

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, June 13, 1951, at 4 o'clock p.m., with Mayor pro tem Van Every presiding, and Councilmen Albea, Baxter, Boyd, Coddington, Dellinger and Jordan present.

Absent: Mayor Shaw.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Dellinger, and unanimously carried, the minutes of the meeting on June 6th were approved as submitted.

CONTRACT WITH J. E. FOOTE FOR USE OF PARKING METER STANDARDS FOR ADVERTISING PURPOSES TAKEN UNDER CONSIDERATION.

Mr. Thos. G. Lane, Jr., Attorney and Mr. J. E. Foote, representing a Parking Meter Advertising Company, submitted a proposal that the City enter into a contract with Mr. Foote for the use of parking meter standards for advertising purposes by means of a triangular device attached to the meter standard. Under the contract terms the Company would pay the City a rental of 20 percent of the gross income from the advertising. Mr. Lane advised that a proper amount of liability insurance would be carried by the Company to save the City harmless from any damages arising from the device. Councilman Jordan moved that the request be taken under consideration for one week. The motion was seconded by Councilman Coddington, and unanimously carried.

REQUEST THAT GIBSON PIPING & CONSTRUCTION COMPANY BE RELIEVED OF THE PENALTY FOR EXCESSIVE TIME OF COMPLETION OF CONTRACT FOR LAYING SEWER LINES REFERRED TO CITY ATTORNEY AND CITY MANAGER FOR RECOMMENDATION.

Mr. W. J. Sherrod, Attorney representing the Estate of Mr. Y. T. Gibson, deceased, stated that the Gibson Piping & Construction Company, owned by Mr. Gibson, entered into a contract with the City of Charlotte in July 1950 for the construction of sanitary sewer lines to Myers Park School, in Furrtown and other locations. That because of the death of Mr. Gibson in October 1950 the contract was not completed within the time set forth in the contract and a penalty of \$1,200.00 for excessive time for the completion of the contract has accrued. He stated that there was no one connected with the Company who could immediately carry on the work and that after negotiations with the Bonding Company he was appointed by the Courts to complete the job. He recited the difficulties encountered in endeavoring to complete the job, and stated that one of the chief delays was occasioned by the City not having the rights-of-way for the sewer line construction and the Company was delayed until December in pouring concrete and other work that is not usually done during the cold months, which resulted in a loss of some \$5,000.00 to the Company. He stated that the contract was completed last month. He advised further that no profit was realized from the job and if the penalty is collected by the City, then the homestead of Mrs. Y. T. Gibson must be sold to raise the funds. He requested that they be relieved of the payment of the penalty for the excessive time of the completion of the contract. Councilman Boyd moved that the matter be referred to the City Attorney and City Manager for a recommendation to the Council. The motion was seconded by Councilman Coddington, and unanimously carried.

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RESOLUTION PROVIDING FOR FILING THE BUDGET ESTIMATE FOR THE FISCAL YEAR 1951-1952 WITH THE CITY CLERK AND THE PUBLICATION OF THE SYNOPSIS.

A resolution entitled, "Resolution Providing for Filing the Budget Estimate for the Fiscal Year 1951-1952 with the City Clerk and the Publication of the Synopsis" was introduced and read. Upon motion of Councilman Boyd, seconded by Councilman Baxter, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 1, at Page 408.

EXTENSION OF WEST FIFTH STREET TO BEATTIE'S FORD ROAD TO BE GIVEN FIRST CONSIDERATION WHEN ALLOCATION OF POWELL FUNDS ARE DISCUSSED.

Councilman Dellinger requested that serious consideration be given the extension of West 5th Street to Beattie's Ford Road in order to provide a needed outlet to the western section of the City. He was advised that a survey is now being made of the area by the Engineering Department which will be completed within an early date.

Councilman Baxter moved that the extension of the street as suggested be given first consideration at the time the allocation of the Powell Act funds for street improvements is discussed. The motion was seconded by Councilman Dellinger, and unanimously carried.

STREETS TAKEN OVER FOR MAINTENANCE.

Motion was made by Councilman Albea, seconded by Councilman Baxter, and unanimously carried, taking over the following streets for maintenance:

- (a) South View Street, from Bassett Row two blocks south to dead end.
- (b) Annette Street, from South View Street $1\frac{1}{2}$ blocks west to dead end.
- (c) Wig Street, from Annette Street 1 block south to dead end.

CONSTRUCTION OF NEW SANITARY SEWERS IN WILKINSON STREET, MOHIGAN STREET AND RANDOLPH AND ROY STREETS.

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

- (a) 333 feet of 8 inch sewer main in Wilkinson Street, at an estimated cost of \$455.00, to serve 4 family units. All costs to be borne by the City.
- (b) 650 feet of 8 inch sewer main in Mohigan Street, at an estimated cost of \$1,880.00, to serve 18 vacant lots. All costs to be borne by the City and applicant's deposit of full amount to be refunded as per terms of the contract.
- (c) 764 feet of 8 inch trunk sewer and mains in Randolph and Roy Streets, at an estimated cost of \$1,960.00, to serve 8 family units and 2 vacant lots. All costs to be borne by the City.

CONTRACT WITH R. W. MCMANUS FOR CONSTRUCTION OF WATER MAINS IN ECHO HILLS SUBDIVISION.

Motion was made by Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, authorizing a contract with Mr. R. W. McManus, 4622 Monroe Road, for the construction of 700 feet of 2 inch water mains in Echo Hills Subdivision, at an estimated cost of \$775.00, to serve 16 residential lots abutting on Mohigan Street. All costs to be borne by the applicant, and the City to furnish material and lay the mains and maintain and operate same. The City to pay the applicant the first cost of the project without interest if and when the mains produce a revenue equal to 5 percent of the costs during any twelve months continuous period.

CONTRACT AWARDED ELECTRIC ICE & FUEL COMPANY FOR YEAR'S SUPPLY OF COAL.

Councilman Albea moved that a contract be awarded Electric Ice and Fuel Company for 100 tons of Stoker Coal at \$11.36 and 900 tons of Pocahontas Stove or Egg Coal at \$12.33, estimated quantities, as specified, on a unit price basis, representing a net delivered price of \$12,233.00. The motion was seconded by Councilman Baxter, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCE AT 832 SEIGLE AVENUE.

Upon motion of Councilman Jordan, seconded by Councilman Baxter, and unanimously carried, the construction of a 14 foot driveway entrance was authorized at 832 Seigle Avenue.

TRANSFER OF CEMETERY LOT.

Motion was made by Councilman Dellinger, seconded by Councilman Coddington, and unanimously carried, authorizing the Mayor and City Clerk to execute a deed with Mr. George M. Burnett and wife, for the transfer of Lot 274, Section 4-A, in Evergreen Cemetery, at a cost of \$81.90.

ADJOURNMENT.

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

Lecia R. Hoffman
City Clerk