The regular meeting of the City Council was held in the Council Chamber, City Hall, at 4:00 o'clock P. M., Wednesday, May 26, 1937, with Mayor Pro Tem Albea presiding and Councilman Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Little, Nance, Sides and Wilkinson present.

Absent: Mayor Douglas.

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APPROVAL OF MINUTES.

On motion of Councilman Baxter, seconded by Councilman Hovis, the minutes of the May 19th. meeting were approved as read.

MECKLENBURG COUNTY DRAINAGE COMMISSION.

Dr. G. L. Alexander, Chairman of the Mecklenburg Drainage Commission, appeared before the Council requesting a Committee be appointed by the Council to work in cooperation with the Commission and the County Commissioners to see how the work of draining the creeks within the City of Charlotte can be done, the Legislature having passed an act allowing the Commission to drain the creeks without a petition from the property owners.

After discussion, Councilman Wilkinson, seconded by Councilman Nance and carried, moved that such a committee be appointed.

Mayor Pro Tem Albea then appointed on this Commission Councilman Durham and Baxter, but Councilman Baxter asked to be excused from serving, and Councilman Wilkinson was appointed.

BURTON SMITH REQUESTED INNOCENT AMUSEMENTS BE ALLOWED ON SUNDAYS.

Mr. Burton Smith appeared before the Council at this time, requesting that innocent amusements be allowed on Sunday afternoons in Charlotte, stating that liberalized laws would result in less trouble than now exists, and pointed to newspaper articles showing that gambling establishments are being operated within the City. He stated that the police are doing nothing regarding these places, but Mr. Marshall informed the Council that the Police Department knows of this condition and is doing all it can in view of the new law regarding search warrants.

Councilman Wilkinson stated that if these gambling joints are operating they should be handled, and a discussion was held with the City Attorney as to what the City can do regarding this situation. Mr. Marshall advised that the Police are working now to break it up and that at one place an officer is stationed there at all times.

After further discussion, no action was taken since Mr. Marshall stated the Police are doing all in their power, and the Council proceeded with other business.
May 26, 1937
Page 160.

Mr. C. A. Veach entered a protest against a certain cleaning establishment in Charlotte for ruining a hat left there by him and asked if the City could revoke the license of this concern due to their method of doing business.

The City Attorney advised that this was cause for a civil action but that the City could not revoke the license and there was nothing the City Council could do regarding the matter.

REQUEST FOR POOL TABLE LICENSE.

The City Manager reported that application had been received by the Collector of Revenue from Mr. A. L. Whipple, 3211 North Caldwell St. for a license to operate a pool table at The Dutch Lunch, which he operates. The Collector of Revenue investigated and found no objection to granting this license.

Councilman Sides moved that the matter be handled by the proper authorities if there is no objection to the place. Motion seconded by Councilman Nance and carried.

WATERPROOFING CONTRACT FOR AIRPORT ADMINISTRATION BUILDING.

On motion of Councilman Wilkinson, seconded by Councilman Baxter, the Mayor and Clerk were authorized to sign a contract with the Carolina Waterproofing Company for waterproofing the Administration Building at the Airport, at a cost of $325.00.

Bid received from the Western Waterproofing Company was for $487.00.

CONTRACT WITH S.A.L. RY., COMPANY FOR REPAIRS TO SIDETRACK AT EQUIPMENT DEPOT.

On motion of Councilman Sides, seconded by Councilman Huntley, the Mayor and Clerk were authorized to sign a contract with the S.A.L. Rwy. for repairs to the siding back of the clearance line of their tracks at the Equipment Depot, in the amount of $800.00; this amount being included in last year's budget. This is in accord with agreement between the City and S.A.L. Rwy.

FLOWER SHOW.

The City Manager presented a letter received from Mrs. E. P. Coles, President of the Garden Club, expressing appreciation for the use of the Armory-Auditorium for the Flower Show held on May 20th and 21st.

PURCHASE OF TWO PASSENGER CARS FOR WATER WORKS PROGRAM ENGINEERS.

On motion of Councilman Wilkinson, seconded by Councilman Baxter and unanimously carried, the Mayor and Clerk were authorized to sign a contract with the Pettit Motor Company for two- Sedan Type Passenger Cars for use by the Engineers in connection with the Water Works Program, at a price of $1,385.00 for 85 H.P. cars.

Bids received on these cars were as follows:
May 26, 1937
Page 161

Pettit Motor Company, 85 H.P. $1,325.00
Pettit Motor Company, 60 H.P. 1,251.00
Norfleet Motors, Inc. 1,434.00
Pyramid Motors, Inc. 1,466.00
City Chevrolet Company 1,466.00

WEATHER BUREAU AT AIRPORT

On motion of Councilman Hovis, seconded by Councilman Durham and unanimously carried, the Mayor was authorized to sign contract with the United States Department of Agriculture for occupancy of space at the Municipal Airport by the Weather Bureau.

GYPSY SMITH CAMPAIGN CHECK FOR USE OF ARMORY-AUDITORIUM

The City Manager presented a letter from the Executive Committee of the Gypsy Smith Campaign, together with a check for $350.00 compensating the City for the expense in connection with the use of the Armory during their recent meeting.

Councilman Hudson moved that this be received and that the Council's thanks be extended to this Committee. Motion seconded by Councilman Huntley and unanimously carried.

PREPAYMENT ON TAXES - TENTATIVE RATE SET AT $1.50.

Mr. Marshall reported that since the law provides that the City receive prepayments on 1937-38 taxes at a discount beginning June 1st, it was necessary that the Council fix a tentative rate at which these prepayments will be received, and he recommended that this rate be set at $1.50.

Councilman Hudson, seconded by Councilman Nance, moved that the tentative rate be set at the same rate as last year, $1.45.

After a discussion, Councilman Griswold offered a substitute motion to set the rate at $1.50, which was seconded by Councilman Sides and the following vote recorded:

For the substitute motion: Councilman Baxter, Durham, Griswold, Hovis, Huntley, Little and Sides.

Against: Councilmen Hudson, Nance and Wilkinson.

Mayor Pro Tem Albee declared the motion carried and the tentative rate set at $1.50.

JOINT MEETING OF CITY COUNCIL AND COUNTY BOARD OF COMMISSIONERS.

Mr. H. W. Harkey, Chairman of the County Board of Commissioners requested that a joint meeting of the Council and County Commissioners be called for 3:00 o'clock P.M., June 2nd, in the Mayor's office, for the transaction of business pertaining to both sides, but due to the absence of Mayor Douglas, Councilman Wilkinson moved that the joint meeting be postponed until such time as is suitable to the Mayor and the Chairman of the County Board of Commissioners, which was seconded by Councilman Huntley and unanimously carried.
REQUEST OF SCHOOL BOARD HELD OVER.

Mr. Marshall stated that the committee had not met with regard to the request made at the previous meeting by Mr. Bennett for refund of $3600.00 rent on school board offices, and asked that this be held over another week.

Councilman Sides made a motion that a special committee be appointed to go into this matter and report at the next meeting. Motion seconded by Councilman Durham and carried.

Thereupon, the Mayor Pro Tem appointed on this committee Councilmen Sides, Durham and Hovis.

APPOINTMENT OF MEMBER TO PARK AND RECREATION COMMISSION.

Mayor Pro Tem Albina read a letter addressed to the City Council from Mrs. E. P. Coles declining her appointment on the Charlotte Park and Recreation Commission, and called for nominations to fill this vacancy.

Councilman Baxter, seconded by Councilman Huntley, placed in nomination the name of Dr. Addison Brenizer.

Councilman Griswold, seconded by Councilman Sides, moved that the nominations be closed, and Dr. Brenizer was declared elected to the Park and Recreation Commission by unanimous vote of the Council.

Mr. E. W. Gibson, who was present, expressed his thanks to the Council for appointing him to the Park & Recreation Commission and stated he would endeavor to render the best service he could.

MR. BREVARD GARRISON HE BIDS ON AUTOMOBILES.

Mr. Brevard Garrison called attention of the Council to the small difference in his bid on automobiles and the bid of Pettit Motor Company, who had received the contract, stating that while this bid came through Pettit Motor Company it really was made by Ford.

RESOLUTION TO IMPROVE WINTER STREET, EAST SIDE ONLY, WITH SIDEWALKS, CURB AND GUTTERS.

See inserted forms.

ADJOURNMENT.

After adoption of the Resolution regarding improvement of Winter Street, as per inserted forms, on motion of Councilman Sides, seconded by Councilman Huntley, the meeting adjourned.

City Clerk
CERTIFICATE OF CITY CLERK

AS TO SUFFICIENCY OF PETITION FOR LOCAL IMPROVEMENT.

TO THE HONORABLE GOVERNING BODY OF THE
CITY OF CHARLOTTE, NORTH CAROLINA.

I HEREBY CERTIFY THAT, AS REQUIRED BY SECTION 5 OF CHAPTER 56 OF THE PUBLIC LAWS OF 1915 OF NORTH CAROLINA, I HAVE INVESTIGATED THE SUFFICIENCY OF THE PETITION FOR THE IMPROVEMENT OF

Waver Street. Street from 150 feet north of Belvedere Avenue to north side of Lot A 30, Block D# which petition was duly lodged with me on the 28th Day of May, 1937, and is herewith transmitted to your Honorable Body, and that the result of my investigation is as follows:


THE TOTAL NUMBER OF SAID OWNERS WHO SIGNED SAID PETITION IS 9, BEING MORE THAN A MAJORITY IN NUMBER.

THE TOTAL NUMBER OF LINEAL FEET OF FRONTAGE OF THE LANDS ADJACENT UPON THAT PART OF SAID STREET PROPOSED BY SAID PETITION TO BE IMPROVED IS 450 + 50. THE TOTAL NUMBER OF SAID LINEAL FEET REPRESENTED BY SAID OWNERS WHO SIGNED PETITION IS 450, BEING MORE THAN A MAJORITY.

FOR THE PURPOSE OF SAID PETITION A MAJORITY IN INTEREST OF OWNERS OF UNDIVIDED INTERESTS IN ANY PIECE OF PROPERTY HAVE BEEN DEEMED AND TREATED BY ME AS ONE PERSON.

I FIND THAT THAT PART OF SAID STREET PROPOSED BY SAID PETITION TO BE IMPROVED HAS BEEN DEFINITELY LAID OUT AND THE BOUNDARIES OF THE SAME DEFINITELY FIXED.

I FURTHER FIND THAT SAID PETITION IS IN ALL RESPECTS SUFFICIENT AND IN CONFORMITY WITH ALL THE REQUIREMENTS OF CHAPTER 56 OF THE PUBLIC LAWS OF 1915 OF NORTH CAROLINA, AS AMENDED, (ARTICLE 9, CHAPTER 56 OF THE CONSOLIDATED STATUTES).


IN WITNESS WHEREOF I HAVE HEREBY SET MY HAND AND AFFIXED THE SEAL OF THE CITY OF CHARLOTTE, THIS 28TH DAY OF MAY, 1937.

City Clerk.
REGULAR MEETING OF GOVERNING BODY OF THE CITY OF CHARLOTTE.

Pro Tem

PRESENT: THE MAYOR AND COUNCILMEN, BEING ALL THE MEMBERS OF
THE COUNCIL EXCEPT Mayor Douglas.

THE CITY CLERK PRESENTED A PETITION FOR THE IMPROVEMENT

of______________________from 150 feet north of Belvedere Ave., northerly, to:

north side of lot 260, block 14, duly lodged with her

on May 28th, 1927, 19-37,

TOGETHER WITH HIS CERTIFIED STATEMENT OF HIS INVESTIGATION OF SUCH
PETITION AND RESULT AND SCHEDULE OF PROPERTY OWNERS ATTACHED THERETO,
ALL OF WHICH UPON EXAMINATION WERE FOUND TO BE DULY EXECUTED AND IN
PROPER FORM AND WERE, UPON MOTION DULY MADE, SECONDED AND CARRIED,
ORDERED TO BE SPREAD UPON THE MINUTES AND ARE AS FOLLOWS:

THE ORIGINAL PETITION AND THE CERTIFICATE OF THE CITY
CLERK AND SCHEDULE ATTACHED THERETO HAVING BEEN DULY EXAMINED BY THE
GOVERNING BODY AND FULL CONSIDERATION BEING GIVEN THERETO AND TO OTHER
EVIDENCE AND INFORMATION AFFECTING THE SAME, IT WAS UPON MOTION OF
COUNCILMAN——BAXTER———SECONDED BY COUNCILMAN——SIDES——UNANIMOUSLY

RESOLVED, THAT THE PETITION OF——W. T. Sellers and wife——and
Hann Elouise Sharpe Sellers

OTHERS FOR THE IMPROVEMENT OF______________________from

150 ft. north of Belvedere Ave., northerly, north side of lot 260, block 14.

LODED WITH THE CITY CLERK——May 28th———19-37, AND NOW PRESENTED
BY THE CLERK TO THE GOVERNING BODY WITH HER CERTIFIED STATEMENT OF HER
INVESTIGATION INTO THE SUFFICIENCY THEREOF AND OF THE RESULT OF SUCH
INVESTIGATION, BE AND IS HEREBY FINALLY AND CONCLUSIVELY FOUND AND
DETERMINED TO CONFORM IN ALL RESPECTS TO CHAPTER 56 OF THE PUBLIC LAWS
PASSED BY THE GENERAL ASSEMBLY OF NORTH CAROLINA AT ITS 1915 SESSION
AND RATIFIED FEBRUARY 27, 1915, TOGETHER WITH ALL AMENDMENTS THEREOF,
TO BE SUFFICIENT IN ALL RESPECTS UNDER SUCH ACT, AND

RESOLVED, THAT IT HEREBY IS FINALLY AND CONCLUSIVELY
FOUND AND DETERMINED THAT SUCH PETITION IS SIGNED BY A MAJORITY IN
NUMBER OF THE OWNERS OF THE LAND ABUTTING UPON THE PORTION OF SUCH
STREET PROPOSED TO BE IMPROVED, AND BY OWNERS REPRESENTING A MAJORITY
OF ALL THE LINEAL FEET OF FRONTAGE OF SUCH LANDS, IN ALL RESPECTS AS
REQUIRED BY SECTION 5 OF SUCH ACT.
IV.

On motion of Councilman Baxter, seconded by Councilman Sides, the following resolution was unanimously adopted:

RESOLUTION DETERMINING TO MAKE STREET IMPROVEMENT.

WHEREAS, IN PURSUANCE OF THE PROVISIONS OF CHAPTER 56 OF THE PUBLIC LAWS OF 1915 OF NORTH CAROLINA, AND ALL AMENDMENTS THEREOF, A PETITION FOR THE IMPROVEMENT OF Winter Street, AVE., northwesterly to north side of Lot #30, Block #14, for east side only, IN THE CITY OF CHARLOTTE WAS LODGED WITH THE CITY CLERK AND, ON THE 26TH DAY OF MAY, 1937, SUBMITTED BY THE CITY CLERK TO THE GOVERNING BODY OF SAID CITY WITH HER CERTIFICATE AS TO THE SUFFICIENCY THEREOF, AND WAS ON THE 26TH DAY OF MAY, 1937, DETERMINED BY THE SAID GOVERNING BODY TO BE SUFFICIENT;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CHARLOTTE, AS FOLLOWS:

1. THAT Winter Street, AVE., northerly to north side of Lot #30, Block #14, IN THE CITY OF CHARLOTTE, East side only, BE IMPROVED BY CONSTRUCTING OR RECONSTRUCTING THE SURFACE THEREOF, WITH PERMANENT SIDEWALK, CURB AND GUTTER;

INCLUDING THE GRADING OR REGRADING OF SAID PART OF SAID STREET, AND THE CONSTRUCTION, RECONSTRUCTION AND ALTERING OF CURBS, GUTTERS AND DRAINS THEREIN;

2. THAT 200% PER CENTUM OF THE COST OF SAID IMPROVEMENT, EXCLUSIVE OF SO MUCH OF THE COST AS IS INCURRED AT STREET INTERSECTIONS AND THE SHARE OF RAILROADS AND STREET RAILWAYS (IF ANY), SHALL BE SPECIALY ASSESSED UPON THE LOTS OR PARCELS OF LAND ABUTTING DIRECTLY ON THE IMPROVEMENT, ACCORDING TO THE EXTENT OF THEIR RESPECTIVE FRONTAGES THEREON, BY AN EQUAL RATE PER FOOT OF SUCH FRONTAGE.
3. That it is hereby determined that all assessments herein provided for may be paid in 10 annual installments, upon the terms provided in Chapter 56 of the Public Laws of 1915, and amendments thereof.

4. That the City of Charlotte is hereby directed to construct or reconstruct with suchacks or it contracts with any company not to exceed 30 inches.

5. That the owners of all property abutting on said street improvement are hereby directed to connect their several premises with water mains, gas and sewer pipes located in the street adjacent to their several premises, in accordance with the specifications for such connection prescribed by the charter and general ordinances of the City of Charlotte, and that unless such connections shall be made on or before the 28th day of June 1927, the Governing Body will cause the same to be made, and the cost thereof to be assessed against said company.

6. Said local improvement shall not be made nor any contract let therefor, until bonds of the City of Charlotte shall have been authorized therefor, as required by the Municipal Finance Act, 1919, and amendments thereof.

7. That this resolution be published once in a newspaper published in the City of Charlotte.

This 26th day of May 1927.