

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 4, 1958, at 11 O'clock a.m., with Mayor Smith presiding, and Council members Albea, Brown, Dellinger, Evans, Foard and Wilkinson being present.

ABSENT: Councilman Baxter.

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INVOCATION.

The invocation was given by Councilman Albea.

MINUTES APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, the Minutes of the last meeting on May 28th were approved as submitted.

COMPLAINT OF W. W. FINLEY AS TO DRAINAGE CONDITION AT RESIDENCE AT 814 IDEAL WAY.

Mr. Wm. W. Finley registered a complaint as to the rain water that drains down Ideal Way and Avondale Avenue onto his residential property at 814 Ideal Way, until it is about to wash his house away. That a large hole has been washed out on his property that is dangerous and a child could be drowned in it. He stated further that the water has settled until it has become stagnant with a bad odor, and has become a health menace. That the hole and his basement are full of rats and the Health Department has placed rat-traps in his basement, and he is seriously afraid that they will contract typhus fever from the prevalence of rats. He advised further that the sidewalks have been washed out.

Councilman Brown replied to Mr. Finley that as he is in the real estate business, he is obliged to have known that the water would naturally drain from private property and the street because of flooded gutters, onto his property at the foot of the street. That the water has been coming down Ideal Way for years and the Park & Recreation Commission endeavors to keep the creek cleaned out. He advised Mr. Finley that the City is trying to work out a solution to the drainage problem, as it affects property in all areas of Charlotte.

Councilman Dellinger requested that the City Manager have an investigation of the situation made by the Engineering Department and report to Council.

PROTEST AGAINST PROPOSED LOCATION OF BELT ROAD ACROSS SOUTHEASTERN AREA OF COUNTY.

Mrs. Charles Abernethy, resident of Carmel Park, and representing the residents of the area, registered objections to the proposed 84-foot ^{belt} road across the southeast area of the county, crossing Carmel Park. She advised that the new school will border on the proposed route of the belt road, and there will be 1,100 children at this school, and that 35 school buses will travel between it and East Mecklenburg High School. That there are some roadways farther out that would not effect developed

property and school children to such a large degree if they were connected and widened for the belt road. Councilman Brown stated that the Planning Commission has asked the Council to settle on the route and it is vital that such belt road be opened; however, in his opinion the Council must feel their way on the matter. Councilman Dellinger asked the City Manager if it is not true that the State Highway Commission has not said they will build the roadway? The City Manager replied that there is nothing definite about the matter. Mayor Smith assured Mrs. Abernethy that every consideration will be questioned by the City.

PROTEST BY COUNTY COMMISSIONER SAM S. MCNINCH AGAINST THE PROPOSED BELT ROAD ACROSS SOUTHEASTERN AREA OF COUNTY.

Mr. Sam S. McNinch, Mecklenburg County Commissioner, stated that when the Planning Commission Chairman, Mr. Spencer Bell, urged the Commissioners to adopt planning and zoning in the county, he stated it would protect the homes of county residents. That it was adopted, and now they come along with superhighways which will destroy the very thing the County Commissioners thought they were protecting. For example, the proposed highway will cut right through the Morrison Farm property, one of the finest and most highly developed pieces of property in the county, and other fine properties will be similarly affected. Too, the highway will bring trucks and resulting noise into a quite rural area.

He stated further that when the Map of the proposed roadway was brought before the County Commissioners, Mr. McIntyre, Director, stated that there would be no right-of-way purchased whatsoever as there would be no funds for this purpose; that the present roads would be used. Mr. McNinch stated he particularly asked him about Sharon Road, Sharon Lane and other rural roads, and that the County records of the meeting show that Mr. McIntyre replied, "Mr. McNinch, we are going to leave that as it is, it is a highly developed beautiful area". Mr. McNinch stated that he cannot stand a man who talks out of both sides of his mouth, and that is what Mr. McIntyre did to him.

CITY MANAGER TO ADVISE AMOUNT REMAINING IN SEWER BOND FUND WHICH MIGHT BE USED FOR CONSTRUCTION OF SEWER TRUNK IN ASHLEY PARK AREA.

Councilman Wilkinson stated the figures he requested have been furnished him by the City Manager on the construction of sanitary sewer trunk lines in Ashley Park area, and that he would like to know if the new lines are constructed now, would they be of value to the perimeter area when it is annexed in 1960? Mr. Yancey replied that any trunk line sewer constructed now would serve the annexed area. That there was \$200,000.00 in the fund about a year ago and he will see how much remains in the fund and advise Mr. Wilkinson.

INQUIRY AS TO RESIDENTS OF THOMASBORO FILING APPLICATIONS FOR CITY WATER SERVICES.

Councilman Dellinger asked the City Manager if the residents of Thomasboro are bringing in their applications for city water services? Mr. Yancey replied "not to my knowledge".

REPORT OF CITY MANAGER RELATIVE TO TEMPORARILY RELIEVING LT. WHITE AS CLERK OF CITY RECORDER'S COURT AND APPOINTMENT OF SGT. ADAMS AS ACTING CLERK.

Mr. Yancey, City Manager, stated he desires to report to the Council that for reasons deemed sufficient by him, he has temporarily relieved

Lt. Allen M. White from his duties as Clerk of the City Recorder's Court, which action is confirmed by Chief Frank N. Littlejohn, Police Department.

That he also desires to report that he has appointed Sgt. Charles Adams as Acting Clerk of the Court, who is presently acting in such capacity.

Councilwoman Evans asked the City Attorney if this is his recommendation? Mr. Shaw, City Attorney, replied that he wrote the statement and that by their silence the Council acquiesces to it.

CONTRACTS AWARDED FOR CONSTRUCTION OF HEALTH CENTER.

Mr. Vernon Goode, representing Goode Construction Company, appeared in protest of the award of the contract for the general construction of the Health Center to Rea Construction Company, as recommended by the Architects, Marsh & Hawkins. Mr. Goode stated that his company submitted the low base bid of \$528,490.00 and they are surprised that the architects recommend the award to another bidder, whose base bid is \$528,600.00.

An explanation of the bids was made by the Architects who advised that the bidders were instructed to submit a base bid and bids on the thirteen alternates, which represent omissions of various items or substitutions of various materials in the general construction, in order that the alternates might be accepted if it were necessary to do so to stay within the funds available. That after the bids were read and analyzed, it was determined to accept Alternate #12 (use of F & A Floor system in lieu of Flexicone) with the result that Rea Construction Company is the low bidder, with a base bid of \$528,600.00 and an alternate #12 bid of \$11,300.00, making a total bid of \$517,300.00, while the base bid of Goode Construction Company is \$528,490.00 and alternate #12 bid is \$10,000.00, making a total bid of \$518,490.00. That they, therefore, recommend the award of the contract to the low bidder, which will result in a savings of \$11,300.00 to the City. They advised that they feel this recommendation is fair and right, as everyone was bidding on the same basis.

Mr. Goode stated that if the City is trying to save money on the building, they would do much better to accept his Company's base bid and their bids on all the alternates, and realize a savings of \$67,880.00.

Mayor Smith asked the City Attorney if he is not correct in thinking that since both companies submitted base bids and alternate #12 bids, the low bid on either the base bid of Goode Construction Company or the base bid plus the bid on alternate #12 of Rea Construction Company, would be considered the low bid? The City Attorney replied that the Mayor is correct.

Councilman Foard moved the award of the contracts as recommended by the Architects, for the construction of the Health Center to the following low bidders, subject to the approval of the North Carolina Medical Care Association:

General Construction:	Rea Construction Company	
	Base Bid	\$528,600.00
	Less Alternate #12	<u>11,300.00</u>
	Contract amount	\$517,300.00
Plumbing Contract:	Toomey Brothers	
	Base Bid	\$ 25,447.00
Heating & Air Condition- ing Contract:	Southern Comfort of Charlotte	
	Base Bid	\$ 86,666.00
Electrical Contract:	Broadhurst-Allen	
	Base Bid	\$ 40,000.00
	Plus Alternate #1	<u>480.00</u>
	Contract amount	\$ 40,480.00

The motion was seconded by Councilman Brown.

A substitute motion was offered by Councilman Dellinger that the award of the contracts be deferred for one week for study. The motion was seconded by Councilman Wilkinson.

Mr. Yancey stated that a delay could possibly prejudice our chances of receiving funds from the N. C. Medical Care Association, since federal funds in the hands of the Association not actually encumbered as of June 30th would revert to the Federal Treasury, and our receipt of funds would then depend upon future appropriations by the federal government.

Councilman Dellinger stated he was of the opinion that the money had already been assigned for the building. He then withdrew his substitute motion.

Mr. Goode stated that the way he reads the law, contracts are to be awarded to the low base bidder and any changes in the construction should go to him. That the alternates were proposed only to stay within available funds and the base bids are within the appropriation he understands.

The vote was then taken on the motion of Councilman Foard, and unanimously carried.

Bids received for the construction are as follows:

GENERAL CONTRACT

Goode Construction Company

Base Bid	\$528,490.00
Alternate #1 (minus)	5,000.00
Alternate #2 "	9,200.00
Alternate #3 "	4,400.00
Alternate #4 "	400.00
Alternate #5 "	880.00
Alternate #6 "	27,000.00
Alternate #7 "	2,000.00
Alternate #8 "	1,500.00
Alternate #9 "	2,900.00
Alternate #10 "	2,700.00
Alternate #11 "	1,400.00
Alternate #12 "	10,000.00
Alternate #13 "	No bid

Rea Construction Company

Base Bid	\$528,600.00
Alternate #1 (minus)	5,000.00
Alternate #2 "	8,800.00
Alternate #3 "	4,450.00
Alternate #4 "	800.00
Alternate #5 "	950.00
Alternate #6 "	28,100.00
Alternate #7 "	2,100.00
Alternate #8 "	1,500.00
Alternate #9 "	2,950.00
Alternate #10 "	2,700.00
Alternate #11 "	1,400.00
Alternate #12 "	11,300.00
Alternate #13 "	2,500.00

GENERAL CONTRACT - Continued

F. N. Thompson

Base Bid		\$530,864.00
Alternate #1	(minus)	5,000.00
Alternate #2	"	8,800.00
Alternate #3	"	4,450.00
Alternate #4	"	825.00
Alternate #5	"	1,200.00
Alternate #6	"	27,000.00
Alternate #7	"	2,850.00
Alternate #8	"	1,500.00
Alternate #9	"	2,900.00
Alternate #10	"	2,600.00
Alternate #11	"	1,400.00
Alternate #12	"	3,500.00
Alternate #13	"	1,500.00

Blythe & Isenhour

Base Bid		\$532,880.00
Alternate #1	(minus)	5,000.00
Alternate #2	"	8,680.00
Alternate #3	"	4,278.00
Alternate #4	"	800.00
Alternate #5	"	1,170.00
Alternate #6	"	27,356.00
Alternate #7	"	1,655.00
Alternate #8	"	1,455.00
Alternate #9	"	2,856.00
Alternate #10	"	2,800.00
Alternate #11	"	1,387.00
Alternate #12	"	3,679.00
Alternate #13	"	No bid

R. H. Pinnex

Base Bid		\$534,858.00
Alternate #1	(minus)	5,100.00
Alternate #2	"	9,220.00
Alternate #3	"	4,644.00
Alternate #4	"	858.00
Alternate #5	"	929.00
Alternate #6	"	28,823.00
Alternate #7	"	3,277.00
Alternate #8	"	1,580.00
Alternate #9	"	2,976.00
Alternate #10	"	2,788.00
Alternate #11	"	1,363.00
Alternate #12	"	9,127.00
Alternate #13	"	2,240.00

Southeastern Construction Company

Base Bid		\$535,335.00
Alternate #1	(minus)	4,000.00
Alternate #2	"	9,000.00
Alternate #3	"	4,500.00
Alternate #4	"	1,000.00
Alternate #5	"	800.00
Alternate #5	"	27,500.00
Alternate #7	"	3,500.00
Alternate #8	"	1,455.00
Alternate #9	"	2,880.00
Alternate #10	"	2,600.00
Alternate #11	"	1,700.00
Alternate #12	"	11,000.00
Alternate #13	#	12,500.00

GENERAL CONTRACT - Continued

Frank Conner		
Base Bid		\$537,400.00
Alternate #1	(minus)	6,000.00
Alternate #2	"	8,700.00
Alternate #3	"	4,400.00
Alternate #4	"	425.00
Alternate #5	"	880.00
Alternate #6	"	27,350.00
Alternate #7	"	4,400.00
Alternate #8	"	1,490.00
Alternate #9	"	2,900.00
Alternate #10	"	2,750.00
Alternate #11	"	1,400.00
Alternate #12	"	9,000.00
Alternate #13	"	No bid

McDevitt & Street		
Base Bid		\$553,375.00
Alternate #1	(minus)	5,240.00
Alternate #2	"	11,000.00
Alternate #3	"	4,500.00
Alternate #4	"	870.00
Alternate #5	"	1,200.00
Alternate #6	"	28,000.00
Alternate #7	"	3,260.00
Alternate #8	"	1,542.00
Alternate #9	"	2,980.00
Alternate #10	"	3,230.00
Alternate #11	"	1,430.00
Alternate #12	"	5,700.00
Alternate #13	"	5,600.00

G. L. Wilson		
Base Bid		\$561,850.00
Alternate #1	(minus)	4,875.00
Alternate #2	"	8,990.00
Alternate #3	"	4,550.00
Alternate #4	"	847.00
Alternate #5	"	890.00
Alternate #6	"	27,500.00
Alternate #7	"	3,170.00
Alternate #8	"	1,480.00
Alternate #9	"	2,870.00
Alternate #10	"	2,680.00
Alternate #11	"	1,270.00
Alternate #12	"	8,920.00
Alternate #13	"	2,100.00

Marret Wheeler		
Base Bid		\$578,406.00
Alternate #1	(minus)	7,000.00
Alternate #2	"	8,500.00
Alternate #3	"	4,400.00
Alternate #4	"	400.00
Alternate #5	"	600.00
Alternate #6	"	27,000.00
Alternate #7	"	3,500.00
Alternate #8	"	1,500.00
Alternate #9	"	2,900.00
Alternate #10	"	3,000.00
Alternate #11	"	1,400.00
Alternate #12	"	6,500.00
Alternate #13	"	2,500.00

ELECTRICAL CONTRACT

Broadhurst-Allen	
Base Bid	\$ 40,000.00
Alternate #1 (Add)	480.00
Electrical Contracting & Engineering Co.	
Base Bid	\$ 44,880.00
Alternate #1	No Bid
Industrial Electric Company	
Base Bid	\$ 46,777.00
Alternate #1	No Bid
F. E. Robinson Company	
Base Bid	\$ 47,510.00
Alternate #1	No Bid
Austin Electrical Company	
Base Bid	\$ 47,679.00
Alternate #1 (Minus)	338.00
Cheney Electrical Company	
Base Bid	\$ 49,240.00
Alternate #1	No Bid
Elam Electrical Company	
Base Bid	\$ 53,074.00
Alternate #1	No Bid
Robinson Electrical Company	
Base Bid	\$ 59,196.00
Alternate #1 (Minus)	500.00

HEATING & AIR CONDITIONING CONTRACT

Southern Comfort of Charlotte	
Base Bid	\$ 86,666.00
Alternate #1	No Bid
Mechanical Contractor	
Base Bid	\$ 87,985.00
Alternate #1	No Bid
P. C. Godfrey	
Base Bid	\$ 89,149.00
Alternate #1	No Bid
Tompkins-Johnston Company	
Base Bid	\$ 93,875.00
Alternate #1	No Bid
J. V. Andrews	
Base Bid	\$ 94,225.00
Alternate #1	No Bid
A. Z. Price	
Base Bid	\$ 97,463.00
Alternate #1	No Bid
Charles E. Petty & Associates	
Base Bid	\$ 97,650.00
Alternate #1	No Bid

HEATING & AIR CONDITIONING CONTRACT - Continued

Huffman-Wolfe Southern Corporation		
Base Bid		\$ 99,235.00
Alternate #1		No Bid
Reliance Engineering Company		
Base Bid		\$103,589.00
Alternate #1 (Add)		400.00
W. T. Branson		
Base Bid		\$106,530.00
Alternate #1		No Bid

PLUMBING CONTRACT

Toomey Brothers	Base Bid	\$ 25,447.00
W. H. Hobbs	Base Bid	\$ 26,600.00
P. C. Godfrey	Base Bid	\$ 26,712.00
Acme Plumbing Co.	Base Bid	\$ 27,665.00
Statesville Plumbing and Heating Co.	Base Bid	\$ 29,500.00
A. Z. Price	Base Bid	\$ 30,000.00
Tompkins & Johnston Co.	Base Bid	\$ 30,489.00
J. V. Andrews	Base Bid	\$ 33,225.00
Huffman-Wolfe Southern Corp.	Base Bid	\$ 36,894.00

EXTENSION OF SICK LEAVE GRANTED J. B. CHERRY, ENGINEERING DEPARTMENT EMPLOYEE.

Motion was made by Councilman Foard, seconded by Councilman Albea, and unanimously carried, granting J. B. Cherry, Engineering Department employee, an extension of sick leave to July 8, 1958.

NIVENS CONSTRUCTION COMPANY AUTHORIZED TO CONNECT PRIVATE SANITARY SEWER LINE IN PICARDY SUBDIVISION TO CITY'S SANITARY SEWERAGE SYSTEM.

Councilman Wilkinson moved that Nivens Construction Company be authorized to connect 850-feet of private sanitary sewer lines in Picardy Subdivision outside the city limits, to the City's sanitary sewerage system, provided they comply with all laws, rules and regulations now in effect, or which may hereafter become effective relative to property similarly situated. The motion was seconded by Councilman Brown, and unanimously carried.

CONTRACT AUTHORIZED WITH BARCLAY DOWNS, AMITY SUPPLY COMPANY AND AMERICAN INVESTMENT COMPANY, FOR INSTALLATION OF WATER MAINS.

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

- (a) Contract with Barclay Downs, for the installation of 10,530 feet of water mains and 10 hydrants, in Barclay Downs Sub-division, outside the city limits, to serve residential property, at an estimated cost of \$29,550.00. All costs to be borne by the applicant, who will dedicate the mains to the City, without cost, upon the acceptance by the City for maintenance and operation.
- (b) Supplementary Contract, to contract dated April 8, 1953, with Amity Supply Company, for the installation of 800-feet of additional mains in Sharon-Amity Road, outside the city limits, at an estimated cost of \$1,600.00. All cost to be borne by the applicant, who will own same until the territory is taken over by the city.
- (c) Supplementary Contract, to contract dated Dec. 2, 1953, with American Investment Company, for the installation of 2,195 feet of additional mains and 2 hydrants, in Picardy Development, outside the city limits, at an estimated cost of \$5,890.00. All costs to be borne by the applicant who will dedicate the mains to the City, without cost, upon acceptance by the City for maintenance and operation.

CONTRACT AWARDED BADGER METER COMPANY FOR 5/8-INCH DISPLACEMENT TYPE COLD WATER METERS.

Councilman Wilkinson moved that contract be awarded the low bidder, Badger Meter Company, for 1,500, 5/8-inch Displacement Type Cold Water Meters, as specified, on a unit price basis, representing a total net exchanged delivered price of \$40,410.00. The motion was seconded by Councilman Brown, and unanimously carried.

All bids received are as follows:

Badger Meter Company	\$41,460.00
Less allowance for 300 used meters	<u>1,050.00</u>
Net delivered price	\$40,410.00
Neptune Meter Company	\$41,580.00
Less allowance for 300 used meters	<u>1,050.00</u>
Net delivered price	\$40,530.00
Rockwell Manufacturing Company	\$42,180.00
Less allowance for 300 used meters	<u>1,050.00</u>
Net delivered price	\$41,130.00
Hersey Mfg. Company	\$42,240.00
Less allowance for 300 used meters	<u>1,050.00</u>
Net delivered price	\$41,190.00

CONTRACT AWARDED NEPTUNE METER COMPANY FOR 1-INCH DISPLACEMENT TYPE COLD WATER METERS.

Upon motion of Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, contract was awarded the low bidder, Neptune Meter Company, for 100, 1-inch Displacement Type Cold Water Meters, as specified on a unit price basis, representing a total net delivered price of \$5,796.00.

All bids received are as follows:

Neptune Meter Company	Net delivered price	\$5,796.00
Rockwell Mfg. Company	Net delivered price	\$5,847.00
Badger Meter Company	Net delivered price	\$5,876.00
Hersey Mfg. Company	Net delivered price	\$6,016.00

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

Motion was made by Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, awarding contract to the only bidder, The Ford Meter Box Company, Inc. for 1,500 No. 209-U, 500 No. 101-U and 100 No.104 Meter Yokes, all as specified, on a unit price basis, representing a total net delivered price of \$8,209.00.

RESOLUTION PROVIDING FOR FILING BUDGET ESTIMATE FOR THE FISCAL YEAR 1958-59 WITH THE CITY CLERK.

A resolution entitled: "Resolution Providing for Filing Budget Estimate for the Fiscal Year 1958-59 with the City Clerk" was introduced and read, and upon motion of Councilman Albea, seconded by Councilwoman Evans, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 220.

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

A resolution entitled: "Resolution Appropriating Funds for Paying Usual Expenses of the City Pending the Adoption of the Annual Appropriation Ordinance" was introduced and read, and upon motion of Councilman Brown, seconded by Councilman Dellinger, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 221.

ADJOURNMENT.

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

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk