

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, February 21, 1951, at 11 o'clock a.m., with Mayor Shaw presiding, and Councilmen Aitken, Albea, Boyd, Coddington, Daughtry, Jordan and Wilkinson present.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Aitken, and unanimously carried, the minutes of the last meeting were approved as submitted.

ORDINANCE (NO. 129) AMENDING THE ZONING ORDINANCE CHANGING BUILDING ZONE MAP ON TUCKASEEGEE ROAD, ADOPTED.

An ordinance entitled, "Ordinance (No. 129) Amending the Zoning Ordinance" by changing the Building Zone Map from R-2 to B-1 district on property located at 3408-10, 3412-14 and 3416-18 Tuckaseegee Road, being all of lots 3, 4 and 5, was read, and interested persons invited by the Mayor to discuss the proposed change. No objections were registered, and Councilman Aitken moved the adoption of the ordinance. Motion was seconded by Councilman Wilkinson, and unanimously carried. Ordinance is recorded in full in Ordinance Book 11, at Page 201.

NEW WAY LAUNDRY AND CLEANERS, INC. ALLOWED 90 DAYS IN WHICH TO ADJUST NEW STOKER EQUIPMENT TO MEET SMOKE ABATEMENT LAWS.

Mr. Howard Arbuckle, Attorney representing New Way Laundry and Cleaners, Inc., stated the Smoke Abatement Engineer has advised his client that a certificate cannot be issued them for the operation of their newly installed overfeed type stoker due to its not being equipped with a fly ash collector and damper. He stated the stoker was installed at a cost of approximately \$6,000.00 and the addition of the collector and damper will cost \$5,000.00 more, which his client does not wish to spend; also, that the new equipment has reduced the emission of fly ash and smoke by 50 to 75%. He requested the Council to waive the requirement of the Smoke Abatement Ordinance, being sections 383 and 384, requiring the fly ash collector and damper, which he stated applies only to overfeed and not underfeed type stoker, and let the installation be based on its real purpose, which is the elimination of the emission of excessive smoke and fly ash.

Mr. J. E. Campbell, Smoke Abatement Engineer, stated the required Permit for the installation was not secured, that had it been he would have advised the Engineer making the installation of the City's requirements; that the stoker as now installed is not satisfactory, as a visual observation plainly shows that cars and houses in the vicinity are literally covered with fly ash; that, in his opinion, no adjustment can be made that will bring the installation up to the City's standard, and that it has been proved by experience that overfeed stokers not equipped with automatic fly ash collector and damper are offensive in producing excessive smoke and fly ash.

Mr. P. E. Pugh of the American Coal Burner Company, Knoxville, Tenn., stated his company made the stoker drawings and supervised the installation; that the Laundry is burning shavings and sawdust, and you cannot use an automatic damper for this type fuel; however, he believes the installation as made can be made acceptable to the City. Also, that he did not make the installation, which was done by a contractor, and, therefore, did not check to see if the City had a Smoke Abatement Law. Mr. Duncan of New Way Laundry stated neither did he know there were such laws.

Following the discussion of the situation, Councilman Boyd moved that the Council exercise its discretion under the ordinance and give Mr. Duncan of the New Way Laundry 90 days within which to make his adjustments of the stoker with the assistance of Mr. Campbell, and see if the matter cannot be worked out satisfactorily with the present expenditure. Motion was seconded by Councilman Aitken, and unanimously carried.

CAROLINA PRINTING COMPANY RELEASED FROM BID ON PRINTING JOB.

Mr. Perry of the Carolina Printing Company requested that he be released from his bid for the printing of 400,000 Water Bill Forms, at a price of \$1,316.70, due to his having just learned that he could not get delivery of the paper required for the job in less than 90 days, and too that he had shaved his figures too close. Councilman Coddington moved that the said Company be released from his bid and that contract for the job be awarded to the second lowest bidder, The Dowd Press, at a price of \$1,612.00, as recommended by the City Manager and Purchasing Agent. Motion was seconded by Councilman Daughtry, and unanimously carried.

SALE OF 45.86 ACRES OF PROPERTY IN CEDAR HILLS SUBDIVISION ADJACENT TO EVERGREEN CEMETERY AUTHORIZED SOLD AT PUBLIC AUCTION.

Councilman Aitken moved that 45.86 acres of land in Lot 10 of Block 2 of Cedar Hills Subdivision, adjacent to Evergreen Cemetery, be authorized sold at public auction to the highest bidder. Motion was seconded by Councilman Wilkinson, and unanimously carried.

PURCHASE OF LAND FRONTING 176.46 FEET ON WEST STONEWALL STREET, BETWEEN TRYON AND CHURCH, AUTHORIZED FROM FRED H. PLEXICO AND WIFE.

Upon motion of Councilman Aitken, seconded by Councilman Wilkinson, and unanimously carried, the purchase of a strip of land fronting 176.46 feet on the northerly side of West Stonewall Street, between S. Tryon and S. Church Streets, was authorized from Mr. Fred H. Plexico and wife, at a price of \$11,182.00, to be used in the widening of Stonewall Street.

CONTRACT WITH HUNTLEY HOSIERY COMPANY FOR CONSTRUCTION OF WATER MAIN IN OLD YORK ROAD.

Motion was made by Councilman Coddington, seconded by Councilman Albea, and unanimously carried, authorizing a contract with Huntley Hosiery Company for the construction of 1150 feet of 8 inch water main in Old York Road, outside the city limits, at an estimated cost of \$3,800.00, to serve a new hosiery plant. All costs to be borne by the applicant, and main to automatically become the property of the City when incorporated into the City, as provided by resolution of the Council, and applicant to be permitted to charge reasonable tapping fees to other property owners whose property abuts the main.

CONSTRUCTION OF SANITARY SEWER AUTHORIZED IN EAST FORD ROAD AND FOREST ROAD.

Councilman Albea moved that the construction of 1275 feet of 8 inch sanitary sewer be authorized in East Ford Road and Forest Road, at an estimated cost of \$2,180.00, at the City's expense, to serve 11 family units and 15 vacant lots. Motion was seconded by Councilman Aitken, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 19-ft. driveway at 113 S. Brevard Street.
- (b) One 15-ft. driveway at 1116 S. Tryon Street.
- (c) One 12-ft. driveway at 1714 Maryland Avenue.

CONTRACTS AWARDED.

Upon motion of Councilman Aitken, seconded by Councilman Jordan, and unanimously carried, the following contracts were awarded:

- (a) Contract with A.V. Blankenship for sanitary sewer construction in Commonwealth Park, on a unit price basis, representing a total price of \$70,172.90.
- (b) Contract with The Dowd Press, for 400,000 Water Bill Forms, as specified, at a net delivered price of \$1,612.00.
- (c) Contract with Blythe Bros. Company, for 5,000 feet of 3/4 inch Copper Tubing, at a net delivered price of \$1,750.00.

SPECIAL OFFICER PERMITS AUTHORIZED ISSUED.

Motion was made by Councilman Albea, seconded by Councilman Aitken, and unanimously carried, authorizing the issuance of Special Officer Permits to E. L. Tweed, Sr. and J. J. Russell on the premises of Cole Mfg. Company, and to W. J. Burns on the premises of Queens College, and renewal of permit to M. F. Patterson on the premises of A & P Tea Company.

LEASE OF AIRPORT BUILDING No. 246 TO THE JUSTIS COMPANY REPORTED.

The City Manager reported that lease had been concluded for Building No. 246 at Douglas Municipal Airport to The Justis Company, for a period of one year from January 15th, at a monthly rental of \$26.25.

DEEDS FOR TRANSFER OF CEMETERY LOTS APPROVED.

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

- (a) Deed to Mrs. Meta N. Bunker, for Lots 371 and 372, in Section 3, Evergreen Cemetery, at \$327.60.
- (b) Deed to Mrs. Ethel C. Norris, for east half of Lot 133, in Section 3, Evergreen Cemetery, at \$52.00.
- (c) Deed to Mrs. Ethel H. Carter, for east half of Lot 162, in Section 3, Evergreen Cemetery, at \$52.00.
- (d) Deed to Miss Nell Scoggins, for Lot 41, Section L-Annex, in Elmwood Cemetery, at \$180.00.

CONFERENCE WITH MEMBERS OF ZONING BOARD OF ADJUSTMENT ON AMENDMENTS TO ZONING ORDINANCE PROPOSED BY COUNCILMAN BOYD FIXED FOR MARCH 7th.

Upon the inquiry of Councilman Boyd as to when the amendments to the Zoning Ordinance proposed by him would be considered by the Council, and the suggestion by Councilman Daughtry that copies be furnished the members of the Zoning Board of Adjustment, and further suggestion by Councilman Coddington that a conference be held with the Board of Adjustment on the subject, the Council fixed Wednesday, March 7th, at 9:30 a.m. as the time to consider the amendments, and the Zoning Board of Adjustment be invited to be present.

REPORT OF OBJECTIONS BY CITIZEN TO REMOVAL OF BUS FROM HAWTHORNE LANE.

Councilman Boyd reported that Mrs. Ziem requested him to advise the Council that she is opposed to the removal of the Midwood Bus from Hawthorne Lane.

SEVERUD-ELSTAD-KRUEGER APPROVED AS PRINCIPAL ASSOCIATE ARCHITECT TO A. G. ODELL ON AUDITORIUM-COLISEUM PROJECT.

Upon motion of Councilman Albea, seconded by Councilman Aitken, the unanimous consent of Council was given the Mayor to present a letter from Mr. Jas. P. McMillan, Chairman of the Auditorium-Coliseum Building Committee in which they recommended that the firm of Severud-Elstad-Krueger, New York, as principal Associate Architect to Mr. A. G. Odell, Project Architect. Councilman Aitken moved that the firm be approved as recommended. Motion was seconded by Councilman Coddington, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Coddington, seconded by Councilman Jordan, and unanimously carried, the meeting was adjourned.

Lillian R. Chapman

City Clerk