

A regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, May 3, 1950, at 11 o'clock a.m., with Mayor pro tem Aitken presiding, and Councilmen Albea, Boyd, Coddington, Daughtry, Jordan and Wilkinson present.

Absent: Mayor Shaw.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

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

ACTION DEFERRED UNTIL MAY 24th ON PETITION BY JOHN CROSLAND AND OTHERS FOR ANNEXATION OF PROPERTY TO THE CITY OF CHARLOTTE.

The Hearing on the Petition of John Crosland Company, Carrie Marshall Galloway and Hattie B. Adams for the annexation of an 82 acre tract of land in Berryhill Township, contiguous to the city limits of Charlotte, to the City of Charlotte, was held at this time, as advertised.

Following the reading of the Petition, the Ordinance entitled, "An Ordinance Extending the Corporate Limits of the City of Charlotte By Annexing Thereto Certain Property" was introduced and read. Councilman Daughtry moved the adoption of the ordinance. Motion was seconded by Councilman Jordan.

Councilmen Albea, Boyd and Coddington expressed objections to the annexation of more territory to the City for which facilities would have to be provided while the City is unable to supply proper streets, water and sewer mains and other facilities to the area already in the city limits. Councilman Boyd also suggested as there are other petitions for annexation pending, that consideration be given all petitions at the same time at a later date. Councilman Daughtry suggested that arrangements might be made whereby the developers of the annexed area would furnish the needed facilities and later be reimbursed by the City.

Mr. Frank McGleneghan, Attorney for Mr. Crosland, stated the annexed area would be financed through FHA, who much preferred that the property be inside the City limits; that 240 houses would be erected on the property to provide badly needed housing facilities to Charlotte residents. Mr. McGleneghan also advised that streets would be constructed and water and sewer lines installed by the developers.

Councilman Albea offered a substitute motion that action be deferred until the Council Meeting on May 24th. The motion was seconded by Councilman Boyd, and carried, with the votes cast as follows:

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

REQUEST FOR PAVING OF ATANDO AVENUE TAKEN UNDER CONSIDERATION.

A delegation of representatives of the twenty-seven business concerns located on Atando Avenue, representing some 2000 employees, appeared before Council and requested that Atando Avenue be paved. Mr. Frank Rose, Mr. Clontz, Mr. James Oody, Mr. Shaw, Mr. Hesse Page, Mr. Bill Strong and Mr. Rosenborough described the bad condition of the street as practically impassable, being full of holes and extremely dusty, and causing damage to their motorized equipment, as well as to merchandise hauled by them. They also stated the traffic is exceedingly heavy over Atando Avenue, due to the

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the the large number of concerns located on the street. The importance of the street as a connecting link between Hutchinson Avenue and North Tryon Street was stressed; it being stated that concerns located on Hutchinson Avenue in the vicinity of Atando Avenue are forced to go many blocks out of the way to either Sylvania or Dalton Avenue to reach North Tryon Street due to the condition of Atando Avenue. It was also stated that the Duke Power Company had promised bus service over the street for the convenience of the many employees when the street is paved.

Mr. Joe Choate, Realtor, stated this area of the city is growing fast and the investment of the many concerns on Atando Avenue brings much revenue to the City.

Mr. Tom Lynch of the Chamber of Commerce stated the branch offices of the nationally known concerns on Atando Avenue located their offices in Charlotte through the efforts of the Chamber of Commerce, who feel that the City should cooperate in improving the street, which he described as deplorable.

The City Manager advised that he and the City Engineer had been studying the situation and the cost of paving the street is estimated at \$90,000.00 which expenditure in this one location would prohibit work on the many other streets in similar conditions.

Mayor pro tem Aitken stated the matter would receive the attention of Council in an endeavor to work out some arrangement to relieve the bad condition of the street.

CONSTRUCTION OF BRIDGE AT EAST 25TH AND N. BREVARD STREETS AND IMPROVEMENTS TO SIDEWALK ON N. BREVARD STREET FROM SAL RY TO HIGHLAND PARK MFG. COMPANY TAKEN UNDER CONSIDERATION.

Mr. R. C. Caulder, resident of 2100 North Brevard Street, requested the construction of a bridge at East 25th and North Brevard Streets, as a connecting link to North Davidson Street. He stated it is now necessary to go six blocks to reach N. Davidson Street. He also requested that the sidewalk on North Brevard Street, from the Seaboard Railroad to Highland Park Manufacturing Company be improved, stating the City had placed large rocks on the sidewalk, making it impassable, when gravel and/or cinders are needed.

The City Manager expressed the opinion that the rocks were placed on the sidewalk preliminary to sidewalk construction. The matter was referred to the City Manager by the Council.

IMPROVEMENTS TO ST. JOHN STREET AND INSTALLATION OF STREET LIGHT REQUESTED.

Mr. A. L. Robinson, 2014 St. John Street was spokesman for a delegation who requested that St. John Street be improved by placing gravel thereon and leveling the street. He stated the street condition was made worse by the City's construction of sewer and water lines in the street recently. The erection of a street light at the lower end of St. John Street was also requested. The matter was referred to the City Manager.

PURCHASE OF TRACT OF LAND ON PLANK ROAD BY PINOCA VOLUNTEER FIRE DEPARTMENT REFERRED TO REAL ESTATE COMMITTEE.

Mr. Charles Henderson, Attorney, representing the Pinoca Volunteer Fire Department requested the City to sell the tract of land, containing approximately one-tenth of an acre, on Plank Road, to the said Fire Department, which is now under a 15-year lease to them and on which they have erected the Fire Department Building. He advised it is deemed advisable by the Board of Directors of the Fire Department to own the property due to the permanent construction of the building and the desire of the financial supporters of the Department that their investment will assure continued fire protection to the community. He requested that the Council have prepared the proper procedure for a fee simple title to the land and that the City accept \$50.00 to cover its expense in the matter. Following the discussion the matter was referred to the Real Estate Committee for consideration of advertising the land for sale at public auction, with certain stipulations.

REQUEST OF W. H. REEVES, JR. FOR RENEWAL OF TAXICAB OPERATOR'S PERMIT DENIED AND OF W. H. REEVES, SR., REFERRED TO CITY MANAGER.

The request of Mr. W. H. Reeves, Jr., for the renewal of his taxicab operator's permit was received as information and automatically denied when the City Manager advised that he had a Police record for numerous minor offenses and had admitted to him he had tampered with the governor placed on his cab by the Company for whom he was working.

The request of Mr. W. H. Reeves, Sr., for renewal of his Permit was referred to the City Manager, who advised Mr. Reeves had discussed the matter previously with him and that the Permit would be issued if and when an official of a Cab Company indicated to the City Manager, either in person or by letter, that he would employ Mr. Reeves to operate a Cab.

RECESS TAKEN AT ONE P.M., TO RECONVENE AT TWO-THIRTY P.M.

A recess for lunch was called by Mayor pro tem Aitken at 1 o'clock p.m., and the meeting reconvened at 2:30 o'clock p.m.

ORDINANCE (NO. 103) AMENDING THE SMOKE ABATEMENT ORDINANCE.

An ordinance entitled, "Ordinance (No. 103) Amending the Smoke Abatement Ordinance" was introduced and read, and upon motion of Councilman Jordan, seconded by Councilman Albea, was unanimously adopted. Ordinance is recorded in full in Ordinance Book 11, at Page 116.

ORDINANCE (NO. 104) REWRITING THE ELECTRICAL CODE.

An ordinance entitled, "Ordinance (No. 104) Rewriting the Electrical Code" was introduced and read. Motion for adoption was made by Councilman Daughtry, seconded by Councilman Wilkinson, and unanimously adopted. Ordinance is recorded in full in Ordinance Book 11, beginning at Page 117.

RESOLUTION RELATIVE TO EXCAVATION UNDER SIDEWALKS AT SOUTHWESTERN CORNER OF CHURCH AND THIRD STREETS.

A resolution entitled, "Resolution Relative to Excavation Under Sidewalks at Southwestern Corner of Church and Third Streets" was presented and read, and upon motion of Councilman Albea, seconded by Councilman Coddington, unanimously passed on its first reading. Resolution is recorded in full in Resolutions Book 1, at Page 276.

CONTRACT WITH MARSH REALTY COMPANY FOR WATER MAINS CONSTRUCTION IN MARSH ESTATES.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson and unanimously carried, contract was authorized with Marsh Realty Company for the construction of 8,200 feet of water mains and 7 fire hydrants in Marsh Estates, at an estimated cost of \$20,200.00, to serve residential property.

CONSTRUCTION OF NEW SANITARY SEWERS IN COUNTRY CLUB LANE, AND IN MARSH ESTATES APPROVED.

Motion was made by Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, authorizing the construction of new sanitary sewers in the following locations:

- (a) 420 feet of sewer in Country Club Lane, at an estimated cost of \$760.00, to serve 4 family units and 2 vacant lots. All costs to be borne by the City.
- (b) 7,456 feet of sewer in Marsh Estates, at an estimated cost of \$14,500.00 to serve 12 family units and 168 proposed units. All costs to be borne by the City and applicant's deposit of \$12,100.00 to be refunded in accordance with the contract.

PLAT OF MORNINGSIDE APARTMENTS, INC. APPROVED.

Councilman Jordan moved that the Plat of Morningside Apartments, Inc., be approved, as recommended by the Planning Board. Motion was seconded by Councilman Wilkinson, and unanimously carried.

DRIVEWAY ENTRANCES AUTHORIZED IN HOPEDALE AVENUE AND SCOTLAND AVENUE.

Upon motion of Councilman Coddington, seconded by Councilman Albea, and unanimously carried, One 8-foot driveway entrance was authorized at 2028 Hopedale Avenue and at 1410 Scotland Avenue.

TRANSFER OF FUNDS TO MOTOR TRANSPORT DEPARTMENT BUDGET AUTHORIZED.

Motion was made by Councilman Daughtry, seconded by Councilman Coddington, and unanimously carried, authorizing the transfer of \$22,500.00 to the Motor Transport Department Budget, Capital Outlay, Garbage Land Fill Road Machinery Account (Code 1511 G-25) from the following accounts:

\$4,000.00 from the Purchasing Department Budget (Code 1503 G-12)
\$2,250.00 from Motor Transport Dept. Equipment Depot (Code 1507)
\$6,250.00 from the Emergency Fund (Code 110)

SPECIAL OFFICER PERMIT AUTHORIZED TO T. P. FOWLER.

Councilman Wilkinson moved that a Special Officer Permit be issued to T. P. Fowler on the premises of Southern Bell Telephone Company. Motion was seconded by Councilman Jordan, and unanimously carried.

CEMETERY DEEDS AUTHORIZED EXECUTED.

Upon motion of Councilman Coddington, seconded by Councilman Albea, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer to S. B. Hall of the east-half of Lot 86, in Section 3, Evergreen Cemetery, at a cost of \$78.00.

CONTRACTS FOR PURCHASES APPROVED.

Motion was made by Councilman Albea, seconded by Councilman Coddington, and unanimously carried, authorizing contracts for purchases as follows, and the allocation of funds therefor, if required;

- (a) Contract with North Carolina Equipment Company for One Tractor equipped with bulldozer blade, as specified, for the sum of \$11,141.91.
- (b) Contract with Blythe Bros. Company for construction of street improvements on various city streets, as specified, on a unit price basis, representing a total price of \$52,579.50.
- (c) Contract with Fred Blake, Building Contractor, for construction of Shed at Mint-Museum of Art, as specified, at a bid price of \$1,797.00.
- (d) Contract with American Cyanamid Company, for 16,875-pounds of Sodium Fluoride, as specified, at \$11.25 cwt. f.o.b. shipping point, representing a total of \$1,898.44.

UNFIT HOUSING PROGRESS REPORT.

Mr. Yancey, City Manager, submitted the following Quarterly Unfit Housing Progress Report:

Number of housing units brought up to standard during period - 220
Number of housing units condemned - 65
Number of owners cited for hearing - 16
Number of housing units brought up to standard to date - 3,413.
Number of housing units demolished to date - 305

LEASE OF AIRPORT BUILDINGS REPORTED.

The City Manager reported that leases had been concluded for the following Airport Buildings:

<u>BUILDING NO.</u>	<u>LESSEE</u>	<u>MONTHLY RENTAL</u>	<u>DATE & TERM OF LEASE</u>
34	Z. B. Mullis	\$ 5.00	4-1-50 month to month
286	National Welders Supply Co.	54.00	4-15-50 1 yr - renewal
257	Charlotte 7-Up Bottling Co.	30.00	5-1-50 1 yr - renewal
47	L. R. Merriman	25.80	5-1-50 1 year
229	Manikin Artcraft Co.	79.65	2-1-50 2 years-renewal

REAPPOINTMENT OF W. T. COVINGTON TO THE CIVIL SERVICE COMMISSION.

Upon motion of Councilman Albea, seconded by Councilman Coddington and unanimously carried, Mr. W. T. Covington was reappointed to the Civil Service Commission for a period of three years, from the expiration of his present term of office on March 15th.

UNANIMOUS CONSENT GIVEN PRESENTATION OF UNDOCKETED ITEMS.

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

RESOLUTION COMMENDING RESERVE OFFICERS ASSOCIATION FOR ESTABLISHING AND OBSERVING NATIONAL DEFENSE WEEK, MAY 13TH TO 20TH, AND PLEDGING COOPERATION AND SUPPORT IN OBSERVANCE.

A resolution entitled, "Resolution Commending Reserve Officers Association for Establishing and Observing National Defense Week, May 13th to 20th, and Pledging Cooperation and Support in Observance", was introduced and read by Councilman Coddington, who moved its adoption. Motion was seconded by Councilman Albea, and was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Page 277.

FOUR DRIVEWAY ENTRANCES TO NEWLAND APARTMENTS PROJECT ON STATESVILLE ROAD AUTHORIZED.

Upon motion of Councilman Coddington, seconded by Councilman Jordan, and unanimously carried, Two 22-foot driveway entrances on the south end of the housing project and Two 22-foot entrances on the north end, for parking areas in Newland Apartments Project on Statesville Road being developed by C. D. Spangler Company, were authorized.

TWO DRIVEWAY ENTRANCES TO NEWLAND APARTMENTS PROJECT ON STATESVILLE ROAD, AUTHORIZED FOR SERVICE ROAD.

Motion was made by Councilman Wilkinson, seconded by Councilman Jordan, and unanimously carried, authorizing One 20-foot driveway entrance on Statesville Road and One 20-foot entrance on Newland Road, for service road to Newland Apartments Project, being constructed by C. D. Spangler Co.

BIDS FOR CONSTRUCTION OF ROADWAY AND BRIDGE EXTENDING HILLSIDE AVENUE TO PARK ROAD SCHOOL AUTHORIZED ADVERTISED.

Councilman Coddington moved that bids be authorized advertised for the construction of a roadway and bridge extending Hillside Avenue to Park Road School. Motion was seconded by Councilman Albea, and unanimously carried.

NOTIFICATION OF DECONTROL OF RENTS, EFFECTIVE MAY 1, 1950.

Mr. Yancey, City Manager, presented a communication from Mr. Tigue E. Woods, National Housing Expediter, advising that the Resolution of the City Council of Charlotte requesting the decontrol of rents had been approved, to become effective May 1, 1950. The communication was ordered filed with the City Clerk.

AND REPORT

GRADE CROSSING SURVEY MAP/ACCEPTED AND PAYMENT AUTHORIZED, AND PLANS FOR EAST STONEWALL STREET UNDERPASS AUTHORIZED DRAWN BY FRANK MILLER, CONSULTING ENGINEER.

The Report of Mr. Frank Miller, Consulting Engineer, Greensboro, N. C., of the Grade Crossing Survey, as provided in contract dated July 22, 1949, was submitted to the City Council and accepted, and payment therefor was authorized, as provided in said contract, following which Councilman Coddington moved that Mr. Miller be authorized to proceed to draw detailed plans for the East Stonewall Street Underpass (east side) at a price not to exceed 3% of the estimated cost of said project; the plans to be delivered to the City of Charlotte not later than between August 15th and 22nd.

ADJOURNMENT UNTIL MAY 17TH, 1950.

Upon motion of Councilman Jordan, seconded by Councilman Albee, and unanimously carried, the meeting was adjourned until Wednesday, May 17th, at 11 o'clock a.m.

Lillian R. Hoffman
City Clerk