

September 6, 1939
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The City Council of the City of Charlotte, N. C., met in regular weekly session in the Council Chamber, City Hall, at 4:00 o'clock P. M., Wednesday, September 6, 1939, with Mayor Ben E. Douglas presiding, and Councilmen Baxter, Britt, Hovis, Hudson, Huntley, Little, Nance, Sides, Ward and Wilkinson being present.

Absent: Councilman Albea.

MINUTES READ AND APPROVED.

On motion of Councilman Huntley, seconded by Councilman Hudson, the minutes of the August 30th. meeting were unanimously approved as read.

ORDINANCE REGULATING PARKING UPON EAST THIRD STREET.

Judge Vance Howard again presented to the Council a proposed ordinance regulating parking upon East Third Street, Judge Howard having appeared at the last meeting in this connection, and after much discussion, the following ordinance was unanimously adopted on three readings, the motion for adoption being made by Councilman Ward, seconded by Councilman Hovis.

AN ORDINANCE
TO REGULATE STOPPING, STANDING AND
PARKING UPON EAST THIRD STREET.

THE CITY COUNCIL OF THE CITY OF CHARLOTTE IN REGULAR SESSION
DO ORDAIN:

1. That no person shall stop, stand or park a motor vehicle for any purpose of period of time between the hours of 7:00 o'clock A. M., and 7:00 o'clock P. M., on the North side of East Third Street between the intersections of South College Street and the alley way leading into East Third Street paralleling the Bryant Building.

2. The foregoing paragraph of this Ordinance, however, shall not prohibit any person from stopping, standing or parking a motor vehicle in the above designated place for the exclusive purpose of loading or unloading, delivery or pick-up, of merchandise or materials; provided, however, any person so using the said designated place shall not stop, stand or park for a period of time in excess of 30 minutes at any one particular time of stopping, standing or parking.

3. That the City Traffic Engineer of the City of Charlotte shall immediately erect, or cause to be erected, the proper Traffic Signs, or parking signs, upon the herein designated part of East Third Street.

4. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not more or less than five (\$5.00) dollars.

REQUEST FOR FREE FLORIST LICENSE REFERRED TO WELFARE DEPARTMENT.

A Mrs. Franklin, resident of the County, requested free license to sell flowers from doorways and vacant buildings, but was informed that it would be necessary for her to be certified by the Welfare Department, after which the license could be granted without again appearing before the Council.

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CHAS. YOUNG POST, AMERICAN LEGION, COLORED, GRANTED LICENSE TO HOLD CARNIVAL.

A representative of the Chas. Young Post of the American Legion, Colored, requested free license to hold a carnival in Charlotte the week of September 18th.

On motion of Councilman Hovis, seconded by Councilman Little, this license was granted.

REQUEST FOR REPLACEMENT OF BRIDGE OVER SUGAW CREEK.

Two representatives of the colored P.T.A., asked that the City replace the bridge over Sugaw Creek just back of the Thompson Orphanage, which fell during a flood in the early summer. They stated that the children going to several schools from that vicinity have to go several blocks out of the way in order to get across the creek, having to cross streets on which there is heavy traffic.

Mr. Scarborough, City Attorney, advised that he would recommend that nothing be done to relieve this condition until after one of the cases now pending in Court be settled by the Supreme Court in order to establish whether or not there is any liability on the part of the City of Charlotte where bridges are built on private property. He stated that he can find no cases in North Carolina to guide him and that one of the cases growing out of the collapse of the foot-bridge over Sugaw Creek is being rushed for settlement and will probably be tried during September. With this recommendation, no action was taken by the Council on the above request.

PURCHASE OF TIRES AND TUBES FOR THE FIRE DEPARTMENT.

On motion of Councilman Baxter, seconded by Councilman Nance, the Mayor and Clerk were authorized to sign a contract with the Dayton Rubber Mfg. Company for the purchase of Four 40x8 Heavy Dity, 12-ply tires and tubes and Four 38x7 Heavy Duty 10-ply tires and tubes for use by the Fire Department, at a net delivered price of \$402.34.

The following bids were received on this equipment:

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|--------------------------------|----------------|----------|
| Dayton Rubber Mfg. Co. | (McClaren) | \$402.34 |
| Currie B. Witt, Inc. | (Fisk) | 409.43 |
| Fleming Tire & Vulcanizing Co. | (Pennsylvania) | 416.85 |
| Campbell and Hastings | (Atlas) | 421.87 |
| Mills Auto Service, Inc. | (Seiberling) | 428.30 |
| Charlotte General Tire Co. | (General) | 428.30 |
| Goodrich Silvertown Stores | (Goodrich) | 477.29 |
| Myers Auto Service | (U.S. Royal) | 490.11 |
| McDonald Service Co. | (Firestone) | 618.80 |
| Victor Shaw Company | (U. S.) | 618.80 |
| Goodyear Service Co. | (Goodyear) | 618.80 |

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TRUCKS - GARBAGE AND STREET CONSTRUCTION WORK.

The following bids having been received on One 1½-ton Truck for garbage collecting; Two 2-ton Trucks for street construction purposes and One 3/4-ton Truck for the signal department:

ITEM 1. 1½ Ton Garbage Truck - Chassis, Cab, Wood Dump Body with Hoist

| | |
|---|------------|
| North Charlotte Motor Co. (Ford) | \$1,040.00 |
| Pettit Motor Company (Ford) | 1,072.00 |
| Heath Motor Company (Ford) | 1,073.00 |
| General Motors Truck & Coach Co., Inc. | 1,076.33 |
| Carolina Truck & Trailer Co. (Diamond T) | 1,085.60 |
| City Chevrolet Company (Chevrolet) | 1,095.00 |
| Pyramid Chevrolet Co. (Chevrolet) | 1,095.00 |
| International Harvester Co. (International) | 1,150.00 |

the City Manager recommended the purchase of this truck from General Truck Co. Inc., ~~General Motors Truck & Coach Company~~, at the net delivered price of \$1,076.33, even though this is not the lowest bid. He stated that Mr. Fogus, of the Motor Transport Division, was in accord with his opinion that it would be more economical in the long-run to purchase the General Motors truck, since there are no Ford trucks in operation on this work.

On motion of Councilman Wilkinson, seconded by Councilman Huntley, the City Manager's recommendation was approved and the Mayor and Clerk were authorized to execute contract with the General Motors Truck & Coach Company for this truck, at the total price of \$1076.33.

ITEM 2. Two 2-ton Trucks- Chassis, Cab, Steel Dump Bodies with Hoist.

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| North Charlotte Motor Co. (Ford) Net Price | \$2,034.18 |
| General Motors Truck & Coach Co. (GMC) " | 2,072.08 |
| Pyramid Chevrolet Co. (Chevrolet) " | 2,170.00 |
| City Chevrolet Co. (Chevrolet) " | 2,170.00 |
| Pettit Motor Company (Ford) " | 2,112.00 |
| Heath Motor Co. (Ford) " | 2,170.00 |
| Carolina Truck & Trailer Co. (Diamond T) " | 2,300.00 |
| The White Motor Company " | 2,578.36 |
| International Harvester Co. (Inter'l) " | 2,625.00 |
| Mack Trucks Corp. (Mack equipment) " | 2,933.68 |

The City Manager recommended that these two trucks be purchased from the General Motors Truck & Coach Company at a net delivered price of \$2,072.08. Councilman Hovis stated that inasmuch as the award was not to be made to the lowest bidder, he moved that they be purchased from The White Motor Company, but this motion received no second, and on motion of Councilman Wilkinson, seconded by Councilman Huntley, the City Manager's recommendation to purchase from the General Motors Truck & Coach Company, at a net delivered price of \$2,073.08, was approved and the Mayor and Clerk were authorized to sign the contract.

ITEM 3. One 3/4-ton Truck- Chassis, Cab, Special Compartment Steel Body

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|--|----------|
| City Chevrolet Company (Chevrolet) Net Price | \$695.00 |
| Pyramid Chevrolet Co. " " | 695.00 |
| North Charlotte Motor Co. (Ford) " " | 714.62 |
| International Harvester Co. (Inter'l) " " | 720.00 |
| Heath Motor Company (Ford) " " | 720.00 |
| Pettit Motor Company (Ford) " " | 750.00 |
| General Motors Truck & Coach Co. (GMC) " " | 767.00 |
| Carolina Truck & Trailer Co. " " | 813.75 |

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On motion of Councilman Huntley, seconded by Councilman Britt, this item was awarded to the City Chevrolet Company, at a net delivered price of \$695.00, and the Mayor and Clerk were authorized to sign the contract.

RENTAL OF ROCK CRUSHER.

Bids for renting 1- Rock Crushing Outfit complete for the City rock quarry, are as follows; based on a rental charge per month, which charge shall be allowed on the purchase price with the option of the City purchasing the equipment at the prices shown:

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| Universal Road Machinery Company | |
| Rent per month | \$ 350.00 |
| Purchase price | 4,200.00 |
| North Carolina Equipment Company | |
| Rent per month (8 months basis) | 825.00 |
| " " " (10 " ") | 660.00 |
| Purchase price | 6,601.00 |
| Alternate Bid No. 1- North Carolina Equipment Company | |
| Rent per month (8-months) | 600.00 |
| " " " (10 " ") | 500.00 |
| Purchase price | 7,437.00 |
| Alternate Bid No. 2- N. C. Equipment Co. | |
| Rent per month (8-months) | 648.00 |
| " " " (10 " ") | 550.00 |
| Purchase price | 8,825.00 |
| Alternate Bid No. 3- N. C. Equipment Co. | |
| Rent per month (8-months) | 766.00 |
| " " " (10- " ") | 613.00 |
| Purchase price | 6,131.00 |
| Contractors Service Inc. | |
| Rent per month (new motor) | 850.00 |
| Purchase price | 8,000.00 |
| Alternate No. 1 -Contractors Service Inc. | |
| Rent per month (rebuilt binds) | 850.00 |
| Purchase price. | 7,500.00 |

On motion of Councilman Huntley, seconded by Councilman Wilkinson, award was made to the Universal Road Machinery Company on a rental basis of \$350.00 per month, with an option to purchase the equipment for \$4,200.00 at any time during the rental period, and the Mayor and Clerk were authorized to sign the contract.

PURCHASE OF UNIFORMS FOR POLICE, FIRE AND SANITARY DEPARTMENTS.

The following bids were received on Uniforms for the Fire, Police, Street and Sanitary Departments:

Section 1 - Fire Department

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|---------------------|------------|
| Elliott & Fink | \$1,938.79 |
| Belk Bros. | 2,029.50 |
| " " Alternate No. 1 | 2,164.80 |
| " " " " 2 | 2,435.40 |

On motion of Councilman Little, seconded by Councilman

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Huntley, the Mayor and Clerk were authorized to sign the contract for Fire Department Uniforms with Elliott and Fink, at a delivered price of \$1,938.79.

Section 2. Police Department

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| Belk Bros. | \$2,137.10 |
| Elliott & Fink | 2,205.67 |
| Efird's Dept. Store | 2,306.80 |
| Martin's Dept. Store | 2,699.65 |

On motion of Councilman Wilkinson, seconded by Councilman Hovis and carried, this section was awarded to Belk Bros. at a delivered price of \$2,137.10 and the Mayor and Clerk were authorized to sign the contract.

Section 3. Street and Sanitary Departments

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|----------------------|----------|
| Belk Bros. | 1,221.40 |
| Martin's Dept. Store | 1,229.96 |
| Elliott & Fink | 1,243.54 |

This contract was awarded to the low bidder, Belk Bros., at the total delivered price of \$1,221.40 and the Mayor and Clerk authorized to execute same on behalf of the City of Charlotte, on motion of Councilman Nance, seconded by Councilman Huntley and carried.

EXTENSION OF SEWER LINE IN WESTOVER HILLS.

On motion of Councilman Baxter, seconded by Councilman Wilkinson, authorization was given for the extension of a trunk line sewer in Westover Hills. This extension has the recommendation of the Engineering Department, who report that this trunk line will eventually serve and make available for homesites on a total of 125 lots in "Westover Hills" subdivision, and also be in readiness to serve about 1000 feet of property westerly on Barringer Drive. The construction cost on this extension totals \$1,236.18.

WATER MAIN EXTENSIONS IN WILMOUNT ROAD AND WESTOVER HILLS.

On motion of Councilman Hovis, seconded by Councilman Wilkinson, the Mayor and Clerk were authorized to execute a contract with the John Crosland Company for the extension of a 6" water main in Wilmount Road between Wilmore Drive and Spruce Street, estimated to cost \$1,062.50, which the John Crosland Company is to pay with the understanding that they will be reimbursed when the revenue from same equals five percent of the estimated cost, or \$1,062.50.

On motion of Councilman Baxter, seconded by Councilman Wilkinson, approval was also given for the signing of a contract with the same company covering water main in Barringer Drive, north of Wilmount Road, Cartier Way, Bethel Road and Skyland Road, in Westover Hills; the applicant agreeing to build sufficient new homes in this section to produce an annual revenue equal to 10% of the cost of laying said main, or not to exceed \$279.50 annually.

SPECIAL POLICE OFFICERS.

The application for Special Police Officer permit to Robert Leinster, on the premises of the Great Atlantic and Pacific Tea Company, was approved, on motion of Councilman Nance, seconded by Councilman Sides and duly carried.

Also, application of George W. Earnhardt for Special Officer on the premises of Kilgo Transfer Co. and McNeil Paper Company.

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REPORT OF POLICE COMMISSIONER PRESENTED BY COMMITTEE

Councilman Sides, as Chairman of the special committee appointed at the last meeting to secure report and other information relative to the activities of the Police Commissioner, advised that his committee had met with the Commissioner of Police and that first, he would read the report on the personnel and policies of the Police Department as contained in a four-page report from the Commissioner.

After this was read, Councilman Sides stated that he had found other things of interest not shown in this report, such as saving in uniforms and also reduction in telephone and telegraph costs, and an increase in the amount of arrests for July and August as compared with that same time during the last several years of about fifty percent. He also stated that it was his opinion that there is a better spirit of cooperation than there has been in the past and that the Police Department is making quite a little progress and with encouragement and help a great deal more can be made.

Councilman Baxter stated that while he thought that was a good report, he was surprised that the Commissioner did not appear personally before the Council and present this report; that there were several questions he would like to have asked him; for instance, why two of the men who were tried and cleared of accusations against them before the Civil Service Commission were later demoted. Also, why something has not been done relative to the jail conditions.

Councilman Wilkinson asked why the rules and regulations for the operation of the Police Department have not yet been presented, and was informed by Councilman Sides that the Commissioner has been making a study of the rules and regulations of other cities with the view of working out the most satisfactory rules possible. Councilman Wilkinson requested that the report of Mr. Grice be published in the newspapers, and after a lengthy discussion regarding the report, the Mayor asked the pleasure of the Council with regard to the report.

Councilman Hovis made a motion that the report be accepted as information, which was seconded by Councilman Nance and carried.

CEMETERY DEEDS.

On motion of Councilman Huntley, seconded by Councilman Little, the following cemetery deeds were approved:

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| J. A. Bechtler, North Half Lot No. 7, Section "BB", Elmwood, | \$63.00 |
| G. H. Hall, Lot No. 46, Section "X" with perpetual care | 125.00 |
| Thomas B. Hicks, Lot No. 27, Section "Y", | 63.00 |
| G. L. Wolfe, Lot No. 100, Section "Y" | 35.00 |
| Mrs. W. H. Odom, Lot No. 107, Section "Y" | 35.00 |

AIRPORT RUNWAYS.

Mayor Douglas read extract from a letter addressed to Mr. Eddie Rickenbacker, President of Eastern Airlines, from Mr. Donald W. Hunter, of Washington, D. C., passenger on one of the airliners, giving details of a near-accident at the Municipal Airport caused by the length of the runway, also a letter addressed to the Mayor from Mr. Rickenbacker, which means that if something is not done shortly some of the planes are going to be curtailed. Councilman Hovis then gave a report on the progress of the condemnation proceedings ordered by the Council to

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secure additional land for lengthening one of the runways. Mr. Hovis stated that Mr. Berryhill had asked that he be permitted to negotiate with Mr. Hovis rather than with a real estate man and that since the Engineering Department and Mr. Harrill had gone over the land with Mr. Berryhill and shown him just what was needed, Mr. Berryhill had asked for time to get in touch with his brother in Chapel Hill and that he had heard nothing further from Mr. Berryhill.

On motion of Councilman Baxter, seconded by Councilman Ward, the City will pay the expense of Councilman Hovis to Chapel Hill to interview the brother of Mr. Berryhill.

ADJOURNMENT.

On motion of Councilman Baxter, seconded by Councilman Ward, the meeting adjourned.

Alice B. Powell
City Clerk