

April 8, 1947
Book 32 - Page 109

A regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Tuesday, April 8, 1947, with Mayor Baxter presiding, and Councilmen Childs, Hinson, Johnston, Puette and White present.

Absent: Councilmen McIntyre and Newson.

INVOCATION.

The invocation was given by the Reverend C. G. McClure, Pastor, Caldwell Memorial Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Hinson, seconded by Councilman Puette, the minutes of the meetings on March 25th and April 1st, 1947, were approved as read.

HEARING ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE, AND ADOPTION OF AN ORDINANCE TO AMEND THE CITY CODE WITH RESPECT TO ZONING.

Pursuant to a resolution adopted on March 18, 1947 providing for a public hearing on a proposed amendment to the Zoning Ordinance, and Notice of said Hearing published in The Charlotte News on March 21st and 28th, 1947, the Mayor announced that interested persons would now be heard on the subject.

There being no arguments presented either favoring or opposing the amendment, the following ordinance was presented and read:

ORDINANCE No. 10. AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE ZONING ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 21, Section 2 of the City Code of the City of Charlotte be amended by having "Building Zone Map, City of Charlotte, North Carolina" amended by changing from R2 Residence Districts to a B1 Business Districts, the following described area:

"The area bounded on the East and South by the present industrial district, on the West by the city limits, and on the North by a line 157½ feet from Arty Avenue."

Section 2. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

Councilman Childs moved the adoption of the ordinance as read. Motion seconded by Councilman White, and unanimously carried.

AN ORDINANCE TO PROHIBIT SMOKING ON STREET BUSESSES.
(ORDINANCE NO. 11)

An ordinance entitled, AN ORDINANCE TO PROHIBIT SMOKING IN BUSESSES was introduced and read. Motion was made by Councilman Childs, that the ordinance be adopted as read. Motion seconded by Councilman Puette, and unanimously carried. Ordinance is recorded in full in Ordinance Book 9, at Page 430.

April 8, 1947
Book 32 - Page 110

CLAIM FOR DAMAGES BY BOTTOMS-FISKE TRUCK LINES, INC.

Mr. Charles Henderson, Attorney, presented a claim on behalf of his clients, Bottoms-Fiske Truck Lines, Inc., for \$300.00, for alleged damages to their truck on January 31, 1947, caused by a large low hanging tree limb in the 100 block of North Clarkson Street.

SUMMARY OF ADVANTAGES IN THE ABANDONMENT OF THE CROSSTOWN BOULEVARD, FILED.

Mr. John A. McRae, Attorney, again voiced the objections of the Committee opposing the construction of the Highway from Seventh Street to East Morehead Street, and filed with Council a summary of the advantages in the abandonment of the proposed crosstown boulevard. The Reverend C. G. McClure and Mr. Nat C. White spoke in opposition of the route for the highway. Mr. McRae asked that action be taken by Council on their request for abandonment of the project.

Mayor Baxter stated that the project had been approved by Council by a vote of four to three.

Councilman Childs stated that in his opinion any expression for the consideration of Mr. McRae's request should emanate from members of the Council favoring the highway as routed.

Councilman White then stated that as he had supported the route as recommended by the Highway Commission, he would suggest that Mr. McRae's summary be taken under advisement.

INTRODUCTION OF AN ORDINANCE AMENDING THE CITY CODE WITH REQUEST TO THE ZONING ORDINANCE, AND ADOPTION OF RESOLUTION PROVIDING FOR A PUBLIC HEARING.

The following ordinance was introduced and read:

ORDINANCE NO. 12 -
AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE ZONING ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 21, Section 2 of the City Code of the City of Charlotte be amended by having "Building Zone Map, City of Charlotte, North Carolina", amended by changing from R2 Residence Districts to an Industrial District, the following described area:

"That area on the West side of South Tryon Street from the South boundary of Lot 1, in Block 12, according to a map of Wilmore, recorded in Book 332, page 96, in the office of the Register of Deeds for Mecklenburg County, to the presently zoned Industrial area, including all of Lots 9, 10, 11 and 12, in Block 12, as shown on said map; and also including the area on the east side of South Tryon Street from the South boundary of Lot 11, in Block 6, of Wilmore, as shown on Map recorded in Book 332, page 96, in the office of the Register of Deeds for Mecklenburg County to the presently zoned Industrial area, including Lots 28 and 29, in Block 6, as shown on said map."

Section 2. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

Whereupon, the following resolution was presented and read. Following the reading thereof, motion for adoption was made by Councilman

April 8, 1947
Book 32 - Page 111

White, seconded by Councilman Puette, and unanimously adopted:

RESOLUTION PROVIDING FOR A PUBLIC HEARING
ON A PROPOSED AMENDMENT TO THE ZONING
ORDINANCE.

WHEREAS, the Board of Adjustment has recommended that Zoning Ordinance, Chapter 21 of the City Code of the City of Charlotte (Zoning Ordinance) be amended as hereinafter set out; and, whereas, at the meeting of the City Council held on April 8, 1947, the following amendment to the City Code was introduced:

"ORDINANCE NO. 12 An Ordinance Amending Chapter 21
of the City Code - Zoning Ordinance.

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT
TO THE ZONING ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 21, Section 2 of the City Code of the City of Charlotte be amended by having 'Building Zone Map, City of Charlotte, North Carolina' amended by changing from R2 Residence Districts to an Industrial District, the following described area:

'That area on the West side of South Tryon Street from the South boundary of Lot 1, in Block 12, according to a map of Wilmore, recorded in Book 332, Page 96 in the office of the Register of Deeds for Mecklenburg County, to the presently zoned Industrial area, including all of Lots 9, 10, 11 and 12, in Block 12, as shown on said map; and also including the area on the east side of South Tryon Street from the South boundary of Lot 11, in Block 6, of Wilmore, as shown on Map recorded in Book 332, page 96, in the office of the Register of Deeds for Mecklenburg County to the presently zoned Industrial area, including Lots 28 and 29, in Block 6, as shown on said map.'

Section 2. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith."

AND, WHEREAS, under the law no amendment to the Zoning Ordinance can be adopted until a public hearing thereon is held, of which public hearing notice is required to be given by publication not less than 15 days immediately preceding the date of such public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

1. That Tuesday, April 29th, at 4 o'clock p.m., be fixed as the time in the Council Chamber in the City Hall as the place for the public hearing on the proposed amendment as above set out.

2. That this resolution be published in The Charlotte News not later than April 12th, 1947, and again one week later.

INTRODUCTION OF AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE, AND ADOPTION OF RESOLUTION PROVIDING FOR A PUBLIC HEARING.

The following ordinance was introduced and read:

ORDINANCE NO. 13. AN ORDINANCE AMENDING
CHAPTER 21 OF THE CITY CODE - ZONING ORDINANCE.

April 8, 1947
Book 32 - Page 112

AN ORDINANCE AMENDING THE CITY CODE
WITH RESPECT TO THE ZONING ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 21, Section 2 of the City Code of the City of Charlotte be amended by having "Building Zone Map, City of Charlotte, North Carolina" amended by changing from R2 Residence Districts to a B1 Business Districts, the following described area:

"The four corner lots adjacent to the intersections of South Tryon Street Extension and West Boulevard, viz; Lot 20 Block 11, Lot 13 Block 5, Lot 11 Block 6 and Lot 1 Block 12, all as shown on Map of Wilmore, recorded in Book 332, page 96, in the office of the Register of Deeds for Mecklenburg County, to which reference is hereby made."

Section 2. That this ordinance shall become effective upon its adoption after a public hearing in connection therewith.

Whereupon, the following resolution was presented and read. Following the reading thereof, motion for adoption was made by Councilman Childs, seconded by Councilman White, and unanimously adopted:

RESOLUTION PROVIDING FOR A PUBLIC HEARING
ON A PROPOSED AMENDMENT TO THE ZONING
ORDINANCE.

WHEREAS, the Board of Adjustment has recommended that Zoning Ordinance, Chapter 21 of the City Code of the City of Charlotte (Zoning Ordinance) be amended as hereinafter set out; and, whereas, at the meeting of the City Council held on April 8, 1947, the following amendment to the City Code was introduced:

"ORDINANCE NO. 13. AN ORDINANCE AMENDING
CHAPTER 21 OF THE CITY CODE - ZONING ORDINANCE.

AN ORDINANCE AMENDING THE CITY CODE WITH
RESPECT TO THE ZONING ORDINANCE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 21, Section 2 of the City Code of the City of Charlotte be amended by having 'Building Zone Map, City of Charlotte, North Carolina' amended by changing from R2 Residence Districts to a B1 Business Districts, the following described area:

'The four corner lots adjacent to the intersection of South Tryon Street Extension and West Boulevard, viz. Lot 20 Block 11, Lot 13 Block 5, Lot 11 Block 6 and Lot 1 Block 12, all as shown on Map of Wilmore, recorded in Book 332, page 96, in the office of the Register of Deeds for Mecklenburg County, to which reference is hereby made.'

Section 2. That this Ordinance shall become effective upon its adoption after a public hearing in connection therewith."

AND, WHEREAS, under the law no amendment to the Zoning Ordinance can be adopted until a public hearing thereon is held, of which public hearing notice is required to be given by publication not less than 15 days immediately preceding the date of such public hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

1. That Tuesday, April 29th, at 4 o'clock p.m., be fixed as the

April 8, 1947
Book 32 - Page 113

time in the Council Chamber in the City Hall as the place for the public hearing on the proposed amendment as above set out.

2. That this resolution be published in The Charlotte News not later than April 12th, 1947, and again one week later.

LEASE OF AIRPORT BUILDING NO. TB-107 TO TRUSTEES OF THE MECKLENBURG PRESBYTERY.

Mayor Baxter stated that the Trustees of the Mecklenburg Presbytery had requested that Building No. TB-107 at Douglas Municipal Airport be leased to them for church purposes. He recommended that their request be granted.

Councilman Hinson moved that the lease be authorized upon the same terms the Airport Chapel was leased to the Charlotte City Mission Society of the Methodist Church, and that the lease also include a 90 days forfeit clause. Motion seconded by Councilman Childs, and unanimously carried.

CONTRACT AWARDED FOR MECKLENBURG DECLARATION OF INDEPENDENCE TABLET AT THE SQUARE.

Mayor Baxter recommended that the tablet memorializing the Mecklenburg Declaration of Independence be replaced in the center of The Square and that it be purchased from P & R, Industries, as recommended by Miss Julia Alexander. Councilman Hinson moved that a contract be awarded for the Tablet to P & R Industries, at a price of \$680.00, and funds be transferred from the Emergency Fund for payment thereof. Motion seconded by Councilman Childs, and unanimously carried.

STREET NAME CHANGED FROM "EASTSIDE AVENUE" TO "DEARMON DRIVE".

Motion was made by Councilman Childs that the street name be changed from "Eastside Avenue" to "DeArmon Drive", said street being located beyond the present city limits east of Club Road in Eastern Retreat Subdivision. Motion seconded by Councilman Johnston, and unanimously carried.

TRANSFER OF \$7,000 EXCESS INTANGIBLE TAX REVENUE.

Councilman Childs moved that \$7,000.00 Excess Intangible Tax Revenue, over the amount budgeted, be transferred from the Municipal Debt Service Fund to the Water & Sewer Fund - Water Mains Construction Account, Code 1610-G-31. Motion seconded by Councilman Hinson, and unanimously carried.

TAX FORECLOSED PROPERTY AT 2537-39 COMMONWEALTH AVENUE AUTHORIZED ADVERTISED FOR SALE.

Upon motion of Councilman Puette, seconded by Councilman Childs, tax foreclosed property at 2537-39 Commonwealth Avenue (Lot 10, Block 7, Map Book 230 of the Mecklenburg County Registry) was unanimously authorized advertised for sale at a beginning price of \$900.00, upon receipt of guarantee deposit of \$45.00.

CONTRACT WITH CHARLOTTE RENTAL COMPANY AND LILLIAN F. CROSLAND FOR SANITARY SEWER IN FOREST PARK DRIVE.

Councilman Johnston moved that a contract be authorized with Charlotte Rental Company and Lillian F. Crosland for construction of a sanitary sewer in Forest Park Drive (Forest Park Subdivision) between Princeton Avenue and Lilac Road, a distance of 950 feet, estimated to cost \$2,172.72 at the applicant's expense, said amount to be refunded if and when 11 houses are connected to the sewer. Motion seconded by Councilman Puette, and unanimously carried.

April 8, 1947
Book 32 - Page 114

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CONSTRUCTION OF SANITARY SEWER IN WILLOW OAK ACRES SUBDIVISION.

Upon motion of Councilman Puette, seconded by Councilman Hinson, the construction of a sanitary sewer in Willow Oak Road, Forest Park and Princeton Avenue (Willow Oak Acres Subdivision) was unanimously authorized, for a distance of 480 feet, at an estimated cost of \$1,395.35, at the city's expense, to serve 7 houses erected, as requested by G. D. Atkins and Dan Johnson of Willow Oak Road.

CONTRACTS AND PURCHASES.

Councilman Johnston moved that the following contracts and purchases and the allocation of funds therefor, if necessary, be authorized. Motion seconded by Councilman Hinson, and unanimously carried:

- (a) To rescind action on March 25th authorizing the purchase of One Hot Water Heater from Duke Power Company at \$171.58, and approve said purchase from the Duke Power Company at a price of \$173.40, due to an error in billing.
- (b) Purchase of One Elevator Drive Roll Assembly from North Carolina Equipment Company, in the sum of \$104.89, for the Elgin Sweeper.
- (c) Contract with Majonnier Brothers Company, for One Milk Tester, Model D, in the sum of \$1,950.90, for the Health Department.
- (d) Contracts for Water Works Improvements, Vest Station - Water Purification Plant, as follows:

Blythe Bros. Company, Charlotte - For General construction of Reservoir Coagulation Basins, Filters, etc., in the sum of \$471,340.00.

Roberts Filter Manufacturing Company, Darby, Pa. - For Filter Equipment, Piping, etc., in the sum of \$183,730.00.

Austin Electric Company, Charlotte - For Electrical Work, in the sum of \$18,211.00.

AIRPORT LEASES.

The City Manager reported that the following leases on Airport Buildings had been concluded and executed:

| BUILDING NO. | LESSEE | MONTHLY RENTAL | DATE AND TERM OF LEASE |
|--------------------------|--|------------------|------------------------|
| 79 | Jim Darby | \$55.58 | 5-1-47 5 years |
| 286 | National Welders Supply Co. | \$54.00 | 4-15-47 3 years |
| 15.9 acre tract of land. | Charlotte Police Recreation and Pistol Club. | \$1.00 per annum | 4-1-47 5 years |

ADJOURNMENT.

Upon motion of Councilman Hinson, seconded by Councilman Johnston, the meeting was adjourned.

Leision R. Hoffman
City Clerk