

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Wednesday, April 3, 1957, at 4 o'clock p.m., with Mayor pro tem Smith presiding, and Council members Albea, Baxter, Brown, Dellinger, Evans and Wilkinson being present.

ABSENT: Mayor Van Every

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 of the City Council on March 27th were approved as submitted.

ORDINANCE NO. 372-X EXTENDING CORPORATE LIMITS OF CITY OF CHARLOTTE BY ANNEXING THERETO 6.95 ACRES OF PROPERTY, CONSISTING OF 21 LOTS, LOCATED IN CRAB ORCHARD TOWNSHIP, ON PETITION OF JAMES C. EVANS AND ALICE B. EVANS, ADOPTED.

The scheduled hearing was held in connection with the petition of James C. Evans and Alice B. Evans for the annexation of 6.95 acres of property located in Crab Orchard Township, on the south side of Hillside Drive between Second and Third Avenues.

No objections were expressed to the proposed annexation.

Councilman Wilkinson moved the adoption of "Ordinance No. 372-X Extending the Corporate Limits of the City of Charlotte by Annexing thereto 6.95 Acres of Property, Consisting of 21 Lots, Located in Crab Orchard Township". The motion was seconded by Councilman Baxter, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at pages 130 and 131.

PARK & RECREATION COMMISSION REQUESTED TO SERIOUSLY CONSIDER THE REQUEST OF THE RESIDENTS OF THE WESTERN AREA OF CITY FOR A PARK.

The Reverend C. Jerome Huneycutt was spokesman for a large delegation of residents of the western section of the city who are interested in getting a park in their locality. He stated that in February a group of citizens from the Wesley Heights, Seversville, Zeb Vance, Harding, Bethune and Ashley Park areas met to discuss the need for parks and recreation in the western section of Charlotte, to which meeting

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Councilwoman Evans and Mr. Sifford, Chairman of the Parks & Recreation Commission were invited. That a summary of the needs expressed were, (1) a program of generally supervised play, (2) a Recreation Center for indoor activities, and (3) small play areas with picnic facilities. That a nine member steering committee was elected at this meeting to explore all possibilities of securing facilities to meet these needs. That the Committee discovered there were three pieces of property which could be used for developing an ideal recreational program for the entire area not taken care of by other parks and playgrounds, and that on March 12th the Committee went before the Park & Recreation Commission and recommended that it consider the securing and development of these sites, which are: (1) a .45 acre piece of property now owned by Mr. E. C. Griffith, located adjacent to Wesley Heights and Seversville communities, (2) a .81 acre piece of property owned by Dr. R.P. Lyon and located at the end of Woodvale Place, and (3) a 8.63 acre piece of property owned by Mr. J.W. McClung, Jr., located very near the Seversville School, which is bounded on the west by Bruns Avenue, on the north by Sumter Avenue, on the east by property facing Woodvale Place and on the south by properties owned by Dr. Lyon and a Dye Company. That the Committee met again on April 1st and found the property owned by Mr. McClung is near the center of the communities, being 1/2 mile from Bethune School, 1 mile from Zeb Vance, 9/10 of a mile from Harding High School, a few blocks from Wesley Heights School and 1 block from Seversville School; that these schools have an enrollment of 2,475 pupils who would use the park, to say nothing of the adults and pre-school children. That it was determined the necessary grading for the development of the site as a park could be done at a cost of \$1,000, and the property could be purchased for \$18,000, although it was originally priced at \$25,000.

He stated the Committee has endeavored to proceed in the proper manner, with the interest of the entire community at heart; however, in presenting the case to the Park & Recreation Commission, the Commissioners seemed to be sympathetic toward the development of the park, but seemed to think that it would be out of order for them to purchase any land for a park. Too, they stated they do not have any money. He stated further, that their area of Charlotte is one of the oldest in the city and probably represents 1/3 of the voters and taxpayers, and the residents feel that it is unfair to require them to raise money among themselves for facilities that they should have been able to enjoy during many years past in which they have supported bond elections and paid taxes to develop and maintain similar facilities for other parts of the city. Mr. Hureycutt stated these citizens tell him they have received sincere promises for recreation facilities if they would support bond elections; that three years ago a park was asked for by them, and they were told by the Park Commissioners there was no money; nevertheless, on July 10, 1956 one of the local newspapers carried a news story reporting that the Park & Recreation Treasury held a surplus of \$249,000; therefore, they are much concerned with these conflicting reports, and are disturbed about a precedent which would require the local citizens to purchase lands for park sites. He stated this would indicate that this would discriminate against certain older sections of the city where available real estate is scarce and expensive. That these taxpayers and voters of the western area supported a million dollar bond program in 1949, and were told they would receive certain recreational benefits, among them a swimming pool; however, this earmarked money has not been used in their community.

Mr. Huneycutt stated they are appearing before the Council without demands, but asking for advice, and to say their need is very great and that they feel that in having recreational facilities, juvenile delinquency will be reduced and that it is a duty to provide a safe place for their children to play.

Councilman Dellinger stated that City Council is charged with providing the Park & Recreation Commission 8¢ from the tax rate, but the Council cannot direct how the funds are spent by the Commission. That he knows of the need for a park and playground in the western area of Charlotte, as well as in other sections; he asked Mr. Sifford, Chairman of the Park & Recreation Commission, who was present, what to expect on this request.

Mr. Sifford stated he admired these residents for their action very much, and they know just what they want; however, they should stop and consider the position of the Park Commission; that he will say there are other sections that need playgrounds worse, as there are more parks now in the western area of Charlotte (naming six) than in any other area. He stated further that the Commission asked the City Council for a one and a half million dollar bond issue in 1949, and the Council stated they would go along for a million but not one and a half million, which they did. That they have spent the bond funds to the best of their ability, and the Council must have confidence in the Commission's fairness to handle their finances for the benefit of the most people. That they were not able to get as much done with the million dollars as they wished; that a swimming pool in the western section was to have been included in the one and a half million dollars. He referred to the recent Allen Report of Recreational Needs and stated it made no mention of a park in the Wesley Heights area. He stated the location for the park proposed by these residents is in an industrial area, and that parks should be located in or near the center of residential areas, not on the edge as would be the case in this instance. That he believes the Commissioners know the areas of Charlotte where parks are needed most, better than others, as they study it all the time, and they must put them where the need is greatest.

Suggestions were made by the members of the Council as to methods by which the park facilities could be made available; Councilwoman Evans asked if the Commission has studied having a modified program whereby they could have an area to meet their immediate needs? Mr. Sifford stated they operate a summer modified program at Wesley Heights School. That if land is provided, they will be glad to develop and maintain a playground. Councilman Dellinger asked if Mr. Sifford was inferring that these people should purchase the land for a park, and he asked if the Commission does not have \$80,000.00 of the bond funds on hand? Mr. Sifford replied they do not; that a big part was spent on Veterans Park and they will spend more on Grier Park. Councilman Baxter asked if they did not recently buy land for the Edgehill Park in Myers Park, which Mr. Sifford stated was donated for a park, and, too, Myers Park residents are the biggest taxpayers in Charlotte. Councilman Baxter asked several times, in the discussion, if, with the increased property valuation, the Commission could not earmark funds for the requested park, even if it is started on a small scale? Mr. Sifford replied he would dislike very much to succumb to any pressure to grant the request of this group when he realized that other sections need parks more, and he stated further that the only solution he sees to their meeting the needs is for another

bond issue. One member of the group stated they were told they would benefit from the 1949 bond funds. Councilman Dellinger stated that within the 6 years time he has been on the Council, three groups from the western section of town have come down about their need for parks, and he believes they know about their needs or they would not come down here every year or so. Councilwoman Evans asked Mr. Sifford if the Commission has ever entertained the idea of condemnation proceedings of park land? Mr. Sifford stated they have not, except it may be necessary where the picnic tables were placed beyond park property on private land in error.

The Reverend Fisher spoke for the development of a park as requested; stating there are few front yards in the section large enough for the children to play and that the need is very great and urged that something be done.

Mr. Joe Murnick, Park Commissioner, stated the statement attributed to the Commissioners that "they did not have the money" was not made to this group; that the Commission was not bypassing the group, but rather asked them to see if they could not get the land donated and if it were they would find a way to see that the program went ahead. Councilman Dellinger stated it appeared to him that the Commission does not develop parks unless the land is donated, and he does not see why the 8¢ from tax funds should not be spent for land as well as for the development of a program. Mr. Murnick insisted that the western area of Charlotte has received its fair share of the 8¢. Councilman Baxter again asked if with the increased property valuation, the Commission could not give this request top priority? Councilman Albea stated it appears to him if no one donates land, then no parks are built in Charlotte. Councilwoman Evans asked what amount was set up in the Park Budget for the purchase of park land? Mr. Murnick stated they had a Land Acquisition Committee headed by Commissioner Grier, and he could not state the amount budgeted. Councilman Wilkinson called to Mr. Murnick's attention that this piece of property was offered to the Park Board previously and he endeavored to get them to buy it at that time and was told there was not sufficient money available; therefore, this is not the first time the property has been offered them at a good price. Mr. Murnick stated the Commission will do everything possible to work with the group. Mr. Sifford stated they will be glad to include the amount for the purchase of the land in their budget if they are assured by the Council they will not cut it out. He stated further the Commission is trying its best to do a good job and if the Council does not think so and is not satisfied, then they should ask for their resignations.

Councilman Wilkinson stated he would like to thank the Committee for the clear manner in which they have presented their request. That his two children grew up in the Wesley Heights area, and in fact one of them was hit by a car on a street within the area; that he does not think there is a single member of the Council not in sympathy with the need for a park and he feels if everyone works together, the park can be developed, and asks the Park Commission to give serious consideration to the request at budget time. He thanked Mr. Sifford and Mr. Murnick for being present today, and stated he thinks the City has a grand Park Board.

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Councilman Brown stated the Council has no legal means to force the Park Board to meet any need, and he moved that the discussion be closed with thanks to all of those who have participated, and that the Commission take the request under serious consideration in their next budget. The motion was seconded by Councilwoman Evans, and unanimously carried.

SUMMER SCHEDULE FOR COUNCIL MEETINGS ADOPTED TO MEET AT 11 O'CLOCK A.M., EACH WEDNESDAY, MAY 1ST THROUGH SEPTEMBER.

Councilman Baxter moved the adoption of the summer schedule for Council Meetings to be held at 11 o'clock a.m., each Wednesday beginning May 1st and continuing through September. The motion was seconded by Councilman Wilkinson, and carried, with the votes cast as follows:

YEAS: Council members Albea, Baxter, Brown and Wilkinson.

NAYS: Council members Dellinger and Evans.

ACTION AT MEETING ON MARCH 20TH PROTESTING AMENDMENT TO LOCAL ZONING LAWS BY GENERAL ASSEMBLY AS PROPOSED BY SENATOR SPENCER BELL, RESCINDED.

Councilman Dellinger stated that on March 20th he offered a resolution, which was adopted, opposing a Bill proposed to be introduced in the General Assembly by Senator Spencer Bell amending our local zoning laws, and as it is the consensus of opinion of the City Council that he was wrong, he moved that the action be rescinded. The motion was seconded by Councilman Baxter, and unanimously carried.

JUNIOR CHAMBER OF COMMERCE AUTHORIZED TO HOLD PARADE DURING RODEO.

Councilman Dellinger stated the Junior Chamber of Commerce was having a Rodeo here within the next week or so and asked permission to have a parade; he moved that they be granted permission to do so and that they confer with the City Manager regarding it. The motion was seconded by Councilman Baxter, and unanimously carried.

EXTENSION OF SANITARY SEWER IN COKER AVENUE AUTHORIZED.

Upon motion of Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, the extension of the sanitary sewer line in Coker Avenue was authorized.

REAPPOINTMENT OF ARTHUR R. NEWCOMBE TO AUDITORIUM-COLISEUM AUTHORITY.

Councilman Albea moved the reappointment of Mr. Arthur R. Newcombe as a member of the Auditorium-Coliseum Authority, for a term of 5 years from the expiration of his present term on April 25, 1957. The motion was seconded by Councilman Brown, and unanimously carried.

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TRAFFIC SURVEY REQUESTED AT INTERSECTIONS OF SELWYN AVENUE AND QUEENS ROAD WEST AND ROSWELL AVENUE AND QUEENS ROAD WEST, TO ASCERTAIN IF TRAFFIC SIGNAL INSTALLATION REQUIRED.

Councilwoman Evans requested the City Manager to have a traffic count made at the intersections of Selwyn Avenue and Queens Road West and at Roswell Avenue and Queens Road West, to ascertain if traffic signals are required.

ELIMINATION OF TRASH FALLING FROM GARBAGE TRUCKS ON STATESVILLE AVENUE REQUESTED.

Councilwoman Evans asked the City Manager to see what can be done to eliminate trash falling from Garbage Trucks on Statesville Avenue.

Mr. Yancey, City Manager, stated it was nearly impossible to control this with open garbage trucks, and it has been found cheaper to send out and have the trash picked up when requested to do so.

TRAFFIC COUNT REQUESTED AT EUCLID AND EAST PARK AVENUES, TO ASCERTAIN IF TRAFFIC SIGNAL INSTALLATION REQUIRED.

Councilman Brown stated he has been urgently requested to ask for a traffic count at the intersection of Euclid and East Park Avenues, and advised that the blinker light presently installed there is not sufficient in view of Dilworth School being located at this intersection.

RESOLUTION PROVIDING FOR THE PUBLICATION OF NOTICE OF SESSION OF THE CITY COUNCIL ON MAY 1, 1957 TO CONSIDER A PETITION FOR THE ANNEXATION ON MAY 1, 1957 TO THE CITY OF CHARLOTTE OF 85.95 ACRE TRACT OF LAND LOCATED IN SHARON TOWNSHIP ON PETITION OF HARRIET A. MORRIS, S.R. MORRIS, JR., JOE H. ASHCRAFT, CLARINA B. ASHCRAFT, BEN C. ASHCRAFT, SARA J. ASHCRAFT, SARA C. ASHCRAFT, HUGH G. ASHCRAFT, JR., CLAIRE C. ASHCRAFT, NELL HOUGH ASHCRAFT, AND P.J. POTTS, A.B. HAYWOOD AND J.T. BROOME, TRUSTEES OF PARK ROAD BAPTIST CHURCH, AND AMERICAN TRUST COMPANY, CO-EXECUTOR AND CO-TRUSTEE UNDER THE WILL OF HUGH G. ASHCRAFT AND BEN C. ASHCRAFT, CO-EXECUTOR AND CO-TRUSTEE UNDER THE WILL OF HUGH G. ASHCRAFT AND ASHCRAFT INVESTMENT COMPANY.

The City Manager reported that a Petition for the Annexation of 85.95 Acre Tract of Land, located in Sharon Township on Park Road, has been filed by Harriet A. Morris, S.R. Morris, Jr., Joe H. Ashcraft, Clarina B. Ashcraft, Ben C. Ashcraft, Sara J. Ashcraft, Sara C. Ashcraft, Hugh G. Ashcraft, Jr., Claire C. Ashcraft, Nell Hough Ashcraft, and P. J. Potts, A. B. Haywood and J. T. Broome, Trustees of Park Road Baptist Church and American Trust Company, Co-executor and Co-trustee under the will of Hugh G. Ashcraft and Ben C. Ashcraft, Co-executor and Co-trustee under the will of Hugh G. Ashcraft and Ashcraft Investment Company.

Thereupon, a "Resolution Providing for the Publication of Notice of Session of the City Council on May 1, 1957, to Consider a Petition for the Annexation to the City of Charlotte of 85.95 Acre Tract of Land located in Sharon Township", was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Albea, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 62.

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RESOLUTION PROVIDING FOR THE PUBLICATION OF NOTICE OF SESSION OF THE CITY COUNCIL ON MAY 1, 1957 TO CONSIDER A PETITION FOR THE ANNEXATION TO THE CITY OF CHARLOTTE OF 5.6 ACRE TRACT OF LAND LOCATED IN CRAB ORCHARD TOWNSHIP ON PETITION OF THOMAS K. FUNDERBURK AND VANERIA M. FUNDERBURK.

The City Manager reported that a Petition for the Annexation of 5.6 Acre Tract of Land, located in Crab Orchard Township, has been filed by Thomas K. Funderburk and Vaneria M. Funderburk.

Thereupon, a "Resolution Providing for the Publication of Notice of Session of the City Council on May 1, 1957 to Consider a Petition for the Annexation to the City of Charlotte of 5.6 Acre Tract of Land Located in Crab Orchard Township", was introduced 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 3, at Page 63.

CLAIM OF MRS. KATHLEEN STALLINGS FOR INJURIES REFERRED TO CITY ATTORNEY.

Upon motion of Councilman Wilkinson, seconded by Councilman Brown and unanimously carried, the claim of Mrs. Kathleen Stallings, filed by Henderson & Henderson, Attorneys, for injuries sustained on January 7, 1957 on East 5th Street, alleged to have been caused by a broken place in the sidewalk, was referred to the City Attorney.

S.A. HUNTER, JR. AUTHORIZED TO CONNECT PRIVATELY OWNED SANITARY SEWER TRUNK AND MAINS IN HILLSIDE ACRES SUBDIVISION, TO THE CITY'S SANITARY SEWERAGE SYSTEM.

Motion was made by Councilman Brown, seconded by Councilman Albea and unanimously carried, authorizing S.A. Hunter, Jr., to connect 331 feet of sanitary sewer trunk and mains in Hillside Acres Subdivision to the City's Sanitary Sewerage System, upon condition that he comply with all laws, rules and regulations now in effect, or which may hereafter become effective relative to property similarly situated.

CONSTRUCTION OF SANITARY SEWER MAIN AUTHORIZED IN LENA AVENUE.

Councilman Albea moved approval of the construction of 118 feet of 8-inch sanitary sewer main in Lena Avenue, to serve one family unit, at an estimated cost of \$200.00, to be borne by the City. The motion was seconded by Councilman Wilkinson, and unanimously carried.

RENEWAL OF SPECIAL OFFICER PERMIT TO JOHN W. KAY ON PREMISES OF DOMESTIC LAUNDRY.

Councilman Brown moved approval of the renewal of the Special Officer Permit to John W. Kay for use on the premises of Domestic Laundry. The motion was seconded by Councilman Albea, and unanimously carried.

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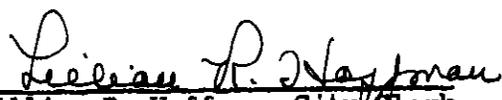
TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with C.P. Lovingood and wife, for Lot 427, Section 6, Oaklawn Cemetery, at \$150.00.
- (b) Deed with Mrs. Louis E. Henderson, for Lot 108, Grave #1, Section 3, Evergreen Cemetery, at \$40.00.

ADJOURNMENT.

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


Lillian R. Hoffman
Lillian R. Hoffman, City Clerk