

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, March 5, 1958, 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 Albea, and un-animously carried, the Minutes of the last meeting on February 26th were approved as submitted.

CHARLOTTE ARCHERS TO BE ADVISED PETITION FILED PROTESTING THEIR USE OF EVERGREEN CEMETERY PROPERTY ON PROGRESS LANE AND ASKED IF THEY CAN LOCATE ANOTHER SITE FOR ARCHERY RANGE.

Mr. Robert Perry, Attorney representing property owners on Progress Lane, filed a petition signed by the owners of property on Progress Lane protesting the use of Evergreen Cemetery property, at the dead-end of Progress Lane, by the Charlotte Archers as an Archery Range.

Mr. Perry stated that Progress Lane Chapel has not entered into the Petition as they do not wish to be involved in an argument; however, many of the petitioners are members of the Chapel. He advised further that their objections are based on an increase of traffic on Progress Lane, excessive noise and disturbance to an otherwise quiet area and interference with the activities of Progress Lane Chapel. Mr. Perry stated that Progress Lane is a private road, and is maintained by the property owners, and has never been taken over by the State Highway Commission nor maintained by them. He advised that there are some five or six residences on the street and other property owners purchased their property with the view of constructing residences; that Mr. Terrell Eford is owner of the property nearest the Archery Range and will give up his plans for erecting a residence if the area beyond the dead-end is to be used as a playground.

The City Attorney stated the City was and is of the opinion that Progress Lane is not a dead-end street but that it circles Evergreen Cemetery property and is a back entrance to the Cemetery.

Following the discussion, Councilman Baxter stated that there is so much property around Charlotte that a location should be found that would not prove objectionable to residents, Councilman Albea concurred in the statement. Councilman Baxter suggested that the City Manager write the Charlotte Archers and advise them that objections to their use of the property have been raised and ask if they cannot find another location that would be satisfactory to all concerned. The City Attorney stated that the lease of the property to the organization carries a cancellation clause, and, too, that if this is a service road to Evergreen Cemetery property and the Cemetery continues to be widely used, it may well be that the roadway will have to be used as an entrance to the Cemetery.

RESOLUTION RELATIVE TO THE PUBLICATION OF NOTICE OF INTENTION TO APPLY TO LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF \$4,800,000 IN BONDS.

A resolution entitled: "Resolution Relative to the Publication of Notice of Intention to Apply to Local Government Commission for Approval of \$4,800,000 in Bonds" was introduced by Councilman Baxter, who moved its adoption following the reading thereof. The motion was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 186.

RESOLUTION RELATIVE TO THE DEATH OF JOHN HENRY MILLS, COLLECTOR OF REVENUE.

The following resolution was introduced by Councilman Albea, who moved its adoption after it was read. The motion was seconded by Councilman Brown, and unanimously carried:

"RESOLUTION RELATIVE TO THE DEATH OF JOHN HENRY MILLS

WHEREAS, in the Providence of the Almighty God and in His Divine Wisdom, on the 3rd day of March, 1958, He called John Henry Mills from this temporal life; and

WHEREAS, in the passing of John Henry Mills the City Government has lost a faithful and conscientious officer whose dedication to his work and loyalty to his employers was an inspiration to others; and

WHEREAS, his rare sense of human needs and values, his deep interest in his fellowman and his willingness to lend a helping hand where needed, has carved for him a lasting place in the hearts of his friends, and fellow citizens; and

WHEREAS, it is with a deep knowledge of the great loss to us personally and to the City Government of Charlotte, that we mourn his passing and honor his memory.

NOW, THEREFORE, BE IT RESOLVED that we, the members of the City Council of the City of Charlotte, North Carolina, extend to his family our deepest sympathy and pray God's blessings to rest upon them.

AND, FURTHER, that a copy of this resolution be spread upon the Minutes of this meeting of the City Council, a copy sent to his family and copies furnished to the newspapers in the City of Charlotte."

RESOLUTION AUTHORIZING CITY TO JOIN IN DEED OF THE CHARLOTTE PARK AND RECREATION COMMISSION RECONVEYING CERTAIN PROPERTY TO WACHOVIA BANK & TRUST COMPANY, TRUSTEE, FRONTING ON NEWLAND ROAD.

A resolution entitled: "Resolution Authorizing City to Join in Deed of the Charlotte Park and Recreation Commission Reconveying Certain Property to Wachovia Bank & Trust Company, Trustee, Fronting on Newland Road" was introduced by Councilman Foard who moved its adoption following the reading thereof. The motion was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, beginning at Page 187.

**G. E. VINROOT CONSTRUCTION COMPANY AUTHORIZED TO CONNECT SANITARY SEWER LATERAL TO CITY'S SANITARY SEWERAGE SYSTEM AT INTERSECTION OF SOUTH HOSKINS AVENUE AND LAKESIDE DRIVE.**

Upon motion of Councilman Foard, seconded by Councilwoman Evans, and unanimously carried, G. E. Vinroot Construction Company was authorized to connect an 8-inch sanitary sewer lateral to the City's sanitary sewerage system, at the intersection of South Hoskins Avenue and Lakeside Drive, upon condition that they comply with all laws, rules and regulations now in effect, or which may hereafter become effective relative to property similarly situated.

**SICK LEAVE EXTENDED AN ADDITIONAL 30 DAYS TO HENRY H. GRIFFIN, SHELTER WARDEN FOR PET DEPARTMENT.**

Councilman Foard moved that the sick leave of Henry H. Griffin, Shelter Warden in the Pet Department, be extended for a period of 30 days, as recommended by the City Manager. The motion was seconded by Councilman Wilkinson, and unanimously carried.

**APPOINTMENT OF ROY YARBOROUGH AS ACTING COLLECTOR OF REVENUE.**

Councilman Albea moved that Mr. Roy Yarborough, Assistant Collector of Revenue, be appointed as Acting Collector of Revenue until a permanent appointment is made by the Council. The motion was seconded by Councilman Brown, and unanimously carried.

**CONTRACT AWARDED RAY D. LOWDER CONSTRUCTION COMPANY FOR CONSTRUCTION OF SANITARY SEWERS IN SUGAW CREEK OUTFALL.**

Upon motion of Councilman Brown, seconded by Councilman Foard, and unanimously carried, contract was awarded Ray D. Lowder Company, the low bidder, for the construction of Sanitary Sewers in Sugaw Creek Outfall, as specified, on a unit price basis, representing a total price of \$93,122.50.

Bids submitted on the construction of the project are as follows:

Ray D. Lowder Construction Company	\$93,122.50
Noll Construction Company	\$94,300.00
Blankenship Brothers	\$94,667.14
Blythe Brothers Company	\$99,801.00
A. H. Guion, Inc.	\$103,400.11
A. P. White & Associates	\$109,954.80
Boyd & Goforth, Inc.	\$161,224.50

**PURCHASE OF PROPERTY FROM MYERS PARK COUNTRY CLUB AS RIGHT-OF-WAY FOR WIDENING OF ROSWELL AVENUE.**

Motion was made by Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, authorizing the purchase of a strip of land, containing 9,800 square feet, from the Myers Park Country Club, at a price of \$3,800.00, as a right-of-way for the widening of Roswell Avenue.

**TRANSFER OF FUNDS TO DIVISION OF ELECTIONS AND REDEVELOPMENT COMMISSION.**

Upon motion of Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, the transfer of the following funds was authorized:

- (a) Transfer of \$5,000.00 from the Emergency Fund (Code 110) to Division of Elections (Code 111) to cover expenses of the Bond Election on April 26th.
- (b) Transfer of \$500.00 from the Emergency Fund (Code 110) to Special Appropriations, Redevelopment Commission (Code 109).

**CONTRACT AUTHORIZED WITH MARSH REALTY COMPANY FOR INSTALLATION OF WATER MAINS IN PEACHTREE ROAD.**

Councilman Albea moved that contract be authorized with Marsh Realty Company for the installation of 470-feet of water mains in Peachtree Road, outside the city limits, at an estimated cost of \$752.00, to be paid by the applicant, who will dedicate the mains to the City upon completion. The motion was seconded by Councilman Baxter, and unanimously carried.

**CONSTRUCTION OF SANITARY SEWER MAINS IN WHISNANT STREET AUTHORIZED.**

Motion was made by Councilwoman Evans, seconded by Councilman Foard, and unanimously carried, authorizing the construction of 210-feet of sanitary sewer mains in Whisnant Street, at an estimated cost of \$600.00, to be paid by the City, at the request of Mr. W. R. James, 2209 Freedom Drive.

**EXTENSION OF SICK LEAVE AUTHORIZED TO RUSSELL ALEXANDER, H.N. PORTER AND PAT MUNGO, WATER DEPARTMENT EMPLOYEES.**

Upon motion of Councilman Wilkinson, seconded by Councilwoman Evans, and unanimously carried sick leave through April, 1958 was extended to Russell Alexander, H. N. Porter, and Pat Mungo, Water Department employees.

**CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.**

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

- (a) Two 35-ft. driveway entrances at 2700 South Boulevard.
- (b) Two 30-ft. driveway entrances at 1806 Hutchinson Avenue.
- (c) Extension of present 17-ft. driveway entrance to a total of 29-ft. at 616 South Caldwell Street.

**SPECIAL OFFICER PERMIT AUTHORIZED ISSUED TO HUBERT N. PORTER ON THE PREMISES OF NEBEL KNITTING COMPANY.**

Upon motion of Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, a Special Officer Permit was authorized issued to Hubert N. Porter for use on the premises of Nebel Knitting Company.

**TRANSFER OF CEMETERY LOT.**

Councilman Brown moved that the Mayor and City Clerk be authorized to execute a deed with James I. Austin for the transfer from Paul J. and Mary H. Marus of Graves #1, 2, 5 and 6, in Section 7, of Oaklawn Cemetery, at a cost of \$1.00 for transfer. The motion was seconded by Councilman Foard, and unanimously carried.

**ADJOURNMENT.**

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

*Lillian R. Hoffman*  
Lillian R. Hoffman, City Clerk