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The regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 o'clock P. M., Wednesday, May 13, 1942, with Mayor Currie presiding and Councilmen Albea, Baker, Beasley, Daughtry, Hovis, Little, Painter, Price, Ross and Ward being present.

Absent: Councilman Slye.

REQUEST OF DRUID HILLS, INC. TO CHANGE MAP REFERRED TO CITY MANAGER FOR CITY ATTORNEYS APPROVAL.

Mr. John Shaw, representing Druid Hills, Inc., a development company, presented to the City Council a resolution which he asked be adopted, changing the map of the development known as Druid Hills, the original map having never been recorded or accepted and certain changes having been made in the layout of the development. This matter was referred to the City Manager to confer with the City Attorneys for their approval or dis-approval and report back to the Council at its next meeting.

MINUTES OF MAY 6TH. MEETING READ AND APPROVED.

On motion of Councilman Little, seconded by Councilman Painter, the minutes of the meeting of May 6th. were approved as read.

NO COMMITTEE REPORTS.

Councilman Ross advised that the committee to work with a committee from the Board of County Commissioners relative to fire protection beyond the City limits, was not yet ready to report.

Councilman Price also reported that the committee appointed at the last meeting in the matter of the request of Mr. J. C. Caldwell for relief regarding building owned by him and condemned by the City, was held up pending legal advice.

ORDINANCE PROHIBITING GLASS OR OTHER INJURIOUS OBSTRUCTIONS IN THE STREETS DELAYED UNTIL COPIES FURNISHED CITY COUNCIL MEMBERS.

Councilman Hovis presented for adoption a proposed ordinance prohibiting glass or other injurious obstructions in the streets and moved its adoption, which motion was seconded by Councilman Beasley, but Councilman Baker, seconded by Councilman Price, made a substitute motion that each member of the Council be furnished a copy of this ordinance for study before adoption, and when voted on the substitute motion carried.

UNIFORM SIGNS TO BE PLACED ON CITY STREETS.

On motion of Councilman Hovis, seconded by Councilman Baker and carried, all street markings in the center of the streets, known as "frogs" are to be replaced with signs on the sidewalk and the Traffic Engineer is ordered to make a thorough check of all signs to see that they are on "through streets" in accordance with the ordinance, and to make all signs uniform in position.

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RESOLUTION WITH REGARD TO EXCAVATION UNDER THE SIDEWALK IN FRONT OF THE LIBERTY LIFE BUILDING.

In accordance with instructions from the City Attorneys, the following resolution was again adopted, on motion of Councilman Albea, duly seconded by Councilman Baker and carried:

WHEREAS, at the time of the construction of the building now known as the Liberty Life Building, located at #112 South Tryon St., a space was excavated under the sidewalk on the west side of South Tryon Street immediately adjacent to said property, with a length along said sidewalk of 56 ft., 7 3/4 inches, and with a width of 12 ft. 7 3/4 inches, from the property line into the street, and whereas said building is now owned by Liberty Life Building, Incorporated, of Charlotte; and, whereas, that company desires to continue to maintain said excavated space under the sidewalk in front of and adjacent to said building.

NOW, THEREFORE, BE it resolved, that Liberty Life Building, Incorporated, of Charlotte, be, and it hereby is, authorized and empowered to continue to maintain said excavated space underneath the sidewalk in front of its property known as 112 South Tryon Street, provided said corporation enters into an agreement in accordance with the agreement hereto attached and spread upon the minutes of this meeting, and the Mayor and City Clerk are hereby authorized and empowered on behalf of the City to execute said agreement after same has been approved as to form by the City Attorneys.

(See Minutes of May 6th. meeting for this agreement)

RESOLUTION WITH REGARD TO EXCAVATION UNDER THE SIDEWALK ON SOUTH TRYON STREET IN FRONT OF S. H. KRESS AND COMPANY BUILDING.

On motion of Councilman Albea, seconded by Councilman Baker, the following resolution was unanimously adopted; this resolution having also been adopted at the previous meeting:

WHEREAS, at the time of the construction of the building now known as S. H. Kress & Company, located at the southeast intersection of South Tryon Street and East Trade Street, a space was excavated under the sidewalk, on the east side of South Tryon Street immediately adjacent to said property, with a length along said sidewalk of 27 ft. and with a width of 13 ft., from the property line into the street; and, whereas, S. H. Kress & Co., desires to continue to maintain said excavated space under the sidewalk in front of, and adjacent to, its building,

NOW, THEREFORE, BE IT RESOLVED, That S. H. Kress & Company, a New York corporation, be, and it hereby is, authorized and empowered to continue to maintain said excavated space underneath the sidewalk in front of its property on South Tryon Street, located at the southeast corner of South Tryon Street and East Trade Street, provided said corporation enters into an agreement in accordance with the agreement hereto attached and spread upon the minutes of this meeting, and the Mayor and City Clerk are hereby authorized and empowered on behalf of the City to execute said agreement after same has been approved as to form by the City Attorneys.

(See Minutes of May 6th. meeting for this agreement)

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PLUMBING FOR BUILDING AT INCINERATOR.

On motion of Councilman Baker, seconded by Councilman Price and unanimously carried, the Mayor and Clerk were authorized to sign a contract with P. C. Godfrey Plumbing & Heating Company, the low bidder, for furnishing all labor and material to install necessary plumbing in the office building and toilet now being erected at the Incinerator, at the price of \$218.00.

Other bids received on this work were as follows:

J. V. Andrews	\$242.00
Tommy Brothers	268.00
Tompkins-Johnston Company	300.00

STAMPED ENVELOPES TO BE PURCHASED FOR TAX DEPARTMENT.

On motion of Councilman Baker, seconded by Councilman Albea, authority was given for the purchase of 4000 - 2¢ and 1,000 - 3¢ stamped envelopes from the U. S. Post Office, at the price of \$110.00 for the postage and \$12.40 for envelopes and printing.

INVOICE APPROVED IN SUIT OF CITY VS. MOORE SMELTING COMPANY.

On motion of Councilman Albea, seconded by Councilman Baker, approval was given for the payment from the emergency fund of an invoice in the amount of \$2.30 to the Clerk of Superior Court, covering bill of costs in the suit of City vs. Moore Smelting Company.

REBATE OF TAXES TO JANIE LOVE ET AL.

The Collector of Revenue requested rebate of taxes paid by Janie Love et al, for the years 1938, 1939 and 1940, being Nos. 4527-A to 4529-A inclusive, and also 4530-A for 1941 taxes. The amounts involved are \$6.37 for 1938 taxes, \$6.29 1939 taxes and \$6.29 for 1940 taxes. These amounts were overcharged by clerical error in the Tax Listing office. Mr. Love appeared before the Council earlier in the meeting and requested this rebate, also, stating that similar rebate had been ordered by the County.

On motion of Councilman Baker, seconded by Councilman Albea, the above rebates were authorized.

SEWER EXTENSION IN McDONALD AVENUE.

On motion of Councilman Albea, seconded by Councilman Baker, authority was given for extension of an 8" sanitary sewer in McDonald Avenue, from Euclid Avenue west 400 feet towards South Boulevard, to serve eleven houses now started. Estimated cost of this work is \$400.40.

LAND LEASED AT AIRPORT TO GOVERNMENT.

The City Manager reported that the Federal Government was desirous of having the City lease to it a certain parcel of land, of approximately 20 acres, adjacent to the Douglas Municipal Airport, at \$1.00 per year for the duration of the war; this land not being used by the City at the present time, and on motion of Councilman Albea, seconded by Councilman Little and unanimously carried, the Mayor and Clerk were

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authorized to execute lease with the Government for this parcel of land at the price of \$1 per year for the duration of war.

SPECIAL OFFICER PERMITS.

On motion of Councilman Albea, seconded by Councilman Baker, Special Officer permits were authorized for Morgan Kirkpatrick and Jack Oxidine, on the premises of the Charlotte Quartermaster Depot.

The request of Hall and Company, Independence Building, for appointment of George T. Bradley as special officer on their premises, was, with consent of the Council, referred by the Mayor to the Police Committee for report.

BAY STREET, FROM CLARICE AVENUE TO SEABOARD R.WY., TAKEN OVER FOR MAINTENANCE.

With regard to the request made at the last meeting that that portion of Bay Street between Clarice Avenue and the Seaboard Railway, be taken over for maintenance, which request was at that time referred to the Operating Committee, Councilman Ward stated that while opposed to same last week, since investigation he had found that it will be of benefit to other families in that vicinity to have this street in shape to be used, and the following letter was, on request of Councilman Ward, presented at this time by the City Manager, being the recommendation of the City Engineer:

"This department has recommended that streets be taken over in developments only after they have been graded and topsoiled and the necessary drainage put in so that they are ready for maintenance. However, from time to time, we get requests to take over streets that have been built up and no development company controls their adjoining property, as is the case with Bay Street which was taken up at the last meeting of the City Council.

The improvement of this street is not a matter of enhancing the value of the property abutting same, but is of more importance from the City's standpoint to open travel between communities already developed, saving the citizens 3 or 4 blocks of travel each time they come and go to town or crossing to the other section. This same condition applied to Westover Street in the 800 block which you have checked over with me. There are only four property owners facing this street whose property would be enhanced by this being opened up and taken over by the City for maintenance. However, the opening of this street would be of use to probably 40 or 50 families living south of this street that now have to come in on St. Julian Street, which is the only cross street that we maintain south of Chesterfield Avenue.

I thought probably this information was pertinent, as you asked me the question after the last Council meeting, why we required certain streets to be put in shape for maintenance before we take them over and others are recommended to be taken over and the City put them in shape for maintenance."

After the reading of this letter, Councilman Ward moved that the recommendation of the City Engineer be accepted and this street be taken over for maintenance. Motion seconded by Councilman Albea and carried.

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LYNWAY DRIVE AND CLAYTON DRIVE TAKEN OVER FOR CITY MAINTENANCE.

On motion of Councilman Albea, seconded by Councilman Painter and carried, Lynway Drive, from Floral Avenue to Cumberland Avenue, and Clayton Drive from Cumberland Avenue to Floral Avenue extended, was taken over for City maintenance; also that part of Cumberland Avenue recommended by the City Engineer.

Included in this request was that part of Cumberland Avenue from the branch near Ideal Way to Clayton Drive, but the City Engineer recommended that this short strip of Cumberland Avenue south of Clayton Drive not be taken over until a permanent drainage is placed over the branch near the end of the pavement.

MAY 20TH. TO BE HOLIDAY.

On motion of Councilman Albea, seconded by Councilman Daughtry, all City employees who can conveniently be away from their duties are to be granted a holiday on Wednesday, May 20th., in commemoration of Mecklenburg Declaration of Independence.

NO MEETING NEXT WEEK.

Due to the granting of the holiday on May 20th., Councilman Hovis moved that the meeting of the City Council on that date be dispensed with. Motion seconded by Councilman Little and carried.

REQUEST TO PUT TAXICAB SECURITIES IN GOVERNMENT BONDS REFERRED TO FINANCE COMMITTEE.

The request of Keith Beaty that he be permitted to place the securities which he has posted with the City Treasurer covering taxicab liability in some form of Government Bonds, the Mayor referred the matter to the Finance Committee.

Mr. Beaty also asked for permission to have his taxicabs park in front of fire plugs in the business district instead of cruising, but Mayor Currie stated that due to the fact that there is a movement under consideration to work out traffic problems due to the war, and that possibly an Administrator will be appointed to handle this work, it would be better to wait and see what program is to be carried out by this body.

CEMETERY DEEDS.

On motion of Councilman Little, seconded by Councilman Ross, the following cemetery deeds were authorized to be issued:

Mrs. J. W. Bartlam, Lot #55, Section X, with perpetual care	114.90
Mrs. E. R. Brigman, Lot No. 173 Section "Y"	63.00
Mrs. Mary Long Redman, Lot No. 50, Section "Z"	31.50
Mrs. T. M. Cato, Lot No. 253, Section "Y"	35.00
Mrs. Mamie V. Lawing, Lot No. 265, Section "Y"	35.00

ADJOURNMENT.

On motion of Councilman Little, the meeting then adjourned.

Alice B. McCune
City Clerk