

A regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, July 19, 1950, 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 Daughtry, and unanimously carried, the Minutes of the last meeting on July 12th, were approved as submitted.

ORDINANCE (NO. 114) TO REGULATE THE USE OF SEWERS AS TO THE DISCHARGE OF INDUSTRIAL WASTE.

An ordinance entitled, "Ordinance (No. 114) to Regulate, Restrict, and Limit, in the interest of the Public Health and Safety, the Deposit or Discharge of Certain Substances into any Sanitary Sewer now maintained and/or owned by, or which may become the property of, the City of Charlotte", was introduced and read.

Councilman Boyd moved the adoption of the ordinance, and stated this action marks a milestone in the administration of the present Mayor and Council, as the matter of the discharge and disposal of industrial waste has been a problem before the City for many years. That the ordinance is not perfect, but incorporates the objections of industrialists and after careful checking and rechecking meets the approval of the Mayor, Council, City Manager, Superintendent of the Water Department and our Engineers. Also, that it bears the provision that the Council insisted upon, that the industrialists are required to bear the expense of the extra cost to the City of taking care of industrial waste and of constructing extra equipment for this purpose. Too, that it is a step in the right direction to rid the city of the odors from Sugaw Creek. The motion was seconded by Councilman Wilkinson, and unanimously carried. The ordinance is recorded in full in Ordinance Book 11, at Pages 161-165.

Mayor Shaw commended Councilmen Boyd, Aitken and Wilkinson for the fine work they did as a Committee in connection with the ordinance.

RESOLUTION ADOPTED FIXING DATE OF HEARING ON AUGUST 6th ON PETITION OF HEATH-SANDERS COMPANY AND OTHERS FOR ANNEXATION OF TERRITORY CONTIGUOUS TO THE NORTHEASTERN BOUNDARY OF THE CITY, AT BOYD STREET.

A petition was filed in behalf of Heath-Sanders Company, Mrs. W. R. Boyd, Anna Bell Boyd, G. Russell Boyd and Mattie Hill Boyd, requesting the annexation to the City of Charlotte of approximately 34 acres of territory in Charlotte Township, contiguous to the northeastern boundary of the City, at Boyd Street.

A resolution entitled, "Resolution of the City of Charlotte with Reference to Petition of Heath-Sanders Company and Others for the annexation of Certain Property or Territory to the City of Charlotte" was then introduced and read, fixing the date of hearing on the petition on August 16th. Upon motion of Councilman Jordan, seconded by Councilman Wilkinson, and unanimously carried, the resolution was adopted. Resolution is recorded in full in Resolutions Book 1, at Page 301.

TRANSFER OF TAXICAB OWNERSHIP FROM REECE M. HARTSELL TO HERBERT LEE JOHNSON.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, the ownership of Victory Cab #109 was authorized transferred from Reece M. Hartsell to Herbert Lee Johnson, upon request of Messrs. Hartsell and Johnson, and as recommended by the Taxicab Inspector.

TRANSFER OF \$15,000 FROM EMERGENCY FUND TO DONATIONS & CHARITIES, SPECIAL HOSPITAL CASES.

Councilman Jordan moved approval of the transfer of \$15,000.00 from the Emergency Fund (Code 110) to Donations & Charities, Special Hospital Cases (Code 107 F-23-B). Motion was seconded by Councilman Aitken.

Councilman Boyd offered a substitute motion that the transfer of the said \$15,000.00 not be made. He spoke to his motion, stating there is a fundamental principle involved, as it is the legal function of the County to take care of the poor, sick and indigent, and just so long as the City continues to give in to the County's request that the City participate in the expense, the City will be carrying a load that legally, and according to the City Attorney, is not a City function. He urged that the Council not be influenced by the fact that the County will appropriate the \$22,000.00 for rental of space in the City Health Dept. building and the use of the City's facilities for the County Health Department, and for policing Morris Field, only if the City appropriates the \$15,000 for the care of Charity Maternity cases.

Mr. Yancey, City Manager, stated he would agree with Councilman Boyd if we could once and for all withdraw our support from all county functions, but since that is impossible at this time, we would lose \$13,180.00 of taxpayers funds in this transaction. Councilmen Albea, Coddington and Daughtry expressed opinions similar to that of the City Manager.

The substitute motion by Councilman Boyd did not receive a second.

The vote was then taken on the main motion to transfer the said \$15,000.00, and carried, with the votes cast as follows:

AYE: Councilmen Aitken, Albea, Coddington, Daughtry, Jordan and Wilkinson.  
NAY: Councilman Boyd.

PAYMENT OF HALF OF COST OF CONSTRUCTING VAULT FOR ELECTION REGISTRATION BOOKS AUTHORIZED.

Councilman Daughtry moved that the City defray half of the cost of constructing a Vault for the Election Registration Books, amounting to \$321.75, as requested by Mr. John G. Newitt, Chairman of Mecklenburg County Board of Elections. Motion was seconded by Councilman Coddington, and unanimously carried.

STREETS TAKEN OVER FOR MAINTENANCE.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the following streets were taken over for maintenance:

- (a) Gene Street, from Montrose St. to Fannie Circle.
- (b) Fannie Circle, from Orange St. to 75 ft. west of Gene St.

STREETS TAKEN OVER FOR LIMITED MAINTENANCE.

Motion was made by Councilman Jordan, seconded by Councilman Wilkinson, and unanimously carried, authorizing taking over the following streets for limited maintenance:

- (a) West 2nd Street, from Cedar St. to Johnson St.
- (b) Division Street, from Virginia Ave. to Kentucky Ave.

## REMOVAL OF TREES FROM PLANTING STRIP AT EAST 7th STREET AND HAWTHORNE LANE.

Councilman Aitken moved that the request of Laxton Construction Company be granted to remove three trees from the planting strip at the corner of East 7th Street and Hawthorne Lane which interfere with the driveway to a new service station. Motion was seconded by Councilman Daughtry, and unanimously carried.

## CONSTRUCTION OF NEW SANITARY SEWERS AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Aitken, and unanimously carried, the construction of new sanitary sewers at the following locations was authorized:

- (a) 587-ft. of 8-inch sewer in East 16th Street, at an estimated cost of \$1,150.00, to serve 6 units, requested by Standard Bonded Warehouse Co. All costs to be borne by the City.
- (b) 175-ft. of 8-inch sewer in Winter Street, at an estimated cost of \$480.00, to serve 2 family units and 2 vacant lots, at the request of James T. Conder. All costs to be borne by the City and deposit of \$80.00 to be refunded as per contract.

## PURCHASE OF SANITARY SEWER IN SARALYN AVENUE FROM J. &amp; J. CANDY COMPANY.

Motion was made by Councilman Albea, seconded by Councilman Wilkinson and unanimously carried, authorizing the purchase of an 8-inch sanitary sewer in Saralyn Avenue from the J. & J. Candy Company, at a price of \$1,212.00, subject to approval by the City Attorney of deed of conveyance or bill-of-sale.

## CONTRACTS AUTHORIZED FOR CONSTRUCTION OF WATER MAINS.

Councilman Jordan moved that contracts be authorized as follows for the construction of water mains, all costs of which will be borne by the applicants, with the City furnishing material and laying mains and operating same, and the refund of the first cost of the projects when mains produce revenues equal to 5% of cost during any 12-months period. Motion was seconded by Councilman Coddington, and unanimously carried:

- (a) Contract with C. D. Spangler Construction Company for the construction of 3,815-feet of main and 4 fire hydrants, in the Westwood Apartments property between Millerton Drive and Berryhill Road, at an estimated cost of \$8,185.00, to serve 270 housing units.
- (b) Contract with W. H. Starrette for the construction of 1,430-ft. of main in Phifer Heights, at an estimated cost of \$1,500.00, to serve 23 residential lots.

## CONTRACTS AWARDED FOR PURCHASES BY THE CITY.

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

- (a) Contract with Southeastern Construction Company covering the General Construction of Additions and Alterations to the Police Department Building, in the sum of \$145,782.00.
- (b) Contract with Woodside Electric Company covering the electrical work in the Additions and Alterations to the Police Department Building, for the sum of \$5,830.00.
- (c) Contract with Toomey Bros. Plumbing & Heating Company for the plumbing in the Additions and Alterations to the Police Department Building, for the sum of \$21,658.00.

- (d) Contract with Tompkins-Johnston Company for the Heating in the Additions and Alterations to the Police Department Building, for the sum of \$4,962.00.
- (e) Contract with General Truck Company, Inc., for One GMC Suburban Carryall for the Engineering Department, at a net delivered price of \$1,643.85.
- (f) Contract with Blankenship Bros. for sanitary sewer construction in Morningside Apartments, Ashley Park, Westwood Apartments, Country Club Hills and Myers Park, as specified, on a unit price basis, representing a total of \$36,659.35.
- (g) Contract with The Pure Oil Company, for One Year's estimated requirement of gasoline, on a unit price basis, representing a total of \$80,472.50.
- (h) Contract with The Pure Oil Company, for 5,200 gallons of Motor Oil, Premium, as specified, on a unit price basis, representing a total of \$2,594.80.
- (i) Contract with Columbus Oil Company, for One Year's estimated supply of approximately 20,000 gallons of Kerosene, as specified, on a unit price basis, representing a total of \$2,170.00.
- (j) Contract with Columbus Oil Company, for One Year's estimated supply of approximately 30,000 gallons of No. 2 Fuel Oil, as specified, on a unit price basis, representing a total of \$2,940.00.
- (k) Contract with Columbus Oil Company, for One Year's estimated supply of approximately 15,000 gallons of Diesel Fuel, on a unit price basis, representing a total of \$1,470.00.

CONTRACT AWARDED THE CHARLOTTE NEWS FOR PUBLICATION OF DELINQUENT TAX LIST FOR 1949.

Motion was made by Councilman Aitken, seconded by Councilman Wilkinson, and unanimously carried, awarding contract to The Charlotte News for the publication of the Delinquent Tax List for the Year 1949, estimated at 1200 columnar inches, at \$1.34 per columnar inch, on a unit price basis, representing a total of \$1,608.00.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 8-ft. driveway entrance at 229 Laurel Ave.
- (b) One 10-ft. driveway at each of the following locations: - 2301, 2311, 2315, 2321 and 2401 Independence Boulevard North.
- (c) One 10-ft. driveway at 715 Templeton Ave.
- (d) Two 30-ft. driveways at 800 Tuckaseegee Road.
- (e) Two 30-ft. driveways at 3101 South Boulevard.
- (f) One 30-ft. driveway on Greystone Road at a point 15-ft from the intersection of property lines.
- (g) One 12-ft. driveway at 815 Fugate Avenue.
- (h) Two 23-ft. driveways at 3053-3061 South Boulevard.
- (i) Two 30-ft. driveways on Greystone Road at a point 15-ft. from the intersection of South Boulevard and Greystone Road.

DEED FOR TRANSFER OF CEMETERY LOT AUTHORIZED EXECUTED.

Motion was made by Councilman Albea, seconded by Councilman Aitken, and unanimously carried, authorizing the Mayor and City Clerk to execute a deed for the transfer of Elmwood Cemetery Lot No. 3-Fraction, in Section J, from George Antonio and wife, to Mrs. Ivy Lee Koffinas, at \$1.00 for transfer.

UNANIMOUS CONSENT GIVEN PRESENTATION OF UNDOCKETED ITEMS.

Upon motion of Councilman Albea, seconded by Councilman Coddington, the unanimous consent of Council was given the presentation of the following undocketed items.

RENEWAL OF SPECIAL OFFICER PERMITS ON PREMISES OF HIGHLAND PARK MFG. COMPANY.

Motion was made by Councilman Jordan, seconded by Councilman Coddington, and unanimously carried, authorizing the renewal of Special Officer Permits to A. C. McGill, R. A. Smith and W. A. House, for use on the premises of Highland Park Manufacturing Company.

RESOLUTION PROVIDING FOR THE EXTENSION OF SEWERS, AND CONDEMNING RIGHT-OF-WAY OVER LANDS NECESSARY FOR SUCH EXTENSION,

A resolution entitled, "Resolution Providing for the Extension of Sewers, and Condemning Right-of-Way over Lands necessary for such Extension", to provide the necessary outlet for sewage from homes and the new Myers Park High School, was introduced and read. Councilman Jordan moved the adoption of the resolution, which also provided for a hearing of the matter on Wednesday August 2nd. Motion was seconded by Councilman Aitken, and unanimously carried. Resolution is recorded in full in Resolutions Book 1, at Page 302.

ADJOURNMENT.

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

Leccian R. Hoffman  
City Clerk