

July 5, 1950  
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A regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, July 5, 1950, at 11 o'clock a.m., with Mayor Shaw presiding, and Councilmen Aitken, Albea, Boyd, Coddington, Daughtry, Jordan and Wilkinson present.

#### INVOCATION.

The invocation was given by Councilman Claude L. Albea.

#### MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Aitken, and unanimously carried, the minutes of the last meeting were approved as submitted.

#### ORDINANCE (NO. 109) AMENDING THE ZONING ORDINANCE ADOPTED.

A hearing was held on an Ordinance (No. 109) to Amend the Zoning Ordinance by changing the Building Zone Map from R-2 to B-2 on all property of the Thompson Orphanage between Sugaw Creek and Cecil Street and south of the Orphanage property fronting on East 4th Street.

No objections were registered to the requested change.

Councilman Aitken moved the adoption of the ordinance effecting the change. Motion was seconded by Councilman Wilkinson, and unanimously carried. Ordinance is recorded in full in Ordinance Book 11, at Page 158.

#### RESOLUTION ADOPTED FIXING DATE OF HEARING ON AN AMENDMENT TO THE ZONING ORDINANCE (NO. 113).

An ordinance entitled, "Ordinance (No. 113) Amending the Zoning Ordinance" to change the Building Zone Map from R-2 to B-1 on the entire block bounded by Tuckaseege Road, Bigham, Gibson and McQuay Streets, was introduced and read. Following which a resolution entitled, "Resolution Providing for a Public Hearing on an Amendment to the Zoning Ordinance" on July 26th, was presented and read, and upon motion of Councilman Jordan, seconded by Councilman Wilkinson, and unanimously carried, was adopted. Resolution is recorded in full in Resolutions Book 1, at Page 293.

#### RESOLUTION ACCEPTING THE OFFER OF PIEDMONT CURTAIN & SHADE COMPANY AND CHARGING SAME TO STREET BOND FUNDS.

A resolution entitled, "Resolution Accepting the offer of Piedmont Curtain & Shade Company and Charging Same to Street Bond Funds" was introduced and read, and upon motion of Councilman Coddington, seconded by Councilman Wilkinson, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Page 294.

#### PUBLICATION OF REAL ESTATE FOR NON-PAYMENT OF 1949 TAXES AUTHORIZED.

Councilman Aitken moved that publication of real estate for the non-payment of 1949 taxes be authorized. Motion was seconded by Councilman Jordan, and unanimously carried.

#### RIGHT-OF-WAY FOR SEWER LINE PURCHASED FROM MYERS PARK CLUB, INC.

Upon motion of Councilman Coddington, seconded by Councilman Wilkinson, and unanimously carried, a right-of-way for sewer line construction was authorized purchased from the Myers Park Club, Inc., for the sum of \$2,500.00.

#### CONSTRUCTION OF NEW SANITARY SEWERS APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Daughtry, and unanimously carried, the construction of new sanitary sewers at the following locations was authorized:

- (a) 4,151-feet of main and 1,489-feet of trunk sewer in Maryland Ave. and Sterling Road, at an estimated cost of \$11,620.00, to serve 91 lots, requested by The Stephens Company. All costs to be borne by the City and applicant's deposit of full amount to be refunded as per contract.

- (b) 3,334-feet of main in Park Road and Selwyn Ave., at an estimated cost of \$6,640.00, to serve 30 family units and 45 vacant lots, requested by B. F. Wellons. All costs to be borne by the City and applicant's deposit of \$640.00 to be refunded as per contract.
- (c) 157-feet of main and 165-feet of trunk sewer in Ideal Way Extension at an estimated cost of \$560.00, to serve 1 family unit and 1 vacant lot, at request of Crosland-Cullen Co., with all costs to be borne by the City and applicant's deposit of \$200.00 to be refunded as per contract.
- (d) 2,190-feet of sewer in Fleetwood Road and Evergreen Drive at an estimated cost of \$5,080.00, to serve 68 family units and 210 proposed units, at request of Westwood Apartments, Inc., C. D. Spangler, Pres. All costs to be borne by the City.
- (e) 200-feet of sewer in Lander Street, at an estimated cost of \$540.00, to serve 3 housing units and 1 vacant lot, at request of W. E. McCall. All costs to be borne by the City.
- (f) 150-feet of sewer in Country Club Lane, at an estimated cost of \$340.00, to serve 2 family units and 2 vacant lots, at request of Ervin Construction Company. All costs to be borne by the City.

STREETS TAKEN OVER FOR MAINTENANCE.

Motion was made by Councilman Albea, seconded by Councilman Jordan, and unanimously carried, taking over for maintenance the following city streets:

- (a) Colville Road, from Lockely Drive to Scotland Ave.
- (b) Lockely Drive, from Llewelyn Place to Hempstead Place.
- (c) Hempstead Place, from Lockely Drive to Twifford Place.
- (d) Twifford Place, from Colville Road to a point approximately 50 feet southeast of Hempstead Place.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Motion was made by Councilman Jordan, seconded by Councilman Aitken, and unanimously carried, authorizing the construction of the following driveway entrances:

- (a) Two 30-ft. driveways on Meacham Street, and Two 30-ft. drives on South Boulevard, for the American Oil Company Service Station at corner of Meacham Street and South Boulevard.
- (b) Two 24-ft. driveways on South Boulevard and One 26-ft. and One 30-ft. drives on Mc Donald Avenue, for 2107c South Boulevard.

CONTRACTS FOR PURCHASES AUTHORIZED.

Upon motion of Councilman Albea, seconded by Councilman Aitken, and unanimously carried, the following contracts for purchases were authorized:

- (a) Contract with the American Cyanamid Company, for 15,750-lbs., of Sodium Fluoride, as specified, at \$12.60 cwt., representing a net delivered price of \$1,984.60.
- (b) Contract with Crane Company for 12,000-lineal feet of Soil Pipe and 550 Soil Pipe Bends, as specified, on a unit price basis, representing a total of \$5,963.26, subject to discount of \$119.26.

## CLAIM OF MRS. ROBERTINE M. HARRIS FOR PERSONAL INJURIES REFERRED TO CITY ATTORNEY.

Councilman Albea moved that the claim of Mrs. Robertine M. Harris in the amount of \$1,000.00, for personal injuries alleged to have been sustained from stepping into a hole in the sidewalk on East Trade Street, be referred to the City Attorney. Motion was seconded by Councilman Coddington, and unanimously carried.

## SPECIAL OFFICER PERMIT AUTHORIZED ISSUED NEAL M. FORNEY AT OPTIMIST PARK.

Upon motion of Councilman Daughtry, seconded by Councilman Aitken, and unanimously carried, a Special Officer Permit was authorized issued to Mr. Neal M. Forney, on the premises of The Optimist Park, 1600 N. Breward St.

## LEASE OF AIRPORT BUILDINGS REPORTED.

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

BUILDING NO.	LESSEE	MONTHLY RENTAL	DATE AND TERM OF LEASE
17	Newstand Fixture Company	\$15.00	6-1-60 1 year
288	Newstand Fixture Company	\$21.30	6-1-50 1 year
289	Draco Furnace Company	\$26.25	6-1-50 1 year

## UNANIMOUS CONSENT GIVEN PRESENTATION OF UNDOCKETED ITEMS.

Upon motion of Councilman Albea, seconded by Councilman Aitken, the unanimous consent of Council was given the presentation of the following undocketed items.

## RESOLUTION WITH RESPECT TO ACQUISITION OF RIGHT-OF-WAY FOR SANITARY SEWER TRUNK NEAR BRIAR CREEK OUTFALL SEWER LINE.

A resolution entitled, "Resolution with Respect to Acquisition of Right-of-Way for Sanitary Sewer Trunk near Briar Creek Outfall Sewer Line", was introduced and read, and upon motion of Councilman Aitken, seconded by Councilman Wilkinson, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Pages 295 and 296.

## RESOLUTION ESTABLISHING POLICY WITH RESPECT TO THE EXTENSION OF THE CITY LIMITS.

A resolution entitled, "Resolution Establishing Policy with Respect to the Extension of the City Limits" was introduced and read. Councilman Wilkinson moved the adoption of the resolution, and that it not be construed as affecting the two petitions for annexation to the City of Charlotte which have been informally filed and are now pending, both of which will be considered upon their merits. Motion was seconded by Councilman Albea, and unanimously carried. Resolution is recorded in full in Resolutions Book 1, at Page 297.

## RESOLUTION SUGGESTING THE NAME OF "JAMES ADDISON JONES HOMES" FOR NEW HOUSING PROJECT ON SOUTH TRYON STREET.

A resolution entitled, "Resolution Suggesting the Name of James Addison Jones Homes for the New Housing Project on South Tryon Street", was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Coddington, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Page 298.

## ROCK QUARRY STATUS.

Upon the inquiry by Councilman Boyd as to the status of the Rock Quarry question, Mr. Yancey, City Manager, stated that he had conveyed the request of the Committee to the City Attorney, that the Courts be petitioned to dissolve the restraining order against the dumping of garbage into the Quarry. Whereupon, Mr. John D. Shaw, City Attorney, stated he had not understood this request, and was under the impression the Committee wished to be advised as to the legal status of the matter; however, he would immediately petition the Courts to lift the restraining order.

INDUSTRIAL WASTE ORDINANCE STATUS.

Councilman Boyd asked the status of the Industrial Waste Ordinance now being prepared. The City Manager advised that work on the rates which industry will pay for handling industrial waste is being done by the engineers, and everything possible is being done to complete the work and present the ordinance within the next two weeks.

INQUIRY AS TO DATE OF FURTHER BUDGET STUDY.

Councilman Boyd requested the date of the next Council Budget Study meeting, and the possible date of its presentation for Council action. Mr. Yancey, City Manager, stated he would like the Council to meet on tomorrow evening and on Friday evening, if necessary, to complete the budget study. The Council concurred in the suggestion. Mr. Yancey also advised that the Budget Ordinance could then, no doubt, be presented for action not later than Wednesday, July 19th.

MEETING RECESSED UNTIL 2:30 O'CLOCK P.M.

Mayor Shaw stated the meeting would recess until 2:30 o'clock p.m., at which time additional matters would be considered; also, the Mecklenburg County Board of Commissioners would meet with the Council to consider, and adopt budget appropriations for joint governmental functions of the City and County for the fiscal year 1950-51.

MEETING RECONVENED AT 2:30 O'CLOCK P.M.

The Council Meeting was reconvened at 2:30 o'clock p.m., with Mayor Shaw presiding, and all members of the City Council present.

Also present were Mr. S. Y. McAden, Chairman, and Messrs. A. D. Cashion, J. Caldwell McDonald, Carl J. McEwen, and S. G. Porter, members of the Mecklenburg County Board of Commissioners.

RESOLUTION RELATIVE TO SETTING TENTATIVE TAX RATE FOR THE FISCAL YEAR BEGINNING JULY 1, 1950.

A resolution entitled, "Resolution Relative to Setting Tentative Tax Rate for the Fiscal Year Beginning July 1, 1950", was introduced and read, and upon motion of Councilman Albae, seconded by Councilman Jordan, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Page 299.

TAX LISTING DEPARTMENT APPROPRIATION, AND APPOINTMENT OF COMMITTEE TO EMPLOY TWO ADDITIONAL PERMANENT PROPERTY APPRAISERS.

Commissioner McAden moved that \$67,870.00 be jointly appropriated for the Tax Listing Department, on a basis of 35% by the City and 65% by the County. Motion was seconded by Commissioner McDonald, and unanimously carried.

Commissioner McDonald recommended that three appraisers be designated as permanent property appraisers in the Tax Listing Department, at salaries of \$6,000.00 per annum, on a basis of 30% to be paid by the City and 70% by the County. That Mr. U. V. Hawkins of the Tax Listing Department be assigned as an Appraiser and two additional men be employed for this duty. That these three appraisers work with the Cole-Layer-Trumble Company in making the present property revaluation survey, in order to learn the proper appraisal methods; the said Company to subsidize their salaries during this period. Commissioner McDonald also recommended that a joint City-County Committee be appointed to employ the appraisers. Councilman Aitken moved that the appraisers be employed on the basis recommended. Motion was seconded by Commissioner McAden, and unanimously carried.

Commissioner McAden moved that Councilmen Aitken and Wilkinson, and Commissioners Cashion and McDonald be appointed as the Committee to select and employ the additional two appraisers. Motion was seconded by Councilman Goddington, and unanimously carried.

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## DOMESTIC RELATIONS AND JUVENILE COURTS APPROPRIATION.

Councilman Aitken moved that \$75,113.30 be jointly appropriated for the Domestic Relations and Juvenile Courts, on a 50/50 basis. Motion was seconded by Councilman Albea, and unanimously carried.

## WEIGHTS AND MEASURES BUREAU APPROPRIATION.

Upon motion of Councilman Jordan, seconded by Commissioner Porter, and unanimously carried, a joint appropriation of \$3,847.00 was made for the operation of the Weights and Measures Bureau, on a 50/50 basis.

## MECKLENBURG VETERANS SERVICE OFFICER APPROPRIATION.

Commissioner McAden advised that \$8,566.97 was used during 1949-50 by the Veteran Service Officer of the \$10,000.00 joint appropriation, and an appropriation of \$8,685.00, including a salary increase of \$500.00 for the Service Officer, for 1950-51 is recommended by the County. Mr. McAden moved that the \$8,685.00 appropriation be made on a 50/50 basis. Motion was seconded by Councilman Jordan, subject to the approval of the City Council of the salary increase after salary increases have been decided for City Employees. The motion was unanimously adopted.

## FIRE PROTECTION OUTSIDE CITY - APPROPRIATION BY COUNTY.

Commissioner McDonald stated that the County had appropriated \$2,400.00 for standby charge and \$50.00 per trip for fire protection outside the city limits, furnished by the Charlotte Fire Department, and moved its acceptance. Motion was seconded by Councilman Aitken, and carried, with the votes cast as follows:

AYE: Councilmen Aitken, Albea, Boyd, Daughtry, Jordan and Wilkinson.  
Commissioners McAden, Cashion, McDonald, McEwen and Porter.

NAY: Councilman Coddington.

## PAUPER BURIALS APPROPRIATION.

Upon motion of Councilman Jordan, seconded by Commissioner Porter, and unanimously carried, the policy now in effect as to the distribution of the expense of pauper burials was approved, namely: the County to furnish the coffins and the City to provide the lot and grave excavation.

## CHARITY MATERNITY CARE APPROPRIATION DECLINED BY CITY.

The matter of providing Charity Maternity Care at participating hospitals was discussed at length. The City Attorney stated the Statutes provide that it is solely a responsibility of the Counties, and the City has only a moral obligation to its charity patients. Councilman Boyd and Coddington expressed objections to the City making an appropriation for this purpose. Following the discussion, Councilman Boyd moved that the City decline to participate in an appropriation for Charity Maternity Care, as the Council believes, upon advice of the City Attorney, that it is a legal responsibility of the County. Motion was seconded by Councilman Coddington, and upon vote of the Councilmen only, was unanimously adopted.

## COUNTY HEALTH DEPARTMENT APPROPRIATION.

The Commissioners were not in agreement with the Council as to the services furnished the County Health Department housed in the City Health Department Building, and deferred action for one week on making an appropriation to the City for the maintenance of the County Health Department.

CHARITY HOSPITALIZATION - APPROPRIATION BY CITY TO GOOD SAMARITAN HOSPITAL FOR OUT-PATIENT DEPARTMENT AND OPERATING LOSS.

Commissioner McAden stated the County had appropriated \$31,487.35 for Charity Hospitalization for Memorial Hospital and \$15,500.00 for Good Samaritan Hospital.

Mr. Marvin Hinson, Administrator for Good Samaritan Hospital, and Mr. John Small, Attorney, presented a financial report showing the need for an appropriation of \$141,000.00 - the report was as follows:

GOOD SAMARITAN HOSPITAL

Request to City - County 1950 - 1951

Unfunded loss for 1949-1950

Represented by promissory note to American Trust Company and secured by private endorsement \$20,000.00

Out-Patient Department

Actual cost 30,000.00

Charity Service

14,000 patient days at \$6.50 91,000.00  
\$141,000.00

Mr. Hinson requested that a joint City-County appropriation in the sum of \$141,000.00 be made to Good Samaritan Hospital.

Dr. Bethel, City Health Officer, stated that the City Health Department does not have the necessary facilities to serve an Out-patient Department, and recommended that the \$30,000.00 be appropriated as requested for this purpose.

Councilman Coddington moved that the City appropriate \$15,000.00 for the Out-patient Department at Good Samaritan Hospital. Motion was seconded by Councilman Boyd, and unanimously carried.

Councilman Boyd moved that \$10,000.00 be appropriated by the City to Good Samaritan Hospital against the \$20,000.00 operating loss, if approved as to its legality by the City Attorney. Motion was seconded by Councilman Coddington, and unanimously carried.

INDUSTRIAL HOME APPROPRIATION.

Councilman Daughtry moved that a joint appropriation of \$16,779.50 be made for the Industrial Home, on a 50/50 basis. Motion was seconded by Councilman Aitken, and unanimously carried.

MORRIS FIELD POLICE DEPARTMENT - COUNTY DEFERRED ACTION ON APPROPRIATION.

Chairman McAden stated the County has not made an appropriation in their budget for the Morris Field Police Department, and will advise as to their final decision within the next week.

ADJOURNMENT.

Upoh motion of Commissioner McAden, seconded by Councilman Aitken, and unanimously carried, the meeting was adjourned.

*Lillian R. Huffman*  
City Clerk