

October 5, 1955
Minute Book 36 - Page 160

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, October 5, 1955, at 4 o'clock p.m., with Mayor pro tem Smith presiding, and Councilmen Albea, Baxter, Dellinger and Wilkinson present.

Absent: Mayor Van Every and Council members Brown and Evans.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, the Minutes of the last regular meeting on September 28th, were approved as submitted.

CHARLOTTE AERO ASSOCIATION RECOMMENDS APPOINTMENT OF COMPETENT AVIATION DIRECTOR TO MANAGE DOUGLAS MUNICIPAL AIRPORT.

Mr. W. C. Davis, Jr., representing the Charlotte Aero Association, presented a Statement to the Council relative to the appointment of an Airport Manager to succeed the late Mr. D. M. Rea. Mr. Davis paid tribute to Mr. Rea as an able manager with a record of high-minded service. He stated the Association urges that the City employ a well trained, well qualified aviation director, competent to manage the Terminal in all its ramifications, with particular reference to commercial airline operations. He asked that the Council study the Statement presented, and the recommendations contained therein, and permit them to present additional information to implement the Statement.

Councilman Baxter advised that the Airport Manager is appointed by the City Manager, and he is sure that he will appoint the right man.

Mr. Yancey, City Manager, stated he would like everyone to know that he will give careful consideration to the appointment. That he is glad to receive the Statement from the Aero Association and appreciates their interest.

PROTEST BY PROVIDENCE ROAD DELEGATION OF CONSTRUCTION OF ADDITION TO PROVIDENCE ROAD SODA SHOP AND SALE OF BEER AT SHOP.

The extension of the Providence Road Soda Shop, operated by Mr. Steve Fellos, was protested by a delegation of residents of the 1400, 1500 and 1600 blocks of Providence Road and vicinity, with Mr. Caldwell Cline and Mr. Brevard Merritt as spokesmen. Mr. Cline stated they have heard that Mr. Fellos stated he intends opening a tavern in the basement of the shop, also opening a rear entrance and improving the main part of the shop. Mr. Cline introduced Mrs. Sallie Davidson, who stated Mr. Fellos told her that he was building a place in the basement for serving beer so the shop would not be objectionable to ladies. Mr. Cline stated they have a nice neighborhood and wish to keep it so and object to any change in the shop.

Mr. Brevard Merritt stated he substantiates the remarks by Mr. Cline. That it is unfortunate that they have this type Soda Shop in their community that serves beer. That the shop is a non-conforming business in a Residence zone, and they ask the Council to enforce the zoning ordinance. That they do not want to deprive anyone from making a living but protest the proposed construction and the sale of beer.

October 5, 1955
Minute Book 36 - Page 161

Mr. George Miller, Attorney representing Mr. Fellos, stated the Soda Shop has been at this location a long time and was there prior to the adoption of zoning laws. That the residents have been disgruntled since the beginning of the widening of Providence Road, and they have harassed everyone they could. That Mr. Fellos is only trying to make the soda shop more attractive by putting in a new front, better lighting and opening a stock-room at the rear of the store. That he himself does'nt know to what purpose he will put the room he is opening. That he is not opening the basement, and neither is he adding to the building nor altering its construction in any respect. He stated that Mr. Fellos applied to the City Building Department for a permit to make the repairs and it was held up. That he is requesting the Council to instruct the Department to issue the permit. That as to the sale of beer, Mr. Fellos has a license, both on and off-premises to sell beer. That his sale of beer consumed on the premises amounts to no more than one and a half cases per day. Mr. Miller stated further that the residents have dreamed up this story of a tavern and of large expansion.

Councilman Albea stated the Council would not have to instruct the Building Department to issue the permit if everything was in order.

Mr. Yancey, City Manager, stated that is correct. That quite often applications for permits are held up until an investigation of the premises can be made if there is any doubt regarding the construction.

Mayor pro tem Smith suggested that the two groups get together and Mr. Fellos invite the neighbors in and explain his plans, and it could no doubt be worked out on a community basis.

Mr. Miller stated Mr. Fellos did so today, and these residents said to quit selling beer and there would be no trouble.

Mr. Merritt stated he wants to go on record that this is not something the residents dreamed up. That they are objecting to the sale of beer in the neighborhood. He advised that Mr. Fellos called him this morning and said if it was just a question of selling beer that he would stop; then this afternoon he says he does not intend doing so. Mr. Merritt asked that the residents and their investments be protected.

Mr. Fellos stated that he did not say he would stop the sale of beer; that he did tell Chief Hord that he had rather close the place than have any trouble. That his idea in opening the room at the back of the store is to use it either to serve the large number of children ice cream etc, who come in every afternoon from the Dancing School next door, which his little girl attends, and open the rear entrance for their use, or to use it to serve beer and serve the children in the main shop. That as it is the shop is overly crowded late in the afternoon.

Mr. Merritt stated if Mr. Fellos will discontinue the sale of beer and make no changes in the building other than provided under the zoning laws, then everything will be alright. Until this is done, Mr. Merritt said he would be coming back to the Council again.

ESTIMATE OF COST OF REPAIRS TO PRESENT HEATING PLANT AT CIVIL AIR PATROL BUILDING AT AIRPORT, OR FOR PURCHASE OF NEW PLANT REQUESTED.

Councilman Baxter requested that the City Manager have an estimate of the cost of repairing the present heating plant in the Civil Air Patrol Building at the Airport, and if this cannot be done, then secure an estimate of the cost of a new plant. Mr. Yancey stated he will be glad to do so.

PLAT OF PORTION OF MARKHAM VILLAGE SUBDIVISION APPROVED.

Upon motion of Councilman Albea, seconded by Councilman [unclear] and unanimously carried, the Plat of [unclear] being developed by Ervin [unclear]

October 5, 1955
Minute Book 36 - Page 162

CONSTRUCTION OF SANITARY SEWER MAINS IN SELWYN PARK ADDITION NO. 8 APPROVED.

Motion was made by Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, authorizing the construction of 4,312 feet of 8-inch sanitary sewer mains in Selwyn Park Addition No. 8, at an estimated cost of \$9,450.00. All costs to be borne by the City, and Applicant's deposit of the full amount to be refunded in accordance with the terms of the contract.

CONSTRUCTION OF DRIVEWAY ENTRANCES APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, the construction of driveway entrances were approved at the following locations:

- (a) Two 35-ft. entrances on Central Avenue and Two 35-ft. entrances on Eastway Drive, all for 3718 Central Avenue.
- (b) Two 35-ft. entrances on Freedom Drive and Two 35-ft. entrances on Camp Green Avenue, all for 2501 Freedom Drive.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, authorizing the Mayor and City Clerk to execute a deed with Mr. Clyde A. Jones, for the transfer of Lot 188, Section 2, Evergreen Cemetery, at the sum of \$156.00.

SALE OF AIRPORT BUILDINGS TO THE FULL GOSPEL CHURCH RESCINDED.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, the sale of two buildings at the Airport to The Full Gospel Church on September 28th was rescinded, on the recommendation of the City Manager in view of the fact that there is some doubt as to the use to which the buildings will be put.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON MCDONALD AVENUE.

A resolution entitled: "Resolution Authorizing Permanent Improvements on McDonald Avenue" was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Wilkinson, unanimously passed on its first reading. The resolution is recorded in full in Resolutions Book 2, at Page 350.

RESOLUTION ABANDONING THAT PORTION OF GREENLAND AVENUE LYING TO THE EAST OF WEST MOREHEAD STREET.

A resolution entitled: "Resolution Abandoning That Portion of Greenland Avenue Lying to the East of West Morehead Street" was introduced and read. Councilman Wilkinson moved the adoption of the resolution, which was seconded by Councilman Albea, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 351.

RESOLUTION AUTHORIZING SPECIAL COUNSEL OF THE CITY OF CHARLOTTE TO MAKE APPLICATION TO THE CIVIL AERONAUTICS BOARD FOR EXEMPTIONS FROM APPLICABLE REGULATIONS AUTHORIZING EASTERN AIR LINES, INC. OR SUCH OTHER CARRIER AS MAY BE SELECTED BY THE CIVIL AERONAUTICS BOARD TO PROVIDE NON-STOP SERVICE BETWEEN CHARLOTTE AND CHICAGO IN CIVIL AERONAUTICS BOARD PROCEEDINGS, DOCKET NO. 2396.

A resolution entitled: "Resolution Authorizing Special Counsel of The City of Charlotte to Make Application to The Civil Aeronautics Board For Exemptions From Applicable Regulations Authorizing Eastern Air Lines, Inc. or Such Other Carrier as May Be Selected By The Civil Aeronautics Board To Provide Non-Stop Service Between Charlotte and Chicago in Civil Aeronautics Board Proceedings, Docket No. 2396" was introduced and read. Upon motion of Councilman Baxter, seconded by Councilman Wilkinson, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 2, at Page 352.

October 5, 1955
Minute Book 36 - Page 163

CONTRACT AWARDED CAROLINA SASH WEIGHT COMPANY, INC. FOR VALVE BOXES AND VALVE BOX TOP SECTIONS AND LIDS.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, contract was awarded Carolina Sash Weight Company, Inc., for 100 No. 1 and 100 No. 2 Valve Boxes complete, and 50 No. 1 and 50 No. 2 Valve Box Top Sections and Lids only, all to be coated and as specified, at a total price of \$1,496.00, subject to cash discount of \$29.92, or a net delivered price of \$1,466.08.

CONTRACT AWARDED CONCRETE PRODUCTS COMPANY FOR CONCRETE METER BOXES AND COVERS.

Motion was made by Councilman Albea, seconded by Councilman Baxter, and unanimously carried, awarding contract to Concrete Products Company, for 1,000 Concrete Meter Boxes with Covers, City of Charlotte standard pattern, as specified, on a unit price basis of \$4.50 each, representing a total net delivered price of \$4,500.00.

ALTERATIONS TO ELECTRIC WIRING SYSTEM IN CITY HALL AUTHORIZED AND FUNDS TRANSFERRED FROM EMERGENCY FUND THEREFOR.


Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, alterations to the electric wiring system in the City Hall was authorized and \$3,000.00 was authorized transferred from the Emergency Fund for payment of same.

CITY COACH LINES OFFICIALS REQUESTED TO MEET WITH COUNCIL ON OCTOBER 19TH TO DISCUSS CHANGES IN BUS SERVICE.

Mr. Yancey, City Manager, advised he has received petitions concerning the operation of the City Coach Lines Busses on Monroe Road and the Queens Road Route. Councilman Baxter moved that the City Coach Lines officials be requested to meet with the City Council on Wednesday, October 19th to consider complaints regarding changes in bus service. The motion was seconded by Councilman Wilkinson, and unanimously carried.

ADJOURNMENT.

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


Lillian R. Hoffman
City Clerk