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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 2, 1955, at 4 o'clock p.m., with Mayor Van Every presiding, and Councilmen Albea, Boyd, Brown, Dellinger, Smith and Wilkinson present.

Absent: Councilman Baxter.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

APPROVAL OF MINUTES.

Upon motion of Councilman Smith, seconded by Councilman Brown, and unanimously carried, the minutes of the last meeting were approved as submitted.

EFFECTIVE SMOKE ABATEMENT PROGRAM OUTLINED BY GEO. E. O'NEAL, SMOKE ABATEMENT ENGINEER OF ASHEVILLE.

Members of the League of Women Voters were present, which organization is interested in the question of Smoke Abatement in the City of Charlotte, and for their benefit Mayor Van Every requested Mr. Geo. E. O'Neal, Smoke Abatement Engineer for the City of Asheville, N. C., to give a brief summary of his talk before the Council today in informal session, at which he outlined the mechanics of an effective smoke abatement program.

Mr. O'Neal stated that smoke abatement is not an expenditure but an investment in that it provides a savings to the general public in comparison of the cost to the tax payer through the city government. That the savings is realized by the individual in laundry, drycleaning, painting and decorating costs. That smoke is the result of improper firing methods and/or defective equipment. That much of the smoke abatement program is accomplished when home owners and industry are convinced that the maintenance of fuel-burning equipment will save them money. He stated that no program can accomplish miracles overnight, that the program has been in effect in Asheville for eight years. That citizens must be educated to the program through civic clubs, heating contractors, coal dealers etc. At the question by a representative of the League of Women Voters as to whether there is not a great turn-over in firemen in plants, Mr. O'Neal stated there is; however, in Asheville a school for firemen is held each September, and that now the employment of firemen by firms is largely based on whether he has attended this school for training.

Councilman Albea moved that the City Council officially express its appreciation to Mr. O'Neal for coming to Charlotte and giving them the benefit of his experience along the lines of smoke abatement. The motion was seconded by Councilman Dellinger, and unanimously carried. Mayor Van Every expressed his personal appreciation to Mr. O'Neal for his help.

Councilman Smith asked just what the status of the question is relating to Charlotte from the action of the Council at a former meeting. Mr. Yancey, City Manager, advised that the Council action was to revive the smoke abatement program in Charlotte, that Mr. O'Neal be invited to Charlotte to discuss the Asheville program, and that efforts be begun to locate a suitable engineer for Charlotte. He stated further that he has advertised locally and in several trade magazines for applicants for the position, and has requested the Coal Producers Committee of Cincinnati to advise the terms and conditions under which they will make a survey of the smoke problem in Charlotte and recommendations for its improvement and for an effective smoke abatement program.

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Councilman Smith stated that since the City is instituting this program, he moved that the members of the Council comply with the requirements of smoke abatement, and the City Buildings be checked to comply, prior to the survey. The motion was seconded by Councilman Dellinger, and unanimously carried.

SPECIAL LEGISLATION FOR PLANS & SPECIFICATIONS ON ADDITION TO MEMORIAL HOSPITAL TO BE INVESTIGATED.

Mr. Frank Snapp, Chairman of Special Hospital Study Committee of the Social Planning Council, United Services, appeared before Council and urged that everything possible be done to include in the Bond Election on May 3rd, the question of providing \$250,000 for Plans and Specifications on an Addition to Memorial Hospital, which our New York Bond Attorneys have advised the City is without authority to issue for planning purposes. Mr. Snapp stated that if a local act is necessary for the legality of the issuance of the bonds, he believes it could be put through the Legislature within two days time, and thereby keep the question on the May 3rd election ballot.

The Mayor polled the Council for a verbal expression of their desire in the matter, and the Council unanimously concurred in the suggestion that the City Attorney discuss the matter of such local act with Mitchell, Pershing, Shetterly and Mitchell, Bond Attorneys and if acceptable have it drawn and presented to the Legislature.

Mr. Shaw, City Attorney, advised that he would discuss the matter by telephone in the morning with the Attorneys and if such act will be sufficient, ask that they draw the Act and forward it to him immediately.

TRAFFIC SURVEY OF CLIFFWOOD PLACE FROM DOWD ROAD TO WEST MOREHEAD REQUESTED.

Councilman Dellinger stated that sometime ago parking was restricted on Cliffwood Place from Dowd Road to West Morehead Street, and it is working a hardship on the property owners. He requested that the City Manager make an investigation and report on the continued necessity of the restriction.

INVESTIGATION INTO CONFLICT OF CITY AND STATE SPEED LAWS REQUESTED.

Councilman Dellinger requested the City Manager to investigate the matter of the conflict in the local and State Speed laws, in order that they be reconciled.

SALARY ADJUSTMENT AND INCREASE REQUESTED PAID BY MARCH 15TH.

Councilman Boyd stated it has come to his attention that the salary increases and adjustments authorized by the City Council on February 9th have not been paid and he asked the City Manager if they cannot be paid on March 15th. Mr. Yancey explained that the detail work in connection therewith was considerable and every effort is being made for payment on March 15th.

SICK LEAVE EXTENSION FROM FEBRUARY 4TH UNTIL RETURN TO WORK AUTHORIZED TO C. L. HUFFSTETLER, STREET DEPARTMENT EMPLOYEE.

Councilman Brown stated he has been advised that the sick leave due to Mr. C. L. Huffstetler, Street Department employee, expired on February 4th and he is still confined because of illness. He moved that sick leave be extended to Mr. Huffstetler from February 4th until his return to work. The motion was seconded by Councilman Dellinger, and unanimously carried.

IMPROVEMENTS TO RAILROAD CROSSING ON STATESVILLE AVENUE REQUESTED.

Councilman Brown stated he has been advised by Mr. Charlie Dudley, Director of the Charlotte Merchant Association, that the railroad crossing on Statesville Avenue is in bad condition and detrimental to cars crossing over it. Councilman Brown asked that the City Manager investigate the matter and request the Railroad Company to have it repaired.

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APPOINTMENT OF L. M. MCEWEN, JR. TO PARK & RECREATION COMMISSION.

Councilman Brown moved the appointment of Mr. L. M. McEwen, Jr., to the Park & Recreation Commission for a period of 5 years. He advised that Mr. Faison Kuester whose term expires on March 22nd has advised that because of business and family he cannot consider further service on the Commission. The motion was seconded by Councilman Albea, and unanimously carried.

CITY MANAGER REQUESTED TO CLARIFY PETITION FOR RETENTION OF PRESENT RETIREMENT SYSTEM, WITH MOTOR TRANSPORT DEPARTMENT EMPLOYEES.

Councilman Boyd stated that he has been advised that Mr. O. C. Fogus, Supt. of Motor Transport Department, held a conference with his employees on last Tuesday and advised them that a letter had been received from the City Manager stating that the City Council wished them to sign a petition requesting that the present retirement system plus social security provisions be retained. Councilman Boyd stated he knew of no such action by the City Council and that the employees of the Motor Transport Dept. are much disturbed.

Mr. Yancey, City Manager, advised that he has issued no such letter. That a petition is being circulated among the employees asking that the present system together with social security additions, be retained which he himself as a participant in the present system has signed. Councilman Boyd asked that Mr. Yancey clarify the situation with Mr. Fogus, as the employees are under the impression that the petition came from the City Council.

CONSTRUCTION OF SANITARY SEWER MAIN IN MIMOSA AVENUE APPROVED.

Councilman Albea moved approval of the construction of 295-feet of sanitary sewer main in Mimosa Avenue, at an estimated cost of \$1,290.00, as recommended by the City Manager. The motion was seconded by Councilman Smith, and unanimously carried.

CONTRACT AWARDED BLANKENSHIP BROTHERS FOR CONSTRUCTION OF SANITARY SEWER MAINS IN SELWYN PARK NO. 6 PROJECT.

Motion was made by Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, authorizing contract with Blankenship Brothers for the construction of sanitary sewer mains in Selwyn Park No. 6 Project, all as specified, on a unit price basis, representing a total price of \$26,292.80.

CONTRACT AWARDED THE CHARLOTTE NEWS FOR PUBLICATION OF 1954 CITY OF CHARLOTTE DELINQUENT PERSONAL TAXES.

Upon motion of Councilman Brown, seconded by Councilman Smith, and unanimously carried, contract was awarded The Charlotte News for the publication of the City of Charlotte 1954 Delinquent Personal Taxes, on dates as specified, estimated 1,000 columnar inches, on a unit price basis of \$1.11 per columnar inch, representing a total price of \$1,110.00.

CONTRACT AWARDED AMERICAN HARDWARE & EQUIPMENT COMPANY FOR TWENTY-FOUR REVOLVERS FOR POLICE DEPARTMENT.

Councilman Smith moved the award of contract to the low bidder, American Hardware & Equipment Company, for 24, 38-Smith & Wesson Combat Masterpiece Revolvers, 4-inch barrel, blue finish, target hammer and stocks, as specified, at a total price of \$1,228.56, less 2% cash discount. The motion was seconded by Councilman Wilkinson, and unanimously carried.

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CONTRACT AWARDED TO FRUHAUF TRAILER COMPANY, INC. FOR TRAILER FOR CIVIL DEFENSE.

Upon motion of Councilman Brown, seconded by Councilman Albea, and unanimously carried, contract was authorized with Fruhauf Trailer Company, Inc. for 1 used Trailer equipped with vertical supports, air brakes, 10/20 tires, and work performed as covered by Invoice No. 156-783, representing a total net delivered price of \$2,374.30, to be used by the Mecklenburg County-Charlotte Civil Defense Organization.

CONTRACT AWARDED CYCLONE FENCE DEPT., AMERICAN STEEL & WIRE DIVISION FOR FENCE FOR FIRE STATION NO. 9.

Motion was made by Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, awarding contract to Cyclone Fence Dept. American Steel & Wire Division, to furnish and install complete a Fence for Fire Station No. 9, all in accordance with the specifications, at a total price of \$1,148.00.

CONTRACT AWARDED HERSEY MFG. COMPANY FOR WATER METERS.

Upon motion of Councilman Wilkinson, seconded by Councilman Smith, and unanimously carried, contract was awarded Hersey Mfg. Company for 40 - 1½" and 25 - 2" Displacement Type Water Meters, and 12 - 3" and 6 - 4" Compound Type Water Meters, all as specified on a unit price basis, representing a total net delivered price of \$15,411.60.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 10-ft. driveway entrance at 1124 Bolling Road.
- (b) One 21-ft. driveway entrance at 1015 South Tryon Street.
- (c) One 35-ft. driveway entrance at 1431 Bryant Street.
- (d) One 10-ft. driveway entrance at 300 Cameron Avenue.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Albea, seconded by Councilman Smith, and unanimously carried, the Mayor and City Clerk were authorized to execute a deed for the transfer of Graves #5 and #6, in Lot 112, Section 3, of Evergreen Cemetery, to Mrs. W. P. Lemmons at a price of \$80.00.

BILL TO ESTABLISH THE LEGAL QUORUM FOR THE BOARD OF TRUSTEES OF THE PUBLIC LIBRARY OF CHARLOTTE & MECKLENBURG COUNTY, APPROVED FOR SUBMISSION TO N. C. LEGISLATURE.

Councilman Albea moved approval of a Bill to be submitted to the North Carolina Legislature which would establish the legal quorum for the Board of Trustees of the Public Library of Charlotte and Mecklenburg County as four members of the Board. The motion was seconded by Councilman Wilkinson, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAIN IN EAST 25TH STREET APPROVED.

Motion was made by Councilman Smith, seconded by Councilman Brown, and unanimously carried, authorizing the construction of 200 feet of sanitary sewer main in East 25th Street, at an estimated cost of \$480.00, to be borne by the City, and the refund of the deposit of \$80.00 to Myers & Chapman, Inc. as per terms of the contract.

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SALARY INCREASE AUTHORIZED TO WILLIAM M. WAUGH, ACCOUNTING DEPARTMENT.

Upon motion of Councilman Albea, seconded by Councilman Dellinger, and unanimously carried, the salary of Mr. William M. Waugh in the Accounting Department was increased from \$254.40 per month to \$271.20, being an increase in points under the Job Classification from 320 to 360, as recommended by the City Manager and City Accountant.

ADJOURNMENT.

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

Lillian R. Hayman
City Clerk