

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, September 5, 1951, 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 Jordan, seconded by Councilman Van Every, and unanimously carried, the minutes of the last meeting on August 29th were approved as submitted.

NOTICE OF CLAIM OF GEORGE ROBB, TRADING AS ROBB PLUMBING AND HEATING COMPANY AGAINST CITY RELATIVE TO PENDING SUIT OF NATIONAL BELLAS HESS STORES FOR DAMAGES BY BREAK IN WATER LINE.

Mr. Wm. T. Covington, Attorney, filed Notice of Claim of George Robb, trading as Robb Plumbing and Heating Company, against the City of Charlotte for any portion of damages against them awarded by the Courts to the National Bellas Hess Stores in their suit pending in Superior Court for damages to their stock caused by a break in the City's water system.

ALLOCATION OF \$2,000.00 AUTHORIZED TO MINT MUSEUM OF ART FOR OPERATING EXPENSES IF LEGAL.

Mr. Vernon Goode, Chairman of the Board of Trustees of the Mint Museum of Art, requested an appropriation of \$2,000.00 for the operation of the Museum. He advised they have been unable to keep abreast of the inflation during the past few years and are unable to meet their operating expenses. He expressed appreciation for the maintenance of the building by the City, and advised that the requested funds will not be used for this purpose.

Mr. Yancey, City Manager, advised that he was under the impression that the requested amount of funds had been included in the Budget requests for the Mint Museum, and later learned that the officials of the Museum had not understood that it should be included therein and had omitted it. He also advised that non-tax funds are available and the \$2,000.00 can be transferred for this purpose from the Emergency Fund.

Councilman Albea moved that the allocation of \$2,000.00 be made as requested if legal. The motion was seconded by Councilman Jordan, and unanimously carried.

Councilman Boyd requested that the City Attorney give the Council a written opinion as to the legality of the allocation.

RESOLUTION RELATIVE TO IMPROVING AND WIDENING 36th STREET FROM PLAZA ROAD TO NORTH TRYON STREET ADOPTED.

The resolution relative to improving and widening Thirty-sixth Street from Plaza Road to North Tryon Street was placed upon its second reading, having passed on its first reading on August 29th.

Councilman Boyd stated that based upon the fact that the five days published notice was given of this action and this reading, as required by law, he moved the adoption of the resolution on its second reading. The motion was seconded by Councilman Baxter.

Councilman Van Every stated that he conceded defeat on the question; that if the funds are to be spent in street widening and improving then he knew of no better place to put the money than in the improvement of Thirty-sixth Street. He stated further that he would like to urge the Council to sit

down together and plan an overall street improvement program that will be worthwhile and that will assure the City getting dollar for dollar return on the taxpayers money.

Councilman Coddington stated that he was not opposed to improving Thirty-sixth Street as originally offered, at an expenditure of approximately \$47,000.00 and still feels that the Council should have considered the recommendation of the City Manager and City Engineer for improvements best suited to the general needs of the streets; however, if funds ~~are~~ going to be spent for permanent improvements to a street that Thirty-sixth Street was as high on his list as any other street.

The vote was then taken on the motion for the adoption of the resolution, and carried, with the votes cast as follows:

AYE: Councilmen Albea, Baxter, Boyd, Dellinger, Jordan and Van Every.

NAY: Councilman Coddington.

The resolution is recorded in full in Resolutions Book 1, at Page 425.

SETTLEMENT WITH TROY WHITEHEAD MACHINERY COMPANY FOR LEASE OF AIRPORT HANGAR AND PROPERTY.

Mr. Yancey, City Manager, advised that the audit of the Troy Whitehead Machinery Company has been checked and found to be correct relative to their lease at Douglas Municipal Airport.

Councilman Coddington moved that the City settle with Mr. Whitehead, owner of Troy Whitehead Machinery Company, for their lease of hangar and property at the Airport on the basis of their offer of ~~six~~ percent discount of their asking price, at an amount of \$65,788.40 for immediate payment instead of waiting to make payment at the full price next July, subject to the final approval of the City Attorney. The motion was seconded by Councilman Baxter, and carried, with the votes cast as follows:

AYE: Councilmen Albea, Baxter, Coddington, Dellinger, Jordan and Van Every.

NAY: Councilman Boyd.

REPORT ON INVESTIGATION OF REQUESTS OF DR. E. L. RANN FOR IMPROVEMENTS IN VARIOUS SECTIONS OF THE CITY.

The City Manager made the following report on the investigation of the requests of Dr. E. L. Rann for improvements in various areas of the City:

1. That the matter of straightening the curve in Oaklawn Avenue should receive attention but as the City has no widening and paving program at this time the matter will have to wait until such time as surveys for such improvements are made.
2. That the sidewalk, or path along Oaklawn Avenue is badly in need of improvements; that the construction of a sidewalk would run into thousands of dollars and would have to be assessed against the property owners. He advised that the sidewalk will be gravelled and improved as much as possible.
3. That there are no funds available for the construction of fire stations at this time and will not be until another bond issue.
4. That the request for increased police patrol on Newland Road, Statesville Road and Beatty's Ford Road has already received the attention of the Chief of Police.
5. That the requested traffic light at Statesville Road and Oaklawn Avenue will be erected as soon as the equipment is received. That the Traffic Engineer submitted an adverse report on the installation of lights at the other locations where lights were requested. That periodic surveys of these locations will be made in the usual manner and if and when such survey reveals that lights are needed at any of the locations, they will be installed.

SETTLEMENT OF CLAIM OF D. M. ABERNETHY FOR DAMAGES TO CAR AND PERSONAL INJURIES.

Upon motion of Councilman Jordan, seconded by Councilman Van Every, and unanimously carried, the claim of Mr. D. M. Abernethy, in the amount of \$200.00 for damages to car and personal injuries resulting from an accident with a City Police car, No. 299, at Independence Boulevard and McDowell Street, was authorized settled at the full amount.

PLAT OF BELVEDERE HOMES SUBDIVISION APPROVED.

Councilman Albea moved approval of the Plat of Belvedere Homes Subdivision, being developed by the Charlotte Housing Authority, situated between Rozzell's Ferry Road, West Trade Street and Stewarts Creek. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONTRACTS FOR THE CONSTRUCTION OF WATER MAINS AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, contracts were authorized for the construction of water mains at the following locations:

(a) Contract with J. B. Archer et al for the construction of 715 feet of 2 and 6 inch water mains and one fire hydrant in Eastway and Arnold Drives, inside the city limits, at an estimated cost of \$2,425.00, to serve the property abutting on Arnold Drive and known as the M. C. Davis property. All costs to be borne by the City and applicants agree to pay an annual gross revenue equal to 10% of the cost of installation.

(b) Contract with J. B. Archer et al for the construction of 700 feet of 2 inch water mains in Arnold Drive, outside the city limits, at an estimated cost of \$870.00, to serve 10 residential lots abutting on Arnold Drive, known as the M. C. Davis property. All costs to be borne by the applicant, who will own same until such time as the territory is taken into the City, when said mains will automatically become the property of the City.

CONTRACT AWARDED CRAWFORD SPRINKLER COMPANY FOR DETECTOR CHECK VALVES.

Motion was made by Councilman Jordan, seconded by Councilman Van Every, and unanimously carried, awarding contract to the Crawford Sprinkler Company for Four 8 inch Automatic Detector Check Valves, as specified, at a total price of \$1,688.00, subject to 2% cash discount.

CONTRACT AWARDED THE SEAGRAVE CORPORATION FOR PUMPING ENGINE AND HOSE CAR WITH BOOSTER SYSTEM.

The City Manager recommended the award of contract for a Pumping Engine and Hose car with booster system for the Fire Department to The Seagrave Corporation, at a net delivered price of \$22,647.00. He advised that the bids on this equipment were received on August 30th and the lowest bid was that of Oren Roanoke Corporation at \$20,697.00 on an assembled engine. He stated that neither the Chief of the Fire Department, the Purchasing Agent nor he could recommend the purchase of an assembled engine.

Councilman Baxter stated it has been the custom to accept the lowest bid, but since the City has purchased more American-LaFrance Corporation fire equipment than any other and since there is only \$1,000.00 difference in the price of The Seagrave Corp. bid, to whom the award is recommended, and that of the American-LaFrance Corp. at \$23,628.20, he recommended the purchase of the American-LaFrance engine.

Chief Charles stated that the specifications were drawn up in the Fire Department, and it is their better judgment that The Seagrave Corp. engine be purchased; that the Department has two Seagrave engines that are entirely satisfactory; that he knows nothing about the Oren Roanoke Corp. engine and would not like for Charlotte to be used as a proving ground of the equipment, and that he cannot recommend the purchase of an engine at a higher price than one that he knows will give satisfaction.

Councilman Jordan moved that the contract be awarded to The Seagrave Corporation as recommended. The motion was seconded by Councilman Van Every, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES APPROVED.

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

- (a) One 12 ft. entrance at 1449 Queens Road West.
- (b) One 9 ft. entrance at 1919 Queens Road West.
- (c) One 9 ft. entrance extension to present 21 ft. driveway at 715 East 7th Street, for Jones Electric Company.
- (d) One 30 ft. entrance at 1613 Club Road.
- (e) One 9 ft. entrance at 1708 Dilworth Road West.
- (f) One 9 ft. entrance at 1712 Dilworth Road West.

SPECIAL OFFICER PERMIT AUTHORIZED ISSUED TO ONNIE M. HILL.

Councilman Baxter moved the renewal of the Special Officer Permit to Mr. Onnie M. Hill on the premises of Rulane Gas Company and Charlotte Tank Company for one year. The motion was seconded by Councilman Dellinger, and unanimously carried.

REPORT OF AIRPORT LEASES.

The City Manager reported that the following leases of Airport Buildings have been concluded:

BUILDING NO.	LESSEE	MONTHLY RENTAL	DATE AND TERM OF LEASE
68	Carolina School Supply Co.	\$99.90	6-15-51 1 year renewal
259	Draco Furnace Company	26.25	6-1-51 1 year renewal
242	Draco Furnace Company	54.25	7-1-51 1 year renewal

CEMETERY LOTS TRANSFERRED.

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

- (a) Deed with J. F. Stroud for Lot A in front of Rows 13 and 14 in Section A, North Pinewood Cemetery, at \$122.85.
- (b) Deed with W. M. Stroud for Lot C in front of Rows 13 and 14 in Section A, North Pinewood Cemetery, at \$81.90.
- (c) Deed with Marian Cox, for Lot C in front of Rows 15 and 16 in Section A, North Pinewood Cemetery, at \$81.90.
- (d) Deed with Mrs. Dorothy Powell Alsop, for Perpetual Care on Lot 49-Fraction, in Section I, Elmwood Cemetery, at \$42.50.
- (e) Deed with Dr. Henderson S. Fox, for north half of Lot 105-Fraction, in Section Q, Elmwood Cemetery, at \$43.75.

APPLICATION OF THE CLOROX CHEMICAL CORP. TO ERECT BUILDING AT 800 GESCO STREET IN AN INDUSTRIAL ZONE APPROVED.

Upon motion of Councilman Van Every, seconded by Councilman Dellinger, and unanimously carried, the application of The Clorox Chemical Corp. to erect a building at 800 Gesco Street, in an Industrial Zone, for the manufacture of clorox was approved.

BIDS ON RESURFACING OF STREETS REJECTED AND CITY MANAGER INSTRUCTED TO NEGOTIATE WITH BLYTHE BROS COMPANY, LOW BIDDER, TO ACCEPT CONTRACT AT SAME UNIT PRICE FOR A LESSER AMOUNT OF RESURFACING.

Councilman Coddington moved that the bids received on August 28, 1951 for the resurfacing of City streets be rejected, and the City Manager and City Engineer be authorized and instructed to negotiate with Blythe Bros.

September 5, 1951
Minute Book 34 - Page 104

Company, the low bidder, relative to their accepting the contract at the same unit price for a lesser amount of resurfacing. The motion was seconded by Councilman Baxter, and unanimously carried.

ADJOURNMENT.

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

Lillian R. Steffman
City Clerk