

A regular meeting of the City Council was held in the Council Chamber, City Hall, at 11 o'clock a.m., on Wednesday, June 29, 1949, with Mayor Shaw presiding, and Councilmen Aitken, Albea, Boyd, Coddington, Jordan and Wilkinson present.

Absent: Councilman Daughtry.

-----

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the minutes of the last meeting on June 22nd, were approved as submitted.

RESOLUTION AUTHORIZING INTERVENTION IN PETITION OF DUKE POWER COMPANY FOR INCREASED BUS RATES BEFORE STATE UTILITIES COMMISSION.

Mr. M. W. Stone and Mr. Pryde Basinger spoke for a delegation of residents of Selwyn Avenue and Park Road with regard to the proposed bus rate increase by the Duke Power Company, which was formally heard before the City Council on June 22nd and further considered by a special committee on June 26th. Mr. Stone urged the extension of the Selwyn Avenue Bus Line to Park Road, stating that 585 families resided in the Park Road area without bus service, and expressed opposition to the proposed extension of the line to Wakefield Drive only. The Reverend Harold Simpson, Pastor of Muzon Methodist Church, Selwyn Avenue, spoke in favor of the recommendation.

The following resolution was presented by Councilman Boyd, who moved its adoption. Following the reading thereof, the motion was seconded by Councilman Coddington, and the resolution was unanimously adopted:

WHEREAS, the Duke Power Company has filed a petition with the North Carolina Utilities Commission to increase its bus fares in the City of Charlotte from seven cents to ten cents based upon the contention that it is losing money on the seven cents rate, and

WHEREAS, the City Council of the City of Charlotte as the elected representatives of the people is not in position to admit or deny this contention and is without the aid and assistance of rate and fact finding experts necessary to establish and find the facts, and,

WHEREAS, the North Carolina Utilities Commission, under our law, is empowered to find the facts and set the rate and order extension of its lines, and,

WHEREAS, after due consideration of this matter, and after a public hearing before the City Council, and after a conference with the officials of the Duke Power Company and the City Council, the Mayor, City Manager, City Attorney, Charlotte's Traffic Engineer and a Committee of Citizens appointed by the Mayor and upon consideration of various petitions from Charlotte citizens for improved, enlarged and extended bus transportation facilities in Charlotte, the City Council of the City of Charlotte finds as a fact that public necessity demands improved, enlarged and extended bus transportation facilities for the citizens of Charlotte in the public welfare and interest, and that the few specific offers or proposals for extension of service made by the Duke Power Company are unsatisfactory and inadequate and that this proposed increase in fare would be unfair and unjust imposition of a burden upon the citizens of Charlotte, particularly so, unless the facilities are greatly improved, enlarged and extended.

THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that the City of Charlotte intervene in the matter of the petition

now pending before the North Carolina Utilities Commission wherein the Duke Power Company is seeking to increase its bus fares in Charlotte, and that the Mayor, City Manager and City Attorney be authorized and instructed to perfect said intervention in behalf of the citizens of Charlotte and represent before said Commission the rights and interests of the Citizens, and present to said Commission facts about the present inadequate and unsatisfactory service now being given by this Company and also present to said Commission an appeal to exempt all bona-fide school children from any increase in fares, if any be allowed, and also present to said Commission a map of the City of Charlotte showing present bus routes, with designated extended and additional routes needed and demanded, and to oppose any increase in bus fares unless the present services and facilities are enlarged, improved and extended as the Mayor, City Manager and City Attorney may outline to said Commission.

BE IT FURTHER RESOLVED that the Mayor, City Manager and City Attorney petition the Utilities Commission for a continuance in this matter and that this Commission send its expert investigators to Charlotte to get first hand knowledge of the present facilities in substantiation of our contention that they are unsatisfactory and inadequate.

In reply to the request of Mr. Charles Henderson, Attorney, that the information contained in the above resolution be publicized for the information of the general public, and the inquiry of Mr. C. D. Keller, resident of Beatties Ford Road, as to what information should be furnished the City with regard to requests for specific bus route extensions, Mayor Shaw stated that the Council's proposed intervention would be given wide publicity through the newspapers; and, that citizens should submit petitions for desired bus route extensions, together with all possible supporting evidence, to the City Manager immediately, in order that they be presented by the City to the State Utilities Commission at the hearing in Raleigh on July 7th.

REQUEST FOR BEER LICENSE DEFERRED ONE WEEK TO ASCERTAIN JURISDICTION OF CITY COUNCIL IN MATTER OF LICENSE ISSUANCE AND/OR RENEWAL.

Mr. Ben Wellons, Attorney, representing Mrs. Myrtle Miller, owner and operator of the M & M Cafe, located at Belmont Avenue and Caldwell Street, requested approval of her application for a beer license.

A large delegation of residents of the vicinity of Belmont Avenue appeared before Council with the Reverend R. S. Liner, Pastor of Grace Baptist Church, as spokesman, who, together with other residents of the area, expressed vigorous opposition to the sale of beer at the M & M Cafe.

Chief Littlejohn advised that approval of the application filed by Mrs. Miller was withheld on complaint and petition of residents of the neighborhood that the sale of beer at the said Cafe created a nuisance and detrimental influence.

Following the discussion, in which it was determined that under the new State Beverage Control Act, the responsibility and jurisdiction of the City Council with regard to the issuance of beer permits was not clear, the informal hearing was continued until next meeting and the City Attorney was directed to then advise the Council as to their authority in the matter.

RESOLUTION APPROPRIATING FUNDS FOR PAYING USUAL EXPENSE OF THE CITY PENDING THE ADOPTION OF THE ANNUAL APPROPRIATION RESOLUTION.

The following resolution was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Jordan, was unanimously adopted:

WHEREAS, there exists an interval between the beginning of the fiscal year on July 1, 1949 and the adoption of the annual appropriation resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte:

That an appropriation be and the same is hereby made for the purpose of paying during the said interval fixed salaries, the principal and interest of indebtedness, the stated compensation of officers and employees, and for the usual and ordinary expenses of the City, which appropriation shall be chargeable to the several appropriations respectively thereafter made in the annual appropriation resolution for the fiscal year 1949-50.

CONTRACT WITH LLOYD C. AND C. E. EATON AND E. L. MAYHEW FOR USE OF WATER AT DOUGLAS MUNICIPAL AIRPORT.

Councilman Wilkinson moved that contract with Messrs. Lloyd C. and C. E. Eaton and E. L. Mayhew be authorized for the use of water at Douglas Municipal Airport, as per the terms set forth in the contract. Motion was seconded by Councilman Coddington, and unanimously carried.

AGREEMENT WITH DUKE POWER COMPANY FOR RIGHT-OF-WAY ACROSS CITY PROPERTY FOR THE INSTALLATION OF OVERHEAD HIGH TENSION ELECTRICAL SUPPLY LINES.

Motion was made by Councilman Albea, seconded by Councilman Jordan, and unanimously carried, authorizing an Agreement with the Duke Power Company, for a right-of-way across city property north of the Filter Plant on Beattie's Ford Road for the installation of overhead high tension electrical supply lines by said Company.

CONSTRUCTION OF NEW SANITARY SEWER IN EAST SECOND STREET.

Upon motion of Councilman Jordan, seconded by Councilman Wilkinson, and unanimously carried, the construction of a new sanitary sewer main in East Second Street, from present trunk sewer west of Long Street 230 feet toward McDowell Street, at a cost of \$673.31, to serve one house and three duplex houses, was authorized.

APPLICATION OF GEO. H. ROBERTS TO LOCATE WAREHOUSE AND OFFICE AT 415 ATANDO AVENUE APPROVED.

Councilman Coddington moved approval of the application of Mr. George H. Roberts to locate a warehouse and office at 415 Atando Avenue, located within an Industrial zone district. Motion was seconded by Councilman Jordan, and unanimously carried.

TRANSFER OF CEMETERY LOT.

Upon motion of Councilman Jordan, seconded by Councilman Wilkinson and unanimously carried, the Mayor and City Clerk were authorized to execute a deed with Messrs. Ernest B. Finger and Leslie O. Finger for the transfer of Lot 243, Section 4-A, in Evergreen Cemetery, at a price of \$81.90.

ITEMS PRESENTED BY UNANIMOUS CONSENT OF COUNCIL.

Upon motion of Councilman Coddington, seconded by Councilman Jordan, the following items were presented with the unanimous consent of Council.

PRIVILEGE OF CONNECTING TO CITY'S WATER SYSTEM AT DOUGLAS MUNICIPAL AIRPORT GRANTED TO MRS. WEARN BERRYHILL.

Motion was made by Councilman Albea, seconded by Councilman Coddington, and unanimously carried, granting Mrs. Wearn Berryhill the privilege of connecting to the City's water system at Douglas Municipal Airport line, at her own expense, to serve a store building located on her property.

CONTRACT WITH WALTER W. HOOK & ASSOCIATES FOR ARCHITECTURAL SERVICES IN DESIGNING THE NEW ADMINISTRATION BUILDING AT DOUGLAS MUNICIPAL AIRPORT.

Councilman Albea moved approval of a contract with Walter W. Hook & Associates, for furnishing architectural services in designing the new administration building at Douglas Municipal Airport. Motion was seconded by Councilman Jordan, and unanimously carried.

APPOINTMENT OF LIAISON COMMITTEE TO RECOMMEND TO CITY AND COUNTY APPOINTMENT OF VETERANS SERVICE OFFICER.

Upon motion of Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, Mr. J. M. Munday, representing the American Legion, Mr. Howard Aldred, representing the Veterans of Foreign Wars and Mr. J. B. Whittington, representing the Disabled American Veterans, were appointed as a Liaison Committee to recommend to the Council and Board of County Commissioners a person for the post of Veterans Service Officer for Mecklenburg County.

Mr. Charles Myers, Judge Advocate of the North Carolina Veterans of Foreign Wars organizations, spoke in behalf of both the local and State organizations, endorsing Mr. Henry T. Ireland as Mecklenburg County Veterans Service Officer. Mayor Shaw advised Mr. Myers that the recommendation for the appointment would be made by the Liaison Committee.

ADJOURNMENT.

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

*Lillian R. Huffman*  
City Clerk