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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, April 15, 1958, at 11 o’clock a.m., with Mayor Smith presiding and Council members Albee, Baxter, Brown, Dellinger, Foard and Wilkinson being present.

ABSENT: Councilwoman Evans.

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INVOCATION.

The invocation was given by Councilman Claude L. Albee.

MINUTES APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilman Dellinger, and unanimously carried, the Minutes of the last meeting on April 9th were approved as submitted.

PROTEST OF WIDENING OF EAST FIFTH STREET AND PETITION FOR THE IMMEDIATE OPENING AND WIDENING OF WEST SIXTH STREET FROM NORTH TRYON STREET TO NORTH GRAHAM STREET.

Mr. Parker Wheadon, Attorney, appeared before the Council with regard to the proposed widening of East 5th Street from Brevard Street to McDowell Street, and presented the following petition, which he stated is signed by the group he represents:

"HONORABLE MAYOR AND MEMBERS OF THE CHARLOTTE CITY COUNCIL:

WE, THE UNDERSIGNED PETITIONERS, are property owners and retail merchants in downtown Charlotte. During recent years we too have become increasingly aware of and alarmed about the congested tangle of traffic in the downtown area, and we have felt only too keenly its consequences to downtown business. We are completely in accord with your views that something must be done to alleviate this critical situation, and we commend you for the initiative you have shown to do something about it.

The only point where, with all respect for the opinions of others, we differ with anyone, is over the question where to start - that is, what improvements at this time would constitute the most rewarding expenditure of the limited public funds available? This question has been presented in sharp focus by the proposed widening of East Fifth Street. Our sincere feeling about the question is that the City, its taxpayers and average merchants would be distinctly more benefited by a widening of three and one-half blocks of West Sixth Street between North Tryon and North Graham than by the proposed widening of five blocks of East Fifth Street. Such a widening of West Sixth Street, thus directly connecting downtown Charlotte with the intersection of two major traffic arteries leading north and west, would necessarily and substantially reduce traffic congestion where it is worst and would provide a real and immediate thoroughfare for such purposes; and it could probably be accomplished at a lesser cost than the proposed Fifth Street project.

Accordingly, having no desire to obstruct, but only to contribute constructively to the orderly growth and development of Charlotte under your
good leadership, we earnestly petition you for the widening of West Sixth Street from North Tryon Street to North Graham Street.

Respectfully submitted,

Mrs. Edith G. Knight, Mgr. Peekaboo Shoe Store
Mrs. Freeman, Mgr. Federal Bake Shop
M. Silverstein, Mgr. Friedman Jewelers
S. C. Hair Interstate Advertising Co.
Palmer Park Sherwin Williams Co.
P. O. Robinson Property Owner
Morris Goodman, Mgr. Lucille Shop
Edwin Goodman Al Goodman Shoe Store
Robert Chaplin, Mgr. W. T. Grant Co.
Montalvos by Ann A. Wilkinson
S. C. Andrews Andrews Music Co.
Rubanks - Ranson Autos E. B. McManus
T. H. Lever Carolina Pharmacy
Home Credit Company
Anne Jarrell
M. E Faires
Simpson-Gordon Co.
C. Anders
L. M. Ogulian
Ridgeway's Opticians
Pilot Life Ins. Co.
Hawerty's Furn. Co.
Ledbetter Shoe Store
(Mary Jane)
Samuel Grossmold
Brittain Shoes
Pontiac Motors Dvn.
Markel System
Sears
Colonial Stores

G. E. Cameron
Crosland
Robert Hall Clothers
Western Auto Stores
Central Investment Co. by
F. J. Heath

E. C. Griffith Co. by
J. H. Cutter & Co.

Fred W. Bradshaw
American-Commercial Bank

Trustee for Bessie H.
Leslie by Trust Officer
E. R. Harty Heirs
Wesley C. Snow, Mgr.

Frank R. Harty, Agt.
Albright Charlotte Co.


Baptist State Convention of No. Carolina

by M. A. Huggins, General Secretary

Dr. O. B. Kirby
Southern Railway System

O. G. Toney, Passenger
Agent
Carolina Theatre
The Vogue

Mayfair Hotel, F. H.
Beddingfield, Pres.

J. P. Hackney, Jr. Co., Trustee,
107-12 W. 5th St. 74 ft.
204 E. Tryon St. 28'
401-405 W. 6th St. 180'

Mr. Whedon stated he did not believe you could find a group of citizens more interested in the alleviation of traffic congestion in the downtown area than his clients, who have a vital interest at stake.
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Councilman Dellinger asked if the group owns property on East Fifth Street? Mr. Whedon replied that only one of the group did. Councilman Dellinger then asked if Mr. Whedon meant that all of these people object to the widening of East 5th Street? Mr. Whedon replied that they feel when a public improvement is made with public funds, instead of by assessment, the improvement should be made where it is needed most. That they do not see any value in widening East 5th Street for five blocks, as it would only serve traffic coming from East 7th and East Trade Streets, and the proposed expenditure of $219,000 for the project will be of little worth to the average shopper. That when the project is continued through to Independence Boulevard, as proposed by the City, it will seriously affect Central High School athletic field, and the cost, which they understand will be in excess of $800,000 will not be worth it to the merchants.

Mr. Whedon referred to the provisions of Section 51 of the City Charter regarding the opening and widening of streets at the City's expense "where it is found as a fact that it is in the public interest" and stated that they think there is a grave doubt that the East 5th Street project is "in the public interest".

Mr. Whedon stated that the 5th Street widening would provide only a partial additional feeder, whereas there are already five on the east of the uptown business area - East Stonewall Street, East Trade, East 4th, East 7th and East 11th Streets. That the northwest entry into the business area is confined to West Trade Street, which is a grade crossing.

He stated further that his clients propose as an alternative the widening of three and one-half blocks of West 6th Street from North Tryon Street to North Graham Street, which would alleviate the bottleneck at West 5th Street and North Graham Street, and would provide a connection with the recently extended West 5th Street, which ties in with Rozzell's Ferry and Beatty's Ford Roads. He stated there are more customers coming into town over Rozzell's Ferry and Newton Roads than over the roads to Monroe and the east. Councilman Dellinger asked if Mr. Whedon proposed to widen West 6th Street only to Tryon Street? Mr. Whedon stated they are not traffic experts and have not looked into the proposal from a long range standpoint, and the extension of the street beyond Tryon certainly has merit. He called attention also to the fact that there are three or four underpasses into the uptown area on the east, while on the west there in only the one at West 5th Street.

Councilman Wilkinson stated there will be additional underpasses on the west shortly.

Councilman Dellinger asked if Mr. Whedon is contending that the Council is handling the matter on East 5th Street in any other but a legal manner. To which Mr. Whedon replied that he would not like to answer that at this time; however, their feeling is that it is a big expenditure of the taxpayers' money for the benefit that will be received by the average taxpayer.

Councilman Brown stated he has just checked with the Traffic Engineering Department and their figures show that the greatest congestion of traffic is on East 7th and East 4th Streets. Mr. Whedon stated that if a traffic count is made on the west side, they feel the figures would prove the traffic congestion to be greater. He asked why not wait until the traffic count that is now being made on highways leading into Charlotte is completed before making a definite decision as to the worth of the two projects.

Mr. David N. McConnell, Attorney, representing a number of downtown merchants, stated that the City will always run up against objections to any planning program. That the downtown business area represents 20 to 25% of the taxable value in Charlotte, and the lives of the merchants he represents, and others, depend on a good flow of traffic to the area. Mr. McConnell stated that deep concern over the widening of East 5th Street is felt by such business men as Geo. H. Ivey, R. M. Pound, Frank Phillips, Al Smith, Jack Wood and officials of Belk Bros., Ehrhardt and Tate-Brown Company. That the traffic situation on East 5th Street, from Tryon to Brevard, is serious; that it now turns Brevard to Third Street and here again causes a bottleneck. That with the widening of 5th Street the traffic can go to McDowell, a
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wide street, and spread out from there. Mr. McConnell stated further that he has no fear as to the legality of the project.

He stated that some of the owners of East Fifth Street property have spent millions of dollars on parking lots and parking buildings, whereas three North Carolina cities have had these parking facilities paid for by the City.

He urgently requested that the Fifth Street project be carried through in the interest of the common welfare of the people; and stated that the question of not continuing it after it has come this far is unthinkable; that consideration then be given by Council to planning for improvements to other streets as they deem necessary. He stated if the Council does nothing else but widen and open East Fifth Street, that it will be of untold benefit to the uptown merchants.

Mr. Whedon stated if he had a fine plant like Balk Bros. Company on East Fifth Street, he, too, would favor the project. That his clients do not say that the project will be of no value to the uptown area, but they say that the widening of West 6th Street will benefit more people. He urged that consideration be given the West 6th Street project and stated that his clients represent a greater number of taxpayers and they deserve full consideration.

Councilman Foard stated he thinks it would be well to consider the opening and widening of West 6th Street in future planning.

Mayor Smith stated that to his own knowledge, the widening and opening of West Fifth Street has been under discussion for the past three and a half years. He thanked the attorneys and interested persons for presenting their views to the Council.

REQUEST THAT STREET LIGHT BE REPLACED AT GARLAND COURT & PUBLIC LIBRARY

Councilman Dellinger requested the City Manager to have the street light replaced at Garland Court and the Public Library, which was removed when the Library was rebuilt. Mr. Yancey stated he is of the opinion that this is private property, in which case Duke Power Company will not replace the light; however, he will check into the matter.

REPORT OF INSURANCE COMMITTEE RELATIVE TO INSURANCE FOR CITY EMPLOYEES TO BE PRESENTED AT BUDGET MAKING TIME.

Councilman Dellinger asked if there is a Committee working on an Insurance Program for city employees, and if it is a Council Committee? Mr. Yancey replied that the Committee is working on the program and he will present a report on it to Council at budget making time.

STATE HIGHWAY COMMISSION TO BE REQUESTED TO IMPROVE BRANDYWINE ROAD.

Councilman Dellinger called attention to the condition of Brandywine Road, and asked if something cannot be done to improve it. Mr. Yancey stated it has been taken over by the State Highway Commission. He was requested to contact them with regard to improving the street.

REAPPOINTMENT OF GEORGE C. POTTER TO AUDITORIUM-COLISEUM AUTHORITY.

Councilman Dellinger moved the appointment of Mr. George C. Potter to the Auditorium-Coliseum Authority for a term of five years from the expiration of his present term on April 25th. The motion was seconded by Councilman Brown, and unanimously carried.
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ORDINANCE NO. 452 ADOPTED AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY LOCATED ON WILMORE DRIVE, BETWEEN DOWD ROAD AND LARCH STREET, FROM R-2 TO INDUSTRIAL, AS REQUESTED BY H. V. LANG WITH EXCEPTION OF A STRIP OF LAND 25 FEET WIDE ALONG THE WESTERLY SIDE LOT LINE OF THE LOT EXTENDING FROM THE FRONT TO THE REAR PROPERTY LINE.

Councilman Wilkinson moved the adoption of Ordinance No. 452 Amending Chapter 21, Article I, Section 2 of the City Code Amending the Building Zone Map of Charlotte by changing property located on Wilmore Drive, between Dowd Road and Larch Street, from R-2 to Industrial, as requested by H. V. Lang, 511 Dowd Road, with the exception of a strip of land 25 feet wide along the westerly side lot line of the lot extending from the front to the rear property line, as recommended by the Planning Board. The motion was seconded by Councilman Baxter, and unanimously carried. The ordinance, as adopted, is recorded in full in Ordinance Book 12, at Page 241.

ORDINANCE NO. 453 ADOPTED, AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY ON SHORTER AVENUE, BETWEEN INDEPENDENCE BOULEVARD AND TORRENCE STREET, FROM R-2 TO B-1 AS REQUESTED BY J. O. LONG.

Upon motion of Councilman Baxter, seconded by Councilman Wilkinson, and unanimously carried, Ordinance No. 453 was adopted Amending Chapter 21, Article I, Section 2 of the City Code Amending the Building Zone Map of Charlotte by changing property on Shorter Avenue, between Independence Boulevard and Torrence Street, from R-2 to B-1, on request of J. O. Long, as recommended by the Planning Board. The Ordinance is recorded in full in Ordinance Book 12, at Page 242.

ORDINANCE NO. 454 ADOPTED, AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY ON GARDNER AVENUE, AT CHAMBERLAIN AVENUE, FROM R-2 TO B-1-A, AS REQUESTED BY ZEB R. LITTLE ET AL.

Motion was made by Councilman Brown, seconded by Councilman Delligner, and unanimously carried, adopting Ordinance No. 454 Amending Chapter 21, Article I, Section 2 of the City Code Amending the Building Zone Map of Charlotte by changing property on Gardner Avenue, at Chamberlain Avenue, from R-2 to B-1-A, on request of Zeb R. Little et al, and recommended by the Planning Board. The Ordinance is recorded in full in Ordinance Book 12, at Page 243.

ORDINANCE NO. 455 ADOPTED, AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY ON SOUTH TORRENCE STREET, NEAR EAST FOURTH STREET, FROM R-2 TO B-2, ON REQUEST OF MRS. NANNIE M. STOWE.

Councilman Beard moved the adoption of Ordinance No. 455 Amending Chapter 21, Article I, Section 2 of the City Code Amending the Building Zone Map of Charlotte by changing property on South Torrence Street, near East 4th Street from R-2 to B-2, on request of Mrs. Nannie M. Stowe, and recommended by the Planning Board. The motion was seconded by Councilman Brown, and unanimously carried. The ordinance is recorded in full in Ordinance Book 12, at Page 244.

ORDINANCE NO. 456 ADOPTED, AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF CHARLOTTE BY CHANGING PROPERTY ON LAMAR AVENUE AT PARK DRIVE, FROM R-2 TO O-1, ON REQUEST OF JONAS L. COURTNEY ET AL.

Upon motion of Councilman Delligner, seconded by Councilman Brown and unanimously carried, Ordinance No. 456 was adopted Amending Chapter 21, Article I, Section 2 of the City Code Amending the Building Zone Map of Charlotte by changing property on Lamar Avenue at Park Drive, from R-2 to O-1, on request of Jonas L. Courtney et al, and recommended by the Planning Board. The ordinance is recorded in full in Ordinance Book 12, at Page 245.
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ORDINANCE NO. 457 ADOPTED, AMENDING THE ZONING ORDINANCE BY AMENDING THE BUILDING ZONE MAP OF THE CHARLOTTE PERIMETER AREA BY CHANGING PROPERTY ON SHARON-AMITY ROAD AND CROSBY ROAD, FROM R-1 TO R-2, AS RECOMMENDED BY THE PLANNING BOARD, IN LIEU OF TO R-1 AS REQUESTED BY MRS. RALPH W. SMITH.

Motion was made by Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, adopting Ordinance No. 457 Amending Chapter 21, Article II, Section 5 of the City Code amending the Building Zone Map of the Perimeter Area, by changing property on Sharon-Amity Road and Crosby Road, from R-1 TO R-2, as recommended by the Planning Board, in lieu of from R-1 to B-1 as requested by Mrs. Ralph W. Smith. The ordinance, as adopted, is recorded in full in Ordinance Book 12, at Page 246.

ORDINANCE NO. 458 AMENDING CHAPTER 21, ARTICLE I, (CHARLOTTE ZONING ORDINANCE) SECTION 4 (A) OFFICE-INSTITUTION DISTRICT, SUB-SECTION (A) BY INSERTING A NEW SECTION "17-A. FUNERAL HOMES", ADOPTED.

Councilman Baxter moved the adoption of Ordinance No. 458 Amending Chapter 21, Article I, Section 4(A), Office Institution District, Sub-section (A) of the City Code as amended by inserting after Item 17 thereof, a new section numbered 17-(A) entitled "Funeral Homes", for the following reasons:

(1) Funeral homes were omitted when Office-Institution Zone became a law because the Council wanted to consider each case separately, and we later found the law prohibited a separate consideration for separate locations.

(2) And furthermore, that Office-Institution Zone ruling was made into law due to the transition in a neighborhood to protect property from perhaps objectional business uses.

(3) And that furthermore Office-Institution Zone is no longer residential but can be used for certain particular classifications of business that usually do not generally operate when the business day is over.

The motion was seconded by Councilman Brown, and carried, with the votes cast as follows:


NAYS: Councilman Albee.

The ordinance is recorded in full in Ordinance Book 12, at Page 247.

CONTRACT AWARDED GEO. G. SCOTT & COMPANY FOR ANNUAL AUDIT OF CITY’S ACCOUNTS FOR FISCAL YEAR ENDING JUNE 30, 1958.

Upon motion of Councilman Baxter, seconded by Councilman Brown, and unanimously carried, contract was awarded Geo. G. Scott & Company for the Annual Audit of the City’s accounts for the fiscal year ending June 30, 1958, at a price not to exceed $8,000.00.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO SPECIAL APPROPRIATIONS FOR JUVENILE DIAGNOSTIC CENTER.

Councilman Brown moved approval of the transfer of $6,000.00 from the Emergency Fund (Code 110) to Special Appropriations (Code 103) for the Juvenile Diagnostic Center. The motion was seconded by Councilman Poard, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAIN IN CASSAMIA PLACE, AUTHORIZED.

Motion was made by Councilman Delligser, seconded by Councilman Brown, and unanimously carried, authorizing the construction of 70-feet of 8-inch sanitary sewer main in Cassamia Place, to serve one vacant lot,
at request of Dr. John L. Ransom, Jr., at an estimated cost of $250.00. All costs to be borne by the City, and refund of the required deposit of the full amount by the applicant, as per terms of the contract.

SUPPLEMENTARY CONTRACT WITH JOHN CROSLAND COMPANY FOR INSTALLATION OF WATER MAINS IN SPRING VALLEY SUBDIVISION.

Councilman Dellinger moved that Supplementary Contract be authorized with John Crosland Company for the installation of 9,585-feet of water mains and 7 hydrants in Spring Valley Subdivision, outside the city, at an estimated cost of $24,800.00. All costs to be borne by the applicant, who will dedicate the mains to the city upon completion without cost to the City. The motion was seconded by Councilman Foard, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

(a) One 20-ft. entrance on Providence Road, and One 20-ft. entrance on Cottage Place, both for 757 Providence Road.

(b) Two 35-ft. entrances on Tuckasegee Road, and One 35-ft. entrance on Randolph Street, all for 3418 Tuckasegee Road.

SPECIAL OFFICER PERMIT RENEWED TO HARRY R. FOGG.

Councilman Dellinger moved approval of the renewal of Special Officer Permit to Harry R. Fogg, for use on the premises of Charlotte Tank Corp. and Suburban Rulane Gas Company. The motion was seconded by Councilman Wilkinson, and unanimously carried.

CONTRACT AWARDED FRANK J. ZAMBONI & COMPANY FOR ICE RINK RESURFACER.

Councilman Brown moved the award of contract to the only bidder, Frank J. Zamboni & Company, for One Ice Rink Resurfacer, selfpropelled, as specified, at a total net delivered price of $8,421.79. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONTRACT AWARDED DELTA REALTY CORP. FOR SALE AND REMOVAL OF BUILDINGS #201 AND #255 AT DUGLAS MUNICIPAL AIRPORT.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and unanimously carried, contract was awarded the only bidder, Delta Realty Corp., for the Sale and Removal of Buildings #201 and #255 at Douglas Municipal Airport, as specified, at a total sale price of $561.50.

DEED FOR PERPETUAL CARE ON ELMWOOD CEMETERY LOT.

Motion was made by Councilman Wilkinson, seconded by Councilman Brown, and unanimously carried, authorizing the Mayor and City Clerk to execute a deed with Mrs. Minnie S. Gribble, for Perpetual Care on the east-half of Lot 8, Section N, Elmwood Cemetery, at $100.80.

TRANSFER OF FUNDS FROM EMERGENCY FUND (CODE 110) TO ACCOUNTING DEPARTMENT (CODE 202 B-21) FOR HIRING SERVICES OF AN AUDITOR TO COMPLETE QUESTIONNAIRE FROM INSTITUTE OF GOVERNMENT ON BEHALF OF MUNICIPAL STUDY COMMISSION OF THE N. C. GENERAL ASSEMBLY.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, $750.00 was authorized transferred from the Emergency
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Fund (Code 110) to the Accounting Department (Code 202 B-21) for hiring the services of an auditor to complete the questionnaire submitted by the Institute of Government, on behalf of the Municipal Study Commission of the N. C. General Assembly.

SUPPLEMENT AGREEMENT #1 TO LEASE NO. W-09-026-5099 WITH U. S. GOVERNMENT FOR BUILDINGS AND GROUNDS FOR NATIONAL GUARD AIRFORCES AT DOUGLAS MUNICIPAL AIRPORT.

Motion was made by Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, authorizing the Mayor and City Clerk to execute Supplemental Agreement #1 to Lease No. W-09-026-5099 with U. S. Government for Buildings and Grounds for National Guard Airforces at Douglas Municipal Airport.

EXTENSION OF SICK LEAVE TO CAPTAIN R. F. BARKLEY, FIRE DEPARTMENT.

Councilman Brown moved that Captain R. F. Barkley, Fire Department, be granted an extension of sick leave to June 4, 1958. The motion was seconded by Councilman Wilkinson, and unanimously carried.

EMPLOYMENT OF PERSONNEL FOR OPERATION OF NEW HOSKINS FILTER PLANT, AND TRANSFER OF FUNDS TO COVER SALARIES.

Upon motion of Councilman Dellinger, seconded by Councilman Wilkinson, and unanimously carried, the employment of One Chief Operator, 8 Operators, One Chemist, One Plant Engineer and One Instrument Technician for the operation of the new Hoskins Filter Plant was authorized, and $4,700.00 was authorized transferred from the Water Department, Salary Assistant Department-Head Account (Code 601 A-4) to Vest Station, Monthly Salary Account (Code 609 A-8) for the payment of salaries through the current fiscal year.

RESOLUTION RATIFYING, APPROVING AND CONFIRMING THE SALE OF PACKARD PLACE PROPERTY BY THE CHARLOTTE PARK & RECREATION COMMISSION TO MECKLENBURG REALTY & DEVELOPMENT COMPANY, AND AUTHORIZING THE EXECUTION OF A CORRECTED DEED THERETO BY THE CITY OF CHARLOTTE.

A resolution entitled: Resolution Ratifying, Approving and Confirming the Sale of Packard Place Property by the Charlotte Park & Recreation Commission to Mecklenburg Realty & Development Company, and Authorizing the Execution of a Corrected Deed thereto by the City of Charlotte, was introduced and read. Councilman Baxter moved the adoption of the resolution, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 3, at Page 199.

ADJOURNMENT.

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

Lillian R. Hoffman, City Clerk