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The City Council met in regular weekly session at 4 o'clock P. M., Wednesday, May 27, 1942, in the Council Chamber, City Hall, with Mayor Pro Tem Albea presiding and Councilmen Baker, Beasley, Daughtry, Hovis, Little, Painter, Price, Ross, Slye and Ward being present.

Absent: Mayor Currie.

On motion made by Councilman Little, seconded by Councilman Painter and duly carried, the minutes of the last meeting, May 13th., were approved as read.

AUTOMOTIVE AND TIRE ACCESSORY INDUSTRIES ASKED RELIEF FROM PRIVILEGE TAXES.

A delegation of men representing the automotive industry and the tire accessory industry, headed by Mr. Hunter Marshall, Jr., appeared before the Council and asked relief under the license tax provisions of the Revenue Act. These men gave a graphic word picture of the condition of business in these two industries today due to the tire rationing, etc., because of the war emergency, stating that their business is off 80% over last year, and that they were striving to remain in business. They asked that the privilege license be waived entirely for the new fiscal year 1942-43.

The City Manager advised that the Finance Committee would start work on the Revenue Ordinance next week and that this request was in line at this time to be considered. Councilman Beasley advised that he had secured a ruling from the City Attorneys in connection with this question, and this was turned over to the Finance Committee for consideration.

APPLICATION FOR SPECIAL OFFICER PERMIT OF GEO. BRADLEY WITHDRAWN.

Councilman Beasley reported that the application for Special Officer Permit of George Bradley, on the premises of Hall & Company, Independence Building, had been withdrawn by Mr. Bradley.

ORDINANCE PROHIBITING GLASS OR OTHER INJURIOUS OBSTRUCTIONS IN THE STREETS.

The ordinance presented at the last meeting by Councilman Hovis, prohibiting glass or other injurious obstructions on the streets, was again read, and on motion made by Councilman Hovis, seconded by Councilman Baker in each instance, was unanimously adopted on three readings, and declared by the Mayor Pro Tem to be an ordinance of the City of Charlotte, this 27th day of May 1942. This ordinance reads as follows:

AN ORDINANCE PROHIBITING GLASS OR
OTHER INJURIOUS OBSTRUCTIONS IN
THE STREETS.

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

Section 1: It shall be unlawful for any person, firm or corporation to throw, place or deposit, or to allow to be thrown, placed or deposited, any glass or other sharp or cutting substance or any injurious obstruction, or, having caused its presence, to allow any such to remain in or upon any public street, alley, park, parkway, drive or public place in the City of Charlotte.

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

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

Section 4. The City Clerk shall certify to the passage of this ordinance and cause the same to be published.

APPROVED AS TO FORM:

Tillett & Campbell
City Attorneys

DELINQUENT TAX COMMITTEE TO REPORT AT NEXT MEETING.

Councilman Baker reported that copies of resolution relative to the collection of delinquent taxes were being prepared to mail to each Councilman this week and would be ready for presentation at the next meeting.

APPOINTMENT OF THREE MEMBERS OF MUNICIPAL AIRPORT COMMISSION.

At this time Councilman Baker nominated Mr. Robert Lassiter to succeed himself on the Airport Commission, for a three year term, Mr. Lassiter to again serve as Chairman of the Commission. This was seconded by Councilman Little and there being no further nominations, Mr. Lassiter was unanimously elected to this office.

Councilman Baker then moved that Mr. John C. Erwin, of Glasgow-Allison Company, be appointed to fill the unexpired term of Mr. Wm. H. Williamson, now in the service; there being one year remaining of this term. Motion was seconded by Councilman Daughtry and no further nominations being made, Mr. Erwin was also unanimously elected.

The resignation of Mr. John H. Small, Jr., not yet having been received, although Mr. Small has now been in the service of the Government for more than sixty days, on motion of Councilman Baker, seconded by Councilman Daughtry and unanimously carried, the office of Mr. Small on the Airport Commission was declared vacant.

Councilman Price then nominated Mr. Paul E. Thomason to fill the unexpired term of Mr. Small, terminating in May 1944. Councilman Ward seconded this nomination and there being no further nominations, Mr. Thomason was unanimously elected. On motion made by Councilman Ward, duly seconded by Councilman Slye, Mr. Thomason is to serve as Vice-Chairman of this Board.

PURCHASE OF YEAR'S SUPPLY OF COAL.

The City Manager reported that bids were advertised for on a year's supply of coal for the City of Charlotte and that only one bid, that of Cochran & Ross Coal Company was submitted on all types of coal as called for in the specifications and as listed below:

757 Tons Pocahontas Run-of-mine Coal
118 Tons High Volatile Stoker Nut Coal
10 Tons Blacksmith Coal.

It was, therefore, the recommendation of the City Manager that the contract be awarded to this Company, at a net delivered price of \$6,791.80, and on motion of Councilman Slye, duly seconded by Councilman Little and carried, the Mayor and Clerk were authorized to sign a contract with Cochran & Ross Coal Company at that price.

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CRUSHED STONE PURCHASED FOR ENGINEERING DEPARTMENT.

On motion of Councilman Baker, duly seconded by Councilman Little, approval was given for the purchase of one car load of Crushed Stone for the Engineering Department, for use on Cliffwood Place, from the Superior Stone Company, Raleigh, N. C., in the amount of \$100.61.

PURCHASE OF TAR.

Mr. Flack reported that for the past several seasons the City has purchased the entire output of Tar from the Duke Power Company for allaying dust on the streets, stating that this material had been delivered throughout the summer months as needed through September, but that in order to get the benefit of same when needed most, he asked for authority to purchase 54,000 gallons of this material, at 6¢ per gallon, totaling \$3,245.00, at this time, and on motion of Councilman Little, seconded by Councilman Ward, this purchase was authorized.

ONE-CENT POSTAL CARDS PURCHASED FOR WATER DEPARTMENT.

On motion of Councilman Little, seconded by Councilman Ross, authorization for the purchase of 35,000 1¢ postal cards for mailing water bills, was made, amounting to \$350.00.

INCINERATOR REPAIRS.

The City Manager advised that if the Council wished to proceed with the repairing of the third unit of the Incinerator at this time it would be necessary to purchase certain iron and steel and to enter into contract with Mr. Mark H. Allen for supervising the work; the total cost of such repairs to be approximately \$9,800.00, plus \$650.00 for services of Mr. Allen.

Councilman Daughtry moved that the City proceed with the re-building of the third unit of the incinerator under the plans laid down by the City Manager, at the total cost of approximately \$9,800, plus services of Mr. Allen. Motion seconded by Councilman Slye and carried. This called for the advertising for bids to do the work.

Councilman Ward then made a motion that 4,470 pounds of miscellaneous iron and steel be purchased from the Smith Metal Company, at a total cost of \$134.10, to be used in repairing the incinerator unit. This motion seconded by Councilman Baker and carried.

Bids having been received on a number of feed hole castings for use in making the repairs, as follows:

Queen City Foundry	\$811.50
Samet Iron Works	1132.00

On motion of Councilman Ward, seconded by Councilman Painter, the Mayor and Clerk were authorized to enter into a contract with the lowest bidder, Queen City Foundry, at a net delivered price of \$811.50 for this material.

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BIDS ON CASTINGS.

It being necessary to purchase the following castings for use in repairing the incinerator: 8 doors and frames; 88 cast iron grate bars; 66 lay bars and 6 pedestals, the following bids were received on same:

Samet Iron Works	\$529.90
Queen City Foundry	617.10

Councilman Slye moved that the contract be awarded to the low bidder, Samet Iron Works, of Rock Hill, S. C., at a net delivered price of \$529.90 and that the Mayor and Clerk sign same. Motion seconded by Councilman Hovis and carried.

CONTRACT WITH MARK H. ALLEN TO BE ENTERED INTO.

Councilman Ross then moved that the Mayor and Clerk be authorized to enter into a contract on behalf of the City of Charlotte with Mr. Mark H. Allen for supervising the work and furnishing plans for the repair of the third unit of the incinerator, under approximately the same terms as on the other units, at the price of \$650.00. Motion seconded by Councilman Baker and carried.

PURCHASE OF PARTS FOR FIRE TRUCK.

On motion made by Councilman Baker and seconded by Councilman Ward, authority was given for the purchase of certain repair shafts and gears needed for one of the fire trucks, from the American-LaFrance-Foamite Corp., in the amount of \$119.98.

LEASE OF PROPERTY AT FIFTH AND COLLEGE STREETS.

Bids having been received for leasing the Old Auditorium property at 5th and College Street; the only bid submitted being that of Mr. W. L. Jenkins, the present occupant, at \$150.00 per month in advance, on a month to month basis, as long as business conditions permit him to operate a parking lot; Councilman Slye moved that this bid be accepted. Seconded by Councilman Beasley and carried.

PURCHASE OF TRAFFIC SIGNAL CONTROLLER.

Mr. Flack reported that the Inspection Department has requested the purchase of One Master Traffic Signal Controll of Eagle Signal make, from the Southern Electric Service Company of Charlotte, at the price of \$190.30, and on motion made by Councilman Little, seconded by Councilman Baker and unanimously carried, this purchase was approved.

SALE OF JUNK METAL.

On motion of Councilman Little, seconded by Councilman Painter, authority was given for the sale of certain scrap metal on hand at the City Garage, to the Smith Metal Company, Inc., for a total price of \$30.24.

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CHANGE IN CONTRACT FOR FIRE DEPARTMENT SHIRTS.

On April 8th. a contract with Belk Bros. Company was approved by the Council for 828 shirts for the Fire Department, total contract amounting to \$1,324.80. Later, however, one fireman was released and it was necessary to purchase only 822 shirts, reducing the contract to \$1,315.20, and on motion made by Councilman Little, duly seconded by Councilman Slye, this change in contract was approved.

HOUSING AUTHORITY GRANTS DEFERMENT OF REQUIREMENT.

The City Manager advised that due to the shortage of low vacancy dwellings in Charlotte, the Federal Public Housing Authority, through the Charlotte Housing Authority, has granted deferment of the Equivalent Elimination Requirement of the Cooperation Agreement between the City of Charlotte and the Charlotte Housing Authority for one year from March 25, 1942.

IMPROVEMENTS TO BE MADE TO McDONALD AVENUE.

Mr. Flack reported request from Mr. Marshall Moore, who is engaged in construction of the defense housing project along McDonald Avenue, between South Boulevard and Magnolia, for improvement of the street by putting down a penetration surface similar to that which the City has been doing on WPA projects for the past several years. Mr. Moore is willing to furnish all materials necessary for the street, including gravel, stone and asphalt, to bring it up to the standard of streets the City has been building, provided the City is able to procure the asphalt for him. Mr. Moore has a priority rating on the defense project but the application for the asphalt would have to be made by the City through regular channels before it could be released for this work. The City Engineer reported that if the request is granted the City will not be paying quite as much on this project as it would have on a WPA project, as it would be relieved of any cost in furnishing the stone, and that it is his opinion that the City by building this street, rather than taking it over with a gravel surface, would, in the period of three years, save enough money on maintenance to take care of any additional cost now involved, besides making the development much more satisfactory from the standpoint of a dust-problem.

Councilman Ross moved that the City proceed on this request as outlined by the City Engineer. Motion duly seconded by Councilman Little and carried.

TRANSFER OF FUNDS.

On motion of Councilman Baker, seconded in each instance by Councilman Slye, the following ordinance was unanimously adopted on three readings and declared by the Mayor Pro Tem to be an ordinance of the City of Charlotte:

AN ORDINANCE AMENDING
APPROPRIATION ORDINANCE ADOPTED
JULY 23, 1941.

WHEREAS, by ordinance adopted the 23rd day of July, 1941 there was appropriated the sum of \$12,000 to the rock quarry account and whereas, it appears now that all of the said appropriation will not be expended on account of the rock quarry during the current fiscal year and that it is necessary to appropriate an additional sum to the amount appropriated in the said ordinance for the asphalt account;

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

Section 1. That the appropriation ordinance adopted July 23, 1941, be, and the same is, amended by transferring from the amount appropriated to the rock quarry account to the amount appropriated to the asphalt account the sum of \$1500.

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
City Attorneys

APPROPRIATION TO DOG POUND.

On motion made by Councilman Price, duly seconded by Councilman Little and carried, the sum of \$150.00 is to be appropriated from the Emergency Fund to the Dog Pound for the building of a gas chamber.

RESOLUTION WITH REGARD TO ABANDONMENT OF CERTAIN STREETS SHOWN ON MAP RECORDED OF DRUID HILLS.

The following resolution was read and on motion of Councilman Hovis, duly seconded by Councilman Daughtry, was unanimously adopted:

WHEREAS, J. J. Misenheimer caused a map of certain property belonging to him on the east side of Statesville Avenue, in the City of Charlotte, N. C., known as Druid Hills, to be recorded in Map Book 4, at page 349 in the office of Register of Deeds for Mecklenburg County, N. C., which said map showed the location thereon of various streets named Douglas Avenue, Damon Avenue, Edison Avenue, Moretz Avenue and Key Street; and, whereas, said J. J. Misenheimer prior to the recording of said map did not submit the same for approval of the City of Charlotte; and, whereas, the City of Charlotte did not at that time, nor has it since then, approved said map and accepted the dedication of the streets shown thereon; and, whereas, the said streets shown on said map were and have not been opened; and, whereas, said J. J. Misenheimer has caused another map to be made of said property which is recorded in Map Book 4 at page 447, and has caused an amendment thereof to be recorded in Map Book 4 at page 459; and, whereas, said Misenheimer has sold and transferred the lands shown on said map to Druid Hills, Inc., and the streets shown upon the revised map recorded in Map Book 4 at page 459, have been staked off and Druid Circle is now opened and certain improvements placed thereon, and homes have been built facing same, and it is now in use by the citizens of Charlotte and others; and, whereas, the opening and use of the strips, pieces or parcels of land shown on said original map recorded in Map Book 4 at page 349, as roads, streets or avenues for the purposes for which they were originally offered or dedicated are not necessary for the public interests.

NOW, THEREFORE, the City Council of the City of Charlotte does agree to the abandonment and relinquishment of the strips, pieces or parcels of land as the roads, streets or avenues shown on said original

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map, recorded in Map Book 4 at page 349, provided, however, that this shall not affect the rights of any person or persons who may have heretofore purchased a lot or lots according to said original map recorded in Map Book 4 at page 349, and thereby acquired interests in said strips, pieces or parcels of land as roads, streets or avenues.

APPROVED AS TO FORM:

Tillett & Campbell
City Attorneys

LYON STREET AND WESTOVER STREETS TO BE PLACED IN SHAPE FOR BUS SERVICE.

Mr. Flack reported that the Duke Power Company was contemplating bus service extension in the Chantilly section and has requested that the City place in proper shape for this purpose one block of Lyon Street, from Westmoreland to Commonwealth Avenue. The Engineering Department estimates this work to cost in the neighborhood of \$1000.00, which includes \$450.00 for culvert under the street and for an 18 inch pipe necessary to take care of the drainage running down side of street from Commonwealth Street. In this connection, the question of also placing one block of Westover Street, from Chesterfield to Bay Street, one block, was also discussed, and on motion of Councilman Beasley, seconded by Councilman Daughtry, these two streets are to be put in shape and taken over for maintenance.

A discussion of the future policy of the City in handling similiar situations as presented by the above two streets, where they are laid out by development companies who sell the lots and then have no further interest in the streets, leaving them in bad condition, was held and resulted in motion being made by Councilman Daughtry, duly seconded by Councilman Baker and carried, that in the future no streets in such developments shall be laid off without the City Engineer and City Managers' approval and that an ordinance be prepared to that effect.

SPECIAL OFFICER PERMITS.

On motion of Councilman Ross, seconded by Councilman Beasley, Special Officer Permit was granted for John F. Shaw, 1554 Wilmore Drive, for use on the premises of the Charlotte Quartermaster Depot.

And, on motion of Councilman Beasley, seconded by Councilman Little, approval was given for the renewal of permit of Miles A. Eastwood for use at Griffith Ball Park, and also for use at the Armory at programs sponsored by Mr. Jim Crockett. Both permits have the approval of the Chief of Police.

DRAFTING OF NEW REVENUE ORDINANCE FOR 1942-43 REFERRED TO FINANCE COMMITTEE.

The matter of the preparation of the new Revenue Ordinance for 1942-43, which comes up for passage in June, was referred to the Finance Committee.

PROPER ORDINANCES COVERING WATER LINE TO GOVERNMENT SHELL-LOADING PLANT.

Mr. Flack reported that Government officials in Charlotte and others had reported that they were getting 120% cooperation from the City in connection with the shell-loading plant to be erected near the City.

In this connection, he also reported that Masslich & Mitchell,

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Bond Attorneys, were preparing proper ordinances for adoption to secure the money with which to build this water line and that it will take 30 days for the ordinances to become effective, and he asked the Council to meet in special session on June 1st., in order that there be no delay in the handling of this matter, this being the earliest date at which said ordinances will be ready.

Councilman Baker moved that a special meeting of the City Council be called for 5 o'clock P. M., Monday, June 1st., to handle this and for any other business that might come before the meeting. Motion seconded by Councilman Ross and carried.

CEMETERY DEEDS.

On motion of Councilman Little, seconded by Councilman Baker and carried, the following cemetery deeds and perpetual care agreements were approved:

Mrs. Ruth Barry Whitehead, N $\frac{1}{2}$ No. 68, Section "XW", Elmwood	\$70.00
Perpetual care on same	60.00
R. L. and Virginia Hinson, No. 266, Section "Y"	35.00
Mrs. Bessie P. Hopkins, No. 234, "Y"	35.00
Transfer of East Half of Lot No. 30 from Mrs. Mary Breen and husband, J. J. Breen, to Chas. E. Lambeth	1.00
New deed to be issued to Mr. and Mrs. Breen for West half of this lot. "Mary Breen is the sole devisee and heir-at-law of F. W. Gallagher, to whose estate this lot was originally deeded."	
Perpetual care on Lot No. 201 "Y" to Mrs. Mertie Webb	25.00

ADJOURNMENT.

On motion made by Councilman Little, the meeting adjourned.

Alvin B. McPherson

City Clerk