

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, February 19, 1958, 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 Brown, seconded by Councilman Albea, and unanimously carried, the Minutes of the last meeting on February 12th were approved as submitted.

LETTERS OF APPRECIATION FOR SERVICE OF ZONING BOARDS OF ADJUSTMENT AUTHORIZED WRITTEN TO JOHN M. DWELLE AND J.C. CHALMERS.

Councilwoman Evans stated that she had to leave the Council Meeting last week prior to adjournment and in reading the Minutes noted that Mr. John Dwelle and Mr. J. C. Chalmers were replaced by two new appointees on the Zoning Boards of Adjustment. That to her knowledge both gentlemen served the City well for six to eight years on these Boards, and she thought that letters of appreciation for their services should be written them.

Mayor Smith advised that this was always done, and letters would be sent Mr. Dwelle and Mr. Chalmers immediately.

APPOINTMENT OF COUNCIL LEGISLATIVE COMMITTEE.

Mayor Smith stated that although the next session of the N. C. Legislature is a year away, he feels it would be well to appoint a Legislative Committee to consider the City's legislative needs and fully acquaint the Mecklenburg members as to the bills the City will present to the 1959 General Assembly; therefore, he was appointing a Committee for this purpose composed of Councilman Baxter, Chairman and Councilmen Brown and Wilkinson.

ORDINANCE NO. 440 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE CHANGING PROPERTY AT THE SE CORNER OF QUEENS ROAD AND EAST 4TH STREET FROM OFFICE-INSTITUTION TO BUSINESS-2, ADOPTED.

Upon motion of Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, Ordinance No. 440 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte by changing the property at the SE corner of Queens Road and East 4th Street from Office-Institution to Business 2, on

petition of Mrs. Mabel Devereux, was adopted, as recommended by the Planning Commission. The ordinance is recorded in full in Ordinance Book 12, at Page 220.

ORDINANCE NO. 441 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE CHANGING PROPERTY AT THE NE CORNER OF PLAZA ROAD AND HERRIN AVENUE FROM RESIDENCE-2 TO BUSINESS-I ADOPTED.

Councilman Brown moved the adoption of Ordinance No. 441 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte by changing the property at the NE corner of Plaza Road and Herrin Avenue, from Residence-2 to Business-1, on request of Mr. S. P. Risley, Jr., as recommended by the Planning Commission. The motion was seconded by Councilman Dellinger, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 221.

ORDINANCE NO. 442 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE CHANGING PROPERTY ON OAKLAWN AVENUE FROM RESIDENCE-I TO INDUSTRIAL, DENIED.

Councilman Albea moved that Ordinance No. 442 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing property on Oaklawn Avenue from Residence-1 to Industrial, as requested by Mr. Richard F. Helms, be denied, as recommended by the Planning Board. The motion was seconded by Councilwoman Evans and unanimously carried.

ORDINANCE NO. 443 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE PERIMETER AREA BY CHANGING PROPERTY ON THE EAST SIDE OF POTTERS ROAD AT THE CORNER OF FOURTH AVENUE, FROM RESIDENCE-2 TO BUSINESS-I, ADOPTED.

Motion was made by Councilman Brown, seconded by Councilman Baxter, and unanimously carried, adopting Ordinance No. 443 Amending the Zoning Ordinance by amending the Building Zone Map of the Charlotte Perimeter Area changing property on the east side of Potters Road, at the corner of Fourth Avenue, from Residence-2 to Business-1, on request of Mr. R. T. Allen, Jr., as recommended by the Planning Commission. The ordinance is recorded in full in Ordinance Book 12, at Page 222.

ORDINANCE NO. 444 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA BY CHANGING PROPERTY ADJACENT TO THE SW CORNER OF STATESVILLE HIGHWAY, US #21 AT ITS INTERSECTION WITH NORTH 29 BYPASS, FROM RURAL TO BUSINESS I-A, ADOPTED.

Councilman Dellinger, moved the adoption of Ordinance No. 444 to Amend the Zoning Ordinance by amending the Building Zone Map of the Charlotte Perimeter Area changing property at the SW corner of Statesville Highway, U.S. #21, at its intersection with North 29 Bypass, from Rural to Business I-A, on petition of Mr. F. G. Templeton, as recommended by the Planning Commission. The motion was seconded by Councilman Foard and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 223.

CONTRACT AWARDED FIRE EQUIPMENT OF VIRGINIA FOR SAFETY NET.

Upon motion of Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, contract was awarded the low bidder, Fire Equipment of Virginia, for One 20' x 20' Atlas Drill Tower Safety Net, as specified, at a total price of \$1,786.00, subject to 2% cash discount of \$35.72, or a net delivered price of \$1,750.28.

All bidders and their net delivered prices are as follows:

Fire Equipment of Virginia	\$1,750.28
Atlas Safety Equipment Company	\$1,768.14
American LaFrance Corp.	\$1,766.00

ALL BIDS ON TRACTOR REJECTED.

Councilman Alba moved that all bids received on February 11, 1958 on a Tractor with Mower Attachment be rejected, and be readvertised. The motion was seconded by Councilman Brown, and unanimously carried.

CONTRACT AWARDED DEWEY BROS., INC. FOR MANHOLE RINGS AND COVERS.

Motion was made by Councilman Dellinger, seconded by Councilman Foard, and unanimously carried, awarding contract to the low bidder, Dewey Bros., Inc., for 175 Manhole Rings and Covers, machined, as specified, on a unit price basis, representing a total price of \$4,532.50, subject to cash discount of \$45.33, or a net delivered price of \$4,487.17.

Bidders and their net delivered prices are as follows:

Dewey Bros., Inc.	\$4,487.17
Southern Foundry Company	\$4,544.75
Sumter Machinery Company	\$4,587.66

CONTRACT AWARDED BRAMLETT & CARTER FOR PAINTING INTERIOR AND EXTERIOR OF EQUIPMENT DEPOT BUILDING.

Upon motion of Councilman Brown, seconded by Councilman Foard and unanimously carried, contract was awarded the low bidder, Bramlett & Carter, for furnishing all necessary labor, tools, materials, equipment, supervision and any and all other means of expense to paint the interior and exterior of the Equipment Depot Building, all strictly in accordance with the specifications, for the total sum of \$1,764.00

Bidders and their net prices are as follows:

Bramlett & Carter	\$1,764.00
William E. Robertson, Inc.	\$1,778.00
J. C. McClain	\$1,800.00
Ross & Freeman	\$3,290.00
Harry C. Garner	\$3,500.00
A. R. Lankford	\$3,552.00
H. B. Moss Painting Company	\$5,500.00
F. T. Lyerly & Son	\$7,635.00

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 Mr. L. H. Everitt, for Graves #1 and #2, Lot 97, Section 3, Evergreen Cemetery, at \$80.00.
- (b) Deed with Mr. Jimmie and Ruth M. Almond, for Lot 223, Section 4-A, Evergreen Cemetery, at \$126.00.

PLATS AND DESCRIPTIONS OF OLD INCINERATOR PROPERTY ON SHUMAN AVENUE AND OLD WATER WORKS PROPERTY ON BEATTIES FORD ROAD TO BE PREPARED FOR STUDY IN CONNECTION WITH REQUEST OF PARK AND RECREATION COMMISSION THAT THESE PROPERTIES BE DEEDED THEM FOR PARK PURPOSES.

Mr. Ernest Sifford, Chairman, Park & Recreation Commission, stated that some three or four years ago he requested that a portion of the Old Incinerator property on Shuman Avenue be deeded the Commission for park purposes, and his request was granted by the Council and they assumed that the deed was drawn, and they have since developed the property into a park for negroes and now proposed to spend an additional \$12,000.00 to pipe a ditch through the park. That he now understands there is no record in the Council Meeting Minutes of his request having been officially acted on.

Also, that he requested the Council last year to deed them a piece of the old Water Works property on Beatties Ford Road for park purposes, and it was granted and they have since developed it into a beautiful park for negroes. That he is now advised there is no record of official action on this transaction.

He asked what the status of these two properties is today, and requested that they be deeded to the Park & Recreation Commission.

Councilman Dellinger stated he believes Mr. Sifford was told that the Council would not deed the Incinerator property to the Park Commission but they could use it until such time as the city needed it. Mr. Sifford replied this was not his understanding at all, that he was under the impression that the land was given to the Commission.

Councilman Brown moved that the properties be deeded to the Park & Recreation Commission.

Mr. Shaw, City Attorney, stated that since the exact description of the properties seems indefinite, plats should be prepared and the transaction be consummated by resolution; that a recapture clause could be included if the Council so wishes.

Mr. Sifford stated the amount of money they would spend in the development of the parks would make a recapture clause unacceptable to the Commission; that with the \$12,000.00 they propose to spend on the Shuman Avenue property, they would have \$40,000.00 tied up in this park.

Councilman Brown offered a substitute motion that plats and descriptions be prepared of the exact portions of both the

Old Incinerator property and the old Water Works property that the Park Commission desires to use and Council then go into the matter with Mr. Sifford. The motion was seconded by Councilman Albea, and unanimously carried.

Councilman Baxter suggested that Mr. Sifford also bring in descriptions and plats of other properties the Commission will want to fill their future needs, and that they all be handled at the same time. Mr. Sifford replied that he does not know of anything further at this time.

ADJOURNMENT.

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

Lillian R. Hoffmann
Lillian R. Hoffmann, City Clerk