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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 21, 1954, at 11 o'clock, a. m., with Mayor Van Every presiding, and Councilmen Albea, Baxter, Boyd, Brown, Dellinger, Smith and Wilkinson present.

Absent: None

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

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

PRESIDENT, MERRY OAKS CIVIC CLUB REQUEST THAT CITY SET UP A REVOLVING FUND TO ENABLE RESIDENTS OF ARNOLD DRIVE AREA TO CONSTRUCT SIDEWALKS.

Mr. H. A. Cliff, President of Merry Oaks Civic Club, appeared before Council and advised the Club requests that the City set up a revolving fund to provide a means whereby the residents of the Arnold Drive area may construct sidewalks, as they are unable to personally finance the construction.

Mayor Van Every advised that the City has not provided funds in this manner for a number of years. That they will be glad to discuss the matter and see if such plan is feasible.

CITY ATTORNEY REQUESTED TO DRAFT ORDINANCE PROHIBITING STORAGE OR DISCARD OF UNUSED REFRIGERATORS OR ICE BOXES ON PREMISES.

Councilman Baxter moved that the City Attorney be requested to draw up the necessary ordinance to prohibit the storage or discard of unused ice boxes and refrigerators on the premises, unless the doors are removed. The motion was seconded by Councilman Albea, and unanimously carried.

CITY MANAGER REQUESTED TO SECURE COST ESTIMATE OF WIDENING WELLESLEY AVENUE FROM SELWYN AVENUE TO QUEENS ROAD WEST.

Councilman Baxter requested the City Manager to secure from the Engineering Department a cost estimate of the widening of Wellesley Avenue from Selwyn Avenue to Queens Road, West, due to the increased traffic congestion.

ERECTION OF "SLOW" OR "STOP" TRAFFIC SIGNS IN 1800 AND 1900 BLOCKS OF NORTH HARRILL STREET REQUESTED.

Councilman Dellinger advised that the residents of the 1800 and 1900 blocks of North Harrill Street are complaining of speeding on the street and request that "Slow" or "Stop" traffic signs be erected. The City Manager advised that the matter would be immediately investigated.

RESOLUTION AGREEING TO APPROPRIATE FUNDS TO THE PLANNING BOARD IN THE 1954-55 BUDGET.

Councilman Smith introduced a resolution entitled: "Resolution Agreeing to Appropriate Funds to the Planning Board in the 1954-55 Budget" and following the reading thereof moved its adoption. The motion was seconded by Councilman Baxter, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 197

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AMENDMENT TO ZONING ORDINANCE RELATIVE TO OFF-STREET PARKING AND LOADING SPACE FOR MOTOR VEHICLES DEFERRED.

Councilman Albea moved that action on the proposed Amendment to the Zoning Ordinance Relative to Off-Street Parking and Loading Space for Motor Vehicles, be deferred until further study of the amendment. The motion was seconded by Councilman Baxter, and unanimously carried.

PLAT OF REVISED PORTION OF OLD STANCILL PROPERTY SUBDIVISION APPROVED.

Councilman Brown moved approval of the Plat of the Revised Portion of the Old Stancill Property, located between Monroe Road and Old Sardis Road, as recommended by the Planning Board. The motion was seconded by Councilman Albea, and unanimously carried.

AGREEMENT WITH SOUTHERN RAILWAY COMPANY FOR INSTALLATION OF WATER MAIN UNDER SPUR TRACKS FROM HUTCHINSON AVENUE TO N. TRYON STREET.

Motion was made by Councilman Smith, seconded by Councilman Baxter, and unanimously carried, authorizing the Mayor and City Clerk to execute an Agreement with the Southern Railway Company for the installation of a 24-inch water main under their spur tracks from Hutchinson Avenue to North Tryon Street.

CONSTRUCTION OF SANITARY SEWERS AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, the construction of new sanitary sewers was authorized at the following locations:

- (a) 150-ft. of 8-inch sewer main in Gibbs Street, at an estimated cost of \$400.00, to serve two duplexes and four vacant lots, at request of Fred J. Wiggins. All costs to be borne by the City.
- (b) 250-ft. of 8-inch sewer main in Globe Court, at an estimated cost of \$860.00, to serve four business and family units and one vacant lot, at request of Henry J. Hudson, 603 Providence Road. All costs to be borne by the City, and applicant's required deposit of \$60.00 to be refunded in accordance with the contract.

CONTRACT AWARDED F. N. THOMPSON, INC. FOR USED ELGIN STREET SWEEPER.

Councilman Smith moved that contract be awarded F. N. Thompson, Inc., for One Used Elgin Street Sweeper, as specified, f.o.b. Charlotte, N. C., in the sum of \$5,000.00. The motion was seconded by Councilman Brown, and unanimously carried.

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS ON SELWYN AVENUE PROJECT.

Motion was made by Councilman Albea, seconded by Councilman Baxter, and unanimously carried, awarding contract to Crowder Construction Company, for the construction of street improvements on the Selwyn Avenue Project, all as specified, on a unit price basis, representing a total price of \$139,496.40.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 30-ft. driveway at 2700-2706 South Boulevard.
- (b) One 10-ft. driveway at 324 Hillside Avenue.

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BRIGHTON PLACE, FROM WOODLAND AVE. TO NORLAND ROAD, TAKEN OVER FOR MAINTENANCE.

Councilman Albea moved that Brighton Place, from Woodland Avenue to Norland Road, be taken over for maintenance, as recommended by the City Manager. The motion was seconded by Councilman Smith, and unanimously carried.

SPECIAL OFFICER PERMIT AUTHORIZED ISSUED TO HARRY R. FOGG.

Upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, the issuance of a Special Officer Permit was authorized to Harry R. Fogg, for use on the premises of Charlotte Tank Corporation and Suburban Rulane Gas Company.

PAYMENT OF ONE-HALF THE COST OF RENOVATING ADDITIONAL QUARTERS FOR USE OF THE ELECTION BOARD.

Motion was made by Councilman Baxter, seconded by Councilman Smith, and unanimously carried, authorizing the payment of one-half the cost of renovating additional quarters for use of the Election Board, in the amount of \$890.00.

PURCHASE OF RIGHT-OF-WAY FROM COLUMBIA BEAUTY & BARBERS SUPPLY COMPANY, FOR ELEVENTH STREET WIDENING.

Councilman Smith moved approval of the purchase of a small parcel of land from the Columbia Beauty & Barbers Supply Company at a cost of \$2,500.00, for use in the widening of Eleventh Street. The motion was seconded by Councilman Dellinger, and unanimously carried.

RESOLUTION ADOPTED PROVIDING FOR A PUBLIC HEARING ON MAY 19th ON PETITION OF C. MORRIS NEWELL, MARY BRYANT-NEWELL, SAMUEL W. NEWELL, JR., JULIA S.N. NEWTON AND JOHN L. NEWTON, FOR ANNEXATION OF 3,750 SQ. FT. OF LAND AND AN 11 ACRE TRACT, IN CRAB ORCHARD TOWNSHIP.

The following petition for the annexation to the City of Charlotte of two tracts of land, 3,750 square feet and 11 acres, respectively, near Eastway Park, in Crab Orchard Township, and being contiguous to the boundary of Charlotte, was introduced and read:

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

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

The undersigned do hereby petition the City Council of the City of Charlotte for the annexation to the City of Charlotte of the property hereinafter referred to pursuant to the provisions of Chapter 725 of the Public Session Laws of the General Assembly of North Carolina for the 1947 Session (General Statutes 160-445 et seq.) and do show as follows:

1. That the property sought to be annexed to and made a part of the City of Charlotte, North Carolina and to thereby be and become within the boundaries and limits of the said City is lying and being in Crab Orchard Township being approximately 230 feet east of Eastway Drive, adjoining the property of the School Board of the City of Charlotte and others and described by metes and bounds as follows:

FIRST TRACT:

Beginning at an iron stake on the common boundary line between Eastway Park Subdivision and the property owned by the School Commissioners of the City of Charlotte, which beginning point is a common corner between the Eastway Park property, the School Board property and the property owned by C. Morris Newell and

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others, and which beginning corner is located 281.55 feet from the center line of Eastway Drive as measured along the common boundary line between Eastway Park and the Newell property and running thence from said beginning corner N 65-45-30 W 50.77 feet to an iron stake; thence N 19-31-45 E 151.51 feet to an iron stake; thence S 1-31-30 W 163.7 feet to the point or place of beginning.

SECOND TRACT:

Beginning at an iron stake which marks the common corner between Medford Acres Subdivision, the property owned by the City School Commissioners of the City of Charlotte and the property owned by C. Morris Newell and others, which beginning corner is 821.17 feet from the center line of Eastway Drive as measured along the boundary line between the Medford Acres Subdivision and the property owned by C. Morris Newell and others and running thence with a line of the property owned by the School Commissioners of the City of Charlotte S 55-18-30 W 1009.74 feet to an iron stake; thence N 19-31-45 E 806.30 feet to an iron stake on the boundary line of the Medford Acre Subdivision; thence with the southerly boundary line of Medford Acres S 71-43-15 E 590.33 feet to the point or place of beginning, and being a portion of the property conveyed to C. Morris Newell and others by Miss Bertha Morris.

A map of the property referred to in this petition showing the contiguous area is attached hereto and made a part hereof. The area which is enclosed within the red lines is the area which the petitioners seek to adjoin to the City of Charlotte.

2. That the property described above is owned by the undersigned subscribers to this petition and is immediately adjacent to and contiguous to the present corporate limits of the City of Charlotte and is not embraced within the corporate limits of any other municipality.

3. That the petitioners herein are planning to subdivide the property described above into an attractive residential area in the immediate future and it is anticipated that at an early date residences will be constructed on said property.

4. That your petitioners pray that the tract of land herein described be annexed and included in the corporate limits of the City of Charlotte, North Carolina.

WHEREFORE, your petitioners pray that notice be given as provided for by Section 1, Chapter 725 of the Public Laws of the General Assembly of North Carolina for the Session of 1947 (General Statutes 160-445) 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 herein prayed for.

This 15th day of March, 1954.

C. Morris Newell (SEAL)

Mary Bryant Newell (SEAL)

Samuel William Newell, Jr. (SEAL)

Martha Daniel Newell (SEAL)

Julia Scott Newell Newton (SEAL)

John L. Newton (SEAL)

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

TO THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA:

I hereby certify that from my examination of the record title, C. Morris Newell, Samuel William Newell, Jr. and Julia Scott Newell Newton, are the owners of all that property described in the petition to which this is attached, dated the 15th day of March, 1954, relative to the annexation of said property to the City Limits of the City of Charlotte, North Carolina.

This 22nd day of March, 1954.

Paul R. Ervin
Attorney "

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 19th day of May, 1954, was introduced and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 198.

PROMOTER OF ZOOLOGICAL SOCIETY REQUESTED TO SECURE SOLICITATION PERMIT BEFORE OTHER MATTERS RELATING THERETO CAN BE CONSIDERED.

Mr. Ralph Fleming, Promoter of the Charlotte Zoological Society, again appeared before Council with regard to his request to place a Safe on the sidewalk at The Square for the deposit of membership fees in the Society. He stated he had been advised by the City Manager that after consulting with Mr. Richey, Captain Henkel, Mr. Hoose and Mr. Sutton, it was their unanimous opinion that the request not be granted. Mr. Fleming stated that he had already talked with Captain Henkel and Mr. Richey who had no objections. He asked that the Council give him permission to place the Safe on The Square.

The City Attorney stated the City Code contains a provision prohibiting any obstruction on any sidewalk; he advised that it has been the custom for the Council to permit it at times.

Mayor Van Every asked if Mr. Fleming has a permit issued by the Solicitation Commission to solicit funds for the Zoo? Mr. Fleming replied that Mr. John Durham, Commission member, stated to him in a meeting of the Commission that he did not need a permit for the solicitation of memberships in the Society. At the request of Councilman Boyd as to the last action of the Commission relative to the issuance of a permit to Mr. Fleming, the City Clerk advised that the Commission addressed a letter to him stating they did not deem it wise to consider his application for a permit until such time as the organization of the Society is completed and a Board of Directors or Trustees is established; that when this is done, they will be glad to consider the application. Mr. Fleming stated that Ten Directors have been selected but they desire to have a total of Thirty-six.

Mayor Van Every then stated that before any other matters in connection with the Society are considered, the matter of the Solicitation Permit should be concluded.

Councilman Dellinger moved that Mr. Fleming go back to the Solicitation Commission with his request for a permit. The motion was seconded by Councilman Baxter, and unanimously carried. Councilman Dellinger stated he believes that Mr. Fleming is in earnest about his work for the establishment of a Zoo in Charlotte and wants to handle all details in the correct way.

ADJOURNMENT

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

Lillian R. Hoffman
City Clerk