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The City Council met in regular weekly session, in the Council Chamber, City Hall, at 4 o'clock P. M., Wednesday, July 29, 1942, with Mayor Currie presiding and the following Council members being present: Messrs. Albea, Baker, Beasley, Daughtry, Hovis, Painter, Price, Ross, Slye and Ward.

Absent: Councilman Little.

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REQUEST OF PIEDMONT COACH COMPANY FOR ENDORSEMENT OF APPLICATION TO OPERATE BUS LINE DEFERRED FOR ONE WEEK.

Mr. C. W. Tillett presented Messrs. Joe C. Berryhill and J. A. Kirk, residents of Plaza Road and the section on Highway No. 29, who appeared in the interest of securing bus service from Charlotte to Concord along this route, which is not now served by a bus line. They stated that they had a petition signed by 141 people endorsing this line, and that application is being made to the Utilities Commission to operate what will be known as the Piedmont Coach Company, and asked the endorsement of the City Council by the adoption of the following resolution:

RESOLUTION ENDORSING APPLICATION BY PIEDMONT COACH COMPANY TO UTILITIES COMMISSION.

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WHEREAS, it has been made to appear to the City Council that there exists a need for passenger bus transportation along the route from Charlotte to the Mecklenburg-Cabarrus Counties line over Seigle Street to Parkwood Avenue; thence along Plaza Road and the County Road to U. S. Route #29, and thence along U. S. Route #29, through Newell, to the Mecklenburg-Cabarrus Counties line and, whereas, Piedmont Coach Company has applied to the N. C. Utilities Commission for a franchise which will enable it to establish passenger bus service along the above route;

NOW, THEREFORE, BE IT RESOLVED that the Council goes on record as endorsing the aforesaid application of Piedmont Coach Company and requesting that the franchise as applied for be granted to it.

Councilman Daughtry moved the adoption of the above resolution, which was seconded by Councilman Albea, but a letter having been filed with the Mayor and Council by the Secretary to Mr. Joe W. Ervin, representing the Carolina Coach Company, stating that Mr. Ervin was out of the city and had asked that action on the above resolution be continued until he has had the opportunity to be heard by the Council, Councilman Slye offered a substitute motion to postpone action until Mr. Ervin has had the opportunity to appear before the Council. This motion was seconded by Councilman Hovis, and carried, with Councilman Daughtry voting in the negative.

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COMPLAINT MADE BY MRS. C. W. COPPALA ON CONDITIONS NEAR HER HOME.

Mrs. C. W. Coppala, residing at 1705 Kenilworth Avenue, appeared before the Council, asking for relief from conditions existing next door to her home, stating that she had made every effort through other channels to have something done regarding the type of house being operated adjoining her, but had had no success and was appealing to the Council as a last resort. After hearing Mrs. Coppala, the Mayor referred her complaint to Mr. Beasley, Chairman of the Police Committee.

RESOLUTION PROVIDING FOR REMOVAL OF STREET CAR RAILS FROM CERTAIN STREETS AND THE RELEASE OF SAME TO THE UNITED STATES GOVERNMENT.

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Councilman Ross introduced the following resolution and moved its adoption, which was seconded by Councilman Ward and unanimously carried:

WHEREAS, there are imbedded in certain of the streets of the city street car rails which the War Production Board of the U. S. Government declares are urgently needed by it in connection with the prosecution of the war now going on, and

WHEREAS, these rails have been abandoned by Duke Power Company and Duke Power Company has agreed that, as far as it is concerned, the City is free to make such disposition of these rails as it sees fit, and

WHEREAS, they have no pecuniary value to the City for the reason that the cost of their removal and the repair of the streets thereafter would exceed any price obtainable for them, and

WHEREAS, notwithstanding the foregoing recital the Council finds that the needs of the City and of the United States require that the said rails be disposed of as hereinafter set forth, and

WHEREAS, the Work Projects Administration has agreed to remove the said rails and repair the streets thereafter if the City will consent to such removal and the delivery of the said rails to the War Production Board or to whomsoever it directs;

NOW, THEREFORE, BE IT RESOLVED:

1. The City agrees that under the conditions hereinafter stated, the rails imbedded in the following named streets may be removed by the Work Projects Administration and delivered to the War Production Board of the U. S. Government, or to whomsoever it directs, and the City releases to the U. S. Government all of its right, title and interest in and to the said rails:

STREETS FROM WHICH RAILS MAY BE REMOVED

Hawthorne Lane	-	Elizabeth Ave. to E. 7th St.
Pegram Street	-	Belmont Ave. to Parkwood Ave.
Boundary Street	-	McDowell St. to Alexander St.
East First Street	-	Alexander to Brevard Sts.
Brevard Street	-	First St. to E. Trade St.

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N. Davidson St.	-	E. Trade St. to E. 5th St.
East 7th. St.	-	Davidson St. to Brevard St.
N. Caldwell St.	-	36th St. to Old City Limits.
N. Brevard St.	-	E. 7th St. to E. 12th. St.
N. Davidson St.	-	E. 11th St. to E. 9th St.
East 9th St.	-	Davidson St. to Myers St.
North Myers St.	-	E. 9th St. to E. Trade St.
E. 11th. Street	-	College St. to Railroad .
N. College St.	-	Phifer St. to 13th St.
13th. Street	-	Tryon St. to College St.
12th. Street	-	Church St. east to New Pavement.
North Church St.	-	10th. St. to 12th. St.
North Pine St.	-	10th St. to 11th. St.
11th. Street	-	Graham St. to Pine St.
Mint Street	-	4th St. to Stonewall St. - 1 track.
Mint Street	-	Trade St. to 4th. St.
Mint Street	-	Hill St. to Winona St.
Bland Street	-	Mint St. to Tryon St.
East 1st. Street	-	Tryon St. to Church St.
Dilworth Road	-	McDowell St. to Mt. Vernon Ave.
Dilworth Road	-	Mt. Vernon Ave. to Berkley Ave.
Berkley Ave.	-	Dilworth Road to Myrtle Ave.
Myrtle Ave.	-	Berkley Ave. to Mt. Vernon Ave.
Mt. Vernon Ave.	-	Myrtle Ave. to Dilworth Road.
East Boulevard	-	S. Boulevard to Dilworth Road West
East Boulevard	-	Dilworth Road West to Dilworth Rd.E.

2. Works Projects Administration will furnish all of the labor and material necessary for the removal and delivery of the said rails and for the making of the repairs to the said streets rendered necessary by such removal, and the entire project shall be carried to completion without any cost or expense to the City.

3. The method to be used in the removal of the rails shall be the trench or slot method without the removal of crossties, except that where the decay of the crosstie ends, in the opinion of the City Engineer, makes it necessary and he so directs, these ends will be cut off in the trench section and replaced with concrete. Work Projects Administration will remove the said rails and will repair the streets from which the rails are removed, and all materials, construction methods and workmanship shall conform to paving specifications of the City of Charlotte. The said work shall be done in accordance with a blueprint, dated July 22, 1942, prepared by the City Engineer which is on file in his office, bearing the designation N-A-24.

4. The work is to be prosecuted without delay and with a minimum interference with traffic. Material will be kept on hand readily available at all times, to the end that openings will be left in the streets for as short a time as is reasonably possible. The work will be done in a careful manner and in accordance with all requirements of law; proper barricades will at all times be maintained to protect the public, and after sundown and throughout the night, the work and all barricades and material will be properly guarded with warning lights.

5. Before the work is commenced, Work Projects Administration or the War Production Board, or some other agency of the U. S. Government, shall, without cost to the City, procure the issuance to the City of a public liability policy, in a company approved by the City Manager and in a form approved by the City Attorneys, insuring the City against liability for property and personal injury damages on account of the aforesaid work, with limits of not less than \$5000 for property damage, of not less than \$20,000 for injuries to one person in one accident, and not less than \$40,000 for all persons who may be injured in one accident, such policy to be delivered to the City Manager and kept in force until final completion of the said

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work, without cost to the City.

6. The City Engineer shall supervise the work to the extent of seeing that the plans and specifications furnished by him are followed, but Work Projects Administration shall be in charge of the manner and method of doing the work according to the said plans and specifications, and shall also be in charge of employing and discharging the persons doing the work.

MINUTES OF TWO PREVIOUS MEETINGS READ AND APPROVED.

The minutes of the meeting of July 15th. were read and on motion of Councilman Baker, seconded by Councilman Albea, were approved without change.

Upon motion of Councilman Baker, seconded by Councilman Slye, the minutes of the July 22nd. meeting were also approved as read.

ANNOUNCEMENT MADE OF NORTH CAROLINA LEAGUE OF MUNICIPALITIES CONVENTION.

The Mayor presented a letter from the North Carolina League of Municipalities with reference to Convention to be held in Greensboro on August 11th. through 14th., and asked the Council to be considering how many members will be sent to this Convention.

NEGRO POLICE.

Shortly after the opening of the Council meeting, J. S. Bowser, representing a number of negro organizations, the Elks, Masons, Chamber of Commerce, Medical Society, and others, asked that in considering the appointment of additional negro police for Charlotte that these appointees be selected from the qualified list of applicants who took the Civil Service examination and are on the present eligibility list.

Dr. J. S. Nathaniel Tross, head of the Community Crusaders, stated that the emergency which lead the Council to appoint negro police officers last year, still exists and he asked that the same manner of appointment be used as was used in appointing the two special peace officers last year.

After hearing these men and handling other business of the moment, Councilman Beasley again offered the Resolution presented at the last meeting and passed on two readings, for third and final reading, which was seconded by Councilman Price. This resolution, calling for the appointment of special peace officers, is shown on Page 46 of the minutes of the July 22nd. meeting. Upon being put to a vote, the resolution received 7 affirmative and 3 negative votes, and the Mayor declared the resolution adopted.

REPORT FROM CHIEF OF POLICE ON CONDITIONS AT "DICK'S TAVERN".

As required by resolution adopted at the last meeting, Acting Chief of Police Alex West filed with the City Manager a report on conditions at Dick's Tavern, on South Boulevard. In this report Chief West stated that conditions had greatly improved at this place but that careful watch would be continued, and on motion of Councilman Price, seconded by Councilman Albea, this report was accepted.

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PURCHASE OF WINDOW GLASS FOR INCINERATOR.

Bids having been received on approximately 500 1/8" ribbed window glass, size 12 x 18 inches, for replacements at the Incinerator, from the following:

Pittsburgh Plate Glass Co.	50¢ per pane	\$250.00
Pritchard Paint & Glass Co.	66¢ " "	330.00

Upon motion of Councilman Daughtry, seconded by Councilman Slye and carried, authority was given for the awarding of contract to the low bidder, Pittsburgh Plate Glass Company, at a net installed price of \$250.00, and the Mayor and Clerk were authorized to sign the contract.

POWER MOWER PURCHASED FOR ELMWOOD CEMETERY.

Upon motion of Councilman Baker, seconded by Councilman Slye, authority was given for the purchase of a power mower for Elmwood Cemetery, at a net delivered price of \$155.75, from E. J. Smith Company, the only available source from which this item can be obtained.

POSTAL CARDS FOR WATER DEPARTMENT.

Upon motion of Councilman Baker, seconded by Councilman Albea, the Charlotte Water Department was given authority to purchase 50,000 1-cent postal cards, printed, from the United States Post Office, in the amount of \$500.00.

SEWER LINE IN CAMP GREENE STREET FROM RINGWOOD AVE. TOWARD ELON STREET.

Upon motion of Councilman Albea, seconded by Councilman Slye and carried, an 8-inch sanitary sewer for Camp Greene Street from Ringwood Avenue, west, 145 feet long, to serve 3 houses already built and 3 additional houses proposed, was authorized at an estimated cost of \$152.35.

SEWER LINE IN RINGWOOD AVE. FROM CAMP GREENE ST. TO ALICE AVENUE.

Authority was also given for extension of an 8-inch sanitary sewer in Ringwood Avenue from Camp Greene Street to Alice Avenue, 595 feet, to serve 6 houses already built and 7 proposed, at an estimated expense of \$674.03. This was done on motion of Councilman Hovis, seconded by Councilman Daughtry and carried.

SALE OF \$230,000 WATER BONDS REPORTED, AND THE PROPOSED TAXATION OF MUNICIPAL BONDS BY FEDERAL GOVERNMENT DISCUSSED.

The City Manager reported the sale of the \$230,000 Water Bonds at a net yield of 1.479%, which he stated was a very good sale. Along this line, he presented a letter from City Treasurer Ledbetter relative to the proposed Federal tax on future State and Municipal bonds, and the effect such a tax would have on the home owner, in which he urged that the Council direct telegrams to Senator Walter F. George, Chairman of the Senate Finance Committee, and the North Carolina Senators Robt. R. Reynolds and Josiah W. Bailey, opposing this tax. Mr. Flack explained just how

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this taxation would effect the home owner; future prospective buyers bidding an interest rate high enough to insure the same yield after paying Federal tax , thereby causing the tax to actually be paid by the home owner on real estate.

After hearing Mr. Flack, Councilman Ross moved that the City Treasurer and City Manager be requested to draw up a telegram and send to Senator George and Senators Reynolds and Bailey, to be signed by the Mayor. Motion seconded by Councilman Baker and unanimously carried.

SPECIAL OFFICER PERMITS RENEWED.

Upon motion of Councilman Beasley, seconded by Councilman Slye, the special officer permit of Dan R. Browning was renewed for on the premises of the Charlotte Quartermaster Depot, and that of T. A. Ferrell for the Heath Motor Company, both of these renewals carrying the approval of the Chief of Police.

EXPENSE ACCOUNT INCURRED BY CITY ENGINEER IN RE: REMOVAL OF STREET CAR RAILS, TO BE PAID FROM EMERGENCY FUND.

Councilman Baker moved that the expense account, amounting to \$7.00, incurred by City Engineer Ross in visiting Raleigh regarding the removal of the street car tracks, be paid from the Emergency Fund. Motion seconded by Councilman Albea and carried.

RESOLUTION WITH REGARD TO PURCHASE OF LAND NEAR THE SUGAW CREEK DISPOSAL PLANT FROM W. F. BAKER.

The following resolution was presented and upon motion of Councilman Ross, seconded by Councilman Price, was unanimously adopted:

WHEREAS, the City desires to purchase a tract of land containing approximately 63 acres, near the Sugaw Creek Sewage Disposal plant from W. F. Baker, and

WHEREAS, the said W. F. Baker has offered to sell the City said land for the price of \$75.00 per acres,

NOW, THEREFORE, BE IT RESOLVED that the City does hereby accept said offer subject to a title examination showing that a deed to said land will convey a valid fee simple title free and clear of all liens and encumbrances, and the City Treasurer is hereby authorized and directed to pay for said land at the price of \$75 per acre upon receipt of a deed conveying a valid fee simple title, free and clear of all liens and encumbrances and that funds necessary for the above purpose are hereby appropriated from the Water Fund Emergency Appropriation.

CEMETERY DEEDS.

Upon motion of Councilman Ward, seconded by Councilman Albea, the following cemetery deed and perpetual care agreement was authorized, also, transfer of lot from original owner to new purchaser:

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Mrs. Ida Leventis, South Half of Lot No. 73, Section "X" Elmwood \$70.00
Perpetual care on same - 60.00

Rescinding of action of July 8th. in transferring East Half of Lot No. 5,
in "A Annex" from Mr. and Mrs. C. W. Eason, and authorizing said transfer
to be made from Mr. and Mrs. Eason to Mrs. J. W. Broom upon payment of
\$1.00 transfer fee.

ADJOURNMENT.

On motion of Councilman Baker, duly seconded and carried,
the meeting then adjourned.

Alice B. McConnell
City Clerk