

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, May 30, 1951, at 4 o'clock p.m., with Mayor pro tem Van Every presiding, and Councilmen Albea, Baxter, Boyd, Coddington, Dellinger, and Jordan present.

Absent: Mayor Shaw.

#### INVOCATION.

The invocation was given by Councilman Claude L. Albea.

#### MINUTES APPROVED.

Upon motion of Councilman Dellinger, seconded by Councilman Jordan, and unanimously carried, the Minutes of the regular meeting on May 23rd were approved as submitted.

#### CASKIE PAPER COMPANY REQUESTS ADJUSTMENT IN PRIVILEGE LICENSE FEE APPLICABLE TO THEM AND SIMILAR COMPANIES.

Mr. A. R. Shaw, representing the Caskie Paper Company, appeared before Council relative to the privilege license fee now applicable to them and similar companies. He stated his Company feels there is an inequity in the license fees between the Wholesale Merchants, which allows a maximum charge of \$1,000.00, as compared to the maximum license fee charged Manufacturers which is \$150.00. Mr. Shaw asked the Council to take the matter under consideration with a view toward equalizing the fee.

Mayor pro tem Van Every and the Council assured Mr. Shaw that the request will be given full consideration.

#### REVENUE ORDINANCE LEVYING, ASSESSING, IMPOSING AND DEFINING THE LICENSE AND PRIVILEGE TAXES OF THE CITY OF CHARLOTTE FOR THE FISCAL YEAR BEGINNING JULY 1, 1951 AND ENDING JUNE 30, 1952, ADOPTED.

An ordinance entitled, "Revenue Ordinance Levying, Assessing, Imposing and Defining the License and Privilege Taxes of the City of Charlotte for the Fiscal Year Beginning July 1, 1951 and Ending June 30, 1952" was introduced and read. Upon motion of Councilman Boyd, seconded by Councilman Jordan, and unanimously carried, the ordinance was adopted. The ordinance is recorded in full in Ordinance Book 11, at Page 213.

#### RESOLUTION ADDING THE NAME OF JAMES EVERETT JOHNSON TO THE LIST OF OVER-AGE EMPLOYEES DESIRED TO BE RETAINED BY THE CITY.

A resolution entitled, "Resolution Adding the Name of James Everett Johnson to the List of over-age Employees desired to be retained by the City" was introduced and read. Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the resolution was adopted. The resolution is recorded in full in Resolutions Book 1, at Page 407.

#### AGREEMENT WITH J.M. WALLACE & WIFE, AND J. M. WALLACE, JR. & WIFE, FOR RIGHT-OF-WAY FOR WATER MAIN CONSTRUCTION ACROSS ECHO HILLS SUBDIVISION.

Motion was made by Councilman Jordan, seconded by Councilman Dellinger, and unanimously carried, authorizing an agreement with J. M. Wallace and wife, and J. M. Wallace, Jr. and wife, for 25-foot right-of-way across Lot 29 of Echo Hills Subdivision for the construction of a 12 inch water main between Monroe Road and Commonwealth Avenue.

PAYMENT OF OVER-RUN IN CONTRACT FOR STREET IMPROVEMENTS ON BALDWIN CIRCLE  
AUTHORIZED TO FLOWE BROS. CONSTRUCTION COMPANY.

Councilman Jordan moved that payment of \$773.00 be authorized to Flowe Bros. Construction Company for over-run in contract, in the amount of \$6,527.25 dated September 20, 1950, for street improvements on Baldwin Circle. Motion was seconded by Councilman Coddington, and unanimously carried.

CONSTRUCTION OF SANITARY SEWERS AT VARIOUS LOCATIONS APPROVED.

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

- (a) 750 feet of 8 inch sewer main in Madison Ave., at an estimated cost of \$1,300.00, to serve 22 vacant lots, at request of H. L. McCrorey, 301 Beattie's Ford Road. 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.
- (b) 800 feet of 8 inch sewer main in Belfast Drive, at an estimated cost of \$1,625.00, to serve 9 vacant lots, at request of John Crosland Company. All costs to be borne by the City and applicant's deposit of \$1,625.00 to be refunded as per terms of the contract.
- (c) 400 feet of 8 inch sewer main in West 30th Street, at an estimated cost of \$900.00, to serve 5 family units and 10 vacant lots, at request of Clay J. McClellan, 221 West 30th Street. All costs to be borne by the City.
- (d) 704 feet of 8 inch sewer trunk, in Briar Creek Outfall at an estimated cost of \$2,330.00, to serve 2 family units already built, at request of Dr. Paul W. Sanger, 1813 Providence Road. All costs to be borne by the City.

CONTRACTS FOR CONSTRUCTION OF WATER MAINS AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Jordan, and unanimously carried, authorizing contracts for the construction of water mains, as follows:

- (a) Contract with Reichhold Chemicals, Inc., for the construction of 4,527 feet of 12 inch main in Ridgeway and Pineville Roads, outside the city, at an estimated cost of \$22,800.00, to serve industrial property in the Maplehurst section of the Old Pineville Road. All costs to be borne by the applicant, who agrees to dedicate the mains to the City upon completion of construction and their acceptance by the City.
- (b) Contract with Triangle Development & Sales Company, Inc., for the construction of 625 feet of 2 inch main, in Nation Ford Home Development, outside the city, at an estimated cost of \$783.00, to serve 15 residential lots. All costs to be borne by the applicant who will dedicate said lines to the City upon their completion and acceptance by the City.
- (c) Contract with J. M. Wallace for the construction of 1,892 feet of mains in Echo Hills Subdivision, at an estimated cost of \$4,400.00, to serve 39 residential lots. All costs to be borne by the applicant. The City to furnish material and lay the mains and operate and maintain them. If and when the mains shall produce a revenue equal to 5% of the cost during any 12 months continuous period the City will pay to the applicant the first cost, without interest or depreciation.

LEASE OF SPACE IN PRESENT AIRPORT TERMINAL TO CAROLINA DRIVE-UR-SELF CORP.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, a lease was authorized with Carolina Drive-Ur-Self Corp., for space and right to erect, maintain and operate a booth or stand from the now present Terminal at Douglas Municipal Airport.

## CONTRACTS AUTHORIZED FOR PURCHASES.

Motion was made by Councilman Albea, seconded by Councilman Baxter, and unanimously carried, authorizing contracts with the following concerns for purchases:

- (a) Contract with Gray Concrete Pipe Company, for 304 lineal feet of 42" Class "L", Tongue and Groove Reinforced Concrete Pipe, as specified, on a unit price basis, representing a total price of \$2,751.20, for the Stonewall Street Underpass Project.
- (b) Contract with Union Supply & Electric Company, for 5,000 feet of No. 14 solid, twelve conductor cable, meeting IMSA specifications, on a unit price basis, representing a total price of \$2,593.50, subject to cash discount of \$12.97.
- (c) Contract with R. J. Todd, Contractor, for sanitary sewer construction in Melbourne Court Project, as specified, on a unit price basis, representing a total price of \$46,444.75.

## CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

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

- (a) One 10 foot entrance at 1708 Patton Avenue.
- (b) One 8 foot entrance at 166 Huntley Place.
- (c) One 23 foot entrance at Westfield Road for 1869 Queens Road, W.
- (d) One 9 foot entrance at 409 West Kingston Avenue.
- (e) One 18 foot entrance at rear of Commercial National Bank on Winifred Street.
- (f) One 14 foot entrance on Ideal Way at rear of 2200 Avondale Ave.

## SPECIAL OFFICER PERMIT GRANTED ROY T. TARLTON FOR USE AT CITY CEMETERIES.

Motion was made by Councilman Coddington, seconded by Councilman Baxter, and unanimously carried, authorizing the issuance of a Special Officer Permit to Roy T. Tarlton for use on the premises of the City's cemeteries.

## CONSIDERATION OF REGULAR INSPECTIONS OF STREETS AND SIDEWALKS DEFERRED ONE WEEK.

Councilman Boyd moved that consideration of having regular inspections made of streets and sidewalks upon which to base a policy for the improvement of streets and sidewalks need repairs, be deferred for one week. Motion was seconded by Councilman Albea, and unanimously carried.

## TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mr. Fletcher Ard, for east half of Lot 17L, in Section 3, Evergreen Cemetery, at \$52.00.
- (b) Deed with Mrs. J. W. McClung, for 18 sq. ft. of Lot 11, in Section C, Elmwood Cemetery, at \$6.30, and Deed for Perpetual Care thereon, at \$4.50.
- (c) Deed with C. R. Crumley for Perpetual Care on southeast portion of Lot 29, in Section S, Elmwood Cemetery, at \$35.00.
- (d) Deed with James W. Harrison and wife, for Lot C, in front of Rows #5 and #6, in Section A, North Pinewood Cemetery, at \$81.90.

REAPPOINTMENT OF H. P. HARDING TO CIVIL SERVICE COMMISSION.

Councilman Boyd moved the reappointment of Dr. H. P. Harding to the Civil Service Commission, for a term of three years from the expiration of his present term on May 15, 1951. The motion was seconded by Councilman Albea, and unanimously carried.

SUPPLEMENT TO MASTER PLAN OUTLINE FOR CHARLOTTE SUBMITTED BY PLANNING BOARD ACCEPTED FOR CONSIDERATION.

Upon motion of Councilman Jordan, seconded by Councilman Boyd, and unanimously carried, the Supplement to the Master Plan Outline for the City of Charlotte, submitted by the Planning Board, was accepted for consideration,

PARKING AUTHORITY MEMBERS CONFIRMED AND PROGRESS REPORT REQUESTED.

Councilman Dellinger moved that the present members of the Parking Authority be continued in office, and that they be requested to make a progress report to the Council at a time convenient to them. The motion was seconded by Councilman Jordan, and unanimously carried.

COUNCILMAN BAXTER QUOTES CITY CHARTER AS TO CITY'S POWERS RELATIVE TO REGULATION AND SUPERVISION OF PUBLIC UTILITIES, IN CONNECTION WITH BUS DRIVERS STRIKE.

Councilman Baxter stated the reason he has urged that some action be taken by the Council in regards to the existing bus drivers strike is because the strike may not be settled for 30 to 60 days and he believes the Council will have to work out something in order to assist the citizens in getting to their work. That it is the responsibility of the City to see that proper transportation service is furnished the citizens. He read Section 35 of the Charter relative to the Powers of the City, in connection with the regulation and supervision of the operation of all public utilities operating within the City.

CITY ATTORNEY DIRECTED TO GIVE LEGAL RULING AS TO WHAT COURT ACTION, IF ANY, THE CITY MIGHT RESORT TO COMPEL THE OPERATION OF BUSES SHOULD THE STRIKE BE PROLONGED.

Councilman Boyd stated that in his opinion unless the Duke Power Company bus drivers strike is settled soon it is liable to result in some kind of litigation, and in that case would the Council bring any sort of mandatory injunction in the matter? He moved that the City Attorney make an investigation of the law and give the Council a legal ruling as to what court action, if any, the City might resort to to force the Power Company to operate its busses should the strike be prolonged. The motion was seconded by Councilman Coddington, and unanimously carried.

ADJOURNMENT.

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

*Leicester R. Hoffman*  
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City Clerk