

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Wednesday, November 28, 1951, at 4 o'clock p.m., with Mayor Shaw presiding, and Councilmen Albea, Baxter, Boyd, Coddington, Dellinger, Jordan and Van Every present.

INVOCATION.

The invocation was given by the Reverend Alfred C. Cole, Rector of St. Martin's Episcopal Church.

MINUTES APPROVED.

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

HEARING CONTINUED IN CONNECTION WITH BENEFITS CONFERRED UPON PROPERTY WITHIN IMPROVEMENT AREA OF BALDWIN CIRCLE.

The hearing in connection with the benefits conferred upon property within the improvement district of Baldwin Circle was called as scheduled and the ordinance assessing the benefits was introduced.

Councilman Boyd moved that the hearing be continued until next Wednesday, at 4 o'clock p.m., in order that the Council members may view the property and be better informed as to the facts in the matter. The motion was seconded by Councilman Baxter, and unanimously carried.

LIONS CLUB GRANTED PERMISSION TO PARK TRAILER ON TRYON STREET CONTAINING RELIGIOUS EXHIBIT, FOR PERIOD DECEMBER 10th TO 31st.

Mr. Jack Turner, representing the Charlotte Lions Club, requested permission for the Club to park a trailer containing a religious exhibit on North Tryon Street from December 10th to 31st. He advised that the trailer will take up two metered spaces. Councilman Van Every moved that the request be granted, which was seconded by Councilman Dellinger, and unanimously carried.

COUNCILMEN APPOINTED TO CONFER WITH CITY MANAGER RELATIVE TO INSTALLATION OF A CLOCK IN THE RECORDER'S COURT ROOM.

At the suggestion of Mr. Alberry Sutton that a clock again be placed on the wall of the Recorder's Court Room, Mayor Shaw appointed Councilmen Dellinger and Boyd to confer with the City Manager relative to having the clock installed.

TRANSFER OF FUNDS FROM EMERGENCY FUND FOR GOOD SAMARITAN HOSPITAL SURVEY.

Councilman Albea moved that \$500.00 be transferred from the Emergency Fund (Code 110) to Special Appropriations (Code 109) for the Good Samaritan Hospital survey. The motion was seconded by Councilman Van Every, and unanimously carried.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO MUNICIPAL COURT FOR INCREASE IN SALARY OF CITY RECORDER.

Upon motion of Councilman Van Every, seconded by Councilman Jordan, and unanimously carried, \$1,112.02 was authorized transferred from the Emergency Fund (Code 110) to the Municipal Court (Code 502 A-5) for payment of increase in the salary of the Judge of Recorder's Court for the remainder of the fiscal year ending June 30, 1951.

SALARY OF JUDGE OF DOMESTIC RELATIONS & JUVENILE COURTS INCREASED TO \$7,500.00 PROVIDED MECKLENBURG COUNTY WILL PAY HALF OF INCREASE.

Councilman Coddington stated that in view of the salary of the Judge of City's Recorder's Court having been increased to \$7,500.00 it is his opinion that the salary of the Judge of the Domestic Relations & Juvenile Courts should be increased to a like amount. He stated further that Judge Gatling is doing an excellent job and his work is extremely heavy and the salary increase should be given him.

Councilman Boyd moved that the salary of the Judge of the Domestic Relations & Juvenile Courts of Mecklenburg County be increased to \$7,500.00 per annum, provided that the Mecklenburg County Commissioners will pay half of the increase. The motion was seconded by Councilman Jordan, and unanimously carried.

INCREASE IN SALARIES OF SUPERINTENDENT OF WATER DEPARTMENT AND CITY ATTORNEY TAKEN UNDER CONSIDERATION.

Councilman Baxter stated that when salary raises and adjustments were last made for city employees in his opinion some oversights were made and, in his opinion, an adjustment should be made in the salary of Mr. Walter Franklin, Superintendent of the Water Department who heads the largest revenue producing department in the city, and in the salary of the City Attorney. He, therefore, moved that the salary of Mr. Franklin be increased to \$8,400.00 and that of Mr. John D. Shaw, City Attorney, be increased to \$10,000.00.

Councilman Boyd stated that he felt the salary of Mr. Franklin should be increased as recommended. That the responsibility of the position and the efficiency of Mr. Franklin's services should warrant a salary equal to that of the City Engineer which is \$8,400.00.

Councilman Coddington stated that in his opinion the error that was made at budget making time was in giving department heads more increases than was justified and neglecting those persons in the smaller jobs, and that he is not interested in considering salary increases as suggested.

Councilman Jordan offered a substitute motion that the matter be taken under consideration. The motion was seconded by Councilman Van Every, and carried, with the votes cast as follows:

AYE: Councilmen Albea, Baxter, Boyd, Dellinger, Jordan and Van Every.

NAY: Councilman Coddington.

SALARIES ADVANCED TO CITY EMPLOYEES FOR PERIOD DECEMBER 15th to 31st.

Motion was made by Councilman Coddington, seconded by Councilman Jordan, and unanimously carried, authorizing the advance of salaries to regular city employees on December 15th for period December 15th to 31st, and authorizing the payment of salaries on December 31st to those employees not desiring the advance on December 15th.

CONSTRUCTION OF DRIVEWAY ENTRANCES.

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

- (a) One 40 ft. entrance at 414 E. 7th Street.
- (b) Two 30 ft. entrances at 824 Baldwin Circle.

CEMETERY LOTS TRANSFERRED.

Motion was made by Councilman Van Every, seconded by Councilman Dellinger, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed to E. A. Morrison, for Lot 56, in Section 3, Evergreen Cemetery, at \$156.00.
- (b) Deed to Mrs. Lenora E. Scott, for Lot 75, in Section 4-A, Evergreen Cemetery, at \$81.90.

RIGHT-OF-WAY FOR WIDENING 36TH STREET 45 FEET AUTHORIZED OBTAINED FROM NORTHERN SIDE OF 36TH STREET, IN ACCORDANCE WITH ORIGINAL RESOLUTION.

Councilman Boyd stated that in the original resolution adopted by the Council authorizing improvements to and the widening of 36th Street from Plaza Road to Tryon Street, it was not specifically designated just where the necessary additional right-of-way should be obtained. That it developed that beginning at Caldwell Street an 8 or 10 foot additional right-of-way would have to be obtained. That the survey was made to take the right-of-way from the northern side of 36th Street from Caldwell Street to Tryon Street. That later the question of taking the right-of-way from the southern side developed, which has created much dissatisfaction among the residents of the area as a portion of the northern side of the street is uneven and protrudes beyond the normal street line. That if the right-of-way is obtained from the northern side of the street the result would be in the line being straightened and a more desirable situation when the job is completed.

Mr. Yancey, City Manager, advised that the shift to the south side was made in the interest of time and economy; that in obtaining the right-of-way from the north side that more property will be damaged, which will lead to lengthy condemnation proceedings; however, it is acceptable to obtain the right-of-way from either the north or south side; that it is now for the Council to decide whether to obtain it from the north side, or leave the off-set in the street on the north side and save time and money by obtaining it from the south side.

Councilman Boyd moved that the necessary right-of-way to widen 36th Street 45 feet, in accordance with the original Council resolution, be obtained from the northern side of 36th Street between Caldwell and Tryon Streets, and that the City Manager and City Attorney be requested to obtain said right-of-way in accordance with the law, with as little additional delay as possible, and that the City Manager request our Attorney, Mr. J. H. McLain, who is on the city pay roll, to assist the City Attorney in the legal work necessary to obtain this right-of-way in accordance with the law applicable to such matters. The motion was seconded by Councilman Baxter.

Councilman Van Every asked what the project cost will be, and the City Manager advised that \$125,000.00 has been allocated for the project and there is no possible way of knowing what the cost will be at this time.

The vote was taken on Councilman Boyd's motion, which carried, with the votes cast as follows:

AYE: Councilmen Albea, Baxter, Boyd, Dellinger, Jordan and Van Every.

NAY: Councilman Coddington.

RESOLUTION ABANDONING A PORTION OF AN ALLEY IN BLOCK 8 OF PEGRAM-WADSWORTH LAND COMPANY PROPERTY.

A resolution entitled, "Resolution Abandoning a Portion of an Alley in Block 8 of Pegram-Wadsworth Land Company Property" 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 448.

November 28, 1951
Minute Book 34 - Page 159

AGREEMENT AUTHORIZED WITH SOUTHERN AIRWAYS, INC. RELATIVE TO LEASE OF PROPERTY AT DOUGLAS MUNICIPAL AIRPORT.

Upon motion of Councilman Jordan, seconded by Councilman Van Every, and unanimously carried, the Mayor and City Clerk were authorized to execute an agreement with Southern Airways, Inc., whereby the City agrees to waive the landlord's lien upon any personal property or improvements made by Southern Airways under their lease with the City for use of airport property, in order that the said Corporation may negotiate a loan with the Reconstruction Finance Corporation in the sum of \$370,000.00.

LEASE OF LAND AND BUILDINGS AT DOUGLAS MUNICIPAL AIRPORT TO THE U. S. GOVERNMENT.

Upon motion of Councilman Coddington, seconded by Councilman Jordan, and unanimously carried, the Mayor and City Clerk were authorized and directed to enter into a lease, on behalf of the City of Charlotte, with the United States of America for approximately 4.09 acres of land and two (2) buildings thereon situated in Area I of Morris Field. The construction, survey and exploration permit on aforementioned property to the United States of America on behalf of the City of Charlotte being hereby ratified.

SALE OF SURPLUS AIRPORT BUILDINGS TO AMAY JAMES PRESBYTERIAN CHURCH AND TO MECKLENBURG PRESBYTERY.

Upon motion of Councilman Albea, seconded by Councilman Baxter, and unanimously carried, the sale of Airport Building No. 313 was authorized to Amay James Presbyterian Church at \$200.00, and Building No. 102 to Mecklenburg Presbytery at \$200.00, as recommended by the City Manager.

90-DAY EXTENSION TO NEW-WAY LAUNDRY EXPIRED ON NOVEMBER 27, 1951.

Mr. Yancey, City Manager, advised the Council that the 90-days extension granted the New-Way Laundry in connection with their compliance to the Smoke Abatement Ordinance expired on November 27, 1951.

POLICY ESTABLISHED RELATIVE TO PAYMENT OF TAXES AND STREET PAVING ASSESSMENTS.

Councilman Baxter moved that the Collector of Revenue is hereby authorized to accept payment of taxes and street paving assessments which at the time is the subject of litigation and has not been reduced to judgment, by payment of that portion of the debt that is not barred by the statute of limitation. The motion was seconded by Councilman Van Every, and unanimously carried.

ADJOURNMENT.

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

Rebecca R. Hayman
City Clerk