

December 31, 1952  
Minute Book 34 - Page 390

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 31, 1952, at 4 o'clock p. m., with Mayor Shaw presiding, and Councilmen Albea, Baxter, Boyd, Coddington, Dellinger, and Van Every present.

#### INVOCATION.

The invocation was given by Councilman Claude L. Albea.

#### MINUTES APPROVED.

Upon motion of Councilman Van Every, seconded by Councilman Baxter, and unanimously carried, the minutes of the last meeting on December 17th were approved as submitted.

ORDINANCE (NO. 162) AMENDING ZONING ORDINANCE CHANGING ZONING ON 150 FEET OF PROPERTY AT THE SOUTHWEST CORNER OF THE PLAZA AND EAST 35TH STREET ADOPTED.

The scheduled hearing was held in connection with the petition for a change in the zoning from R-2 to B-1 on the property of Mr. G. F. Gamble at the southwest corner of The Plaza and East 35th Street.

Mr. Parker Whedon, Attorney representing Mr. John P. Marren filed a protest against the proposed change, which was signed by the owners of one hundred percent of the property immediately adjacent to the rear of the property in question, extending one hundred feet therefrom. Mr. Whedon stated that Mr. Marren's residence adjoins the corner lot and a change to a B-1 zone will decrease the value of his property and its use could be a nuisance. That Mr. Gamble will not realize a hardship by the property remaining in an R-2 zone as it can be developed as residential property. Mr. Whedon stated further that Mr. Gamble has requested that the entire lot consisting of 161 feet be rezoned, and this has been approved by the Zoning Board of Adjustment, whereas the Statutes provide that the zoning change shall not exceed 150 feet from the corner property line. He urged that the rezoning not be permitted.

Mr. John D. Shaw, City Attorney, advised the Council that under the Statutes this is a mandatory rezoning insofar as the other corners are zoned for business, however, as Mr. Whedon has pointed out, the Statutes also provide that the rezoning shall not exceed 150 feet.

Mr. Tom Miller, Attorney representing Mr. C. F. Gamble, petitioner, stated that his client should be permitted to enjoy the same privilege as the owners of the property at the remaining three corners, and the Council has the authority to rezone the entire lot consisting of 161 feet, as the 11 feet beyond the 150 feet will be a loss to his client if not given a similar zoning.

Following the discussion, Councilman Boyd moved that the Council approve the change in zoning from R-2 to B-1 on 150 feet of the property, as required under the statutes, and let the remaining 11 feet remain as presently zoned. The motion was seconded by Councilman Albea, and unanimously carried. The Ordinance as revised is recorded in full in Ordinance Book 11, at Page 290.

CONFERENCE AUTHORIZED WITH DUKE POWER COMPANY OFFICIALS PRIOR TO JANUARY 15TH TO CONSIDER REQUEST BY RESIDENTS FOR RESTORATION OF BUS SERVICE IN AREA OF CHARLOTTE DRIVE.

Mr. John Newitt, Attorney, was spokesman for a large delegation of residents of the Charlotte Drive area, and requested the restoration of full time bus service to the area. He stated that he represented some 600 families on Charlotte Drive and adjoining streets who are affected by the limited service. That property values in the area are decreasing as a result of the existing service, residents are losing roomers and are generally being inconvenienced with the servant problem and getting children to and from school. He stated it is not the desire of these residents to cause Duke Power Company to realize a financial loss through supplying fulltime service

December 31, 1952  
Minute Book 34 - Page 391

and, if necessary, they would be willing to pay an increased fare.

Councilman Boyd stated that although the six months trial period for limited schedules allowed Duke Power Company has not expired, he feels that some relief should be afforded these residents, and he moved that the Council call a meeting with Duke Power Company officials prior to January 15th and see if something cannot be done to restore needed service to the area. The motion was seconded by Councilman Dellinger, and un-animously carried.

CONSIDERATION OF APPROVAL OF PLAT OF WOODSON PROPERTY DEVELOPMENT ORDERED DOCKETED FOR NEXT COUNCIL MEETING.

Mr. Spencer Bell, Attorney for Mr. W. S. Woodson, again appeared before Council to request approval of the Plat of the Woodson Property Development between Providence Road and Huntley Place. Councilman Boyd advised him that he had promised Mr. Warren Stack, Attorney for the opponents to the development, that he would not vote on the question today. Mr. Bell then requested that the matter be placed on the Agenda for the next Council Meeting and the Council decide the question as Mr. Woodson is losing money daily on the development because of the delay. Councilman Coddington moved that the matter be docketed for the next Council Meeting. The motion was seconded by Councilman Van Every, and unanimously carried.

PLAT OF COTSWOLD SUBDIVISION APPROVED.

Upon motion of Councilman Baxter, seconded by Councilman Coddington, and unanimously carried, the Plat of Cotswold Subdivision was approved as recommended by the Planning Board.

MARLOWE AVENUE FROM GREEN STREET NORTHEAST TO RANGE ROAD AUTHORIZED IMPROVED.

Residents of the Ashley Park area were again present with regard to the opening of a street to the Ashley Park School, and advised they preferred the improvements be made to Marlowe Avenue which would provide the needed route for the use of the school children. Councilman Alba moved that Marlowe Avenue, from Green Street northeast to Range Road, be improved, in accordance with provisions of Section 51 of the City of Charlotte Charter, as recommended by the City Engineer. The motion was seconded by Councilman Van Every, and unanimously carried.

SETTLEMENT OF CLAIM OF MRS. A. P. HILL FOR PERSONAL INJURIES.

Upon motion of Councilman Boyd, seconded by Councilman Baxter, and unanimously carried, the claim of Mrs. A. P. Hill for personal injuries was authorized settled in the total amount of \$372.00, checks to be issued as follows:

To - Dr. C. W. Robinson and Mrs. A. P. Hill	\$ 7.00
Independence Drug Store and Mrs. A. P. Hill	\$ 15.00
Mrs. A. P. Hill	\$350.00

NAME OF CAMDEN ROAD EXTENSION, FROM SHUMAN AVENUE SOUTH TO EAST GRIFFITH STREET, CHANGED TO SOUTH GRIFFITH STREET.

Councilman Boyd moved that the name of Camden Road Extension, from Shuman Avenue South to East Griffith Street, be changed to South Griffith Street as requested by the property owners of the street and recommended by the Planning Board and City Engineer. The motion was seconded by Councilman Baxter, and unanimously carried.

CONTRACT WITH DAVID CLARK FOR CONSTRUCTION OF WATER MAINS IN COUNTRY CLUB HEIGHTS.

Councilman Van Every moved that contract be authorized with Mr. David Clark, for the construction of 3,200 feet of water mains and one fire hydrant in Country Club Heights, at an estimated cost of \$6,775.00. All costs to be borne by the applicant and that he be reimbursed the total cost without interest if and when the revenue derived from the mains equals 5% of the cost for a period of 12 continuous months. The motion was seconded by Councilman Boyd, and unanimously carried.

December 31, 1952  
Minute Book 34 - Page 392

CONSTRUCTION OF SANITARY SEWER MAIN IN NEW THRIFT ROAD.

Upon motion of Councilman Baxter, seconded by Councilman Boyd, and unanimously carried, the construction of 695 feet of 8 inch sanitary sewer main in New Thrift Road, at an estimated cost of \$2,290.00, at the request of P. & N Realty Company, was approved, with all cost to be borne by the City and applicant's deposit of the entire amount to be refunded as per terms of the contract.

TRANSFER OF \$7,500.00 FROM EMERGENCY FUND FOR CHEST X-RAY SURVEY.

Motion was made by Councilman Albea, seconded by Councilman Baxter, and unanimously carried, authorizing the transfer of \$7,500.00 from the Emergency Fund (Code 110) to Special Appropriations (Code 109) Chest X-ray Survey Account.

CONTRACT AWARDED LYNCHBURG FOUNDRY COMPANY FOR CAST IRON PIPE.

Upon motion of Councilman Baxter, seconded by Councilman Boyd, and unanimously carried, contract was awarded Lynchburg Foundry Company for 14,000 ft. of 6", 15,000 ft. of 8", 1,300 ft. of 12", 2,600 ft. of 16" and 3,200 ft. of 20" Cast Iron Pipe, as specified, on a unit price basis, representing a net delivered price of \$97,684.00.

CONTRACT AWARDED AMERICAN CAST IRON PIPE COMPANY FOR SCHEDULE OF 143 CAST IRON PIPE FITTINGS.

Motion was made by Councilman Boyd, seconded by Councilman Baxter and unanimously carried, awarding contract to the American Cast Iron Pipe Company for a schedule of 143 Cast Iron Pipe Fittings, as specified, on a unit price basis, representing a net delivered price of \$4,218.84, price being based on today's freight rates and any change in rate only will be for the buyer's account.

CONTRACT AWARDED CRAWFORD SUPPLY COMPANY FOR GATE VALVES.

Upon motion of Councilman Baxter, seconded by Councilman Coddington, and unanimously carried, contract was awarded Crawford Supply Company for 120 - 6", 40 - 8", 3 - 12", 1 - 16" and 2 - 20" Gate Valves, as specified, on a unit price basis, representing a total price of \$9,258.61, subject to cash discount of \$185.17.

CONTRACT AWARDED WORTHINGTON CORPORATION FOR CENTRIFUGAL TYPE PUMPING UNIT.

Upon motion of Councilman Van Every, seconded by Councilman Baxter, and unanimously carried, contract was awarded Worthington Corporation for One gasoline driven Centrifugal Pumping Unit, complete, as specified, at a net delivered price of \$1,560.00.

CONTRACT AWARDED WESTINGHOUSE ELECTRIC SUPPLY COMPANY FOR CONDUCTOR CABLE.

Councilman Baxter moved that contract be awarded Westinghouse Electric Supply Company for 5,000 ft. of #14 solid 12 conductor cable, 3/64 rubber insulated colorcoded braids, 4/64 neoprene sheath, MSA specifications #5, as specified, at \$494.32 M, representing a total price of \$2,471.60, subject to cash discount of 1/2%. Motion was seconded by Councilman Albea, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES APPROVED.

Motion was made by Councilman Dellinger, seconded by Councilman Coddington, and unanimously carried, authorizing the construction of driveway entrances at the following locations:

- (a) One 12 ft. entrance at 1543 Providence Road.
- (b) Two 30 ft. and One 35 ft. entrances on Dalton Avenue for 220 Dalton Avenue

December 31, 1952  
Minute Book 34 - Page 393

MEADOW LANE, FROM ANDERSON STREET EAST TO DEAD END, TAKEN OVER FOR CITY MAINTENANCE.

Councilman Boyd moved that Meadow Lane, from Anderson Street east to dead end, be taken over for city maintenance, as recommended by the City Engineer. The motion was seconded by Councilman Baxter, and unanimously carried.

RENEWAL OF SPECIAL OFFICER PERMIT TO DAVE M. REA ON THE PREMISES OF MORRIS FIELD AND MUNICIPAL AIRPORT.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, the Special Officer Permit issued to Mr. Dave M. Rea for use on the premises of Morris Field and the Municipal Airport, was renewed for one year.

LEASE OF AIRPORT BUILDINGS.

The City Manager reported that leases have been concluded on the following buildings at Douglas Municipal Airport:

BUILDING NO.	LESSEE	MONTHLY RENTAL	DATE AND TERM OF LEASE
288	Armstrong & McGinnis	\$ 21.30	10-15-53 1 year renewal
296	Keeter Trailer & Body Co.	\$134.00	9-30-53 1 year renewal
246	Batte Display Co.	\$ 26.25	11-30-53 1 year
287	C. A. Cloninger	\$ 21.00	11-30-53 1 year

TRANSFER OF CEMETERY LOTS

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

- (a) Deed for the Estate of A. M. Basinger, for Lot #301, in Section 3, Evergreen Cemetery, at \$122.85.
- (b) Deed to R. M. Pound, Sr. and Frances S. Pound, for Lots #11, and #12, in Section 2, Evergreen Cemetery, at \$1,039.00.

CERTIFICATE OF CONVENIENCE AND NECESSITY TO D. D. BYRD REVOKED AND CERTIFICATE AUTHORIZED ISSUED TO BAKER CAB COMPANY FOR CAB.

Councilman Alba moved that the Certificate of Convenience and Necessity held by Mr. D. D. Byrd for Taxicab #131 operating under Victory Cab Company be revoked and a Certificate be issued to Baker Cab Company for the same cab, as requested by Mr. Byrd and Mr. Passons of the Baker Cab Company, and approved by the Taxicab Inspector. The motion was seconded by Councilman Dellinger, and unanimously carried.

APPOINTMENT OF JAMES J. HARRIS TO THE CHARLOTTE HOUSING AUTHORITY.

Mayor Shaw advised that the term of Mr. Ben O. Dickerson on the Charlotte Housing Authority expired on December 17th and because his business necessitates his absence from the city a great deal of the time, Mr. Dickerson cannot accept reappointment. That Mr. James J. Harris served on the Authority prior to entering the Army and with Council approval he will appoint him to fill the vacancy. The Council unanimously concurred in the suggestion, and Mayor Shaw thereupon appointed Mr. Harris to the Authority for a term of five years from December 17, 1952.

December 31, 1952  
 Minute Book 34 - Page 394

**CIVILIAN DEFENSE OFFICE DISCONTINUED AND RECORDS PLACED UNDER SUPERVISION OF CITY PERSONNEL DIRECTOR.**

Mayor Shaw stated that Mr. Stanley Pickens has advised that he will submit his resignation as Director of Civilian Defense effective January 1st, and the Mayor recommended that since there is no active program by the organization at the present time, that the office and its personnel be discontinued, and the records be placed with the City's Personnel Director for immediate use should another program be established. The Council concurred in the recommendation, and authorized the Mayor and City Manager to affect the change.

**CONSIDERATION OF OPENING AND EXTENDING GOLD STREET TO BE DOCKETED FOR MEETING ON JANUARY 7th.**

Councilman Coddington requested that cost estimates for the opening and extension of Gold Street be compiled by the Engineering Department that the matter be docketed for consideration at the Council Meeting on January 7th.

**MAYOR SHAW ADVISES COUNCIL HE WILL NOT BE A CANDIDATE FOR A THIRD TERM.**

Mayor Victor Shaw made the following statement to the City Council:

"This is the season of the year when plans must be made for the spring election. Because of that fact, I feel an obligation to confirm what most of you already know - I shall not be a candidate for a third term.

I don't need to tell you that my decision is dictated by reasons which are entirely personal. I have been most happy in this association. I shall always be grateful for the trust and confidence and the help and guidance that have been accorded me. It has been a rewarding experience. I am proud too of the measure of progress we have been able to achieve during the past four years.

I am hopeful that all of you will continue to direct the program that the people of this great community through their constant support have endorsed for the public good.

When I retire from the Office of Mayor next May, I shall do so with the gratifying knowledge that I leave the affairs of the City as I have found them -- in exceedingly good condition. No man could ask a greater satisfaction."

**ADJOURNMENT.**

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

*Leoline R. Mayhew*  
 City Clerk