APRIL 29, 1936

THE REGULAR MEETING OF THE CITY COUNCIL WAS HELD WEDNESDAY, APRIL 29, 1936, AT 4:00 O'CLOCK P. M., MAYOR DOUGLAS PRESIDING AND COUNCILMEN: ALBEA, BAXTER, DURHAM, HOVIS, HUDSON, HUNTLEY, NANCE, SIDES, TIPTON AND WILKINSON BEING PRESENT.

ABSENT: COUNCILMAN BOYD.

APPROVAL OF MINUTES OF APRIL 22ND. MEETING

ON MOTION OF COUNCILMAN ALBEA, SECONDED BY COUNCILMAN NANCE, THE MINUTES OF THE MEETING OF APRIL 22ND. WERE APPROVED WITH CORRECTION MADE IN THE AMOUNT OF DAMAGES SOUGHT BY DR. J. E. S. DAVIDSON FOR ALLEGED INJURIES, FROM $25,000 TO $5,000.

ARMORY-AUDITORIUM GRANTED FREE OF CHARGE TO HORNETS NEST POST.

MR. R. L. (DICK) YOUNG APPEARED BEFORE THE COUNCIL AND REQUESTED FREE USE OF THE ARMORY-AUDITORIUM FOR MAY 29TH, WHEN HORNETS NEST POST OF THE AMERICAN LEGION WILL GIVE A DANCE; ADMISSION FEE BEING A PACKAGE OF OLD GOLD CIGARETTES WHICH WILL BE SENT TO THE VETERANS IN HOSPITALS.

ON MOTION OF COUNCILMAN WILKINSON, SECONDED BY COUNCILMAN BAXTER AND UNANIMOUSLY CARRIED, THIS REQUEST WAS GRANTED.

ENFORCEMENT OF DOG ORDINANCE REQUESTED BY BURTON SMITH.

MR. BURTON H. SMITH APPEARED BEFORE THE COUNCIL WITH A WRITTEN REQUEST THAT THE PRESENT ORDINANCE, REQUIRING ALL DOGS RUNNING AT LARGE TO BE MUZZLED, BE STRICTLY ENFORCED, CITING SECTION 22, PAGE 17 OF THE 1931 CODE.

AFTER A DISCUSSION BETWEEN MR. SMITH AND THE MAYOR AND COUNCIL, MAYOR DOUGLAS REFERRED THE MATTER TO THE HEALTH COMMITTEE FOR REPORT BACK TO THE COUNCIL NEXT WEDNESDAY.

REQUEST OF MR. F. A. WARD FOR PAYMENT BY THE CITY OF EXPENSE OF TAKING RABIES TREATMENT.

MR. W. VANCE HOWARD, ATTORNEY FOR MR. FRED A. WARD, ADVISED THE COUNCIL THAT HIS CLIENT HAD BEEN BITTEN BY A DOG PRESUMABLY SUFFERING FROM RABIES AND THAT MEMBERS OF THE POLICE DEPARTMENT HAD KILLED THE ANIMAL AND HAD THE BODY BURIED BEFORE AN EXAMINATION COULD BE MADE AND THAT HE THEN HAD NO OTHER ALTERNATIVE BUT TO TAKE THE TREATMENT, WHICH HAD COST HIM $37.50 AND THAT HE FELT THAT THE CITY SHOULD BEAR THE EXPENSE OF SAME.
MR. HOWARD WAS ADVISED THAT HIS CLIENT COULD HAVE HAD THESE TREATMENTS GIVEN AT THE HEALTH DEPARTMENT FOR ONLY THE COST OF THE MEDICINE $5.50 BUT HE STATED HE DID NOT KNOW THAT.

COUNCILMAN WILKINSON MOVED THAT THE MATTER BE REFERRED TO THE POLICE COMMITTEE FOR REPORT BACK AT THE NEXT MEETING. MOTION SECONDED BY COUNCILMAN ALBEA AND UNANIMOUSLY CARRIED.

COUNCILMAN NANCE SUGGESTED THAT THE POLICE DEPARTMENT BE INSTRUCTED NOT TO DESTROY THE BODIES OF DOGS KILLED UNTIL AFTER EXAMINATIONS WERE MADE AND THAT SUCH DOGS NOT BE SHOT IN THE HEAD SINCE THE ONLY POSSIBLE WAY TO ESTABLISH IF A DOG IS MAD IS BY EXAMINATION OF THE HEAD.

PETITION FOR BUS SERVICE FOR DOWD ROAD, WILKINSON BOULEVARD AND TUCKASEEGE ROAD PRESENTED.

A PETITION WAS PRESENTED TO THE COUNCIL SIGNED BY ABOUT 300 RESIDENTS OF THE DOWD ROAD, WILKINSON BOULEVARD AND TUCKASEEGE ROAD SECTIONS, REQUESTING BUS SERVICE IN THAT VICINITY, WHICH PETITION WAS TURNED OVER TO THE CITY MANAGER TO CONFER WITH OFFICIALS OF THE DUKE POWER COMPANY.

FREE LICENSE GRANTED W.O.W. CIRCUS.

ON MOTION OF COUNCILMAN HUDSON, SECONDED BY COUNCILMAN ALBEA AND UNANIMOUSLY CARRIED, CAMP #159 W.O.W. WAS GRANTED FREE LICENSE FOR A SMALL CIRCUS WHICH WILL SHOW IN NORTH CHARLOTTE ON MAY 8TH AND 9TH, UNDER THEIR AUSPICES.

REVISED CONTRACT FOR ASPHALT.

THE CITY MANAGER REPORTED THAT ON APRIL 1ST, THE COUNCIL AUTHORIZED CONTRACT WITH AMERICAN PETUMULS COMPANY FOR APPROXIMATELY 5200 GALLONS OF ASPHALT AT $494.00; THAT THE SHIPMENT CONTAINED SLIGHTLY MORE THAN THE 5200 GALLONS, THE INVOICE BEING $497.41, AND ASKED THAT THE MAYOR AND CLERK BE AUTHORIZED TO SIGN THE AMENDED CONTRACT. AT THIS TIME MR. MARSHALL ASKED IF THE COUNCIL COULD NOT AUTHORIZE HIM IN GENERAL, ON MATERIALS PURCHASED ON A UNIT PRICE BASIS WHERE THE SHIPMENT SLIGHTLY EXCEEDS THE AUTHORIZED AMOUNT, TO APPROVE THIS DIFFERENCE WITHOUT BRINGING THE MATTER TO THE ATTENTION OF THE COUNCIL A SECOND TIME.

COUNCILMAN ALBEA, SECONDED BY COUNCILMAN SIDES MOVED THAT THE MAYOR AND CLERK SIGN THE AMENDED CONTRACT COVERING THE PURCHASE OF ASPHALT. MOTION UNANIMOUSLY CARRIED.

COUNCILMAN ALBEA THEN MOVED THAT THE CITY MANAGER BE AUTHORIZED TO APPROVE THE DIFFERENCE ON UNIT PRICE BASIS PURCHASES IN LINE WITH HIS REQUEST ABOVE, PROVIDED ABSOLUTELY LEGAL. MOTION SECONDED BY COUNCILMAN SIDES AND UNANIMOUSLY CARRIED.
EXTENSION OF TIME GRANTED ON FORECLOSURE OF OLD AUDITORIUM PROPERTY.

On motion of Councilman Albee, seconded by Councilman Nance, the request of Mr. Henry Dockery, Attorney for the purchasers of the Old Auditorium Property on the corner of Fifth and College Streets, for an extension of time of two weeks to try and work out some plan whereby they could raise the money to pay the balance due on this property, was granted by unanimous vote of the Council.

INFORMATION RELATIVE TO CITY'S FINANCIAL CONDITION.

The City Manager presented certain figures relative to the financial condition of the City of Charlotte, stating that $156,000 for operations and $3,200.00 for debt service will have to be collected if the City reaches the end of the fiscal year without borrowing. Mr. Marshall stated that the report presented was very encouraging.

EAST MOREHEAD STREET PAVING.

City Manager Marshall reported that he had conferred with the Duke Power Company officials relative to repair of the pavement between the car tracks on East Morehead Street and that they had asked for an extension of time in order to reach a decision as to whether they will abandon this car line and substitute busses. Mr. Marshall stated that he had then taken the matter up with Mr. Waynick, of the State Highway Commission regarding this year’s allotment for doing this work but had not yet received Mr. Waynick’s reply. He recommended that the matter be deferred a little while in the interest of getting the Duke Power Company to abandon the track, and Councilman Albee made a motion to rescind last week’s motion requesting that work be started by May 1st, until the Council again heard from the City Manager and City Attorneys.

Motion seconded by Councilman Durham and unanimously carried.

REQUEST FOR SEWER LINE ON POST STREET REFERRED TO PUBLIC WORKS COMMITTEE.

Upon motion of Councilman Albee, seconded by Councilman Nance, the request for the City to construct a sewer on Post Street from the Air Reduction Plant to Elliott Street was held in abeyance and referred to the Public Works Committee.
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NOTICE OF SUIT OF MECHANICS PERPETUAL BLDG. & LOAN ASSOCIATION.

The Council was advised that notice of suit of the Mechanics Perpetual Building & Loan Association against the City of Charlotte and a number of other parties concerning a certain deed of trust had been received and referred to the City Attorneys. Mr. Scarborough, City Attorney, explained that it was necessary for the City to be named a party to this action because the taxes due on the property constituted a lien.

$200.00 Appropriated from Contingent Fund to Charlotte Cooperative Nurses Association.

The request of the Charlotte Cooperative Nursing Association for an appropriation of $200.00 to complete their fiscal year was granted on motion of Councilman Nance, seconded by Councilman Huntley, this money to be taken from the Contingent Fund.

CEMETERY DEED.

On motion of Councilman Hudson, seconded by Councilman Albee, the following cemetery deed was ordered recorded:

Lula Wood, Lot No. 4, East Portion, Section "D", West Pinewood Cemetery, $24.00

ADJOURNMENT

Motion by Councilman Albee, seconded by Councilman Durham, to adjourn unanimously carried.

[Signature]

CITY CLERK.