

November 21, 1956
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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Wednesday, November 21, 1956, at 4 o'clock p.m., with Councilman Claude L. Albea, Acting Mayor, presiding, and Council members Baxter, Brown, Dellinger, Evans and Wilkinson being present.

ABSENT: Mayor Van Every and Councilman Smith, Mayor pro tem.

INVOCATION.

The invocation was given by Councilman Herman A. Brown.

MINUTES APPROVED.

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

HEARING ON EXTENSION OF PIERCE STREET INTO LATTA PARK DEFERRED UNTIL JANUARY 16, 1957.

Mr. Hugh Lobdell, Attorney for the petitioner, Saint Patrick Catholic Church, for the extension of Pierce Street over a strip of land 182 feet by 40 feet into Latta Park, appeared before Council to urge the condemnation of the right-of-way for the extension of the street.

Mr. Fred Helms and Mr. Henry Fisher, attorneys for the owners of adjacent property opposing the street extension were also present. Mr. Helms stated that the pending action before the Court, relative to the withdrawal from dedication of the land for street purposes, should be disposed of before any action is taken by the City Council. That neither the City nor State can proceed with any condemnation proceedings until the State, or its subdivision, has endeavored to buy the property in question; therefore, until the ownership of the right-of-way is determined by the Court, and after that when the City has endeavored to purchase the right-of-way from whoever is the owner, nothing can legally be done by the City.

Mr. Lobdell stated that the title to the land is not the question before the Court, that it is whether the dedication of the street right-of-way has been revoked, and he feels that the hearing today will speed up the matter.

Councilman Brown advised that the Mayor, Councilman Smith and the City Attorney are absent from the meeting and the members present feel it will be better to have the full Council present when the matter is discussed, therefore they suggest that the hearing be deferred.

It was agreed by the three attorneys and the Council to defer the hearing until January 16, 1957, and that the attorneys be advised at that time if a full Council will be present at the meeting.

CITY MANAGER REQUESTED TO DETERMINE COST OF PAYING POLICE OFFICERS FOR APPEARANCE IN COURT AS WITNESS FOR THE CITY DURING THEIR OFF-DUTY TIME.

Councilman Baxter requested the City Manager to make a survey to determine the cost of paying Police Officers for appearance in the Courts as witness for the City during their off-duty time.

CITY ATTORNEY REQUESTED TO DRAW ORDINANCE TO PROHIBIT AMBULANCES FROM PROCEEDING THROUGH RED TRAFFIC SIGNALS.

Councilman Baxter requested the City Manager to confer with the City Attorney and request him to draw an ordinance to prohibit ambulances from proceeding through red traffic signals, in the interest of the public safety.

TREE COMMISSION REQUESTED TO LOOK INTO REMOVAL OF PINE TREES BETWEEN THE OAK TREES IN THE PLANTING-STRIP IN THE 1400, 1500 AND 1600 BLOCKS OF QUEENS ROAD WEST.

Councilman Baxter requested the City Manager to ask the Tree Commission to look into the matter of removing the pine trees between the oak trees in the planting-strip in the 1400, 1500 and 1600 blocks of Queens Road West.

CONTRACT AUTHORIZED WITH MARSH AND HAWKINS, ARCHITECTS, TO DRAW PLANS FOR THE JUVENILE DETENTION HOME.

Councilman Wilkinson moved that the Mayor and City Clerk be authorized to execute a contract with Marsh & Hawkins, Architects, to draw plans for the Juvenile Detention Home. The motion was seconded by Councilman Brown, and unanimously carried.

Councilman Dellinger stated he understands the funds allocated for the construction of the Detention Home will not be sufficient, and he recommended that a meeting be held with the County Commissioners to discuss the matter and find additional funds. Councilman Brown stated the Detention Home Committee is meeting weekly with regard to the cost, etc., and asked that the proposed conference be postponed until they make a report and recommendation.

CITY EMPLOYEES WHO HAVE SERVED AS MUNICIPAL EMPLOYEES FIFTEEN CALENDAR YEARS OR LONGER GRANTED ADDITIONAL WEEK VACATION, EFFECTIVE JANUARY 1, 1957.

Councilwoman Evans moved that effective January 1, 1957 city employees who have served as municipal employees of the City of Charlotte for 15 calendar years or longer be granted an additional week's vacation. The motion was seconded by Councilman Dellinger, and unanimously carried.

PURCHASE OF STRIP OF LAND FROM PARK & RECREATION COMMISSION FOR RELOCATION OF CRESCENT AVENUE EXTENSION AND OLD SARDIS ROAD.

Councilman Brown moved that a 60 foot strip of land along Crescent Avenue Extension be purchased from the Park & Recreation Commission, at a price of \$2,482.00, as right-of-way for the relocation of Crescent Avenue Extension and Old Sardis Road. The motion was seconded by Councilman Wilkinson, and unanimously carried.

RESOLUTION RELATING TO OUTSTANDING SCHOOL DEBT OF THE CITY OF CHARLOTTE.

A resolution entitled: "Resolution Relating to Outstanding School Debt of The City of Charlotte" was introduced by Councilman Wilkinson, who moved its adoption following the reading thereof. The motion was seconded by Councilman Brown, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Pages 3-4.

RESOLUTION AUTHORIZING PAYMENT OF SPASTICS HOSPITAL BONDS IN THE AMOUNT OF \$190,000.00 TO THE TREASURER OF THE SPASTICS HOSPITAL.

A resolution entitled: "Resolution Authorizing Payment of Spastics Hospital Bonds in the Amount of \$190,000.00 to the Treasurer of the Spastics Hospital" was introduced by Councilman Dellinger, who moved its adoption following the reading thereof. The motion was seconded by Councilman Brown, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 5.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 12TH ON ORDINANCE NO. 357 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING FROM R-1 TO B I-A PROPERTY LOCATED IN THE 2500 AND 2600 BLOCKS OF N. INDEPENDENCE BOULEVARD.

Ordinance No. 357 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte, by changing from R-1 to B I-A the property located in the 2500 and 2600 blocks of N. Independence Boulevard, on appeals of Mrs. Stewart Martin, Jr. and Mr. George W. McManus from the decision of the Planning Board denying their requests was introduced and read. A Resolution Providing for a Public Hearing on December 12th was then presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and unanimously carried. The resolutions is recorded in full in Resolutions Book 3, at Page 6.

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RESOLUTION PROVIDING FOR A PUBLIC HEARING ON DECEMBER 12TH ON ORDINANCE NO. 358 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA, BY CHANGING FROM R-2 TO B-1 THE PROPERTY AT THE SE CORNER OF EASTWAY DRIVE AND SHAMROCK ROAD.

Ordinance No. 358 Amending the Zoning Ordinance to amend the Building Zone Map of the Charlotte Perimeter Area, by changing from R-2 to B-1 the property at the SE Corner of Eastway Drive and Shamrock Road, on appeal of McArn & Gwynn Company from the decision of the Planning Board denying their request, was introduced and read. A Resolution Providing for a Public Hearing on December 12th, was then presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 7.

RESOLUTION PROVIDING FOR A PUBLIC HEARING ON DECEMBER 12TH ON ORDINANCE NO. 359 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA, BY CHANGING FROM RURAL TO B-1 THE PROPERTY ON N. INDEPENDENCE BOULEVARD NEAR WALLACE ROAD.

Ordinance No. 359 Amending the Zoning Ordinance to amend the Building Zone Map of the Charlotte Perimeter Area, by changing from Rural to B-1 on the property on N. Independence Boulevard near Wallace Road, on the appeal of McArn & Gwynn Company and Consolidated Theatres from the decision of the Planning Board denying their request, was introduced and read. A Resolution Providing for a Public Hearing on December 12th, was then presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 8.

CLAIM OF MRS. LAURA LEWIS FOR INJURIES SUSTAINED ON SEPTEMBER 10, 1956 REFERRED TO CITY ATTORNEY.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, the claim of Mrs. Laura Lewis, in the amount of \$10,000.00, for injuries sustained from a fall on September 10, 1956 on the walk leading from the west side entrance of the City Hall to Davidson Street, was referred to the City Attorney for handling.

CONTRACTS AUTHORIZED FOR INSTALLATION OF WATER MAINS.

Motion was made by Councilman Brown, seconded by Councilman Baxter, and unanimously carried, authorizing the following contracts for the installation of water mains:

- (a) Contract with Wachovia Building Company for the installation of 12,630 feet of water mains and 6 hydrants in Windsor Park Subdivision, located east of the Methodist Home property, at an estimated cost of \$39,100.00. All costs to be borne by the applicant, who will be reimbursed the costs if and when the mains shall produce a revenue equal to 5% of the cost during any 12 months continuous period.
- (b) Contract with George Goodyear Company, for the installation of 3,115 feet of water mains and 2 hydrants in Selwyn Park Addition No. 9, at an estimated cost of \$7,725.00. The City to finance all costs and applicant will guarantee a gross annual water revenue equal to 10% of the cost.

CONSTRUCTION OF SANITARY SEWER MAINS AND TRUNK AUTHORIZED.

Upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, the construction of new sanitary sewer mains and trunk sewer was authorized as follows:

- (a) Construction of 124 feet of sanitary sewer main in N. Brevard Street, to serve two business units, at an estimated cost of \$390.00, at request of Lawter & Pritchler Company. All costs to be borne by the City.

- (b) Construction of 3,175 feet of sanitary sewer mains in Colonial Village, to serve 66 vacant lots, at an estimated cost of \$9,860.00, at request of John Crosland Company. All costs to be borne by the City; applicant's required deposit of the full amount to be refunded as per terms of the contract.
- (c) Construction of 578 feet of 10-inch sewer trunk in Queens Road West, to replace old inadequate line, at an estimated cost of \$2,210.00, at request of Assistant City Engineer. All costs to be borne by the City.

CONTRACT AWARDED SUPERIOR STONE COMPANY FOR CRUSHED STONE.

Motion was made by Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, awarding contract to the low bidder, Superior Stone Company for the following estimated quantities of crushed stone, F.O.B. Seigle Avenue Siding Delivery, on unit price basis: 2,500 Tons #7 Crusher run, 3,000 Tons #10, 10,000 Tons #4-A, 2,000 Tons #11-B, 2,000 Tons #12-A Clean Stone, all as specified; and for the following estimated quantities of #7 Crusher Run Stone for truck delivery in Zones on unit price basis, all as specified; 4,500 Tons delivered to Zone #1, 4,500 Tons delivered to Zone #2, 4,500 Tons delivered to Zone #3 and 4,500 Tons delivered to Zone #4, all the above crushed stone at a total net delivered price of \$97,795.00.

CONTRACTS AWARDED FOR WATER METERS AND METER YOKES.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, contracts for water meters and meter yokes were awarded the low bidders, as follows:

1. Contract awarded Badger Meter Company for 1,500 - 5/8" Displacement type cold water Meters, as specified, on a unit price basis, representing a total net delivered price of \$41,790.00.
2. Contract awarded Neptune Meter Company for 100- 1" Displacement type cold water Meters, as specified, on a unit price basis, representing a total net delivered price of \$5,842.00.
3. Contract awarded Badger Meter Company for 25 - 1 1/2" Displacement type cold water Meters, as specified, on a unit price basis, representing a total net delivered price of \$2,800.50.
4. Contract awarded Neptune Meter Company for 30 - 2" Displacement type cold water Meters, as specified, on a unit price basis, representing a total net delivered price of \$5,029.20.
5. Contract awarded Hersey Manufacturing Company for 6 - 3" Compound type water Meters, as specified, on a unit price basis, representing a total net delivered price of \$2,745.00.
6. Contract awarded Hersey Manufacturing Company for 4 - 4" Compound type water Meters, as specified, on a unit price basis, representing a total net delivered price of \$3,048.00.
7. Contract awarded The Ford Meter Box Company for 1,500 Meter Yokes #209-U, as specified, on a unit price basis, representing a total net delivered price of \$6,660.00.

RENEWAL OF SPECIAL OFFICER PERMIT TO JOHN C. CROCKER.

Councilman Wilkinson moved the renewal for one year of the Special Officer Permit issued to John C. Crocker, for use on the premises of Hotel Charlotte. The motion was seconded by Councilman Dellinger and unanimously carried.

SALARY ADVANCE IN DECEMBER TO CITY EMPLOYEES AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, the usual advance in salary was authorized to city employees to be paid on December 15th for the last half of December to employees on a semi-monthly basis and an advance of one week's salary on December 23rd to employees on a weekly salary basis; the payment of the advance to be optional with the employees.

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TRANSFER OF CEMETERY LOT.

Councilman Brown moved that the Mayor and City Clerk be authorized to execute a deed with Mr. L. T. Vinesett and wife, for Graves 3, 4 7 and 8, in Lot 207, Section 7, Oaklawn Cemetery, at \$300.00. The motion was seconded by Councilman Baxter, and unanimously carried.

RESOLUTION RELATIVE TO RELEASE OF TRACT OF LAND CONTAINING 0.669 ACRES TO THE OWNERS PHILLIPS INVESTMENT COMPANY, LEASED BY CITY FOR PARKING AREA FOR AUDITORIUM-COLISEUM AND NOT USED.

A resolution entitled: "Resolution Relative to Release of Tract of Land Containing 0.669 Acres to the Owners Phillips Investment Company, Leased by City for Parking Area for Auditorium-Coliseum and Not Used" was introduced and read. Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 9.

PAT MUNGO, WATER DEPARTMENT EMPLOYEE, GRANTED EXTENSION OF SICK LEAVE TO DECEMBER 31, 1956.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, Mr. Pat Mungo, Water Department employee; was granted an extension of his sick leave to December 31, 1956.

ADDITIONAL EMPLOYEE AUTHORIZED EMPLOYED IN PET DEPARTMENT.

Councilwoman Evans moved that an additional employee be employed in the Pet Department, as requested, and that \$1,329.00 be transferred from the Emergency Fund (Code 110) to the Pet Department Salary Account (Code 404 A-8) to cover the salary of the employee for the remaining seven months of the current fiscal year. The motion was seconded by Councilman Brown, and unanimously carried.

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE TO PROVIDE FOR A REFERENDUM BY THE CITY'S ELIGIBLE POLICEMEN UNDER PROVISIONS OF SECTION II OF CHAPTER 1154 OF 1955 SESSION LAWS OF NORTH CAROLINA (ARTICLE 2 OF CHAPTER 135 OF THE GENERAL STATUTES OF NORTH CAROLINA, AS AMENDED) TO DETERMINE WHETHER N. C. LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM SHALL BE CO-ORDINATED WITH THE OLD-AGE AND SURVIVORS INSURANCE PROVISIONS OF THE FEDERAL SOCIAL SECURITY ACT, TO BE EFFECTIVE ON JANUARY 1, 1955.

A resolution entitled: "Resolution By the City Council of the City of Charlotte to Provide for a Referendum by the City's Eligible Policemen Under Provisions of Section II of Chapter 1154 of 1955 Session Laws of North Carolina (Article 2 of Chapter 135 of the General Statutes of North Carolina, as Amended) to Determine Whether N. C. Local Governmental Employees' Retirement System shall be Co-Ordinanced with the Old-Age and Survivors Insurance Provisions of the Federal Social Security Act, to be effective on January 1, 1955" was introduced and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilwoman Evans and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 10.

THANKSGIVING DAY GREETINGS EXTENDED BY ACTING MAYOR CLAUDE L. ALBEA.

Councilman Claude L. Albea, Acting Mayor, extended Thanksgiving Day greetings to the members of the Council, the City Manager, City Clerk and Reporters for The Charlotte News and The Charlotte Observer, who were present.

ADJOURNMENT.

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

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk