

May 21, 1947
Book 32 - Page 140

A regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Wednesday, May 21, 1947, with Mayor Baxter presiding, and Councilmen Albea, Childs, DeLaney, Jordan, Lambeth, McKee and White present.

INVOCATION.

The invocation was given by the Reverend F. W. Kiker, Pastor, Belmont Park Methodist Church.

MINUTES APPROVED WITH CORRECTIONS.

The minutes of the meeting on May 14th were unanimously approved with the following corrections:

Councilman Childs moved that in the appointment of the Finance Committee that Councilman White be recorded as being named Chairman.

Councilman White moved that in the appointments of the City Manager and the City Treasurer that the name "Councilman Nash" be changed to "Councilman Nash McKee".

TAXICAB OPERATOR'S PERMIT REQUESTED FOR MR. J. H. NICHOLS.

Mayor Baxter advised Mr. Marvin Ritch, Attorney, that the Council would take under advisement his request that a permit be issued to Mr. J. H. Nichols to operate a taxicab.

CLAIM FOR DAMAGES TO AUTOMOBILE BY MR. SOL BADAME.

Mayor Baxter advised Mr. Sol Badame to present his claim, and bill, in writing for damages to his automobile alleged to have been caused by driving into an obscured ditch on Peachtree Street near Midwood School.

APPOINTMENT OF CITY ACCOUNTANT.

Mr. George B. Livingston was unanimously appointed City Accountant upon the nomination of Councilman McKee.

APPOINTMENT OF MEMBERS TO THE CIVIL SERVICE COMMISSION.

Upon the nomination of Councilman Jordan, Mr. J. B. Whittington was unanimously appointed a member of the Civil Service Commission, to succeed Mr. Chas. M. Setzer, whose term has expired.

Upon the nomination of Councilman Albea, Mr. Kenneth M. Clontz was unanimously appointed a member of the Civil Service Commission, to succeed Mr. F. Grainger Pierce, whose term has expired.

CONFIRMATION OF SALE OF TAX FORECLOSED PROPERTY AT 2537-39 COMMONWEALTH AVENUE.

Motion was made by Councilman White, seconded by Councilman Childs and unanimously carried, confirming the sale on April 21, 1947 of tax foreclosed property at 2537-39 Commonwealth Avenue, to E. F. Dixon, at \$900.00.

APPOINTMENT OF MEMBERS TO INDUSTRIAL HOME BOARD.

Councilman Childs moved the nomination of Councilman Jordan and Albea as members of the Industrial Home Board. Motion seconded by Councilman White, and unanimously carried.

May 21, 1947
Book 32 - Page 141

RESOLUTION AUTHORIZING ABANDONMENT OF GRINNELL STREET AS A PUBLIC WAY.

Mr. Jimmy Craighill, Attorney, requested that Grinnell Street, between 36th and 35th Streets, be abandoned as a private way to permit the expansion of the New England Waste Company's plant.

The following resolution was presented and read:

WHEREAS, a strip of land, sometimes designated as Grinnell Street running between 32nd Street (now 36th Street) and 31st Street (now 35th Street), one block northwest of and approximately parallel to Caldwell Street, has been shown as a street on several maps and plats recorded in the office of the Register of Deeds of Mecklenburg County, including the following: "Map of North Carolina" dated September, 1904, and recorded in Book 209, page 460 (on which it is shown as part of an unnamed street running parallel to Caldwell Street); Map of "Property of the North Charlotte Realty Company" dated April, 1908, and recorded in Book 230, page 14 (on which it is shown as "Grinnell Street" beginning at 32nd (now 36th) Street, and running toward 31st (now 35th) Street); and plats of smaller parcels of land in the same locality recorded in Book 218, page 678, dated 1907; Book 230, page 23, dated 1909; Book 230, pages 192 and 193, dated 1912; Book 230, page 262, dated 1913; Book 332, page 428, dated 1923; and Book 679, pages 504 and 518 (the same map on each page) dated 1926; and

WHEREAS, no street has ever been opened and used by the public on said strip of land, hereinafter called Grinnell Street, although more than twenty (20) years has elapsed since any dedication or offer of dedication of said strip of land as a public or private way, by any grant, map, plat or other means; and

WHEREAS, the opening and use of Grinnell Street as shown on the maps or plats mentioned above is not necessary or desirable for the public interest, and it should be abandoned and relinquished;

NOW, THEREFORE, BE IT RESOLVED, that the opening and use of Grinnell Street, or the strip of land between 36th Street and 35th Street designated as Grinnell Street or part of an unnamed street on the maps mentioned above, for the purposes for which it has heretofore been offered or dedicated, is not necessary for the public interest, and the City Council hereby agrees to its abandonment and relinquishment from dedication as a public way;

BE IT RESOLVED FURTHER that the City Council hereby consents and agrees to the withdrawal, in accordance with the provisions of Section 136-96 of the General Statutes of North Carolina, of said strip of land, or any portion thereof, from the public or private use to which it has heretofore been offered or dedicated.

Upon motion of Councilman Childs, seconded by Councilman Albea, the foregoing resolution was unanimously adopted.

CONTRACT WITH P & N REALTY COMPANY FOR WATER MAINS IN THRIFT ROAD.

Councilman Albea moved that a contract be authorized with the P & N Realty Company, for the construction of water mains in Thrift Road, to serve industrial property, for a distance of 715 feet, estimated to cost \$1,787.50, at the expense of the applicant; same to be refunded if and when the mains produce a revenue equal to 5% of the cost during any 12 months continuous period. Motion seconded by Councilman Jordan, and unanimously carried;

CONTRACT WITH J. L. SIDES FOR WATER MAINS IN HOWIE ACRES SUBDIVISION.

Councilman Childs moved that contract be authorized with J. L. Sides for water mains construction in Howie Acres Subdivision, for a distance of 4,666 feet, at an estimated cost of \$7,503.90, at the expense of the applicant. Motion seconded by Councilman Albea, and unanimously carried.

May 21, 1947
Book 32 - Page 142

CONSTRUCTION OF SANITARY SEWER IN WINTHROP AVENUE.

Councilman White moved that the construction of a sanitary sewer be authorized in Winthrop Avenue, from Ideal Way towards Magnolia Avenue (Sunset Hills Subdivision), for a distance of 720 feet, at an estimated cost of \$1,358.50, to be borne by the City. Motion seconded by Councilman Childs, and unanimously carried.

REFUND OF DEPOSIT TO CHARLOTTE INVESTMENT COMPANY, FOR SEWER CONSTRUCTION.

Upon motion of Councilman Albea, seconded by Councilman Jordan, the refund of \$334.01 was unanimously authorized to Charlotte Investment Company, having been deposited with the City for sewer construction in Ideal Way, under contract dated March 3, 1947.

CONTRACTS AND PURCHASES AUTHORIZED.

Councilman Childs moved that the following contracts, and the allocation of funds therefor, if necessary, be authorized. Motion seconded by Councilman White, and unanimously carried.

- (a) Contract with Badger Meter Manufacturing Company, for 1,200-5/8 inch water meters, at a net delivered price of \$15,600.00.
- (b) Contract with S. Morgan Smith Company for One 24-inch Cone Valve, at a net delivered price of \$4,663.00, for the Water Department.
- (c) Contract with North Carolina Equipment Company, for One Side Connection Highway Mower Complete, in the sum of \$255.00, f.o.b. shipping point, for the Street Department.

SPECIAL OFFICER PERMITS.

Upon motion of Councilman Albea, seconded by Councilman McKee, and unanimously carried, Special Officer Permits were authorized to C. I. Hunsuck, 527 Magnolia Avenue, for use on the premises of Southern Railway Company Freight Yards on Liddell Street, and to Robert B. Fowler, 1550 Cliffwood Place, for use on the premises of Southern Railway Company Freight Yards and Station, at East 2nd Street.

REPORT OF LEASE OF AIRPORT BUILDINGS.

The City Manager reported that the lease of buildings at Douglas Municipal Airport had been concluded, as follows:

BUILDING NO.	LESSEE	RENTAL	DATE AND TERM OF LEASE.	
Tract of land and Buildings #319 and 348.	Berryhill Squadron Flying Club, Inc. of the N.C. Wing Civil Air Patrol.	\$1.00 per annum and utility charges.	5-1-47	5 years
118	The Pure Oil Co.	\$27.00 per month	4-15-47	1 year
119	The Pure Oil Co.	\$27.00 per month	4-15-47	1 year

CEMETERY DEEDS.

Upon motion of Councilman White, seconded by Councilman Childs, the Mayor and City Clerk were unanimously authorized to execute deeds for the transfer of cemetery lots as follows:

- (a) To R. S. Pendleton, transferred from Mrs. Foy Cooper, Lot No. 1, in Section BB, Elmwood Cemetery. Cost of transfer \$1.00.

May 21, 1947
Book 32 - Page 143

- (b) To James W. McNeely and wife, Marlyn R. McNeely, transferred from Rev. and Mrs. R. B. Owens and Mr. and Mrs. Frank Owans, Lot No. 5-B, in Section X, Elmwood Cemetery. Cost of transfer \$1.00.
- (c) To Mrs. Foy Cooper, Lot No. 6, west half, in Section F-Annex Elmwood Cemetery, transferred from Mr. and Mrs. James W. McNeely. Cost of transfer \$1.00.
- (d) To Mrs. J. M. Henderson, Perpetual Care on Lot No. U, in Section UU, Elmwood Cemetery, at \$24.00.

APPOINTMENT OF REAL ESTATE COMMITTEE.

Mayor Baxter appointed Councilmen Lambeth, as Chairman, and Councilmen Childs and DeLaney as members of the Real Estate Committee.

ADJOURNMENT.

Upon motion of Councilman Childs, seconded by Councilman Jordan, the meeting was adjourned.

Lillian R. Hoffman
City Clerk