

December 3, 1952
Minute Book 34 - Page 360

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, December 3, 1952, at 4 o'clock p.m., with Mayor Shaw presiding, and Councilmen Albea, Baxter, Boyd, Dellinger and Van Every present.

Absent: Councilman Coddington.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Van Every, seconded by Councilman Dellinger, and unanimously carried, the minutes of the last meeting on November 26th, were approved as submitted.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON ORDINANCE NO. 162 AMENDING THE ZONING ORDINANCE TO CHANGE BUILDING ZONE MAP FROM R-2 TO B-1 ON PROPERTY AT THE PLAZA AND EAST 35TH STREET.

Because of a legal technicality relative to the advertisement of notice of hearing in connection with Ordinance No. 162 Amending the Zoning Ordinance to change the Building Zone Map from R-2 to B-1 on property located at the southwest intersection of The Plaza and East 35th Street, the hearing was not held, and Councilman Albea moved that the Resolution Providing for a Public Hearing on the Amendment on December 31st be re-advertised in The Charlotte News on December 5th and 12th. The motion was seconded by Councilman Baxter, and unanimously carried. The resolution Providing for the Public Hearing on the Amendment is recorded in full in Resolutions Book 2, at Page 47.

PLAT OF W. S. WOODSON PROPERTY SUBDIVISION APPROVED.

The City Manager advised that the Planning Board recommended approval of the Plat of W. S. Woodson Property Subdivision, located between Cherokee and Providence Roads, and being developed by Mr. Woodson. Mr. Spencer Bell, Attorney representing Mr. Woodson requested approval of the Plat today in order that his client might proceed with the development. Councilman Van Every stated that the Council was doing everything possible to unbottle the City and he disliked the idea of the street within the subdivision being a deadend street. Mr. Bell explained that it was the desire of the developer that the street extend from Cherokee Road to Huntley Place but that certain property owners on Huntley Place objected so strenuously to ^{the} extension that the developer had consented to the arrangement as presented. Councilman Albea asked how much objections there were from property owners, to which Mr. Bell replied that the residents stated they would fight the extension through to the Supreme Court. Councilman Boyd moved that the Plat be approved as recommended by the Planning Board, which was seconded by Councilman Van Every, and the motion carried, with the votes cast as follows:

AYE: Councilmen Albea, Boyd, Dellinger and Van Every.

NAY: Councilman Baxter, who advised he could not approve the opening of a dead end street.

December 3, 1952
Minute Book 34 - Page 361

PETITION FOR GRAVEL SIDEWALKS ALONG BRIARCREEK ROAD BETWEEN COMMONWEALTH AVENUE AND CAROLYN DRIVE AND ALONG COMMONWEALTH AVENUE BETWEEN BRIARCREEK ROAD AND INDEPENDENCE BOULEVARD, FOR BENEFIT OF CHILDREN ATTENDING CHANTILLY SCHOOL.

Mr. John A. McRae, Jr., was spokesman for a delegation of members of the Chantilly School P.T.A. and presented a petition signed by approximately 530 parents and friends of the school, requesting that gravel sidewalks be placed along Briarcreek Road, between Commonwealth Avenue and Carolyn Drive and along Commonwealth Avenue, between Briarcreek Road and Independence Boulevard for the benefit of the small children attending Chantilly School. He stated their first concern is the safety of the children, who are now forced to walk in the roadway, and at the same time their health is at stake because of having to walk in the mud off the roadway in bad weather to avoid traffic. Councilman Dellinger moved that the request be referred to the City Manager to confer with the City Engineer and advise what can be done towards granting the request. The motion was seconded by Councilman Albea, and unanimously carried.

REQUEST AGAIN PRESENTED FOR CONSTRUCTION OF STREETS TO SERVE ASHLEY PARK SCHOOL CHILDREN.

Residents of the Ashley Park area again appeared before Council and again presented their request for the construction of two street projects to unbottle the Columbus Circle area so that children may reach Ashley Park School. Mr. Yancey, City Manager, advised that cost estimates have been made of the projects, \$14,000.00 being the cost of extending Marlowe Avenue from Greene Street northeast to Range Road, and \$6,650.00 for the extension of Dublin Road from Lumina Avenue to Weyland Avenue, exclusive of the costs for rights-of-way. The residents asked if the entire projects could not be paid for by the City without assessment against the property owners. The City Attorney advised that this could be done only by the use of Powell Bill funds, if they are available next year. Also with Bond Fund and assessing the benefits or one-half the cost, whichever is the lesser. Councilman Van Every moved that the projects be considered after the bond election on December 13th. The motion was seconded by Councilman Dellinger, and unanimously carried.

RECOMMENDATION THAT SELWYN AVENUE BE WIDENED AND PAVED CONTINUED UNTIL NEXT MEETING.

Councilman Boyd, who had advised the Council at the last meeting that he would today present a recommendation that Selwyn Avenue be widened and paved from the point where the street was last widened on to the city limits, stated that certain residents of Selwyn Avenue had called him and requested that the matter be deferred until the meeting on December 10th, and he had consented to do so.

Mr. Tom Ruff, Attorney representing a delegation of residents of Selwyn Avenue, who were present, stated that all of the residents here today cannot be present at next week's meeting and asked to present their views today, which was permitted. Mr. Ruff stated that Selwyn Avenue is burdened with traffic going to the Park Road area and the construction of the Geleanese Corp. offices on Park Road will increase the traffic, and as the resulting traffic flow is not caused by residents of Selwyn Avenue proper it is unjust that assessment should be made against the property owners. He stated that the construction of a roadway running off the right side of Selwyn Avenue to serve Selwyn Park area and one to the left to Pineville Road would greatly decrease traffic. He further stated that in his opinion there is no need for curb and gutter or sidewalks nor extending the right-of-way to 60 feet as he understood from the newspapers is contemplated. He advised that in fact the residents he represents do not wish to pay anything towards the cost of the project.

December 3, 1952
Minute Book 34 - Page 362

Another resident present advised that he approved the project in its entirety, and was willing to share in the cost. Still another resident was concerned that the trees in the planting strips would have to be removed. Still another resident advised that the residents of the 2900 and 3000 blocks paid for the laying of sidewalks in these blocks and did not feel that they should again be called on to share in such costs. The City Manager advised that if sidewalks are to be constructed it will be necessary to have a 60-foot right-of-way along the route. Councilman Baxter expressed the opinion that no assessment should be made against the property owners as they did not create the traffic condition, to which Councilman Boyd concurred.

Mayor Shaw invited the residents to be present at next week's meeting at which time the discussion will continue.

ORDINANCE (NO. 168) AMENDING PARKING METER REGULATIONS OF THE CITY OF CHARLOTTE DESIGNATED 36 MINUTE, 60 MINUTE, 90 MINUTE AND 120 MINUTE PARKING ZONES, ADOPTED.

An ordinance entitled: "Ordinance No. 168 Amending Parking Meter Regulations of the City of Charlotte designated 36 Minute, 60 Minute, 90 Minute and 120 Minute Parking Zones", was introduced and read. Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, the ordinance was adopted. The ordinance is recorded in full in Ordinance Book 11, beginning at Page 282.

CONTRACT AWARDED PYRAMID MOTOR COMPANY FOR CHEVROLET FOR POLICE DEPARTMENT.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger and unanimously carried, contract was awarded Pyramid Motor Company, for one Chevrolet, 6 cylinder, 4 door, complete with standard equipment, at a net delivered price of \$1,480.00.

CONTRACT AWARDED LINK RADIO CORPORATION FOR 17 PIECES OF RADIO EQUIPMENT.

Councilman Dellinger moved that contract be awarded Link Radio Corporation for furnishing 15 Model #2750-VR30-A1 Mobile Units, and 2 Model 11UF Edition 7 AC receivers, as specified, on a unit price basis, representing a total price of \$6,275.00, subject to cash discount of \$31.37. The motion was seconded by Councilman Baxter and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCE APPROVED.

Councilman Baxter moved that the construction of two 20-foot driveway entrances at 801-803 South Cedar Street be authorized. The motion was seconded by Councilman Dellinger, and unanimously carried.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Van Every, seconded by Councilman Baxter 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. D. S. Hale for West half of Lot 132, in Section 3, Evergreen Cemetery, at \$52.00.
- (b) Deed with Mrs. J. M. Scullion for Lot 138, in Section 4-A, Evergreen Cemetery, at \$81.90.
- (c) Deed with J. S. Criswell for Grave #4 of Lot 158, in Section 3, Evergreen Cemetery, at \$26.00.

December 3, 1952
Minute Book 34 - Page 363

ALLOCATION FROM EMERGENCY FUND FOR CITY'S SHARE IN RENTAL OF TWELVE VOTING MACHINES.

The City Manager presented a request from Mr. W. C. Davis, Chairman of Mecklenburg County Board of Elections, that the City pay one-half the cost for the rental of twelve voting machines for a 12-months period. He stated further that the County Commissioners had voted payment of \$900.00 for this purpose, being one-half the cost; also, that the rental price will be applied on the purchase price should it later be decided to purchase the machines. Councilman Baxter moved that \$900.00 be allocated from the Emergency Fund for this purpose. The motion was seconded by Councilman Van Every, and unanimously carried.

TRAFFIC COUNTS ON PLAZA AND PROVIDENCE ROADS REQUESTED.

Councilman Boyd referred to the discussion previously held relative to improvements to Plaza and Providence Roads, and his request that State Highway Officials be contacted by the City Manager regarding the improvements, and suggested that traffic counts on the two streets should be made prior to the interview. The Council concurred in the suggestion and requested that the City Manager have the counts made.

FORMAL CEREMONIES TO BE HELD OPENING THIRTY-SIXTH STREET.

Councilman Baxter suggested that formal ceremonies be held to open the newly constructed 36th Street, which was concurred in by the Council. The exact date the street will be ready for opening could not yet be determined by the City Manager; however, Mayor Shaw requested that arrangements be made for the ceremonies to take place on a Wednesday morning.

ADJOURNMENT.

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

Lucian R. Hoffman
City Clerk