

A regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Wednesday, July 21, 1948, with Mayor pro tem Lambeth presiding, and Councilmen Albea, Childs, Jordan, McKee and White present.

Absent: Mayor Baxter and Councilmen DeLañey.

-----

INVOCATION.

The invocation was given by Councilmen Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman White, seconded by Councilman Childs, and unanimously carried, the minutes of the last meeting on July 7th were approved as submitted.

PROTESTS REGISTERED AGAINST HOUSES REMOVED FROM CROSSTOWN BOULEVARD RIGHT-OF-WAY TO HILL STREET.

A delegation of residents of Kent Street, Royal Court and South Davidson Street were present in protest of the six houses recently moved from the crosstown boulevard right-of-way to East Hill Street and occupied by negroes. Mr. R. M. Small and others urged the removal of these houses to another location, stating the houses were substandard; their placement in this area occupied by white persons was objectionable and had devaluated the property. Mr. Small stated he was the owner of seven houses within the area now occupied by white people and he would be obliged to immediately rent the property to negroes.

Mr. Yancey, City Manager, advised that the Building Inspection Department had investigated the houses and stated all rules and regulations had been complied with to meet the standard house requirements.

Mr. Shaw, City Attorney, stated the City had no legal recourse in the matter so long as the property owners complied with the laws of the city; that under the ruling of the Supreme Court of the United States no residential segregation could be enforced.

Mayor pro tem Lambeth assured the delegation that the City would strictly enforce all laws in connection with these houses. He also stated that the Council was most sympathetic with the affected residents and wished to cooperate with them in every way possible.

AN ORDINANCE (NO.46) TO AMEND THE ZONING ORDINANCE INTRODUCED, AND RESOLUTION PROVIDING FOR A PUBLIC HEARING THEREON ADOPTED.

An Ordinance entitled, "Ordinance (No.46) Amending Chapter 21 of the City Code with Respect to the Zoning Ordinance" to change the Building Zone Map from Residence-2 to Business-1 district of three lots on 36th Street, between Caldwell Street and Davidson Street was introduced. Following the reading thereof, a Resolution entitled, "Resolution Providing for a Public Hearing on a proposed amendment to the Zoning Ordinance" setting the date of hearing on August 18, 1948, was presented and read. Councilman Childs moved the adoption of the Resolution. Motion seconded by Councilman Albea and unanimously carried. Resolution is recorded in full in Resolutions Book 1, at Page 120.

THE CHIEF CLERK

PAYMENT OF ANNUAL SERVICE FEE TO (1) N. C. LEAGUE OF MUNICIPALITIES AND (2) TO INSTITUTE OF GOVERNMENT.

Upon motion of Councilman Albea, seconded by Councilman Childs, and unanimously carried, payment of Annual Service Fee for the fiscal year 1948-49 was authorized as follows:

\$845.00 to the North Carolina League of Municipalities  
\$413.00 to the Institute of Government.

ACCEPTANCE OF OFFER OF CIVIL AERONAUTICS ADMINISTRATION TO CONSTRUCT HIGH INTENSITY LIGHTING SYSTEM AT AIRPORT, AND ALLOCATION THEREFOR APPROVED FROM AIRPORT RESERVE FUND.

Councilman McKee moved the acceptance of the offer of the Civil Aeronautics Administration to construct a high intensity lighting system at the Airport at a cost of \$24,000 to the C.A.A. and that the City contribute a like amount to the project, allocating same from the Airport Reserve Fund, and the Mayor and City Clerk be authorized to execute the necessary contract with the C.A.A. Motion seconded by Councilman Albea, and unanimously carried.

PLATS OF (1) MIDWOOD & CLUB ACRES SUBDIVISION AND (2) BROOKDALE SUBDIVISION APPROVED.

Motion was made by Councilman Albea, seconded by Councilman Jordan and unanimously carried, approving the following subdivision plats as recommended by the Planning Board:

- (a) Midwood & Club Acres Subdivision, located between Chatham Ave. Midwood Place and Club Road, being developed by Conder Realty Company, Charlotte.
- (b) Brookdale Subdivision, located on South Tryon Street extension at the city limits, being developed by W. W. Williams and Edwin L. Geltzeiler, Kannapolis.

REMOVAL OF TREE FROM PLANTING STRIP ON WEST SIDE OF SOUTH TRYON STREET 100 FEET NORTH OF PALMER STREET APPROVED.

Upon motion of Councilman Childs, seconded by Councilman Albea, and unanimously carried, permission was granted Mr. George Jordan to remove a tree from the planting strip on the west side of South Tryon Street 100-feet north of Palmer Street.

STREETS TAKEN OVER FOR MAINTENANCE.

Councilman Albea moved that the following streets be taken over for maintenance. Motion seconded by Councilman McKee, and unanimously carried:

- (a) Idlewood Circle, between Lila Road and Salem Drive.
- (b) Salem Drive, from Avondale Ave. to Idlewood Circle.
- (c) Bancroft Street, from Concordia Ave. to Franklin Ave.
- (d) Leigh Street, in Plaza Hills Subdivision.
- (e) Duncan Street, from Leigh St. to Woodside Ave.
- (f) Elon Street south from Camp Green Street from the end of maintenance.

CONSTRUCTION OF SANITARY SEWERS IN (1) NORFOLK STREET AND (2) TRYON HILLS SUBDIVISION.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the following sanitary sewers were authorized constructed at the City's expense:

- (a) In Norfolk Ave. a distance of 110 feet, at an estimated cost of \$169.40 to serve one house being erected and two vacant lots.
- (b) In Tryon Hills Subdivision, a distance of 2940 feet, at an estimated cost of \$5,940.11, to serve 51 apartment units being erected and 19 vacant lots.

RESOLUTION AUTHORIZING CONTRACT WITH J. W. SPRATT, COUNTY SURVEYOR, TO MAKE PROPERTY LINE SURVEY MAPS IN CONNECTION WITH THE NEW SUGAW CREEK OUTFALL SEWER LINE.

A resolution entitled, "Resolution Authorizing Contract with J. W. Spratt, County Surveyor, to make Property Line Survey Maps in connection with the new Sugaw Creek Outfall Sewer Line" was presented and read, and upon motion of Councilman Albea, seconded by Councilman Childs, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Page 121.

CONTRACTS FOR PURCHASES.

Motion was made by Councilman Childs, seconded by Councilman Albea, and unanimously carried, authorizing the following contracts for purchases and the allocation of funds therefor if necessary:

- (a) Contract with Blythe Bros. Company for street improvements project in Tuckaseegee Road, for the P & N Realty Company, on the unit price basis as stipulated in their bid, representing a total cost of \$8,325.90.
- (b) Contract with Blythe Bros. Company for improvements to West Boulevard from Cliffwood Place to Wilmore Drive, at a total cost of \$4,180.00.
- (c) Contract with Hajoca Corp. for 6625 Brass and Copper Fittings, representing a 6-months supply, at a net delivered price of \$5,131.97, for the Water Dept.
- (d) Contract with Pyramid Chevrolet Company, for One 1948 Chevrolet Station Wagon, at a net delivered price of \$1,912.85, for the Park & Recreation Commission.
- (e) Contract with Insect Control Sales & Service for supplying machines, labor and materials for fogging the City with DDT during the week of July 12th, at a cost of \$2,440.00, and the allocation of said funds from the Emergency Fund.
- (f) Contract with R.H. Russell, Distributor, for One Todd Insecticidal Fog Applicator complete, at a net delivered price of \$1,660.00, for the Health Dept.
- (g) Contract with Charlotte Willys Company, Inc., for One Jeep complete for use in fogging the City with DDT Insecticide, at a net delivered price of \$1,315.17, for the Health Dept.
- (h) Contract with Pomona Terra Cotta Company, for 1,401 feet of 8-inch pipe at a net delivered price of \$563.90, for the Engineering Dept.
- (i) Contract with American Seating Company, for 100 steel folding chairs, at a net delivered price of \$355.00 for the Park & Recreation Commission.
- (j) Contract with Pomona Terra Cotta Company, for 1752 feet of 8-inch pipe at \$705.19, for the Engineering Dept.
- (k) Purchase of 15,000 3-cent stamps from the Charlotte Postmaster at a price of \$450.00, for the Tax Department.

## SPECIAL OFFICER PERMITS.

Upon motion of Councilman Albea, seconded by Councilman Childs, and unanimously carried, Special Officer Permits were authorized issued and renewed to the following persons:

- (a) To Mrs. Stella Patterson, renewal permit for one year, on the premises of J. B. Ivey & Company.
- (b) To A. C. McGill, R. A. Smith and W. A. House renewal permits for one year on the premises of Highland Park Mfg. Company.
- (c) To D. L. Jordan and John H. Holden, issuance of permit for one year on the premises of Elmwood & Pinewood Cemeteries.

## LEASE OF AIRPORT BUILDING NO. 225 TO DRAKES TRANSFER COMPANY.

The City Manager reported that Airport Building No. 225 had been leased to Drakes Transfer Company, as of July 1st for three years at a monthly rental of \$106.20; lease of said building to Piedmont Sprinkler and Equipment Company having been cancelled.

## CEMETERY DEEDS.

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

- (a) To Walter L. Hoover and wife Lot 341, Section 3, Evergreen Cemetery, at \$140.40.
- (b) To T. L. Cuthbertson, Lot 54, Section 3, Evergreen Cemetery, at \$156.00.
- (c) To G. C. Hicks, Perpetual Care on north half of Lot 140, Section Q, Elmwood Cemetery, at \$50.00.
- (d) To Mrs. Katherine M. Mangum, Perpetual Care on west half of Lot 36, Section B, Pinewood Cemetery, at \$72.00.

## RESIGNATION OF K. M. CLONTZ FROM CIVIL SERVICE COMMISSION ACCEPTED.

Upon motion of Councilman White, seconded by Councilman Childs, the unanimous consent of Council was given Councilman Jordan to present the following item not included in the Docket:

Councilman Jordan moved that the resignation of Mr. K. M. Clontz from the Civil Service Commission be accepted with regret, effective upon the appointment of his successor. Motion seconded by Councilman White, and unanimously carried.

## ADJOURNMENT.

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

*Leiland R. Hayman*  
City Clerk