

A regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, May 24, 1950, at 11 o'clock a.m., with Mayor Shaw presiding, and Councilmen Aitken, Albea, Boyd, Daughtry, Jordan and Wilkinson present.

Absent: Councilman Coddington.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Aitken, seconded by Councilman Daughtry, and unanimously carried, the minutes of the last meeting, on May 17th, were approved as submitted.

ORDINANCE (NO. 102) EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE BY ANNEXING THERETO 82 ACRE TRACT OF LAND IN BERRYHILL TOWNSHIP, CONTIGUOUS TO THE WESTERN BOUNDARY OF THE CITY, UPON PETITION OF JOHN CROSLAND AND OTHERS.

The scheduled hearing, as advertised in The Charlotte News, was held in connection with the petition of John Crosland, Carrie Marshall Galloway and Hattie B. Adams, for the annexation of an 82 acre tract of land contiguous to the western boundary of the city, in Berryhill Township.

No objections to the proposed annexation were expressed by residents of the area.

Whereupon, the ordinance entitled, "Ordinance Extending the Corporate Limits of the City of Charlotte By Annexing Thereto an 82 Acre Tract of Land in Berryhill Township, Contiguous to the Western Boundary of the City" was introduced and read. Councilman Albea moved the adoption of the ordinance. Motion was seconded by Councilman Wilkinson, and was unanimously adopted. Ordinance is recorded in full in Ordinance Book 11, at Pages 133-134.

CONSIDERATION OF REQUEST OF GEORGE H. TALBOT FOR REZONING LOTS 5 AND 6 IN THE 1300 BLOCK OF EAST MOREHEAD STREET, SOUTH SIDE, BETWEEN KENILWORTH AVENUE AND HARDING PLACE, DEFERRED ONE WEEK.

Mr. Louis Carter, Attorney representing Mr. George H. Talbot, requested the rezoning from Residence-2 to Business-1 district of Lots 5 and 6 in the 1300 block of East Morehead Street, south side, between Kenilworth Avenue and Harding Place, which request was denied by the Zoning Board of Adjustment. Following the explanation of the request by Mr. Carter and Mr. Talbot, the Council deferred for one week its decision as to whether the case will be reviewed and a hearing held.

ORDINANCE (NO. 105) AMENDING THE BUILDING CODE PROVIDING FOR BATH TUB TRAPS.

An ordinance entitled, "Ordinance Amending the Building Code Providing for Bath Tub Traps" was introduced and read, and upon motion of Councilman Aitken, seconded by Councilman Jordan, was unanimously adopted. Ordinance is recorded in full in Ordinance Book 11, at Page 135.

PURCHASE OF U. S. SAVINGS BONDS WITH CEMETERY TRUST FUNDS AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Aitken, and unanimously carried, authorizing the City Treasurer to purchase with Cemetery Trust Funds three \$10,000.00 U. S. Savings Bonds, Series F, at \$22,200.00 and one \$1,000.00 Series F Bond, at \$740.00, making a total of \$24,940.00.

REFUND OF DEPOSIT TO DIXIE HOMES, INC. FOR WATER MAINS CONSTRUCTION.

Councilman Wilkinson moved that \$9,189.91 be refunded to Dixie Homes, Inc., representing their deposit for water mains installations in Dixie Homes Area, as per terms of the contract dated February 2, 1949. Motion was seconded by Councilman Daughtry, and unanimously carried.

CONTRACTS FOR CONSTRUCTION OF WATER MAINS APPROVED.

Upon motion of Councilman Daughtry, seconded by Councilman Wilkinson, and unanimously carried, contracts were authorized for the construction of water mains as follows:

- (a) Contract with John S. Spurrier for the construction of 152-feet of mains in Cedar Park Subdivision, outside the city, at an estimated cost of \$300.00, to serve business property. All costs to be borne by the applicant, who will own the mains until taken into the City, at which time they will automatically be dedicated to the City.
- (b) Contract with the Midwood Real Estate Corp., for the construction of 1,000-feet of mains in Griffin Park, outside the City limits, at an estimated cost of \$1,870.00, to serve 23 residential lots. All costs to be borne by the applicants, who will own the mains until taken into the City, at which time they will automatically be dedicated to the City.

STREETS TAKEN OVER FOR MAINTENANCE.

Motion was made by Councilman Jordan, seconded by Councilman Aitken, and unanimously carried, authorizing the taking over of the following streets for maintenance:

- (a) Double Oaks Road, from Oaklawn Ave. to Newland Road.
- (b) Horne Court, from Double Oaks Road approximately 2 blocks to dead-end.
- (c) Horne Street, from the southern end of Double Oaks Road to the northern end of Double Oaks Road.
- (d) Moss Street, from Horne Drive to Double Oaks Road.
- (e) Samuel Street, from Double Oaks Road to Newland Road.

CONSTRUCTION OF NEW SANITARY SEWERS AUTHORIZED.

Upon motion of Councilman Aitken, seconded by Councilman Jordan, and unanimously carried, the construction of the following new sanitary sewers was authorized:

- (a) 170-feet of 8-inch sewer in Fort Street, inside the city, at an estimated cost of \$400.00 to serve 2 family units and 2 vacant lots. All costs to be borne by the City.
- (b) 2902-feet of 8-inch sewer in Monroe Road, inside the City, at an estimated cost of \$5,930.00, to serve 31 family units and 50 vacant lots. All costs to be borne by the City.
- (c) 4778-feet of sewers and 817-feet of trunk sewer in Graham Heights Subdivision, inside the City, at an estimated cost of \$11,870.00, to serve 59 family units and 130 vacant lots. All costs to be borne by the City.

- (d) 515-feet of 8-inch sewer in Condon Street, inside the City, at an estimated cost of \$910.00, to serve 3 family units and 16 vacant lots. All costs to be borne by the City, and applicant's deposit of \$310.00 to be refunded as per terms of the contract.

CONSTRUCTION OF DRIVEWAY ENTRANCES APPROVED.

Motion was made by Councilman Aitken, seconded by Councilman Jordan and unanimously carried, approving the construction of the following driveway entrances:

- (a) One 10-foot entrance at 810 Hempstead Place.
- (b) One 16-foot entrance at 400 South Church Street.
- (c) One 8-foot entrance at 1119 Belgrave Place.
- (d) Two 30-foot entrances at 1949-50 East 7th Street.
- (e) One 13-foot and One 18-foot entrance on East 6th Street at 229 North College Street.

CONTRACT AWARDED QUEEN CITY FOUNDRY, INC. FOR VALVE BOXES.

Councilman Albea moved that contract be awarded Queen City Foundry, Inc., for 200 Valve Boxes complete, as specified, on a unit price basis of \$5.75 each, representing a total of \$1,150.00. Motion was seconded by Councilman Daughtry, and unanimously carried.

BIDS ON MANHOLE RINGS AND COVERS RECEIVED ON MAY 19, 1950 REJECTED.

Upon motion of Councilman Aitken, seconded by Councilman Jordan, and unanimously carried, all bids for Manhole Rings and Covers received on May 19, 1950, were rejected.

REQUEST OF ROBINSON ELECTRIC COMPANY FOR 50-FOOT DRIVEWAY ENTRANCE AT 316 SOUTH POPLAR STREET DENIED, AND 30-FOOT DRIVEWAY APPROVED.

Councilman Daughtry reported that the Special Committee had visited the site of the new building of Robinson Electric Company at 316 South Poplar Street, and, together with the Traffic Engineer, studied the need for the requested 50-foot driveway entrance. That the area between the building and sidewalk is only 18-feet, with space for only three cars, which, unless parked right against the building will protrude over the sidewalk area; therefore, it is the opinion of the Committee that a 50-foot driveway entrance will not provide additional parking area, and they recommend that one 30-foot or two 15-foot driveways be constructed. Whereupon Mr. Robinson indicated he would prefer one 30-foot driveway. Councilman Daughtry moved that the requested 50-foot driveway entrance be denied, and one 30-foot driveway be approved. Motion was seconded by Councilman Albea, and unanimously carried.

CONTRACT AWARDED A. G. ODELL, JR. FOR ARCHITECTURAL SERVICES IN CONNECTION WITH PROPOSED NEW CITY AUDITORIUM.

Upon motion of Councilman Albea, seconded by Councilman Aitken, and unanimously carried, contract was awarded A. G. Odell, Jr., for architectural services in connection with the design and construction of a proposed new City Auditorium; and in addition to the provisions of the generally accepted standard form of contract for architectural services, the contract shall further provide that same not be binding upon the parties thereto unless funds are made available for the construction of an auditorium on or before June 1, 1955. Motion was seconded by Councilman Aitken, and unanimously carried.

CLAIM OF MR. AND MRS. WILL D. ALEXANDER FOR DAMAGES TO PROPERTY FROM CLOSING ENTRANCE FROM PLUM STREET INTO INDEPENDENCE BOULEVARD REFERRED TO CITY ATTORNEY.

The City Manager reported that a claim, in the amount of \$3,000.00, had been filed by Mr. C. D. Taliferro, Attorney, on behalf of Mr. and Mrs. Will D. Alexander, for damages to property arising out of closing the entrance from Plum Street into Independence Boulevard to vehicular traffic. Upon motion of Councilman Aitken, seconded by Councilman Albea, and unanimously carried, the claim was referred to the City Attorney.

CEMETERY LOT TRANSFERRED.

Motion was made by Councilman Albea, seconded by Councilman Aitken, and unanimously carried, authorizing the Mayor and City Clerk to execute a deed with Mrs. Della McKinnon for the transfer of Lot #48, in Section 3, Evergreen Cemetery, at \$208.00.

UNANIMOUS CONSENT GIVEN PRESENTATION OF UNDOCKETED ITEMS.

Upon motion of Councilman Jordan, seconded by Councilman Aitken, the unanimous consent of Council was given the presentation of the following items.

LEASE OF AIRPORT PROPERTY TO EASTERN AIRLINES, INC., FOR GAS TANK INSTALLATION AUTHORIZED.

Councilman Aitken moved that a Lease with Eastern Airlines, Inc., be authorized for a small portion of property at Douglas Municipal Airport for the installation of gas tank and facilities, for a period of ten years from June 1, 1950. Motion was seconded by Councilman Wilkinson, and unanimously carried.

SETTLEMENT OF CLAIM OF J. M. CREPS FOR DAMAGES TO CAR AUTHORIZED.

Upon motion of Councilman Aitken, seconded by Councilman Wilkinson, and unanimously carried, the claim of Mr. J. M. Creps, in the amount of \$10.73, for damages to his car by a Traffic Engineering Department truck on November 30, 1949, was authorized paid.

ADJOURNMENT.

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

MEETING RECONVENED AT 11:50 A.M.

Immediately following adjournment, Mr. Yancey, City Manager, stated there had been a discrepancy in the publication of the hearing date on the petition of D. L. Phillips and others for the annexation of certain property to the City of Charlotte, and another date for the hearing should be fixed and so advertised. Whereupon, Councilman Albea moved that the meeting reconvene, which was seconded by Councilman Aitken, and unanimously carried, and the meeting reconvened at 11:50 A.M.

RESOLUTION FIXING DATE OF HEARING ON PETITION OF D. L. PHILLIPS AND LOUISE E. PHILLIPS AND JACKSONVILLE HOUSING COMPANY, INC., FOR ANNEXATION OF CERTAIN PROPERTY IN SCOTLAND HILLS DEVELOPMENT TO THE CITY OF CHARLOTTE.

A resolution entitled, "Resolution Fixing Date of Hearing on Petition of D. L. Phillips and Louise E. Phillips and Jacksonville Housing Company, Inc., for Annexation of Certain Property in Scotland Hills Development to the City of Charlotte" was introduced and read, fixing the date of hearing on June 28, 1950. Upon motion of Councilman Albea, seconded by Councilman Aitken, and unanimously carried, the resolution was adopted. Resolution is recorded in full in Resolutions Book 1, at Page 285.

ADJOURNMENT.

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

William R. Chapman
City Clerk