

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, May 2, 1951, at 11 o'clock a.m., with Mayor pro tem Aitken presiding, and Mayor Shaw, Councilmen Albea, Coddington, Daughtry, Jordan and Wilkinson present.

Absent: Councilman Boyd.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

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

FINAL RESOLUTION PROVIDING FOR THE EXTENSION OF SEWERS ACROSS LOTS 7 TO 16, INCLUSIVE, IN BLOCK 6 OF GLENWOOD PARK.

The hearing relative to the extension of sewers in Glenwood Park and the condemnation of rights-of-way over lands belonging to C. L. Hearn and wife Lillian M. Hearn, R. W. Miller and wife Myrtle Miller, and Lillie Mae Clontz and husband J. W. Clontz, was opened with the reading of a resolution entitled, "Final Resolution Providing for the Extension of Sewers Across Lots 7 to 16, inclusive, in Block 6 of Glenwood Park".

Mr. Henry Fisher, Attorney representing Mr. and Mrs. J. W. Clontz stated his clients did not oppose the construction of the sewer line across their property but felt that the offer of fifty cents per foot is not sufficient to cover the damages to the property. Mrs. Clontz was present and stated that the sewer line will cross some three to four hundred feet of their property and that eight or ten large poplar trees will be destroyed. She advised further that the City's representative was requested to come back and discuss the matter with Mr. Clontz at a time he is at home and see if the matter cannot be adjusted to the satisfaction of all concerned so as to eliminate the necessity of the condemnation suit, but that the representative has not seen Mr. Clontz.

Mr. Yancey, City Manager, advised that the City usually acquires a 25 foot right-of-way for sewer line construction in order that the contractor may have sufficient space to work, and unless the trees are squarely in the sewer ditch they will not have to be destroyed.

Mr. Louis B. Vreeland, Attorney, representing Mr. and Mrs. Hearn stated the City's representative made a similar offer of fifty cents per foot to his clients, which is not sufficient compensation for the damage to their property, as it will be made unusable because of the small frontage that will be left facing the roadway. He requested that an adjustment be made in the City's offer to them.

Mr. R. W. Miller stated that the manhole to the sewer will be located within 60 feet of his kitchen, which will not be desirable, and asked that the matter be remedied. Mr. Miller was advised that the manhole cover can be sealed so that no odors can be detected.

The City Attorney suggested that the resolution be adopted as read, in order that the contractor may proceed with the sewer construction, and that condemnation proceedings be postponed until the lots can be viewed and an attempt be made to satisfactorily settle the matter of payment for the rights-of-way.

Councilman Albea moved that the resolution be adopted. Motion was

seconded by Councilman Jordan, and unanimously carried.

Councilman Albea then moved that the City Manager and City Attorney negotiate with Mr. and Mrs. Hearn, Mr. and Mrs. Clontz and Mr. and Mrs. Miller regarding payment for the rights-of-way for the sewer line. Motion was seconded by Councilman Jordan, and unanimously carried.

The resolution is recorded in full in Resolutions Book 1, at Page 403.

CONFIRMATION OF SALE OF EVERGREEN CEMETERY PROPERTY TO LEROY DULIN.

Upon motion of Councilman Wilkinson, seconded by Councilman Jordan, and unanimously carried, the sale at public auction on April 2, 1951, of 45.86 acres more or less of Evergreen Cemetery property on the northwesterly side of Woodland Road to Mr. LeRoy Dulin, at the high bid of \$27,516.00, was confirmed.

RESOLUTION AUTHORIZING THE PURCHASE OF LANDS FOR CEMETERY PURPOSES.

A resolution entitled, "Resolution Authorizing the purchase of lands adjacent to Evergreen Cemetery from M. O. Dulin and wife, M. H. Stillwell and wife and Mrs. Daisy W. Andrews and husband, for Cemetery Purposes", was introduced and read. Upon motion of Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 1, at Page 404.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO MUNICIPAL BUILDINGS AND GROUNDS DEPARTMENT.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, \$2,000.00 was authorized transferred from the Emergency Fund (Code 110) to Municipal Buildings and Grounds Department, Salary Account (Code 404 A-8).

TREE REMOVAL AT 2535 SELWYN AVENUE.

Motion was made by Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, authorizing the removal of a tree from the planting strip at 2535 Selwyn Avenue, which interferes with the construction of a driveway.

CONSTRUCTION OF SANITARY SEWER IN PLAZA ACRES.

Councilman Jordan moved that the construction of 7,098 feet of sanitary sewer main and trunk sewer be authorized in Plaza Acres, at an estimated cost of \$20,975.00, to serve 116 family units, with all costs to be borne by the City. Motion was seconded by Councilman Wilkinson, and unanimously carried.

CONTRACT AWARDED GRINNELL COMPANY FOR PIPE FITTINGS.

Upon motion of Councilman Coddington, seconded by Councilman Albea, and unanimously carried, contract was awarded Grinnell Company for 9,700 small pipe fittings in accordance with the specifications and quotation No. 1002, at a price of \$1,725.00, subject to 2% cash discount of \$34.50.

SPECIAL OFFICER PERMITS AUTHORIZED ISSUED.

Motion was made by Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, authorizing the issuance of Special Officer Permits as follows:

- (a) Permit to T. W. Honeycutt for use on the premises of Bryant Park.
- (b) Permit to E. T. Watson, for use on the premises of the American Trust Company.

CONSTRUCTION OF DRIVEWAY ENTRANCES.

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

- (a) One 30 ft. entrance at 2012 and 2014 N. Tryon Street.
- (b) One 30 ft. entrance on Templeton Ave. for 1112 S. Boulevard.
- (c) One 12 ft. entrance at 1927 Sterling Road.
- (d) One 12 ft. entrance at 1612 Camden Road.
- (e) One 12 ft. entrance on Euclid Avenue for 501 Berkley Ave.
- (f) One 10 ft. entrance at 2031 Hastings Drive.
- (g) One 8 ft. entrance each at 1108, 1112, 1120, 1124 and 1130 Jensen Street.
- (h) Two 30 ft. entrances on the New Thrift Road and One 30 ft. entrance on Berryhill Road, for the Atlantic Refining Co.
- (i) Two 35 ft. entrances on Independence Boulevard and One 35 ft. entrance on Fugate Avenue, both for 3030 Independence Boulevard.

TRANSFER OF CEMETERY DEED.

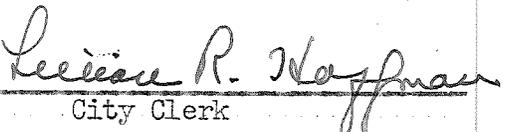
Councilman Albea moved that the Mayor and City Clerk be authorized to execute a deed for the transfer of Elmwood Cemetery Lot 109, in Section Y, to Chas. A. May and wife from Howard C. Hull and wife, at a cost of \$1.00 for the transfer. Motion was seconded by Councilman Jordan, and unanimously carried.

RIGHT-OF-WAY GRANTED J. M. FURR ACROSS CITY PROPERTY FOR WATER LINE, AND TAP FOR ONE HOUSE AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, the unanimous consent of Council was given to consider the request of Mr. J. M. Furr for permission to lay a 2-inch water main across approximately 1400 feet of City property near Old Pineville Road, and to tap onto the City's water main leading to the Sugaw Creek Disposal Plant. The City Manager recommended that a charge of 25¢ per foot be made, totaling \$350.00. Councilman Wilkinson moved that the right-of-way for the water line be granted at a charge of 25 cents per foot and that the privilege of tapping the line for one house be approved. Motion was seconded by Councilman Albea, and unanimously carried.

ADJOURNMENT.

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



City Clerk