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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, December 28, 1959, at 4 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Babcock, Dellinger, Myers, Smith and Whittington being present.

ABSENT: Councilman Hitch.

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#### INVOCATION.

The invocation was given by Councilman Claude L. Albea.

#### CONSIDERATION OF EXTENSION OF CHESTNUT STREET FROM PECAN AVENUE TO HAWTHORNE LANE DEFERRED ONE WEEK.

Councilman Dellinger moved that consideration of the extension of Chestnut Street, from Pecan Avenue to Hawthorne Lane, be deferred for one week. The Motion was seconded by Councilman Albea, and unanimously carried.

#### CITY MANAGER REQUESTED TO HAVE ENGINEERING DEPARTMENT MAKE SURVEY AND REPORT ON CONDITION OF SIDEWALKS IN CITY.

Councilman Dellinger called attention to the deplorable condition of the sidewalks both in the business and residential area; he stated the sidewalks in the downtown area are deteriorating fast and in the older residential sections they are full of holes and badly in need of repairs. He asked the City Manager to have the Engineering Department make a survey and report on the sidewalk situation throughout the city. Also, if the City does not have the proper authority to make the needed repairs, that Mr. Veeder discuss the matter with the Mecklenburg Legislative Representatives for the enactment of such legislation. He stated further that the City will have to do something about the sidewalks eventually and he would like to see it taken over as the 1960 project, and if a Bond Issue is necessary, then it should be put before the people; that he thinks the taxpayers are entitled to decent sidewalks and all share in the cost instead of it being on an individual basis.

#### CONFERENCE SET FOR JANUARY 5TH TO CONSIDER POLICY FOR WATER AND SEWER EXTENSIONS.

Councilman Dellinger urged that a policy be adopted as to water and sewer extensions without further delay so that developers and contractors may know what to depend on. He stated further he favors the continuation of the policy under which the city has operated for many years, which suits the developers, but feels that the Council should make a positive statement of policy. Several Councilmen expressed the view that the matter should be discussed at length before a decision is reached, as the City does not have the funds to finance the extensions and the home builders object to financing their projects. Councilman Dellinger suggested that the old policy be adhered to until something definite is decided. Councilman Whittington suggested that a conference be scheduled with the City Manager, City Engineer and Home Builders. Councilman Babcock moved that a conference be held on Tuesday night, January 5th at 7:30 o'clock in the Mayor's office. The motion was seconded by Councilman Whittington, and unanimously carried.

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CITY MANAGER ADVISES STUDY OF PRIVILEGE LICENSE FEES BEING MADE AND REPORT WILL BE SUBMITTED.

Councilman Smith asked what the status is of the study of privilege license fees with the view towards making them more uniform. Mr. Veeder reported the study is being made and he has secured information from the League of Municipalities and is waiting on data from other sources and will submit a report for Council action as soon as possible.

REPORT ON SETBACK LINES PLAN REQUESTED.

Councilman Smith asked the City Manager when the report will be ready as to the City's setback plans. Mr. Veeder stated it will depend on when the thoroughfare plan is completed, which he understands will be in February or March. However, the plan must go to the Bureau of Public Roads for study first, and it depends on the length of time it takes them to make a decision.

PETITION FROM DILWORTH MERCHANTS FOR CONTINUANCE OF POLICE PATROL SERVICE IN AREA.

Councilman Whittington presented a petition from the Dilworth Merchants for the continuance of police patrol protection, which has been discontinued by Chief Janes. Councilman Whittington stated he understands Chief James has changed the policy of having patrolmen on duty in certain areas, and he asked the City Manager to discuss the matter with Chief James and bring in a report.

Mr. Veeder stated Chief James has discussed the matter with him, and he concurs with him that he must use his manpower to the best advantage to serve the entire city. Councilman Dellinger stated he understands Chief James has reassigned these men due to the shortage of personnel. Other Council members stated they had discussed the matter with Chief James and it is a matter of a shortage of patrolmen, and it is best to leave the assignment of the personnel to Chief James.

Councilman Whittington stated the petition asks that the officer not be removed from the Dilworth area, and he is of the opinion that Council action should be taken before it is done.

ORDINANCE NO. 625 AMENDING ZONING ORDINANCE CHANGING ZONING ON PROPERTY ON ALBEMARLE ROAD, NEAR LANSDALE AVENUE, DENIED.

Councilman Albea moved that Ordinance No. 625 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing zoning on property on Albemarle Road, near Lansdale Avenue, from Rural to B-1 on petition of Easthaven Development Corporation be disapproved as recommended by the Planning Board. The motion was seconded by Councilman Babcock, and unanimously carried.

ORDINANCE NO. 631 AMENDING ZONING ORDINANCE CHANGING ZONING ON PROPERTY EAST OF SUGAW CREEK ROAD, BETWEEN GROVE AVENUE EAST AND CINDERELLA ROAD, DEFERRED UNTIL JANUARY 25TH ON REQUEST OF PLANNING BOARD.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, decision on Ordinance No. 631 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing zoning on property east of Sugaw Creek Road, between Grove Avenue East

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and Cinderella Road, from R-2 to B-1, on petition of Goodyear Mortgage Corporation, was deferred until January 25th to permit further study of the matter by the Planning Board.

ORDINANCE NO. 634 AMENDING ZONING ORDINANCE CHANGING ZONING ON PROPERTY ON SOUTH SIDE OF INDEPENDENCE BOULEVARD, EAST OF ASHMORE DRIVE, ADOPTED.

Councilman Whittington moved that Ordinance No. 634 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing zoning on property on the south side of Independence Boulevard, east of Ashmore Drive, from B 1-A to B-1, on petition of H. D. Albright, 3401 Sharon Road, be adopted as recommended by the Planning Board. The motion was seconded by Councilman Albea, and unanimously carried.

The ordinance is recorded in full in Ordinance Book 12, at Page 440.

ORDINANCE NO. 635 AMENDING ZONING ORDINANCE CHANGING ZONING ON PROPERTY AT THE NORTHWEST CORNER OF STATESVILLE ROAD AND INTERSTATE HIGHWAY #85, ADOPTED.

Upon motion of Councilman Smith, seconded by Councilman Babcock, and unanimously carried, Ordinance No. 635 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing zoning on property at the northwest corner of Statesville Road and Interstate Highway #85, from Rural to B-1, on petition of Hilmer Realty Company was adopted as recommended by the Planning Board.

The ordinance is recorded in full in Ordinance Book 12, at Page 441.

ORDINANCE NO. 636 AMENDING ZONING ORDINANCE CHANGING ZONING ON PROPERTY ON NORTHWEST SIDE OF THOMAS PLACE, NE OF HERRIN AVENUE, ADOPTED.

Councilman Dellinger moved that Ordinance No. 636 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte by changing zoning on property on the northwest side of Thomas Place, northeast of Herrin Avenue, from R-2 to B-1, on petition of S. P. Risley, be adopted as recommended by the Planning Board. The motion was seconded by Councilman Babcock, and unanimously adopted.

The ordinance is recorded in full in Ordinance Book 12, at Page 442.

CONTRACT AWARDED HAJOCA CORPORATION FOR CHECK VALVES AND GATE VALVES.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Hajoca Corporation for 96 bronze swing check valves and 144 bronze gate valves, as specified, at a total price of \$2,218.80, subject to cash discount in the amount of \$44.38, representing a net delivered price of \$2,174.42.

The following net delivered bids were received:

Hajoca Corporation	\$ 2,174.42
Grinnell Company	\$ 2,187.18
Atlas Supply Company	\$ 2,288.50
Baker-Mitchell Company	\$ 2,336.48
Industrial Piping Co.	\$ 2,384.22
Horne-Wilson, Inc.	\$ 2,435.26

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AWARD OF CONTRACT FOR CATCH BASIN FRAMES & COVERS DEFERRED ONE WEEK FOR REPORT BY CITY MANAGER ON 21% INCREASE IN BIDS IN PAST SIX MONTHS.

Councilman Babcock called attention that the bid prices on Catch Basin Frames and Covers represents a 21% increase in the past six months, and asked for the reason. Mr. Veeder, City Manager, stated he would make an investigation. Councilman Dellinger moved that the contract be awarded the lowest bidder meeting the specifications, Dewey Bros., Inc for 56 Catch Basin Frames and Covers, at a net delivered price of \$1,820.10. Councilman Myers offered a substitute motion that the contract award be deferred until it was learned why Sumter Machinery Company's bid did not meet the specifications. Mr. Veeder stated the specifications called for frames with square corners and this company submitted a bid on frames with round covers, which will not fit our forms. Councilman Babcock offered a substitute motion that the award of contract be deferred one week and the City Manager ascertain the reason for the 21% increase in price. The motion was seconded by Councilman Whittington, and unanimously carried.

CONTRACT AWARDED HAROLD J. SPAIDER FOR ROYER SLUDGE SHREDDER FOR WATER DEPARTMENT.

Upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, contract was awarded the low bidder, Harold J. Spaider, Decatur, Ga. for One (1) Royer Sludge Shredder, Model NCRP, as specified, to be used by the Water Department, at a net delivered price of \$1,780.00.

The following net delivered bids were received:

Harold J. Spaider	\$ 1,780.00
Royal Foundry & Machine Company	\$ 1,805.48

CONTRACT AWARDED SOUTHERN ALUMINUM & STEEL CORPORATION FOR 100 SHEETS OF ALUMINUM.

Councilman Smith moved the award of contract to the low bidder, Southern Aluminum & Steel Corporation for 100 sheets of Aluminum, as specified, for Traffic Engineering Department, at a total price of \$2,520.30, subject to cash discount of \$12.60, representing a net delivered price of \$2,507.70. The motion was seconded by Councilman Whittington, and unanimously carried.

The following net delivered bids were received:

Southern Aluminum & Steel Corp.	\$ 2,507.70
Atlanta Aluminum & Metal Distributors, Inc.	\$ 2,636.70
Joseph T. Ryerson & Son, Inc.	\$ 2,766.58
Olin Mathieson Chemical Corp.	\$ 2,793.00
Kaiser Aluminum & Chemical Sales, Inc.	\$ 2,793.36
Edgecomb Steel Company	\$ 2,868.04

CONTRACT AWARDED GRAYBAR ELECTRIC COMPANY, INC. FOR 12,000 FEET OF VARIOUS CABLE FOR TRAFFIC SIGNAL SYSTEM.

Councilman Dellinger moved that contract be awarded Graybar Electric Company, Inc. for 5000 ft. three conductor, 2000 ft. five conductor and 5000 ft. twelve conductor cable, at a total price of \$1,764.25, subject

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to cash discount of \$8.82, representing a net delivered price of \$1,755.43. The motion was seconded by Councilman Smith, and unanimously carried.

The following net delivered bids were received:

Graybar Electric Co., Inc.	\$ 1,755.43
Westinghouse Electric Supply Co.	\$ 1,755.43
Mill-Power Supply Co.	\$ 1,871.15
Electrical Distributors	\$ 1,936.99
Carolina Elec. Supply	\$ 2,150.69
General Electric Supply Co.	\$ 2,435.69

CONTRACT AWARDED BELK BROS. COMPANY FOR WORK CLOTHING FOR VARIOUS DEPARTMENTS.

Upon motion of Councilman Whittington, seconded by Councilman Dellinger and unanimously carried, contract was awarded Belk Bros. Company for 6,692 items of work clothing as specified, on a unit price basis furnishing Oshkosh garments at a net delivered price of \$20,923.80. Councilman Smith abstained from voting because of his affiliation with Belk Bros. Company. The low bid of Sears Roebuck & Co did not meet the specifications in that they failed to include a bid deposit and also to furnish sample garments.

The following net delivered bids were received:

Belk Bros Company - Oshkosh B'Gosh garments	\$20,923.80
Belk Bros. Company - H. D. Lee Co. garments	\$22,571.37
Sears Roebuck & Company - Sears garments	\$19,043.44

CONTRACT AWARDED BELK BROS. COMPANY FOR WORK CLOTHING.

Contract was awarded the only bidder meeting our specifications, Belk Bros. Company for 330 items of work clothing, as specified, at a net delivered price of \$2,624.70 upon motion of Councilman Whittington, seconded by Councilman Dellinger, and unanimously carried, with Councilman Smith abstaining from voting because of his affiliation with Belk Bros. Company. The low bid of Sears Roebuck & Company did not meet the specifications in that they failed to include a bid deposit and also to furnish sample garments.

The following net delivered bids were received:

Belk Bros Company - Sweet-Orr garments	\$ 2,624.70
Sears Roebuck & Company - Sears garments	\$ 2,250.62

CONTRACT AWARDED AMERICAN CYANAMID COMPANY, INDUSTRIAL CHEMICALS DIVISION FOR ALUMINUM SULPHATE.

Upon motion of Councilman Smith, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, American Cyanamid Company, Industrial Chemicals Division for 405 tons Aluminum Sulphate at \$49.20 per 90,000 CL, at a total net delivered price of \$19,926.00.

The following net delivered bids were received:

American Cyanamid Co. - 120,000 CL @ 49.10	\$19,885.50
90,000 CL @ 49.20	\$19,926.00
General Chemical Div., Allied Chemical Corp.	\$20,088.00

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CONTRACT AWARDED TUCKER-KIRBY COMPANY FOR HYDRATED LIME.

Councilman Dellinger moved that contract be awarded Tucker-Kirby Company for 450 tons Hydrated Lime at a net delivered price of \$9,634.50. The motion was seconded by Councilman Albea, and unanimously carried. The three lowest bids being the same, contract was awarded the local bidder.

The following net delivered bids were received:

Tucker-Kirby Company	\$ 9,634.50
Southern States Chemical Co.	\$ 9,634.50
National Gypsum Company	\$ 9,634.50
Tesco Chemicals, Inc.	\$ 9,747.00

CONTRACT AWARDED SOUTHERN STATES CHEMICAL COMPANY FOR ACTIVATED CARBON.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and unanimously carried, contract was awarded the only bidder, Southern States Chemical Company for 40 tons Activated Carbon at a net delivered price of \$7,000.00.

BIDS ON 90 TONS OF LIQUID CHLORINE REJECTED AND AUTHORIZED READVERTISED FOR BIDS BY BOTH TRUCK AND TANK CAR DELIVERY.

A representative of Jones Chemical, Inc. stated his Company submitted the low bid on 90 tons of Liquid Chlorine at \$8,622.00 and they do not know why it is stated they do not meet the specifications.

Mr. Franklin, Supt. of the Water Department stated the City has been using tank car delivery for several years, that the danger of trucking chlorine over the city's streets was considered, which is, however, the responsibility of the shipper; it is necessary that the City keep a large supply of chlorine on hand at all times, and the Department is, in fact, set up for tank car delivery and they prefer one method of delivery. Mr. Franklin stated further that he has discussed the bid of Jones Chemical, Inc. with their representative and explained that they do not meet the specifications because they called for tank car delivery by rail. That he has also discussed the matter with the City Attorney who states their bid does not meet this provision of the specifications and it would, therefore, be illegal to accept their bid. The Jones Chemical Company Representative stated they accept responsibility for trucking their product over city streets and they supply the City of Los Angeles, California with 200 tons per day by truck.

Councilman Whittington moved that all bids be rejected and the readvertisement for bids by both truck and tank car delivery be authorized. The motion was seconded by Councilman Babcock, and unanimously carried.

CONTRACT AWARDED PEBBLES CHEMICAL COMPANY FOR ANHYDROUS AMMONIA.

Upon motion of Councilman Albea, seconded by Councilman Smith, and unanimously carried, contract was awarded the low bidder, Peebles Chemical Company for 12 tons Anhydrous Ammonia at a net delivered price of \$2,371.20.

The following net delivered bids were received:

Peebles Chemical Co.	\$ 2,371.20
Jones Chemicals, Inc.	\$ 2,505.60
Piedmont Engineering Corp.	\$ 2,580.00
Tesco Chemicals, Inc.	\$ 2,616.00
Moreland Chemical Co., Inc.	\$ 3,180.00
Armour Industrial Chemical Co.	\$ 4,800.00

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CONTRACT AWARDED HERSEY MFG. COMPANY FOR WATER METERS.

Councilman Dellinger moved that contract be awarded the low bidder, meeting the specifications and included in the present standardization for water meters, Hersey Mfg. Company for 2,000 - 5/8" Displacement Type Cold Water Meters as specified, at a net delivered price of \$55,260.00. The motion was seconded by Councilman Whittington, and un-animously carried. The low bid of Rockwell Mfg. Company on Alternate Bid does not meet specifications.

The following net delivered bids were received:

Hersey Mfg. Company	\$55,260.00
Neptune Meter Company	\$55,440.00
Rockwell Mfg. Co.	\$55,520.00
ALTERNATE BID	\$51,200.00
Badger Meter Mfg. Co.	\$55,540.00

CONTRACT AWARDED MOTOROLA COMMUNICATIONS & ELECTRONICS, INC. FOR REAR RADIO MOUNTS FOR POLICE DEPARTMENT.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and un-animously carried, contract was awarded the only bidder, Motorola Communications and Electronics, Inc. for four Rear Radio Mounts, Model T-31AAT at a total price of \$2,653.80, subject to cash discount of \$53.08, representing a net delivered price of \$2,600.72.

CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Whittington, and un-animously carried, authorizing the construction of sanitary sewer mains as follows:

- (a) Construction of 290 ft. of 8-inch main in Cottage Way, from near Bungalow Road north, at request of Mr. Marvin Whitley, to serve 3 houses, at an estimated cost of \$1,420.00. All costs to be borne by the applicant from whom check in the amount of \$1,420.00 was received December 17, 1959.
- (b) Construction of 393 ft. of 8-inch main in Freedom Drive, from west of Berryhill Road West, at request of Service Distributing Company, Inc. to serve 1 house, at an estimated cost of \$1,755.00. All costs to be borne by the applicant from whom check in the amount of \$1,755.00 was received December 1, 1959.

SCHEDULE OF HOLIDAYS WITH PAY FOR CITY EMPLOYEES ADOPTED.

Councilman Whittington moved the adoption of holidays with pay for city employees on New Year's Day, Mecklenburg Independence Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day. The motion was seconded by Councilman Smith and carried with the votes cast as follows:

YEAS: Councilmen Babcock, Dellinger, Myers, Smith and Whittington.

NAYS: Councilman Albea, who stated he favors the holidays on the days named but is opposed to eliminating holidays formerly allowed on Washington's Birthday and at Easter.

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RESOLUTION ADOPTING REGULATIONS COVERING LEAVES OF ABSENCE OF CITY EMPLOYEES FOR VACATION, SICKNESS, OTHER AUTHORIZED LEAVE AND HOLIDAYS.

Upon motion of Councilman Smith, seconded by Councilman Babcock, and un-animously carried, a resolution was adopted entitled: "Resolution Adopting Regulations Covering Leaves of Absence of City Employees for Vacation, Sickness, Other Authorized Leave and Holidays". The resolution is recorded in full in Resolutions Book 3, beginning at Page 436.

RESOLUTION AMENDING THE PAY PLAN FOR HEALTH DEPARTMENT EMPLOYEES.

Upon motion of Councilman Whittington, seconded by Councilman Albea, and un-animously carried, a resolution was adopted entitled: "Resolution Amending the Pay Plan for Health Department Employees", effective October 1, 1959. The resolution is recorded in full in Resolutions Book 3, at Page 435.

CONSIDERATION OF RESOLUTION AMENDING PAY PLAN FOR RELIEF FIREFIGHTING PERSONNEL DEFERRED ONE WEEK.

Councilman Dellinger moved the adoption of a Resolution Amending Schedule III of the Pay plan for Relief Firefighting Personnel, whereby firefighting personnel below the rank of Fire Captain will, when regularly assigned as relief officers, be allowed, in addition to their regular salaries, \$10.00 per month as assignment pay.

Councilman Albea offered a substitute motion to defer consideration of the resolution for one week. The motion was seconded by Councilman Smith, and un-animously carried.

CREATION OF TWO ADDITIONAL LIEUTENANT RANKS IN POLICE DEPARTMENT.

Mr. Veeder advised that Chief James wishes to add two Lieutenant ranks in the Police Department to strengthen the supervisory staff for adequate coverage of the two patrol districts recently set up by the department. Mr. Veeder advised that he recommends the creation of the additional ranks. Councilman Albea moved that two additional Lieutenant Ranks be created in the Police Department, as recommended. The motion was seconded by Councilman Babcock, and un-animously carried.

CLAIM OF AMERICAN HARDWARE & EQUIPMENT COMPANY FOR WATER DAMAGE TO MERCHANDISE, REFERRED TO CITY ATTORNEY.

Upon motion of Councilman Myers, seconded by Councilman Babcock, and un-animously carried, the claim of the American Hardware & Equipment Company, in the amount of \$700.53, for water damage to merchandise et cetera by a broken water main on September 30, 1959, was referred to the City Attorney for handling.

CITY MANAGER REQUESTED TO FURNISH THE SCHEDULE OF STREETS TO BE IMPROVED ADOPTED BY FORMER COUNCIL, AND AMOUNT OF FUNDS REMAINING IN STREET BOND FUNDS.

Councilman Dellinger requested the City Manager to bring to the next Council Meeting the schedule of streets to be improved, adopted by the former Council, and the amount of funds remaining in the Street Bond Funds.

ADJOURNMENT.

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

  
Lillian R. Hoffman, City Clerk