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The City Council met in regular weekly session at 4 o'clock P. M., Wednesday, February 12th. 1941, with Mayor Douglas presiding and Councilmen Albea, Baxter, Britt, Hovis, Huntley, Little, Nance, Sides and Ward being present.

Absent: Councilman Wilkinson.

On motion of Councilman Albea, seconded by Councilman Little and carried, the reading of the minutes of the two previous meetings was dispensed with.

RED TOP TAXICAB DEPOSITS IN LIEU OF LIABILITY INSURANCE.

The question of permitting certificates of deposit to be accepted by the City Treasurer in lieu of cash placed in his hands as indemnifying performance or insurance bonds having been brought up at two previous meetings, the Mayor stated that he had had check for the Red Top Taxicab Company held up due to the action of the Council not being clear to him regarding the requirement of Government insurance by the banks furnishing these certificates.

During a discussion, it was pointed out that the Building and Loan Companies are not insured by the Federal Government but that these banks named in the original motion on January 8th. were strong institutions, and that the former motion should remain as it is. Councilman Baxter stated that he thought that these former motions should stay as they are and any other banks to be insured by the Government, other than those named.

MILK ORDINANCE TO BE STUDIED FOR ANOTHER WEEK.

Drs. Rea and Wolfe, of the Health Department, were present with a proposed new Milk Ordinance, but the Council not having been furnished with copies of this proposed ordinance, it was decided that the matter would be carried over for another week and that each Councilman be furnished a copy of the ordinance to be adopted.

ARMORY GRANTED WITHOUT CHARGE FOR GOLDEN GLOVES.

Dr. Oren Moore and Mr. Harry Allen, appeared before the Council, requesting ^{free} use of the Armory-Auditorium for the Golden Gloves, and on motion of Councilman Ward, seconded by Councilman Little, this request was granted by unanimous vote of the Council.

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COLORED VOTERS ALLIANCE REQUESTED AUDITORIUM AND GYMNASIUM AND NEGRO POLICEMEN.

Representatives of the Colored Voters Alliance appeared before the Council, requesting that while the bill was being prepared for presentation to the Legislature on an Uptown Auditorium, that combination auditorium and gymnasium for the colored section be included in this bill, pointing out that this would aid in reducing crime among their race.

They also brought up the question of negro police for certain colored sections of the City.

The City Attorney advised their spokesman that if the auditorium and gymnasium would be in conjunction with one of their schools the County would have to handle this, as the City did not build any schools since a change was made in the law some time ago. He also furnished this man with a copy of the new City Charter relative to the Civil Service Commission, showing that any negro police officers would have to come through that board.

No action was taken on either of these requests at this time.

CITY OF CHARLOTTE TO PAY FOR EASEMENT FOR WATER LINE AND GRANTING PERMISSION FOR INSTALLATION OF A FIRE HYDRANT ON SAME PARTY.

Mr. John Small, attorney, appeared in the interest of a client, Railway Supply & Mfg. Company, in connection with the 20" water main across his client's property, which main laid at 20th and North Brevard Street. Mr. Small stated that no easement was obtained on this main across the property of the Railway Supply & Mfg. Co., and that it was necessary for them to change the location of one of their warehouses due to same. He also advised that while his client was not asking for pay for this right of way, they were asking that the City place a fire hydrant between the two warehouses of this company in lieu of such payment. The City Attorney explained that in obtaining easements for the water main, this one was in some manner overlooked, and should have been paid for. However, since the cost of installing fire hydrant was less than the amount of easement, he would recommend that the City install this hydrant. He did suggest, however, that in order to handle the matter in the proper form, the City should pay the amount of installation of the hydrant for the easement, and the Railway Supply & Mfg. Company, in turn pay for installation of the hydrant.

Councilman Huntley moved that the matter be left with the City Attorney and City Manager, with power to act, the City to pay for easement and the company to pay for hydrant. This motion seconded by Councilman Ward and unanimously carried.

LETTER FROM PARK AND RECREATION COMMISSION .

The Mayor called attention to copy of a letter from the Park and Recreation Commission, furnished each member of the Council, asking that a bill be presented to the Legislature for increase in amount of tax levy for park and recreation purposes. No action was taken.

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ORDINANCE RELATIVE TO TAPPING ON TO WATER LINES BEYOND CITY LIMITS.

On motion of Councilman Hovis, seconded by Councilman Albea, the following ordinance was unanimously adopted on three readings and declared by the Mayor to be an ordinance of the City of Charlotte:

AN ORDINANCE
 TO REGULATE THE CHARGES FOR TAPPING ON TO ANY
 WATER LINE BELONGING TO THE CITY OF CHARLOTTE
 AND LOCATED BEYOND THE CITY LIMITS.

The City Council of the City of Charlotte in regular session do ordain:

SECTION ONE. That any person, firm or corporation who wishes to connect to any water pipe line belonging to the City of Charlotte and located beyond the limits of the City shall pay to said City for such privilege an amount equal to seventy-five cents per front foot of property to be served by said connection, but in no instance shall the charge for such privilege be less than a minimum charge of fifty (\$50.00) dollars.

SECTION TWO. That this ordinance shall be in full force and effect from and after its adoption.

Mayor Douglas advised the Council that Capt. Gerdes, in charge of construction of the Army Air Base at Douglas Municipal Airport, had asked that no one tap on to the line leading to the Air Base until it was definitely certain that there would be sufficient water for the Base.

Councilman Ward moved that this request be granted, which was seconded by Councilman Little and carried, with Councilman Sides voting "No".

AMENDMENT TO CITY CHARTER TO BE PRESENTED TO LEGISLATURE.

On motion of Councilman Little, seconded by Councilman Nance, the following action was unanimously approved for presentation to the General Assembly:

AN ACT TO AMEND CHAPTER THREE HUNDRED AND SIXTY SIX
 OF THE PRIVATE LAWS OF 1939, WHICH LAWS CONSTITUTE THE CHARTER OF THE
 CITY OF CHARLOTTE.

The General Assembly of North Carolina do enact:

SECTION ONE. That Chapter 366 of the private laws of 1939 be and is hereby amended by striking from Section 41 of said Chapter 366 the second sentence thereof which reads as follows: "No candidate shall be eligible for election as chief of said department unless he has been a member of said department for a period of at least two years prior to said election."

SECTION TWO. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. It being the

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purpose of this act to remove the restriction upon the Governing Body of the City of Charlotte which under the provisions of said Chapter 366 required said Governing Board to elect a Chief of Police for said City from the membership of the police department of said City.

SECTION THREE. That this act shall be in full force and effect from and after its ratification.

PAYMENT FOR INSTALLATION OF TRAFFIC LIGHT ^{at} AND HAWTHORNE LANE AND ELIZABETH AVENUE TO BE TAKEN FROM EMERGENCY FUND.

On motion of Councilman Baxter, seconded by Councilman Albea and carried, with Councilman Sides voting against it, the amount of \$381.31 is to be appropriated from the Emergency Fund for installation of the traffic light at Elizabeth Avenue and Hawthorne Lane, which was authorized several weeks ago.

\$500.00 FROM EMERGENCY FUND FOR NEW RADIO EQUIPMENT.

On motion of Councilman Ward, seconded by Councilman Albea and carried, the sum of \$500.00 was appropriated from the Emergency Fund for the Radio Division, in order to bring the City's Police-Fire radio equipment up to specifications of the Federal Communications Commission in order that so that this service may be continued in use.

CEMETERY DEEDS..

On motion of Councilman Little, seconded by Councilman Hovis, the following cemetery deeds and transfers were approved:

Mrs. Grace Belk Knight, S. Half Lot No. 28, Section BB. Elmwood	\$63.00
T. J. Wiggins, S.W. 1/4 Lot No. 6, Section "T"	50.40
L. W. Ellington, N. Half Lot No. 51, Section B.B.	49.00
Transfer of W. Half Lot No. 2 N Fraction from Mrs. N. J. Sherrill to B. W. and Marguerite Sherrill Bartholomew	1.00
with perpetual care to cover also transferred	1.00
New deed to be issued to Mrs. N. J. Sherrill for East Half this lot.	
Transfer of South Half Lot No. 19, Section "Q" from Mr. and Mrs. D. C. Sikes to D. B. and Faye Caddell	1.00

ADJOURNMENT.

On motion of Councilman Hovis, seconded by Councilman Huntley, the meeting adjourned.

Albee B. McConnell
City Clerk