

August 5, 1936
Page 406.

The regular meeting of the City Council was held in the Council Chamber, City Hall, at 3:00 o'clock P. M., Wednesday, August 5, 1936, with Mayor Ben E. Douglas presiding, and the following Councilmen present: Albea, Baxter, Hudson, Huntley, Nance, Sides, Tipton and Wilkinson.

Absent: Councilmen Boyd, Durham and Hovis.

READING OF MINUTES POSTPONED.

On motion of Councilman Sides, seconded by Councilman Hudson, the reading of the Minutes of the meeting of July 27, 1936 was postponed.

PROTEST OF PARKING RESTRICTIONS ON EAST 5TH STREET.

Mr. Louis Carter, attorney, appeared before the Council representing merchants in the first block of East 5th. Street, protesting the parking restrictions now in force, stating that business in this block was being impaired and requesting the Council to allow parking for 30 minutes, as previously done. Mr. T. D. Kesterson and Mr. A. M. Kramer, whose places of business are in this block, were present and stated that they were losing business on account of the parking restriction. The Committee that had been previously appointed to look into this matter was not ready to make a report, and the City Manager was instructed to co-operate with these merchants, through the Police Department, until a report from the Committee was received at the next Council meeting.

DEMONSTRATION OF PARKING METER.

Mr. C. C. Beasley, Chairman of the Civil Service Commission, presented Mr. J. B. Freitag, representing the Mark-Time Parking Meter Company, of Charlotte, demonstrated a Parking-Meter and discussed the advantages of the city having meters installed on the streets and requested permission for his company to install several meters on trial. City Manager Marshall stated that he had contacted several merchants who were not in favor of the installation of parking meters in Charlotte and he asked that the matter be left open for future consideration, which was done.

UNLAWFUL CONDITION ON THE SABBATH ON WEST BLAND STREET.

Mr. C. D. Brady requested the Council to give additional police protection on West Bland Street on Sundays. He stated that produce was sold both on this street and from stores in this locality. City Manager Marshall and Chairman C. C. Beasley, of the Civil Service Commission, told the Council that the Police Department was handling the situation in this neighborhood and would continue to cooperate with the residents.

REQUEST FOR ADJUSTMENT IN PRIVILEGE LICENSE TAX.

Mr. R. P. Majors, Treasurer of the Southern Asbestos Co., requested a change in the present method of levying privilege taxes as affecting his company. He stated that this tax should be under the same classification as textile plants, and that they should be taxed on the number of machines operating instead of upon their gross sales.

Aug. 5, 1936
Page 407.

The Mayor deferred the matter until the next meeting in order to confer with the Tax Collector.

BROTHER OF COUNCILMAN L. R. SIDES PRESENTED.

Councilman L. R. Sides presented to the Council his Brother, Mr. R. L. Sides, of Rocky Mount, N. C., who was visiting him.

PATRIOTIC ORDER, SONS OF AMERICA, REQUEST FREE LICENSE FOR CARNIVAL.

Mr. Harry Joyner appeared before the Council in behalf of the Patriotic Order, Sons of America, stating that they would hold a Carnival on September 21st. through 26th., and requested the City to grant a free license. He also advised that the County had issued free license to them. On motion of Councilman Hudson, seconded by Councilman Wilkinson and unanimously carried, the request was granted.

ORDINANCE RELATIVE TO RENTAL CHARGES ON ARMORY-AUDITORIUM.

Councilman Baxter introduced the following Ordinance:

**AN ORDINANCE
AMENDING ORDINANCE ADOPTED JUNE 19, 1935, ENTITLED,
"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 in regular session:

Section 1. That the Ordinance adopted on the 19th day of June 1935, entitled "AN ORDINANCE REGULATING THE LEASING, USE AND OCCUPANCY OF THE CITY ARMORY-AUDITORIUM" be amended by adding to Paragraph "C", as now amended, Section 6 of said Ordinance, the following:

Provided that if any one person, firm or corporation shall contract for and use the Armory-Auditorium for twenty (20) or more times in one fiscal year of the City of Charlotte, that the charges for the use of the same shall be \$50.00 per day.

Section 2. That this Ordinance shall be in full force and effect from the date of its adoption.

Councilman Baxter moved that the ordinance be adopted, which was seconded by Councilman Albea and placed upon its first reading, with the following vote recorded:

AYE: Councilmen Albea, Baxter, Hudson, Huntley, Nance,
Sides and Tipton.
NAY: Councilman Wilkinson.

Councilman Baxter moved that the rules be suspended and the ordinance be placed upon second reading, which was seconded by Councilman Albea, with the following vote recorded:

AYE: Councilmen Albea and Baxter.
NAY: Councilmen Hudson, Huntley, Nance, Sides, Tipton and
Wilkinson.

The ordinance failed to carry on second reading and was deferred until the next meeting.

Aug. 5, 1936
Page 408.

RENTAL ON W. P. A. HEADQUARTERS OFFICE.

Mayor Douglas asked for a report from the Committee, composed of Councilmen Hudson, Huntley and Tipton, relative to a request from the Works Progress Administration Headquarters that the City participate in the rental charges of the District Headquarters offices in Charlotte. On motion of Councilman Hudson, seconded by Councilman Sides and unanimously carried, the City will pay one-third of the annual rental, it having been understood and agreed at a previous joint meeting of the City and County, and in conjunction with W.P.A. officials, that the City, County and W.P.A. each would pay one-third of the rent. On the suggestion of City Attorney Basil M. Boyd the following clause was included in the motion of Councilman Hudson - "that, "This rental to be paid so long as the W.P.A. continues to employ men and women who otherwise would be on the relief roll and so long as the District Headquarters office remains in the City of Charlotte."

Y.M.C.A. REQUESTS RELEASE FROM LICENSE TAX.

The City Manager advised that he had received a request from the Y.M.C.A. that they be relieved of paying a license tax on Coca-cola and Peanut-butter sandwiches now sold in their lobby, as the profit derived therefrom went to the fund for underprivileged boys. Councilman Hudson moved that this be refused, which motion was seconded by Councilman Sides and unanimously carried.

EMULSIFIED ASPHALT CONTRACT.

On motion of Councilman Albea, seconded by Councilman Hudson, the Mayor and Clerk were authorized to sign a contract with the Emulsified Asphalt Refining Company, of Charleston, S. C., for one car (approximately 6,000 gallons) of emulsified asphalt for allaying dust on the City's streets. The following bids having been received on same:

Emulsified Asphalt Refining Company	\$ 0.0675 per gal.
Central Oil Emulsion Corporation	0.0702 " "
American Bitumuls Company	0.0866 " "
J. B. Hunt & Sons	0.0939 " "

WROUGHT IRON PIPE CONTRACT.

On motion of Councilman Huntley, seconded by Councilman Wilkinson, the Mayor and Clerk were authorized to sign a contract with the Hajoca Corporation for 5000 feet of 3/4 inch genuine wrought-iron pipe; the following bids having been received on same:

Hajoca Corporation	\$606.00 less 3%
Grinnell Company	606.00 " 2%
Crane Company	606.00 " 2%
Textile Mill Supply Company	606.00 " 2%

TERRA COTTA PIPE CONTRACT.

On motion of Councilman Baxter, seconded by Councilman Albea, the Lee Clay Products Company received the contract for 2700 feet of 8-inch terra cotta pipe; the following bids having been received:

Lee Clay Products Company	\$ 0.25 per ft. less 3%
Pomono Terra Cotta Co.	0.25 " " " 3%
Pine Hall Terra Cotta Co.	0.25 " " " 3%
W. S. Dickey Clay Mfg. Co.	0.25 " " " 3%

August 5, 1936
Page 409.

REQUEST FOR PURCHASE OF CITY OWNED LAND.

City Manager Marshall advised the Council that Mr. and Mrs. E. C. Pinkney desired to purchase a triangular strip of land containing 0.93 of an acre, near the Irwin Creek Disposal Plant, in order to straighten out the line near their property. Mayor Douglas referred this to the Public Works Committee for investigation and report on same at the next meeting.

SEWER EXTENSIONS ON VARIOUS STREETS.

The City Manager recommended the extension of sewer lines on the following streets:

Alley between Winter Street and Ashland Ave. to cost \$117.70
Extension on McDowell St. near 37th. St., to cost \$199.50
Extension on Mercury Street, cost \$80.85.

On motion of Councilman Wilkinson, seconded by Councilman Sides, these extensions were unanimously approved by the Council.

WATER MAIN INSTALLATION ON PROPERTY OF IMPERIAL LAND COMPANY.

A request from the Imperial Land Company for the installation of 4575 feet of water mains within their development outside the City, was read by the City Manager, the Land Company agreeing to furnish all the pipe and pay the City the cost of the installation plus 10%. Upon motion of Councilman Sides, seconded by Councilman Wilkinson this request was granted by unanimous vote of the Council.

SUIT OF J. D. LOVE ET AL, AGAINST THE CITY OF CHARLOTTE, ET AL.

The City Manager reported notice of suit by J. D. Love, et al, against the City of Charlotte, et al, relative to certain street assessments and taxes, which had been referred to the City Attorneys for handling.

PUBLISHING DELINQUENT TAX NOTICES AND STREET ASSESSMENTS CONTRACT.

On motion of Councilman Sides, seconded by Councilman Tipton, the News Publishing Company, was awarded the contract for the publication of delinquent taxes and street assessment notices, at a price of \$0.63 per column inch. The following quotations were received:

News Publishing Company	\$0.63 per column inch
✓ The Charlotte Observer	0.65 " " "
Mecklenburg Times	0.40 " " "

Councilman Sides questioned the award on the grounds that the total amount would exceed \$1,000.00 and the City did not advertise for bids. City Manager Marshall replied that he had consulted the City Attorneys on this point and they advised that the advertisement was not necessary. The City Manager also recommended that the quotation of the Mecklenburg Times be excluded, due to the comparatively small circulation within the City of this newspaper.

LICENSE OF WILL EDWARDS FOR SALE OF BEER REVOKED.

The City Manager recommended that the license of Will Edwards, colored, be revoked on the request of the Police Department, who advised that said Will Edwards had been in court several times for violating criminal laws. On motion of Councilman Wilkinson, seconded by Councilman Sides and unanimously carried, this license was revoked.

Aug. 5, 1936
Page 410.

LICENSE GRANTED TO THREE GYPSIES REVOKED.

On motion of Councilman Nance, seconded by Councilman Sides and unanimously carried, the license issued to three gypsies were revoked. The City Manager stated that the Police Department had advised that these licenses were secured for "merchants" but are being used for "fortune telling" purposes.

REQUEST FOR REDUCTION IN PRIVILEGE LICENSE BY J. W. ZIMMERMAN.

City Manager Marshall read a letter from the Tax Collector regarding request made to him by Mr. J. W. Zimmerman for a reduction in his privilege license on cold storage plants, stating that his gross receipts from this class of business is now \$2,000.00 and the minimum license charge is \$50.00 and that it appears that this license is too high for the volume of business, and requesting a minimum fee of \$25.00 on gross receipts of \$5,000.00 or less. Councilman Albea moved that this be taken under consideration by the City Manager and Tax Collector. Motion seconded by Councilman Hudson and unanimously carried.

RENEWAL OF RESOLUTION RELATIVE TO BOND OF COLLECTOR OF REVENUE OF THE CITY OF CHARLOTTE.

The following Resolution was read by the City Manager and on motion of Councilman Albea, seconded by Councilman Tipton, was unanimously adopted by the Council:

RESOLUTION
IN REGARD TO THE BOND OF THE COLLECTOR OF REVENUE
OF THE CITY OF CHARLOTTE,
NORTH CAROLINA.

WHEREAS, by Law it is required that the Collector of Revenue daily deposits to the credit of the City of Charlotte and that "Duplicate" deposit slips be furnished daily to the City Treasurer of the City of Charlotte, and that the City Treasurer of the City of Charlotte check such deposits against such duplicate deposit slips daily:

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlotte that the said Collector of Revenue, Mr. James W. Armstrong, be and he is hereby directed to deposit daily in the Commercial National Bank of Charlotte, N. C., all funds collected by him for the City of Charlotte to the credit of the City of Charlotte, L. L. Ledbetter, Treasurer, by J. W. Armstrong, Collector of Revenue, and to take a receipt therefor from the City Treasurer and that he is further directed to furnish duplicate deposit slips daily to the City Treasurer, Mr. L. L. Ledbetter, and that the City Treasurer be and he is hereby directed to check daily the deposits made by the Collector of Revenue of the City of Charlotte against the said duplicate deposit slips and to give the Collector of Revenue daily a receipt for each daily deposits made by the said Collector of Revenue, and

BE IT RESOLVED FURTHER by the Council of the City of Charlotte that the funds collected by the Collector of Revenue for the City of Charlotte shall be deposited daily in the Commercial National Bank and shall be withdrawn from this account only by checks signed by the Mayor, City Manager and Treasurer, to be distributed by the Treasurer in accordance with the Cash Report furnished by the Collector of Revenue and deposited in the respective banks which these funds are deposited and that the American Trust Company, The Charlotte National Bank, the Commercial National Bank and the Union National Bank are hereby designated as depositories for such funds of the City of Charlotte, and

WHEREAS, the National Surety Corporation of New York, N.Y., desires to furnish a Bond for the Collector of Revenue of the City of Charlotte, Mr. James W. Armstrong, in the sum of \$50,000.00, the condition of which is that the said James W. Armstrong shall faithfully and truly perform all duties of his Office and shall pay over and account for any and all funds of the City of Charlotte coming into his hands from any

August 5, 1936
Page 411.

source by virtue of his said Office of Collector of Revenue for the said City and that such Bond will cover the period beginning July 1st. 1936 and ending July 1st. 1937.

WHEREAS, the present Law states that the Collector of Revenue for the City of Charlotte shall collect all Taxes, Street Assessments, franchise and license taxes due the City of Charlotte, and

WHEREAS, it is the desire of the Council of the City of Charlotte that the said Collector of Revenue shall collect any and all revenues and moneys due the City of Charlotte from any and all sources.

NOW, THEREFORE, BE IT FURTHER RESOLVED that it shall be the duty of the said Collector of Revenue to collect any and all revenues and moneys due the City of Charlotte from any and all sources and that the Bond executed by the National Surety Corporation shall cover all such revenues and moneys so collected by the said Collector of Revenue from July 1st. 1936 to July 1st. 1937.

WHEREAS, under the present law, the Collector of Revenue of the City of Charlotte is not responsible for the collection of unpaid taxes but is only responsible for the faithful and diligent performance of his duties and for the true and proper accounting of all moneys received by him by virtue of his Office and coming into his possession in connection therewith.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the National Surety Corporation shall not be liable for responsible for uncollected taxes but shall be liable and responsible under their said Bond for the faithful and diligent performance by said James W. Armstrong of the duties of his Office and shall be responsible for the true and proper accounting of all moneys received by him and coming into his possession by virtue of any connection with his said Office of Collector of Revenue of the City of Charlotte, N. C.

PURCHASE OF CALDWELL COUNTY ROAD BOND.

On motion of Councilman Wilkinson, seconded by Councilman Huntley and unanimously carried, the purchase of one Caldwell County 5% Road Bond, due April 1, 1938, at \$104.00 to yield $2\frac{1}{2}\%$, was approved.

PURCHASE OF FACSIMILE SIGNATURE WRITER.

On motion of Councilman Huntley, seconded by Councilman Wilkinson and unanimously carried, the Mayor and Clerk were authorized to sign a contract with the Todd Sales Company for a Facsimile Signature Writer in the amount of \$405.00.

PURCHASE OF GOLDSBORO, N. C. BOND.

On motion of Councilman Albea, seconded by Councilman Nance, the City Manager was authorized to purchase one \$1,000.00 Goldsboro, N. C. $5\frac{1}{4}\%$ Bond, due April 1, 1937, to yield 1.75%, \$102.31 and accrued interest, on the approval of the Local Government Commission.

REPORT OF APPOINTMENTS AND DISMISSALS.

The City Manager reported that he had made the following appointments and dismissals:

W. C. Hanks, Office Engineer, Engineering Department.
R. L. Mauney, Asst. Dairy Inspector, Health Department.
Services of Mrs. Etta Mae Hobbs, Clerk in Tax Collection Department dispensed with.

Aug. 5, 1936
Page 412.

CEMETERY DEEDS.

The following cemetery deeds were approved by the Council on motion of Councilman Hudson, seconded by Councilman Baxter and unanimously carried:

ELMWOOD CEMETERY

Joseph Chas. Boyarsky, East Half of Lot #32, Section "U"	\$35.00
Thos. W. Alexander and Wife, Alice W. Alexander, transfer to G. M. Lupo, Lot and fraction thereof, Lot #1, Section "I"	1.00

PINEWOOD CEMETERY

Anna Blackwell, Lot No. 8, Section "E", West Pinewood	25.00
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ADJOURNMENT

On motion of Councilman Hudson, seconded by Councilman Albea and unanimously carried, the meeting adjourned.

Lillian R. Haysman
Assistant City Clerk.