

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, October 3, 1951, at 4 o'clock p.m., with Mayor Shaw presiding and Councilmen Albea, Baxter, Coddington, Jordan, Dellinger and Van Every present at the opening of the meeting, Councilman Boyd joined the Council in time to vote on instituting condemnation proceedings against J. B. Fraley Estate and M. B. Cozart et al.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

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

PROTEST PLAN OF THE CITY COUNCIL TO ACQUIRE 11.16 ACRES REID PROPERTY FOR SEWER DISPOSAL OPERATION.

Mr. John A. McRae, Attorney for Lydia Reid Cochran and husband, N. S. Cochran and Mr. Arthur C. Bernard, husband of Mrs. Nancy A. Bernard, appeared before the City Council with the plea that the City abandon its plan to improve and enlarge the present Sugaw Creek Disposal Plant and to build a new plant farther away from the City of Charlotte and 11.16 acres of property of Lydia Reid Cochran and husband, N. S. Cochran and Nancy A. Bernard and husband, A. C. Bernard, which representatives of the City have attempted to purchase without success.

Mr. J. A. McRae stated that he believed this property was less than six miles by airline from the Square and the fact that the present Sugaw Creek Disposal Plant is in the proximity of the property of his clients retarded the development of this property for residential purposes, and for the City to add to and improve this property and the acquiring of this additional land for this purpose will further damage the remaining property.

He petitioned the City Council to abandon this plan and to buy a site farther away from Charlotte and this property, and build a new plant.

Mr. Bernard elaborated on the observations of Mr. McRae, stating that the present disposal plant is very near to Selwyn Village and that the odors are already obnoxious and for this plant to be enlarged and the drying beds to be increased materially would practically run the people out of this village; that he anticipated that the City would have a lot of law suits and if the present plant is enlarged that within five years it would still be necessary to build a new plant and that it would be to the City's advantage to build a new plant now farther away from the city.

Mr. H. A. Yancey, City Manager, stated that the matters referred to by the attorney had been taken into consideration by the City Attorney, and the attorneys for the project, and also called the Council's attention to the fact that to go farther away from town would bring a new disposal plant closer to the South Carolina line and that recent legislation passed by the State of South Carolina with reference to polluting streams worked against this petition, and recommended that resolution providing for the extension of the City sewer system near Sugaw Creek Disposal Plant and providing for condemnation of lands necessary for such extension, be read and passed.

RESOLUTION PROVIDING FOR THE EXTENSION OF THE CITY SEWER SYSTEM NEAR SUGAW CREEK DISPOSAL PLANT - CONDEMNATION OF LANDS NECESSARY FOR SUCH EXTENSION.

A resolution entitled, "Resolution providing for the extension of the City Sewer System near Sugaw Creek Disposal Plant - Condemnation of Lands necessary for such extension", was introduced and read.

Councilman Baxter moved the adoption of the resolution. It was seconded by Councilman Coddington, and unanimously carried. The resolution is recorded in full in Resolutions Book 1, at Pages 430 and 431.

ARMED SERVICES GIVEN PERMISSION TO PARK MOBILE UNIT ON NORTH TRYON STREET AND ERECT SIGNS AT RAILWAY PASSAGE WAYS.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the request of Major Paul Johnson was granted, permitting a truck to be parked in front of M. B. Smith Jewelers, Inc., on North Tryon Street for the duration of the World Series and on Saturdays thereafter for the duration of the football season as a civic project to display the scores of the various games and to create interest in enlistments into the armed services.

REQUEST FOR POLICE PROTECTION AND TRAFFIC LIGHT AT CHERRY STREET AND INDEPENDENCE BOULEVARD - CITY MANAGER AUTHORIZED TO EMPLOY TWELVE PEOPLE ON PART TIME BASIS.

A delegation appeared before the City Council calling attention to the heavy traffic on Independence Boulevard and difficulty in people crossing at Cherry Street with particular reference to school children and petitioning for a traffic light. The City Manager upon direct questioning of the speaker proved to the City Council that a traffic light was not the solution and that aid from the Police Department was necessary.

Councilman Coddington moved that the plan previously presented by Mr. Yancey for the employment of 12 people on a part time basis to work at traffic congested areas usually near schools to help the children cross the streets in safety on the way to school and returning to their homes at the close of school, to be employed at a price not to exceed \$50.00, and that \$6,000.00 be transferred from the Emergency Fund to the Police Department, to cover this expense, which was seconded by Councilman Van Every and passed.

THE COMMUNITY CHEST GIVEN PERMISSION TO PARK TRUCK IN FRONT OF ED. MELLON COMPANY FROM OCTOBER 16, 1951 - NOVEMBER 2, 1951.

Upon motion of Councilman Van Every, seconded by Councilman Dellinger and passed unanimously, the Community Chest was granted permission to park a truck in front of Ed. Mellon Company for the duration of their campaign from October 16, 1951 to November 2, 1951, as requested in their letter addressed to the Mayor.

COUNCILMAN BOYD TOOK HIS SEAT IN THE COUNCIL CHAMBER AT THIS POINT.

RECOMMEND INSTITUTION OF CONDEMNATION PROCEEDINGS AGAINST THE J. B. FRALEY ESTATE AND M. B. COZART, ET AL.

Councilman Van Every moved that the City Attorney be authorized and directed to prepare the necessary papers for the institution of condemnation proceedings against J. B. Fraley Estate and M. B. Cozart, et al, for the acquisition of right-of-way for the opening of Stonewall Street. Motion was seconded by Councilman Dellinger, and passed unanimously.

PURCHASE OF PROPERTY FROM D. C. GIBSON AND M. C. DUNLAP.

Upon motion of Councilman Albea, seconded by Councilman Van Every, and unanimously carried, payment was authorized to D. C. Gibson and wife of \$1,200.00 for Lot 8 and to Mr. M. C. Dunlap and wife of \$800.00 for part of Lot 7 for the opening of Haven Drive to Reece Road.

APPROVAL OF PLAT OF LOMA LANE PROPERTY.

Councilman Dellinger moved the approval of plat of Loma Lane property (being Tract 19 of Club Acres) being developed by Paul Efird and Yates W. Faison, Jr., and recommended by the Planning Board. It was seconded by Councilman Jordan, and passed unanimously.

SUPPLEMENTAL CONTRACT WITH J. W. WIGGINS FOR WATER LINES IN THE NATIONS FORD HOME DEVELOPMENT.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and passed unanimously, supplemental contract was authorized with J. W. Wiggins

for the construction of 2,210 feet of water mains in the Nations Ford Homes Development, outside the city, at an estimated cost of \$2,762.00, to serve 23 residential lots. All costs to be borne by the applicant, who will dedicate the mains to the city upon their completion and no tapping fees will be charged, in accordance with Chapter 6, Section 32 of the Charter.

#### CONTRACTS AWARDED FOR MOTOR EQUIPMENT.

Upon motion of Councilman Jordan, seconded by Councilman Van Every, and passed by a unanimous vote, the following contracts were awarded:

(a) Contract with H. B. Owsley & Son, for One Portable Air Compressor, complete as specified, at a net delivered price of \$2,100.00.

(b) Contract with North Carolina Equipment Company, for One Cub Tractor, equipped with Automatic Heavy Duty Side Mowing Attachment, as specified, at a total exchanged price of \$950.00, subject to cash discount of \$19.00.

(c) Contract with North Carolina Equipment Company, for One Power Chain Saw, as specified, at a total price of \$500.25, subject to cash discount of \$11.50.

(d) Contract with North Carolina Equipment Company, for One Galion Motor Grader, as specified, with 1400 x 24, 8-ply tires and hydraulic shiftable moldboard, at a total price of \$11,700.00, subject to cash discount of \$200.00.

(e) Contract with North Carolina Equipment Company, for One Bituminous Distributor, 1,000 gallons capacity, as specified, at a total price of \$7,006.77, subject to cash discount of \$200.00.

#### DR. HAMILTON MCKAY APPOINTED TO HEALTH ADVISORY COMMITTEE.

Councilman Jordan moved that the reappointment of Dr. Hamilton McKay to the Health Advisory Committee for a term of five years, expiring on September 29, 1956, which was seconded by Councilman Dellinger, and passed unanimously.

#### CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 8 ft. entrance at 1935 Wendover Road.
- (b) Two 15 ft. entrances at 1721 West Trade Street.
- (c) One 20 ft. entrance at 2315 S. Boulevard.
- (d) One 15 ft. entrance on Thrift Road.
- (e) One 12 ft. entrance at 524 Beaumont Avenue.
- (f) One 30 ft. entrance on Caswell Road at rear of Presbyterian Hospital.

#### CEMETERY LOTS TRANSFERRED.

Upon motion of Councilman Coddington, seconded by Councilman Albea, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the sale of the following cemetery lots:

(a) Deed with Dr. R. L. Ownbey and wife, for the north half of Lot 222, Section 3, Evergreen Cemetery, at \$78.00.

(b) Deed with Geo. A. Westbrook and wife, for the south half of Lot 222, in Section 3, Evergreen Cemetery, at \$78.00.

(c) Deed with Guy G. Reid and wife, for Lot 46 in Section L-Annex, Elmwood Cemetery, transferred from Mrs. Alice S. Buice, at \$1.00.

(d) Deed with Mrs. Alice S. Buice, for Lot 45 in Section L-Annex, Elmwood Cemetery, transferred from Guy G. Reid and wife, at \$1.00.

AUTHORIZE FUNDS FOR CONSTRUCTION OF WATER LINE AND SANITARY SEWER TRUNK TO SERVE REVOLUTION PARK SCHOOL.

Upon presentation of estimates by the City Manager, motion was made, seconded and unanimously carried, approving water and sewer line to serve Revolution Park School to cost for sanitary sewer trunk line \$10,060.00 and water line \$4,000.00.

MEMBERS APPOINTED TO REDEVELOPMENT COMMISSION. *omit Young* ✓

The Mayor called for nominations for the Redevelopment Commission and the following nominations were made:

- Mr. George Sibley by Councilman Baxter
- Mr. Irwin Belk by Councilman Dellinger
- Mr. Harvey Stalls by Councilman Albea
- Mr. Douglas Aitken by Councilman Coddington
- Mr. Paul Younts by Councilman Van Every
- Mr. Pete McKnight by Councilman Jordan

The Mayor called for secret ballot and appointed City Attorney John D. Shaw as tally man with the result of the five high votes being for Mr. Sibley, Mr. Belk, Mr. Aitken, Mr. Younts and Mr. McKnight. The five names were then put into a hat and the names drawn by Richard L. Young, Charlotte News reporter, the first name being for the term of five years, the second for four years, and so forth. The result being in accordance with the following resolution introduced by Councilman Baxter, who moved adoption, seconded by Councilman Coddington and unanimously adopted.

RESOLUTION APPOINTING MEMBERS OF THE REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE.

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

That, the five (5) citizens, who are residents of the City of Charlotte be, and they hereby are, appointed commissioners of the Redevelopment Commission of the City of Charlotte, for the terms set opposite their names:

George Sibley	One Year
Paul Younts	Two Years
C. A. McKnight	Three Years
Douglas Aitken	Four Years
Irwin Belk	Five Years

APPROVED AS TO FORM:

John D. Shaw, City Attorney

PURCHASE OF HANGAR FROM CLEARVIEW AIRCRAFT CORPORATION. AGREEMENT TO MOVE AND RELEASE HANGAR TO THEM.

Councilman Coddington submitted report of the Council's committee and moved its adoption, motion seconded by Councilman Dellinger and passed with Councilman Boyd voting no.

REPORT OF COMMITTEE.

To The Mayor and Members of the City Council.

Gentlemen:

Your Committee appointed for further negotiation with the Clearview Aircraft Corporation wishes to report that a tentative agreement has been

reached and it is recommended that the Council approve a contract embodying substantially the following terms:

1. Pay to Clearview Aircraft Corporation the sum of \$21,000.00 which is the depreciated value of their hangar as determined under the terms of the present lease agreement.
2. Agree to move the hangar to the new location agreed upon and release to Clearview Aircraft Corporation at the then prevailing rates for other tenants at the Airport.
3. New proposed lease be from ten to fifteen years as may be agreed upon and to contain the usual 60 day cancellation clause.
4. Store tools and equipment of Clearview Aircraft Corporation without cost to the Company in a vacant building at the Airport, which has already been selected, and is now available, for two years or until the hangar has been moved and a new lease tendered Clearview. Insurance, if any, to be the responsibility of Clearview.
5. Pay to Clearview for being forced out of business for an estimated period of two years as follows:
  - (a) Pay in cash the sum of \$7,988.00 which represents the average earnings of the Company from 1946 to 1951.
  - (b) If hangar has not been moved and re-erected within one year from the date of this proposed agreement, pay to Clearview at the rate of \$665.67 per month or one-twelfth of the above mentioned annual earnings, until the hangar has been moved and new lease tendered to Clearview, but in no event shall more than twelve such payments be made.

Respectfully submitted,

H. H. Baxter  
W. I. Coddington  
Phil Van Every  
John Shaw  
H. A. Yancey

#### VOTE ON TRUCK ROUTE.

Mayor Shaw requested the Council to be prepared to vote on the truck route at the next regular meeting of the City Council.

#### INSPECTION OF PLANS FOR AUDITORIUM-COLISEUM.

At the suggestion of Mayor Shaw, the Council agreed to meet with the Auditorium-Coliseum Building Committee in the office of A. G. Odell, Jr., at 2:30 p.m., Wednesday, October 10, for the purpose of viewing the plans and model of the proposed auditorium-coliseum.

#### ADJOURNMENT.

Upon motion of Councilman Van Every, seconded by Councilman Coddington, and passed unanimously, the meeting was adjourned.

  
Deputy City Clerk