

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, September 12, 1951, at 4 o'clock p.m., with Mayor Shaw presiding, and Councilmen Albea, Baxter, Boyd, Coddington, Dellinger, Jordan and Van Every present.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

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

RESOLUTION ORDERING PUBLIC HEARING WITH REGARD TO THE CLOSING OF A PORTION OF OLD ATANDO AVENUE.

Mr. Frank Snepp, Attorney representing Mr. Zeb Mattox, presented a petition for the closing of a portion of old Atando Avenue. He advised that Mr. Mattox is the owner of a tract of land at the intersection of North Tryon Street and Atando Avenue and that at the time of its purchase old Atando Avenue ran through the property. That on or about March 19, 1946 Mr. Mattox entered into an agreement with the City by the terms of which Atando Avenue was relocated and Mr. Mattox dedicated for the use of said street another strip of land running through his property, which is the present Atando Avenue and released from public use the strip previously used and known as Atando Avenue. He stated that the question of the legal sufficiency of the release of the strip of land formerly used and known as Atando Avenue has arisen and the City is, therefore, petitioned to fix the time and place for a hearing to show cause, if any, why the strip of land should not be released. He requested the adoption of a resolution fixing the date and time for a public hearing with regard to the closing of a portion of old Atando Avenue.

Whereupon the resolution entitled, "Resolution Ordering A Public Hearing with Regard to the Closing of a Portion of Old Atando Avenue" was presented and read, fixing the date of hearing on October 17, 1951, at 4 p.m. in the Council Chamber, and authorizing the publication of a Notice of said Meeting once a week for four consecutive weeks in The Charlotte News. Upon motion of Councilman Boyd, seconded by Councilman Coddington, and unanimously carried, the resolution was adopted. The Resolution is recorded in full in Resolutions Book 1, at Page 427.

DUKE POWER COMPANY AUTHORIZED REQUESTED TO ESTABLISH ADDITIONAL BUS SERVICE TO MYERS PARK HIGH SCHOOL.

A petition for the establishment of additional bus service to the Myers Park High School was presented by Mrs. E. McA. Currie, spokesman for a delegation of parents representing 117 students who reside in the Providence Road area. Mrs. Currie outlined the route of the newly established Eastover Bus line and stated that it does not serve the needs of the school children residing on and adjacent to Providence Road, who still must transfer to a bus at the intersection of Queens Road and Providence Road. The petition was for a bus to originate at the intersection of Cherokee Road and Middleton Drive, proceed down Cherokee Road to Colville Road, thence right at Colville Road to Providence Road, thence left to Wendover Road, thence right to Briarwood Road, thence to Roswell Avenue to Colony Road thence to the School. Mrs. Currie urged that the Council cooperate with the parents by requesting Duke Power Company to establish the bus route. Councilman Boyd moved that the Council take official note of the petition and that the Mayor and City Manager be appointed to represent the Council and go with Mrs. Currie to see the proper Duke Power Company officials and request that the needed bus service be provided. The motion was seconded by Councilman Albea, and unanimously carried.

REQUEST THAT TRUCKS BE BANNED FROM EAST SEVENTH STREET.

Mrs. R. N. Hunter, 1800 East 7th Street, protested the use of East 7th Street by heavy trucks. She stated it was the understanding of the residents of the area that trucks would be routed via Independence Boulevard upon its completion, and urged that this be done.

DISCUSSION OF PROPOSED TRUCK ROUTE ESTABLISHMENT CONTINUED.

Mr. Paul Ervin, Attorney representing Withers Bros. Transfer & Storage Company and property owners on North Graham Street appeared before Council relative to the truck route proposed in the recent survey by the Traffic Engineer. Mr. Ervin contended that the recommendations would not solve the trucking problem and is only a stop-gap measure and that through truck traffic should by-pass the City and not be routed over congested local streets. At his inquiry if the majority of truck travel on Graham Street is not through travel, Mr. Hoose, Traffic Engineer, advised that the survey count indicated that only 8% is through traffic and the remaining 92% is for local destination or local drop-off. Mr. Ervin declared that Graham Street is one of the oldest streets in the City and many of its residents and business owners have helped build up Charlotte and feel they have a vested interest and if denied the right to have the normal use of their property the City will be taking away their rights as citizens. That the small business concerns along North Graham Street will be forced out of business if parking is entirely restricted in order to accommodate truck travel.

Protests against the establishment of the proposed truck route over North Graham Street and the subsequent banning of parking thereon were registered by Mr. R. F. Thorne owner of Thorne Variety Store, Mr. Wm. Hart of Hart Cleaners & Dyers, Mr. J. T. Huff operator of a Drug Store, Mr. McDaniel owner of Jiffy Grill, Mr. Mitzel Store Owner, Mr. E. G. Brown of B & G Grocery Store and Mr. York of Acme Feed & Seed Company.

Mrs. Dixie Housel and Mr. Glenn Young spoke in regards to the danger to children attending Bethune School; they advised that 470 of the children reside on the east side of the street and must cross to the school and the addition of more trucks on North Graham Street would increase the danger.

Mr. Ervin further advised that Withers Bros. Transfer & Storage Company, located on South Church Street, where they have a long-term lease, will practically be forced out of business if the proposed truck routes are established and trucks banned from South Church Street. He urged that they at least be given a reasonable period of time to relocate their business if the routes are established as proposed. Mr. Dowdy, Manager of Withers Bros. Transfer & Storage Company, spoke in behalf of his Company and urged that the truck routes not be established.

Mr. Ervin stated that eventually the City must have a by-pass around the City for trucks, and proposed that parking be restricted on one side only of North Graham Street, which would permit free operation of travel.

Councilman Boyd moved that the matter be continued and the Council give it more study, and before any action is taken on the question that the residents of North Graham Street be notified through Mr. Ervin and the newspapers. The motion was seconded by Councilman Dellinger, and unanimously carried.

REQUEST THAT USE OF SYLVANIA AVENUE AS TRUCK ROUTE BE PROHIBITED.

Mr. L. I. Eppley, 419 Sylvania Avenue headed a delegation of residents of Sylvania Avenue, and stated that Johnson Motor Lines is routing its trucks over Sylvania Avenue every fifteen minutes day and night. He urged that these trucks be routed over Dalton Avenue, which is not a residential street and which was opened for the purpose of handling heavy traffic.

REQUESTS FOR POLICE PROTECTION AND TRAFFIC LIGHT AT FIRST AND MCDOWELL STREETS REFERRED TO CITY MANAGER.

Dr. J. F. Wertz presented two requests, first, that additional police protection be provided at First and McDowell Streets, a thickly populated area where much disorderly conduct is noted, and secondly, that a traffic light be placed at this location in lieu of the present flasher light. He stated that it is difficult for school children to cross this intersection due to heavy traffic.

Councilman Albea moved that the City Manager request the Police Department to provide adequate protection as requested. The motion was seconded by Councilman Van Every, and unanimously carried.

Councilman Dellinger moved that the City Manager have a survey made by the Traffic Engineer of the need for a traffic light at this intersection. The motion was seconded by Councilman Jordan, and unanimously carried.

REQUEST FOR CERTIFICATE OF NECESSITY FOR THE OPERATION OF A NEGRO TAXI COMPANY DEFERRED.

Mr. Charles P. Bell, Jr. Attorney, advised that he and a group of citizens wished to organize a Negro Taxicab Company; that their motive for organizing such a company is more for the convenience of the negro people than for financial gain; that Charlotte is the only city of its size without such taxi service and the group feels that it is both desirable and a necessity. Mr. Bell asked if the Council would take the matter under consideration and inquired relative to the manner in which a Certificate of Necessity for the operation of such company should be presented to Council.

Mr. Bell was advised to confer with Mr. Cleveland, Taxicab Inspector and the City Attorney relative to the manner in which his request for a certificate of necessity should be filed.

Councilman Jordan moved that the Council take the matter under consideration if and when the request is properly filed. The motion was seconded by Councilman Dellinger, and unanimously carried.

SUPPLEMENTAL CONTRACT WITH WALTER HOOK & ASSOCIATES RELATIVE TO NEW ADMINISTRATION BUILDING AT DOUGLAS MUNICIPAL AIRPORT.

Councilman Albea moved that a supplemental contract and agreement be approved with Walter Hook & Associates covering plans, supervision, construction and preparation of the site for the new administration building at the airport, upon the terms and conditions contained in the original contract with this concern dated June 20, 1949, and the Mayor and City Clerk be authorized to execute said contract. The motion was seconded by Councilman Jordan, and carried, with the votes cast as follows:

AYE: Councilmen Albea, Baxter, Coddington, Dellinger, Jordan and Van Every.
NAY: Councilman Boyd.

WALTER K. COVINGTON, ATTORNEY, AUTHORIZED TO ENTER SUIT IN BEHALF OF POLICE OFFICER HENRY A. LINKER AGAINST MAX C. WILSON FOR INJURIES SUSTAINED WHILE ON DUTY FOR CITY.

Councilman Dellinger moved that the request of Mr. Walter K. Covington Attorney for permission to enter suit in behalf of Police Officer Henry A. Linker be granted insofar as the City is concerned against Mr. Max C. Wilson, for injuries sustained in an automobile accident while engaged in the pursuit of his duties on May 1, 1951. The motion was seconded by Councilman Jordan, and unanimously carried.

SUPPLEMENTAL CONTRACT WITH BASCOM L. PHILLIPS FOR CONSTRUCTION OF WATER MAIN IN ACADEMY ROAD.

Upon motion of Councilman Dellinger, seconded by Councilman Jordan and unanimously carried, a supplemental contract was authorized with Bascom L. Phillips for the construction of 325 feet of 2 inch water main in Academy Road, outside the city limits, at an estimated cost of \$375.00, to serve residences adjacent to Academy Road. All costs to be borne by the applicant who will own the mains until such time as the territory is taken into the city, when they will automatically become the property of the city without further agreement.

PURCHASE OF SANITARY SEWER MAINS FROM H. C. SHERRILL IN SELWYN AVENUE, WAKEFIELD DRIVE, PINEHURST PLACE, FAIRFAX DRIVE, WINDSOR ROAD AND FORESTDALE DRIVE.

Motion was made by Councilman Dellinger, seconded by Councilman Boyd, and unanimously carried, authorizing the purchase of 6,457 feet of 8 inch sanitary sewer mains in Selwyn Avenue, Wakefield Drive, Pinehurst Place, Fairfax Drive, Windsor Road and Forestdale Drive, at a total price of \$6,025.00 from Mr. H. C. Sherrill, subject to approval of deed or bill-of-sale by the City Attorney.

CONTRACTS AWARDED FOR PURCHASE OF ACTIVATED CARBON AND MOTORIZED EQUIPMENT.

Upon motion of Councilman Boyd, seconded by Councilman Dellinger, and unanimously carried, contracts for the purchase of Activated Carbon and Motorized Equipment were awarded as follows:

- (a) Contract with L. A. Salomon & Bros. for 10 tons of Activated Carbon at ~~\$159.50~~ per ton, representing a total price of \$1,595.00, subject to 1% cash discount, for the Water Department.
- (b) Contract with Pettit Motor Company for 8 Ford Deluxe 8 cylinder Cars, at a net exchange delivered price of \$11,834.00, for the Police Dept.
- (c) Contract with Creech Motorcycle Company, Inc. for 4 Solo Motorcycles at a net exchange delivered price of \$5,514.80, for the Police Dept.
- (d) Contract with City Chevrolet Company, for One Standard Chevrolet Four-door Sedan, at an exchange total price of \$1,419.47, subject to cash discount of \$189.70, for the Cemetery Dept.
- (e) Contract with International Harvester Company, for One Standard 1/2 ton Pickup Truck, at a net exchange delivered price of \$1,060.00, for the Traffic Engineering Dept.
- (f) Contract with International Harvester Company, for One Standard 1-1/2 ton Chassis and Cab with special service body, at a net delivered price of \$4,350.00, for the Fire Dept.
- (g) Contract with International Harvester Company, for Two Chassis and Cabs, with metal dump bodies, at a net delivered price of \$4,960.00, for the Equipment Depot.
- (h) Contract with International Harvester Company, for Two Chassis and Cabs, with metal dump bodies, at a net delivered price of \$4,910.00, for the Engineering Department.
- (i) Contract with International Harvester Company, for One Chassis and Cab, complete with metal dump body and hoist, at a net exchange delivered price of \$2,218.00, for the Engineering Dept.
- (j) Contract with International Harvester Company, for One Standard 3/4 ton Pickup Truck, at a net delivered price of \$1,300.00, for the Engineering Department.
- (k) Contract with City Chevrolet Company, for One 2-door Sedan, at a total price of \$1,465.05, subject to cash discount of \$183.40.

- (l) Contract with International Harvester Company, for One 1-ton Pick-up Truck with steel express body, at a net exchange delivered price of \$1,298.00, for the Water Department.
- (m) Contract with International Harvester Company, for One 2-ton Chassis and Cab with steel express body, at a net exchange delivered price of \$2,320.00, for the Water Department.
- (n) Contract with International Harvester Company, for One Chassis and Cab, 1-1/2 ton, with special body, at a net exchange delivered price of \$2,266.00, for the Water Department.
- (o) Contract with International Harvester Company, for One Chassis and Cab, 1/2 ton with special body, at a net exchange delivered price of \$1,050.00 for the Water Department.
- (p) Contract with International Harvester Company, for One Chassis & Cab, 1/2 ton, with steel body, at a net exchange delivered price of \$1,050.00, for the Water Department.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 12 ft entrance at 1525 Duckworth Avenue.
- (b) One 11 ft extension to the present driveway at 2808 South Boulevard.
- (c) One 10 ft entrance at 1116 Jensen Street.

SPECIAL OFFICER PERMITS AUTHORIZED ISSUED.

Councilman Dellinger moved that Special Officer Permits be issued to the following persons, which motion was seconded by Councilman Boyd, and unanimously carried:

- (a) Permit to Zac Spearse, 1563 Merriman Avenue, for use on the premises of Whitin Machine Works.
- (b) Permit to Claude Crowell Moore, Route #3, for use on the premises of Southern Railway Company.

SALE OF CEMETERY LOTS.

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

- (a) Deed with Mrs. Lula C. Fletcher, for Lot 153, Section 2, Evergreen Cemetery, at \$104.00.
- (b) Deed with Mrs. Thelma O. Passaly, for the west half of Lot 163, in Section 3, Evergreen Cemetery, at \$52.00.

CONTRACT AWARDED BLYTHE BROS. FOR RESURFACING VARIOUS CITY STREETS.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, contract was awarded Blythe Bros. Company for resurfacing various city streets, on a unit price basis, representing a total price of \$100,101.55.

RENEWAL OF SPECIAL OFFICER PERMIT TO ROBERT H. STYRON.

Motion was made by Councilman Dellinger, seconded by Councilman Jordan, and unanimously carried, authorizing the renewal of a Special Officer Permit to Robert H. Styron for use on the premises of the Southern Railway Shops.

SALE OF STRIP OF LAND AT PUBLIC AUCTION, LOCATED ON NORTHERN BOUNDARY OF NO. 6 FIRE STATION FOR ALLEY WAY TO REAR OF DUPLEX.

The City Manager stated that Mr. H. L. Estridge wishes to purchase a narrow strip of land on the northern boundary of No. 6 Fire Station on Laurel Avenue in order to obtain sufficient land for an alley way to the rear of a duplex he recently acquired. He advised that the Chief of the Fire Department advises the disposition of the land will in no way hurt the Fire Station property, that in fact it will straighten the boundary line. Councilman Albea moved that the strip of land be advertised for sale at public auction. The motion was seconded by Councilman Jordan, and unanimously carried.

SALE OF STRIP OF LAND AT PUBLIC AUCTION, LOCATED ON LEFT SIDE OF OAKDALE ROAD OPPOSITE CITY RESERVOIR.

The City Manager advised that the Paw Creek American Legion Post #353 wishes to purchase a strip of land located on the left side of Oakdale Road opposite the City Reservoir, on which to construct a Club House, and has submitted a bid of \$250.00 for the said land. He recommended that the property be sold at public auction to the highest bidder. Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the property was authorized advertised for sale at public auction.

NOTICE OF CLAIM OF WILLIE JAMES COUSER, ADMINISTRATOR OF ESTATE OF LOUIS COUSER.

Mr. Yancey, City Manager, presented a Notice of Claim which had been filed by Mr. Irvin Boyle, Attorney, in the amount of \$25,000.00, on behalf of Willie James Couser, Administrator of the Estate of Louis Couser, a minor who sustained injuries which resulted in his death, when struck by an automobile on Independence Boulevard on June 21, 1951, at the time the City was fogging the area with DDT.

SALARY INCREASES GRANTED EMPLOYEES OF ENGINEERING DEPARTMENT.

The City Manager stated that the City Engineer advises he has recently lost some valuable employees to private industry due to being unable to meet the salaries offered by outside industries, and that he recommends salary increases to the following personnel of the Engineering Department in order to retain their services:

- L. P. Bobo, increase from present salary of \$345.00 to \$375.00.
- E. G. Davis, increase from present salary of \$373.75 to \$400.00.
- W. T. Cox, increase from present salary of \$402.50 to \$425.00.

Councilman Albea moved that the salary increases be authorized as recommended by the City Manager and City Engineer. The motion was seconded by Councilman Jordan, and unanimously carried.

ADJOURNMENT.

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

Lillian R. Neffman
City Clerk