

October 19, 1955
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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, October 19, 1955, 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.

Upon motion of Councilman Smith, seconded by Councilwoman Evans, and unanimously carried, the Minutes of the Council Meeting on October 12, 1955 were approved as submitted.

ORDINANCE NO. 278-X EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE BY ANNEXING THERETO 10.17 ACRES OF LAND IN SHARON TOWNSHIP, UPON PETITION OF NIVENS CONSTRUCTION COMPANY.

The scheduled hearing was held in connection with the adoption of an ordinance entitled: "Ordinance No. 278-X Extending the Corporate Limits of the City of Charlotte by Annexing thereto 10.17 Acres of Land in Sharon Township, Upon Petition of Nivens Construction Company." No objections were expressed to the proposed annexation. Councilman Wilkinson moved the adoption of the ordinance, which was seconded by Councilman Dellinger, and unanimously carried. The ordinance is recorded in full in Ordinance Book 11, at Page 446.

REQUEST DENIED FOR REIMBURSEMENT FOR REPAIRS TO WATER HEATER DAMAGED WHEN WATER CUT OFF BECAUSE OF BROKEN WATER LINE.

Mr. Albert C. Helms, resident of Scaleybark Road, outside the city limits, stated that recently when repairs were made by the City to a broken water main in Scaleybark Road, the water was cut off, causing the water in the tank at his residence to drain out and the elements were burnt out in the tank, resulting in a repair bill of \$19.25. He asked if the City was liable for the repairs if he could not be reimbursed the amount of the cost for repairs. He stated further that he intended entering New Orleans Theological Seminary in November and needed every cent he had for books.

Mr. Yancey, City Manager, stated that the City has no liability in such cases. That the City does not guarantee a 100% water supply at all times to users; however, the Water Department endeavors to notify residents when the water will be cut-off for any reason, if there is sufficient advance notice. He advised Mr. Helms that water tanks of this type are dangerous, where the water does not drain back into the tank.

Councilman Baxter advised Mr. Helms that he would be glad to assist him in purchasing the books needed at the Seminary, and a donation was presented Mr. Helms by Council members for this purpose.

PETITION FOR REPAIRS TO SHOULDERS AND DRAIN DITCHES ON TUCKASEEGEE ROAD REFERRED TO CITY MANAGER FOR INVESTIGATION AND REPAIR.

Councilman Wilkinson presented a petition, signed by 187 residents living on or near Tuckaseegee Road, requesting that the City or State Highway Commission repair the shoulders and drain ditches on Tuckaseegee Road, from Berryhill Road to the city limits, which are in a dangerous condition. He moved that the City Manager request the State Highway Commission to make the needed repairs, and stated that he knows of no other state maintained highway in Charlotte in such bad condition. The motion was seconded by Councilman Dellinger, and unanimously carried.

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TRAFFIC SIGNAL INSTALLATION AT POINDEXTER AND SOUTH BOULEVARD AUTHORIZED, AND FUNDS THEREFOR TRANSFERRED FROM EMERGENCY FUND.

Upon motion of Councilwoman Evans, seconded by Councilman Albea, and unanimously carried, the installation of a traffic signal was authorized at Poindexter Drive and South Boulevard and \$1,800.00 transferred from the Emergency Fund, Code 110, to cover cost.

SETTLEMENT OF SIX SUITS FOR DAMAGES TO PROPERTY RESULTING FROM CITY'S GARBAGE DISPOSAL ON STATESVILLE AVENUE.

Motion was made by Councilman Smith, seconded by Councilwoman Evans, and unanimously carried, authorizing the settlement of suits for damages resulting from the City's garbage disposal on Statesville Avenue, to the following persons in the amounts herein set forth:

Mrs. C. H. James	\$228.00
Mr. and Mrs. W. G. Mumpower	304.80
Mr. and Mrs. Ralph P. Cochrane	610.80
Mrs. Pauline P. Bullard	458.10
Mr. and Mrs. Jessie P. Smith	458.10
Mr. and Mrs. David H. Chapman	458.10

SUBDIVISION PLATS APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, the following Subdivision Plats were approved, as recommended by the Planning Commission:

- (a) Plat of Industrial Property Plan, being developed by J. A. Jones Construction Company.
- (b) Plat of Thackery Lane, being developed by C. M. Newell.
- (c) Plat of Badger Apartments, being developed by Waters Realty & Insurance Company.
- (d) Plat of Portion of Beechwood Acres, being developed by Ervin Construction Company.

REMOVAL OF TREE AT 1215 EAST WORTHINGTON AVENUE AUTHORIZED.

Councilman Dellinger moved approval of the request of Mrs. Geo. M. Meyers to remove a tree from the planting strip at her residence at 1215 East Worthington Avenue, which interferes with a driveway entrance. The motion was seconded by Councilman Smith, and unanimously carried.

STREETS TAKEN OVER FOR MAINTENANCE.

Upon motion of Councilman Smith, seconded by Councilwoman Evans, and unanimously carried, the following streets were taken over for maintenance by the City:

- (a) Madison Avenue, from Condon Street to Mulberry Avenue.
- (b) Madison Avenue, from Clifton Street to Andrill Terrace.
- (c) Creek Street, from Patton Avenue to Van Buren Avenue.
- (d) Patton Avenue, from Creek Street to Andrill Terrace.
- (e) Clifton Street, from Madison Avenue to Van Buren Avenue.
- (f) Fairfield Street, from Madison Avenue to Van Buren Avenue.
- (g) Van Buren Avenue, from Mulberry Avenue to Andrill Terrace.
- (h) Mulberry Avenue, from Patton Avenue to Van Buren Avenue.
- (i) Condon Street, from Patton Avenue to Madison Avenue.
- (j) Jefferson Davis Street, from Moretz Avenue north to end.
- (k) Barringer Drive, from end of present maintenance south to a point 120 feet northeast of Graymont Drive.

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CONTRACT AUTHORIZED WITH E. C. GRIFFITH COMPANY FOR CONSTRUCTION OF WATER MAINS AND HYDRANT IN EASTOVER SUBDIVISION.

Motion was made by Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, authorizing a contract with E. C. Griffith Company for the construction of 2510-feet of water mains and a hydrant in Eastover Subdivision, to serve residential property abutting on Museum and Twiford Place, at an estimated cost of \$6,575.00. The City to finance all costs and applicant to guarantee a gross annual water revenue equal to 10% of the total cost.

RIGHT-OF-WAY AGREEMENT WITH SOUTHERN RAILWAY FOR INSTALLATION OF WATER LINE UNDER TRACKS AT SHUMAN AVENUE.

Councilman Smith moved that the Mayor and City Clerk be authorized to execute an agreement with the Southern Railway Company for a right-of-way to install a 16-inch water line beneath their tracks in Shuman Avenue. The motion was seconded by Councilwoman Evans, and unanimously carried.

CONTRACT AWARDED WRENN BROTHERS FOR FORK LIFT TRUCK FOR AUDITORIUM-COLISEUM.

Upon motion of Councilman Baxter, seconded by Councilwoman Evans, and unanimously carried, contract was awarded Wrenn Brothers for the purchase of a Fork Lift Truck for the Auditorium-Coliseum, at a net delivered price of \$3,245.00.

CONTRACT AWARDED H. E. PENNIGAR COMPANY FOR BRASS FITTINGS FOR WATER DEPARTMENT.

Councilman Dellinger moved approval of the award of contract to the low bidder, H. E. Pennigar Company, for a Schedule of 4,349 Brass Fittings for the Water Department, at a total price of \$6,673.88, subject to 2% cash discount. The motion was seconded by Councilman Baxter, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 12-ft. entrance at rear of 411 East Boundary Street.
- (b) Two 30-ft. entrances on Wolfberry Street and Two 30-ft. entrances on Hutchinson Avenue, all for 1814 Hutchinson Avenue.
- (c) Two 35-ft. entrances on Independence Boulevard and One 40-ft. entrance on Walnut Avenue, all for 1033 Independence Boulevard.
- (d) One 8-ft. entrance at 1504, 1510, 1514 and 1520 Hawthorne Lane Extension.

ISSUANCE OF SPECIAL OFFICER PERMITS TO C. W. MULLINAX AND T. W. DERRICK AUTHORIZED.

Councilman Smith moved approval of the issuance of Special Officer Permits to C. W. Mullinax on the premises of Southern Railway Company, Liddell Street, and to T. W. Derrick on the premises of Douglas Aircraft Company, 1820 Statesville Avenue. The motion was seconded by Councilman Dellinger, and unanimously carried.

TRANSFER OF CEMETERY LOT.

Motion was made by Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, authorizing the Mayor and City Clerk to execute a deed for the transfer of Evergreen Cemetery Lot 188, in Section 3, to the Estate of Herbert C. Neblett, for the sum of \$589.20.

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CONFIRMATION OF SALE OF TAX FORECLOSED PROPERTY AT NORTH TRYON STREET
AND SAL RY UNDERPASS TO A. J. GOCKING.

Motion was made by Councilman Smith, seconded by Councilman
Dellinger, and unanimously carried, confirming the sale of tax foreclosed
property at public auction on October 3, 1955, to the high bidder, A. J.
Gocking, for the sum of \$7,500.00.

ADJOURNMENT.

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

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk