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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, October 22, 1952, 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 Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Van Every, seconded by Councilman Jordan, and unanimously carried, the Minutes of the last meeting on October 15th were approved as submitted.

ORDINANCE (NO. 155) AMENDING THE ZONING ORDINANCE TO CHANGE ZONING FROM R-2 TO B-1 ON LOT AT 233-235 WEST BOULEVARD, ADOPTED.

The hearing was continued from the last meeting in connection with an Ordinance to Amend the Zoning Ordinance to change the zoning from R-2 to B-1 on a lot at 233-235 West Boulevard, requested by Mrs. Mary A. Helms and recommended by the Zoning Board of Adjustment.

Mr. Walter Orr, 229 West Boulevard expressed objections to the rezoning of the second lot from the corner lot, on which the residence of Mrs. Helms is located, however, he advised that he had no objection to the rezoning of the vacant lot owned by Mrs. Helms and located next to the corner lot, and that in his opinion the ordinance provides for the rezoning of only the vacant lot, therefore he has no objections to the adoption of the Ordinance.

Whereupon, Councilman Baxter moved the adoption of the Ordinance, which was seconded by Councilman Coddington, and unanimously carried. Councilman Boyd requested that it be recorded in the Minutes that the ordinance is being adopted with the understanding that it covers only the vacant lot next to the corner lot and not the second lot from the corner on which the residence of Mrs. Helms is located. The Council concurred in the statement. The ordinance is recorded in full in Ordinance Book 11, at Page 256.

REQUEST THAT SIDEWALKS BE CONSTRUCTED ON BEATTY'S FORD ROAD AND OAKLAWN AVENUE REFERRED TO CITY MANAGER.

Mr. T. H. Baker representing the Parent-Teacher Association of Biddleville School was spokesman for a large delegation of members of the Association, and requested that sidewalks be provided on Beatty's Ford Road and Oaklawn Avenue for the special benefit of school children. He advised that the unpaved sidewalk area on a portion of Beatty's Ford Road has been torn-up for the construction of natural gas lines and school children are forced to walk in the street and one child has been killed since the beginning of the school session. He advised there are about five blocks on Beatty's Ford Road and ten to twelve blocks on Oaklawn Avenue without sidewalks. It was explained that under the law sidewalks must be assessed against the property owners. The request was referred to the City Manager who will go over the location with Mr. Baker and other representatives present with the view of constructing such graveled walks as the City can legally provide.

PRESERVATION OF D. H. HILL SCHOOL BUILDING FOR USE AS AN EXHIBIT HALL FOR ACHIEVEMENTS AND HISTORICAL EVENTS IN MECKLENBURG COUNTY REQUESTED BY KENNETH WHISSETT AND REFERRED TO CITY MANAGER FOR REPORT.

Mr. Kenneth Whisett urged that the D. H. Hill School Building, at the intersection of Morehead and South Boulevard, not be destroyed to make way for the extension of Independence Boulevard, but that it be preserved

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and used as an Exhibit Hall for Achievements and Historical Events in Mecklenburg County of significance to our cultural and economic life. He stated the building is one hundred years old and is the only building in Charlotte left standing on its original site. That it was named for General D. H. Hill, who served with General Robert E. Lee. He spoke on the great sums of money the State is spending to attract visitors to North Carolina, while at the same time Charlotte, in particular, is doing nothing to preserve and maintain its historical attractions which would be of interest to visitors, as well as residents; that Charlotte is the home of two former Presidents of the United States and both their homes have been destroyed. Mayor Shaw requested that Mr. Whisett leave with Mr. Yancey, City Manager, the sketch he submitted for the relocation of Independence Boulevard, which Mr. Yancey will discuss with the State Highway & Public Works Commission as to whether the proposed new site is feasible.

PETITION BY FOUR TAXICAB COMPANIES FOR INCREASE IN CAB FARE DEFERRED FOR CHECKING FINANCIAL STATEMENTS OF SAID COMPANIES.

A petition submitted by Yellow Cab Company, Baker Cab Company, Red Top Cab Service and Victory Cab Company for the increase in taxicab fares of ten cents for the first mile was presented by Mr. Brock Barkley and Mr. Paul Ervin, Attorneys representing all of the said companies. Mr. Barkley stated that the present rate of 35 cents for the first mile was established in 1949, prior to the Korean War and the great spiraling of living costs. He advised that gasoline has increased 10%, oil 13%, tires 11%, auto parts 23%, cars 21%, meters & parts 14%, radio & parts 19%, insurance costs 19% and telephone and other utilities 18%, in fact everything in connection with the business has increased with the exception of cab drivers wages. That the drivers are paid on a commission basis and they are averaging about \$50.00 per week; he advised that Yellow Cab Company has lost nine drivers, who had been with the company for ten years, for better paying jobs. If the requested increase is granted, 4.4 cents of the additional 10 cents will be received by the drivers, 2 cents to the switchboard and office personnel, 2.2 cents to mechanical workers and 1.4 cents will be used for maintenance. Mr. Ervin stated that the Charlotte cab drivers are drawing about \$20.00 less a week than in comparable cities; that every city in the United States with a population of 131,000 to 152,000 has a higher cab rate than Charlotte. That Winston-Salem, Raleigh, Greensboro, Norfolk, Atlanta, Knoxville and Richmond rates, which he quoted, are higher than those in Charlotte. He made a special appeal for the drivers who will get the bulk of the increase by an average of \$10.00 a week more than they are now making.

Mr. Russell Crump of the Yellow Cab Company read a prepared financial statement showing the Company's revenue at the end of the fiscal year May 31, 1951 as \$540,000.00 with a loss of \$2,381.00, and for the year ending May 31, 1952, a revenue of \$518,000.00 with a net profit of \$604.58; a loss of \$500.00 from June 1, 1952 to September, and since September, a loss of approximately \$1,900.00, due to the increase in cost of cars, etc. He stated the situation is getting serious and affects the 135 men in his Company's employ; that they have made an honest effort to get by on the present fare but it is not possible.

Councilman Coddington commented on the cooperation of the Cab Companies in working together on this proposition, stating he so well remembered during the first part of his four-year service on the Council, that things were not so agreeable, and he congratulated the Cab Company representatives on getting together and working in harmony.

Councilman Baxter moved that the request be immediately considered and a decision reached at next week's Council Meeting. Councilman Boyd recommended that since this is a petition for the increase in a public utility rate, that each of the Cab Companies submit a financial statement, similar to that submitted by Mr. Crump and that the figures be verified by the City's auditor. Representatives of the four Companies stated their books are open to inspection and they would be glad to submit statements. The recommendation was included in his motion by Councilman Baxter, and the motion was seconded by Councilman Dellinger, and unanimously carried.

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CITY ATTORNEY REQUESTED TO PREPARE AMENDMENT TO ORDINANCE ESTABLISHING TAXICAB STANDS TO ELIMINATE PROVISION WHEREBY FIRST CAB IN LINE MUST BE FIRST CAB OUT.

Mr. Brock Barkley stated that much confusion is being realized by the Taxicab Companies because of the provision of the ordinance that the first cab in line in a Taxicab Stand must be the first cab out. He stated that some patrons prefer to use the cab of a given Company over that of others, and under the regulation unless this cab is first in line the patron is not at liberty to use it until the cabs in line ahead of it are in use. Representatives of the four Cab Companies who were present concurred in the statement and urged that the provision be eliminated. Councilman Boyd advised that he had included the provision in the ordinance when he presented it for adoption thinking it would eliminate traffic congestion and is willing that it be eliminated - he moved that the City Attorney prepare an amendment to the ordinance to effect the change. The motion was seconded by Councilman Jordan, and unanimously carried.

REMOVAL OF TAXICAB STAND FROM LOCATION NEAR ENTRANCE TO ST. MARK'S EVANGELICAL LUTHERAN CHURCH ON NORTH TRYON STREET.

The City Manager presented a request from the Reverend Walter B. Freed, Pastor of St. Mark's Evangelical Lutheran Church on North Tryon Street requesting the removal of the Taxicab Stand from in front of the church building, stating that it is not desired and interferes with weddings and funerals.

Councilman Baxter moved that the City Manager be requested to investigate the request. The motion did not receive a second.

A substitute motion was made by Councilman Albea that the Stand be removed and another location within the vicinity be selected for the Stand. The motion was seconded by Councilman Jordan, and unanimously carried.

RESOLUTION AUTHORIZING IMPROVEMENTS TO WEST STREET CONNECTING DOUBLE OAKS SCHOOL WITH DOUBLE OAKS ROAD, ADOPTED.

A resolution entitled: "Resolution Authorizing Improvements to West Street Connecting Double Oaks School With Double Oaks Road", was introduced and read, and upon motion of Councilman Dellinger, seconded by Councilman Jordan, was unanimously adopted on its final reading. The resolution is recorded in full in Resolutions Book 2, at Page 34.

RESOLUTIONS PROVIDING FOR ISSUANCE OF \$50,000 STREET WIDENING BOND ANTICIPATION NOTES, AND RESOLUTION PROVIDING FOR THE ISSUANCE OF \$325,000 STREET IMPROVEMENT BOND ANTICIPATION NOTES AND RESOLUTION FIXING THE FORM AND MANNER OF EXECUTION OF SAID BOND ANTICIPATION NOTES.

Councilman Albea introduced a resolution which was read, entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF \$50,000 STREET WIDENING BOND ANTICIPATION NOTES". Upon motion of Councilman Albea, seconded by Councilman Dellinger, the foregoing resolution entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF \$50,000 STREET WIDENING BOND ANTICIPATION NOTES", was passed by the following vote:

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

Nays: None

The resolution is recorded in full in Resolutions Book 2, beginning at Page 35 and ending at Page 36.

Thereupon Councilman Albea introduced a resolution which was read, entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF \$325,000 STREET IMPROVEMENT BOND ANTICIPATION NOTES." Upon motion of Councilman Albea, seconded by Councilman Dellinger, the foregoing resolution entitled: "RESOLUTION

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PROVIDING FOR THE ISSUANCE OF \$325,000 STREET IMPROVEMENT BOND ANTICIPATION NOTES", was passed by the following vote:

Yeas: Councilmen Alba, Baxter, Boyd, Coddington, Dellinger, Jordan and Van Every.

Nays: None.

The resolution is recorded in full in Resolutions Book 2, beginning at Page 36 and ending at Page 36.

Thereupon Councilman Alba introduced a resolution which was read, entitled: "RESOLUTION FIXING THE FORM AND MANNER OF EXECUTION OF \$50,000 STREET WIDENING BOND ANTICIPATION NOTES AND \$325,000 STREET IMPROVEMENT BOND ANTICIPATION NOTES, RATIFYING APPLICATION TO LOCAL GOVERNMENT COMMISSION, AND RATIFYING ACTION OF LOCAL GOVERNMENT COMMISSION IN ASKING FOR SEALED BIDS FOR SAID NOTES". Upon motion of Councilman Alba, seconded by Councilman Dellinger, the foregoing resolution entitled: RESOLUTION FIXING THE FORM AND MANNER OF EXECUTION OF \$50,000 STREET WIDENING BOND ANTICIPATION NOTES AND \$325,000 STREET IMPROVEMENT BOND ANTICIPATION NOTES, RATIFYING APPLICATION TO LOCAL GOVERNMENT COMMISSION, AND RATIFYING ACTION OF LOCAL GOVERNMENT COMMISSION IN ASKING FOR SEALED BIDS FOR SAID NOTES", was passed by the following vote:

Yeas: Councilmen Alba, Baxter, Boyd, Coddington, Dellinger, Jordan, and Van Every.

Nays: None.

The resolution is recorded in full in Resolutions Book 2, beginning at Page 37 and ending at Page 39.

SETTLEMENT OF CLAIM OF MRS. CHRISTINE J. CARPENTER FOR PERSONAL INJURIES.

Councilman Boyd moved approval of the settlement of the claim of Mrs. Christine J. Carpenter, in the amount of \$146.40, for injuries sustained on October 24, 1951, as recommended by the City Attorney. The motion was seconded by Councilman Dellinger, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER MAINS APPROVED.

Upon motion of Councilman Boyd, seconded by Councilman Coddington, and unanimously carried, the construction of sanitary sewer mains at the following locations was approved:

- (a) 100 feet of 8 inch sewer main in Patricia Avenue, at an estimated cost of \$200.00, to serve one family unit. All cost to be borne by the City.
- (b) 85 feet of 8 inch sewer main extension in Forest Road, at an estimated cost of \$180.00, to serve one family unit. All cost to be borne by the City.

CONTRACT WITH MARSH REALTY COMPANY FOR WATER MAIN AND FIRE HYDRANT CONSTRUCTION IN EASTWOOD PARK.

Councilman Dellinger moved that contract be authorized with Marsh Realty Company for the construction of 1,150 feet of 6 inch water main and one fire hydrant in Eastwood Park, at an estimated cost of \$2,900.00, with all cost to be financed by the City and applicant to guarantee a gross annual water revenue equal to 10% of the said cost. The motion was seconded by Councilman Boyd, and unanimously carried.

CONSTRUCTION OF DRIVEWAY ENTRANCES ON HERRIN STREET FOR 3300 THE PLAZA.

The construction of three 22-foot driveway entrances on Herrin Street for 3300 The Plaza was authorized upon motion of Councilman Boyd, seconded by Councilman Jordan, which unanimously carried.

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SPECIAL OFFICER PERMIT AUTHORIZED ISSUED TO W. C. MULKEY ON PREMISES OF RELIANCE FRUIT & PRODUCE COMPANY.

Motion was made by Councilman Coddington, seconded by Councilman Dellinger, and unanimously carried, authorizing the issuance of a Special Officer Permit to Mr. W. C. Mulkey for use on the premises of Reliance Fruit & Produce Company.

CONTRACT AWARDED WALLACE & TIERNAN COMPANY FOR CHLORINATOR.

Upon motion of Councilman Boyd, seconded by Councilman Jordan, and unanimously carried, contract was awarded Wallace & Tiernan Company, for One Manual Control Solution Feed Air Operated Visible Vacuum Chlorinator, 1,000 pound capacity, complete, as specified, at a net exchanged delivered price of \$3,000.00.

UNFIT HOUSING PROGRESS REPORT FOR QUARTER ENDING SEPTEMBER 31st.

The City Manager presented the following Unfit Housing Progress Report for the quarter ending September 31st:

Number of Housing Units brought up to standard	359
Number of Property Owners Cited for Hearings	23
Number of Housing Units Condemned	27
Number of Bathing Facilities Installed	428
Number of Houses Demolished	58

Progress since the beginning of the Program, August, 1948

Number of Houses brought up to standard	8,917
Number of Houses Demolished	894

SETTLEMENT OF CLAIM OF DUKE POWER COMPANY FOR DAMAGES TO CABLE AT MORRIS FIELD.

Upon motion of Councilman Boyd, seconded by Councilman Coddington, and unanimously carried, the claim of Duke Power Company for damages to cable at Morris Field by ditch digging machine was authorized settled in the amount of \$206.66, as recommended by the City Manager.

PLAT OF FOXCROFT SUBDIVISION APPROVED.

Councilman Dellinger moved that Plat of Foxcroft Subdivision be approved, the revision in street names having been made and approved by the Planning Board as requested by the Council at its meeting on October 15th. The motion was seconded by Councilman Jordan, and unanimously carried.

PROMOTIONS IN NON-CIVIL SERVICE PERSONNEL OF CLERICAL STAFF OF POLICE DEPARTMENT RECORD BUREAU APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Dellinger, and unanimously carried, the promotion of the non-Civil Service personnel of the clerical staff of the Record Bureau of the Police Department was approved in accordance with the recommendations of the Chief of Police, as contained in his memorandum to the City Manager dated October 21, 1952, as follows - same to become effective November 1, 1952:

"On Sunday, September 28, 1952, the Record Bureau was placed on a 24-hour basis which gives the department a clerk on duty at all times, with an extra clerk on the morning shift. In view of these facts, I recommend the following salary scale, effective November 1, 1952:

A. F. Warren	\$264.50
Miss Eliza Womble	264.50
R. R. Griffith	250.00
C. W. Hucks (filling Z. V. Britt vacancy)	250.00

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This adjustment will only make a difference of \$27.72 a month on the overall payroll of the department at this time. These adjustments are taken care of by the division of the difference in the salary formerly paid Mr. Britt of \$276.00 and that paid the other three employees in the Record Bureau."

ADJOURNMENT.

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

Lillian R. Hoffman
City Clerk