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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber on Wednesday, November 2, 1955, at 4 o'clock p.m., with Mayor pro tem Smith presiding, and Council Members Albea, Baxter, Dellinger, Evans and Wilkinson being present.

Absent: Mayor Van Every and Councilman Brown.

INVOCATION

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilwoman Evans, seconded by Councilman Albea, and unanimously carried, the Minutes of the last meeting on October 26th were approved as submitted.

CITY ATTORNEY REQUESTED TO GIVE RULING AS TO LEGALITY OF CITY SUPPLYING WATER AND SEWER SERVICES OUTSIDE THE CITY LIMITS ONLY TO THOSE AREAS BEING ANNEXED TO THE CITY, AND PLANNING COMMISSION REQUESTED TO MAKE RECOMMENDATION AS TO FEASIBILITY OF SUCH ACTION.

Councilman Baxter stated that in view of the protests of residents outside the city limits over the prospects of a general extension of the city limits, and in order to equalize the tax load, he would like the Council to consider making it mandatory that the areas supplied with City water and sewer services be annexed to the City of Charlotte. He stated that subdivision developers are advertising property for sale with city water and sewers furnished and no city taxes, and it is unfair to the tax payers of Charlotte. He moved that the City Attorney rule on the legality of the City supplying water and sewer services outside the city limits only to those areas being annexed to the City, and that the Planning Commission be requested to study the subject and make their recommendations as to the feasibility of such action by the Council. The motion was seconded by Councilman Albea.

The City Attorney pointed out that such action if taken by the Council could not be made retroactive and that the areas presently being supplied with these services practically encircles Charlotte, and the only areas that could be affected would lie beyond these areas and would, therefore, not be contiguous to the city limits, which is a requirement for annexation.

Mr. Yancey, City Manager, pointed out that such action will affect industry, and what the City Attorney is being asked to rule on is whether the Council can supply water and sewer services to some outside residents or areas, and refuse it to others.

Mayor pro tem Smith stated that the City Attorney is only being asked for a ruling as to the legality of such action; that the Council will fully consider the question after the ruling is received.

AUDITORIUM-COLISEUM OFFICIALS, ARCHITECT AND CONTRACTOR COMPLIMENTED ON FACILITY.

Councilman Baxter moved that we compliment and congratulate our Coliseum Committee under the able leadership of its genial Chairman, Mr. Jim McMillan, for the completion and opening of our city's best promotional project in a decade. That we compliment our Architect, Mr. A. G. Odell, for his vision and careful planning of our beautiful Ovens Auditorium and Coliseum. That we compliment our contractors, Thompson and Street for the prompt completion of the Auditorium and Coliseum according to plans and specifications. And that we especially thank Mr. Paul Buck, the Coliseum Manager for his proper cooperation in the opening of our first promotional

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entertainment project, and finally, that we thank all of the tax paying citizens who had the willingness to approve the bond issues for investing towards the future enjoyment and entertainment of all. The motion was seconded by Councilman Dellinger, and unanimously carried.

COMPLAINT REGARDING FACILITIES ETC AT AUDITORIUM-COLISEUM.

Councilman Dellinger stated he has heard lots of favorable comments on the Auditorium-Coliseum, and the Ice Capades at the Coliseum; however, some people seem confused about some of the facilities, and he believes the City Manager could clear up these things through the press. He presented the following letter regarding parking, etc. at the Coliseum:

"Mr. Steve Dellinger
Charlotte Auto Parts Company
328 N. Brevard St.
Charlotte, N. C.

Dear Steve:

On my first visit to the City's marvelous new Coliseum, I was very much annoyed to find that among other things, I had to pay for parking space. After having my taxes increased to help build it and having paid \$12.00 for tickets for part of my family to see the show, I was pretty burned up to have to pay for a parking space.

I have the feeling that the City Fathers have not adequately explained to the tax-paying public why it took three bond issues to complete this project in the first place, and why certain items such as seats and proper wiring were not even thought of until after the second bond issue was passed.

With kindest regards and best wishes,

Sincerely,

S/ Joe

Joe M. Van Hoy, M.D. "

Mr. Yancey, City Manager, stated the issues set forth in Dr. Van Hoy's letter are nothing new; that the parking lot is under lease and the charge for parking is certainly not unusual.

APPRECIATION FOR COOPERATION IN PRESENTATION OF ICE CAPADES EXPRESSED BY KIWANIS CLUB.

Mr. McAlister Carson, Jr., representing the Charlotte Kiwanis Club, expressed appreciation for the fine cooperation of the City and the Coliseum staff to the Club as the first tenant of the Coliseum in sponsoring the Ice Capades there. He stated they showed to 70,000 in the eight performances given last week. He stated the personnel of the Ice Capades, who play only major cities, were extravagant in their praise of the building and its facilities. He stated the Club members encountered no difficulties in the handling of and presenting the show; that the parking was done without trouble, the seating was well worked out without any difficulty, and the cooperation of Mr. Buck, the Manager, was perfect. He stated further they are analyzing the mail orders for the Show and will give the figures to the city within a few days to show the drawing power of the two buildings. He stated in their efforts to make hotel and restaurant reservations for a group of visitors to the Show, they found reservations were scarce, which proves that the benefits from the buildings will be far reaching.

Councilwoman Evans expressed the thanks of the Council to Mr. Carson for the courtesy shown them by the Kiwanis Club.

Councilman Wilkinson stated he appreciated Mr. Carson taking the trouble to come down and let the Council know what the Club members think of the Coliseum.

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NORTH-SOUTH RUNWAY AT AIRPORT AUTHORIZED RESURFACED FROM AIRPORT CONSTRUCTION FUND, AS AN EMERGENCY MEASURE.

Mr. H. A. Yancey, City Manager, advised that the north-south runway at Douglas Municipal Airport, between the extension and the old runway, is badly cracked and must be immediately resurfaced. That it will take approximately 1,000 tons of material to resurface it at \$8.00 per ton, and the \$8,000.00 for the work can be allocated from the Airport Construction Fund. Councilman Wilkinson stated that the City Council recognizes that an emergency exists at the Airport and it is necessary that the runway be resurfaced and that an estimated 1,000 tons of material is required for the work, therefore, he moves that the resurfacing be done as an emergency measure and the funds be allocated from the Airport Construction Fund. The motion was seconded by Councilman Baxter, and unanimously carried.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AMENDMENT TO ZONING ORDINANCE TO CHANGE ZONING FROM R-2 to B 1-A ON SOUTHWEST CORNER CENTRAL AVENUE AND EASTWAY DRIVE.

Ordinance No. 279 Amending the Zoning Ordinance, to change the zoning from R-2 to B-1 on property located at the southwest corner of Central Avenue and Eastway Drive, was introduced and read. A Resolution Providing for a Public Hearing on November 23rd on Ordinance No. 279 was then presented and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 355.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AMENDMENT TO ZONING ORDINANCE TO CHANGE ZONING FROM R-2 TO B I-A ON PROPERTY AT 3646 CENTRAL AVENUE.

Ordinance No. 280 Amending the Zoning Ordinance, to change the zoning from R-2 to B I-A on property located at 3646 Central Avenue, was introduced and read. A Resolution Providing for a Public Hearing on November 23rd on Ordinance No. 280 was then presented and read. Upon motion of Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 2, at Page 356.

SETTLEMENT OF CLAIM OF J. B. WHITE FOR DAMAGES TO CAR.

Councilman Albea moved that the claim of Mr. J. B. White, in the amount of \$14.00 be settled in full for damages to his car by the City's tree crew trimming trees on South Caldwell Street. The motion was seconded by Councilman Baxter, and unanimously carried.

SETTLEMENT OF CLAIM OF LUKE HARPE AND WIFE FOR DAMAGES RESULTING FROM GARBAGE DISPOSAL ON STATESVILLE AVENUE.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, settlement of the claim of Mr. and Mrs. Luke Harpe for damages as the result of the city's garbage disposal on Statesville Avenue, was authorized in the amount of \$304.80.

INSTALLATION OF TRAFFIC SIGNAL AT SELWYN AVENUE AND CELANESE DRIVE, AND THE TRANSFER OF \$1,800.00 FROM THE EMERGENCY FUND TO TRAFFIC ENGINEERING DEPARTMENT, AUTHORIZED.

Councilwoman Evans moved that a Traffic Signal be installed at Selwyn Avenue and Celanese Drive, and that \$1,800.00 be transferred from the Emergency Fund, Code 110, to Traffic Engineering Department, Code 1518 G-47 for the signal installation. The motion was seconded by Councilman Albea, and unanimously carried.

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CONTRACT AWARDED ADDRESSOGRAPH-MULTIGRAPH CORP. FOR ADDRESSOGRAPH AND \$3,493.85 AUTHORIZED TRANSFERRED FROM EMERGENCY FUND.

Upon motion of Councilman Wilkinson, seconded by Councilwoman Evans, and unanimously carried, contract was awarded Addressograph-Multi-graph Corp., for One Class-1900 Addressograph Machine, equipped with necessary attachments, as specified, at a total net delivered price of \$3,493.85, and the transfer of the said amount from the Emergency Fund, Code 110, to the Accounting Department, Code 1202 G-14, was authorized.

CONTRACT AWARDED RICHLAND SHALE PRODUCTS COMPANY, D.B.A. COLUMBIA PIPE COMPANY FOR VITRIFIED CLAY PIPE.

Motion was made by Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, awarding contract to Richland Shale Products Company, D.B.A. Columbia Pipe Company, for 30,000 linear feet of 8-inch No. 1 Vitrified Clay Pipe, as specified, on a unit price basis, representing a total price of \$13,500.00, subject to cash discount of \$675.00, or a net delivered price of \$12,825.00.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, the construction of driveway entrances was authorized at the following locations:

- (a) One 8-ft. driveway entrance at 2735 Bucknell Avenue.
- (b) One 10-ft. driveway entrance at 1419 Wendover Road.
- (c) One 9-ft. driveway entrance at 1529 Walton Road.
- (d) One 18-ft. driveway entrance at 1531-33 Walton Road.
- (e) One 18-ft. driveway entrance at 1535-39 Walton Road.
- (f) One 18-ft. driveway entrance at 1541-45 Walton Road.
- (g) One 9-ft. driveway entrance at 1547 Walton Road.
- (h) One 9-ft. driveway entrance at 1549 Walton Road.
- (i) One 9-ft. driveway entrance on Norwich Place for 1551 Walton Road.

CONTRACTS FOR RIGHTS-OF-WAY FOR THE CONSTRUCTION OF WATER MAINS AUTHORIZED CO-SIGNED.

Motion was made by Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, authorizing the Mayor and City Clerk to co-sign the following contracts for rights-of-way for the construction of water mains, outside the city limits:

- (a) Agreement between the State Highway Commission and American Investment Company, for right-of-way in Providence Road, at Cloister Drive.
- (b) Agreement between the State Highway Commission and Ervin Construction Company, for right-of-way in Pierson Drive.
- (c) Agreement between the State Highway Commission and Talbert Construction Company, for right-of-way in Seneca Place.
- (d) Agreement between the State Highway Commission and N. G. Speir, for right-of-way in Seneca Place.
- (e) Agreement between the State Highway Commission and John Crosland Company, for right-of-way in Seneca Place.

PAYMENT OF CHANGE ORDER NO. 1 IN CONTRACT OF BOYD & GOFORTH, INC. ON WORK AT SUGAW CREEK SEWAGE TREATMENT PLANT AUTHORIZED.

Councilman Albea moved approval of the payment of Change Order No. 1 in the contract of Boyd & Goforth, Inc., in the amount of \$3,560.00, for additional work on the Sugaw Creek Sewage Treatment Plant, covering gate valves, riser pipe, fittings, supports and anchors. The motion was seconded by Councilman Baxter, and unanimously carried.

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STREETS TAKEN OVER FOR CITY MAINTENANCE.

Upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, the following streets were taken over for city maintenance:

- (a) Norris Avenue, from Wells Street to near Lucena Avenue.
- (b) Rachel Street, from Norris Avenue to end of present maintenance.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO BUILDINGS & GROUNDS DEPARTMENT FOR SCREENS FOR THE RECORDER'S COURT ROOM.

Councilman Dellinger moved that \$800.00 be allocated from the Emergency Fund (Code 110) to the Buildings & Grounds Department, Code 110-505-B-25, to provide for screens in the Recorder's Court Room. The motion was seconded by Councilman Baxter, and unanimously carried.

SALVATION ARMY GRANTED PERMISSION TO PLACE KETTLE-HOUSE AT SQUARE.

Upon motion of Councilman Wilkinson, seconded by Councilwoman Evans, and unanimously carried, the Salvation Army was granted permission to place their usual Kettle-House on the sidewalk at The Square to secure funds for their Christmas charity work.

APPLICATION FOR PERMIT TO REMODEL BUILDING AT 2019 NORTH TRYON STREET APPROVED.

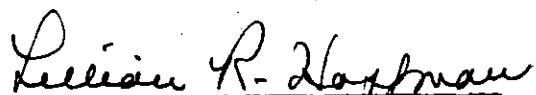
Motion was made by Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, approving application for a permit to remodel a building at 2019 North Tryon Street, in an Industrial Zone.

CANCELLATION OF LEASE WITH GULF OIL CORPORATION FOR AIRPORT PROPERTY ON WHICH THEIR GASOLINE STORAGE FACILITIES ARE ERECTED.

Councilman Albea moved approval of the cancellation of lease with Gulf Oil Corporation for Airport property on which their gasoline storage facilities are erected, as requested by the said Company. The motion was seconded by Councilman Wilkinson, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, the meeting was adjourned.


Lillian R. Hoffman, City Clerk