

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 8, 1959, at 4 o'clock p.m., with Mayor Smith presiding, and Council members Albea, Baxter, Brown, Dellinger, Evans, Foard and Wilkinson being present.

ABSENT: None

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Brown, seconded by Councilman Albea, and un-animously carried, the Minutes of the last meeting on April 1, 1959 were approved as submitted.

ORDINANCE NO. 548-X EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE BY ANNEXING THERETO 41,337 ACRES OF PROPERTY LOCATED IN CRAB ORCHARD TOWNSHIP, ON PETITION OF D. E. ALLEN DEVELOPMENT COMPANY, ADOPTED.

At the scheduled hearing relative to the petition of D. E. Allen Development Company for the annexation of 41.337 acres of property located in Crab Orchard Township, no opposition was expressed by the public. Whereupon, Councilman Albea moved the adoption of Ordinance No. 548-X Extending the Corporate Limits of the City of Charlotte by Annexing thereto 41.337 Acres of Property located in Crab Orchard Township, on petition of D. E. Allen Development Company. The motion was seconded by Councilman Foard, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, beginning at Page 332.

RESIGNATION OF HENRY A. YANCEY, CITY MANAGER, ACCEPTED WITH REGRET.

Councilman Baxter moved that the resignation of Mr. Henry A. Yancey, as City Manager, effective May 1, 1959, be accepted with regret, and the Council bid him God speed in his retirement from active business life. The motion was seconded by Councilwoman Evans, and unanimously carried.

APPOINTMENT OF GEORGE B. LIVINGSTON, CITY ACCOUNTANT, AS ACTING CITY MANAGER.

Councilman Dellinger stated that in view of the resignation of Mr. Yancey from the position of City Manager on May 1st, he moved the appointment of Mr. George B. Livingston, City Accountant, as Acting City Manager until such time that a permanent appointment to the position is made. The motion was seconded by Councilman Foard, and unanimously carried.

SALARY OF GEORGE B. LIVINGSTON, CITY ACCOUNTANT, SUPPLEMENTED BY \$100.00 PER MONTH DURING PERIOD SERVING AS ACTING CITY MANAGER.

Councilman Dellinger moved that the salary of Mr. George B. Livingston, City Accountant, be supplemented by \$100.00 per month during the period of his service as Acting City Manager. The motion was seconded by Councilman Brown, and unanimously carried.

ORDINANCE NO. 567 WAIVING TAP FEES FOR CONNECTIONS MADE ON CITY OWNED MAINS IN THE TERRITORY COMING INTO THE CITY OF CHARLOTTE FROM AND AFTER DECEMBER 31, 1959.

An ordinance entitled: "Ordinance No. 567 Waiving Tap Fees for Connections Made on City Owned Mains in the Territory Coming into the City of Charlotte from and after December 31, 1959" was introduced by Councilman Baxter, who moved its adoption. The motion was seconded by Councilman Dellinger, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 334.

TRANSFER OF J.L. GREENLEE, PERSONNEL DIRECTOR, TO ACCOUNTING DEPARTMENT TO ASSIST WITH WORK OF DEPARTMENT DURING PERIOD THE CITY ACCOUNTANT SERVES AS ACTING CITY MANAGER.

Councilman Dellinger moved that Mr. J. L. Greenlee, Personnel Director, be transferred to the Accounting Department to assist with the work during the period the City Accountant is serving as Acting City Manager. The motion was seconded by Councilman Albea, and unanimously carried.

DEEDS FOR RIGHTS-OF-WAY FOR WIDENING EAST FIFTH STREET, FROM CALDWELL STREET TO BREVARD STREET, ACCEPTED AND PAYMENT AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, the following rights-of-way deeds for the widening of East 5th Street from Caldwell Street to Brevard Street, were accepted and payment was authorized:

<u>DEED GRANTOR</u>	<u>CONSIDERATION</u>	<u>DATE OF DEED</u>
Margaret Hardin Porter et al	\$ 800.00	Feb. 7, 1959
D. A. S. Hoke et al	\$2,632.00	Feb. 24, 1959
Heiro L. Taylor, Jr. et al	\$ 716.00	March 2, 1959

EMPLOYMENT OF TWO ADDITIONAL RECORD CLERKS IN POLICE DEPARTMENT AUTHORIZED.

Councilman Brown moved that the request of Chief E. C. Selvey, Police Department, be granted, to employ two additional male record Clerks in the Police Department at the Job Level Classification of 360 points, effective May 1, 1959, for which he has funds available to the end of the fiscal year. The motion was seconded by Councilman Albea, and unanimously carried.

PAYMENT OF ATTORNEY'S FEE AUTHORIZED FOR PREPARING AMENDMENT TO ACT ESTABLISHING CHARLOTTE FIREMEN'S RETIREMENT SYSTEM SO THAT IT MAY INTERGRATE WITH SOCIAL SECURITY IF FOUND DESIRABLE.

Councilman Brown moved that the payment of the Attorney's fee be authorized for preparing an amendment to the Act Establishing Charlotte Firemen's Retirement System, so that it may be intergrated with Social Security if so desired by the uniformed firemen. The motion was seconded by Councilman Albea, and unanimously carried.

EMPLOYMENT OF THREE ENGINEERS IN ENGINEERING DEPARTMENT AUTHORIZED.

Councilman Foard moved that the request of the City Engineer be granted to employ one additional, and two replacement engineers, effective June 15, 1959, at the Job Level Classification of 600 points. The motion was seconded by Councilwoman Evans, and unanimously carried.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 553
ADOPTED.

Ordinance No. 553 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property located on both sides of Camp Green Street, between Freedom Drive and Royster Road, from R-2 to B-1, on petition of Marsh Land Company and Marsh Realty Company, was introduced and read. A Resolution Providing for a Public Hearing thereon on May 27th was then presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 336.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 554
ADOPTED.

Ordinance No. 554 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property located on the south side of Bowley Street, between Highland Street and Green Street, from R-2 to B-1, on petition of Marsh Land Company, was introduced and read. A Resolution Providing for a Public Hearing thereon on May 27th was then presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 337.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 555
ADOPTED.

Ordinance No. 555 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing a portion of the property located on the south side of Bowley Street, between Wyland Avenue and Highland Street, and a portion of the west side of Highland Street, between Wilkinson Boulevard and Bowley Street, from R-2 to B-1, on petition of Marsh Land Company, was introduced and read. A Resolution Providing for a Public Hearing thereon on May 27th was then presented and read. Upon motion of Councilwoman Evans, seconded by Councilman Dellinger, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 338.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 556
ADOPTED.

Ordinance No. 556 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property located 250 feet south of Southern Railroad, west of Remount Road, from R-2 to Industrial, on petition of Marsh Land Company, was introduced and read. A Resolution Providing for a Public Hearing thereon on May 27th was then presented and read. Upon motion of Councilwoman Evans, seconded by Councilman Dellinger, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 339.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 557
ADOPTED.

Ordinance No. 557 Amending Chapter 21, Article II, Section 5 of the City Code to amend the Building Zone Map of the Perimeter Area by changing property located 500 feet south of Southern Railway at the city limits,

from Rural to Industrial, on petition of Marsh Land Company, was introduced and read. A Resolution Providing for a Public Hearing thereon on May 27th was then presented and read. Upon motion of Councilwoman Evans, seconded by Councilman Dellinger, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 340.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 558 ADOPTED.

Ordinance No. 558 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property located on the east side of Avondale Avenue, from Clayton Drive to Dairy Branch, from R-2 to B-1, on petition of Marsh Realty Company, was introduced and read. A Resolution Providing for a Public Hearing thereon on May 27th was then presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Dellinger and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 341.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 559 ADOPTED.

Ordinance No. 559 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property located on the east side of South Boulevard, between Templeton Avenue and Rensselaer Avenue, from Light Industrial, B-1, B-2 and R-2 to Industrial, on petition of Fred E. Smith et al, was introduced and read. Thereupon a Resolution Providing for a Public Hearing thereon on May 27th was presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 342-43.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 560 ADOPTED.

Ordinance No. 560 Amending Chapter 21, Article II, Section 5 of the City Code to amend the Building Zone Map of the Perimeter Area by changing property located on the east side of Midland Avenue, between Wilkinson Boulevard and Lindsey Avenue, from R-2 to B-1, on petition of L. A. Waggoner and wife, was introduced and read. Thereupon, a Resolution Providing for a Public Hearing thereon on May 27th was presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 344.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 561 ADOPTED.

Ordinance No. 561 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property located on the south side of West Boulevard, east of Shuman Avenue, from R-2 to B-1, on petition of Sara H. Holder and husband, was introduced and read. A Resolution Providing for a Public Hearing thereon on May 27th was then presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 345.

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RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 562
ADOPTED.

Ordinance No. 562 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property located at 721 Hawthorne Lane, from R-2 to O-1, on petition of Mrs. Kathleen P. Harkey, was introduced and read. A Resolution Providing for a Public Hearing thereon on May 27th was then presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 346.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 563
ADOPTED.

Ordinance No. 563 Amending Chapter 21, Article I, Section 2 of the City Code, to amend the Building Zone Map of Charlotte by changing property at 1905 Independence Boulevard, North, from R-1 to R-2, on petition of James A. Wood, Jr., was introduced and read. A Resolution Providing for a Public Hearing thereon on May 27th was then presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 347.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 564
ADOPTED.

Ordinance No. 564 Amending Chapter 21, Article I, Section 2 of the City Code, to amend the Building Zone Map of Charlotte, by changing property located at the southeast and northeast corners of Independence Boulevard and St. Julian Street, from R-1 to B-1, on petition of C. B. Barbre and wife, et al, was introduced and read. A Resolution Providing for a Public Hearing thereon on May 27th was then presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 348.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 565
ADOPTED.

Ordinance No. 565 Amending Chapter 21, Article I, Section 2 of the City Code, to amend the Building Zone Map of Charlotte, by changing property located at 121 West Kingston Avenue, from R-2 to Industrial, on petition of Mrs. O. D. Taylor, was introduced and read. Thereupon, a Resolution Providing for a Public Hearing thereon on May 27th was presented and read. Councilwoman Evans moved the adoption of the resolution, which was seconded by Councilman Dellinger and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 349.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON MAY 27TH ON ORDINANCE NO. 566
ADOPTED.

Ordinance No. 566 Amending Chapter 21, Article II, Section 5 of the City Code, to amend the Building Zone Map of the Perimeter Area, by changing property located on the west side of Hoskins Avenue, south of Beechwood Acres No. 2 from R-2 to B-1, on petition of Mr. A. G. Brown, was introduced and read. Whereupon, a Resolution Providing for a Public Hearing on May 27th was introduced and read. Councilwoman Evans moved the adoption

of the resolution, which was seconded by Councilman Dellinger, and un-
animously carried. The resolution is recorded in full in Resolutions
Book 3, at Page 350.

CONDEMNATION PROCEEDINGS AUTHORIZED ENTERED INTO FOR RIGHT-OF-WAY FOR
MCMULLEN CREEK OUTFALL ACROSS PROPERTY OF H. P. MORRIS AND WIFE, AND
JERRY W. BLUCHER AND WIFE.

Upon motion of Councilman Albea, seconded by Councilman Foard and un-
animously carried, the City Attorney was authorized and directed to
enter condemnation proceedings for right-of-way for the McMullen Creek
Outfall across the property owned by H. P. Morris and wife, Clare Morris
and Jerry W. Blucher and wife, Jeanne M. Blucher.

DEEDS ACCEPTED AND PAYMENT AUTHORIZED FOR RIGHTS-OF-WAY FOR WIDENING OF
EAST MOREHEAD STREET, FROM THE BRIDGE OVER SUGAW CREEK TO KING'S DRIVE.

Motion was made by Councilman Foard, seconded by Councilman Brown, and
unanimously carried accepting deeds and authorizing payment for the
following rights-of-way for the widening of East Morehead Street, from
the Bridge over Sugaw Creek to King's Drive:

<u>DEED GRANTOR</u>	<u>CONSIDERATION</u>	<u>DATE OF DEED</u>
N. Frank Baxter and wife Kathry P. Baxter	\$9,000.00	January 29, 1959
Esso Standard Oil Company	\$ 650.00	March 18, 1959
Pauls-Hemingway, Inc.	\$5,000.00	March 3, 1959

CONTRACT AUTHORIZED WITH GEO. G. SCOTT & COMPANY FOR AUDITING CITY'S
ACCOUNTS FOR PERIOD JULY 1, 1958 TO JUNE 30, 1959.

Councilman Albea moved that contract be authorized with Geo. G. Scott
and Company for auditing the City's accounts for the period July 1, 1958
to June 30, 1959, for the sum of \$9,500.00. The motion was seconded
by Councilman Foard, and unanimously carried.

SUPPLEMENTARY CONTRACT WITH J. A. JONES CONSTRUCTION COMPANY FOR IN-
STALLATION OF WATER MAINS IN STONEHAVE SUBDIVISION #2.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and un-
animously carried, supplementary contract, to contract dated November 7,
1955, was authorized with J. A. Jones Construction Company for the in-
stallation of 3,115 feet of water mains and 2 hydrants in Stonehaven
Subdivision No. 2, at an estimated cost of \$9,125.00. The Company to
pay the entire costs and own the mains until the area is incorporated
into the city, when they will become the property of the city without
further contract.

CONTRACT AWARDED SOUTHERN OXYGEN COMPANY FOR PORTABLE RESUSCITATOR, AIR-
PAKS, AND FOUR OXYGEN CYLINDERS.

Motion was made by Councilman Dellinger, seconded by Councilman Baxter,
and unanimously carried, awarding contract to Southern Oxygen Company,
for One Emerson Portable Resuscitator, Two Scott Air-Paks and Four Oxy-
gen Cylinders, all as specified, at a net delivered price of \$1,089.12.

The low bid of Mine Safety Appliances Company was on a Pneolator Resuscitator, which, it was felt would not best serve the City's needs since the men are familiar with the Emerson Resuscitator and have been schooled in its use.

All net delivered bids received on the equipment are as follows:

Mine Safety Appliances Company	\$1,054.48
Southern Oxygen Company	\$1,089.12
Fire Equipment Company	\$1,181.33

AGREEMENT WITH NORFOLK-SOUTHERN RAILWAY COMPANY FOR RIGHT-OF-WAY FOR THE EXTENSION OF BRIAR CREEK OUTFALL TO SHANNON PARK SUBDIVISION.

Councilman Wilkinson moved approval of an Agreement with the Norfolk-Southern Railway Company for right-of-way for the extension of Briar Creek Outfall to Shannon Park Subdivision. The motion was seconded by Councilman Baxter, and unanimously carried.

LEASE OF AIRPORT BUILDINGS REPORTED CONCLUDED.

The City Manager reported that leases have been concluded with Comer Machinery Company for Airport Buildings #289 and #72, for a period of one year to March 31, 1960, at monthly rentals of \$465.00 and \$91.80, respectively.

SPECIAL OFFICER PERMITS AUTHORIZED ISSUED TO H. N. PORTER FOR USE AT NEBEL KNITTING COMPANY AND TO RALPH S. PADGETT FOR USE AT FEDERAL RESERVE BANK.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, Special Officer Permits were authorized issued to H. N. Porter for use on the premises of Nebel Knitting Company and to Ralph S. Padgett for use on the premises of Federal Reserve Bank.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Foard, seconded by Councilman Baxter, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Joseph Leighton Choate, Jr. for Lot 353, Section 3, Evergreen Cemetery, at \$252.00.
- (b) Deed with Mrs. Willie Choate Hampton, for Lot 352, Section 3, Evergreen Cemetery, at \$252.00.

REAPPOINTMENT OF T. A. LITTLE TO AUDITORIUM-COLISEUM AUTHORITY.

Councilman-Dellinger moved the reappointment of Mr. T. A. Little to the Auditorium-Coliseum Authority, for a term of 5 years from the expiration of his present term on April 25th. The motion was seconded by Councilman Brown.

Councilwoman Evans asked if there were to be no other nominees, and if Mr. Little has been asked if he will accept reappointment? Councilman Dellinger stated he would assume that a person is interested in reappoint-

ment unless he says he is not when his term is expiring, and he feels that a person who has done an excellent job on a Board should be re-appointed, and Mr. Little has served in this capacity very well indeed.

Councilman Baxter stated that he asked Mr. Little if he would accept reappointment and he said he would be glad to continue to serve in this capacity; Councilman Baxter stated further that Mr. Little has done an excellent job and is well qualified for the work as he is in the entertainment field.

The vote was then taken on the motion, and unanimously carried.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk