

A regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, October 31, 1951, at 4 o'clock p.m., with Mayor Shaw presiding, and Councilmen Albea, Baxter, Boyd, Dellinger, Jordan and Van Every present.

Absent: Councilman Coddington.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

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

ORDINANCE (NO. 135) AMENDING THE ZONING ORDINANCE CHANGING THE ZONING FROM R-2 TO LIGHT INDUSTRIAL ON PROPERTY ON NEW THRIFT ROAD.

The hearing was held on an Ordinance amending the Zoning Ordinance, which was introduced on October 10th, requesting a change in the zoning from R-2 to Light Industrial on approximately 25.38 acres of undeveloped property on New Thrift Road, being the property of the Misses Julia and Violet Alexander.

Mr. P. B. Melton, resident of the area, expressed objections to the change, stating he is the owner of 2½ acres of property adjacent to the property in question which he intends to develop for residential use, and the change to an Industrial or Light Industrial zone is too drastic and will devalue his property. He advised that the land immediately to the rear of the property of the Misses Alexander is now being developed by Mr. Lex Marsh for residential purposes. He urged that the home-owners in the area be given protection by the Council against an industrial district being established within the area.

Mr. J. Caldwell McDonald, representing the Misses Alexander, stated that the establishment of mills, or heavy smoke producing plants was not contemplated on the property; that it was his understanding that New Thrift Road was opened for the use of heavy trucks to relieve the situation in the residential areas within the vicinity and the construction of buildings or small business establishments on the said road was contemplated. He called attention to the fact that the Zoning Board of Adjustment recommended the change after an inspection of the area, stating that it would be in keeping with the general character of the area.

Following the discussion, Councilman Baxter moved the adoption of the Ordinance amending the Zoning Ordinance to effect the change in zoning. The motion was seconded by Councilman Boyd, and carried, with the votes cast as follows:

AYE: Councilmen Baxter, Boyd, Dellinger, Jordan and Van Every.

NAY: Councilman Albea.

The ordinance is recorded in full in Ordinance Book 11, at Page No. 220.

ORDINANCE (NO. 134) AMENDING THE ZONING ORDINANCE CHANGING THE ZONING FROM R-1 TO B-1 ON TRIANGULAR LOT AT 1800 COMMONWEALTH AVENUE.

The scheduled hearing was held on an Ordinance Amending the Zoning Ordinance, which was introduced on October 10th, to change the zoning from R-1 to B-1 on a triangular lot at 1800 Commonwealth Avenue, being the property of Glenn W. Rodgers.

No objections were registered to the proposed change, and upon motion of Councilman Boyd, seconded by Councilman Dellinger, and unanimously carried, the Ordinance Amending the Zoning Ordinance was adopted. The ordinance is recorded in full in Ordinance Book 11, at Page 221.

PROTEST REGISTERED AGAINST VALUATION OF 12-ACRE TRACT OF LAND FOR THE EXTENSION OF THE CITY'S SEWER SYSTEM NEAR SUGAW CREEK DISPOSAL PLANT.

Mr. N. S. Cochran again appeared before Council in protest against the condemnation of the property of his wife and sister for the extension of the City's sewer system near Sugaw Creek Disposal Plant. He stated their price of \$500.00 per acre was a give away bargain and the City's offer of \$200.00 unfair, and the price of \$150.00 per acre recently fixed by the appraisers appointed by the Charlotte Real Estate Board at the City's request, was an unheard of price. He stated further that if the City does not want to pay their price of \$500.00 per acre then to leave them alone, they do not want to sell anyway.

Mayor Shaw advised Mr. Cochran that the matter was not on the Agenda of business for consideration today.

CERTIFICATE OF NECESSITY AUTHORIZED FOR TRANSFER OF VICTORY CAB NO. 128 TO ELBERT M. BEATY FROM MRS. KATIE GOODWIN, WIDOW OF OTTO GOODWIN.

Councilman Boyd moved that the transfer of Victory Cab No. 128 from Mrs. Katie Goodwin, widow of Otto Goodwin, former owner, to Elbert M. Beaty be approved and a Certificate of Necessity to cover the cab be authorized issued. The motion was seconded by Councilman Albea, and unanimously carried.

EMERGENCY PLUMBING REPAIR AUTHORIZED AT MINT MUSEUM OF ART.

Mr. Ledbetter, Acting City Manager, advised there is a serious water leak in the plumbing at the Mint Museum of Art, and in order to make the emergency repair by replacing all of the pipes the cost will be approximately \$2,200.00. He stated that it is the recommendation of Mr. J. E. Campbell, Acting Superintendent of Buildings & Grounds, the representative of the Plumbing Company and himself that the plumbing on the surface of the basement be relocated, at a cost not to exceed \$750.00, in lieu of replacing all of the pipes at a cost of \$2,200.00. Councilman Van Every moved that the emergency repair be authorized as recommended at a cost not to exceed \$750.00. The motion was seconded by Councilman Jordan, and unanimously carried.

RESOLUTION WITH RESPECT TO THE PARK & RECREATION COMMISSION ASSUMING RESPONSIBILITY FOR THE MAINTENANCE OF THE MINT MUSEUM OF ART.

A resolution entitled, "Resolution with respect to the Park and Recreation Assuming Responsibility for the Maintenance of the Mint Museum of Art" was introduced and read. Following the discussion of the scope of work involved and the financial responsibility therefor, Councilman Baxter moved the adoption of the resolution. The motion was seconded by Councilman Van Every, and carried, with the votes cast as follows:

AYE: Councilmen Albea, Baxter, Dellinger, Jordan and Van Every.

NAY: Councilman Boyd.

The resolution is recorded in full in Resolutions Book 1, at Page 444.

SALE OF AIRPORT BUILDINGS.

Motion was made by Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, authorizing the sale of the following buildings at Douglas Municipal Airport:

- (a) Building No. 311 to Southside Baptist Church at \$200.00.
- (b) Building No. 321 to Holy Temple True Consecrate Holliness Church of God at \$200.00.
- (c) Building No. 320 to United Pentacostal Church at \$200.00.

CONSTRUCTION OF NEW SANITARY SEWERS.

Upon motion of Councilman Albea, seconded by Councilman Van Every, and unanimously carried, the construction of new sanitary sewers at the following locations was authorized:

- (a) 300 ft. of 8 inch sewer in Salem Drive, at an estimated cost of \$650.00, to serve 1 family unit and 3 vacant lots. All costs to be borne by the City and deposit of \$450.00 made by the applicant, T. V. Altizer, to be refunded as per terms of the contract.
- (b) 160 feet of 8 inch sewer in Royston Court, at an estimated cost of \$370.00, to serve 5 vacant lots. All cost to be borne by the City, and deposit of \$370.00 made by the applicant, Marsh Realty Company, to be refunded as per terms of the contract.

CONSTRUCTION OF DRIVEWAY ENTRANCES.

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

- (a) One 8 ft. entrance at 1425 Scotland Avenue.
- (b) One 30 ft. entrance at 2122 Bucknell Avenue.
- (c) One 9 ft. entrance at 1122 Berkley Avenue.
- (d) One 22 ft. entrance on West Palmer St. for Wylie Motor Co. at 1124 South Tryon Street.
- (e) Two 30 ft. entrances on N. Graham St. and One 30 ft. entrance on W. 10th St. both for the American Oil Company at 701 N. Graham Street.

AWARD OF CONTRACT TO THE GAMEWELL COMPANY FOR SUPPLY ITEMS FOR FIRE ALARM BOXES.

Councilman Dellinger moved that a contract be awarded The Gamewell Company, for six supply items for the construction of fire alarm boxes, as specified, at a net delivered price of \$1,292.28. The motion was seconded by Councilman Jordan, and unanimously carried.

NOTICE OF CLAIM OF MISS LAURA CROWELL REFERRED TO CITY ATTORNEY.

Upon motion of Councilman Van Every, seconded by Councilman Albea, and unanimously carried, Notice of Claim of Miss Laura Crowell, which was filed by her attorney, Mr. James B. McMillan, in the amount of \$50,000.00, for injuries alleged to have been sustained in a fall at the Administration Building of Douglas Municipal Airport on June 29, 1950, was referred to the City Attorney.

RENEWAL OF SPECIAL OFFICER PERMIT TO W. C. MULKEY.

Motion was made by Councilman Dellinger, seconded by Councilman Jordan, and unanimously carried, authorizing the renewal of a Special Officer Permit to W. C. Mulkey, for use on the premises of Reliance Fruit and Produce Company.

SALE OF CEMETERY LOTS.

Motion was made by Councilman Albea, seconded by Councilman Jordan, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the sale of the following cemetery lots:

- (a) Deed to Hinton D. and Hilton R. Hipp, for Lot 334, in Section 4-A, Evergreen Cemetery at \$81.90.
- (b) Duplicate deed to Heirs of W. R. Douglas, for the northeast quarter of Lot 23-Fraction, Section J, Ninth Street Pinewood Cemetery, at \$1.00 for duplicate deed.

RESOLUTION GRANTING PERMISSION TO NORFOLK-SOUTHERN RAILWAY COMPANY TO LAY SPUR TRACK ACROSS NINTH STREET.

A resolution entitled, "Resolution Granting Permission to Norfolk Southern Railway Company to lay spur track across Ninth Street" was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Baxter, was unanimously adopted. The resolution is recorded in full in Resolutions Book 1, at Page 445.

ETHELIND AVENUE, FROM E. 8th STREET NORTH 300 FEET TO DEAD END TAKEN OVER FOR LIMITED MAINTENANCE.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, Ethelind Avenue from East 8th Street north 300 feet to dead-end was authorized taken over for limited maintenance.

PLAT OF SUBDIVISION LYING BETWEEN WHITE, CREST AND BURTON STREETS APPROVED.

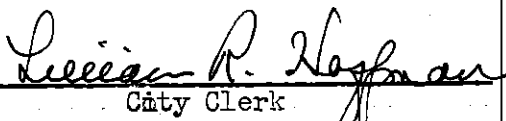
Motion was made by Councilman Jordan, seconded by Councilman Baxter, and unanimously carried, approving the Plat of a Subdivision owned by W. R. James and J. J. Pierce, being bounded on the south by White Street, on the north by Crest Street and on the east by Burton Street, with Whishant Street running through the property.

CITY ENGINEER DIRECTED TO MAKE SURVEY OF COST OF UNDERPASS UNDER SOUTHERN RAILWAY TRACKS AT 36TH STREET CROSSING.

Councilman Boyd moved that the City Engineer be requested to make a survey to give the Council the cost of constructing an underpass under the Southern Railway tracks at 36th Street crossing. The motion was seconded by Councilman Baxter, and unanimously carried.

ADJOURNMENT.

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


City Clerk