

November 25, 1936



The regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, November 25, 1936, at 4:00 o'clock P. M., Mayor Douglas presiding and Councilmen Albea, Baxter, Boyd, Durham, Hovis, Huntley, Nance, Tipton and Wilkinson being present.

Absent: Councilmen Hudson and Sides.

MINUTES OF NOVEMBER 12TH MEETING APPROVED.

On motion of Councilman Albea, seconded by Councilman Durham, the minutes of the meeting of November 12, 1936, were approved as read.

THANKSGIVING DAY- NOVEMBER 26TH., DECLARED A HOLIDAY.

Councilman Albea moved that November 26th., Thanksgiving Day, be declared a holiday for all City Employees who will not necessarily be required to work and that the City Hall be closed on that date. Motion seconded by Councilman Boyd and carried unanimously.

MOTION AUTHORIZING EXPENDITURE OF \$300.00 FOR POSTERS RESCINDED.

On motion of Councilman Baxter, seconded by Councilman Huntley and unanimously carried, the motion adopted at the November 12th. meeting authorizing the expenditure of \$300.00 for posters advertising Charlotte, The Friendly City, during the Christmas season, was rescinded; the City Attorneys declaring the action illegal.

REQUEST FOR REDUCTION IN LICENSE TAX ON AUTOMATIC MUSIC MACHINES.

Mr. H. L. Taylor, Attorney, appeared before the Council and requested a change in the Revenue Ordinance to reduce the license on music box machines from \$10.00 to \$5.00; this matter having been brought before the Council some time ago and referred to a committee but no action taken. Mr. Taylor explained that his client was being called upon for payment of this license and he was anxious to have the matter settled at this time, if possible.

Mr. Marshall, the City Manager, advised that the Collector of Revenue had recommended that the Ordinance be amended to read \$5.00 for music boxes, this being the same rate as charged for pin boards, and on motion of Councilman Boyd, seconded by Councilman Durham, the City Attorneys were instructed to draw an amendment to the Revenue Ordinance reducing this license from \$10.00 to \$5.00.

EXPERT ENGINEER TO BE APPOINTED TO SURVEY WATER WORKS SYSTEM.

Councilman Boyd made a motion that a committee be appointed to employ an expert engineer to go into the water works system situation, which will be necessary before the matter can be put to a vote of the people; this committee to make their recommendation and report back to the Council. Motion seconded by Councilman Albea and carried.

Mayor Douglas appointed Councilmen Baxter and Hudson to serve with the Mayor on this committee.

FREE USE OF ARMORY-AUDITORIUM GRANTED Y.M.C.A. FOR FIVE DAYS.

Mr. Francis Clarkson requested free use of the Armory-Auditorium for five days, December 12, 1936, January 2, 16, 23 and February 13, 1937, for a City-County Boxing Tournament and Boxing Bouts, conducted under the auspices of the Y. M. C. A. for the benefit of underprivileged boys. Mr. Kluttz, General Secretary of the Y.M.C.A., explained the work being done by the Y.M.C.A. for underprivileged boys, and the help it would be to them to secure the Armory for this purpose.

Councilman Albea moved that this request be granted provided the dates selected would not interfere with other reservations. Motion seconded by Councilman Baxter and carried.

FREE USE OF THE ARMORY-AUDITORIUM STAGE FOR BOXING PRACTISE BY HIGH SCHOOL STUDENTS.

Councilman Hovis presented a request made by Mr. Bob Allen, Athletic Director of Central High School, for free use of the stage at the Armory-Auditorium for boxing practise by Central High School Boys, and Councilman Hovis, seconded by Councilman Albea, moved that the Central High students be granted the privilege of using the stage at the Armory-Auditorium for boxing practise when it does not conflict with other engagements. Motion unanimously carried.

SEWER EXTENSION ON HAWTHORNE LANE.

On motion of Councilman Wilkinson, seconded by Councilman Durham and carried, the request of Mr. R. C. Hartley, Pet Dairy Products Company, for extension of a sewer on Hawthorne Lane from the manhole on South Peachtree Street south 320 feet, to where Mr. Hartley proposes to build a plant, was granted. This work is estimated to cost \$257.40.

SEWER EXTENSION ON SKIPPER STREET.

On motion of Councilman Albea, seconded by Councilman Boyd and carried, the extension of a sewer on Skipper Street north from State Street, at an estimated cost of \$244.64, was authorized.

SEWER ON LABURNAM AVENUE AUTHORIZED.

Councilman Durham, seconded by Councilman Huntley, moved that the request of Mr. N. J. Phillips for the construction of a sewer on Laburnam Avenue between St. Julian and Westover Streets, be granted. This work estimated to cost \$684.00 and to serve four houses already constructed on this street.

PURCHASE OF INCUBATOR FOR DISPOSAL PLANT.

Councilman Tipton moved that one #6841 Frigidaire Sargent Incubator for the laboratory at the Disposal Plant, be purchased from E. H. Sargent & Company, at a price of \$250.00, and that the Mayor and Clerk sign the contract. Motion seconded by Councilman Boyd and carried.

EQUIPMENT FOR IDENTIFICATION BUREAU TO BE PURCHASED.

On motion of Councilman Boyd, seconded by Councilman Durham and carried, the following equipment for the Identification Bureau of the Police Department, was authorized to be purchased from W. I. Van Ness and Company, at a total price of \$650.00, and the Mayor and Clerk were authorized to sign the contract:

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Quartz Lamp, Analytic Model No.2641, 110 V. 60 Cycles, A.C.Current, by Hanover Chemical & Mfg. Company, Newark, N.J.....	\$235.00
Woolensak Opt. Co. wide angle Lens #5 in Beautx shutter for 8x10.....	39.50
Adjustable Microscope Lamp, Bausch & Lomb, Code Diakz Cat. No.4597, CC for A.C.Current,.. H.S.A - 8 Bausch & Lomb Laboratory Microscope with huygenian eye piece 5x and 10x with objectives 16 mm, 4 mm and 1.9 mm, oil immersion, complete in case.....	24.50 169.00
AKW-5 wide Field Binocular Misroscope, Bausch & Lomb, with objectives 0.7x, 1.5x and 2.0x, paired eye piece 10x and 15x complete in case.	182.00

Councilmen Nance and Albea opposed the purchase of this equip-
ment on the grounds that the City could not purchase a microscope for the
Health Department some time ago when it was very necessary. Mr. Marshall
explained, however, that Dr. Rea had advised that the Health Department
Laboratory could get along without a microscope at that time but that Dr.
Walton, not knowing this, had later purchased a microscope before the new
budget was made up and that the Health Department now had the microscope.

However, when a vote was taken on Councilman Boyd's motion,
Councilman Nance voted "No".

GOOSE NECK AND CIRCLE FOR MOTOR GRADER.

Councilman Wilkinson moved that the Mayor and Clerk sign a
contract with the Sims Equipment Company for a complete Goose Neck and
Circle for the City's Austin Motor Grader, at a price of \$299.19. Motion
seconded by Councilman Durham and carried.

CONTRACT WITH TRULL HOUSE MOVING COMPANY FOR MOVING HOUSE FOR SIXTH STREET
EXTENSION.

On motion of Councilman Wilkinson, seconded by Councilman Albea
and carried, the Mayor and Clerk were authorized to sign a contract with
Trull House Moving Company for the moving of a house from the right-of-way
for Sixth Street Extension, near the corner of 5th and Cedar Streets, to
the new location on the City's property in a corner of the cemetery tract,
at a cost of \$300.00.

Bids received on this work were as follows:

Blythe Bros. Company	\$390.00
W. A. Ebert	340.00
Trull House Moving Company	300.00

RE-ASSESSMENT ROZZELLS FERRY ROAD.

On motion of Councilman Albea, seconded by Councilman Boyd,
the following re-assessment ordinance 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 Rozzells
Ferry Road, on account of the paving of the street, beginning at a point,
the corner lots No. 6 and 8, 169.8 feet west of the northwest intersection
corner of Rozzells Ferry Road and Beatties Ford Road, as measured with the

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north edge of Rozzells Ferry Road, and running westerly with said north edge of said road a distance of 50 feet. Being originally assessed as a whole against L. A. Severs, is hereby sub-divided and re-assessed on the north side only, as follows:

NEW NO.	OWNER	FRONTAGE	WATER	SEWER	STREET	SIDEWALK	TOTAL
E.Part of 1816-18	Norma B.Cook	3.15	-	--	15.53	2.93	18.46
W.Part of 1816-18	T.S.McPheters	46.85	15.00	25.50	230.97	43.57	315.04

RE*ASSESSMENT - STATESVILLE AVENUE.

On motion of Councilman Albea, seconded by Councilman Durham the following re-assessment ordinance for property on Statesville 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 Statesville Avenue on account of the paving of the street, beginning at a point, the southeast corner of the intersection of Statesville Avenue and Kohler Avenue, and running thence in a southerly direction with the east edge of said Statesville Avenue a distance of 477.8 feet, being originally assessed as a whole against Janie Douglas, is hereby subdivided and re-assessed on the east side only, as follows:

NEW NO.	OWNER	FRONTAGE	WATER	SEWER	STREET	SIDEWALK	TOTAL
2008-12	Trustees of Davidson Col.	81.73	30.00	17.64	508.36	76.01	632.01
2014-16	Mrs. Ida Kill- ough	50.02	15.00	8.82	311.13	46.52	381.47
2018	W. M. Taft, Jr.	30.01	---	8.82	186.66	27.91	223.39
2100-24	Trustees of Davidson Col.	316.04	90.00	59.92	1965.77	293.91	2402.60

NOTICE OF SUIT OF MAGGIE ROBERTSON VS. CITY OF CHARLOTTE.

The City Manager reported that notice of suit of Maggie Robertson against the City of Charlotte, for alleged injuries caused by stepping into a hole in the sidewalk on Pharr Street, had been received and referred to the City Attorneys. Suit is for \$7,500.00 and plaintiff represented by Uhlman Alexander and Ralph Kidd.

Councilman Wilkinson, seconded by Councilman Durham, moved that this claim not be settled at this time. Motion unanimously carried.

EXCHANGE OF BONDS.

The City Manager asked the approval of the City Council in the exchange of \$35,000 - 3 1/2% State of North Carolina Bonds, due July 1, 1941, for like amount of 4 1/2% Greensboro, N. C. Refunding Bonds due Jan. 1 1940, with Kirchoffer & Arnold, Inc; also, of \$25,000 3 1/2% State of North Carolina Bonds due July 1, 1941, for like amount of 4 1/2% Greensboro, N. C. Refunding Bonds due Jan. 1, 1941, with R. S. Dickson & Company, both transactions to be subject to the approval of the Local Government Commission; by this means increasing the profit to the Sinking Fund \$2,400.00.

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After a discussion as to the advisability of purchasing City of Greensboro bonds, Councilman Albea made a motion that this exchange be made on the statement of the City Manager that we do not have any City of Greensboro bonds. Motion seconded by Councilman Hovis and carried.

C. S. BOSTICK PROPERTY.

The City Manager read a letter from the City Treasurer relative to the C. S. Bostick property on Steel Creek Road, this letter stating that Mr. Bostick had advised that the sale of the lot released by the City Council on October 7th., upon his agreeing to pay the interest on his outstanding indebtedness and reducing the principal to \$800.00, had fallen through due to his proposed purchaser becoming impatient and purchasing elsewhere, but that Mr. Bostick has asked that this condition of release not be rescinded and has also asked for the release of a lot in order to be able to pay for the digging of a well, upon the payment of \$100.00 to be applied against the interest on his note.

With the approval of the Council the Mayor referred this matter to Councilman Durham and his committee, recently appointed to handle the sales of all City owned property.

PETITION FROM RESIDENTS ON HENLEY PLACE RELATIVE TO TRUCK TRAFFIC.

Mr. Marshall presented a petition received from a number of residents of Henley Place, asking that an ordinance or other regulation be passed to prohibit trucks and similar heavy vehicles from using Henley Place as a thoroughfare.

Mr. Marshall stated that two years ago in re-routing the Highways in Charlotte the State Highway Engineers had turned down Henley Place as a Highway route because of the narrow street, but that the Council has no authority to say whether or not that street was open to truck traffic.

Councilman Wilkinson suggested that a letter be written to those who have been using this street for heavy hauling, asking that they re-route their trucks and in that manner it felt it could be worked out to the advantage of the residents on this street. Mr. Marshall agreed to do this.

CORPORATION STOPS FOR WATER WORKS SYSTEM PURCHASED.

On motion of Councilman Wilkinson, seconded by Councilman Durham and carried, the Mayor and Clerk were authorized to sign a contract with the Mueller Company for 300- 3/4" Corporation Stops with lead goosenecks, at a price of \$669.00. The only other bid received being from The Blauberg Brass Mfg. Company at the same figure.

FLOOD LIGHTS TO BE INSTALLED IN FRONT OF CITY HALL.

On motion of Councilman Boyd, seconded by Councilman Albea, the Mayor and Clerk were authorized to sign contract with the Woodside Electric Company for installing flood lights in front of the City Hall building, at a price of \$249.50. Bids received on this work were as follows:

Woodside Electric Co.	\$249.50
Robinson Electric Co.	262.00
Austin Electric Co.	275.00

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ERECTION OF HISTORIC MARKER BY STATE DEPARTMENT OF CONSERVATION AND DEVELOPMENT AUTHORIZED.

On motion of Councilman Albea, seconded by Councilman Boyd, the State Department of Conservation and Development were granted permission to erect an historic marker at 711 North Tryon Street, this being the third marker approved by the Council for erection in the City of Charlotte.

SPECIAL OFFICER PERMITS.

Upon the request of the New System Store, 120 West Trade St., for appointment of Mrs. R. L. Whisnant as a special officer for that store, which application was approved by the Chief of Police, Councilman Huntley moved that this permit be issued. Motion seconded by Councilman Wilkinson and carried.

Councilman Albea moved that special officer permit be granted J. F. Stone for property of the Local Order of Moose, 116 $\frac{1}{2}$ South Tryon St. This application also approved by the Chief of Police. Motion seconded by Councilman Boyd and carried.

BUDGET STATEMENT.

A statement of the Expense Budget condition as of November 1st. was furnished each member of the Council.

RESOLUTION ON DEATH OF E. CARL BRADLEY.

On motion of Councilman Boyd, seconded by Councilman Huntley, the following resolution was unanimously adopted:

R E S O L U T I O N

WHEREAS, in the Providence of the Almighty God He has called our Friend and Fellow-worker, E. Carl Bradley, to his final reward; and

WHEREAS, E. Carl Bradley passed away while in the service of the Police Department of the City of Charlotte, and through his death the City has lost a valuable servant; and

WHEREAS, we respect and honor his memory and appreciate his service to the City.

NOW, THEREFORE, BE IT RESOLVED: That we, as members of the City Council of the City of Charlotte, in regular session convened this the 25th day of November 1936, mourn the passing of this man, and extend to the bereaved family our sincere sympathy.

A copy of this Resolution shall be spread upon the minutes of the meeting of the City Council, and a copy sent to Mr. E. C. Bradley, father of the departed and also to the newspapers in the City of Charlotte.

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REVALUATION OF REAL ESTATE IN CITY OF CHARLOTTE.

Mr. Marshall read a letter received from Scarborough & Boyd, City Attorneys, regarding the revaluation of real estate in the City of Charlotte, in which they stated that the matter seemed to be entirely within the hands of the County Commissioners and suggested that the Council authorize the City Attorneys to confer with the new Board of County Commissioners immediately after they take office in December and impress upon them the necessity of immediate action in the matter.

Councilman Hovis moved that the City Attorneys be so authorized, which motion was seconded by Councilman Durham and carried unanimously.

ADJUSTMENT OF DAMAGES ON NORTH AND SOUTH GRAHAM STREET.

The City Manager advised that when the appraisals were made on North and South Graham Street, that the appraisers did not know that the grade in a number of instances would be changed and no allowance was made by them for such change of grade. He stated that on several buildings on this street the doorway has been left slightly lower than the sidewalk, while in other places a small retaining wall is required, and that while these changes were not contemplated, there is sufficient money in the street widening and opening fund to take care of same and that he would like to adjust these with the property owners, which he thought was only fair.

Councilman Boyd made a motion that this be done and that it be left to the City Manager and City Attorneys to make this settlement. Motion seconded by Councilman Albea and unanimously carried.

GRILL WORK AT TAX AND WATER COLLECTION WINDOWS TO BE REMOVED.

Upon the recommendation of Mr. Marshall, Councilman Tipton moved that the grill work in front of the water and tax collection windows on the first floor of the City Hall be taken out. Motion seconded by Councilman Huntley and carried.

CARDS OF WELCOME TO BE PLACED ON OUT-OF-TOWN CARS.

Mr. Marshall brought up the question as to the advisability of having cards of welcome printed and placed on all out-of-town cars and presented two types of cards for approval, the first card to be placed on all cars and the second card submitted being suitable for only those cars that violate a traffic ordinance.

After much discussion, Councilman Hovis, seconded by Councilman Tipton, moved that the City Manager be authorized to proceed to buy these tags.

This motion did not state which tag was to be selected and Councilman Albea offered as an amendment to the above motion that only the card calling attention to the violation of traffic ordinances be used. This motion seconded by Councilman Nance. A vote was taken on the amendment as follows:

- For: Councilmen Albea, Boyd and Nance
- Against: Councilmen Durham, Hovis, Huntley and Tipton;
- Councilman Baxter having left the meeting prior to this.

The Mayor declared the amendment lost, and called for a vote on the original motion, which was carried, Councilmen Albea and Nance voting "No".

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REPORT OF HEALTH COMMITTEE ON DISPLAY OF FRUIT HELD OVER ONE WEEK.

The question of selling fruit from trucks on certain streets in the City was brought up by Councilman Durham, in connection with the complaint made some time ago by Mr. Elder, a fruit merchant, that he was not allowed to display his fruit in front of his place of business because of health regulations, and after discussion, Councilman Albea reported that his committee would like another week to go into the matter before making report.

Mayor Douglas asked that the Health Committee and the City Attorneys study the ordinance until the next meeting and have a ruling on same by that date.

CLAIMS FOR DAMAGES AGAINST CITY OF CHARLOTTE.

The Mayor presented three letters received from the Legal Department of the City with reference to claims for damages now pending.

The first case was that of Mary Reynolds, who was injured by falling on broken cement on the sidewalk in the rear of the building now occupied by Tillman's Grocerteria. The City Attorneys advised that this case could be settled by the City for the sum of \$50.00 and one-third of the court costs and recommended that this settlement be made.

Councilman Tipton moved that the matter be deferred, but no second to this motion, and Councilman Wilkinson, seconded by Councilman Albea, moved that this case be settled for that amount. Motion carried.

The next case was that of Eunice Phifer, the City Attorneys advising that this case could be settled for \$150.00, but on motion of Councilman Wilkinson, seconded by Councilman Albea and carried, this case is not to be settled at this time.

In the case of Beatrice Black, injured by falling in an open manhole on Mint Street, which case could be settled for \$100.00, Councilman Albea moved that this case be deferred. Motion seconded by Councilman Durham and carried.

CEMETERY DEEDS.

On motion of Councilman Hovis, seconded by Councilman Tipton, the following cemetery deeds were ordered recorded:

J. S. Clenmer, Lot No. 357, Section "U", Elmwood Cemetery	\$ 70.00
Mrs. S. M. Dellinger, N.W. 1/4 Lot #44-A, "D Annex"	35.00
Fred N. Hall, Lots 23 and 24, Section "B B"	\$111.30 and 70.00

ADJOURNMENT.

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

Alice B. M. Council
City Clerk

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