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Regular weekly meeting of the City Council was held at 4 o'clock P. M., Wednesday, April 9, 1941, in the Council Chamber, City Hall, with Mayor Douglas presiding and Councilmen Albea, Baxter, Hovis, Huntley, Little, Nance, Ward and Wilkinson being present.

Absent: Councilmen Britt and Sides.

MINUTES APPROVED.

On motion of Councilman Huntley, seconded by Councilman Albea, the minutes of the previous meeting were read and approved.

CHARLOTTE OBSERVER GRANTED USE OF ARMORY AUDITORIUM FOR "PASSION PLAY" AT COST.

On motion of Councilman Ward, seconded by Councilman Baxter, the rent on the Armory-Auditorium for the showing of the "Passion Play" was granted at cost. This was upon request of Mr. Harry Allen, of The Charlotte Observer, who stated that the proceeds from this play would go to the Observer's Fresh Air Camp Fund.

SIMPSON'S CHAPEL METHODIST CHURCH (COLORED) GRANTED USE OF ARMORY AUDITORIUM AT COST.

A representative from Simpson's Chapel Methodist Church (colored) requested assistance in connection with rent of the Armory-Auditorium on May 13th., when a concert will be staged by a college group coming to Charlotte to interest graduates of the colored schools in their college; any profits from this concert to be used by the above mentioned church in paying off their debts, among which is their street assessments.

Councilman Wilkinson moved that they be granted use of the Armory-Auditorium at cost with the understanding that any profits, after expenses are paid, will go to pay street assessments. Motion seconded by Councilman Baxter and carried.

AMENDMENT TO "TRAFFIC ORDINANCE".

On motion of Councilman Hovis, seconded by Councilman Little, the following amendment to the "Traffic Ordinance" was unanimously adopted on three readings and declared by the Mayor to be an Ordinance of the City of Charlotte.

AN ORDINANCE TO AMEND
"AN ORDINANCE REGULATING TRAFFIC UPON THE
PUBLIC STREETS OF THE CITY OF CHARLOTTE,
EFFECTIVE JANUARY 10, 1940".

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHARLOTTE, IN REGULAR SESSION:

Section 1. That the ordinance entitled: "An ordinance regulating traffic upon the public streets of the City of Charlotte, effective January 10, 1940," be amended by adding to schedule five of said ordinance immediately after the words: "GRAHAM STREET- 50 feet south of Eleventh, east side" the following: "Graham Street-80 feet south of Eleventh Street, west side" and by adding immediately thereafter: "Graham Street- Eleventh to Twelfth Streets, both sides" and by striking out in Schedule five the following: "Eleventh Street-50 feet west of Graham, north side" and placing in lieu thereof the following: "Eleventh Street- 80 feet west of

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Graham Street- both sides".

Section 2. This ordinance shall be in full force and effect from its adoption.

APPROVED AS TO FORM:

J. M. Scarborough
City Attorney.

PURCHASE OF TERRA COTTA PIPE FOR SEWER LINES.

On motion of Councilman Little, seconded by Councilman Wilkinson, the Mayor and Clerk were authorized to sign a contract with the Doggett Lumber Company for 2,604 feet of 8" Terra Cotta Pipe, for use on various sewer line projects, at a net delivered price of \$650.41.

The bids received on this pipe were as follows:

Doggett Lumber Company	\$650.41
T. J. Wiggins Lumber Company	675.67
McGee Lumber Company	681.99
Charlotte Lumber Corporation	681.99
J. L. Wiggins & Son Lumber Co.	681.99
Caldwell Construction Company	681.99
Tucker-Kirby Company	681.99
Cathey Lumber Company	681.99

SEWER INSTALLATION IN MCDONALD AVENUE.

On motion of Councilman Wilkinson, seconded by Councilman Albea, approval was given on the request of the Piedmont Paint & Supply Company for installation of an 8" sanitary sewer in McDonald Avenue, from Magnolia Avenue to Euclid Avenue, a distance of 1950 feet, to serve 14 houses already started and 41 additional lots fronting on the proposed sewer line. The estimated cost of this installation is \$1,762.75.

RE-ASSESSMENT ORDINANCE - NORTH TRYON STREET

On motion of Councilman Hovis, seconded by Councilman Albea, the following re-assessment ordinance covering property formerly owned by Dr. C. L. Alexander, on North Tryon Street, was unanimously adopted on three readings and declared by the Mayor to be an ordinance of the City of Charlotte:

The City Council of the City of Charlotte, North Carolina, DO ORDAIN that the special benefits to the abutting property on North Tryon Street, on account of the benefits of the paving of the street, beginning at the northwesterly corner of the intersection of North Tryon Street and West 25th Street, and running thence in a northerly direction to the southwesterly intersection corner of North Tryon Street and West 26th Street, a distance of 400 feet, being originally assessed as a whole against Dr. C. L. Alexander, is hereby subdivided and reassessed on the west side only as follows:

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<u>Street Number</u>		<u>Frontage</u>	<u>Water</u>	<u>Sewer</u>	<u>Street</u>	<u>Total</u>
2201-15	W. H. Wilson and B. A. Clark	200	15.00	23.62	263.44	302.06
2217-31	Evelyn B. Alexander	200	15.00	23.62	263.45	302.07

REFUND OF SEWER CHARGE ON SUNSET DRIVE, WINDSOR DRIVE AND POINDEXTER DRIVE.

The City Manager reported that on July 19, 1940, the Council authorized an agreement between the City and Mrs. W. T. Rowland, of 715 Winthrop Avenue, for the return of \$557.90 posted by her for the construction of an 8" sanitary sewer in Sunset Drive, Windsor Drive and Poindexter Drive, if and when as many as seven houses were built and served by connections to this line. The Engineering Department advises that seven houses have now been constructed and are being served by this line and the agreement has been complied with in every respect, and asked authority for making this refund.

On motion of Councilman Barter, seconded by Councilman Albea and unanimously carried, this refund was authorized.

SPECIAL OFFICER PERMIT FOR CHARLOTTE PARK AND RECREATION COMMISSION.

On motion of Councilman Huntley, seconded by Councilman Wilkinson, Mr. Hunter Foster was granted a special officer permit for use at Revolution and Independence Parks, on request of the Charlotte Park and Recreation Commission.

COPY OF SMOKE ABATEMENT ENGINEER'S REPORT FOR MARCH 1941.

A copy of the Report of Mr. E. F. Monroe, Smoke Abatement Engineer, for the month of March 1941, was presented each member of the Council.

\$205.00 TO BE TRANSFERRED FROM CAPITAL OUTLAY TO SIDEWALKS ON CECIL STREET AROUND CITY ARMORY.

On motion of Councilman Wilkinson, seconded by Councilman Huntley, \$205.00 is to be transferred from the Street Department Capital Outlay for sidewalks on Cecil Street around the City's Armory-Auditorium.

STREET WIDENING ASSESSMENT- W. G. JARRELL ESTATE ON SOUTH GRAHAM STREET.

Mr. Armstrong read a letter from Mr. E. S. DeLaney, Collector of Revenue, relative to street widening assessments against the W. G. Jarrell Estate for property at 119-129 South Graham Street, in which Mr. DeLaney states that Mr. W. L. Isenhour, representing the heirs of this Estate, is asking for relief in connection with the assessments against the property, which assessments amount to \$7962.76, including interest, and which they claim are excessive. At the time Graham Street was widened, the Estate was paid the sum of \$1184.51 in cash as damages and were assessed \$6750.59 as benefits, which were to be paid over a period of ten years. Mr. DeLaney stated in his letter that he was on the Board of Appraisers making the appraisal and that the assessment was on an equal basis with the remainder of the property on the street.

On motion of Councilman Albea, seconded by Councilman Hovis, the matter was referred to a committee to be appointed by the Mayor,

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and the Mayor appointed on this committee: Councilmen Wilkinson, Huntley and Albea.

REPORT OF COMMITTEE ON SALE OF LAND ON BRUNS AVENUE.

Councilman Wilkinson, as Chairman of the committee appointed at the last meeting to investigate the offer of \$250.00 made by Mr. Grainger Pierce, Attorney, for a lot known as 119-21 Bruns Avenue, reported that his committee had met and gone over this property and found it to be nothing but a hole, which would cost the City a great deal of money to put in proper shape to make saleable, and it was, therefore, the recommendation of the committee that this offer be accepted. He then made a motion that the Council authorize a deed to be executed and delivered to Mr. Pierce for this property, which was seconded by Councilman Huntley and unanimously carried.

REPORT OF SAME COMMITTEE ON REFUND OF STREET ASSESSMENTS OF C. H. McCALL ON SEIGLE AVENUE.

Mr. Wilkinson also reported for the same committee, that it was the committee's recommendation that the request of Mr. C. H. McCall for refund or rebate on street assessments made by him on property at 1609 and 1613 Seigle Avenue, be denied, on the ground that the City cannot legally make such refund.

Councilman Wilkinson then moved that this request be denied, which was seconded by Councilman Huntley and carried.

APPROPRIATION OF \$200.00 FROM EMERGENCY FUND FOR POLICE PROTECTION, SANITARY SERVICE, ETC. DURING VISIT OF 105TH. ENGINEERS APRIL 19 TO 21ST.

Councilman Wilkinson made a motion that \$200.00 be appropriated from the Emergency Fund for providing sanitation, etc. during the visit of the 105th Engineers in Charlotte on April 19th. thru 21st. Motion seconded by Councilman Little and carried.

CEMETERY DEEDS.

On motion of Councilman Huntley, seconded by Councilman Little, the following cemetery deeds were approved for transfer:

R. D. Morton, Lot No. 21, North Half, Section B.B. Elmwood,	\$63.00
D. G. Saunders, " 14, " " " " " "	63.00
Transfer of East Half of Lot No 20, in Section "A" from V. J. Brawley to Mrs. W. P. Porter	1.00
New deed to be issued to V. J. Brawley for West Half of same lot.	

DEDICATION OF STREETS IN PIEDMONT COURTS AND FAIRVIEW HOMES.

Mayor Douglas read a deed from the Charlotte Housing Authority to the City of Charlotte, transferring certain streets in Piedmont Courts and Fairview Homes, for acceptance by the City Council. After discussion, Councilman Wilkinson made a motion that it not be accepted, but no second was received, and Councilman Hovis moved that the deed be accepted and the streets named therein be taken over by the City, which was seconded by Councilman Albea and carried, with Councilman Wilkinson voting "No".

ADJOURNMENT.

On motion of Councilman Huntley the meeting adjourned.

Alice B. McConnell
City clerk