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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, February 11, 1953, at 4 o'clock p.m., with Mayor pro tem Van Every presiding, and Councilmen Baxter, Boyd, Coddington and Dellinger present.

Absent: Mayor Shaw and Councilman Albea.

INVOCATION.

The invocation was given by Mayor pro tem Philip L. Van Every.

MINUTES APPROVED.

Upon motion of Councilman Coddington, seconded by Councilman Dellinger, and unanimously carried, the minutes of the last meeting were approved as submitted.

HEARING RELATIVE TO AMENDMENT TO ZONING ORDINANCE TO CHANGE ZONING ON TRACT OF LAND ON NORTH SIDE OF NEW THRIFT ROAD, CONTINUED FOR ONE WEEK.

Councilman Baxter moved that the hearing on the ordinance to amend the Zoning Ordinance to change the Building Zone Map from R-2 to Light Industrial on a tract of land on the north side of New Thrift Road, be continued until the ~~next~~ Council Meeting ^{on February 25th} as requested by the Attorneys representing both the petitioner and opponents to the proposed change. The motion was seconded by Councilman Dellinger, and unanimously carried.

HEARING RELATIVE TO AMENDMENT TO ZONING ORDINANCE TO CHANGE ZONING ON THE NORTHWEST CORNER OF TIPPAH AVENUE AND KENSINGTON DRIVE, CONTINUED FOR ONE WEEK.

Upon motion of Councilman Dellinger, seconded by Councilman Coddington and unanimously carried, the hearing in connection with the Ordinance to amend the Zoning Ordinance to change the Building Zone Map from R-1 to R-2 on the northwest corner of Tippah Avenue and Kensington Drive, was continued until the ~~next~~ Council Meeting on February 25th.

CITY ATTORNEY REQUESTED TO GIVE COUNCIL LEGAL RULING RELATIVE TO FUTURE CONTRACTS SPECIFYING THAT ONLY LOCAL LABOR BE USED ON PROJECTS.

A delegation representing the Charlotte Building and Construction Trade Council was present with Mr. John Lovett as spokesman, who requested that consideration be given to Charlotte contractors when bids are let on the Auditorium-Coliseum, in order that taxpayers of Mecklenburg County may be employed and realize wages from the project. He stated further that when contracts are awarded to firms outside of Charlotte, these contractors bring in their own workmen and few local taxpayers are employed on the jobs. The City Attorney explained that under the State laws the City's contracts must be awarded to the low bidder unless there is some justification for not so awarding to the said bidder. Mr. James F. Henderson of the Trade Council asked if there was a law prohibiting the City from including in contract specifications that only local labor must be used? The City Attorney stated he was of the opinion there is no such law but could not give a definite answer at this time. Councilman Boyd requested that the City Attorney investigate the matter and advise the Council, and if it is permissible under the law, that in the future all City contracts specify that local labor must be used.

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CONSIDERATION OF REQUEST OF LEE HEATH FOR APPROVAL OF TWO PROPOSED PLANS FOR DEVELOPMENT OF PROPERTY ON VERNON DRIVE DEFERRED UNTIL NEXT COUNCIL MEETING.

Mr. Lee Heath appeared before Council and stated he wishes to develop his property on Vernon Drive through the construction of houses, having sometime ago been refused a permit to erect apartments on the property due to existing zoning regulations. He stated that he feels it is proper and good-business to clear the matter through the Council before beginning the development, altho the plan has been cleared through the Building Inspection Department on plan #1, under which ten houses will be constructed. Mr. H. N. Sutton, City Building Inspector, was present and stated that building permits may be issued for the proposed construction of the ten houses. Mr. Heath stated that his plan #2 is a circular plan and will have to be approved by the Planning Board. He requested Council approval of Plan #1 outright and also of Plan #2 subject to approval of the Planning Board.

Mr. John Small, Attorney, representing property owners in the area, was present, and stated that the objection of his clients is to the type of houses to be constructed and also to placing ten houses on six lots, if that is what Mr. Heath contemplates doing. He insisted that it was not proper that the Council consider the matter, that it is a matter for the Building Inspector, Planning Board and Zoning Commission. He urged that any action by the Council be deferred and he be given a set of each of the proposed Plans in order that he may study them. Following the discussion, Councilman Boyd moved that the matter be deferred for one week and the plans be passed on at that time. The motion was seconded by Councilman Coddington, and unanimously carried.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MARCH 4TH ON CHANGE IN ZONING AT SOUTHEAST CORNER OF SHORTER AVE., AND SOUTH INDEPENDENCE BOULEVARD.

Ordinance No. 173, to Amend the Zoning Ordinance, to change the Building Zone Map from R-2 to B-1 on two lots at the southeast corner of Shorter Avenue and South Independence Boulevard, was introduced and read. Following which, a resolution Providing for a Public Hearing on March 4th on the proposed ordinance was introduced and read. Councilman Boyd moved the adoption of the resolution, which was seconded by Councilman Baxter, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 56.

CITY MANAGER REQUESTED TO PROVIDE COST ESTIMATE OF OPENING HAMPTON AVENUE TO PROVIDENCE ROAD, FROM ITS INTERSECTION WITH HANSON DRIVE.

Mr. Larry Thomason appeared before Council and requested that Hampton Avenue be opened to Providence Road from its intersection with Hanson Drive, to provide an outlet to residents. Councilman Baxter stated that both Hampton Avenue and Hanson Drive are dead-end streets at this intersection. He moved that the City Manager secure a cost estimate of opening the street to Providence Road. The motion was seconded by Councilman Coddington, and unanimously carried.

CONTRACTS FOR CONSTRUCTION OF WATER MAINS AUTHORIZED WITH BARNES & ROSS, ERVIN CONSTRUCTION COMPANY AND GRINNELL COMPANY.

Upon motion of Councilman Boyd, seconded by Councilman Baxter, and unanimously carried, contracts for the construction of water mains were authorized as follows:

- (a) Contract with Barnes & Ross, Inc., for 1,900 ft. of water main and one fire hydrant in Greenbriar Hills Subdivision, outside the city limits, at an estimated cost of \$5,620.00, to serve residential property. All costs to be borne by the Applicant, who will dedicate said mains to the City upon completion.

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- (b) Contract with Ervin Construction Company, for 9,730 ft. of main and 7 hydrants, in Beachwood Acres, outside the city limits, at an estimated cost of \$27,000.00, to serve 175 residential lots. All costs to be borne by the Applicant, who will own mains until territory is incorporated into the City.
- (c) Contract with Ervin Construction Company, for 2,535 ft. of main and one hydrant in Beechwood Acres, inside the city limits, at an estimated cost of \$7,250.00, to serve 17 residential lots. All cost to be borne by the City, and applicant will guarantee a gross annual revenue equal to 10% of said cost.
- (d) Contract with Grinnell Company, for 380 ft. of main in N. Davidson Street, inside the city limits, at an estimated cost of \$1,545.00, to provide fire protection to the Sears Roebuck Company's Warehouse. The applicant to finance all costs, who will be reimbursed the total amount if and when the revenue derived from the main equals 5% of the cost for a 12-months continuous period.

CONTRACT AWARDED DEWEY BROTHERS, INC. FOR MANHOLE RINGS AND COVERS.

Motion was made by Councilman Boyd, seconded by Councilman Baxter, and unanimously carried, awarding contract to Dewey Brothers, Inc., for 150 Manhole Rings and Covers, machined, as specified, on a unit price basis, representing a total price of \$3,750.00 less cash discount of \$37.50.

SUPPLEMENTARY CONTRACT AUTHORIZED WITH BLYTHE BROS. COMPANY FOR IMPROVEMENTS TO STONEWALL STREET.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter and unanimously carried, a Supplementary Contract to contract dated August 20, 1952, for improvements to Stonewall Street, was authorized with Blythe Bros. Company for additional pavement replacements at street intersections, on a unit price basis, representing an amount of \$6,579.00.

CONSTRUCTION OF DRIVEWAY ENTRANCES APPROVED.

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

- (a) Two 35-ft. entrances at 2920 Independence Boulevard.
- (b) Three 30-ft. entrances on Harding Place, and One 30-ft. and one 16.5 ft. entrances on E. Morehead Street, all for 1500 Harding Place.
- (c) Two 35-ft. entrances at 2815 Selwyn Avenue.
- (d) One 20-ft. and One 18-ft. entrance for 1200 N. Tryon St.

TRANSFER OF CEMETERY LOT.

Councilman Boyd moved that the Mayor and City Clerk be authorized to execute a deed for the transfer of Lot 158, in Section Y, Elmwood Cemetery to Mr. J. A. Parker and wife, from Mrs. Sue Guy Johnston, at a cost of \$1.00 for the transfer. The motion was seconded by Councilman Coddington, and unanimously carried.

PURCHASE OF RIGHT-OF-WAY FROM PIEDMONT & NORTHERN RAILWAY COMPANY FOR OPENING OF WEST FIFTH STREET.

Councilman Baxter moved that the City Manager be authorized to purchase a strip of land between Irwin Creek and Andrill Terrace from the Piedmont & Northern Railway Company as a right-of-way for the opening of West Fifth Street, at a price of \$3,000.00. The motion was seconded by Councilman Dellinger, and unanimously carried.

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REPORT ON REQUEST THAT ENTRANCES TO HOUSES ON STONEWALL STREET BE PROVIDED BY THE CITY.

Mr. Yancey, City Manager, advised that he had investigated the request by residents of Stonewall Street that entrances be provided to their houses affected by the widening of the street. That an alley could not be opened without seriously damaging the adjacent property. Also, that with the exception of two tenant houses, the owners have provided steps as an entrance to their houses.

RESOLUTION AUTHORIZING CITY MANAGER TO MAKE JOB CLASSIFICATION OF CITY EMPLOYEES.

Councilman Boyd introduced a resolution Authorizing the City Manager to Make a Job Classification of City Employees and following the reading thereof, moved its adoption. The motion was seconded by Councilman Goddington, and the resolution was unanimously adopted. The resolution is recorded in full in Resolutions Book 2, at Page 57.

ADJOURNMENT.

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

Lillian P. Hoffman
City Clerk