

February 29, 1956  
Minute Book 36 - Page 261

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber of the City Hall, on Wednesday, February 29, 1956, at 4 o'clock p.m., with Mayor Van Every presiding and Council members Albea, Baxter, Dellinger, Evans, Smith and Wilkinson being present.

Absent: Councilman Brown.

-----

INVOCATION.

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

MINUTES APPROVED.

Upon motion of Councilwoman Evans, seconded by Councilman Baxter, and unanimously carried, the Minutes of the last meeting on February 15th were approved as submitted.

ORDINANCE NO. 293 TO REGULATE THE SUBDIVISION OF LAND IN THE CITY OF CHARLOTTE AND THE CHARLOTTE PERIMETER AREA, ADOPTED.

At the continued hearing relative to Ordinance No. 293 To Regulate the Subdivision of Land in the City of Charlotte and the Charlotte Perimeter Area, Mr. Frank McCleneghan, of the Bar Association Committee to study the provisions of the ordinance, stated at the last meeting of the Council he asked that the ordinance be held open for the further study of the Committee; that they met with Mr. McIntyre, Planning Commission Director, and he understands that some of their suggestions have been included in the ordinance. Councilman Smith moved the adoption of the ordinance, which was seconded by Councilman Albea, and unanimously carried.

A representative of the Home Builders Association stated it has been a pleasure to work with the Planning Commission on the ordinance.

Mr. Spencer Bell, Chairman of the Planning Commission, expressed the appreciation of the Commission to the Attorneys and Home Builders for their suggestions.

REQUEST OF RESIDENTS FOR OPENING OF PIERCE STREET FROM WAVERLY AVENUE TO LATTA PARK DEFERRED FOR TWO WEEKS ON REQUEST OF FRED HELMS, ATTORNEY REPRESENTING MRS. R. D. HOWERTON, 1432 WAVERLY AVENUE.

Mr. Fred Helms, Attorney, stated he was appearing with regard to the requested extension of Pierce Street from Waverly Avenue to Latta Park, at the request of Mrs. R. D. Howerton, whose residence is located at 1432 Waverly Avenue, which is next to the segment of Pierce Street proposed to be opened. He advised that Mrs. Howerton has resided at this address for a number of years; that she is a widow and formerly taught at Ashley Park School and is now on a leave of absence and is teaching in the Armed Service School in Germany. That he had a letter from her today from Germany, stating she had seen in the newspaper that the extension of Pierce Street has been proposed and she is concerned about how it will affect her property, and asking that he look into the matter and advise her. Mr. Helms asked that action on the requested opening of the street be deferred for 30 days until he can communicate with Mrs. Howerton. He stated he has looked over the site and feels that it could seriously affect Mrs. Howerton's property.

Mr. J. J. DeLaney, speaking for the petitioners for the street extension, stated they did not know Mrs. Howerton's address or they would have contacted her about the proposal. That there is a vacant lot between her property and the Pierce Street opening and the grading will not affect her lot. That 30 days is an unreasonable time to delay the matter. That they propose to spend \$10,000.00 of their own money, if the Council will go along with them, for the development of the Park to be used by everyone for recreational purposes, not just for their own group. That they think in

so making the Park usable, that they should have the extension of the street; that they are merely asking that the land be put to the use for which it was dedicated.

Mayor Van Every stated the petitioners have come before the Council several times and he feels that they should be heard if they desire it. Mr. Helms stated he will not say he represents the opposition, as he does not know what Mrs. Howerton's wishes are in the matter, therefore, he cannot today present her views on the subject.

Councilman Dellinger moved that consideration of the proposal be deferred for two weeks, which was seconded by Councilman Albea, and unanimously carried.

PROPOSAL OF STATE HIGHWAY & PUBLIC WORKS FOR WIDENING PARK ROAD ACCEPTED AS OUTLINED IN THEIR LETTER TO CITY MANAGER DATED FEBRUARY 6, 1956, AND \$100,000 APPROPRIATED FROM BOND FUND FOR DEFRAYING THE CITY'S PORTION OF THE COST OF THE WIDENING.

Mr. W. F. Haake, 1125 Princeton Avenue, appeared before Council representing a group of citizens who reside off of Park Road, who oppose the widening to a width of 45 feet as now proposed. He stated they feel it is imperative that the street be widened to a width of 60 feet with an island in the center so that school children may cross in safety, as was first proposed by the Highway Commission. He stated there are five schools in the area and children must cross Park Road enroute to these schools. He stated he had talked with Mr. Hardison of the Highway Commission on Sunday night and he stated they now planned to widening the street 45 feet without an island but that he is willing to go along with the City and the Engineers in whatever they decide. Mr. Haake stated it appears to be that the residents residing on Park Road do not want the 60 foot width so that they may save the trees, while to him the life and safety of his child is worth more than a tree.

Councilwoman Evans asked if Mr. Haake did not think a 45 foot roadway with traffic lights would aid their problem, and Mr. Haake replied it would aid it but not solve it. That Park Road is a speedway and the Traffic Officers clock drivers at 60 miles an hour every day.

He stated further that the residents would get up a petition asking for the 45 foot width with divider and he asked that the matter be continued until they had sufficient time to have the petition signed.

Mr. M. W. Peterson, 3521 Park Road, expressed his appreciation to the Council for the widening of Park Road, and stated they feel that children will be safer with a 45 foot street with sidewalks and if the street had been widened to 60 feet with an island there would not have been any sidewalks until the City bought the land for it. Councilman Dellinger asked if he meant that the property owners on Park Road intend to put down sidewalks? Mr. Peterson replied they are talking about it. Councilman Baxter stated that we do not have any islands on four lane roads, only on those that are six lanes, and Park Road will be as safe as Providence Road.

Councilman Baxter moved that the Council accept the proposal of the State Highway Commission for the widening of Park Road as outlined in Mr. Hardison's letter to the City Manager under date of February 6, 1956, and that \$100,000 be appropriated from the Street Bond Fund for defraying the City's portion of the cost of the work. The motion was seconded by Councilman Wilkinson, and unanimously carried.

Mr. Paul Younts expressed his appreciation to the Council for bringing about the widening of Park Road on which he is constructing the Park Road Shopping Center.

February 29, 1956  
Minute Book 36 - Page 263

REQUEST FOR APPOINTMENT OF COMMITTEE TO STUDY THE CAUSE OF CRIME IN CHARLOTTE TAKEN UNDER ADVISEMENT.

Mr. Bernard T. Walker stated he has noted in The Charlotte Observer that \$50,000 in damage is annually done by vandals to the Parks of Charlotte. That he feels the matter of crime in Charlotte has gotten to where it demands that some action be taken to find the source and he feels that a Vice Campaign should be instituted. He suggested that the Council appoint a Committee to study intelligently the matter of crime and that the Ministerial Association be appealed to for their cooperation. He stated further there are boys walking our streets daily for no good purpose.

Mayor Van Every stated he felt Mr. Walker was condemning a lot of our citizens. That the particular vandals referred to in the newspaper article have been tried and sentenced. That we have a very fine Youth Program. That our law enforcement agencies are doing an outstanding job in Charlotte and we are recognized as doing an excellent job. That we have had crime since the beginning of time and have laws to protect our citizens from crime, and we will continue to do everything in our power to lessen crime in Charlotte. He recommended that the Council take Mr. Walker's suggestions under consideration.

Councilman Baxter moved that the Council thank Mr. Walker for his recommendations and take them under advisement. The motion was seconded by Councilman Dellinger, and unanimously carried.

REQUEST OF DR. NATHANIEL TROSS FOR COOPERATION IN HIS EFFORT TO PLACE IN APPROPRIATE PLACE AN ARTICLE LIFTED FROM THE CHARLOTTE POST TO THE MEMORY OF MR. CLARENCE O. KUESTER.

Dr. Nathaniel Tross appeared before Council and stated he wished to bring to the attention of the Council a matter they tried to implement some two years ago. That the matter of crime came up many years ago and it was rampant here and the negroes were charged with 85% of the homicides, and there were no negro policemen. That an effort was made to study the situation and find its cause; that Mr. S. A. Van Every sent for him and stated he would partly finance a Crusade if Dr. Tross would undertake it. He stated he did so and asked that negro policemen be appointed, which was done, and crime was reduced from 85% to 35%. That with the Crusade there was one gentleman, Mr. Clarence O. Kuester, who worked with them and lent every effort towards the reduction of crime and who published their findings. That since the death of Mr. Kuester there have been many movements to keep warm his memory. Dr. Tross stated he is appearing today to ask for the cooperate interest of the Council in his effort to publish in The Charlotte Post not later than the 12th or 22nd a Memorial to Mr. Kuester and he asked that it be lifted from The Post and placed in an appropriate place in the City of Charlotte, as an undying memorial to this man who worked so hard and so willingly for Charlotte.

CONTRACT AWARDED J. A. JONES CONSTRUCTION COMPANY FOR THE GENERAL CONSTRUCTION OF ALTERATIONS AND ADDITIONS TO THE AIRPORT TERMINAL BUILDING AND TO AUSTIN ELECTRIC COMPANY FOR THE ELECTRICAL WORK THEREON.

Councilman Baxter moved that contract be awarded the low bidder, J. A. Jones Construction Company for the general construction of the alterations and additions to the Airport Terminal Building at his bid price of \$7,340.00, and that contract be awarded Austin Electric Company for the electrical work on the Building, at his bid price of \$3,084.00. The motion was seconded by Councilman Albea, and unanimously carried.

ORDINANCE NO. 301 AMENDING THE BUILDING CODE OF THE CITY OF CHARLOTTE WITH RESPECT TO MARQUEES.

An ordinance entitled: "Ordinance No. 301 Amending the Building Code of the City of Charlotte with Respect to Marquees" was introduced and read by Councilman Dellinger, who moved its adoption. The motion was seconded by Councilman Baxter, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 22.

February 29, 1956  
Minute Book 36 - Page 264

RESOLUTION RELATIVE TO REQUESTING FEDERAL COMMUNICATIONS COMMISSION TO ASSIGN AVAILABLE TELEVISION CHANNEL PRIVILEGES TO COMPETENT OPERATOR IN CHARLOTTE WITH DUE DISPATCH.

A resolution entitled: "Resolution Relative to Requesting Federal Communications Commission to Assign Available Television Channel Privileges to Competent Operator in Charlotte with Due Dispatch" was introduced and read by Councilman Smith, who moved its adoption. The motion was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 395.

Mayor Van Every commented that we certainly need another Television Station badly.

TRAFFIC SURVEY OF INTERSECTION OF CENTRAL AVENUE AND MORNINGSIDE DRIVE REQUESTED TO DETERMINE NEED FOR ERECTION OF TRAFFIC SIGNAL.

Councilwoman Evans moved that a survey be made of the traffic at the intersection of Central Avenue and Morningside Drive to determine the apparent need for the erection of a traffic signal at this location. The motion was seconded by Councilman Albea and unanimously carried.

COUNCIL CONFERENCE CALLED FOR TWO O'CLOCK P. M. WEDNESDAY MARCH 7TH TO DETERMINE PRIORITY OF STREETS TO BE IMPROVED.

Councilwoman Evans stated she is interested in the date the improvements will be made on Morningside Drive, as the preliminary surveys have been made and she sees no reason for further delay. That negotiations must be handled for rights-of-way on other streets before work can be commenced but the work on Morningside Drive can be begun immediately, and it is a main artery to our greatest civic project, the Auditorium-Coliseum and the improvement is badly needed.

Councilman Dellinger stated he felt the list of streets previously set up for improvements should be reviewed and a study be made of them all as streets are the life blood of the city and the street funds should be spent where it is needed the most. He suggested that the Council meet in the Mayor's office and discuss the matter.

Mayor Van Every stated he felt the work should be held down to the most urgent needs from an engineering standpoint.

It was decided that the Council would meet in the office of the Mayor at 2 o'clock on next Wednesday and discuss the street improvement program.

INVESTMENT OF \$1,000,000 IN U. S. TREASURY BILLS AUTHORIZED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the investment of \$1,000,000 in U. S. Treasury Bills was authorized.

PLAT OF AMITY GARDENS SUBDIVISION APPROVED.

Motion was made by Councilwoman Evans, seconded by Councilman Wilkinson, and unanimously carried, approving the Plat of Amity Gardens Subdivision, as recommended by the Planning Commission.

LOCATION OF CHEMICAL OFFICE AND LABORATORY AT 4000 MONROE ROAD IN INDUSTRIAL ZONE AUTHORIZED.

Councilman Albea moved approval of the request to locate a Chemical Office and Laboratory at 4000 Monroe Road in an Industrial Zone. The motion was seconded by Councilman Smith, and unanimously carried.

February 29, 1956  
Minute Book 36 - Page 265

#### CONSTRUCTION OF SANITARY SEWERS AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, the construction of new sanitary sewer mains and trunk sewers was authorized as follows:

- (a) Construction of 2,621 feet of mains and trunk sewer in Statesville Avenue Terrace, Isenhour St. & Justice Ave. at an estimated cost of \$5,885.00. All costs to be borne by the City.
- (b) Construction of 585 feet of sewer main in W. Second St. at an estimated cost of \$2,045.00. All costs to be borne by the City.
- (c) Construction of 2,001 feet of sewer main in Haverhill Dr., Blackthorne Lane & Belton St., at an estimated cost of \$5,430.00. All cost to be borne by the City and applicant's required deposit of \$3,430.00 to be refunded as per terms of the contract.

#### REMOVAL OF TREES FROM PLANTING STRIPS AUTHORIZED.

Mr. John D. Shaw, City Attorney, called attention to the Council that in approving the removal of trees they were going against the provisions of the Tree Ordinance. Mr. Yancey, City Manager, asked the City Attorney to show him the provision in the Ordinance that is contrary to the Council authorizing the removal of trees.

Mr. Shaw then read from the Tree Ordinance: "Sec. 3. For the purpose of carrying out the provisions of this chapter the City Tree Commission, under the direction of the City Manager, shall have exclusive jurisdiction, authority, control, supervision and direction over all trees and shrubs planted or growing in or upon the streets between the sidewalk and the curb line, public grounds and places within the City and the planting, removal, care, maintenance and protection thereof."

Mr. Yancey then asked who is the final authority as to whether trees may be removed? He stated the Application Form for the use of persons desiring changes in trees is now being printed and in the meanwhile he thinks we should go ahead with requests.

Councilman Dellinger moved that the requested removal of the trees be approved, as follows:

- (a) Removal of tree from planting strip at 901 Sunnyside Avenue, at request of A. M. Mills.
- (b) Removal of tree from planting strip at 1147 Berkley Avenue, at request of Cato Construction Company.

The motion was seconded by Councilman Baxter, and unanimously carried.

#### ERVIN CONSTRUCTION COMPANY AUTHORIZED TO CONNECT PRIVATE SANITARY SEWER MAIN AND TRUNK SEWER TO CITY'S SANITARY SEWERAGE SYSTEM.

Councilman Baxter moved that Ervin Construction Company be permitted to connect 10,565 feet of privately owned sanitary sewer main and trunk sewer in Amity Gardens Subdivision, to the City's Sanitary Sewerage System, upon condition that they comply with all laws, rules and regulations now in effect, or which may hereafter become effective relative to property similarly situated. The motion was seconded by Councilman Dellinger, and unanimously carried.

#### CONSTRUCTION OF DRIVEWAY ENTRANCES APPROVED.

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

- (a) One 9-ft. driveway entrance at 4756 Stafford Circle.
- (b) One 30-ft. driveway at 2035 South Boulevard.
- (c) One 24-ft. driveway at 4000 Monroe Road.
- (d) Two 35-ft. driveways on Hutchison Avenue and One 35-ft. driveway on Moretz Avenue, all for 2401 Hutchinson Avenue.
- (e) Two 35-ft. driveways on Remount Road and Two 35-ft. driveways on West Boulevard, all for 2725 Remount Road.
- (f) Two 35-ft. driveways on Central Avenue and One 35-ft. driveway on Lamar Avenue, all for 1224 Cental Avenue.
- (g) One 25-ft. driveway on South Boulevard and One 35-ft. and One 30-ft. driveway on Cleveland Avenue, all for 2041 South Boulevard.

February 29, 1956  
Minute Book 36 - Page 266

CONFIRMATION OF SALE OF PROPERTY ON NEWLAND ROAD TO CHARLOTTE SCHOOL COMMISSIONERS.

Councilman Smith moved that the sale of 11.968 acres of property on Newland Road, at public auction on February 6, 1956, to the high bidder, Charlotte School Commissioners at \$17,692.50 be confirmed. The motion was seconded by Councilman Baxter, and unanimously carried.

CONTRACTS FOR INSTALLATION OF WATER MAINS AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, authorizing contract for the installation of water mains, as follows:

- (a) Contract with Charlotte Lumber & Manufacturing Company for the installation of 227 feet of water main in South Tryon Street, to serve industrial property, at an estimated cost of \$840.00. The City to finance all costs and Applicant to guarantee a gross annual revenue equal to 10% of the total construction cost.
- (b) Supplementary Contract, to Contract dated March 23, 1955, with C. D. Spangler Construction Company, for the installation of 9,844 feet of additional water main and 9 hydrants in University Park, to serve residential property, at an estimated cost of \$24,700.00. The City to finance all costs and Applicant to guarantee a gross annual water revenue equal to 10% of the total cost.
- (c) Supplementary Contract, to Contract dated February 1, 1956 with J. A. Jones Construction Company, for the installation of 1,910 feet of water main and 3 hydrants, in Acres for Industry Subdivision, at an estimated cost of \$7,950.00. The Applicant to pay all costs and own the mains until the territory is taken into the City.

CONTRACT AWARDED FAUL & CRYMES, INC. FOR 400 PAIRS ICE SKATES.

Upon motion of Councilwoman Evans, seconded by Councilman Baxter, and unanimously carried, contract was awarded Faul & Crymes, Inc., for 150 pairs of Mens box-toe type ice skates, 150 pairs Ladies figure ice skates, 50 pairs of boys and 50 pairs of girls ice skates, all as specified, at a total price of \$3,381.50, subject to cash discount of \$67.63.

CONTRACT AWARDED GRAYBAR ELECTRIC COMPANY, INC., FOR CONDUCTOR CABLE.

Motion was made by Councilman Wilkinson, seconded by Councilman Smith, and unanimously carried, awarding contract to Graybar Electric Company, Inc. for 12,000 feet #14 solid, 7 conductor cable, in accordance with IMSA Specifications #19 or #20, as specified, furnishing #TC714 Superior Cable at \$182.95 M', representing a total price of \$2,195.40, subject to 1/2% cash discount.

CONTRACT AWARDED REA CONSTRUCTION COMPANY FOR TAXIWAY IMPROVEMENTS AT DOUGLAS MUNICIPAL AIRPORT.

Councilman Dellinger moved that contract be awarded Rea Construction Company, for Taxiway Improvements at Douglas Municipal Airport, all as specified, on a unit price basis, representing a total price of \$59,969.75. The motion was seconded by Councilwoman Evans, and unanimously carried.

RENEWAL OF SPECIAL OFFICER PERMIT AUTHORIZED TO W. T. ALEXANDER.

Motion was made by Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, authorizing the renewal of Special Officer Permit to W. T. Alexander, on the premises of Charlotte Memorial Hospital.

February 29, 1956  
Minute Book 36 - Page 267

**LEASES CONCLUDED FOR BUILDINGS AT 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	
47	L. G. Ousley	\$25.80	3-1-56	1 year
287 (Part)	Bassett & Wingate	\$21.00	3-1-56	1 year renewal
213	Odes Redmond	\$27.00	3-1-56	1 year
256	Winton Products	\$57.00	3-1-56	1 year renewal

**APPOINTMENT OF A. S. QUINN AS AIRPORT MANAGER REPORTED BY CITY MANAGER.**

The City Manager reported that he has appointed Mr. A. S. Quinn as Manager of Douglas Municipal Airport, effective March 7th.

**TRANSFER OF CEMETERY LOTS.**

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

- (a) Deed with B. D. Ottmann, for Lot 110, Grave #4, Section 3, Evergreen Cemetery, at \$40.00.
- (b) Deed with Albert C. Martinez, Lot 116, Grave #6, Section 3, Evergreen Cemetery, at \$40.00.

**ADVERTISEMENT FOR SALE OF APPROXIMATELY 0.06 ACRES OF LAND OF THE SUGAW CREEK DISPOSAL PLANT PROPERTY AT THE REAR OF LOT 7, WEDGEWOOD DRIVE.**

Councilman Dellinger moved that the City Treasurer be authorized to advertise for sale approximately 0.06 acres of land of the Sugaw Creek Disposal Plant property, lying immediately in the rear of Lot 7, Wedgewood Drive, said lot being the property of Mr. and Mrs. H. B. Carter, at a starting price of \$150.00. The motion was seconded by Councilman Wilkinson, and unanimously carried.

**PURCHASE OF 2.16 ACRES OF LAND FROM I. D. GRASS ADJOINING THE CITY'S HOSKINS RESERVOIR, AUTHORIZED.**

Councilman Smith moved that the City purchase 2.16 acres of land from I. D. Grass, adjoining the City's Reservoir property at Hoskins, for the sum of \$624.40, and that we agree to relocate approximately 463 feet of fence as a part of the consideration. The motion was seconded by Councilwoman Evans, and unanimously carried.

**ELECTIVE GOVERNING OFFICIALS OF CITY EXCLUDED FROM PROVISIONS OF AGREEMENT WITH N. C. LOCAL GOVERNMENTAL RETIREMENT SYSTEM.**

Councilwoman Evans moved that the elective governing officials that are not required to devote a major portion of their time to the duties of the office be excluded from the provisions of Section 2(d) of the Agreement between the City of Charlotte and the N. C. Local Governmental Retirement System, ratified by the City Council on January 11, 1956. The motion was seconded by Councilman Albea, and unanimously carried.

**SALE OF AIRPORT BUILDING NO. BARRACKS TB-238 TO G. B. GRIFFIN, JR. AUTHORIZED.**

Councilman Dellinger moved that Airport Building No. TB-238 be sold to G. B. Griffin, Jr., at a price of \$200.00. The motion was seconded by Councilman Wilkinson, and unanimously carried.

February 29, 1956  
Minute Book 36 - Page 268

CHANGE ORDER NO. 2 AUTHORIZED IN CONTRACT WITH L. O. CHAPMAN COMPANY, INC., FOR AIR DIFFUSER INSTALLATION AT IRWIN CREEK SEWAGE TREATMENT PLANT.

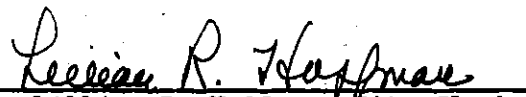
Councilman Dellinger moved approval of the payment of Change Order #2 in the amount of \$1,980.00, in the contract with L. O. Chapman, Inc., for Air Diffuser Installation at Irwin Creek Sewage Treatment Plant. The motion was seconded by Councilwoman Evans, and unanimously carried.

CONTRACT WITH P & N RAILWAY COMPANY FOR REMOVAL OF TRACTS FROM MINT STREET PROVIDED THE CITY FURNISH RIGHT-OF-WAY FOR PLACING TRACKS ELSEWHERE.

Motion was made by Councilman Smith, seconded by Councilwoman Evans, and unanimously carried, authorizing the Mayor and City Clerk to execute a contract with the Piedmont & Northern Railway Company for the removal of their tracks from Mint Street, provided the City Council will furnish the necessary right-of-way for placing the tracks elsewhere, after approval of the City Manager and City Attorney.

ADJOURNMENT.

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

  
Lillian R. Hoffman, City Clerk