

February 20, 1957
Minute Book 37 - Page 51

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, February 20, 1957, at 4 o'clock p.m., with Mayor Van Every presiding and Council members Albea, Baxter, Brown, Dellinger, Evans and Smith being present.

ABSENT: Councilman Wilkinson.

* * * * *

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilwoman Evans and un-animously carried, the Minutes of the last meeting of the City Council on February 13th were approved as submitted.

ORDINANCE NO. 364 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING THE ZONING ON PROPERTY LOCATED AT THE CORNER OF THE PLAZA AND ACADEMY STREET FROM R-2 TO B I-A ON PETITION OF MR. GUS COLLIAS AND WIFE, ADOPTED.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and carried, Ordinance No. 364 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte, by changing the zoning on property located at the corner of The Plaza and Academy Street from R-2 to B I-A, on petition of Mr. Gus Collias and wife, was adopted. The votes were cast as follows:

YEAS: Councilmen Baxter, Brown, Dellinger and Smith.

NAYS: Councilman Albea and Councilwoman Evans.

The ordinance is recorded in full in Ordinance Book 12, at Page 102.

ORDINANCE NO. 365 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING THE ZONING ON PROPERTY AT THE CORNER OF CENTRAL AVENUE AND THE PLAZA, FROM B-1 TO B-2, ON PETITION OF HATCHER-HOVIS REALTY COMPANY, ADOPTED.

Councilman Dellinger moved the adoption of Ordinance No. 365 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte by changing the zoning on property at the corner of Central Avenue and The Plaza, from B-1 to B-2, on petition of Hatcher-Hovis Realty Company. The motion was seconded by Councilman Brown, and un-animously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 103.

February 20, 1957
Minute Book 37 - Page 52

ORDINANCE NO. 366 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA BY CHANGING ZONING ON PROPERTY ON EAST SIDE OF PLAZA ROAD, BETWEEN POTTERS ROAD AND BLACKWOOD AVENUE, FROM R-2 TO B-1, ON PETITION OF J. R. LAMB AND WIFE, ADOPTED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter and unanimously carried, Ordinance No. 366 Amending the Zoning Ordinance to amend the Building Zone Map of The Charlotte Perimeter Area by changing zoning on property on the east side of Plaza Road, between Potters Road and Blackwood Avenue, from R-2 to B-1, on petition of J. R. Lamb and wife, was adopted. The ordinance is recorded in full in Ordinance Book 12, at Page 104.

ORDINANCE NO. 367 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING ZONING ON PROPERTY AT 1433-35 SOUTH BOULEVARD, FROM B-1 TO LIGHT INDUSTRIAL, ON PETITION OF MR. K. M. BEATTY, ADOPTED.

Motion was made by Councilman Smith, seconded by Councilman Brown and unanimously carried, that Ordinance No. 367 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte by changing zoning on property at 1433-35 South Boulevard, from B-1 to Light Industrial, on petition of Mr. K. M. Beatty be adopted. The ordinance is recorded in full in Ordinance Book 12, at Page 105.

ORDINANCE NO. 368 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING ZONING ON PROPERTY ON OAKLAWN AVENUE FROM R-2 AND INDUSTRIAL, TO R-1 ON PETITION OF RESIDENTS OF OAKLAWN AVENUE, ADOPTED, WITH EXCEPTION OF CITY CEMETERY PROPERTY.

Councilwoman Evans moved the adoption of Ordinance No. 368 amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte by changing zoning on property on Oaklawn Avenue from R-2 and Industrial, to R-1, on petition of residents of Oaklawn Avenue with the exception of the City's cemetery property. The motion was seconded by Councilman Brown, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 106.

ORDINANCE NO. 369 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CITY OF CHARLOTTE BY CHANGING ZONING ON PROPERTY IN UNIVERSITY PARK AREA FROM R-2 AND B-1, TO R-1 AND R-2, ON PETITION OF RESIDENTS OF UNIVERSITY PARK AREA, ADOPTED, WITH EXCEPTION OF AREA SOUTH OF ST. PAUL STREET AND EAST OF BEATTYS FORD ROAD.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter and unanimously carried, Ordinance No. 369 Amending the Zoning Ordinance to Amend the Building Zone Map of the City of Charlotte by changing zoning on property in University Park Area from R-2 and B-1, to R-1 and R-2, on petition of Residents of University Park Area, was adopted, with the exception of that area south of St. Paul Street and east of Beattys Ford Road, which Mr. T. H. Wyche, Attorney for the petitioners, stated would be acceptable.

The ordinance is recorded in full in Ordinance Book 12, at Pages 107 and 108.

February 20, 1957
Minute Book 37 - Page 53

ORDINANCE NO. 370 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA, BY CHANGING ZONING ON PROPERTY ON FIRST AVENUE, BETWEEN MARGARET STREET AND CREST STREET FROM R-2 TO B-1, ON PETITION OF THE DONA CORPORATION AND OTHERS, ADOPTED.

Councilman Brown moved the adoption of Ordinance No. 370 Amending the Zoning Ordinance, to amend the Building Zone Map of the Charlotte Perimeter Area, by changing zoning on property on First Avenue, between Margaret Street and Crest Street, from R-2 to B-1, on petition of The Dona Corporation and others. The motion was seconded by Councilman Albea, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 109.

ORDINANCE NO. 371 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA, BY CHANGING ZONING ON PROPERTY ON GREENWICH ROAD BETWEEN OLD SARDIS ROAD AND COTSWOLD SCHOOL, FROM R-1 AND B-1, TO R-2 AND R-1, ON PETITION OF CHARLOTTE-MECKLENBURG PLANNING COMMISSION, DEFERRED UNTIL MEETING ON MARCH 6, 1957.

Mayor Van Every announced that the Planning Commission has deferred recommendation on Ordinance No. 371 amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing zoning on property on Greenwich Road, between Old Sardis Road and Cotswold School, pending investigation of the status of the street intersection to determine if the mandatory provisions of the state law regarding the zoning of land within 150 feet of a street intersection are applicable.

Thereupon, Councilman Dellinger moved that Council defer action for two weeks at 4 o'clock p.m. The motion was seconded by Councilman Brown, and unanimously carried.

LOCATION OF STATE HIGHWAY PATROL OFFICE ON COUNTY HOME PROPERTY APPROVED BY CITY COUNCIL.

Councilman Baxter moved that the City Council approve the location of a second State Highway Patrol Office on the County Home property offered by the Board of Mecklenburg County Commissioners for that purpose. The motion was seconded by Councilman Albea, and unanimously carried.

TRANSFER OF FUNDS FROM WATER FUND SURPLUS ACCOUNT TO VEST PUMPING STATION ACCOUNT, AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Brown, and unanimously carried, \$30,000.00 was authorized transferred from the Water Fund Surplus Account to Vest Pumping Station, Repairs to Building, Code 609, B-25.

CONTRACT AWARDED BOYD & GOFORTH, INC. FOR REPAIRS TO CLEAR WELL NO. 3, AT VEST PUMPING STATION AND PURIFICATION PLANT.

Councilman Dellinger moved the award of contract to the low bidder, Boyd & Goforth, Inc. for repairs to Clear Well No. 3 at Vest Pumping Station and Purification Plant, at the bid price of \$27,020.00. The motion was seconded by Councilman Smith, and unanimously carried.

February 20, 1957
Minute Book 37 - Page 54

Bids received were as follows:

Boyd & Goforth, Inc.	\$27,020.00
Blythe Bros. Company	\$27,900.00
Crowder Construction Company	\$32,100.00

RENEWAL OF SPECIAL OFFICER PERMITS TO JOHN F. HELMS AND JAMES SMITH FOR USE ON PREMISES OF OLD DOMINION BOX COMPANY, INC.

Upon motion of Councilman Albea, seconded by Councilwoman Evans, and un-animously carried, Special Officer Permits were renewed to John F. Helms and James Smith for one year on the premises of Old Dominion Box Company, Inc.

MAYOR PRO TEM PRESIDES FOR REMAINDER OF SESSION.

Mayor Van Every left the meeting at this time, and Mayor pro tem Smith presided for the remainder of the session.

APPLICATION OF ROBERT L. CHERRY FOR LICENSE TO OPERATE DETECTIVE AGENCY AT 402 EAST 1ST STREET, APPROVED.

Motion was made by Councilman Brown, seconded by Councilman Baxter, and un-animously carried, approving the application of Mr. Robert L. Cherry for a license to operate a Detective Agency at 402 East 1st Street.

CONTRACT FOR RE-ROOFING VETERANS CENTER AWARDED ON FEBRUARY 13TH RESCINDED.

Councilman Baxter moved the action of the City Council on February 13, 1957 awarding contract to Avrett & Ledbetter Roofing & Heating Company for re-roofing the Veterans Center be rescinded. The motion was seconded by Councilman Dellinger, and un-animously carried.

MATERIALS FOR RE-ROOFING VETERANS CENTER AUTHORIZED PURCHASED FROM AVRETT AND LEDBETTER ROOFING & HEATING COMPANY.

Councilman Baxter called attention of the Council to the fact that the City has a financial investment in the Veterans Center and the roof of the building is in bad condition and the Veterans Recreation Authority does not have funds with which to have it fixed. That in the interest of protecting the City's interest, he moves that the building material necessary to reroof the Center, as specified in the contract awarded on February 13th and rescinded today, be purchased from Avrett & Ledbetter Roofing and Heating Company, for the sum of \$922.00. The motion was seconded by Councilman Dellinger, and un-animously carried.

EMPLOYMENT OF AVRETT & LEDBETTER ROOFING & HEATING COMPANY TO INSTALL NEW ROOF ON VETERANS CENTER.

Councilman Baxter moved that in view of the conditions recited in the motion regarding the purchase of materials for re-roofing the Veterans Center, that Avrett & Ledbetter Roofing & Heating Company be employed to install the roof on the Veterans Center for the sum of \$710.00 and to furnish a 20-year guarantee bond on the roof. The motion was seconded by Councilman Brown, and un-animously carried.

February 20, 1957
Minute Book 37 - Page 55

RESOLUTION ADOPTING SETBACK LINES ON EAST 5TH STREET FROM NORTH COLLEGE STREET TO NORTH MCDOWELL STREET.

A resolution entitled: "Resolution Adopting Setback Lines on East 5th Street from North College Street to North McDowell Street" was introduced and read, and upon motion of Councilman Brown, seconded by Councilman Baxter and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 39.

RESOLUTION ADOPTING SETBACK LINES ON PARK DRIVE NORTH FROM CECIL STREET TO INDEPENDENCE BOULEVARD.

A resolution entitled: "Resolution Adopting Setback Lines on Park Drive North from Cecil Street to Independence " was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Baxter and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 40.

SETTLEMENT OF CLAIM OF COY YANDLE AUTHORIZED.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger and unanimously carried, settlement of the claim of Mr. Coy Yandle, in the amount of \$28.00, was authorized for injuries sustained from a fall on East 11th Street.

CLAIM OF MRS. DORA LEE BRIGGS REFERRED TO CITY ATTORNEY.

Councilman Dellinger moved that claim of Mrs. Dora Lee Briggs for damages to her car on January 19, 1957 at Independence Boulevard and East 4th Street, be referred to the City Attorney. The motion was seconded by Councilman Baxter, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilwoman Evans and unanimously carried, the construction of driveway entrances was authorized at the following locations:

- (a) One 10-ft driveway entrance at 2309 Princeton Avenue Extension.
- (b) One 35-ft driveway entrance at 704 South Summit Avenue.

NAME OF RITCH STREET, FROM EAST 36TH STREET TO BENARD STREET, CHANGED TO RITCH AVENUE, AS PETITIONED FOR BY RESIDENTS OF STREET.

Councilman Baxter moved that the name of Ritch Street, from East 36th Street to Benard Street, be changed to Ritch Avenue, as requested by the residents of the street. The motion was seconded by Councilwoman Evans and unanimously carried.

RENEWAL OF SPECIAL OFFICER PERMIT TO W. T. ALEXANDER ON PREMISES OF MEMORIAL HOSPITAL.

Upon motion of Councilman Dellinger, seconded by Councilman Brown and unanimously carried, the Special Officer Permit issued to Mr. W. T. Alexander for use on the premises of Memorial Hospital was renewed for one year.

February 20, 1957
Minute Book 37 - Page 56

CONSTRUCTION OF SANITARY SEWER TRUNK FROM WEST OF ASHBY STREET, NORTH TO DALTON AVENUE, AUTHORIZED.

Councilman Baxter moved approval of the construction of 806-feet of sanitary sewer trunk from west of Ashby Street north to Dalton Avenue, to replace an old inadequate line, at an estimated cost of \$11,040.00 to be borne by the City. The motion was seconded by Councilman Albea, and unanimously carried.

DAVIS CONSTRUCTION COMPANY GRANTED PERMISSION TO CONNECT PRIVATELY OWNED SANITARY SEWER LINES IN HILLSIDE DRIVE, OUTSIDE CITY LIMITS, TO CITY'S SANITARY SEWERAGE SYSTEM.

Upon motion of Councilman Brown, seconded by Councilman Dellinger and unanimously carried, permission was granted Davis Construction Company to connect 250-feet of privately owned sanitary sewer lines in Hillside Drive, outside the city limits, to the City's sanitary sewerage system upon condition they comply with all laws, rules and regulations now in effect, or which may hereafter become effective relative to property similarly situated.

RIGHT-OF-WAY AGREEMENT BETWEEN STATE HIGHWAY COMMISSION AND DAVIS CONSTRUCTION COMPANY FOR CONSTRUCTION OF SANITARY SEWER LINES IN HILLSIDE DRIVE AUTHORIZED CO-SIGNED BY CITY.

Motion was made by Councilman Dellinger, seconded by Councilwoman Evans, and unanimously carried, authorizing the Mayor and City Clerk to co-sign an agreement between The State Highway Commission and Davis Construction Company for the construction of sanitary sewer lines in Hillside Avenue, outside the city.

CONTRACT AWARDED SOUTHERN ENGINEERING COMPANY FOR STRUCTURAL STEEL FOR CONSTRUCTION OF PARKWAY AVENUE BRIDGE.

Upon motion of Councilwoman Evans, seconded by Councilman Baxter and unanimously carried, contract was awarded the low bidder, Southern Engineering Company for Structural Steel for the Parkway Avenue Bridge in accordance with plans and specifications, at a total price of \$5,584.00, subject to cash discount of \$27.92, or a net delivered price of \$5,556.08.

Bids received on this item are as follows:

Southern Engineering Company	\$5,584.00
Less cash discount	27.92
Net delivered price	<u>\$5,556.08</u>
Mecklenburg Iron Works, Inc.	\$6,233.00
Less cash discount	31.17
Net delivered price	<u>\$6,201.83</u>

CONTRACT AWARDED ATLAS SUPPLY COMPANY FOR WROUGHT IRON PIPE.

Motion was made by Councilman Baxter, seconded by Councilman Dellinger and unanimously carried, awarding contract to the low bidder, Atlas Supply Company for 6,000 ft. 1-inch, 2000 ft. 1½ inch, 3000 ft. 1½ inch, 15,000 ft. 2-inch, 500 ft. 2½-inch and 600 ft. 3-inch Wrought Iron Pipe, as specified, on a unit price basis, representing a total price of \$18,666.48, subject to cash discount of \$373.33, or a net delivered price of \$18,293.15.

February 20, 1957
Minute Book 37 - Page 57

Bids received were as follows:

Atlas Supply Company	\$18,666.48
Less cash discount	379.33
Net delivered price	<u>\$18,293.15</u>
Crane Company	\$18,738.48
Less cash discount	374.77
Net delivered price	<u>\$18,363.71</u>
Grinnell Company	\$18,767.41
Less cash discount	375.35
Net delivered price	<u>\$18,392.06</u>
Horne-Wilson Inc.	\$18,993.34
Less cash discount	379.87
Net delivered price	<u>\$18,613.47</u>

LEASE OF BUILDINGS AT DOUGLAS MUNICIPAL AIRPORT.

The City Manager advised that ^{leases} have been concluded on the following buildings at Douglas Municipal Airport:

BUILDING NO.	LESSEE	MONTHLY RENTAL	TERM & EXPIRATION DATE OF LEASE
288	Armstrong & McGinnis	\$21.30	10 months 10-15-57
48	W. K. Batson	\$32.25	1 year 1-31-58

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mr. & Mrs. Eugene T. Buchanan, for Lot 164, Section 4-A, Evergreen Cemetery, at \$126.00.
- (b) Deed with P. H. Batte, Jr. for Lot 362, Section 2, Evergreen Cemetery, at \$240.00.
- (c) Deed with Mrs. Mildred B. Long, for Lot 209, Section 4-A, Evergreen Cemetery, at \$126.00.
- (d) Deed with Dr. & Mrs. Wilbur N. Scruggs, for Lot 64, Section D, Elmwood Cemetery, transferred from Mr. & Mrs. J. B. Mikell, at \$1.00 for new deed.
- (e) Deed with Mrs. Flora Ellwood Hayes, for Lot 27-Fraction, Section A, Elmwood Cemetery, transferred from Margaret Parrish and Fannie Chapman, heirs of Mrs. John Ellwood, at \$1.00 for new deed.

February 20, 1957
Minute Book 37 - Page 58

ADJOURNMENT.

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

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk