

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 12, 1952, at 4 o'clock p.m., with Mayor Shaw presiding, and Councilmen Albea, Baxter, Boyd, Coddington, Dellinger and Van Every present.

Absent: Councilman Jordan.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

RESOLUTION RELATIVE TO THE DEATH OF JAMES B. MARSHALL.

The following resolution was presented and read, and upon motion of Councilman Baxter, seconded by Councilman Van Every, was unanimously adopted:

"WHEREAS, in the Providence of the Almighty God and in His Divine Wisdom, He has called James Bethune Marshall from the Church Militant to the Church Triumphant; and

WHEREAS, his genial nature, winning personality and kindly consideration of others endeared Jim Marshall to his many friends and associates, and made for him a lasting place in our memory; and

WHEREAS, the influence of his outstanding service to his community, for which he worked so steadfastly with vision and courage, as City Manager, as an Engineer and as a Civic Leader will be reflected in the progress of our city for many years; and

WHEREAS, it is with a deep knowledge of the great loss to Charlotte, and to each of us personally, that we mourn his passing and honor his memory.

NOW, THEREFORE, BE IT RESOLVED that we, the members of the City Council of the City of Charlotte, North Carolina extend to his family our deepest sympathy and pray God's blessings to rest upon them.

AND FURTHER, that a copy of this resolution be spread upon the Minutes of this meeting of the City Council, a copy sent to his family and copies furnished to the newspapers in the City of Charlotte.

MINUTES APPROVED.

Upon motion of Councilman Van Every, seconded by Councilman Dellinger, and unanimously carried, the minutes of the last meeting were approved as submitted.

REQUEST FOR TRAFFIC SIGNAL ERECTION AT EAST BOULEVARD AND KENILWORTH AVENUE REFERRED TO CITY MANAGER FOR STUDY AND REPORT.

Mr. Clyde Hunter, Jr., and Mrs. Blanche White, Director of Alexander Childrens Home, appeared before Council and requested that a traffic signal light be installed at East Boulevard and Kenilworth Avenue for the protection of the 30 children at the Home in crossing East Boulevard. They stated that the nearest Traffic Light is approximately eight-tenths of a mile distant on East Boulevard; that the street narrows two blocks above the intersection of East Boulevard and Kenilworth Avenue and cars speed by the intersection at up to 60 miles per hour. They further advised that previous requests have been made for the installation of the signal and the Traffic Engineer has just completed a study of the location and does not recommend the erection of the

signal based upon the traffic count. They requested that an actuated traffic signal be erected if the Council does not see fit to place a full signal at the intersection.

In the discussion, the City Manager stated he did not think that a signal should be placed at the intersection and that it would not be the solution to the problem. That he would like to make a study of the situation and endeavor to find a solution that would provide adequate protection for these children. Councilman Van Every moved that the matter be referred to the City Manager for a careful study of the problem and that he report to Council at the earliest possible time. The motion was seconded by Councilman Albea, and unanimously carried.

REQUEST OF WILSON WHITE FOR ASSISTANCE IN ESTABLISHING PROPERTY LINE AT 512 PARK TERRACE REFERRED TO COUNCIL REAL ESTATE COMMITTEE.

Mr. Wilson White advised that when Independence Boulevard was constructed a large portion of his property at 512 Park Terrace fronting 130 feet on the Boulevard was included in the roadway and right-of-way until it is now only about 14 feet from the street to his front doorway, and that he wishes to now sell the property but is unable to do so because of being unable to establish his property line. He requested the assistance of the City in so doing.

Upon motion of Councilman Albea, seconded by Councilman Van Every, and unanimously carried, the matter was referred to the Council Real Estate Committee to view the property and make a recommendation to the Council.

REQUEST FOR REPAIRS TO THE 1400 BLOCK OF SUMTER AVENUE REFERRED TO CITY MANAGER FOR INVESTIGATION AND REPORT.

Mrs. E. C. Ford and Mr. Geo. E. James, residents of the 1400 block of Sumter Avenue, requested that repairs be made to the street in the 1400 block of Sumter Avenue, which they advised was full of holes and badly in need of maintenance. Councilman Dellinger stated that complaints had been made to him relative to the condition of the other two blocks of Sumter Avenue, which has been torn up for the installation of gas pipe lines. Councilman Van Every moved that the City Manager make an investigation of the condition of these blocks on Sumter Avenue and report to Council as soon as possible. The motion was seconded by Councilman Albea, and unanimously carried.

REQUEST OF L. T. GILMORE FOR PERMISSION TO CONSTRUCT SMALL BUILDING ON LOT HE OWNS ON WALKER AVENUE, GRIERTOWN, REFERRED TO CITY MANAGER.

Mr. L. T. Gilmore, resident of Walker Avenue in Griertown, advised that he had worked for the City School System for 25 years and has become incapacitated because of a heart ailment and has no source of income. He requested that he be permitted to construct a small building, to be used for the sale of cold drinks or coal, on a vacant lot he owns on Walker Avenue, in Griertown, which is in a residential zone where such buildings are prohibited. In the discussion, it was suggested by Mr. Yalkey, City Manager, that Mr. Gilmore secure the consent, in writing, of the residents of the area to the construction of the building. Councilman Albea moved that the matter be referred to the City Manager to work out a solution, if possible. The motion was seconded by Councilman Van Every, and unanimously carried.

APPROPRIATE PROJECT, PARK OR BUILDING TO BE NAMED IN HONOR OF JAMES B. MARSHALL

Councilman Van Every moved that at the opportune time some appropriate City project, park or building be named for Mr. James B. Marshall as a monument to his memory. The motion was seconded by Councilman Baxter, and unanimously carried.

TRANSFER OF FUNDS FROM EMERGENCY FUND.

Upon motion of Councilman Baxter, seconded by Councilman Van Every, and unanimously carried, funds were authorized transferred from the Emergency Fund (Code 110) as follows:

- (a) \$1,141.00 to Traffic Signal Division, Outlay Account (Code 1518) for the traffic signal at Tremont Avenue and South Boulevard.

- (b) \$7,197.00 to the Police Department (Code 401 C-33) for purchase of summer uniforms.
- (c) \$7,240.00 to the Fire Department (Code 402 C-33) for purchase of summer uniforms.

NAME OF CUMBERLAND AVENUE, FROM STERLING ROAD TO TRANQUIL AVENUE, CHANGED TO CROYDEN ROAD.

Councilman Baxter moved that the name of Cumberland Avenue, from Sterling Road to Tranquil Avenue, be changed to Croyden Road, as recommended by the City Manager due to this being an extension of Croyden Road and, too, there being a duplication of streets named Cumberland Avenue. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONSTRUCTION OF SUPPLEMENTARY WATER LINE TO SERVE MORRIS FIELD.

Upon motion of Councilman Baxter and seconded by Councilman Coddington, the construction of 7,900 feet of 12 inch water line along Wilkinson Boulevard to supplement the present line to serve Morris Field was unanimously authorized at an estimated cost of \$42,186.00.

CELANESE CORP. GIVEN FIRM COMMITMENT THAT CITY WILL CONSTRUCT WATER AND SEWER LINES TO OFFICE BUILDING IN SHARON COMMUNITY BY AUGUST 1953.

Upon motion of Councilman Coddington, seconded by Councilman Van Every, and unanimously carried, the Celanese Corporation was given a firm commitment that the City will construct by August 1953 water and sewer lines to the Company's new building to be erected in Sharon community, outside the City, provided the said Company will pay one-half the cost, it being estimated that the water lines will cost a total of \$41,819.00 and the sewer lines \$18,000.00.

COUNCILMEN CODDINGTON AND BOYD ABSENT FROM REMAINDER OF MEETING.

Councilmen Coddington and Boyd left the meeting at this time and were absent for the remainder of the session.

NOTICE OF AMENDMENT TO CLAIM OF ROBERT CREIGHTON TO INCREASE AMOUNT FROM \$5,000 TO \$20,000.00.

The City Manager reported that notice of an amendment to the claim of Mr. Robert Creighton, filed on February 28, 1952, has been received from his Attorneys, Pierce & Blakeney, to increase the amount from \$5,000.00 to \$20,000.00 because of the serious and permanent nature of his injuries. Upon motion of Councilman Dellinger, seconded by Councilman Van Every, and unanimously carried, the notice was referred to the City Attorney.

CONSTRUCTION OF NEW SANITARY SEWERS AUTHORIZED.

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

- (a) 280 feet of 8 inch sewer in Dalton Avenue, at an estimated cost of \$560.00 to serve 3 business units and one vacant lot, with all costs to be borne by the City.
- (b) 660 feet of 8 inch sewer in Atando and Hutchinson Avenues, at an estimated cost of \$1,200.00, to serve 6 family units and 4 vacant lots, with all costs to be borne by the City.

CONSTRUCTION OF DRIVEWAY ENTRANCE AT 1058 CODDINGTON STREET APPROVED.

Motion was made by Councilman Van Every, seconded by Councilman Baxter, and unanimously carried, authorizing the construction of a 10 foot driveway entrance at the property line, and a 11 foot entrance at the curb line at 1058 Coddington Street.

CONTRACTS AWARDED.

Motion was made by Councilman Albea, seconded by Councilman Van Every, and unanimously carried, authorizing the award of contracts as follows:

- (a) Supplemental contract with R. J. Todd for additional work in the construction of sanitary sewers in Melbourne Court Sewer Trunk Project, in accordance with the original contract dated May 30, 1951, on a unit price basis, representing an amount of \$6,785.70, by reason of additional rock excavation encountered.
- (b) Contract with G. G. Ray Company for furnishing all materials and performing all work for roofing and steel roof deck for the City Garage, in accordance with the plans and specifications, at a total price of \$6,452.00.
- (c) Contract with Chicago Pump Company for Division B of Contract No. 1 for the General Construction of the Sugaw Creek Sewage Treatment Plant, in the total amount of \$39,063.00.
- (d) Contract with Worthington Pump & Machinery Corporation, for Item I of Division B of Contract No. 1 for the General Construction of the Sugaw Creek Sewage Treatment Plant, for Sewage Lift and Recirculation Pumping Units, in the total amount of \$71,697.80.
- (e) Contract with Marlow Pumps, for Item II of Contract No. 1 for the General Construction of the Sugaw Creek Sewage Treatment Plant, for Sludge Pumping Units, in the amount of \$12,333.00.
- (f) Contract with Fairbanks, Morse & Co., for Item III of Contract No. 1 for the General Construction of the Sugaw Creek Sewage Treatment Plant, for Sludge Pumping Units, in the amount of \$13,792.64.
- (g) Contract with Fairbanks, Morse & Co., for Item IV of Contract No. 1 for the General Construction of the Sugaw Creek Sewage Treatment Plant, for Digester Sludge Recirculating Units, in the amount of \$3,373.73.
- (h) Contract with Fairbanks, Morse & Co., for Item V of Contract No. 1 for the General Construction of the Sugaw Creek Sewage Treatment Plant, for Hot Water Pumping Units, in the amount of \$3,162.12.
- (i) Contract with Chicago Pump Company, for Item VI of Contract No. 1 for the General Construction of the Sugaw Creek Sewage Treatment Plant, for Grease Removal Pumping Units, in the amount of \$1,808.00.
- (j) Contract with Purser & London, Inc., for Item VII of Contract No. 1 for the General Construction of the Sugaw Creek Sewage Treatment Plant, for Miscellaneous Pumping Units, in the amount of \$5,470.00.
- (k) Contract with Chicago Bridge & Iron Company, for Division D of Contract No. 1 for the General Construction of the Sugaw Creek Sewage Treatment Plant, for Gas Holder, in the amount of \$20,485.00.

BIDS ON DIVISION E OF CONTRACT NO. 1 FOR THE GENERAL CONSTRUCTION OF THE SUGAW CREEK SEWAGE TREATMENT PLANT REJECTED.

Councilman Dellinger moved that all bids received on February 14, 1952 on Division E, Laboratory Furniture, of Contract No. 1 for the General Construction of the Sugaw Creek Sewage Treatment Plant be rejected, as recommended by the City Manager. The motion was seconded by Councilman Van Every, and unanimously carried.

BIDS ON CONTRACT NO. 2 ELECTRICAL WORK, CONTRACT #3 PLUMBING WORK AND CONTRACT NO. 4 HEATING AND VENTILATING WORK FOR THE GENERAL CONSTRUCTION OF THE SUGAW CREEK SEWAGE TREATMENT PLANT REJECTED.

Motion was made by Councilman Van Every, seconded by Councilman Baxter and unanimously carried, authorizing the rejection of all bids received on February 14, 1952 for Contract #2 Electrical Work, Contract #3 Plumbing Work and Contract #4 Heating & Ventilating Work for the General Construction of the Sugaw Creek Sewage Treatment Plant, and that they be revised and readvertised to conform to the reduced scope of Contract No. 1.

SPECIAL OFFICER PERMITS APPROVED.

Motion was made by Councilman Van Every, seconded by Councilman Baxter, and unanimously carried, approving the issuance of a Special Officer Permit to Frank W. Haas for use on the premises of the City's Cemeteries, and the renewal of Permit to Thos. L. Query on the premises of the A & P Warehouses.

REPORT OF LEASE OF AIRPORT BUILDINGS.

The City Manager reported that leases have been concluded on the following buildings at Douglas Municipal Airport:

BUILDING NO.	LESSEE	MONTHLY RENTAL	DATE AND TERM OF LEASE
256	Winton Products Co.	\$57.00	3-1-52 1 year
52	Morris Field Washerette	25.80	3-1-52 5 years
89	E. Pat Hall	75.00	3-1-52 1 year

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Van Every, seconded by Councilman Dellinger and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with James W. Yandle and wife, for Lot 185, in Section 4-A, Evergreen Cemetery, at \$81.90.
- (b) Deed with G. S. Ritch, for west half of Lot 131, in Section 3, Evergreen Cemetery, at \$52.00.

REMOVAL OF TREES AT NORTH COLLEGE AND EAST 11th STREETS.

Councilman Dellinger moved that permission be granted Mr. Ralph Hood to remove four trees from the planting strip at North College and East 11th Streets which interfere with the construction of a new building. The motion was seconded by Councilman Baxter, and unanimously carried.

SALE OF TIMBER ON AIRPORT PROPERTY TO R. R. WARREN.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, 12,000 feet of small timber was authorized sold from the site of the improvement project at the airport to Mr. R. R. Warren, at \$200.00, to be cut and hauled away by him.

LEASE OF INCINERATOR BUILDING TO HALL'S TEXTILE MACHINERY COMPANY.

Motion was made by Councilman Van Every, seconded by Councilman Baxter, and unanimously carried, authorizing the lease of the old Incinerator Building on Shuman Avenue to Mr. E. Pat Hall of Hall's Textile Machinery Co., at a monthly rental of \$100.00, for a period of one year beginning March 15, 1952.

CONTRACT AWARDED V. B. HIGGINS COMPANY FOR CONTRACT No. I, DIVISION A, FOR THE GENERAL CONSTRUCTION OF THE SUGAW CREEK SEWAGE TREATMENT PLANT.

Councilman Alba moved that contract be awarded to V. B. Higgins Company for Contract No. 1 Division A, General Construction of the Sugaw Creek Sewage Treatment Plant plus alternates Nos. 15, 16, 18, 20, 21 and 22, for the total sum of \$1,432,940.00. The motion was seconded by Councilman Baxter and unanimously carried.

RESOLUTION AUTHORIZING CONDEMNATION WITH RESPECT TO THE OPENING OF EAST STONEWALL STREET AND THE EXTENSION OF INDEPENDENCE BOULEVARD.

A resolution entitled, "Resolution Authorizing the Condemnation with Respect to the Opening of East Stonewall Street and the Extension of Independence Boulevard" was introduced and read, and upon motion of Councilman Baxter and seconded by Councilman Van Every, was unanimously adopted. The resolution is recorded in full in Resolutions Book 1, at Pages 468 and 469.

REPAIRS TO FIRTH COURT AND FULTON STREET AUTHORIZED.

Councilman Baxter moved that the City Manager investigate the condition of Firth Court and Fulton Street which are in bad condition, and have the streets shaped up. The motion was seconded by Councilman Albea, and unanimously carried.

ADJOURNMENT.

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

Lillian R. Hoffman
City Clerk