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The regular weekly meeting of the City Council was held in the Council Chamber, City Hall, at 4 o'clock P. M., Wednesday, December 17, 1941, with Mayor Currie presiding and the following Councilmen present: Albea, Baker, Beasley, Daughtry, Hovis, Little, Painter, Price, Ross, Slye and Ward.

Absent: None.

PETITION FOR TRAFFIC SIGNAL LIGHT AT BLAND AND TRYON STREETS PRESENTED AND REJECTED.

C. D. Brady appeared before the Council requesting the installation of a traffic signal light at the corner of Bland and Tryon Streets, stating that he had filed a petition, containing a large number of names, asking for this installation, and advised that a light was badly needed at that corner.

Mayor Currie announced that the petition had been received and duly turned over to the proper Department for investigation and presented a report received from the City Manager showing the result of such investigation, in which the Manager recommended that this light not be installed due to the fact that traffic at that particular point did not justify the installation.

On motion of Councilman Ross, seconded by Councilman Baker and carried, the City Manager's recommendation was adopted and the light at this corner was rejected.

Councilman Baker then suggested that a portion of Tryon Street be marked off to prohibit no parking where same would cause an obstruction of the view on entering from Bland Street into Tryon. Mayor Currie referred this to the Police Committee to have proper ordinance drafted to cover this suggestion.

RESIGNATION OF MR. H. A. MOORE FROM CIVIL SERVICE COMMISSION PRESENTED AND ACTION ON SAME DEFERRED.

The Mayor presented a letter received from Mr. H. A. Moore, Chairman of the Civil Service Commission, dated November 25, 1941, tendering his resignation due to the fact that his business required him to be absent from the City a great deal of the time. Councilman Baker stated that he had talked with Mr. Moore since this letter had been written and that he was of the opinion that Mr. Moore would continue to serve until next May. He thereupon moved that Mr. Moore be re-appointed, but upon being informed that such motion would reappoint him for a three-year term from May 1941, he amended his motion to read "subject to his acceptance for a three year term from last May". This motion was seconded by Councilman Beasley.

Councilman Price offered a substitute motion that action be deferred until Councilman Baker has had an opportunity to talk with Mr. Moore regarding his acceptance for a three-year term. This motion was seconded by Councilman Albea, and upon being put to a vote, was carried.

ARMORY-AUDITORIUM TO BE USED BY WEST CHARLOTTE HIGH SCHOOL (COLORED) FOR TEN BASKETBALL GAMES, WITHOUT COST EXCEPT FOR JANITORIAL SERVICES.

C. L. Blake, principal of West Charlotte High School (colored), requested use of the Armory-Auditorium for students of that school to play ten basketball games during the season, without cost except for

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janitor services. He stated that this school building has no gymnasium nor auditorium nor classroom large enough for such games and that the use of the Armory in past years had been given to them on that basis.

Quite a discussion following regarding this request, Councilman Ross showing figures on the Armory to the effect that the City loses money each time the building is used.

Councilman Ward, seconded by Councilman Albea, offered a motion to the effect that they be granted the use of the Armory under the same conditions as it has been given to Central High School for basketball games in past years, but Councilman Albea made a substitute motion, seconded by Councilman Slye, that the use of the Armory be granted to this School under the same terms and conditions as was given it last year. Motion carried, with Councilman Ross voting against the motion.

TAXICAB AMENDING ORDINANCE PRESENTED BUT ACTION DEFERRED FOR ONE WEEK.

Councilman Hovis presented the following ordinance and moved its adoption:

AN ORDINANCE
AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE TO
REQUIRE JITNEY BUS AND TAXICAB OPERATORS CARRYING
PASSENGERS FOR HIRE WITHIN THE CITY OF CHARLOTTE
TO TAKE OUT AND CARRY LIABILITY INSURANCE OR PRO-
VIDE SURETY BONDS OR MAKE A DEPOSIT OF SECURITIES
WITH THE TREASURER OF THE CITY OF CHARLOTTE."

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

Section 1. That the ordinance adopted September 2, 1936,
entitled:

"AN ORDINANCE TO REQUIRE JITNEY BUS AND TAXICAB OPERATORS
CARRYING PASSENGERS FOR HIRE WITHIN THE CITY OF CHARLOTTE TO TAKE OUT AND
CARRY LIABILITY INSURANCE OR PROVIDE SURETY BONDS OR MAKE A DEPOSIT OF
SECURITIES WITH THE TREASURER OF THE CITY OF CHARLOTTE"

and amended by amendments adopted May 25, 1938, and July 13, 1938, be, and it is, further amended by striking from Section 1 of said ordinance the figures "\$2500.00" and inserting in lieu thereof "\$3750.00", by striking from said section the figure "\$5000.00" and inserting in lieu thereof "\$7500.00", and by striking from said section the figure "\$500.00" and inserting in lieu thereof "\$1000.00".

Section 2. That the said ordinance be further amended by striking from Section 2 thereof, which was adopted by amendment July 13, 1938, the following: "\$5500.00 for the first vehicle or taxicab so operated and increase this amount \$100.00 for each additional taxicab so operated, conditioned for the guaranty of the payment of any final judgment secured as a result of injury or damage on account of the operation of said car, no matter by whom operated or driven at the time, for injury or damage caused by negligence of such owner or operator or driver to any one person in any one accident not to exceed \$2500.00, and to two or more persons in any one accident not to exceed the sum of \$5000.00, and for property damage caused by negligence of such owner, operator or driver not to exceed \$500.00;" and inserting in lieu thereof the following: "\$500.00"; and inserting in lieu thereof the following: "\$8500.00 for the first vehicle or taxicab so operated, \$1000.00 each for the next ten vehicles or taxicabs so operated, and \$800.00 each for every additional vehicle or taxicab

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so operated, conditioned for the guaranty of the payment of any final judgment secured as a result of injury or damage on account of the operation of said car, no matter by whom operated or driven at the time, for injury or damage caused by negligence of such owner or operator or driver to any one person in any one accident not to exceed \$3750.00, and to two or more persons in any one accident not to exceed the sum of \$7500.00, and for property damage caused by negligence of such owner, operator or driver not to exceed \$1000.00.

Section 3. All ordinances and clauses of ordinances in conflict herewith are hereby repealed.

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

Section 5. This ordinance shall take effect from and after

APPROVED AS TO FORM:

Tillett & Campbell
City Attorneys

The motion to adopt made by Councilman Hovis was seconded by Councilman Beasley.

Councilman Baker made a substitute motion that action be deferred for one week and that copy of the above ordinance be furnished each member of the Council for study during that period. This motion seconded by Councilman Ross and carried on a vote of 6 to 5.

SPECIAL MEETING OF THE COUNCIL CALLED IN ORDER TO CONSIDER THIS ORDINANCE.

Due to the fact that no meeting of the Council is to be held on December 24th., Councilman Price moved that a special meeting be called for 4 o'clock P. M., Monday, December 22nd., to consider the ordinance above presented. Motion seconded by Councilman Slye and carried. It was later agreed that the meeting would convene at 3:30 instead of 4 P.M.

LETTER FROM CHARLES W. BUNDY PRESENTED.

The Mayor presented the following letter received from Mr. Charles W. Bundy, which was addressed to the Chairman and members of the County Commission, the Mayor and City Council:

"Gentlemen:

On November 26th you elected me to be Judge Pro Tem of the Domestic Relations Court, and I deeply appreciate this honor.

I regret, however, that for personal reasons I cannot accept the office. My practice is such as to prevent my acceptance.

Respectfully yours,

(Signed) Charles W. Bundy"

The Mayor stated that it was not necessary to take any action on this letter inasmuch as Mr. Bundy had not qualified and been sworn in as Judge Pro Tem.

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PURCHASE OF ADDITIONAL UNIFORMS FOR FIRE DEPARTMENT.

The City Manager reported that the addition to the personnel of the Fire Department makes it necessary to purchase complete winter uniforms for the twelve new men; that the contract for uniforms for the entire department in September was placed with Martin's Department Store and amounted to \$4,082.90. That since that date there has been an increase in the cost of uniforms but that Martin's has agreed to furnish the additional uniforms at the unit price of their former contract, making the total delivered price of the 12 uniforms \$384.00, which does not include the caps.

On motion of Councilman Baker, seconded by Councilman Albea, the Mayor and Clerk were authorized to sign the contract with Martin's Department Store for 12 uniforms, at the net delivered price of \$384.00.

PURCHASE OF CITY MAPS.

On motion of Councilman Little, seconded by Councilman Baker, authority was given for the purchase of 2,000 copies of the revised map of Charlotte, from Chas. A. Torrence, the low bidder, at a net delivered price of \$194.50.

Pound & Moore bid \$260.00 and Whitsett Photo & Blue Print Company bid the sum of \$381.25 on these maps.

PURCHASE OF TERRA COTTA PIPE.

The following bids having been received on 13,020 feet (10 carloads) of 8" terra cotta pipe for use in making sanitary sewer connections in various locations:

Doggett Lumber Company	\$3,473.08
Caldwell Construction Company	3,473.08
Tucker-Kirby Company	3,473.08
J. L. Wiggins & Son Lbr. Co.	3,473.09

and after a discussion with the City Manager regarding same, Councilman Hovis, seconded by Councilman Slye, moved that the contract be placed with Caldwell Construction Company, at the net delivered price of \$3,473.08 and the Mayor and Clerk be authorized to sign the contract. Motion carried.

CARMEL STREET TAKEN OVER FOR CITY MAINTENANCE.

On motion of Councilman Albea, seconded by Councilman Painter, the 1200 block of Carmel Street, between Tate and Davis Streets, was taken over for city maintenance.

INVOICE FROM STATE HIGHWAY COMMISSION ON EAST 10TH. AND 11TH STREETS APPROVED FOR PAYMENT.

The payment of an invoice of the State Highway Commission in the amount of \$1,221.30, covering 182 tons of sheet asphalt surface course and 25 tons of binder course used on East 10th. and 11th. Streets, in the widening project, was approved for payment from the Street Bond Fund, on motion made by Councilman Little, seconded by Councilman Albea and carried.

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NEW STREET SIGNS PURCHASED.

The City Manager displayed a sample street sign desired for use in the downtown district covered by the white way lighting, and discussed with the Council the desirability of purchasing forty-four (44) of these lights, at the cost of \$11.80 each. Mr. Flack stated that if these are purchased and with the amount spent in reconditioning the signs in the residential districts, which he reported are now in good condition, all the money in the budget for that purpose for the remainder of this fiscal year will have been exhausted. It was his recommendation that these street signs be purchased.

On motion made by Councilman Price, seconded by Councilman Albea, the purchase of 44 street signs, same as sample displayed, was authorized to be made through the North Carolina League of Municipalities, Municipal Purchasing Service, at the price of \$11.80 each, making a total of \$519.20, and the Mayor and Clerk were authorized to sign the contract.

UNDERGROUND GASOLINE TANK AT 218-22 SOUTH CHURCH STREET.

Mr. Flack reported that the Shell Oil Company wishes to install a 3,000 gallon gasoline storage tank under the sidewalk at 218-22 South Church, doing business as the Addison Garage. He stated that the matter has been discussed with Chief Palmer, the City Engineer, Mr. Ross, and the Chief Safety Inspector, Mr. Skinner. A representative of the Shell Oil Company was present and presented a drawing showing the location at which it is desired to place this tank. Considerable discussion was held regarding the point at which the tank will be filled; the Shell Oil representative stating that the opening could be placed to suit the City.

Councilman Price, seconded by Councilman Ross, moved that this installation be authorized subject to the Shell Oil Company furnishing a plan showing location and opening to the tank, approved by the three City officials above stated, and that it be filed with the City Clerk. Motion carried.

REPAIRS TO HEATING PUMP AT ARMORY.

On motion made by Councilman Albea, seconded by Councilman Baker and carried, the payment of the sum of \$195.50 to the W. T. Branson Heating Company for necessary parts to repair the vacuum pump in the heating system at the Armory, was authorized made.

RESOLUTION AUTHORIZING CITY ATTORNEYS TO CONSENT TO CONDEMNATION BY UNITED STATES OF RIGHT-OF-WAY FOR WATER LINE AT THE AIR BASE.

The following resolution was adopted unanimously, on motion made by Councilman Albea, seconded by Councilman Little:

WHEREAS, the U. S. Government has instituted in the Federal District Court a proceeding against the City of Charlotte for the condemnation of a right-of-way for an eight inch water line to serve its Defense Housing Project, which right-of-way is entirely within the area now leased to the Government for use as an Air Base at \$1 a year and, whereas, in the condemnation proceeding the Government proposes to pay to the City the sum of \$1 for the said right-of-way and, whereas, it appears in the interest of National Defense for the City to consent to the said condemnation;

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NOW, THEREFORE, BE IT RESOLVED that the City Attorneys be, and they are, instructed to interpose no opposition to the said condemnation proceeding and, if they see fit to do so, they are authorized to enter a record of the City's consent in the said proceeding, provided that the City Attorneys shall, at the time of giving the City's consent, notify the attorney for the Government, in charge of the condemnation proceeding, that if, and as a result of, the construction of a water line along the proposed right-of-way and the use of same to supply the Defense Housing Project the existing line to the Air Base proves inadequate, the City will not consider that any existing contracts between it and the Government obligates it to make good the inadequacy.

A letter in this connection, addressed to Mr. Dillehay, Director of the Charlotte Housing Authority, was presented by the City Manager, and on motion made by Councilman Albea, seconded by Councilman Baker, authority was given the Manager to sign this letter.

PURCHASE OF BOND.

The City Treasurer was authorized to purchase 1- \$1000.00 State of North Carolina $4\frac{1}{2}\%$ bond, due April 1, 1942, at a price to yield .75%, for the Long Term Sinking Fund Account, subject to the approval of the Local Government Commission, on motion made by Councilman Baker, duly seconded by Councilman Daughtry and carried.

SPECIAL OFFICERS FOR QUARTERMASTER DEPOT.

On motion of Councilman Beasley, seconded by Councilman Slye, the following men were granted Special Officer permits for use on the premises of the Quartermaster Depot, 1820 Statesville Avenue:

Holman A. Byers	James L. Norket
James A. Cates	Frederick J. Phillips
Samuel C. Gaillard	Robert G. Hinson
Lewis W. Furr	Raymond C. Galloway
William Hatly	William B. Beam
Worth B. Hooper	Horace G. Hart
Richard A. Houser	Homer P. Daniel
Hubert Linker	C. A. Dixon, Jr.
Fred W. Hartness	Brice R. Knox
John H. Bingham	Herman M. Noles
James C. McSwain	

TWO SPECIAL OFFICERS FOR SOUTHERN RAILWAY CHARLOTTE ROAD SHOPS.

On motion of Councilman Ross, seconded by Councilman Little, Special Officer permits were granted to Charles Irwin Hunsuck and Robert Fletcher Kistler, for use on the premises of the Southern Railway Charlotte Roadway Shops.

CHARLOTTE OBSERVER FRESH AIR FUND GIVEN USE OF ARMORY ON OCTOBER 11TH. WITHOUT CHARGE.

On motion of Councilman Albea, seconded by Councilman Little, and carried, Councilman Ross voting "No", the Charlotte Observer Fresh Air Fund, was allowed use of the Armory-Auditorium last October 11th., without cost.

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MAYOR AUTHORIZED TO SIGN RELEASE UPON PAYMENT FOR DAMAGE TO BRIDGE.

On motion of Councilman Little, seconded by Councilman Slye, the Mayor was authorized to sign a release to the General Truck Co., upon the payment of \$195.00 by that Company to the City of Charlotte covering damage done to a bridge within the city of Charlotte.

PITOMETER SERVICE AUTHORIZED FOR WATER DEPARTMENT, AND TRANSFER OF FUNDS TO TAKE CARE OF SAME.

Mr. Flack discussed with the Council the advisability of having a survey made of the City's water system by the Pitometer Company, the only concern in the United States offering this service, at a cost for this service of \$5500.00. He stated that such service had been anticipated by putting into the budget the sum of \$5000.00, and that if same is authorized it will be necessary to transfer the sum of \$500.00 from the Emergency Fund of the Water Department to the System Distribution Maintenance Fund in order to take care of the total amount.

Thereupon, Councilman Albea, seconded by Councilman Price, moved that the sum of \$500.00 be transferred from the Water Works Emergency Fund to the System Distribution Maintenance Fund. Motion carried.

Councilman Little then moved that the City enter into a contract with the Pitometer Company for this survey at the price of \$5500.00.

WATER MAIN IN CHATHAM AVENUE

On motion of Councilman Albea, seconded by Councilman Hovis, the Mayor and Clerk were authorized to sign a contract with M. Lee Heath for the installation of a 6" water main in Chatham Avenue, at the cost of \$767.00; this being the usual form of contract.

N.Y.A. WATER CHARGE FOR BUILDING OUTSIDE CITY LIMITS WAIVED.

Mr. Flack stated that a City ordinance calls for the charge of 75 cents per front foot for water connections outside the city limits, in addition to the \$35.00 charge for such connections, and that the National Youth Administration has asked that this 75 cent charge be waived on the building which they use outside the city limits; they to pay the \$35.00 connection charge.

On motion of Councilman Albea, seconded by Councilman Painter, this fee of 75 cents per front foot was waived; they to pay the cost of connection.

PARTY AT MOTOR TRANSPORT DEPOT.

The City Manager advised that it has been customary in the past for the employees of the Motor Transport and Sanitary Divisions to entertain the Mayor, City Council, etc., at a Christmas party, and that this party was being held in the form of a supper on December 23rd., at 6 P. M., and that at his request no presents are to be presented to the members of the City government.

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LEAVES OF ABSENCE FOR CITY EMPLOYEES IN SERVICE.

The City Manager stated that a number of City employees will be going into service soon, some before they are called, and that while the Council had extended the leaves of absence of all men in the service eighteen months longer, after the first year of service had been granted by a former board, under the present emergency he felt that the Council should again take some action in this connection.

Thereupon, Councilman Albea moved that all City employees who go into the service of the United States Government during the National emergency, be given leave of absence for the duration and until thirty (30) days after their discharge from service of the Government; these employees to have prior rights to their positions over any one holding the position upon their return. Motion seconded by Councilman Little and unanimously carried.

MEETING OF OPERATING COMMITTEE 11 O'CLOCK A.M., DECEMBER 18TH. AT INCINERATOR.

Councilman Slye, Chairman of the Operating Committee, called a meeting of his committee for 11 o'clock A. M., Thursday, December 18th., at the Incinerator, stating that it was necessary that some action be taken with regard to disposing of garbage due to the fact that no paper is going into the garbage on account of the Government's request to conserve all paper, etc., and that the garbage would not burn without this paper. Therefore, the necessity for immediate action is great.

CEMETERY DEEDS.

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

B. F. Ayers, North Half Lot 56 Section BB, Elmwood Cemetery	\$49.00
Chas. C. Moyle, Jr., South Half 21, BB	63.00
Perpetual care on same	45.00
Mrs. Madison D. Sauls, North Half 35, BB	49.00
J. P. Abrams, South Half 13 BB	63.00
Mrs. A. J. Klytenberg, North Half 69 "X"	70.00
Perpetual care	60.00
Transfer of West Half Lot 16, "X" from Mrs. Floyd W. Nicholas to Robert H. and Grace S. Boce	1.00
Transfer of North Part Lot 34 Fr. "E" from Heirs of P. S. McLaughlin to Mrs. and Mrs. Alston Morrison	1.00

ADJOURNMENT.

On motion of Councilman Little, the meeting adjourned.

Alice B. Little
City Clerk