

December 14, 1955
Minute Book 36 - Page 207

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber of the City Hall, on Wednesday, December 14, 1955, at 4 o'clock p.m., with Mayor Van Every presiding, and Council members Albea, Baxter, Dellinger, Evans, Smith and Wilkinson being present.

Absent: Councilman Brown.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Note:
Minutes approved with two changes, see indicated at Items 14 and 26, pages 213 and 214 respectively.
William R. Hoffman
City Clerk

Upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, the Minutes of the last meeting on December 7th were approved as submitted.

ORDINANCE REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS, AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCE AND OTHER PURPOSES; CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES THEREOF; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT, FOR A BOARD OF ADJUSTMENT, AND FOR THE IMPOSITION OF PENALTIES FOR VIOLATION, AS AMENDED, ADOPTED AT HEARING.

Mayor Van Every stated that the scheduled hearing on a proposed ordinance zoning the perimeter area of Charlotte will now be held and the petitioners, or their representatives, for certain zoning of their property will please present their requests as he calls on them in accordance with the Agenda prepared:

1-X. Request of Mr. R. E. Little that property on Tuckaseegee Road and Browns Avenue, be zoned Business, instead of Residence-2 as recommended.

Mr. Robert E. Little stated he represented his father. That they wish the property zoned Business as it is in an area congested with business; that no objections to a Business zoning of the property has been heard from anyone in the neighborhood.

2-X. Request of Mr. J. E. Smith that his property at 420 Rowan Street be zoned Business-1, instead of Residence-2 as recommended.

No one spoke relative to the request.

3-X. Request of Mr. Avery R. Rhyne that the portion of the property of Rhyne Brothers located on the left side of New Thrift Road (Freedom Drive) consisting of 17.94 acres, be zoned Business, instead of Rural as recommended.

No one spoke relative to this request.

4-X. Request of Mr. Henry Newson that two tracts of land at the intersection of Providence Road and Sardis Road be zoned Business instead of Rural as recommended.

Mr. Newson stated the property is located at the northeast corner of the intersection and belongs to the Alexander heirs, whom he represents. That the tract fronts 329-feet on Providence Road to a depth of 300-feet on Sardis Road. That with the present widening of Providence Road, the existing heavy traffic at this intersection will be increased and will make the property undesirable for residential purposes. He stated further there are two existing businesses on two corners at this intersection. That the need for business development in this area to serve the residents already exists and as the residential property increases the need will be greater.

December 14, 1955
Minute Book 36 - Page 208

5-X. Request of Mr. M. K. Lee that his property at the northeast corner of Eastway Drive and Shamrock Drive be zoned Business instead of Residence as recommended.

No one spoke with regard to this request.

6-X. Requests of Mr. W. T. Minor, Jr. :

1. That property fronting on Norfolk-Southern Railroad, bounded by Potters Road, Plaza Road and Commerical Avenue, be zoned Industrial, instead of the proposed Residence-2.

2. Property fronting on Norfolk-Southern Railroad and Southern Railway, bounded by Eastwood Golf Course and Potters Road, be zoned Industrial instead of Rural as proposed.

3. Property fronting on Plaza Road, known as Lot 7 in Block #3 of Black Dairy Farm and bounded by Commercial Avenue and Plaza Road, be zoned Industrial in lieu of Residence-2 as recommended.

No one spoke relative to the requests.

7-X. Request of 17 resident-owners of property on Arbor Lane that the street, one block long, consisting of one-family residences, be zoned Residence-1 instead of Residence-2 as recommended.

No one spoke with regard to the request.

8-X. Request of Miss Nordica Jamieson that the 8½ acres of property in the 4400 block of Tuckaseegee Road and Greene Boulevard be zoned Business-1 instead of the proposed classification as Residence.

Miss Jamieson stated the property is located at the intersection of Tuckaseegee Road and Bradford Drive, nearly one block in length on Tuckaseegee Road with 30-foot frontage on Green Boulevard; that quite a lot of the property in the vicinity has been zoned for business. That she has no definite plans for the development of business on the property at the present time but probably will in the future. She stated further that twenty-four of the residents protesting the Business classification live on adjacent streets, and not on Tuckaseegee Road.

Mr. D. C. Gibson spoke in opposition to the property being zoned for business. He advised that his residence is located across the street from Miss Jamieson and they have developed their property for their personal use extensively and do not want more business coming into the neighborhood.

Mr. Sol Levine, Attorney representing the residents who signed the opposing petition, stated that his clients do live on adjoining streets, however they feel a business classification would be detrimental to their residential property.

9-X. Request of The American Trust Company, Trustee of a Trust created by Robert W. Burns, that the 109 acres of land on each side of Independence Boulevard, lying north and south of the intersection of Independence Boulevard and Sharon-Amity Road, be classified as Business or Industrial in lieu of Rural.

No one spoke relative to this request.

10-X. Request of Mrs. George L. Smith, 2101 Ferncliff Road, that the corner lot at Providence Road and Sharon-Amity Road, not be changed from the proposed Residential classification as requested by the owners, Providence Village, Inc.

Mr. Hunter Jones, Attorney, representing Providence Village, Inc., requesting that the property be changed from Residence to a Business classification, stated he assumes the Council has read his arguments for the change in zoning as stated by him at the Hearing on October 4th; and Mayor Van Every stated the Council has done so.

December 14, 1955
Minute Book 36 - Page 209

11-X. Request of Mr. J. Murray Atkins that the residential classification at the intersection of Providence Road and Sharon-Amity Road be retained.

Mr. Atkins nor his representative was present.

12-X. Request of Mr. J. F. Dalton, Director of Industrial and Agricultural Development for Norfolk-Southern Railway, that the property adjoining the right-of-way of the Railway Company in the perimeter area be zoned Industrial.

No one spoke regarding the request.

13-X. (a) Request of Mr. Frank W. Faires that the proposed Rural classification of their 10-acre tract of land in Mallard Creek Township, on Lambeth Drive be changed to Business.

Mr. Robert Hovis, Attorney representing Mr. Faires, stated the property is located 2 $\frac{1}{2}$ blocks off Concord Highway; that the property at the intersection is zoned Industrial. That the property was purchased in 1953 to be developed as a Trailer Park, and there is at present another trailer park on Lambeth Drive. That they feel the property is so close to a business area it will be financially valueless if it is not zoned for business purposes.

(b) Protest of Faires Trailer Company, Elmore Trailer Sales and Mobile Homes, Inc., against the provision of the ordinance prohibiting house trailers being located in Rural, Residential and Business I-A zones.

Mr. Robert Hovis, Attorney representing the three firms, stated that the location of house trailers only in B-1, B-2 and Industrial zones will prohibit a man who owns a lot from purchasing a trailer to live in on his lot. That in his opinion this provision of the ordinance is too far reaching. That if this provision is adopted in the ordinance, it will seriously affect his clients business; that the provision is not to be confused with "trailer parks", and it can be remedied by including in the usage of Rural, Residence-1 and 2, and B-I-A the words "except house trailers". Mr. Hovis stated further he feels this is a matter that, in fact, should not be governed by zoning at all.

14-X. Request of Mr. Claude Q. Freeman, Agent, and Malcolm and Ben M. Blankenship, that the Rural classification of the 265 acre tract of vacant land along Hoskins Road be changed to Industrial.

Mr. John S. Cansler, Attorney, representing Mr. Freeman, stated that Mr. Freeman holds an option on this property from the owners, Messrs. Malcolm and Ben Blankenship; and if the option is exercised he will develop the property for industrial purposes. That the Seaboard Railway has made a commitment to Mr. Freeman that they will build a side-track into the property, and further that Mr. Freeman has obtained the necessary right-of-way for the sidetrack. Mr. Cansler stated this industrial development is important to the community; that only three days after the option was obtained, Governor Hodges was in Charlotte to speak on the subject of attracting more industries to North Carolina. That this will provide an opportunity to comply with the wishes of the Governor as well as the Charlotte Chamber of Commerce Committee on bringing industries to Charlotte. He stated the tract consist of 265 acres, and there is an industrial area on the north side of Rozzell's Ferry Road, on which this property is located. That everything to attract industry is in this area and the Seaboard Railway will spend approximately a million dollars creating an industrial area. Mr. Cansler stated the request has not been heard by the Planning Commission, and he believes they would favor the requested change.

Mr. Mercer Blankenship, Attorney, representing his brother, Malcolm Blankenship, stated he would not speak on the matter in the interest of saving time, and the statements made by Mr. Cansler are correct and Mr. Blankenship concurs in them.

December 14, 1955
Minute Book 36 - Page 210

15-X. (1) Request of Civil Development Company that the property located east of Potters Road and between the N-S Railway and Eastwood Drive, down to Eastwood Acres, and property beginning at the intersection of the W. T. Minor property and N-S Railway, and extending east along the railway tracks 3000 feet to the north, all be zoned Industrial in lieu of the proposed Rural classification.

No one spoke regarding the request.

(2) Request of Mr. Nathaniel Alexander that his property through which the Norfolk-Southern Railway runs, be zoned Industrial for a distance of 1500 feet from the center line of the Railway, instead of Rural as now proposed.

No one spoke to this request.

(3) Mr. C. W. Biggers request that his property, through which the Norfolk-Southern Railway runs, be zoned Industrial instead of Rural as proposed.

No one spoke with regard to this request.

16-X. Request of Mr. Lee Heath that his property, being Lots 9, 10, 11 and 17 of Block 4, Canterbury Drive, be classified Residence-2 in lieu of the proposed Residence-1 zone.

Mr. Heath was present and stated he has been heard once on the subject and unless the Council wants to hear him again, he will not talk on the subject.

Mayor Van Every stated the Council is entirely familiar with his request, and they prefer his ~~not~~ speaking again.

17-X. Request of Mr. J. Honeycutt that the proposed Residence classification of his property, comprising one acre, at the intersection of Independence Boulevard and Wallace Road, be changed to Business I-A.

Mr. Paul Ervin, Attorney, stated the property lies adjacent to Independence Boulevard, and is entirely unsuitable except for business usage. That they ask that the same treatment be given this property as the other property bordering on the Boulevard, and that it be zoned B I-A.

18-X. Request of Southern Real Estate Insurance Company, that the classification of their property in Lots 12 thru 17, Block A, Morris Field Road (otherwise known as New Dixie Road and also Wilmount Road) be changed from Rural to Industrial.

Mr. Louis Rose called the Council attention that the property is unsuitable for residential use; that within the block there is a Service Station, China Shop and Grocery Store, and that he did not believe there is any objections to the requested Industrial zoning.

19-X. Request of Mr. C. E. Jetton, for a change in the proposed classification of his property located on the south side of Potters Road, adjacent to and east of Dinglewood Avenue, from Residence to Business-1.

Mr. J. W. Alexander, Jr., Attorney, stated he believes the Planning Commission made a mistake in their zoning of this property; that at Plaza Road and Potters Road the Commission laid off an area of 200 feet as a Business Zone, so that Mr. Jetton's house is in both the Business and Residence zones, and he eats in the Business zone and sleeps in the Residence zone. He stated further that Mr. Jetton operates a contracting business on the property, and there is a Service Station and a Drive In Restaurant on one side of the property and the railroad on the other. Mr. Alexander requested that the Business zoning be extended 50 feet to include all of the property.

December 14, 1955
Minute Book 36 - Page 211

20-X. Request of Mr. Audrey T. Alexander for a change in the proposed zoning as Rural of his property at the intersection of Providence Road and Old Providence Road, to Business-1.

Mr. William Morrow, Attorney representing Mr. Alexander and his attorney, Mr. Goodman, stated that Mr. Alexander has owned the property for 30 years and has built a store at the intersection. That he is only asking that 5 acres at the corner be rezoned so that he may enlarge his business. That there is not another store on Providence Road beyond Sharon-Amity Road of this kind and the residents of the area need a place to shop.

21-X. Request of Mr. Charles R. McAarn and McAarn & Gwynn Company for a change in the proposed Residence-2 zoning of his property at the intersection of Eastway Drive and Shamrock Road, to Business-1.

Mr. Robert Hovis, Attorney, stated the small triangular tract of land was purchased by the McAarns about a year ago; that the depth of the lot is only 70 feet, and if Eastway Drive is widened to 100 feet, as they have been told, the lot will be reduced even more. That a Service Station will fit on the lot, but if it is zoned Residence-2 it will be rendered useless, as it is too small for residential purposes.

22-X. Request of Mrs. Black that the proposed Residence-2 classification of her property on Park Road at Selwyn Avenue intersection, be changed to Business-1.

Mr. Fred Hasty, Attorney, stated the property of Mrs. Black is located on the south side of Park Road, between Sugaw and Briar Creeks. That on the west of Sugaw Creek is Harris Super Market, the next is the lot of his client and then Dr. Lavitan's Veterinary Hospital and then Briar Creek; that it is obvious that the lot is not desirable for residential purposes with both the Creeks so nearby. That except for the knoll on which his client's house is located, the area is very low, and is suitable only for business purposes. Mr. Hasty stated further that unless the zoning change is made, it will be damaging to the property and his client will never be able to sell.

Mr. Frank Graham stated he is familiar with the property in question, and that it is unsuitable for residential purposes, as the land is in a low area, and he would like to see the zoning change made for Mrs. Black.

Mr. Ben Welling, Attorney, representing Dr. Lavitan, stated that Mr. Hasty has covered the subject. However, Dr. Lavitan is concerned about his six acres of property which is not suitable for residential purposes. That there would be no purpose in zoning the area residential as the developers stipulated that it should be used for a Veterinary Hospital; therefore, Dr. Lavitan is asking that the 6 acre tract be zoned Business so that he may continue to serve the area.

23-X. Request of Mrs. H. D. Dunbar, 4316 Tanglewood Drive, and petition signed by 124 property owners of the Sharon-Amity area, that the area bounded on the north by the Seaboard Railway, on the east by Sharon-Amity Road, on the south by Craigmoores Hills Subdivision and on the west by Lomax Street, be zoned Residential instead of the proposed Industrial classification.

Mr. Samuel M. Millett, Attorney representing the petitioners, stated the signers of the petition represent 95% of the property owners in the area. Also, that about one half of the property is restricted in their deeds to any use except residential; that the development of industries in this area would work a hardship on these families, and many other families on Craig Road will be likewise affected and their property cut into by the zoning line under the Industrial zoning. He urged that Council zone the area Residential.

December 14, 1955
Minute Book 36 - Page 212

24-X. Request of Mrs. Rose Betts Hayden and husband, who reside in New York City, that a portion of their 200 acres of land bordering on Independence Boulevard in Clear Creek Township be given a Business classification instead of the proposed Rural zoning, the said portion comprising 7.087 acres on the south side of and fronting on Independence Boulevard and a strip 300-foot deep extending approximately 1,132 feet from Lee Road to the end of their property line.

Mr. Paul Ervin, Attorney, representing the petitioners stated it is an elongated strip that extends along Independence Boulevard; that Mrs. Hayden owns the surrounding property, and only requests that this portion of her property be treated the same as that facing Independence Boulevard.

25-X. Request of Mr. M. E. Beatty, 703 Bradford Drive, that his 48 acres of property lying near or adjacent to Hoover Avenue and Eddleman Road be zoned Business in lieu of the proposed Residential classification.

Mr. Beatty stated that prior to the location of U.S. #29 bypass, this property was residential in nature, but the real estate men whom he has contacted state that insofar as residential usage, the property has lost its value, and can only be properly termed business. He urged that Council give consideration to his request.

26-X. Request of Mr. Rufus M. Johnston, Thurston Motor Lines, Bell Lines and Great Southern Trucking Company, that the Rural classification be changed to Industrial on their property located east of Derita Road and south of Craighead Road.

Mr. Jas. B. McMillan, Attorney, stated the property, containing approximately 175 acres, is located about one block north of Atando Avenue, along Derita Road for several hundred feet and back from Hutchinson Avenue. That there are five trucking lines located in the area, and the present Industrial Zone of 1000 feet depth goes through the property of two of these firms. Mr. McMillan stated the property has been under development as a trucking area for about twelve years; that it is perfect set-up for the City to have an Industrial area not too far from the center of town. That had it been brought before the Planning Commission for consideration as to zoning, he feels sure it would be classified as Industrial.

Mayor Van Every stated the above requests are all of those listed on the Agenda, and he asked if there was anyone present who have requests that have not heretofore been presented.

Mr. D. P. Wilson, 1120 Woodlawn Road, stated he represents the Woodlawn Community Club, and they request that the Council postpone their decision for 60 days on the zoning of the Irwin Creek Disposal Plant property until they can submit a report and recommendation to the Council regarding the property.

Mayor Van Every advised Mr. Wilson that the Council has already agreed to defer the zoning of the Disposal Plant property.

In response to the inquiry of the Mayor if anyone wishes to speak on any perimeter zoning item that has been previously presented at one of the Hearings, Mr. Paul Ervin stated that Mr. Robert Hines presented a petition relative to the zoning of the Sharon-Amity and Old Sardis Road area, and that the Misses Alice and May Randolph, residents of the area, asked him to appear today and state they understand the impression left with the Council when Mr. Hines presented his petition at the Hearing on September 28th was that they concurred in the request that the area be left as a Residential zone; that this is in error, as they want it zoned for Business; that the two corner lots are already zoned Business and this corner would automatically be a Business zone.

December 14, 1955
Minute Book 36 - Page 213

Councilman Baxter then introduced and read the Perimeter Zoning Ordinance, entitled: "AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS, AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES; CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES THERE-OF; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT, FOR A BOARD OF ADJUSTMENT, AND FOR THE IMPOSITION OF PENALTIES FOR VIOLATION."

Councilwoman Evans moved the adoption of the Ordinance and Map as submitted by the Charlotte-Mecklenburg Planning Commission, with the following amendments:

Malcolm

Amend the Ordinance by changing the fee charged in Section 16 to "\$7.50".

Amend the Map as follows:

- Item 1. Property of R. D. Bunting located at the intersection of The Plaza and Hickory Grove Road, zoned Business-I.
- Item 1-X. Property of R. E. Little located on Tuckaseegee Road and Browns Avenue, zoned Business-I.
- Item 2. Property, represented by Kermit Caldwell, Attorney, located at the northeasterly corner of Irwin Street and Green Boulevard, zoned Business-I.
- Item 3. Property of Clarkson Jones located on York Road at Freeland Lane, zoned Business-I, and property of Clarkson Jones located on Pineville Road at Diamond Point, zoned Industrial.
- Item 4. Property of M. C. King located on York Road and Freeland Drive, zoned Business I-A.
- Item 5. Property of Edna S. Rea located on the easterly side of Pineville Road, zoned Industrial.
- Item 6. Property of Norfolk-Southern Railroad located 2½ miles beyond city limits, zoned Industrial, as recommended by the Planning Commission.
- Item 7. Property of J. Arthur Eagle located near Hickory Grove (bordering on the Norfolk-Southern Railroad) zoned Industrial, as recommended by the Planning Commission.
- Item 7-X. Arbor Lane, one block long, zoned Residence-I.
- Item 8. Property of R. P. Chapman comprising 53 acres in Paw Creek Township, zoned Industrial.
- Item 9. Property of Benjamin O. Hood located on the north side of Dixie Road, zoned Industrial.
- Item 9-X. Property of American Trust Company, trustee for Robert W. Burns comprising 109 acres on each side of Independence Boulevard, zoned Business I-A.
- Item 10. Property of Paul W. Norman located on Independence Boulevard, between Grove and Unaka Avenues, zoned Business I-A.

Item 14 changed Item 14. by Council at meeting on Dec. 21, 1955, to add "and the property of H. E. Alexander, 4431 Central Ave. Extended".

*Lucian Hoffman
City Clerk*

Item 14-X. Property of Claude Q. Freeman, Agent and Malcolm and Ben M. Blankenship, comprising 265 acres along Hoskins Road, zoned Industrial.

December 14, 1955
Minute Book 36 - Page 214

- Item 18. Property of Epmore, Inc, located on Bank Street, zoned Industrial, as recommended by the Planning Commission.
- Item 21. Property of Chaney Development Company, comprising 260 acres in Berryhill Township, zoned Industrial.
- Item 24. Property of Norfolk-Southern Railway, located:
1. Potters Road, Plaza Road and Commercial Avenue, zoned Industrial.
 2. Eastwood Golf Course and Potters Road, zoned Industrial.
 3. Lot #7 in Block #3 of Black Dairy Farm, bounded by Commercial Avenue and The Plaza, zoned Industrial.
- Item 25. Property of Robert L. Hines and Associates located along Randolph Road and Sharon Road, zoned Residence-1, as recommended by the Planning Commission.
- Item 26 changed by Council at meeting on Dec. 21, 1955 in adopting Minutes, to read "300 ft x 300 ft", in lieu of "300 ft x 180 ft" as shown herein.
- Leccian A. Hoffmann
City Clerk*
- Property at the corner of Sharon-Amity Road and Providence Road, belonging to Providence Village, Inc., Karres-Fellos Realty Company and Southern Bell Telephone & Telegraph Company, fronting 300 feet on Providence Road by 180 feet on Sharon-Amity Road, zoned Residence-2 and the remainder of the property through Southern Bell Telephone and Telegraph Company zoned Business-1.
- Item 26-X. Property of Rufus M. Johnston, Thurston Motor Lines, Bell Lines and Great Southern Trucking Company, located east of Derita Road and south of Craighead Road, zoned Industrial.
- Item 27. Property of M. R. Godley located at Oakdale and Mt. Holly Roads, zoned Industrial.
- Item 28. Property of Carolina Golf Course and adjacent property along the Southern Railway tracks, zoned Industrial.
- Item 29. Property, represented by Paul R. Ervin, Attorney, located:
1. Lot at southwest intersection of Park Road and Mockingbird Lane, zoned Residence-2.
 5. Tract of land on Independence Boulevard at the intersection with the cut-off to the Albemarle Road, zoned Business-1.
 6. Land fronting on the south side of Independence Boulevard, lying between Independence Boulevard and Pierson Drive, zoned Business-1.
 7. Land at the intersection of Potters Road and Eastway Drive, zoned Business-1.
 8. Parcel of land adjoining the Queensland Shopping Center and lying on both sides of Meredith Avenue zoned Residence-2.
- Item 30. Property of M. Lee Heath located on Canterbury Drive, zoned Residence-2.

And further, that the City Clerk be and she is hereby instructed to cause the Ordinance as amended, and the Perimeter Zoning Map in four (4) sections as corrected hereby, be published in The Charlotte Observer and this Ordinance be in effect after such publication.

The motion was seconded by Councilman Baxter, and unanimously carried, and the Ordinance and Map as amended were adopted. The Ordinance is recorded in full in Ordinance Book 11, beginning at Page 451 and ending at Page 462.

December 14, 1955
Minute Book 36 - Page 215

RESOLUTION REQUESTING THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION TO BE OF ASSISTANCE TO THE CITY COUNCIL.

A resolution entitled: "Resolution Requesting The Charlotte-Mecklenburg Planning Commission To Be Of Assistance To The City Council" was introduced by Councilman Baxter. Following the reading thereof, Councilman Baxter moved its adoption, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 381.

MISS MADELEINE MARTINACHE, ATTORNEY AND ASSISTANT TO THE MAYOR OF LILLE, FRANCE INTRODUCED AS VISITOR.

Mayor Van Every welcomed Miss Madeleine Martinache, Attorney and Assistant to the Mayor of Lille, France, to the City of Charlotte. Miss Martinache stated she is visiting in the United States as a participant in the foreign leader program of the International Educational Exchange Service of the U. S. Department of State, to study social welfare, governmental and similar activities, and is in Charlotte under the sponsorship of the Business and Professional Women's Club.

JUNIOR CHAMBER OF COMMERCE REQUEST ENFORCEMENT OF INDUSTRIAL WASTE ORDINANCE.

Mr. Bert Cutler, Chairman Public Affairs Committee of the Charlotte Junior Chamber of Commerce, appeared before Council with regard to the City's Industrial Waste Disposal Program. He stated the Junior Chamber of Commerce was vitally interested in the ordinance adopted by the Council and in it becoming effective last June, after the thirty-six firms it will affect had been given five years warning, during the redesign of the disposal plants. That in June the Council decided to allow these firms a 6-months period in which to comply with the ordinance. That in checking the situation, the Junior Chamber of Commerce finds only four firms have complied with the law, and only two other firms currently have in process construction for allowing their waste to be handled in compliance with the law. That five other firms are talking of making the necessary construction but with no visible progress, while three firms are emptying into the sewer illegally and without permit. He stated further, that the 6 months period of grace has almost expired, and it appears that some of these firms are going to, in effect, thumb their nose at the ordinance, the Council and the citizens of Charlotte. That the Junior Chamber of Commerce wishes to learn the intentions of the Council in regard to enforcing the law.

Mayor Van Every stated the City is taking the necessary steps to see that all of these firms get in the sewer correctly.

Mr. Yancey, City Manager, stated the City has not changed its position and these firms will have to comply with the law. That pressure is being put on them; that it takes some time for these firms to do the necessary construction for complying with the ordinance.

Councilman Albea stated he thinks the citizens have too much money tied up in the Disposal Plant to let compliance with the law go by.

Mayor Van Every asked the City Manager if he does not think the Council should have a full report on the situation about the first of the year, and Mr. Yancey replied that a report will be ready by that time.

PLAT OF FAIRMEADOWS SUBDIVISION APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilwoman Evans, and unanimously carried, the Plat of Fairmeadows Subdivision was approved, as recommended by the Planning Commission.

RIGHT-OF-WAY AGREEMENT BETWEEN STATE HIGHWAY COMMISSION AND SOUTHERN REAL ESTATE & INSURANCE COMPANY FOR INSTALLATION OF WATER MAINS IN FRANKLIN AVENUE, AUTHORIZED CO-SIGNED BY CITY.

Motion was made by Councilman Albea, seconded by Councilman Smith, and unanimously carried, authorizing the Mayor and City Clerk to co-sign an Agreement between the State Highway Commission and Southern Real Estate & Insurance Company, for right-of-way for the installation of water mains in the west side of Franklin Avenue, outside the city limits.

RIGHTS-OF-WAY AGREEMENT BETWEEN STATE HIGHWAY COMMISSION AND
ERVIN CONSTRUCTION COMPANY FOR CONSTRUCTION OF SANITARY SEWERS IN PIERSON
DRIVE, AUTHORIZED CO-SIGNED BY CITY.

Upon motion of Councilman Smith, seconded by Councilman Albea, and
unanimously carried, the Mayor and City Clerk were authorized to co-sign an
Agreement between the State Highway Commission and Ervin Construction Company,
for right-of-way for the construction of sanitary sewers in Pierson Drive.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 18-ft. entrance at 747 Romany Road,
- (b) Two 35-ft. entrances at 425 East 4th Street.
- (c) Three 30-ft, entrances at 200 West 3rd Street.

CONTRACT AWARDED A. T. WITHROW FOR PURCHASE OF 19 BUILDINGS AT AIRPORT.

Councilman Albea moved that contract be awarded A. T. Withrow, the
high bidder for the purchase of 19 buildings at Douglas Municipal Airport,
at a total price of \$6,606.00. The motion was seconded by Councilman
Dellinger, and unanimously carried.

CONTRACT AWARDED AMERICAN CYANAMID COMPANY FOR 288 TONS ALUMINUM SULPHATE.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter,
and unanimously carried, contract was awarded American Cyanamid Company for
288 tons Aluminum Sulphate, as specified, to be shipped in 90,000# cars as
ordered, on a unit price basis of \$45.80 per ton, representing a total net
delivered price of \$13,190.40.

CONTRACT AWARDED TUCKER-KIRBY COMPANY FOR 420 TONS HYDRATED LIME.

Motion was made by Councilman Dellinger, seconded by Councilman
Baxter, and unanimously carried, awarding contract to Tucker-Kirby Company
for 420 tons Hydrated Lime as specified, on a unit price basis of \$20.18
per ton, representing a net delivered price of \$8,475.60.

CONTRACT AWARDED PEBBLES CHEMICAL COMPANY FOR 10 TONS ANHYDROUS AMONIA.

Councilman Dellinger moved that contract be awarded Peables Chemical
Company, for 10 tons Anhydrous Ammonia, as specified, on a unit price basis
of 12.85¢ per lb., representing a total price of \$2,570.00, subject to cash
discount of \$25.70, or a net delivered price of \$2,544.30. The motion was
seconded by Councilman Baxter, and unanimously carried.

CONTRACT AWARDED SOUTHERN STATES CHEMICAL COMPANY FOR 20 TONS ACTIVATED
CARBON.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter,
and unanimously carried, contract was awarded Southern States Chemical Com-
pany, for 20 tons Activated Carbon, as specified, on a unit price basis of
\$147.77 per ton, representing a net delivered price of \$2,955.40.

GENERAL

BID OF ~~SOUTHERN STATES~~ CHEMICAL COMPANY ON 75 TONS SODIUM FLUORIDE REJECTED,
AND READVERTISEMENT FOR NEW BIDS AUTHORIZED.

Motion was made by Councilman Dellinger, seconded by Councilman
Baxter, and unanimously carried, rejecting the bid of ~~Southern States~~ General
Chemical Company, being the only bid submitted on ~~20 tons Activated Carbon~~ 75 Tons
and authorizing the readvertisement for new bids on the material.

Sodium / Fluoride

ABU

December 14, 1955
Minute Book 36 - Page 217

CONTRACT AWARDED SOLVAY PROCESS DIVISION, ALLIED CHEMICAL & DYE CORPORATION FOR 75 TONS LIQUID CHLORINE.

Councilman Dellinger moved that contract be awarded Solvay Process Division, Allied Chemical & Dye Corp., for 75 tons Liquid Chlorine, as specified, on a unit price basis of \$4.62 cwt, representing a total net delivered price of \$6,930.00, the price being based on the present freight rate of \$0.70 per cwt. to destination, and any increase or decrease in the freight rate will be for the account of the buyer. The motion was seconded by Councilman Baxter, and unanimously carried.

NEW YEAR'S HOLIDAY ON MONDAY, JANUARY 2ND DESIGNATED FOR CITY EMPLOYEES.

Councilman Wilkinson moved that Monday, January 2nd be designated as the New Year's holiday for city employees. The motion was seconded by Councilman Albea, and unanimously carried.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Hamilton C. Jones and wife, for Lot 77, Section 2, Evergreen Cemetery, at \$240.00.
- (b) Deed with Mrs. Willie Fonville Graham, for the south half of Lot 63, Section L, Elmwood Cemetery, transferred from Mrs. Georgia Fonville Harris and husband, at \$1.00 for transfer.
- (c) Deed with J. T. Fonville, for north half of Lot 63, Section L, Elmwood Cemetery, transferred from Mrs. Georgia Fonville Harris and husband, at \$1.00 for transfer.

STARTING SALARY OF SMOKE ABATEMENT ENGINEER INCREASED FROM \$7,092.00 TO NOT EXCEEDING \$7,500.00.

Mr. Yancey, City Manager, requested that the starting salary of the Smoke Abatement Engineer be increased from \$7,092.00 to not exceeding \$7,500.00. Councilman Smith moved that the increase be authorized, which was seconded by Councilman Albea, and unanimously carried.

REPORT OF BOARD OF APPRAISERS OF THE BENEFITS AND/OR DAMAGES TO PROPERTY IN THE IMPROVEMENT DISTRICT ON EUCLID AVENUE AND ROYAL COURT.

The City Manager reported that the Board of Appraisers filed with the City Clerk on December 8, 1955, their Report of the benefits and/or damages in the improvement district on Euclid Avenue and Royal Court from East Morehead Street to South Cladwell Street, finding that no benefits and/or damages resulted from the improvement.

RESOLUTION WITH RESPECT TO THE COST OF IMPROVEMENTS ON EUCLID AVENUE AND ROYAL COURT FROM EAST MOREHEAD STREET TO SOUTH CALDWELL STREET.

A resolution entitled: "Resolution With Respect To The Cost Of Improvements On Euclid Avenue And Royal Court From East Morehead Street To South Caldwell Street" was introduced and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilwoman Evans, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 382.

REPORT OF BOARD OF APPRAISERS OF THE BENEFITS AND/OR DAMAGES TO PROPERTY IN THE IMPROVEMENT DISTRICT ON TUCKASEEGEE ROAD.

The City Manager reported that the Board of Appraisers filed with the City Clerk on December 8, 1955, their Report of the benefits and/or damages in the improvement district on Tuckaseege Road, between West Trade Street to Station 16 plus 00 as shown on the City Engineer's Map, finding that no benefits and/or damages resulted from the improvement.

December 14, 1955
Minute Book 36 - Page 218

RESOLUTION WITH RESPECT TO THE COST OF IMPROVEMENTS ON TUCKASEEGEE ROAD BETWEEN WEST TRADE STREET TO STATION 16 PLUS 00 AS SHOWN ON THE CITY ENGINEER'S MAP.

A resolution entitled: "Resolution With Respect To The Cost Of Improvements On Tuckaseege Road Between West Trade Street To Station 16 Plus 00 As Shown On The City Engineer's Map" was introduced and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilwoman Evans, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 382.

REPORT OF BOARD OF APPRAISERS OF THE BENEFITS AND/OR DAMAGES TO PROPERTY IN THE IMPROVEMENT DISTRICT OF BRUNSWICK AVENUE EXTENSION.

The City Manager reported that the Board of Appraisers filed with the City Clerk on December 8, 1955, their Report of the benefits and/or damages in the improvement district on Brunswick Avenue Extension, between Kings Drive and Fountain View, finding there are no damages and the total benefits to the property owners amount to \$887.81.

RESOLUTION AUTHORIZING ADVERTISEMENT OF PUBLIC HEARING ON DECEMBER 21ST WITH RESPECT TO ASSESSING BENEFITS CONFERRED UPON PROPERTY IN THE IMPROVEMENT DISTRICT OF BRUNSWICK AVENUE EXTENSION BETWEEN KINGS DRIVE AND FOUNTAIN VIEW.


A resolution entitled: "Resolution Authorizing Advertisement Of Public Hearing On December 21st With Respect To Assessing Benefits Conferred Upon Property In The Improvement District of Brunswick Avenue Extension Between Kings Drive and Fountain View" was introduced and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilwoman Evans, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 383.

INSTALLATION OF NO-PARKING SIGNS IN PRIVATE ALLEY BEHIND WEST 5TH STREET AND WEST SIDE OF 200 BLOCK OF NORTH TRYON STREET, REQUESTED.

Councilman Baxter requested that "No Parking Signs" be installed in the private alley-way behind West 5th Street on the west side of the 200 Block of North Tryon Street. The motion was seconded by Councilman Dellinger, and unanimously carried.

ADJOURNMENT.

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


Lillian R. Hoffman
City Clerk