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The regular meeting of the City Council was held in the Council Chamber, City Hall, at 4:00 o'clock P. M., Wednesday, May 10, 1944, with Mayor Baxter presiding and Councilmen Albea, Atkins, Cope, Daughtry, Painter, Price and Ward being present.

Absent: Councilman Bullard, Hovis and Slye.

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MINUTES OF MEETING ON APRIL 26th APPROVED.

Upon motion of Councilman Albea, duly seconded by Councilman Daughtry, the minutes of the Council Meeting on April 26, 1944 were approved as read.

MINUTES OF JOINT MEETING APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Daughtry, the minutes of the Joint Meeting with the County Commissioners on May 1st, 1944 were approved as read.

MINUTES OF SPECIAL COUNCIL MEETING APPROVED WITH CORRECTION.

Upon motion of Councilman Albea, seconded by Councilman Daughtry, the minutes of the Special Council Meeting on May 1, 1944 were approved with the following correction: "Councilman Ward made a motion that the regular council meeting on Wednesday, May 3, 1944, be dispensed with as there was no important business to be handled. Motion seconded by Councilman Albea and unanimously carried".

MR. HENRY DOCKERY EMPLOYED TO SEARCH TITLE TO CITY OWNED PROPERTY ON SOUTH BOULEVARD.

Councilman Albea moved that \$35.00 be appropriated from the Emergency Fund for payment to Mr. Henry Dockery, Attorney, to search the title for property adjoining the Fire Station on South Boulevard, on the north side, recently purchased for Fire Station purposes. Motion seconded by Councilman Daughtry and unanimously carried.

NOTICE OF CLAIM OF MISS MARGURITE MANDAS VS. CITY OF CHARLOTTE.

The City Manager advised that a letter had been received from G. A. Smith and S. Rick Robinson, Attorneys, stating that Miss Margurite Mandas was claiming damages from the city for alleged injuries sustained from falling through a manhole in the sidewalk near 931 Grove Street on or about March 24, 1944.

PURCHASE OF SHRUBS FOR ELMWOOD CEMETERY PROPERTY.

Councilman Daughtry moved that the bid of Harkey Bros. Nurseries, Inc., be accepted for shrubs delivered, planted and mulched at Elmwood Cemetery property in the amount of \$134.00, same to be paid from the Emergency Fund. Motion seconded by Councilman Cope and unanimously carried.

BID ON TAX FORECLOSURE PROPERTY, BEING TAX SUIT NO. 564, C. J. HARTIS AND WIFE.

Upon recommendation of the City Manager, Mayor Baxter referred to the Evaluation Committee the matter of whether the City should raise the bid/on tax foreclosure property sold on May 1, 1944, being Tax Suit No. 564, C. J. Hartis and wife Lona Frances Hartis.

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ACTION DEFERRED ON BID ON PROPERTY AT CORNER OF EAST 5th STREET AND NORTH COLLEGE STREET.

The City Manager advised the property at the corner of East 5th and North College Streets was advertised for sale and bids taken on April 17, 1944, as authorized by Council, at which time Mr. Clyde A. Duckworth, as Agent, bid \$50,000.00. Mr. Flack requested advice as to the disposition of the bid. Following a discussion, Councilman Price moved that action be deferred until such time as City Attorney Tillett could make a report as to whether a system could be legally established whereby a fee could be paid to real estate dealers for handling the sale of city properties. Motion seconded by Councilman Atkins and unanimously carried.

QUESTION OF DECREASING THE WIDTH OF FIRE STATION LOT ON WEST 5th STREET REFERRED TO THE EVALUATION COMMITTEE.

Councilman Ward moved that the question of decreasing the width of the lot on West 5th Street in order to allow greater clearance for the Fire Station be referred to the Evaluation Committee. Motion seconded by Councilman Albea and unanimously carried.

TEMPORARY EMPLOYMENT IN OFFICE OF COLLECTOR OF REVENUE.

The City Manager stated because of the shortage of manpower a clerk had been employed in the Office of the Collector of Revenue who does not reside in the city, said employment being temporary. No objection was voiced by any member of the Council.

PURCHASE OF STEMS FOR WATER VALVES FROM GRINNELL COMPANY.

Councilman Atkins moved that the purchase of two stems for 24-inch water valves be authorized from Grinnell Company, at a net delivered price of \$110.14. Motion seconded by Councilman Albea and unanimously carried.

PURCHASE OF CRUSHED STONE AND SAND FROM CALDWELL CONSTRUCTION COMPANY.

Upon motion of Councilman Atkins, seconded by Councilman Albea, and unanimously carried, purchase of One Car Load of #9 Crushed Stone and One Car Load of Coarse Sand was authorized from Caldwell Construction Company, at \$148.47.

SALE OF WROUGHT IRON PIPE TO TAMPA GAS COMPANY.

Upon recommendation of the City Manager, the sale of 1,200 feet of 2 inch wrought iron pipe was authorized to The Tampa Gas Company, Tampa, Florida, at \$420.00, upon motion of Councilman Albea, seconded by Councilman Ward and unanimously carried. The City Manager stated this material was listed with the War Production Board under the compulsory listing of excess stores.

PURCHASE OF REPAIR PARTS FOR WATER METERS FROM HERSEY MANUFACTURING COMPANY.

Councilman Painter moved that repair parts for Hersey Water Meters be authorized from Hersey Manufacturing Company, at \$100.20. Motion seconded by Councilman Albea and unanimously carried.

CONTRACT AUTHORIZED WITH CREECH MOTORCYCLE COMPANY, INC. FOR TWO SERVI-CARS.

Councilman Price moved that contract be awarded the low bidder Creech Motorcycle Company, Inc., for two Police Servi-Cars at a net delivered price of \$1,375.00. Motion seconded by Councilman Ward and unanimously carried.

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CONTRACT AWARDED A. L. HENDERSON COMPANY FOR PAVING AT THE FIREMEN'S DRILL TOWER.

The City Manager advised that duly advertised for bids were received on May 2, 1944 for concrete paving of approximately 1,422 square yards, at the Firemen's Drill Tower and recommended awarding the contract to the low bidder, A. L. Henderson Company, Charlotte, at \$2987.00. He also requested an appropriation of \$387.00 from the Emergency Fund to supplement the \$2,600.00 authorized on April 19, 1944 for this work. Councilman Albea moved that the contract be awarded and funds appropriated from the Emergency Fund as recommended. Motion seconded by Councilman Painter and unanimously carried.

MOTION RESCINDED AWARDED CONTRACT TO CONTRACTOR'S SERVICE, INC. FOR AIR COMPRESSOR.

The City Manager we have been unable to obtain approval of the War Production Board for the purchase of the Air Compressor authorized on November 17, 1943 from Contractor's Service, Inc., at \$2,965.00, and recommended that the motion awarding same be rescinded in order to make the money available for other needed purposes. Councilman Albea moved that the motion be rescinded. Motion seconded by Councilman Daughtry and unanimously carried.

CONTRACT AWARDED EDWIN C. BOYETTE, JR. FOR ASPHALT TILE FLOORING FOR CITY HALL.

Councilman Atkins moved that contract for furnishing and installing 4,616 square feet of Asphalt Tile Flooring in various offices in the City Hall be awarded the low bidder, Edwin C. Boyette, Jr., at \$756.56, and same be paid for from the General Improvement Fund. Motion seconded by Councilman Albea and unanimously carried.

CONTRACT AWARDED BOST BUILDING EQUIPMENT COMPANY FOR ASPHALT TILE FLOORING IN ELMWOOD CEMETERY OFFICE.

Councilman Atkins moved that contract for furnishing and installing 762 square feet of Asphalt Tile Flooring in Elmwood Cemetery Office be awarded the low bidder, Bost Building Equipment Company, at \$212.00, and same be paid from the Emergency Fund. Motion seconded by Councilman Ward and unanimously carried.

LILAC AVENUE, EAST OF AVONDALE AVENUE, TAKEN OVER FOR CITY MAINTENANCE.

Upon the recommendation of the City Manager, Councilman Price moved that Lilac Avenue, east of Avondale Avenue, be taken over for city maintenance. Motion seconded by Councilman Albea and unanimously carried.

AUTHORIZATION OF PAYMENT OF 1944 MEMBERSHIP DUES TO THE UNITED STATES CONFERENCE OF MAYORS.

Councilman Albea moved that authority be given for the payment of the 1944 Membership Dues to The United States Conference of Mayors in the sum of \$150.00. Motion seconded by Councilman Atkins and unanimously carried.

PURCHASE OF EMULSIFIED ASPHALT FROM THE EMULSIFIED ASPHALT COMPANY.

Councilman Albea moved that the purchase of 1,800 gallons of emulsified asphalt be authorized from the Emulsified Asphalt Company, at \$157.00. Motion seconded by Councilman Painter and unanimously carried.

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PURCHASE OF FIRE HYDRANT STOCKS FROM R. D. WOOD COMPANY.

Upon motion of Councilman Daughtry, seconded by Councilman Atkins, and unanimously carried, the purchase of three Matthews Fire Hydrant Stocks complete was authorized from the R. D. Wood Company at a net delivered price of \$188.00.

VACATION PERIOD FOR CITY EMPLOYEES.

The City Manager advised that Mr. J. B. Marshall, the then City Manager, on May 27, 1935 promulgated a rule giving two weeks vacation with pay to all city employees after their first year of service. On December 3, 1943, the City Manager promulgated a vacation rule in substantially the same language as was used by Mr. Marshall. The City Manager then stated that recently the Council authorized the purchase of vacation time from Firemen and Policemen, which resulted in the disclosure that firemen had been receiving 15 days vacation, which exceeded the vacation rule in effect by one day. After a discussion, Mr. Ward moved that it be the consensus of opinion of the Council that vacations for all city personnel be increased by one day, and that the City Manager and City Attorneys be directed to formulate a proper regulation making same effective, and to report back to Council at the next meeting. Motion seconded by Councilman Albea and carried.

RENEWAL OF SPECIAL OFFICER PERMIT TO J. W. THOMASON.

Upon motion of Councilman Ward, seconded by Councilman Painter and unanimously carried, the Special Officer Permit of J. W. Thomason, 1215 Greenleaf Avenue, was ordered renewed, at the request of the Great A & P Tea Company, for use on their premises.

SPECIAL OFFICER PERMIT GRANTED J. M. LONG.

Upon motion of Councilman Albea, seconded by Councilman Daughtry, and unanimously carried, a Special Officer Permit was granted J. M. Long, 1024 West 4th Street, at the request of the Railway Express Agency, for use on their premises.

RESOLUTION RESCINDING ACTION RELATIVE TO APPROPRIATION MADE TO CHARLOTTE RESCUE MISSION AND MAKING A NEW APPROPRIATION.

City Attorney Tillet presented the following resolution:

WHEREAS, on January 26, 1944, the Council appropriated from the Emergency Fund \$237.35 to the Charlotte Rescue Mission for the purpose of enabling the Mission to pay its 1943 city taxes, that amount appearing to be necessary in addition to the \$500.00 appropriated for said Mission in the current budget, and

WHEREAS, by reason of relief obtained from the County Tax Supervisor, it appears that only \$95.91 in addition to the aforesaid \$500.00 will be necessary in order to enable the said Mission to clear its 1943 taxes.

NOW, THEREFORE, BE IT RESOLVED that the appropriation of \$273.35 made on January 26, 1944 be and it is rescinded, and that \$95.91 be appropriated to said Mission with the understanding that said amount, together with the original \$500.00 appropriated to it, will be used for the relief of the poor and indigent sick that would otherwise be a charge on the City.

Councilman Ward moved the adoption of the foregoing resolution. Motion seconded by Councilman Albea and unanimously carried.

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PROGRESS REPORT ON POST WAR PROJECTS.

Councilman Atkins made the following statement:

"As the only representative present of the Committee appointed several months ago by the Mayor to give study to post-war planning, I feel that the statement in Sunday's paper that both the committee and Council were taking a disinterested attitude and making no progress in advancing Charlotte's post-war projects requires some comment from me. I do not agree that nothing has been done and that no interest and action is being taken. On the contrary, I would say that the committee has been very active and I think that excellent progress has been made.

I should like to take up each of the projects which have generally been considered as included in the post-war plans of the Mayor and Council. Work will shortly commence on three of these projects. Bonds will be issued and sold in the next month or so to provide money for the enlargement of the water works system, and that work will be completed by Nov. 1st. It is my understanding that the City Manager intends asking the City Council to authorize an extensive street repair program to be carried out during the coming summer. The site for one new fire station has already been purchased, and the Council is considering several sites for the other.

Surveys are now in progress pursuant to recent Council authorization of the recreation and library facilities of the city with a view to enlarging them.

Everyone agrees that the sewage disposal plants should be enlarged and a new incinerator should be constructed. I feel sure that engineers will be employed to draw these plans as soon as war conditions permit.

The City health building has just recently been altered. As soon as the new health department and health officer can appraise the situation and make recommendations, the Council will be glad to hear them, and I believe will certainly cooperate to give the city the health facilities that it needs. The administration building at the airport should be enlarged or a new one built as soon as the Airport Commission reports to us that the work should be done. It is my understanding that they are now of the opinion that nothing should be done along this line until the airport is returned to the city by the army after the war.

One of the projects submitted, which certainly commends itself, is the proposed auditorium and civic center. Our Legal Department advises that no money can be expended for this purpose until it has been voted by the people. Of necessity, therefore, the actual preparation of blueprints and specifications for such a building, if the city is to pay for same, will have to wait until an election has been held and won. In the meantime, I would like to take the liberty of commending the newspapers for the splendid work they are doing in educating the people concerning the desirability of these facilities.

The survey concerning the needs of the city for additional air transportation facilities has been completed and a brief of factual data has been filed with the Civil Aeronautics Board in Washington.

The project to build a boulevard over Sugaw Creek does not seem feasible in view of the fact that it will cost too much money. Our Engineering Department estimates that this project would cost \$6,000,000.00 and in face of other more urgent needs, I think that project should be postponed until a later date.

This covers all of the projects under consideration except four, with which the Council is only indirectly concerned. The new Union Rail-

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road Station is something to be taken up with the railroads; an addition to the hospital is something to be taken up with the Hospital Authority; new streets, under our Charter, cannot be built unless petitioned for, but will be built if petitions are filed; the matter of erecting the two new school buildings is a matter for the School Board.

There is one general commentary that should be made about the whole program. Under the law, it will not be possible for the city to incur indebtedness in excess of approximately \$5,000,000. in addition to the bonds now outstanding. I have roughly calculated what the total cost of the proposed post-war program would be, exclusive of the new union station, and it comes to something more than \$10,000,000. Obviously, therefore, only the more important of the proposed projects can be carried out. I, for one, believe that the members of this Council were entrusted with their positions for the purpose of furthering the progress of our city in a sound and businesslike manner, spending all the money necessary to see that it grows and expands as rapidly as practicable but squandering none. I do not believe that the men returning from the armed services are going to want us to make any ill-advised expenditures just for the purpose of providing employment unless and until the point is reached where private employment has been shown to be unable to provide the necessary jobs.

In making this statement, I am not reflecting upon the patriotism of anyone, nor am I undertaking to raise any doubts as to the sense of civic responsibility of any one; I am simply attempting to give the facts from the standpoint of a member of the Committee".

Councilman Daughtry moved that the report be received as information.

Mayor Baxter stated he thought the Post War Planning Committee had done a wonderful work but it seemed the Council had not fully supported the Committee. He urged the Council to work together on the post war plans and to appropriate funds from the surplus and/or by the issuance of bonds.

Councilman Price stated he did not feel the Council had not supported the Committee and he wanted it understood that it had been his opinion that funds were not at the present time available for the employment of engineers to draw plans, etc., for the sewage disposal plants work.

#### CEMETERY DEEDS APPROVED FOR TRANSFER.

Upon motion of Councilman Albea, seconded by Councilman Cope, and unanimously carried, the following cemetery deeds were approved for transfer and issuance:

Mrs. Hattie Garland Skidmore, Lot No. 162, Section Y, Elmwood Cemetery, \$63.00  
E.W.Parks and wife Dollie M. Parks, Lot No.46, Section BB, Elmwood Cemetery \$68.25  
Mrs. Annie Mae Chapman, Lot No. 61, Section BB, Elmwood Cemetery, \$46.90  
L. A. Earley and wife, Vivian Helms Earley, Lot No. 69, Section Z, Elmwood Cemetery, \$35.00.  
Chas. F. and Lola H. McCorkle, Lot Nos. 184,185 and 186, Section Y, Elmwood Cemetery, \$189.00.  
W. S. Lee, Jr. North Half Lot No. 116, Section X, Elmwood Cemetery, \$70.00.  
Perpetual Care on W.S.Lee, Jr. Lot, \$60.00.  
W. W. Conner, Lot No. 32, Section Y, Elmwood Cemetery, \$63.00.  
Robert A/ Kearns, Lot No. 35, Section Z, Elmwood Cemetery, \$31.50.  
Transfer of Lot No. 93, Section X, Elmwood Cemetery, from Furman Smith and wife, Margaret Greene Smith, to Mrs. Mary Lance Van Every, \$1.00.  
Transfer of Perpetual Care on Smith Lot to Mrs. Mary Lance Van Every.

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Transfer of East Half of Lot 184, in Section U, Elmwood Cemetery, from Miss Carrie McLean Taylor to Mr. Charles Arey, \$1.00.

Perpetual Care on the lot being transferred to Mr. Arey.

Perpetual Care on Lot No. 24, in Section I, Elmwood Cemetery, owned by D. M. and W. T. Coddington, \$100.00.

Perpetual Care on East Half of Lot No. 34, Section D-Annex, Elmwood Cemetery, owned by Chas. H. A. Rupp, \$50.00.

Perpetual Care on South Half Lot No. 42, Section T, Elmwood Cemetery, owned by C. T. Stewart, \$72.00.

Perpetual Care on Lot No. 54, Section U, Elmwood Cemetery, owned by Pauline and Marion Hadley, \$58.50.

ADJOURNMENT.

Upon motion of Councilman Albea, duly seconded by Councilman Painter, the meeting was adjourned.

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City Clerk