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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, September 24, 1958, at 4 o'clock p.m., with Mayor Smith presiding and Council members Albea, Baxter, Brown, Dellinger, Evans, Foard 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 Brown, seconded by Councilman Wilkinson, and unanimously carried, the Minutes of the last meeting on September 17th were approved as submitted.

CERTIFICATE OF AWARD FOR MAINTAINING HIGH LEVEL OF PERFORMANCE IN TRAFFIC ENGINEERING AS REPORTED TO THE ANNUAL INVENTORY OF TRAFFIC SAFETY ACTIVITIES FOR 1957, PRESENTED CITY OF CHARLOTTE BY INSTITUTE OF TRAFFIC ENGINEERS.

Mr. Robert Burch, Traffic Engineer of the State Highway Commission and Southern Regional Director of the Institute of Traffic Engineers, appeared before Council and presented the City on behalf of the Institute of Traffic Engineers a Certificate of Award for maintaining a high level of performance in Traffic engineering as reported to the Annual Inventory of Traffic Safety Activities for 1957, Mr. Burch asked the Council to think about the last year, so that they can profit by the wrong things done traffic-wise and be guided by those that were right. He congratulated the Council on the Traffic Engineering setup in Charlotte, and stated that so much could not have been accomplished by it without it being headed by the very efficient and outstanding Traffic Engineer, Mr. Herman Hoose. Mr. Burch stated further that the City of Charlotte is one of fifty-three departments in the World, not just the United States, receiving this recognition.

Mayor Smith asked Mr. Hoose to receive the Certificate of Award, and expressed his appreciation to Mr. Burch and stated that he and the Council are, indeed, proud of Mr. Hoose and his splendid record.

CITY ATTORNEY DIRECTED TO DRAW AMENDMENT TO SUNDAY OBSERVANCE ORDINANCE TO PERMIT OPERATION OF COIN OPERATED UNATTENDED LAUNDRIES TO OPERATE ON SUNDAY.

Mrs. Nancy Burns, 1208 Gordan Street, requested that the Sunday Observance Ordinance be amended to permit Coin Operated Unattended Laundries to remain open for operation on Sunday. Mrs. Burns stated there are only 9 such laundries in Charlotte.

Mr. Yancey, City Manager, stated he had had a complaint regarding the operation of one of these laundries on Sunday, and he asked the City Attorney for a ruling, and Mr. Shaw has replied that it is not permissible under the present Sunday Observance Ordinance, and the adoption of an amendment to the Ordinance will be necessary to make it legal.

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Councilman Dellinger moved that the Council consult further with the City Attorney on the matter. The motion was lost for a lack of a second.

Councilman Baxter moved that the City Attorney be instructed to draw an amending ordinance to permit these laundries to remain open on Sunday, for consideration of Council next week. The motion was seconded by Councilwoman Evans, and unanimously carried.

CITY MANAGER REQUESTED TO MAKE RECOMMENDATION AS TO ADJUSTMENT IN SALARY OF MRS IDA COOPER, ASSISTANT CLERK IN RECORDER'S COURT OFFICE.

Councilman Brown stated that when Mrs Ida Cooper was made Assistant Clerk of Recorder's Court some weeks ago, no adjustment was made in her salary. He moved that the City Manager and Personnel Director consider the matter and make a recommendation as to the adjustment at next week's meeting. The motion was seconded by Councilman Dellinger, and unanimously carried.

CITY MANAGER REQUESTED TO INVESTIGATE INEQUITY IN SALARY OF MR DELLINGER, IN TRAFFIC DIVISION OF POLICE DEPARTMENT.

Councilman Brown stated he understands that Mr Dellinger, in the Traffic Division of the Police Department is making less salary than the lady clerks in the same Division, which is an inequity. He requested the City Manager to look into the matter and advise the Council.

Councilwoman Evans stated she understood it was a matter of Mr Dellinger being a civilian Radio Dispatcher while the other Dispatcher is a Police Officer.

Councilman Albea stated he is of the opinion that inequities in salaries will be found in other or all city departments.

STATE HIGHWAY COMMISSION REQUESTED TO COMPLY WITH UNDERSTANDING AND RECOMMENDATION OF CITY MANAGER THAT PROPER SIGNS BE PLACED AT EACH END OF US 29 BYPASS INDICATING THAT US 29-A TRAVERSES THE CHARLOTTE BUSINESS AREA.

Councilman Brown stated that Mecklenburg County Board of Commissioners has protested to the State Highway Commission the elimination of US 29 through Charlotte. He stated that we now have only US 49 through Charlotte, and we certainly want US 29 through Charlotte with US 29 Bypass around the city.

Mr. Yancey, City Manager, read a letter from Mr Robert Burch, Traffic Engineer for the State Highway Commission, stating the protest of the Mecklenburg County Board of Commissioners has been received, and advising that it is his understanding that both Mr Yancey and Mr Hoose agreed to the transfer of US 29 to the new Charlotte Bypass as they did not care to retain US 29 routing over congested Graham Street. Mr Yancey also read his reply to Mr Burch, in which he advised him that it was his impression that the State Highway Commission would place at each end of Bypass, signs designating the new super highway as US 29 and designating the old route through Charlotte along Graham Street as US 29-A, with appropriate additional signs indicating that US 29-A traversed the business section of Charlotte and US 29 furnished a Bypass around the City, which practice is fairly uniform in North Carolina and other States.

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Councilman Dellinger asked if anyone knew who asked that US 29 be taken from in Charlotte? He then moved that the Council accept Mr. Yancey's recommendation and ask the State Highway Commission to acquiese. The motion was seconded by Councilwoman Evans, and unanimously carried.

PAPER PRESENTED AT CONFERENCE OF MAYORS IN MIAMI REGARDING LONG-RANGE FINANCIAL PLANNING FOR CITIES REQUESTED STUDIED BY COUNCILWOMAN EVANS, GROOMING OF PERSON TO SUCCEED TREASURER UPON RETIREMENT.

Councilwoman Evans stated that at the recent United Conference of Mayors in Miami a paper was presented on City Finances as of May 15, 1957, in which sound practices as to long-range financial planning were set out and recommended for the operation of successful municipal government. Councilwoman Evans stated she would like to suggest that a person be groomed to work with Mr Ledbetter, City Treasurer, in order that the City not be put in a similar position as it is today in the Police Department. She stated the paper also recommended that a four to six year financial plan be drafted by cities. She stated further that the paper referred to is reviewed in brief in the September issue of The Municipal South, and if it is read by the Council she believes they could come to an understanding as to what Charlotte's needs are.

Councilman Dellinger stated he thinks there should be someone second in command in every Department of the City.

Mayor Smith stated he would furnish all members of the Council with copies of the paper.

REPORT OF DAMAGES TO CAR OF J.B. MOORE BY PROTRUSION OF TREE TRUNK INTO ELIZABETH AVENUE, REFERRED TO CITY MANAGER FOR REPORT.

Councilman Foard referred to a letter addressed to the Mayor and Council from Mr. J. B. Moore, 1022 $\frac{1}{2}$ Emerson Drive, relative to damages to his car from backing into a tree trunk which protrudes at least ten inches into Elizabeth Avenue, for which claim will be filed with the City. Councilman Foard stated that he notes the tree trunk is still there. Mr. Yancey, City Manager, stated he has not seen the letter from Mr Moore, and if the Council members will just pick up the phone and report to his office such things that need correcting, he will be glad to have them investigated. Councilman Albea moved that the letter from Mr Moore be referred to the City Manager for recommendation and disposition. The motion was seconded by Councilman Foard and unanimously carried.

TRAFFIC SIGNAL WITH INTERCONNECTING EQUIPMENT DIRECTED INSTALLED AT NORTH TRYON AND 24TH STREETS.

Councilman Foard stated that he requested the installation of a traffic signal at North Tryon and 24th Streets the first part of this year and understood that it would be installed. That he now has a memorandum from the Traffic Engineer saying that the cost of the installation was not included in his Budget and therefore cannot be installed. Councilman Foard stated he is wondering if there will be no traffic lights installed this year? Councilman Dellinger stated that Mr Hoose told him and Mr Foard out in the hall that the light would be installed.

Mr Hoose was called into the meeting and stated that he has the traffic signal but does not have the interconnecting equipment, which is necessary. Mr. Yancey, City Manager, asked Mr Hoose if he has sufficient

funds in his budget to install the light, and if not could the funds be used and some other work be deferred? Mr Hoose replied that he thinks so.

Councilman Baxter then moved that the traffic light with interconnecting equipment be installed at North Tryon and 24th Street. The motion was seconded by Councilwoman Evans, and unanimously carried.

COMMITTEE TO STUDY UNUSUAL DRAINAGE PROBLEMS OCCURRING RECENTLY IN CHARLOTTE AND MECKLENBURG COUNTY TO SUBMIT RESUME OF ITS DELIBERATIONS TOGETHER WITH RECOMMENDATIONS.

Mayor Smith stated that he has a letter from Mr L. C. Cheek, City Engineer and Chairman of the Committee he appointed recently to study the unusual drainage problems occurring in Charlotte and Mecklenburg County, stating the Committee held a meeting on September 22nd, with all members present, and that they will submit a resume of their deliberations, with recommendations at an early date.

IMPROVEMENTS TO BRAIR CREEK SANITARY SEWER OUTFALL AUTHORIZED IN ACCORDANCE TO MEMORANDUM TO CITY MANAGER FROM CITY ENGINEER DATED SEPTEMBER 23, 1958.

Upon motion of Councilman Baxter, seconded by Councilman Foard, and unanimously carried, improvements to the Briar Creek Sanitary Sewer Outfall were authorized in accordance with the memorandum to the City Manager from the City Engineer dated September 23rd.

REQUEST FOR TEMPORARY SIDEWALK ON PHILMON STREET DENIED, DUE TO COST AND LACK OF BENEFIT TO GENERAL PUBLIC.

Mr. Yancey, City Manager reported on the request of Mrs Philmon for a temporary sidewalk on Philmon Street, from Creosote Road south to dead end, stating that the City Engineer has made an investigation of the matter and advises the cost would be \$1,200.00; that Philmon Street is a short, dead-end street, and sidewalks placed there would constitute a benefit solely for the abutting property, with no benefit to the general public. Councilman Baxter moved that her request be denied. The motion was seconded by Councilman Dellinger, and unanimously carried.

REPORT OF BI-MONTHLY BILLING OF WATER ACCOUNTS FILED WITH COUNCIL BY CITY MANAGER.

Mr. Yancey filed with each member of the Council a report regarding the ^{proposed} Bi-Monthly Billing of City Water Accounts, in which such practice was not recommended by himself, the Superintendent of the Water Department, and the Manager of the Water Department Billing and Collecting Division.

ORDINANCE NO. 490 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY AT THE SOUTHEAST INTERSECTION OF INDEPENDENCE BOULEVARD AND ROCKWAY DRIVE, FROM R-1 TO O/I DEFERRED FOR RECOMMENDATION FROM PLANNING BOARD.

Motion was made by Councilman Brown, seconded by Councilman Dellinger, and unanimously carried, that Ordinance No. 490 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte by changing property at the southeast intersection of Independence Boulevard and Rockway Drive, from R-1 to O/I, on appeal of the petitioner, Ray Barrier and wife, be deferred for recommendation from the Planning Board, who desire to make a general review and consideration of Independence Boulevard zoning policy in the area.

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ORDINANCE NO. 491 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY ON BOTH SIDES OF INDEPENDENCE BOULEVARD FROM EAST 7TH STREET, TO THE PRESENT INDUSTRIAL-ZONE LINE NEAR THE SEABOARD RAILWAY, FROM R-2 TO B-1, DEFERRED FOR RECOMMENDATION FROM PLANNING BOARD.

Upon motion of Councilman Brown, seconded by Councilman Dellinger, and unanimously carried, Ordinance No. 491 Amending the Zoning Ordinance by amending the Building Zone Map of Charlotte by changing property on both sides of Independence Boulevard from East 7th Street, to the present Industrial-Zone line near the Seaboard Railway, from R-2 to B-1, on petition of Emmett Wilkinson, Ernest L. DeLaney, et al, was deferred for recommendation from the Planning Board, who desire to make a general review and consideration of Independence Boulevard zoning policy in the area.

ORDINANCE NO. 492 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY AT THE NORTHEAST CORNER OF THE PLAZA AND INDEPENDENCE BOULEVARD, FROM R-1 TO B-1, ON PETITION OF MRS FLORENCE M. SYKES, ADOPTED.

Councilman Dellinger moved that Ordinance No. 492 Amending the Zoning Ordinance by Amending the Building Zone Map of Charlotte by changing property at the northeast corner of The Plaza and Independence Boulevard, from R-1 to B-1, on petition of Mrs Florence M. Sykes, be adopted, as recommended by the Planning Board. The motion was seconded by Councilman Baxter, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 283.

ORDINANCE NO. 493 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY AT THE SOUTH SIDE OF FIFTH STREET, IN REID PARK, FROM R-1 TO R-2, ON PETITION OF FRANK N. HARTON AND WIFE, ADOPTED.

Upon motion of Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, Ordinance No. 493 Amending the Zoning Ordinance by Amending the Building Zone Map of the Perimeter Area by changing property at the south side of Fifth Street in Reid Park, from R-1 to R-2, on petition of Frank N. Harton and wife, was adopted, as recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, at Page 284.

ORDINANCE NO. 494 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY BETWEEN LAMBETH DRIVE AND BENNETT STREET, NORTH OF NORTH #29, FROM R-2 TO INDUSTRIAL, ON PETITION OF M. E. ALEXANDER, ET AL, ADOPTED.

Councilman Baxter moved that the petition of Mr. M. E. Alexander and Southern Trailer and Equipment Company for zoning of the land at and near the warehouse and garages used by them about 8 years be approved as "Industrial" for the land area covered in the petition filed. This area to be "Industrial" in classification extends from the existing Industrial area along Lambeth Drive back to Hillsboro Avenue; thence to the edge of Lot 106, thence to Franklin Avenue, thence to the intersection of Franklin and Bennett Streets, and thence to the intersection of the existing Industrial line with Bennett; and thence along the existing industrial line to the starting point in Lambeth Drive. The motion was seconded by Councilman Wilkinson.

Councilwoman Evans offered a substitute motion that the decision of the Planning Board be upheld, changing the zoning on only that portion of the area lying south of the rear line of lots fronting on Hillsboro Avenue. The motion was seconded by Councilman Albea, and lost, with the votes cast as follows:

YEAS: Council members Albea, Evans and Foard.

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

The vote was then taken on the main motion by Councilman Baxter, for the adoption of Ordinance No. 494 as presented, and carried, with the votes cast as follows:

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

NAYS: Council members Albea, Evans and Foard.

The ordinance is recorded in full in Ordinance Book 12, at Page 285.

ORDINANCE NO. 495 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF THE PERIMETER AREA BY CHANGING PROPERTY IN BERRYHILL TOWNSHIP, WEST OF CAMA STREET AND SOUTH OF BLAIR HILL ROAD, FROM R-2 TO B-1, ON PETITION OF REALTY INVESTMENT & BUILDING COMPANY, DENIED.

Councilman Foard moved that Ordinance No. 495 Amending the Zoning Ordinance by Amending the Building Zone Map of the Perimeter Area by changing property in Berryhill Township, west of Cama Street and south of Blair Hill Road, from R-2 to B-1, on petition of Realty Investment and Building Company, be denied as recommended by the Planning Board. The motion was seconded by Councilwoman Evans, and unanimously carried.

ORDINANCE NO. 485 AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY BOUNDED BY TUCKASEEGEE ROAD, BIGHAM STREET, ROGERS STREET AND ENDERLY PARK BAPTIST CHURCH FROM R-2 TO B-1, ON APPEAL OF T.K. DAVIS, ET AL, ADOPTED.

Councilman Albea moved that the recommendation of the Planning Board be approved changing from R-2 to B-1 the property between Tuckaseegee Road and Rogers Street, adjacent to Bigham Street, as set forth in Ordinance No. 485 with the exception of the lots fronting on Rogers Street. The motion was seconded by Councilman Foard.

Councilman Wilkinson offered a substitute motion that Ordinance No. 485 be adopted changing the property as requested from R-2 to B-1. The motion was seconded by Councilman Brown, and carried, with the votes cast as follows:

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

NAYS: Council members Albea, Evans and Foard.

The ordinance is recorded in full in Ordinance Book 12, at Page 286.

RESOLUTION GRANTING PIEDMONT & NORTHERN RAILWAY COMPANY PERMISSION TO LAY SERVICE AND INDUSTRIAL TRACK ACROSS GLENWOOD DRIVE, ADOPTED ON FINAL READING.

A resolution entitled: "Resolution Granting Piedmont & Northern Railway Company Permission to Lay Service and Industrial Track Across Glenwood

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"Drive" was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Foard, was unanimously adopted on its final reading. The resolution is recorded in full in Resolutions Book 3, at Page 257.

RESOLUTION RE-DEFINING BOND OF THE CLERK OF CITY RECORDER'S COURT, ADOPTED.

A resolution entitled: "Resolution Re-defining Bond of the Clerk of City Recorder's Court" was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Baxter, was unanimously adopted. The resolution is recorded in full in Resolutions Book 3, at Page 258.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 20-ft driveway entrance at 1221 The Plaza.
- (b) One 20-ft driveway entrance at 104 LaSalle Street.
- (c) One 10-ft driveway entrance at 1005 Elizabeth Avenue.

STREETS TAKEN OVER FOR CITY MAINTENANCE.

Upon motion of Councilman Baxter, seconded by Councilman Brown, and unanimously carried, the following streets, having been put into condition to meet the City's requirements, were taken over for maintenance:

- (a) Etheridge Street, from Ashby Street to N. Church Street.
- (b) Swan Street, from Oliver Street to Hamilton Street.
- (c) Doggett Street, from S. Tryon St, 400 feet east to end.
- (d) Taylor Ave., from LaSalle St., 175 feet south to end of present maintenance.
- (e) Euclid Avenue, from Atherton St. to Ideal Way Extension.
- (f) Belton Street, from Scaleybark Road south 560 ft. to end.
- (g) Blackthorne Lane, from Belton Street to Haverhill Drive.
- (h) Haverhill Drive, from Scaleybark Road south 515 ft to end.

CONSTRUCTION OF SANITARY SEWER MAINS IN NEWCASTLE STREET, ST. MARY STREET AND CHURCHILL ROAD, AUTHORIZED.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and unanimously carried, the construction of sanitary sewer mains was authorized as follows:

- (a) Construction of 385-ft. of sewer main in Newcastle Street, at request of Marsh Realty Company, to serve five vacant lots, at an estimated cost of \$1,180.00. All costs to be borne by the City.
- (b) Construction of 140-ft. of sewer main in St. Mary Street, at request of W. T. Starnes, to serve one family unit, at an estimated cost of \$300.00. All costs to be borne by the City.
- (c) Construction of 125-ft. of sewer main in Churchill Road, at request of M. H. Ridenhour, to serve one family unit, at an estimated cost of \$420.00. All costs to be borne by the City.

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EXTENSION OF SICK LEAVE GRANTED MR K. B. BLACK, CHIEF PLUMBING INSPECTOR.

Motion was made by Councilman Albea, seconded by Councilman Foard and unanimously carried, granting extension of sick leave to Mr K. B. Black, Chief Plumbing Inspector, for a period of 30 days ending October 15th.

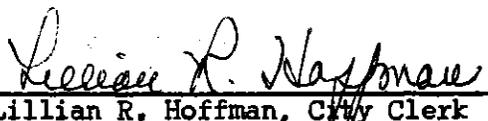
TRANSFER OF CEMETERY LOTS.

Councilman Wilkinson moved that the Mayor and City Clerk be authorized to execute deeds for the transfer of the following cemetery lots, which was seconded by Councilman Dellinger, and unanimously carried:

- (a) Deed with Mrs Mary C. Kelly, for Lot 115, Section 2, Evergreen Cemetery, at \$160.00.
- (b) Deed with Mr and Mrs Clifford Davies and Mr and Mrs Riley F. Kirk, for Lot 327, Section 3, Evergreen Cemetery, at \$189.00.

ADJOURNMENT.

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



 Lillian R. Hoffman, City Clerk