

## CONSTRUCTION OF NEW SANITARY SEWER MAINS IN ASHLEY PARK APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter and unanimously carried, the construction of 3,060 feet of 8 inch sanitary sewer mains in Ashley Park Subdivision, at an estimated cost of \$8,600.00 to serve 50 residential lots at the request of John Crosland Company, was approved. All costs to be borne by the City and applicant's deposit of the full amount to be refunded as per terms of the contract.

## STATE HIGHWAY &amp; PUBLIC WORKS COMMISSION AUTHORIZED TO RELOCATE PART OF SEWER IN NEW THRIFT ROAD.

Councilman Albea moved that the request of the State Highway and Public Works Commission to relocate a part of the 10 inch sewer main in New Thrift Road for a total of 924 feet at an estimated cost of \$3,270.00 be granted, with all costs to be borne by them without refund by the City. The motion was seconded by Councilman Boyd, and unanimously carried.

## CONTRACT AWARDED THE DOWD PRESS FOR PRINTING WATER BILL FORMS.

Councilman Boyd moved that contract be awarded The Dowd Press for printing 500,000 Water Bill Forms, at a price of \$2,015.00, subject to 2% cash discount. The motion was seconded by Councilman Albea, and unanimously carried.

## RENEWAL OF SPECIAL OFFICER PERMIT TO A. A. ALLEN.

Motion was made by Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, authorizing the renewal of the Special Officer Permit to Mr. A. A. Allen for use on the premises of Highland Park Manufacturing Company.

## CEMETERY DEEDS TRANSFERRED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of cemetery lots as follows:

- (a) Deed with Mrs. Ernestine V. Jones for Lot 235, Section 3, Evergreen Cemetery, at \$156.00.
- (b) Deed with Mr. Frank Hovis, for Lot 26, in Section L-Annex, Elmwood Cemetery, at \$180.00, and Perpetual Care Deed for the said lot at \$100.00.
- (c) Duplicate deed with Heirs of Dr. J. W. Byers, for Lot 18, in Section N, Elmwood Cemetery, at \$1.00.

APPOINTMENT OF LEROY DULIN AS REGULAR MEMBER OF ZONING BOARD OF ADJUSTMENT TO FILL VACANCY CREATED BY RESIGNATION OF R. P. COVINGTON, ACCEPTED WITH REGRET.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter and unanimously carried, the resignation of Mr. R. P. Covington from the Zoning Board of Adjustment was accepted with regrets.

Whereupon, Councilman Dellinger moved the appointment of Mr. Leroy Dulin, Alternate Member of the Zoning Board of Adjustment, to fill the vacancy as a Regular Member of the Board. The motion was seconded by Councilman Boyd, and unanimously carried.

CONDEMNATION OF PROPERTIES ON 36TH STREET TO ACQUIRE RIGHT-OF-WAY FOR WIDENING OF SAID STREET.

Councilman Boyd moved that the City Manager be instructed by the Council to proceed according to law to condemn the properties in question on 36th Street to acquire the right-of-way for the widening of that street pursuant to the former action of the City Council. The motion was seconded by Councilman Baxter, and unanimously carried.

ERECTION OF TRAFFIC SIGNAL, AND TRIP DETECTOR, AT SOUTH BOULEVARD AND MAGNOLIA AVENUE AUTHORIZED.

Councilman Baxter moved that the City Manager have erected an actuated traffic signal, with trip detector on either side of the street, at South Boulevard and Magnolia Avenue. The motion was seconded by Councilman Dellinger, and unanimously carried.

ALL BIDS RECEIVED BY CITY TO BE LISTED AND ATTACHED TO DOCKET.

Councilman Baxter moved that all bids received by the City be listed on the Docket instead of only the bid of the concern to whom the award of the contract is recommended. The motion was seconded by Councilman Boyd.

Mr. Yancey, City Manager, objected to listing the bids on the Docket, stating that it will clutter up the Docket and that the information will not be complete in that often a bid carries an escalator clause or there is some other reason that it would not be wise to consider it; also, that full information concerning all bids is available at the Council Meetings, and further that when the award of a contract is recommended to other than the lowest bidder an explanation of the reason is always made by him. He suggested that the bids could be listed separately, with full information and mailed out with the Docket.

Councilmen Baxter, Dellinger and Boyd expressed the desire that the bids all be listed on the Docket, stating that it is well for the Council to have knowledge of all bids submitted in order that a decision be reached as to the award of contract; that often a Councilman is approached by a bidder prior to the Council Meeting regarding a bid that has been placed and it is embarrassing not to have the information, and they prefer the bids listed in the Docket. Councilman Boyd expressed the opinion that it would appear to him that the City Manager would wish to carry out the wishes of even one Councilman to say nothing of several Councilmen and list the items as requested.

The vote was then taken on the motion by Councilman Baxter, and was lost, with the votes cast as follows:

AYE: Councilmen Baxter, Boyd and Dellinger.

NAY: Councilmen Albea and Coddington.

ADJOURNMENT.

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