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THE REGULAR WEEKLY MEETING OF THE CITY COUNCIL WAS HELD IN THE COUNCIL CHAMBER, CITY HALL, WEDNESDAY, APRIL 22ND, 1936, AT 4:00 O'CLOCK P. M., MAYOR DOUGLAS PRESIDING, AND PRESENT: COUNCILMEN: ALSEA, BAXTER, BOYD, DURHAM, HUDSON, HUNTLEY, NANCE, AND SIDES.

ABSENT: COUNCILMEN HOVIS AND WILKINSON.

APPROVAL OF MINUTES OF APRIL 15TH MEETING.

ON MOTION OF COUNCILMAN ALSEA, SECONDED BY COUNCILMAN SIDES, THE MINUTES OF THE MEETING OF APRIL 15TH, WERE APPROVED AS READ.

REPORT OF CITY MANAGER.

EAST MOREHEAD STREET BETWEEN CAR TRACKS NEEDING REPAIRS.

THE CITY MANAGER REPORTED THAT THE AREA BETWEEN THE CAR TRACKS ON EAST MOREHEAD STREET, BETWEEN SOUTH BOULEVARD AND MOCDOWELL, IS IN A DEPLORABLE CONDITION, BUT THAT THE STREET CAR COMPANY HAD BEEN CONSIDERING THE ABANDONING OF THE STREET CAR LINE ON THIS STREET AND THE SUBSTITUTION OF BUSES AND PENDING THIS DECISION NO IMPROVEMENTS WERE BEING MADE.

COUNCILMAN ALSEA MOVED THAT THE CITY MANAGER AND CITY ATTORNEYS BE AUTHORIZED TO TAKE THIS MATTER UP WITH THE DUKE POWER COMPANY AND THAT THEY (THE CITY MANAGER AND CITY ATTORNEYS) DO ANYTHING THEY SEE FIT TO REMEDY THIS CONDITION BY MAY 1ST.

MOTION SECONDED BY COUNCILMAN SIDES AND UNANIMOUSLY CARRIED.

DRAINAGE SITUATIONS TO BE REMEDIED.

UPON REPORT OF THE CITY MANAGER THAT THE DRAINAGE SITUATION AT THE FOLLOWING LOCATIONS ARE CAUSING CONSIDERABLE COMPLAINT AND SHOULD BE REMEDIED, MONEY FOR WHICH IS AVAILABLE IN THE STORM SEWER FUND, COUNCILMAN BOYD, SECONDED BY COUNCILMAN HUNTLEY, MOVED THAT THE CITY MANAGER ADVERTISE FOR BIDS TO DO THIS WORK, AT THESE LOCATIONS:

2118 KENMORE AVE., WHERE A NEW CATCHBASIN IS REQUIRED, AT AN ESTIMATED COST OF $ 100.00
PARKWOOD AVE. AND WILKINSON ST., EST. COST 1296.00
PLAZA AT MINGOA AVE., EST. COST 247.00

TOTAL $1643.00

MOTION UNANIMOUSLY CARRIED.
RE-ASSESSMENT - LOUISE AVE.

UPON MOTION OF COUNCILMAN HUDSON, SECONDED BY COUNCILMAN HANCE, THE FOLLOWING RE-ASSESSMENT ORDINANCE WAS UNANIMOUSLY ADOPTED ON THREE READINGS:


NEW NO. OWNER FRONTAGE WATER SEWER STREET WALK TOTAL

600-12 MADISON INVESTMENT COMPANY 164.16 22.54 702.60 151.03 $876.17

814-22 M. LEE HEATH 139.64 74.07 598.52 128.65 801.24

824-26 INDEPENDENCE CORPORATION 51.00 26.99 218.28 46.92 294.19

PURCHASE OF $1,000 CITY OF CHARLOTTE BOND FOR SINKING FUND.

UPON MOTION OF COUNCILMAN SIDES, SECONDED BY COUNCILMAN HUNTLEY, THE COUNCIL UNANIMOUSLY APPROVED THE PURCHASE OF ONE $1,000.00 CITY OF CHARLOTTE 5% BOND, EXPIRING APRIL 1, 1938, TO YIELD 2%, FOR THE SINKING FUND ACCOUNT.

NOTICE OF SUITS FILED AGAINST THE CITY OF CHARLOTTE.

THE CITY MANAGER REPORTED THAT NOTICE OF SUITS OF DR. J. E. S. DAVIDSON AGAINST THE CITY OF CHARLOTTE FOR ALLEGED INJURY RECEIVED FROM FALLING ON THE SIDEWALK ON NORTH TRYON STREET, THE SIDEWALK BEING COVERED WITH ICE, IN THE SUM OF $25,000.00, HAD BEEN RECEIVED.

ALSO, SUIT OF M. C. COTTING AGAINST THE CITY OF CHARLOTTE, IN REFERENCE TO STREET ASSESSMENT AT JACKSON AVENUE AND EAST 10TH STREET.

APPOINTMENT OF TWO POLICE OFFICERS.

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UNITED WELFARE FEDERATION.

The City Manager advised that he had received request from the United Welfare Federation, through Mr. Norman Cooke, for an additional appropriation in order that they may continue their work. He stated that the Federation has an existing deficit of $10,000.00 and that Mr. Cooke had advised that if this deficit could be taken care of they could continue operations for the remainder of the year.

After discussion by the Council, Councilman Sides made a motion that the City of Charlotte appropriate $5,000.00 and they look to the County to appropriate the other $5,000.00. This motion seconded by Councilman Albee.

Councilman Boyd suggested that the $5,000 be given provided a similar amount is contributed by the County, and Councilman Sides, with the approval of Councilman Albee, amended his motion to read that the City appropriate $5,000.00 provided the County also appropriate $5,000.

Motion carried unanimously.

PURCHASE OF ASPHALT FOR ALLAYING DUST ON CITY STREETS.

On motion of Councilman Huntley, seconded by Councilman Durham, the Council authorized the purchase of one minimum car (approximately 56,000 gallons) of emulsified asphalt for allaying dust on City streets, from the Central Oil Emulsion Corp., at .0756 per gallon, and that the Mayor and Clerk sign the contract.

The following bids were received on this material:

Central Oil Emulsion Corp., Baltimore, Md. .0756 gal.
Emulsified Asphalt Refining Co., Charleston, SC .825
American Bitumuls Co., Baltimore, Md. .091
J. B. Hunt & Sons, Raleigh, N. C. .125

NOTICE OF FILING OF SUITS AGAINST THE CITY OF CHARLOTTE

The City Manager reported the following suits against the City of Charlotte were filed as of this date: Frank Reese for $12,500.00 for alleged injuries sustained from falling in a ditch on East 3rd Street; attorney G. A. Smith.
T. K. Davis, damages to automobile on North Graham St., $300.00; attorneys Carswell & Ervin. Edwin F. Webster injuries sustained on South A Street for $25,000.00, attorneys Carswell & Ervin.

PURCHASE OF HIGH POINT ELECTRIC LIGHT BONDS AUTHORIZED.

On motion of Councilman Hudson, seconded by Councilman Boyd, the purchase of $10,000 High Point Electric Light Bonds, maturing March 1st, 1938, to yield 4%, for the sinking fund account, was authorized by the Council subject to the approval of the Local Government Commission.
SECTION OF COLVILLE ROAD TAKEN OVER FOR CITY MAINTENANCE.

The City Manager reported that application had been made by Mr. Ed Hanson requesting that the City take over a section of Colville Road for maintenance. Mr. Marshall explained that this would include the block between Providence Road and Biltmore Drive and one-half block beyond to an alley, and recommended to the Council that the City take this section over for maintenance.

Councilman Baxter moved that the City Manager's recommendation be adopted in accordance with the request. Motion seconded by Councilman Albee and unanimously carried.

HEALTH DEPARTMENT ORDINANCE.

An ordinance presented at the last Council meeting regulating the sale of drugs for the prevention of venereal diseases, was again presented, the Chairman of the Health Committee, Councilman Albee, recommending the passage of this ordinance solely on the judgment of the Health Department Superintendent.

On motion of Councilman Hudson, seconded by Councilman Albee, was unanimously adopted on three readings, as follows:

An ordinance to regulate and control the distribution and sale of all articles, devices, drugs and medicinal preparations, primarily manufactured for, or which may be used as a contraceptive or for the prevention of venereal diseases and infections.

Be it ordained by the Mayor and City Council of the City of Charlotte, North Carolina, that:

Section 1. It shall hereafter be unlawful for any person, firm, partnership or corporation to sell, offer for sale, give away, or in any other manner whatsoever, any article, device, drug or medicinal preparation, primarily manufactured for, or which may be used as a contraceptive or for the prevention of venereal diseases and infections, within the city limits of the City of Charlotte, North Carolina, except that the provisions of this section shall not apply to licensed physicians in their practice, nor to registered pharmacists within the confines of a North Carolina State licensed drug store, nor to wholesale druggists and manufacturers supplying such articles to licensed physicians and registered pharmacists, provided that all such articles, devices, drugs and medicinal preparations dispensed by licensed physicians and registered druggists shall clearly on the articles or the containers in which they are sold at retail the name of the manufacturer.
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Section 2. It shall hereafter be unlawful for any person, firm, partnership, or corporation to distribute any such articles, devices, drugs or medicinal preparations by means of vending machines, house-to-house canvass, or by peddling or soliciting on the streets, public or office buildings, or elsewhere.

Section 3. Any person, firm, partnership or corporation violating any of the provisions of this ordinance shall, upon conviction, be fined for each and every violation of the foregoing ordinance $50.00.

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance is declared necessary for the preservation of the public peace, health, welfare, and morale and shall become effective immediately upon its passage and signature by the Mayor.

Budget statement furnished council.

A statement of the condition of the expense budget, as of March 31, 1936, was furnished each member of the council.

Father of councilman H. H. Baxter presented.

The council had as a visitor, Mr. R. H. Baxter, father of councilman H. H. Baxter, who was presented to the members of the council by councilman Baxter.

Committee appointed to confer with attorney regarding disposition of old auditorium property.

On motion of Councilman Boyd, seconded by Councilman Alsea, and unanimously carried, that a committee be appointed to take up with Mr. Henry Dockery the matter of disposition of the old auditorium property on the corner of East Fifth and N. Church Sts., the mayor appointed Councilman Sides, chairman of the finance committee, to act as chairman and City Manager J. B. Marshall and Mr. Boyd, city attorney, as the other two members. This committee to report back to the council at its next meeting.

Resolution relative to death of officer C. P. Nichols.

The following resolution was presented by the mayor, and upon motion of Councilman Boyd, seconded by Councilman Hudson, was unanimously adopted:
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RESOLUTION

WHEREAS, IN THE PROVIDENCE OF THE ALMIGHTY GOD,
HE HAS BEEN FIT TO REMOVE FROM OUR MIDST CHARLES P. NICHOLS; AND

WHEREAS, CHARLES P. NICHOLS PASSED AWAY WHILE IN
THE SERVICE OF THE CITY OF CHARLOTTE, HAVING SERVED TEN YEARS
IN THE POLICE DEPARTMENT, AND THROUGH HIS DEATH THE CITY HAS
LOST A VALUED EMPLOYEE; AND

WHEREAS, WE RESPECT AND HONOR HIS MEMORY AND DEEPLY
APPRECIATE HIS SERVICE TO THE CITY;

NOW, THEREFORE, BE IT RESOLVED: THAT WE, AS MEMBERS
OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, IN REGULAR
SESSION CONVENE THIS THE 22ND. DAY OF APRIL 1936, EXTEND TO
HIS FAMILY OUR SYMPATHY AND PRAY GOD’S BLESSINGS TO REST
UPON THEM.

A COPY OF THIS RESOLUTION SHALL BE SPREAD UPON THE
MINUTES OF THE MEETING OF THE CITY COUNCIL, A COPY SENT TO
THE FAMILY OF THE DECEASED, AND COPIES FURNISHED TO THE NEWS-
PAPERS IN THE CITY OF CHARLOTTE.

CEMETERY DEEDS.

UPON MOTION OF COUNCILMAN HUNTLEY, SECONDED BY
COUNCILMAN HUDSON, THE FOLLOWING CEMETERY DEED WAS ORDERED
RECORDED:

O. D. STINSON, NORTH HALF OF LOT NO. 37, SECT. "X" $62.66
PERPETUAL CARE ON SAME 54.95

ALSO, APPROVED OF THE TRANSFER OF LOT 82, SECTION
"A", WHICH WAS TRANSFERRED BY MRS. SALLIE D. WILDER TO
MRS. CELESTE WILDER BLAKE, ON DECEMBER 1, 1930, WHICH
TRANSFER IS RECORDED IN THE REGISTER OF DEEDS OFFICE, IN
BOOK 790, AT PAGE 535.

ADJOURNMENT

MOTION OF COUNCILMAN BAXTER, SECONDED BY COUNCILMAN
NANCE, TO ADJOURN, UNANIMOUSLY CARRIED.

Alice B. Smith
CITY CLERK