

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 Monday, August 3, 1959, at 4 o'clock p.m., with Mayor Smith presiding, and Councilmen Dellinger, Hitch, Myers and Smith being present.

ABSENT: Councilmen Albaea, Babcock and Whittington.

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INVOCATION.

The invocation was given by Councilman Herbert Hitch.

MINUTES APPROVED.

Upon motion of Councilman Hitch, seconded by Councilman Smith and unanimously carried, the Minutes of the Regular Meeting on July 20th and of the Adjourned Special Meeting on July 27th were approved as submitted.

CERTIFICATE OF RECOGNITION PRESENTED TRAFFIC ENGINEER BY INSTITUTE OF TRAFFIC ENGINEERS FOR OUTSTANDING TRAFFIC ENGINEERING DURING 1958.

Mr. David M. Baldwin, Executive Secretary of the Institute of Traffic Engineers, Washington, D. C., presented to Mr. Herman J. Hoose, City Traffic Engineer, a Certificate of Recognition from the Institute for his outstanding planning, designing and operation in the field of traffic engineering, in the City of Charlotte during 1958. Mr. Baldwin stated that each year the Institute so recognizes cities around the country which have excelled in traffic engineering, and that Charlotte is one of only two cities in North Carolina receiving the award for 1958.

Mayor Smith expressed his appreciation to the Institute for the award and congratulated Mr. Hoose on his splendid work for Charlotte.

JUNIOR CHAMBER OF COMMERCE PRESENTS DESK NAME PLATE TO NEW CITY MANAGER.

Mr. Frank Gossett, President of the Junior Chamber of Commerce, presented a Desk Name Plate to Mr. W. J. Veeder, new City Manager, extended a warm welcome to Charlotte on behalf of the Junior Chamber and offered their cooperation in any way they could be of assistance. Mr. Veeder expressed his sincere appreciation to Mr. Gossett.

DECISION ON ZONING ORDINANCES NO. 584, 585, 586, 587, 588, 589 AND 590 TO AMEND THE BUILDING ZONE MAPS OF CHARLOTTE AND THE PERIMETER AREA DEFERRED TO AUGUST 17, 1959.

Councilman Dellinger moved that Council decision on petitions for changes in the Building Zone Maps of Charlotte and the Perimeter Area covered by Ordinances No. 584, 585, 586, 587, 588, 589 and 590 be deferred until the meeting on August 17th because of the absence of three members of the Council today. The motion was seconded by Councilman Smith and unanimously carried.

MOVING EXPENSES OF W. J. VEEDER, CITY MANAGER, TO CHARLOTTE AUTHORIZED PAID FROM EMERGENCY FUND.

Councilman Smith moved that the moving expenses of Mr. W. J. Veeder, City



Manager, from Fort Lauderdale, Florida to Charlotte on July 18, 1959, in the amount of \$515.72, be paid from the Emergency Fund (Code 110-201 B-44). The motion was seconded by Councilman Hitch, and unanimously carried.

MOVING EXPENSES OF JESSE R. JAMES, CHIEF OF POLICE, TO CHARLOTTE AUTHORIZED PAID FROM EMERGENCY FUND.

Upon motion of Councilman Hitch, seconded by Councilman Myers, and unanimously carried, the moving expenses of Mr. Jesse R. James, Chief of Police, from Burlington, N. C. to Charlotte, in the amount of \$342.00 was authorized paid from the Emergency Fund (Code 110-401 B-44).

MEDAL OF VALOR PROPOSED AS AWARD TO CITY EMPLOYEES FOR SERVICE BEYOND THE CALL OF DUTY.

Councilman Smith recommended that proper recognition be given city employees for service beyond the call of duty, such as acts of heroism by firemen and policemen or similar action by any city employee, in the form of a Medal of Valor comparable to a Congressional Medal of Honor on a municipal level. He requested Mayor Smith to study the proposal and make a recommendation to the Council as to the feasibility of the idea.

PROPOSED APPOINTMENT OF ARCHITECT FOR CHANGES IN POLICE HEADQUARTERS BUILDING FAILED TO CARRY.

Councilman Hitch nominated Mr. J. A. Malcolm, Architect, for employment by the City to draw plans for the proposed changes in the Police Headquarters Building, funds for which have been included in the 1959-60 budget.

Councilman Dellinger nominated Mr. Charles Connelly.

Councilman Smith moved the appointment of Mr. Malcolm as Architect for the building, which was seconded by Councilman Hitch, and lost, with the votes cast as follows:

YEAS: Councilmen Hitch, Myers and Smith.

NAYS: Councilman Dellinger.

Councilman Dellinger then moved the appointment of Mr. Connelly, and the motion was lost due to the lack of a second to the motion.

APPOINTMENT OF D. ROY YARBROUGH AS COLLECTOR OF REVENUE.

Upon motion of Councilman Smith, seconded by Councilman Hitch, and unanimously carried, Mr. D. Roy Yarbrough, Acting Collector of Revenue, was appointed to the position of Collector of Revenue.

SALARY INCREASES AUTHORIZED TO CITY TREASURER, CITY ACCOUNTANT, COLLECTOR OF REVENUE, CHIEF OF FIRE DEPARTMENT, CITY ENGINEER, TRAFFIC ENGINEER AND SUPERINTENDENT OF WATER DEPARTMENT.

Councilman Smith moved that salary increases be authorized to the following persons retroactive to July 1, 1959: Salary of City Treasurer increased to \$9,000.00, City Accountant increased to \$9,250.00, Collector of Revenue to \$8,500.00, Chief of Fire Department to \$10,500.00, City Engineer to \$9,792.00, Traffic Engineer to \$9,792.00 and Superintendent of the Water Department to \$10,500.00. The motion was seconded by Councilman Hitch and unanimously carried.

PROPOSED ORDINANCE NO. 605 AMENDING ARTICLE I OF THE BUILDING CODE FAILED TO CARRY.

Ordinance No. 605 Amending Article I of the Building Code Dealing with Administrative Procedure, was presented for adoption, having been deferred on July 20th at the request of Mayor Smith so that the Heating & Air conditioning Section of the Code might be completed by the City Attorney and presented at the same time. A letter from the City Attorney relative to the Heating & Air Conditioning Section was presented in which he suggested changes in the various sections thereof.

Councilman Myers urged the adoption of the Ordinance Amending Article I of the Building Code, stating it deals only with the administrative procedure and provides for the creation of a Building Standards Board, which should be done prior to the adoption of all sections of the Code, in order that the Board review them and resolve any issues relating thereto prior to the adoption of the complete Building Code, which will contain the sections governing the various building trades. Councilman Myers stressed the point that if these various sections, or codes, are adopted along with the Administrative portion of the Building Code, it will mean the Review Board will be placed in the position of then reviewing them and requesting amendments for those sections contrary to good practice and in conflict with standards of the State Code.

Mayor Smith insisted that the separate codes or sections should be adopted along with Article I of the Building Code, as they will reflect the thinking and wishes of the local trades, representatives of which have long since been appointed to revise the codes. Mr. Charles E. Petty, Chairman of the Committee appointed to review and recommend amendments to the Heating and Air Conditioning section stated he has not had time to review the suggested changes by the City Attorney, and his Committee wishes to submit recommendations that will help instead of hurt the homeowners, and they cannot see why the separate codes cannot all be adopted at the same time, and the Building Standards Board then review them and make their recommended changes, if any. Mr. Petty stated further the representatives of the Plumbing trade in the process of revising the plumbing section, concur in his suggestions.

Councilman Hitch moved the adoption of Ordinance No. 605 Amending Article I of the Building Code. The motion was seconded by Councilman Myers who stated he wishes two changes made in the Ordinance, namely: omit the last sentence of Section 4. APPROVALS & PERMITS thereof reading as follows, "If no action is taken within such time the application shall be deemed denied, and the applicant may then appeal to the Building Standards Board for further action", and also change Section 7. BUILDING STANDARDS BOARD, Subsection 7 to read as follows: "One member of the Mechanical Equipment Advisory Board. Each member shall be licensed or registered in his own particular field for which he qualifies for this Board, however the Home Builder member may be excluded from this requirement, and shall represent the public only, not any special group or interest, and shall bring his knowledge and experience to bear on problems which come before the Board". The changes were acceptable to Councilman Hitch, who made the motion. The motion was lost on the following recorded vote:

YEAS: Councilmen Hitch, Myers and Smith.

NAYS: Councilman Dellinger.

RESOLUTION AUTHORIZING THE ISSUANCE OF \$60,000 REVENUE ANTICIPATION NOTE, ADOPTED.

A resolution entitled: "Resolution Authorizing the Issuance of \$60,000 Revenue Anticipation Note" was introduced and read, and upon motion of

Councilman Dellinger, seconded by Councilman Smith, the resolution was un-
animously adopted. The resolution is recorded in full in Resolutions Book
3, at Page 399.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON EAST FIFTH STREET.

A resolution entitled: "Resolution Authorizing Permanent Improvements on
East Fifth Street" was introduced and read, and upon motion of Councilman
Dellinger, seconded by Councilman Smith, the resolution unanimously passed
on its first reading. The Resolution is recorded in full in Resolutions
Book 3, at Page 400.

RESOLUTION ADOPTED JULY 20, 1959 RESCINDED RELATIVE TO SUPPLEMENTAL PAY TO
CITY EMPLOYEES TEMPORARILY ON DUTY WITH THE VARIOUS ARMED FORCES RESERVES.

Councilman Dellinger moved that the resolution adopted by the Council on
July 20, 1959 entitled: RESOLUTION RELATIVE TO SUPPLEMENTAL PAY TO CITY
EMPLOYEES TEMPORARILY ON DUTY WITH THE VARIOUS ARMED FORCES RESERVES be
rescinded in view of the City Attorney advising it is in conflict with a
resolution adopted by the City Council on June 20, 1956 relating to Military
Reserve Training Leave. The motion was seconded by Councilman Smith, and
unanimously carried.

W. J. VEEDER, CITY MANAGER, APPOINTED AS OFFICIAL SPOKESMAN OF CITY TO
EXECUTE PAPERS IN CONNECTION WITH CHARLOTTE & MECKLENBURG COUNTY HEALTH
CENTER, PROJECT NO. NC 279.

Councilman Dellinger moved that Mr. W. J. Veeder, City Manager, be appoint-
ed as Official Spokesman to execute all papers in connection with the
Charlotte and Mecklenburg County Health Center, Project No. NC 279. The
motion was seconded by Councilman Hitch, and unanimously carried.

APPOINTMENT OF WILLIAM F. CONNER AS ASSISTANT CLERK OF CITY RECORDER'S COURT.

Councilman Dellinger moved the appointment of Mr. William F. Conner as
Assistant Clerk of City Recorder's Court. The motion was seconded by
Councilman Hitch, and unanimously carried.

EXTENSION OF SICK LEAVE TO EMPLOYEES OF FIRE, POLICE AND MOTOR TRANSPORT
DEPARTMENTS.

Upon motion of Councilman Hitch, seconded by Councilman Smith, and unanimous-
ly carried, the following persons were granted an extension of their regular
sick leave:

- (a) Chief Charles, Fire Department, advises that sick leave has been
extended to Captain A. L. Wallace to July 16th, However, because of
of his physical condition he plans to retire on September 1st, after
37 years of loyal, faithful service in the department. Sick leave
extended to September 1st.
- (b) Extension of sick leave to August 3rd to Mrs. Evelyn C. Rusch,
secretary in the office of the Superintendent of Motor Transport
Department, who is recovering from an operation.
- (c) Extension of sick leave to Police Officers W. T. Renfro, J. D.
Sears and M. H. Thompson to July 20th.

CLAIM OF MRS HUGH A. MCLAIN FOR DAMAGES FOR PERSONAL INJURIES REFERRED TO CITY ATTORNEY.

Councilman Dellinger moved that the claim for damages from personal injuries of Mrs. Hugh A. McLain be referred to the City Attorney for handling. The motion was seconded by Councilman Smith, and unanimously carried.

NIVENS CONSTRUCTION COMPANY GRANTED PERMISSION TO CONNECT PRIVATELY OWNED SANITARY SEWER LINE TO CITY'S SANITARY SEWERAGE SYSTEM.

Motion was made by Councilman Hitch, seconded by Councilman Dellinger, and unanimously carried, authorizing Nivens Construction Company to connect 1,716 feet of privately owned sanitary sewer line, located in the perimeter area, to the City's sanitary sewerage system.

STREETS TAKEN OVER FOR CITY MAINTENANCE.

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

- (a) Edsel Place, from Seaforth Drive to 150 feet north of Dunaire Drive.
- (b) Seaforth Drive, from Dunaire Drive to 120 feet south of Seaforth Dr.
- (c) Dunaire Drive, from Edsel Place south 610 feet.
- (d) Birchcrest Drive, from Dunaire Dr. to 120 ft. south of Seaforth Dr.

RIGHT-OF-WAY AGREEMENT WITH STATE HIGHWAY DEPARTMENT FOR CONSTRUCTION OF SANITARY SEWER TRUNK ALONG INTERSTATE 85 BY CITY.

Councilman Smith moved that the Mayor and City Clerk be authorized to execute an agreement with the State Highway Department for the encroachment on their right-of-way by the City for the construction of a 10-inch sanitary sewer trunk line along Interstate 85, from Tillman Road to Bradford Drive. The motion was seconded by Councilman Hitch, and unanimously carried.

CONTRACT AUTHORIZED WITH POWER BRAKE COMPANY FOR REPAIRS AND RECONDITIONING FIRE ENGINE #11.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, a contract was authorized with Power Brake Company covering cost of all labor, supervision and equipment in accordance with instructions, for repairing and reconditioning of Fire Engine #11, at a total cost of \$2,531.44, subject to 2% discount 10 days in the amount of \$50.63, representing a total net amount of \$2,480.81.

CONTRACT AWARDED AMERICAN HOSPITAL SUPPLY DIVISION FOR MEDICAL AND SURGICAL EQUIPMENT.

Upon motion of Councilman Smith, seconded by Councilman Hitch, and unanimously carried, contract was awarded the low bidder, American Hospital Supply Division, Chamblee, Ga. for 24 items of medical and surgical equipment, as specified, at a total price of \$1,862.25, subject to cash discount of \$37.25, representing a net delivered installed price of \$1,825.00.

The following net delivered bids were received:

American Hospital Supply Division	\$1,825.00
A. S. Aloe Company	\$1,838.27
Winchester Surgical Supply Company	\$2,058.61

CONTRACT AWARDED WILL CORPORATION FOR FOUR ITEMS OF LABORATORY EQUIPMENT.

Councilman Smith moved that contract be awarded the low bidder, Will Corporation of Georgia, Atlanta, Ga., for Four Items of Laboratory Equipment, as specified, at a net delivered installed price of \$2,566.00. The motion was seconded by Councilman Hitch, and unanimously carried.

The following net delivered bids were received:

Will Corporation of Georgia	\$2,566.00
American Hospital Supply Division	\$2,680.00
A. S. Aloe Company	\$2,708.00
Winchester Surgical Supply Company	\$2,734.50

CONTRACT AWARDED COLUMBUS OIL COMPANY FOR 520,000 GALLONS GASOLINE.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch, and un-animously carried, contract was awarded the low bidder, Columbus Oil Company, Charlotte, for 485,000 gallons regular gasoline and 35,000 gallons premium gasoline, at a total bid price of \$97,420.00, subject to 1% cash discount, representing a net delivered price of \$96,822.80.

The following net delivered bids were received:

Columbus Oil Company, Inc.	\$96,822.80
Atlantic Refining Company	\$98,479.00
Pure Oil Company	\$98,649.54
Sinclair Refining Company	\$100,470.73
Gulf Oil Corporation	\$101,072.30
Esso Standard Oil Company	\$103,023.00

CONTRACT AWARDED PURE OIL COMPANY FOR 7,000 GALLONS MOTOR OIL.

Councilman Dellinger moved the award of contract to the Pure Oil Company for 7,000 gallons of heavy duty Motor Oil, as specified, at a total bid price of \$2,758.00, subject to cash discount of \$27.58, representing a net delivered price of \$2,730.42. The motion was seconded by Councilman Hitch, and unanimously carried.

The following net delivered bids were received:

Pure Oil Company	\$2,730.42
Gulf Oil Corporation	\$2,730.42
Sinclair Refining Company	\$2,772.00
The Atlantic Refining Company	\$3,049.20
Esso Standard Oil Company	\$3,118.50
Mason Oil Company	\$3,246.60
Columbus Oil Company	\$3,423.42

CONTRACT AWARDED PURE OIL COMPANY FOR 7,000 LBS GEAR LUBRICANT.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch, and un-animously carried, contract was awarded the low bidder, Pure Oil Company for 7,000 pounds of Gear Lubricant, as specified, S.A.E. 90, 140 and 250 (120# kits), at a bid price of \$686.00, subject to cash discount of \$6.86, representing a net delivered price of \$679.14.

The following net delivered bids were received:

Pure Oil Company	\$ 679.14
Sinclair Refining Company	\$ 883.57
Columbus Oil Company	\$ 900.90
Mason Oil Company	\$ 910.00
Atlantic Refining Company	\$ 944.21
Esso Standard Oil Company	\$1,004.85
Gulf Oil Corporation	\$1,108.80

CONTRACT AWARDED PURE OIL COMPANY FOR 3,210 POUNDS CHASSIS LUBRICANT.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, contract was awarded Pure Oil Company for 3,210 pounds of Chassis Lubricant, as specified, at a bid price of \$350.04, subject to cash discount of \$3.50, representing a net delivered price of \$346.54.

The following net delivered bids were received:

Pure Oil Company	\$346.54
Columbus Oil Company	\$359.90
Esso Standard Oil Company	\$356.85
Sinclair Refining Company	\$461.32
Gulf Oil Corporation	\$544.40

CONTRACT AWARDED COLUMBUS OIL COMPANY FOR 35,000 GALLONS KEROSENE.

Councilman Dellinger moved that contract be awarded the low bidder, Columbus Oil Company for 35,000 gallons Kerosene, as specified, at a bid price of \$3,920.00, subject to cash discount of \$39.20, representing a net delivered price of \$3,880.80. The motion was seconded by Councilman Hitch, and unanimously carried.

The following net delivered bids were received:

Columbus Oil Company, Inc.	\$3,880.80
Sinclair Refining Company	\$3,951.50
The Pure Oil Company	\$3,998.61
Mason Oil Company	\$4,130.00
Esso Standard Oil Company	\$4,200.00
Gulf Oil Corporation	\$4,585.00

CONTRACT AWARDED COLUMBUS OIL COMPANY FOR 55,000 GALLONS NO. 2 FUEL OIL.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, contract was awarded the low bidder, Columbus Oil Company for 55,000 gallons of No. 2 Fuel Oil, as specified, at a bid price of \$5,775.00, subject to cash discount of \$57.75, representing a net delivered price of \$5,717.25.

The following net delivered bids were received:

Columbus Oil Company	\$5,717.25
Sinclair Refining Company	\$5,824.50
Pure Oil Company	\$5,847.93
Esso Standard Oil Company	\$6,435.00
Gulf Oil Corporation	\$6,820.00

CONTRACT AWARDED GULF OIL COMPANY FOR 125,000 GALLONS NO. 5 FUEL OIL.

Motion was made by Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, awarding contract to the low bidder, Gulf Oil Corporation, for 125,000 gallons No. 5 Fuel Oil, as specified, at a bid price of \$10,960.00.

The following net delivered bids were received:

Gulf Oil Corporation	\$10,960.00
Esso Standard Oil Company	\$11,087.50

CONTRACT AWARDED COLUMBUS OIL COMPANY FOR 55,000 GALLONS DIESEL FUEL.

Councilman Dellinger moved the award of contract to the low bidder, Columbus Oil Company, for 55,000 gallons Diesel Fuel, as specified, at a bid price of \$5,775.00, subject to cash discount of \$57.75, representing a net delivered price of \$5,717.25. The motion was seconded by Councilman Hitch, and unanimously carried.

The following net delivered bids were received:

Columbus Oil Company	\$5,717.25
Sinclair Refining Company	\$5,824.50
Esso Standard Oil Company	\$6,270.00
Gulf Oil Corporation	\$6,820.00
Pure Oil Company	\$9,387.18

CONTRACT AWARDED COLUMBUS OIL COMPANY FOR 1,100 GALLONS HYDRAULIC LIFT OIL.

Motion was made by Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, awarding contract to the low bidder, Columbus Oil Company for 1,100 gallons Hydraulic Lift Oil, as specified, at a bid price of \$429.00, subject to cash discount of \$4.29, representing a net delivered price of \$424.71.

The following net delivered bids were received:

Columbus Oil Company	\$424.71
Gulf Oil Corporation	\$429.07
Pure Oil Company	\$450.85
Sinclair Refining Company	\$555.39
Esso Standard Oil Company	\$664.29

CONTRACT AWARDED LYNCHBURG FOUNDRY COMPANY FOR 55,000 LINEAL FEET OF CAST IRON PIPE.

Upon motion of Councilman Hitch, seconded by Councilman Smith, and unanimously carried, contract was awarded the low bidder, Lynchburg Foundry Company for 40,000 lin. feet 6" C.I. Pipe, 10,000 lin. ft. 8" and 5,000 lin. feet 12", all as specified, at a net delivered price of \$116,200.00.

The following net delivered bids were received:

Lynchburg Foundry Company	\$116,200.00
Glamorgan Pipe & Foundry Company	\$117,700.00
American Cast Iron Pipe Company	\$120,200.00

CONTRACT AWARDED GRINNELL COMPANY, INC. FOR 66,500 FEET GENUINE WROUGHT IRON PIPE.

Councilman Dellinger moved that contract be awarded Grinnell Company, Inc. for 25,000 feet 3/4" 3,000 ft. 1", 1,000 ft. 1 1/2", 37,000 ft. 2" and 500 ft. 3" Genuine Wrought Iron Pipe, as specified, on a unit price basis, representing a total delivered price of \$42,503.10, subject to cash discount of \$850.10, representing a net delivered price of \$41,653.00. The low bid of McJunkin Corp. not being a firm quotation was rejected. The motion was seconded by Councilman Hitch, and unanimously carried.

The following net delivered bids were received:

McJunkin Corporation	\$40,864.51
ALTERNATE BID #1	\$37,669.70
Grinnell Company	\$41,653.00
Horne-Wilson, Inc.	\$41,698.93
Crane Company	\$41,751.78
Atlas Supply Company	\$41,856.15
Noland Company, Inc.	\$41,866.29

CONTRACT AWARDED MCJUNKIN CORPORATION FOR 27 ITEMS OF GALVANIZED MALLEABLE IRON FITTINGS.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, contract was awarded the low bidder, McJunkin Corporation, Atlanta, Ga., covering 27 items of Grinnell Galvanized Malleable Iron Fittings, on a unit price basis, representing a total price of \$1,903.73, subject to cash discount of \$38.07, representing a net delivered price of \$1,865.66.

The following net delivered bids were received:

McJunkin Corporation	\$1,865.66
Horne-Wilson, Inc.	\$2,029.31
Atlas Supply Company	\$2,095.34
Crane Company	\$2,191.68
Grinnell Company, Inc.	\$2,279.02

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 20-ft. entrance at 129 North Brevard Street.
- (b) One 35-ft. and One 14.6 ft. entrance at 1229 Plaza.
- (c) One 30-ft. entrance at 1124 Parkwood Avenue.
- (d) One 13-ft. entrance at 325 Lamar Avenue.

RIGHT-OF-WAY AGREEMENT WITH STATE HIGHWAY DEPARTMENT FOR CONSTRUCTION OF SANITARY SEWER MAINS ALONG WILKINSON BOULEVARD FROM ASHLEY ROAD TO HOLTON AVENUE.

Councilman Hitch moved that the Mayor and City Clerk be authorized to execute an agreement with the State Highway Department for the encroachment on their right-of-way for the construction of sanitary sewer mains along Wilkinson Boulevard (US 29 and 74) from Ashley Road to Holton Avenue. The motion was seconded by Councilman Smith, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Myers and un-animously carried, the construction of the following sanitary sewer mains was authorized:

- (a) Construction of 120-ft. of main in West Hill Street, at request of Southern Appliances, to serve 3 business units, at an estimated cost of \$410.00. All costs to be borne by the City.
- (b) Construction of 269-ft. of main in Hillside Drive, at request of J. M. Witbeck, to serve 5 family units, at an estimated cost of \$1,935.00. All costs to be borne by the City and applicant's required deposit of \$435.00 will not be refunded.
- (c) Construction of 510-ft. of main in Deherradora and Lindsey Avenues, in perimeter area to be annexed, at request of C.V. Strawn, to serve 7 business units, at an estimated cost of \$1,490.00. All costs to be borne by the City.
- (d) Construction of 210-ft. of main in Edgebrook Subdivision, at request of John Crosland Company, to serve 3 vacant lots, at an estimated cost of \$875.00. All costs to be borne by the City, and applicant's required deposit of the entire amount to be refunded as per terms of the contract.
- (e) Construction of 230-ft. of main in Blazer Drive, at request of J. H. Spearman, Jr., to serve 4 family units, at an estimated cost of \$755.00. The City to pay all costs.
- (f) Relocation of old sanitary sewer trunk line in Ideal Way, from Ideal Way Extension east 167-feet, by the City, at an estimated cost of \$755.00. The City to pay all costs.

CONTRACTS AWARDED FOR CONSTRUCTION OF SANITARY SEWER MAINS AND TRUNKS IN PERIMETER AREA TO BE ANNEXED.

Upon motion of Councilman Myers, seconded by Councilman Hitch, and unanimously carried, contracts for the construction of sanitary sewer mains and trunks in the perimeter area to be annexed January 1, 1960 were awarded to the following bidders on a unit price basis with the understanding that the quantities shown in the proposal are estimated and subject to change during construction, and with the further understanding that installation of 4" C.I. lateral house connections under Item 13 of the Proposal is contingent upon receiving an advance deposit equal to the cost of the lateral, to be made prior to the beginning of construction of each lot or house owner being served:

Contract covering Area #I awarded the low bidder Blythe Bros. Company, at a total bid price of \$816,518.55.

Contract covering Area #II awarded the low bidder Boyd & Goforth, Inc., at a total bid price of \$900,210.65.

Contract covering Area #III awarded the low bidder A. P. White & Associates, at a total bid price of \$801,223.22.

The following net delivered bids were received:

AREA #I

Blythe Bros Company	\$816,518.55
Boyd & Goforth, Inc.	\$824,398.10
Howard Construction Company	\$852,562.75
Ray D. Lowder, Inc.	\$848,158.00

AREA #II

Boyd & Goforth, Inc.	\$900,210.65
Blythe Bros. Company	\$919,782.75
Ray D. Lowder, Inc.	\$934,356.38
Noll Construction Company	\$915,842.70

AREA #III

A. P. White & Associates	\$801,223.22
C. M. Allen & Company	\$808,896.78
C. W. Gallant, Inc.	\$811,371.62
Glenn Construction Company	\$822,925.52
Noll Construction Company	\$915,842.70

CONTRACT AWARDED MECKLENBURG ENGINEERS & CONTRACTORS, INC. FOR CONSTRUCTION OF SANITARY SEWERS IN MCMULLEN CREEK OUTFALL.

Consideration was given the bids on sewer pipe for the construction of sanitary sewers in McMullen Creek Outfall, and the recommendation of the City Engineer and Purchasing Agent that the low bid on reinforced concrete sewer pipe be accepted, the low bids being submitted by Mecklenburg Engineers & Contractors, Inc., on reinforced concrete pipe in the amount of \$173,847.40 and on vitrified clay pipe in the amount of \$198,155.80.

Mr. Orville Dickinson, Chief Engineer of the Southern Vitrified Clay Pipe Institute urged that the contract be awarded on the vitrified clay pipe, which he contended was well worth the difference in price as the city would have a guarantee of a lifetime of service from it, whereas, it is a gamble as to the life of concrete pipe because of its corrosive tendencies.

Mayor Smith stated the City Engineer has advised that the sewage that will be collected in this outfall will be almost entirely domestic and the pH factor is negligible, and no corrosive problem is anticipated.

Mr. H. C. Strohecker, District Manager of Carolina Concrete Pipe Company, stated the City of Charlotte has been using concrete pipe for many, many years with complete satisfaction; that regarding Mr. Dickinson's statement that the city will be gambling on concrete pipe, his company has been in business for 33 years and you do not take a gamble on a company of that long standing.

Councilman Dellinger moved the award of contract to the low bidder, Mecklenburg Engineers & Contractors, Inc. for the construction of sanitary sewers in McMullen Creek Outfall, as specified, on a unit price basis, on their base bid in the total amount of \$173,847.40. The motion was seconded by Councilman Myers, and unanimously carried.

The following net delivered bids were received:

Mecklenburg Engineers & Contractors, Inc.	\$173,847.40
ALTERANTZ BID - Items 1, 2, 3 and Items 4-10	\$198,155.80
Blankenship Brothers	\$233,574.10
Boyle Construction Company	\$276,411.25
C. W. Gallant, Inc.	\$218,559.99
Glenn Construction Company	\$232,823.33
A. H. Guion Company	\$243,844.04
ALTERNATE BID - Items 1,2,3 and 4-10	\$265,899.99
Lewis Construction Associates, Inc.	\$202,442.60
ALTERNATE BID - Items 1, 2,3 and 4-10	\$235,030.25
Noll Construction Company	\$250,500.30
Rea Construction Company	\$238,249.60
ALTERNATE BID - Items 1,2,3 and 4-10	\$257,923.17

CLAIM OF MRS WILSON CRANFORD FOR PERSONAL INJURIES DENIED.

Upon motion of Councilman Dellinger, seconded by Councilman Myers, and un-animously carried, the claim of Mrs Wilson Cranford for damages for personal injuries on April 24, 1959 from stepping into a hole in the planting strip at Elizabeth School, was denied as recommended by the City Attorney who states that as the accident occurred in the planting strip, had the claimant used due caution she would have avoided the hole, and, is therefore guilty of contributory negligence.

CLAIM OF MRS ELAINE BURNS FOR PERSONAL INJURIES REFERRED TO CITY ATTORNEY.

Councilman Dellinger moved that the claim filed by Mrs Elain Burns, 419 East Tremont Avenue, in the amount of \$350.00 for damages for personal injuries on July 6, 1959 on Euclid Avenue alleged to have been caused by a defect in the sidewalk, be referred to the City Attorney for handling. The motion was seconded by Councilman Hitch, and unanimously carried.

PROGRESS REPORT ON CONSTRUCTION OF SEWER SYSTEM IN SHERWOOD FOREST AREA.

The following progress report from the City Engineer on the construction of the Sewer System in Sherwood Forest area was presented:

"In reply to your memorandum of July 21, 1959, concerning the status of the above subject, I wish to report as follows:

1. The new Briar Creek Outfall through which the McMullen Creek Lift Station will discharge, will be completed by September 1, 1959.
2. The McMullen Creek Lift Station and Pressure Main are under construction, and these contracts call for completion of the main in September and the lift station in early November, 1959.
3. A contract will be presented to the City Council for approval on August 3, 1959, which will carry a starting date of August 10, 1959 and calls for completion of approximately 35 per cent of all small sewer mains in the entire annexation area within 400 days. If this contract is approved, the Sherwood Forest area will receive first priority, and it is estimated that the majority of sewer mains in that area will be in place by the middle of November, 1959.
4. Bids will be received on July 28, 1959, for construction of the McMullen Creek Outfall, which will connect the Sherwood Forest area to the McMullen Creek Lift Station. If bids received are satisfactory, a contract for this work can be awarded on August 3, 1959. It is estimated that construction can be completed in approximately 120 to 150 days, provided that several condemnation suits for right of way can be resolved without delay.

It should be pointed out that no sanitary sewer service can be made available in Sherwood Forest until Items 1, 2, and 4 are completed, and enough mains placed under Item 3 to permit house connections.

Assuming that current contracts proceed on schedule, and that all condemnation suits are resolved without delay; and provided further that a contract can be awarded for Item 4 which will require not more than 150 days for completion, sanitary sewer service could be available in Sherwood Forest as early as December, 1959, and probably no later than January, 1960."

REQUEST OF CHIEF OF FIRE DEPARTMENT THAT ACTION BE DEFERRED ON RECOMMENDED CHANGES IN FIRE CODE.

A letter from Chief Donald S. Charles, Chief of the Fire Department, was

presented requesting a deferment of action on his recommended changes in the Fire Code, as he is advised there is a later edition of the National Board of Fire Underwriters Code than the one on which he based his recommendation, and he wishes to study it and probably submit a revised recommendation.

SURVEY AND APPRAISAL OF STRIP OF LAND ON EAST 8TH STREET BETWEEN NEW BUILDING OF ELLIOTT REAL ESTATE COMPANY AND THE SIDEWALK, AUTHORIZED.

A letter was presented from Mr. Stuart W. Elliott, President, Elliott Real Estate, Inc., requesting the city to purchase a small strip of land between their new building on East 8th Street and the sidewalk area, due to the fact that they were forced to construct their building farther back than anticipated in order to meet the City's set-back-line requirement. Upon motion of Councilman Smith, seconded by Councilman Myers, and unanimously carried, a survey of the property by the Engineering Department was authorized and Messrs. R. M. Webb, J. H. Carson and H. L. McKee, Realtors, were appointed to appraise the property and render a report to the City Manager after receiving the survey from the City Engineer.

EXTENSION OF SICK LEAVE AUTHORIZED TO ERNEST M. ELLINGTON, WATER DEPARTMENT.

Councilman Dellinger moved the extension of sick leave to September 1, 1959 to Mr. Ernest M. Ellington, Assistant Division Manager, Water Works Shop as recommended by the Supt. of the Water Department. The motion was seconded by Councilman Smith, and unanimously carried.

CITY ENGINEER REQUESTED TO MAKE REPORT AS TO FUNDS AVAILABLE FOR REQUESTED WIDENING OF RADCLIFFE AVENUE FROM QUEENS ROAD WEST TO QUEENS ROAD.

Councilman Dellinger moved that steps be taken to widen Radcliffe Avenue from Queens Road West to Queens Road, as requested by the President and Board of Trustees of Queens College, from street bond funds if possible to do so without sacrificing a more worthy project. The motion did not receive a second.

Councilman Myers stated he would like to have a report from the City Engineer as to the funds available for such work. Councilman Dellinger stated he believes that the \$18,000.00 for this widening will be saved on other similar work.

Councilman Smith offered a substitute motion that action be deferred until the next Council Meeting. The motion was seconded by Councilman Myers, and lost, with the votes cast as follows:

YEAS: Councilmen Smith, Myers and Hitch.

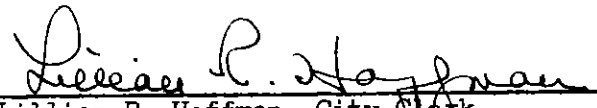
NAYS: Councilman Dellinger.

COUNCIL COMMITTEE APPOINTED TO STUDY ESTABLISHMENT OF SEPARATE CITY RECORDER'S TRAFFIC COURT.

Mayor Smith appointed Councilmen Myers and Hitch to work with Judge Howard Arbuckle and the Bar Association in a study of the establishment of a separate City Recorder's Court Traffic Court.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk