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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, July 16, 1958, at 11 o'clock a.m., with Mayor Smith presiding and Council members Albea, Baxter, Brown, Dellinger, Evans and Foard being present.

ABSENT: Councilman Wilkinson.

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INVOCATION.

The invocation was given by Councilman Albea.

MINUTES APPROVED.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and un-animously carried, the Minutes of the last meeting on July 2nd were approved.

ORDINANCE NO. 472-X EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHAR-LOTTE BY ANNEXING 24.946 ACRES OF PROPERTY, LOCATED IN CRAB ORCHARD TOWNSHIP, ADOPTED.

In accordance with Notice published in The Charlotte Observer, consid-eration was given the petition of Amity Gardens Shopping Center, Inc, for the annexation of 24.946 acres of property located in Crab Orchard Township, to the City of Charlotte.

Mr. Benj. Horack, representing the petitioner appeared and requested that the property be taken into the city. That it is located at the intersection of Independence Boulevard and Pierson Drive; that it is to be developed as a shopping center; that a building is now under construction that will cover 80,000 sq. ft. of space; also a large super market will be built; that when the center is completed it will have at least 225,000 sq. ft. of space, at a valuation of approximately two million dollars.

No opposition was expressed to the proposed annexation.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried an ordinance entitled: "Ordinance No. 472-X Ex-tending the Corporate limits of the City of Charlotte by Annexing 24.946 Acres of Property, located in Crab Orchard Township" was adopted. The ordinance is recorded in full in Ordinance Book 12, at page 258.

PARK & RECREATION COMMISSION REQUEST FOR 8-CENT TAX LEVY GRANTED.

Mr. Joe Grier of the Park & Recreation Commission appeared before Council and requested the levy of 8-cent for the Board, stating that the 8-cent is necessary for the proper operation and the intended de-velopment of their program. That the budget passed is not a budget of their needs, but against the maximum of 8-cent. That their need is not 8-cent but 10-cent as requested by the Allen Report; that the Park Board feels that at this time a great many things have to be done to improve the system. The people authorized by vote the 8-cent and therefore they must feel that it is necessary.

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Councilmembers questioned Mr. Grier as to whether the money asked for would be used in the city; they have been notified by different residents that unless the Council allows the 8-cent tax levy that some playgrounds now operated will be lost; whether or not the Park Board has some places pinpointed for development; will the Nature Museum suffer?

Mr. Grier replied that the Park and Recreation Commission would not loose any playgrounds; that the situation in the perimeter is not as bad as they had thought at one time, that the School Board has a number of large tracts in the Perimeter Area that they will be able to use; that in the spring the Board of Directors of the Nature Museum called them in to discuss the budget, and at that time it was made to appear that they would need \$20,000.00 as a minimum, so an additional \$5,000.00 was added to the Park & Recreation Budget for the Nature Museum. That having been one of the increases, if the 8-cent is not allowed that would be one of the places the Park Board would have to cut.

Also appearing in support of the 8-cent tax levy was Mr. Herbert Hitch, Chairman of the Social Planning Council who presented a resolution urging the Council to restore the levy of 8-cent for the budget of the Park and Recreation Commission.

Mr. Chester Whelchel, immediate past president of the Board of Directors of the Children's Nature Museum, stated that they know funds are limited but they were understaffed and have no other source of funds except from the Park & Recreation Commission. That he hoped the Council would consider the request of the Park & Recreation Commission and allow the 8-cent levy.

The following persons also appeared in support of the 8-cent levy: Mr. Herbert Wayne, Chairman, Chamber of Commerce Tax Study Committee, Mr. Stanford Brookshire, Chamber of Commerce and United Community Services, Mr. Arthur Jones, speaking as a layman, Mr. John Anderson from the Merry Oaks and Eastway Drive Sections, Mr. Charles Lowe, who headed up the Study Committee for the Allen Report and Mrs. Alice Honey who represented the Children of Charlotte and herself.

Appearing in support of the 7-cent levy for the Park & Recreation Commission and in keeping the tax rate down were Mr. Jack Turner, a realtor and Mr. Vane Mingle, Executive Vice President of the Charlotte Board of Realtors.

Mr. Mingle stated that they would like to go on record to keep the tax rate as low as possible, knowing that the needs are great, but they feel that the Council is in a position to know and they support the recommendation of the Council in holding down the tax rate.

Mr. Turner stated that there has been so much said about the perimeter area, but they feel that in 1960 when the area is annexed that there will be an increase in taxes; that we should wait until the time of annexation to work in that area with parks; that the first thought in the perimeter area should be for water and sewer; that people who own real estate in the city have been crowded into a corner; lot. of people are facing hardship in carrying the tax load of city, county, state and federal governments.

Mayor Smith made a general statement, stating that the City Council is called on week after week to have the Wisdom of Solomon and the Patience of Job. We are fortunate in having a Park & Recreation Commission and Chairman with the support of the Chamber of Commerce to fight for every thing they want. The Council took the budget when it came in and if all the things that were asked for had been granted, the tax rate would be over \$2.00. That no member would disagree with anything that has been said, but the Council is faced with the problem that there are

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other departments who have had to be cut; the city needs 40 additional policemen but the request came in for 30, and they were given 10; the Fire Department has a piece of equipment 30 years old that might break down at any time when going to a fire; that the radio shop is not equipped to take care of more than one car at a time, and when this equipment is in need of repairs, it means that one or more cars and several patrolmen are out of duty. That the Council endeavored to take into consideration all departments and have tried in some way to pull in from every direction, and cut a little bit from each department. One cent would make very little difference, but 1-cent for this department and 1-cent for that department together with things that are required and needed would jump the tax rate up 2, 3, 4 or 5-cents. Every man who studied the budget tried to use the wisdom of Solomon; they did everything they knew how to be fair; that they too are tax payers and when the tax rate is raised or cut, it also effects them.

Mr. Sifford of the Park & Recreation Commission said that he would like to ask if one department has been asked to operate on less funds this year than they operated on last year. That Big Men are needed to operate Big.

Upon motion of Councilman Brown, seconded by Councilwoman Evans and carried, the Park & Recreation Commission were granted the 8-cent tax levy.

The vote was as follows:

YEAS: Councilmembers Albea, Brown, Dellinger and Evans  
NAYS: Councilmen Baxter and Foard.

#### TRANSFER OF FUNDS FROM EMERGENCY FUND TO VETERANS SERVICE COMMITTEE

Mr. Jim Whittington and Mr. Stanhope Lineberry of the Veteran's Service Committee appeared before Council with a request for an additional \$500.00 for their budget. That their Service Officer has not had an increase in salary since 1955; that his present salary is \$6000.00 and they are asking that it be increased to \$7000.00, which will be an additional \$1,000.00 with the city paying \$500.00 and the county paying \$500.00. Mr. Whittington stated that the Commission is carrying the work load for the Veterans Administration in the City of Charlotte. Mr. Lineberry stated that the Service Officer goes beyond his call of duty to help not only veterans, but members of the armed forces and their families.

Councilman Baxter moved that \$500.00 be transferred from the Emergency Fund to the Veteran's Service Committee as requested. The motion was seconded by Councilman Foard and unanimously carried.

#### COMMITTEE APPOINTED AS WAYS & MEANS FOR A COUNTY WIDE PARK & RECREATION COMMISSION.

Mr. Stanford Brookshire appeared and stated that he would like to thank the Council for the action taken on the 8-cent tax levy for the Park & Recreation Commission. He would like to ask the Council to name a committee to serve jointly with the County to prepare Ways and Means for a county wide Park & Recreation Commission. The committee would make an overall study of the possibility for plans for endorsement for such a Commission to be presented for legislation. That the report should be completed by December 1, 1958.

Councilwoman Evans moved that the following persons be asked to serve on this Committee; Mr. Ernest Sifford, Mr. Joe Grier, Mr. David Craig, Mr. C. C. Hope, Jr., Mr. Brodie S. Griffith, Mrs. Mildred Howerton and Mrs. Vennia Watkins.

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Mayor Smith asked Councilwoman Evans also to serve on this committee and Councilman Dellinger asked Mr. Yancey, City Manager to serve as an ex officio member.

The motion was seconded by Councilman Albea, and unanimously carried.

**PAYMENT OF FUNDS AUTHORIZED TO WIDOW OF JAMES S. COLTER, CITY EMPLOYEE KILLED WHILE ON DUTY, WITH APPROVAL OF INDUSTRIAL COMMISSION.**

Mr. Tom Lockhart, attorney for the widow of James S. Colter who died while in the course of his employment with the city from a cave-in of a sewer line ditch on Ellenwood Road, stated that Mr. Colter had worked for the city for 17 years; that the Industrial Commission has made an award of \$10,000 to be paid his widow. That Mrs. Colter has found a house on Hunter Row that she would like to purchase for a price of approximately \$3,500.00. He asked that the Council direct the Treasurer to pay Mrs. Colter the budgeted amount of \$1800.00 for the year, plus an additional amount of \$2200.00, to be paid from the Emergency Fund, so that she might buy the house. That the city would make no further payment to her this year, but would pick up the payments beginning with the new fiscal year at a reduced amount of \$23.40 weekly so that the final payment will terminate the same as the Commission's original award of \$35.00 a week.

Councilman Dellinger moved that the matter be referred to the City Attorney and City Manager. The motion was seconded by Councilman Albea.

Mr. Lockhart stated that he has discussed the matter with Mr. Shaw, and he could see no objections to this.

Councilman Baxter made a substitute motion that if it is legal and with the approval of the Industrial Commission, Mrs. Colter be paid the budgeted \$1,800.00, and that an additional \$2,200.00 be transferred from the Emergency Fund. The motion was seconded by Councilman Brown.

Councilman Dellinger then withdrew his motion.

The vote was then taken on the substitute motion and carried unanimously.

**PLANNING COMMISSION REQUESTED TO MEET ONCE A MONTH AND PRESENT PETITIONS FOR REZONING TO THE COUNCIL EACH MONTH.**

Councilman Dellinger moved that the Planning Commission be requested to hold their meetings once a month and present petitions for rezoning to the Council each month. The motion was seconded by Councilman Albea, and unanimously carried.

**PARKING RESTRICTIONS ON KESWICK AVENUE, FROM NORTH TRYON STREET TO HUTCHINSON AVENUE, ADOPTED.**

Councilman Brown moved that "No Parking At Anytime" restrictions be placed on the north side of Keswick Avenue, from North Tryon Street to Hutchinson Avenue, as recommended by Mr. Herman Hoose, Traffic Engineer. The motion was seconded by Councilman Dellinger, and unanimously adopted.

**COUNCILMAN FOARD REQUEST THAT BUDGET BE INCREASED TO ALLOW FOR ADDITIONAL MEN IN THE FIRE AND POLICE DEPARTMENTS.**

Councilman Foard moved that the budget be increased to provide funds so that two additional men can be employed in the Radio Shop of the Fire Department and 30 additional men in the Police Department. The motion lost for lack of a second.

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ORDINANCE NO. 473-X RELATIVE TO THE ADOPTION OF THE APPROPRIATION BUDGET FOR THE CITY OF CHARLOTTE FOR THE FISCAL YEAR 1958-59, ADOPTED.

An ordinance entitled: "Ordinance No. 473-X Relative to the Adoption of the Appropriation Budget for the City of Charlotte for the Fiscal Year 1958-59" was introduced and read. Councilman Baxter moved the adoption of the ordinance, which was seconded by Councilman Brown, and unanimously carried. Upon the foregoing vote, the ordinance was duly adopted and declared to be the Budget Appropriation Ordinance of the City of Charlotte for the Fiscal Year 1958-59. The ordinance is recorded in full in Ordinance Book 12, beginning at Page 260.

ORDINANCE NO. 474-X FIXING THE TAX RATE FOR THE CITY OF CHARLOTTE FOR THE FISCAL YEAR 1958-59 AND LEVYING A TAX UPON ALL REAL AND PERSONAL PROPERTY LOCATED WITHIN THE LIMITS OF THE CITY OF CHARLOTTE FOR SAID FISCAL YEAR, ADOPTED.

An ordinance entitled: "Ordinance No. 474-X Fixing the Tax Rate for the City of Charlotte for the Fiscal Year 1958-59 and Levying a Tax upon all Real and Personal Property located within the Limits of the City of Charlotte for said Fiscal Year" was introduced and read. Councilman Baxter moved the adoption of the ordinance fixing the tax rate for the fiscal year 1958-59 at \$1.88. The motion was seconded by Councilman Brown, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 263.

ORDINANCE NO. 487-X AMENDING CHAPTER 2 OF THE CITY CODE RELATIVE TO PARKING ON CITY STREETS, ADOPTED.

An ordinance entitled: "Ordinance No. 487-X Amending Chapter 2, Article VI of the City Code Relative to Parking on City Streets" was introduced and read. Upon motion of Councilman Baxter, seconded by Councilwoman Evans, and unanimously carried, the ordinance was adopted and recorded in full in Ordinance Book 12, beginning at Page 264.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 475 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY ON THE SOUTHEAST CORNER OF WEST BOULEVARD AND HAWKINS STREET, FROM R-2 TO INDUSTRIAL, ADOPTED.

Ordinance No. 475 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by Changing property on the southeast corner of West Boulevard and Hawkins Street, from R-2 to Industrial, on appeal of Terminix Service, Inc., from the decision of the Planning Board was introduced and read. A Resolution Providing for a Public Hearing on said Ordinance on August 13th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Brown, was unanimously adopted. The Resolution is recorded in full in Resolutions Book 3, at Page 228.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 476 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY AT THE SOUTHEAST CORNER OF EAST KINGSTON AVENUE AND CLEVELAND AVENUE, FROM R-2 TO OFFICE-INSTITUTION, ADOPTED.

Ordinance No. 476 Amending Chapter 21, Article I, Section 2 of the City Code by amending the Building Zone Map of Charlotte by changing property at the southeast corner of East Kingston Avenue and Cleveland Avenue, from R-2 to Office-Institution, on request of Mrs. D.R. Alston, et al,

was introduced and read. A Resolution Providing for a Public Hearing on said ordinance on August 13th was then presented and read. Councilman Dellinger 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 229.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 477 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY ON THE EAST SIDE OF TURNER AVENUE, SOUTH OF CHAMBERLAIN AVENUE, FROM R-2 TO INDUSTRIAL, ADOPTED.

Ordinance No. 477 Amending Chapter 21, Article I, Section 2 of the City Code Amending the Building Zone Map of Charlotte by changing property on the east side of Turner Avenue, south of Chamberlain Avenue, from R-2 to Industrial, on request of John O. Ross, Jr., et al, was introduced and read. A Resolution Providing for a Public Hearing thereon on August 13th was then presented and read. Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 230.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 478 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY ON THURMOND PLACE, BETWEEN BELVEDERE AVE. AND MIMOSA AVENUE, FROM R-1 TO R-2, ADOPTED.

Ordinance No. 478 Amending Chapter 21, Article I, Section 2 of the City Code amending the Building Zone Map of Charlotte by changing property located on Thurmond Place, between Belvedere Avenue and Mimosa Avenue, from R-1 to R-2, on request of Charles L. Glenn, Sr was introduced and read. A Resolution Providing for a Public Hearing thereon on August 13th was then presented and read. Councilman Dellinger 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 231.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 479 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY LOCATED ON THE SOUTH SIDE OF MIDDLETON DRIVE, EAST OF PROVIDENCE ROAD, FROM R-2 TO B-1, ADOPTED.

Ordinance No. 479 Amending Chapter 21, Article I, Section 2 of the City Code amending the Building Zone Map of Charlotte by changing property located on the south side of Middleton Drive, east of Providence Road, from R-2 to B-1, on appeal of Edward C. Dwelle, Jr. from the decision of the Planning Board was introduced and read. A Resolution Providing for a Public Hearing thereon on August 13th was then presented and read. Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 232.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 480 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE PERIMETER AREA TO CHANGE PROPERTY ON U.S. HIGHWAY 74, APPROXIMATELY 9/10 MILE FROM THE NEW CITY LIMITS, FROM RURAL TO B-1, ADOPTED.

Ordinance No. 480 Amending Chapter 21, Article II, Section 5 of the City Code amending the Building Zone Map of the Perimeter Area by changing property on U.S. Highway 74, approximately 9/10 miles from

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the new city limits, from Rural to B-1, on appeal of Edward C. Griffin and wife from the decision of the Planning Board was introduced and read. A Resolution Providing for a Public Hearing thereon on August 13th was then presented and read. Councilman Dellinger 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 233.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 481 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE PERIMETER AREA, BY CHANGING PROPERTY ON THE SOUTH OF MONTFORD DRIVE, BETWEEN PARK ROAD AND SUGAW CREEK, FROM R-2 TO B-I, ADOPTED.

Ordinance No. 481 Amending Chapter 21, Article II, Section 5 of the City Code amending the Building Zone Map of the Perimeter Area by changing property on the south of Montford Drive, between Park Road and Sugaw Creek, from R-2 to B-1, on request of Joseph W. Eshelman & Co., Inc. and W. Frank Graham, 4501 Park Road, was introduced and read. A Resolution Providing for a Public Hearing thereon on August 13th was then presented and read. Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, the resolution was adopted. The Resolution is recorded in full in Resolutions Book 3, at Page 234.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 482 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE PERIMETER AREA TO CHANGE PROPERTY ON THE NORTHEAST CORNER OF 4TH STREET AND SHAMROCK ROAD, FROM R-2 TO B-I, ADOPTED.

Ordinance No. 482 Amending Chapter 21, Article II, Section 5 of the City Code amending the Building Zone Map of the Perimeter Area by changing property on the northeast corner of 4th Street and Shamrock Road, from R-2 to B-I, on request of W. W. Lawing, et al, was introduced and read. A resolution Providing for a Public Hearing on August 13th on said ordinance was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, the resolution was adopted. The Resolution is recorded in full in Resolutions Book 3, at Page 235.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 483 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE PERIMETER AREA TO CHANGE PART OF LOT 12, IN BLOCK B OF AMITY GARDENS #2, ON THE EAST SIDE OF PIERSON DRIVE, NORTH OF INDEPENDENCE BOULEVARD, FROM B I-A TO B-I, ADOPTED.

Ordinance No. 483 Amending Chapter 21, Article II, Section 5 of the City Code amending the Building Zone Map of the Perimeter Area by changing part of Lot 12, in Block B of Amity Gardens #2, on the east side of Pierson Drive, north of Independence Boulevard, from B I-A to B-I, on request of Xenophon F. Nixon, 715 Piedmont Street, et al was introduced and read. A Resolution Providing for a Public Hearing on August 13th on said ordinance was then presented and read. Councilman Dellinger 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 236.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 484 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE PERIMETER AREA TO CHANGE PROPERTY ON THE SCUTHWESTERLY SIDE OF INDEPENDENCE BOULEVARD, EAST OF PIERSON DRIVE, FROM B I-A TO B-I, ADOPTED.

Ordinance No. 484 Amending Chapter 21, Article II, Section 5 of the City Code amending the Building Zone Map of the Perimeter Area by changing property on the southwesterly side of Independence Boulevard, east of Pierson Drive, from B I-A to B-I, on request of J. A. Reid Wholesale Co., Inc. was introduced and read. A Resolution Providing for a Public Hearing thereon on August 13th was then presented and read. Councilman Dellinger 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 237.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 485 AMENDING THE BUILDING ZONE MAP OF CHARLOTTE TO CHANGE PROPERTY BOUNDED BY TUCKASEEGEE ROAD, BIGHAM STREET, ROGERS STREET AND ENDERLY PARK BAPTIST CHURCH, FROM R-2 TO B-I, ADOPTED.

Ordinance No. 485 Amending Chapter 21, Article I, Section 2 of the City Code amending the Building Zone Map of Charlotte, by changing property bounded by Tuckaseegee Road, Bigham Street, Rogers Street and Enderly Park Baptist Church, from R-2 to B-1, on appeal of T. K. Davis, et al from the decision of the Planning Board, was introduced and read. A Resolution Providing for Public Hearing thereon on August 13th was then presented and read. Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, the resolution was adopted. The Resolution is recorded in full in Resolutions Book 3, at page 238.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 486 AMENDING THE BUILDING ZONE MAP OF CHARLOTTE PERIMETER AREA, BY CHANGING PROPERTY LOCATED NORTH OF FREELAND LANE, AND EAST OF ELLENWOOD PLACE, FROM R-2 TO INDUSTRIAL, ADOPTED.

Ordinance No. 486 Amending Chapter 21, Article II, Section 5 of the City Code amending the Building Zone Map of the Perimeter Area, by changing property located north of Freeland Lane, and east of Ellenwood Place, from R-2 to Industrial, on appeal of Jacobs Manufacturing Co, from the decision of the Planning Board, was introduced and read. A Resolution Providing for Public Hearing thereon on August 13th was then presented and read. Motion was made by Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, adopting the resolution. The Resolution is recorded in full in Resolutions Book 3, at Page 239.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 13TH ON ORDINANCE NO. 488 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF CHARLOTTE PERIMETER AREA TO CHANGE PROPERTY LOCATED AT THE INTERSECTION OF OLD PROVIDENCE ROAD, REA ROAD AND NEW PROVIDENCE ROAD, FROM RURAL TO B-I, ADOPTED.

Ordinance No. 488 Amending Chapter 21, Article II, Section 5 of the City Code amending the Building Zone Map of the Perimeter Area by changing property located at the intersection of Old Providence Road, Rea Road, and New Providence Road, from Rural to B-I, on appeal from the decision of the Planning Board by Aubrey L. Palmer and wife, was introduced and read. A Resolution Providing for a Public Hearing on August 13th on said ordinance was then presented and read, an upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, the Resolution was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 240.



**DELINQUENT REAL ESTATE AND PERSONAL PROPERTY TAXES FOR 1957 AUTHORIZED ADVERTISED.**

Councilman Baxter moved that the City Manager be authorized to advertise delinquent real estate and personal property taxes for 1957. The motion was seconded by Councilman Dellinger, and unanimously carried.

**SETTLEMENT OF CLAIM OF MRS. B. FRANK YANDELL FOR PERSONAL INJURIES.**

Upon motion of Councilman Baxter, seconded by Councilman Albea, and unanimously carried, the claim of Mrs. B. Frank Yandell, in the amount of \$250.00, for injuries received from stepping into an open water meter box in the 1000 block of East 7th Street on December 17, 1957, was authorized paid.

**STREETS TAKEN OVER FOR CITY MAINTENANCE.**

Motion was made by Councilman Albea, seconded by Councilwoman Evans, and unanimously carried that the following street, having been placed in condition to meet the city's requirements, be taken over for city maintenance:

- (a) McArthur Street, from Isenhour Street to Wells Street.
- (b) Thomas Place, from Herrin Avenue, north 718 feet.
- (c) Welch Street, from St. Paul Street to St. John Street.
- (d) North Church Street, from West 34th Street to end.
- (e) Kinlough Drive, from Manhasset Road to Belton Street.
- (f) Belton Street, from Kinlough Drive to city limits.
- (g) Sudbury Road, from Windsor Road to Glenstar Terrace.
- (h) Glenstar Terrace, from Sudbury Road to Sudbury Road.
- (i) Seaforth Drive, from Glenstar Terrace to end.

**CONSTRUCTION OF SANITARY SEWER MAINS IN COMMONWEALTH AVENUE, BANCROFT STREET AND HILLSIDE DRIVE AUTHORIZED.**

Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, the construction of sanitary sewer mains was authorized at the following locations:

- (a) Construction of 221-ft. of sanitary sewer main in Commonwealth Avenue, to serve one business unit, at an estimated cost of \$785.00, at request of Sun Oil Company. All costs to be borne by the City, with no refund of applicant's required deposit of \$485.00.
- (b) Construction of 145-ft. of sanitary sewer main in Bancroft Street, to serve New Fire Station, at an estimated cost of \$580.00, at request of Charlotte Fire Department. All costs to be borne by the City.
- (c) Construction of 170-ft. of sanitary sewer main in Hillside Drive, to serve two family units, at an estimated cost of \$575.00, at request of W.R. Griffin, Route 7. All costs to be borne by the City.

**CONTRACT AWARDED CONCRETE PRODUCTS COMPANY FOR METER BOXES FOR WATER DEPARTMENT.**

Motion was made by Councilman Foard that contract be awarded Concrete Products Company for 1,000 Concrete Meter Boxes with covers, City of Charlotte accepted stand and pattern, as specified, on a unit price basis of \$4.75 each, representing a net delivered bid price of \$4,750.00. The motion was seconded by Councilman Baxter, and unanimously carried. As this is a specialty item, available only from Concrete Products Company, there were no other bidders.

SPECIAL OFFICER PERMITS.

Upon motion of Councilman Albea, seconded by Councilman Baxter, and un-animously carried, the following Special Officer Permits were approved:

- (a) Issuance of Permit to Charles Franklin Foard, for use on the premises of Southern Railway Company.
- (b) Renewal of Permit to R. A. Smith, for use on the premises of Highland Park Manufacturing Company.
- (c) Renewal of Permit to Mrs. Stella Patterson, for use on the premises of J. B. Ivey & Company
- (d) Renewal of Permit to Henry Durant Price, for use on premises of Lance, Inc.

SICK LEAVE EXTENDED TO J. B. CHERRY, ENGINEERING DEPARTMENT EMPLOYEE.

Upon motion of Councilman Brown, seconded by Councilman Dellinger, and un-animously carried, sick leave was extended Mr. J. B. Cherry, Engineering Department employee through August 31, 1958.

SUPPLEMENTARY CONTRACT AUTHORIZED WITH ERVIN CONSTRUCTION CO. FOR INSTALLATION OF WATER MAINS.

Motion was made by Councilman Foard, seconded by Councilman Baxter, and un-animously carried, authorizing supplementary contract, to contract dated February 11, 1953, with Ervin Construction Company for the installation of 2,650 feet of water mains and 2 hydrants in Beechwood Acres No. 3, outside the city limits, to serve residential property, at an estimated cost of \$6,925.00. All costs to be paid by the applicant, who will own the mains until the area is incorporated into the city.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Brown, and un-animously carried, authorizing the construction of driveway entrances at the following locations:

- (a) Two 20-ft. driveway entrances at 1933 East 7th Street.
- (b) One 25-ft. and One 30-ft. driveway entrance at 3739 Wilkinson Boulevard.
- (c) One 24-ft. driveway entrance at 3038 Eastway Drive.
- (d) One 12-ft. driveway entrance at 222 N. Caldwell Street.
- (e) One 30-ft. and One 25-ft. driveway entrance at 2031 N. Davidson St.
- (f) Two 20-ft driveway entrances at 729-737 West Trade Street.
- (g) Three 30-ft. driveway entrances on West Palmer Street for 101 W. Independence Boulevard.
- (h) One 34-ft. driveway entrance at 3147 Culman Avenue.
- (i) Two 30-ft. driveway entrances at 3162 Culman Avenue.

PERMISSION GRANTED TO MR. HERBERT LEE JOHNSON TO PURCHASE VICTORY CAB #142 FROM MR. LEONARD E. CRUMP.

Councilman Dellinger moved that Mr. Herbert Lee Johnson be permitted to purchase the rights and privileges covered by Victory Cab #142, from Mr. Leonard E. Crump, and that he be granted a Certificate of Necessity for the operation of said cab, which is fully equipped with taximeter and two-way radio and in perfect operating condition. The motion was seconded by Councilman Baxter, and un-animously carried. The transaction was recommended by the City's Taxicab Inspector.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Albaea, 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. Nellie E. Richey, for Graves #7 and #8, Lot 99, Section 3, Evergreen Cemetery, at \$80.00.
- (b) Deed with Edward B. Ledford, for Lot 310, Section 2, Evergreen Cemetery, at \$160.00.
- (c) Deed with H. M. Burleson, for Graves #1 and #2, Lot 344, Section 4-A, Evergreen Cemetery, at \$63.00.
- (d) Deed with Mrs. George T. Pappas, for Lot 122, Section 4-A, Evergreen Cemetery, at \$126.00.
- (e) Deed with Mrs. Edward Campbell, for north half of Lot 15, Section T, Elmwood Cemetery, transferred from T.W. Crews and wife, at \$1.00 for transfer.

CONTRACT AWARDED REA CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS ON REMOUNT AVENUE AND MINT STREET.

Councilman Dellinger moved that contract be awarded the low bidder, Rea Construction Company for Street Improvements on Remount Avenue and Mint Street, all as specified on a unit price basis representing a total price of \$44,040.80. The motion was seconded by Councilman Baxter, and unanimously carried.

The following bids were received:

Rea Construction Company	Total Bid	\$44,040.80
Crowder Construction Company	" "	\$46,516.00
Blythe Brothers Company	" "	\$46,735.00


REPORT BY CITY MANAGER ON DRAINAGE CONDITION AT 2013 CUMBERLAND AVENUE.

Mr. H. A. Yancey, City Manager, reported that the property located at 2013 Cumberland Avenue is very low and adjacent to a natural drainage ditch which extends across the southerly edge of the property and carries the run-off from 70 acres of watershed area. During heavy rains, the concrete block wall along the edge of this ditch washed out and was replaced by the owner. Again heavy rain has washed the ditch out, and the owner has asked that the City replace the wall. The City has two 36" drains pipes under Cumberland Avenue at this point which is believed to be adequate. Also, additional catch basins have been added which provide greater entrance area for street drainage entering this pipe. This is a natural drain and therefore is not the City's responsibility.

The above was received as information by the Council.

ADJOURNMENT.

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

  
L. L. Ledbetter, Deputy City Clerk