

January 27, 1954  
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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, January 27, 1954, at 4 o'clock p.m., with Mayor Van Every presiding, and Councilmen Albea, Baxter, Boyd, Brown, Dellinger, Smith and Wilkinson present.

Absent: None.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the minutes of the last meeting on January 20th were approved as submitted.

ORDINANCE NO. 196 ADOPTED, AMENDING ZONING ORDINANCE CHANGING ZONING ON TWO LOTS AT 118-122 SOUTH SYCAMORE STREET.

At the hearing, continued from last week, on the requested change in zoning from Residence-2 to Business-1 on two lots at 118-122 South Sycamore Street, Mr. L. R. Herion withdrew his objections and stated that since talking with the petitioners for the change, he believed they will do everything possible to clean up the lots and it will work out satisfactorily. Councilman Dellinger moved the adoption of the Ordinance effecting the change, which was seconded by Councilman Wilkinson, and unanimously carried. The ordinance is recorded in full in Ordinance Book 11, at Page 335.

MECKLENBURG BAPTIST ASSOCIATIONAL BOARD PETITIONS COUNCIL TO REFRAIN FROM PERMITTING MOTION PICTURES TO BE SHOWN ON SUNDAY EVENING BETWEEN SIX AND NINE O'CLOCK.

Dr. C. C. Warren, Pastor of The First Baptist Church was spokesman for a delegation of churchmen appearing before Council in regard to the Sunday Ordinance. Dr. Warren, President of the Mecklenburg Baptist Associational Board, advised they are much concerned over the increasing disregard for the sanctity of the Lord's Day. He presented the following resolution from the Board:

"RESOLUTION OF THE MECKLENBURG BAPTIST  
ASSOCIATIONAL BOARD CONCERNING SUNDAY  
MOTION PICTURES IN THE CITY OF CHARLOTTE

WHEREAS, we believe that there is an increasing disregard for the sanctity of the Lord's day; and

WHEREAS, We are aware of a constant effort on the part of some toward further commercialization of this day; and

WHEREAS, We have reason to believe that friends or representatives of the motion picture industry will sooner or later request the city council to amend the city ordinance pertaining to the showing of motion pictures in Charlotte on Sunday in such a manner as to permit the showing of pictures between the hours of 6:00 and 9:00 P.M., and

WHEREAS, Fifty-two of our Baptist churches and nine of our chapels with a membership of approximately 25,000 Charlotte-Mecklenburg citizens are striving to promote the spiritual welfare of our city and county in training and worship services between the hours of 6:00 and 9:00 P.M. on each Lord's day, and

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WHEREAS, We believe that there are literally thousands of others in the religious organizations in our city and county who share in the sentiment which we voice,

THEREFORE BE IT RESOLVED

That we respectfully petition the members of the city council to refrain from any action which will permit the showing of motion pictures in the city of Charlotte on Sunday evening between the hours of 6:00 to 9:00 P.M.

Respectfully submitted,

MECKLENBURG BAPTIST ASSOCIATIONAL BOARD

(signed)

C. C. Warren  
President

J. Clyde Yates  
Vice President

L. A. Gable  
Secretary

Paul Hamrick  
Treasurer

This twenty-seventh day of  
January, 1954 "

Mayor Van Every advised Dr. Warren that the Council has agreed to hear anyone who wishes to speak on the subject of Sunday Motion Pictures at the Council Meeting next week.

CITY MANAGER AND TRAFFIC ENGINEER DIRECTED TO WORK OUT SOME RELIEF MEASURE FOR THE DOMESTIC LAUNDRY FROM THE PROPOSED TRAFFIC REGULATIONS ON SOUTH McDOWELL STREET.

Mr. Joe Grier, Attorney representing the owners of the Domestic Laundry, together with Mr. J. R. Harris, one of the owners, appeared before Council in regard to the traffic regulations recently put into effect on South McDowell Street, between Boundary and Morehead Streets. Mr. Grier stated he understood the regulations were made effective temporarily by the City Traffic Engineer and City Manager without the knowledge of the Council, and ask that the Council not ratify their continuance, but give his client some measure of relief by considering suggestions they have to make with regards thereto.

He advised that signs have been placed on the easterly side of McDowell Street prohibiting parking between 7:30 and 9:30 a.m. and between 4:30 and 6:30 p.m. and on the westerly side of the street signs reading "No Parking, Stopping or Standing At Any Time" have been erected. Also, traffic channels have been marked on the street. He stated that the cash and carry business of the Laundry is done primarily during these restricted hours, as people go to and from work, and this business will be entirely lost. Too, their trucks will find it practically impossible to get into and out of their lot if traffic is backed up in front of the Laundry due to channalization of traffic.

Mr. Grier pointed out that the ban on parking on the east side of the street can serve no good purpose during the morning hours, as there is no congestion with cars going north on McDowell. He asked that this ban be removed. He requested further that if it is absolutely necessary to channel traffic on McDowell Street, then do so only as far back from Morehead Street as the cars in line can get through on a green light, instead of backing traffic up on McDowell Street. He requested that the lanes be channeled from the Branch at the foot of the McDowell Street hill to Morehead Street, instead of to Boundary Street, and cars should be able to pass through the Go Signal without needless congestion.

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Councilman Smith moved that Mr. Yancey, City Manager, and Mr. Hoose, Traffic Engineer, work out some relief measure, as requested. The motion was seconded by Councilman Albea, and unanimously carried.

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AUTHORIZED TO BAKER CAB COMPANY FOR OPERATION OF CAB PURCHASED FROM B. E. BAKER.**

Councilman Brown moved approval of the request of Baker Cab Company to purchase Victory Cab #102 from Mr. B. E. Baker, and the issuance of a Certificate of Public Convenience and Necessity to Baker Cab Company for the operation of the cab, as recommended by the City Manager and Taxicab Inspector. The motion was seconded by Councilman Albea, and unanimously carried.

**RESOLUTION ADOPTED FIXING DATE OF PUBLIC HEARING ON ZONING ORDINANCE AMENDMENT TO CHANGE ZONING AT SOUTHEAST CORNER OF WEST BOULEVARD, ON FEBRUARY 17, 1954.**

An ordinance entitled: "Ordinance No. 198 To Amend the Zoning Ordinance" to change the Building Zone Map from R-2 to B-1 on property located at the southeast corner of West Boulevard and Shuman Avenue, was introduced. Following the reading thereof, a Resolution Providing for a Public Hearing on the Amendment on February 17, 1954, was presented and read, and upon motion of Councilman Albea, seconded by Councilman Smith, was unanimously adopted. The resolution is recorded in full in Resolutions Book 2, at Page 168.

**ORDINANCE NO. 199 ADOPTED PROVIDING FOR THE REGISTRATION OF BICYCLES.**

An ordinance entitled: "Ordinance No. 199 Providing for the Registration of Bicycles" was introduced and read. Councilman Smith moved the adoption of the ordinance, which was seconded by Councilman Brown, and unanimously carried. The ordinance is recorded in full in Ordinance Book 11, at Pages 336-337.

**RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON QUEENS ROAD WEST.**

A resolution entitled: "Resolution Authorizing Permanent Improvements on Queens Road West" was introduced and read, and upon motion of Councilman Baxter, seconded by Councilman Brown, unanimously passed on its first reading.

**RESOLUTION AUTHORIZING THE ADVERTISEMENT OF NOTICE OF RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS ON QUEENS ROAD WEST.**

A resolution entitled: "Resolution Authorizing the Advertisement of Notice of Resolution Authorizing Permanent Improvements on Queens Road West" was introduced and read. Upon motion of Councilman Baxter, seconded by Councilman Brown, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 2, at Page 170.

**CHANGE APPROVED IN TERMS OF CONTRACT WITH JOHN CROSLAND COMPANY FOR WATER MAINS CONSTRUCTION IN MYERS PARK AREA.**

Motion was made by Councilman Smith, seconded by Councilman Albea, and unanimously carried, authorizing a change in the terms of a contract dated November 4, 1953, with the John Crosland Company for the construction of water mains in the Myers Park area, whereby the Company may finance the entire cost (\$5,937.40) and be reimbursed the full amount if and when the revenue therefrom equals 5% for any 12-months continuous period.

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CONTRACTS FOR THE CONSTRUCTION OF WATER MAINS AUTHORIZED WITH THE DECAM CORP. AND MARSH REALTY COMPANY.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, contracts for the construction of water mains were approved as follows:

- (a) Contract with the Decam Corporation for the construction of 662 feet of water mains and 3 fire hydrants in Gardner and Chamberlain Avenues, inside the city limits, at an estimated cost of \$3,250.00 to serve industrial property abutting said streets. All costs to be borne by the City and applicant will guarantee a gross annual water revenue equal to 10% of the cost.
- (b) Contract with Marsh Realty Company for the construction of 7,100 feet of mains and 4 fire hydrants along Wilmount Road to serve Barringer Woods Subdivision, at an estimated cost of \$21,150.00. Cost to be financed by the applicant, same to be reimbursed if and when the revenue therefrom equals 5% for any 12-months continuous period.

AGREEMENTS AUTHORIZED WITH STATE HIGHWAY & PUBLIC WORKS COMMISSION FOR RIGHTS-OF-WAY FOR CONSTRUCTION OF WATER MAINS.

Upon motion of Councilman Wilkinson, seconded by Councilman Baxter, and unanimously carried, the Mayor and City Clerk were authorized to execute Agreements with the State Highway & Public Works Commission for rights-of-way for the construction of water mains in the following lots, outside the city limits:

1. Installation of an 8-inch C.I. water main in the south side of Woodlawn Road from Nations Ford Road to a point between the Southern Railway and the new Pineville Road, including the installation of such services as may be necessary in and across said road.
2. Installation of a 2-inch Galv. W.I. water main in the west side of the York Road from Peterson Drive west to Julia Avenue.
3. Installation of an 8-inch C.I. water main in the south side of Wilmount Road from the western city limits on Wilmount Road to the eastern city limits at the access road to the Barringer Road School.

STREETS TAKEN OVER FOR MAINTENANCE.

Motion was made by Councilman Baxter, seconded by Councilman Smith, and unanimously carried, authorizing the following streets to be taken over for maintenance:

- (a) Dickens Avenue, from Marlborough Road West to Orton St.
- (b) Marlborough Road East, from Marlborough Road West to Dickens Avenue.
- (c) Marlborough Road West, from Royston Road to Dickens Ave.
- (d) Royston Road, from Camp Greene Avenue to Weyland Ave.
- (e) Weyland Avenue, from Royston Road to S. Sharnbrook Dr.

CONSTRUCTION OF NEW SANITARY SEWER MAINS AUTHORIZED.

Upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, the construction of new sanitary sewer mains was authorized at the following locations:

- (a) Construction of 261-ft. of sewer main in North Myers Street, at an estimated cost of \$670.00, to serve 6 family units and 4 vacant lots, at request of Johnston Mills Company. All costs to be borne by the City.

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- (b) Construction of 5,367-ft. of 8-inch trunk line and mains in Barringer Woods, at an estimated cost of \$14,170.00, to serve 82 lots, at request of Marsh Realty Company. All costs to be borne by the City, and applicant's deposit of the full amount to be refunded as per terms of the contract.

**AMERICAN INVESTMENT COMPANY AUTHORIZED TO CONNECT PRIVATE SANITARY SEWER LINES TO CITY'S SEWERAGE SYSTEM.**

Councilman Dellinger moved that permission be granted the American Investment Company to connect their private sanitary sewer lines, outside the city limits, to the City's Sewerage System at Park Road and Manning Drive, Scofield Road and Topping Place, under the condition that they comply with all laws, rules and regulations now in effect, or which may hereafter become effective relative to property similarly situated. The motion was seconded by Councilman Brown, and unanimously carried.

**TRANSFER OF FUNDS FROM EMERGENCY FUND TO BUILDINGS & GROUNDS DEPARTMENT.**

Upon motion of Councilman Albea, seconded by Councilman Baxter, and unanimously carried, the transfer of funds from the Emergency Fund (Code 110) was authorized as follows:

- (a) \$1,590.69 to Department of Buildings & Grounds, Repairs to Buildings Account (Code 505 B-25) for the renovation of the second floor of the City Jail.
- (b) \$5,171.00 to Department of Buildings & Grounds, Capital Outlay Account (Code 1505 G-2) for the renovation of the basement of the Police Department Building to be used for new Juvenile Quarters.

**CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.**

Councilman Albea moved approval of the construction of Two 40-ft. driveway entrances on Independence Boulevard, and One 30-ft. and One 35-ft. entrance on Commonwealth Avenue, all for 1100 Pecan Avenue. The motion was seconded by Councilman Brown, and unanimously carried.

**CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR SOUTH CALDWELL STREET IMPROVEMENTS.**

Councilman Dellinger moved that contract be awarded the low bidder, Crowder Construction Company for the South Caldwell Street Improvements Project, as specified, on a unit price basis, representing a total price of \$14,761.50. The motion was seconded by Councilman Wilkinson, and unanimously carried.

**SPECIAL OFFICER PERMIT AUTHORIZED ISSUED TO J. L. PUCKETT, JR.**

Upon motion of Councilman Baxter, seconded by Councilman Smith, and unanimously carried, a Special Officer Permit was authorized issued to Mr. J. L. Puckett, Jr., for use on the premises of the Federal Reserve Bank.

**LEASE OF AIRPORT BUILDINGS REPORTED.**

The City Manager reported that leases had been concluded for the following buildings at Douglas Municipal Airport:

BUILDING NO.	LESSEE	MONTHLY RENTAL	DATE AND TERM OF LEASE
88	Sam Schwartz Machinery Co.	\$48.00	12-15-53 1 yr. renewal
53	Fisher Machinery Company	\$25.80	2-1-54

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TRANSFER OF CEMETERY LOTS.

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

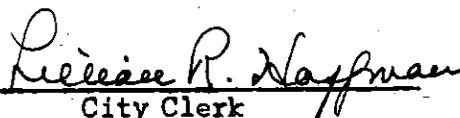
- (a) Deed with Mrs. Kathleen L. Matson, for Lot 195, in Section 4-A, Evergreen Cemetery, at \$81.90.
- (b) Deed with Mrs. Gladys Smith Russell, for Lot 200, in Section 4-A, Evergreen Cemetery, at \$81.90.
- (c) Deed with Mrs. Lucian J. Crouch, for transfer of north half of Lot 130, in Section X, Elmwood Cemetery, at \$1.00 for transfer.
- (d) Deed with Mr. Arthur L. Moore, for transfer of south half of Lot 77, in Section E, Elmwood Cemetery, at \$1.00 for transfer.
- (e) Deed with Mrs. Nordie A. Kee, for new deed to north half of Lot 77, in Section E, Elmwood Cemetery, at \$1.00.

SALARIES OF R. C. BIRMINGHAM AND J. C. DAVIDSON, ENGINEERING DEPARTMENT EMPLOYEES, INCREASED.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, the salary of Mr. R. C. Birmingham, Engineering Department Employee, was increased to \$385.00 and the salary of Mr. J. C. Davidson, Engineering Department Employee, was increased to \$375.00, effective February 1, 1954, as recommended by the City Manager.

ADJOURNMENT.

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

  
City Clerk