

June 27, 1956
Minute Book 36 - Page 370

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 Wednesday, June 27, 1956, at 11 o'clock a.m., with Mayor Van Every presiding, and Councilmen Albea, Baxter, Brown, Dellinger, Smith and Wilkinson being present.

ABSENT: Councilwoman Evans.

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 June 20, 1956, were approved as submitted.

RESOLUTION RELATIVE TO SETTING TENTATIVE TAX RATE AT \$1.73 FOR THE FISCAL YEAR BEGINNING JULY 1, 1956.

A resolution entitled: "Resolution Relative to Setting Tentative Tax Rate At \$1.73 for the Fiscal Year Beginning July 1, 1956" was introduced by Councilman Baxter who moved its adoption following the reading thereof. The motion was seconded by Councilman Albea, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 445.

EXTENSION TO NOVEMBER 1, 1956 GRANTED NEW WAY LAUNDRY TO COMPLY WITH INDUSTRIAL WASTE ORDINANCE.

Councilman Dellinger stated that Mr. C. C. Duncan, owner of New Way Laundry is in the process of liquidating the Laundry, and due to legal complications has been delayed and requests that he be allowed until November 1, 1956 to comply with the requirements of the Industrial Waste Ordinance. Councilman Dellinger moved that the extension to November 1, 1956 be granted. The motion was seconded by Councilman Smith, and unanimously carried.

PARK & RECREATION COMMISSION REQUESTED TO DEED BACK TO THE CITY THE MINT MUSEUM OF ART BUILDING AND LAND ON WHICH IT IS LOCATED.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and unanimously carried, the Park and Recreation Commission was requested to deed back to the City by resolution, the Mint Museum of Art building and the land on which it is located, so that the City may have the building repaired and do the necessary work in connection therewith as approved by the Council at their budget conference on June 26th.

DECISION CONTINUED TO JULY 11TH ON ORDINANCE NO. 314 AMENDING THE ZONING ORDINANCE OF THE CITY OF CHARLOTTE TO PROVIDE FOR UNDERTAKING ESTABLISHMENTS IN AN R-2 DISTRICT.

Councilman Dellinger moved that action be continued until July 11th on Ordinance No. 314 Amending the Zoning Ordinance of the City of Charlotte to provide for Undertaking Establishments in an R-2 District. The motion was seconded by Councilman Baxter, and unanimously carried.

RESOLUTION APPROPRIATING FUNDS FOR PAYING USUAL EXPENSES OF THE CITY OF CHARLOTTE PENDING THE ADOPTION OF THE ANNUAL APPROPRIATION ORDINANCE.

A resolution entitled: "Resolution Appropriating Funds for Paying Usual Expenses of the City of Charlotte Pending the Adoption of the Annual Appropriation Ordinance" was introduced by Councilman Wilkinson. Following the reading thereof, the resolution was unanimously adopted on motion of Councilman Wilkinson, and seconded by Councilman Baxter. The resolutions is recorded in Resolutions Book 2, at Page 446.

June 27, 1956
Minute Book 36 - Page 371

RIGHT-OF-WAY AGREEMENT WITH PIEDMONT NATURAL GAS COMPANY FOR LOCATION OF GAS MAIN ACROSS SUGAW CREEK SEWAGE TREATMENT PLANT PROPERTY.

Councilman Dellinger moved approval of an agreement with the Piedmont Natural Gas Company for right-of-way for the location of a 6-inch gas main across the Sugaw Creek Sewage Treatment Plant property; same to be installed, maintained and operated by the Company. The motion was seconded by Councilman Baxter, and unanimously carried.

PURCHASE OF STRIP OF LAND FROM JOE D. WITHROW ET AL OFF FRONT LOT AT NORTHWEST CORNER OF E. 11TH AND N. COLLEGE STREETS, FOR RIGHT-OF-WAY FOR WIDENING ELEVENTH STREET.

Motion was made by Councilman Brown, seconded by Councilman Dellinger, and unanimously carried, authorizing the purchase of a strip or parcel of land, approximately 1,580-feet in area, off the front of lot at the northwest corner of East 11th and N. College Streets, from the owners, Joe D. Withrow and wife and others, at a price of \$3,995.60, for the widening of Eleventh Street. Corrected Meeting on July 11, 1956, see Page 374, removing Councilman Dellinger as seconding this motion.

DUKE POWER COMPANY GRANTED PERMISSION TO INSTALL GRATING IN SIDEWALK ON NORTH SIDE OF 100 BLOCK OF WEST 4TH STREET.

Councilman Wilkinson moved that the request of Duke Power Company be granted to install a grating in the sidewalk, over an underground transformer vault, on the north side of the 100 block of West 4th Street. The motion was seconded by Councilman Baxter, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Brown, and unanimously carried, the construction of sanitary sewer mains was authorized at the following locations:

- (a) 890-feet of 8-inch sewer main in Pecan Avenue, to replace an old inadequate sewer, at an estimated cost of \$5,645.00, to be borne by the City, at request of City Engineer.
- (b) 185-feet of 8-inch sewer main in Ritch Street, to serve two family units, at an estimated cost of \$387.00, to be borne by the City, at request of Mrs. C. L. Philemon, 3536 Bevard Street.
- (c) 260-feet of 8-inch sewer main in Statesville Avenue Terrace, to serve one family unit and one vacant lot, at an estimated cost of \$380.00. All costs to be borne by the City, and the deposit in the amount of \$180.00 made by the applicant, Mattie Young, 900 McArthur Street, to be refunded as per terms of the contract.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Smith, and unanimously carried, authorizing the construction of driveway entrances, as follows:

- (a) One 9-ft. driveway entrance at 2131 Heather Lane.
- (b) Extension of present 10-ft. driveway entrance 18-ft. making a total 28-ft. driveway at 1113 Elizabeth Avenue.
- (c) Two 35-ft. driveways on Summit Avenue and Two 35-ft. driveways on W. Independence Boulevard, all for 931 W. Independence Blvd.
- (d) Two 30-ft. driveways on E. 5th St. and Two 30-ft. driveways on E. 7th St., all for 2634 East 5th Street.
- (e) One 15-ft., Two 35-ft. and One 25-ft. driveway on Freedom Drive, all for 2101 Freedom Drive.

June 27, 1956
Minute Book 36 - Page 372

BIDS REJECTED ON CONTRACTS NO. 2, 3, 4 AND 5, HOSKINS FILTER PLANT.

Councilman Smith moved the rejection of all bids received on June 5, 1956 on Contract No. 2 Hoskins Filter Plant General Construction, Contract No. 3 Elevated Tank, Contract No. 4 Plumbing and Contract No. 5 Heating and Ventilating, as recommended by the City Manager and Project Consulting Engineers. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONTRACT AWARDED L. A. ARMSTRONG FOR THE CONSTRUCTION OF SANITARY SEWERS IN SHAMROCK HILLS.

Upon motion of Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, contract was awarded the low bidder, L. A. Armstrong, Charlotte, for the construction of Sanitary Sewers in Shamrock Hills, all as specified, on a unit price basis, representing a total price of \$33,274.08.

PRELIMINARY REPORT ON PROPOSED ZONING OF NINE SECTIONS ANNEXED TO CITY SINCE 1949 SUBMITTED BY CHARLOTTE-MECKLENBURG PLANNING COMMISSION.

The City Manager reported that on June 21st the Charlotte-Mecklenburg Planning Commission submitted its Preliminary Report on the proposed zoning of nine sections annexed to the City since 1949. Councilman Smith moved the acceptance of the Report as information, which was seconded by Councilman Wilkinson, and unanimously carried.

FOURTH OF JULY HOLIDAY GRANTED CITY EMPLOYEES.

Councilman Brown moved that Wednesday, July 4th be designated as a holiday for city employees in observance of Independence Day. The motion was seconded by Councilman Smith, and unanimously carried.

EXECUTION OF CEMETERY DEED FOR PERPETUAL CARE AUTHORIZED.

Motion was made by Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, authorizing the Mayor and City Clerk to execute a deed with the Heirs to the Estate of Mrs. Cora W. Berryhill, for Perpetual Care on Lot 13, Section N, Elmwood Cemetery, at \$201.60.

CONTRACT AWARDED ARMCO DRAINAGE & METAL PRODUCTS, INC. FOR PIPE TO BE USED IN CONNECTION WITH THE CROSSLINE RAILROAD.

Upon motion of Councilman Brown, seconded by Councilman Smith, and unanimously carried, contract was awarded Armco Drainage & Metal Products, Inc., for 8 pieces of 16-foot pipe, No. 12 gage 12-inch diameter, and 8 pieces of 14-foot pipe, No. 12 gage 12-inch diameter, and 8 connecting bands 16 gage 12-inch diameter; all fully asphalt coated asbestos bonded corrugated metal pipe and 25% paved, as specified, for a total net delivered price of \$1,036.64.

CONSTRUCTION OF 15-INCH SANITARY SEWER TRUNK LINE ALONG STEWART CREEK, FROM UNIVERSITY PARK SUBDIVISION TO EXISTING SANITARY SEWER TRUNK LINE, AUTHORIZED, PENDING PROCUREMENT OF CERTAIN NECESSARY RIGHTS-OF-WAY FROM PROPERTY OWNERS WHO CANNOT PRESENTLY BE LOCATED.

Motion was made by Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, authorizing the construction of a 15-inch sanitary sewer trunk line along Stewart Creek, from University Park Subdivision to an existing sewer trunk line, pending the procurement of certain necessary rights-of-way from property owners who cannot presently be located.

June 27, 1956
Minute Book 36 - Page 373

APPOINTMENT OF L. E. MCKEE AS CONSTABLE FOR CHARLOTTE TOWNSHIP REQUESTED BY W. C. MCINTIRE, JUSTICE OF PEACE, AND ACTION DEFERRED UNTIL JULY 11TH.

Mr. W. C. McIntire, Justice of Peace, appeared before Council and requested the appointment of Mr. L. E. McKee as Constable of Charlotte Township. He stated that with the present assistance he is unable to serve the many warrants issued and, in fact, has a large stack of them now waiting to be served.

Mayor Van Every stated the City wishes to cooperate in every way possible, but there is a question of law involved as to whether the Council has the authority to appoint a second Constable. He asked Mr. McIntire to come back on July 11th at which time the Council will act on his request after consultation with the City Attorney.

ADJOURNMENT.

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

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk