

SPECIAL MEETING
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A special meeting of the City Council was held, pursuant to notice duly given, in the Council Chamber, City Hall, at 4:00 o'clock P. M., Monday, February 13, 1939, with Mayor Douglas presiding, and Councilmen Albea, Baxter, Durham, Griswold, Hudson, Huntley, Little, Nance and Sides being present.

Absent: Councilmen Hovis and Wilkinson.

TIME SET FOR HOLDING SPECIAL ELECTION ON PARK & RECREATION TAX INCREASE.

Mr. B. M. Boyd, City Attorney, stated that the Council had authorized a Bill to be drawn calling for a special election on increase of tax for the Park and Recreation Commission from the present 2-cent levy to a 5-cent levy, and that before this Bill can be prepared a date must be set for holding the election. In answer to questioning, he advised that it would not be possible to hold this election on the same date as the two proposed county elections but that it could be held on the same date as the municipal election.

A discussion arose as to whether there would be a saving in cost by holding this election on the same day as the municipal election is held, and Mr. Chase Brenizer, Chairman of the Mecklenburg County Board of Elections, was consulted and advised that the only additional expense would be for one extra day of registration called for on tax measures.

Thereupon, Councilman Baxter, seconded by Councilman Nance, moved that the election for voting on increase of tax for the Park and Recreation Commission, be held on the same day in May as the City election. Motion carried, with Councilman Hudson voting "No".

PURPOSE OF MEETING FOR FURTHER STUDY OF CHARTER.

The Mayor announced that this special meeting had been called for the purpose of studying the additional changes in the new Charter now being prepared, and Mr. Boyd, City Attorney, and Mr. Frank McCleneghan, one of the attorneys assisting in this work, presented to the Council a memorandum of changes, which were explained in detail by them. The changes with reference to the Primary and General Elections were made at the suggestion of Mr. Brenizer. A number of minor changes were made as each division was taken up.

Under Section 29, "Salaries of Mayor and Councilmen", which stipulated a salary not to exceed \$2400.00 per year for the Mayor, and \$600.00 per year for each Councilman, Councilman Huntley moved that these salaries be left blank. Motion seconded by Councilman Hudson, but failed to carry.

On motion of Councilman Albea, seconded by Councilman Huntley, the word "appoint" is to be used instead of the word "elect" with reference to ~~reference to~~ Department Heads appointed by the Council.

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POLICE AND FIRE CHIEFS CONSULTED WITH REFERENCE TO THEIR RESPECTIVE DEPARTMENTS AND CIVIL SERVICE.

Chief Palmer, of the Fire Department, and Chief E. D. Pittman, of the Police Department, were called in to discuss that part of the Charter governing the Police and Fire Departments, and also the Civil Service Commission.

Chief Palmer suggested in the Civil Service Act that a quorum of the Board be definitely defined, and also that it call for a probation period for new appointees. He also suggested that the Chief of each Department be furnished with the entire eligibility list and permitted to select the man desired from this entire list regardless of his rating. This was discussed but did not meet with the approval of the Council.

Councilman Huntley moved that the probation period be incorporated in the law, and the respective Chief determine at the end of that period whether the appointment shall be permanent. Motion seconded by Councilman Griswold and carried.

Councilman Sides, seconded by Councilman Nance, then made a motion that a majority of the Board constitute a quorum. Motion carried.

Councilman Sides made a motion that the eligibility list be furnished to the Chief of each Department and that he chose the man desired from the eligibility list, subject to approval of the Civil Service Board, without regard to standing on the eligibility list. Motion seconded by Councilman Albea, but after discussion, Councilman Sides withdrew the motion with the approval of the second.

TRAFFIC COURT DISCUSSED.

Mr. J. B. Marshall, City Manager, advised that he had been requested by the Civil Service Commission to ask that a Traffic Department or Court be set up in the new Charter, and explained how this department would be operated. He stated that this was desired in order to save the night policemen from having to spend their entire mornings in police court when they should be sleeping, and that in this way a man could appear before this department immediately after being given a ticket for traffic violation and pay the amount of cost prescribed by the Recorder.

Mr. Boyd stated that he was of the opinion that this would be unconstitutional and explained that a certain amount of fines and forfeitures now go to the schools and that the Council cannot set up an arbitrary proposition and allow the police officers to say that all such bonds shall be forfeited. He stated that would deprive the schools of a lot of money.

RECORDER AND SOLICITOR'S TERMS OF OFFICE TO REMAIN AS ORIGINALLY SET OUT.

On motion of Councilman Baxter, seconded by Councilman Griswold, the term of office of the City Recorder was changed to read as it originally was and not "at the pleasure of the Council", with Councilman Durham voting against this motion.

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PUBLIC LIBRARY.

Certain suggested changes with reference to the County joining with the City on the operation of the Charlotte Public Library were not feasible to include in the Charter. The Mayor stated that he had met with the Board of County Commissioners and they desired that the Commission desired the Chairman of the Board to be included if the election carried in the County, but Mr. Boyd stated that the Charter would be adopted before this election is held and therefore could not be included in the Charter.

AIRPORT COMMISSION.

With reference to the request of the Airport Commission made at the last meeting of the City Council, that each member be paid a salary of \$1.00 per year in order to relieve them of personal liability, Mr. Boyd advised that this had not been included in the Charter since it was not necessary, and added that there was no personal liability as the matter now stands.

CHARTER TO BE PUBLISHED.

After a thorough discussion of all matters, the question of publishing the Charter was brought up, and Mr. Baxter stated that he thought that it should be published in both papers. Mr. Marshall advised that he had received a quotation from both The Charlotte News and Charlotte Observer, of 92¢ per square inch.

The Mayor stated that he was very anxious to have the Charter ready for passage on first reading in Charlotte, when the Legislature meets here on February 22nd., and to that end, if it were possible, he would like to have it published and discussed at a meeting of the public in time to have that done.

Councilman Griswold, seconded by Councilman Durham, moved that it be published in one of the daily papers. The following vote was recorded and the Mayor declared the motion lost:

For: Councilmen Durham, Griswold, Hudson and Nance.
Against: Councilmen Baxter, Sides, Albee, Huntley and Little.

Councilman Baxter, seconded by Councilman Little, then moved that it be published in both papers, and Councilman Sides offered as a substitute motion that only such changes as have been made be published; after discussion the substitute motion was withdrawn, and a vote was called for on Councilman Baxter's motion, when it failed to carry.

Councilman Sides, seconded by Councilman Durham, then moved that it be published in the paper receiving the smallest amount of business from the City of Charlotte during the fiscal year.

Councilman Hudson, seconded by Councilman Nance, moved to publish it in the Observer, which failed to carry, and on the vote for Councilman Sides's motion, Councilman Little voted "No" and the Mayor declared the motion carried.

TIME OF HOLDING PUBLIC MEETING.

Councilman Sides, seconded by Councilman Baxter, moved that the public hearing on the Charter be held at 4 P M Friday, February 17th.,
Motion carried unanimously.

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The Attorneys were instructed to prepare the necessary changes in the Charter and have ready for publication on Thursday and the public hearing on Friday.

ADJOURNMENT.

There being no further business to come before the Special Meeting, on motion of Councilman Baxter, duly seconded and carried, the meeting adjourned.

Alice B. McConell
City Clerk