January 22, 1936

The regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, January 22, 1936, at 4:00 o'clock P. M., with Mayor Douglas presiding, and present: Councilmen Albee, Baker, Sides, Durham, Hovis, Hudson, Huntley, Nance, Tipton and Wilkinson.

Absent: Councilman Boyd.

Hearing of protests with reference to widening and improving North Graham Street.

The Mayor stated that the hearing of allegations or protests with reference to the widening and improving of North Graham Street, having previously been set for 4:00 o'clock P. M. this date, the Council was ready to hear any citizen present in this connection. No protests forthcoming, the City Attorney, Mr. G. M. Boyd, explained that the petition having been investigated was found to be sufficient, being signed by a majority of the owners of property abutting on either side of said North Graham Street, that a certificate to this effect has been signed by the City Clerk and the following resolution was introduced by Councilman Hudson, who moved its adoption.

A resolution of the City Council of the City of Charlotte concerning the sufficiency of the petition of property owners relative to the widening, improving and paving of North Graham Street from West Trade Street to the southerly line of the right-of-way of the Southern Railway Company where it crosses North Graham Street.

Whereas, it is proposed by the City Council of the City of Charlotte to widen, permanently improve and pave North Graham Street from West Trade Street to the southerly line of the right-of-way of the Southern Railway Company where it crosses North Graham Street, and

Whereas, the law requires that a petition for the widening, paving and otherwise improving the said street be submitted to the Governing Body of the City of Charlotte signed by a majority in number of the owners of property abutting upon the said street as it is proposed to be widened and improved, which number of owners shall represent at least a majority of all the legal feet of frontage of the lands abutting upon the said street proposed to be improved, widened and paved, and

Whereas, such a petition has been executed and filed with the City Clerk of the City of Charlotte, and

Whereas, the said petition has been submitted to the Governing Body of the City of Charlotte for approval and for a determination by the Governing Body of the City of Charlotte upon the sufficiency of said petition, and
WHEREAS, UPON THE REPORT OF THE CLERK OF THE CITY OF CHARLOTTE AND THE CITY ENGINEER AND, UPON AND FROM OTHER INVESTIGATION, IT APPEARS TO THE CITY COUNCIL THAT THE SAID PETITION IS SUFFICIENT AND MEETS THE REQUIREMENTS OF THE LAW GOVERNING SUCH MATTERS.

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED THAT THE SAID PETITION FOR THE OPENING, WIDENING AND IMPROVING AND PAVING THE SAID NORTH GRAHAM STREET FROM WEST TRADE STREET TO THE SOUTHERLY LINE OF THE RIGHT-OF-WAY OF THE SOUTHERN RAILWAY COMPANY AS SUBMITTED TO THIS BODY BY THE CITY CLERK IS HEREBY FOUND TO HAVE BEEN SIGNED BY A MAJORITY OF THE OWNERS OF PROPERTY ABUTTING UPON THE SAID STREET PROPOSED TO BE WIDENED AND PAVED, WHICH OWNERS REPRESENT OR OWN A MAJORITY OF ALL THE LINEAL FEET OF FRONTAGE OF THE SAID LANDS ABUTTING UPON THE SAID STREET AND THAT THE SAID CITY COUNCIL HEREBY FINDS AS A FACT THAT THE SAID PETITION IS SO SIGNED AND IS SUFFICIENT TO MEET THE REQUIREMENTS OF THE LAW.

RATIFIED THIS THE 22ND DAY OF JANUARY 1936.

ON MOTION OF COUNCILMAN BUDSON, SECONDED BY COUNCILMAN SIDES, THE ABOVE RESOLUTION WAS UNANIMOUSLY ADOPTED.

THEREUPON, THE FINAL ORDER WITH REFERENCE TO THE OPENING, IMPROVING AND WIDENING OF NORTH GRAHAM STREET, WAS READ BY MR. BOYD, CITY ATTORNEY, AND ON MOTION OF COUNCILMAN KLBAEA, SECONDED BY COUNCILMAN HUNLEY, WAS UNANIMOUSLY ADOPTED ON THREE READINGS, AND DECLARED TO BE AN ORDINANCE OF THE CITY OF CHARLOTTE:

FINAL ORDER OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE WITH REFERENCE TO THE OPENING, IMPROVING, PAVING AND WIDENING OF NORTH GRAHAM STREET FROM WEST TRADE STREET TO THE SOUTHERLY LINE OF THE RIGHT-OF-WAY OF THE SOUTHERN RAILWAY COMPANY WHERE IT CROSSES NORTH GRAHAM STREET.

WHEREAS, ON THE 2ND DAY OF JANUARY 1936, THE CITY COUNCIL OF THE CITY OF CHARLOTTE PASSED A RESOLUTION IN REFERENCE TO THE OPENING, IMPROVING, PAVING AND WIDENING OF NORTH GRAHAM STREET IN THE CITY OF CHARLOTTE FROM WEST TRADE STREET TO THE SOUTHERLY LINE OF THE RIGHT-OF-WAY OF THE SOUTHERN RAILWAY COMPANY WHERE IT CROSSES NORTH GRAHAM STREET, AND

WHEREAS, DUE NOTICE OF THE ADOPTION OF SAID RESOLUTION BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE WAS GIVEN FOR TEN CONSECUTIVE DAYS IN THE CHARLOTTE OBSERVER AND THE CHARLOTTE NEWS, NEWSPAPERS PUBLISHED IN THE CITY OF CHARLOTTE, WHICH NOTICE WAS GIVEN FOR TEN DAYS PRIOR TO THE 22ND DAY OF JANUARY 1936, AND

WHEREAS, AFTER HEARING ALL SUCH ARGUMENT AS WAS PRESENTED FOR AND AGAINST IMPROVING, WIDENING, PAVING AND THE TAKING OF SAID LAND;

IT IS HEREBY FINALLY ORDERED, ORDAINED AND DECREED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE IN REGULAR SESSION, AS FOLLOWS:

SECTION 1. THAT THE STRIPS OF LAND FULLY DESCRIBED IN THE RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE ON THE 2ND DAY OF JANUARY 1936 AND FULLY SET OUT ON THE MAP OR PLAT THEREOF PREPARED BY THE CITY ENGINEER AND ATTACHED TO THE SAID RESOLUTION, BEING THE SAME PROPERTY AS SHOWN AND SET OUT ON THE MAP OR PLAT THEREOF ATTACHED HERETO AND MADE A PART OF THIS RESOLUTION, SAID STRIPS OF LAND BEING BOUNDED BY AND INCLUDED WITHIN THE RED LINES AS SHOWN ON SAID PLAT DESIGNATING THE PROPOSED BOUNDARY LINES OF SAID NORTH GRAHAM STREET FROM WEST TRADE STREET TO THE SOUTHERLY LINE OF THE RIGHT-OF-WAY OF THE SOUTHERN RAILWAY COMPANY, WHERE IT CROSSES NORTH GRAHAM STREET, WHICH SAID MAP OR PLAT IS ON FILE AT THE CITY HALL AND OPEN TO PUBLIC INSPECTION AND WILL BE POINTED OUT TO ANY INTERESTED PARTY OR PARTIES BY THE CITY ENGINEER OR CITY CLERK OF THE CITY OF CHARLOTTE, SAID STRIPS OF LAND BEING INCLUDED IN THE PROPOSED OPENING AND WIDENING OF NORTH GRAHAM STREET AND THAT THE SAID STRIPS OF LAND BE AND THE SAME HEREBY ARE ORDERED TO BE PURCHASED, TAKEN, APPROPRIATED AND CONDEMNED FOR THE PURPOSE OF WIDENING AND OTHERWISE IMPROVING AND PAVING SAID NORTH GRAHAM STREET FROM WEST TRADE STREET TO THE SOUTHERN RAILWAY.


SECTION 4. That the portion of cost of said improvements to be specially assessed against the City of Charlotte and paid for by said City shall be that portion of the cost necessary to pave the street intersections between West Trade Street and the property of the Southern Railway Company, where it crosses North Graham Street, plus the cost of paving and widening said street as assessed by the Commissioners against City property, which cost is estimated to be _______ of the cost of improving the said street.

SECTION 5. That the total cost of said improvements, including the cost of permanently opening, widening and paving said street and the laying of sidewalks and the taking of land and buildings, included within the hereinbefore described strips or parcels of land to be taken, and the laying and installing of storm drains, new laterals for sanitary sewer and new water service, except the cost of paving street intersections and the amount paid by the State Highway Commission shall be specially assessed against the lots and parcels of land described as follows:

"Being all of the property on both sides of North Graham Street as the same now exists and as the same is herein proposed to be widened and improved and abutting thereon between West Trade Street and the Southerly line of the right-of-way of the Southern Railway Company where it crosses North Graham Street, said property being particularly described in the Resolution of the City Council passed and adopted on the 2nd day of January 1936, and shown on the map prepared by the Engineer of the City of Charlotte now on file with the Clerk of the City of Charlotte, a copy of which map is hereto attached;"

And the said area including all of the above named property is hereby laid out, established and constituted an Assessment District, as shown on a map or survey thereof, now on file at the City Hall and open to public inspection, which map is hereby referred to and made a part hereof, a copy thereof being hereto attached, and all of said area is hereby created a Special Assessment District for the purpose of permanently improving, widening and paving said North Graham Street from West Trade Street to the Southerly line of the right-of-way of the Southern Railway Company, where it crosses North Graham Street, including the laying of sidewalks on both sides thereof, as hereinafore set out under and pursuant to Chapter 220 of the Public Laws of 1923 and the several amendments thereto, and all other applicable provisions of law, whether general or special.

SECTION 6. That the proposed widening, paving and improving of said North Graham Street as above set forth, is necessary to relieve the present congested condition of traffic on North Graham Street and other streets within the City of Charlotte, all in the public interest.

Ratified this the 22nd day of January, 1936.
USE OF ARMORY-AUDITORIUM BY HIGH SCHOOL ATHLETIC ASSOCIATION FOR BOXING MATCHES:

On request of Mr. Allen, representing the High School Athletic Association, that the boxing team be allowed use of the armory-auditorium on certain occasions, at the minimum fee charged, Councilman Wilkinson moved that the boxing contest to be staged on January 23rd, be staged at the auditorium free of charge in order to let them try it out and see if they can make anything out of it at the minimum fee, and that the Council then decide at the next meeting what they shall pay. Motion seconded by Councilman Albee and unanimously carried.

MINUTES OF MEETING OF JANUARY 15TH, APPROVED.

On motion of Councilman Albee, seconded by Councilman Durham, the minutes of the meeting of January 15, 1936, were approved as read.

REPORT OF CITY MANAGER

ANNUAL REPORT OF FIRE DEPARTMENT PRESENTED TO COUNCIL.

The City Manager stated that a copy of the annual report of the fire department had been placed at each councilman's place, and that this report will be studied by the committee before making any recommendations with regard to it.

CONTRACT FOR PLUMBING FOR MUNICIPAL COURT BUILDING LET TO L. B. COSTAR.

The City Manager reported that bids were received on January 21st. for plumbing for the Municipal Court building, and presented the following resolution in connection herewith for adoption; which resolution was unanimously adopted on motion of Councilman Albee, seconded by Councilman Baxter:

WHEREAS, sealed bids for proposals, first having been advertised according to law, were received in the Council Chamber of the City Hall, Charlotte, N. C., at 11:00 o'clock A.M., on Tuesday, January 21st, 1936, and opened in accordance with law, for plumbing for Municipal Court Building, and

WHEREAS, the following net bids were received:

L. B. Costar $1,325.00
Toomey Brothers' 1,897.50
Tompkins-Johnston Co. 2,060.00

WHEREAS, after consideration of the bids by the City Manager, it was found that the bid of L. B. Costar, in the sum of $1,325.00 was the low bid for the plumbing, and the acceptance of same would be for the best interest of the City of Charlotte.

Now, therefore, be it resolved by the Council of the City of Charlotte, that the above bid be and the same is hereby accepted and the contract is hereby awarded for said plumbing for the Municipal Court Building, in accordance with the bid submitted on said proposals, the acceptance and awarding being
SUBJECT, HOWEVER, TO THE APPROVAL OF THE STATE ENGINEER FOR
THE FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS, AND
SUBJECT TO ALL CONSIDERATIONS, STIPULATIONS AND AGREEMENTS SET
OUT IN THE ADVERTISEMENT AND CONTRACT AND THE MAYOR AND CITY
CLERK ARE HEREBY AUTHORIZED TO EXECUTE CONTRACTS IN SEVEN (7)
COPIES.

INSTALLATION OF STREET LIGHTS AT WHISNANT AND BLUFF STREETS
AND AT BURKE AND CREST STREETS.

The City Manager presented a report from Mr. B. A.
Skinner, recommending the installation of street lights at
Whisnant and Bluff Streets, and at Burke and Crest Streets, in
accordance with a petition received at the last meeting, and
on motion of Councilman Sides, seconded by Councilman Huntley,
this recommendation was unanimously approved.

CHESTERFIELD AVENUE TAKEN OVER FOR CITY MAINTENANCE.

On motion of Councilman Hudson, seconded by Councilman
Baxter, that the City Manager's recommendation with reference
to taking over Chesterfield Avenue, from Pecan Avenue to
Clarice Avenue, at a cost estimated to be $321.75, be complied
with, the Council unanimously voted that this be done.

REPORT ON DAMAGES DONE BY RECENT RAINS AND SNOW.

The City Manager presented a report from the City
Engineer, relative to damage done during the recent snow, rain,
and wind, which stated that bridges were washed away, pavement
damaged and other havoc wrought.

Mr. Marshall asked that the expense involved, which
amounted to about $5,000.00 for handling the snow and about
the same amount due to the rains, be taken from the Contingent
Fund, due to the fact that the Engineering Department and
Sanitary Division budgets could not take care of this expense,
which had not been anticipated, and this procedure met with
the approval of the Council.

INCREASE IN MEMBERSHIP FEE OF U. S. CONFERENCE OF MAYORS.

The City Manager reported that notice had been
received from the United States Conference of Mayors that the
membership fee had been increased from $75.00 to $250.00 per
year, and with only $75.00 having been budgeted for this
purpose, the City Manager was authorized to write the
association, asking why this membership had been increased
and stating that the City only had $75.00 for this purpose.

TAXES OF MRS. F. M. REDD.

City Attorney J. M. Scarborough presented a report
on the matter of interest due on unpaid taxes of Mrs. F. M.
Rodd for the years 1926 and 1927, which report stated that
Mrs. Redd had called at the City Hall and stated that she
wished to pay all of her taxes, and that taxes for these
years were not given her, and asked for a remittance of
interest for the years 1926 and 1927, on a certain piece of
property from 1929 to 1936.
ON MOTION OF COUNCILMAN HUDSON, SECONDED BY COUNCILMAN ALBEA, AND UNANIMOUSLY CARRIED, THIS INTEREST WAS ORDERED STRICKEN OFF.

RESOLUTION RELATIVE TO SAFETY CAMPAIGN.

COUNCILMAN WILKINSON PRESENTED THE FOLLOWING RESOLUTION AND MOVED ITS ADOPTION, WHICH MOTION WAS SECONDED BY COUNCILMAN TIPTON AND UNANIMOUSLY CARRIED:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE IN REGULAR SESSION:


BE IT, THEREFORE, RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CHARLOTTE BE PLACED UPON RECORD AS APPROVING THE CAMPAIGN TO LESSEN AUTOMOBILE ACCIDENTS THAT IS BEING SPONSORED BY THE JUNIOR CHAMBER OF COMMERCE OF THE CITY OF CHARLOTTE AND THE LOCAL NEWSPAPERS AND THAT IT DOES HEREBY COMMEND THE ACTION OF THE CHARLOTTE JUNIOR CHAMBER OF COMMERCE AND THE LOCAL NEWSPAPERS FOR THEIR EFFORTS IN SAID CAMPAIGN AND THAT THE CITY COUNCIL OF THE CITY OF CHARLOTTE WILL GIVE THIS CAMPAIGN ITS WHOLEHEARTED SUPPORT.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION BE SPREAD UPON THE MINUTES OF THE CITY OF CHARLOTTE AND A COPY OF SAME BE FORWARD TO THE CHARLOTTE JUNIOR CHAMBER OF COMMERCE AND THE LOCAL NEWSPAPERS.

THIS THE 22ND DAY OF JANUARY 1936.

LETTERS OF APPRECIATION FROM HON. A. L. BULWINKLE AND MR. JOHN GRICE.

LETTERS RECEIVED FROM HON. A. L. BULWINKLE AND MR. JOHN GRICE, IN APPRECIATION OF THE RESOLUTION ADOPTED AT A FORMER MEETING RELATIVE TO THE AMERICAN LEGION MEMORIAL STADIUM WERE READ BY THE CLERK.

ALSO, AN INVITATION FROM THE N.C. LEAGUE OF MUNICIPALITIES INVITING THE MAYOR AND MEMBERS OF THE COUNCIL TO A REGIONAL MEETING OF MUNICIPAL OFFICIALS TO BE HELD IN CASTORIA, ON THURSDAY EVENING, JANUARY 30TH, 1936.

NO LET UP IN SAFETY CAMPAIGN.

COUNCILMAN HOVIS STATED THAT IN HIS OFFICIAL CAPACITY AS PRESIDENT OF THE JUNIOR CHAMBER OF COMMERCE, HE HAD RECEIVED CONSIDERABLE CRITICISM THAT THERE HAS BEEN A LET-DOWN IN THE DRIVE ON TRAFFIC VIOLATIONS, AND MOVED THAT THE CITY COUNCIL GO ON RECORD AS INSTRUCTING THE CHIEF OF POLICE TO LET THERE
BE NO LET-UP IN THIS CONNECTION, AND THAT THE CITY COUNCIL WAS STILL BACK OF THE SITUATION. THIS MOTION SECONDED BY COUNCILMAN ALBEA.

COUNCILMAN SIDES STATED HE DID NOT WISH TO APPEAR AS OPPOSING COUNCILMAN HOVIS' MOTION, AND WOULD VOTE FOR SAME, BUT THERE HAD BEEN NO "LET-UP" IN THIS DRIVE, THE FACT THAT THERE WERE FEWER ARRESTS INDICATING THAT MOTORISTS WERE BEING MORE CAREFUL.

THE MAYOR THEN CALLED FOR A VOTE ON COUNCILMAN HOVIS' MOTION AND SAME WAS CARRIED UNANIMOUSLY.

TICKETS TO BOXING MATCH ON JANUARY 23RD.

COUNCILMAN SIDES DISTRIBUTED TICKETS TO EACH MEMBER OF THE COUNCIL, MAYOR AND CITY MANAGER, TO ATTEND THE BOXING MATCH TO BE HELD ON THE FOLLOWING NIGHT, JANUARY 23RD, AT THE ARMORY-AUDITORIUM.

CEMETERY DEEDS.

TRANSFER DEED FROM Z. A. HOVIS & SON TO C. O. GROOME, FOR LOT 248, SEC "U" AT TRANSFER FEE OF $1.00, AND AN AFFIDAVIT FILED BY MRS. J. A. WEAVER, ASKING THAT THE RECORDS REGARDING LOT NO. 49 IN SECTION "S" BE CORRECTED AND NEW DEED GIVEN HER IN LIEU OF DEED DESTROYED BY FIRE, WERE APPROVED AND ORDERED RECORDED, ON MOTION OF COUNCILMAN DURHAM SECONDED BY COUNCILMAN HOVIS.

ADJOURNMENT.

ON MOTION OF COUNCILMAN ALBEA, SECONDED BY COUNCILMAN TIPTON AND CARRIED, THE MEETING ADJOURNED.

Alice B. Millard
CITY CLERK