

A regular meeting of the City Council was held in the Council Chamber, City Hall, at 11 o'clock a.m., on Wednesday, September 14, 1949, with Mayor Shaw 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.

RESOLUTION AUTHORIZING PERMANENT IMPROVEMENTS TO CAMP GREENE AVENUE, FROM CAMP GREENE STREET TO ELON STREET.

A resolution entitled, "Resolution Authorizing Permanent Improvements to Camp Greene Avenue, from Camp Greene Street to Elon Street" was introduced and read, and upon motion of Councilman Jordan, seconded by Councilman Aitken, and unanimously carried, was adopted on its final reading. Resolution is recorded in full in Resolutions Book 1, at Page 198.

RESOLUTION APPOINTING APPRAISERS IN CONNECTION WITH PERMANENT IMPROVEMENTS TO CAMP GREEN AVENUE.

A resolution entitled, "Resolution Appointing Appraisers in Connection with Permanent Improvements to Camp Green Avenue", was introduced and read, and upon motion of Councilman Albea, seconded by Councilman Wilkinson, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Page 200.

ORDINANCE RELATIVE TO ESTABLISHING RULES & REGULATIONS GOVERNING PRIVATE DRIVEWAYS DEFERRED FOR STUDY BY CITIZENS COMMITTEE.

Mr. Robert Lassiter, Attorney, representing the Association of Independent Petroleum Retail Dealers, appeared before Council and requested that the proposed ordinance to regulate private driveways not be adopted. He stated it was his belief that the ordinance is designed mainly to benefit the pedestrian; that it will work a hardship on service station operators and others; that it is impracticable, and is not necessary; that the pedestrian is alert to driveways in the uptown area and traffic from private driveways in the residential areas do not constitute a hazard. He requested that if the ordinance is adopted then Section 2, Sub-section 1 be changed to 50-foot spaces in lieu of 30-feet, and that Section 2, Sub-section 3 be changed from 20 feet to 5 feet. He stated the ordinance would only be acceptable with these modifications.

Councilman Daughtry explained the ordinance will provide additional parking space in the uptown area, which is badly needed.

Mr. Yancey, City Manager, cited the intersection at Queens and Providence Roads as an example of a hazard to both pedestrians and vehicular travel. He also stated the islands between driveways should be made wide enough to park a car, and that driveways should certainly not be as wide as the streets.

Councilman Coddington stated the Council is endeavoring to improve the existing condition of having no regulation regarding driveways, and it is believed that the proposed ordinance will be helpful to all concerned.

Mr. Hugh Lobdell, Attorney, representing Carolina Delivery Service, requested the elimination of the words "or the drives themselves" in Section 39-A

of the proposed ordinance, stating this clause prohibits repair to, or paving of existing driveways.

Mr. A. L. Wiley, President of Auto Inn, expressed disapproval of the ordinance, stating it would put the smaller service stations out of business; that nothing will be gained by putting the restrictions into effect, and that he does not believe a pedestrian hazard exists due to driveways,

Following the discussion, the ordinance entitled, "An Ordinance Amending the City Code and Further Establishing Rules and Regulations Governing Excavations and Construction of Private Driveways, Etc" was introduced and read. Councilman Coddington moved that action be deferred and the commercial requirements of the ordinance be given further study, and a Committee of five citizens be appointed by the Mayor to study the situation and make recommendations to the Council. Motion was seconded by Councilman Boyd, and carried, with the votes cast as follows:

AYE: Councilmen Coddington, Boyd, Albea and Jordan.

NAYE: Councilman Aitken, Daughtry and Wilkinson.

RESOLUTION EXTENDING EFFECTIVE DATE FOR ENFORCEMENT OF NON-LEASING OF TAXICABS.

A resolution entitled, "Resolution Extending Effective Date for Enforcement of Non-leasing of Taxicabs" was introduced and read, and upon motion of Councilman Aitken, seconded by Councilman Coddington, was adopted, with the votes cast as follows:

AYE: Councilmen Aitken, Albea, Coddington, Daughtry and Wilkinson.

NAY: Councilmen Boyd and Jordan.

Resolution is recorded in full in Resolutions Book 1, at Page 201.

ORDINANCE (No. 78) AMENDING TAXICAB ORDINANCE TO PROVIDE FOR TAXIMETERS AND ESTABLISHING FARES IN CONNECTION THEREWITH.

Mr. Uhlman Alexander, Attorney, representing a group of negro citizens, presented a Petition, which he stated was signed by some 3,000 persons, requesting that Council not adopt the proposed ordinance to provide for taximeters and cab fares in connection therewith; that the taxicab companies be given an opportunity to try out a plan of 25¢ for passenger fare, as recently proposed by Cab Companies; that taxicab stands be established, and that no ban be enforced on cruising of cabs.

The Rev. A. W. Davis, resident of Cherry Section of the City, and the Rev. J. F. McKilly, resident of Washington Heights, spoke for a reduction in cab fares to 25 cents for the convenience of persons unable to pay the present fare.

The Rev. Joseph Fraylon requested a reduction in fares, and stated the petition presented by Mr. Alexander was circulated by him, and he had assisted in securing the signatures thereon. He submitted the results of a test made by himself of the cost for long cab trips under the meter system, which he stated was more than a working person could afford to pay.

Mayor Shaw stated he wished to know who originated the petition, if Mr. Fraylon was employed by anyone to circulate the petition and/or to secure the signatures thereon, if he had received pay from anyone for so circulating the petition, and if anyone other than himself and his "group" had assisted in circulating it? To which Mr. Fraylon replied that the petition was his own idea, he had not received any pay for circulating it, and that no one other than himself and his "group" at a mass meeting, regarding taxi fares, had anything to do with the petition.

Mayor Shaw then stated he wanted to clear up the matter of the petition bearing the signatures of 3,000 persons for the reduction in cab fares, that he now understands from Mr. Fraylon that the petition represents his own idea and the work in circulating it ^{was that} of only Mr. Fraylon and his "group", and that no outside interest was involved in the petition. Mayor Shaw advised that the petition will receive the usual careful consideration of the Council, who is attempting to regulate the taxicab situation to the best interest of both the Cab Companies and the citizens, and if anyone is

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adversely affected by the ordinance, the Council will wish to know it.

Mr. E. L. Gibson, cab driver for Beatty Service Company, stated he represented a majority of the Beatty Service Company drivers, who request a reduction in cab fares to 25 cents. He stated the drivers cannot make a living under the meter system; that he endorsed the establishment of taxi-stands in the uptown area and of cruising. He reviewed at length his experiences under various taxicab operating systems during his 30 years of service as a cab driver.

Mr. E. M. Geer, Driver for Red Top Cab Company, requested that the 25 cent fare be put into effect.

Following the discussion of the ordinance provisions, the ordinance entitled, "An Ordinance (No. 78) Amending the Taxicab Ordinance to Provide for Taximeters and Establishing Fares in Connection Therewith", was introduced and read. Councilman Aitken moved the adoption of the ordinance. Motion was seconded by Councilman Coddington, and carried on its first reading, with the votes cast as follows:

AYE: Councilmen Aitken, Coddington, Daughtry and Wilkinson.
NAY: Councilmen Albea, Boyd and Jordan.

The ordinance is recorded in full in Ordinance Book 11, beginning at Page 77.

Councilman Boyd stated for the record his reason for opposing the ordinance is that he believes it to be unfair and an unwarranted imposition in adding to the cost of transportation of the citizens; that the citizens do not favor taximeters, as evidenced by the petition filed today and signed by some 3000 persons, and because he did not believe taximeters have any relationship to taxicab services to the public.

In response to Councilman Boyd's statement, Mayor Shaw stated he hoped that time will prove the Council has done the proper thing in adopting the ordinance, which they believe to be for the interest of the largest number of citizens. Also, Councilman Aitken stated that the Council was requested to adopt an ordinance to give satisfactory taxicab service to the citizens; that nothing has been proposed that has not received the careful consideration of the Council, and he believes the provisions of the ordinance should be tried out and if not satisfactory should then be dealt with as the occasion arises.

MAYOR PRO TEM PRESIDES FOR REMAINDER OF MEETING.

Mayor Shaw left the meeting at this time, and Mayor pro tem Aitken presided for the remainder of the meeting.

FUNDS ALLOCATED FOR MAINTENANCE OF MECKLENBURG COUNTY BOARD OF ELECTIONS OFFICE.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, \$875.00 was allocated for the maintenance of the Mecklenburg County Board of Elections office, from September 1st to June 30, 1950, and transferred from the Emergency Fund (Code 110) to Election Expense (Code 111).

FUNDS TRANSFERRED FROM EMERGENCY FUND FOR PAYMENT OF SUPPLEMENTAL CONTRACT WITH GEO. G. SCOTT & COMPANY, FOR ADDITION TO ANNUAL AUDIT.

Motion was made by Councilman Coddington, seconded by Councilman Wilkinson, and unanimously carried, authorizing the transfer of \$540.00 from the Emergency Fund (Code 110) to Special Appropriations - Auditing (Code 109-F-1) for payment of Supplemental Contract with Geo. G. Scott & Company, said original contract having been authorized on August 17th.

LOCATION OF ADDITIONS TO EXISTING BUSINESS BUILDINGS AUTHORIZED.

Upon motion of Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, applications for the location of additions to existing buildings in industrial districts were authorized, as follows:

- (a) Application of Piedmont & Northern Realty Company, for the location of an addition of approximately 15,750 square feet to a Storage Warehouse at 926 Tuckaseegee Road.
- (b) Application of Merchants Bonded Warehouse, for the location of an addition of approximately 11,100 square feet to their Cotton Storage Warehouse at 1110 North College Street.

CHANGE IN STREET NAMES APPROVED.

Councilman Jordan moved the approval of the change in street names as follows. Motion was seconded by Councilman Wilkinson, and unanimously carried:

- (a) Change of name of Poplar Street, in Griertown section (from Skyland Avenue to Billingsville School) to "Leroy Street", and of Poplar Street (from turn near Billingsville School to Pine Street) to "Tross Street".
- (b) Name the new street, located off of East 36th Street (between Spencer and Holt Streets) "Sears Court".

CONSTRUCTION OF NEW SANITARY SEWERS AUTHORIZED.

Motion was made by Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, authorizing the construction of new sanitary sewers, at the following locations:

- (a) 8 inch sewer in Linden Lane, for a distance of 140 feet, at a cost of \$355.30, to serve one duplex now on outside battery toilets.
- (b) 8 inch sewer in Sharon Road, for approximately 686 feet, at a cost of \$1,598.52, to serve 7 houses erected and 1 started.

CONTRACTS FOR TRAFFIC CONTROL EQUIPMENT AUTHORIZED.

Upon motion of Councilman Coddington, seconded by Councilman Jordan, and unanimously carried, the following contracts were awarded for the purchase of Traffic Control Equipment:

- (a) Contract with Graybar Electric Company, Inc., Charlotte, on a unit price basis, at a net delivered price of \$8,510.00.
- (b) Contract with Mill Power Supply Company, Charlotte, on a unit price basis, at a net delivered price of \$8,610.50.
- (c) Contract with Westinghouse Electric Supply Company, Charlotte, on a unit price basis, at a net delivered price of \$10,574.85.

CONTRACT AWARDED AMERICAN MONORAIL COMPANY FOR CRANE.

Councilman Albea moved that contract be awarded The American Monorail Company for One Non-electric Traveling Crane, at a net delivered price of \$3,718.00, for Catawba River Pumping Station. Motion seconded by Councilman Jordan, and unanimously carried.

SPECIAL OFFICER PERMIT TO O. M. HILL APPROVED.

Motion was made by Councilman Daughtry, seconded by Councilman Coddington, and unanimously carried, authorizing the issuance of a Special Officer Permit to Mr. O. M. Hill, for use on the premises of Rulane Gas Company and Rulane Tank Company, Border Drive.

UNANIMOUS CONSENT GIVEN THE PRESENTATION OF UNDOCKETED ITEMS.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimous consent of Council was given the City Manager to present the following three undocketed items.

LOCATION OF ADDITION TO BUILDING AT 1019 NORTH GRAHAM STREET FOR WAREHOUSE AND BLACKSMITH SHOP.

Councilman Coddington moved approval of the application of Mr. R. S. Williams for the location of an addition to a building at 1019 North Graham Street, in an Industrial district, to be used as a Warehouse and Blacksmith Shop. Motion was seconded by Councilman Wilkinson, and unanimously carried.

CONTRACT WITH LEROY MCCLELLAND FOR DEMOLITION OF BUILDING AT 921 MAXWELL STREET.

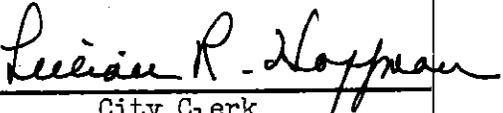
Motion was made by Councilman Daughtry, seconded by Councilman Albea, and unanimously carried, authorizing the Mayor and City Clerk to execute a contract with Mr. LeRoy McClelland for the demolition of a dwelling house at 921 Maxwell Street.

HOWARD HUGHES AMERICAN LEGION POST GRANTED USE OF BUILDING AT DOUGLAS MUNICIPAL AIRPORT, AND REMOVAL OF SAME TO NEW LOCATION.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and unanimously carried, the Howard Hughes Post of the American Legion was granted the use of Building 109 at Douglas Municipal Airport and permission to remove same to the location as shown in their application.

ADJOURNMENT.

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



City Clerk