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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 March 13, 1957 at 4 o'clock p.m., with Mayor Van Every presiding and Council members Albea, Baxter, Brown, Dellinger, Evans, Smith and Wilkinson being present.

ABSENT: None

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INVOCATION.

The Invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Brown, and un-animously carried, the Minutes of the last meeting of the Council on March 6th were approved as submitted.

ORDINANCE NO. 371 AMENDING THE ZONING ORDINANCE TO AMEND THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA BY CHANGING ZONING ON PROPERTY ON LOTS 6, 7 AND 8 ON GREENWICH ROAD, BETWEEN OLD SARDIS ROAD AND COTSWOLD SCHOOL FROM R-1 TO R-2, AND FROM B-1 TO R-2 ON PROPERTY 150 FEET SOUTH OF GREENWICH ROAD AND EAST OF COLWICK ROAD TO COTSWOLD SCHOOL AND FROM B-1 TO R-1 ON REAR PORTIONS OF SIX LOTS FRONTING ON WENDOVER LANE, ADOPTED.

A large delegation of residents of the Cotswold area were present relative to the proposed Ordinance to Amend the Perimeter Zoning Ordinance to change the zoning on property on Greenwich Road, between Old Sardis Road and the Cotswold School. Mr. C. W. Orcutt, 4451 Wendover Lane, stated a petition has been presented the Council, signed by some 400 persons, requesting that the change in zoning recommended by the Planning Board be adopted as it will provide more safety for children attending Cotswold School and prevent business from being established as is now proposed. Mr. Orcutt urged that the recommendation be approved.

Mr. N. W. Crigler, Vice-Chairman of Cotswold School P.T.A. presented a resolution adopted by the P.T.A. on January 8th, favoring the recommendation of the Planning Board.

Richard Suther, Captain of Cotswold School Safety Patrol, stated they of the Safety Patrol did not think they would be able to protect the children if business is opened on Greenwich Road because of the additional traffic hazard.

Mrs. H. D. Dunbar, representing the Cotswold School P.T.A. stated if the summer recreational program for the children of the area is carried out, the children will be using the school grounds all summer and would be exposed to the increased traffic hazards created by business on the street, if it is allowed to be erected.

Councilwoman Evans presented a petition in behalf of the 650 property owners of the area who had signed the petition urging that the recommendation of the Planning Board be approved.

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Councilman Albea moved that the recommendation of the Planning Board be concurred in by the Council and the ordinance be adopted. The motion was seconded by Councilwoman Evans.

A substitute motion was offered by Councilman Baxter, that the zoning of Lots 6, 7 and 8 in Block 14 of the Forsythe Subdivision of Cotswold Homes fronting on Greenwich Road, be changed from R-1 to R-2 and property 150 feet south from Greenwich Road and east of Colwick Road in Block 15 thereof be changed from B-1 to R-2, and that with respect to the zoning of the rear portions of the several residentially developed lots fronting on Wendover Lane extending back to a 20 foot easement, be changed from B-1 to R-1, and that with respect to the rest of the requested change no action be taken. Councilman Baxter stated further that the developers have agreed to put sidewalks on Greenwich Road into the Cotswold School property. The motion was seconded by Councilman Wilkinson.

Councilman Smith asked if the substitute motion would provide protection to the School? Councilman Baxter replied that the zoning has been raised in three places and the business zoning left as it was. Many members of the delegation stated it would "not do so".

Councilwoman Evans asked Mr. McIntyre, Planning Director, what the Board's thinking was regarding the Dancing School in the area? Mr. McIntyre replied that it would become a non-conforming use.

The vote was then taken on the substitute motion by Councilman Baxter, and carried, with the votes cast as follows:

YEAS: Councilmen Baxter, Brown, Dellinger and Wilkinson.

NAYS: Council members Albea, Evans and Smith.

The ordinance is recorded in full in Ordinance Book 12, at Page 110.

The displeasure of the delegation was evidenced, with Mr. Orcutt remarking that "all I've got to say to the Councilmen who voted against the recommendation is that if any of our children are hurt, their blood will be on your hands". Mrs. J.J. McManus stated, "I understand there are very influential business people behind this thing and we resent it", other unidentified members of the delegation remarked, "you have let money take precedence and it is a shame" and "we had thought this was a wonderful opportunity to show the people what annexation and city government could do", and "Blythe Bros. Company is behind this".

Mayor Van Every replied that he did not think this is the case at all; that we all have disappointments in life.

LIST REQUESTED FURNISHED OF TRUCK DRIVERS IN STREET AND WATER DEPARTMENT WHO DO NOT HAVE AS MANY POINTS UNDER JOB CLASSIFICATION AS SANITARY DEPARTMENT TRUCK DRIVERS.

Councilman Dellinger stated that some of the truck drivers in the Street and Water Departments claim there are inequities in their salaries compared with the salaries of the truck drivers in the Sanitary Department, which may be true as the points under Job Classification of the Sanitary

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Truck Drivers were increased in 1954 at their request, and the Street and Water Department Drivers have never made such request. He requested the City Manager to furnish by next week if possible a list of the drivers in the Street and Water Departments who do not have as many points as those in the Sanitary Department.

CONSIDERATION OF APPOINTMENT OF PERSON TO FILL VACANCY ON PARK AND RECREATION COMMISSION DEFERRED ONE WEEK FOR DISCUSSION IN MAYOR'S OFFICE.

Councilwoman Evans stated that on February 6, 1957 Councilman Brown read a letter from the N. C. Recreation Commission which was favorable to the Charlotte Park and Recreation Commission, and at that time he moved the reappointment of Mr. J. H. Murnick to the Park & Recreation Commission, whose present term did not expire until March 21st. That last week the Council received from Mr. Stanley Cropley a letter dated March 5th resigning from the Park Board as he had moved his residence outside the city limits and was no longer eligible to serve on the Board and requesting that the resignation be accepted effective immediately. That in view of the fact that the resignation is in effect, it seems important that the vacancy be filled immediately as the Board needs a full membership; therefore, she asked that a woman be named to fill the vacancy. Councilman Dellinger stated that some years ago a Councilman resigned as he had moved outside the city limits and it was four months before the Council put someone in his place; he then asked the City Attorney if it is mandatory that someone be appointed now to replace Mr. Cropley: Mr. John D. Shaw, City Attorney, stated he did not think that Mr. Jordan, the Councilman to whom Mr. Dellinger referred, ever resigned, and that during the period he served on the Council after moving outside the corporate limits, he neither made or seconded a motion nor took any decisive direct action on Council matters. However, it is his decision that the Council should have filled the vacancy, and a prior one caused by the death of Councilman Lambeth, and should also fill the vacancy on the Park Board.

Councilman Dellinger stated he feels that in a matter as important as this, the Council should consider it carefully and use the same judgment as they have before; therefore, he moved that the appointment be deferred until next week and that it then be discussed in the Mayor's office prior to the meeting. The motion was seconded by Councilman Baxter.

Councilman Wilkinson stated he has received a number of names of capable persons and feels they should all be considered.

Councilwoman Evans asked Mr. Wilkinson if he did not think the biographical sketches of the women proposed for appointment indicated they would make good members. Councilman Wilkinson stated he had expressed no objection to a woman on the Board but felt that no doubt other Council members have candidates to propose and that consideration should be given to all capable persons proposed.

Mayor Van Every called for a vote on the motion to defer action until next week, which carried unanimously.

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RIGHT-OF-WAY AGREEMENT BETWEEN STATE HIGHWAY COMMISSION AND JOHN CROSLAND COMPANY FOR INSTALLATION OF WATER MAINS IN SENECA PLACE, AUTHORIZED CO-SIGNED BY CITY.

Councilman Dellinger moved that the Mayor and City Clerk be authorized to co-sign an Agreement between The State Highway Commission and John Crosland Company for right-of-way for the installation of water mains in Seneca Place, outside the city limits. The motion was seconded by Councilman Baxter, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Brown and un-animously carried, driveway entrances were authorized constructed at the following locations:

- (a) Two 20-ft. driveway entrances at 740 North Graham Street.
- (b) One 25-ft. and three 35-ft. driveway entrances at 825-831 East 11th Street.

LEASE OF PARKING METER SHOP SPACE IN BASEMENT OF CLAYTON HOTEL AUTHORIZED RENEWED, AND FUNDS TRANSFERRED FROM EMERGENCY FUND TO PARKING METER DEPARTMENT RENTAL ACCOUNT (CODE 405 E-31).

Councilman Dellinger moved approval of the renewal of lease with the Clayton Hotel for space in the basement used as the City's Parking Meter Shop, at a rental of \$50.00 per month, and that \$80.00 be transferred from the Emergency Fund (Code 110) to Parking Meter Department Rental Account (Code 405 E-31) to supplement funds budgeted for said rental. The motion was seconded by Councilman Brown, and unanimously carried.

AGREEMENT AUTHORIZED BETWEEN CITY OF CHARLOTTE AND MECKLENBURG COUNTY WHEREBY CITY AGREES TO FURNISH QUARTERS IN NEW HEALTH CENTER FOR MECK-LENEBURG COUNTY HEALTH DEPARTMENT FOR PERIOD OF 50 YEARS.

Motion was made by Councilman Dellinger, seconded by Councilman Brown and unanimously carried, authorizing the Mayor and City Clerk to execute an Agreement between the City of Charlotte and Mecklenburg County, where- by the City agrees to furnish quarters for Mecklenburg County Health Department in the new Health Center, upon its completion, for a period of 50 years, for which the County agrees to pay on a negotiated basis from time to time.

LEASE OF BUILDING 345 AT DOUGLAS MUNICIPAL AIRPORT RENEWED WITH MORRIS FIELD POST, AMERICAN LEGION.

The City Manager announced that the renewal of lease of building #345 at Douglas Municipal Airport has been concluded with Morris Field Post, American Legion, for one year from March 31, 1957, at an annual rental of \$1.00.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Albea, seconded by Councilman Dellinger and un-animously carried, the Mayor and City Clerk were authorized to execute a deed with James D. Deese and wife, for the west half of Lot 84, Section 3, Evergreen Cemetery, at \$120.00.

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SICK LEAVE FOR H. N. PORTER, CHIEF OPERATOR VEST STATION, EXTENDED THROUGH MAY 31, 1957.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, sick leave was extended Mr. H. N. Porter, Chief Operator Vest Station, through May 31, 1957, as recommended by the City Manager.

SICK LEAVE FOR T. A. ROZZELLE, OPERATOR AT CATAWBA RIVER PUMPING STATION, EXTENDED THROUGH MARCH 17, 1957.

Councilman Albea moved that sick leave be extended to Mr. T. A. Rozzelle, Operator at Catawba River Pumping Station, through March 17, 1957, as recommended by the City Manager. The motion was seconded by Councilman Wilkinson, and unanimously carried.

WEST MECKLENBURG HIGH SCHOOL GRANTED PERMISSION TO USE LOUD SPEAKER AT THE SQUARE SATURDAY MARCH 23RD IN CONNECTION WITH THEIR SAFETY PROGRAM.

Upon motion of Councilwoman Evans, seconded by Councilman Albea, and unanimously carried, West Mecklenburg High School was granted permission to use a Loud Speaker at The Square on Saturday, March 23rd, in connection with their Safety Program.

CHARLOTTE LUMBER & MANUFACTURING COMPANY AUTHORIZED TO CONNECT PRIVATELY OWNED SANITARY SEWER MAINS IN FOSTER STREET TO CITY'S SANITARY SEWERAGE SYSTEM.

Councilman Dellinger moved that Charlotte Lumber and Manufacturing Company be authorized to connect 125-feet of privately owned sanitary sewer mains in Foster Street to the City's Sanitary Sewerage System, upon condition 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 Baxter, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER AUTHORIZED IN GREENLAND AVENUE.

Motion was made by Councilman Albea, seconded by Councilman Brown, and unanimously carried, authorizing the construction of 108 feet of sanitary sewer main in Greenland Avenue, at request of Mr. T. L. Query, to serve one family unit and one vacant lot, at an estimated cost of \$200.00. All costs to be borne by the City.

SETTLEMENT OF CLAIM OF ISIDORE BUCKHANTZ FOR PERSONAL INJURIES.

Councilman Wilkinson moved approval of the payment of \$150.00 in settlement of the claim of Mr. Isidore Buckhantz, for personal injuries, as recommended by the City Attorney and City Manager. The motion was seconded by Councilman Albea, and unanimously carried.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk