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Regular weekly meeting of the City Council was held in the Council Chamber, City Hall, at 4 o'clock P. M., Wednesday, February 4, 1942, with Mayor Currie presiding and all members present.

REQUEST OF CENTRAL HIGH SCHOOL BAND FOR USE OF ARMORY-AUDITORIUM FOR TWO CONCERTS GRANTED.

Mr. L. W. Hanchett and two members of the Central High School Band, appeared before the Council and requested use of the Armory-Auditorium for two dates, on which to give two concerts to raise money to send the Band to Milwaukee to the National Convention of Musicians; this being the only High School band in the country to be invited to this convention; these two dates to be granted without cost.

Councilman Little made a motion that the request be granted, which was seconded by Councilman Albea, but at this time Councilman Ward made a report for the committee appointed at the last meeting regarding the request of the use of the Armory by the Air Base for housing additional soldiers, stating that the committee was more or less unanimous in the opinion that there is a possibility that the City may be asked to cancel all engagements for the Armory and let the Civilian Defense use it for drill purposes, also for housing of additional soldiers.

Action on the above request was then deferred until later on during the meeting, at which time there was considerable discussion as to the dates available, and after consulting the Armory register, Councilman Ward advised that the date Sunday February 22nd. was open, also February 24th. and March 5th., but that it would take the approval of the School Commissioners to hold the concert on Sunday, and after the discussion, Councilman Ward, seconded by Councilman Beasley, moved that they be granted the dates February 24th. and May 5th., provided the Home Guards would relinquish the February 24th. date. Motion carried. This being at no cost.

APPROVAL OF MINUTES OF THE MEETINGS OF JANUARY 14TH., 21ST. AND 28TH.

On motion of Councilman Little, seconded by Councilman Painter, the minutes of the meetings of January 14th., 21st. and 28th. were approved.

TRANSFER OF ACCOUNTS IN NAME OF MONTROSE D. PHIFER.

On motion of Councilman Ross, seconded by Councilman Little, the amount of \$442.28, representing a balance shown on the Street Assessment books as being due from Montrose D. Phifer, now owned by the City of Charlotte, is to be transferred from the Street Assessment Accounts Receivable to the Foreclose Account, in order that the records may reflect the true condition.

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REPORT OF COMMITTEE ON PETITION FOR LIGHT AT McDOWELL AND FIRST STREETS AND
MCDOWELL AND STONEWALL.

Councilman Beasley, Chairman of the Police & Fire Committee, asked the City Manager to give a report on the petition for installation of traffic lights at McDowell & First Streets and McDowell & Stonewall Streets. Mr. Flack reported that Mr. Skinner, Traffic Inspector, had recommended the installation of a light at McDowell and First Streets, while Chief Joyner had recommended the installation at McDowell and Stonewall. He advised that the Chief of Police also recommends that the Myers Street school children be protected by a police officer during the school hours, and Mr. Beasley also recommended that these children be furnished a negro police officer at this time.

Mr. Flack stated that Mr. Skinner had asked for an appropriation of \$325.00 for the light at First and McDowell. Chief Joyner has asked that the light only be operated during the day light hours if installed. The Mayor suggested, since Chief Joyner had recommended installation at one point and Mr. Skinner at another, that the committee meet with the City Manager and see what they want and report back at the next meeting.

Mr. Beasley said that he would like to ask the City Manager to direct the Chief of Police at this time to give the Myers Street School children police protection during school hours, and the Mayor stated that that could be worked out with the City Manager and the Chief of Police.

ORDINANCE REGULATING THE LEASING, USE AND OCCUPANCY OF THE ARMORY-AUDITORIUM.

The following Ordinance was read and on motion of Councilman Slye, seconded in each instance by Councilman Ross, was unanimously adopted on three readings, and declared by the Mayor to be an Ordinance of the City of Charlotte:

AN ORDINANCE
REGULATING THE LEASING USE AND OCCUPANCY
OF THE CITY ARMORY-AUDITORIUM.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA:

Section 1. That the leasing, use and occupancy of the City Armory Auditorium shall be by written contract only.

Section 2. That before any person, persons, organization, association or corporation shall be permitted to rent or use said City Armory Auditorium, such person, persons, organization, association or corporation shall make the deposit hereinafter required and agree to pay any and all license fees which may be required by law.

Section 3. Any person, persons, organization, association or corporation who may desire to rent or use the said City Armory Auditorium shall be required to make a deposit of \$10 at the time a request for a reservation is made; said deposit to apply against the total rental. If, however, a contract for leasing said City Armory Auditorium is not executed or is not fulfilled by such person, persons, organization, association or corporation, the said \$10 deposit shall be forfeited to the City of Charlotte.

Section 4. That the rate of the rental of said City Armory Auditorium shall be as follows:

A. Any out-of-town person, persons, organization,

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association or corporation using the same for any purpose: \$100 per day.

B. Commercial (where admission charge is made):

(1) Any local person, persons, organization, association or corporation using the same for any purpose except as hereinafter specifically provided for: \$75 per day.

(2) Any local person, persons, organization, association or corporation using the same ten or more times within the same fiscal year of the City of Charlotte, under this heading: \$50 per day.

C. Quasi-commercial (where admission charge is made):

(1) Any local person, persons, organization, association or corporation using the same where the net and not the gross receipts are devoted to charity: \$50 per day.

D. Commercial (Where no admission charge is made):

(1) Any local person, persons, organization, association or corporation using the same where no admission charge is made: \$25 per day.

E. Charity (where admission charge is or is not made):

(1) Any local person, persons, organization association or corporation using the same and where the gross receipts (except incidental expenses) are devoted to charity: \$25 per day.

F. Tax Supported and Governmental Agencies (where admission is or is not made):

(1) Any tax supported and/or governmental agencies using the same and where admission is or is not made: \$25 per day.

G. The City Council of the City of Charlotte reserves the right to alter these charges if and when, in its discretion, public convenience and necessity actually warrants.

Section 5. It shall be unlawful for any person, persons, organization, association or corporation to use or occupy the City Armory Auditorium for giving any program or performance without first having entered into a written contract therefor as herein provided.

Section 6. No contract shall be executed, nor shall any permission for use of the City Armory Auditorium be granted to any person, persons, organization, association, or corporation for the holding of a religious service therein, where an admission or door fee or charge is to be made, either directly or indirectly, nor shall any contract be executed, nor shall any permission for the use of the City Armory Auditorium be granted to any person, persons, organization, association or corporation for the holding of a religious service therein when the City Manager of the City of Charlotte finds that the real purpose and object of the said service is the making of money in connection with the same.

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Section 7. If any person, persons, organization, association or corporation violates any regulation or ordinance of the City of Charlotte or any law of the State of North Carolina or of the United States Government in connection with the use and occupancy of the said City Armory Auditorium, then the right to continue to use and occupy the said premises shall immediately cease and terminate, but all obligations and agreements for the payment of rent, and otherwise called for and provided for in the contract for the use and occupancy of the premises on the part of such person, persons, organization, association or corporation shall remain in full force and effect and any and all liability incurred by such violation shall continue.

Section 8. That any person, persons, organization, association or corporation using said City Armory Auditorium shall agree to and assume to be solely liable for any and all injuries to persons or property directly or indirectly suffered in connection with such lessee's use or occupancy of said premises, and shall agree to hold and save the City of Charlotte harmless from any and all consequences of such use and/or occupancy.

Section 9. That any contract for the leasing, use and occupancy of the City Armory Auditorium shall be subject to cancellation if and when the City Council of the City of Charlotte, in its discretion, finds that national defense or public emergency requires such cancellation; provided that at least 1 hour before the effective time of such cancellation, a written notice of such cancellation is mailed to the person, persons, organization, association or corporation who entered into the contract, at the address of said person, persons, organization, association or corporation appearing in the contract.

Section 10. That all ordinances and clauses of ordinances in conflict herewith are hereby repealed.

Section 11. This ordinance shall be in full force and effect from and after the 4th day of February 1942.

APPROVED AS TO FORM:

Tillett & Campbell
City Attorneys.

LIONS CLUB TO BE GRANTED USE OF ARMORY AUDITORIUM AT CHARITY RATE FOR
KALTENBORN LECTURE

On motion of Councilman Hovis, seconded by Councilman Slye and carried, the Lions Club of Charlotte was granted use of the Armory Auditorium on February 27th., for the Kaltenborn lecture, at the charity rate.

SALE OF JUNK.

On motion of Councilman Albea, seconded by Councilman Baker, the sale of 1,000 pounds of assorted junk metals accumulated around the City Hall, was made to the highest bidder, Schwartz & Son, Inc., of Charlotte, on a unit price basis of .65¢ per cwt.

SALE OF OLD ADDRESSOGRAPH EQUIPMENT.

On motion of Councilman Slye, seconded by Councilman Albea, authority was given for the sale of an old addressograph and graphotype machine to the highest bidder, E. R. Abernathy of Charlotte, for the sum of \$35.00.

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REPAIRS TO PUMP AT SUGAW CREEK DISPOSAL PLANT.

On motion of Councilman Daughtry, seconded by Councilman Baker, the Mayor and Clerk were authorized to sign a contract with the J. R. Purser Sales Engineer, Inc., for an emergency order of 1 De Laval Pump assembly complete, for air compressor at Sugaw Creek Disposal Plant, at a net price of \$212. f.ob. Trenton, N. J.; the J. R. Purser Engineer, Inc. being the representative of the De Laval Steam Turbine Company in Charlotte.

CLAIM OF MRS. MAUDIE ELWOOD FISHER VS. CITY OF CHARLOTTE.

Report was made to the Council of notice of claim of Mrs. Maudie Elwood Fisher against the City of Charlotte for injuries alleged to have been sustained by plaintiff on Central Avenue, on December 20, 1941. This was referred to the City Attorneys.

AMENDMENT TO BUILDING ORDINANCE.

On motion of Councilman Little, seconded by Councilman Ross and carried, the following ordinance was unanimously adopted on three readings and declared by the Mayor to be an ordinance of the City of Charlotte:

AN ORDINANCE
AMENDING CHAPTER 21 SECTION 6 OF THE
BUILDING ORDINANCE OF THE CITY OF
CHARLOTTE, ADOPTED OCTOBER 30, 1940.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, N. C.:

Section 1. That Chapter 21 of the Building Ordinance of the City of Charlotte, N. C., adopted October 30, 1940, be, and the same hereby is, amended by striking out Section 6 thereof, and inserting in lieu thereof the following:

6. On or before February 1, 1943, all roofs and the tops and sides of all dormer windows covered with wood or wood shingles shall be replaced or recovered with coverings which comply with this ordinance.

6a. It shall be unlawful and shall be a violation of this ordinance for any person, firm or corporation to suffer or permit any thing or condition to exist that does not conform to, or is contrary to, the provision of this chapter.

Section 2. This ordinance shall take effect from and after its passage.

APPROVED AS TO FORM:

Tillett & Campbell
City Attorneys.

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RE-ASSESSMENT ORDINANCE - STATESVILLE AVENUE

The following re-assessment ordinance covering property in the 2400 block of Statesville Avenue was unanimously adopted on three readings on motion made by Councilman Albea, seconded by Councilman Slye in each instance:

STATESVILLE AVENUE

The City Council of the City of Charlotte, N. C. DO ORDAIN that the special benefits to the abutting property on Statesville Avenue, on account of the benefits of the paving of the roadway and sidewalks, beginning at an iron corner on the dividing property line between Piedmont Sundries Company and F. E. Alexander and running thence in a northerly direction, a distance of 348 feet, to the old (1907) city limits, and being originally assessed as a whole against F. E. Alexander, is hereby subdivided and re-assessed on the east side only, as follows:

<u>Street No.</u>	<u>Owner</u>	<u>Frontage</u>	<u>Water</u>	<u>Sewer</u>	<u>Street</u>	<u>S-walk</u>	<u>Total</u>
2400-02	Druid Hills, Inc.	61.8	30.00	8.40	384.40	57.48	480.28
2404-06	"	61.8	15.00	8.40	384.40	57.47	465.27
2408-10	"	61.7	15.00	16.80	383.77	57.38	472.95
2412-18	"	51.4	15.00	8.40	319.71	47.80	390.91
2420	"	20.6	15.00	-	128.13	19.16	162.29
2422-24	J. C. Brookshire	51.4	15.00	8.40	319.71	47.80	390.91
2426	Druid Hills, Inc.	19.3	-	-	120.04	17.95	137.99
2428	City of Charlotte	20.0	-	-	124.40	18.60	143.00

SPECIAL OFFICER PERMITS

On motion of Councilman Beasley, seconded by Councilman Little, the following were granted Special Officer permits for service on the premises of the Charlotte Quartermaster Depot, 1820 Statesville Avenue, Charlotte:

Zeb W. Griffin	John E. Borders
Ira W. Benfield	Raleigh J. McRae
Heath L. Wentz	John L. Head
Ernest P. McCorkle	Lee W. Moser
Cyrus C. Austin	Dan L. McCoy
Fred L. Gurley	Herman G. Stogner
Edwin L. Belch	

REQUEST OF MR. CHAS. F. DALTON FOR OPENING TO FILLING STATION REFERRED TO SPECIAL COMMITTEE.

The request of Mr. Chas. F. Dalton that he be permitted to construct an entrance to filling station on Dalton Avenue, which is not in conformity with the requirements of the ordinance governing such entrances, was, after discussion referred to the following special committee appointed by the Mayor: Messrs. Little, Beasley and Painter.

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W.P.A. TO BE ASKED TO VACATE OFFICES IN CITY HALL FOR USE OF CIVILIAN DEFENSE.

Mr. Flack advised that the Civilian Defense would need the corner room of the City Hall on the second floor as well as a part of the corridor for the Volunteer Service Bureau and Control Center and stated that at the present time these quarters are being used by the W.P.A. He asked authority to have the W.P.A. vacate this space. On motion of Councilman Baker, seconded by Councilman Ross, such authority was given the City Manager.

AMENDMENT TO THE ORDINANCE GOVERNING THE OPERATION OF THE MEMORIAL HOSPITAL.

Councilman Hovis introduced the following ordinance and moved its adoption:

AN ORDINANCE
RELATING TO THE SECRETARY AND TREASURER
OF THE CHARLOTTE MEMORIAL HOSPITAL BOARD,
BEING AN AMENDMENT TO THE ORDINANCE ORIGINAL-
LY ADOPTED APRIL 17, 1940, AND THERE-
AFTER AMENDED MAY 8, 1940.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, N. C.:

Section 1. That the ordinance originally adopted April 17, 1940, and thereafter amended May 8, 1940, entitled: "An Ordinance Providing for the Creation of a Hospital Board, etc.", which ordinance was amended by an ordinance adopted May 8, 1940, be, and the same is, amended as follows:

Strike out Section 3(a) in its entirety and substitute therefor the following:

(a) Elect a chairman, vice-chairman, secretary and treasurer; the chairman and vice-chairman shall be elected from the membership of the Board; the secretary and the treasurer shall each be citizens of the City of Charlotte, and each shall be qualified to perform the duties of the office to which he is elected, and may be a member of the Board. If the Board so determines, the positions of secretary and treasurer may be combined and filled by one person.

Strike from the last sentence of Section 3 the word "and".

Strike from the last sentence of Section 5 the words "secretary and".

Strike from Section 6 the language commencing with "The secretary and treasurer" and concluding with the words "the following duties", and substitute therefor the following:

Section 6. The Secretary shall act as secretary to the Board and as secretary of the Executive Committee, and shall keep the minutes and records thereof, and shall be the custodian of all minute books and the proceedings of the Board and of the said Committee and, in addition thereto, he shall perform such other duties as may be required of him by the Board and/or Executive Committee. The Treasurer shall perform the

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following duties:

Strike from the last sentence of Section 6 the words "secretary and".

Section 2. All ordinances and clauses of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall take effect from and after its passage.

APPROVED AS TO FORM:
Tillett & Campbell
C. W. Tillett
City Attorneys.

The foregoing ordinance was unanimously adopted on three readings, on motion made by Councilman Hovis, seconded in each instance by Councilman Baker, and the Mayor declared it to be an Ordinance of the City of Charlotte effective February 4, 1942.

CHARLOTTE SYMPHONY ORCHESTRA TO BE CHARGED RATE REQUIRED BY ORDINANCE FOR USE OF ARMORY AUDITORIUM.

On motion of Councilman Price, seconded by Councilman Beasley, the Charlotte Symphony Orchestra is to be charged the rates required by ordinance, for use of the Armory-Auditorium during the 1942-1943 season.

CEMETERY DEEDS.

On motion of Councilman Little, seconded by Councilman Albea, the following cemetery deed and perpetual care agreements were authorized to be issued:


Mrs. Minnie G. Brandes, Lot No. 39, G-Annex, Elmwood	\$99.05
Perpetual care on same	70.75
Dr. W. S. Rankin, perpetual care on West Half Lot 25 Sec. "W"	66.00

REPORT OF COMMITTEE WORKING ON CEMETERY.

Councilman Ross made a report for the Finance Committee relative to securing new cemetery tract, stating that the committee had looked over land belonging to the City at the Disposal Plants, also other tracts offered by various real estate agents, and that they were also having the City Attorneys speed up action on the Oaklawn Cemetery suit.

ADJOURNMENT.

On motion of Councilman Albea, the meeting then adjourned.


City Clerk