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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, February 9, 1955, 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 February 2nd were approved as submitted.

ORDINANCE NO. 246-X EXTENDING THE CORPORATE LIMITS OF THE CITY OF CHARLOTTE BY ANNEXING 92.56 ACRES OF PROPERTY IN CRAB ORCHARD TOWNSHIP UPON PETITION OF ERVIN CONSTRUCTION COMPANY AND DAVID CLARK AND WIFE.

The scheduled hearing was held in connection with the petition of Ervin Construction Company and David Clark and wife, for the annexation of 92.56 acres of property in Crab Orchard Township to the City of Charlotte. No objections to the proposed annexation were expressed. Thereupon, Councilman Albea moved the adoption of the Ordinance Extending the Corporate Limits of the City of Charlotte to Annex the 92.56 Acres of Property in Crab Orchard Township. The motion was seconded by Councilman Smith, and unanimously carried. The ordinance is recorded in full in Ordinance Book 11 at Pages 397-398.

REPORT AND RECOMMENDATIONS OF COMMITTEE OF SOCIAL PLANNING COUNCIL ON STUDY OF NEGRO HOSPITAL FACILITIES AND SERVICES.

Mr. Spencer Bell, President of the Social Planning Council, United Appeal Services, accompanied by a large number of members of the Committee of the Council to Study Negro Hospital Facilities and Services in Charlotte and Mecklenburg County, addressed the City Council and Board of Mecklenburg County Commissioners, who were present, and presented the Report and Recommendations of the Committee.

Mr. Bell stated that the Social Planning Council was requested by the Mayor and Chairman of the Board of Mecklenburg County Commissioners in February 1954 to make the study of negro hospital facilities and services in Charlotte and Mecklenburg County, to outline the needs and to recommend a plan to meet these needs and a method of financing their recommended plan. That detailed statistical information was gathered and consultations held with other communities which had made recent similar studies and evaluations. That the Committee is not proud of the facts discovered in their exhaustive study; however, the provisions of adequate hospital facilities and services is a tremendous one and not easy to solve. He presented the following summary analysis of the significant facts relating to hospital needs in Charlotte and Mecklenburg County, together with the recommendations of the Committee:

"Present hospital and health facilities for Negroes are inadequate from the standpoint of size, services, and location. It would cost approximately a minimum of \$1,500,000 to modernize Good Samaritan Hospital, including 75 additional beds, to bring it up to the physical standards at other Charlotte hospitals. It is probable that no Federal Funds would be available to assist in this program because of the limited site and location. A separate hospital would also require expensive duplication of facilities and professional and technical personnel, which is not now available to staff a separate Negro hospital.

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Due to recent decisions of the U. S. Supreme Court an entirely separate Negro hospital constructed with public funds might be susceptible to attack in the courts.

It is impractical to consider Negro hospital needs apart from the needs of the entire community. Existing facilities at Memorial Hospital also require expansion to meet foreseeable needs. There is an urgent need in the community for beds for chronic illness patients.

Sixty to seventy percent of the hospitals in North Carolina provide services for both races in the same physical plant.

Provision of adequate out-patient clinical facilities must be an integral part of any program which seeks to provide for the health needs of the community.

The cost of construction of adequate facilities including 250 new beds at Memorial Hospital will be approximately \$5,000,000. A portion of these funds can be obtained from Federal sources through the North Carolina Medical Care Commission. The remainder would have to be raised by means of a public bond issue.

Maintenance and operation of expanded facilities will require continued support from public funds.

In the light of the foregoing analysis, the Social Planning Council Committee to study Negro Hospital Facilities and services and the Board of Directors of the Social Planning Council makes the following recommendations.

1. The construction of a 250 bed addition to Charlotte Memorial Hospital to furnish adequate hospital facilities for all citizens of this community, with special attention to be given to the provision of beds for the care of chronic diseases.
2. The construction of additional operating rooms, delivery rooms and other facilities at Memorial to serve these additional beds.
3. The construction at Memorial of adequate out-patient clinical facilities.
4. The construction of residence facilities at Memorial to care for not less than 100 additional nurses, student and graduate, and other technical personnel who may be trained at Memorial.
5. That Memorial Hospital admit to its medical staff membership professionally qualified members of the medical profession without regard to race.
6. That the portion of the cost of construction for these facilities not obtainable from Federal and State sources be raised by means of a public bond issue.
7. That the City and County continue to accept their responsibility for the medical care of the indigent, with payment to the hospitals of the cost of such care.
8. That the Board of Trustees of the Good Samaritan Hospital and the Episcopal Church be assured of the appreciation of this committee and the community for the hospital program which has been carried on at Good Samaritan Hospital over a period of more than 60 years, where with limited resources and personnel a difficult task has been done. Further, that the community, through this committee, express appreciation for the contribution which the Episcopal Church made in providing the site of the Charlotte Memorial Hospital and in making financial contributions in the development of that hospital."

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Mr. Bell stated that the problem has grown from year to year until it has reached the cancerous stage and the longer it is put off the more it will grow. He urged that the problem be faced once and for all and this blight upon the fine City of Charlotte be removed.

Printed pamphlets of the Study Report were presented to the City Council and Board of Commissioners of Mecklenburg County by Mr. Bell.

Councilman Baxter moved that the report be accepted as information and with deep appreciation of the City Council to the Committee for their work. The motion was seconded by Councilman Boyd, and unanimously carried.

Mr. McAden, Chairman of the Board of Commissioners of Mecklenburg County concurred in the motion on behalf of the Commissioners.

Mayor Van Every expressed his appreciation to the Committee for a difficult job well done, and stated that the City recognizes the problem is a serious one, and that the Report will be seriously and carefully considered.

AMENDMENT TO TAXICAB ORDINANCE AUTHORIZED DRAWN TO PROVIDE FOR A DIFFERENT COLOR FOR A NEW LINE OF CABS TO BE KNOWN AS "THE DIAMOND CABS" OWNED BY BEATTY SERVICE COMPANY.

Mr. Ben Horack, Attorney representing Beatty Service Company, stated the Company wishes to establish another line of cabs to be known as "The Diamond Cabs" under their present certificate and under the same ownership and control as "The Red Top Cabs". That they wish the Diamond Cabs to be painted orange and black, instead of red as are the Red Top Cabs, and request the adoption of an amendment to the Taxicab Code to permit the two color system by their Company, in view of the fact that the Code, Section 26, provides that "all taxicabs of each company shall be of the same color scheme".

Councilman Boyd stated that Chief Littlejohn has discussed the matter with him, and that he in turn has discussed it with the City Attorney. That they see no reason why the request is not in order as it does not increase the number of cabs now in operation; that they will use the Diamond Cabs primarily for negro citizens and the cars will be chauffeured by negro drivers. He moved that the Council go on record approving the idea and request the City Attorney to draw the necessary ordinance to amend the Taxicab Code, for adoption at next week's meeting. The motion was seconded by Councilman Wilkinson, and unanimously carried.

OPPOSITION EXPRESSED TO COUNCIL RECOMMENDING LEGISLATION TO PROVIDE FOR CHANGE IN URBAN REDEVELOPMENT ENABLING ACT.

Mayor Van Every stated that at the last meeting it was suggested that consideration be given the proposal of the Charlotte-Mecklenburg Planning Commission that the Council seek legislation by the General Assembly to provide for a change in the Urban Redevelopment Enabling Act; however, no action was taken and no hearing in the matter was set. That a group of citizens are present and wish to present their views on the subject.

Mr. C. P. Freeman, Jr. and Mr. Robert Parry each spoke in strong opposition to the proposal. Mr. Freeman expressed the opinion that the proposed plan to permit the use of the right of eminent domain in urban areas is socialistic and the proposed amendment to the Enabling Act is more drastic, unjust and unfair than the one defeated by the 1953 Assembly. That under the amendment the Urban Redevelopment Commission will seize the property and build on it warehouses, which in all probability would not be needed and the loss of public funds would fall on the taxpayer. But if the areas are left alone they will be disposed of under the orderly growth of the City and be developed by private enterprise and needed buildings, such as office buildings, apartments etc. constructed thereon. That the houses in these areas are up to the City's standard and they are occupied and in some cases owned by the residents; and even were the areas cleared and the owner paid for the houses at their assessed value, the money would not be

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sufficient to purchase another house at the assessed value. That one of the main objections to urban redevelopment is one never knows where it will stop, and if it will always be administered by responsible people. He asked that the Council not request the Legislature to change the present enabling act.

Mr. Perry stated he represented a group of property owners who might be or will be affected in the event the amendment to the Enabling Act passes. That in that event, the Urban Redevelopment Commission will become a socialistic organization by the right to take and sell ones property. He stated the present Enabling Act defines a blighted area as deleterious to the public health, morals, etc; that under the amendment the Commission would decide on the area they termed blighted and they may condemn it, and the Council would only approve the plan, whereas under the present Act the Council must approve the plan and contract. That the saving clause in the present Act is that no individual tract or building within a designated blighted area can be touched. He stated if the Act is amended, as proposed, if it is not unconstitutional it should be, as it is entirely unjust.

Mayor Van Every stated again that the Council is not holding a public hearing today; in fact it is not yet determined if the Council will ask the Mecklenburg Legislators to seek such legislation. The City Attorney reminded the Mayor that it is not necessary to hold a hearing on this or on other matters presented to the Legislature.

Councilman Brown moved that the Council take no action in the matter without having a public hearing. The motion was seconded by Councilman Dellinger, and unanimously carried.

RESOLUTION AMENDING APPROPRIATION RESOLUTION BY INCREASING THE APPROPRIATION OF THE EMERGENCY FUND THEREIN ESTABLISHED, TO BE USED FOR ESSENTIAL PURPOSES OF GOVERNMENT.

A resolution entitled: "Resolution Amending Appropriation Resolution By Increasing The Appropriation of The Emergency Fund Therein Established, To Be Used For Essential Purposes Of Government" was introduced and read. Councilman Baxter moved the adoption of the resolution, which was seconded by Councilman Wilkinson, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 270.

SALARY ADJUSTMENTS AND FIFTY PERCENT BLANKET SALARY INCREASES UNDER JOB CLASSIFICATION ADOPTED.

Councilman Boyd moved that the re-evaluation of certain City jobs, based upon the figures in the attached memorandum dated September 30, 1954 with the new salary schedules be adopted with the following changes and additions:

(1) That on Page 6 the job of Traffic Engineer be evaluated at 940 points and stenographer remain at 320 points.

(2) That in the Water Department, Page 8, P. E. Dellinger be rated at 440 points.

(3) That in the Fire Department, Page 9 -

Assistant Fire Chief be evaluated at 700 points
Deputy Fire Chief be evaluated at 580 points
Director of Fire Prevention be evaluated at 540 points
Supt. of Fire Alarm be evaluated at 500 points
Assistant Supt. Fire Alarm be evaluated at 480 points
Apparatus Mechanics be evaluated at 480 points
Director of Personnel be evaluated at 500 points
Supt. of Woodworking be evaluated at 480 points
Assistant Fire Prevention be evaluated at 500 points
Secretary, Fire Department be evaluated at 420 points
Fire Captains be evaluated at 480 points
Fire Engineers - \$6.00 per month plus points as now fixed
1st Asst Engineers - \$5.00 per month plus points as now fixed
2nd Asst Engineers - \$3.00 per month plus points as now fixed

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(4) That on Page 11, City Clerk's job be evaluated at 700 points and Margaret Jones job at 340 points.

(5) That on Page 2, the job of Chief Building Inspector be evaluated at 900 points.

(6) That the job of Secretary to the Mayor and City Manager be evaluated at 420 points.

(7) That the Taxicab Inspector of the City of Charlotte be given \$50.00 per month car allowance effective February 1, 1955.

(8) That on the above re-evaluations and adjustments that the salary increase in each case be retroactive to July 1, 1954.

(9) That in addition thereto, all City Employees, including those revalued and adjusted above, be granted the 50% increase in salary withheld last July, and that this 50% increase to all City Employees be effective as of February 1, 1955.

The motion was seconded by Councilman Wilkinson.

Mr. John D. Shaw, City Attorney, advised that the ruling of the Attorney General is that the \$235,468.89 just authorized by resolution to increase the appropriation of the Emergency Fund can only be spent for the essential purposes of government. That the Water is a proprietary function and not governmental, as are certain other functions of the City. Mr. Yancey, City Manager, advised that when the transfer of funds is made, that portion necessary for the Water Department salaries will be transferred from the Water Dept. Emergency Fund to the Water Department Budget.

The vote was then taken on the motion and carried, with the votes cast as follows:

YEAS: Councilmen Albea, Baxter, Boyd, Brown, Dellinger and Wilkinson.

NAYS: Councilman Smith.

Councilman Smith stated he recognized there are inequities in the job classification and he is in favor of correcting them, but the proposal looks like a blanket raise proposition and for that reason he voiced a negative vote.

Councilman Boyd stated he feels there are still additional inequities which he assumes will be straightened out from time to time.

Councilman Dellinger stated the establishment of a job classification is a big problem and Mr. Yancey and Mr. Greenlee should be commended on their work on it, and the Council on the time and effort and thought in getting it set up. That it will no doubt take time to completely smooth it out and he believes that within a year or two the inequities will be worked out and the system will save the taxpayers money.

Councilman Baxter stated that when a common ground has been met and a proposal set by the Mayor, he is willing to go along with it and thinks a good job has been done on the job classification.

Councilman Boyd stated that the Editor of The Charlotte News did not agree with the Council on the action taken, but he did say "we now have job classification in its entirety". Councilman Boyd stated further that it was the Mayor himself who requested that the Council do this.

Mayor Van Every stated it appears he has been quoted enough, that it was not the Mayor's request that such absolute favoritism be shown and if he had the privilege of voting his vote would definitely be No.

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Councilman Wilkinson stated he is happy to see the job classification action passed today; that it was certainly not his intention, nor does he believe it was the intention of other Councilmen, to give anyone any preference or show favoritism. That the Council stood by the requests of the department heads on the subject of inequities as they saw them.

INSTALLATION OF TRAFFIC SIGNAL AT COLONY ROAD AND SELWYN AVENUE AUTHORIZED.

Councilman Brown moved that a badly needed traffic signal be installed at Colony Road and Selwyn Avenue, with the trip signal placed on the Colony Road side. The motion was seconded by Councilman Albea, and unanimously carried.

REAPPOINTMENT OF JOHN M. DWELLE TO ZONING BOARD OF ADJUSTMENT.

Upon motion of Councilmen Albea, seconded by Councilman Dellinger, and unanimously carried, Mr. John M. Dwelle was reappointed as a member of the Zoning Board of Adjustment for a period of three years from the expiration of his present term on January 28, 1955.

BOND ELECTION DATE FIXED FOR MAY 3, 1955.

Upon motion of Councilman Baxter, seconded by Councilman Brown, and unanimously carried, the date for the bond election was fixed for May 3, 1955, and the City Manager requested to so notify the Chairman of the Board of Mecklenburg County Commissioners.

AMENDMENT TO ZONING ORDINANCE AUTHORIZED DRAWN TO INCLUDE DAY NURSERIES AMONG THE STRUCTURES PERMITTED IN RESIDENCE-2 DISTRICTS.

Councilman Brown moved that the City Attorney be requested to draw an amendment to the Zoning Ordinance to include day nurseries among the structures permitted in Residence-2 Districts. The motion was seconded by Councilman Baxter, and unanimously carried.

FIRST STREET, FROM MINT STREET TO CHURCH STREET, DESIGNATED AS ONE-WAY EASTBOUND.

Upon motion of Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, First Street from Mint Street to Church Street, was designated as a One-way Street eastbound, to tie in with the present one-way section of the street from Church to College Street, as recommended by the City Manager and Traffic Engineer upon petition of the property owners on First Street.

TWO ALLEYS, BETWEEN FOURTH AND TRADE STREETS, DESIGNATED AS ONE-WAY NORTHBOUND.

Upon motion made by Councilman Brown, seconded by Councilman Albea, and unanimously carried, the following alleys were designated as one-way, northbound alleys, as recommended by the City Manager and Traffic Engineer principally to eliminate the hazard caused by the left-hand movement of traffic from Trade Street into these alleys:

- (1) Alley west of Tryon Street, between Tryon and Church Streets, from Fourth Street to Trade Street.
- (2) Alley east of Tryon Street, between Tryon and College Streets, from Fourth Street to Trade Street.

DEED WITH STATE OF NORTH CAROLINA FOR ADDITIONAL LAND AT DOUGLAS MUNICIPAL AIRPORT FOR USE OF N. C. NATIONAL GUARD, AUTHORIZED.

Motion was made by Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, authorizing the Mayor and City Clerk to execute a deed with The State of North Carolina for additional land at Douglas Municipal Airport for use by the N. C. National Guard.

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BOARD OF MECKLENBURG COUNTY COMMISSIONERS REQUESTED TO JOIN WITH CITY IN REQUESTING MECKLENBURG DELEGATION TO LEGISLATURE TO ADVANCE DISCOUNT DATES FOR THE PREPAYMENT OF TAXES ONE MONTH.

Councilman Smith moved that the Board of Mecklenburg County Commissioners be requested to join with the City in requesting the Mecklenburg Delegation to the Legislature to advance the discount dates for the prepayment of taxes one month. The motion was seconded by Councilman Albea, and unanimously carried.

SUBDIVISION PLATS APPROVED.

Motion was made by Councilman Brown, seconded by Councilman Dellinger, and unanimously carried, approving the following subdivision plats as recommended by the Planning Commission:

- (1) Plat of Eastway Homes Subdivision.
- (2) Plat of Freeland Park Subdivision.
- (3) Plat of Portion of Lakeview Park, revised.

RIGHT-OF-WAY AGREEMENTS BETWEEN STATE HIGHWAY & PUBLIC WORKS COMMISSION AND ERVIN CONSTRUCTION COMPANY AUTHORIZED CO-SIGNED BY CITY FOR INSTALLATION OF WATER MAINS IN POTTERS ROAD AND ASHLEY ROAD.

Upon motion of Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, the Mayor and City Clerk were authorized to co-sign agreements between the State Highway & Public Works Commission and Ervin Construction Company for the installation and maintenance of water mains across Potters Road at Enfield Road, and also across the paved section of Ashley Road.

SUPPLEMENTARY CONTRACT WITH L. L. LASSITER AND PAUL V. OATES FOR CONSTRUCTION OF ADDITIONAL WATER MAINS IN FERNCLIFF ROAD.

Motion was made by Councilman Brown, seconded by Councilman Dellinger, and unanimously carried, authorizing a supplementary contract to contract dated April 15, 1953, with L. L. Lassiter and Paul V. Oates, for the construction of 300-feet of additional water mains in Ferncliff Road, at an estimated cost of \$450.00. The applicant to pay all cost and own the mains until the territory is incorporated into the City.

CONNECTION OF PRIVATE SEWER LINES, OWNED BY ERVIN CONSTRUCTION COMPANY, TO CITY'S SANITARY SEWERAGE SYSTEM.

Councilman Albea moved approval of the request of Ervin Construction Company to connect 7,630 feet of privately owned sewer lines, to be constructed outside the city limits in Westerly Hills Subdivision, to the City's Sanitary Sewerage System, upon 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 Baxter, and unanimously carried.

RIGHT-OF-WAY AGREEMENT BETWEEN STATE HIGHWAY & PUBLIC WORKS COMMISSION AND ERVIN CONSTRUCTION COMPANY FOR THE CONSTRUCTION OF SANITARY SEWER LINES IN ASHLEY ROAD AND WILSON STREET.

Upon motion of Councilman Wilkinson, seconded by Councilman Albea, and unanimously carried, the Mayor and City Clerk were authorized to co-sign an agreement between the State Highway & Public Works Commission and Ervin Construction Company for the construction of 420 feet of sanitary sewer lines in Ashley Road and Wilson Street.

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CONSTRUCTION OF SANITARY SEWER MAINS AUTHORIZED.

Motion was made by Councilman Smith, seconded by Councilman Wilkinson, and unanimously carried, authorizing the construction of sanitary sewer mains at the following locations:

- (a) Construction of 7,620 ft. of sewer mains and trunk sewers in Selwyn Park Addition No. 6, at request of Charlotte Investment Company, to serve residential property, at an estimated cost of \$28,750.00. All cost to be borne by the City, and applicant's deposit of \$25,150.00 to be refunded in accordance with the terms of the contract.
- (b) Construction of 771-ft. of sewer mains in Brandon Road, as a replacement of the 40 year old sewer, to serve 15 family units, at an estimated cost of \$1,440.00, with all costs to be borne by the City.
- (c) Construction of 3,579-ft. of sewer mains and trunk sewers in Statesville Avenue Terrace, at request of Atando Industries, Inc., to serve 27 family units and 80 vacant lots, at an estimated cost of \$13,120.00. All costs to be borne by the City, and applicant's deposit of \$6,170.00 to be refunded in accordance with the terms of the contract.

ANSON STREET, FROM POINT 160-FT. SOUTH OF HARTFORD AVENUE TO DOVER AVENUE, TAKEN OVER FOR CITY MAINTENANCE.

Councilman Albea moved that Anson Street, from a point 160-feet south of Hartford Avenue to Dover Avenue, be taken over for maintenance by the City. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES AUTHORIZED.

Motion was made by Councilman Dellinger, seconded by Councilman Brown, and unanimously carried, authorizing the construction of driveway entrances at the following locations:

- (a) One 8-ft. driveway at 1509 Sterling Road.
- (b) One 22-ft. and two 40-ft. driveways at 3432 Monroe Road.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with W. R. Howell and wife, for south half of Lot 60, in Section 2, Evergreen Cemetery, at \$1.00 for deed.
- (b) Deed with Edward B. Eadie, for Lot 74, Section 2, Evergreen Cemetery, at \$240.00.
- (c) Deed with S. E. Hamilton and wife, for North half of Lot 60, in Section 2, Evergreen Cemetery, transferred from W. R. Howell and wife, at \$1.00 for deed.
- (d) Deed with W. L. Varn and wife, for Lot 55, in Section 3, Evergreen Cemetery, at \$1.00 for duplicate deed.

ADJOURNMENT.

Upon motion of Councilman Brown, seconded by Councilman Dellinger, and unanimously carried, the meeting was adjourned.

Lillian R. Dayman
City Clerk