

November 6, 1957
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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 6, 1957, at 4 o'clock p.m., with Mayor Smith presiding and Council members Albea, Baxter, Brown, Evans, Foard and Wilkinson being present.

ABSENT: Councilman Dellinger

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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 30, 1957 were approved as submitted.

COUNCIL ADVISED PIERCE STREET OPENING MATTER AGAIN IN HANDS OF COURT, AND MAYOR ANNOUNCED NO ACTION WOULD BE TAKEN BY COUNCIL UNTIL SETTLED

Mr. Robert Potter, Attorney, representing St. Patrick's Catholic Church, appeared before Council and stated he understood that a letter had been addressed to the City Council members by Mr. Thomas Lockhart, Attorney for Mrs. Chase Brenizer, which reflects on his integrity and the statements he made to Council on October 30th that objections to the opening of Pierce Street had been withdrawn and legal entanglement as to title to the property had been settled and no court action is pending. Mr. Potter stated further that Mrs. Brenizer was given proper notice of the matter and had not been heard from until last Thursday night when she called that she has an interest in the street. Mr. Potter stated he was not asking the Council to do anything today but just wanted to state he had not misrepresented the facts in the case to the Council on October 30th.

Mr. Thomas Lockhart, Attorney for Mrs. Brenizer, stated that Mrs. Brenizer contacted him last week and advised that she is the owner of 91/150 undivided interest in the fee to unopened Pierce Street and that the property had been trespassed upon and trees cut down. Mr. Lockhart stated he found that an order had been entered cancelling the withdrawal of Pierce Street from dedication to public use, and that he advised Mrs. Brenizer that, in his opinion, that order is a nullity, and, therefore, he has filed, on behalf of Mrs. Brenizer, a motion in the proceeding to have the order set aside and vacated as a nullity. In addition, Mrs. Brenizer has today filed a declaration of withdrawal of the subject property, and it is not now nor ever has been open for public use. Hence, they consider that this matter is in the hands of the court. That she was advised in January that the matter had been dropped before the City Council and that the City would not be asked to condemn the property for a public street. That their position stands at this point and until the matter is determined by the court, will remain thus.

Mayor Smith stated that the City will take no action until the court fully disposes of the matter.

WRECKER COMPANIES REQUESTS CHANGE IN PRESENT METHOD OF OPERATION ESTABLISHED BY CITY.

Mr. Henry Fisher, Attorney, representing the five owners of Wrecker Service Companies, White Star, Hunter's, Kiser's, East Side and Keith's, who were present, asked that the Council study the method of operation of the companies as established by the Police Department. He stated that the present zone system, whereby one Wrecker serves in a certain zone, has worked out well and is satisfactory to the operators; however, as new companies enter the business, it will be necessary to reassign zones. Therefore, they recommend that it be handled in the same method of licensing taxicabs and license be issued Wrecker Companies on the grounds of necessity. He stated that Captain Henkel of the Police Department is much in favor of this system. Mr. Fisher further requested that the fee of \$3.00 they are now permitted to charge for hauling in over-parked cars be increased to \$5.00, and third, that the present method (whereby a wrecked car is taken by them to the City's parking lot, when the driver is injured or intoxicated to the extent he cannot name the repair company he wishes to handle the car, and then pickup later by the Wrecker Company and taken to the garage named,) should be changed and the Wrecker Company allowed to take the car directly to their parking lot, and they would furnish the City sufficient insurance to protect the car while in their custody.

Mr. Fisher asked that a Committee be appointed to investigate this entire procedure and see if it cannot be changed.

Mayor Smith stated the matter would be studied and if it is thought advisable, a Committee will be appointed.

REQUEST BY DELEGATION OF RESIDENTS OF DOUBLE OAKS FOR SIDEWALKS ON NEWLAND ROAD, SCHOOL CROSSING GUARD AT SAMUEL STREET AND NEWLAND ROAD AND FOOT BRIDGE TO SERVE DOUBLE OAKS CHILDREN.

The Reverend Thomas A. Jenkins of Statesville Avenue Presbyterian Church was spokesman for a delegation of residents of the Double Oaks area, who stated they have a petition signed by 200 persons who are concerned about the safety of the school children of the Double Oaks area who have been assigned to the Lincoln Heights School; that sidewalks are needed on Newland or New Castle Road; that a school crossing guard should be placed at Samuel Street and Newland Road and a foot bridge across Irwin Creek near Newland Road is needed.

Mr. Yancey, City Manager, stated that a similar request has been received from the Lincoln Heights P.T.A. and is being investigated by City Departments and a report will be given Council next week.

WIDENING OF REMOUNT AVENUE BETWEEN SOUTHERN RAILWAY AND WEST BOULEVARD AUTHORIZED.

Councilman Baxter moved that Remount Avenue be widened, between the Southern Railway and West Boulevard, including grading, storm drains, curb and gutter, at an estimated cost of \$48,500.00. The motion was seconded by Councilman Albea, and unanimously carried.

CHARLOTTE ARCHERS AUTHORIZED TO USE UNUSED PORTION OF EVERGREEN CEMETERY PROPERTY FOR ARCHERY FIELD RANGE, IF LEGAL.

Councilwoman Evans moved that the Council comply with the request of the President of the Charlotte Archers to permit them to use an unused portion of Evergreen Cemetery property as an Archery Field Range, provided it is within the City's legal jurisdiction. The motion was seconded by Councilman Baxter, and unanimously carried.

OPENING OF DOTGER AVENUE BETWEEN VAIL AVENUE AND DEACON AVENUE ADDED TO LIST OF STREET IMPROVEMENTS.

Councilwoman Evans stated that the estimate of the cost of opening Dotger Avenue, between Vail Avenue and Deacon Avenue, which she requested, is \$6,600.00, and she moved that the opening be approved for construction out of Bond Funds and added to the Street Improvement List. The motion was seconded by Councilman Brown, and unanimously carried.

RENOVATION OF AND REPAIRS TO VETERANS CLUB HOUSE, AUTHORIZED.

Councilman Foard moved that the Veterans Club House on East Morehead Street be renovated and repaired, at a cost not to exceed \$2,100.00, in accordance with the requirements as submitted by the Purchasing Agent to Mr. Yancey, dated October 30, 1957, said amount to be appropriated from the Emergency Fund. The motion was seconded by Councilman Brown, and unanimously carried.

OPENING OF HEMPHILL BOULEVARD, FROM TAYLOR STREET TO CITY SCHOOL PROPERTY LINE.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, Hemphill Boulevard was authorized opened from Taylor Street to the City School property line, at an estimated cost of \$5,850.00.

CONTRACT AWARDED INTERNATIONAL BUSINESS MACHINES CORP. FOR 12,000 SETS CITATION TICKETS FOR POLICE DEPARTMENT.

Motion was made by Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, awarding contract to the only bidder, International Business Machines Corporation, for 12,000 sets of Citation Tickets, as per specifications including set-up charge, at a total price, f.o.b. shipping point cost, of \$236.69.

ACTION ON OCTOBER 30TH RESCINDED AUTHORIZING APPROPRIATIONS FROM EMERGENCY FUND FOR CONSTRUCTION OF SANITARY SEWER LINES IN ELLSWORTH ROAD ETC FOR HAYES CONSTRUCTION COMPANY AND IN BLACKWOOD AVENUE ETC FOR MASSIE CONSTRUCTION COMPANY, AND COSTS AUTHORIZED CHARGED TO SURPLUS ACCOUNT OF WATER & SEWER FUND.

Councilman Baxter moved that Council action on October 30th, appropriating a total amount of \$7,855.00 for the construction of sanitary sewer lines in Ellsworth Road, etc for Hayes Construction Company and in Blackwood Avenue etc for Massie Construction Company be rescinded, and the said amount be authorized charged to the Surplus Account of the Water and Sewer Fund, in view of the fact that General Fund monies cannot legally be transferred to the Water & Sewer Fund. The motion was seconded by Councilman Foard, and carried, with the votes cast as follows:

YEAS: Council members Baxter, Brown, Evans, Foard and Wilkinson.
NAYS: Councilman Albea

Councilman Albea stated that he has voted against the construction of the sewer lines for Hayes Construction Company in the perimeter area to be annexed December 31, 1959 each time the matter has been presented, in view of the first ruling of the City Attorney that it could not legally be done, and since Councilman Baxter has worded his motion to include the sewer lines to be constructed at the request of Massie Construction Company, he will be forced to vote in opposition to the motion, although he does not oppose the construction of the lines for Massie Construction Company.

RIGHT-OF-WAY AGREEMENT WITH SOUTHERN RAILWAY COMPANY FOR INSTALLATION OF WATER MAIN BENEATH THEIR SPUR TRACKS AT HAWKINS STREET CROSSING, TO SERVE TREMORE, INC. AUTHORIZED.

Councilman Wilkinson moved that an Agreement be authorized with Southern Railway Company for right-of-way for the installation of an 8-inch water main beneath their spur tracks at the Hawkins Street crossing to serve Tremore, Inc. The motion was seconded by Councilman Brown, and unanimously carried.

CONTRACT AWARDED MYERS & CHAPMAN, INC. FOR CONSTRUCTION OF SMALL STRUCTURE AT THE SUGAW CREEK SEWAGE & INDUSTRIAL WASTE TREATMENT PLANT.

Motion was made by Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, awarding contract to the low bidder, Myers & Chapman, Inc., for the construction of a small structure at the Sugaw Creek Sewage & Industrial Waste Treatment Plant, at their bid price of \$1,375.00, and the said amount was authorized charged to the Sewer Bond Fund, 2621-144,

The following bids were received:

Myers & Chapman, Inc.	\$1,375.00
Crowder Construction Company	\$1,390.00
Boyd & Goforth, Inc.	\$2,185.00

CONTRACT AWARDED SOUTHERN FOUNDRY COMPANY FOR CATCH BASIN FRAMES AND COVERS.

Upon motion of Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, contract was awarded Southern Foundry Company for 24, 19"x34" Old Style and 24, 24"x36" New Style Catch Basin Frames and Covers, as specified, and in accordance with the City of Charlotte pattern, at a total price of \$1,404.00, subject to 2% cash discount.

The following bids were received:

Southern Foundry Company	\$1,404.00
Knoxville Foundry Company	\$1,500.00
Dewey Bros., Inc.	\$1,608.00
Hallman Foundry Company	\$2,092.80
Queen City Foundry, Inc.	\$1,752.00

CONTRACT AWARDED GEORGIA VITRIFIED BRICK & CLAY COMPANY FOR VITRIFIED CLAY PIPE.

Councilman Wilkinson moved the award of contract to the low bidder, Georgia Vitrified Brick & Clay Company, for 1,650 feet of 12-inch Vitrified Clay Pipe, B & S, in 3-foot lengths, as specified, at a total price of \$1,328.25, subject to 2% cash discount. The motion was seconded by Councilman Brown and unanimously carried.

Bids received were as follows:

Georgia Vitrified Brick & Clay Company	\$1,328.25
Columbia Pipe Company	\$1,402.50
Tucker-Kirby Company	\$1,485.00

CONTRACT AWARDED THE ANSONIA WIRE & CABLE COMPANY FOR CONDUCTOR CABLE.

Motion was made by Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, awarding contract to the low bidder, The Ansonia Wire & Cable Company, for 5,000-feet of Ankoseal #14, Solid 12, Conductor Cable, in accordance with the specifications, at a total price of \$1,185.00, subject to 1% cash discount.

Bids received were as follows:

The Ansonia Wire & Cable Company	\$1,185.00
Mill Power Supply Company	\$1,294.50
Westinghouse Electric Supply Co.	\$1,299.90
Graybar Electric Company, Inc.	\$1,300.00
Superior Cable Corp.	\$1,304.10
Southern States Supply Company, Inc.	\$1,325.00
General Electric Supply Company	\$1,445.00

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, 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. Annie M. Crowell, for Lot 1414, Section 4-A, Evergreen Cemetery, at \$126.00.
- (B) Deed with Mrs. Ora C. Robinson, for west half of Lot 62, Section D-Annex, Elmwood Cemetery, transferred from Mrs. Dorothy M. Smith, for \$1.00 for new deed.
- (C) Deed with Mr. F.T. Fridell, for Lot 58, Section A-Annex, Elmwood Cemetery, transferred from W. R. Litton and wife, at \$1.00 for new deed.
- (D) Deed with Mrs. Pearl D. Smith, for Southwest Quarter, Lot 39, (Map 39), Section L, Elmwood Cemetery, transferred from Mrs. Ruth F. Hamilton, at \$1.00 for new deed.
- (E) Deed with Mrs. Ruth F. Hamilton for Northwest Quarter, Lot 39, (Map 38), Section L, Elmwood Cemetery, at \$1.00 for new deed.

MAYOR'S REPORT TO PUBLIC RELATIVE TO EXTENSION OF CITY FACILITIES INTO TERRITORY TO BE ANNEXED TO CITY DECEMBER 31, 1959.

Councilman Baxter moved that the Mayor's Report to the public, relative to the extension of city facilities into the territory to be annexed to the City on December 31, 1959, be included in the Minutes of this meeting. The motion was seconded by Councilman Albea, and unanimously carried. The said report is as follows:

"Municipal officials are looking to midnight December 31, 1959 when 30 square miles of perimeter territory with its 30,000 inhabitants formally become a part of Charlotte.

Provision of adequate municipal services to the new citizens, being prepared by various departments, is progressing. We are purchasing land and extending utilities.

In the progress report is an outline of recent extension of bus lines of the local transportation system into the perimeter area from Merle C. Morrow, Manager of the City Coach Lines, Inc.

Of course, such services as police and fire protection, garbage collections, and the like cannot be provided until the outside area actually becomes part of the City. However, other services requiring construction and a longer time to provide are commanding and receiving the attention of city officials. And the City will be in position to quickly provide these services when annexation becomes effective three years hence.

Almost \$5,000,000 is being invested in the construction of the Hoskins filter plant, which is being built solely to take care of the needs in the soon-to-be-annexed territory. Construction on this water plant is proceeding according to schedule and by next May this plant, with its daily capacity of 12,000,000 gallons, will be put into service.

Property at three locations in the outside area has been purchased at a cost of \$125,000, to provide sites for elevated tanks to insure adequate pressure in the new territory. These tank properties are at Craig Avenue and McAlway Road, on Sharon Road near Sharon Presbyterian Church, and on Highway 29 North.

Already distribution water mains from the Hoskins filter plant have been installed at a cost of \$600,000 and these new mains, extending to Green Street, are already in service.

Plans for 30-inch feeder mains from Graham Street and Hutchinson Avenue to 12th and Caldwell Streets, estimated to cost \$400,000, have been completed, and bids will be called for by the first of the month. These mains will bolster the distribution system in the central and eastern sections of the City, thus making water available at the existing city limits for service in the newly annexed area. The Water Department is also working on the preparation of maps and the planning of pipe outlays in the area to be annexed.

Plans for the Thomasboro area have been completed, subject to correction by official maps to be furnished by the City Engineer. Further study is being made of other heavily populated areas in preparation for the installation of proper facilities for water supply, both for fire protection and domestic consumption.

The Water Department has requested the State Highway Commission to grant a blanket right-of-way in all streets in the new area so that there will be no delay in extending services by the necessity of securing specific rights-of-way.

Plans are now being drawn for extension of the meter testing and repair shop and for enlargement of the storage building in anticipation of the handling of additional material and providing additional services in the new area.

To speed up engineering on all types of public works, such as water and sewer lines and streets, a program of aerial photography and topographical maps will be launched by December 15. Bids on this work, costing close to \$90,000 were received yesterday.

There are around 5,000 acres of the perimeter area that lie in four drainage basins, beyond Charlotte's existing gravity sewer systems. Lift pumping stations will be required to connect these new areas with existing disposal facilities. It is extremely important that each of the new basins be developed as a unit with a minimum of lift stations and force mains. The promiscuous uncoordinated extension of sewers to small scattered areas can only result in wasteful duplication of many small capacity force mains and a large

assortment of small lift stations, which are grossly inefficient in operation and which would be expensive and difficult to maintain. The topographic maps now proposed will enable the Engineering Department to design a complete sewer system for each drainage basin in a minimum amount of time.

Furthermore, the Engineering Department is now making a complete physical inventory of all streets and services in the perimeter area. This survey is providing descriptive and technical data on which to base cost estimates and design computations. The information obtained in this inventory combined with the topographic maps will provide a broad and accurate basis for comprehensive planning which will enable us to place first things first, and insure a maximum return on the sizable investment which will be involved.

Also, reports have been received of studies which are in progress in various sections of the perimeter area in an effort to determine which traffic controls, street markers, and street lights will be needed.

The area bounded by Ramah Road, New Sardis Road, Randolph Road, Sharon-Amity Road and the Seaboard Railroad, known as Sherwood Forest, indicate the following improvements will be needed there:

- 54 - 600 candlepower street lights
- 30-24 by 24 reflectorized stop signs
- 17 street markers
- 48 traffic control signs of various types
- 3,500 feet of painted centerline pavement markings

The Traffic Engineering Department is studying other sections and a report will be coming in shortly.

City Coach Line Extensions are as follows:

- Route No. 11: Extended from East 32nd Street to Rosedale Ave.
- Route No. 6: Extended from Oakland and the Plaza, to Anderson to Highway Place to the Plaza
- Route No. 5: Extended to give service to East 9th Street, to Selgle Avenue, to Barry Street to Drummond Avenue to Parson Street to Grace Street.
- Route No. 14: Extended from Morning side and Central to serve Central Avenue, Eastway Drive, Markham Court, Shamrock Drive, Country Club Drive
- Route No. 2: Extended from Briarcreek Road and Independence Boulevard to Independence Boulevard, Norland Woodland Avenue
- Route No. 6: Extended from Fifth and Seventh Streets to Monroe Road and Eaton Road on one section and Grier Heights to Old Sardis Road to Sharon-Amity Road and Wendover on one section.
- Route No. 8: Extended from Providence and Wendover Road and re-routed to return over Wendover and Sharon Road, Briarwood and Queens Road, to Providence Road
- Route No. 13: Extended from Forest Park Drive and Lilac Road to Marston and Hillside Avenue
- Route No. 4: Extended from Park Road and Hillside Avenue to Park Road to Woodlawn Road.
- Route No. 12: Extended from South Boulevard and Marsh Road to serve Brandywine Park, Selwyn Park, Colonial Village, Royal Manor and Seneca Place
- Route No. 16: Extended from Fairwood and York Road to Griffith and Baltimore Streets

- Route No. 10: Extended from West Boulevard and Shuman Road to Remount, to go out Wilmont Road to Old Steel Creek Road
- Route No. 2: Extended from Wilkinson Boulevard and Weyland Avenue to Midland Avenue
- Route No. 13: Extended from Morehead and Walnut Avenue to Millerton Drive and Berryhill Road
- Route No. 9: Extended from Morson Street and Rose Street to Berryhill and State Street
- Route No. 7: Extended from Beatties Ford Road and Russell Street to serve Oaklawn Park and West Charlotte High School
- Route No. 3: Extended from Oaklawn and Statesville Avenue to Statesville Avenue and Newland Road
- Route No. 12: Extended from Dogwood Avenue and Bancroft Street to Ennis Street

You will note that Routes 1,2,4,6,8,10, and 12 now extend outside the present City Limits."

ADJOURNMENT.

Upon motion of Councilman Albea, seconded by Councilman Brown, and un-animously carried, the meeting was adjourned.


Lillian R. Hoffman, City Clerk