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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 Wednesday, November 7, 1956, at 4 o'clock p.m., with Mayor Van Every presiding and Council members Albea, Baxter, Brown, Dellinger, Evans, Smith and Wilkinson being present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Albea, and unanimously carried, the Minutes of the last meeting on October 31, 1956, were approved as submitted.

ENABLING ACT FOR EXTENDING CITY LIMITS RECOMMENDED.

Councilman Baxter moved that the City Attorney be instructed to draw up a tentative bill for annexing territory adjoining present city limits, leaving blank the area to be annexed which would be determined at later meetings of the City Council. The motion was seconded by Councilman Wilkinson, and unanimously carried.

TRAFFIC SURVEYS REQUESTED FOR BARRINGER AND COWLES ROADS AND AT MCCLINTOCK ROAD AND THE PLAZA.

Councilman Dellinger requested the City Manager to have the Traffic Engineer to make traffic counts at Barringer and Cowles Roads and at McClintock Road and The Plaza for the purpose of determining if traffic lights are needed and to consider placing islands in McClintock Road where drivers enter Harris Super Market. The City Manager stated he would have the matter checked.

RESOLUTION WITH RESPECT TO THE ASSUMPTION OF CITY SCHOOL BONDS BY MECKLENBURG COUNTY.

A resolution entitled: "Resolution with Respect to the Assumption of City School Bonds by Mecklenburg County" was introduced and read. Councilman Baxter moved the adoption of the resolution, which was seconded by Councilman Albea, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 495.

CONTRACT AGREEMENT BETWEEN SOUTHERN RAILWAY SYSTEM AND THE CITY OF CHARLOTTE FOR RECONSTRUCTION OF REMOUNT ROAD OVERHEAD BRIDGE.

Upon motion of Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, the Mayor and City Clerk were authorized to sign a contract with the Southern Railway System for the reconstruction of Remount Road Overhead Bridge above and across the right-of-way and tracks of the Southern Railway System at Milepost 379.9.

RESOLUTION AUTHORIZING FRANK T. MILLER TO PREPARE PLANS AND SPECIFICATIONS WITH RESPECT TO THE REMOUNT AVENUE BRIDGE OVER THE SOUTHERN RAILROAD.

A resolution entitled: "Resolution Authorizing Frank T. Miller to Prepare Plans and Specifications with Respect to the Remount Avenue Bridge over the Southern Railroad" was introduced by Councilman Wilkinson. Following the reading thereof, Councilman Wilkinson moved the adoption of the resolution, which was seconded by Councilman Baxter, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 496

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MEETING BETWEEN THE MINISTERS OF CHARLOTTE AND THE CITY COUNCIL WITH REFERENCE TO BLUE LAWS DEFERRED UNTIL AFTER JANUARY 1, 1957.

The Mayor stated that in as much as several of the Councilmen would have to be out of town and as it was agreed that all members would be present for meeting with the Ministers with reference to the City's Blue Laws, he would entertain a motion that the meeting be deferred until after the first of the year. Councilman Smith stated that in as much as he would have to be out of the City, on Church business, he moved that the meeting be postponed until after the first of the year to a time to be agreed upon by the Mayor and the President of the Ministerial Association. The motion was seconded by Councilman Baxter and carried with the votes cast as follows:

YEAS: Council members Baxter, Brown, Dellinger, Evans, Smith and Wilkinson.

NAYS: Councilman Albea.

Councilman Albea explained that he thought from August to January was to long to wait on this matter.

EXECUTION OF LEASE WITH CAROLINA PROPANE SUPPLY COMPANY RELATIVE TO PROPERTY AT DOUGLAS MUNICIPAL AIRPORT AUTHORIZED.

Upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, the Mayor and City Clerk were authorized to execute a Lease with Carolina Propane Supply Company for property located at Douglas Municipal Airport, for a period ending April 2, 1961, at a rental of \$125.00 per annum.

APPOINTMENT OF COLEMAN W. ROBERTS AS SPECIAL LICENSE CLERK TO HANDLE SALE OF 1957 CITY AUTO TAGS.

Motion was made by Councilman Wilkinson, seconded by Councilman Smith, and unanimously carried, appointing Mr. Coleman W. Roberts as Special License Clerk to handle the sale of the 1957 City of Charlotte Automobile License Tags, for one year beginning January 1, 1957, at a fixed compensation of 10 cents per tag.

PURCHASE OF STRIP OF LAND FROM MR. FRITZ SEIFART AND WIFE FOR RIGHT-OF-WAY FOR RELOCATION OF CRESCENT AVENUE EXTENSION AND OLD SARDIS ROAD.

Councilman Albea moved that the purchase of a strip of land 60' x 180' from Mr. Fritz Seifart and wife, for the amount of \$8,526.10 as right-of-way for the relocation of Crescent Avenue Extension and Old Sardis Road be authorized. The motion was seconded by Councilman Smith, and unanimously carried.

SUPPLEMENTARY CONTRACT, TO CONTRACT DATED SEPTEMBER 30, 1956, AUTHORIZED WITH J. A. JONES CONSTRUCTION COMPANY FOR INSTALLATION OF ADDITIONAL WATER MAINS IN RAMA ROAD TO SERVE THE STONEHAVEN DEVELOPMENT.

Upon motion of Councilman Baxter, seconded by Councilman Albea, and unanimously carried, Supplementary Contract with J. A. Jones Construction Company, to contract dated September 30, 1953, for the installation of 7,898 feet of additional water mains and 3 fire hydrants in Rama Road to serve the Stonehaven Development outside the city limits, at an estimated cost of \$22,400.00, with the applicant to pay all costs and own the mains until the territory is taken into the city, was approved.

RIGHT-OF-WAY AGREEMENT BETWEEN J. A. JONES CONSTRUCTION COMPANY AND THE STATE HIGHWAY COMMISSION AUTHORIZED CO-SIGNED BY CITY, FOR INSTALLATION OF WATER MAINS IN RAMA ROAD.

Motion was made by Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, authorizing the Mayor and City Clerk to co-sign an agreement between J. A. Jones Construction Company and the State Highway Commission, for right-of-way for the installation of water mains in Rama Road, outside the city limits.

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**CONTRACT AWARDED SPARTAN EQUIPMENT COMPANY FOR AIR COMPRESSOR FOR WATER DEPARTMENT.**

Councilman Baxter moved that contract be awarded to the low bidder, Spartan Equipment Company for 1 - Air Compressor, Skid Mounted, as specified, for a total net exchanged delivered price of \$4,975.00. The motion was seconded by Councilman Smith, and unanimously carried.

**CONTRACT AWARDED FARM & INDUSTRIAL EQUIPMENT COMPANY FOR TRENCHING MACHINE FOR WATER DEPARTMENT.**

Upon motion of Councilwoman Evans, seconded by Councilman Wilkinson, and unanimously carried, contract was awarded the low bidder, Farm & Industrial Equipment Company for 1-Trenching Machine, complete, as specified, at a total net delivered price of \$4,525.00.

**CONTRACT AWARDED H. B. OWSLEY & SON FOR TRACTOR, ROTARY CUTTER & MOWER FOR WATER DEPARTMENT.**

Motion was made by Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, awarding contract to the low bidder, H. B. Owsley & Son for 1 tractor complete, 1 rotary cutter and 1 mower, side mounted, all as specified, at a total price of \$3,242.00, less cash discount of \$743.00, or a net delivered price of \$2,499.00.

**CONTRACT AWARDED A. E. FINLEY AND ASSOCIATES, INC. FOR MAINTENANCE UNIT FOR ENGINEERING DEPARTMENT.**

Councilman Brown moved that contract be awarded to the low bidder, A. E. Finley and Associates, Inc. for 1 Maintenance Unit, as specified, at a total net delivered price of \$1,659.20. The motion was seconded by Councilman Wilkinson, and unanimously carried.

**CONTRACT AWARDED A. E. FINLEY AND ASSOCIATES, INC. FOR AIR COMPRESSOR FOR ENGINEERING DEPARTMENT.**

After the recommendation that the two compressors be awarded the second low bidder, Spartan Equipment Company as the low bidder, A. E. Finley and Associates, Inc. did not technically meet the specifications, Mr. Ed Wannamaker protested stating a clutch was not necessary and was not usually used on compressors this small. The representative of the Spartan Equipment Company explained that they had submitted their bid expecting the city to make the award in accordance with their specifications.

Councilman Dellinger moved that contract be awarded the low bidder, A. E. Finley & Associates, Inc. for 2 Jaeger Air Compressors, as specified, at a total price of \$4,320.00, less cash discount of \$216.00, or a net delivered price of \$4,104.00. The motion was seconded by Councilman Wilkinson and carried with the votes cast as follows:

YEAS: Council members Albea, Baxter, Dellinger, Evans, Smith and Wilkinson.

NAYS: Councilman Brown.

**CONTRACT AWARDED GUION-BRANTLEY COMPANY FOR TRACTOR FOR AUDITORIUM-COLISEUM DEPARTMENT.**

Motion was made by Councilman Brown, seconded by Councilman Baxter, and unanimously carried, awarding contract to Guion-Brantley Company based on the Alternate Bid for 1 Terratrak Model M-3 Fork Lift Tractor, Crawler type, with 3/4 yd. hydraulic bucket, all as specified, at a total exchanged price of \$5,665.00, subject to cash discount of \$100.00, or a net exchanged delivered price of \$5,565.00.

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**PELTON PLACE FROM CLANTON ROAD NORTH 470 FEET TAKEN OVER FOR CITY MAINTENANCE.**

Councilman Dellinger moved that Pelton Place from Clanton Road north 470 feet be taken over for city maintenance. The motion was seconded by Councilman Baxter, and unanimously carried.

**CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.**

Motion was made by Councilman Albea, seconded by Councilman Smith, and unanimously carried, authorizing the construction of driveway entrances, as follows:

- (a) One 10-ft. driveway entrance at 727 Colville Road.
- (b) One 12-ft. driveway entrance at 1814 South Tryon Street.
- (c) One 25-ft. driveway entrance at 1042 East 7th Street.
- (d) One 30-ft. driveway entrance and One 28-ft. driveway entrance to be constructed at 1500 South Boulevard.

**TRANSFER OF CEMETERY LOTS.**

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

- (a) Deed with E. P. Fuller and J. E. Trowbridge, for Lot 64, Section 2, Evergreen Cemetery, at \$240.00.
- (b) Deed with Mrs. Ethel F. Williamson, for South half of Lot 5, Section S, Elmwood Cemetery, transferred from J. F. Furlong, Jr. and wife, at a price of \$1.00 for new deed.
- (c) Deed with William C. Mellon and wife, Ruth R. Mellon for Lot 329, Section 3, Evergreen Cemetery, at \$189.00.
- (d) Deed with Olen C. Earney and wife, Mary R. Earney for Lot 328, Section 3, Evergreen Cemetery, at \$189.00.
- (e) Deed with Charles G. Linder, for Northeast quarter of Lot 9, Section S, Elmwood Cemetery, transferred from Mrs. Esther Linder, at a price of \$1.00 for new deed.

**ISSUANCE OF LICENSE TO OPERATE DETECTIVE AGENCY AUTHORIZED TO CALVERT L. LOVELESS AND JAMES L. BALLARD.**

Upon motion of Councilman Brown, seconded by Councilwoman Evans, and unanimously carried, a license was authorized issued to Calvert L. Loveless and James L. Ballard to operate a Detective Agency.

**SICK LEAVE AUTHORIZED TO CHARLES L. WIDMER, SHIFT FOREMAN, DOUBLAS MUNICIPAL AIRPORT.**

Councilman Albea moved approval of the advance of a year's sick and annual leave to Charles L. Widmer, Shift Foreman at Douglas Municipal Airport, in order that he may continue to be carried on the payroll. The motion was seconded by Councilman Baxter, and unanimously carried.

**CREATION OF POSITION OF SECOND ASSISTANT CITY ENGINEER AND LUTHER BOBO ADVANCED TO FILL POSITION.**

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, the position of Second Assistant Engineer was created and Luther Bobo of the City Engineering Department was reclassified and advanced to fill the position at a monthly salary of \$622.00, the salary being based on the nine years service of Mr. Bobo.

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OPENING OF ROAD ACROSS CITY PROPERTY FROM NEW HAVEN DRIVE TO NEW CASTLE ROAD FOR BENEFIT OF SCHOOL CHILDREN.

Motion was made by Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, authorizing the opening of a road across city property from New Haven Drive to New Castle Road, for the benefit of school children.

ORDINANCE NO. 355 AMENDING CHAPTER 6, ARTICLE I, SECTION 31(e) OF THE CITY CODE RELATIVE TO THE METHOD OF CALCULATION OF SEWER RENTAL CHARGE ON WATER CONSUMED ON PREMISES ON OR AFTER NOVEMBER 1, 1956, DENIED.

An ordinance entitled: "Ordinance No. 355 Amending Chapter 6, Article I, Section 31(e) of the City Code Relative to the Method of Calculation of Sewer Rental Charge on Water Consumed on Premises on or After November 1, 1956" was introduced by Councilman Brown, who moved its adoption. The motion was seconded by Councilman Smith, and lost, with the votes cast as follows:

YEAS: Council members Brown, Smith and Evans.

NAYS: Council members Albea, Baxter, Dellinger and Wilkinson.

Mr. Henry Benoit, representing The Charlotte Laundry, expressed his displeasure at the action of the Council and gave warning that he expected to take the matter to Court.

ADJOURNMENT.

Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, the meeting was adjourned.

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L. L. Ledbetter, Deputy City Clerk