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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 Monday, August 31, 1959, at 4 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Babcock, Dellinger, Hitch, Myers, Smith and Whittington being present.

ABSENT: None.

* * * * *

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Councilman Myers moved that the Minutes of the last meeting on August 17th be approved as submitted with the following corrections:

1. In the item on Page 24 authorizing the City Manager to have temporary sidewalks constructed on the NE side of Shamrock Road that is inside the city limits, change the wording to "the City Manager and City Engineer were requested to investigate the availability of funds for the construction of temporary sidewalks on the NE side of Shamrock Road that is inside the city limits".
2. In the item on Page 22 relative to the adoption of Ordinance No. 605, change the title of Mr. J. B. Bell from "Chief Building Inspector" to "Acting Chief Building Inspector".

The motion was seconded by Councilman Hitch, and unanimously carried.

TEMPORARY SIDEWALKS AUTHORIZED CONSTRUCTED FROM SHAMROCK SCHOOL TO PRESENT CITY LIMITS ALONG SHAMROCK DRIVE, WITH FUNDS ALLOCATED FROM EMERGENCY FUND.

Councilman Dellinger moved that the temporary sidewalks discussed at the last meeting be constructed along Shamrock Drive to the present city limits.

A substitute motion was made by Councilman Myers that a report be obtained from the City Manager as to the cost and where the sidewalk should be placed, as the school is back from the street. He stated he thinks the matter should be coordinated with the School Board. The motion was seconded by Councilman Smith, and carried with the following votes cast:

YEAS: Councilmen Myers, Smith, Albea, Babcock and Hitch.

NAYS: Councilmen Dellinger and Whittington.

Councilman Dellinger urged that the matter be settled today, and asked that the City Engineer be called into the meeting and advise now what the cost will be and just where the sidewalk will be constructed. Mr. Cheek appeared before Council and advised that the cost is estimated at \$1,400.00 to construct temporary sidewalks from Shamrock School to the present city limits along Shamrock Drive.

Following the discussion, Councilman Dellinger moved that the sidewalks be constructed as outlined by the City Engineer and the \$1,400.00 be allocated from the Emergency Fund. The motion was seconded by Councilman Whittington, and unanimously carried.

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TAX COMMITTEE ADVISES WILL PRESENT PROGRESS REPORT AT NEXT COUNCIL MEETING.

Councilman Dellinger advised that the Tax Committee of the Council and County relative to revising last year's contract on the Consolidation of the Tax Departments, has not been able to have a meeting due to sickness etc; however, he will have a progress report at the next Council Meeting.

COMPILATION OF LIST OF ALL STREETS IN DOWNTOWN AREA ON WHICH SETBACK LINES HAVE NOT BEEN ESTABLISHED, REQUESTED.

Councilman Dellinger requested the City Manager to have compiled a list of all streets in the downtown area on which setback lines have not been established. He stated he thinks the Council should be consistent in carrying out the program.

CONFERENCE REQUESTED RELATIVE TO GRADE ELIMINATION PROGRAM TO FAMILIARIZE ALL COUNCIL MEMBERS WITH PROGRAM.

Councilman Smith referred to the recent articles in the newspaper regarding the City's Grade Elimination Program, and requested the Mayor to call a conference of the Council to familiarize the members with the program. Councilman Dellinger suggested that Mr. Frank Miller, Consulting Engineer for the Program, and Mr. Shaw, City Attorney, be present at the meeting. Mayor Smith stated he would contact Mr. Miller and set the date for the conference.

COUNCIL REQUESTED TO KEEP NOISE AT MINIMUM AND TRANSACT BUSINESS SO THAT VISITING PUBLIC MAY KNOW WHAT IS HAPPENING.

Councilman Whittington advised that several people attending Council Meeting have been critical of the noise in the hall and outside the building to the extent they are unable to hear and know what is going on. He stated he is of the opinion that the Council should endeavor to keep the noise at a minimum, and transact its business so that the audience will know what is happening.

COMMITTEE ADVISES RECOMMENDATIONS RELATIVE TO TAKING CARE OF WORK LOAD OF CITY RECORDER'S COURT WILL BE PRESENTED AT NEXT COUNCIL MEETING.

Councilman Hitch, reporting for the City Recorder's Court Committee, stated that Judge Currie, appointed by Mr. Lobdell, President of Mecklenburg Bar Association, has been working with Judge William Scarborough, County Recorder's Court, relative to sharing in the work load, and a report and recommendations will be completed by the next Council Meeting. He advised that everything possible is being done to lighten the work load of the Court.

SALARY OF CITY SOLICITOR INCREASED.

Councilman Hitch recommended a salary increase of \$1,500.00 per annum for Mr. George Miller, City Solicitor. He advised Judge Arbuckle states that Mr. Miller is putting in some 12 hours a day because of the heavy court docket, coming to the office at 6 o'clock to interview prisoners and working late in the afternoon, and feels that he is entitled to a salary increase. Councilman Hitch moved that Mr. Miller's salary be increased from \$6,000.00 to \$7,500.00. The motion was seconded by Councilman Myers, and unanimously carried.

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TRAFFIC SURVEYS REQUESTED AT INTERSECTION OF WEST BOULEVARD AND WILMORE DRIVE, AND AT NORTH DAVIDSON STREET AND BELMONT AVENUE.

Councilman Albea requested the City Manager to have a traffic survey made at the intersections of West Boulevard and Wilmore Drive, and at North Davidson and Belmont Avenue, to ascertain if traffic lights are needed at these locations.

REPORT AND RECOMMENDATIONS OF COMMITTEE ON ELIMINATION OF DUPLICATE STREET NAMES AND ELIMINATION OF LACK OF CONTINUITY IN STREETS, ADOPTED.

Mr. Ben E. Douglas, Chairman of the Committee on the Elimination of Duplicate Street Names and Elimination of Lack of Continuity in Streets in Charlotte and the Perimeter Area, presented their Report and Recommendations. He expressed his appreciation for having been given the opportunity to render service to the city by working on this important matter. He stated the city cannot possibly continue to grow and progress with the great number of duplicated street names and the lack of continuity in street names, and urged that the recommendations by the Committee be adopted. Mr. Douglas pointed out that the recommendations provide that a 30 day period be allowed in which citizens may file petitions for another name than that selected for the street name being changed.

Mr. Douglas requested that the Council dissolve the Committee as their work is now completed.

Mayor Smith expressed his sincere appreciation to Mr. Douglas, the members of the Committee and Mr. Levy, Clerical Assistant to the Committee, for a hard job well done, and he declared the Committee dissolved.

Speaking in support of the Committee's recommendations, and urging their adoption were Mr. John Knott, Chairman of the Chamber of Commerce Committee, who first recommended that duplicate street names be eliminated; Mr. Buell Duncan, President of the Chamber of Commerce, Mr. Ed Thomas, Postmaster, County Fire Marshal Sigsby Tadlock, Charlotte Police Chief Jesse James and Mr. Charles Lowe, Vice-Chairman of the Committee.

Mayor Smith stated he knows there is a pressing need for the elimination of these duplicated street names and the lack of continuity in street names, and requested the Council to study the report and recommendations and adopt them at the earliest possible time.

Councilman Smith expressed objections to the provision in Section 5 of the Recommendations that when the list of street names are finally adopted by the Council, the names will be "irrevocable", in view of the fact that the Council has the right to change a street name at any time for cause. Mr. Douglas stated the word "irrevocable" was intended to apply only to the 30-day waiting period in which changes may be made, in order to keep the report intact until further changes requested by citizens could be checked by the Planning Board office.

Councilman Hitch moved the adoption of the Report and Recommendations with the word "irrevocable" deleted from Section 5. The motion was seconded by Councilman Babcock, and unanimously carried.

The Report and Recommendations are permanently filed in the office of the City Clerk, together with the Work Sheets indicating the point system applied to each duplicated street name under the criteria used in the Committee's considerations.

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CITY MANAGER REQUESTED TO PRESENT RESOLUTION TO ESTABLISH PROCEDURE FOR CARRYING OUT RECOMMENDATIONS FOR THE ELIMINATION OF DUPLICATE STREET NAMES AND LACK OF CONTINUITY IN STREET NAMES.

Councilman Myers moved that the City Manager be authorized to present at the next meeting a resolution with positive steps of procedure to carry out the provisions of the recommendations for the elimination of duplicate street names and the lack of continuity in street names. The motion was seconded by Councilman Babcock, and unanimously carried.

PROTESTS REGISTERED AGAINST THE PROPOSED WIDENING OF RADCLIFFE AVENUE.

Dr. Fred Austin, Dr. P. C. Hull, Jr. and Mr. Lloyd Williams, residents of Radcliffe Avenue, appeared in protest of the widening of Radcliffe Avenue 11 feet on the south side as requested by Queens College to obtain relief from the traffic problem at the college. Dr. Austin asked that Council action approving the widening of the south side of Radcliffe Avenue 11 feet be rescinded until the Master Street Plan is completed by the City, and if it is then recommended that the street be so widened, they will agree; otherwise, they will be forced to go to the expense and embarrassment of obtaining a restraining order against the city. Dr. Austin asked why the widening was only on the south side instead of from the middle of the street? Mr. Hoose, Traffic Engineer, replied that the traffic problem is on the south side, also there are fewer trees to come down and fewer poles to be removed, on this side of the street. He stated further that the 11 feet is taken care of in the planting strip and the widening will not encroach on private property at all.

REQUEST OF BRUCE JOHNSON TRUCKING COMPANY FOR ESTABLISHMENT OF ADDITIONAL TRUCK ROUTE VIA BREVARD STREET REFERRED TO CITY MANAGER FOR RECOMMENDATION.

Mr. Leonard McLaurin, Sales Manager for Bruce Johnson Trucking Company requested that a new truck route be established on Creosote Road, Caldwell Street and North Brevard Street to 11th street, as there are approximately 25 warehouses and shippers on this route, together with fifteen truck lines and businesses in the northern part of the city that would use such route to great advantage, which would reduce the route now used by approximately one-half; too, that the route now used is very hazardous.

The request was referred to the City Manager for recommendation and report at the next meeting.

REQUEST THAT SIGNS RESTRICTING TRUCKS FROM USING MORETZ AVENUE AND DRUID CIRCLE NORTH REFERRED TO CITY MANAGER FOR RECOMMENDATION.

Mrs. Dorothy Shipman advised that the residents of Moretz Avenue and Druid Circle North are much disturbed from the noise of trucks moving over these streets, and by the hazards they cause to pedestrians. She requested that signs be posted on the street prohibiting trucks from using this route. The request was referred to the City Manager for recommendation and report at the next Council Meeting.

JOB CLASSIFICATION MANUALS PRESENTED COUNCIL BY LESS ASSOCIATES.

At the request of Councilman Dellinger, Mr. Geer of Lee Associates presented Manuals of the proposed Job Classification Plan to the Council members. Councilman Dellinger requested that they be studied and stated he would arrange a meeting so that Mr. Geer can go over the details of the Plan with the Council.

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REQUEST THAT ELECTRIC HEATING INDUSTRY BE CLEARLY RECOGNIZED IN NEW BUILDING CODE REFERRED TO BUILDING STANDARDS BOARD.

Councilman Dellinger presented a letter from Mr. George L. Bagby to Mr. Grady Sparrow as a member of the Advisory Committee relative to the Building Code Ordinance, in which he stated he is interested in the proposed new Code insofar as it pertains to the installation of electric heat. He stated it appears that the Electric Heat Industry in being discriminated against by not being recognized clearly in the proposed code, and asked Mr. Sparrow's cooperation.

Councilman Myers stated that Mr. Sparrow has been appointed to the Building Standards Board as a representative of the electrical industry, and Mr. Bagby's letter is, in fact, referring to the Heating and Ventilating Code, which has been submitted to the Building Standards Board for consideration and action. He suggested that Mr. Bagby's letter be turned over to the Board for consideration.

ORDINANCE NO. 585 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY ON BOTH SIDES OF GREENWICH ROAD, AT OLD SARDIS ROAD, FROM B-1 TO R-2, ON PETITION OF COTSWOLD RESIDENTS, DENIED.

Mr. Jerry Pate and Mr. David Serrin appeared before Council relative to the petition of residents of the Cotswold Area for a change in zoning on both sides of Greenwich Road, at Old Sardis Road, from B-1 to R-2, on which a hearing was held on July 20th and decision deferred by the Council until the City Attorney gave a ruling as to the legality of the petition by persons who did not own the property in question, and the owners protest. Mr. Pate stated that at the hearing Mr. Irving Boyles, Attorney for the owner, stated he had no knowledge that the owner contemplated constructing a bowling alley on the property and that Mr. Serrin has seen a plat of the property with the bowling center on it. Mr. Serrin stated he has the map referred to. Mr. Boyles, who was present, stated he resents Mr. Pate inferring that he withheld information at the hearing, and he reiterated that he has no knowledge of such proposed construction.

Mayor Smith asked the City Attorney to present his ruling, and the City Attorney reviewed the original zoning of the property in question and the changes, and ruled that at least one of the petitioners is eligible to petition for the change and three others are probably eligible as they purchased their property after zoning was adopted; therefore, the matter is properly before the Council. However, technically the burden is on the petitioners, and their reasons stated in the petition for requesting the change would not justify a change in zoning. The first reason being damage to property is not valid; the 2nd reason, being dangerous to school children, is not proven as records do not show that by reason of the increase in traffic there has been any increased danger, as no accidents involving school children nor any at the intersection of Greenwich Road have occurred. Also, the school has not materially increased in enrollment; therefore, it appears to him that the petitioners have not sustained their burden that the zoning is against the public welfare. He stated further that, of course, the Council is the one who will make the decision and not the City Attorney.

Following the discussion, Councilman Babcock moved the adoption of the Ordinance to rezone the property R-2 as requested. The motion was seconded by Councilman Hitch.

A substitute motion was offered by Councilman Dellinger that the petition for a change from B-1 to R-2, be denied, as recommended by the Planning Board. The motion did not receive a second.

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Councilman Smith offered a substitute motion that the zoning be change from B-1 to B 1-A. The motion was seconded by Councilman Myers, and lost with the votes cast as follows:

YEAS: Councilmen Smith, Dellinger and Myers.
NAYS: Councilmen Albea, Babcock, Hitch and Whittington.

The vote was then taken on the main motion by Councilman Babcock to rezone the property R-2, and lost as it did not receive the required 3/4th vote of the Council, the votes being cast as follows:

YEAS: Councilmen Babcock, Albea, Hitch and Whittington.
NAYS: Councilmen Smith, Dellinger and Myers.

ORDINANCE NO. 584 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA, CHANGING PROPERTY ON WEST SIDE OF US-29 BYPASS FROM R 2 TO INDUSTRIAL, WITH BOUNDARIES REVISED, ADOPTED.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and carried, Ordinance No. 584 Amending the Zoning Ordinance by amending the Building Zone Map of the Perimeter Area ^{was adopted} changing property on west side of US-29 Bypass, from R-2 to Industrial, on petition of M. E. and Mary Beatty with the boundaries of the property revised to include that portion being more than 200 ft. south of Lynn Street and approximately 250 feet east of Marvin Street, fronting on Interstate Highway 85 and East End Street. The ordinance is recorded in full in Ordinance Book 12, at Page 403. The votes on the motion were cast as follows:

YEAS: Councilmen Babcock, Dellinger, Hitch, Myers, Smith and Whittington.
NAYS: Councilman Albea.

ORDINANCE NO. 587 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE, DENIED.

Councilman Albea moved that Ordinance No. 587 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte changing property on the NW side of Thomas Place, between Herrin Avenue and Academy Street, from R-2 to B-1, on petition of S. P. Risley, be denied as recommended by the Planning Board. The motion was seconded by Councilman Smith.

Councilman Dellinger offered a substitute motion that the petition be granted and the Ordinance be adopted. The motion was seconded by Councilman Whittington. Councilman Dellinger stated that a few years ago the rear portion of the property was rezoned and there is a buffer street at the rear, and he feels the entire property should be zoned alike. The vote was taken on the substitute motion and lost, with the votes cast as follows:

YEAS: Councilmen Dellinger and Whittington.
NAYS: Councilmen Albea, Babcock, Hitch, Myers and Smith.

The vote was then taken on the main motion by Councilman Albea, and carried, with the votes cast as follows:

YEAS: Councilmen Albea, Babcock, Hitch, Myers and Smith.
NAYS: Councilmen Dellinger and Whittington.

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ORDINANCE NO. 593 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY ON BOTH SIDES OF EAST BOULEVARD, EUCLID AVE TO WINTHROP AVE, FROM R-2 TO OFFICE-INSTITUTION, ADOPTED.

Councilman Smith moved that Ordinance No. 593 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte changing property located on both sides of East Boulevard, Euclid Avenue to Winthrop Avenue, from R-2 to Office-Institution, on petition of F. J. Heath et al, be adopted as recommended by the Planning Board. The motion was seconded by Councilman Hitch, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 404.

ORDINANCE NO. 594 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY AT 1812-1818 EUCLID AVENUE, FROM R-2 TO B-1, ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilman Dellinger, and unanimously carried, Ordinance No. 594 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte changing property at 1812-1818 Euclid Avenue, from R-2 to B-1, on petition of Willie E. and Hazel N. Doster and Herbert and Myrtle Richmond, was adopted as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, at Page 405.

ORDINANCE NO. 595 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY AT 308 WEST WORTHINGTON AVENUE, FROM R-2 TO B-1, ADOPTED.

Motion was made by Councilman Whittington, seconded by Councilman Myers, and unanimously carried, adopting Ordinance No. 595 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte changing property at 308 West Worthington Avenue from R-2 to B-1, on petition of D. C. Cheyne and wife, as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, at Page 406.

ORDINANCE NO. 596 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY AT 1718-1720-1722 SOUTH TRYON STREET, FROM R-2 TO B-1, ADOPTED.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, Ordinance No. 596 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte by changing property at 1718-1720-1722 South Tryon Street from R-2 to B-1, on petition of J. A. Daly and wife, and J. M. Archer and wife, was adopted as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, at Page 407.

ORDINANCE NO. 597 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY AT THE NE CORNER OF GARDNER AVE & CHAMBERLAIN AVE. FROM R-2 TO LIGHT INDUSTRIAL, ADOPTED.

Councilman Smith moved that Ordinance No. 597 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte changing property at the NE corner of Gardner and Chamberlain Avenues, from R-2 to Light Industrial be adopted, as recommended by the Planning Board. The motion was seconded by Councilman Hitch, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 408.

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ORDINANCE NO. 598 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY ON THE EAST SIDE OF BRADFORD DRIVE BETWEEN KEY STREET AND NORTH STREET, FROM R-2 TO B-1, CONTINUED TO NEXT MEETING.

Councilman Smith stated the statement "The subject property is surrounded on all sides by established residential uses" is misleading in the recommendation of the Planning Board regarding the petition for a change in zoning on the east side of Bradford Drive, from R-2 to B-1. That he understood that the south side is zoned B-1. He moved that action on the petition be continued until the next Council Meeting. The motion was seconded by Councilman Whittington, and unanimously carried.

ORDINANCE NO. 599 AMENDING CHAPTER 21, ARTICLE I, SECTION 2 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF CHARLOTTE, BY CHANGING PROPERTY AT 1124-1214 EAST 10TH STREET FROM R-2 TO B-1, ADOPTED.

Motion was made by Councilman Whittington, seconded by Councilman Dellinger, and unanimously carried, that Ordinance No. 599 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte, by changing property at 1124-1214 East 10th Street, on petition of O. J. Fink, C. N. Hill et al, from R-2 to B-1, ^{was adopted} as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, at Page 409.

ORDINANCE NO. 600 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY ON THE EAST SIDE OF PARK ROAD, SOUTH OF MONTFORD DRIVE, FROM R-2 TO B-1, ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilman Smith, and unanimously carried, Ordinance No. 600 Amending the Zoning Ordinance by amending the Building Zone Map of the Perimeter Area changing property on the east side of Park Road, south of Montford Drive, from R-2 to B-1, on petition of W. Frank Graham, was adopted as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, at Page 410.

ORDINANCE NO. 607 AMENDING CHAPTER 21, ARTICLE II, SECTION 5 OF THE CITY CODE AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY ON THE EAST SIDE OF ASHLEY ROAD, FROM RURAL AND B-1 TO INDUSTRIAL, ADOPTED.

Councilman Hitch moved that Ordinance No. 607 Amending the Zoning Ordinance by amending the Building Zone Map of the Perimeter Area by changing property on the east side of Ashley Road, from Rural and B-1 to Industrial, on petition of Mrs. Mary R. Alexander, be adopted as recommended by the Planning Board. The motion was seconded by Councilman Dellinger, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 411.

ORDINANCE NO. 622 AMENDING THE FIRE PROTECTION & PREVENTION CODE OF THE CITY OF CHARLOTTE SO AS TO BROADEN THE DEFINITION OF HAZARDOUS CHEMICALS AND TO INCORPORATE BY REFERENCE THE FIRE PREVENTION CODE, EDITION OF 1956 AS RECOMMENDED BY THE NATIONAL BOARD OF FIRE UNDERWRITERS INTO THE CODE OF THE CITY OF CHARLOTTE, ADOPTED.

An ordinance entitled: "Ordinance No. 622 Amending the Fire Protection & Prevention Code of the City of Charlotte so as to Broaden the Definition of Hazardous Chemicals and to Incorporate by Reference the Fire Prevention Code, Edition of 1956, as Recommended by the National Board of Fire Underwriters into the Code of the City of Charlotte" was introduced and read.

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Councilman Whittington moved the adoption of the ordinance, which was seconded by Councilman Dellinger, and unanimously carried. The Ordinance is recorded in full in Ordinance Book 12, beginning at Page 412.

REVOCATION OF TAXICAB DRIVER'S LICENSE ISSUED TO WILLIAM E. BRIGMAN.

Upon motion of Councilman Babcock, seconded by Councilman Myers, and un-animously carried, the Taxicab Driver's License held by William E. Brigman was revoked as recommended by the Chief of Police and Taxicab Inspector, because of his criminal record and violations of the Taxicab Ordinance.

SALE OF VICTORY CAB #150 BY WILLIAM E. BRIGMAN TO KENNETH O. BEATTY, OWNER OF RED TOP CAB COMPANY AND ISSUANCE OF CERTIFICATE OF NECESSITY FOR ITS OPERATION AUTHORIZED.

Councilman Dellinger moved approval of the sale of Victory Cab #150 by William E. Brigman to Kenneth O. Beatty, owner of Red Top Cab Company, and the authorization of the issuance of a Certificate of Necessity for the operation of the Cab. The motion was seconded by Councilman Smith, and unanimously carried.

PAYMENT OF FEE FOR RIGHT-OF-WAY SURVEY IN CONNECTION WITH SEWER TRUNK LINE IN CRESTMERE AVENUE AUTHORIZED TO GENERAL SURVEYORS, INC.

Councilman Albea moved the payment of \$200.00 to General Surveyors, Inc. from the Sewer Bond Fund for survey in connection with the sanitary sewer trunk line in Crestmere Avenue. The motion was seconded by Councilman Hitch and unanimously carried.

PAYMENT OF FEE FOR OBTAINING RIGHTS-OF-WAY IN CONNECTION WITH MCMULLEN CREEK OUTFALL AUTHORIZED TO HENRY G. NEWSON.

Upon motion of Councilman Albea, seconded by Councilman Hitch, and un-animously carried, payment of fee in the amount of \$210.00 was authorized from the Sewer Bond Fund to Mr. Henry G. Newson for obtaining rights-of-way in connection with the McMullen Creek Outfall.

PAYMENT AUTHORIZED TO BERNICE FOSTER AND L. WEIDNER PATTERSON AND WIFE, FOR RIGHTS-OF-WAY IN CONNECTION WITH ASHLEY ROAD AND CLOISTERS TRUNK LINES.

Motion was made by Councilman Dellinger, seconded by Councilman Hitch, and unanimously carried, authorizing the payment of \$194.45 to Bernice Foster and \$69.00 to L. Weidner Patterson and wife, from the Sewer Bond Fund for sanitary sewer rights-of-way in connection with the Ashley Road and Cloisters trunk lines.

ERVIN CONSTRUCTION COMPANY AUTHORIZED TO CONNECT PRIVATELY OWNED SANITARY SEWER LINES TO BE CONSTRUCTED OUTSIDE THE CITY LIMITS, TO THE CITY'S SANITARY SEWERAGE SYSTEM.

Councilman Dellinger moved that Ervin Construction Company be granted permission to connect privately owned sanitary sewer lines, to be constructed outside the city limits, to the City's Sanitary Sewerage system. The motion was seconded by Councilman Myers, and unanimously carried.

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CONSTRUCTION OF SANITARY SEWER MAINS.

Upon motion of Councilman Smith, seconded by Councilman Myers, and un-animously carried, the construction of sanitary sewer mains was authorized at the following locations:

- (a) Construction of 150-ft. of sewer in North Summit Avenue, from Condon Street south 150-ft. to serve 2 business units, at an estimated cost of \$460.00, at the request of Mecklenburg Iron Works. All costs to be borne by the City.
- (b) Construction of 2,873-ft. of sewer in Rollingwood Subdivision #2, inside the city limits, to serve residential property, at an estimated cost of \$7,910.00, at the request of Ervin Construction Company. All costs to be borne by the City, and the required deposit of the full cost to be refunded the applicant as per terms of the contract.
- (c) Construction of 1,550-ft. of sewer mains and trunk in Woodridge Avenue, to serve 2 family units and 29 vacant lots, at an estimated cost of \$5,395.00, at the request of John Crosland Company. All costs to be borne by the City and applicant's required deposit of \$4,195.00 of the cost to be refunded as per terms of the contract.
- (d) Construction of 779-ft. of sewer in Edgebrook Subdivision to serve residential property, at an estimated cost of \$2,025.00, at request of John Crosland Company. All costs to be borne by the City and the required deposit of the entire cost to be refunded the applicant as per terms of the contract.

EXTENSION OF SICK LEAVE GRANTED HENRY PORTER, STREET DEPARTMENT EMPLOYEE.

Upon motion of Councilman Dellinger, seconded by Councilman Hitch and un-animously carried, sick leave extension to December 31, 1959 was granted Henry Porter, Street Department employee, during which period he will receive a wage of \$1.00 per day, in order that he qualify for the maximum Social Security benefits.

LEASE AUTHORIZED WITH DELTA AIRLINES FOR AIRPORT LAND FOR UNDERGROUND JET FUEL STORAGE.

Motion was made by Councilman Albea, seconded by Councilman Dellinger, and carried, authorizing the lease of a tract of land 150' x 50' on the south side of Police Club Road, to Delta Airlines to be used for underground storage of jet fuel, at a rental of \$150.00 per annum, for a term to run concurrently with their lease of space in the Terminal. Councilman Whittington stated he understands that the rental paid for such leases of airport property is entirely too small. Mr. Veeder, City Manager, advised that this lease was discussed by the Airport Advisory Committee and the Airport Manager and the rental was apparently in order. The votes cast on the motion were as follows:

YEAS: Councilmen Albea, Babcock, Dellinger, Hitch, Myers and Smith.

NAYS: Councilman Whittington.

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CONTRACT AWARDED CONCRETE PRODUCTS COMPANY FOR WATER METER BOXES.

Councilman Myers moved that contract be awarded the only bidder, Concrete Products Company for 1,000 concrete water meter boxes, as specified, at \$4.90 each, representing a net delivered price of \$4,900.00. The motion was seconded by Councilman Babcock, and unanimously carried.

CONTRACT AWARDED W. T. BRANSON HEATING COMPANY TO REPLACE HEATING PLANT AT FIRE STATION NO. 6.

Upon motion of Councilman Dellinger, seconded by Councilman Babcock, and unanimously carried, contract was awarded the low bidder, W. T. Branson Heating Company to replace heating plant, making all connections to present heating system, at Fire Station No. 6, as specified, at a net installed price of \$1,556.00.

The following net delivered bids were received:

W. T. Branson Heating Co.	\$1,556.00
J. V. Andrews Company	\$1,696.00
Daughtery Sheet Metal Company	\$1,699.50
P. C. Godfrey, Inc.	\$1,714.00
Mechanical Contractors, Inc.	\$1,890.00
Tompkins-Johnston Company, Inc.	\$1,965.00

CONTRACTS AUTHORIZED FOR INSTALLATION OF WATER MAINS.

Motion was made by Councilman Albea, seconded by Councilman Myers, and unanimously carried, authorizing contracts with the following persons for the installation of water mains:

- (a) Contract with Fred Denson and wife, for the installation of 6,630-ft. of water mains and 3 hydrants in Hillcrest Acres Subdivision, outside the city, at an estimated cost of \$16,600.00. The applicants to pay the entire cost and own the mains until the area is incorporated into the City, at which time they will become the property of the City without further agreement.
- (b) Contract with Reid Oil Company, Inc. for the installation of 2,550-ft. of water mains and 1 hydrant in Wilkinson Boulevard and Marshall Avenue, outside the city, at an estimated cost of \$6,325.00. The Company to pay the entire cost and own the mains until the area is incorporated into the City, at which time they will become the property of the City without further agreement.
- (c) Supplementary Contract (to contract dated April 15, 1959) with American Investment Company, for the installation of an additional 27,125-ft. of water mains and 14 hydrants in Lansdowne Subdivision, outside the city, at an estimated cost of \$75,000.00. The Company to pay the entire cost and own the mains until the area is incorporated into the City, at which time they will become the property of the City without further agreement.

CONTRACT AUTHORIZED CO-SIGNED WITH STATE HIGHWAY DEPARTMENT AND FRED DENSON AND WIFE, FOR INSTALLATION OF WATER MAINS IN ALBEMARLE ROAD.

Councilman Hitch moved that the Mayor and City Clerk be authorized to co-sign a contract between Fred Denson and wife and the State Highway Department for right-of-way for the installation of water mains in Albemarle Road, outside the City. The motion was seconded by Councilman Dellinger, and unanimously carried.

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CONTRACT AUTHORIZED CO-SIGNED WITH REID OIL COMPANY AND THE STATE HIGHWAY DEPARTMENT FOR RIGHT-OF-WAY FOR THE INSTALLATION OF WATER MAINS IN WILKINSON BOULEVARD AND MARSHALL AVENUE, OUTSIDE THE CITY.

Motion was made by Councilman Babcock, seconded by Councilman Albea, and unanimously carried, authorizing the Mayor and City Clerk to co-sign a contract between Reid Oil Company and the State Highway Department for right-of-way for the installation of water mains in Wilkinson Boulevard and Marshall Avenue, outside the city.

ISSUANCE OF SPECIAL OFFICER PERMITS TO JOHN W. PATTON AND R.A. SMITH, AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Hitch, and unanimously carried, the issuance of Special Officer Permits was authorized to John W. Patton, for use on the premises of Johnson C. Smith University and to R. A. Smith for use on the premises of Highland Park Mfg. Company.

APPOINTMENT OF CHARLES S. FROST AS SUPERINTENDENT OF BUILDINGS & GROUNDS DEPARTMENT.

The City Manager advised that he appointed Mr. Charles S. Frost as Superintendent of the Buildings & Grounds Department, effective August 24th, which is in addition to his duties as Director of the Air Pollution Control Department.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mrs Al Hartman, for Grave #4, Lot 100, Section 3, Evergreen Cemetery, at \$40.00.
- (b) Deed with Harry & Bryant Company for Grave #3, Lot 93, Section 3, Evergreen Cemetery, at \$40.00.
- (c) Deed with Herbert B. Darrow and wife, for Lot 302, Section 2, Evergreen Cemetery, at \$160.00.
- (d) Deed with Hankins-Whittington Funeral Home, for Graves #4 and #5, Lot 96, Evergreen Cemetery, at \$80.00.
- (e) Deed with Mrs Eula L. McCaulley, for Grave #6, Lot 96, Section 3, Evergreen Cemetery, at \$40.00.
- (f) Deed with Hankins-Whittington Funeral Home, for Grave #6, Lot 94, Section 3, Evergreen Cemetery, at \$40.00.
- (g) Deed with Robert W. Elliott and Richard E. Thigpen, Jr., for Lots 160 and 161, in Section 2, Evergreen Cemetery, at \$480.00.

MAYOR TO APPOINT COUNCIL COMMITTEE TO MEET WITH URBAN REDEVELOPMENT COMMISSION RELATIVE TO PLANS ON THE REDEVELOPMENT OF THE BROOKLYN AREA.

Councilman Myers stated he would like the Council to meet with the Urban Redevelopment Commission because a number of commercial buildings are being planned for the Brooklyn area to be redeveloped, and he thinks the property owners should know something definite. Mayor Smith stated he thinks a Council Committee should be appointed to meet with the Commission, and he will appoint such Committee.

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ESTABLISHMENT OF DEFINITE PROCEDURE RELATIVE TO SICK LEAVE EXTENSION
REQUESTED.

Councilman Myers recommended that a definite procedure be established regarding sick leave extensions, and that a medical certificate be required with the application for such extension.

ADJOURNMENT.

Upon motion of Councilman Hitch, seconded by Councilman Albea, and un-
animously carried, the meeting was adjourned.

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk