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A regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Tuesday, March 25, 1947, with Mayor Baxter presiding, and Councilmen Childs, Hinson, Johnston, Puette and White present.

Absent: Councilmen McIntyre and Newson.

INVOCATION.

The invocation was given by Councilman J. S. Hinson.

MINUTES APPROVED.

Upon motion of Councilman Hinson, seconded by Councilman Johnston the minutes of the last meeting on March 18th were approved as read.

HEARING ON PROPOSED AMENDMENT TO ZONING ORDINANCE, AND ADOPTION OF ORDINANCE PROVIDING FOR CHANGE IN ZONING MAP.

Pursuant to a resolution adopted on March 4, 1947, providing for a Public Hearing on a proposed amendment to the Zoning Ordinance, and Notice of said Hearing advertised in The Charlotte Observer on March 6th and 13th, 1947, the Mayor announced that interested persons would now be heard on the subject.

Mr. C. W. Allison, Sr., stated that he and his son, C. W. Allison, Jr., who was present, had requested the change in the Zoning Map and recommended the adoption of the amendment to provide for the change.

No further comments being received, the following ordinance was introduced and read:

AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE ZONING ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 21, Section 2 of the City Code of the City of Charlotte (Ordinance Book 10) be amended by having "Building Zone Map, City of Charlotte, North Carolina" amended by changing from R2 Residence Districts to a BI Business Districts, the following described area:

"Beginning on the Northeast corner of Seigle Avenue and East 10th Street, bounded on the West by Seigle Avenue, on the South by East 10th Street, on the East by the present BI district and on the North by the present Industrial district".

Section 2. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

Councilman White moved the adoption of Ordinance as read. Motion seconded by Councilman Childs, and unanimously carried.

RESOLUTION AUTHORIZING CONVEYANCE OF PROPERTY TO VETERANS RECREATION AUTHORITY.

Mr. Louis G. Ratcliffe, Chairman of the Veterans Recreation Authority, requested that property on East Morehead Street, purchased as a site for the Veterans Recreation Center, be conveyed to the Authority by deed, and that funds allocated for use by the Authority be made available.

Whereupon, with the unanimous consent of Council the following

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resolution was introduced by Councilman Childs:

RESOLUTION AUTHORIZING CONVEYANCE
OF PROPERTY TO CHARLOTTE VETERANS'
RECREATION AUTHORITY AND AUTHORIZATION
OF DEED TO SAID PROPERTY.

WHEREAS, the General Assembly of North Carolina by Senate Bill No. 154 of its 1945 Session provided for the maintaining and operating of a Veterans' Recreation Center in the City of Charlotte, and

WHEREAS, said Senate Bill authorizes the City of Charlotte to convey to a Veterans' Recreation Authority real estate, and

WHEREAS, there has been duly created a Charlotte Veterans' Recreation Authority;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk be authorized and directed to execute a deed to the Charlotte Veterans' Recreation Authority conveying that property belonging to the City of Charlotte known as Lots 7 and 7-A, in Block 34 of Dilworth, according to a map thereof recorded in Map Book 3, page 10 in the office of the Register of Deeds for Mecklenburg County, in form and substance according to the copy of said deed hereto attached and subject to the conditions and restrictions therein set forth, and the City Clerk is further directed to copy said deed in the minutes of this meeting.

Councilman Childs moved the adoption of the foregoing resolution. Motion seconded by Councilman Puette, and unanimously carried.

DEED TO LOTS 7 and 7-A IN BLOCK 34 OF DILWORTH CONVEYED BY THE CITY OF CHARLOTTE TO THE VETERANS RECREATION AUTHORITY.

NORTH CAROLINA
MECKLENBURG COUNTY

THIS DEED, made and entered into this 25th day of March, 1947, by and between the CITY OF CHARLOTTE, a municipal corporation, organized and existing under and by virtue of the laws of North Carolina, of the County of Mecklenburg and State of North Carolina, party of the first part, and CHARLOTTE VETERANS' RECREATION AUTHORITY, a body politic and corporate, organized and existing under the laws of North Carolina, of the County of Mecklenburg and State of North Carolina, party of the second part,

W I T N E S S E T H:

That whereas, the party of the second part has been duly created under and in accordance with the provisions of Senate Bill No. 154 of the Session of 1945 of the General Assembly of North Carolina, for the purpose of maintaining and operating a veterans' recreation project in the City of Charlotte, North Carolina, and has agreed to maintain and operate such a project upon the conditions herein set forth:

NOW, THEREFORE, in consideration of the agreement by the party of the second part to maintain and operate such recreation project in accordance with the provisions of the Act of the General Assembly above referred to, the party of the first part does hereby sell and convey unto the party of the second part, and its successors and assigns, all those certain lots of land lying and being in Charlotte Township, Mecklenburg County and State of North Carolina, more particularly described as follows:

Being all of Lots 7 and 7-A, in Block 34 of Dilworth, according to a map thereof recorded in Map Book 3, page 10 in the office of the Register of Deeds for Mecklenburg County; and being the same property

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conveyed to the part of the first part herein by deed from Irene R. Biggers and husband, recorded in Book 1221, page 383 in said Register's office, to which said map and deed reference is hereby made."

TO HAVE AND TO HOLD the said property and all appurtenances thereunto belonging to the said party of the second part, its successors and assigns, to their only use and behoof forever.

THIS CONVEYANCE is made upon the following conditions to which the party of the second part, by accepting this deed, agrees to be bound:

1. The property hereby conveyed shall be operated and maintained under the control of the Commissioners of Charlotte Veterans' Recreation Authority in accordance with the provisions of the Act under which said Charlotte Veterans' Recreation Authority was created.

2. If the Charlotte Veterans' Recreation ^{Authority} ~~Center~~ shall cease to exist, or should it fail or refuse to maintain and/or operate veterans' recreational facilities upon the property hereby conveyed, or be prevented from so doing by any cause, or if the Authority, party of the second part shall determine, at any time that the property held by it is no longer needed for the purposes set forth herein and in the Act authorizing the Charlotte Veterans' Recreation Authority, or that the number of veterans, who wish to take advantage of the facilities offered at the Veterans' Recreation Center, is not sufficient, in the opinion of the Authority, to justify a continuation of the project, then, and in any of those events, said property shall revert to and become the property of the City of Charlotte and be held and used by it as other property owned by said City.

3. The party of the second part assumes and undertakes to be responsible for the payment of all social security taxes, withholding taxes, or liability under and by virtue of the North Carolina Workmen's Compensation Act, and under any Unemployment Insurance Act and in general assumes and agrees to pay all valid and enforceable claims hereinafter to be made against either the party of the first part or the party of the second part, or both, by reason of the construction, maintenance, and operation of the Veterans' Project by the party of the second part; and the party of the second part agrees to pay all sums of money hereafter to become due to the party of the first part for water or other utility service.

IN TESTIMONY WHEREOF the City of Charlotte has caused these presents to be signed in its name by its Mayor and its corporate seal to be hereto affixed and attested by its clerk, on the day and year first above written, all in pursuance of authority duly given by resolution of the Council of the City of Charlotte.

CITY OF CHARLOTTE

By H. H. Baxter Mayor

ATTEST:

Lillian R. Hoffman
City Clerk

APPROVED AS TO FORM:

John D. Shaw
City Attorney

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ERECTION OF NEW BUILDING IN INDEPENDENCE PARK FOR YOUTH CENTER PROPOSED BY HIGH SCHOOL STUDENTS.

The Group of High School Students present in the interest of retaining the use of the Armory Basement for the Teen-Age Club, were assured by Councilman Puette, Chairman of a Committee to investigate locations for both the Club and the National Guard Units, that every effort was being made to obtain suitable quarters.

Mayor Baxter stated that the Council would provide a location for the Teen-Age Club if and when the National Guard Units assume occupancy of the Armory Basement.

Ralph Sprague spoke for the Group of Students and proposed that the City erect a new building for a Youth Center in Independence Park.

REQUEST OF JOHNNY BELL FOR RENEWAL OF TAXICAB OPERATOR'S PERMIT DENIED.

Mr. Johnny Bell again requested the issuance of a permit to operate a taxicab, which permit was revoked in December 1946. Lieut. McCall, Taxicab Inspector, again stated the reason for the revocation of the permit was a safety measure and presented evidence of reckless driving, etc., to substantiate his decision in the matter, he again recommended that the Council sustain his action.

Mayor Baxter advised Mr. Bell that in view of his record as a driver as presented by Lieut. McCall, the Council could not authorize the renewal of his driver's permit to operate a taxicab.

REQUEST THAT CONTRACT FOR CROSSTOWN BOULEVARD WITH THE STATE HIGHWAY COMMISSION BE RESCINDED.

Mr. John A. McRae, Attorney, representing a Committee of citizens, who were present, presented a resolution, protesting the construction of that section of the proposed highway through Charlotte from Seventh Street to Morehead Street, which resolution ^{he stated} was adopted at a meeting of citizens of the Elizabeth and Piedmont sections of the city at Midwood School on March 21, 1947 and also adopted at a mass meeting at the Court House on March 24, 1947. The Resolution outlined the reasons for the opposition to the construction of the proposed boulevard. It also included the request that the City Council cancel and rescind its contract with the State Highway Commission for the construction of the highway, if said contract has been signed and has not been accepted by the Highway Commission, or if the contract has been accepted by the Commission that the City Council request a rescission of the contract by mutual consent between the City and the Highway Commission.

Mrs. Wilson White, Mr. Walter MacPhail and Dr. E. F. Tyson spoke in support of the resolution.

LEASE RENEWED WITH GULF OIL COMPANY FOR LOCATION OF STORAGE TANKS AT AIRPORT.

Councilman Johnston moved that Lease with the Gulf Oil Company be renewed for a term of 5 years from May 1, 1947, at \$50.00 per annum, for tract of land on which storage tanks are located, at the Municipal Airport. Motion seconded by Councilman Childs, and unanimously carried.

CONTRACT WITH GULF OIL COMPANY RELATIVE TO E. E. WEBB, TRADING AS CLEARVIEW AIRCRAFT INDUSTRIES, AT THE AIRPORT.

Motion was made by Councilman White that a contract-agreement be entered into with the Gulf Oil Company whereby the City will notify them of any default by E. E. Webb, trading as Clearview Aircraft Industries in his lease of building and land at the Municipal Airport, and whereby the City agrees to pay the said Oil Company any monies which might be due the said Webb for improvements to the property, should the lease with Webb be terminated before the loan being made by the Oil Company to Webb is satisfied. Motion seconded by Councilman Childs, and unanimously carried.

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PLAT OF BROOKDALE SUBDIVISION.

Upon motion of Councilman Hinson, seconded by Councilman Johnston, the plat of Brookdale Subdivision, located on the north side of York Road, and owned by W. W. Williams, Kannapolis, N.C., was unanimously approved as recommended by the Planning Board.

TRANSFER OF WATER DEPARTMENT FUNDS.

Motion was made by Councilman Johnston that the transfer of funds within the Water Department Budget be authorized as follows. Motion seconded by Councilman Hinson, and unanimously carried:

From - Salary Account for Chief Sanitary Engineer (Code 601-A-4A)	\$400.00
To - Vest Pumping Station, Salary of Specialists (Code 609-A-10)	80.00
Vest Pumping Station, Car Allowance (Code 609-B-10)	120.00
Sugaw Creek Disposal Plant, Salary of Specialists (Code 623-A-10)	40.00
Sugaw Creek Disposal Plant, Car Allowance (Code 623-B-10)	60.00
Erwin Creek Disposal Plant, Salary of Specialists (Code 624-A-10)	40.00
Irwin Creek Disposal Plant, Car Allowance (Code 624-B-10)	60.00

CONSTRUCTION OF SANITARY SEWER IN SMALLWOOD HOMES SUBDIVISION.

Upon motion of Councilman Hinson, seconded by Councilman Puette, the construction of sanitary sewers in Roslyn Ave., Gregg Street and Gardner Avenue, and trunk lines to Stewart's Creek (in Smallwood Homes Subdivision) were unanimously authorized, for a distance of 6,223 feet, to serve 63 houses under construction, at an estimated cost of \$12,176.40, to be financed by the City.

CONTRACT WITH CHARLOTTE INVESTMENT COMPANY FOR WATER MAINS IN SUNSET HILLS SUBDIVISION.

Councilman Johnston moved that contract be entered into with The Charlotte Investment Company, Geo. S. Goodyear, Pres., for the construction of water mains in Ideal Way Extension and Atherton Street (in Sunset Hills Subdivision) for a distance of 1,591 feet, estimated to cost \$2,963.80, to serve 25 houses, and the City to finance the construction on a guaranteed 10% revenue basis. Motion seconded by Councilman Hinson, and unanimously carried.

CONTRACT WITH THE CENTRAL BUILDERS, INC. FOR WATER MAINS IN DOULGAS TERRACE SUBDIVISION.

Upon motion of Councilman Hinson, seconded by Councilman Puette, contract was unanimously authorized with The Central Builders, Inc., Fred J. Wiggins, Pres., for the construction of water mains in Kohlar Ave., Arden Street, Highland Street and Edison Street (Douglas Terrace Subdivision) for a distance of 3,655 feet, estimated to cost \$6,519.00, and the City to finance the construction on a guaranteed 10% revenue basis.

PAYMENT TO CITY HEALTH DEPARTMENT FOR RAT-PROOFING THE VETERANS INFORMATION CENTER BUILDING.

Councilman Childs moved that payment of \$168.00 be authorized to the City Health Department for rat-proofing the Veterans Information Center Building, at 525 North Tryon Street. Motion seconded by Councilman Puette, and unanimously carried.

SPECIAL OFFICER PERMIT RENEWED TO JOHN M. SCULLION.

Upon motion of Councilman Hinson, seconded by Councilman Johnston, the Special Officer Permit issued to John M. Scullion for use on the premises of the Piedmont Building, was unanimously renewed for one year.

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CONTRACTS AND PURCHASES.

Councilman Puette moved that the following contracts, purchases and payments, and the allocation of funds therefor, if necessary, be authorized. Motion seconded by Councilman Hinson, and unanimously carried:

- (a) Contract with Lynchburg Foundry Company for 74,088 feet cast iron pipe and 40,000 lbs. cast iron fittings, at an estimated delivered price of \$90,645.28.
- (b) Contract with McWane Cast Iron Pipe Company for 18,000 feet cast iron pipe and expansion joints, at an estimated delivered price of \$9,077.00.
- (c) Supplemental contract with Lynchburg Foundry Company for over-run amounting to \$678.50, in contract dated May 14, 1946, for an estimated quantity of cast iron pipe and fittings, at an estimated price of \$26,051.72.
- (d) Contract with Pettit Motor Company, for One 1947 Ford Sedan, at a net delivered price of \$1,228.60.
- (e) Purchase of 60,000 Postal Cards from the Charlotte Post Office, at \$600.00, for the Water Department.
- (f) Purchase of Repair Parts for Hydrant from R. D. Wood Company, in the sum of \$195.06, for the Water Department.
- (g) Purchase of 10,000 Purchase Order Forms from Dixie Tag and Envelope Company, in the sum of \$155.30, for the Purchasing Department.
- (h) Purchase of Motor Vehicle License Registration Directory from Carolina Motor Club, in the sum of \$100.55, for the Police Department.
- (i) Purchase of One Clutch Cone Assembly from E. F. Craven Company, in the sum of \$112.47, for the Bulldozer at the Landfill Site.
- (j) Purchase of an Electric Water Heater from Duke Power Company, in the sum of \$171.58, for the Health Department.
- (k) Payment of \$110.75 to Stone's Lunch, for 443 meals for prisoners from March 1st to 15th, inclusive.

HOLIDAY GRANTED CITY EMPLOYEES ON EASTER MONDAY.

Councilman Johnston moved that city employees be granted a holiday on Monday, April 7th, in observance of Easter Monday. Motion seconded by Councilman Hinson, and unanimously carried.

UNANIMOUS CONSENT GIVEN PRESENTATION OF ITEMS NOT ON DOCKET.

Upon motion of Councilman Hinson, seconded by Councilman Johnston, the unanimous consent of Council was given the presentation of the following items not included in the Docket for today.

COUNCIL RESTATES SUPPORT OF CITY AUDITORIUM, NEW LIBRARY AND PARKS & PLAYGROUNDS EXTENSION.

Councilman Hinson moved that the Council go on record as a Unit in a restatement of our equal and unqualified support of a City Auditorium, new Library and Park & Playgrounds Extension, as was evidenced in our authorization on December 7, 1945, of a Bond Election for the said projects, which was held on August 23, 1946. Motion seconded by Councilman Childs, and unanimously carried.

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CITY ATTORNEY DIRECTED TO DRAFT AND PRESENT BILL TO MECKLENBURG DELEGATION TO GENERAL ASSEMBLY TO PROVIDE FOR DISTRIBUTION OF PERCENTAGE OF INCOME OF BOXING & WRESTLING COMMISSION TO CHARITIES OF THE CHARLOTTE OBSERVER AND THE CHARLOTTE NEWS.

Mayor Baxter stated that the Boxing and Wrestling Commission had requested that the proper legislation be adopted to legalize their making equal donations to The Charlotte Observer and The Charlotte News charity funds.

Councilman Hinson moved that the City Attorney be directed to draft and present to the Mecklenburg Delegation to the General Assembly an amendment to the City Charter providing for an equal distribution of not less than 80% of the gross income of the Commission to charities sponsored by The Charlotte Observer and The Charlotte News. Motion seconded by Councilman Childs, and unanimously adopted.

ADJOURNMENT.

Upon motion of Councilman Hinson, seconded by Councilman Johnston, the meeting was adjourned.

Leila R. Hoffman
City Clerk