

August 19, 1953
Minute Book 35 - Page 75

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, August 19, 1953, at 11:00 o'clock a.m., with Mayor Van Every presiding and Councilmen Albea, Baxter, Boyd, Brown, Smith and Wilkinson present.

Absent: Councilman Dellinger

INVOCATION.

The Invocation was given by Councilman Claude L. Albea.

MINUTES OF COUNCIL MEETINGS ON AUGUST 4TH AND 5TH APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the Minutes of the meetings on August 4th and 5th were approved as submitted.

CITY ATTORNEY DIRECTED TO DRAW NECESSARY PAPERS TO PROVIDE FOR A PUBLIC HEARING IN CONNECTION WITH AMENDING THE ZONING ORDINANCE ON PROPERTY AT BRANDYWINE AND SELWYN AVENUES.

Mr. Harry C. Hewson, Attorney, filed an appeal from the decision of the Zoning Board of Adjustment on the request of his client, Mr. W. L. Nichols for a change in zoning from Residence-2 to Business-1 on property at the intersection of Brandywine Avenue and Selwyn Avenue.

Councilman Albea moved that the City Attorney be directed to draw the necessary papers to provide for a public hearing on the requested zoning change. The motion was seconded by Councilman Baxter, and unanimously carried.

REQUESTED REPAIRS TO SIDEWALK IN 1300 BLOCK OF ELIZABETH AVENUE BY MRS. B. A. STEVENSON REFERRED TO CITY MANAGER.

Mrs. B. A. Stevenson called attention to the condition of the sidewalk in the 1300 block of Elizabeth Avenue where she was recently injured and urged that repairs be made immediately to the pavement at this location. Councilman Brown moved that the matter be referred to the City Manager for immediate attention. The motion was seconded by Councilman Smith, and unanimously carried.

RESOLUTION ADOPTED PROVIDING FOR PUBLIC HEARING ON SEPTEMBER 9TH ON AMENDMENT TO ZONING ORDINANCE ON PROPERTY ON YADKIN AVENUE.

An ordinance entitled: "Ordinance No. 186 Amending the Zoning Ordinance", by changing the Building Zone Map from Residence-2 to Industrial was introduced. Following the reading thereof, a Resolution Providing for a Public Hearing thereon, on September 9th was presented and read. Councilman Boyd moved the adoption of the resolution, which was seconded by Councilman Smith, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 123.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON WEST FIFTH STREET.

A resolution entitled: "Resolution Authorizing Permanent Improvements on West Fifth Street" was introduced and read. Councilman Albea moved the adoption of the resolution which was seconded by Councilman Wilkinson, and unanimously adopted on its final reading. The resolution is recorded in full in Resolutions Book 2, at Page 121.

RESOLUTION APPOINTING APPRAISERS IN CONNECTION WITH WEST FIFTH STREET IMPROVEMENTS.

A resolution entitled: "Resolution Appointing Appraisers in Connection with West Fifth Street Improvements" was introduced and read, and upon motion of Councilman Smith, seconded by Councilman Baxter, was unanimously adopted. The resolution is recorded in full in Resolutions Book 2, at Page 124.

August 19, 1953
Minute Book 35 - Page 76

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM GENERAL FUND TO AUDITORIUM BOND FUND TO PAY MONTHLY ESTIMATES OF AUDITORIUM-COLISEUM UNTIL BONDS SOLD.

A resolution entitled: "Resolution to Advance Money from the General Fund to the Auditorium Bond Fund to be Paid Back not Later than November 10, 1953", was introduced and read. Councilman Baxter moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 124.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON PLAZA ROAD.

A resolution entitled; "Resolution Authorizing Permanent Improvements on Plaza Road" was introduced and read, and upon motion of Councilman Boyd, seconded by Councilman Smith, unanimously passed on its first reading. The resolution is recorded in full in Resolutions Book 2, at Page 125.

RESOLUTION AUTHORIZING THE ADVERTISEMENT OF NOTICE OF RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON PLAZA ROAD.

A resolution entitled: "Resolution Authorizing the Advertisement of Notice of Resolution Authorizing Permanent Improvements on Plaza Road", was introduced and read. Councilman Boyd moved the adoption of the resolution, which was seconded by Councilman Albea, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 126.

CLAIM OF MISS REBA ROGERS FOR PERSONAL INJURIES REFERRED TO CITY ATTORNEY.

Upon motion of Councilman Albea, seconded by Councilman Smith, and unanimously carried, the claim of Miss Reba Rogers, filed by Mr. Henry E. Fisher, Attorney, in the amount of \$500.00 for personal injuries sustained on May 17, 1953, on North Caldwell Street, alleged to have been caused by falling into a meter box, the lid of which was improperly attached, was referred to the City Attorney.

TRANSFER OF FUNDS FOR VETERANS CLUB HOUSE AND AIR TRANSPORTATION SURVEY.

Motion was made by Councilman Boyd, seconded by Councilman Brown, and unanimously carried, authorizing the following transfer of funds:

- (a) Transfer of \$2,500.00 from Emergency Fund (Code 110) to Buildings & Grounds Department, Capital Outlay Account (Code 1505-G-2) for Veterans Club House.
- (b) Transfer of \$5,000.00 from Emergency Fund (Code 110) to Special Appropriations (Code 109) for Air Transportation Survey.

PURCHASE OF RIGHT-OF-WAY AT 1501-03 SOUTHWOOD AVENUE FOR WIDENING OF GOLD STREET & ARGONNE DRIVE DEFERRED.

Upon motion of Councilman Albea, seconded by Councilman Smith, and unanimously carried, the purchase of a triangular piece of land at 1501-03 Southwood Avenue as right-of-way for the widening of Gold Street and Argonne Drive, was deferred.

PLAT OF GENEVA COURT SUBDIVISION APPROVED.

Motion was made by Councilman Baxter, seconded by Councilman Wilkinson, and unanimously carried, approving the Plat of Geneva Court Subdivision, as recommended by the Planning Board.

COLUMBUS CIRCLE TAKEN OVER FOR MAINTENANCE.

Upon motion of Councilman Baxter, seconded by Councilman Wilkinson, and unanimously carried, Columbus Circle, from end of present maintenance in the 3100 block of Marlowe Avenue, was taken over for maintenance by the City.

CONSTRUCTION OF NEW SANITARY SEWERS AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Boyd, and unanimously carried, authorizing the construction of new sanitary sewers at the following locations:

- (a) 160 feet of main in North Davidson Street, at an estimated cost of \$375.00, to serve one family unit. All costs to be borne by the City, and deposit of \$175.00 by Mr. C. R. Mullis to be refunded as per terms of the contract.
- (b) 353 feet of main in South Dotger Avenue, at an estimated cost of \$1,080.00, to serve one house and 3 vacant lots. All costs to be borne by the City, and deposit of \$880.00 by E. C. Griffith Company to be refunded as per terms of the contract.
- (c) 270 feet of main in Annlin Avenue, at an estimated cost of \$415.00, to serve one family unit and one vacant lot. All costs to be borne by the City, and deposit of \$215.00 by W. P. Coleman to be refunded as per terms of the contract.

PURCHASE OF WATER MAINS FROM M. LEE HEATH AND/OR OAKHURST LAND COMPANY.

Mr. Yancey, City Manager, stated that he was ready to make a recommendation with regard to the purchase of the water lines from Mr. M. Lee Heath and/or Oakhurst Land Company, pursuant to the resolution of the Council on April 22nd directing him to negotiate with Mr. Heath in regards thereto.

Councilman Albea moved that the matter be opened for discussion, which was seconded by Councilman Brown, and unanimously carried.

Mr. Yancey stated that these lines were laid originally under an old contract with Mr. Heath and/or Oakhurst Land Company, and that the City had purchased portions of these mains on two previous occasions when the city limits were extended, and that in the event of a further extension of the city limits to include these properties, the City would be obliged to either purchase these mains or construct new mains in lieu thereof.

That the contract price of \$9,019.28 for the 14,643 feet of lines was arrived at by determining the cost as nearly as possible and allowing 2 percent per annum for depreciation, which was the same formula that has been used over the years for the purchase of water lines when taken into the city. Since these lines are outside the City it was suggested that some inducement be offered to justify their purchase at this time, and it was agreed by Mr. Heath to accept a deduction which would amount to interest at 2½ percent for 5 years, it being a reasonable assumption that the lines would be incorporated into the city at the end of such period.

The City Manager further stated in response to questions, that the lines were constructed under the City's inspection and supervision, are in an entirely satisfactory condition at the present time, and there would be no hesitancy on the part of the City in purchasing the lines were they inside the city, and further that the Water Department officials concur in the recommended purchase.

Councilman Albea moved that the lines be purchased as recommended, which was seconded by Councilman Baxter, and unanimously carried.

August 19, 1953
Minute Book 35 - Page 78

CONTRACTS FOR CONSTRUCTION OF WATER MAINS AUTHORIZED.

Upon motion of Councilman Albae, seconded by Councilman Wilkinson, and unanimously carried, the following contracts for the construction of water mains were authorized:

- (a) 1,500 feet of main and one hydrant, in Flynnwood Drive, at an estimated cost of \$3,517.00, to serve 35 residential lots. All costs to be borne by the applicant, H. F. Wolfe. The said mains to become the property of the city if and when they produce a revenue equal to 5% of the cost during any 12 months continuous period.
- (b) Supplementary contract to contract between the City and J. B. Archer et al entered into on September 5, 1951, for 580 feet of additional mains to serve residential property in Arnold Drive, at an estimated cost of \$812.00. All cost to be borne by the applicant. Said mains to become the property of the City if and when the territory is incorporated into the City.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 20-ft. and One 23-ft. driveway on Independence Boulevard, and One 27-ft. and One 30-ft. on Hickory Nut Street, all for 3300 North Independence Boulevard.
- (b) One 25-ft. and One 20-ft. driveway on East 4th Street, and One 30-ft. on Cecil Street, all for 1201-07 East 4th Street.
- (c) Two 35-ft. driveways on South Boulevard, and One 30-ft. and One 22-ft. on Poindexter Drive, all for 2621 South Boulevard.
- (d) One 30-ft. driveway at 2516 Wilkinson Boulevard.
- (e) One 20-ft. driveway at 419 West 11th Street.
- (f) One 20-ft. driveway at 805 South Brevard Street.
- (g) One 7-ft. extension to present 12-ft. driveway and One 11-ft. extension to present 9-ft. driveway at 418 West 11th Street.
- (h) One 16-ft. driveway at 417-419 Cherokee Road.
- (i) One 20-ft. driveway at 1514 North Tryon Street.
- (j) One 35-ft. driveway and One 40-ft. driveway on South Boulevard, and Two 35-ft. driveways on East Boulevard, all for 1800 South Boulevard.
- (k) One 8-ft. driveway at 1323 Lafayette Avenue.

CONTRACT AWARDED GRINNELL COMPANY FOR COPPER TUBING.

Councilman Albae moved that contract be awarded the low bidder, Grinnell Company, for 15,000 feet of Type K, Soft Copper Tubing, 3/4", as specified, on a unit price basis, representing a total price of \$5,325.00, subject to cash discount of \$27.00. Motion was seconded by Councilman Wilkinson, and unanimously carried.

CONTRACT AWARDED CONCRETE PRODUCTS COMPANY FOR CONCRETE METER BOXES.

Upon motion of Councilman Baxter, seconded by Councilman Albae, and unanimously carried, contract was awarded Concrete Products Company, for 1,000 Concrete Meter Boxes with covers, City of Charlotte standard pattern, as specified, on a unit price basis of \$4.40 each, representing a net delivered price of \$4,400.00.

August 19, 1953
Minute Book 35 - Page 79

CONTRACT AWARDED BURROUGHS CORPORATION FOR BILLING MACHINE.

Motion was made by Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, awarding contract to the Burroughs Corporation, for One Billing Machine, Burroughs Sensimatic, as specified, at a net delivered price of \$2,407.50, for the Water Department.

CONTRACT AWARDED BLYTHE BROS. COMPANY FOR FINE GRADING, CURB & GUTTER, SIDEWALK, PAVING, ETC. ON STREET IMPROVEMENTS ON WEST FIFTH STREET PROJECT.

Councilman Albea moved that contract be awarded the low bidder, Blythe Bros. Company for fine grading, curb & gutter, sidewalk, paving, etc. on West Fifth Street Improvements Project, all as specified, on a unit price basis, representing a total price of \$63,112.75. The motion was seconded by Councilman Baxter, and unanimously carried.

CONTRACT AWARDED ERVIN CONSTRUCTION COMPANY FOR CLEARING, GRADING, DRAINAGE, ETC. ON WEST FIFTH STREET PROJECT.

Upon motion of Councilman Albea, seconded by Councilman Baxter, and unanimously carried, contract was awarded the low bidder, Ervin Construction Company for Clearing, Grading, Drainage, Etc. on the West 5th Street Improvements Project, all as specified, on a unit price basis, representing a total price of \$23,208.50.

RENEWAL OF SPECIAL OFFICER PERMIT TO G. W. WALLACE.

Motion was made by Councilman Smith, seconded by Councilman Baxter, and unanimously carried, authorizing the renewal of Special Officer Permit to Mr. G. W. Wallace on the premises of Highland Park Manufacturing Company.

LEASE OF BUILDINGS AT DOUGLAS MUNICIPAL AIRPORT.

The City Manager reported that leases have been concluded on the following buildings at Douglas Municipal Airport:

BUILDING NO.	LESSEE	MONTHLY RENTAL	DATE AND TERM OF LEASE
287 (part)	Ruth White	\$22.56	8-1-53 1 year renewal
48	Ousley Bag Co.	25.80	8-1-53 5 years

HOLIDAY GRANTED CITY EMPLOYEES IN OBSERVANCE OF LABOR DAY.

Upon motion of Councilman Albea, seconded by Councilman Baxter, and unanimously carried, a holiday was granted city employees on Monday, September 7th, in observance of Labor Day.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mrs. Willie M. Black, for east half of Lot 145, in Section 3, Evergreen Cemetery, at \$78.00.
- (b) Duplicate Deed to Mr. L. E. Blackmon, for east half of Lot 42, in Section W, Elmwood Cemetery - at \$1.00 for duplicate.
- (c) Deed with Mr. and Mrs. G. A. Link, for south half of Lot 82-A, in D-Annex, Elmwood Cemetery - at \$1.00.

August 19, 1953
Minute Book 35 - Page 80

LEASE WITH STATE HIGHWAY & PUBLIC WORKS COMMISSION FOR 6.7 ACRE PARCEL OF LAND, IRWIN CREEK DISPOSAL PLANT PROPERTY, FOR INGRESS AND EGRESS TO STATE PRISON CAMP.

Councilman Brown moved that a lease be authorized with the State Highway & Public Works Commission of a parcel of Irwin Creek Disposal Plant Property, lying on the northwest side of Wilmount Road, comprised of approximately 6.7 acres, to be used for ingress and egress, and improvements to the present State Prison Camp at this location. He stated further that the City is delighted to continue to cooperate with the State Highway Commission in this and other matters.

ADJOURNMENT.

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

Levian R. Hayman
City Clerk