

A regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 o'clock p.m., on Wednesday, May 11, 1949, with Mayor Shaw presiding, and Councilmen Aitken, Albea, Boyd, Coddington, Daughtry, Jordan and Wilkinson present.

-----

INVOCATION.

The invocation was given by the Reverend Mr. Samuel M. Inman, Pastor of Selwyn Avenue Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the minutes of the meeting on May 9, 1949 were approved as submitted.

REMARKS BY MAYOR SHAW RELATIVE TO THE RESPONSIBILITY OF THE COUNCIL IN THEIR ADMINISTRATION OF THE AFFAIRS OF THE CITY.

Mayor Shaw invited the attention of the new Council, on the occasion of their first regular meeting, to the tremendous responsibility imposed upon them as the Governing Body of Charlotte, and to the confidence evidenced by the voters in their ability for the just and fair administration of the city's affairs. He congratulated the Councilmen upon their election to this office of trust, and reminded them that upon their election last Tuesday their private lives went into oblivion and their actions became common knowledge to the good people of Charlotte. He stated, further, that Charlotte will continue to grow "in spite of the actions of the Council" but the city's program can be materially aided "because of functions of the Council" and asked that the Councilmen not only keep abreast of Charlotte but ahead of it. He ended his remarks by quoting from a statement by Judge Medina in New York City during the recent trials of a group of Communists - "Patience is one of life's greatest virtues. If we do not let the little things bother us, it gives us a certain peace of mind".

COOPERATION OF JUNIOR CHAMBER OF COMMERCE PLEDGED TO MAYOR AND COUNCIL.

The support and cooperation of the Junior Chamber of Commerce members to the newly elected Mayor and City Council was pledged by Mr. Charlie Henderson, the President, who further stated their membership wished a part in the City's plans for the development of Charlotte.

Mayor Shaw expressed his appreciation to Mr. Henderson and asked that he tell the Junior Chamber of Commerce members that their assistance would certainly be solicited.

ORDINANCE (NO. 67) TO AMEND THE ZONING ORDINANCE INTRODUCED, AND RESOLUTION PROVIDING FOR A PUBLIC HEARING THEREON ADOPTED.

An ordinance entitled, "Ordinance (No.67) Amending Chapter 21 of the City Code with Respect to the Zoning Ordinance", to change from an R-1 to an R-2 district property, as described, on Commonwealth Avenue, was introduced. Following the reading thereof, a Resolution entitled, "Resolution Providing for a Public Hearing on a Proposed Amendment to the Zoning Ordinance", setting the date of hearing on June 1, 1949, was presented and read. Councilman Albea moved the adoption of the resolution. Motion seconded by Councilman Jordan, and unanimously carried. Resolution is recorded in full in Resolutions Book 1, at Page 175.

ORDINANCE (No. 68) TO AMEND THE ZONING ORDINANCE INTRODUCED AND RESOLUTION PROVIDING FOR A PUBLIC HEARING THEREON ADOPTED.

An ordinance entitled, "Ordinance (No. 68) Amending Chapter 21 of the City Code with Respect to the Zoning Ordinance", to change from an R-2 to a B-1 district property, as described, on the east side of South Fox Street, was introduced. Following the reading thereof, a resolution entitled, "Resolution Providing for a Public Hearing on a Proposed Amendment to the Zoning Ordinance", setting the date of hearing on June 1, 1949, was presented and read. Councilman Jordan moved the adoption of the resolution. Motion seconded by Councilman Aitken, and unanimously carried. Resolution is recorded in full in Resolutions Book 1, at Page 176.

RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF MEETING IN CONNECTION WITH PERMANENT IMPROVEMENTS ADJACENT TO CERTAIN CITY SCHOOL PROPERTIES.

A resolution entitled, "Resolution Authorizing Publication of Notice of Meeting in Connection with Permanent Improvements Adjacent to Certain City School Properties", was introduced and read, and upon motion of Councilman Aitken, seconded by Councilman Wilkinson, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Page 177.

SUBDIVISION PLATS APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and unanimously carried, the following subdivision plats were approved:

- (a) Plat of Brentwood Plade Subdivision, located between West Boulevard, Barringer Drive and Shuman Avenue.
- (b) Plat of Kimberly Road Subdivision, located between West Boulevard, Barringer Drive and Shuman Avenue.

CONSTRUCTION OF NEW SANITARY SEWER MAINS APPROVED.

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

- (a) 8-inch sewer in Georgia Avenue, for a distance of 130-feet from Division Street north toward Matheson Avenue, at an estimated cost of \$197.12, to be paid by the City, and to service 1 house erected and 5 vacant lots.
- (b) 8-inch sewer in Kentucky Avenue, for a distance of 150-feet from Division Street north toward Matheson Avenue, at an estimated cost of \$258.50, to be borne by the City, to serve 5 houses erected and 1 vacant lot.
- (c) Contract with Central Builders, Inc. for 1,240 feet of 8-inch sewer in Wesley Ave., easterly to Duncan Street, to serve 3 houses erected, 30 houses proposed and 32 vacant lots, and estimated to cost \$3,726.80, to be borne by the city. The applicant to deposit the full amount of the cost, same to be subsequently refunded in accordance with the terms of the contract.
- (d) Contract with F. C. Yarborough, for 278 feet of 8-inch sewer in Brandon Circle, from Briarwood Creek Outfall towards Brandon Circle, to serve 4 houses now using septic tanks, and 6 vacant lots. Estimated to cost \$1,073.38, to be borne by the City. Applicant to deposit full amount of the cost, same to be subsequently refunded in accordance with the terms of the contract.
- (e) Contract with W. H. Blake, for 115-feet of 8-inch sewer in Georgia Ave., from Division Street north toward Matheson Ave., to serve 1 house erected and one vacant lot. Estimated to cost \$248.60, to be borne by the City; applicant to deposit the deposit of \$48.60, to be refunded if and when one additional house is connected to the sewer.

CONTRACT WITH W. T. MINOR FOR CONSTRUCTION OF WATER MAINS IN POTTERS ROAD.

Councilman Albea moved that contract be approved with Mr. W. T. Minor for the construction of a 6 inch water main for a distance of 1,530 feet in Potters Road, at an estimated cost of \$5,400.00, to be borne by the applicant. Motion seconded by Councilman Wilkinson, and unanimously carried.

AMENDMENT TO CONTRACT WITH NATIONAL CARBON COMPANY.

Councilman Jordan moved the authorization of an amendment to the contract dated April 21, 1948 with National Carbon Company, approving the change in the location of the water line from Hoskins Reservoir to the plant of the Carbon Company. Motion seconded by Councilman Albea, and unanimously carried.

CONTRACTS FOR MISCELLANEOUS PURCHASES AND SALE OF SLUDGE.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and unanimously carried, the following contracts for purchases and the sale of sludge were authorized, together with the allocation of funds therefor, if required:

- (a) Contract with Atlas Supply Company, Charlotte, for 32,000 feet of Genuine Wrought Iron Pipe, on a unit price basis, representing a total price of \$8,628.80, subject to 2% cash discount.
- (b) Contract with Electric Ice & Fuel Company, Charlotte, for 3 cars of Pocahontas Egg Coal (approximately 165 tons) on a unit price basis of \$12.00, representing a net delivered price of \$1,980.00.
- (c) Contract with The Ford Meter Box Company, Wabash, Ind., for 1,000 meter yokes, at a net delivered price of \$3,190.00, for the Water Department.
- (d) Contract with Concrete Products Company, Charlotte, for 1,000 Concrete Meter Boxes, on a unit price basis of \$4.25, representing a total net delivered price of \$4,250.00.
- (e) Contract with John P. Pettit, Charlotte, for the sale of the city's one-year production of surplus digested sludge, approximately 1,600 cubic yards, f.o.b. Sugaw Creek Sewage Treatment Plant, at \$1.10 per cubic yard, amounting to \$1,760.00.

CONTRACTS FOR THE PURCHASE OF WATER MAINS AND FIRE HYDRANTS IN ANNEXED AREA.

Motion was made by Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, authorizing contracts with the following persons for the purchase of water mains located in the area annexed on January 1, 1949, payment for which to be made by the City within 12 months from date of contracts without interest, and when funds are available:

- (a) 2,123 feet of main in Kennedy Street, Pine Street, Poplar Street and Church Street, at a total price of \$332.96, from J. R. Cherry, Charlotte.
- (b) 2,772 feet of main in Meadow Lane, Meyer Boulevard and Admiral Avenue, at a total price of \$1,617.90, from J. C. Baugh, Charlotte.
- (c) 2,500 feet of main in Willow Oak Road, at a total price of \$58.90, from American Trust Company.
- (d) One fire hydrant, located at the intersection of Selwyn Ave., and Ridgewood Avenue, at a price of \$172.40, from W.P. Mitchell, Charlotte.

- (e) 2,852 feet of main in Westfield Road, Jamestown Drive and Lynwood Drive, and 4 fire hydrants, at a total price of \$8,169.85, from Scotland Colony, Inc., Charlotte.
- (f) 3,207 feet of main and 3 fire hydrants, in Melbourne Court, Melbourne Circle and Marsh Road, at a total price of \$5,619.37, from Morebilt Homes, Inc., Charlotte.
- (g) 4,838 feet of main in Lorene Ave., Normandy Road, Fairway Circle, Colony Road and Greenbriar Road, at a total price of \$1,378.51, from John R. Pender, Charlotte.

#### HOLIDAY GRANTED CITY EMPLOYEES ON MAY 20, 1949.

Councilman Alba moved that a holiday be allowed City Employees on Friday, May 20th, in observance of the Signing of the Mecklenburg Declaration of Independence on May 20, 1775. Motion seconded by Councilman Boyd, and unanimously carried.

#### CEMETERY DEED APPROVED FOR TRANSFER.

Upon motion of Councilman Jordan, seconded by Councilman Wilkinson, and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with J. D. Sandridge and wife, for the transfer of Lot 57, Section 3, Evergreen Cemetery, at a price of \$156.00.

#### LEASE OF AIRPORT BUILDINGS CONCLUDED.

The City Manager reported that leases had been concluded for buildings at Douglas Municipal Airport, with the following concerns:

BUILDING NO.	LESSEE	MONTHLY RENTAL	DATE AND TERM OF LEASE	
118	Pure Oil Company (renewal)	\$27.00	5-15-49	1 year
119	Pure Oil Company (renewal)	27.00	5-15-59	1 year
285 (N.end)	W.M.P. Industries (renewal)	56.00	4-15-49	1 year
286 (S.end)	W.M.P. Industries (renewal)	21.00	4-15-49	1 year
353	W.M.P. Industries (renewal)	12.50	4-15-49	1 year
354	W.M.P. Industries (renewal)	5.00	4-15-49	1 year
70	Morris Theatre	75.00	6-1-49	1 year
257	Seven-up Bottling Company	30.00	5-1-49	1 year
362	Southern Airways Company	200.00	4-1-49	5 years
Old Administration Building	Southern Airways Co.	40.00	4-1-49	5 years

#### ELECTION OF MAYOR PRO TEMPORE.

Councilman Alba moved the election of Councilman G. Douglas Aitken as Mayor pro tempore. Motion seconded by Councilman Coddington, and unanimously carried.

Councilman Aitken voiced his thanks to the Council for the honor of being selected Mayor pro tem, and pledged his best efforts to the fulfillment of his duties.

#### DAY AND HOUR FOR REGULAR COUNCIL MEETINGS ESTABLISHED.

Councilman Daughtry moved that the time for regular Council Meetings be changed from 4 o'clock p.m., on Wednesday of each week to 11 o'clock a.m., on Wednesday of each week. Motion was seconded by Councilman Wilkinson.

A substitute motion was offered by Councilman Boyd that the regular Council Meetings be held in accordance with the tradition of the Governing Body of Charlotte for at least the last twenty-five years and that is at 4 o'clock in the afternoon. Motion was seconded by Councilman Jordan.

May 11, 1949  
Minute Book 33 - Page 21

Councilman Aitken raised a point of parliamentary law, that the substitute motion was not germane to the motion, and, therefore, should not be considered, even though he, personally, favored the proposal expressed in the substitute motion.

Whereupon, the Mayor called for a vote on the main motion, which carried, with the votes cast as follows:

AYE: Councilmen Albea, Coddington, Daughtry and Wilkinson.

NAYE Councilmen Aitken, Boyd and Jordan.

#### APPOINTMENT OF CITY RECORDER.

Councilman Boyd moved the nomination of Mr. E. McA. Currie as City Recorder, for a term of two years, at the present salary paid the Recorder. Motion seconded by Councilman Coddington.

Upon motion of Councilman Jordan, seconded by Councilman Aitken, and unanimously carried, nominations for the office of City Recorder were closed.

Votes on the motion were then cast, and the motion unanimously carried, and Mr. E. McA. Currie was appointed as City Recorder.

#### APPOINTMENT OF CITY SOLICITOR.

Councilman Daughtry moved the nomination of Mr. Thomas G. Lane, Jr., as City Solicitor, for a term of two years, at the salary paid the present Solicitor.

There being no further nominations, the vote was taken, and Mr. Lane was unanimously appointed City Solicitor.

#### APPOINTMENT OF VICE RECORDER.

Councilman Jordan moved the nomination of Mr. James B. McMillan as Vice Recorder, for a term of two years, to be paid at the rate of \$15.00 per diem for such time as he serves the Court during the vacation period allowed the City Recorder. Motion seconded by Councilman Albea.

Upon motion of Councilman Jordan, seconded by Councilman Aitken, and unanimously carried, the nominations were closed.

The votes on the motion were then cast, and Mr. McMillan was unanimously appointed as Vice Recorder.

#### PIEDMONT WELDING COMPANY GRANTED PERMISSION TO ERECT WELDING SHOP AT 1302 EAST TENTH STREET.

Upon motion of Councilman Albea, seconded by Councilman Jordan, the unanimous consent of Council was given the City Manager to present the following item, not included in the Council Meeting Docket:

Mr. Yancey, City Manager, recommended approval of the application of the Piedmont Welding Company to erect a welding shop at 1302 East Tenth Street. Motion was made by Councilman Boyd, seconded by Councilman Coddington and unanimously carried, granting the request.

#### APPOINTMENT OF CERTAIN CITY OFFICERS DEFERRED UNTIL FUTURE MEETING.

Councilman Boyd moved that the appointment of the remaining City Officers, to be made by the Council, be deferred until some future meeting, and such present officers serve under the provisions of the Charter until they, or their successors, are appointed. Motion was seconded by Councilman Daughtry, and unanimously carried.

HOUR FOR CERTAIN HEARINGS ESTABLISHED HEREIN, FIXED TO CONFORM WITH CHANGE IN MEETING HOUR OF CITY COUNCIL.

Councilman Coddington moved that the hour of 4 o'clock, p.m., on the first day of June, 1949 established for Hearings on the Amendments to the Zoning Ordinance, to change the Building Zone Map, and 4 o'clock p.m., on the 18th day of May, 1949, for the Hearing with regard to permanent improvements adjacent to certain city school properties, be changed to 11 o'clock a.m. on said dates, to conform with the hour established for the regular Council Meetings. Motion seconded by Councilman Jordan, and carried, with Councilman Boyd recorded as voting against the motion.

ADJOURNMENT.

Upon motion of Councilman Jordan, which unanimously carried, the meeting was adjourned.

*Lillian R. Haffman*  
City Clerk