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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 28, 1956, 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.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the Minutes of the last meeting on March 21st were approved as submitted.

ORDINANCE NO. 310 PROHIBITING THE PRINTING, PUBLISHING OR DISTRIBUTION OF ANONYMOUS HANDBILLS, DODGERS, CIRCULARS, BOOKLETS, PAMPHLETS, LEAFLETS, CARDS, STICKERS, PERIODICALS, LITERATURE OR PAPERS, WHICH TEND TO EXPOSE ANY INDIVIDUAL OR ANY RACIAL OR RELIGIOUS GROUP TO HATRED, CONTEMPT, RIDICULE OR OBLOQUY.

An Ordinance entitled: "Ordinance No. 310 Prohibiting the Printing, Publishing or Distribution of Anonymous Handbills, Dodgers, Circulars, Booklets, Pamphlets, Leaflets, Cards, Stickers, Periodicals, Literature or Papers, which tend to Expose any Individual or Any Racial or Religious Group to Hatred, Contempt, Ridicule or Obloquy" was introduced and read by Councilman Baxter, who moved it's adoption. The motion was seconded by Councilman Smith, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 33.

RESOLUTION ESTABLISHING PROCEDURE FOR STREET SET BACK-LINES.

A resolution entitled: "Resolution Establishing Procedure for Street Set Back-Lines" was introduced and read by Councilman Dellinger, who moved it's adoption. The motion was seconded by Councilman Smith, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 404.

EMPLOYMENT OF STENOGRAPHER AT DOUGLAS MUNICIPAL AIRPORT AUTHORIZED.

Upon motion of Councilman Wilkinson, seconded by Councilman Smith, and unanimously carried, the employment of a stenographer at Douglas Municipal Airport was authorized.

COUNCILMAN HERMAN BROWN WELCOMED TO MEETING AFTER ILLNESS.

Councilman Wilkinson expressed his pleasure at the return of Councilman Brown after his long illness. The Council joined in welcoming Councilman Brown.

Councilman Brown stated he has missed the group tremendously; that each of them has been extremely loyal to him. That since the last meeting he attended on August 10, 1955 he went pretty low, and he firmly believes that the prayers of the group and others are the reason he is present today. He expressed his appreciation for the kindness of the group during his illness, and stated he hopes to be able to shoulder his portion of the Council load in the future.

Mayor Van Every expressed his pleasure at having Councilman Brown back, stating that knowing him as he does, he is sure he will always shoulder his load.

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RESOLUTION AUTHORIZING REFUND UNDER CITY SEWER CONTRACT WITH MARSH REALTY COMPANY, DATED SEPTEMBER 31, 1950, GOVERNING CERTAIN SANITARY SEWER MAINS IN SEDGEFIELD, TOTALING \$9,710.00.

A resolution entitled "Resolution Authorizing Refund Under City Sewer Contract with Marsh Realty Company, Dated September 31, 1950, Governing Certain Sanitary Sewer Mains in Sedgefield, Totaling \$9,710.00" was introduced and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilwoman Evans, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 405.

RESOLUTION AUTHORIZING EASTERN AIRLINES, INC. TO INSTALL RADIO EQUIPMENT AT AIRPORT.

A resolution entitled: "Resolution Authorizing Eastern Airlines, Inc. to install Radio Equipment at Airport" was introduced and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilman Brown, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 406.

EXECUTION OF LEASE WITH DELTA AIRLINES AUTHORIZED RELATIVE TO THEIR OPERATIONS AT DOUGLAS MUNICIPAL AIRPORT.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the Mayor and City Clerk were authorized to execute a Lease with Delta Airlines covering their occupancy of premises and facilities at Douglas Municipal Airport, together with certain rights and privileges.

PETITION OF JACK H. BROWN AND WIFE, E. N. RICHARDS AND WIFE AND J. E. MCCRAW AND WIFE, FOR THE ANNEXATION OF THREE TRACTS OF LAND IN CRAB ORCHARD TOWNSHIP, TO THE CITY OF CHARLOTTE.

The following petition for the annexation of three tracts of land consisting of 180 acres, 167.20 acres and 12.80 acres respectively, in Crab Orchard Township to the City of Charlotte was filed by Jack H. Brown and wife Hope, E. N. Richards and wife Helene and J. E. McCraw and wife Sallie:

PETITION FOR ANNEXATION OF CERTAIN PROPERTY IN THE CITY OF CHARLOTTE

TO THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

We, the undersigned, do petition, pursuant to the provisions of Chapter 725, Section 8 of the 1947 Public Session Laws of the General Assembly of North Carolina (G.S. 160-445 et seq.) for annexation to the City of Charlotte of the property hereafter referred to, and do show as follows:

1. That the property sought to be annexed to the City of Charlotte, and to thereby be and become within the boundaries of said city, is lying and being in Crab Orchard Township, particularly described as follows:

BEGINNING at a point in the center line of Hickory Grove Road, which point is North 36-42 East 93.1 feet distant measured along said center line of Hickory Grove Road from an old iron in the center of said road at its intersection with the center line of a private road leading into the property of L. A. Love and wife, Elsie E. Love, and runs thence with a new line North 53-18 West 127.31 feet to a point, thence continuing with said new line and with the arc of a circular curve having a radius of 984.93 feet to the right for a distance of 229.95 feet to a point; thence continuing with said new line North 39-55-23 West 1414.14 feet to a point; thence with the arc of a circular curve having a radius of 686.20 feet to the left for a distance of 166.67 feet to a point, thence South 36-09-10 West 144.84 feet to a monument, thence South 63-14 West 1563.91 feet to a point in the line

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of Donald B. Stilwell, thence with the Stilwell line North 19-26 West 1280.21 feet to a concrete marker in a post oak stump, thence North 46-08-30 West 507.71 feet to an iron, a corner of the Brown-Richards-McCraw land and the Donald B. Stilwell land, thence with the line between Brown-Richards-McCraw and Donald B. Stilwell South 41-00 West 883.06 feet to an iron, thence continuing with said line South 21-17 West 513.65 feet to an iron, thence continuing with the line between the properties of Brown-Richards-McCraw and Donald B. Stilwell North 68-43 West 380.0 feet to an iron in the line of Markham Village, thence with the line of Markham Village North 21-17 East 579.0 feet to a concrete monument, a corner of Markham Village, Ester M. Bohannon and Brown-Richards-McCraw, thence with the Bohannon line N. 40-58 East 959.39 feet to a concrete monument, a corner of Ester M. Bohannon, the Methodist Home and Brown-Richards-McCraw, thence with the Methodist Home property in 5 courses as follows: (1) North 47-37-45 East 474.77 feet to a monument, (2) North 6-36-10 West 489.25 feet to a monument, (3) South 89-18 East 1059.5 feet to a monument, (4) South 85-27 East 445.5 feet to a monument, (5) North 23-45 East 390.4 feet to a monument, a corner of the Abernathy land, thence with the Abernathy line South 65-30 East 1650.7 feet to an iron in a post oak stump, thence South 8-08-50 East 2868.8 feet to an old iron in the center of Hickory Grove Road, said iron being South 8-08-50 East 42.31 feet from a marker in the northwest edge of Hickory Grove Road, thence with the center of Hickory Grove Road South 36-42 West 30 feet to the BEGINNING iron.

BEING the same property conveyed to Jack H. Brown, E. N. Richards and J. E. McCraw by Atlantic Investment Corporation by deed dated September 20, 1955 and recorded in the Office of the Register of Deeds for Mecklenburg County in Book 1803 at page 361, and by deed from Donald B. Stilwell and wife, Betty H. Stilwell by deed dated February 8, 1956 and recorded in the office of said Register in Book 1830 at page 39.

2. That the undersigned are the owners of all of the property described in the paragraph next above and sought to be annexed to the City of Charlotte in this Petition.

WHEREFORE, your Petitioners pray that notice be given as provided by Section 1, Chapter 725 of the 1947 Public Session Laws of the General Assembly of North Carolina (G.S. 160-445 et seq.) and that an Ordinance be adopted at a Session of the City Council of the City of Charlotte called for that purpose extending the corporate limits of the City of Charlotte by annexing thereto the property described in this petition as therein provided.

This 17th day of March, 1956.

Jack H. Brown (Seal)

Hope M. Brown (Seal)

E. N. Richards (Seal)

Helene Richards (Seal)

J. E. McCraw (Seal)

Sally D. McCraw (Seal)

I do hereby certify that the property described in the foregoing Petition is contiguous to the present corporate limits of the City of Charlotte.

Loyd G. Richey
City Engineer

I do hereby certify that I have examined the records of Mecklenburg County and that Jack H. Brown and wife, Hope M. Brown, E. N. Richards and wife, Helene Richards, J. E. McCraw and wife, Sallie D. McCraw, are all of the owners of the property described in the foregoing Petition.

Brock Barkley
Attorney "

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RESOLUTION PROVIDING FOR CONSIDERATION OF PETITION FOR ANNEXATION OF THREE TRACTS OF LAND IN CRAB ORCHARD TOWNSHIP, ON APRIL 25, 1956.

A resolution entitled: "Resolution Providing for Consideration of Petition for Annexation of Three Tracts of land in Crab Orchard Township, on April 25, 1956" was introduced and read. Councilman Smith moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 407.

PLAT OF SHERWOOD FOREST #5 SUBDIVISION APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, the Plat of Sherwood Forest #5 Subdivision was approved, as recommended by the Planning Commission.

ERVIN CONSTRUCTION COMPANY AUTHORIZED TO CONNECT TRUNK SEWER AND MAIN TO CITY'S SANITARY SEWERAGE SYSTEM.

Councilman Wilkinson moved approval of the request of Ervin Construction Company to connect 2,975 feet of trunk sewer and mains in Beechwood Acres, outside the city limits, to the City's Sanitary Sewerage System, upon condition that 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 Dellinger, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER IN HOLT STREET.

Motion was made by Councilwoman Evans, seconded by Councilman Smith, and unanimously carried, authorizing the construction of 82 feet of sanitary sewer in Holt Street, at request of S. H. Honeycutt, at an estimated cost of \$140.00, to be borne by the City.

RENEWAL OF SPECIAL OFFICER PERMIT TO FRANK W. HAAS AT CITY CEMETERIES.

Upon motion of Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, the Special Officer Permit issued to Frank W. Haas was renewed for a period of one year on the premises of the City's Cemeteries.

CONTRACT AWARDED GLAMORGAN PIPE & FOUNDRY COMPANY FOR CAST IRON PIPE.

Councilman Smith moved the award of contract to Glamorgan Pipe and Foundry Company for 40,000 ft. 6 inch and 10,000 of 8 inch Cast Iron Pipe, B & S, as specified, on a unit price basis, representing a total net delivered price of \$84,200.00. The motion was seconded by Councilman Wilkinson, and unanimously carried.

CONTRACT AWARDED GRINNELL COMPANY FOR GATE VALVES.

Motion was made by Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, awarding contract to Grinnell Company for 100, 6-inch Gate Valves, hub-end, as specified, on a unit price basis, representing a total net delivered price of \$4,615.00.

CONTRACT AWARDED YOUNG MOTOR COMPANY FOR CAR FOR FIRE DEPARTMENT.

Upon motion of Councilman Wilkinson, seconded by Councilwoman Evans, and unanimously carried, contract was awarded Young Motor Company for One 1956 Ford Mainline Fordor Sedan, with equipment, all as specified, at a total net delivered price of \$2,027.81.

CONTRACT AWARDED S. MORGAN SMITH COMPANY FOR CONE VALVES.

Councilman Albea moved the award of contract to S. Morgan Smith Company for Six 20-inch Cone Valves, manually operated, as specified, at a total net delivered price of \$25,980.00. The motion was seconded by Councilman Smith, and unanimously carried.

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RIGHT-OF-WAY AGREEMENT WITH THE STATE HIGHWAY COMMISSION FOR INSTALLATION OF WATER MAINS IN S. TRYON STREET, FREELAND LANE, SCALEYBARK ROAD, WOODLAWN ROAD AND PARK ROAD.

Upon motion of Councilman Wilkinson, seconded by Councilman Smith, and unanimously carried, right-of-way agreement was authorized with The State Highway Commission for the installation of a 30-inch water main in South Tryon Street, Freeland Lane, Scaleybark Road, Woodlawn Road and Park Road.

RIGHT-OF-WAY AGREEMENT WITH SOUTHERN RAILWAY COMPANY FOR INSTALLATION OF WATER MAINS BENEATH TRACKS NEAR MILEPOST NO. 3 AT SCALEYBARK ROAD.

Motion was made by Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, authorizing right-of-way agreement with the Southern Railway System for the installation of a 30-inch water main beneath their tracks near Milepost No. 3 on the Columbia Division, at Scaleybark Road.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Upon motion of Councilman Alba, seconded by Councilman Smith, and unanimously carried, the construction of driveway entrances was authorized at the following locations:

- (a) One 14-ft. driveway entrance at 1201 West Trade Street.
- (b) One 13-ft. driveway entrance at 1727 East 7th Street.
- (c) One 12-ft. and One 30-ft. entrance at 114 Fairwood Avenue.
- (d) One 9-ft. entrance at 411 Nottingham Road.
- (e) One 30-ft. entrance at 2928 Eastway Drive.
- (f) Two 30-ft. entrances on Independence Boulevard and One 20-ft. on Eastway Drive, all for 3421 Independence Boulevard.

LEASE OF AIRPORT BUILDING NO. 107 TO HALL TEXTILE MACHINERY CO. CONCLUDED.

The City Manager announced that lease had been concluded for Airport Building No. 107 to Hall Textile Machinery Company, for a period of one year from March 1, 1956, at a monthly rental of \$30.00.

HOLIDAY IN OBSERVANCE OF EASTER GRANTED CITY EMPLOYEES ON MONDAY, APRIL 2nd.

Councilman Dellinger moved that the usual Easter Holiday be granted city employees on Monday, April 2nd. The motion was seconded by Councilman Smith, and unanimously carried.

CITY ATTORNEY AUTHORIZED TO INSTITUTE CIVIL PROCEEDINGS AGAINST OWNERS OF 322 BACON STREET FOR VIOLATION OF ZONING ORDINANCE.

Mr. John D. Shaw, City Attorney, stated he has been advised that premises at 322 Bacon Street, reported to be owned by Mr. and Mrs. T. M. Doster, is in a Residence-2 Zone and is being used for an insulating business, which is in violation of the Zoning Law. He requested the consent of the Council to institute civil proceedings against the owners of the property. Councilman Smith moved that the City Attorney be authorized to institute civil proceedings against the owners of the property at 322 Bacon Street. The motion was seconded by Councilman Dellinger, and unanimously carried.

ADJOURNMENT.

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


Lillian R. Hoffman, City Clerk