

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, May 16, 1960, at 2 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Dellinger, Hitch, Myers and Whittington being present.

ABSENT: Councilmen Babcock and Smith

Planning Board members Sibley, Chairman, Craig, Ervin, Hook, McClure and Wilkinson being present during the hearings on petitions for changes in the Zoning Ordinances.

ABSENT: Planning Board members Hanks, Marsh, Schwartz and Toy.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, the Minutes of the last meeting on May 9th were approved as submitted.

HEARING ON ORDINANCE NO. 659 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE.

The scheduled hearing was held on Ordinance No. 659 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map by changing zoning on property located on south side of Granville Road, west of Queens Road, from R-1 to R-2, on petition of Towers Land and Development Company.

Mr. McIntyre, Planning Director, presented factual information stating the lot in question fronts on Granville Road and is zoned R-1, while the remaining portion of the lot, fronting on Queens Road, is zoned R-2; that the surrounding area is zoned R-1, consisting of single family residences and one apartment.

Mr. Robert Kurtz, attorney for the petitioner, stated the total property consists of Lots 1, 2, 3, 4 and 18, and lot 18 is the one in question. That the entire tract was purchased from Mrs. Holt last year and she had owned the tract for 36 years, her residence being located in the center of the lot and her garage on Lot 18. That the Company obtained a building permit to construct a 56-unit Apartment House, swimming pool etc no part of which would be on Lot 18. That the Company is now requesting that lot 18 be rezoned R-2 to conform with the zoning of the entire area. That granting the petition will in no way affect the size or appearance of the Apartment Building; that it will allow them to refigure their plans to have 58 units, instead of 56, by reducing the number of bedrooms in several apartments and combining them into two additional apartments; that none of the construction of the additional apartments will be on Lot 18; that Lot 18 will be planted in flowers.

Mr. Kurtz introduced Mr. Louis Asbury, the architect for the Apartment, who also stated the size and appearance of the building would not be changed by the addition of the two apartments.

Mr. David Craig, speaking for himself and a number of other residents residing on Granville Road, filed a petition signed by the 30 adjoining property owners expressing strong opposition to the change in zoning of Lot 18. He called attention that restrictions in zoning are for the protection of adjoining property owners; and in this case their properties generally consist of 1/2-acre lots, while the Apartment lot consists of 10 1/2-acres; that the R-2 zoning along Queens Road is to allow for the construction of buildings consistent with the zoning but not to the detriment of the adjoining properties and those at the rear. He called attention that these lots are restricted to one-family dwellings and they cannot utilize the land otherwise; therefore, to begin with the Company constructing the Apartment has the advantage; that it is only fair that the Company should do some of the suffering by not making use of Lot 18, as the adjoining property owners will suffer from the additional traffic congestion, the 58 cars of the Apartment residents coming and going, their 58 garbage cans and the many delivery trucks.

Mr. Charles M. Lowe, resident of Granville Road, also spoke in opposition to the requested zoning change.

Mr. Shaw, City Attorney, asked if the Petition he has filed comes within the 20% rule of Zoning. Mr. Craig stated he would have to check it to be sure. Later in the meeting he filed with the Clerk a letter stating that more than 20% of the property owners directly opposite the property in question have signed the petition, therefore a 3/4 vote of the City Council will be required to pass the ordinance under Section XIV of the Zoning Code.

Council decision was deferred for one week.

HEARING ON ORDINANCE NO. 662 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE.

The scheduled hearing was held on Ordinance No. 662 Amending Chapter 21, Article II, Section 5 of the City Code to amend the Building Zone Map by changing zoning on property located on Glenwood Drive at Interstate Highway No. 85, from R-2 to B-1, on petition of W. J. Widenhouse, et al.

The Planning Director presented a map of the area stating the property in question extends back to an unopened street called North Avenue and along North Avenue 400 feet, and is adjoined by residential and vacant property.

Mr. John A. McRae, Jr., stated this petition was heard by Council on April 25th and continued by Council until today; that the property is on the corner of Glenwood Drive and Interstate #85 and the property at the rear is zoned Industrial and across the street zoned for Business. That a major Oil Company wishes to purchase the property for a Truckers Motel and are not interested in a portion of the property as their usage will require the entire tract. He stated there are no objections to the zoning change nor the construction of the Truckers Motel so far as they know.

No objections were expressed to the proposed change.

Council decision was deferred for one week.

HEARING ON ORDINANCE NO. 667 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE.

The scheduled hearing was held on Ordinance No. 667 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map by changing zoning on property located on north side of Huntley Place, east of Providence Road, from R-1 to B-1, on petition of Mrs. Elizabeth Welles Myers, 1601 Queens Road West.

The Planning Director advised the requested change is on the rear portion of the lot along Huntley Place, which is occupied by a Beauty Salon and Dress Shop; that the rear portion of the lot is zoned R-1 and the remainder of the property zoned B-1; that it is adjoined at the rear and on the east by vacant property, and the property down Huntley Place is zoned R-1 for single-family residences.

Councilman Dellinger stated he believes the Council had this request in 1954 and it was appealed to the Zoning Board of Adjustment, and he understands a ruling of the Zoning Board of Adjustment is final except before the Courts.

Mr. McIntyre stated the Zoning Board of Adjustment ruled as to the depth from Providence Road as being 250 feet.

The City Attorney stated he understands there was some kind of a compromise made, and under the ruling of the Zoning Board of Adjustment the 250 feet of property can only be used for business so long as the present building stands and no longer.

Mr. Tommy Miller, Attorney for the petitioner, stated some months ago negotiations were under way for the sale of this property to Mrs. Myers, and she was told that the property occupied by Don's Beauty Salon and Dress Shop was located in a B-1 zoning district; that the City Building Inspection Department told the real estate agent that the B-1 zone extended 275 feet from Providence Road. Mr. Miller stated further that he too checked with the Building Inspection Department and Mr. Ritch stated that 275 feet was zoned B-1; that he then asked if the Department would issue a permit for a B-1 structure within the area and Mr. Ritch stated they would, and the Lot was then purchased by Mrs. Myers. Mr. Miller stated he has a letter from Mr. Dwelle, Chairman of the Zoning Board of Adjustment in 1954, saying the owner was permitted full use of the house for B-1 purposes for the life of the building; that the letter also states the decision was made in view of the uncertainty as to the property line.

Mr. Miller stated that Mrs Myers acquired the property on his advice after he had gotten the information from Mr. Ritch of the City Building Department, which he, naturally, assumed was correct.

Mr. William E. Poe, Attorney, filed a petition signed by the residents of Huntley Place and Bolling Road expressing strong opposition to the rezoning. He stated that he too went to the Building Inspection Department and asked how they determined the line. That Mr. Ritch stated they scaled the distance colored for business use on the map; that they then scaled it again and that Mr. Ritch remarked, "By Golly, it is 250 feet". That he then went to one of the men who made the map, Mr. Henry Yancey and he says 250 feet. That the Minutes of the two meetings in 1954 where it was discussed, shows it was badly contested and it is stated in these minutes that it was zoned B-1 for 250 feet in order to give the occupant the full use of the house as the original B-1 zoning was not entirely to the rear of the house. He stated there was a sketch filed with the petition which is on file with the Zoning Board of Adjustment.

Mr. Poe stated the appeal to the Zoning Board of Adjustment would have had no purpose had it been 275 feet.

Councilman Dellinger asked why the 10-foot triangular strip is so important to Mr. Miller's client? Mr. Miller replied that his petition is not for just the 10-ft. strip but he has asked that all of the lot not now zoned B-1 be so zoned, which includes 160 feet additional which was also purchased by Mrs. Myers; that if it is found that the existing B-1 line is only 250-ft. from Providence Road instead of 275-feet, then the petition for the rezoning of the balance of the lot is to be considered.

At the request of Mr. Poe, Mr. Henry Yancey, former City Manager, stated he and the late Mr. J. B. Marshall prepared the original zoning map and he knows for a fact that the zoning along Providence Road was for a depth of 250-ft., except where arrows indicated otherwise; that the matter of using the property for business purposes came up several years ago, and if Mr. Ritch is so certain now that the distance was 275-feet, why was he uncertain several years ago when the matter was appealed to the Zoning Board of Adjustment.

Mr. Poe stated if the petition filed by Mr. Miller asks for a change in zoning other than the 10-ft. strip, then the Advertisement in the newspaper does not include the area beyond. Mr. McIntyre stated that is correct. Councilman Dellinger then stated the Council is considering only the change in zoning of the strip of land in question.

Mr. Miller stated in view of Mr. Dellinger's contention that only the 10-ft. strip is being considered, he hopes his petition for the entire lot will not be prejudiced. That he filed the petition in good faith on the advise of Mr. Ritch of the Building Inspection Department and he is asking for a change to B-1 zoning on whatever portion of the entire lot is not now zoned B-1. That he has done everything he knows to do and if any mistake was made in the Advertisement it was the City's.

Council decision was deferred for one week.

HEARING ON ORDINANCE NO. 668 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE.

The schedule hearing was held on Ordinance No. 668 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map by changing zoning on property located on north side of Huntley Place, east of Providence Road, from R-1 to R-2, on petition of Beverly H. and Emery Flinn, Miami Beach, Florida.

Mr. McIntyre, Planning Director, stated the property adjoins the property included in Ordinance No. 667 just discussed; that it is occupied by a garage, and is surrounded by property zoned R-1.

Mr. Carleton Fleming, Attorney, representing the petitioner, stated the property fronts on Huntley Place and they are only asking for an R-2 zoning; that the property has a depth of 140-ft. by 134 feet; that it is bounded on one side by B-1 zoning, on the other by R-1 and vacant land across the street. That they are asking for the continuance of the R-2 zoning on Perrin Place by extending it through to Huntley Place; that such R-2 zoning would separate the R-1 and B-1 zones. He stated the property is a 25-foot strip of land; that the character of the neighborhood has changed and he does not think that anyone would use the property for the present R-1 usage.

Mr. William Poe, Attorney, filed a petition signed by residents of Huntley

Place and Bolling Road opposing the change in zoning. He advised there is an area containing 175-ft. zoned R-1 adjoining the property in question, and the residence of Mr. Herbert Smith adjoins it on the east, while across the street is the Bolling Road area. He stated further that Huntley Place is primarily a residential area and Bolling Road extends off Huntley Place and deadends and the traffic congestion would be greatly increased by a change in zoning.

Council decision was deferred one week.

HEARING ON ORDINANCE NO. 669 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE.

The scheduled hearing was held on Ordinance No. 669 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map by changing zoning on property located on both sides of Lexington Avenue, S. Caldwell Street to Euclid Avenue, from R-2 to Office-Institution, on petition of Goodyear Mortgage Corp. et al.

The Planning Director presented a map of the area and gave factual information as to the property and surrounding area.

Mr. Kenneth Griffin, Attorney for the petitioner stated the property is located on both sides of Lexington Avenue and is developed by older residences and duplexes; that more land is needed in the area for O-I developments; that the property could be used for both buildings and for parking and they feel the addition of modern office buildings on the property will increase the property valuations within the area.

Mr. Charlie Henderson, Attorney, stated there is a great need for additional parking space for the YMCA and the petitioner will be glad to allow parking on the lot at night for the YMCA.

No opposition was expressed to the change in zoning.

Council decision was deferred one week.

HEARING ON ORDINANCE NO. 670 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE.

The scheduled hearing was held on Ordinance No. 670 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map by changing zoning in the 700 block of Central Avenue, from R-2 to B-1, on petition of John R. Renfrow, Jr. et al. P. O. Box 9036.

Mr. McIntyre, Planning Director, stated the property includes all properties fronting Central Avenue between Piedmont and Prospect Streets; that the surrounding area is developed with single-family residences, duplexes and the Red Fez Club is within the area.

Mr. Henry Harkey, Attorney for petitioner, stated he speaks for all property owners in the block; he presented a petition signed by the property owners asking that the entire block be rezoned to avoid spot zoning. He stated that the 600 and 800 blocks have been used for business in general for several years, and this is merely requesting the continuance of the present business area which comes within 120 feet. He advised the petition is signed by 91% of the property owners.

Mr. Paul Ervin, Attorney, stated that Mr. & Mrs. Fort own the corner lot at 700 Central Avenue, which he sold to them, and they have not joined

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in the petition for the change and say they are not very familiar with what it entails. Mr. Ervin stated for himself and holders of the mortgage on the corner lot, they feel it is in the interest of all concerned that the property be rezoned, as the street has lost its appeal for residential use. He advised that Mrs. Fort is here and he feels after she has discussed it with Mr. Fort who is ill, they may not object to the change and will join in the petition.

No objection was expressed to the proposed change.

Council action was deferred for one week.

HEARING ON ORDINANCE NO. 671 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE.

The scheduled hearing was held on Ordinance No. 671 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map by changing zoning on property located on north side of North Tryon Street, between Markway and Beechway Circle, from R-2 to B-1, on petition of Amon L. Baucom and wife, 4431 North Tryon Street.

Mr. McIntyre, Planning Director, stated the property is located on North Tryon Street across from the Fair Grounds; is 150-ft. deep and 100-ft. wide.

Mr. Jake Wade, Attorney representing the petitioners, stated they own all of the property within the triangle; that the lots have been laid off but not occupied, and plans are for the construction of a Bowling Alley. He stated they know of no opposition.

No opposition was expressed to the proposed change.

Council action was deferred for one week.

REQUEST THAT COUNCIL ACTION CHANGING NAME OF PORTION OF PARSON STREET TO VILLA HEIGHTS DRIVE BE RESCINDED.

Mrs. Myrtle Stasson presented a petition which she stated is signed by 79 persons, representing 52 families on Parson Street protesting the recent change in the name of the portion of the street between Parkwood Avenue and Drummond Street. Mrs. Stasson stated that since the other petition objecting to the change was filed, they have canvassed the 2100 and 2200 blocks of the Street and this petition represents the residents of the 1800, 1900, 2100 and 2200 blocks who oppose the change and they ask that Council reconsider the name change. She stated further that the off-sets in the street are such that they do not affect the continuity of the street, as was represented by the petitioners for the change.

Councilman Dellinger stated he feels that the name of Parson Street should not be changed, that it is one of Charlotte's old streets and the residents like the name, and it is not duplicated. He moved that the action of Council in changing the name be rescinded and the name Parson be restored. The motion was seconded by Councilman Whittington.

Councilman Albea offered a substitute motion that the petition be referred to the Planning Board for recommendation. The motion was seconded by Councilman Hitch.

Councilman Myers asked the City Clerk to review the matter todate, and

he was advised that after analysing the petitions for and against the change, the Planning Board stated there were 25 legitimate signatures for and 25 against, and they recommended that the change be effective.

The votes were cast on the substitute motion, as follows and failed to carry:

YEAS: Councilmen Albea, Hitch and Myers.
NAYS: Councilmen Dellinger and Whittington.

Councilman Albea then offered a second substitute motion that the question be deferred for one week. The motion was seconded by Councilman Myers and unanimously carried.

REQUEST OF JOHN C. BENNETT THAT COMMITTEE OF CITIZENS BE APPOINTED TO SELECT AUDITING FIRM FOR CITY OF CHARLOTTE REFUSED.

Mr. John C. Bennett, Public Accountant, appeared before Council relative to his accusation that the firm of George G. Scott and Company were not qualified accountants. He stated he has found that their registration was falsified and it is illegal to have them audit the city's accounts. He stated he is here today to request the appointment of private citizens to select the Auditing Firm to audit the City's accounts, based on the firm's size and reputation, and that George G. Scott & Company not be engaged.

Mayor Smith stated that when such accusations are made they should be proved, and that he has no intentions of appointing such a committee.

REQUEST THAT BUILDING CODE BE AMENDED TO ELIMINATE PROVISION FOR TAKING CITY ELECTRICAL LICENSING EXAMINATION WHEN STATE LICENSE HELD, REFERRED TO CITY MANAGER.

Mr. Harry Faggart and Mr. Henry Harkey, Attorneys, representing Mr. Joe Roberts of Roberts Electrical Company and Mr. Eugene Hunter of Bryant Electrical Company, Gastonia, protested the City of Charlotte's requirement that electrical contractors must pass a City electrical licensing examination before operating here. They stated these two electricians of the said firms passed the State Electrical Examination and hold a Class 1 State License, which entitles them to operate anywhere in the State. Mr. Faggart quoted an opinion they have received from the N. C. Attorney General's office supporting his position that the city has no authority to require such examination and that the State-wide law supercedes any local law. The attorneys stated that based on that opinion they ask the Council to amend the Electrical Code by omitting this provision.

Mr. Shaw, City Attorney, stated this is a culmination of arguments that have been going on between the City of Charlotte and the State Building Code Commission for quite a long time, and it is deeper rooted than it appears here, and it appears it is now coming to a head. He stated he had written the Commission but had not received a reply, and he sees nothing in the law that prevents the City requiring the examination.

Councilman Myers stated as these companies have contracts in Charlotte he feels they could be permitted to go ahead and not tie up the work during these legal entanglements.

Mr. Veeder asked if the men have taken the City examination at any time and Mr. Faggart replied that they have and failed to pass; that the examinations are in four parts and the men must pass each of the four parts to make a passing grade.

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Mr. Harkey asked the City to waive the examination requirements to allow the men to proceed with the work.

Mayor Smith asked that the Attorneys discuss the matter with the City Manager and Chief Building Inspector and see if it cannot be worked out.

STREET AND PARKING SURVEYS DEFERRED UNTIL INDEPENDENT PARKING SURVEY COMPLETED.

Mr. Hoose, Traffic Engineer, stated a comprehensive parking and traffic study for the central business district would be in three phases - the first two phases dealing with parking, and the third phase dealing with street width, lanes, parking restrictions, and traffic movements.

The first phase of the parking study would include the collection of all basic data and the determination of present and future parking demands and needs, as well as parking characteristics. The second phase would be the development of an immediate and longrange parking program designed to meet present and anticipated demands.

The report would include a general analysis of traffic and parking activities and the relationship of parking to current changes in city growth and development. Parking characteristics and demands and needs for both the present and future will be indicated and these analyses would be adequate for use in various programs for development and financing, which will be available to private enterprise, businesses, and interested groups, which will serve as a guide for the development of off-street parking facilities.

The third phase of the study would include all streets in the area encompassed within the "inner-loop" system of streets approved in the Thoroughfare Plan. Each street will be detailed showing the recommended right-of-way width, number of traffic lanes and sidewalk width, etc. This study is important for the future central business district development and present and anticipated traffic volumes.

Mr. John Knox, Chairman of the Chamber of Commerce Traffic & Transportation Committee, presented the following resolution, which has been adopted by the Committee:

WHEREAS, it has been called to the attention of the Traffic and transportation Committee of the Charlotte Chamber of Commerce that the City Council has under consideration the allocation of funds for (1) a downtown traffic survey, and (2) a downtown parking facilities survey; and whereas the Charlotte Downtown Association has allocated funds for a downtown parking survey to begin on May 16, 1960,

Now, therefore be it resolved,

- (1) That the Chamber of Commerce look with favor on the plans of the City Council to proceed with the downtown traffic survey, but
- (2) That the Chamber of Commerce respectfully requests that the City Council hold in abeyance the allocation of funds for a downtown parking survey, until the survey to be conducted by the Downtown Association at no cost to the city, has been completed and evaluated.

Mr. Knox stated there is no doubt in their minds of the desirability of both the Street and Parking Surveys, but feel that the parking survey

to be conducted immediately by the Downtown Association should first be completed and evaluated.

Mr. George Ivey stated the Executive Committee feels there is no conflict between the quick survey they will make and the one contemplated by Mr. Hoose, which is on a long range basis; however, they will make available to Mr. Hoose the results of their parking survey. He stated they are very much interested in the Traffic Survey to be made by the City.

Mr. Dennis Myers, representing 98% of the Parking Owners in Charlotte, asked that the Traffic Survey be started at once but defer the Parking Survey until the one presently being made is completed.

At the question of Councilman Dellinger as to the amount he has requested for the two surveys and the cost of the Traffic Survey only, Mr. Hoose replied he is requesting \$25,000 for the two surveys and that he cannot say just what the Traffic Survey will cost, that it would be hard to separate them.

Councilman Hitch moved that the Surveys be deferred until the Parking Survey is completed, which he understands will be about two weeks, in order that none of the work be duplicated nor money spent needlessly. The motion was seconded by Councilman Dellinger, and unanimously carried.

PETITION FOR CHANGES IN SYSTEM OF HANDLING BAIL BONDS AT CITY POLICE DEPARTMENT FILED WITH COUNCIL.

Mr. Howard Davis filed a petition with Council, containing the signatures of 51 persons, requesting consideration of the following suggestions for expediting the making of appearance bonds, in order to guarantee that each person in custody will have the right to the freedom of choice in the selection of his bondsman and promote better relations between everyone concerned:

1. When a prisoner is brought to the police station that he be told of his rights under the constitution to make bond, and that he be allowed to make a call either public or private to whomever he pleases for that purpose before being taken upstairs to the jail enclosure.
2. That an up-to-date roster of bondsmen arranged in alphabetical order be provided the prisoner so that he may make his own selection if he so desires.
3. That the prisoner himself make the call and be given adequate time to explain his situation and that he be already informed as to the nature of the charge or charges against him and the bond that has been set.
4. If the bondsman that is called does not wish to make this bond that he notify the officer on duty in order that the prisoner may contact someone else.
5. That the bondsmen will at all times cooperate fully with the officers on duty so no extra burden will fall on them in the performance of their duties.
6. We realize that at times a prisoner is not in condition to make a call, but we believe he should be allowed to do so as soon as his condition warrants it. We do not believe that anyone besides the prisoner himself should call from jail.

7. If a friend or relative contacts a bondsman for a prisoner and the prisoner himself has contacted someone, that the bondsman contacted by the prisoner should have priority, followed by the other bondsman in that order.

8. That the bondsmen not loiter in the police station, nor solicit bonds in any way personally or by agent. Further that any bondsman or officer violating existing laws covering this situation be dealt with at once by the proper authority to avoid discrimination of any kind.

NAME OF RIGNEY STREET CHANGED BACK TO ROBERTSON AVENUE.

Upon motion of Councilman Whittington, seconded by Councilman Hitch, and unanimously carried, the name of Rigney Street in the Thomasboro Area was changed back to Robertson Avenue as requested by residents of the street and recommended by the Planning Board.

RIGHT-OF-WAY AGREEMENTS AUTHORIZED WITH STATE HIGHWAY DEPARTMENT AND SOUTHERN RAILWAY COMPANY.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, the following right-of-way agreements were authorized:

- (a) Agreement with the Southern Railway Company for right-of-way across York Road and their track on the Southern Railway By-pass Line, for the installation of an 8-inch water main.
- (b) Agreement with W. C. Kenley and wife and the State Highway Department for the installation and maintenance of 6" and 8" water mains in York Road and Yorkmont Road, and an agreement with Southern Railway for permission to install an 8" main on the York Road bridge crossing their tracks.

CONTRACTS AUTHORIZED FOR INSTALLATION OF WATER MAINS.

Upon motion of Councilman Hitch, seconded by Councilman Whittington, and unanimously carried, the following contracts were authorized for the installation of water mains:

- (a) Contract with W. C. Kenley for the installation of 1,082 feet of 8" water mains in York Road, inside the city limits, at an estimated cost of \$4,875.00. The City to finance all costs and applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (b) Contract with W. C. Kenley for the installation of 5,776 feet of water mains and 2 hydrants in Greenbriar Woods Subdivision, outside the city limits, at an estimated cost of \$16,200.00. The Applicant to pay the entire cost and own the mains until such time as the area is taken into the city.

CONDEMNATION PROCEEDINGS FOR ROLLING HILLS DRIVE SEWER RIGHT-OF-WAY ACROSS THE PROPERTY OF MR. PAUL J. RAASCH.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, condemnation proceedings for the Rolling Hills Drive sewer right-of-way across the property owned by Mr. Paul J. Raasch was authorized started.

CONSTRUCTION OF SANITARY SEWERS AUTHORIZED.

Motion was made by Councilman Hitch, seconded by Councilman Whittington, and unanimously carried authorizing the construction of sanitary sewers as follows:

- (a) Construction of 5,736 feet of sewer mains and trunks in Glendale Acres, at the request of Meriwether Company, Inc., Pierre Company Inc. and Cargo Co., Inc., at an estimated cost of \$23,755.00. The required deposit of the entire amount to be refunded as per terms of the contract, and the entire cost of construction to be borne by the applicant.
- (b) Construction of 8,270 feet of sewer mains and trunks in Westchester Subdivision, at the request of Ervin Construction Company, at an estimated cost of \$32,900.00. The required deposit of the entire amount to be refunded as per terms of the contract, and the entire cost of construction to be borne by the applicant.
- (c) Construction of 769-feet of sewer main and trunks in Springway Drive, at the request of J. W. Wiggins & Son, at an estimated cost of \$3,040.00. All costs to be borne by the applicant and required deposit of the entire amount to be refunded as per terms of the contract.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) Two 22-ft. and Two 20-ft. entrances at 1600 Montford Drive.
- (b) Two 12-ft. entrances at 1316 East Morehead Street.
- (c) One 35-ft. entrance at 2619 West Boulevard.
- (d) One 25-ft. entrance at 3039 North Independence Boulevard.

CONTRACT AWARDED YOUNG MOTOR COMPANY FOR 4-DOOR FAIRLANE SEDAN FOR FIRE DEPARTMENT.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, contract was awarded Young Motor Company, the low bidder, for one 4-door Fairlane Sedan, 6 cylinders, as specified, at a net delivered price of \$2,069.70, for the Fire Department.

The following net delivered bids were received:

Young Motor Company	\$ 2,069.70
Courtesy Motors, Inc.	\$ 2,081.61
Bill Scott Company	\$ 2,122.59
City Chevrolet Co.	\$ 2,153.29

CONTRACT AWARDED YOUNG MOTOR COMPANY FOR 1/2-TON PICKUP TRUCK FOR WATER DEPARTMENT.

Motion was made by Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, awarding contract to the low bidder, Young Motor Company for one 1/2-ton pickup truck with special body as specified, at a net delivered price of \$2,287.80, for the Water Department.

The following net delivered bids were received:

Young Motor Company	\$ 2,287.80
Courtesy Motors, Inc.	\$ 2,403.18
International Harvester Co.	\$ 2,441.60
Hutton-Scott Company	\$ 2,494.20
City Chevrolet Co.	\$ 2,524.41

CONTRACT AWARDED INTERNATIONAL HARVESTER COMPANY FOR PICKUP TRUCK FOR HEALTH DEPARTMENT.

Councilman Dellinger moved that contract be awarded the low bidder, International Harvester Company for One 1/2-ton Pickup Truck, as specified, at a net delivered price of \$1,625.80, for the Health Department. The motion was seconded by Councilman Hitch, and unanimously carried.

The following net delivered bids were received:

International Harvester Co.	\$ 1,625.80
Courtesy Motors, Inc.	\$ 1,630.11
Young Motor Company	\$ 1,642.08
City Chevrolet Company	\$ 1,710.26
Hutton-Scott Company	\$ 1,731.22

CONTRACT AWARDED COURTESY MOTORS, INC. FOR 3/4-TON TRUCK FOR HEALTH DEPARTMENT.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, contract was awarded the low bidder, Courtesy Motors, Inc. for one 3/4-ton Truck with Stake Body, as specified, at a net delivered price of \$1,890.62, for the Health Department.

The following net delivered bids were received:

Courtesy Motors, Inc.	\$ 1,890.62
Young Motor Company	\$ 1,949.24
Hutton-Scott Company	\$ 2,018.36
International Harvester Co.	\$ 2,051.44
City Chevrolet Company	\$ 2,060.76.

CONTRACT AWARDED COURTESY MOTORS, INC. FOR ONE 3/4-TON TRUCK FOR TRAFFIC ENGINEERING DEPARTMENT.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, contract was awarded the low bidder, Courtesy Motors, Inc., for one 3/4-ton Truck equipped with Special Service Body and Aerial Ladder, as specified, at a net delivered price of \$4,491.33, for the Traffic Engineering Department.

The following net delivered bids were received:

Courtesy Motors, Inc.	\$ 4,491.33
Young Motor Company	\$ 4,574.04
Hutton-Scott Company	\$ 4,599.78
International Harvester Co.	\$ 4,678.84
City Chevrolet Company	\$ 4,687.86

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mrs. Nora R. Dunlap, for Lot 371, Section 4-A, Evergreen Cemetery, at \$126.00.
- (b) Deed with Paul F. Haddock, Jr., for Lot 6, Section Y, Elmwood Cemetery, at \$1.00 for transfer from Mrs Margaret Haddock-Partridge and husband.

STATE HIGHWAY STREETS BEING DELETED FROM STATE SYSTEM BY STATE HIGHWAY COMMISSION ACCEPTED FOR MAINTENANCE BY CITY ON JUNE 30, 1960.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, the Council voted unanimously to accept for maintenance on June 30, 1960, all State Highway streets being deleted from that system by the State Highway Commission within the corporate limits of the City of Charlotte, subject to minor revisions and conditions recommended by the City Engineer in a memorandum addressed to the City Manager dated May 12, 1960; the subject streets being listed in the said memorandum and are indicated on a system map filed in the office of the City Engineer and identified as Map No. D4A6.

RESOLUTION ADOPTING SETBACK LINES ON EAST AND WEST FOURTH STREET, FROM SOUTHERN RAILWAY UNDERPASS TO MINT STREET, ADOPTED.

A resolution entitled: "Resolution Adopting Setback Lines on East and West Fourth Street, from Southern Railway Underpass to Mint Street" was introduced and upon motion of Councilman Dellinger, seconded by Councilman Whittington, was unanimously adopted. The resolution is recorded in full in Resolutions Book 4, at Page 12.

RESTRICTIONS AS TO ISSUANCE OF BUILDING PERMITS ON FOURTH STREET REMOVED AND ISSUANCE AUTHORIZED IN ACCORDANCE WITH RESOLUTION ESTABLISHING SETBACK LINES ON SAID STREET.

Councilman Myers moved that restrictions imposed on the issuance of building permits on Fourth Street be removed and their issuance be authorized in accordance with the Resolution Establishing Setback Lines on Fourth Street, adopted today. The motion was seconded by Councilman Hitch, and unanimously carried.

EXTENSION OF SICK LEAVE GRANTED PATROLMAN V.F. SPENCER AND HERBERT KNIGHT, STREET CLEANING DEPARTMENT EMPLOYEE.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, a 30-day extension of sick leave was granted Patrolman V. F. Spencer and a 28-day extension granted Mr. Herbert Knight, foreman in the Street Cleaning Department.

MINUTES OF JOINT MEETING OF COUNCIL AND COUNTY COMMISSIONERS ON MAY 10TH APPROVING CONSOLIDATION OF CITY AND COUNTY TAX DEPARTMENTS AND APPOINTING TAX COLLECTOR AND ASSISTANT TAX COLLECTOR, APPROVED.

Councilman Dellinger advised that the contract between the City and County

for the operation of the consolidated tax departments is being prepared by the City and County Attorneys. He moved approval of the Minutes of the Joint Meeting of the Council and County Commissioners on May 10th, which was seconded by Councilman Albea, and unanimously carried.

PRELIMINARY CENSUS COUNT REPORT.

Mayor Smith presented the following letter relative to the 1960 Census Report:

May 16, 1960

The Honorable James S. Smith
Mayor, City of Charlotte,
Charlotte, North Carolina

Dear Sir:

I take pleasure in making a preliminary announcement of the population of Charlotte and Mecklenburg County.

The census count to date is:

Charlotte	200,878
Mecklenburg County	270,951

These figures are believed to be substantially correct but are subject to revision after the returns for nonresidents are credited to their proper locality and other routine checks have been made. Although a significant revision is unlikely, minor revision may possibly occur after careful examination of the returns. The official announcement of population will be made at a later date by the Director of the Bureau of the Census.

Sincerely yours,

(Signed) Tellis G. Bumgarner
District Supervisor

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk