

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 23, 1952, at 4 o'clock p.m., with Mayor Shaw presiding, and Councilmen Albea, Baxter, Boyd, Coddington, Dellinger, Jordan and Van Every present.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

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

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE ZONING ORDINANCE TO CHANGE THE BUILDING ZONE MAP FROM R-2 TO INDUSTRIAL ON UNDEVELOPED PROPERTY ALONG GLENWOOD DRIVE.

An ordinance entitled, "Ordinance No. 142 Amending the Zoning Ordinance" to change the Building Zone Map from R-2 to Industrial on undeveloped property along Glenwood Drive was introduced. Following the reading thereof a resolution entitled, "Resolution Providing for a Public Hearing on the Proposed Amendment to the Zoning Ordinance", on February 13th, was presented and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilman Baxter, and unanimously carried. The resolution is recorded in full in Resolutions Book 1, Page 454.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE ZONING ORDINANCE TO CHANGE THE BUILDING ZONE MAP FROM R-2 TO B-1 AT 2401 TUCKASEEGEE ROAD.

An ordinance entitled, "Ordinance No. 143 Amending the Zoning Ordinance" to change the Building Zone Map from R-2 to B-1 on a corner lot located at 2401 Tuckaseegee Road, was introduced. Following the reading thereof a resolution entitled, "Resolution Providing for a Public Hearing on the Proposed Amendment to the Zoning Ordinance", on February 13th, was presented and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilman Van Every, and unanimously carried. The resolution is recorded in full in Resolutions Book 1, at Page 455.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE ZONING ORDINANCE TO CHANGE THE BUILDING ZONE MAP FROM R-1 TO R-2 ON SIX LOTS IN EASTOVER SUBDIVISION.

An ordinance entitled, "Ordinance No. 144 Amending the Zoning Ordinance" to change the Building Zone Map from R-1 to R-2 on six lots in Eastover Subdivision, was introduced and read. Whereupon, a resolution entitled, "Resolution Providing for a Public Hearing on the Proposed Amendment to the Zoning Ordinance", on February 13th, was presented and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Jordan, and unanimously carried. The resolution is recorded in full in Resolutions Book 1, at Page 456.

CITY LICENSE AND PRIVILEGE TAX PENALTY STOPPED AS OF FEBRUARY 1, 1952.

Councilman Dellinger moved that the penalty on City License and Privilege Tax be stopped as of February 1st, having reached 25%. The motion was seconded by Councilman Van Every, and unanimously carried.

SALE OF TAX FORECLOSED PROPERTIES CONFIRMED.

Upon motion of Councilman Jordan, seconded by Councilman Dellinger and unanimously carried, the sale at public auction on January 7, 1952 of the following tax foreclosed properties was confirmed to the high bidders:

- (a) Property located at 1308-22 Seigle Avenue to J. C. Griffin, at \$1,600.00.
- (b) Property located at 701-07 Belmont Avenue to G. G. Kistler, at \$550.00.
- (c) Property located at 625-27 Belmont Avenue to Ira B. Turner, at \$695.00.
- (d) Property located at 1217-19 and 1221-23 Allen Street, to G. L. Russell, at \$1,200.00.

CONTRACT AWARDED CHICAGO PUMP COMPANY FOR BLOWER FOR IRWIN CREEK SEWAGE TREATMENT PLANT.

Upon motion of Councilman Albea, seconded by Councilman Van Every, and unanimously carried, a contract was awarded Chicago Pump Company for a heavy duty, horizontal positive displacement type, electric motor driven, 5,000 cubic ft. per minute Blower for Irwin Creek Sewage Treatment Plant, at a total delivered price of \$12,756.00, subject to escalation in the event of an increase on electrical equipment the bidder guarantees same will not exceed \$294.00, or a total net delivered price of \$13,050.00.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO SPECIAL APPROPRIATIONS, CHARLOTTE MEMORIAL HOSPITAL, FOR PURCHASE OF OFFICE EQUIPMENT FOR DENTAL CLINIC.

Councilman Dellinger moved that the transfer of \$1,182.80 be authorized from the Emergency Fund (Code 110) to Special Appropriations (Code 109) Contribution to Charlotte Memorial Hospital, for purchase of office equipment for the Dental Clinic, as recommended by the City Manager. The motion was seconded by Councilman Van Every, and unanimously carried.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO HEALTH DEPARTMENT FOR DDT AND MONTHLY SALARIES ACCOUNTS.

Upon motion of Councilman Van Every, seconded by Councilman Albea, and unanimously carried, the transfer of \$1,144.50 was authorized from the Emergency Fund (Code 110) to the Health Department Budget, \$994.50 for DDT (Code 301) and \$150.00 to Monthly Salaries Account (Code A-8).

CONSTRUCTION OF DRIVEWAY ENTRANCES.

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

- (a) One 12-ft. entrance at 3704 Willow Oak Road.
- (b) Two 12-ft. entrances on Willow Oak Road for 3643 Avondale Avenue.
- (c) One 14-ft. entrance at 2400 Range Road.

OPINION OF CITY ATTORNEY AS TO DISPOSITION OF UNUSED PORTION OF POWELL ACT FUNDS.

The City Attorney submitted the following opinion as to the disposition of the unused portion of Powell Act funds at the end of the fiscal year:

"It is my opinion that, any unexpended Powell Bill funds of the City of Charlotte will not have to be repaid to the State, nor can the State offset such unexpended funds against future appropriations under the Powell Bill as presently drawn."

TRAFFIC COUNT AUTHORIZED ON ATANDO AVENUE.

A motion was offered by Councilman Boyd that a traffic count be made on Atando Avenue for a period of two weeks, to determine as a fact if it is a thoroughfare of such proportion to justify the expenditure of Powell Act funds or other funds to pave the street; he stated further that if the count does not indicate it a thoroughfare then probably the City can pave it and assess the cost against the property owners. The motion was seconded by Councilman Van Every, and unanimously carried.

TRAFFIC COUNT AUTHORIZED ON CENTRAL AVENUE, FROM THE PLAZA TO THE CITY LIMITS, AND ON THE PLAZA, FROM MECKLENBURG AVENUE TO POTTER'S ROAD.

Councilman Boyd moved that a traffic count be made for a period of two weeks on Central Avenue, from The Plaza to the city limits, and on The Plaza, from Mecklenburg Avenue to Potter's Road. He stated that when the resolution, adopted by the Council in 1951 requesting that these streets be widened and paved, was presented to the State Highway Commission they advised they did not have funds available at that time, and in his opinion the matter should be kept before the Commission and they be shown as a fact that the improvements are justified. The motion was seconded by Councilman Van Every, and unanimously carried.

CEMETERY DEED TRANSFERRED.

Upon motion of Councilman Coddington, seconded by Councilman Dellinger, and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with Mr. H. Walter Fricke and wife Norma, for Lot 294, in Section 3, Evergreen Cemetery, at \$140.40.

CONTRACT WITH SOUTHERN BELL TELEPHONE COMPANY FOR REMOVAL OF CABLE FROM SITE AT AIRPORT TO ANOTHER LOCATION.

Motion was made by Councilman Coddington, seconded by Councilman Van Every, and unanimously carried, authorizing a contract with the Southern Bell Telephone Company for the removal of their cable from the site of the new administration building to another location on the Airport property, at a cost of \$1,464.00 as estimated by them on January 18, 1952.

RESOLUTION INSTRUCTING THE CITY ATTORNEY TO PREPARE NECESSARY PAPERS IN CONNECTION WITH CONDEMNATION OF LANDS FOR EXTENDING RUNWAY AT DOUGLAS MUNICIPAL AIRPORT.

The following resolution was introduced by Councilman Baxter:

"WHEREAS, the City of Charlotte through its representative has been unable to agree with any of the property owners involved in the extension of the runway at Morris Field, with the exception of one property owner, and

WHEREAS, it is still the opinion of this Council that it is necessary and in the public interest of the City of Charlotte that the north-east-Southwest runway be extended as proposed by the National Guard.

NOW, THEREFORE, BE IT RESOLVED that the City Attorney be and he is hereby instructed to prepare the necessary papers to institute condemnation proceedings in connection therewith and to prosecute such proceedings as expeditiously as permitted by law."

Councilman Baxter moved the adoption of the resolution, which was seconded by Councilman Dellinger, and carried, with the votes cast as follows:

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

Councilman Boyd not voting.

COUNCIL CONCURS IN APPOINTMENT OF MR. ARNIE CASHION AS CHAIRMAN OF MECKLENBURG COUNTY REVALUATION BOARD.

A motion was offered by Councilman Baxter that inasmuch as the County Commissioners have unanimously appointed Mr. Arnie Cashion as Chairman of the Mecklenburg County Revaluation Board without a joint meeting with the City Council, and, also authorized a salary of \$6,500.00 for the Chairman and the City is obligated for approximately one-third of the salaries of the Board, that the City Council agree to and that they concur in the appointment of Mr. Arnie Cashion and authorize the payment of its part of the salary increase for the Chairman. It is also understood that in the future this and all such personnel as are appointed by the City and County jointly will be appointed in a joint meeting of the City Council and the County Commissioners. The motion was seconded by Councilman Van Every, and carried with the votes cast as follows:

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

Councilman Dellinger not voting.

CITIZENS REQUESTED NOTIFIED BY POLICE DEPARTMENT THAT VIOLATIONS OF ORDINANCE PROHIBITTING USE OF BB GUNS WILL BE PROSECUTED.

Councilman Baxter moved that inasmuch as a large number of children are receiving injuries to their eyes from BB gun shots in the hands of irresponsible persons, and in view of the fact that there is an ordinance in effect prohibiting the use of such guns within the city, that the City Manager be instructed to request the Police Department to exercise every means in calling to the attention of the citizens that violations of the ordinance will be prosecuted.

CITY ATTORNEY AUTHORIZED TO AVAIL HIMSELF OF THE SERVICES OF J.H. MCLAIN, ATTORNEY AND ASSISTANT COLLECTOR OF REVENUE IN GETTING STARTED THE CONDEMNATION PROCEEDINGS OF 36th STREET PROPERTY.

Councilman Boyd inquired if the City Attorney had started condemnation proceedings for the acquisition of property on 36th Street for the widening of the street. Mr. John D. Shaw, City Attorney, stated that he had not done so due to the fact that his entire time had been taken up with the airport matter. Councilman Boyd then suggested that the City Manager be instructed to secure the services of another attorney to assist the City Attorney in the 36th Street matter. Mr. Yancey, City Manager, stated that he had asked Mr. Shaw if he would use the services of Mr. J. H. McLain, Attorney and Assistant Collector of Revenue, and he had stated he would do so.

INQUIRY RELATIVE TO WORK ON RENNERT STREET.

Councilman Dellinger asked if the requested work on Renner Street has been done by the Engineering Department. Mr. Yancey, City Manager, replied that he did not know and will look into the matter.

DISCUSSION OF STONEWALL STREET UNDERPASS AND STONEWALL STREET OPENING.

Councilman Boyd asked if traffic would be able to move through the Stonewall Street Underpass when it is completed. The City Manager advised that it would not be able to do so until Stonewall Street is opened; that the widening of the present blocks of Stonewall Street between College and Church Streets and the opening of the street between Independence Boulevard and College Street will be done as one project upon the completion of the Underpass. Councilman Coddington asked if a contract could not be let now for the opening of the street from the Church Street end while the Underpass is being built so that they may be completed simultaneously. Mr. Yancey replied that plans for the opening of the street have all the time been to complete the underpass first and then do the street work; also that the City has not yet been able to acquire two pieces of property necessary for the street widening. Councilman Dellinger asked if the work could not be done by the City, to which the City Manager replied that it could be done by the

City unless the cost is over \$15,000.00, in which case it must be done under contract.

ADJOURNMENT.

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

Lillian R. Hayman
City Clerk