

November 5, 1952  
Minute Book 34 - Page 343

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, November 5, 1952, at 4 o'clock p.m., with Mayor Shaw presiding, and Councilmen Albea, Baxter, Boyd, Coddington, Dellinger, Jordan and Van Every present.

#### INVOCATION.

The invocation was given by Councilman Claude L. Albea.

#### MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the minutes of the last meeting on October 29th were approved as submitted.

ORDINANCE NO. 156 AMENDING THE ZONING ORDINANCE CHANGING THE BUILDING ZONE MAP FROM R-2 TO INDUSTRIAL ON PROPERTY LOCATED ON GARDNER & TURNER AVENUES AND FARISH STREET.

The scheduled hearing was held in connection with the proposed ordinance to amend the zoning Ordinance to change the Building Zone Map from R-2 to Industrial on property located on Gardner and Turner Avenues, and Farish Street, recommended by the Zoning Board of Adjustment.

No objections were registered to the proposed change; whereupon, Councilman Van Every moved the adoption of the ordinance affecting the change, which was seconded by Councilman Coddington, and unanimously carried. The ordinance is recorded in full in Ordinance Book 11, at Page 259.

ORDINANCE NO. 157 AMENDING THE ZONING ORDINANCE CHANGING THE BUILDING ZONE MAP FROM R-2 TO B-2 ON PROPERTY LOCATED ON BALDWIN CIRCLE BETWEEN ELLISON AND TORRENCE STREET.

The scheduled hearing was held in connection with the proposed ordinance to amend the Zoning Ordinance to change the Building Zone Map from R-2 to B-2 on property located on Baldwin Circle between Ellison & Torrence Street, recommended by the Zoning Board of Adjustment.

No objections were registered to the proposed change; whereupon, Councilman Jordan moved the adoption of the ordinance affecting the change, which was seconded by Councilman Van Every, and unanimously carried. The ordinance is recorded in full in Ordinance Book 11, at Page 260.

ORDINANCE NO. 158 AMENDING THE ZONING ORDINANCE CHANGING THE BUILDING ZONE MAP FROM R-2 TO LIGHT INDUSTRIAL ON PROPERTY OF THE McCLUNG CORP. LOCATED ON S. SYCAMORE STREET DENIED.

Upon announcement of hearing on Ordinance #158 Amending the Zoning Ordinance to change the Building Zone Map from R-2 to Light Industrial on property of the McClung Corporation located on S. Sycamore Street, Mr. Brook Barkley announced himself as attorney for the residents and property owners of the residential area in which the McClung Corp. and Standard Transport carries on its operation on S. Sycamore Street and that they wish to protest amending the Zoning Ordinance to change Building Zone Map from R-2 to Light Industrial and submitted petition bearing the signatures of some 95 persons. There were some 25 residents in the Council Chamber to support Attorney Barkley's contention. Mr. Barkley stated that the protestants contended that Mr. McClung's operations created a nuisance, traffic hazard and reduces the value of their property for residential purposes and that they were petitioning the Council to refuse to re-zone this property and instruct the City Attorney to restrain use of this property, subject to the area used at the time the Zoning Ordinance was passed in 1947. Mr. H. I. McDougale announced himself as attorney representing the McClung interest and contended for his Client that they were only using the property which they were entitled to use as "Non-conforming Use" at time the Zoning Ordinance

November 5, 1952  
Minute Book 34 - Page 344

was passed, and that truck-trailers were on the property at that time. He further explained that the proposed re-zoning was an attempt on the part of Mr. McClung to work out a satisfactory and compromising agreement and that he had no previous knowledge of any protest to re-zoning.

Councilman Boyd moved that Ordinance #158 to re-zone this property be denied, which was seconded by Councilman Van Every and passed unanimously.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON WEST FIFTH STREET ADOPTED.

A resolution entitled: "RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON WEST FIFTH STREET", was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Albaea, was adopted on its final reading. The resolution is recorded in full in Resolutions Book 2, at Page 40.

RESOLUTION APPOINTING APPRAISERS IN CONNECTION WITH WEST FIFTH STREET IMPROVEMENTS ADOPTED.

A resolution entitled: "RESOLUTION APPOINTING APPRAISERS IN CONNECTION WITH WEST FIFTH STREET IMPROVEMENTS", was introduced and read, and upon motion of Councilman Albaea, seconded by Councilman Van Every, was adopted. The resolution is recorded in full in Resolutions Book 2, at Page 42.

ORDINANCE NO. 161 AMENDING THE TAXICAB ORDINANCE OF THE CITY OF CHARLOTTE PROVIDING FOR AN INCREASE IN RATES OF FARE ADOPTED.

Councilman Boyd introduced an ordinance entitled: "ORDINANCE NO. 161 AMENDING THE TAXICAB ORDINANCE OF THE CITY OF CHARLOTTE PROVIDING FOR AN INCREASE IN RATES OF FARE", which upon being read was seconded by Councilman Van Every and passed unanimously. The Ordinance is recorded in full in Ordinance Book 11, at Page 261.

PETITION TO OPEN DUBLIN ROAD FROM WEYLAND AVENUE TO GREENE STREET AND WAYMAN PLACE TO GREENE STREET AND FROM THE BACK OF ASHLEY PARK SCHOOL TO LANIER AVENUE.

A delegation appeared before the City Council presenting a petition, stated to contain some 323 names, petitioning the City Council to open Dublin Road from Weyland Avenue to Greene Street, Wayman Place to Greene Street and from the back of Ashley Park School to Lanier Avenue in the interest of the children attending this school. Councilman Baxter moved that the matter be referred to the City Manager to obtain estimates on the cost and report back to the Council. Motion was seconded by Councilman Dellinger and passed unanimously.

SETTLEMENT OF CLAIM OF MIDAS MINERAL SPRING WATER COMPANY IN AMOUNT OF \$28.24 AUTHORIZED.

Councilman Van Every moved that the claim of Midas Mineral Spring Water Company for damages to truck by being stuck in a new water ditch, be settled in the amount of \$28.24. The motion was seconded by Councilman Dellinger and unanimously carried.

REMOVAL OF TREES FROM PLANTING STRIP APPROVED.

Upon motion of Councilman Boyd, seconded by Councilman Baxter, and unanimously carried, the following requests for tree removals from planting strips were granted:

- (a) Two trees from the planting strip at 819-821 E. Trade Street which interfere with proposed new building and driveways, at request of Mr. Emmett Wilkinson.
- (b) One tree from the planting strip at 1017 Elizabeth Avenue for drive entrance purposes, at request of Mr. C. J. Hayes.

November 5, 1952  
Minute Book 34 - Page 345

**STREET TAKEN OVER FOR MAINTENANCE.**

Councilman Van Every moved that June Street, from Mayview Drive to Brookside Drive be taken over for maintenance. The motion was seconded by Councilman Baxter, and unanimously carried.

**CONTRACT AWARDED CITY CHEVROLET CO. FOR PICK-UP TRUCK FOR TRAFFIC ENGINEERING DEPARTMENT.**

Upon motion of Councilman Dellinger, seconded by Councilman Boyd, and unanimously carried, contract was awarded the low bidder, City Chevrolet Company for One Pick-up Truck, 3/4-Ton, as specified, at a total exchanged delivered price of \$1,731.72, subject to cash discount of \$378.95, or \$1,352.77.

**CONTRACT AWARDED CITY CHEVROLET CO. FOR EXPRESS TRUCK FOR ENGINEERING DEPT.**

Upon motion of Councilman Boyd, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low bidder, City Chevrolet Company, for One express truck 1 1/2-ton, with open sides and metal covered top, as specified, at a total exchanged delivered price of \$2,047.08, subject to cash discount of \$255.30, or \$1,791.78.

**CONTRACT AWARDED INTERNATIONAL HARVESTER COMPANY FOR 4 CHASSES & CABS FOR ENGINEERING DEPARTMENT.**

Upon motion of Councilman Van Every, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low bidder, International Harvester Company, for Four Chassis & Cabs, with metal dump bodies, as specified, at a net delivered price of \$7,800.00.

**CONTRACT AWARDED INTERNATIONAL HARVESTER FOR ONE PICK-UP TYPE TRUCK FOR WATER DEPARTMENT.**

Upon motion of Councilman Van Every, seconded by Councilman Boyd, and unanimously carried, contract was awarded the low bidder, International Harvester Company, for One Pick-up Type Truck, 1-ton, with steel express body as specified, at a net exchanged delivered price of \$1,070.00.

**CONTRACT AWARDED CITY CHEVROLET CO. FOR 2 CHASSIS & CABS (1 1/2-TON) FOR WATER DEPARTMENT.**

Upon motion of Councilman Boyd, seconded by Councilman Van Every, and unanimously carried, contract was awarded the low bidder, City Chevrolet Company, for 2 Chassis and Cabs, 1-1/2-Ton, with special bodies, as specified, at a total exchanged delivered price of \$4,413.76, subject to cash discount of \$522.60, or \$3,891.16.

**CONTRACT AWARDED INTERNATIONAL HARVESTER CO. FOR 2 CHASSIS & CABS (1/2-TON) FOR WATER DEPARTMENT.**

Upon motion of Councilman Dellinger, seconded by Councilman Boyd, and unanimously carried, contract was awarded the low bidder, International Harvester Company, for 2 Chassis and Cabs 1/2-Ton, with Special Bodies, as specified, at a total exchanged net delivered price of \$2,850.00.

**CONTRACT AWARDED INTERNATIONAL HARVESTER CO. FOR 3 CHASSIS & CABS (13,500 GVW) FOR EQUIPMENT DEPOT.**

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, contract was awarded the low bidder, International Harvester Co., for 3 Chassis & Cabs, 13,500 G.V.W., complete with metal dump bodies, as specified, at a total net delivered price of \$7,521.00.

November 5, 1952  
Minute Book 34 - Page 346

CONTRACT AWARDED INTERNATIONAL HARVESTER CO. FOR 3 CHASSIS & CABS (16,000 GVW) FOR EQUIPMENT DEPOT.

Upon motion of Councilman Baxter, seconded by Councilman Jordan, and unanimously carried, contract was awarded the low bidder, International Harvester Company, for 3 Chassis and Cabs, with special built bodies, as specified, at a net exchanged delivered price of \$8,154.00.

CONTRACT AWARDED ATKINSON MOTORS, INC. FOR 1 STREET FLUSHER MOUNTED ON CHASSIS AND CAB FOR EQUIPMENT DEPOT.

Upon motion of Councilman Jordan, seconded by Councilman Baxter, and unanimously carried, contract was awarded the low regular bidder, Atkinson Motors, Inc., for 1 Etnyre Street Flusher Unit Mounted on Chassis and Cab, as specified, at a net exchanged delivered price of \$6,666.66.

CONTRACT AWARDED CROWDER CONSTRUCTION CO. FOR BRIDGE ON WEST FIFTH STREET.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, contract was awarded the low bidder, Crowder Construction Company for construction of reinforced concrete and steel bridge on West Fifth Street across Irwin Creek, as specified, on a unit price basis, representing a total price of \$32,834.36.

CONSTRUCTION OF SANITARY SEWER MAINS APPROVED.

Upon motion of Councilman Baxter, seconded by Councilman Van Every, and unanimously carried, the construction of new sanitary sewer mains was authorized at the following locations:

- (a) 25 lin. feet of 8 inch main in Independence Boulevard at an estimated cost of \$150.00, to serve a portion of property on Independence Boulevard. Construction required prior to State Highway extending existing box culvert for highway widening. All cost to be borne by the City.
- (b) 1208 feet of 8 inch main in Academy Street in Eastwood Park at an estimated cost of \$2,170.00, to serve 12 family units and 16 vacant lots, at request of Marsh Realty Company. All cost to be borne by the City.

CONSTRUCTION OF DRIVEWAY ENTRANCES APPROVED.

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

- (a) One 10 ft. driveway entrance at 1622 Union Street.
- (b) One 24 ft. driveway entrance at 819-821 E. Trade Street.
- (c) One 10 ft. driveway entrance at 224 State Street.
- (d) One 20 ft. driveway entrance at 241 West Boulevard.

SALARY PRE-PAYMENT FOR CHRISTMAS.

Councilman Boyd moved that the City Treasurer be authorized to pay those employees who wish their salaries for the full month of December on December 1st instead of December 15th, as has been the custom in the past, in order that the employees may have a longer time in which to do their Christmas shopping. The motion was seconded by Councilman Baxter and passed unanimously.

ADJOURNMENT

Upon motion of Councilman Baxter, the meeting was adjourned.

  
L. L. Ledbetter  
Deputy City Clerk