

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, October 12, 1959, at 4 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Babcock, Hitch, Myers, Smith and Whittington 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 Hitch, seconded by Councilman Albea, and un-animously carried, the Minutes of the last meeting on October 5th were approved as submitted.

ORDINANCE NO. 632-X EXTENDING CORPORATE LIMITS BY ANNEXING 6.3 ACRES OF PROPERTY IN CRAB ORCHARD TOWNSHIP ON PETITION OF JAMES C. EVANS AND WIFE AND RALPH W. PLEDGER AND WIFE, CONTINUED FOR TWO WEEKS.

The public hearing was held on Ordinance No. 632-X Extending the Corporate Limits by Annexing 6.3 Acres of Property in Crab Orchard Township on Petition of James C. Evans and wife and Ralph W. Pledger and wife. No opposition was expressed to the proposed annexation. Councilman Myers moved that the hearing be continued for two weeks, and the petition be referred to the departments concerned for recommendation. The motion was seconded by Councilman Babcock, and unanimously carried.

Mayor Smith stated that all future petitions for the annexation of property to the city are to be referred to the departments prior to being presented to Council.

PETITION TO RETAIN NAME OF GRIFFITH LANE, IN PERIMETER AREA, FILED.

Mr. W. C. Griffith filed a petition which he stated was signed by all the residents of Griffith Lane, in the perimeter area, requesting that the street name be retained because of its historic significance, it having been named in memory of J. Wallace Griffith, a Mecklenburg County Civil War Veteran.

Mayor Smith accepted the petition for Council consideration.

PETITION PROTESTING CHANGE IN NAME OF SHARON LANE TO SHARON AMITY ROAD, FILED.

Mr. S. S. McNinch filed a petition, which he stated was signed by all the residents of Sharon Lane, in the perimeter area, protesting the proposed change in the name of the street to Sharon-Amity Road. He asked that the petitioners be heard.

Mayor Smith accepted the petition for Council consideration, and advised Mr. McNinch that a public hearing will be held on all petitions.

AFFECT ON NEGRO CITIZENS IN SUBSTANDARD SECTIONS OF RESTRICTIONS ON SELLING GROCERIES ON SUNDAY PRESENTED BY DR. TROSS.

Dr. J. S.N. Tross appeared before Council relative to the Sunday Observance law as it affects the lives of the negro citizens, whom he stated compose one-third of Charlotte's population. Dr. Tross stated that two-thirds of the negro sections in Charlotte are sub-standard, and many are sub-sub-standard which are hardly tenable. He stated these citizens are without refrigeration of any kind to preserve food for later use that might be purchased on Saturday, and they must buy groceries from meal to meal. Too, that a great number of these citizens are paid their wages late on Saturday, and they must depend on the grocers to cash their checks on Sunday and supply their food needs. Dr. Tross stressed that the grocers help these citizens a great deal in carrying them from month to month.

Mayor Smith advised that a public hearing will be held on the Sunday question before a decision is made by Council.

REPORT OF STREET RENAMING REVIEW COMMITTEE ACCEPTED AND OCTOBER 16TH FIXED AS LAST DATE FOR FILING PETITIONS RELATIVE TO STREET NAME CHANGES, AND OCTOBER 30TH AT 1 O'CLOCK P.M. FIXED AS TIME OF HEARING PETITIONS, ALPHABETICALLY ACCORDING TO EXISTING STREET NAMES, JOINTLY WITH PLANNING BOARD.

Councilman Whittington filed the following report of the Street Renaming Review Committee:

"To: Mayor James S. Smith

From: Street Renaming Review Committee

In accordance with your instructions, the above-named Committee has met to determine the procedure to be followed in implementing the program recommended by the Commission on Elimination of Duplicate Street Names in their report to the Council dated August 31, 1959.

In considering this matter, it was the opinion of the Committee that the job undertaken by the Commission was one of tremendous magnitude, intricate in detail and full of controversy, but nevertheless absolutely essential to the orderly growth and development of our city. The criteria established was, in our judgment, soundly conceived, but in view of the multiplicity of changes involved, some of the protests received are well founded and deserving of consideration. Despite the many and vociferous protests, they have in large measure been confined to a relatively few streets. All concerned with the matter are, therefore, deeply grateful to the public generally for their gracious and understanding acceptance of the solution to a very difficult problem.

In light of the above statement, the Committee offers for consideration by the Council the following recommendations:

- (1) That consideration be given only to those protests which were received in writing by September 30, 1959, as prescribed in the Commission's report dated August 31, 1959.
- (2) That the Planning Commission be charged with the responsibility of screening these protests and that those not successfully resolved at that level be referred to the Council for final decision.

(3) That each protest be handled on its individual merits, exercising care that no concession be made which would jeopardize the overall implementation of this highly desirable and necessary project.

Respectfully,

Steve Dellinger
Randolph Babcock
James Whittington, Chairman"

Councilman Whittington stated that it has been learned since the Report was written that the Planning Board has advised petitioners that they will have until October 16th to file petitions, therefore that should be the final date for filing petitions of all types in lieu of September 30th, as proposed by the Commission and concurred in by the Committee.

Councilman Smith recommended that the petitions be considered by the Council in alphabetical order according to the existing street names.

Councilman Babcock recommended that the petitions be heard jointly by the Council and Planning Board, and if they are too numerous to be heard at one meeting, then the second meeting can be held.

Mayor Smith suggested that a Special Meeting be held only for the hearing of the petitions on Friday, October 30th at 1 o'clock p.m.

Councilman Whittington moved the acceptance of the Committee's Report that October 16th be fixed as the deadline for accepting any and all petitions, that the petitions be considered alphabetically according to the existing street names, that they be heard jointly by the Council and Planning Board and that the hearing be held on October 30th at 1 o'clock p.m. The motion was seconded by Councilman Babcock, and unanimously carried.

ORDINANCE NO. 619 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY AT 1400-02 HERRIN AVENUE, FROM R-2 TO B-1, ON PETITION OF E. ALVIN MULL, DENIED.

Councilman Albea moved that Ordinance No. 619 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing property at 1400-02 Herrin Avenue, from R-2 to B-1, on petition of Mr. E. Alvin Mull, be denied, as recommended by the Planning Board. The motion was seconded by Councilman Hitch, and unanimously carried.

RESOLUTION PROVIDING FOR PUBLIC HEARING AT 4 O'CLOCK P.M., ON NOVEMBER 16TH ON ORDINANCE NO. 631 AMENDING THE ZONING ORDINANCE TO CHANGE ZONING FROM R-2 TO B-1 ON PROPERTY EAST OF SUGAW CREEK ROAD, ON PETITION OF GOODYEAR MORTGAGE CORPORATION, ADOPTED.

Upon motion of Councilman Albea, seconded by Councilman Babcock, and unanimously carried, Resolution Providing for a public hearing on November 16th on petition of Goodyear Mortgage Corp., for a change in zoning of property east of Sugaw Creek Road, between Grove Avenue East and Cinderella Road, from R-2 to B-1, as set forth in Ordinance No. 631, was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 422.

MAYOR SMITH LEFT MEETING TEMPORARILY.

Mayor Smith left the meeting temporarily, and Mayor pro tem Hitch presided in his absence.

PETITION BY STERN REALTY, INC. FOR WITHDRAWAL OF DEDICATION OF PORTION OF YADKIN AVENUE, BETWEEN 27TH AND 28TH STREETS, TABLED.

Mr. Veeder, City Manager, advised that a petition has been filed by Stern Realty, Inc., for the withdrawal of dedication of a portion of Yadkin Avenue, between 27th and 28th Streets. That the City Engineer advises this unopened block of Yadkin Avenue forms a continuous link between portions of Yadkin Avenue which has been improved and accepted for maintenance by the City, and has the potential of becoming an integral part of the street system. Also, there is a sewer trunk line and a sewer main presently located in the portion of the street covered by the petition, and altho the petitioner proposed to reserve an easement to the City for these lines, they do not specify the width or extent of the easement to be reserved. Mr. Veeder stated he would say that the best interest of the City can be served by denying the petition for abandonment and retaining the right-of-way for future improvement and addition to the city system.

Councilman Whittington moved that the petition be denied as recommended by the City Manager and City Engineer. The motion was seconded by Councilman Albea.

Councilman Myers offered a substitute motion that the matter be discussed by Mr. Veeder with the petitioner or his attorney and let him state his views and report to Council. The motion was seconded by Councilman Babcock, and lost for lack of the required four votes, the votes being cast as follows:

YEAS: Councilmen Babcock, Myers and Smith.

NAYS: Councilmen Albea and Whittington.

Mayor Smith returned to the Council Chamber at this time and resumed the Chair, and presided for the remainder of the session. A bill by Stern Realty, Inc., for the withdrawal of dedication of a portion of Yadkin Avenue, between 27th and 28th Streets, was read.

Councilman Babcock moved that the matter be tabled. The motion was seconded by Councilman Hitch, and carried, with the votes cast as follows:

YEAS: Councilmen Babcock, Hitch, Myers and Smith. This motion was carried for the withdrawal of dedication of a portion of Yadkin Avenue, between 27th and 28th Streets, which has been improved and accepted for maintenance by the City, and has the potential of becoming an integral part of the street system. Also, there is a sewer trunk line and a sewer main presently located in the portion of the street covered by the petition, and altho the petitioner proposed to reserve an easement to the City for these lines, they do not specify the width or extent of the easement to be reserved.

NAYS: Councilmen Albea and Whittington.

CONTRACT AWARDED: PRODUCTIONS METALS, INC. FOR 100 SHEETS OF ALUMINUM ALLOY.

The award of contract can be carried by denying the petition for abandonment and retaining the right-of-way for future improvement and addition to the city system. Councilman Hitch moved the award of contract to the low bidder, Productions Metals, Inc., for 100 sheets of Aluminum Alloy as specified, f.o.b. Charlotte at a net delivered price of \$2,447.50. The motion was seconded by Councilman Albea, and unanimously carried.

The following net delivered bids were received:

Productions Metals, Inc.	\$ 2,447.50
Joseph T. Ryerson & Son, Inc.	\$ 2,536.56
Edgecomb Steel Company	\$ 2,555.28
Hill-Chase Steel Company	\$ 2,560.90
Olin Mathieson Chemical Corporation	\$ 2,583.36
Kaiser Aluminum & Chemicals Sales, Inc.	\$ 2,620.33

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CONTRACT AWARDED G. H. TENNANT COMPANY FOR POWER SWEEPER FOR AIRPORT.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and unanimously carried, contract was awarded G. H. Tennant Company for One Model #80 Tennant Power Sweeper, as specified, f.o.b. Charlotte at a total price of \$2,693.10, subject to cash discount of \$26.93, representing a net delivered price of \$2,666.17. The low bid of Dees Equipment Company was rejected as not meeting the specifications which called for a 42-inch broom, whereas they bid on a 36-inch, which would not serve the requirement.

The following net delivered bids were received:

Dees Equipment Company	\$ 2,458.00
G. H. Tennant Company	\$ 2,666.17

CONTRACT AWARDED TRAFFIC ENGINEER SUPPLY CORP. FOR 117 ONE-WAY 3-SECTION TRAFFIC SIGNALS.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Traffic Engineers Supply Corp., for 117 One-way 3-section Traffic Signals, as specified, at a net delivered price of \$6,891.30.

The following net delivered bids were received:

Traffic Engineers Supply Corp.	\$ 6,891.30
Mill-Power Supply Co.	\$ 7,008.30
Westinghouse Elec. Supply Co.	\$ 7,069.14
The Marbelite Co., Inc.	\$ 7,078.50
General Elec. Supply Co.	\$ 7,111.26
Graybar Electric Co., Inc.	\$ 7,131.15
Union Supply & Elec. Co.	\$ 7,193.16

CONTRACT AUTHORIZED WITH BEN HEATH FOR INSTALLATION OF WATER MAINS IN FAIRLANE SUBDIVISION.

Upon motion of Councilman Smith, seconded by Councilman Hitch, and unanimously carried, contract was authorized with Mr. Ben Heath, for the installation of 910 feet of water mains and one hydrant in Fairlane Subdivision east of Briar Creek, at an estimated cost of \$2,670.00. The City to finance all costs, and applicant to guarantee a gross annual water revenue equal to 10% of the total cost.

AILEEN DRIVE, FROM END OF PRESENT MAINTENANCE AT PERSON STREET, TO THE END OF STREET TAKEN OVER FOR MAINTENANCE.

Councilman Hitch moved that Aileen Drive, from end of the present maintenance at Person Street, be taken over for maintenance to the end of the street, as recommended by the Engineering Department. The motion was seconded by Councilman Albea, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, the construction of driveway entrances was authorized as follows:

- (a) Two 20-ft. entrances at 1607 W. Independence Boulevard.
- (b) One 30-ft. entrance on Caldwell Street, for 500 E. Morehead Street.
- (c) Two 35-ft. entrances on Baldwin Circle, and two 35-ft. entrances on Baxter Street for 500 Baldwin Circle.
- (d) Two 30-ft. entrances at 3124 May Street.
- (e) One 20-ft. entrance at 300 Rampart Street.
- (f) One 12-ft. entrance at 1331 Greenwood Cliff.
- (g) One 20-ft. entrance at 1623 Parkwood Avenue.
- (h) One 15-ft. entrance at 123 E. 5th Street.
- (i) One 20-ft. entrance at 225 S. Graham Street.
- (j) One 20-ft. entrance at 2447 Avondale Avenue.
- (k) One 15-ft. entrance at 1336 Romany Road.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Whittington, seconded by Councilman Hitch and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mr. Jack Callisher for Grave #3, in Lot #101, Section 3, ~~of~~ Evergreen Cemetery, at \$40.00.
- (b) Deed with Mr. H. G. Smitherman for Graves #7 and 8, in Lot #101, Section 3, Evergreen Cemetery, at \$80.00.

FUNDS TRANSFERRED FROM EMERGENCY FUND FOR PURCHASE OF NEEDED FENCE AND POSTS FOR REPAIRING FENCE AT ELMWOOD CEMETERY, AND POLICE AUTHORIZED TO PATROL ALL CITY OWNED CEMETERIES MORE FREQUENTLY.

Mr. Veeder, City Manager, stated he has discussed with Mr. Haas, Supt. of Cemeteries the matter of repairing the fence at Elmwood, and Mr. Haas will present their joint views. Mr. Haas stated the fence needs repairing; that he has 4,000 feet of 5-ft. 2-inch mesh fence and sufficient barbed wire to place one row on top of the fence; however, the pretreated posts for the fence must be purchased, which will be installed by his own personnel. He stated that two rows of barbed wire would be better. Following the discussion of the cost, Councilman Hitch moved that \$600.00 be transferred from the Emergency Fund to Elmwood Cemetery Budget with which to purchase the posts and wire. The motion was seconded by Councilman Whittington. Councilman Babcock stated he has been asked that the City use cyclone fence, as it would provide better protection. Mr. Haas stated it would cost around \$30,000.00 to fence Elmwood with cyclone fence, and even though it could not be cut as easily as the lower grade fencing, persons could still climb over it. Mr. Veeder stated that he and Mr. Haas have agreed it would not serve the best interest of Charlotte to employ a watchman but would be more effective to have the Police patrol Elmwood and the other city cemeteries more frequently. The vote was taken on the motion, and unanimously carried.

SALARY SUPPLEMENT AUTHORIZED TO CHARLES S. FROST AS SUPERINTENDENT OF BUILDINGS AND GROUNDS.

Councilman Babcock moved that a salary supplement of \$75.00 per month be authorized to Mr. Chas. S. Frost, effective October 1, 1959, as Superintendent of Buildings and Grounds, as recommended by the City Manager. The motion was seconded by Councilman Hitch, and unanimously carried.

EMPLOYMENT OF ROBERT A. EARLE AS PERSONNEL DIRECTOR.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and unanimously carried, Mr. Robert A. Earle was employed as Personnel Director effective November 2, 1959, at a salary of \$8,352.00, as recommended by the City Manager.

INSTALLATION OF STREET LIGHTS IN PERIMETER AREA AND MERCURY VAPOR LIGHTS IN CENTRAL BUSINESS DISTRICT (PORTIONS OF TRADE AND TRYON STREETS) AUTHORIZED AND FUNDS TRANSFERRED FROM EMERGENCY FUND TO TRAFFIC ENGINEERING DEPARTMENT TO SUPPLEMENT BUDGETED FUNDS FOR SAID LIGHTING.

As directed at the last Council Meeting, Mr. Herman Hoose, Traffic Engineer, stated he has reviewed the matter of street lighting in the perimeter area and central business district; that a total of 1,200 lights will be installed in the perimeter area at a total cost of \$11,362.50, the maximum number that can be installed by Duke Power Company per month being 150, and 300 lights can be installed between November 1st and January 1st. That the total cost of installing 190 mercury vapor lights in the central business district, that is on Tryon Street from Morehead to 13th Street and on Trade Street from Caldwell Street to the Southern Railway on the west, will be \$3,661.88, which together with the total cost of \$11,362.50 for the perimeter area, is \$15,024.38. However, he has a balance of \$5,860.70 in his current budget for street lighting, and would, therefore, require the sum of \$9,263.67 to carry out the program in both the perimeter area and central business district as outlined. Mr. Hoose requested that the \$9,263.67 be appropriated from the Emergency Fund. He stated the lighting in the perimeter area would first be installed on the main streets and around schools, that the lighting in the lesser developed and undeveloped areas can be held up. Mayor Smith called attention that with the same funds, by omitting the lighting in the central business district, the perimeter area could be lighted 100%.

Councilman Albea moved that the recommendation be accepted to install the lights as stated in the perimeter area and central business district, and that the requested amount be transferred from the Emergency Fund. The motion was seconded by Councilman Whittington.

Councilman Myers asked Mr. Veeder as to the propriety of this over other things that might come up? Mr. Veeder stated that he knows of nothing that deserves higher priority than street lighting, and the request represents only a small portion of what we should be spending for lighting.

The vote was taken on the motion, and carried unanimously.

FIFTEEN EMPLOYEES OF HEALTH DEPARTMENT NOT QUALIFIED UNDER STATE MERIT SYSTEM RECOMMENDED PLACED UNDER CITY'S JOB CLASSIFICATION AND SALARY SCHEDULE PLAN.

Councilman Whittington stated there are fifteen employees in the Health Department doing important jobs who did not qualify under the State Merit System, and he feels they should be permitted to come under the Job Classification Plan and their salary scales adjusted thereto if they are the only employees of the City who have not been so considered. He recommended that Mr. Veeder investigate the situation and give Council a report.

CITY MANAGER REQUESTED TO CHECK INTO POSSIBILITY OF FIREMEN WHO WILL RETIRE WITHIN FIVE YEARS OR LESS, RECEIVING MORE THAN NORMAL SALARY.

Councilman Hitch recommended that Mr. Veeder make a check of the Firemen who will retire in five years or less to see what can be done so that they may receive more than their normal pay raise.

STATUS OF NEW HEALTH DIRECTOR REPORTED BY CITY MANAGER.

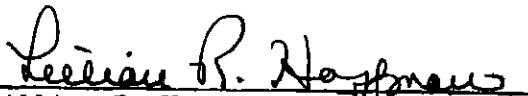
Councilman Babcock asked what the status is of naming a Health Director? Mr. Veeder stated the Health Advisory Committee in July or August appointed a Committee to solicit applicants for the position and interview them. That they advise quite a number of applications have been received, and a few have been invited to be interviewed by the Committee and himself, and he believes that some action will be taken relatively soon.

CITY MANAGER AND CITY TREASURER AUTHORIZED TO WORK OUT PLAN FOR ADVANCING PORTION OF WORKMAN'S COMPENSATION INSURANCE TO MRS B. L. GRAVES.

Mr. Veeder reported that he has discussed with Mr. Ledbetter, Treasurer, the request of Mrs, B. L. Graves for an advance of \$500.00 on the workman's compensation insurance due her because of the accidental death of her husband while in the City's employ. He suggested if Council is willing, that he and Mr. Ledbetter be authorized to work out a plan for advancing the requested funds. Upon motion of Councilman Whittington, seconded by Councilman Albea, and unanimously carried, Mr. Veeder and Mr. Ledbetter were so authorized.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk