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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, October 17, 1956, at 4 o'clock p.m., with Mayor Van Every presiding, and Council members Albea, Brown, Dellinger, Evans and Wilkinsson being present.

ABSENT: Councilmen Baxter and Smith.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, the Minutes of the last Council Meeting on October 10th were approved as submitted,

ORDINANCE NO. 348-X EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE BY ANNEXING THERETO 1.347 ACRES OF PROPERTY, BEING LOT 8, BLOCK 9, WENDOVER HILLS (3954 CHURCHILL ROAD) UPON PETITION OF DR. MCCHORD WILLIAMS AND WIFE, ADOPTED.

At the hearing relative to the petition of Dr. McChord Williams and wife, for the annexation of 1.347 acres of property, being Lot 8, Block 9, Wendover Hills (3954 Churchill Road), no one expressed opposition to the proposal. Councilman Wilkinson moved the adoption of "Ordinance No. 348-X Extending the Corporate Limits of the City of Charlotte by Annexing thereto 1.347 acres of Property Therein Described". The motion was seconded by Councilman Dellinger, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 84.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON TUCKASEEGEE ROAD FROM BERRYHILL ROAD TO THE CITY LIMITS, ADOPTED.

The scheduled hearing was held on Resolution Authorizing Permanent Improvements on Tuckaseegee Road, from Berryhill Road to the City Limits.

No opposition was registered to the proposed improvements.

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 2, at Page 482.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON CENTRAL AVENUE FROM NANDINA STREET TO THE CITY LIMITS, ADOPTED.

The hearing was held on Resolution Authorizing Permanent Improvements on Central Avenue from Nandina Street to the city limits.

No opposition was expressed to the street improvement.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 2, at Page 480.

ACTION DEFERRED ONE WEEK ON ORDINANCE NO. 342 AMENDING THE ZONING ORDINANCE TO AMEND BUILDING ZONE MAP OF PERIMETER AREA BY CHANGING FROM R-2 TO B-1 PROPERTY ON WEST OF INTERSECTION OF REID STREET NORTH OF THRIFT ROAD.

Councilman Dellinger moved that action be deferred until 4 o'clock p.m. at next week's meeting on Ordinance No. 342 Amending the Zoning Ordinance, to change the zoning from R-2 to B-1 on property located on the west of the intersection of Reid Street, on petition of J. M. and M. L. Thompson. The motion was seconded by Councilman Brown, and unanimously carried.

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ORDINANCE NO. 345 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE, BY CHANGING PROPERTY LOCATED AT THE INTERSECTION OF CENTRAL AVENUE AND EASTWAY DRIVE FROM B I-A TO B-I, ON PETITION OF C. M. NEWELL, ADOPTED.

Upon motion of Councilman Brown, seconded by Councilwoman Evans, and unanimously carried, Ordinance No. 345 Amending the Zoning Ordinance to Amend the Building Zone Map of the City of Charlotte, by changing the zoning on property located at the intersection of Central Avenue and Eastway Drive from B I-A to B-1, on petition of Mr. C. M. Newell, was adopted. The ordinance is recorded in full in Ordinance Book 2, at Page 85.

ORDINANCE NO. 346 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE, BY CHANGING ZONING ON PROPERTY LOCATED ON INDEPENDENCE BOULEVARD, BETWEEN PECAN AVENUE AND THE PLAZA, FROM R-1 TO B-1 ON PETITION OF C. C. DUNHAM, MRS. EDITH H. AUTRY, EDWIN JAMES, L. S. MALLOCK, HENRY LOMAX, MRS. S. F. LOMAX, H. N. SNYDER, MILDRED G. PATTON AND W. R. HELMS, ADOPTED.

Councilman Brown moved the adoption of Ordinance No. 346 Amending the Zoning Ordinance to Amend the Building Zone Map of the City of Charlotte, by changing the zoning on property located on the south side of Independence Boulevard, between Pecan Avenue and The Plaza, from R-1 to B-1, on petition of C. C. Dunham, Mrs. Edith H. Autry, Edwin James, L. S. Mallock, Henry Lomax, Mrs. S. F. Lomax, H. N. Snyder, Mildred G. Patton and W. R. Helms, The motion was seconded by Councilwoman Evans, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 86.

ORDINANCE NO. 347 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE, BY CHANGING ZONING ON PROPERTY LOCATED AT 1217, 1225 AND 1229 THE PLAZA, FROM R-2 TO B-1 ON PETITION OF EDWIN L. LOMAX AND WIFE, THE METHODIST HOME, INC. AND ANNA L. MORTON, ADOPTED.

Motion was made by Councilman Brown, seconded by Councilwoman Evans, and unanimously carried, to adopt Ordinance No. 347 Amending the Zoning Ordinance to Amend the Building Zone Map of the City of Charlotte, by changing zoning on property located at 1217, 1225 and 1229 The Plaza, from R-2 to B-1, on petition of Edwin L. Lomax and wife, The Methodist Home, Inc., and Anna L. Morton. The ordinance is recorded in full in Ordinance Book 12, at Page 87.

BILL FOR ALLEGED OVERCHARGE IN SEWAGE DISPOSAL SUBMITTED BY CHARLOTTE LAUNDRY, INC. WITH REQUEST THAT MATTER OF MONTHLY SEWAGE DISPOSAL CHARGE BE ADJUSTED.

Mr. Henry Benoit, representing Charlotte Laundry, Inc., presented a bill against the City Water Department, in the amount of \$167.42, which he alleged covered an overcharge in billing for sewage disposal from July 1955 to May 1956, prior to the effective date of the ordinance regulating the discharge of waste into sanitary sewers, and from June 1956 through September 1956, since the charge has been on a basis of 66% of the water bill.

Mr. Benoit stated this is the fourth time he has appeared before Council requesting that an adjustment be made in his bill, and in the charge for sewage disposal. He stated further he is not asking for this for his company alone, but for all laundries, as he contacted seven of them who advised they were being overcharged.

Mayor Van Every stated to Mr. Benoit that as he has previously been advised, the only way in which the charge can be adjusted is by changing the law; that the Laundries are charged on the same basis as everyone else.

Councilman Brown suggested that as two members of the Council are absent today, that Mr. Benoit again present his request when there is a full Council present. This was agreeable with Mr. Benoit.

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HEARING ON SUNDAY OBSERVANCE LAW TO BE DEFERRED ON REQUEST OF GROUP OF MINISTERS, AND MAYOR REQUESTED TO CONFER WITH CHURCH OFFICIALS AND SET DATE.

Councilman Dellinger stated that at the request of a group of ministers, he moved that the hearing on the Sunday Observance Law be changed from November 7th to a later date and that the Mayor contact the proper church officials and set a date for the hearing. The motion was seconded by Councilwoman Evans, and unanimously carried.

FUNDS APPROPRIATED FROM EMERGENCY FUND TO PAY HALF OF COST OF PREPARING OFFICE FOR PSYCHOLOGIST IN WELFARE DEPARTMENT.

Councilman Wilkinson moved that the City appropriate the sum of \$1,150.00 from the Emergency Fund, representing 50% of the cost of preparing an office for the psychologist in the Welfare Department, in cooperation with Mecklenburg County, which is paying the other 50%. The motion was seconded by Councilman Brown, and unanimously carried.

FUNDS APPROPRIATED FROM EMERGENCY FUND TO PAY 60% OF COST OF SIRENS FOR CIVIL DEFENSE.

Councilman Brown moved that \$1,560.00 be appropriated from the Emergency Fund, representing 60% of the cost of \$2,600.00 for additional sirens for Civil Defense; Mecklenburg County paying the other 40%. The motion was seconded by Councilman Dellinger, and unanimously carried.

PAYMENT OF CLAIM OF JOE C. COBLE FOR DAMAGES TO CAR.

Upon motion of Councilman Dellinger, seconded by Councilman Wilkinson and unanimously carried, payment of claim of Mr. Joe C. Coble in the amount of \$12.50 for damages to his car was authorized.

CONSTRUCTION OF SANITARY SEWERS AUTHORIZED.

Motion was made by Councilman Brown, seconded by Councilwoman Evans, and unanimously carried, authorizing the construction of sanitary sewers, as follows:

- (a) 141 feet of 8 inch sewer main in West Boulevard, at request of Mr. C. T. Brown, to serve 10 family units, at an estimated cost of \$575.00. All costs to be borne by the city.
- (b) 220 feet of sewer main and trunk in Carowil Circle and Mar Vista Circle, at request of Mr. P. B. Allen, Jr. to serve 5 vacant lots, at an estimated cost of \$870.00. All costs to be borne by the City and applicant's deposit of \$870.00 to be refunded as per terms of the contract.

ERVIN CONSTRUCTION COMPANY AUTHORIZED TO CONNECT PRIVATE SANITARY SEWER LINES TO CITY'S SANITARY SEWERAGE SYSTEM.

Councilman Albea moved approval of the request of Ervin Construction Company to connect 4,365 feet of private sanitary sewer trunk to the City's Sanitary Sewerage System, upon condition they comply with all laws, rules and regulations now in effect, or which may hereafter become effective relative to property similarly situated. The motion was seconded by Councilman Brown, and unanimously carried.

CHANGE IN STREET NAMES.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, the name of Ventosa Street was changed to Ventosa Drive, and the name of West Fourth Street, from Walnut Avenue north to Auten Street, to "Walnut Street", each as requested by residents of the streets.

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CONTRACT AUTHORIZED FOR INSTALLATION OF WATER MAINS.

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

- (a) Contract with Southern Bell Telephone Company for the installation of 900 feet of water mains in Woodlawn and Pineville Roads, to serve "Jackson Telephone Exchange" of Pineville Road, at an estimated cost of \$2,450.00. All costs to be borne by the applicant, who will dedicate the mains to the City upon completion.
- (b) Supplementary contract (to contract dated March 7, 1956) with Ervin Construction Company, for the installation of 3,860 feet of water mains and 3 hydrants, in Amity Garden Subdivision No. 3, outside the city limits, at an estimated cost of \$10,600.00. The applicant to pay all costs and own the mains until the territory is taken into the city.

CONTRACTS AUTHORIZED CO-SIGNED BY CITY BETWEEN STATE HIGHWAY COMMISSION AND SOUTHERN BELL TELEPHONE COMPANY, AND STATE HIGHWAY COMMISSION AND ERVIN CONSTRUCTION COMPANY, FOR INSTALLATION OF WATER MAINS.

Upon motion of Councilman Wilkinson, seconded by Councilwoman Evans, and unanimously carried, the Mayor and City Clerk were authorized to co-sign the following contracts:

- (a) Co-sign contract between the State Highway Commission and Southern Bell Telephone Company, for right-of-way for the installation of water mains in Woodlawn and Pineville Roads, outside the city limits.
- (b) Co-sign contract between the State Highway Commission and Ervin Construction Company, for right-of-way for the installation of water mains in the south side of Route #74, outside the city limits.

CONSTRUCTION OF DRIVEWAY ENTRANCES AT 1525 STATESVILLE AVENUE.

Councilman Dellinger moved approval of the construction of two 35-foot driveway entrances at 1525 Statesville Avenue. The motion was seconded by Councilwoman Evans, and unanimously carried.

CONTRACT AWARDED WHEELABRATOR CORPORATION FOR SAND BLASTING EQUIPMENT FOR WATER DEPARTMENT.

Upon motion of Councilman Brown, seconded by Councilman Dellinger, and unanimously carried, contract was awarded Wheelabrator Corporation for One Wheelabrator Swing Table as shown on Drawing 49-D-610, electrical equipment for wheelabrator cabinet, one set of blast gates for swing table, dust collecting equipment and electrical equipment for the dust collector, all as specified, for the total bid price, f.o.b. Mishawaka, Indiana, of \$7,932.65.

CONTRACT AWARDED MATTHEWS-MORSE SALES COMPANY FOR FIRE HOSE.

Motion was made by Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, awarding contract to Matthews-Morse Sales Company for 8,000 feet of 2½-inch and 3,000 feet of 1½-inch cotton, double-jacket, rubber-lined Fire Hose, as specified, on a unit price basis, representing a total price of \$9,680.00, subject to cash discount of \$193.60.

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RENEWAL OF SPECIAL OFFICER PERMIT TO C. W. MULLINAX FOR USE ON PREMISES OF SOUTHERN RAILWAY COMPANY.

Councilman Wilkinson moved approval of the renewal of Special Officer Permit to Charles W. Mullinax, Grover, N. C., for use on the premises of Southern Railway Company. The motion was seconded by Councilman Dellinger, and unanimously carried.


TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mrs. Lola Kesterson, for Lot 126, Grave #3, Section 3, Evergreen Cemetery, at \$40.00.
- (b) Deed with Mrs. Emma D. Phipps, for Lot 208, Section 4-A, Evergreen Cemetery, at \$126.00.
- (c) Deed with Mrs. Blanche B. James, for Lot 275, Section 4-A, Evergreen Cemetery, at \$126.00.
- (d) Deed with Mr. W. C. Ballard, for Northeast quarter Lot 135, Section 3, Evergreen Cemetery, at \$40.00.
- (e) Deed with H. E. Thomas, Executor, Estate of Kate Durham Thomas, for Perpetual Care on Lot 4, A-Annex, Elmwood Cemetery, at \$142.28.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk