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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, March 10, 1954, at 4 o'clock p.m., with Mayor pro tem Smith presiding, and Councilmen Albea, Baxter, Boyd, Brown, Dellinger and Wilkinson present.

Absent: Mayor Van Every

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, the minutes of the last meeting on March 3, 1954, were approved as submitted.

ESTIMATE OF COST OF GRADING AND PACKING AREA OFF WEST SECOND STREET WEST OF IRWIN CREEK FOR PROPOSED PLAYGROUND, AUTHORIZED MADE BY ENGINEERING DEPARTMENT.

Mr. Sam J. Dutton was spokesman for a delegation of residents appearing before Council requesting assistance in the development of a playground located off of West Second Street west of Irwin Creek. Mr. Dutton stated the property is owned by E. C. Griffith Company, and is 350 ft. x 600 ft. in size, and the Playground is sponsored by a group of churches in the vicinity, whose members will install \$1,000.00 worth of equipment and will supervise the playground. Mr. Dutton requested the Council to have the Engineering Department grade and pack the playground area. Councilman Brown moved that the Engineering Department immediately survey the site and prepare a cost estimate of the desired work. The motion was seconded by Councilman Dellinger, and unanimously carried.

CITY MANAGER, AND CITY ATTORNEY DIRECTED TO CONFER WITH APPRAISERS RELATIVE TO PURCHASE PRICE OF PROPERTY AT 834 WEST 5TH STREET AS RIGHT-OF-WAY FOR WIDENING FIFTH STREET.

Mr. Lester Stowe appeared before Council with regard to the price of \$3,500.00 paid his grandmother, Mrs. A. B. Solomon for a 12½ foot strip of land off her property at 834 West Fifth Street which is 243 feet wide as right-of-way for the widening of the street. He stated his grandmother is elderly and ill, and was within two months after the transaction declared incompetent by the Courts. He stated that prior to the street widening, the property had been reclassified as a Business Zone and placed on the market for sale as business property; however, in the widening of the street, the street level was lowered to the extent that the property is now 7-feet above the street level and makes it undersirable for business. Mr. Stowe stated that 16-feet was taken from the adjoining property of Mr. W. H. Dailey, which has a 49-foot frontage, for which he was paid \$3,000.00; and 6.55 feet was taken from the 55-foot lot owned by Mrs. Margaret Balex on the west corner of the street, for which she was paid \$6,500.00. Mr. Stowe asked that consideration be given an adjustment in the price, stating that after he had taken the matter up with Mr. Yancey, that Mr. Yancey wrote to the appraiser, Mr. Leroy Dulin, who advised that because of the lowering of the street level an additional \$500.00 should probably be allowed. Councilman Dellinger stated that it is not the intention of the Council to do anything that is not fair in such transactions, and he moved that the City Manager and City Attorney confer with the appraisers and make their recommendation to the Council at next week's meeting. The motion was seconded by Councilman Albea, and unanimously carried.

SPECIAL ELECTION CALLED ON TWO-CENT TAX LEVY FOR SUPPORT OF THE COMMUNITY COLLEGE SYSTEM ON MAY 4, 1954.

A delegation appeared before Council, composed of Mr. J. Murray Atkins, Chairman of the Charlotte College Advisory Committee, Miss Bonnie Cone, Director of Charlotte College, Mr. Samuel Moore, Director of Carver College, Mr. Benjamine S. Horack, Member of the City School Board, and

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Dr. E. H. Garinger, Superintendent of the City Schools, in the interest of the Community College System of Charlotte. Mr. Horack stated that the Charlotte and Carver Colleges have been operating for the past several years under the administration of the City School Board, and have afforded an opportunity to many young men and women of Charlotte to attend college who otherwise would not be able to do so. That the Colleges have been operating solely on tuition fees, together with a gift of \$10,000, but the time has come if the colleges are to survive some arrangement must be made for financing their programs. That they would like to include in their program vocational and technical training. Mr. Horack advised that members of the Advisory Committee of Charlotte College appeared before the School Board on March 5, 1954, and requested the Board to call an election for the levying of a tax not to exceed two cents on the \$100.00 property valuation for financial aid for the Community College System. That the School Board adopted a resolution approving the request and requesting the City Council to give its approval and to call the election on May 4, 1954. Mr. Horack urged that the Council cooperate in the request.

Mr. Aitken stated that one cent of the tax levy will be used to cover the deficit and for the operation of the present program and the other one cent for the vocational and technical program. He advised that Davidson and Queens Colleges and Johnson C. Smith University have endorsed the Community College program. He stated that during the past year, Charlotte College had an enrollment of 346 students seeking credits and an additional 365 students taking non-credit adult courses, and that Carver College had practically the same number of students. That of the 80 students in a recent Charlotte High School graduating class, only 13 continued their education and all of them went to Charlotte College.

Mr. Pat Gilchrist, President of the Chamber of Commerce, advised that the Board of Directors endorsed the levy and election at their meeting on March 9th; he stated further that if these colleges go out of existence it will set us back materially in providing this opportunity to the youth of Charlotte. He requested that the City Council allow the people to vote on the question. He stated further that industries considering Charlotte locations invariably ask about the facilities available for training personnel.

Councilman Baxter moved that the request be granted and the Council call the election for a levy of a tax not exceeding two cents on the one hundred dollars valuation for the support of the Community College System on May 4, 1954. The motion was seconded by Councilman Dellinger, and unanimously carried.

#### COMMITTEE TO VIEW ALLEGED DAMAGES TO PROPERTY ON WEST FIFTH STREET MADE IN THE WIDENING OF THE STREET.

Mr. F. J. Anderson was spokesman for a delegation of residents of West Fifth Street, and stated that their property was damaged in the widening of the street and are seeking redress. That the brick retaining wall around his, and other properties, was broken away and has not been repaired. That the pavement in the street was raised above the level of their lawns at some points 4-inches and at other points was lowered 4 inches. That the sidewalk was raised above the property line and it will be necessary for the yards to be completely filled in or the sidewalk lowered.

Councilman Brown moved that the Mayor appoint a Committee of three Councilmen to look over the situation with the City Manager and City Engineer and make recommendations as to what should be done. The motion was seconded by Councilman Albea, and unanimously carried.

#### CITY MANAGER INSTRUCTED TO HAVE POLICE DEPARTMENT ENFORCE TRUCK ROUTE ORDINANCE AND ELIMINATE TRUCKS FROM SYLVANIA AVENUE.

Mr. S. C. Vaughn advised that since the installation of the traffic signal at Sylvania and North Tryon Streets, heavy trucks are using Sylvania Avenue, which is not on the truck route, and it is creating a nuisance. Councilman Dellinger moved that the Police Department be instructed by the City Manager to enforce the truck route laws. The motion was seconded by Councilman Wilkinson and unanimously carried.

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Mr. Vaughn further requested that consideration be given the banning of left turns for traffic in the downtown congested areas during peak traffic hours.

PLAT OF ADDITION #3 SELWYN PARK SUBDIVISION APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Baxter, and unanimously carried, the Plat of Addition #3 Selwyn Park Subdivision was approved as recommended by the Planning Board.

APPLICATION FOR PERMIT TO CONSTRUCT WAREHOUSE AT 151 ATANDO AVENUE APPROVED.

Councilman Wilkinson moved approval of the Application for a permit to construct a Warehouse, for the storage of furniture, at 151 Atando Avenue, located in an Industrial Zone. The motion was seconded by Councilman Baxter, and unanimously carried.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO TAX DEPARTMENT FOR PURCHASE OF OFFICE FURNISHINGS.

Motion was made by Councilman Baxter, seconded by Councilman Wilkinson, and unanimously carried, authorizing the transfer of \$250.00 from the Emergency Fund (Code 110) to the Tax Department, Capital Outlay Account (Code 12030 G-6) for the purchase of office furnishings.

CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED.

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

- (a) 154 feet of sewer trunk in South Caldwell Street at Star Street, to replace the old inadequate trunk line, at an estimated cost of \$1,395.00. All costs to be borne by the City.
- (b) 442 feet of sewer main in Jennings and Vinton Streets, to serve 2 family units, at an estimated cost of \$950.00, to be borne by the City.
- (c) 1,161 feet of sewer main in Club Colony, to serve 32 family units and one vacant lot, at an estimated cost of \$2,900.00, All cost to be borne by the City.

SUPPLEMENTARY CONTRACT TO CONTRACT WITH JOHN CROSLAND COMPANY FOR THE CONSTRUCTION OF WATER MAINS IN MYERS PARK AREA AUTHORIZED.

Councilman Baxter moved approval of a supplementary contract, to contract dated January 27, 1954, with John Crosland Company, for the construction of 2,342 feet additional water mains and one fire hydrant in the Myers Park area, to serve residential property south of Queens Road East, at an estimated cost of \$4,960.00. The costs to be borne by the Applicant, and the City to operate the mains and pay back to the Applicant the first cost of the project if and when the mains produce a revenue equal to 5% of the cost during any 12-months continuous period. The motion was seconded by Councilman Brown, and unanimously carried.

CONTRACT WITH JOHN CROSLAND COMPANY FOR CONSTRUCTION OF WATER MAINS IN JAMESTON AND IRBY DRIVES IN MYERS PARK AREA.

Motion was made by Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, authorizing a contract with John Crosland Company for the construction of 2,000 feet of water mains in Jameston and Irby Drives, in the Myers Park area, at an estimated cost of \$4,600.00.. The City to finance the cost, and the Applicant to guarantee a gross annual revenue equal to 10% of the total cost.

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CONTRACT AWARDED BADGER METER MANUFACTURING COMPANY FOR SIX WATER METERS.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and unanimously carried, a contract was awarded Badger Meter Manufacturing Company for Six 3" Water Meters, compound type, as specified, on a unit price basis, representing a net delivered price of \$2,236.50.

CONTRACT AWARDED WALLACE & TIERNAN, INC. FOR SCALE FEEDER FOR THE WATER DEPARTMENT.

Councilman Baxter moved that a contract be awarded Wallace & Tiernan, Inc., for One Scale Feeder, complete, 1-60 gallon solution Tank and One Court Recorder, all as specified, at a net exchanged delivered price of \$2,769.00. The motion was seconded by Councilman Wilkinson, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Motion was made by Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, authorizing the construction of driveway entrances at the following locations:

- (a) Two 30-ft. entrances at 224 Poindexter Drive.
- (b) One 12-ft. entrance at 1212 S. Mint Street.
- (c) Two 30-ft. entrances on West 7th Street and One 30-ft. on North Church Street, both for 126 West 7th Street.

RENEWAL OF SPECIAL OFFICER PERMITS APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, Special Officer Permits were authorized renewed for one year to the following persons:

- (a) Lester Gibbard, 717 Union Street, for use on the premises of the Whitin Machine Works, 601 Dowd Road.
- (b) Thomas L. Query, 2448 Greenland Avenue, for use on the premises of the A & P Warehouse.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Brown, seconded by Councilman Baxter, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mr. Everett C. Bierman and wife, for the south half of Lot 129, in Section Q, Elmwood Cemetery, transferred from Mr. C. W. Ramsey, at a cost of \$1.00 for the transfer deed.
- (b) Deed with Mrs. Ora Ramsey, for the north half of Lot 129, in Section Q, Elmwood Cemetery, at a cost of \$1.00 for the transfer deed.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON SELWYN AVENUE.

A resolution entitled: "Resolution Authorizing Permanent Improvements on Selwyn Avenue," was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, passed its first reading. The resolution is recorded in full in Resolutions Book 2, at Page 176.

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RESOLUTION AUTHORIZING THE ADVERTISEMENT OF NOTICE OF RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON SELWYN AVENUE.

A resolution entitled: "Resolution Authorizing the Advertisement of Notice of Resolution Authorizing Permanent Improvements on Selwyn Avenue" was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Brown, was unanimously adopted. The resolution is recorded in full in Resolutions Book 2, at Page 177.

ADJOURNMENT.

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

*Richard R. Hoffman*  
City Clerk