

A regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, January 31, 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 Wilkinson, and unanimously carried, the minutes of the last meeting were approved as submitted.

COUNCIL COMMITTEE APPOINTED TO INVESTIGATE DRAINAGE MATTER AT 512 EAST TREMONT AVENUE.

Mr. K. L. Lippard appeared before Council and alleged that the City had changed the course of a ditch on property adjoining his lot at 512 East Tremont Avenue so that the water now drains onto his property, causing serious damage. He requested that a Committee of Councilmen go out and view the site. Mayor Shaw appointed Councilmen Wilkinson and Aitken to make the investigation and report at the next Council Meeting.

REQUEST MADE BY MRS. L. B. ANDREWS THAT EXTENSION OF BUS SYSTEM BE TAKEN TO STATE UTILITIES COMMISSION WITHOUT DELAY.

Mrs. L. B. Andrews and a delegation of ladies of the Merry Oaks section appeared before Council with regard to bus service within their area. Mrs. Andrews stated the visit was prompted by articles in the local papers that citizens were not displaying active interest in the bus situation since the Council's conference with officials of the Duke Power Company, at which the Power Company officials expressed their approval of only a limited bus route extensions under their own survey. She spoke of the newspapers apathy with regard to the needs of citizens for bus service, stating the papers could have taken up the cudgel for the citizens and carried the fight for adequate bus service in Charlotte to the state legislature. She urged that the Council take the matter before the State Utilities Commission without delay, stating that in her opinion it was doubtful that much would be accomplished through the Utilities Commission since it is apparent that Duke Power Company is operating its bus system in Charlotte without a franchise. Mrs. Andrews stated it was vital that bus service be provided on Central Avenue to the city limits, down Eastway Drive and up Commonwealth Avenue for the use of children attending Chantilly School.

Councilman Boyd stated he would like the delegation to know the status of the bus situation. He reminded Mrs. Andrews that following the public hearing on the bus question he went to see her and they rode over the Merry Oaks area and she told him if it was not possible to secure the bus route via Central Avenue, Eastway Drive and Commonwealth Avenue then they would be satisfied with the extension of the bus to the city limits on Central Avenue. That the Council has approved this extension and so advised Duke Power Company, and they have not as yet replied. He stated further that within a short time he assumes the Council will adopt the plan originally approved and prepare an application or suit or petition to the Utilities Commission that Duke Power Company be forced to extend their routes. Councilman Daughtry stated it is his understanding that Duke Power Company will give the City a reply today regarding the City's requested route extensions.

Mrs. Andrews stated they would rather have a bus just to the city limits on Central Avenue than none at all; however, the route should be extended via Eastway Drive and Commonwealth Avenue for the benefit of school children.

ORDINANCE (NO. 128) GRANTING FRANCHISE TO PIEDMONT NATURAL GAS CORPORATION TO SELL AND DISTRIBUTE MANUFACTURED OR NATURAL GAS IN THE CITY OF CHARLOTTE AND THE USE OF THE PUBLIC WAYS IN THE CITY OF CHARLOTTE THEREFOR, ADOPTED.

An ordinance entitled, "Ordinance (No. 128) Granting Franchise to Piedmont Natural Gas Corporation to Sell and Distribute Manufactured or Natural Gas in the City of Charlotte and the Use of the Public Ways in the City of Charlotte Therefor" was presented for consideration, having passed on its first reading on January 24th. Councilman Coddington moved the adoption of the ordinance. Motion was seconded by Councilman Jordan, and unanimously carried, and the ordinance was adopted. Ordinance is recorded in full in Ordinance Book 11, at Pages 196-199.

ORDINANCE (NO. 129) AMENDING THE ZONING ORDINANCE INTRODUCED AND RESOLUTION ADOPTED FIXING THE DATE OF THE PUBLIC HEARING THEREON ON FEBRUARY 21st.

An ordinance entitled, "Ordinance (No. 129) Amending the Zoning Ordinance" to change the Building Zone Map from R-2 to B-1 on property located at 3408-10, 3412-14 and 3416-18 Tuckaseegee Road, being all of Lots 3, 4 and 5 in the Glenwood Subdivision, was introduced and read. Following the reading of the ordinance, a Resolution Providing for a Public Hearing on the zoning change was presented and read, and upon motion of Councilman Alba, seconded by Councilman Wilkinson, was unanimously adopted fixing the date of hearing on February 21, 1951. Resolution is recorded in full in Resolutions Book 1, at Page 364.

LEASE WITH CIVIL AERONAUTICS ADMINISTRATION FOR OFFICE IN OLD ADMINISTRATION BUILDING AT AIRPORT APPROVED.

Upon motion of Councilman Coddington, seconded by Councilman Aitken, and unanimously carried, a lease for the use of an office in the Old Administration Building with the Civil Aeronautics Administration, for period January 15, 1951 to June 30, 1951, was approved.

CONSTRUCTION OF NEW SANITARY SEWERS AUTHORIZED.

Motion was made by Councilman Aitken, seconded by Councilman Wilkinson, and unanimously carried, authorizing the construction of new sanitary sewers at the following locations:

- (a) 4,393 feet of sewer main and 575 feet of trunk sewer in Sedgefield Subdivision, at an estimated cost of \$9,710.00, to serve 90 vacant lots, at request of Marsh Realty Company. All costs to be borne by the City and applicant's deposit of the full amount to be refunded as per terms of the contract.
- (b) 700 feet of sewer main in Forest Drive, at an estimated cost of \$1,320.00, to serve 10 vacant lots, at request of Mr. Sam H. McDonald. All costs to be borne by the City and applicant's deposit of the full amount to be refunded as per terms of the contract.

PURCHASE OF SANITARY SEWER MAIN IN SCOTLAND HILLS SUBDIVISION FROM D. L. PHILLIPS APPROVED.

Councilman Alba moved that the City purchase 11,052 feet of sewer main in Scotland Hills Subdivision, from Mr. D. L. Phillips, at a price of \$26,195.00, subject to approval of deed-of-conveyance or bill-of-sale by the City Attorney. Motion was seconded by Councilman Aitken, and unanimously carried.

PAYMENT OF \$929.94 TO MITCHELL & PERSHING, BOND ATTORNEYS, FOR PROFESSIONAL SERVICES IN CONNECTION WITH AUDITORIUM BONDS.

Upon motion of Councilman Jordan, seconded by Councilman Aitken, and unanimously carried, payment of \$929.94 was authorized to Mitchell and Pershing, Bond Attorneys, for professional services in connection with the \$3,000,000.00 Auditorium Bonds.

CONSTRUCTION OF DRIVEWAY ENTRANCES APPROVED.

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

- (a) One 9-ft. driveway at 1910 Woodcrest Avenue.
- (b) One 8-ft. driveway at 2627 Portland Avenue.
- (c) One 9-ft. driveway at 1661 Sterling Road.
- (d) One 12-ft. driveway at Twiford Place for 835 Colville Road.
- (e) One 15-ft/ driveway at 435 West Trade Street.
- (f) Four 9-ft. driveways at 2015, 2021, 2032 and 2040 Coniston Place.

CONTRACTS FOR PILING, WATER METERS AND METER YOKES AUTHORIZED.

Upon motion of Councilman Daughtry, seconded by Councilman Wilkinson, and unanimously carried, contracts were awarded as follows for materials:

- (a) Contract with Bethlehem Steel Company, Inc., for 166 pieces of Piling for the Stonewall Underpass Project, on a unit price basis of \$4.95 per pound, f.o.b. Charlotte, representing a total of \$17,255.70. Subject to 1/2 of 1% cash discount on bill value of 4.15¢ per pound. Subject to prevailing price at time of delivery.
- (b) Contract with Badger Meter Manufacturing Company, for 1,500 Water Meters, on a unit price basis, representing a net delivered price of \$28,425.00.
- (c) Contract with The Ford Meter Box Company, for 1,250 Meter Yokes, on a unit price basis, representing a price of \$4,160.00, f.o.b. shipping point.

BIDS ON COPPER TUBING RECEIVED ON JANUARY 29th REJECTED.

Councilman Albea moved that all bids on Copper Tubing received on January 29, 1951 be rejected, as recommended by the City Manager. Motion was seconded by Councilman Coddington, and unanimously carried.

PAYMENT OF \$5,250.00 AUTHORIZED TO W. H. KEISTLER AND WIFE FOR RIGHT-OF-WAY FOR RAW WATER LINE.

Upon motion of Councilman Albea, seconded by Councilman Coddington, and unanimously carried, the Council's consent was given the City Attorney to present for consideration his recommendation that Mr. W. H. Keistler and wife be paid \$5,250.00 for right-of-way for the City's raw water line from Hoskins Reservoir to the Filtration Plant. He stated further that the condemnation suit against the Keistlers for the right-of-way was non-suited and they had now agreed to deeding the right-of-way to the City at \$5,250.00. Councilman Aitken moved that the City Attorney's recommendation be accepted and payment of the said \$5,250.00 be authorized. Motion was seconded by Councilman Coddington, and unanimously carried.

PAYMENT OF \$7,052.82 TO MITCHELL & PERSHING, BOND ATTORNEYS, FOR PROFESSIONAL SERVICES IN CONNECTION WITH \$5,750,000 BONDS.

Upon motion of Councilman Jordan, seconded by Councilman Albea, the unanimous consent of Council was given the City Manager to present for consideration the invoice in the amount of \$7,052.82 from Mitchell & Pershing, Bond Attorneys, for professional services in connection with the \$5,750,000 City of Charlotte Water, Sanitary Sewer, Street Widening and Improvement and Grade Crossing Elimination Bonds. Councilman Coddington moved that the invoice be paid in the amount of \$7,052.82. Motion was seconded by Councilman Daughtry, and unanimously carried.

ADJOURNMENT.

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

City Clerk