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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 28, 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.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Baxter, and unanimously carried, the minutes of the last meeting on April 21st were approved as submitted.

QUITCLAIM DEED TO MARK P. JOHNSON AND WIFE TO PORTION OF BOUNDARY STREET.

Mr. Grainger Pierce, Attorney, appeared before Council and requested approval of a Quitclaim Deed to Mark P. Johnson and wife, to a portion of Boundary Street, running westerly from South Brevard Street approximately 300 feet, and lying entirely within the property owned by them. Mr. Pierce stated the public would in no way be adversely affected by this transaction. Councilman Baxter moved approval of the request, which was seconded by Councilman Brown, and unanimously carried.

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZED TO KENNETH OWEN BEATY, FOR THE OPERATION OF RED TOP CAB #54.

~~Mr. Albert~~ Foster, Attorney, appeared before Council and requested approval of Council of the issuance of a Certificate of Public Convenience and Necessity to Mr. Kenneth Owen Beaty, for the operation of Red Top Cab #54. The City Manager advised the application for the Certificate has been approved by the Taxicab Inspector.

Councilman Wilkinson moved that the application be approved and the Certificate issued to Mr. Beaty as requested. The motion was seconded by Councilman Albea, and unanimously carried.

APPOINTMENT OF KENNETH M. CLONTZ TO THE CIVIL SERVICE COMMISSION.

Councilman Dellinger moved that Mr. Kenneth M. Clontz be appointed to the Civil Service Commission for a period of three years, effective May 15, 1954, to fill the vacancy created by the withdrawal of Dr. H. P. Harding. The motion was seconded by Councilman Brown, and unanimously carried.

LETTER OF APPRECIATION FOR SERVICE AND REGRET AT WITHDRAWAL FROM CIVIL SERVICE COMMISSION DIRECTED SENT DR. H. P. HARDING.

Councilman Brown moved that a letter be addressed to Dr. H. P. Harding expressing the appreciation of the Council for his services to the City as a member of the Civil Service Commission and advising that his withdrawal from the Commission is accepted with regrets. The motion was seconded by Councilman Albea, and unanimously carried.

CITY MANAGER DIRECTED TO PROVIDE POLICE PATROL SERVICE AT HOSPITALS FROM 10:30 TO 11:30 P.M.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, the City Manager was instructed to direct the Police Department to provide patrol cars to patrol the Hospitals from 10:30 p.m. to 11:30 p.m., during the time the nurses are going to and from duty. The motion was seconded by Councilman Dellinger, and unanimously carried.

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RESOLUTION ADOPTED FIXING DATE OF PUBLIC HEARING ON MAY 19, 1954 ON AMENDMENT TO ZONING ORDINANCE, PROPERTY AT 1714-16 PEGRAM STREET.

Ordinance No. 209 Amending the Zoning Ordinance, by changing the Building Zone Map from R-2 to B-1 on certain property at 1714-16 Pegram Street, was introduced. Following the reading thereof, a resolution entitled: "Resolution Providing for a Public Hearing on the Amendment to the Zoning Ordinance" was presented and read. Councilman Wilkinson 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 199.

ORDINANCE NO. 209-X PROHIBITING THE ABANDONMENT OF ICE BOXES, REFRIGERATORS AND OTHER CONTAINERS HAVING AIR-TIGHT DOORS.

An ordinance entitled: "Ordinance No. 209-X Prohibiting the Abandonment of Ice Boxes, Refrigerators and Other Containers Having Air-Tight Doors" was introduced and read. Councilman Baxter moved the adoption of the ordinance, which was seconded by Councilman Albea, and unanimously carried. The ordinance is recorded in full in Ordinance Book 11, at Page 345.

ORDINANCE NO. 210 AMENDING THE BUILDING CODE WITH RESPECT TO THE INSTALLATION OF WASHING MACHINES.

An Ordinance entitled: "Ordinance No. 210 Amending the Building Code with Respect to the Installation of Washing Machines" was introduced and read. Councilman Albea moved the adoption of the ordinance, which was seconded by Councilman Smith, and unanimously carried. The ordinance is recorded in full in Ordinance Book 11, at Page 346.

RESOLUTION ADOPTED PROVIDING FOR PUBLIC HEARING ON MAY 26, 1954 ON PETITION OF GEO. S. GOODYEAR AND WIFE, AND MISS ROSE COLLINS, MISS HATTIE RUTH COLLINS BROWN AND JOHN A. BROWN, FOR ANNEXATION OF 39.96 ACRES OF PROPERTY IN SHARON TOWNSHIP.

The following petition for the annexation to the City of Charlotte of 39.96 acres of land in Sharon Township, the same being contiguous to the boundary of Charlotte, was presented and read:

" PETITION FOR THE 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 Sharon Township, particularly described as follows:

BEGINNING at a tack in the center of Scalybark Road, at the corner of the lands of D. E. Henderson, the City of Charlotte and the Collins heirs, and running thence S. 42-09-10 W. 30.15 feet to the Southern edge of Scalybark Road; thence with the line of D. E. Henderson S. 42-09-10 W. 700.04 feet to an iron, an old corner between D. E. Henderson and the Collins heirs; thence S. 53-02-40 W. with the line of Selwyn Park Addition #4, 981.05 feet to an old iron in the corner of Selwyn Park Addition #4, Irvin Belk and the Collins heirs; thence with the Belk line N. 36-03 W. 790 feet to an iron; thence a new line N. 59-02-20 E. 669.33 feet to an iron pipe; thence N. 45-00 E. 935.58 feet to the Southern edge of Scalybark Road; thence

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the same course 30.04 feet to a tack in the center of Scalybark Road; thence with the line of the City of Charlotte and the center of Scalybark Road, which is 60 feet in width, S. 42-02-30 E. 720 feet to the point of beginning, containing 28.53 acres, more or less. The aforesaid tract of land belongs to George S. Goodyear.

The following described land belonging to Miss Rose Collins and Hattie Ruth Collins Brown, adjoining the 28.53 acre tract of land to be conveyed by them to George S. Goodyear, above described, as follows:

BEGINNING at an iron stake in the Belk line, said point being the Northwest corner of Goodyear's 28.53-acre tract, and also being N. 36-03 W. 790 feet from the common rear corner of lots 19 and 22, Selwyn Park Addition #4, which map is recorded in Book 6, page 803 of the Mecklenburg Public Registry; thence with Belk's Easterly line N. 36-03 W. 500 feet to a point in the Belk line, said point also being S. 36-03 E. 99.17 feet from a stone, the Northerly corner of the Belk land; thence with two lines of the Collins' property (1) N. 59-02-20 E. 300 feet to an iron; (2) S. 36-03 E. 500 feet to a point in Goodyear's line; thence with the Goodyear line S. 59-02-20 W. 300 feet to the point of beginning, containing 3.43 acres.

2. That the undersigned comprise all of the owners of all 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 26th day of April, 1954.

WITNESSES:

<u>D. E. Henderson</u>	<u>George S. Goodyear</u> (SEAL)
<u>D. E. Henderson</u>	<u>Dorotha D. Goodyear</u> (SEAL)
<u>D. E. Henderson</u>	<u>Rose Collins</u> (SEAL)
<u>D. E. Henderson</u>	<u>Hattie Ruth Collins Brown</u> (SEAL)
<u>D. E. Henderson</u>	<u>John A. Brown</u> (SEAL)

We hereby certify that we have examined the records of Mecklenburg County, and that George S. Goodyear and Miss Rose Collins and Hattie Ruth Collins Brown and husband, John A. Brown, constitute all of the owners of the property described in the foregoing petition.

I 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 "

HENDERSON & HENDERSON

BY: D. E. Henderson

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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 Sharon Township" on the 26th day of May, 1954, was introduced and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilman Smith, and unanimously carried. The resolution is recorded in full in Resolution Book 2, at Page 200.

SUPPLEMENT #1 TO LEASE (No. GS-04b-2297) WITH U. S. GOV'T, RELATIVE TO CONSTRUCTION OF PARTITIONING IN ROOM 214 IN AIRPORT TERMINAL.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, Supplemental-Agreement #1 was approved to Lease (No. GS-04b-2297) with the U. S. Government, relative to the partitioning of Room 214 in the Airport Terminal, to be occupied by the Flying Safety District office.

CLAIM OF CLAUDE L. STRINGER FOR PERSONAL INJURIES REFERRED TO CITY ATTORNEY.

Councilman Brown moved that the claim of Mr. Claude L. Stringer, in the amount of \$10,000.00, for personal injuries alleged to have been sustained from a fall on the sidewalk, due to sleet and snow, in front of Harris-Hart Clothing Company on South Boulevard, be referred to the City Attorney. The motion was seconded by Councilman Dellinger, and unanimously carried.

REMOVAL OF TREES AT 600 EAST BOULEVARD AND 616 PECAN AVENUE APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, the removal of trees at the following locations was approved:

- (a) Removal of two trees from the planting strip at the Greek Orthodox Church at 600 East Boulevard, which interferes with the driveway entrance.
- (b) Removal of one tree from the planting strip at the residence of Mr. D. E. Reilley, 616 Pecan Avenue, which interferes with the driveway entrance.

CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED.

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

- (a) 1,005 feet of main in Sterling Road, at an estimated cost of \$3,130.00, to serve 26 vacant lots. All costs to be borne by the City, and the applicant's deposit of the full amount to be refunded in accordance with the terms of the contract.
- (b) 615 feet of main in Vinton Street, at an estimated cost of \$1,330.00, to serve 2 family units and 16 vacant lots. All costs to be borne by the City, and the refund of the applicant's deposit in the amount of \$930.00, as per terms of the contract.
- (c) 91 feet of main in Vinton Street, at an estimated cost of \$280.00, to serve 2 family units and 2 vacant lots. All cost to be borne by the City.

CONTRACTS FOR THE CONSTRUCTION OF WATER MAINS AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, the following contracts for the construction of water mains, were approved:

- (a) Contract with R. L. Leviner, for the construction of 500 feet of main in Boulevard Park, outside the city limits, at an estimated cost of \$775.00, to serve property

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abutting on Eatonton Street. All costs to be borne by the applicant, who will own the mains until the territory is taken into the city.

- (b) Contract with Goodyear Mortgage Corporation, for the construction of 3,570 feet of main and 2 fire hydrants in Homestead Park, outside the city limits, at an estimated cost of \$7,900.00, to serve residential property. All cost to be borne by the applicant, who will dedicate the mains to the City upon completion.

CONSTRUCTION OF DRIVEWAY ENTRANCE AT 414 WEST EIGHT STREET AUTHORIZED.

Councilman Dellinger moved approval of the construction of a 15-foot driveway entrance at 414 West 8th Street. The motion was seconded by Councilman Baxter, and unanimously carried.

CONTRACT AWARDED WALLACE AND TIERNAN, INC. FOR ONE CHLORINATOR.

Councilman Baxter moved that contract be awarded Wallace and Tiernan, Inc., for the purchase of One Chlorinator, Visible Vacuum Manual Control, air operated, as specified, at a net exchanged delivered price of \$4,663.00. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONTRACT AWARDED JENNINGS PARKER FOR PAINTING INTERIOR AND EXTERIOR OF FIRE STATION NO. 2.

Motion was made by Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, awarding contract to Jennings Parker to furnish all labor and materials necessary to paint the interior and exterior of Fire Station #2, in accordance with the specifications furnished for the total sum of \$1,096.00.

CONTRACT AWARDED PYRAMID MOTOR COMPANY FOR CHEVROLET STATION WAGON FOR POLICE DEPARTMENT.

Councilman Dellinger moved that contract be awarded Pyramid Motor Company for One 1954 Chevrolet "150" Handyman, Model 1509, equipped with standard equipment, spare tire and wheel, all as specified, at a net delivered price of \$1,626.00. The motion was seconded by Councilman Baxter, and unanimously carried.

CONTRACT AWARDED LYNCHBURG FOUNDRY COMPANY FOR CAST IRON PIPE AND FITTINGS.

Upon motion of Councilman Baxter, seconded by Councilman Brown, and unanimously carried, contract was awarded Lynchburg Foundry Company for 2,000 ft. of 16 inch Cast Iron Pipe, Three 16 inch Cast Iron Bell and Spigot 45 deg. ells, and One 16 inch Cast Iron Bell and Spigot 90 deg. ells, all as specified, on a unit price basis, representing a net delivered price of \$11,458.91.

CONTRACT AWARDED HAJOCA CORPORATION FOR WROUGHT IRON PIPE.

Councilman Baxter moved that contract be awarded Hajoca Corporation for 20,000 feet of 3/4 inch, 8,000 feet of 1 inch, 2,000 feet of 1 1/4 inch and 12,000 feet of 2 inch Wrought Iron Pipe, all as specified, on a unit price basis, representing a total of \$14,188.00, less cash discount of \$283.76, or a net delivered price of \$13,904.24. Motion was seconded by Councilman Brown, and unanimously carried.

REPORT OF LEASE OF AIRPORT BUILDINGS.

The City Manager reported that leases had been concluded on the following Airport buildings:

BUILDING NO.	LESSEE	MONTHLY RENTAL	DATE AND TERM OF LEASE
286	National Welders Supply Co.	\$54.00	4-16-54 1 yr. renewal
257	Charlotte 7-Up Bottling Co.	30.00	5-1-54 1 yr. renewal
283	S. H. Kirkpatrick	35.00	4-1-54 1 year

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TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, the Mayor and City Clerk were authorized to execute a deed to Mrs. Martha P. Andrews, for Lot 56 in Section 2, Evergreen Cemetery, at \$208.00.

EXTRAS ON CONTRACT OF B. O. VANNORT ENGINEERS, INC., FOR FOUNDATION WORK ON FIRE STATION NO. 9 APPROVED.

Motion was made by Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, approving the Extras on the Contract of B. O. Vannort Engineers, Inc., for the Foundation Work on Fire Station No. 9, in the amount of \$4,761.97, as set forth in his letter dated April 21, 1954.

PURCHASE OF LAND IN PAW CREEK TOWNSHIP FROM M. R. AND F. O. GODLEY, FOR EXTENSION OF FILTER PLANT NEAR HOSKINS RAW WATER RESERVOIR.

Councilman Brown moved approval of the purchase of 72.44 acres of land in Paw Creek Township from M. R. and F. O. Godley, at a price of \$52,562.00, for the extension of the Filter Plant near Hoskins Raw Water Reservoir. The motion was seconded by Councilman Baxter, and unanimously carried.

CONTRACT AWARDED REA CONSTRUCTION COMPANY FOR CONSTRUCTION OF ELEVENTH STREET BRIDGE PROJECT.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, contract was awarded Rea Construction Company for the construction of the Eleventh Street Bridge Project, as specified, on a unit price basis, in the amount of \$127,237.99.

SALE OF AIRPORT BUILDING NO. 331 AUTHORIZED TO GLENWOOD A.R.P. CHURCH.

Motion was made by Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, authorizing the sale of Airport Building No. 331 to Glenwood A.R.P. Church, for the sum of \$100.00.

IMPROVEMENTS TO AURORA AVE. AS REQUESTED BY BOARD OF SCHOOL COMMISSIONERS, AS ENTRANCE TO NEW WEST CHARLOTTE SENIOR HIGH SCHOOL.

Upon motion of Councilman Albea, seconded by Councilman Baxter and unanimously carried, improvements to Aurora Avenue were authorized at a cost of \$10,200.00, as requested by the Board of School Commissioners to provide an entrance to the new West Charlotte Senior High School.

CONTRACT WITH STATE HIGHWAY AND PUBLIC WORKS COMMISSION COVERING THE CONSTRUCTION OF PROPOSED STRUCTURES ON THE SOUTHERN PORTION OF INDEPENDENCE BOULEVARD.

Councilman Wilkinson moved that contract be authorized with the State Highway & Public Works Commission covering the construction of proposed structures on the southern portion of Independence Boulevard. The motion was seconded by Councilman Brown, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, the meeting was adjourned.

  
City Clerk