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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, June 1, 1955, at 4 o'clock p.m., with Mayor Van Every presiding, and Council members Albea, Baxter, Brown, Dellinger, Evans, Smith and Wilkinson being present.

Absent: None.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the Minutes of the last meeting on May 25th were approved as submitted.

ORDINANCE NO. 261 AMENDING ZONING ORDINANCE, CHANGING ZONING FROM RESIDENCE-1 TO BUSINESS-1 ON PROPERTY AT 1400-02 INDEPENDENCE BOULEVARD, ADOPTED.

The scheduled hearing was held on Ordinance No. 261 to Amend the Zoning Ordinance, by changing the Zoning Map from R-1 to B-1 on property at 1400-02 Independence Boulevard, upon the petition of Mr. L. S. Mallock. Mr. Henry Strickland, Attorney representing Mr. Mallock, submitted pictures of the property, stating that it adjoins business property and advising that his client wishes to erect a store building on the property. No objections to the proposed change were expressed. Councilman Dellinger moved the adoption of the ordinance, which was seconded by Councilman Brown, and unanimously carried. The Ordinance is recorded in full in Ordinance Book 11, at Page 428.

ORDINANCE NO. 262 AMENDING ZONING ORDINANCE, CHANGING ZONING FROM RESIDENCE-1 TO RESIDENCE-2 ON PROPERTY AT 1516-18 INDEPENDENCE BOULEVARD, ADOPTED.

Mr. Henry Strickland, Attorney, appeared before Council in behalf of his client, Mr. L. S. Mallock, at the scheduled hearing relative to the adoption of Ordinance No. 262 to Amend the Zoning Ordinance to change the Zoning Map from R-1 to R-2 on property of Mr. Mallock located at 1516-18 Independence Boulevard. Mr. Strickland submitted pictures of the property and advised that it is situated between two duplexes and Mr. Mallock desires to erect a duplex on the property. No objections were expressed to the proposed change. Councilman Smith moved the adoption of the ordinance, which was seconded by Councilman Dellinger, and unanimously carried. The Ordinance is recorded in full in Ordinance Book 11, at Page 429.

INDUSTRIAL WASTE ORDINANCE NO. 114 NOT AMENDED, BUT CONFERENCE WITH COMMERCIAL LAUNDRIES FIXED FOR TUESDAY, JUNE 7TH.

Mayor Van Every advised the Commercial Laundry Owners and other interested persons in the audience who had requested certain relaxations and changes in the Industrial Waste Ordinance, that he was requested by the majority members of the City Council to state the ordinance will not be amended and that the City Manager and Water Department officials will assist them in every way possible to comply with the provisions of the ordinance.

After conferring with his clients, the Commercial Laundry Owners, Mr. Paul Ervin stated that they have tried to show the Council they are acting in good faith and in the interest of the City's welfare; however, if the ordinance is put into effect today, the residents of Charlotte will be without laundry service. That his clients are confronted with making a big change over and with internal problems, which they cannot possibly settle without the guidance of the Council; therefore, they earnestly request an opportunity to sit down with the Council and further explore their problems.

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Mayor Van Every stated that it is not the intention of the Council to use immediate drastic measures; that the thought is that those persons making an effort to comply with the law will receive all possible assistance from the City. Mr. Ervin then asked that a person or persons be designated by the Council with whom they should confer.

Councilman Dellinger moved that the Council comply with Mr. Ervin's request for a conference and the City Manager and Engineers be present. The motion was seconded by Councilwoman Evans.

Councilman Baxter stated that as these are individual cases, he offered a substitute motion that they be referred to the City Manager. The motion was seconded by Councilman Albea, and lost, with the votes cast as follows:

YEAS: Councilmen Baxter and Albea.

NAYS: Council members Brown, Dellinger, Evans, Smith and Wilkinson.

The vote was then taken on the main motion and unanimously carried.

The Council concurred in the suggestion of the Mayor that the conference be held on next Tuesday evening, June 7th, at 7:30 o'clock, in the office of the Mayor.

CITY MANAGER DIRECTED TO ADVISE MEMORIAL HOSPITAL AUTHORITY THAT ANY REQUESTS FOR FUNDS UNDER LEGISLATIVE ENACTMENT WILL NOW BE CONSIDERED BY THE COUNCIL IF PRESENTED.

Mr. Frank Snapp, Chairman of the Special Committee of the Social Planning Service to study needs for better hospital facilities, appeared before Council and stated that a local Act was passed by the 1955 General Assembly which permits the City Council to request the Charlotte Memorial Hospital Authority to undertake the study of an addition to the hospital and to employ an architect for the purpose of drawing such plans, and further permits the City to appropriate non-tax funds to be turned over to the Authority for payment of the architect. Mr. Snapp requested that the provisions of the Act be complied with, and stated that even though the hospital addition cannot be erected at this time, it will be to the City's best interest to have the cost estimate made now.

Councilman Baxter moved that the City Manager be requested to advise Charlotte Memorial Hospital Authority that the Council is now considering its 1955-56 annual budget, and if they have any requests to make pursuant to the Act of the General Assembly, they should be presented at this time. The motion was seconded by Councilman Albea, and unanimously carried.

PRELIMINARY REPORT ON ZONING OF PERIMETER AREA SUBMITTED BY PLANNING COMMISSION.

Mr. W. E. McIntyre, Planning Director, submitted a Preliminary Report from the Charlotte-Mecklenburg Planning Commission on a proposed zoning ordinance for the perimeter area, in accordance with the State law. Councilman Brown moved that the report be accepted as information and the Commission be authorized to proceed with the hearings as provided by law. The motion was seconded by Councilwoman Evans, and unanimously carried.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON PROVIDENCE ROAD.

A resolution entitled: "Resolution Authorizing Permanent Improvements on Providence Road" was introduced and read. Councilman Smith moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and was unanimously adopted on its first reading. The resolution is recorded in full in Resolutions Book 2, at Page 305.

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RESOLUTION ABANDONING A PORTION OF BANCROFT STREET IN GRAHAM HEIGHTS.

A resolution entitled: "Resolution Abandoning A Portion of Bancroft Street in Graham Heights" was introduced and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilman Baxter, and was unanimously adopted. The resolution is recorded in full in Resolutions Book 2, at Page 306.

RESOLUTION WITH RESPECT TO NON-RETIREMENT OF CERTAIN EMPLOYEES SIXTY-FIVE YEARS OLD OR OLDER ON JULY 1, 1955.

A resolution entitled: "Resolution With Respect To Non-Retirement of Certain Employees Sixty-Five Years Old or Older on July 1, 1955" was introduced and read. Upon motion of Councilman Brown, seconded by Councilman Dellinger, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 2, at Page 307.

PLAT OF PART OF W. S. PHARR LAND APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Baxter, and unanimously carried, the Plat of a Part of the W. S. Pharr Land was approved, as recommended by the Planning Commission.

RIGHT-OF-WAY AGREEMENTS BETWEEN STATE HIGHWAY COMMISSION AND ERVIN CONSTRUCTION COMPANY FOR CONSTRUCTION OF SANITARY SEWERS IN PIERSON DRIVE AND ASHLEY ROAD AUTHORIZED CO-SIGNED BY CITY.

Motion was made by Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, authorizing the Mayor and City Clerk to co-sign agreements between the State Highway Commission and Ervin Construction Company for rights-of-way for the construction of sanitary sewers as follows:

- (a) Construction of 805-feet of sewer line in the southerly edge of Pierson Drive, from 135-ft. west of Winfield Drive, east.
- (b) Construction of 2,227-feet of sewer line in the westerly edge of Ashley Road from Meredith Avenue to Kempton Place.

CONTRACT AWARDED DEWEY BROS, INC. FOR MANHOLE RINGS AND COVERS.

Councilman Albea moved the award of contract to Dewey Bros. Inc., for 150 Manhole Rings and Covers, machined, as specified, on a unit price basis, representing a total price of \$3,390.00, subject to cash discount of \$33.90, or a net delivered price of \$3,356.10. The motion was seconded by Councilman Wilkinson, and unanimously carried.

CONTRACT AWARDED NEPTUNE METER COMPANY FOR WATER METERS.

Upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, contract was awarded Neptune Meter Company for 1,500, 5/8-inch Displacement Type Cold Water Meters, as specified, on a unit price basis, representing a total net delivered price of \$34,200.00.

CONTRACT AWARDED THE FORD METER BOX COMPANY, INC. FOR METER YOKES.

Motion was made by Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, awarding contract to The Ford Meter Box Company, Inc., for 1,500 No. 209U, 500 No. 101U and 50 No. 104 Meter Yokes, as specified, on a unit price basis, representing a net delivered price of \$7,852.00.

RIGHT-OF-WAY AGREEMENT BETWEEN STATE HIGHWAY COMMISSION AND AMITY SUPPLY COMPANY FOR INSTALLATION OF WATER MAIN IN RANDOLPH ROAD AUTHORIZED CO-SIGNED BY CITY.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, the Mayor and City Clerk were authorized to co-sign an agreement between the State Highway Commission and Amity Supply Company for the installation of an 8-inch water main in Randolph Road, outside the city limits.

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**SUPPLEMENTARY CONTRACT WITH AMITY SUPPLY COMPANY FOR INSTALLATION OF
ADDITIONAL WATER MAINS IN COTSWOLD SUBDIVISION.**

Councilman Smith moved approval of a Supplementary Contract with Amity Supply Company, to contract dated April 8, 1953, for the construction of 256-feet of additional water mains in the Cotswold Subdivision, at an estimated cost of \$950.00, with all costs to be borne by the applicant. The motion was seconded by Councilman Wilkinson, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER IN HOLT STREET APPROVED.

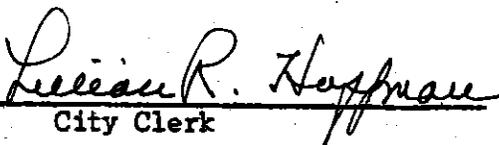
Motion was made by Councilman Albea, seconded by Councilman Baxter, and unanimously carried, authorizing the construction of 182-feet of sanitary sewer in Holt Street, at request of Joe W. Wiggins & Son, to serve two duplex units, at an estimated cost of \$510.00, to be financed by the City.

DUPLICATE DEED FOR CEMETERY LOT.

Councilwoman Evans moved that the Mayor and City Clerk be authorized to execute a duplicate deed to Mrs. H. B. Starnes, for Lot 68, Section Y, Elmwood Cemetery, at \$1.00 for new deed. The motion was seconded by Councilman Baxter, and unanimously carried.

ADJOURNMENT.

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



City Clerk