

December 22, 1941

Page 303.

A special meeting of the City Council, having been called at the last meeting on December 17th., was duly held in the Council Chamber City Hall, at 4 o'clock P. M., this date, with Mayor Currie presiding and with all members of the Council present.

PURPOSE OF MEETING.

This meeting was called for the purpose of taking up the Taxicab Ordinance presented at the meeting of December 17th., as well as any other business that might come before the meeting.

MINUTES READ.

The minutes of the previous meeting were read, and on motion of Councilman Little, seconded by Councilman Albea, were approved, with the correction that the minutes show that the calling of this special meeting was, in addition to the consideration of the Taxicab Ordinance, for "such other business as may come before the meeting."

INVITATION TO MAYOR AND COUNCIL TO LUNCH WITH CITY MANAGER.

A letter was read by the Mayor from City Manager Flack, who is confined to his hotel with a broken arm and foot, to the Mayor and Council, inviting them to have lunch with him on the following day, December 23rd., in Club Room 210, Barringer Hotel, at 1 o'clock P. M.

RESIGNATION OF MR. HERMAN A. MOORE FROM CIVIL SERVICE COMMISSION ACCEPTED.

Councilman Baker informed that Council that Mr. Herman A. Moore had asked to be relieved on his duties on the Civil Service Commission, and on motion of Councilman Little, seconded by Councilman Ward and carried, the resignation of Mr. Moore, tendered several weeks ago, was accepted with regrets, and the Clerk was instructed to extend to Mr. Moore the thanks of the Council for his services on the Board.

CHAS. M. SETZER NOMINATED AS MEMBER OF CIVIL SERVICE COMMISSION, BUT MATTER POSTPONED UNTIL NEXT MEETING OF COUNCIL.

Councilman Price, seconded by Councilman Daughtry, nominated Mr. Chas. M. Setzer, of 711 Clement Avenue, to fill the position on the Civil Service Commission left vacant by the resignation of Mr. Moore, but Councilman Hovis made a substitute motion to postpone action on this appointment until the next meeting of the Council. This motion was seconded by Councilman Little and carried.

ORDINANCE TO FURTHER REGULATE AND CONTROL THE OPERATORS AND OPERATION OF TAXICABS.

In connection with the Ordinance offered at the last meeting by Councilman Hovis, the following ordinance was presented by him, and was adopted on three readings, on motion made by Councilman Hovis, seconded in each instance by Councilman Ross and carried:

December 22, 1941
Page 304

AN ORDINANCE
TO FURTHER REGULATE AND CONTROL THE OPERATORS
AND OPERATION OF TAXICABS AND MOTOR VEHICLES
CARRYING PASSENGERS FOR HIRE FROM PLACE TO
PLACE WITHIN THE CITY OF CHARLOTTE.

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

Section 1. That the ordinance adopted July 24, 1935, entitled:

"AN ORDINANCE TO REGULATE AND CONTROL THE OPERATORS AND
OPERATION OF TAXICABS OR MOTOR VEHICLES CARRYING PAS-
SENGERS FOR HIRE FROM PLACE TO PLACE WITHIN THE CITY OF
CHARLOTTE",

as amended July 24, 1935, August 14, 1935, October 16, 1935, and November
6, 1935, be and it is, further amended by adding after Section 12-F the
following section to be numbered Section 12-G, which section is as follows:

Section 12-G. That it shall be unlawful for any person, firm or
corporation to operate or permit or cause to be operated, any motor vehicle
used for the purpose of carrying passengers for hire within the City of
Charlotte unless the rate charged for the use of such vehicle is displayed
on both sides on the outside of such vehicle, and is also displayed within
such vehicle in such a way as to be in full view of the passengers riding
therein.

Section 2. All ordinances and clauses of ordinances in conflict
herewith are hereby repealed.

Section 3. The City Clerk shall certify to the passage of this
ordinance and cause the same to be published.

Section 4. This ordinance shall take effect from and after Janu-
ary 22nd. 1942.

Read, approved and adopted on three readings and declared by the
Mayor to be an ordinance of the City of Charlotte.

This the 22nd. day of December 1941.

Alice B. McConnell
City Clerk

APPROVED AS TO FORM:

Tillett & Campbell
City Attorneys.

TAXICAB ORDINANCE WITH REFERENCE TO LIABILITY INSURANCE AND SURETY BONDS
AGAIN PRESENTED BY COUNCILMAN HOVIS.

Councilman Hovis moved the adoption of the Ordinance presented by
him at the last meeting, on which action was postponed, being an ordinance
entitled; "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
PROVIDE SURETY BONDS OR MAKE A DEPOSIT OF SECURITIES WITH THE TREASURER OF
THE CITY OF CHARLOTTE". This motion was seconded at the meeting on
December 17th. by Councilman Beasley.

Councilman Ross offered a substitute Ordinance, entitled:

AN ORDINANCE
AMENDING AN ORDINANCE ENTITLED "AN
ORDINANCE TO REQUIRE JITNEY BUS AND

December 22, 1941
Page 305.

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 TREAS-
URER 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
figure "\$2500.00" and inserting in lieu thereof "\$5000.00", by striking
from said section the figure "\$5000.00" and inserting in lieu thereof
"\$9500.00".

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: "\$10,000.00
for the first vehicle or taxicab so operated, \$700.00 each for the next
five vehicles or taxicabs so operated, \$400.00 each for the next five
vehicles or taxicabs so operated; \$300.00 each for the next five vehicles
or taxicabs so operated; \$200.00 each for the next five vehicles or taxicabs
so operated, and \$100.00 each for ~~the~~ every additional vehicle or 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 \$5000.00, and to two or more
persons in any one accident not to exceed the sum of \$9500.00, and for
property damage caused by the negligence of such owner, operator or driver
not to exceed \$500.00".

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
thirty days.

APPROVED AS TO FORM:

Tillett and Campbell
City Attorneys

December 22, 1941
Page 306.

The substitute motion made by Councilman Ross to adopt the foregoing ordinance was seconded by Councilman Baker.

Mr. H. L. Taylor, Attorney for Red Top Taxicab Company, argued against the passage of this ordinance, during which he brought out some alleged facts regarding the Insurance Company writing the policy covering the new cab company recently put into operation in the city of Charlotte, in an effort to show that the manner of posting cash securities was preferable to insuring the cabs. Mr. Taylor stated that the Red Top Cab Company has only two claims pending against it at the present time, and that it was his understanding at first that the Council intended adopting an ordinance for the safe operation of taxicabs in Charlotte, which is not the purpose of the ordinance presented.

Councilman Hovis stated that the ordinance offered by Councilman Ross was the same as the ordinance presented by him with the exception of figures, and that in drafting the ordinance presented by him he had in mind a figure that would serve the general public in that the cabs could continue to furnish a needed service and at the same time give the public more protection.

Councilman Ross moved the adoption of the ordinance as presented by him on first reading, seconded by Councilman Baker, and carried on a vote of 6 to 5. He then moved that the rules be suspended and the ordinance placed on second reading. Motion seconded by Councilman Baker, and carried on a vote of 6 to 5. The ordinance was not put on third reading at this time due to the fact that it had not passed on two readings with a two-thirds vote of the Council.

Councilman Hovis then moved the passage of the Ordinance which was read at the last meeting, which motion was seconded by Councilman Little, but this motion failed to carry on a vote of 5 affirmatives, 6 negatives, and the Mayor declared the motion lost.

RESOLUTION PROVIDING FOR THE DISBURSEMENT OF FUNDS BY CHECK.

Councilman Ross presented the following Resolution for adoption, which he stated was necessary at this time due to the fact that City Manager Flack was unable to sign checks because of a broken right arm;

RESOLUTION PROVIDING FOR THE DISBURSEMENT OF FUNDS BY CHECK.

RESOLVED that from and after the passage of this resolution it shall not be necessary for the City Manager to sign checks for the disbursement of funds of the City; resolved further, that from and after the passage of this resolution no funds of the City shall be disbursed except upon checks signed by the Treasurer and the City Accountant, provided that in order to meet the City's payroll, master payroll checks may be signed by the City Treasurer and the City Accountant and deposited in a special payroll account from which funds may be disbursed in order to meet the payrolls upon checks signed by the City Treasurer alone.

Motion to adopt this resolution was seconded by Councilman Albea and unanimously adopted.

NO MEETING ON DECEMBER 24TH.

Councilman Albea, seconded by Councilman Little, moved that the meeting of December 24th. be dispensed with. Motion carried.

December 22nd. 1941

RESOLUTION ON DEATH OF MR. JOE C. RANDALL, CITY EMPLOYEE.

The following resolution was authorized by Councilman Hovis, seconded by Councilman Little and duly adopted:

WHEREAS, in the Providence of the Almighty God, it has pleased Him to call for this temporal life, Joe C. Randall, and

WHEREAS, by the death of Mr. Randall the City of Charlotte has lost a faithful employee, and

WHEREAS, we mourn his passing and honor his memory:

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte extend to his family our deepest sympathy and pray God's blessings to rest upon them.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the family of the deceased, a copy spread upon the minutes of this meeting and copies be delivered to the newspapers of the City.

Councilman Albea moved that the City Council extend to all City employees best wishes for a Merry Christmas. This was joined in by the Mayor as well as the entire Council.

ADJOURNMENT.

On motion of Councilman Slye the meeting adjourned.

Alice B. McCowell
City Clerk