

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

Absent: Mayor Shaw.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Wilkinson, and unanimously carried, the minutes of the last meeting on January 4th, were approved as submitted.

ORDINANCE (NO. 84) AMENDING THE ZONING ORDINANCE TO CHANGE THE BUILDING ZONE MAP ON THE PROPERTY OF ROCKLEDGE APARTMENTS ON ROSWELL AVE. AND NORMANDY ROAD DENIED.

Pursuant to the introduction on November 9th, 1949 of an Ordinance (No. 84) to Amend the Zoning Ordinance by changing the Building Zone Map from R-1 to R-2 zone on the Rockledge Apartments property on Roswell Avenue and Normandy Road, and the adoption of a Resolution fixing the date of hearing on November 30th, and deferred until today, Mayor pro tem Aitken called for the discussion of the question by interested persons.

Mr. Henry Dockery, Attorney representing the property owner, Mr. D. C. Carmicheal, requested that the change in zoning be approved, as recommended by the Zoning Board of Adjustment.

Mr. David Craig, Attorney representing a number of residents of the area opposing the change in zoning, stated the present zone line at Sterling Place is the logical zoning, all north being zoned R-2 and south R-1 with no apartments and requested that the R-k portion not be rezoned to R-2. That the property in question has a frontage of 260 feet, with a ravine at the rear which constitutes waste land; that the remainder of the lot is now occupied by Rockledge Apartments, making an equal distribution of benefit and burden of zoning to the property owner. That the erection thereon of additional apartments will congest the property, throw additional traffic onto Roswell Avenue and depreciate the value of residential property adjoining the lot, which was purchased at an R-1 zone price. He called attention to having filed a petition protesting the change at the Council Meeting on December 14th, 1949, and to the fact that the State Zoning Laws provide that before a change is made where a protest has been duly filed it must be by a three-fourth vote of the entire Council.

Mr. Dockery advised the original zoning of property was not supposed to be permanent; that the function of the Zoning Board of Adjustment is to right any wrong zoning. He called attention to the fact that the present Rockledge Apartments has existed since 1921 and the adjoining property owners purchased their property with the full knowledge of its existence and possible expansion. He further stated that the owner is willing to let the three lots along the east side of Normandy Road remain in an R-1 zone if the remaining area in question is rezoned to an R-2 district.

Councilman Albea, who stated his understanding of zoning is to protect the homes of residents, moved that the rezoning be denied and the ordinance not be adopted. Motion was seconded by Councilman Coddington, and was unanimously adopted.

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ORDINANCE (NO. 88) TO AMEND THE ZONING ORDINANCE BY CHANGING THE BUILDING ZONE MAP ON LOTS 1-6 OF BLOCK 21 OF VERNON DRIVE DEFERRED UNTIL JANUARY 25th.

Upon the request of the petitioner, Mr. Lee Heath and of the opposing persons, the Hearing in connection with the adoption of an Amendment to the Zoning Ordinance, to change the Building Zone Map from R-1 to R-2 on Lots 1-6 of Block 21 of Vernon Drive, Pharr Acres, was deferred until January 25th, upon motion of Councilman Wilkinson, seconded by Councilman Daughtry, and unanimously carried.

REQUEST FOR TRAFFIC SIGNALS ON TUCKASEEGE ROAD FOR PROTECTION OF GLENWOOD SCHOOL CHILDREN, TAKEN UNDER CONSIDERATION.

The Reverend Raymond Long, spokesman for a delegation of residents of the Glenwood Section, requested the erection of traffic signals at Tuckaseege Road and Clay Street, Parkway Street, Bigham Street and Thrift Road, for the protection of school children. He advised that during the last year five children were injured in traffic accidents within the area. Also, that a Recreational Center is to be erected within the area, which will necessitate additional crossing of Tuckaseege Road by children. It was further stated that 166 children cross Tuckaseege Road at Clay Street twice daily to and from school; that the patrol protection given the area by Policemen is not adequate.

Mayor pro tem Aitken advised the Traffic Engineer will be directed to make a survey of the area and report to Council.

DISAPPOINTMENT OF RESIDENTS IN LOCATION OF STREET CONNECTING GREENE STREET AND CAMP STREET EXPRESSED, AND FACILITIES REQUESTED.

A large delegation of the Greene Street area appeared before Council. Mrs. Ralph Reichard again expressed the disappointment of the residents at the location of the connecting street between Greene Street and Camp Greene Street, stating the Council had broken faith with the residents in not conforming to their wishes in locating the street as they desired.

Mayor pro tem Aitken expressed regret that the work of the Council in providing a street to serve not only the residents of Greene Street but of the entire area, and give a shorter route to school to the 90 children of the area, had proved a disappointment to the residents. He stated in his opinion the route constructed would be approved for Bus Service as quickly as the route desired by the residents, as he had discussed the matter with the Duke Power Company officials, who stated they had made no commitments relative to providing bus service over either route.

Complaints were registered by various residents of the area that since being taken into the city limits the area had not been provided with sidewalks, sanitary sewers, street lights, fire hydrants and other facilities for which they are paying taxes. The specific request was made by Mr. R. P. Alexander of Highland Street that connections be made to the 6" water line in Wilkinson Boulevard to service fire hydrants within the area, which he also requested installed. Also, that the wooded area be cleared as a passage-way for children.

Mayor pro tem Aitken, Councilman Coddington and the City Manager stated that the areas annexed to the City on January 1, 1949 were being serviced with needed facilities as rapidly as possible, with no area being given preference, and the requested facilities would be provided the Greene Street area as soon as time and funds permitted.

ORDINANCE (NO. 91) TO AMEND THE ZONING ORDINANCE INTRODUCED AND RESOLUTION ADOPTED PROVIDING FOR A HEARING ON FEBRUARY 1, 1950.

An ordinance entitled, "Ordinance (No. 91) to amend the Zoning Ordinance", to change the Building Zone Map from R-1 to B-1 on properties located near the intersection of Fugate Avenue and Independence Boulevard, in Echo Hills Development, was introduced and read. Following which a Resolution Providing for a Hearing thereon, on February 1, 1950 was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Jordan, was unanimously carried.

Resolution is recorded in full in Resolutions Book 1, at Page 235.

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ORDINANCE (No. 92) TO AMEND THE ZONING ORDINANCE INTRODUCED AND RESOLUTION ADOPTED PROVIDING FOR A HEARING THEREON ON FEBRUARY 1, 1950.

An ordinance entitled, "Ordinance (No. 92) to Amend the Zoning Ordinance", to change the Building Zone Map from R-1 to R-2 on approximately 24 acres of land on Cambridge Road, Guilford Road, South Sunset Drive and Meadow Road, was introduced. Following the reading thereof, a Resolution Providing for a Hearing thereon, on February 1, 1950 was introduced and read, and upon motion of Councilman Jordan, seconded by Councilman Wilkinson, was unanimously adopted.

Resolution is recorded in full in Resolutions Book 1, at Page 236.

ORDINANCE (No. 90) TO PROVIDE FOR ESTABLISHMENT OF BUILDING SETBACK LINES DEFERRED.

Consideration of an Ordinance to provide for the establishment of Building Setback lines was deferred.

RESOLUTIONS PROVIDING FOR THE ISSUANCE OF \$4,075,000/00 CITY OF CHARLOTTE BONDS, AND FIXING THE FORM AND MANNER OF EXECUTION OF SAID BONDS AND PROVIDING FOR THEIR SALE, ADOPTED.

Councilman Jordan introduced each of the following resolutions, which were read:

Resolution entitled, "Resolution Providing for the Issuance of \$200,000 Fire Alarm System Bonds",

Resolution entitled, "Resolution Providing for the Issuance of \$200,000 Police Station Bonds",

Resolution entitled, "Resolution Providing for the Issuance of \$675,000 Water Bonds",

Resolution entitled, "Resolution Providing for the Issuance of \$1,000,000 Sanitary Sewer Bonds",

Resolution entitled, "Resolution Providing for the Issuance of \$1,000,000 Recreational Facilities Bonds",

Resolution entitled, "Resolution Providing for the Issuance of \$1,000,000 Street Improvement Bonds",

Resolution entitled, "Resolution Fixing the Form and Manner of Execution of \$4,075,000 Bonds and Providing for Their Sale".

In reply to the inquiry of Councilman Boyd if the Council was releasing control of the funds from the Recreational Facilities Bonds, the City Attorney replied that the issuance of the Bonds means that the City of Charlotte is securing the money. Councilman Boyd then stated, for the record, he understands this to mean that the City Council will have control of the Recreational Facilities Bond funds and it can only be secured by the Park and Recreation Commission upon request and its transfer to them by the City Council.

Councilman Jordan moved the adoption of each of the resolutions as it was read, which motions were seconded by Councilman Wilkinson as made, and each motion unanimously carried, and each resolution was adopted unanimously.

Each of the seven Resolutions and the motions are recorded in full in Resolutions Book 1, beginning at Page 239 and ending at Page 252.

CONTRACT AWARDED COLUMBIAN BANKNOTE COMPANY FOR PRINTING \$4,075,000 BONDS.

Upon motion of Councilman Coddington, seconded by Councilman Jordan, and unanimously carried, contract was awarded the Columbian Banknote Company for printing the \$4,075,000 City of Charlotte Bonds, at \$1,449.00, if all bonds bear the same interest rate, plus \$17.50 additional for each additional rate per bond issue.

CONSIDERATION OF PURCHASE OF LOT AT EAST BOULEVARD & LOMBARDY CIRCLE DEFERRED.

At the suggestion of the City Attorney, consideration of the purchase of the corner lot at East Boulevard and Lombardy Circle as a site for a Fire Station was deferred for further investigation.

RESOLUTION AUTHORIZING CONVEYANCE OF CITY SCHOOL PROPERTY TO THE BOARD OF SCHOOL COMMISSIONERS OF THE CITY OF CHARLOTTE.

A resolution entitled, "Resolution Authorizing Conveyance of City School Property to the Board of School Commissioners of the City of Charlotte", was introduced and read. Councilman Daughtry moved the adoption of the resolution. Motion was seconded by Councilman Jordan, and carried, with the votes cast as follows:

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

Resolution is recorded in full in Resolutions Book 1, at Page 253.

TRANSFER OF \$4,400.00 FROM WATER DEPT. EMERGENCY FUND TO WATER DEPT. SALARIES ACCOUNTS FOR EMPLOYMENT OF FOUR ADDITIONAL EMPLOYEES.

Motion was made by Councilman Jordan, seconded by Councilman Wilkinson, and unanimously carried, authorizing the transfer of \$4,400.00 from the Water Dept. Emergency Fund (Code 613) to the Water Department Salaries Accounts in the Administrative, Billing & Collection, and Shops Divisions as follows, to cover the salaries of four additional employees:

Code 601 A-7	\$600.00
Code 607 A-7	\$600.00
Code 607 A-8	\$287.00
Code 607 B-10	\$300.00
Code 610 - Undistributed	\$1,500.00
Code 610 A-7	\$1,113.00

MAXIMUM PENALTY OF 25% FIXED ON CITY PRIVILEGE LICENSES FOR FISCAL YEAR 1949-50.

Upon motion of Councilman Daughtry, seconded by Councilman Jordan, and unanimously carried, 25% was fixed as the maximum penalty on City Privilege Licenses for the fiscal year 1949-50.

PLAT OF ADDITION TO SEDGEFIELD SUBDIVISION APPROVED.

Motion was made by Councilman Albea, seconded by Councilman Jordan, and unanimously carried, approving the Plat of an addition to Sedgefield Subdivision as recommended by the Planning Board.

CONSTRUCTION OF NEW SANITARY SEWERS

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, the construction of new sanitary sewers were approved as follows:

(a) 8-inch sewer for 156 feet in Sherwood Ave, at an estimated cost of \$420.00 to serve one family unit, at request of The Stephens Grocery. Applicant's deposit of \$220.00 not to be refunded.

(b) 8-inch trunk sewer and sewer main in Theophilus Street, Sedgefield Court and Concord Street, for 1,247 feet, at an estimated cost of \$3,240.00 to serve 11 houses, and 14 lots of Mr. Chase Brenizer. All costs to be borne by the city.

(c) 8-inch sewer for 255-feet in Berryhill Road, from Range Road south toward Morton Street, at an estimated cost of \$400.00, to serve 2 family units and 1 vacant lot, at the request of Mrs. C. C. Hook. All cost to be borne by the City.

(d) 8-inch sewer and mains in Ideal Way for a distance of 505-feet, at an estimated cost of \$1,180.00, to serve 5 family units and 4 vacant lots. All costs to be borne by the City.

(e) Contract with J. H. Ashcraft for the construction of an 8-inch sewer in Park Road, at an estimated cost of \$240.00. The entire cost to be borne by the City, and applicant's deposit of \$40.00 to be refunded in accordance with the terms of the contract.

PORTION OF FOREST ROAD TAKEN OVER FOR FULL MAINTENANCE.

Councilman Albea moved that Forest Road, from Matheson Avenue east approximately one block to dead-end street, be taken over for full maintenance. Motion was seconded by Councilman Coddington, and unanimously carried.

CONTRACT AWARDED CHARLIE WATSON FOR CONSTRUCTION OF WATER MAINS IN BIDDLE HEIGHTS ANNEX NO. 2 SUBDIVISION.

Motion was made by Councilman Wilkinson, seconded by Councilman Daughtry, and unanimously carried, authorizing a contract with Charlie Watson for the construction of 800-feet of water mains in Biddle Heights Annex No. 2 Subdivision, at an estimated cost of \$800.00, to serve property abutting on Vinton Street. The city to finance all costs, and the applicant to guarantee an annual revenue equal to 10% of cost.

CURB CUTS AUTHORIZED FOR DRIVEWAYS AT 430 EAST 36th ST. AND AT 2220 HASTINGS DRIVE.

Upon motion of Councilman Albea, seconded by Councilman Coddington and unanimously carried, the following curb cuts for driveways were authorized:

(a) 30-foot curb cut at 430 East 36th Street at request of J. R. Waddell & Sons.

(b) 18-foot curb cut at 2220 Hastings Drive, at request of Mr. S. A. Laslie.

ANNUAL REPORT OF CITY ATTORNEY FILED.

The City Manager reported that the Annual Report of Mr. John D. Shaw, City Attorney, for the fiscal year 1949 has been received.

UNANIMOUS CONSENT GIVEN PRESENTATION OF UNDOCKETED ITEMS.

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

RESOLUTION RELATIVE TO INVITING THE SOUTHERN BAPTIST CONVENTION AND NORTH CAROLINA BAPTIST STATE CONVENTION TO ESTABLISH THE PROPOSED SOUTHERN BAPTIST EASTERN SEMINARY IN CHARLOTTE.

A resolution entitled, "Resolution Relative to Inviting the Southern Baptist Convention and North Carolina Baptist State Convention to Establish the Proposed Southern Baptist Eastern Seminary in Charlotte" was introduced and read, and upon motion of Councilman Jordan, seconded by Councilman Coddington, was unanimously adopted.

Resolution is recorded in full in Resolutions Book 1, at Page 254.

APPOINTMENT OF MEMBER TO ZONING BOARD OF ADJUSTMENT DEFERRED ONE WEEK.

Upon the request of Councilman Coddington, Councilman Albea moved that the appointment of a member to the Zoning Board of Adjustment to fill the term of office, now held by Mr. Frank E. Harlan, expiring on January 28th, be deferred until January 18th. Motion was seconded by Councilman Jordan, and unanimously carried.

APPOINTMENT OF TWO MEMBERS TO THE CHARLOTTE FIREMEN'S RELIEF FUND BOARD OF TRUSTEES DEFERRED ONE WEEK.

The Council deferred for one week the appointment of two members to the Board of Trustees of the Charlotte Firemen's Relief Fund, which are to be made during January, as provided by the General Statutes.

POLICY ADOPTED RELATIVE TO THE EXTENSION OF ADDITIONAL WATER LINES, CONTAINED IN REPORT OF SUPERINTENDENT OF WATER DEPARTMENT AND PRESENTED BY CITY MANAGER.

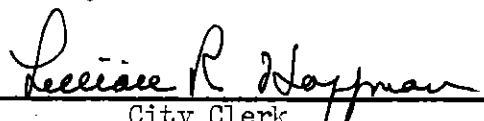
Two reports from Mr. Franklin, Superintendent of the Water Department, relative to the policy of the City for the extension of a dditional water lines were presented by the City Manager, who recommended their adoption.

Upon motion of Councilman Albea, seconded by Councilman Coddington the unanimous consent of Council was given the consideration of the recommendation.

Councilman Coddington moved the adoption of the policy as contained in the Reports. Motion was seconded by Councilman Albea, and unanimously carried.

ADJOURNMENT.

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

  
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City Clerk