

May 15, 1940  
Page 185.

The City Council met in regular weekly session at 4:00 o'clock P. M., Wednesday, May 15, 1940, with Mayor Douglas presiding, and Councilmen Baxter, Hudson, Huntley, Sides, Ward and Wilkinson present.

Absent: Councilmen Albea, Britt, Hovis and Nance, and Little.

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On motion of Councilman Hudson, seconded by Councilman Wilkinson, the reading of the minutes was dispensed with until the end of the meeting.

CHARLOTTE MINISTERIAL ASSOCIATION OPPOSED TO SUNDAY MOVIES.

A large delegation of citizens opposed to Sunday movies, headed by members of the Charlotte Ministerial Association, appeared before the Council at this time, asking that they be permitted to present certain members of this delegation on the Sunday issue. Mayor Douglas advised that the Council would take no action at this meeting due to the fact that only six Council members were present but that they would hear these people if they cared to speak at this time.

Dr. Luther Little acted as spokesman, with Dr. E. N. Orr as Secretary. Dr. Little called on two mothers present to express their views of Sunday movies and Mrs. C. T. Parker and a Mrs. Sutton both stated that shows should not open on Sunday. John Kennedy, President of the High School Student Body, stated that a majority of the young people did not want Sunday movies, and Geo. Moore, a young man just out of high school and now working, also expressed the opinion that Sunday movies would be to the disadvantage of the morals of young people.

Mr. Henry Belk, Mr. E. H. Monday, Dr. Durden, Dr. H. L. Reeves, a returned Missionary from China, Dr. C. R. Nisbet, Rev. W. W. Jones, a Mr. Byers, representing the working class of Charlotte, and Rev. Willis G. Clark, all spoke in opposition to the opening of shows on Sunday, Rev. Clark asking that they be given ample notice in advance of the time the Council will consider this question in order that they may be represented at that time.

Dr. Little thanked the Council for hearing this delegation, stating that they were not appearing in an aggressive attitude but were backing up the letter written by the Ministerial Association to the Council and presenting argument of the other side, inasmuch as the question had been brought up at the last meeting by a group of prominent citizens asking for Sunday movies.

MINUTES OF MEETINGS OF MAY 1ST. AND 8TH. APPROVED.

On motion of Councilman Huntley, seconded by Councilman Baxter, the minutes of the meetings of May 1st. and May 8th. were approved as read.

May 15, 1940

Page 186

CONTRACT FOR POWER WEED CUTTER.

On motion of Councilman Baxter, seconded by Councilman Wilkinson and unanimously carried, the Mayor and Clerk were authorized to sign a contract with E. J. Smith Company, for Power Weed Cutter for use on the property of the City Disposal Plants, at a total amount of \$275.40.

Other bids received were -

Southern Hardware Co. (On 2-H.P.Motor)	\$253.93
W. F. Pollard Company (Whirlwind Equipment)	300.00
W. F. Pollard Company (Gravelly " )	360.00

PURCHASE OF SLUDGE DISINTEGRATOR

The City Manager advised that the City wished to purchase one Sludge Disintegrator for use at the Disposal Plant in conditioning sludge for commercial purposes and that after investigation, it was found that the machine most satisfactory for this service is one manufactured by the Royer Foundry & Machine Company, of Kingston, Pa., at \$860.00 f.o.b. factory. Also, that they have been unable to locate anyone else who makes this type of equipment.

On motion of Councilman Wilkinson, seconded by Councilman Huntley, the Mayor and Clerk were authorized to sign a contract with the Royer Foundry & Machine Company for this equipment at \$860.00.

MORNINGSIDE DRIVE TAKEN OVER FOR CITY MAINTENANCE.

On motion of Councilman Baxter, seconded by Councilman Wilkinson and unanimously carried, Morningside Drive, from Central Avenue to Commonwealth Avenue, was taken over by the City for maintenance.

REFUND OF \$17,570.17 FROM STATE HIGHWAY COMMISSION.

Mr. Marshall reported receipt of a check for \$17,570.17 from the State Highway and Public Works Commission, as a refund on the guarantee posted by the City in connection with the construction of the Seaboard Underpass on North Tryon Street.

SPECIAL OFFICER PERMITS.

On motion of Councilman Wilkinson, seconded by Councilman Hudson, M. A. Eastwood was granted a special officer permit for use on the premises of the Charlotte Ball Park Amusement Company.

PERSONNEL.

Mr. Marshall advised that he had dispensed with the services of J. L. Houston and J. W. Campbell in the Maintenance Department of the Water Works System.

May 15, 1940  
Page 187

BUDGET STATEMENT FURNISHED.

The Council was furnished with a Budget Statement as of April 30, 1940.

MAY 20TH. HOLIDAY.

On motion of Councilman Baxter, seconded by Councilman Ward and unanimously carried, all City employees who can conveniently be away from their duties, were granted a holiday on May 20th.

LETTER FROM CHAS. E. LAMBETH.

Mayor Douglas read a letter from Chas. E. Lambeth, expressing his appreciation to the Council upon his appointment as Chairman of the Municipal Airport Commission.

RULING FROM CITY ATTORNEY REGARDING USE OF MONEY RETURNED BY THE STATE HIGHWAY AND PUBLIC WORKS COMMISSION.

Mayor Douglas reported receipt of a letter from the City Attorney, giving a ruling on certain sums of money available, which may be used for the enlargement of the Municipal Airport, in which Mr. Scarborough stated that it was his opinion that the City of Charlotte can use \$16,004.68 of the \$17,570.17 which has just been returned to the City by the State Highway Commission. Mr. Scarborough based this opinion upon cases decided by the Supreme Court of North Carolina, and cited these various cases, assuming that the \$16,004.68 above mentioned is an unappropriated surplus. He explained that the difference between the amount of check and this \$16,004.68, or \$1565.49, would have to go back to the bond fund from which it was derived and cannot be used for Airport purposes, because the terms of the bond ordinance require that the funds be used only for grade crossing elimination or the liquidation of the bonds.

After discussion, Councilman Baxter made a motion that this \$16,004.68, of the \$17,570.17 returned to the City of Charlotte by the State Highway and Public Works Commission, and \$1416.67 returned by the Charlotte Housing Authority, be appropriated for improvements at the Municipal Airport. Motion seconded by Councilman Ward.

Councilman Sides stated that so many of the streets in Charlotte are in bad condition that he felt the City should use the money returned by the State Highway for street purposes rather than for the Airport, although he was in sympathy with the needed improvements at the Airport, but when it was explained that the City could issue bonds this coming year to the extent of \$200,000. for street improvement, whereas, they cannot issue bonds for Airport improvements, Councilman Sides voted for the above motion, which motion was passed unanimously.

AMENDMENT TO TRAFFIC ORDINANCE.

Councilman Wilkinson called on the City Attorney to read the proposed amendment to the Traffic Ordinance, which had been prepared to take care of recommendations made at a previous Council meeting, and on motion of Councilman Wilkinson, seconded by Councilman Ward, the following ordinance was unanimously adopted on three readings and declared by the Mayor to be an ordinance of the City of Charlotte:

May 15, 1940  
Page 188.

AN ORDINANCE  
TO AMEND AN ORDINANCE ENTITLED  
"AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC  
STREETS OF THE CITY OF CHARLOTTE, NORTH CAROLINA,  
EFFECTIVE JANUARY 10, 1940"

IT IS ORDAINED by the City Council as follows:

That an ordinance entitled as follows: "An Ordinance regulating traffic upon the public streets of the City of Charlotte, effective January 10, 1940, shall be amended as follows:

Section 1. That under schedule 1 of said ordinance, in which parking is prohibited at all times, the said ordinance shall be amended by inserting between the lines, "Morehead Street -- 50 feet East of Graham Street, North Side" and "Myers Street-- Trade to Fourth, West Side", the following:

"Morehead Street--between South Tryon Street  
and the overhead bridge which crosses the  
Southern Railway, North Side."

Section 2. That said ordinance shall be amended by striking the following from schedule 1, "Trade Street-- 105 feet East of Tryon Street, South Side" and placing in lieu thereof, the following:

"Trade Street--230 feet East of Tryon, South Side."

Section 3. That said ordinance shall be amended by inserting immediately after "Dixth Street--75 feet East of College, South Side," the following:

"Sixth Street Place--Graham to Smith, North Side."

Section 4. By amending schedule 1 as aforesaid, by placing immediately before, "Winifred Street--Morehead to Palmer, West Side" the following:

"Wilkes Street between West Fifth Street and the  
rear of Mecklenburg Hotel, East Side."

Section 5. That all ordinances or clauses of ordinances in conflict herewith are hereby specifically repealed and this ordinance shall be effective from its adoption.

CONGRATULATIONS EXTENDED COUNCILMAN SIDES ON RECORD OF BAND IN MIAMI, FLA.

Councilman Baxter stated that the Council should take special recognition of the splendid record made in Miami, Florida, by the Central High School Band and Orchestra under the direction of Councilman Sides, and Mayor Douglas extended to Councilman Sides congratulations upon the splendid showing of these musical units.

CEMETERY DEEDS.

On motion of Councilman Ward, seconded by Councilman Huntley the following cemetery deeds were approved:

Mrs. Dorris H. Carpenter, Lot 34, G-Annex, with perpetual care	\$159.60
W. S. Nicholson and wife to Mrs. and Mrs. C. H. Garmon, transfer of Lot No. 24, "J"	1.00

ADJOURNMENT.

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

*Alice B. McConnell*  
City Clerk