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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, May 6, 1953, at 4 o'clock p.m. with Mayor Shaw presiding, and Councilmen Albea, Baxter, Coddington, Dellinger and Van Every present.

Absent: Councilman Boyd.

INVOCATION.

The invocation was given by the Reverend Dr. Cecil Lawrence, Pastor of the Myers Park Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Van Every, and unanimously carried, the minutes of the last meeting, on April 29, 1953, were approved as submitted.

HEARING RELATIVE TO ORDINANCE NO. 174 AMENDING ZONING ORDINANCE TO CHANGE ZONING ON PROPERTY AT 1100-1130 EAST 36TH STREET CONTINUED UNTIL MEETING ON JUNE 24, 1953.

Mayor Shaw called for discussion on the proposed amendment to the Zoning Ordinance to change the zoning from R-2 to B-1 on property at 1100-1130 East 36th Street.

Councilman Van Every called attention that a full Council was not present and since a petition, signed by twenty percent of the owners of adjacent property protesting the change, has been filed, the votes of all six Councilmen will be necessary to pass favorably on the ordinance. Mr. D. C. Staton, petitioner for the change, advised that they did not contemplate selling the property anytime soon and it would be satisfactory with him for the matter to be deferred.

Mr. Charles Knox, Attorney representing the opponents to the change, requested that the matter be deferred until the meeting on June 24, 1953, after the new City Council has become familiar with the zoning laws. Upon motion of Councilman Coddington, seconded by Councilman Baxter, and unanimously carried, the matter was deferred as requested by Mr. Knox.

ORDINANCE NO. 175 AMENDING THE ZONING ORDINANCE CHANGING ZONING ON TRACT OF LAND IN 2400 BLOCK OF YADKIN AVENUE.

The scheduled hearing was held in connection with Ordinance No. 175 Amending the Zoning Ordinance to change the Building Zone Map from R-2 to Industrial on tract of land, 445-ft. x 260-ft. in the 2400 block of Yadkin Avenue, upon the petition of Mr. C. E. Hobbs, and recommended by the Zoning Board of Adjustment. Following the reading of the ordinance, to which no objections were expressed, Councilman Van Every moved its adoption, which was seconded by Councilman Baxter, and unanimously carried, and the ordinance was adopted. The ordinance is recorded in full in Ordinance Book 11, at Page 306.

RESIGNATION OF THOMAS G. LANE AS CITY SOLICITOR EFFECTIVE UPON APPOINTMENT OF SUCCESSOR.

Mr. Thomas G. Lane, City Solicitor appeared before Council, and expressed his appreciation for having been appointed by the Council to the position of Solicitor, and advised that it had been a most valuable and pleasant experience to him. He stated that he would not be available for reappointment, should the new Council consider him for the job, and asked that this be considered as his formal resignation from the office effective upon the appointment of his successor.

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Mayor Shaw expressed his regret at the City losing the services of Mr. Lane, and thanked him for his valuable work as Solicitor, and wished him much success in his private business.

RECOMMENDATION THAT AN ELEPHANT BE PURCHASED MADE "AS A MATTER OF RECORD ONLY WITHOUT PROGRESSIVE ACTION BY THE COUNCIL EVER BEING TAKEN".

Councilman Coddington stated it was his opinion that he and Mayor Shaw are both pleased and happy with the returns of the election on yesterday, and wish for the new Mayor and Councilmen a successful and progressive term of office. That with this in mind, he brings the following matter to the Council for their consideration:

"WHEREAS, there has come to an end a four year service by a distinguished and outstanding Mayor, Victor Shaw, who has given Charlotte four years of honest, conscientious, and noble government, and he believes it is only fitting and fair that the members of the out-going Council grant the Mayor his only LARGE request and that is, the purchase of an elephant to be kept at the Nature Museum in the City of Charlotte." And that he moved that this request be received by the gentlemen of the Council and made a matter of record, and kept a matter of record, without any progressive action ever being taken. The motion was seconded by Councilman Van Every, and unanimously carried.

COUNCILMEN ALBEA AND VAN EVERY EXPRESS THEIR PLEASURE AT HAVING SERVED WITH THE RETIRING MEMBERS OF THE COUNCIL.

Councilman Albea expressed his pleasure at having had the opportunity of serving on the Council with Mayor Shaw and Councilman Coddington, the two retiring members, and his association with the other members of the Council, the City Manager, City Clerk and representatives of the Press.

Councilman Van Every stated it had been a very great pleasure to serve with Mayor Shaw and Councilman Coddington, as well as the other members of the Council, and he extended his best wishes to them.

MAYOR PRO TEM PRESIDES FOR REMAINDER OF MEETING AT REQUEST OF MAYOR SHAW.

Mayor Shaw stated as this was his last meeting of the Council for his term of office, he would like the Mayor pro tem to preside. Mayor pro tem Van Every then assumed the Mayor's Chair and presided for the remainder of the session.

PLAT OF HEATH SUBDIVISION APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, the Plat of Heath Subdivision, between Ochantilly, Westover Street, Rosemont Subdivision and St. Julian Street, was approved.

PURCHASE OF RIGHTS-OF-WAY FOR EXTENSION OF WEST FIFTH STREET.

Motion was made by Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, authorizing the purchase of the following rights-of-way for the extension of West Fifth Street:

- (a) Portion of lot at 122-24 Martin Street from Edwin B. Hill, Sr. and wife, Wm. E. Hill and wife, Loretta Hill, Jackson S. Hill and Azalea D. Wagner, for a total consideration of \$2,500.00.
- (b) Parcel of land at northeast corner of West Trade and Martin Streets from Johnson C. Smith University, at a consideration of \$14,200.00.

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NAME OF REDBIRD STREET CHANGED TO CARDINAL DRIVE.

Councilman Albea moved that the name of Redbird Street, from Juno Drive to Hickory Nut Street, be changed to Cardinal Drive, as requested by the property owners on Redbird Street and recommended by the Planning Board and City Engineer. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAINS IN MARYLAND AVENUE APPROVED.

Councilman Albea moved approval of the construction of 1,988 feet of 8-inch sanitary sewer mains in Maryland Avenue, at an estimated cost of \$4,560.00, to serve one family unit and 31 vacant lots, as requested by E. C. Griffith Company, with all costs to be borne by the City and applicant's deposit of \$4,360.00 to be refunded as per terms of the contract. The motion was seconded by Councilman Baxter, and unanimously carried.

CONTRACT AUTHORIZED WITH JOHN CROSLAND COMPANY FOR CONSTRUCTION OF WATER MAINS.

Motion was made by Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, authorizing a contract with John Crosland Company for the construction of 1,270 feet of water mains in Sterling Road, between Princeton Avenue and Westfield Road, at an estimated cost of \$2,900.00, to serve residential property. The City to finance all costs and applicant to guarantee a gross annual water revenue equal to 10% of the construction cost.

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS TO EAST THIRD AND SOUTH COLLEGE STREETS.

Councilman Albea moved that contract be awarded the low bidder, Crowder Construction Company for the construction of Street Improvements on East Third Street and South College Street, all as specified, on a unit price basis, representing a total amount of \$8,055.95. The motion was seconded by Councilman Baxter and unanimously carried.

CONTRACT AWARDED RICHLAND SHALE PRODUCTS COMPANY FOR VITRIFIED CLAY PIPE.

Motion was made by Councilman Albea, seconded by Councilman Baxter, and unanimously carried, awarding contract to the low bidder, Richland Shale Products Company for 30,000 linear feet of No. 1 Vitrified Clay Pipe, 8-inch diameter, as specified, on a unit price basis, representing a total price of \$12,600.00, less cash discount of \$631.50.

CONSTRUCTION OF DRIVEWAY ENTRANCES IN FAIRFAX DRIVE AUTHORIZED.

Upon motion of Councilman Coddington, seconded by Councilman Baxter, and unanimously carried, the construction of One 9-foot driveway entrance at 3118 Fairfax Drive and One 18-foot entrance at 3124 Fairfax Drive was authorized.

ISSUANCE OF SPECIAL OFFICER PERMIT TO JAMES WEBB LAWSON AUTHORIZED.

Councilman Coddington moved that the issuance of a Special Officer Permit to James Webb Lawson be authorized on the premises of Southern Railway Company, Liddell Street Yard. The motion was seconded by Councilman Albea, and unanimously carried.

HOLIDAY GRANTED CITY EMPLOYEES ON MAY 20th, IN OBSERVANCE OF THE MECKLENBURG DECLARATION OF INDEPENDENCE.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, City Employees were granted a holiday on May 20th in commemoration of the Mecklenburg Declaration of Independence.

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SETTLEMENT OF CLAIM OF R. N. BASS FOR DAMAGES TO CAR.

Councilman Dellinger moved that the claim of Mr. R. N. Bass for damages to his car on February 20, 1953, by running over an uncovered manhole at Mint and Third Streets, be settled in the amount of \$30.96, as recommended by the City Attorney. The motion was seconded by Councilman Baxter, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAIN IN MERRY OAKS ROAD AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Baxter, and unanimously carried, the construction of 480 feet of sanitary sewer main in Merry Oaks Road was authorized at an estimated cost of \$1,200.00, to be borne by the City.

RESOLUTION APPROVING LEASE OF LANDS BELONGING TO VETERANS ADMINISTRATION KNOWN AS HOSPITAL SITE, FOR USE AS PARK AND RECREATION PREMISES, AND SUPERVISION TRANSFERRED TO CHARLOTTE PARK AND RECREATION COMMISSION.

A resolution entitled: "Resolution Approving Lease of Lands Belonging to Veterans Administration known as Hospital Site", to be used as park and recreation premises under the supervision of the Charlotte Park and Recreation Commission was introduced and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Baxter, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 92.

BUDGET ESTIMATES FILED BY DEPARTMENTAL HEADS REQUESTED FURNISHED COUNCILMEN.

The Council concurred in the request by Councilman Dellinger that the City Manager furnish them copies of the Budget Estimates for the fiscal year 1953-54 as filed by the Departmental Heads.

ADJOURNMENT UNTIL MONDAY, MAY 11, 1953 AT 10 O'CLOCK A. M.

Councilman Baxter moved that the meeting be adjourned in honor of Mayor Shaw and Councilman Coddington, until Monday, May 11th, at 10 o'clock A. M., for the purpose of inducting into office the Mayor and Council. The motion was seconded by Councilman Dellinger, and unanimously carried.

City Clerk