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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 Monday, July 20, 1959, at 3 o'clock p.m., with Mayor Smith presiding, and Councilmen Babcock, Dellinger, Hitch, Myers, Smith and Whittington being present.

ABSENT: Councilman Albea.

Planning Board members Sibley, Chairman, and Erwin, Hanks, Hook, Marsh, Schwartz, Toy and Wilkinson were present during the hearings on petitions to amend the Zoning Ordinance to change the Building Zone Maps of Charlotte and the Perimeter Area.

ABSENT: Commissioner McClure.

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INVOCATION.

The invocation was given by Councilman Herbert Hitch.

MINUTES APPROVED.

Upon motion of Councilman Babcock, seconded by Councilman Hitch, and unanimously carried, the Minutes of the last meeting on July 6, 1959 were approved as submitted.

ORDINANCE NO. 601-X EXTENDING CORPORATE LIMITS OF CHARLOTTE BY ANNEXING 43.889 ACRES OF PROPERTY IN CRAB ORCHARD TOWNSHIP, ON PETITION OF EL CENTRO DEVELOPMENT COMPANY, ADOPTED.

The hearing was held on the petition of El Centro Development Company for the annexation of 43.889 acres of property located in Crab Orchard Township, to the City of Charlotte. No objections to the proposed annexation was expressed by the public. Councilman Dellinger moved the adoption of Ordinance No. 601-X Extending the Corporate Limits of the City of Charlotte by Annexing 43.889 Acres of Property located in Crab Orchard Township. The motion was seconded by Councilman Hitch, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 366.

HEARING ON ORDINANCE NO. 584 AMENDING CHAPTER 21, ARTICLE II, SECTION 5.

The public hearing was held on Ordinance No. 584 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing property on the west side of US 29 Bypass, from R-2 to Industrial, on petition of M. E. and Mary Beatty.

Factual information as to the property and surrounding area was given by the Planning Director, who stated the property consists of 33 acres and is undeveloped with the exception of one business, and is adjoined on all sides by R-2 zoning.

Mr. Caldwell McDonald, speaking for the petitioner stated none of the property requested rezoned lies within the Thomasboro area, which is developed residentially, but only that portion of the property along Interstate 85.

No objections were expressed to the proposed change in zoning. Council decision was deferred for two weeks.

HEARING ON ORDINANCE NO. 585 AMENDING CHAPTER 21, ARTICLE II, SECTION 5.

The scheduled hearing was held on Ordinance No. 585 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing property located on both sides of Greenwich Road, at Old Sardis Road, from B-1 to R-2 on petition of Cotswold Residents.

Mr. McIntyre, Planning Director, presented a map of the area and stated the property fronts on both sides of Greenwich Road, and there are two business establishments adjoining the property in question.

Mr. Sydnor Thompson, Attorney, stated he represents 100 property owners within the area who are the petitioners but are not the owners of the property requested rezoned. He stated that his clients understand there has been a discussion of the owners establishing a bowling alley on the property, which would devalue their property and that a miniature golf course has already been opened. Mr. Thompson stated further that in 1957 the Planning Board recommended that the entire area from Sardis Road to Cotswold School be zoned R-2 but the Council overruled the recommendation and zoned only the area around the school as R-2. He stated if business is developed, it will create a big traffic problem, which would also affect the school. He advised that the Park & Recreation Commission has recommended that a playground be established within the area, which would bring an increased number of children into the area, who would be exposed to hazardous traffic should business develop.

Mr. John Shaw, City Attorney, stated that a hearing was held by the City Council on a similar request in 1957, and in order to justify Council reconsideration now, there must have been changes in the area. Mr. Thompson stated they feel that the many residences that have been erected since that time justifies reconsideration.

The question of whether persons other than the owners of property may request a change in zoning of the property was discussed, and Mr. McIntyre Planning Director, stated it has been allowed in the past. Mr. Thompson stated that the Mecklenburg County Board of Education and Cotswold School P.T.A. join in requesting the change in zoning, and will present petitions today to that effect.

Mr. Morgan, Assistant Supt. of Mecklenburg County Schools, presented the following resolution adopted by the Board of Education on May 18th:

"WHEREAS, the Mecklenburg County Board of Education has invested a great deal of public funds in the Cotswold School and site to meet the school needs of the residents of the adjoining areas, and

WHEREAS, the greatest use and value of this school to residents of this area, and the safety and comfort of the children who attend it will be determined to some extent by the manner in which the land adjoining the school site and lying north of the Old Sardis Road is utilized, and

WHEREAS, the City Planning Commission has recommended that Greenwich Road be rezoned R-2.

BE IT RESOLVED that the Mecklenburg County Board of Education request the City Council of Charlotte to rezone the land between Old Sardis Road and the Cotswold School site R-2."

Mr. Morgan stated further that Greenwich Road leads to Cotswold School and the Board feels the school is there to serve the people and in many cases they have insisted that the area around the schools be restricted to residential uses, which is desirable in this case.

Mr. E. R. Crowson, President of Cotswold School P.T.A. presented a petition signed by a large number of parents supporting the change in zoning solely because of the traffic hazard.

Mr. Irving Boyle, Attorney, representing the opposition to the change in zoning from B-1 to R-2, presented a map showing the location of the residences of the school patrons supporting the change in zoning and called attention that the great majority of them reside outside the area. Too, that no request for a building permit on the property has been filed with the City and there is no reason to think that a bowling alley is contemplated on the property. He stated further that there has been no change whatsoever in conditions that would justify Council's reconsideration of the zoning of the area and the present owners are entitled to maintain the property as a B-1 zone without being continuously harassed like this.

Council decision was deferred for two weeks.

HEARING ON ORDINANCE NO. 586 AMENDING CHAPTER 21, ARTICLE II, SECTION 5.

The public hearing was held on Ordinance No. 586 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing property along both sides of McDonald Belt Road, north of US 29-Bypass from Rural to Industrial, on petition of T.R. and Ned Broome.

An explanation of the zoning of the property and surrounding area was presented by the Planning Director who advised the property consists of 63 acres fronting on Interstate 85, and there is a trailer repair business presently located on the property.

Mr. Hugh Lobdell, Attorney for the petitioner, stated they have owned the property since 1943 and established the Trailer Repair Shop in 1953, which has developed into a substantial business, and wish to expand and also lease a portion of the property for business purposes. He advised further the nearest residences face away from this property, and there is no known opposition to the change.

No opposition was expressed by the public when the opportunity to so state was offered by the Mayor.

Council action was deferred for two weeks.

HEARING ON ORDINANCE NO. 587 AMENDING CHAPTER 21, ARTICLE I, SECTION 2.

The scheduled hearing was held on Ordinance No. 587 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing property on the NW side of Thomas Place, between Herrin Avenue and Academy Street, from R-2 to B-1, on petition of S. P. Risley.

Factual information as to the property and surrounding area was presented by Mr. McIntyre, Planning Director.

Mr. Bill Scarborough, Attorney representing the petitioner, stated the adjoining property was changed from R-2 to B-1, sometime ago and the logical zoning of the property in question is B-1, as it is near a large A & P Store and other business establishments. Mr. Scarborough filed

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a letter signed by the six owners of the adjoining property supporting the change in zoning.

No opposition was expressed to the proposed change in zoning.

Council action was deferred for two weeks.

HEARING ON ORDINANCE NO. 588 AMENDING CHAPTER 21, ARTICLE I, SECTION 2.

The public hearing was held on Ordinance No. 588 Amending the Zoning Ordinance to amend the Building Zone Map of the City of Charlotte by changing property on the southeast side of The Plaza, between Herrin Avenue and Anderson Street, from R2 to B-1, on petition of Mr. Gus Collias.

Maps of the property and surrounding area was presented and explained by the Planning Director.

Mr. Bill Scarborough, Attorney representing the petitioner, stated the property lies immediately to the north of the certain property that was rezoned from R-2 to B-1, about a year ago, and also it adjoins the property requested rezoned by Mr. S. P. Risley today, and the B-1 zoning is the only logical zoning for the area as it is practically entirely developed as a business area.

No opposition was expressed to the proposed change in zoning.

Council action was deferred for two weeks.

HEARING ON ORDINANCE NO. 589 AMENDING CHAPTER 21, ARTICLE I, SECTION 2.

The scheduled hearing was held on Ordinance No. 589 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte, by changing portions of property in the 3300-3400 blocks of The Plaza, from R-2 to B-1, on petition of Plaza Baptist Church, et al.

The Planning Director explained the zoning and development of the property and surrounding area.

Mr. Robert Hovis, Attorney for the petitioners, stated the property consists of seven lots, which is adjoined on all sides by business property, as well as the property across the street.

No opposition was expressed to the proposed change in zoning.

Council decision was deferred for two weeks.

HEARING ON ORDINANCE NO. 590 AMENDING CHAPTER 21, ARTICLE I, SECTION 2.

The scheduled hearing was held on Ordinance No. 590 Amending the Zoning Ordinance to amend the Building Zone Map of Charlotte by changing property on the west side of Remount Road, south of the Southern Railroad, from R-2 to Industrial, on petition of Ralph M. Abercrombie and wife.

The Planning Director presented a map of the area and explained the zoning and general development of the property and surrounding area, stating that an adjoining lot was recently rezoned Industrial.

Mr. Bill Scarborough, Attorney for the petitioner stated the property lies about 500 feet from the railroad tracks, and that Remount Road has been opened as a thoroughfare, and they feel the rezoning is entirely justified.

No opposition was expressed to the proposed rezoning. Council decision was deferred for two weeks.

ORDINANCE NO. 571 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY ON HAZEL STREET, ADOPTED, AS RECOMMENDED BY PLANNING BOARD.

Councilman Smith moved the adoption of Ordinance No. 571 Amending the Zoning Ordinance to amend the Building Zone Map of the Perimeter Area by changing property on Hazel Street, on petition of Mr. Frank Galinski, from R-2 to B-2 with the exception of the three lots (Nos. 71, 72 and 73) fronting on Melton Road, as recommended by the Planning Board. The motion was seconded by Councilman Whittington, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 367.

CHANGE IN ZONING OF PROPERTY IN OLD CANNON AIRPORT TRACT REQUESTED TO PERMIT CONSTRUCTION OF TRUCK EATING-SLEEPING STOP BY ESSO STANDARD OIL COMPANY.

Mr. Caldwell McDonald, representing Mrs. S. B. Alexander, who has leased a tract of Land on what is known as the Old Cannon Airport property on Interstate #85, to Esso Standard Oil Company on which they wish to erect a Truck Eating-Sleeping Stop, advised they now find the property is zoned Rural and B-1 under the Perimeter Zoning Ordinance and the said construction applies only in an Industrial zone, and the Building Inspection Department cannot issue them a building permit. Mr. McDonald asked the Council to authorize the issuance of the permit. Mr. Shaw, City Attorney, advised that the Council is without authority to do so or to change the present zoning without going through the usual legal procedure of advertising the proposed change and holding a hearing thereon. At the suggestion of the City Attorney, Mr. McDonald stated he would file his petition for the change in zoning of the property with the Planning Board and request them to present the necessary resolution to fix the date of hearing later in the meeting today.

DOWNTOWN MERCHANTS REQUEST TO DROP PLASTIC PING PONG BALLS ON CITY FROM HELICOPTER AS SALES PROMOTION DENIED AS IN VIOLATION OF CITY ORDINANCE..

Mr. W. M. Crosland, representing the Downtown Merchants Association, requested permission to have thousands of plastic ping pong balls dropped on the City, containing gift premiums as a sales promotion. Mayor Smith advised Mr. Crosland that it can not be permitted as it would be in violation of Section 6, Chapter 20 of the City Code.

PETITION FOR CONSIDERATION OF CLOSING OF SEGMENT OF EAST 24TH STREET AFTER PROPER NOTICE IS ADVERTISED, APPROVED.

Mr. Jake Wade, Attorney, presented a petition for the closing of a portion of East 24th Street, between North Davidson Street and Yadkin Avenue, on which a building of his client encroaches, after the proper notice is published, and public hearing is held. Councilman Dellinger moved that the Council consider the petition after the proper advertisement is published. The motion was seconded by Councilman Hitch, and unanimously carried.

REQUEST OF CHAMBER OF COMMERCE AVIATION COMMITTEE CHAIRMAN THAT FUNDS BE MADE AVAILABLE TO MATCH FEDERAL FUNDS TO ACQUIRE LAND FOR JET RUNWAY.

Mr. Donald Denton, Chairman of the Chamber of Commerce Aviation Committee, again appeared before Council relative to obtaining a Jet Runway at Douglas Municipal Airport, which matter he presented to Council on June 1st. He

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advised that the Federal Government has committed funds for the purchase of land for these runways which is available for use when local funds are put up to equal federal funds. He urged that at least funds be appropriated by the City to start purchasing the 95 acres that will be necessary for the runway and stated that \$40,000.00 would be sufficient to start with, which, with a like amount of federal funds, would give them \$80,000.00 to work with at this time, and additional funds could be made available by the City during the two years period it is estimated it will take to acquire all of the necessary land. Mr. Denton stated he is advised there are no funds available and suggested that the City borrow the \$40,000.00 to be repaid from airport earnings. The City Attorney stated the Supreme Court has ruled that an Airport is not a necessary function of government, therefore tax funds cannot be spent, and he would suggest the best method is a bond issue. Following the discussion, Mr. Denton urged that the Council consider the matter from all angles, as it could well be that federal funds are withdrawn in a year or two, and the City should act now.

USE OF CLAY PIPE IN SEWER CONSTRUCTION URGED BY REPRESENTATIVE OF SOUTHERN CLAY PIPE INSTITUTE.

Mr. Orville L. Dickinson, Chief Engineer of Southern Clay Pipe Institute, appeared before Council to urge the use of clay pipe by the City in sewer construction instead of concrete pipe because of its greater durability and immunity to deterioration from sewer gas, industrial wastes and other agents detrimental to the life of pipe. He advised that the City will receive bids on a large amount of pipe next week and a corrodible pipe has been recommended and clay pipe eliminated. He spoke at length on the merits of clay pipe. Councilman Myers stated that the City Engineer is thoroughly familiar with the subject, which has been discussed with him and he is perfectly willing to leave the decision to his good judgment. Councilman Dellinger suggested that Mr. Dickinson also discuss the matter with the Purchasing Agent who will compare prices of various pipes acceptable to the City. Councilman Hitch suggested that at some future date the matter could be discussed with Mr. Dickinson when Mr. Cheek, City Engineer, is present.

CITIZENS URGE THAT JUVENILE CRIME BREEDING PLACES BE ELIMINATED IN CHARLOTTE.

Mr. Hill Wedford was spokesman for a delegation of parents appearing before Council in regard to the stabbing of two boys at the intersection of Kings Drive and East Morehead Street by four boys who attacked them with knives as they returned to their car with their dates from the Center Theatre last Saturday night. Mr. Wedford stated had the wounds been an inch higher the doctors say the boys would be dead instead of injured, and the City must be rid of such vandals and the group offered their services in so doing, and requested that if and when the vandals are apprehended they be severely punished. He urged that the City take every possible method of preventing such happenings. Mr. W. S. Stork and Mr. T.W. Outwater, fathers of the injured boys urged that everything possible be done to eliminate breeding places of such crimes in Charlotte before another such occurrence.

Chief James stated that everything possible is being done to apprehend the four boys and they will be charged with assault with a deadly weapon with intent to kill. He stated the trouble is that the State laws are inadequate to enable the Police Department to do much about many of the city's trouble spots, as they cannot legally go on private property to patrol parking lots of hangouts without permission of the owners or probable cause. However, the department is going to have a dossier on

every establishment in Charlotte that is a trouble spot, ask the cooperation of the operators of these places, and if that fails then come to the Council and ask that the place be put out of business as disorderly. He stated he has directed the Youth Bureau to contact known places and unless immediate cooperation is given, their beer licenses will be revoked and more drastic action taken unless the situation is cleared up. Chief James stated further that a great handicap of the Police Department is getting private citizens to cooperate by swearing out warrants against violators and testifying in court. He stated it is imperative that citizens of Charlotte stand up and be counted, otherwise the Department is powerless to stop these crimes.

Councilman Hitch asked that the Council go on record as deploring these crimes and to do everything possible to eliminate these breeding places and preventing a recurrence. Mayor Smith stated if there is any solution the City will find it, and legislation will most definitely be presented to the next Legislature to strengthen our police powers; he expressed his regret at the happening on Saturday night.

BONUS GIVEN GEORGE B. LIVINGSTON FOR SERVICES AS ACTING CITY MANAGER.

Councilman Smith moved that Mr. George B. Livingston be given a bonus of \$750.00 for his services as Acting City Manager, who has done a terrific job for the city in this capacity in addition to his regular duties as City Accountant. The motion was seconded by the unanimous acclamation of Council. Mr. Livingston expressed his sincere appreciation for the honorarium.

JUNIOR LEAGUE GRANTED PERMISSION TO USE COUNCIL CHAMBER ON EVENINGS OF SEPTEMBER 22ND AND 29TH.

Upon motion of Councilman Hitch, seconded by Councilman Babcock, and un-animously carried, the Junior League was granted permission to use the Council Chamber for meetings on the evenings of September 22nd and 29th as requested by Mrs. Gene McGarity, Chairman.

APPOINTMENT OF MAURICE K. KILLMAN AS ASSISTANT CLERK OF CITY RECORDER'S COURT.

Mr. Livingston, Acting City Manager, presented a request from the Clerk of City Recorder's Court for the appointment of Mr. Maurice K. Killman as Assistant Clerk of Court, to succeed Mrs. Ida Cooper resigned, and also the appointment of Mr. William H. Conner as an Assistant Clerk. Councilman Dellinger moved the appointment of Mr. Killman as Assistant Clerk of Court, which was seconded by Councilman Hitch, and unanimously carried. No action was taken on the recommended appointment of Mr. Conner.

APPOINTMENT OF DR. ELIZABETH C. CORKEY AS ACTING HEALTH DIRECTOR AND AUTHORIZATION OF THE CITY'S SHARE OF AN ADDED REMUNERATION TO HER PRESENT SALARY SUBJECT TO APPROVAL OF THE STATE MERIT SYSTEM.

Mr. Livingston, Acting City Manager, presented a recommendation from Dr. M. B. Bethel that Dr. Elizabeth Corkey, Assistant Health Director, be appointed as Acting Health Director to serve when his resignation becomes effective on July 31st, and that she be given an added remuneration of \$90.00 per month to her present salary, similar action having been approved by the Mecklenburg County Board of Commissioners.

Mayor Smith expressed objections to the County Commissioners taking such

action without consulting the Council, and particularly in view of the fact that it is a City position and appointment merely serving the County jointly. Councilman Babcock called attention that this is the third time that other bodies have assumed such authority in the two and a half months he has been on the Council. Following the discussion, Councilman Dellinger moved the appointment of Dr. Corkey as Acting Health Director with the additional salary of \$90.00 per month on a pro rata basis with the County and subject to the approval of the State Health Merit System. The motion was seconded by Councilman Myers and unanimously carried. Mayor Smith asked the City Manager to advise the County Commissioners that the Council does not approve nor appreciate such procedure as they assumed in this instance.

REQUEST OF COUNCILMAN DELLINGER TO ELIMINATE ITEMS FROM BUDGET IN ORDER TO REDUCE TAX RATE BY ONE CENT TO \$2.05, REJECTED.

Councilman Dellinger stated he has talked with Mr. Livingston, Acting City Manager since the last budget meeting and finds that another penny can be cut from the tax rate to bring it down to \$2.05. That the taxpayer will be greatly helped by this reduction and he thinks the Council owes it to the people to hold the rate at the minimum. He stated the rate can be reduced by allowing some of the budgeted items to wait another year - for instance, by eliminating the Bulldozer and Dragpan, \$36,000.00 will be saved and the land for a second landfill Garbage Disposal will add another \$10,000.00, making a total of \$46,000.00, whereas \$44,460.00 will reduce the rate by 1 cent. Another method is by foregoing the construction of the Shed at the Water Shop, \$20,000.00 will be saved and the purchase of the land on which to build the Shed would be another \$10,000.00, to which \$15,000.00 could be added by reducing the Emergency Fund by that amount, making a total of \$45,000.00.

Councilman Whittington stated he is in agreement and sympathy with Councilman Dellinger as far as economy is concerned but does not feel it is good business to eliminate the Bulldozer and Dragpan even if the new Landfill Operation is not established right away, as it will no doubt have to be built before the year is up as the City is carrying garbage more than 18 miles at the present time to the Statesville Avenue Landfill. Also, there is a possibility of the existing bulldozers breaking down as one is 9 years old and the other two, 12 years old. Councilman Hitch observed that the entire Council would like to reduce the tax rate if it were logical to do so, but it appears that a great deal of guessing is being done about the needs of the perimeter area and he does not think the Emergency Fund should be reduced. Councilman Dellinger stated in the nine years he has worked on the budget, that at the end of the year there was a substantial surplus in the neighborhood of \$750,000.00.

Councilman Dellinger moved that the Bulldozer, Dragpan and Landfill site be eliminated from the budget to make a tax rate of \$2.05. The motion was seconded by Councilman Smith, and lost, with the votes cast as follows:

YEAS: Councilmen Dellinger and Smith.

NAYS: Councilmen Babcock, Hitch, Myers and Whittington.

ORDINANCE NO. 603 AMENDING THE WATER AND SEWER CODE WITH RESPECT TO CHARGES FOR TAPS AND METER COSTS, ADOPTED.

Upon motion of Councilman Smith, seconded by Councilman Whittington, and

unanimously carried, Ordinance No. 603 Amending the Water and Sewer Code with Respect to Charges for Taps and Meter Costs were adopted. The ordinance is recorded in full in Ordinance Book 12, at Page 369.

ORDINANCE NO. 604 AMENDING THE WATER AND SEWER CODE OF THE CITY OF CHARLOTTE WITH RESPECT TO RATES CHARGED FOR SEWER SERVICE, ADOPTED.

Motion was made by Councilman Smith, seconded by Councilman Whittington, and unanimously carried, adopting Ordinance No. 604 Amending the Water and Sewer Code of the City of Charlotte with Respect to Rates Charged for Sewer Service. The ordinance is recorded in full in Ordinance Book 12, at Page 370.

LEASE OF BUILDING AT 701 EAST TRADE STREET FROM AMERICAN-COMMERCIAL BANK, TRUSTEE OF WADE-REYNOLDS TRUST.

Councilman Whittington moved that the Mayor and City Clerk be authorized to execute a lease with the American Commercial Bank, Trustee of Wade-Reynolds Trust, for the building at 701 East Trade Street, at a rental of \$250.00 per month, for a term to expire on June 30, 1961. The motion was seconded by Councilman Babcock, and unanimously carried.

MAYOR COMMENDS FIRE DEPARTMENT FOR CONTROLLING CHEMICAL FIRE AT ABANDONED PLANT OF CHARLOTTE CHEMICAL COMPANY, 310 TEMPLETON AVENUE ON JULY 9, 1959.

Mayor Smith stated he wished to publicly commend the Fire Department for the magnificent work of the Firemen in controlling the chemical fire at the abandoned plant of Charlotte Chemical Company at 310 Templeton Avenue on July 9th, at which time he was out of the city, and to express his deep regret at the injuries received by several firemen.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 17TH ON ORDINANCE NO. 593, ADOPTED.

Ordinance No. 593 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property on both sides of East Boulevard, from Euclid Avenue to Winthrop Avenue, from R-2 to Office-Institution, on petition of F. J. Heath, et al, was introduced and read. A Resolution Providing for a Public Hearing thereon on August 17th was then presented and read. Upon motion of Councilman Dellinger, seconded by Councilman Babcock, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 3, at Page 388.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 17TH ON ORDINANCE NO. 594, ADOPTED.

Ordinance No. 594 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property at 1812-1818 Euclid Avenue, from R-2 to B-1, on petition of Willie E. and Hazel N. Doster and Herbert and Myrtle Richmond, was introduced and read. A Resolution Providing for a Public Hearing thereon on August 17th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Babcock, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 389.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 17TH ON ORDINANCE NO. 595, ADOPTED.

Ordinance No. 595 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property at 308 West Worthington Avenue, from R-2 to B-1, on petition of D. C. Cheyne and wife, was introduced and read. A Resolution Providing for a Public Hearing thereon on August 17th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Babcock, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 390.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 17TH ON ORDINANCE NO. 596, ADOPTED.

Ordinance No. 596 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property at 1718-1720-22 South Tryon Street, from R-2 to B-1, on petition of J.A. Daly, Sr. and wife, and James M. Archer and wife, was introduced and read. A Resolution Providing for a Public Hearing thereon on August 17th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Babcock, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 391.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 17TH ON ORDINANCE NO. 597, ADOPTED.

Ordinance No. 597 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property at the NE corner of Gardner and Chamberlain Avenues, from R-2 to Industrial, on petition of W. Carl Ewing, was introduced and read. A Resolution Providing for a Public Hearing thereon on August 17th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Babcock, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 392.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 17TH ON ORDINANCE NO. 598, ADOPTED.

Ordinance No. 598 Amending Chapter 21, Article II, Section 5 of the City Code to amend the Building Zone Map of the Perimeter Area by changing property on the east side of Bradford Drive, from Key Street to North Street, from R-2 to B-1, on petition of Messers Gaddy, Neely and Harrison, was introduced and read. A Resolution Providing for a Public Hearing thereon on August 17th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Babcock, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 393.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 17TH ON ORDINANCE NO. 599, ADOPTED.

Ordinance No. 599 Amending Chapter 21, Article I, Section 2 of the City Code to amend the Building Zone Map of Charlotte by changing property at 1124-1214 East 10th Street, from R-2 to B-1, on petition of O. J. Fink, et al, was introduced and read. A Resolution Providing for a Public Hearing thereon on August 17th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Babcock, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 394.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 17TH ON ORDINANCE NO. 600, ADOPTED.

Ordinance No. 600 Amending Chapter 21, Article II, Section 5 of the City Code to amend the Building Zone Map of the Perimeter Area by changing property on the east side of Park Road, south of Montford Drive, from R-2 to B-1, on petition of W. Frank Graham, was introduced and read. A Resolution Providing for a Public Hearing thereon on August 17th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Babcock, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 395.

RESOLUTION PROVIDING FOR PUBLIC HEARING ON AUGUST 17TH ON ORDINANCE NO. 607, ADOPTED.

Ordinance No. 607 Amending Chapter 21, Article II, Section 5 of the City Code to amend the Building Zone Map of the Perimeter Area by changing property on the east side of Ashley Road, approximately 600 feet south of Tuckaseegee Road, from Rural and B-1 to Industrial, on petition of Mrs. S. B. Alexander, was introduced. A Resolution Providing for a Public Hearing thereon on August 17th was then presented and read, and upon motion of Councilman Dellinger, seconded by Councilman Babcock, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 396.

RESOLUTION WITH RESPECT TO SUPPLEMENTAL PAY TO CITY EMPLOYEES TEMPORARILY ON DUTY WITH THE VARIOUS ARMED FORCES RESERVES, ADOPTED.

A resolution entitled: "Resolution with Respect to Supplemental Pay to City Employees Temporarily on Duty with the Various Armed Forces Reserves" was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Hitch, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 397.

ORDINANCE NO. 606 CONSOLIDATING THE WATERWORKS AND SEWERAGE SYSTEMS OF THE CITY OF CHARLOTTE, ADOPTED.

An ordinance entitled: "Ordinance No. 606 Consolidating the Waterworks and Sewerage Systems of the City of Charlotte" was introduced and read, and upon motion of Councilman Hitch, seconded by Councilman Whittington, was unanimously adopted. The ordinance is recorded in full in Ordinance Book 12, at Page 368.

ORDINANCE NO. 602 AMENDING CHAPTER 2, ARTICLE VI OF THE CITY CODE RELATIVE TO PARKING ON CITY STREETS, ADOPTED.

An ordinance entitled: "Ordinance No. 602 Amending Chapter 2, Article VI of the City Code Relative to Parking on City Streets" was introduced and read, and upon motion of Councilman Babcock, seconded by Councilman Dellinger, and unanimously carried, was adopted. The ordinance is recorded in full in Ordinance Book 12, at Page 371.

ORDINANCE NO. 605 AMENDING THE BUILDING CODE OF THE CITY OF CHARLOTTE BY REPEALING ARTICLE I, THEREOF, DEALING WITH ADMINISTRATION, PROCEDURE AND ADOPTING VARIOUS STATE CODES, DEFERRED FOR TWO WEEKS.

An ordinance entitled: "Ordinance No. 605 Amending the Building Code of

of the City of Charlotte by Repealing Article I thereof, dealing with Administration, Procedure and Adopting Various State Codes" was presented, and Mayor Smith asked that it be deferred until the Heating Code is included. He stated he understands it has been in the hands of the City Attorney for sometime and it is absolutely necessary that it be adopted along with the Building Code. He asked the City Attorney how soon he can draw the necessary papers. Mr. Shaw stated he was told to hold it up, and can have it ready in two weeks time. Councilman Dellinger moved the consideration of the ordinance be deferred for two weeks. The motion was seconded by Councilman Smith and unanimously carried.

RESOLUTION PROVIDING FOR PUBLICATION OF NOTICE OF SESSION OF THE CITY COUNCIL ON AUGUST 17TH TO CONSIDER THE ANNEXATION OF 5.5 ACRES OF PROPERTY TO THE CITY OF CHARLOTTE, ADOPTED.

The City Manager advised that a Petition has been filed by Mr. Ben D. Heath for the annexation to the City of Charlotte of 5.5 acres of property located in Sharon Township. A Resolution Providing for the Publication of Notice of Session of the City Council on August 17th to Consider the Annexation of 5.5 Acres of Property to the City of Charlotte, was introduced and read, and upon motion of Councilman Whittington, seconded by Councilman Dellinger, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 398.

ADVERTISEMENT OF DELINQUENT REAL ESTATE AND PERSONAL PROPERTY TAXES FOR 1958 APPROVED SUBJECT TO MECKLENBURG COUNTY PAYING THEIR SHARE.

The City Manager advised that it is customary to advertise Delinquent Real Estate and Personal Property Taxes for the previous year dueing the month of August, and since the 1958 tax bills include taxes for both Charlotte and Mecklenburg County, he wished to know if the advertisement was desired this year. Councilman Dellinger moved that the delinquent tax list for 1958 be advertised as usual subject to Mecklenburg County paying their share of the advertising cost. The motion was seconded by Councilman Smith, and unanimously carried.

APPLICATIONS OF CAROLINA DETECTIVE AGENCY, ARROW EXTERMINATORS, INC., AND PAUL D. SCHILLER & ASSOCIATES DETECTIVE AGENCY, FOR BUSINESS LICENSES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Babcock, and unanimously carried, the following applications for business licenses were approved:

- (a) Carolina Detective Agency, 506 Independence Building.
- (b) Arrow Exterminators, Inc., 2846 Spencer Drive.
- (c) Paul D. Schiller & Assoc., Detective Agency, 3116 Westmoreland Ave.

CLAIM OF LILLIE STEVENSON FOR PERSONAL INJURY REFERRED TO CITY ATTORNEY.

Councilman Dellinger moved that the Claim of Lillie Stevenson, 22 Barbers Court, for damages for personal injury on June 26th alleged to have been caused by being struck by Police Car #292 at the intersection of Long and 7th Street, be referred to the City Attorney for handling. The motion was seconded by Councilman Hitch, and unanimously carried.

LEASE OF TRACT OF LAND AT AIRPORT AUTHORIZED TO FEDERAL AVIATION AGENCY FOR INSTALLATION OF RADAR TOWER.

Upon motion of Councilman Smith, seconded by Councilman Hitch, and unanimously carried, the least of 1/8th of an acre of property at Douglas Municipal Airport to the Federal Aviation Agency, for the installation of a Radar Tower by the Federal Government, was approved.

CONTRACT AWARDED THE GAMEWELL COMPANY FOR INSTALLATION OF FIRE ALARM SIGNALING SYSTEM.

Councilman Dellinger moved that contract be awarded the only bidder, The Gamewell Company for furnishing and installing Fire Alarm Signaling System, deliver all fire alarm devices and equipment f.o.b. Charlotte, as specified, at a net delivered price of \$79,648.00, in addition to the technical services of a factory engineer, if and when required by the City, to assist and supervise the installation of Pole Line equipment, and Wire and Cable, on a daily rate basis of \$70.00 and traveling expenses at \$318.00. The motion was seconded by Councilman Whittington, and unanimously carried.

CONTRACT AWARDED MILL-POWER SUPPLY COMPANY FOR 10 ITEMS OF WIRE AND CABLE FOR FIRE ALARM SIGNALING SYSTEM.

Upon motion of Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Mill Power Supply Company for 10 items of various Wire and Cable for Fire Alarm Signaling System, as specified, at a total delivered price of \$32,236.85, subject to cash discount of \$163.21, representing a net delivered price of \$32,073.64.

The following net delivered bids were received:

Mill Power Supply Company	\$32,073.64
Graybar Electric Company	\$33,301.39
Westinghouse Electric Supply Co.	\$35,382.84
Ansonia Wire & Cable Co.	\$41,678.37

CONTRACT AWARDED MILL POWER SUPPLY COMPANY FOR POLE LINE EQUIPMENT FOR FIRE ALARM SIGNALING SYSTEM.

Motion was made by Councilman Dellinger, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Mill Power Supply Company for 36 items of Pole Line Equipment for Fire Alarm Signaling System, as specified, f.o.b. Charlotte at a total price of \$8,083.03, subject to cash discount of \$5.24, representing a net delivered price of \$8,077.79.

The following net delivered bids were received:

Mill Power Supply Company	\$8,077.79
Westinghouse Electric Supply Co.	\$8,767.13
Graybar Electric Company	\$10,080.19

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS PROJECT.

Motion was made by Councilman Hitch, seconded by Councilman Dellinger, and

unanimously carried, awarding contract to the low bidder, Crowder Construction Company for Street Improvements on Hutchison Avenue, Beatties Ford Road, Rozzells Ferry Road, East Morehead Street, Kings Drive, Cecil Street and Brandywine Road, as specified, on a unit price basis, representing a total price of \$234,598.00.

The following net delivered bids were received:

Crowder Construction Company	\$234,598.00
Blythe Bros. Company	\$244,025.00

SANITARY SEWER MAINS CONSTRUCTION APPROVED IN EASTWAY DRIVE, WAVERLY PLACE AND MAY STREET.

Upon motion of Councilman Hitch, seconded by Councilman Myers, and unanimously carried, construction of sanitary sewer mains were approved as follows:

- (a) Construction of 200 feet of 8-inch sewer main, inside city, in Eastway Drive, from present end south to near Central Avenue, at request of Esso Company, to serve 2 existing business units, at an estimated cost of \$400.00. All costs to be borne by the City.
- (b) Construction of 70 feet of 8-inch sewer main, inside city, in Waverly Place, from present end of sewer east 70 feet, at request of D. L. Phillips, to serve 2 family units, at an estimated cost of \$585.00. All costs to be borne by the City.
- (c) Construction of 742 feet of 8-inch sewer main in proposed city limits extensions area, in May Street, from trunk south 742 feet to Wayne Avenue, at request of Charlotte Lumber & Mfg. Co. to serve 8 existing family or business units, at an estimated cost of \$2,365.00. All costs to be borne by the City.

CONTRACTS FOR THE INSTALLATION OF WATER MAINS AUTHORIZED.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, the following contracts for the installation of water mains were authorized:

- (a) Contract with John Crosland Company for the installation of 1,760 feet of water mains and one hydrant, in Woodridge Subdivision, inside city limits, to serve residential property, at an estimated cost of \$4,550.00. The city to finance all construction costs and applicant to guarantee a gross annual water revenue equal to 10% of the total construction cost.
- (b) Contract with Evans Construction Company for the installation of 5,215 feet of water mains and three hydrants, in Balmore Subdivision, inside city limits, at an estimated cost of \$14,400.00. The city to finance all construction costs and the applicant to guarantee a gross annual water revenue equal to 10% of the total construction cost.
- (c) Contract with Triage Construction Company, Inc. for the installation of 8,095 feet of water mains and eight hydrants, in Oak Forest Subdivision, inside the city limits to serve residential property, at an estimated cost of \$24,800.00. The city to finance all construction costs and applicant to guarantee a gross annual water revenue equal to 10% of the total construction cost.

- (d) Contract with Charlotte Lumber & Mfg. Company, for the installation of 8,580 feet of water mains and eight hydrants, in Northmore Subdivision, inside city limits, to serve industrial property, at an estimated cost of \$41,000.00. The city to finance all construction costs and the applicant to guarantee a gross annual water revenue equal to 10% of the total construction cost.
- (e) Supplementary Contract to contract dated July 11, 1956 with John Crosland Company for the installation of 15,095 feet of additional water mains and 10 hydrants, in Beverly Woods, outside city limits, to serve residential property, at an estimated cost of \$50,400.00. The applicant to finance all costs including fire hydrants, said applicant to dedicate same to City without cost or any further agreement, upon the acceptance by the City for maintenance and operation. The mains to be constructed in accordance with specifications covering material, location and workmanship approved by Water Department. The City will operate and maintain said water mains at their expense and retain all revenue derived therefrom. No tapping fees will be charged in connection with this contract. Fire Hydrants erected in this area will be subject to the rules and regulations of the Water Department covering their use outside the city areas.
- (f) Contract with the Trotter & Allan Construction Co. for the installation of 1,879 feet of water main and one hydrant, inside city limits to serve residential property in Eastwood Acres, at an estimated cost of \$3,975.00. The City to finance all construction costs and applicant to guarantee a gross annual water revenue equal to 10% of the total construction cost.
- (g) Supplementary Contract with Ervin Construction Co., to contract dated December 3, 1958, for the installation of 540 feet of water mains, to serve residential property in Starmount Subdivision No. 1, outside city limits, at an estimated cost of \$2,500.00. Cost of all construction to be borne by the Applicant who will dedicate same to the City, without cost or any further agreement therewith, upon acceptance by the City for maintenance and operation. The mains to be constructed in accordance with the specifications covering material, location and workmanship approved by the Water Department. City to maintain and operate said main at their expense and to retain all revenue derived therefrom. No tapping fees will be charged in connection with this contract.
- (h) Supplementary Contract to contract dated June 4, 1958, with American Investment Company, for the installation of 1,970 feet of water mains and two hydrants, to serve a part of Picardy Subdivision, outside city limits, at an estimated cost of \$5,400.00. Cost of construction to be borne by Applicant who will dedicate same to City of Charlotte without cost or any further agreement therewith, upon acceptance by the City for maintenance and operation. The mains to be constructed in accordance with specifications, covering material, location and workmanship approved by the Water Department. The City to operate and maintain said mains at their expense and to retain all revenue derived therefrom. No tapping fees will be charged in connection with this contract. Fire hydrants erected in this area will be subject to rules and regulations of the Water Department covering their use outside the city area.

CONDEMNATION PROCEEDINGS AUTHORIZED STARTED FOR RIGHT OF WAY ACROSS PROPERTY OF PROVIDENCE MEMORIAL ASSOCIATION, INC. FOR McMULLEN CREEK OUTFALL.

Motion was made by Councilman Babcock, seconded by Councilman Hitch, and unanimously carried, authorizing condemnation proceedings be started for right-of-way across the property of Providence Memorial Association, Inc. for McMullen Creek Outfall.

CONTRACTS AUTHORIZED WITH DUKE POWER COMPANY FOR INSTALLATION OF STREET LIGHTS ON EAST TRADE STREET & ELIZABETH AVENUE AND ON EAST MOREHEAD STREET.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, contracts were authorized with Duke Power Company for Street Lightening as follows:

- (a) Installation of fifty-six (56) 20,000 lumen mercury vapor street lights on East Trade Street and Elizabeth Avenue, between Caldwell Street and Hawthorne Lane.
- (b) Installation of fifteen (15) 20,000 lumen mercury vapor street lights on East Morehead Street between Kings Drive and Queens Road.

CONTRACT BETWEEN ERVIN CONSTRUCTION COMPANY, INC. AND N.C. STATE HIGHWAY & PUBLIC WORKS COMMISSION FOR WATER MAIN INSTALLATION ACROSS U.S. HIGHWAY NO. 21.

Upon motion of Councilman Whittington, seconded by Councilman Hitch, and unanimously carried, the Mayor and City Clerk were authorized to co-sign an agreement with Ervin Construction Company, Inc., and the N. C. State Highway & Public Works Commission for right-of-way across U. S. Highway No. 21, known as Pineville Road at Archdale Drive, outside city limits, to maintain and operate an 8" water main.

CONSIDERATION OF WIDENING OF RADCLIFFE AVENUE, FROM QUEENS ROAD WEST TO QUEENS ROAD, DEFERRED FOR TWO WEEKS.

Upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, consideration of the widening of Radcliffe Avenue, from Queens Road West to Queens Road, 11 feet on the south side only, was deferred for two weeks.

CHANGE IN NAME OF SOUTH CECIL STREET, BETWEEN INDEPENDENCE BOULEVARD AND EAST FOURTH STREET TO KINGS DRIVE, APPROVED.

Motion was made by Councilman Smith, seconded by Councilman Babcock, and unanimously carried, authorizing that the name of South Cecil Street, between Independence Boulevard and East Fourth Street, be changed to Kings Drive, as recommended by the Engineering Department and Planning Board on petition of the majority of residents of South Cecil Street.

EXTENSION OF SICK LEAVE AUTHORIZED TO EMPLOYEES OF WATER AND MOTOR TRANSPORT DEPARTMENTS.

Upon motion of Councilman Babcock, seconded by Councilman Hitch, and unanimously carried, the following sick leave extensions were authorized:

- (a) Mr. Robert E. Richardson, Water Department Cashier, to August 15th.
- (b) Mr. Geo. D. Philemon, Motor Transport Department, to October 12th.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Whittington, seconded by Councilman Smith, and unanimously carried, the construction of the following driveway entrances was authorized:

- (a) One 20-ft. and One 30-ft. entrance at 4200 Park Road.
- (b) One 30-ft. entrance at 1311 Pecan Avenue.
- (c) One 20-ft. and Two 25-ft. entrances at 1501 W. Independence Blvd.
- (d) One 30-ft. entrance at 1508 South Tryon Street.
- (e) One 20-ft. entrance at 2321 South Tryon Street.
- (f) One 20-ft. entrance at 908 East Fourth Street.
- (g) One 20-ft. entrance on Wellesley Avenue for 1900 Selwyn Avenue.
- (h) Three 30-ft. entrances at 225 E. 16th Street.

ISSUANCE OF SPECIAL OFFICER PERMITS AUTHORIZED.

Motion was made by Councilman Dellinger, seconded by Councilman Babcock, and unanimously carried, authorizing the issuance of the following Special Officer Permits:

- (a) Issuance of Permit to Paul T. Guin, 338 Scott Street, Mt. Holly, N. C. for use on the premises of Federal Reserve Bank.
- (b) Renewal of Permit to Joe L. Bridger and Cyrus C. Austin for use on premises of Highland Park Mfg. Company.
- (c) Renewal of Permit to Mrs Stella Patterson for use on premises of J. B. Ivey & Company.
- (d) Renewal of Permit to Henry Durant Price, 2517 Amity Road, for use on premises of Lance, Inc.

UNFIT HOUSING PROGRESS REPORT FOR QUARTER ENDING JUNE 30, 1959 FILED.

The City Manager filed the following Unfit Housing Progress Report for the period ending June 30, 1959:

"Number of Housing units brought up to standard	73
Number of Property owners cited for hearings	21
Number of Housing units condemned	18
Number of bathing facilities installed	14

PROGRESS OF HOUSING PROGRAM SINCE BEGINNING IN AUGUST, 1948

Number of housing units brought up to standard to date	11,796
Number of houses demolished to date	2,190"

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Tilden C. Walsh and Helen B. Walsh, for Lot #295, Section 4-A, Evergreen Cemetery, at \$126.00.

- (b) Deed with Mrs. Sudie E. Rice, for Lot No. 101, Graves 5 and 6, Section 3, Evergreen Cemetery, at \$80.00.

ADJOURNMENT.

Upon motion of Councilman Smith, seconded by Councilman Babcock, and unanimously carried, the meeting was adjourned until 4 o'clock p.m. on Monday, July 27th, to meet for the purpose of adopting the 1959-60 Appropriation Budget, and fixing the tax rate.



Lillian R. Hoffman, City Clerk