

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 20, 1957, at 4 o'clock p.m., with Mayor Smith presiding, and Council members Albea, Baxter, Brown, Dellinger, Evans, Foard and Wilkinson being present.

ABSENT: None

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, the Minutes of the last Council Meeting on November 13, 1957, were approved as submitted.

PAYMENT TO VETERINARY HOSPITAL FOR TREATMENT OF DOG INJURED BY CITY MOWING MACHINE DISAPPROVED.

Councilman Baxter moved that subject to the approval of the City Attorney payment of \$40.00 be made to Parker & Parker Veterinary Hospital for treatment of dog injured by City Mowing Machine. The motion was seconded by Councilman Foard.

Councilman Albea stated that he has not decided if the City is responsible for payment of the bill. The City Attorney reviewed the circumstances under which the dog was injured by the City Engineering Department mowing machine, taken to the veterinarian by an employee of the Department, who then advised the Pet Department to take the matter up with the owner of the dog, and an employee of the Pet Department in turn advised Dr. Parker that the City Engineering Department would be responsible for the bill. That an employee of the Engineering Department went to see the owner of the dog, Mr. Robert Crews, 302 Jones Street, and told him to get his dog from the hospital and pay the bill, which he agreed to do; however, 10 days later the Engineering Department was advised that the owner had done nothing. The dog was then released to the Humane Society and the bill remains unpaid. The City Attorney advised that in view of circumstances he would suggest that the bill be paid as a moral obligation of the City, however, legally the City is not responsible for the bill.

Councilman Brown stated it would be setting a bad precedent for the City to assume responsibility where there is no legal obligation.

The vote was then taken on the motion, and lost, with the votes cast as follows:

YEAS: Councilmen Baxter, Dellinger and Foard

NAYS: Council members Albea, Brown, Evans and Wilkinson.

CONTRACT AWARDED JACK AMMANN, PHOTOGRAMMETRIC ENGINEERS, INC. FOR AERIAL TOPOGRAPHIC MAPPING WITHIN CHARLOTTE AND PORTIONS OF MECKLENBURG COUNTY.

Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, contract was awarded Jack Ammann, Photogrammetric

Engineers, Inc., for Aerial Topographic Mapping within Charlotte and portions of Mecklenburg County, all as specified, on a lump sum and unit price basis, representing a total price of \$84,175.08.

The following bids were received:

JACK Ammann, Photogrammetric Engineers, Inc.	\$ 84,175.08
International Aerial Mapping Company	\$ 85,904.73
Parks Aerial Surveys	\$133,794.00
Air Survey Corporation	\$135,235.61
Aero Service Corporation	\$145,710.00

STATE HIGHWAY DEPARTMENT TO BE REQUESTED TO WIDEN AND RESURFACE SHAMROCK DRIVE.

Councilman Brown advised that at his request the Engineering Department investigated the needs for street improvements on Shamrock Drive, and have advised that it should be widened and resurfaced, however, it is a State Highway maintained street. He requested the City Manager to contact the Highway Department and request that the work be done immediately. Mr. Yancey, City Manager, stated he would do so.

SPECIAL OFFICER PERMIT RENEWED TO J.C. CROCKER ON PREMISES OF HOTEL CHARLOTTE.

Councilman Albea moved the renewal of Special Officer Permit to Mr. John C. Crocker, on the premises of Hotel Charlotte, as requested. The motion was seconded by Councilwoman Evans, and unanimously carried.

RESOLUTION RELATIVE TO THE LOCATION OF FEDERAL HIGHWAY FROM OHIO TO CHARLOTTE, NORTH CAROLINA.

A resolution entitled: "Resolution Relative to the Location of Federal Highway from Ohio to Charlotte, North Carolina", was introduced by Councilman Foard, who moved its adoption following the reading thereof. The motion was seconded by Councilwoman Evans, and unanimously carried. The City Clerk was instructed to send a certified copy of the resolution to the Chairman of the State Highway Commission.

The resolution is recorded in full in Resolutions Book 3, Page 141.

TRAFFIC SURVEY REQUESTED MADE AT WEST FIFTH STREET AND ANDRILL TERRACE.

Councilman Wilkinson requested the City Manager to have a traffic survey made at the intersection of West Fifth Street and Andrill Terrace, where there have been several accidents. The City Manager stated he would have the survey made and report the results to Council.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 11TH ON ORDINANCE NO. 427 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY ON EAST SIDE OF STATESVILLE ROAD, BETWEEN KOHLER STREET AND MONA DRIVE FROM R-2 TO B I-A, ADOPTED.

Ordinance No. 427 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property on the east side of Statesville Road, between Kohler Street and Mona Dr. from R-2 to B I-A, on appeal of Mr. Oscar Harris, from the decision of the Planning Board, was introduced and read. A Resolution Providing for a Public Hearing thereon on December 11th was then presented and read.

Councilman Albea moved the adoption of the resolution which was seconded by Councilman Brown, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 142.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 11TH ON ORDINANCE NO. 428 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE 13 LOTS ALONG OLANDO STREET IN AN EASTERLY DIRECTION FROM MORETZ AVENUE, FROM R-2 TO INDUSTRIAL, ADOPTED.

Ordinance No. 428 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property consisting of 13 lots along Olando Street in an easterly direction from Moretz Avenue, from R-2 to Industrial, on petition of Mr. McCoy Moretz et al, was introduced and read. A Resolution Providing for a Public Hearing on said Ordinance on December 11th was then presented and read, and upon motion of Councilman Albea, seconded by Councilman Brown was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 143.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 11TH ON ORDINANCE NO. 429 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY AT SE CORNER OF NORTH CALDWELL AND 36TH STREETS, FROM B I TO INDUSTRIAL, ADOPTED.

Ordinance No. 429 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property at the SE corner of N. Caldwell and 36th Streets, from B-1 to Industrial, on petition of Mr. C. H. Sears, was introduced and read. A Resolution Providing for a Public Hearing thereon on December 11th was then presented and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilman Brown, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 144.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 11TH ON ORDINANCE NO. 430 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY IN THE 3100 BLOCK OF THE PLAZA, FROM R-2 TO B-I, ADOPTED.

Ordinance No. 430 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property in the 3100 block of The Plaza, from R-2 to B-1, on petition of John P. Marren, et al, was introduced and read. A Resolution Providing for a Public Hearing thereon on December 11th was then presented and read. Upon motion of Councilman Albea, seconded by Councilman Brown, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 145.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 11TH ON ORDINANCE NO. 431 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY AT SW CORNER OF WASENA STREET AND INDEPENDENCE BOULEVARD, FROM R-I TO B-I, ADOPTED.

Ordinance No. 431 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property at the SW corner of Wasena Street and Independence Boulevard, from R-1 to B-1, on petition of Dwight L. Phillips, was introduced and read. A Resolution Providing for a Public Hearing thereon on December 11th was then presented and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilman Brown, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 146.

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RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 11TH ON ORDINANCE NO. 432 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY AT 2601 EAST 7TH STREET, FROM R-2 TO LIGHT INDUSTRIAL, ON PETITION OF THE CITY OF CHARLOTTE, ADOPTED.

Ordinance No. 432 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property at 2601 East 7th Street, from R-2 to Light Industrial, on petition of the City of Charlotte, was introduced and read. A Resolution Providing for a Public Hearing thereon on December 11th was then presented and read. Upon motion of Councilman Albea, seconded by Councilman Brown, the resolution was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 147.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 11TH ON ORDINANCE NO. 433 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY AT 1521-23 CLIFFWOOD PLACE, FROM R-2 TO INDUSTRIAL, ADOPTED.

Ordinance No. 433 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property at 1521-23 Cliffwood Place, from R-2 to Industrial, on petition of Mrs. Daisy W. Hicks, was introduced and read. A Resolution Providing for a Public Hearing on December 11th was then presented and read. Upon motion of Councilman Albea, seconded by Councilman Brown, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 148.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 11TH ON ORDINANCE NO. 434 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY ON WILMORE DRIVE, BETWEEN DOWD ROAD AND LARCH STREET, FROM R-2 TO INDUSTRIAL, ADOPTED.

Ordinance No. 434 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property on Wilmore Drive, between Dowd Road and Larch Street, from R-2 to Industrial, on petition of H.V. Lang and wife, was introduced and read. A Resolution Providing for a Public Hearing on December 11th on said ordinance was then introduced and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilman Brown, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 149.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 11TH ON ORDINANCE NO. 435 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY AT NE CORNER OF CAMP GREEN STREET AND FREEDOM DRIVE, FROM R-2 TO B-I, ADOPTED.

Ordinance No. 435 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property at the NE corner of Camp Green Street and Freedom Drive, from R-2 to B-1, on petition of P.B. Melton, was introduced and read. A Resolution Providing for a Public Hearing on December 11th on said ordinance was then presented and read, and upon motion of Councilman Albea, seconded by Councilman Brown, and unanimously carried, was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 150.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 11TH ON ORDINANCE NO. 436 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE PERIMETER AREA TO CHANGE PROPERTY ON NORTH SIDE OF PLAZA ROAD, ABOUT TWO MILES OUTSIDE CITY LIMITS, FROM RURAL TO B-I, ADOPTED.

Ordinance No. 436 Amending Chapter 21, Article II, Section 5 of the City

Code by amending the Building Zone Map of Charlotte Perimeter Area by changing property on the north side of Plaza Road, about two miles outside the city limits, from Rural to B-1, on appeal of Triage Construction Company, Inc., from the decision of the Planning Board, was introduced and read. A Resolution Providing for a Public Hearing thereon on December 11th was then presented and read, and upon motion of Councilman Albea, seconded by Councilman Brown, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 151.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 11TH ON ORDINANCE NO. 437 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA, TO CHANGE PROPERTY ON BERTONLEY AVENUE, FROM R-1 TO R-2, ADOPTED.

Ordinance No. 437 Amending Chapter 21, Article II, Section 5 of the City Code by amending the Building Zone Map of Charlotte Perimeter Area, by changing property on Bertonley Avenue, from R-1 to R-2, on petition of E.C. Selvey, J. B. Stegall, Jr. and E. C. Griffin, was introduced and read. A Resolution Providing for a Public Hearing thereon on December 11th was then presented and read, and upon motion of Councilman Albea, seconded by Councilman Brown, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 152.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON DECEMBER 11TH ON ORDINANCE NO. 438 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE PERIMETER AREA, TO CHANGE PROPERTY AT THE INTERSECTION OF YORK ROAD AND SHOPTON ROAD, FROM RURAL TO B-1, ADOPTED.

Ordinance No. 438 Amending Chapter 21, Article II, Section 5 of the City Code by amending the Building Zone Map of Charlotte Perimeter Area, by changing property at the intersection of York Road and Shopton Road, from Rural to B-1, on petition of J. N. Herron, was introduced and read. A Resolution Providing for a Public Hearing thereon on December 11th was then introduced and read, and upon motion of Councilman Albea, seconded by Councilman Brown, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 153.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON LISTER DRIVE.

A resolution entitled: "Resolution Authorizing Permanent Improvements on Lister Drive" was presented on its second reading, and upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 140.

PERMISSION GRANTED SALVATION ARMY TO LOCATE KETTLE-HOUSE ON STREET AT OR NEAR THE SQUARE FOR COLLECTION OF FUNDS FOR CHRISTMAS WORK.

Councilman Foard moved that the request of The Salvation Army to locate their kettle-house on the street at or near The Square for the collection of funds for their Christmas work be granted. The motion was seconded by Councilman Albea, and unanimously carried.

APPOINTMENT OF COLEMAN W. ROBERTS AS SPECIAL LICENSE CLERK TO HANDLE SALE OF 1958 CITY AUTO LICENSE TAGS.

Upon motion of Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, Mr. Coleman W. Roberts was appointed as Special License Clerk to handle the sale of 1958 City Auto License Tags for one year, beginning January 1, 1958, at a fixed compensation of 10 cents per tag.

CLAIM OF PIEDMONT RESTAURANT, INC. FOR DAMAGES TO PROPERTY REFERRED TO CITY ATTORNEY.

Councilman Albea moved that the claim of Piedmont Restaurant, Inc., filed by Mr. George J. Miller, Attorney, in the amount of \$1,483.02 for damages to restaurant equipment, alleged to have been caused by flooding from a broken water main at Church and Trade Streets, be referred to the City Attorney for handling. The motion was seconded by Councilman Foard and unanimously carried.

CONTRACT WITH THE A. G. BOONE COMPANY FOR CONSTRUCTION OF WATER MAINS IN CHEMWAY ROAD, AUTHORIZED.

Upon motion of Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, contract was authorized with The A. G. Boone Company for the construction of 260-ft of water mains in Chemway Road, outside the city, to serve residential and industrial property, at an estimated cost of \$425.00. The Company to pay all construction cost and dedicate the main to the City upon completion.

RIGHT-OF-WAY AGREEMENTS AUTHORIZED WITH STATE HIGHWAY COMMISSION, SOUTHERN RAILWAY, NORFOLK-SOUTHERN RAILWAY AND SEABOARD AIRLINE RAILROAD FOR CONSTRUCTION OF WATER MAINS AT VARIOUS LOCATIONS.

Upon motion of Councilman Brown, seconded by Councilman Albea, and unanimously carried, the following right-of-way agreements for construction of water mains were authorized:

- (a) Agreement with the State Highway Commission for right-of-way for the installation of water mains along Chemway Road, under contract with The A.G. Boone Company.
- (b) Agreement with the Southern Railway Company for right-of-way for the installation of a 30" lock joint type water main in Liddell Street and 12th Street beneath their two spur tracks, main line and switch track.
- (c) Agreement with Norfolk-Southern Railway for right-of-way for the installation of a 30" Lock joint type water main in East 12th Street beneath their main line track.
- (d) Agreement with Seaboard Airline Railroad for right-of-way for the installation of a 30" and 24" water main beneath their main and switch tracks in North Church Street, main and switch track in North Brevard Street and switch tracks in Twelfth Street.

EXTENSION OF SICK LEAVE TO VARIOUS POLICE OFFICERS.

Motion was made by Councilman Dellinger, seconded by Councilman Wilkinson and unanimously carried, authorizing the extension of sick leave to various Police Officers as follows:

C. D. Adams	1 day
Frances Butts	2 days
R. L. Brisson	1 day
L. A. Childers	5 days
W. T. Renfro	1 day
C. L. Sykes	6 days
B. A. Williams	16 days

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Councilman Albea moved approval of the construction of driveway entrances at the following locations, which was seconded by Councilman Wilkinson, and unanimously carried:

- (a) One 18-ft. driveway entrance at 1134 Hutchinson Avenue.
- (b) Two 35-ft. driveway entrances at 1500 W. Boulevard.
- (c) One 10-ft. driveway entrance at 3407 Benard Avenue.
- (d) One 35-ft. and One 29-ft. entrance on N. Davidson Street and Two 35-ft. entrances on Belmont Avenue, all for 1100 North Davidson Street.

SPECIAL OFFICER PERMITS AUTHORIZED ISSUED AND RENEWED.

Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, Special Officer Permits were authorized issued and renewed, as follows:

- (a) Issuance of Permits to Grady L. Bowman, Neal H. Alexander, Lloyd S. Smith and Mark H. Johnson for use on the premises of Mercy Hospital.
- (b) Issuance of Permit to Wilburn Frank Helderan for use on the premises of Federal Reserve Bank.
- (c) Renewal of Permit to Murrell M. Hannah for use on the premises of the City's cemeteries.
- (d) Renewal of Permits for use on the premises of Federal Reserve Bank to E.F. Hutchens, Clyde Haywood, O.W. Parks, O.H. Turner, E.L. Kale, C.O. White, W.Y. Henderson, E.H. Dellinger, Milus Pruett, John E. Pettit, J.E. Porter, C.L. Ware, W.D. Linker, Joe L. Puckett, Jr., R.H. Horne, Burnie Synder, P.E. Haefling, R.J. Beatty, John H. Miller.

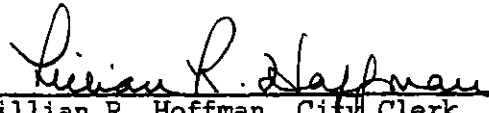
TRANSFER OF CEMETERY LOTS:

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

- (a) Deed with Mrs. Jocelyn H. Wood and Miss S. Janice Woods, for Graves #1, 2 and 3 of Lot 92, Section 3, Evergreen Cemetery, at \$120.00.
- (b) Deed with Mr. Julius W. Earle, for Lot 345, Section 4-A, Evergreen Cemetery, at \$126.00.
- (c) Deed with Mr. George R. Gibson, for Lot 143, Section 4-A, Evergreen Cemetery, at \$126.00.
- (d) Deed with Mrs. G. C. Bryant, for Graves #4 and 5, Lot 94, Section 3, Evergreen Cemetery, at \$80.00.
- (e) Deed with Mrs. Mary M. Green, for Lot 339, Section 4-A, Evergreen Cemetery, at \$126.00.
- (f) Deed with Mr. Warren H. Whisonant, for Lot 137, Section 4-A, Evergreen Cemetery, at \$126.00.
- (g) Deed with Mr. H. G. Price, for Lot 222, Section 4-A, Evergreen Cemetery, at \$126.00.
- (h) Deed with Mrs. Minnie S. Morris, for Graves #1 and 2, Lot 94, Section 3, Evergreen Cemetery, at \$80.00.
- (i) Deed with Miss Bertha Hipp, and Mr. H.E. Mayhew and wife, for West part #48, Section A-Annex, Elmwood Cemetery, at \$1.00 for new deed.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk