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The regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, February 24, 1937, at 4:00 o'clock P. M., with Mayor Pro Tem John L. Wilkinson presiding and present: Councilmen Albea, Baxter, Durham, Hovis, Hudson, Huntley, Nance, Sides.

Absent: Councilmen Boyd and Tipton.

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APPROVAL OF MINUTES FEBRUARY 17TH. MEETING.

On motion of Councilman Albea, seconded by Councilman Hudson, the minutes of the February 17th. meeting were approved as read.

APPROVAL OF BILL TO BE PRESENTED BY MECKLENBURG DRAINAGE COMMISSION TO GENERAL ASSEMBLY.

Mr. Carol Taliaferro, Attorney for the Mecklenburg Drainage Commission, appeared before the Council with a bill which they propose to present to the Legislature now in session, entitled: "A Bill to be entitled "An Act to amend Chapter 538 Public Local Laws of 1911, as amended by Chapter 826 Public Local Laws 1913 and Chapter 369 Public Local Laws of 1915, known as Mecklenburg County Drainage Law and Promoting the Drainage of streams within the corporate limits of the City of Charlotte", asking for the approval of the Council to the above bill.

Mr. Taliaferro explained the necessity of having this bill adopted. Thereupon, the following resolution was made by Councilman Hudson, seconded by Councilman Albea and upon presentation was unanimously adopted:

RESOLVED, that the Senator and Representatives in the General Assembly from Mecklenburg County be and they hereby are requested to secure the adoption of a bill prepared by C. D. Taliaferro, Attorney for the Mecklenburg Drainage Commission, being an Act to amend Mecklenburg County Drainage law and promoting the drainage of streams within the corporate limits of the City of Charlotte; same having been approved as to form by Scarborough & Boyd, City Attorneys.

SUNDAY BASEBALL.

Mr. Chester Nixon appeared before the Council in connection with the present restrictions on Sunday Baseball, Mr. Nixon stating that the Council should consider this matter in the light of justice, and that this law should be repealed and the people allowed to play golf, baseball and other sports, including the opening of the negro swimming pools.

Mr. Nixon spoke at length on this subject, but no discussion or action was taken by the Council.

SLOAN PROPERTY RIGHT-OF-WAY.

Mr. Frank Kennedy, representing the Sloan interests in connection with the right-of-way from the Wilkinson Boulevard to the Airport, which right-of-way crosses the property of the estate of Mr. J. P. Sloan, stated that while his clients had asked \$2000.00 for this piece of property, same being the most desirable location on their tract of land, and the City having offered \$1000.00 for this right-of-way, he had suggested a compromise of \$1500.00, which the City would not accept, but that in order

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to avoid condemnation proceedings he was willing to recommend to his clients that they accept the sum of \$1250.00.

Mr. Marshall stated that while he thought \$1000.00 a very good price for the property in order to save long-drawn out proceedings he felt that it might be advisable to settle for \$1250.00.

Councilman Sides, seconded by Councilman Albea, moved that the Council approve the \$1250.00 offer provided Mr. Kennedy can get it through without further delay. Motion unanimously carried.

CENTRAL LABOR UNION REPRESENTATIVE ASKING FOR RELIEF AGENCY ON BUDGET PLAN, INVESTIGATION OF WAGES IN THE SLUM CLEARANCE PROGRAM AND THAT DAVIDSON STREET BE CONTINUED THROUGH TO NORTH CHARLOTTE.

Mr. J. H. Fullerton, President of the Charlotte Central Labor Union, appeared before the Council at this time, asking that in connection with the campaign being made by the City on better housing conditions, etc., that a survey also be made of the wages paid to those living in these houses. Mr. Fullerton was advised by the City Manager that the questionnaire being used by the committee in making the survey contains this question, as well as the source of income and the number of dependents on that income.

Mr. Fullerton then brought up the question of combining all relief agencies under one head, this commission to be established by the City and County jointly and operated on a budget plan; that at present there is much over-lapping and much of the money going for overhead.

He also stated that North Charlotte at present has only one avenue of approach, through Brevard Street, and that he would like to see Davidson Street continued on thru North Charlotte, which could be done with the help of the W.P.A. or government funds, and would eliminate a lot of traffic on Brevard and relief congestion at that point.

Mr. Marshall asked Mr. Fullerton to discuss these matters with him at some later date, as he would like to go into several of his suggestions more fully, to which Mr. Fullerton agreed that he would.

REQUEST OF MENTAL HYGIENE CLINIC FOR ANTIQUE SALE.

Mr. Marshall reported that Dr. Choate, who had made the request presented by Mr. Marshall at the last meeting for permission to hold an antique sale without the visiting dealers paying privilege license, had not obtained all the necessary information for presentation at this time.

BILL PRESENTED FOR APPROVAL OF CITY COUNCIL REGARDING INCREASE IN PARK LEVY.

Councilman Sides reported that the Park Committee of the Council had met with the Park & Recreation Commission relative to an election in the City of Charlotte to increase the tax rate for Park purposes from 2 cents to 5 cents, and read the proposed Bill which had been prepared by the City Attorneys and the Park & Recreation Commission for presentation to the General Assembly, which Bill called for the holding of an election on June 8, 1937.

After discussion it was suggested that the clause setting the date of the election be changed to leave the date blank and the calling of the election to be optional with the Council.

Mr. Cartier stated that, if possible, he would like to have

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the matter go through in time to have the money available for the next year's budget.

Councilman Sides, seconded by Councilman Nance, moved that the Bill as changed to make it optional with the Council as to the calling of an election, be approved, which was unanimously carried.

Councilman Sides, seconded by Councilman Nance, then moved that the City Attorneys be requested to draft and insert the optional clause in this bill. Motion unanimously carried.

CONTRACT FOR TERRA COTTA PIPE AWARDED TO CATHEY LUMBER COMPANY.

On motion of Councilman Baxter, seconded by Councilman Albea, and unanimously carried, the Mayor and Clerk were authorized to sign contract with the Cathey Lumber Company for one car of Terra Cotta Pipe, at a price of \$351.54.

Bids received on this material from eight concerns were all at the same price.

CONTRACT FOR COPPER WIRE.

On motion of Councilman Nance, seconded by Councilman Huntley, the Mayor and Clerk were authorized to sign contract with the Graybar Electric Company, Inc., for 1400 pounds of Hard Drawn Water Proof Triple Braided No. 10 Solid Copper Wire, for Fire Alarm Extension, at a price of \$301.42, this being the low bid received.

Other bids were as follows:

Mill Power Supply Company	\$309.54
General Electric Company	311.36
Westinghouse Electric Supply Co.	317.66

CONTRACT FOR POLICE AND FIRE DEPARTMENT UNIFORMS.

The City Manager reported bids received on Uniforms for the Police and Fire Departments were as follows:

FIRE DEPARTMENT:

Belk Bros. Co. Bid #1	\$2,029.24
" " " " #2	2,256.04
Charlotte Mercantile Co.	2,255.65
Efird's Dept. Store	2,392.30
Martin's Dept. Store	2,547.10
Elliott & Fink	2,350.30

POLICE DEPARTMENT:

Charlotte Mercantile Co.	2,229.40
Elliott & Fink	2,641.90
Efird's Dept. Store	2,775.20
Martin's Dept. Store	2,916.60
Bek Bros Company	3,022.22

He also advised that the No. 1 bid of Belk Bros. Company on Fire Department uniforms, was not on specifications; that an error was made in their No. 2 bid on one item and they asked for permission to withdraw their bid. The bid of the Charlotte Mercantile Company was not on specifications, on either Fire or Police uniforms.

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Inasmuch as Elliott and Fink offers a 1% discount if awarded both contracts, Councilman Huntley, seconded by Councilman Hudson, moved that contract be awarded to Elliott & Fink for both Fire and Police Department uniforms, at a total price of \$4,942.28, and that the Mayor and Clerk sign the contract. Motion unanimously carried.

APPROVAL OF LOCAL GOVERNMENT COMMISSION ON BOND ISSUE.

The City Manager reported that the Local Government Commission had approved the City's application for the issuance of \$1,365,000.00 Water Works Extension Bonds.

LEASE OF CITY LAND AT IRWIN CREEK DISPOSAL PLANT.

Upon the recommendation of Mr. Vest, Supt. of the Water Department, Councilman Albea, seconded by Councilman Nance, moved that application for lease on the Marsh tract, Irwin Creek property near the Sewage Disposal Plant for farming purposes, be approved. Motion carried.

WATER BOND ELECTION PAYMENTS.

Upon motion of Councilman Sides, seconded by Councilman Durham and carried, the City Manager was authorized to pay the accounts in connection with the Water Works Bond special election as they come due; the Election Board advising that the probable expense of this election will be \$1,500.00.

RE-ASSESSMENT ORDINANCE - OAKLAWN AVENUE.

On motion of Councilman Hudson, seconded by Councilman Baxter, the following re-assessment ordinance on Oaklawn Avenue was unanimously adopted on three readings:

The City Council of the City of Charlotte, North Carolina, DO ORDAIN that the special benefits to the abutting property on Oaklawn Avenue, on account of the paving of the street, beginning at the south-westerly corner of the intersection of Burton Street with Oaklawn Avenue and extending in a westerly direction a distance of 90.0 feet, being originally assessed ~~in a westerly direction a distance of 90'~~ as a whole against Helen B. Whistnant, is hereby subdivided and reassessed on the southside only, as follows:

New No.	Owner	Frontage	Water	Sewer	Street	Sidewalk	Total
Street	City of Charlotte, N.C.	5.0'	---	---	12.69	---	12.69
1301-03	Independence R & L Corp.	42.5'	---	---	107.82	---	107.82
1305-07	Leroy Dulin	42.5'	15.00	12.00	107.82	---	134.82

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SUIT OF MARGARET THOMAS VS. CITY OF CHARLOTTE.

Mr. Marshall reported notice of suit of Margaret Thomas against the City of Charlotte had been received and turned over to the City Attorneys for handling. This suit is for alleged injuries caused by falling over a rock embedded in the dirt sidewalk on Douglas Street and is for \$5,000.00. M. K. Harrill is attorney for Margaret Thomas.

NOTICE OF SUIT OF BERTHA MITCHELL VS. CITY OF CHARLOTTE.

Report was made of receipt of notice of suit of Bertha Mitchell against the City for alleged injuries caused from falling into an open manhole on East Third Street in September. Suit is for \$2500.00 and the plaintiff's attorney is Mr. Fred Helms.

APPOINTMENTS AND DISMISSALS.

The City Manager reported that Mr. James G. Orr has been employed as an outside Inspector in the Health Department.

OPERATING BUDGET STATEMENT.

A copy of the Operating Budget Statement as of January 31st. was presented each Councilman and attention was called to the surplus for the seven months operating period.

BILL TO BE PRESENTED TO MECKLENBURG DELEGATION, GENERAL ASSEMBLY, AUTHORIZING CITY TO CHARGE FOR SEWER SERVICE OUTSIDE THE CITY OF CHARLOTTE.

Mr. Marshall read a bill, entitled: "An authorization of the City of Charlotte to charge for sewer service outside the City of Charlotte and to provide penalties for non-payment for such services", which had been prepared by the City Attorneys for presentation to the General Assembly, and Councilman Hovis, seconded by Councilman Durham, moved that this Bill be presented to the Mecklenburg Delegation for passage. Motion unanimously carried.

LETTER REGARDING PROPOSED BILL OF MR. VICTOR BRYANT, FROM THE BUSINESS AND PROFESSIONAL WOMENS CLUB, PRESENTED.

Mr. Marshall presented a letter received from the President of the Charlotte Business & Professional Women's Club, asking that the City Council support the proposed bill which has been brought before the State Legislature by Mr. Victor Bryant, which Bill would give the State of North Carolina authority to grant permission to any city who may at some future date care to take advantage of the Federal Aid offered by the Government, in creating a Housing Authority and to go further into the matter of better housing.

Councilman Alba, seconded by Councilman Hovis, made a motion, on the strength of the above letter that it in no way obligates the City, that the City Council approve the bill offered by Mr. Bryant. Motion unanimously carried.

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INVITATION FROM JUDGE REDD TO ATTEND ADDRESS ON JUVENILE DELINQUENCY.

Judge Marion Redd, of the Juvenile Detention Court, extended an invitation, through Mr. Marshall, to the Council to attend an address which he was to deliver at Sloan's School House on Friday evening, his subject to be "Juvenile Delinquency."

CEMETERY DEEDS.

On motion of Councilman Hovis, seconded by Councilman Huntley, the following cemetery deeds were approved:

H. T. Guyn, S.E. 1/4 Lot No. 31-A. "Dannex"	\$35.00
J. N. Ross, Lot No. 535, Section "U"	70.00

PINEWOOD

Ed Brown, Lot No. 6, Section "E" West Pinewood	20.00
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ADJOURNMENT.

On motion of Councilman Huntley, seconded by Councilman Hudson, the meeting adjourned.

*Alice B. McConnell*  
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City Clerk