

September 21, 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 of the City Hall, on Wednesday, September 21, 1955, at 4 o'clock p.m., with Mayor Van Every presiding, and Councilmen Albea, Baxter, Dellinger, Smith and Wilkinson present.

Absent: Council members Brown and Evans.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the Minutes of the Council Meeting on September 14th were approved as submitted.

CITY COACH LINES, INC. REQUESTED TO OPERATE BUS ON MONROE ROAD TO FUGATE AVENUE, UPON COMPLAINT OF RESIDENTS AS TO NO BUS SERVICE.

Mr. John A. Carrigan, 3419 Monroe Road, was spokesman for a delegation of residents of the Monroe Road area, requesting Bus service. He advised that in the past thirty years there had been no service on Monroe Road beyond Washburn Avenue. He stated that within recent years a large subdivision has been developed within the area and four large industries have located on Monroe Road, and it is necessary for the residents, and school children to walk at least a mile to the nearest Bus line. Mr. Carrigan advised that the Commonwealth Avenue Bus comes out as far as the Oakhurst School and returns via the same route. That they desire bus service on Monroe Road as far as Oakhurst School and at least to Fugate Avenue.

Mr. John D. Shaw, City Attorney explained, at the Mayor's request, that the Council can only request the City Coach Lines to establish or change routes, and if they do not see fit to do so, then the only recourse is for the residents to appeal to the State Utilities Commission.

Mayor Van Every stated that the Bus Company is new to Charlotte and to the Bus Routes, and they are feeling their way in working out the situation. That he believes that over a period of time it will be worked out to the satisfaction of everyone.

Councilman Baxter moved that we accept the request as information and recommend to the City Coach Lines that they operate a bus out Monroe Road to Fugate Avenue. The motion was seconded by Councilman Albea, and unanimously carried.

PURCHASE OF COOK PROPERTY IN DOWD HEIGHTS FOR NEW FIRE STATION SITE.

Councilman Wilkinson moved that the purchase of property located in Lots 8, 9 and 10, Block 3, Dowd Heights be authorized from Mrs. I. M. Cook, at a price of \$15,000.00 as the site for the new Fire Station. The motion was seconded by Councilman Dellinger, and unanimously carried.

CHARLES W. CONNELLY EMPLOYED AS ARCHITECT FOR NEW FIRE STATION.

Councilman Smith moved that Mr. Charles W. Connelly be employed as Architect for the new Fire Station. The motion was seconded by Councilman Albea, and unanimously carried.

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RESOLUTION PROVIDING FOR PUBLIC HEARING ON OCTOBER 12TH ON ORDINANCE NO. 275 AMENDING ZONING ORDINANCE, TO CHANGE ZONING ON TWO LOTS AT 1022-24 PECAN AVENUE.

Ordinance No. 275 Amending the Zoning Ordinance, to change the zoning from R-2 to B-1 on two lots at 1022-24 Pecan Avenue, was introduced and read. Following which a Resolution Providing for a Public Hearing on October 12th on the said amendment was introduced and read, and upon motion of Councilman Smith, seconded by Councilman Baxter, was unanimously adopted. The resolution is recorded in full in Resolutions Book 2, at Page 346.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON OCTOBER 12TH ON ORDINANCE NO. 276 AMENDING ZONING ORDINANCE, TO CHANGE ZONING ON PROPERTY ON WEST 5TH STREET AND ANDRILL TERRACE.

Ordinance No. 276 Amending the Zoning Ordinance, to change the zoning from R-2 to B-1 on property located on West 5th Street and Andrill Terrace, was introduced and read. A Resolution Providing for a Public Hearing on October 12th on the said amendment was then introduced 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 347.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON OCTOBER 12TH ON ORDINANCE NO. 277 AMENDING THE ZONING ORDINANCE, TO CHANGE ZONING ON PROPERTY AT 2700 MONROE ROAD.

Ordinance No. 277 Amending the Zoning Ordinance, to change the zoning from R-2 to B-1 on property located at 2700 Monroe Road, was introduced and read. Following which a Resolution Providing for a Public Hearing on October 12th on the said amendment was presented and read. Councilman Smith 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 348.

PETITION FOR ANNEXATION OF 10.17 ACRES OF LAND IN SHARON TOWNSHIP, SCALEY-BARK ROAD, TO THE CITY OF CHARLOTTE, BY NIVENS CONSTRUCTION COMPANY.

The following petition was filed by Mr. Frank McCleneghan, Attorney on behalf of Nivens Construction Company, for the annexation of 10.17 acres of land in Sharon Township, to the City of Charlotte:

"PETITION FOR ANNEXATION OF CERTAIN
PROPERTY IN THE CITY OF CHARLOTTE

TO THE HONORABLE MAYOR AND MEMBERS OF THE
CITY COUNCIL OF THE CITY OF CHARLOTTE:

The undersigned NIVENS CONSTRUCTION COMPANY does petition, pursuant to the provisions of Chapter 725, Section 8 of the 1947 Public Session Laws of the General Assembly of North Carolina, for annexation to the City of Charlotte of the property hereinafter referred to, and does show as follows:

1. That the property sought to be annexed to the City of Charlotte, and to thereby be and become within the boundaries of said City, is lying and being in Sharon Township, particularly described as follows:

BEGINNING at a stake in the center of Scaleybark Road, said stake being located S. 58-30-50 E. 674.65 feet measured along said center line of Scaleybark Road from the point formed by the intersection of said center line of Scaleybark Road with the center line of Pineville Road, and running thence with the center line of said Scaleybark Road in two courses as follows: (1) S. 58-30-50 E. 580.29 feet; (2) following the arc of a circular curve of radius 1238.38 feet to the right and in a southeasterly direction 135.45 feet; thence S. 2-18-40 W. 533.18 feet; thence N. 67-26-50 W. 889.02 feet; thence N. 22-28-18 E. 619.24 feet to the BEGINNING.

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2. That the undersigned is the owner of all the property described in the paragraph next above and sought to be annexed to the City of Charlotte in this petition.

WHEREFORE your petitioner prays that notice be given as provided by Section 1, Chapter 725 of the 1947 Public Session Laws of the General Assembly of North Carolina, and that an Ordinance be adopted at a Session of the City Council of the City of Charlotte called for that purpose extending the corporate limits of the City of Charlotte by annexing thereto the property described in this petition as therein provided.

This 19th day of September, 1955.

Attest:

NIVENS CONSTRUCTION COMPANY

L. R. Katzh
Secretary

BY: Scott A. Nivens
President

(SEAL)

I do hereby certify that the property described in the foregoing petition is contiguous to the present corporate limits boundary of the City of Charlotte.

Loyd G. Richey
City Engineer

I do hereby certify that I have examined the records of Mecklenburg County, and that Nivens Construction Company constitutes the sole owner of the property described in the foregoing petition.

F. A. McCleneghan
Attorney "

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON OCTOBER 19TH ON PETITION OF NIVENS CONSTRUCTION COMPANY, FOR THE ANNEXATION OF 10.17 ACRES OF LAND IN SHARON TOWNSHIP, TO THE CITY OF CHARLOTTE.

A resolution entitled: "Resolution Providing for a Public Hearing on October 19th on petition of Nivens Construction Company, for the Annexation of 10.17 Acres of Land in Sharon Township, to the City of Charlotte" was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 2, at Page 349.

SALE OF AIRPORT BUILDINGS TO JERUSALEM HOUSE OF GOD.

Councilman Wilkinson moved that Airport Buildings #347 and #13 be sold to Jerusalem House of God, as requested, at a price of \$175.00 each. The motion was seconded by Councilman Smith, and unanimously carried.

PLAT OF C. L. CHEATHAM SUBDIVISION APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Smith, and unanimously carried, the Plat of C. L. Cheatham Subdivision was approved, as recommended by the Planning Commission.

CONSTRUCTION OF SANITARY SEWERS IN (1) GRIMES STREET and (2) RACHEL STREET AND NORRIS AVENUE APPROVED.

Motion was made by Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, authorizing the construction of sanitary sewers at the following locations:

- (a) 170-ft. of sanitary sewer main in Grimes Street, at an estimated cost of \$390.00, to serve 2 family units and one vacant lot, at the request of Trotter & Allen. All costs to be borne by the City.

- (b) 795-ft. of sanitary sewer main in Rachel Street and Norris Avenue, at an estimated cost of \$2,090.00, to serve residential property, at request of Bob Allen Agency. All costs to be borne by the City, and applicant's deposit of \$890.00 to be refunded as per terms of the contract.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 12-ft. entrance at 409 Keswick Avenue.
- (b) One 12-ft. entrance at 508-510 Sylvania Avenue.
- (c) One 12-ft. entrance at 727 Hempstead Place.
- (d) Two 20-ft. entrances at 2611 Central Avenue.
- (e) Two 30-ft. entrances at 1527 West Morehead Street.
- (f) One 40-ft. entrance on Thomas Ave. and One 40-ft. entrance on Central Avenue, both for 1600 Central Avenue.

CONTRACT AWARDED THE J.F.W. DORMAN COMPANY FOR AUTOMOBILE AND MOTORCYCLE LICENSE TAGS.

Councilman Wilkinson moved that contract be awarded the low bidder, The J. F. W. Dorman Company for 46,000 Metal Automobile Tags and 400 Metal Motorcycle Tags, as specified, on a unit price basis, representing a net delivered price of \$4,634.00. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONTRACT AWARDED DECORATIVE SUPPLY COMPANY FOR BANQUET AND DISPLAY TABLES FOR AUDITORIUM-COLISEUM.

Upon motion of Councilman Baxter, seconded by Councilman Wilkinson and unanimously carried, contract was awarded the low bidder, Decorative Supply Company, for 180 Tables 30" x 72" and 20 Tables 30" x 96", as specified, at a total price of \$3,610.00, less cash discount of \$36.10, or a net delivered price of \$3,573.90, for the Auditorium-Coliseum.

CONTRACT AWARDED CREECH MOTORCYCLE COMPANY FOR FIVE MOTORCYCLES FOR POLICE DEPARTMENT.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, contract was awarded Creech Motorcycle Company, for Five Motorcycles for the Police Department, two with radio and three without, as specified, at a total price of \$7,378.50, less trade in of five pieces of old equipment amounting to \$1,325.00, or a total net exchange delivered price of \$6,053.50.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mrs. Katherine S. Gaul, for Lot 189, Section 3, Evergreen Cemetery, at \$596.50.
- (b) Deed with Chas. H. Phillips, for Lot 150, Section 4-A, Evergreen Cemetery, at \$126.00.
- (c) Deed with Edgar H. Hammond and wife, Edgar H. Hammon, Jr. and wife and Richard F. Hammond and wife, for Lot 303, Section 3, Evergreen Cemetery, at \$216.00.

SUPPLEMENT #1 TO LEASE WITH U. S. GOVERNEMENT, NAVY DEPARTMENT, AUTHORIZED.

Upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, Supplement #1 to Lease No. NOy(R)-45215 with the United States Government, Navy Department, dated March 31, 1950, covering the Navy Training Center at Douglas Municipal Airport, for space in old Administration Building in lieu of Building No. 247, at a rental of \$5.00 per month.

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SOUTHERN RAILWAY COMPANY REQUESTED TO MAINTAIN SHRUBBERY AT STONEWALL STREET UNDERPASS.

Councilman Dellinger advised that the shrubbery at Stonewall Street Underpass, for which the city paid \$3,500.00, is being unkept and can scarcely be seen for weeds, and he asked that it be given the proper care.

Mr. Yancey, City Manager, advised that the agreement with the Southern Railway was that the City would provide the proper planting at the Underpass when it was constructed so that the fill would not wash down, and the Railway Company would maintain it; that he did not believe the City was at liberty to enter private property and provide such maintenance.

Councilman Smith moved that the City Manager request the Southern Railway Company to see that the shrubbery in question is taken care of in the proper manner. The motion was seconded by Councilman Baxter, and unanimously carried.

ADJOURNMENT.

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

Leicester R. Hoffman
City Clerk