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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber of the City Hall, on Wednesday, February 8, 1956, at 4 o'clock p.m., with Mayor Van Every presiding, and Council members Albea, Baxter, Dellinger, Evans, Smith and Wilkinson being present.

Absent: Councilman Brown.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilwoman Evans, and unanimously carried, the Minutes of the last meeting on February 1, 1956 were approved as submitted.

HEARING CONTINUED UNTIL FEBRUARY 15TH ON ORDINANCE NO. 293 TO REGULATE THE SUBDIVISION OF LAND IN CHARLOTTE AND THE CHARLOTTE PERIMETER AREA.

Mr. Thomas Ruff, Attorney representing the Home Builders Association, together with a large delegation of members of the Association, appeared before Council in connection with the Hearing on the Ordinance to Regulate the Subdivision of Land in the City of Charlotte, and the Charlotte Perimeter Area.

Mr. Ruff stated the Association held two meetings to study the proposed ordinance, and submitted to the Planning Commission six suggested changes in the ordinance which would be in the public's interest, and they were advised by the Director of the Planning Commission that the changes were made with the exception of three; therefore, the delegation is present today to urge the Council to consider these three suggestions before the adoption of the ordinance and to afford them an opportunity to participate in a study of these questions with the Council.

Mr. Ruff stated the first suggested change is in Section 9, sub-section (b) change the 60 degree to read 30 degree, which is the angle at the rear lot line. It is the opinion of the Association that a 60 degree angle is too severe.

Secondly, Section 9, sub-section (e) requires that on arterial and secondary streets any house must be set back 40 feet from the public right-of-way. The Association feels that 40 feet is alright on arterial streets, but that 25 feet should be sufficient on secondary streets. Mr. Ruff stated this is a very important point.

That the third request relates to the release of security required of a developer of a subdivision. He stated they recommend that after the improvements are found to comply with the ordinance, and notice has been given the Engineering Department, that within ten days the security be released. He stated the ordinance has no such provision, and they request that it be added to Section 10, sub-section (f). Mr. Ruff stated if they are required to put in base improvements which takes lots of money, and the security or bond will not be released for two or three years, the developer will bring in plats for only two or three lots at a time, rather than a plat of the entire subdivision; too, that it will discourage the recording of the entire subdivision, which is desirable.

Mr. Ruff stated further that everything in the ordinance relates to construction of subdivisions. That the term "subdivision" as defined in Section 16 of the ordinance is a cause for great concern. That under the terms, any division of land in two parcels or more is a subdivision governed by this ordinance. That for years those persons concerned with

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land were concerned about getting it recorded. That the effect of the ordinance would be to discourage people in the perimeter area from dedicating streets in perimeter area. He stated they are of the opinion that this should be tightened up under penalties, depriving the developer of water and sewers, etc.

He then asked that the ordinance not be adopted until the Association was given an opportunity to participate with the Council in a further study of these recommended changes.

Mayor Van Every stated the passage of the ordinance is important and he thinks it should be handled as promptly as possible. He suggested that it be deferred for one week, and that the Association and the Planning Commission can resolve the defferences by that time.

Councilman Dellinger moved that the hearing be continued until February 15th, which was seconded by Councilman Smith, and unanimously carried.

Mayor Van Every asked Mr. McIntyre, Planning Commission Director to get in touch with the Commissioners and see if they cannot go over these items with the Association representatives.

Councilman Wilkinson asked if the ordinance could not be amended later if the changes were not agreed upon by next Wednesday. The City Attorney stated that it could.

RESIGNATION OF THOMAS RUFF FROM ZONING BOARD OF ADJUSTMENT FOR PERIMETER AREA.

Mr. Thomas C. Ruff stated he appreciates the privilege of having served on the Charlotte Zoning Board of Adjustment, and he considers it an honor to have been appointed to the Board of Adjustment for the Perimeter Area, but he regrets that he cannot accept the appointment, therefore he tenders his resignation.

Mayor Van Every expressed his appreciation to Mr. Ruff for his service on the Charlotte Zoning Board of Adjustment.

APPOINTMENT OF C. C. MCGINNIS TO ZONING BOARD OF ADJUSTMENT FOR THE PERIMETER AREA.

Councilman Baxter moved the appointment of Mr. C. C. McGinnis to the Zoning Board of Adjustment for the Perimeter Area, for the unexpired term of Mr. Ruff. The motion was seconded by Councilwoman Evans, and unanimously carried.

CITY MANAGER REQUESTED TO ADVISE COUNCIL CONCERNING CONSTRUCTION OF TEMPORARY SIDEWALKS ON COUNTRY CLUB DRIVE.

Councilman Dellinger stated that about a year ago Country Club Drive was opened and the construction of temporary sidewalks was discussed. That he is advised there are no sidewalks on the street from Matheson Avenue. He requested the City Manager to check into the matter and advise the Council.

CITY MANAGER REQUESTED TO ADVISE STATUS OF IMPROVEMENTS TO TEN STREETS AUTHORIZED IMPROVED IN JULY 1955.

Councilwoman Evans stated that in July 1955 the Council had petitions for the improvement of Morningside Drive and at a conference on July 13th, it was agreed to open the street to Central Avenue. She asked that the Council direct the Engineering Department to expedite the work. She stated further that Morningside Drive is being used extensively by persons going to the Coliseum and the Engineering Department is having to make repairs to it every week.

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Councilman Dellinger had the list of streets approved for improvements and stated that Morningside Drive is the second from the end of the list, and it is equally important that the streets higher on the list be improved.

Mr. Yancey stated he is of the opinion that the decision was that the schedule of streets be varied based on the length of time it would take to secure the right-of-way, etc. on each street.

Councilwoman Evans stated further that Councilman Brown is concerned over the matter of the widening of Roswell Avenue, which is also included in the list of streets for improvement.

Councilman Baxter suggested that Mr. Yancey be requested to check into the matter and advise the Council the status of all the ten streets on the list.

APPOINTMENT OF AIR POLLUTION INSPECTOR AUTHORIZED.

Upon motion of Councilwoman Evans, seconded by Councilman Smith, and unanimously carried, the appointment of an Air Pollution Inspector was authorized at a starting salary of not exceeding \$3,912.00.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON KINGS DRIVE.

A resolution entitled: "Resolution Authorizing Permanent Improvements on Kings Drive" was introduced and read. Councilman Albea moved the passage of the resolution on its first reading. The motion was seconded by Councilman Smith, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 389.

SETTLEMENT OF CLAIM OF F. H. SCOTT FOR DAMAGES TO CAR.

Upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, the claim of Mr. F. H. Scott, Pulaski, Virginia, for damages to his car at the intersection of Fifth and Tryon Streets by Police Car No. 290, was settled in the amount of \$114.76, as recommended by the City Attorney.

PLAT OF WYNEWOOD SUBDIVISION APPROVED.

Motion was made by Councilwoman Evans, seconded by Councilman Smith, and unanimously carried, approving the Plat of Wynewood Subdivision, as recommended by the Planning Commission.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Councilman Dellinger moved approval of the construction of an 8-foot driveway entrance at 5822 Wedgewood Drive, and of a 20-foot entrance at 1532-34 East Boulevard. The motion was seconded by Councilman Smith, and unanimously carried.

CONTRACT AWARDED SOUTHERN ENGINEERING COMPANY FOR STEEL FOR STEELE CREEK ROAD BRIDGE IN GRADE CROSSING ELIMINATION CROSSLINE PROJECT.

Motion was made by Councilman Smith, seconded by Councilman Albea, and unanimously carried, awarding contract to Southern Engineering Company, for all steel requirements, Sections I and II, as specified, Plan K-99, for Steele Creek Road Bridge, at a net delivered price of \$7,284.00, subject to cash discount of \$36.50, representing a price of \$7,247.50.

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZED TO CLIFF PASSONS FOR OPERATION OF ADDITIONAL TAXICAB.

Upon motion of Councilman Albea, seconded by Councilman Smith, and unanimously carried, Mr. Cliff Passons was granted a Certificate of Public Convenience and Necessity for the operation of an additional taxicab, which he proposes to purchase from Mr. Herbert Lee Johnson, now being operated by him as Victory Cab No. 119.

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RIGHT-OF-WAY AGREEMENT BETWEEN J. A. JONES AND STATE HIGHWAY COMMISSION FOR CONSTRUCTION OF SEWER MAIN IN GREENSBORO STREET, SUGAW CREEK ROAD AND RALEIGH STREET, AUTHORIZED CO-SIGNED BY CITY.

Motion was made by Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, authorizing the Mayor and City Clerk to co-sign an Agreement between J. A. Jones Construction Company and the State Highway Commission for right-of-way for the construction of sewer main in Greensboro Street, Sugaw Creek Road and Raleigh Street.

CONTRACT AWARDED DONALD S. LEVIGNE, INC. FOR POLICE AND FIRE DEPARTMENT UNIFORMS.

Councilman Smith moved that contract be awarded Donald S. Levigne, Inc., for furnishing Police and Fire Department Uniform requirements for a period of one year, on a 5-year contract, on a make, cut and trim basis on unit prices in proposal, to which the prevailing yardage prices for the base material is to be added. The motion was seconded by Councilman Dellinger, and unanimously carried.

LEASE OF AIRPORT BUILDING NO. TT-69 TO EASTERN AIRMOTIVE CORPORATION.

The City Manager advised that lease had been concluded with Eastern Airmotive Corporation on Airport Building No. TT-69, for a period of one year from March 1, 1956, at a monthly rental of \$62.50

FEBRUARY 22ND DESIGNATED AS HOLIDAY IN OBSERVANCE OF WASHINGTON'S BIRTHDAY.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, Wednesday, February 22nd was designated as a holiday for city employees in observance of Washington's Birthday.

EMPLOYMENT OF ADDITIONAL OPERATOR AT SUGAW CREEK SEWAGE TREATMENT PLANT AND TRANSFER OF FUNDS FOR SALARY FOR REMAINDER OF YEAR FROM WATER EMERGENCY FUND TO WATER SALARY ACCOUNT.

Motion was made by Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, authorizing the employment of an additional operator at the Sugaw Creek Sewage Treatment Plant, and the transfer of \$1,700.00 from the Water Emergency Fund (Code 613) to the Water Department Salary Account (Code 623 A-8) for salary for the remainder of the year.

ADVANCE OF SOCIAL SECURITY TAX FOR EMPLOYEES NOT UNDER N. C. LOCAL GOVERNMENTAL RETIREMENT SYSTEM JANUARY 1, 1955, SAME TO BE DEDUCTED FROM SALARIES OF EMPLOYEES IN TWELVE EQUAL MONTHLY PAYMENTS.

Councilwoman Evans moved that an advance of \$2,551.01 be authorized from presently available funds for the purpose of paying past due Social Security Tax for city employees who were not in the N. C. Local Governmental Retirement System on January 1, 1955, said amount to be deducted from the payrolls of such employees in amounts not exceeding twelve equal monthly payments. The motion was seconded by Councilman Albea, and unanimously carried.

BETTER ARRANGEMENTS FOR SALE OF TICKETS TO AUDITORIUM AND COLISEUM EVENTS REQUESTED BY COUNCILMAN SMITH.

Councilman Smith stated a great many complaints are being heard from persons going out to the Coliseum to purchase tickets, that he thinks something should be done to remedy the condition. That it is not good public relations for the Coliseum and Auditorium when we are anxious for people to attend the events scheduled. He advised that a resident told him she was treated rudely when she went to the Coliseum for tickets to the Gene Autry Show and the Ice Hockey Show; that the young lady selling tickets stated the tickets must be paid for separately for each show, and when it was asked why this was necessary, the young lady asked her to hurry up and pay for the tickets if she wanted them, otherwise move away

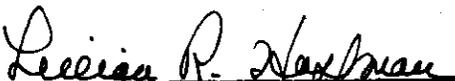
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from the window so that someone else could get theirs, that it didn't mean anything to her as she was not employed to sell tickets. Councilman Smith stated further that the ticket sales are controlled by the promoters and not the Coliseum management, and they should keep someone at the Coliseum to sell tickets, or make the tickets available to the public at uptown places where the public can conveniently secure them. Mr. Yancey, City Manager, stated there are twelve additional ticket booths now being erected outside the lobby. Mayor Van Every stated this is a new business with us and it will take two years to train the personnel how to operate it. Councilman Smith stated the inconvenience of standing in line for tickets and having to leave before securing them is certainly not going to promote attendance at the Coliseum and Auditorium and is bad relations for both the City and the Buildings.

Mr. Yancey, City Manager, stated he would pass on the information to the Authority.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk