

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, October 29, 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 Wilkinson, and unanimously carried, the Minutes of the Regular Meeting on October 22nd, Recessed Meeting on October 23rd and Special Meeting on October 25th were approved as submitted.

CONTRACT WITH CHARLOTTETOWN, INC. WITH RESPECT TO IMPROVEMENTS TO BAXTER STREET AND BALDWIN CIRCLE, AND CONSTRUCTION OF BRIDGE OVER SUGAW CREEK AT BAXTER STREET, APPROVED, AND PETITION FROM TRUSTEES OF EPISCOPAL CHURCH AND CHARLOTTETOWN, INC. TO CLOSE PORTIONS OF BAXTER STREET AND BALDWIN CIRCLE FILED AND HEARING ON PETITION AUTHORIZED ON DECEMBER 3, 1958.

Mr. Elmer Rouzer, Attorney, filed a contract between Charlottetown, Inc., and the City with respect to street improvements on Baldwin Circle and Baxter Street and construction of a bridge over Sugaw Creek at Baxter Street, in connection with the construction of Charlottetown Shopping Center, and accompanied the contract with a check from the Company in the amount of \$128,778.10 to cover the Company's portion of the improvements. He also submitted a Petition from the Trustees of the Episcopal Church and Charlottetown, Inc., to close a portion of Baxter Street and Baldwin Circle, between Independence Boulevard and Cecil Street, in connection with the said Shopping Center construction.

Councilman Baxter moved approval of the Contract with Charlottetown, Inc., and further moved that Notice of a Public Hearing on December 3rd be published, in connection with the petition for the closing of portions of Baxter Street and Baldwin Circle. The motion was seconded by Councilwoman Evans, and unanimously carried.

CONTRACT AWARDED BLANKENSHIP BROS FOR STREET IMPROVEMENTS TO BAXTER STREET AND BALDWIN CIRCLE.

Upon motion of Councilman Dellinger, seconded by Councilman Foard, and unanimously carried, contract was awarded the low bidder, Blankenship Brothers, for street improvements in Baxter Street and Baldwin Circle, as specified, on a unit price basis, representing a total price of \$57,820.80.

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All bids received are as follows:

Blankenship Brothers	\$57,820.80
Rea Construction Company	\$59,572.80
Blythe Bros. Company	\$61,551.00
Crowder Construction Company	\$63,946.50
Myers & Chapman, Inc.	\$66,178.60

CONTRACT AWARDED MYERS & CHAPMAN, INC. FOR BRIDGE CONSTRUCTION ON BAXTER STREET OVER SUGAW CREEK.

Motion was made by Councilman Dellinger, seconded by Councilman Foard, and unanimously carried, awarding contract to the low bidder, Myers and Chapman, Inc. for the construction of a bridge on Baxter Street, over Sugaw Creek, as specified, on a lump sum basis, representing a total price of \$59,250.00.

All bids received are as follows:

Myers & Chapman, Inc.	\$59,250.00
Crowder Construction Company	\$60,818.00
Blythe Bros. Company	\$61,792.00
W. F. Brinkley & Son	\$67,900.00
Boyd & Goforth, Inc.	\$73,819.00

ISSUANCE OF \$4,700,000 BONDS FOR EXTENSION OF SERVICES TO PERIMETER AREA RULED IN FAVOR OF CITY BY N.C. SUPREME COURT IN SUIT OF JOHN A. THOMASON AGAINST CITY OF CHARLOTTE.

Mr. John D. Shaw, City Attorney, announced that the N.C. Supreme Court has rendered a decision in favor of the City in the suit of John A. Thomason against the City using the \$4,700,000 Bonds for the extension of water, sewer and fire alarm facilities in the Perimeter Area, to be annexed January 1, 1960, and that the funds may now be used for the water and sewer lines but the Fire Alarm bond funds may be used only up to two miles beyond the present city limits.

The City Manager pointed out that the bonds were voted and issued to carry out the City's promises to residents already living in the perimeter area, and cannot be used for new developers in the perimeter area, they will have to be put off until January 1, 1960 when the perimeter area becomes a part of the City of Charlotte.

Inquiries were made by the Council as to how soon the work could get started, particularly water lines to the Thomasboro Area and sewer lines to Sherwood Forest area. The City Manager replied that although the residents of Thomasboro were asked months ago to advise who wanted water service, who will buy it and where they want the lines, nothing has been heard from them and nothing can be done until we do so. Councilman Dellinger stated he feels the City has had little cooperation from the Thomasboro residents and if they do not file their applications for water service, then the money should be used elsewhere. Mr. Yancey stated further that there will be no trouble with the work of laying the sewer lines in the Sherwood Forest area.

Mr. Shaw, City Attorney, stated he thinks the Council should give the department heads a memorandum of policies with respect to extension of water and sewer lines inside the City and of the extension of these lines beyond the City limits, so it will be fully understood.

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LEE ASSOCIATES, INC. EMPLOYED TO REVISE JOB EVALUATION PLAN AND POINT SYSTEM COVERING ALL EMPLOYEES OF CITY EXCEPT THOSE APPOINTED BY THE CITY COUNCIL.

Councilman Baxter moved that the Council employ Lee Associates, Inc., and approve a contract with them to revise the City's Job Classification Evaluation Plan and Point System, covering all city employees except those appointed by the City Council. The motion was seconded by Councilman Brown, and unanimously adopted.

PLANNING BOARD REQUESTED TO SURVEY PRESENT ZONING OF ENTIRE LENGTH OF INDEPENDENCE BOULEVARD WITH VIEW TO MAKING RECOMMENDATION AS A WHOLE INSTEAD OF ON PIECE MEAL BASIS.

Councilman Baxter moved that the Council request the Planning Board to survey the entire length of Independence Boulevard as to its zoning with a view to making their recommendation as a whole rather than bringing to the Council "piece meal" requests for zoning changes. The motion was seconded by Councilman Dellinger.

Councilman Albea expressed strong opposition to the proposal, stating that individual zoning requests must be considered separately, and that Councilman Baxter is just trying to get a business zone established all along Independence Boulevard, while there are some sections along the Boulevard that are as good residential areas as can be found anywhere in the city. Councilman Baxter refuted the charge by stating that he merely wants the property owners on Independence Boulevard to know what to expect so they can plan their property use.

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

YEAS: Council members Baxter, Brown, Dellinger, Evans, Foard and Wilkinson.

NAYS: Councilman Albea.

PLANNING BOARD REQUESTED TO "STEP UP" RECOMMENDATION FOR REZONING ALL NEIGHBORHOODS THAT HAVE CHANGED MATERIALLY SINCE ZONING PUT INTO LAW.

Councilman Baxter moved that the Council request the Planning Board to "step up" their recommendation for rezoning all neighborhoods in the city that have changed materially since zoning was put into law, and to advise approximately how much longer this recommendation will take. The motion was seconded by Councilman Dellinger.

Councilman Albea stated he did not think that they should be rushed by the Council.

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

YEAS: Council members Baxter, Brown, Dellinger, Evans, Foard and Wilkinson.

NAYS: Councilman Albea.

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SECOND WARD AND WEST CHARLOTTE HIGH SCHOOLS AUTHORIZED TO HOLD PARADE
OCTOBER 30, 1958.

Councilman Brown moved that permission be granted for Second Ward High School and West Charlotte High School to stage a parade tomorrow, in connection with their football game. The motion was seconded by Councilman Albea, and unanimously carried.

CONSIDERATION REQUESTED OF REORGANIZATION OF POLICE DEPARTMENT TO APPOINT
NOT ONLY A POLICE CHIEF, BUT ALSO ASSISTANT CHIEF AND TWO DEPUTY CHIEFS.

Councilwoman Evans asked Mayor Smith if he has a report and recommendation regarding the appointment of a Police Chief? Mayor Smith replied that he does not, that he has given practically his full time for the past two weeks to the settlement of the Bus Strike. Councilwoman Evans then stated she would like to lay on the table a thought in this connection; that with the expanded growth of Charlotte, the Council should first expand our public protective agencies, not only the appointment of a Chief but the reorganization of the Police Department. That some cities have adopted a plan of having a Chief, Assistant Chief and two assistants of major rank, probably Deputy Chiefs, and she asked that the Council be considering this idea. Mayor Smith stated he would have a report in a short time that will include all of this.

WIDENING AND IMPROVEMENT OF CECIL STREET, FROM INDEPENDENCE BOULEVARD
TO EAST 4TH STREET AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, Cecil Street, between Independence Boulevard and East Fourth Street, was authorized widened and improved with curb and gutter to afford right-of-way of 60 feet, at an estimated cost of \$15,400.00, made necessary by the widening and relocation of Baldwin Circle.

RESOLUTION RELATIVE TO IMPROVEMENTS TO NC #27 BEGINNING IN CENTER OF
STEWART CREEK, 845 FEET NW OF INTERSECTION OF MOREHEAD STREET AND WALNUT
AVENUE, THENCE NW TO CITY LIMITS, TOTAL DISTANCE OF 6,990 FEET, ADOPTED

A resolution entitled: "Resolution Relative to Improvements to NC #27 Beginning in Center of Stewart Creek, 845 Feet NW of Intersection of Morehead Street and Walnut Avenue, thence NW to City Limits, Total Distance of 6,990 Feet", was introduced and read, and upon motion of Councilman Wilkinson, seconded by Councilman Brown, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 275.

ORDINANCE NO. 491 AMENDING ZONING ORDINANCE TO AMEND THE BUILDING ZONE
MAP BY CHANGING PROPERTY ON BOTH SIDES OF INDEPENDENCE BOULEVARD FROM
EAST 7TH STREET TO PRESENT INDUSTRIAL ZONE LINE NEAR THE SAL RAILWAY,
FROM R-2 TO O-I, ADOPTED.

Upon motion of Councilman Brown, seconded by Councilman Foard, and unanimously carried, Ordinance No. 491 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing property on both sides of Independence Boulevard, from East 7th Street to the present Industrial Zone line near the SAL Railway, from R-2 to O-I, as recommended by the Planning Board, on petition of Ernest L. DeLaney and Emmett W. Wilkinson, was adopted. The ordinance is recorded in full in Ordinance Book 12, at Page 294.

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SALVATION ARMY GRANTED PERMISSION TO PLACE KETTLE-HOUSE ON STREET AT THE SQUARE FOR RECEIVING PUBLIC FUNDS FOR CHRISTMAS WORK.

Councilman Brown moved that the Salvation Army again be permitted to place their Kettle-House on the street at The Square for receiving public donations for their Christmas Work among the needy. The motion was seconded by Councilman Albea, and unanimously carried.

EXTENSION OF SICK LEAVE TO KEMP G. PHIFER, MOTOR TRANSPORT DEPARTMENT EMPLOYEE.

Motion was made by Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, authorizing the extension of sick leave to Mr. Kemp G. Phifer, Motor Transport employee, to November 3rd.

STREETS TAKEN OVER FOR CITY MAINTENANCE.

Upon motion of Councilman Albea, seconded by Councilman Foard, and unanimously carried, the following streets were taken over for city maintenance:

- (a) Dunlavin Way, from Eastway Drive to Sandhurst Drive.
- (b) Windham Place, from Rilborne Road to Dunlavin Way.
- (c) Heather Lane, from Belrose Lane to 125 feet north of Ashcraft Lane.
- (d) Bevis Drive, from Ashcraft Lane to 150 ft. south of Wimbledon Dr.
- (e) Wimbledon Drive, from Ashcraft Lane to Bevis Drive.
- (f) Bywood Lane, from Wimbledon Drive to Hough Road.
- (g) Hough Road, from Ashcraft Lane to 280 ft. south of Bywood Lane.
- (h) Ashcraft Lane, from Hough Road to Heather Lane.

CONSTRUCTION OF SANITARY SEWER MAINS IN AILEEN DRIVE, ST PAUL STREET AND CECIL STREETS AUTHORIZED.

Motion was made by Councilman Brown, seconded by Councilman Dellinger and unanimously carried, authorizing the construction of sanitary sewer mains as follows:

- (a) Construction of 190-ft. of sewer main in Aileen Drive, to serve five family units, at request of Helms Construction Company, at an estimated cost of \$630.00. All costs to be borne by the City.
- (b) Construction of 250-ft. of sewer main in St. Paul Street, to serve one family unit, at request of Mr. R. A. Pride, Sr., at an estimated cost of \$425.00, with all costs to be borne by the City.
- (c) Construction of 670-ft. of sewer main in Cecil Street, to lower main due to grade conflict with proposed Baldwin Circle, at request of L. C. Cheek, City Engineer, at an estimated cost of \$3,000.00. All costs to be borne by the City.

SUPPLEMENTARY CONTRACT AUTHORIZED WITH JOHN CROSLAND COMPANY FOR INSTALLATION OF WATER MAINS IN OSMOND COURT AND STAMEY CIRCLE, COLONIAL VILLAGE.

Councilman Albea moved approval of a supplementary contract (to contract dated March 3, 1954) with John Crosland Company, for the installation of 550 feet of additional water mains in Osmond Court and Stamey Circle, in Colonial Village, at an estimated cost of \$650.00. The City to finance all cost and applicant to guarantee a gross annual revenue equal to 10% of the Cost. The motion was seconded by Councilwoman Evans, and unanimously carried.

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CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilwoman Evans, seconded by Councilman Dellinger, and unanimously carried, the following driveway entrances were authorized constructed:

- (a) One 20-ft. driveway entrance at 125 W. Independence Blvd.
- (b) One 25-ft. and One 35-ft. driveway entrance at 1933 E. 7th Street.
- (c) One 35-ft. driveway entrance at 1330 Central Avenue.
- (d) One 31-ft. driveway entrance at 1936 E. 8th Street.
- (e) Two 35-ft. driveway entrances on Hutchinson Avenue, and One 35-ft. entrance on Kinney Street, all for 3300 Hutchinson Avenue.

HOLIDAY GRANTED CITY EMPLOYEES ON NOVEMBER 11TH IN OBSERVANCE OF VETERANS DAY.

Councilman Alba, moved that City Employees be granted a holiday on Tuesday, November 11th, in observance of Veterans Day. The motion was seconded by Councilman Brown, and unanimously carried.

UNFIT HOUSING PROGRESS REPORT FOR QUARTER ENDING SEPTEMBER 30, 1958.

The City Manager submitted the following Unfit Housing Progress Report, for the quarter ending September 30, 1958:

"Number of Housing Units brought up to standard	39
Number of property owners cited for hearings	19
Number of Housing units condemned	17
Number of Bathing facilities installed	26
Number of Housing Units demolished	40

Progress of Housing Program since the beginning in August of 1948.

Number of Housing Units brought up to standard to date	11,605
Number of Houses demolished to date	2,046"

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Brown, seconded by Councilman Dellinger, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Kenneth A. Butler, for Lots 175 and 176, Section 8, Oaklawn Cemetery, at \$400.00.
- (b) Deed with D. E. Winkler and wife, for Lot 410, Section 6, Oaklawn Cemetery, at \$200.00.
- (c) Deed with Jack H. Griswold and Eloise S. Griswold, for Lot 60, Section 6, Oaklawn Cemetery, at \$75.00.
- (d) Deed with Mrs Margaret E. Brooks, for southeast quarter of Lot 105, Section D, Elmwood Cemetery, transferred from Mrs. Edna O. Freeman, at \$1.00 for transfer.
- (e) Deed with Mrs. Edna Overcash Freeman, for southwest quarter of Lot 105, Section D, Elmwood Cemetery, at \$1.00 for new deed.

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SETTLEMENT OF SUIT OF WILLIE MACK AGAINST CITY OF CHARLOTTE.

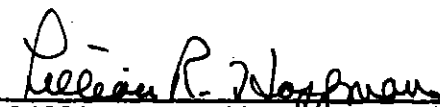
Upon motion of Councilman Baxter, seconded by Councilman Brown, and unanimously carried, the suit of Willie Mack against the City for injuries sustained from falling into an open meter box, was settled in the amount of \$500.00, as recommended by the City Attorney and City Manager.

SETTLEMENT OF SUIT OF MARTHA REMBERT AGAINST CITY OF CHARLOTTE.

Councilman Baxter moved that the suit of Martha Rembert against the City for personal injuries sustained from stepping into an open meter box, be settled in the amount of \$500.00, as recommended by the City Attorney and City Manager. The motion was seconded by Councilman Brown, and unanimously carried.

ADJOURNMENT.

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



Lillian R. Hoffman, City Clerk