

February 5, 1941
Page 416.

The regular weekly meeting of the City Council of the City of Charlotte, N. C., was held in the Council Chamber, City Hall, at 4 o'clock P. M., Wednesday, February 5, 1941, with Mayor Douglas presiding and Councilmen Albea, Baxter, Britt, Hovis, Huntley, Little, Nance, Sides and Ward being present.

Absent: Councilman Wilkinson.

MINUTES OF JANUARY 15TH. MEETING READ AND APPROVED.

On motion of Councilman Hovis, seconded by Councilman Huntley, the minutes of the meeting of January 15, 1941, were approved as read.

CHARLOTTE RESCUE MISSION GIVEN DONATION.

Mr. J. B. Alexander, Mr. Guy Beatty and the Superintendent of the Charlotte Rescue Mission, appeared before the Council, asking the Council to again make a donation of \$1,000.00 to the Charlotte Rescue Mission in order that they may pay their taxes for the current year, as was done last year. The Superintendent told of some of the work being done at the Mission.

It was moved by Councilman Albea, duly seconded by Councilman Sides, that the Council make the donation of \$1,000.00 to the Charlotte Rescue Mission, from the Emergency Fund, conditioned upon the payment of taxes due the City of Charlotte from the Mission upon receipt of this donation. Motion carried unanimously.

BUILDING AND LOAN CERTIFICATES IN LIEU OF CASH BONDS BY TAXICAB COMPANIES.

Mr. H. L. Taylor, Attorney for Keith Beatty, operator of the Red Top Taxicab Company, advised that in line with the action of the Council some time ago permitting this company to post with the City Treasurer certificates of the First Federal Savings & Loan Corporation, The Mechanics Perpetual Building & Loan Association and the Mutual Building & Loan Association, all of Charlotte, in lieu of cash bonds posted for liability insurance, Mr. Taylor stated that they had placed as much of this money in the above local banks as they could secure and asked to be permitted to purchase certificates from Building & Loan banks in Belmont.

After discussion, Councilman Baxter moved that this request be granted provided they buy all the certificates they possibly can in Charlotte. Motion seconded by Councilman Albea and carried.

RESOLUTION RELATIVE TO ADDITIONAL AID FOR DOUGLAS MUNICIPAL AIRPORT.

On motion of Councilman Hovis, seconded by Councilman Britt, the following Resolution was unanimously adopted:

February 5, 1941
Page 417.

RESOLUTION ACCEPTING AN OFFER OF AID IN
THE DEVELOPMENT OF THE DOUGLAS MUNICIPAL
AIRPORT, MADE BY THE UNITED STATES OF
AMERICA THROUGH THE ADMINISTRATOR OF CIVIL
AERONAUTICS OF THE DEPARTMENT OF COMMERCE
AND PROVIDING CERTAIN ASSURANCES AND COVE-
NANTS IN CONSIDERATION THEREOF.

WHEREAS, the Administrator of Civil Aeronautics of the United States Department of Commerce, through the Regional Manager of Civil Aeronautics, P. O. Box 4327, Atlanta, Georgia, advises that the development of the Douglas Municipal Airport in the approximate amount of \$30,000.00 has been approved by the Board composed of the Secretaries of War, Navy and Commerce as necessary to national defense for inclusion in the construction program authorized by Public No. 812, 76th Congress, approved October 9, 1940.

WHEREAS, the undertaking of this development is contingent on the fulfillment of certain conditions, to-wit:

1. That the City of Charlotte, North Carolina, through its properly constituted officials provide evidence that it has title or will obtain title prior to construction being placed under way to the requisite land for the project.

2. That the City of Charlotte, N. C., agrees to accept full responsibility for the maintenance of the improved airport.

3. That the City of Charlotte, N. C., agrees to accept full responsibility for the operation of the improved airport as a public airport in the public interest.

4. That the City of Charlotte, N. C., agrees to protect the aerial approaches to the airport to the full extent of its legal ability.

5. That the City of Charlotte, N. C., agrees to cooperate with the Civil Aeronautics Administration in the orderly prosecution of the proposed work.

6. That the City of Charlotte, N. C., agrees to hold the United States harmless from all claims and damages which may arise from the construction operations but are not a definite part thereof.

WHEREAS, the proposed development would be to the advantage and benefit of the City of Charlotte, N. C.,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the City of Charlotte, North Carolina:

SECTION I. That the City of Charlotte, hereby agrees, subject to the United States undertaking the development of the Douglas Municipal Airport at an approximate cost of \$30,000.00, as follows:

REPRESENTATIONS AND WARRANTIES

(a) That the City of Charlotte owns and possesses title in fee simple to the lands comprising the landing area of the Douglas Municipal Airport, together with all other lands to be improved under the project or will acquire title in fee simple to these lands without

February 5, 1941
Page 418.

delay, which lands are more particularly described herewith by metes or bounds (which lands are shown herewith on Exhibit "A"):

BEGINNING at a point in the center of the Dixie Road, a new corner of Airport and Berryhill land; thence running North $2^{\circ} 53'$ West 1467.7 feet to a corner of Berryhill land and Airport line parallel and 300' from the center line of N. S. runway; thence S. $80^{\circ} 23'$ W. 745.26 ft.; thence S. $88^{\circ} 04' 45''$ W. 1214.14 ft; thence N. $44^{\circ} 29'$ W. 859.35 ft.; thence N. $10^{\circ} 41'$ E. 871.6 ft.; thence N. $82^{\circ} 01'$ W. 421.23 ft.; thence N $17^{\circ} 24'$ E. 1375.22 ft.; thence N. $83^{\circ} 38'$ E., 1128.54 ft.; thence N. $6^{\circ} 02'$ E. 1528.66 ft. to the center line of N. bound track of Southern Railway; thence with the center line of track S $76^{\circ} 29'$ E. 469.62 ft. to a corner; thence S. $13^{\circ} 11' 30''$ W. 610.92 ft. to a corner; thence S $76^{\circ} 37' 30''$ E. 420.37 ft. to a corner; thence N. $13^{\circ} 11' 30''$ E. 609.76 ft. to a corner in the center line of N.S. bound track; thence with said center line of track S $76^{\circ} 29'$ E. 2693.77 ft. to corner in track; thence S $4^{\circ} 30'$ W. 313.5 ft. to a corner; thence S $63^{\circ} 30'$ E. 33 ft. to a corner; thence S. $54^{\circ} 00'$ E. 573.4 ft. to corner; thence S $36^{\circ} 30'$ E. 486.75 ft. to corner; thence S $1^{\circ} 00'$ E. 623.7 ft. to corner; thence S $10^{\circ} 00'$ W. 234.15 ft. to corner; thence S. $8^{\circ} 55'$ W. 93.23 ft. to corner in branch; thence with meanders of branch to City Airport land at a corner of Chas. Torrence land; thence S. $3^{\circ} 22'$ E. 597.1 ft. with Torrence to corner; thence N $80^{\circ} 17'$ W. 370 ft. to corner; thence S $80^{\circ} 23'$ W. 590.88 ft. to corner; thence S $2^{\circ} 53'$ E. 1151.7 ft. to corner in center line of Dixie Road; thence with center line of Dixie Road S $53^{\circ} 53'$ W. 717.3 ft. to BEGINNING, containing 426 acres more or less; subject to a lease by United States Government on all runways and 32.0 acres of land for Army use.

(b) That the City of Charlotte, N. C., has the power and authority under the laws of the State of North Carolina to perform all of its obligations hereunder.

SECTION II. That the City of Charlotte, N. C., agrees to permit the agents of the Government and all contractors or sub-contractors engaged directly or indirectly in carrying out the project, including their agents and employees to enter upon, use and occupy the airport as may be deemed by the Government to be necessary or desirable in the conduct of the project.

SECTION III. OWNERSHIP OF IMPROVEMENTS

That all improvements made under the project shall be the sole and absolute property of the City of Charlotte, N. C., except where specifically agreed otherwise prior to the undertaking of the improvement or installation.

SECTION IV. MAINTENANCE OF AIRPORT FACILITIES

That the City of Charlotte, N. C., agrees to accept full responsibility for the maintenance of the Douglas Municipal Airport, to include all work undertaken under this project by the United States of America.

SECTION V. THE OPERATION OF THE AIRPORT

That the City of Charlotte, N. C., agrees to accept full responsibility for the operation of the Douglas Municipal Airport for the use and benefit of the public on reasonable terms and without unjust discrimination and to grant no exclusive right therein contrary to the provisions of Section 303 of the Civil Aeronautics Act of 1938.

February 5, 1941
Page 419.

SECTION VI. PREVENTION OF HAZARDS

That the City of Charlotte, N. C., agrees, insofar as is reasonably possible and within its legal ability, to protect the aerial approaches to the airport from the erection of structures or from growth tending to render the use of the airport dangerous to aircraft and that it will not erect on the airport or permit to be erected, any structure or building which will limit the usefulness of the airport or constitute a hazard to aircraft using the airport.

SECTION VII. COOPERATION

That the City of Charlotte, N. C., agrees to cooperate with the Civil Aeronautics Administration in the orderly prosecution of the project.

SECTION VIII. RELEASE FROM CLAIMS

That the City of Charlotte, N. C., agrees to hold the United States harmless from any and all claims or damages which may arise from the construction activities of the United States but are not a definite part thereof.

SECTION IX. CERTIFICATION

That the City Clerk of the City of Charlotte, North Carolina, is hereby authorized and directed to send to the Administrator through the Regional Manager of Civil Aeronautics, P. O. Box 4327, Atlanta, Georgia, two certified copies of this resolution with two certified copies of an extract of the Minutes of the meeting of this City Council showing all proceedings in connection with the adoption of this resolution.

PURCHASE OF WATER METERS FOR ARMY AIR BASE.

On motion of Councilman Albea, seconded by Councilman Little, the Mayor and Clerk were authorized to sign a contract with the Hersey Manufacturing Company, for Two 6" Water Meters to be used at the Air Base, at a net delivered price of \$917.28.

Bids received from Pittsburgh Equitable Meter Company and Neptune Meter Company were the same as from Hersey Mfg. Co., and following the City's policy of alternating awards where price is the same, contract was let as above.

PURCHASE OF 5/8" METERS.

Bids having been received on 100- 5/8 " Water Meters, for use at various locations, as follows:

Neptune Meter Company	\$882.00
Pittsburgh Equitable Meter Co.,	882.00
Hersey Manufacturing Company	882.00

and following the policy of alternating business where price and quality are the same, Councilman Little made a motion that the award be made to Neptune Meter Company, at the price above quoted, and that the Mayor and Clerk sign the contract. Motion seconded by Councilman Huntley and unanimously carried.

February 5, 1941
Page 420.

USE OF ARMORY GRANTED TO CHASE ADAMS CAMP NO. 1 WITHOUT CHARGE FOR MEMORIAL SERVICE, FEBRUARY 16, 1941.

On motion of Councilman Sides, seconded by Councilman Albea, and carried, the Chase Adams Camp, No. 1, was granted free use of the Armory on Sunday evening, February 16th., for memorial services for Spanish-American War Veterans.

REFUND OF SEWER CHARGE TO LEE HEATH - CHATHAM AVENUE.

On motion of Councilman Albea, seconded by Councilman Barter, refund of \$239.25 it to be made to Mr. Lee Heath on cost of sewer in Chatham Avenue, 275 ft. north of Belvedere, the additional two houses to take care of this cost having now been constructed.

REFUND OF SEWER CHARGE ON PRINCETON AVENUE.

The City having entered into an agreement with the Independence Trust Certificate Fund Trustees on May 29, 1940, whereby the Independence Trust Certificate Fund Trustees posted with the City of Charlotte the sum of \$3,015.26, for the cost of laying sewer in Princeton Avenue, from Sugar Creek outfall to Avondale Avenue, conditioned that when as many as 16 houses were constructed this money would be refunded, and these people having now fully complied with the agreement in every respect, 29 houses now being connected to this sewer, on motion of Councilman Sides, seconded by Councilman Nance and carried, this refund is to be made.

REQUESTED EXPENDITURE FOR TRAFFIC SIGNAL AT HAWTHORNE LANE & ELIZABETH AVE. VOTED DOWN.

On January 29th. the Council authorized the installation of a traffic signal at the intersection of Elizabeth Avenue and Hawthorne Lane, the cost of which will be \$381.30, and the City Manager asked authority to pay for this installation from the Emergency Fund, the amount budgeted for this class of work having already been expended.

Councilman Albea, seconded by Councilman Baxter, moved that the money for this signal light be paid out of the Emergency Fund. But when a vote was taken on the motion it failed to carry, Councilman Hovis and Ward having left the meeting prior to the motion, and only five affirmative votes being recorded. Councilman Nance did not vote and Councilman Sides being recorded as voting "No".

SPECIAL POLICE OFFICER ON PREMISES OF A & P TEA COMPANY WAREHOUSE.

On motion of Councilman Nance, seconded by Councilman Baxter and carried, J. A. Busby was appointed a Special Police Officer on the premises of the Atlantic & Pacific Tea Company, at their Warehouse.

WATER LINE IN IVEY DRIVE.

On motion of Councilman Little, seconded by Councilman Britt, the Mayor and Clerk were authorized to enter into a contract with John Crosland Company for installation of a 6" water main in Ivey Drive between Central Avenue and Morningside Drive, a distance of 1850 ft., estimated to cost \$2,008.00, on the usual 10% basis.

February 5, 1941
Page 421.

SEWER LINE IN IVEY DRIVE.

On motion of Councilman Baxter, seconded by Councilman Albea and carried, authority was given for the extension of an 8" sanitary sewer in Ivey Drive, from Central Avenue to Briar Creek outfall, for the John Crosland Company development, to serve 29 houses when completed and the development company furnishes the necessary rights-of-way. Estimated cost of doing this work is \$1463.00.

NOTICE TO VACATE SERVED ON J. J. MISENHEIMER.

The City Manager reported that, as instructed by the Council at its meeting on January 29th., notice to vacate had been served on Mr. J. J. Misenheimer.

SMOKE ABATEMENT ENGINEER'S MONTHLY REPORT.

A copy of the report of Mr. E. F. Monroe, Smoke Abatement Engineer, for the period January 1st. to February 1, 1941, was furnished each member of the Council and Councilman Sides called particular attention to the work being done by Mr. Monroe. He also stated that the City Manager should be instructed to advise Mr. Monroe to proceed with enforcement of the ordinance, as recommended in his report.

REPORT OF TRAFFIC COMMITTEE.

Mr. Baxter, as Chairman of the Traffic Committee appointed by the Mayor on January 29th., reported that this committee had met on February 3rd., at which time they settled on some very definite points to try out, which will be taken up with the City Attorney as to the legality of same. These points are:

To create a traffic bureau whose duty shall be to require the operators of motor vehicles to pass written, physical and road tests.

To have semi-annual inspection of mechanical parts of automobiles.

To strictly enforce the speed laws.

Prohibit jay-walking

To designate necessary one-way streets.

It was also brought out in this report that this matter will have to be taken up with the County Commissioners for their cooperation.

Along this line, Councilman Sides stated that the County had purchased from the State a list of all automobiles purchased in the County and that he would suggest that the City work out some proposition with the County whereby a check could be made by the Tax Department to find out if City license has been purchased, and if not, after proper notice to do so and failure to purchase, that they be cited to court, as there are large numbers of cars operating within the City that do not have license tags. Mr. Armstrong reported that it has been the practise of the City to purchase a list and send out notices.

February 5, 1941.
Page 422.

CEMETERY DEEDS.

On motion of Councilman Little, seconded by Councilman Albea, the following cemetery deeds and perpetual care agreements were ordered to be issued:

Mr. and Mrs. W. R. Helms, Sr., South Part Lot No. 30, Sec. BB,	\$63.00
James A. Parham, North Half Lot No. 73 "X"	70.00
Perpetual care on same	60.00

ADJOURNMENT.

On motion of Councilman Albea, seconded by Councilman Huntley and duly carried, the meeting adjourned.

Alice B. McCowell
City Clerk