

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 Monday, May 30, 1960, at 3 o'clock p.m., with Mayor Smith presiding, and Councilmen Albea, Babcock, Dellinger, Hitch, Smith and Whittington being present.

ABSENT: Councilman Myers.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Hitch, seconded by Councilman Babcock, and un-animously carried, the Minutes of the last meeting on May 23rd were approved as submitted.

RESOLUTION REQUESTING COUNCIL TO APPROPRIATE FUNDS TO FAMILY OF JOHN R. ANNAS, POLICE OFFICER KILLED IN THE PERFORMANCE OF DUTY.

Mr. Irwin Belk presented the following resolution, and requested its adoption:

WHEREAS, John R. Annas was employed by the Charlotte City Police Department and lost his life in furtherance of his duty in making Charlotte a safer place in which to live,

AND WHEREAS, the said John R. Annas left a widow and two minor children.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Charlotte consider and approve an amount which the City Council deems equitable and proper, as a token of the appreciation of the City of Charlotte, to the widow and children of said John R. Annas.

The City Attorney advised that the City does not have authority to appropriate funds for such purposes. Mr. Belk stated that two years ago after the two State Highway Patrolmen were killed in the performance of their duty, the General Assembly passed special legislation for the appropriation of funds to their families; and, as a State Representative from Mecklenburg County he will be glad to introduce and do all in his power to secure the passage of a similar Bill if the Council will prepare it, and he feels sure our other Legislators will do the same.

CHARLOTTE EXCHANGE CLUB AUTHORIZED TO HAVE BAND PLAY FROM A TRUCK OVER CITY STREETS PROMOTING THE SALE OF NEWSPAPERS FOR THE BENEFIT OF THE CHARLOTTE LIFE SAVING CREW.

Mr. Bill Scott, President of the Charlotte Exchange Club stated each year their members sell newspapers one day for the benefit of Charlotte Life Saving Crew, and they wish permission for a band to play from a truck operated over the city streets to promote their sales. Mr. Scott was advised the City's Anti-noise ordinance prohibits music or loud noises that are disturbing to the citizens. Councilman Albea moved that permission be granted provided the amplification of the music is worked out with the City Manager. The motion was seconded by Councilman Dellinger, and un-animously carried.

DECISION AS TO PURCHASE OF ICE HOCKEY FRANCHISE AND TEAM BY AUDITORIUM-COLISEUM AUTHORITY DEFERRED ONE WEEK.

The request of the Auditorium-Coliseum Authority for approval of their purchasing a franchise in the Eastern Hockey League and Contract with the Hockey Team was discussed. Mr. Herbert Glenn, a citizen interested in Ice Hockey, who it was stated had shown interest in the purchase of a team for Charlotte, stated he is only interested in having Ice Hockey here; that if the Authority is permitted to secure the franchise it will be entirely satisfactory with him.

Mr. Paul Buck, Manager of the Auditorium and Coliseum, stated he intends to pattern the operation after the New Haven Club, which is considered the Eastern League's most successful operation; that he thinks the club can be operated here for \$115,000, including rental of \$600 or 15%, whichever is greater. That he will be the overall manager and the same person who managed the club for us last year will be the actual manager; that the coach will be in charge on trips and his salary is \$5,500.00. Councilman Smith asked if he has a deficit will he come to the Council with it? Mr. Buck stated he is not figuring on a deficit.

Councilman Smith expressed concern over taking a risk with taxpayers money and his thought is that the Council should think it over thoroughly and also get the public's reaction to the proposition. Councilman Babcock stated he realizes the Authority's concern over filling the 30 or 40 night engagements and Mr. Buck feels they would be glad to break even; however, he agrees with Councilman Smith that it would be well to postpone action a week. Councilman Dellinger stated he looks at it in the same light of the equipment etc purchased for the Coliseum; that it is a calculated risk but no more than the operation of other activities at the Coliseum. Councilman Hitch asked Mr. Buck if postponing the decision for one week would hurt the proposition, and Mr. Buck stated it would be alright. He was again asked the question later in the meeting and replied that the sooner it is settled the better off they will be. Councilman Smith stated that when the bonds were voted, it was for a place to go for entertainment, not going in the entertainment business. Councilman Smith then moved that the decision be deferred for one week, which was seconded by Councilman Hitch, and unanimously carried.

ISSUANCE OF LICENSE TO WILLIAM B. JONES TO OPERATE PRIVATE DETECTIVE AGENCY AUTHORIZED.

Upon motion of Councilman Babcock, seconded by Councilman Hitch, and unanimously carried, the issuance of a license to Mr. William B. Jones to operate a private detective agency to be known as Southern Investigation Service, was authorized.

STREETS TAKEN OVER FOR CITY MAINTENANCE.

Motion was made by Councilman Albea, seconded by Councilman Hitch, and unanimously carried, authorizing the following streets to be taken over for city maintenance:

- (a) Kinsale Lane, from Ruth Drive to Shannonhouse Drive.
- (b) Shannonhouse Drive, from Ruth Drive to 200 ft. south of Lakeview Drive.
- (c) Ruth Drive, from Shannonhouse Drive to 180 ft. of Kinsale Lane.

## CONDEMNATION PROCEEDINGS AUTHORIZED FOR SANITARY SEWER RIGHTS-OF-WAY.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, condemnation proceedings were authorized started as follows:

- (a) Condemnation proceedings for Monroe Road sewer right-of-way across the property owned by Mr. L. W. Polk.
- (b) Condemnation proceedings for Lantana Avenue sewer right-of-way across the property owned by Mr. James T. Polk.

## PAYMENT FROM SEWER BOND FUND FOR SERVICES IN CONNECTION WITH SANITARY SEWER RIGHTS-OF-WAY AUTHORIZED.

Motion was made by Councilman Whittington, seconded by Councilman Smith, and unanimously carried, authorizing payment from the Sewer Bond Fund for services in connection with the following rights-of-way:

- (a) Payment of \$410.00 to Mr. Henry G. Newson, for obtaining right-of-way agreements in connection with sanitary sewer extensions to Forest Heights, Racemont, Sofley Acres and Amity Gardens.
- (b) Payment of \$250.00 to Grier, Parker, Poe and Thompson, Attorneys, for legal services in connection with sanitary sewer right-of-way to Forest Heights, Biscayne Drive and Amity Gardens.

## SICK LEAVE EXTENSION GRANTED CASEY JONES, WATER DEPARTMENT EMPLOYEE.

Councilman Dellinger moved that sick leave be extended to June 30th to Mr. Casey Jones, Water Department employee, as recommended by the City Manager. The motion was seconded by Councilman Hitch, and unanimously carried.

## CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 16-ft. entrance at 1400 Firth Court West.
- (b) Two 35-ft. entrances on Randolph Road and Two 35-ft. entrances on Sharon-Amity Road, all for 4475 Randolph Road.
- (c) Two 16-ft. entrances at 2517 South Boulevard.
- (d) Three 30-ft. entrances at 2745 North Davidson Street.
- (e) Two 35-ft. entrances at 4510 East Independence Boulevard.
- (f) Two 30-ft. entrances on Lucena Street and Two 30-ft. entrances on Franklin Avenue, all for 2353 Lucena Street.

## CONTRACT AUTHORIZED WITH ERVIN CONSTRUCTION COMPANY FOR INSTALLATION OF WATER MAINS IN PINECREST SUBDIVISION.

Councilman Albea moved approval of a contract with Ervin Construction Company for the installation of 3,310-feet of water mains and 2 hydrants in Pinecrest Subdivision, at an estimated cost of \$9,300.00. The City to finance all costs and applicant to guarantee an annual gross water revenue equal to 10% of the total cost. The motion was seconded by Councilman Babcock, and unanimously carried.

CONSTRUCTION OF SANITARY SEWERS AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Babcock, and un-  
animously carried, the construction of sanitary sewer was authorized as  
follows:

- (a) Construction of 320-ft. of 8-inch sanitary sewers in Kay and New-  
castle Streets, located inside the city limits, to serve 3 family  
units and 8 vacant lots, at the request of Ervin Construction  
Company, at an estimated cost of \$1,270.00. All costs to be borne  
by the applicant, whose required deposit of the entire amount will  
be refunded as per terms of the contract.
- (b) Construction of 5,110-ft. of 8-inch sanitary sewers and trunks in  
a portion of Pinecrest Subdivision, located inside the city limits,  
to serve residential property, at the request of Ervin Construction  
Company, at an estimated cost of \$19,005.00. All costs to be borne  
by the applicant, whose required deposit of the entire amount will  
be refunded as per terms of the contract.
- (c) Construction of 7,873-ft. of 8-inch sanitary sewers and trunks in  
University Park Subdivision, located inside the city limits, to  
serve residential property, at the request of C. D. Spangler  
Construction Company, at an estimated cost of \$29,800.00. All  
costs to be borne by the applicant, whose required deposit of  
the entire amount will be refunded as per terms of the contract.

CONTRACT AWARDED BLYTHE BROS. COMPANY FOR ASPHALT RESURFACING VARIOUS  
STREETS.

Councilman Dellinger moved the award of contract to the low bidder, Blythe  
Bros. Company for Asphalt Resurfacing Various Streets within the city of  
Charlotte, as specified, on a unit price basis, representing a total  
price of \$122,525.50. The motion was seconded by Councilman Hitch, and  
unanimously carried.

The following net delivered bids were received:

Blythe Bros. Company	\$122,525.50
Rea Construction Company	\$124,183.00

CONTRACT AWARDED R. C. HICKS FOR ALTERATIONS TO THE RECORDER'S COURT  
ROOM.

Upon motion of Councilman Hitch, seconded by Councilman Dellinger, and un-  
animously carried, contract was awarded the low bidder, R. C. Hicks for  
Alterations to the Recorder's Court Room, on their base bid in the amount  
of \$4,770.00 plus Alternate No. 1, in the amount of \$463.00, for acoustical  
tile on Courtroom ceiling, representing a total price of \$5,233.00, and the  
transfer of \$5,233.00 from the Emergency Fund for payment thereof was  
authorized.

The following net delivered bids were received:

	<u>BASE BID</u>	<u>ALTERNATE NO. 1</u>	<u>ALTERNATE NO. 2</u>
R. C. Hicks	\$4,770.00	Add \$463.00	Add \$937.00
Hartman Constr. Co.	\$4,560.00	Add \$700.00	Add \$887.00
Edison Foard	\$5,110.00	Add \$517.00	Add \$1040.00

Alternate No. 1 for acoustical tile on Courtroom Ceiling.  
Alternate No. 2 for retiling Courtroom floor.

## ISSUANCE OF SPECIAL OFFICER PERMIT TO VERNON P. ALLEN FOR USE ON PREMISES OF THE DOCTORS BUILDING AUTHORIZED.

Councilman Albea moved approval of the issuance of a Special Officer Permit to Mr. Vernon P. Allen, Route #3, Matthews, for use on the premises of the Doctors Building. The motion was seconded by Councilman Smith, and unanimously carried.

## TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Babcock, seconded by Councilman Whittington, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mrs. Jessie D. Stagg, for Lot 312, Section 4-A, Evergreen Cemetery, at \$126.00.
- (b) Deed with Mrs. Mae P. Starnes, Mrs. H. E. Pennigar and Mrs. Grace Phillips, for Perpetual Care on the west half of Lot 33, Section I, Elmwood Cemetery, at \$70.00.

## NAME OF DEBENNY LANE CHANGED TO KILDARE DRIVE.

The City Manager presented a petition from the three property owners on Debenny Lane asking that the name be changed to Kildare Drive, as the street is actually a continuation of the present Kildare Drive; he also advised that the change is approved by the Planning Board. Councilman Dellinger moved that the street name be changed, which was seconded by Councilman Albea, and unanimously carried.

## REQUEST OF DON HILL, INSURANCE BROKER, FOR CONTRACT WITH COUNTY COMMISSIONERS FOR FURNISHING FIRE PROTECTION IN THE PERIMETER AREA ONE MILE BEYOND THE PRESENT CITY LIMIT LINES.

Councilman Dellinger stated he understands that Insurance Companies have boosted insurance rates in the perimeter area because the city is not rendering fire service to the area. He introduced Mr. Don Hill, Insurance Broker, who advised that on May 13th Insurance Companies instructed that the rate be increased from 24¢ to 48¢ except where a fire hydrant is within 500 feet of the residence. Mr. Hill stated that up until four months ago the County paid the City to answer calls in the perimeter area. He recommended that the City Manager work with the County Commissioners to decide whether they will participate in the cost of the calls, as it is not fair to assess the people in this area \$100,000 a year more than before.

The City Manager advised the arrangement the City now has with the County and Volunteer Fire Departments is that the City Fire Department takes the first call alarms within the city limits and, if necessary, calls on the Volunteer Departments for assistance, and the same arrangement exists in the perimeter area. Mr. Veeder suggested that the Council give the matter thought before enlarging the coverage of the Charlotte Fire Department, as the City's first obligation is to residents of Charlotte, and if the fire service is spread out it could have a detrimental affect on the insurance rates of the City of Charlotte. Councilman Hitch suggested that the City Manager look into the matter and give the Council his recommendation. Councilman Babcock called attention that there has been a change in the perimeter area by the extension of the city limits in January, and Mayor Smith pointed out that the present perimeter area extends one mile beyond the new city limit lines, and this is the area to which Mr. Hill evidently refers.

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REQUEST FOR SEWER SERVICE IN 4600 BLOCK OF CENTRAL AVENUE REFERRED TO ENGINEERING DEPARTMENT FOR SURVEY AS TO HOW MANY PEOPLE THE TRUNK LINE WILL SERVE.

Councilman Smith presented a letter to the Council from Mrs. M. J. Durham, 4611 Central Avenue, stating they purchased their home in March which is in the area annexed January 1st, after being assured by the Engineering Department that a contract had been let for laying a sewer line to serve the area; that a sewer line is nearly completed to the 4500 block of the street and they are now told that it is not profitable to the City to extend the line further as the area is not 50% developed; that this is not a fact, as there are houses on every lot on at least one side of the street and most of the times on both sides of the street, while the lots beyond are empty because no one can build without a sewer line; that they could, of course, install another septic tank but they feel it is not fair to pay city taxes and not have sewer service that was promised.

Mr. Bobo, Assistant City Engineer, advised another trunk line would have to be installed to take care of the situation, and they do not have such installation scheduled; that Central Avenue and Lansdale Drive at this location are in a drainage area not sufficiently developed to qualify for such service under the adopted policy; that undue expense and extremely difficult construction would be involved in placing the line on Progress Lane at sufficient depth to serve the block involved; that the estimated minimum cost of constructing the trunk line to serve the area would be \$12,000.00, and the funds are not available. He stated further there are hundreds of similar cases all over the city. Councilman Dellinger stated there are eleven people now wanting to tap onto the sewer line and it seems to him that something must be done to serve these people. Councilman Hitch asked Mr. Bobo if he had any alternative to offer, and he was told the only thing the Engineering Department can suggest is special designed septic tanks.

Councilman Smith requested Mr. Bobo to make a survey of how many people the trunk line would serve and advise the Council.

#### ADJOURNMENT.

Upon motion of Councilman Hitch, seconded by Councilman Whittington, and unanimously carried, the meeting was adjourned until 11 o'clock a.m., Tuesday, May 31st, in the Mecklenburg County Court House to meet with the County Board of Elections and separately receive and canvass the returns of the Special bond election held on May 28, 1960.

  
Lillian R. Hoffman, City Clerk