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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, April 14, 1954, at 11 o'clock, a. m., with Mayor Van Every presiding, and Councilmen Albea, Baxter, Brown, Dellinger, Smith and Wilkinson present.

Absent: Councilman Boyd.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, the minutes of the last meeting on April 7th were approved as submitted.

PETITION THAT COUNTRY CLUB DRIVE NOT BE EXTENDED BEYOND ITS PRESENT DEAD-END AT A TWO-FOOT RESERVED STRIP OF LAND ON MAP OF SAID STREET.

Mr. W. T. Covington, Jr., attorney, representing the property owners on Country Club Drive, stated that on last Saturday The Charlotte Observer carried an article enumerating various things the Charlotte School Board will ask the Council to do, one of which was to extend the westerly portion of Country Club Drive, across Briar Creek to the new School. That the owners of the property on Country Club Drive desire that it remain as it is. He filed a petition opposing the extension, and stated there are two sides to the question, and these property owners would like to be heard. He requested that action be reserved on the question until the owners are heard.

Mr. Yancey, City Manager, stated that resolutions contained the requests of the School Board have been received in his office and he is having cost estimates prepared by the Engineering Department before presenting them to the Council.

REQUEST OF RALPH FLEMING TO PLACE IRON SAFE, WITH ROOF COVERING, ON SIDEWALK AT SQUARE FOR DEPOSIT OF MEMBERSHIP FEES TO CHARLOTTE ZOOLOGICAL SOCIETY REFERRED TO CITY MANAGER, CITY ENGINEER AND CAPTAIN OF TRAFFIC DIVISION OF POLICE DEPARTMENT.

Mr. Ralph Fleming, Promoter of a Zoo, requested permission to place an Iron Safe on the sidewalk at The Square for the deposit of membership fees in the Charlotte Zoological Society. He advised that the Safe is 7-ft. high by 5 ft. wide, with slots or openings in each side for the deposits, which will be made in envelopes furnished by the Society. He stated further that a roof, with the proper wooden supports, will be constructed over the Safe to protect it from the weather. Mr. Fleming advised that he has contacted Captain Henkel of the Traffic Division of the Police Department and Mr. Richey, City Engineer, who stated they had no objections.

The question was asked Mr. Fleming as to the length of time he wished the Safe to remain in this location, and he replied for 24-hours a day.

Councilman Smith moved that Mr. Yancey confer with the City Engineer and Captain Henkel and decide on the request in a manner satisfactory to these gentlemen and himself. The motion was seconded by Councilman Wilkinson, and unanimously carried.

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REQUEST FOR DECISION OF COUNCIL AS TO IMPROVEMENTS ON GARNET PLACE.

Mrs. Bertha Alexander, 1942 Garnet Place, appeared before Council for Mr. Joe McMullan, who had previously requested that improvements be made to Garnet Place. The Mayor advised that no decision has been reached in the matter as the Council wishes to look at the condition of the street, and stated after this is done he will advise Mr. McMullan by letter what the City can do.

RESOLUTION ADOPTED PROVIDING FOR A PUBLIC HEARING ON MAY 5TH ON AMENDMENT TO THE ZONING ORDINANCE RELATIVE TO "SIDE YEARD" DEFINITION RELATING TO CARPORTS.

Following the introduction of an ordinance entitled: "Ordinance No. 207 Amending the Zoning Ordinance" by adding to the definition of "Side Yards" with respect to carports, a resolution was presented and read entitled: "Resolution Providing for a Public Hearing on May 5th On the Amendment to the Zoning Ordinance". Councilman Smith moved the adoption of the resolution, which was seconded by Councilman Brown and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 186.

RESOLUTION ADOPTED PROVIDING FOR A PUBLIC HEARING ON MAY 5TH ON AMENDMENT TO THE ZONING ORDINANCE TO CHANGE ZONING ON LOT AT WEST BOULEVARD & SOUTH TRYON STREET.

An ordinance entitled: "Ordinance No. 208 Amending the Zoning Ordinance" by changing the Building Zone Map from R-2 to B-1 on a lot at the intersection of West Boulevard and South Tryon Street, was introduced and read. Following which, a resolution entitled: "Resolution Providing for a Public Hearing on May 5th on the Amendment to the Zoning Ordinance" was presented and read. Councilman Dellinger 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 187.

RESOLUTION FIXING DATE OF HEARING ON MAY 12, 1954, ON PETITION OF CHARLES L. HOOD AND WIFE, WILLIAM C. THOMAS AND WIFE, AND SHAMROCK GARDENS, INC. FOR THE ANNEXATION OF 7.87 ACRE TRACT OF LAND IN CRAB ORCHARD TOWNSHIP.

The following petition for the annexation to the City of Charlotte of approximately 7.87 acres of property located on Eastway Circle, in Crab Orchard Township, and contiguous to the boundary of Charlotte, was introduced and read:

"PETITION FOR ANNEXATION OF CERTAIN  
PROPERTY TO THE CITY OF CHARLOTTE.

TO THE HONORABLE MAYOR AND  
CITY COUNCIL OF THE CITY OF CHARLOTTE:

Pursuant to the provisions of Chapter 725, Section 8, of the 1947 Public Session Laws of the General Assembly of North Carolina, we, the undersigned, do petition for annexation of the property hereinafter described to the City of Charlotte, and do show as follows:

1. That the property sought to be annexed to the City of Charlotte, and thereby to be within the boundaries of the said City, is in Crab Orchard Township, particularly described as follows:

BEGINNING at the intersection of the present city limits with the Westerly line of the M. P. Bowles property, said point of intersection being N 56-09-20 W 225 feet, more or less, from the center line of Shamrock Drive, and running thence with the present city lines: (1) N 56-09-20 W 424.07 feet; (2) N 55-01-40 E 199.51 feet; (3) N 23-56-30 W 51.13 feet; (4) N 2-48 W 82.77 feet; (5) N 24-41 E 85 feet; (6) N 39-29 E 134.14 feet; (7) N 68-26-30 E 19 feet; and (8) N 5-50 E 45.08 feet to the Northerly line of Eastway Circle; thence with the Northerly lines of Eastway Circle: (1) N 78-49 E 100 feet;

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(2) S 76-54-30 E 153.87 feet; (3) S 86-48-30 E 117.03 feet; and (4) S 86-50 E 240.59 feet to a stake; thence S 3-10 W 40 feet to a stake in the Southerly line of Eastway Circle, said stake being 261.85 feet, measured along the said line, in a Westerly direction from its intersection with the center line of Shamrock Drive; thence S 37-19-30 W 654.14 feet to a stake in the Northerly line of Eastway Circle, which stake is 226.60 feet, measured along the said line, in a Westerly direction from its intersection with the center line of Shamrock Drive; thence S 84-12 W 70.44 feet to a stake in the Southerly line of Eastway Circle, M. P. Bowles' corner; thence with his line S 30-56 W 128.34 feet to the Beginning - Containing 7.87 Acres, more or less, and being portions of Lots 29, 30, 31, and 32 in Block 5 of Shamrock Gardens as shown on map recorded in Map Book 6, Page 655; portions of Lots 33 and 34 in Block 5 of Shamrock Gardens as shown on map recorded in Book 1580, Page 541; all of Lots 1-20, inclusive, in Block A of a portion of Shamrock Gardens as shown on map recorded in Map Book 7, Page 115; and a lot owned by William C. Thomas and wife, Sylvia S. Thomas, also shown on said last named map.

2. That the undersigned comprise all of the owners of all of the property described above and sought to be annexed to the City of Charlotte,

WHEREFORE, the petitioners pray that notice be given as provided by Section 1, Chapter 725, of the 1947 Public Session Laws of the General Assembly of North Carolina, and that an Ordinance be adopted at a Session of the City Council of the City of Charlotte called for that purpose extending the corporate limits of the City of Charlotte by annexing thereto the property described in this petition as therein provided.

This the 31st day of March, 1954.

WITNESS:

<u>Russell Cannaday</u>	<u>Charles L. Hood</u> (SEAL)
<u>Russell Cannaday</u>	<u>Lillian B. Hood</u> (SEAL)
<u>Elenda R. Witherspoon</u>	<u>William C. Thomas</u> (SEAL)
<u>Elenda R. Witherspoon</u>	<u>Sylvia S. Thomas</u> (SEAL)

ATTEST

SHAMROCK GARDENS, INC.

Elva S. Cannaday  
Secretary.

BY: Russell Cannaday  
President.

I do hereby certify that I have examined the records of Mecklenburg County and that Charles L. Hood and wife, Lillian B. Hood; William C. Thomas and wife, Sylvia S. Thomas; and Shamrock Gardens, Inc., constitute all of the owners of the property described in the foregoing petition.

I do hereby certify that the property described in the foregoing petition is contiguous to the present corporate limit boundary of the City of Charlotte.

Loyd G. Richey  
City Engineer "

JOHN JAMES

BY: John James

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Following which a resolution entitled: "Resolution Authorizing the Publication of Notice that the City Council will consider the Annexation of Certain Property in Crab Orchard Township to the City of Charlotte" on the 12th day of May, 1954, was introduced and read. Councilman Smith 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 188.

RESOLUTIONS CALLING SPECIAL ELECTION ON MAY 18, 1954, IN THE CHARLOTTE ADMINISTRATIVE SCHOOL UNIT ON THE QUESTION OF THE LEVY OF A TAX FOR THE CHARLOTTE COMMUNITY COLLEGE SYSTEM, AND ORDERING A NEW REGISTRATION OF VOTERS FOR THE PURPOSE OF SAID ELECTION, AT REQUEST OF BOARD OF SCHOOL COMMISSIONERS.

The following request from the Board of School Commissioners was presented and read:

"RESOLUTION

Whereas, at a meeting of the Board of School Commissioners of the City of Charlotte held on the 5th day of March, 1954, a resolution was duly adopted requesting the City Council of the City of Charlotte to call an election within the City of Charlotte on the question of levying a tax of two-cents on the \$100.00 valuation of taxable property for the support of the Charlotte Community College System, and requesting the State Board of Education to approve the calling and holding of said election; and

Whereas, this Board has been advised by the Attorney General of North Carolina that such election should be held within the Charlotte Administrative School Unit, embracing an area extending beyond the corporate limits of the City of Charlotte, and that to that end the Board of County Commissioners of Mecklenburg County should be requested to join with the City Council of the City of Charlotte in calling said election and providing the machinery therefor as prescribed by GS 115-188.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council of the City of Charlotte and the Board of County Commissioners of Mecklenburg County be, and they hereby are, requested to approve the calling and holding of a special election within the Charlotte Administrative School Unit to submit to the voters who may qualify to vote in said election the question of levying a tax within said administrative unit not exceeding two-cents on the \$100.00 valuation of taxable property for the maintenance and support of the community college system within said administrative unit heretofore established in accordance with the provisions of Chapter 786, Session Laws of 1949, and that the City Council of the City of Charlotte and Board of County Commissioners of Mecklenburg County be, and they hereby are, further requested to join in calling an election for such purpose, appoint the judges and registrars and otherwise provide the machinery for said election as prescribed by GS 115-188. It is further requested that, if deemed practicable, May 18, 1954 be set as the date for said election.

2. That the State Board of Education be, and it hereby is, requested to give its approval to the calling and holding of said election.

3. That the Mecklenburg County Board of Elections be, and it hereby is, requested to hold an election for the aforesaid purpose at the time and in such manner as may be prescribed in any call for such an election made by the City Council of the City of Charlotte and the Board of County Commissioners of Mecklenburg County.

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Mr. Christian moved that the foregoing resolution be adopted, motion seconded by Mr. Horack, and the vote was as follows:

YES: Mr. Christian, Mr. Horack, Mr. Hobson, Mr. Roberts,  
Mrs. Bellows

NO: None "

Councilman Albea moved that the action of the City Council on March 10, 1954, be rescinded calling the Special Election on May 5, 1954, at the request of the Board of School Commissioners, in view of the foregoing subsequent request that the said election be held on May 18, 1954, instead of on May 5th. The motion was seconded by Councilman Smith, and unanimously carried.

A resolution entitled; "Resolution Calling a Special Election In the Charlotte Administrative School Unit on the Question of the Levy of a Tax for the Community College System" was introduced and read.

Following which a resolution entitled; "Resolution Calling a Special Election Within the Charlotte Administrative School Unit to vote on the Levy of a Tax for the Community College System, and Ordering a New Registration of Voters for the Purpose of said Election" was introduced and read.

Following which the "Notice of Special Election and the New Registration for Vote on the Question of the Levy of a Tax for the Support of the Community College System in the Charlotte Administrative School Unit", to be published in The Charlotte News, was presented and read.

Councilman Albea moved the adoption of the foregoing resolutions. The motion to adopt said resolutions was seconded by Councilman Smith, and upon roll call the vote was as follows:

YEAS: Councilmen Albea, Baxter, Brown, Dellinger, Smith  
and Wilkinson.

NAYS: None.

INCREASE OF TWO IN PERSONNEL OF POLICE DEPARTMENT FOR YOUTH BUREAU DUTY AUTHORIZED.

Upon motion of Councilman Brown, seconded by Councilman Smith, and unanimously carried, the Council authorized an increase of two in the personnel of the Police Department to provide additional help in the Youth Bureau, as recommended by the Police Study Committee, with the salaries to be the same as that of starting patrolmen, to be paid from the existing salary account during the current fiscal year.

CONTRACT AUTHORIZED WITH SOUTHERN RAILWAY COMPANY FOR INSTALLATION OF WATER MAIN UNDER TRACKS AT McCALL STREET.

Councilman Brown moved that contract be authorized with the Southern Railway Company for the installation of a 42-inch water main under their tracks at McCall Street. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAIN AND TRUNK AUTHORIZED IN WENDOVER HILLS.

Motion was made by Councilman Albea, seconded by Councilman Brown, and unanimously carried, authorizing the construction of 660-feet of sanitary sewer main and trunk in Wendover Hills, at an estimated cost of \$2,250.00, to serve 10 vacant lots. All costs to be borne by the City and applicant's deposit of \$2,250.00 to be refunded as per terms of the contract.

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PURCHASE OF RIGHT-OF-WAY FROM M. C. KING AND WIFE, FOR IMPROVEMENTS TO TUCKASEEGEE ROAD.

Upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, the purchase of right-of-way for improvements to Tuckaseege Road, from Mr. M. C. King and wife, at a price of \$1,500.00 was authorized.

CONTRACT AWARDED CREIGHTON SHIRT COMPANY, INC. FOR SHIRTS FOR FIRE DEPARTMENT.

Councilman Brown moved that contract be awarded Creighton Shirt Company, Inc., for 706 blue and 192 white Shirts, as specified, for the Fire Department, at a net delivered price of \$2,307.86. The motion was seconded by Councilman Smith, and unanimously carried.

CONTRACT AWARDED CREIGHTON SHIRT COMPANY, INC. FOR SHIRTS FOR POLICE DEPARTMENT.

Motion was made by Councilman Brown, seconded by Councilman Smith, and unanimously carried, awarding contract to Creighton Shirt Company, Inc., for 608 grey and 60 white Shirts, as specified, for the Police Department, at a net delivered price of \$1,838.36.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO TRAFFIC ENGINEERING DEPARTMENT FOR TRAFFIC SIGNAL AT CALVERT AND WEST MOREHEAD STREETS.

Upon motion of Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, the transfer of \$1,450.00 was approved from the Emergency Fund (Code 110) to the Traffic Engineering Department, Capital Outlay Account (Code 1518) for the purchase of various items of equipment for the installation of the Traffic Signal at the intersection of Calvert and West Morehead Streets.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) Two 30-ft. driveways at 2133 South Boulevard.
- (b) One 25-ft. and One 27-ft. driveway at 3215 Plaza Road.
- (c) One 30-ft. driveway at 224 West 3rd Street.

RENEWAL OF SPECIAL OFFICER PERMITS TO HENRY O. GREEN, THOMAS TANNER AND T. P. FOWLER ON PREMISES OF SOUTHERN BELL TELEPHONE COMPANY.

Councilman Dellinger moved approval of the renewal of Special Officer Permits to Henry O. Green, Thomas Tanner and T. P. Fowler for use on the premises of Southern Bell Telephone Company. The motion was seconded by Councilman Wilkinson, and unanimously carried.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed to Merle J. Mills for Graves #4 and #5 in Lot 114, Section 3, Evergreen Cemetery, at \$52.00.
- (b) Deed to Mrs. Dorothy A. Gardner, for Lot 201, in Section 4-A, Evergreen Cemetery, at \$81.90.
- (c) Deed to Mrs. J. L. Houston, for Perpetual Care on lot 46, in Section "R", Elmwood Cemetery, at \$144.00.
- (d) Deed to R. W. Drye and wife, for north-half of Lot 8, in Section K, Ninth Street Pinewood Cemetery, at \$72.00.

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PURCHASE OF RIGHT-OF-WAY FOR WIDENING OF SOUTH CALDWELL STREET FROM RAYMOND CRAWFORD AND WIFE.

Councilman Dellinger moved approval of the purchase of a strip of land along the southeasterly margin of South Caldwell Street for the widening of the street from Raymond Crawford and wife, Geneva Crawford, at a price of \$2,378.20, as recommended by the City Manager. The motion was seconded by Councilman Smith, and unanimously carried.

CONTRACT AWARDED MECKLENBURG FURNITURE COMPANY FOR FURNITURE AND FURNISHINGS FOR AIRPORT TERMINAL BUILDING.

Mr. Yancey, City Manager, recommended the award of contract for furniture and furnishings for the Airport Terminal Building to the second lowest bidder, Mecklenburg Furniture Company, at a price of \$11,516.02. He advised that the equipment samples submitted by the low bidder, Fowlers, Inc. were not deemed suitable in this building, therefore the lowest bid meeting the specifications was recommended. Councilman Albea moved the award of contract to Mecklenburg Furniture Company, at a bid price of \$11,516.02, as recommended. The motion was seconded by Councilman Wilkinson, and unanimously carried.

Mr. Joe Hutchinson, representative of Fowlers, Inc., advised that he could not understand the award when their bid was \$3,600.00 lower than than of Mecklenburg Furniture Company. He advised that he had discussed the matter of the chairs submitted with Mr. Walter Hook, Architect for the Building, and submitted another sample chair this morning.

The City Manager presented a letter from Mr. Hook, in which he stated the bid submitted by Fowlers, Inc., is not in keeping with the requirements of the specifications as to design and quality and the samples submitted did not indicate compliance with the specifications. That the proposal of Mecklenburg Furniture Company is the lowest and best bid, in the sum of \$11,516.02, and consequently it is his recommendation that the contract be awarded this firm.

TRAFFIC COUNT AT INTERSECTION OF WEST ELEVENTH AND NORTH PINE STREETS REQUESTED.

Councilman Dellinger requested that a traffic count be made at the intersection of West Eleventh and North Pine Streets. The City Manager advised that he would have this made by the Traffic Engineering Department.

OFF-STREET PARKING ORDINANCE AND REQUEST OF PLANNING BOARD RELATIVE TO FULL-TIME PROFESSIONAL STAFF, REQUESTED STUDIED AND CONSIDERED AT NEXT COUNCIL MEETING.

Councilman Baxter requested the Council to study the proposed Off-Street Parking Ordinance during the coming week, and that it, together with the request of the Planning Board for a full-time professional staff be docketed for consideration at the next Council Meeting.

INSTALLATION OF TRAFFIC SIGNAL AT PROVIDENCE ROAD AND FENTON PLACE AUTHORIZED.

Councilman Baxter advised that a traffic hazard exists on Providence Road due to the congestion of traffic at and near Fenton Place, and he moved that a traffic signal be installed at Providence Road and Fenton Place. The motion was seconded by Councilman Smith, and unanimously carried.

ADJOURNMENT.

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

*Lillian R. Haysman*  
City Clerk