

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, June 29, 1959, at 4 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Babcock, Dellinger, Hitch, Myers, Smith and Whittington being present.

ABSENT: None

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INVOCATION.

The Invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, the Minutes of the Joint Meeting with Mecklenburg County Commissioners at 2 o'clock on June 22nd and the Regular Meeting on June 22nd were approved as submitted.

RETENTION OF FRANK M. CULVERN AS CIVIL DEFENSE EMPLOYEE DISAPPROVED.

Mr. Kenneth Williams, Director of Civil Defense stated that three months ago he was authorized by Council to employ three men on a temporary basis for a 3 months period. That the period ends tomorrow, June 30th and he wishes to retain one of the men, Mr. Frank M. Culvern on a permanent basis at a salary of \$100.00 per month and car allowance of \$35.00. That Mr. Culvern is willing to work for this salary as he is around seventy years of age. Mr. Williams stated further that the Federal Government is reimbursing the City approximately \$1,600.00 for supplies, etc, and he would like to reserve this fund and use it to pay the salary and car allowance of Mr. Culvern.

Councilman Albea expressed opposition to paying an employee the small salary of \$100.00 per month, which is not in accord with any standard of pay scale.

Following the discussion, Councilman Albea moved that Mr. Culvern be employed on a permanent basis at a salary rate to be worked out by Mr. Williams and the Council in budget session. The motion was seconded by Councilman Smith and lost, with the votes cast as follows:

YEAS: Councilmen Albea, Smith and Hitch.

NAYS: Councilmen Babcock, Dellinger, Myers and Whittington.

RESOLUTION PROVIDING FOR FILING BUDGET ESTIMATE FOR THE FISCAL YEAR 1959-60 WITH THE CITY CLERK, ADOPTED.

A resolution entitled: "Resolution Providing for Filing Budget Estimate for the Fiscal Year 1959-60 with the City Clerk" was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Whittington was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 386.

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CITY ATTORNEY REQUESTED TO DRAW RESOLUTION RELATIVE TO SUPPLEMENTING SALARIES OF CITY EMPLOYEES IN SERVICE AS NATIONAL GUARDSMEN FOR COUNCIL CONSIDERATION.

The City Attorney advised that he had written the Attorney General relative to the question of supplementing the salary of city employees while serving as National Guardsmen, and the Attorney General advises there is no statutory authority for the City to supplement the compensation of such employees. However, the City may supplement these salaries if the Council wishes by the adoption of the proper resolution, since the duty performed is in consideration of public service. Mr. Shaw suggested that a maximum supplement of \$100.00 be fixed.

Councilman Albea stated that service in the National Guards is a State function and up to the State and he is against the City entering into the matter of a supplement.

Councilman Dellinger moved that the City Attorney be requested to draw the appropriate resolution for Council consideration. The motion was seconded by Councilman Hitch, and unanimously carried.

APPLICATION OF NIXON EXTERMINATING COMPANY, GASTONIA, N. C. FOR CITY LICENSE TO OPERATE BUSINESS, APPROVED.

Councilman Albea moved approval of the issuance of a License to Nixon Exterminating Company, Gastonia, N. C. to operate a business in Charlotte. The motion was seconded by Councilman Hitch, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAIN AND TRUNK IN ROLLINGWOOD SUBDIVISION APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the construction of 2,375 feet of sanitary sewer main and trunk in Rollingwood Subdivision, at request of Ervin Construction Company, at an estimated cost of \$6,790.00, was approved. 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.

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

Councilman Whittington moved approval of the request of Ervin Construction Company to connect 5,300 feet of privately owned sanitary sewer lines outside the city limits, to the City's Sanitary Sewerage System. The motion was seconded by Councilman Hitch, and unanimously carried.

REQUEST OF S. H. KIRKPATRICK COMPANY THAT CITY VOID CONTRACT WITH THEM DATED SEPTEMBER 17, 1958 FOR CONSTRUCTION OF WATER MAINS IN PERIMETER AREA AND BE PERMITTED TO CONSTRUCT THE SAID MAINS UNDER THE NEW POLICY ADOPTED BY THE COUNCIL ON JUNE 8, 1959, DENIED.

The request of S. H. Kirkpatrick Company to the Superintendent of the Water Department was presented, that the Council void the contract made with them on September 17, 1958 for the construction of 650 feet of water mains to serve ^{the} business located on the south end of Southview Avenue off Wilkinson Boulevard, outside the city limits but inside the perimeter area, the terms of which are, that upon completion of the mains the Company will

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dedicate them to the City without further agreement, and that he be allowed to take advantage of the new policy relative to water main construction in the perimeter area, adopted by the Council on June 8, 1959, whereby the same policy that applies within the city limits may also apply in the perimeter area to be annexed January 1, 1960.

In the discussion, Councilman Babcock stated he has discussed the matter with Mr. Franklin, Supt. of the Water Department, and he feels this is a test case and if allowed there will be a deluge of similar requests.

Councilman Dellinger moved that the request be denied. The motion was seconded by Councilman Hitch, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Hitch, and unanimously carried, the construction of driveway entrances was authorized at the following locations:

- (a) One 40-ft. driveway at 501 S. Graham Street.
- (b) One 15-ft. driveway at 1713 W. Trade Street
- (c) Two 30-ft. driveways at 820 Lamar Avenue.
- (d) Two 30-ft. driveways at 2121 Shamrock Drive.
- (e) One 20-ft. driveway at 921 W. Morehead Street.

CONTRACT AWARDED INTERNATIONAL HARVESTER COMPANY FOR RESCUE TRUCK FOR CIVIL DEFENSE.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and unanimously carried, contract was awarded the only bidder, International Harvester Company for One Civil Defense Rescue Truck completely equipped, as specified, at a net delivered price of \$11,469.89.

CONTRACT AWARDED NEPTUNE METER COMPANY FOR 2,000 WATER METERS.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, contract was awarded the low bidder, Neptune Meter Company for 2,000 - 5/8" Water Meters, as specified, representing a net delivered price of \$55,440.00. The Alternate Bid of Rockwell Manufacturing Company in the amount of \$51,400.00 did not meet the specifications.

The following net delivered bids were received:

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| Neptune Meter Company | \$55,440.00 |
| Badger Meter Mfg. Company | \$55,580.00 |
| Hersey Mfg. Company | \$55,660.00 |
| Rockwell Mfg. Company | \$56,480.00 |
| " ALTERNATE BID | \$51,400.00 |
| Gamon Meter Division of Worthington Corporation | \$57,200.00 |

CONTRACT AWARDED FOR INSTALLATION OF WATER MAINS, WITH NECESSARY FITTINGS AND FIRE HYDRANTS, TO SERVE MAJOR PORTION OF PERIMETER AREA.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, contracts were awarded the low bidders, Boyd and Goforth, Inc. for Base Bid Section "A" at a total price of \$237,358.39 and

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for Base Bid Section "D" at a total price of \$303,524.91, and to Blythe Brothers Company for Base Bid Section "B" at a total price of \$269,387.99 and for Base Bid Section "C" at a total price of \$217,872.30, all in accordance with the proposal and specifications.

The following bids were received:

BOYD & GOFORTH, INC.

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| Base Bid Section "A" | \$237,358.39 |
| Base Bid Section "B" | \$280,636.57 |
| Base Bid Section "C" | \$227,235.56 |
| Base Bid Section "D" | \$303,524.91 |
| Base Bid Section "E" (Combination) | No Bid |

BLYTHE BROS. CO.

| | |
|------------------------------------|--------------|
| Base Bid Section "A" | \$246,925.83 |
| Base Bid Section "B" | \$269,387.99 |
| Base Bid Section "C" | \$217,872.30 |
| Base Bid Section "D" | \$318,090.12 |
| Base Bid Section "E" (Combination) | No Bid |

REA CONSTRUCTION COMPANY

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|------------------------------------|--------------|
| Base Bid Section "A" | \$249,772.62 |
| Base Bid Section "B" | No Bid |
| Base Bid Section "C" | No Bid |
| Base Bid Section "D" | No Bid |
| Base Bid Section "E" (Combination) | No Bid |

A. P. WHITE & ASSOCIATES

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|------------------------------------|--------------|
| Base Bid Section "A" | \$250,242.18 |
| Base Bid Section "B" | No Bid |
| Base Bid Section "C" | No Bid |
| Base Bid Section "D" | \$335,418.07 |
| Base Bid Section "E" (Combination) | No Bid |

RAY D. LOWDER, INC.

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| Base Bid Section "A" | \$253,718.43 |
| Base Bid Section "B" | \$281,792.56 |
| Base Bid Section "C" | \$224,477.44 |
| Base Bid Section "D" | \$335,591.46 |
| Base Bid Section "E" (Combination) | \$1,077,694.16 |
| Alternate Bid No. 1 Section "A" | \$259,332.23 |
| Alternate Bid No. 1 Section "B" | \$288,412.91 |
| Alternate Bid No. 1 Section "C" | \$230,164.77 |
| Alternate Bid No. 1 Section "D" | \$346,101.81 |
| Alternate Bid No. 1 Section "E" (Combination) | No Bid |
| Alternate Bid No. 2 Section "A" | \$264,963.38 |
| Alternate Bid No. 2 Section "B" | \$294,108.51 |
| Alternate Bid No. 2 Section "C" | \$235,160.38 |
| Alternate Bid No. 2 Section "D" | \$354,631.90 |
| Alternate Bid No. 2 Section "E" (Combination) | \$1,134,859.88 |

GLENN CONSTRUCTION COMPANY

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|------------------------------------|--------------|
| Base Bid Section "A" | \$254,709.82 |
| Base Bid Section "B" | No Bid |
| Base Bid Section "C" | No Bid |
| Base Bid Section "D" | \$331,794.81 |
| Base Bid Section "E" (Combination) | No Bid |

C. W. GALLANT, INC.

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|------------------------------------|--------------|
| Base Bid Section "A" | No Bid |
| Base Bid Section "B" | \$281,574.65 |
| Base Bid Section "C" | \$227,032.78 |
| Base Bid Section "D" | No Bid |
| Base Bid Section "E" (Combination) | No Bid |

C. W. ALLEN AND CO., INC

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|------------------------------------|--------------|
| Base Bid Section "A" | No Bid |
| Base Bid Section "B" | \$273,714.63 |
| Base Bid Section "C" | \$229,734.98 |
| Base Bid Section "D" | No Bid |
| Base Bid Section "E" (Combination) | No Bid |

NOLL CONSTRUCTION COMPANY

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|--------------------------------|--------------|
| Base Bid Section "A" | \$272,050.60 |
| Base Bid Sections "B" thru "E" | No Bids |

CONSIDERATION OF BID OF MECKLENBURG FURNITURE COMPANY ON FURNISHINGS FOR NEW HEALTH CENTER DEFERRED FOR ONE WEEK.

The following bids on the Furniture and Draperies for the new Health Center were presented:

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|-----------------------------------|-------------|
| Wil-Kin, Inc. | |
| Bid on Draperies only | \$ 649.05 |
| Southeastern Equipment Company | |
| Bid on Furniture only | \$ 1,966.30 |
| Mecklenburg Furniture Shops, Inc. | |
| bid on Draperies and Furniture | \$13,426.74 |

It was stated that the bid of Wil-Kin, Inc., on Draperies alone did not meet the specifications in that they did not bid on the full number of draperies required, and the bid of Southeastern Equipment Company for Furniture did not meet the specifications as they bid on only four items.

The recommendation of Mr. M. Van Buren, Interior Planning Consultant for the Health Center, which was concurred in by Dr. M. B. Bethel, Health Officer, was presented that the bid of Mecklenburg Furniture Company on all items of Furniture and Draperies be rejected as it offers alternate furniture manufactured by Thonet, and, therefore, does not meet the specifications and is not acceptable to them.

Mr. Milton Short, partner in the firm of Mecklenburg Furniture Company, stated their's is a firm bid on both furniture and draperies. That they did not submit a bid on the particular furniture around which the specifications were written by Mr. Van Buren, as it is a specialty house, of

custom-made furniture and the price will run \$3,380.91 higher than the Thonet Furniture, which is mass production furniture, and which they guarantee as to workmanship and quality equal to the specifications in every respect. Mr. Short stated that the specifications were written by Mr. Van Buren around the furniture manufactured by companies he represents, which is alright in that he had to use something to go by, but they proved impossible for other firms in town to bid on, and the price far exceeds what the furnishings for the Health Center should cost.

Councilman Smith moved that the bid of Mecklenburg Furniture Company be accepted. The motion was seconded by Councilman Whittington.

Councilman Babcock stated as a matter of principal he does not think it is good to accept only one bid on anything and he would like to see the specifications rewritten.

Councilman Myers offered a substitute motion that action be deferred for one week and that Mr. Van Buren and the City's Purchasing Agent be requested to appear before Council for a discussion of the matter. The motion was seconded by Councilman Hitch.

Councilman Babcock stated there is a tendency to make the Health Center a show place instead of functional, and he would not like to go along with this idea.

Mr. Short stated there were nineteen firms who tried to bid on the specifications but fell out.

The vote was taken on the substitute motion by Councilman Myers, and carried unanimously.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Babcock, seconded by Councilman Myers, and un-animously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Walker H. Busby, Graves #5 and #6, in Lot 106, Section 3, Evergreen Cemetery, at \$80.00.
- (b) Deed with Mrs. Theodosia Crowley, for Lot 305, Section 3, Evergreen Cemetery, at \$189.00.

ORDINANCE AUTHORIZING \$400,000 REFUNDING BONDS.

An ordinance entitled: "Ordinance Authorizing \$400,000 Refunding Bonds" was introduced and read, and upon motion of Councilman Hitch, seconded by Councilman Albea, and unanimously carried, was adopted. The ordinance is recorded in full in Ordinance Book 12, beginning at Page 363.

REQUEST FOR INSTALLATION OF TRAFFIC SIGNAL AT WALNUT AVENUE AND TUCKASEEGE ROAD DENIED.

Mr. Livingston, Acting City Manager, stated that the traffic survey has been made at the intersection of Walnut Avenue and Tuckaseege Road, as requested to determine the necessity of the installation of a traffic light, and the Traffic Engineer states that the results indicate that a light is not required and recommends that it not be erected.

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Councilman Dellinger moved that the Signal be erected and funds to pay the cost be transferred from the Emergency Fund. The motion was seconded by Councilman Albea, and lost, with the votes cast as follows:

YEAS: Councilmen Dellinger, Albea and Whittington.

NAYS: Councilmen Babcock, Hitch, Myers and Smith.

SALARY OF CAPTAIN ERNEST C. SELVEY FIXED UNTIL JOB CLASSIFICATION ADOPTED.

Councilman Whittington moved that a salary of \$557.00 per month be fixed for Captain Ernest C. Selvey of the Police Department until the Job Classification Plan is adopted. The motion was seconded by Councilman Dellinger and unanimously carried.

REQUEST OF PRESIDENT OF QUEENS COLLEGE FOR WIDENING RADCLIFFE AND WELLESLEY AVENUES ADJACENT TO PROPERTY OF QUEENS COLLEGE AND INSTALLATION OF CURB AND GUTTER AND RECONSTRUCTION OF SIDEWALKS ALONG THE SAID TWO STREETS, REFERRED TO CITY MANAGER FOR REPLY.

The request of Dr. Edwin Walker, President of Queens College to the Mayor and Council was presented, for the widening of Radcliffe and Wellesley Avenues on the sides adjacent to the property of the College and for the length of their property, with installation of curb and gutter 18 inch from the present outside edge of the sidewalk line, and the reconstruction of the sidewalks along these two streets. Dr. Walker stated that the college will construct entryways into the new campus driveway system within the next 12 months and would like to be able to do so in relation to permanently established street lines, curbs and gutters.

Councilman Dellinger suggested that the City Manager inform these people as to the City's policy regarding street construction.

Councilman Babcock stated that some 15 months ago when the question of widening Radcliffe Avenue came before the Council, and the estimated cost of \$40,000.00 was submitted by the Engineering Department, the Council accepted it as information and did nothing about it. However, the residents were of the opinion that the work was authorized and they protested it. That he, as a resident of the street, discussed it recently with Mr. Hoose, Traffic Engineer, who stated nothing was anticipated to be done on Radcliffe Avenue, and he does not want to act on it at this time.

Councilman Myers stated that Queens College has been a benefactor to Charlotte; the Auditorium is used for church services and it has put a burden on parking. That he does not think that widening the street would solve the parking problem, but rather it is a question of off-street parking being enforced by ordinance. Councilman Babcock stated that the suggestion has been made to use the school grounds for off-street parking.

Mr. Livingston, Acting City Manager, suggested that he discuss the matter with the City Engineer and Mr. Hoose, and reply to Dr. Walker.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk