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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 5, 1956, at 4 o'clock p.m., with Mayor Van Every presiding, and Council members Albea, Baxter, Brown, Dellinger, Evans and Wilkinson being present.

ABSENT: Councilman Smith.

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#### INVOCATION.

The invocation was given by Councilman Claude L. Albea.

#### MINUTES APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, the Minutes of the last meeting on August 22nd were approved as submitted.

CITY MANAGER REQUESTED TO SECURE COST ESTIMATE OF RECONSTRUCTING FOOT BRIDGE OVER SUGAW CREEK AT TRANQUIL AVENUE TO SERVE CHILDREN ATTENDING PARK ROAD SCHOOL.

A delegation of parents of children attending Park Road School appeared before Council relative to the City reconstructing the foot bridge over Sugaw Creek at Tranquil Avenue. Mrs. Austin Thies presented a petition signed by 118 school patrons urging the replacement of the bridge, as a safety measure. She stated that since the bridge has been demolished by the City it is necessary that the children go to and from school via Hillside Avenue, which is heavily congested, and is hazardous to the children. She stated further there are 450 children in Park Road School and approximately 200 of them used the footbridge.

Mr. Yancey, City Manager, advised that the bridge was constructed as a temporary access to the school at the time Hillside Avenue was being extended to Park Road, and it was recently declared unsafe by the Board of School Commissioners. That the City Engineer found that the bridge could not be repaired so that it could be used with safety, therefore, it was demolished.

Mayor Van Every called attention that several years ago several children were killed when a foot bridge gave way over Sugaw Creek, and he wondered if the delegation had taken that into consideration in requesting the reconstruction of this bridge.

Mrs. Austin replied that they wanted a safe bridge constructed, and it had been their thought that probably gates could be placed on the bridge and the P.T.A. members be responsible for getting the children across the bridge.

Councilman Dellinger moved that the City Manager investigate the matter with the Engineering Department and give the Council a report as to the cost of reconstructing the bridge. The motion was seconded by Councilwoman Evans, and unanimously carried.

#### PARKING BAN ON TRADE AND TRYON STREETS CHANGED.

Councilman Baxter stated that the 90 days trial parking ban on Trade and Tryon Streets has not expired but the Merchants Association has discussed the matter with the Council and recommended that a change in the hours of the ban be made from 8:30 to 9:30 a.m. and 4:30 to 6:30 p.m., therefore, he moved that the hours of the ban be changed to 8 to 9 a.m. and 5 to 6 p.m. and that the parking regulations in effect prior to the beginning of the ban be effective on Saturday. The motion was seconded by Councilman Dellinger, and unanimously carried.

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REPORT OF CITY-COUNTY HEALTH CENTER SITE COMMITTEE.

A report of the activities of the City-County Health Center Site Committee, composed of Council members J. S. Smith, Martha W. Evans and H. H. Baxter, was filed, stating they had not decided on a suitable site and requesting that the Committee be continued until a site is obtained.

Mayor Van Every stated the Committee would be continued for a period of two weeks to continue their efforts to obtain a site.

MECKLENBURG COUNTY TAX SUPERVISOR REQUESTED TO PROVIDE CITY WITH MORE ACCURATE INFORMATION AND FIGURES RELATING TO THE TOTAL PROPERTY ASSESSMENT AT THE TIME THE CITY'S BUDGET IS PREPARED.

Councilman Baxter called attention that Mecklenburg County Tax Supervisor now gives Charlotte's taxable property valuation at \$415,000,000, whereas last spring the Council was given a taxable property estimate of \$401,000,000. He stated he feels that an underestimation of some \$14,000,000 is entirely too great, and has cheated the taxpayers of Charlotte out of a larger tax cut than was given. He moved that Mecklenburg County Tax Supervisor be requested to give the City Council more accurate information and figures as to the total property assessment in the future at the time the City's budget is prepared. The motion was seconded by Councilman Brown, and unanimously carried.

USE OF BOND FUNDS IN WIDENING OF CENTRAL AVENUE AND TUCKASEEGEE ROAD AUTHORIZED.

Councilman Wilkinson moved that the City Manager be authorized to use Bond Funds in the widening of Central Avenue and Tuckaseegee Road as outlined some months ago. The motion was seconded by Councilwoman Evans, and unanimously carried.

SCHOOL CROSSING GUARDS AUTHORIZED AT MARSH ROAD TO SERVE SEDGEFIELD GRAMMAR SCHOOL, AND AT HILLSIDE AVENUE TO SERVE SAINT ANN SCHOOL.

Upon motion of Councilman Brown, seconded by Councilwoman Evans, and unanimously carried, School Crossing Guards were authorized at Marsh Road to serve children attending Sedgefield Grammar School and at Hillside Avenue to serve Saint Ann School.

SALARIES OF SCHOOL CROSSING GUARDS INCREASED \$100.00 MORE PER YEAR.

Councilwoman Evans moved that the salaries of School Crossing Guards be increased \$100.00 more per year, which will make a total increase of \$550.00 for all salaries for the nine months school year. The motion was seconded by Councilman Wilkinson, and unanimously carried.

JUVENILE DETENTION HOME COMMITTEE CONTINUED AS BUILDING COMMITTEE FOR HOME.

Upon motion of Councilwoman Evans, seconded by Councilman Wilkinson, and unanimously carried, the Council Committee on the matter of a Juvenile Detention Home was continued as a Building Committee for the Home.

RESOLUTION WITH RESPECT TO EXCAVATION UNDER THE SIDEWALK ON THE EASTERLY SIDE OF SOUTH CHURCH STREET ADJACENT TO THE NEW WACHOVIA BANK AND TRUST COMPANY BUILDING.

A resolution entitled: "Resolution with respect to excavation under the sidewalk on the easterly side of South Church Street adjacent to the new Wachovia Bank and Trust Company" was introduced and read. Upon motion of Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, the resolution was passed on its first reading. The resolution is recorded in full in Resolutions Book 2, at Page 467.

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RESOLUTION WITH RESPECT TO EXTENSION OF ROOF OF PROPOSED BUILDING TO FORM CANOPY OVER SIDEWALK ON WESTERLY SIDE OF SOUTH TRYON STREET IN FRONT OF PROPERTY KNOWN AS NOS. 524-528 SOUTH TRYON STREET.

A resolution entitled: "Resolution with respect to extension of roof of proposed building to form canopy over sidewalk on westerly side of South Tryon Street in front of property known as Nos. 524-528 South Tryon Street" was introduced and read. Councilman Wilkinson moved the adoption of the resolution, which was seconded by Councilwoman Evans, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 468.

RESOLUTION APPROVING LEASE WITH U. S. GOVERNMENT RELATIVE TO CONSOLIDATION OF PRESENT LEASES OF AIR NATIONAL GUARD AND INCLUDING THEREIN LEASE OF PORTION OF CLOSED STATE HIGHWAY AND TRACT OF LAND AT DOUGLAS MUNICIPAL AIRPORT.

A resolution entitled: "Resolution approving lease with U. S. Government relative to consolidation of present leases of Air National Guard and Including therein Lease of portion of closed State Highway and Tract of Land at Douglas Municipal Airport" was introduced and read. Upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 2, at Page 466.

CHANGE ORDERS IN CONTRACTS OF REA CONSTRUCTION COMPANY, R. H. BOULIGNY, INC., AND L. O. CHAPMAN CO. INC. IN CONNECTION WITH IRWIN CREEK SEWAGE TREATMENT PLANT CONSTRUCTION.

Upon motion of Councilman Dellinger, seconded by Councilman Brown and unanimously carried, the following Change Orders in contracts for the Irwin Creek Sewage Treatment Plant construction were approved for payment:

- (a) Change Order No. 13 in Contract of Rea Construction Company General Construction of Plant, covering Items 1 through 29, in the total amount of \$15,829.04.
- (b) Change Order No. 7 in Contract of R. H. Bouligny, Inc., Electrical Work at Plant, covering Items 1 through 13, in the total amount of \$2,398.20.
- (c) Change Order No. 3 in Contract of L. O. Chapman Co. Inc., Air Diffuser Installation at Plant, covering Items 1 through 7, in the total amount of \$963.59.

CHANGE ORDERS IN CONTRACT OF R. MARRET WHEELER COMPANY FOR GENERAL CONSTRUCTION OF FIRE STATION NO. 10.

Motion was made by Councilman Baxter, seconded by Councilwoman Evans, and unanimously carried, authorizing the payment of the following Change Orders in the contract of R. Marret Wheeler Company, for the General Construction of Fire Station No. 10:

- (a) Change Order No. 1 covering additional excavation due to lowering of building 3,068 cubic yards, at \$1.00 per cubic yard.
- (b) Change Order No. 2 covering restaking the building and digging new footings, in the total amount of \$992.39.
- (c) Change Order No. 3 covering increase in height and design of rear retaining wall and addition of retaining wall on the north side, in the total amount of \$8,642.87.

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CONNECTION OF PRIVATE SANITARY SEWER MAIN AND TRUNK SEWER OWNED BY WALTER LAMBETH, JR. AND WALTER C. SPEARMAN, TO CITY'S SANITARY SEWERAGE SYSTEM IN SELWYN PARK NO. 4.

Councilman Albea moved that permission be granted Mr. Walter Lambeth, Jr. and Mr. Walter C. Spearman to connect 990 feet of privately owned sanitary sewer main and trunk sewer in Rockford Court Subdivision, to the City's sanitary sewerage system in Selwyn Park No. 4. The motion was seconded by Councilman Brown, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, the construction of the following sanitary sewer mains was authorized:

- (a) 370-feet of sewer main in Enderly Road West, to serve one business unit, at an estimated cost of \$905.00, to be borne by the City and applicant's deposit of \$505.00 to be refunded as per terms of the contract.
- (b) 3,359-feet of sewer main in West 3rd. Street to replace old inadequate sewer line, at an estimated cost of \$94,200.00, to be borne by the City.
- (c) 200-feet of sewer main in Briar Creek Road, to serve two family units, at an estimated cost of \$390.00, to be borne by the City.

CONTRACT WITH WALTER LAMBETH, JR. AND WALTER C. SPEARMAN FOR INSTALLATION OF WATER MAINS IN ROCKFORD COURT.

Councilman Wilkinson moved approval of a contract with Walter Lambeth, Jr., and Walter C. Spearman, for the installation of 1,220 feet of water mains in Rockford Court, outside the City, to serve residential property, at an estimated cost of \$2,000.00, with all costs to be borne by the applicant who will dedicate the mains to the city upon acceptance by the City. The motion was seconded by Councilman Baxter, and unanimously carried.

CONTRACT WITH THE CHARLOTTE NEWS FOR PUBLICATION OF 1955 DELINQUENT CITY TAXES.

Upon motion of Councilman Albea, seconded by Councilwoman Evans and unanimously carried, a contract was authorized with The Charlotte News for the publication of 1955 Delinquent City Taxes on August 14th and 21st., amounting to 1,471 3/4 columnar inches, on the basis of \$1.75 per columnar inch, representing a total price of \$2,575.56.

CITY AUTHORIZED TO CO-SIGN AGREEMENT BETWEEN THE STATE HIGHWAY COMMISSION AND WALTER LAMBETH, JR. AND WALTER C. SPEARMAN FOR RIGHT-OF-WAY FOR INSTALLATION OF WATER MAIN IN GARRIS ROAD.

Motion was made by Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, authorizing the Mayor and City Clerk to co-sign an agreement between The State Highway Commission and Walter Lambeth, Jr. and Walter C. Spearman, for right-of-way for the installation of a water main in Garris Road.

DUKE POWER COMPANY GRANTED PERMISSION TO INSTALL GRATES IN SIDEWALK ON EAST SIDE OF 100 BLOCK OF SOUTH CHURCH STREET OVER TRANSFORMER VAULTS TO SERVE WACHOVIA BANK BUILDING.

Councilman Brown moved that Duke Power Company be granted permission to install grates in the sidewalk on the east side of the 100 block of South Church Street, over the transformer vaults, to serve the new Wachovia Bank Building. The motion was seconded by Councilwoman Evans, and unanimously carried.

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**BUILDING PERMIT FOR ADDITION TO SERVICE STATION AT 1501 CENTRAL AVENUE AUTHORIZED.**

Motion was made by Councilman Baxter, seconded by Councilman Dellinger, and unanimously carried, authorizing the issuance of a building permit to Mr. Ernest Foard for the construction of an addition to the service station at 1501 Central Avenue, to contain a tire buffing machine for recapping tires.

**CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.**

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

- (a) Two 35-ft. driveway entrances at 1831 and 1833 Rozzells Ferry Road.
- (b) One 12-ft. and One 18-ft. entrance on Carmel Street.
- (c) Two 8-ft. entrances at 1712 West Trade Street.
- (d) Two 35-ft. entrances on The Plaza, One 35-ft. and One 40-ft. entrance on Independence Boulevard.
- (e) Two 35-ft. entrances on West Trade Street and Two 35-ft. entrances on Summit Avenue.

**ISSUANCE OF SPECIAL OFFICER PERMIT TO J. V. MURRAY AUTHORIZED.**

Councilman Dellinger moved approval of the issuance of a Special Officer Permit to Joseph V. Murray, 1913 Marguerite Avenue, for use on the premises of the Federal Reserve Bank. The motion was seconded by Councilman Baxter and unanimously carried.

**TRANSFER OF CEMETERY LOTS.**

Motion was made by Councilman Brown, seconded by Councilwoman Evans, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Mrs. Irene G. McCready for Graves #7 and #8, Lot 107, Section 3, Evergreen Cemetery, at \$80.00.
- (b) Deed with Mr. and Mrs. P. B. Breeden, for Graves #3 and #4, Lot 107, Section 3, Evergreen Cemetery, at \$80.00.
- (c) Deed with J. G. Alexander, for west part of Lot 128, Section D. Annex, Elmwood Cemetery, transferred from Mrs. Ella Correll, at \$1.00 for transfer deed.
- (d) Deed with Mrs. Ella Correll, for east part of Lot 128, Section D-Annex, Elmwood Cemetery, at \$1.00 for new deed.

**EMPLOYMENT OF ASSISTANT ACCOUNTING CLERK IN HEALTH DEPARTMENT AUTHORIZED.**

Upon motion of Councilman Albea, seconded by Councilwoman Evans and unanimously carried, the employment of an Assistant Accounting Clerk in the Health Department was authorized at a salary of \$250.00 per month.

**PURCHASE OF RIGHTS-OF-WAY FOR WIDENING WEST STONEWALL STREET BETWEEN SOUTH COLLEGE AND MINT STREETS.**

Upon motion of Councilman Brown, seconded by Councilman Albea, and unanimously carried, the purchase of property for the widening of West Stonewall Street between South College and Mint Streets was authorized from the following persons at the prices set forth:

H. P. Swinson and wife	\$15,000.00
Isabelle Wade Bacon, Successor Trustee	\$ 2,523.00
James Simpson Wilcox, Jr.	\$ 1,000.00
Theodore Smith	\$ 7,000.00
Duke Power Company	\$ 153.00
Claude M. Fulbright and wife	\$34,000.00

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CONTRACT AWARDED REA CONSTRUCTION COMPANY FOR GENERAL CONSTRUCTION OF HOSKINS FILTER PLANT.

Councilman Wilkinson moved the award of contract to Rea Construction Company for the general construction of the Hoskins Filter Plant, at a total price of \$3,575,000.00. The motion was seconded by Councilwoman Evans, and unanimously carried.

CONTRACT AWARDED TOOMEY BROTHERS FOR PLUMBING WORK IN THE CONSTRUCTION OF HOSKINS FILTER PLANT.

Motion was made by Councilman Albea, seconded by Councilwoman Evans, and unanimously carried, awarding contract to Toomey Brothers for the Plumbing work in the construction of Hoskins Filter Plant, at a total price of \$39,861.00.

CONTRACT AWARDED RELIANCE ENGINEERING COMPANY FOR HEATING AND VENTILATING IN THE CONSTRUCTION OF HOSKINS FILTER PLANT.

Upon motion of Councilman Brown, seconded by Councilwoman Evans, and unanimously carried, contract was awarded Reliance Engineering Company for the Heating and Ventilating in the construction of Hoskins Filter Plant, at a total price of \$80,946.00.

CONTRACT AWARDED BRYANT ELECTRIC COMPANY FOR ELECTRICAL WORK IN THE CONSTRUCTION OF HOSKINS FILTER PLANT.

Councilwoman Evans moved the award of contract to Bryant Electric Company for the Electrical Work in the construction of Hoskins Filter Plant at a total price of \$159,995.00. The motion was seconded by Councilman Brown, and unanimously carried.

EXTENSION OF SICK LEAVE FOR RUSSELL ALEXANDER, EMPLOYEE OF WATER DEPARTMENT.

Upon motion of Councilman Albea, seconded by Councilman Brown, and unanimously carried, sick leave for Russell Alexander, Water Department employees was extended through 1956.

CITY MANAGER AUTHORIZED TO NEGOTIATE WITH LEE H. WING FOR LAND AT 124 WEST 11TH STREET ON WHICH OWNER WISHES TO ERECT A LAUNDRY WHICH ENCROACHES ON BUILDING SET BACK LINE.

The City Manager advised that application has been made by Mr. Lee H. Wing for a building permit to construct a laundry at 124 West 11th Street which encroaches on the building setback line to the extent of 17.65 feet at the west end and 18.05 feet at the east end.

Councilman Dellinger moved that the City Manager be authorized to negotiate with Mr. Wing for the property. The motion was seconded by Councilwoman Evans, and unanimously carried.

ADJOURNMENT.

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

*Lillian R. Hoffman*  
Lillian R. Hoffman, City Clerk