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A REGULAR MEETING OF THE CITY COUNCIL WAS HELD IN THE COUNCIL CHAMBER OF THE CITY HALL, ON WEDNESDAY, AUGUST 21, 1935, WITH MAYOR BEN E. DOUGLAS PRESIDING. PRESENT COUNCILMEN ALBEA, BAXTER, BOYD, DURHAM, HOVIS, HUDSON, HUNTLEY, NANCE, SIDES, TIPTON AND WILKINSON.

ABSENT: NONE.

**APPROVAL OF MINUTES:**

ON MOTION OF COUNCILMAN BAXTER, SECONDED BY COUNCILMAN HUNTLEY THE MINUTES OF THE MEETING OF AUGUST 14, 1935, WERE UNANIMOUSLY APPROVED AS READ.

**RESIDENTS OF BELMONT SECTION PETITION FOR BRIDGE ACROSS ALEXANDER STREET.**

MR. J. H. FULLERTON APPEARED BEFORE THE COUNCIL IN BEHALF OF CERTAIN RESIDENTS OF THE BELMONT SECTION RELATIVE TO A BRIDGE OR SOME PASSAGEWAY ACROSS ALEXANDER ST., STATING THAT THERE IS NOW ONLY A TEMPORARY FOOT-BRIDGE ACROSS THIS STREET, WHICH IS NOT SATISFACTORY IN WET WEATHER. HE PRESENTED A PETITION SIGNED BY A NUMBER OF RESIDENTS OF THAT SECTION FOR THIS BRIDGE.

COUNCILMAN BOYD EXPLAINED THAT WORK WAS DONE ON THIS STREET UNDER C.W.A., AND THE REASON THE FORMER COUNCIL DID NOT BUILD A PERMANENT BRIDGE WAS THAT THEY DID NOT HAVE THE MONEY TO DO SO.

MR. MARSHALL, THE CITY MANAGER, EXPLAINED THAT THE CITY WOULD HAVE TO TAKE THIS STREET OVER BEFORE ANYTHING IS DONE.

THIS MATTER WAS REFERRED TO THE PUBLIC WORKS COMMITTEE AND THE CITY MANAGER TO LOOK INTO AND MAKE RECOMMENDATION.

**RESOLUTION ADOPTED BY CHARLOTTE CHAMBER OF COMMERCE RELATIVE TO AIRPORT.**

COUNCILMAN SIDES PRESENTED ON BEHALF OF THE CHARLOTTE CHAMBER OF COMMERCE THE FOLLOWING RESOLUTION, WHICH WAS RECEIVED AS INFORMATION:

WHEREAS, THIS CITY IS NOW WITHOUT ADEQUATE AIR-MAIL OR PASSENGER SERVICE; AND

WHEREAS, SUCH SERVICE IS A VITAL NEED EFFECTIVE EVERY PHASE OF THE ECONOMIC WELFARE OF THIS CITY;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CHARLOTTE CHAMBER OF COMMERCE THAT THE GOVERNING BODY OF THIS CITY BE CALLED UPON AND URGED TO EXERT ITS EVERY EFFORT AND POWER TOWARD THE IMMEDIATE ESTABLISHMENT IN THIS CITY OF AIR-PORT FACILITIES IN KEEPING WITH THE NEEDS OF THIS COMMUNITY.

BE IT FURTHER RESOLVED THAT ALL MEMBERS OF THIS ORGANIZATION BE AND THEY ARE THEY ARE NOW REQUESTED TO COOPERATE WITH THE CITY AUTHORITIES IN CARRYING OUT THE PURPOSE EXPRESSED IN THIS RESOLUTION.

THIS 20TH DAY OF AUGUST, 1935

REPORT OF COMMITTEE ON PAYING FUNERAL EXPENSES OF FRANK BROOM, JR.

COUNCILMAN SIDES, REPORTED THAT UPON INVESTIGATION HIS COMMITTEE HAD BEEN ADVISED THAT THE SUIT GROWING OUT OF THE DEATH OF FRANK BROOM, JR., WHO WAS KILLED BY A SANITARY DEPT. TRUCK, IS NOW PENDING IN COURT AND IF SETTLEMENT IS MADE THROUGH THE COURT THE CITY WOULD NOT PAY FUNERAL EXPENSES REQUESTED. IF THE CASE IS LOST IN COURT, HOWEVER, THEN THE COUNCIL WILL TAKE THE MATTER UP FURTHER.

LETTER FROM CIVIL SERVICE COMMISSION REQUESTING DEMOTION OF CHIEF E. D. PITTMAN.

MAYOR DOUGLAS PRESENTED A LETTER RECEIVED FROM MR. C. M. WESTBROOK, VICE CHAIRMAN OF THE CIVIL SERVICE COMMISSION REQUESTING THE DEMOTION OF CHIEF E. D. PITTMAN AND THE APPOINTMENT OF MR. FRANK LITTLEJOHN.

COUNCILMAN HUDSON MOVED THAT THE CITY COUNCIL NOT ACCEPT THE RECOMMENDATION OF THE CIVIL SERVICE COMMISSION, WHICH MOTION WAS SECONDED BY COUNCILMAN BOYD AND CARRIED UNANIMOUSLY.

ETON STREET TO BE TAKEN OVER FOR CITY MAINTENANCE.

THE CITY MANAGER REPORTED THAT HE HAD RECEIVED REQUEST FROM MR. HENRY DOCKERY, ATTORNEY FOR THE PARKS LAND COMPANY, THAT THE CITY SURFACE AND TAKE OVER FOR MAINTENANCE ETON STREET, ADJACENT TO THE NEW CHEVROLET PLANT ON STATESVILLE AVENUE. MR. DOCKERY STATES THAT THE PARKS LAND COMPANY HAD AN AGREEMENT WITH THE FORMER COUNCIL THAT IF A PLANT, COSTING IN THE NEIGHBORHOOD OF \$200,000.00 WAS BUILT BY THE CHEVROLET COMPANY IN THAT VICINITY THAT THE CITY WOULD TOPSOIL AND TAKE OVER FOR MAINTENANCE ETON STREET. THE COST OF THIS WORK WOULD APPROXIMATE \$175.00. MR. MARSHALL ADVISED THAT IF THE PLANT WAS BUILT WITH THE DISTINCT UNDERSTANDING THAT THE CITY WOULD OPEN AND MAINTAIN THIS STREET THEN IT SEEMED ADVISABLE TO CARRY OUT THE AGREEMENT.

COUNCILMAN SIDES MOVED THAT THE CITY ACCEPT THIS STREET, DO THE WORK AND TAKE SAME OVER FOR CITY MAINTENANCE, WHICH WAS SECONDED BY COUNCILMAN HUDSON AND UNANIMOUSLY CARRIED.

ASSESSMENT ROLL - WEST MOREHEAD STREET WIDENING - ADOPTED.

THE MAYOR STATED THAT, NOTICE HAVING HERETOFORE BEEN GIVEN IN BOTH DAILY NEWSPAPERS OF CHARLOTTE, A MEETING OF THE CITY COUNCIL WOULD BE HELD ON WEDNESDAY AUGUST 21, 1935, IN THE COUNCIL CHAMBER AT THE CITY HALL, AT 4:30 O'CLOCK P.M., FOR THE PURPOSE OF HEARING ALL ALLEGATIONS AND OBJECTIONS RELATIVE TO THE ADOPTION OF THE ASSESSMENT ROLL FOR THE WIDENING AND PERMANENTLY IMPROVING OF WEST MOREHEAD STREET BETWEEN TRYON STREET AND CHURCH STREET, AND THE THE TIME HAD ARRIVED FOR THE HEARING OF ALLEGATIONS AND OBJECTIONS IN RESPECT THERETO, AND REQUESTED ALL PERSONS INTERESTED TO PRESENT THEIR ALLEGATIONS AND OBJECTIONS IN RESPECT TO THE ASSESSMENT FOR THE WIDENING AND PERMANENTLY IMPROVING OF THE SAID WEST MOREHEAD STREET.

WHEREUPON, MR. OTTO HAAS, REPRESENTING MR. T. W. WADE, PRESENTED AND HAD READ A LETTER FROM MR. WADE IN PROTEST OF THE AWARD OF DAMAGES AND ASSESSMENT OF HIS PROPERTY AT THE CORNER OF SOUTH TRYON AND WEST MOREHEAD STREETS, WHICH LETTER WAS FILED WITH THE CLERK. MR. HAAS STATED THAT THE APPRAISALS WERE ENTIRELY TOO LOT AND THAT IF THE MATTER IS SETTLED OUT OF COURT MR. WADE WILL BE WILLING TO ACCEPT \$12,000 AS DAMAGES, AS SET FORTH IN HIS LETTER, BUT IF NECESSARY TO TAKE TO COURT THEN THAT AMOUNT WOULD BE WITHDRAWN IN FAVOR OF A LARGER AMOUNT.

MR. JAKE NEWELL, REPRESENTING MR. JOHN T. RIGLER,

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WHO OWNS A LOT ON THE NORTH SIDE OF THE BLOCK, ASKED FOR AN AMENDMENT TO THE APPRAISAL IN A WAY TO DO JUSTICE TO MR. RIGLER, STATING THAT MR. RIGLER'S PROPERTY WAS NOT ASSESSED ON THE SAME BASIS AS ADJOINING LOT OF THE SAME SIZE OWNED BY THE REIDS.

MR. J. F. WILKES PROTESTED ON THE BASIS OF THREE ITEMS NAMELY:

1. THE \$1,000 ATTORNEYS FEES.
2. \$750.00 FOR ENGINEERING EXPENSES
3. \$500.00 TO LEE KINNEY FOR MAKING THE APPLICATION TO WIDEN WEST MOREHEAD STREET.

HE ASKED THAT THESE THREE ITEMS BE RECONSIDERED AND REDUCED, THAT IT WAS WRONG TO TAX PRIVATE CITIZENS WITH SERVICES OF THIS KIND IN ADDITION TO THE BENEFITS TO BE PAID. HE STATED, HOWEVER, THAT HE WAS NOT PROTESTING THE ASSESSMENT, ALTHOUGH HE HAD BITTERLY OPPOSED THE WIDENING OF MOREHEAD STREET FROM THE BEGINNING, AND THAT HE WAS BEING PAID LESS FOR 60 FEET OF LAND THAT HIS NEIGHBOR NEXT DOOR HAS BEEN FOR 45 FEET, BUT THAT HE DID PROTEST BEING TAXED WITH HIS SHARE OF THE THREE ABOVE MENTIONED ITEMS.

#### BOARD OF COMMISSIONS PRESENT AND EXPLAINED THE APPRAISAL.

THE CITY MANAGER ANNOUNCED THAT THE BOARD OF COMMISSIONERS WHO HAD MADE THE APPRAISAL WERE PRESENT AND CALLED ON THE CHAIRMAN, MR. O. J. THIES TO EXPLAIN HOW THEIR APPRAISALS WERE ARRIVED AT.

MR. THIES STATED IT WAS PRORATED AND THE COST KEPT AS LOW AS POSSIBLE IN ORDER THAT THE BENEFITS AND DAMAGES WOULD NOT BE TOO GREAT. HE STATED THERE WAS NO WAY OF ABSOLUTELY DETERMINING THE INTRINSIC VALUE OF LAND BUT SET UP AND FIGURED EACH LOT ON A SQUARE FOOT AREA AND GAVE CREDIT BACK FOR THE STRIP BEING TAKEN TO WIDEN AT THE SAME RATE. HE STATED LESS PERCENTAGE WAS ALLOWED ON CORNER LOTS THAN ON INSIDE LOTS AS THEY DO NOT NEED STREETS AS BADLY AS INTERIOR LOTS. AS TO THE DAMAGES TO THE BUILDINGS, HE ADVISED THAT ESTIMATES WERE RECEIVED FROM THREE RELIABLE CONTRACTORS AS TO THE COST OF MOVING THE HOUSES BACK. HE ALSO STATED THAT THE COMMISSIONERS HAD DECIDED THAT IT WOULD BE BETTER FOR THE CITY TO BUILD THE RETAINING WALLS IN ORDER TO MAKE IT ALL UNIFORM AND THAT THEY ALLOWED \$1500.00 FOR THAT.

MR. J. E. BARRENTINE ALSO SPOKE IN EXPLANATION OF THIS APPRAISAL, AND MR. J. H. CARSON EXPLAINED THAT CERTAIN LOTS HAD CORNER INFLUENCE VALUES ON PROPERTY AND THAT THE APPRAISAL IS AS NEAR CORRECT AS REAL ESTATE PROPORTIONS CAN BE.

MR. NEWELL CALLED UPON MR. CARSON TO EXPLAIN WHY THERE WAS A DIFFERENCE IN THE REID AND RIGLER LOTS WHICH ADJOIN, GIVING THE FIGURES WHICH HE HAD ON EACH LOT, AND MR. CARSON EXPLAINED THAT ALL THE LOTS WERE VALUED THE SAME, AT \$70.00 PER FOOT, BUT THAT IN MOVING THE HOUSES THOSE WHICH HAD BASEMENTS WOULD COST MORE TO MOVE THAN THOSE WITHOUT, THEREFORE, MORE DAMAGES WERE ALLOWED.

MR. FRANK ORR, ATTORNEY HANDLING THIS MATTER FOR THE CITY, STATED THAT EACH HOUSE AND LOT HAD TWO APPRAISALS, ONE ITEM OF DAMAGES FOR THE LAND AND ONE FOR THE HOUSE.

MR. NEWELL STATED THAT THE RIGLER LOT INCLUDED A FIVE FOOT PRIVATE ALLEY WHICH THEY HAD ALSO BEEN ASSESSED FOR, AND AFTER MUCH DISCUSSION IT WAS ASCERTAINED THAT THE APPRAISAL WAS BASED ON 35 FOOT FRONTAGE INSTEAD OF 30 FOOT, BUT THAT THEY WERE NOT BEING PAID FOR THE ALLEY. COUNCILMAN DURHAM ASKED IF THE 35 FOOT FRONTAGE WAS RETURNED FOR TAXES AND WAS ADVISED THAT IT WAS.

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MR. HAAS STATED THAT MR. WADE HAD PAID \$1550 PER FRONT FOOT FOR HIS PROPERTY AND WAS ONLY GETTING \$471.00 FOR SAME. MR. THIES EXPLAINED TO MR. HAAS THAT IF MR. WADE HAD BEEN PAID AT THE RATE SUGGESTED THEN IN TURN HE WOULD BE BENEFITTED ON THE SAME PERCENTAGE AND WOULD BE WORSE OFF THAN HE NOW IS.

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COUNCILMAN E  
FOLLOWING RESOLUTION, WHI

OF THE  
WILKINSON;

BE IT RESOLVE  
MATTER OF THE WIDENING AND  
HEAD STREET FROM SOUTH TRY  
UP BY THE BOARD OF COMMISS  
SUPERIOR COURT OF MECKLENB  
ENTITLED 'CITY OF CHARLOTTE  
VS. THOMAS W. WADE AND WIFE  
ASSESSMENT ROLL WAS, ON THE  
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PECTS,

BE IT FURTHER R... THAT THE SAID REPORT OF SAID BOARD OF COMMISSIONERS AS TO DAMAGES AWARDED AND BENEFITS OR ASSESSMENTS MADE BY REASON OF SAID WIDENING AND PAVING OF SAID WEST MOREHEAD STREET BETWEEN TRYON AND CHURCH STREETS BE CONFIRMED, APPROVED AND ADOPTED: AND

BE IT FURTHER RESOLVED THAT IT SHALL BE THE DUTY OF THE CITY CLERK TO IMMEDIATELY DELIVER A COPY OF THE SAID ASSESSMENT ROLL FOR THE WIDENING AND PAVING OF WEST MOREHEAD STREET BETWEEN TRYON STREET AND CHURCH STREET, TO THE COLLECTOR OF REVENUE OF THE CITY OF CHARLOTTE,"

THE VOTE ON THE FOREGOING RESOLUTION WAS TAKEN BY AYES AND NAYES AND IS AS FOLLOWS:

FIRST READING:

AYES: COUNCILMEN ALBEA, BAXTER, BOYD, DURHAM, HOVIS, HUDSON, HUNTLEY, NANCE, SIDES, TIPTON AND WILKINSON.

NAYES: NONE.

SECOND READING:

AYES: COUNCILMEN ALBEA, BAXTER, BOYD, DURHAM, HOVIS, HUDSON, HUNTLEY, NANCE, SIDES, TIPTON AND WILKINSON.

NAYES: NONE.

THIRD AND FINAL READING:

AYES: COUNCILMEN ALBEA, BAXTER, BOYD, DURHAM, HOVIS, HUDSON, HUNTLEY, NANCE, SIDES, TIPTON AND WILKINSON.

NAYES: NONE

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THE RESOLUTION WAS ADOPTED AND SAID ASSESSMENT ROLL DULY CONFIRMED APPROVED AND ADOPTED AT 5:25 O'CLOCK P. M. ON THE 21ST, DAY OF AUGUST, 1935; AND A NOTATION THEREOF DULY MADE UPON THE ORIGINAL ASSESSMENT ROLL HERETOFORE CERTIFIED TO THE CITY CLERK.

COUNCILMAN BOYD STATED THAT IF MR. RIGLER IS TAXED ON A 5 FOOT ALLEY THEN HE SHOULD BE PAID FOR IT. MR. ORR STATED THAT THE COUNCIL CAN REMEDY THAT IF THEY SEE FIT, WHEREUPON, COUNCILMAN BOYD MOVED THAT THE RIGLER LOT BE MADE THE SAME AS THE REID LOT, WHICH DIFFERENCE AMOUNTS TO \$26.84. MOTION SECONDED BY COUNCILMAN SIDES AND UNANIMOUSLY CARRIED.

REPORT OF CITY MANAGER.

CHARLOTTE'S PROPORTION OF \$500,000 MAINTENANCE FUND NOT SUFFICIENT.

THE CITY MANAGER REPORTED THAT HE HAD BEEN ADVISED BY THE CHAIRMAN OF THE STATE HIGHWAY AND PUBLIC WORKS COMMISSION THAT CHARLOTTE'S PROPORTION OF THE \$500,000 MAINTENANCE FUND WOULD BE \$14,700.00, STATING THAT HIS UNDERSTANDING WAS THAT THIS FUND WOULD BE ALLOCATED PROPORTIONATELY TO THE POPULATION AND THAT IT WAS ASSUMED THAT CHARLOTTE WOULD RECEIVE APPROXIMATELY \$40,000. HE ADVISED THAT HE HAD TAKEN THIS MATTER UP WITH THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES TO MAKE AN ENGAGEMENT WITH THE N. C. HIGHWAY COMMISSION TO DISCUSS THE MATTER AND PRESENTED A LETTER RECEIVED FROM MR. WAYNICK OF THE HIGHWAY COMMISSION RELATIVE TO SAME.

COUNCILMAN BOYD MOVED THAT THE CITY PROTEST AND TAKE WHATEVER STEPS ARE NECESSARY TO GET OUR PRO RATA AMOUNT OF THESE FUNDS. THIS MOTION SECONDED BY COUNCILMAN ALBEA AND UNANIMOUSLY CARRIED.

OVERHEAD BRIDGE ON DOWD ROAD.

THE CITY MANAGER REPORTED THAT THE STATE HIGHWAY COMMISSION HAS APPROVED THE CONSTRUCTION OF AN OVERHEAD BRIDGE ON THE DOWD ROAD JUST SOUTH OF THE PRESENT GRADE CROSSING, AND PRESENTED A LETTER WHICH HE HAD RECEIVED FROM MR. WAYNICK OF THE HIGHWAY COMMISSION IN REGARD TO SAME. HE ALSO STATED THAT HE HAD HAD THIS RIGHT-OF-WAY APPRAISED AND GAVE AS HIS OPINION THAT IF IT WAS CONDEMNED IT WOULD COST THE CITY APPROXIMATELY \$3,000.00. THAT ACCORDING TO HIS UNDERSTANDING, THE CITY MUST FURNISH THE RIGHT-OF-WAY IN ORDER TO GET THE BRIDGE, AND ASKED FOR AN EXPRESSION FROM THE COUNCIL AS TO JUST WHAT TO ADVISE MR. WAYNICK.

COUNCILMAN ALBEA THEN MADE A MOTION, SECONDED BY COUNCILMAN HUDSON, WHICH WAS UNANIMOUSLY CARRIED, TO HOLD THIS OVER FOR ANOTHER WEEK TO LET THE CITY MANAGER GET MORE INFORMATION ON SAME.

CONTRACT WITH MEXICAN PETROLEUM CORPORATION FOR ASPHALT.

ON MOTION OF COUNCILMAN HOVIS, SECONDED BY COUNCILMAN DURHAM, AND UNANIMOUSLY CARRIED, THE MAYOR AND CITY CLERK WERE AUTHORIZED TO SIGN CONTRACT WITH THE MEXICAN PETROLEUM CORPORATION FOR THE PURCHASE OF 6,000 GALLONS OF EMULSIFIED ASPHALT FOR DUST LAYING, AT A PRICE OF \$0.07 PER GALLON.

RESIGNATION OF CHAIRMAN A. P. WHITE, CIVIL SERVICE COMMISSION.

CITY MANAGER MARSHALL READ A LETTER OF RESIGNATION FROM MR. A. P. WHITE, CHAIRMAN OF THE CIVIL SERVICE COMMISSION, AND COUNCILMAN HOVIS MOVED THAT THIS RESIGNATION BE ACCEPTED, WHICH MOTION WAS SECONDED BY COUNCILMAN HUDSON AND UNANIMOUSLY CARRIED.

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**SALE OF JUDGMENT FUNDING NOTES \$11,500 TO AMERICAN TRUST COMPANY.**

THE CITY MANAGER ADVISED THAT THE LOCAL GOVERNMENT COMMISSION HAVE SOLD THE \$11,500.00 JUDGMENT FUNDING NOTES TO THE AMERICAN TRUST COMPANY FOR 2% PLUS A PERMIUM OF \$12.50.

**LETTER FROM MR. C. M. WESTBROOK OF THE CIVIL SERVICE COMMISSION.**

THE CITY MANAGER READ THE FOLLOWING LETTER WHICH HE HAD RECEIVED FROM MR. C. M. WESTBROOK, VICE CHAIRMAN OF THE CIVIL SERVICE COMMISSION, FOR ACTION OF THE COUNCIL:

"IN VIEW OF THE RESOLUTION DIRECTING THE CIVIL SERVICE COMMISSION TO TAKE IMMEDIATE ACTION TO BE ASSURED OF BETTER DISCIPLINE IN THE POLICE DEPARTMENT AND IN VIEW OF THE COMMISSION'S RECOMMENDATION THAT THE PRESENT CHIEF OF POLICE BE DEMOTED IMMEDIATELY, AND SINCE THE PRESENT CHIEF WAS NOT DEMOTED, THIS COMMISSION WISHES TO GO ON RECORD THAT IT WILL NOT BE IN POSITION TO PROCEED WITH ANY DISCIPLINARY OR REORGANIZATION STEPS UNTIL A NEW CHIEF OF POLICE OR ACTING CHIEF OF POLICE HAS BEEN NAMED.

THE COMMISSION IS WILLING TO DEVOTE ITS BEST EFFORTS TO PROPERLY CORRECTING THE CONDITION UNDER A NEW CHIEF BUT IF THE COUNCIL DOES NOT SEE FIT TO ELECT A NEW CHIEF THIS COMMISSION IS READY TO RESIGN IN A GROUP AT THE WILL OF THE COUNCIL, AND WE ASK OF YOU, MR. MARSHALL, THAT YOU TAKE CHARGE OF THE COMMISSION'S PART IN RUNNING THE POLICE DEPARTMENT UNTIL SUCH TIME AS WE HAVE BEEN DEFINITELY ADVISED OF THE COUNCIL'S WISHES.

AS A MATTER OF INFORMATION WE WISH TO INFORM YOU THAT A COMPLETE INVESTIGATION HAS BEEN MADE AND THAT THIS COMMISSION WILL BE READY TO TAKE ACTION ON SAME AS QUICKLY AS WE HAVE AN ANSWER."

COUNCILMAN WILKINSON MOVED THAT THIS LETTER BE RECEIVED AS INFORMATION, WHICH WAS SECONDED BY COUNCILMAN ALBEA, WITH THE FOLLOWING VOTES BEING TAKEN:

AYES: COUNCILMEN ALBEA, WILKINSON, NANCE AND TIPTON.  
NAYES: COUNCILMEN DURHAM, SIDES, HOVIS, BOYD, HUNTLEY, AND HUDSON. COUNCILMAN BAXTER BEING ABSENT FROM THE COUNCIL CHAMBER AT THIS TIME.

THE MAYOR DECLARED THE MOTION LOST.

COUNCILMAN DURHAM THEN MOVED TO ACCEPT THE RESIGNATION OF MR. WESTBROOK AND DR. SQUIRES, WHICH WAS SECONDED BY COUNCILMAN HUNTLEY.

AFTER DISCUSSION COUNCILMAN DURHAM, WITHDREW THIS MOTION, AND COUNCILMAN HOVIS MADE A MOTION THAT THE CITY COUNCIL GO ON RECORD AS ASKING FOR THE RESIGNATION OF THE TWO REMAINING MEMBERS OF THE CIVIL SERVICE COMMISSION BASED UPON INFORMATION CONTAINED IN THEIR LETTER OF AUGUST 15TH.

MOTION CARRIED, WITH COUNCILMEN ALBEA, AND BOYD VOTING "NAYE"

**ADOPTION OF 1935-36 BUDGET.**

THE CITY MANAGER STATED THAT THE BUDGET FOR 1935-36 HAD BEEN PREPARED AND IS NOW SUBMITTED FOR ADOPTION:

COUNCILMAN SIDES STATED HE OBJECTED TO THE CHARGING OF RENTALS TO THE CITY SCHOOLS AND MOVED THAT THIS ITEM BE DROPPED FROM THE BUDGET. MOTION SECONDED BY COUNCILMAN BOYD, THE FOLLOWING VOTE BEING RECORDED:

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AYES: COUNCILMAN SIDES, BOYD AND HOVIS,  
NAYES: COUNCILMAN ALBEA, DURHAM, NANCE, HUDSON, TIPTON AND HUNTLEY.  
COUNCILMAN WILKINSON NOT VOTING AND COUNCILMAN BAXTER BEING  
ABSENT FROM THE COUNCIL CHAMBER AT THIS TIME.

MOTION LOST.

COUNCILMAN SIDES THEN MOVED THAT THE PARK & RECREATION  
COMMISSION, THE CHARLOTTE NEWS AND THE CHARLOTTE OBSERVER ALL BE  
CHARGED WITH RENTALS, AS WELL AS THE POLICE DEPARTMENT, THE SAME  
AS THE SCHOOLS. NO SECOND TO THIS MOTION.

AN ORDINANCE RELATIVE TO THE ADOPTION  
OF THE APPROPRIATION BUDGET FOR THE CITY OF CHARLOTTE  
FOR THE FISCAL YEAR 1935-1936

WHEREAS, THE FOLLOWING APPROPRIATION BUDGET HAS BEEN PRE-  
PARED AND SUBMITTED TO THE MAYOR AND CITY COUNCIL OF THE CITY OF  
CHARLOTTE, WHICH HAS BEEN CONSIDERED AND STUDIED BY THE MAYOR AND  
EACH OF THE CITY COUNCILMEN, AND CITY MANAGER, AND

WHEREAS, THE LAW REQUIRES THAT THIS APPROPRIATION BUDGET  
BE ADOPTED NOT LATER THAN WEDNESDAY AFTER THE THIRD WEDNESDAY IN  
AUGUST:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY  
OF CHARLOTTE:

SECTION 1. THAT THERE IS HEREBY SET ASIDE AND APPROPRIAT-  
ED FROM THE FUNDS ON HAND AND CURRENT REVENUES RECEIVED AND TO BE  
RECEIVED DURING THE FISCAL YEAR 1935-36, FOR THE MAINTENANCE AND  
OPERATION OF THE GENERAL GOVERNMENT OF THE CITY OF CHARLOTTE, THE  
FOLLOWING AMOUNTS OF MONEY AND THE PAYMENT OF SAID SUMS ARE HERE-  
BY AUTHORIZED FOR THE ITEMS HEREIN SET OUT:

CITY OF CHARLOTTE  
BUDGET APPROPRIATIONS  
JULY 1, 1935 TO JUNE 30, 1936

PURPOSE	FUND	EXPENDITURES		BUDGET 1935-1936
		1933-1934	1934-1935	
<u>OPERATING AND MAINTENANCE</u>				
GENERAL FUND		967,298.60	1,009,488.67	1,008,456.85
WATER AND SEWER FUND		264,056.02	265,272.59	251,034.00
TOTAL OPERATING AND MAIN- TENANCE		1,231,354.62	1,174,761.26	1,259,490.85
<u>CAPITAL OUTLAY</u>				
GENERAL FUND		31,295.05	55,853.31	30,903.60
WATER AND SEWER FUND		3,582.38	14,994.02	20,580.00
TOTAL CAPITAL OUTLAY		34,877.43	70,847.33	51,483.60
<u>DEBT SERVICE</u>				
MUNICIPAL DEBT SERVICE FUND		546,144.65	473,638.03	412,452.72
WATER - SEWER DEBT SERVICE		257,886.77	280,732.18	285,869.89
TOTAL DEBT SERVICE		804,131.42	754,370.21	698,322.61

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GENERAL FUND	.00	.00	88,437.23
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TOTAL	2,070,363.47	2,099,978.80	2,097,734.40

CITY OF CHARLOTTE  
BUDGET REQUIREMENTS  
JULY 1, 1935-JUNE 30, 1936

REVENUES

GENERAL FUND	1,118,013.67	952,667.65	1,123,615.29
WATER & SEWER FUND	213,425.84	299,608.10	271,614.00
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TOTAL	1,331,439.51	1,252,275.75	1,395,229.29
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MUNICIPAL DEBT SERV. FUND	589,829.33	518,876.86	412,452.72
WATER & SEWER DEBT SERVICE FUND	257,886.77	,279,459.51	285,869.89
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	847,716.10	798,336.37	698,322.61
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TOTAL REVENUES	2,179,155.61	2,050,612.12	2,093,551.90
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<u>SALES OF CAPITAL ASSETS</u>			
GENERAL FUND	533.75	911.18	4,182.50
WATER & SEWER FUND	.00	6,900.00	.00
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TOTAL SALE OF CAPITAL ASSET	533.75	7,811.18	4,182.50
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TOTAL REVENUES & SALE OF CAPITAL ASSETS.	2,179,689.36	2,058,423.39	2,097,734.40
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For itemized or detail Budget see File #98, in Drawer #45, City  
Clerk's Vault, which itemized budget is made a part of this Ordinance.



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COUNCILMAN HOVIS MOVED THAT THE ORDINANCE BE ADOPTED, WHICH MOTION WAS SECONDED BY COUNCILMAN HUDSON AND WAS PUT TO A VOTE WITH THE FOLLOWING:

COUNCILMAN ALBEA	VOTE	AYE
COUNCILMAN BAXTER	VOTE	AYE
COUNCILMAN BOYD	VOTE	AYE
COUNCILMAN DURHAM	VOTE	AYE
COUNCILMAN HOVIS	VOTE	AYE
COUNCILMAN HUDSON	VOTE	AYE
COUNCILMAN HUNTLEY	VOTE	AYE
COUNCILMAN NANCE	VOTE	AYE
COUNCILMAN SIDES	VOTE	AYE
COUNCILMAN TIPTON	VOTE	AYE
COUNCILMAN WILKINSON	VOTE	AYE

THE RULES WERE SUSPENDED AND THE ORDINANCE IMMEDIATELY PUT UPON ITS SECONDED READING, WITH THE FOLLOWING RESULTS:

COUNCILMAN ALBEA	VOTE	AYE
COUNCILMAN BAXTER	VOTE	AYE
COUNCILMAN BOYD	VOTE	AYE
COUNCILMAN DURHAM	VOTE	AYE
COUNCILMAN HOVIS	VOTE	AYE
COUNCILMAN HUDSON	VOTE	AYE
COUNCILMAN HUNTLEY	VOTE	AYE
COUNCILMAN NANCE	VOTE	AYE
COUNCILMAN SIDES	VOTE	AYE
COUNCILMAN TIPTON	VOTE	AYE
COUNCILMAN WILKINSON	VOTE	AYE

RULES WERE SUSPENDED AND THE ORDINANCE IMMEDIATELY PLACED UPON ITS THIRD AND FINAL READING WITH THE FOLLOWING RESULTS:

COUNCILMAN ALBEA	VOTE	AYE
COUNCILMAN BAXTER	VOTE	AYE
COUNCILMAN BOYD	VOTE	AYE
COUNCILMAN DURHAM	VOTE	AYE
COUNCILMAN HOVIS	VOTE	AYE
COUNCILMAN HUDSON	VOTE	AYE
COUNCILMAN HUNTLEY	VOTE	AYE
COUNCILMAN NANCE	VOTE	AYE
COUNCILMAN SIDES	VOTE	AYE
COUNCILMAN TIPTON	VOTE	AYE
COUNCILMAN WILKINSON	VOTE	AYE

UPON THE FOREGOING RECORDED VOTE THE ORDINANCE WAS DULY ADOPTED AND DECLARED TO BE THE BUDGET ORDINANCE OF THE CITY OF CHARLOTTE FOR THE FISCAL YEAR 1935-36.

RATIFIED THIS 21ST. DAY OF AUGUST 1935.

**TAX RATE ORDINANCE ADOPTED.**

THE CITY MANAGER THEN PRESENTED THE FOLLOWING ORDINANCE:

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

SECTION 1. FOR THE PURPOSE OF DEFRAYING THE GENERAL EXPENSES OF THE CITY OF CHARLOTTE FOR THE FISCAL YEAR 1935 -1936; THE PAYING OF INTEREST ACCRUED AND TO ACCRUE, THE RETIREMENT OF MATURING BONDS, ADDITIONS TO THE SINKING FUNDS; FOR THE PARTIAL OPERATION OF SCHOOLS; FOR THE CHARLOTTE PARK AND RECREATION COMMISSION, THERE IS HEREBY LEVIED UPON ALL REAL AND PERSONAL PROPERTY LOCATED WITHIN THE LIMITS OF THE CITY OF CHARLOTTE, NORTH CAROLINA, THE FOLLOWING RATES OF TAXATION:

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(A) FOR GENERAL GOVERNMENT EXPENSES .8918 ON THE ONE HUNDRED DOLLARS VALUATION OF REAL AND PERSONAL PROPERTY AND A TAX ON POLLS OF \$1.00 EACH.

(B) FOR THE PAYMENT OF INTEREST, THE RETIREMENT OF MATURING BONDS AND ADDITIONS TO SINKING FUNDS OF THE GENERAL GOVERNMENT DEBT AND STREET BONDS .1659 ON THE ONE HUNDRED DOLLARS VALUATION OF REAL AND PERSONAL PROPERTY.

(C) FOR THE PAYMENT OF INTEREST, THE RETIREMENT OF MATURING BONDS AND ADDITIONS TO SINKING FUNDS ON SEWERAGE BONDS .0343 ON THE ONE HUNDRED DOLLARS VALUATION OF REAL AND PERSONAL PROPERTY, AND 3¢ PER LINEAL FRONT FOOTAGE OF REAL ESTATE OF EACH RESPECTIVE OWNER HAVING SEWERAGE LINES IN FRONT OF THE SAID PROPERTY OR WHICH IS BEING SERVED BY CITY SEWERAGE.

(D) FOR THE PAYMENT OF INTEREST, THE RETIREMENT OF MATURING BONDS, AND ADDITIONS TO SINKING FUNDS, ON SCHOOL BONDS .1172 ON THE ONE HUNDRED DOLLARS VALUATION OF REAL AND PERSONAL PROPERTY.

(E) FOR THE PARTIAL OPERATION OF SCHOOLS .2334 ON THE ONE HUNDRED DOLLARS VALUATION OF REAL AND PERSONAL PROPERTY.

(F) FOR THE USE OF CHARLOTTE PARK AND RECREATION COMMISSION .0174 ON THE ONE HUNDRED DOLLARS VALUATION OF REAL AND PERSONAL PROPERTY.

SECTION 2. THE CITY TAX COLLECTOR OR COLLECTOR OF REVENUE OF THE CITY OF CHARLOTTE IS HEREBY AUTHORIZED, EMPOWERED AND DIRECTED TO PROCEED TO COLLECT TAXES LEVIED UPON ALL REAL AND PERSONAL PROPERTY LOCATED WITHIN THE CITY OF CHARLOTTE, BASED UPON THE FOREGOING RATES; PROVIDED, THAT ON ALL TAXES PAID AFTER THE FIRST MONDAY IN OCTOBER 1935 THERE SHALL BE ADDED INTEREST AT THE RATE OF EIGHT PERCENTUM PER ANNUM FOR ONE YEAR AND SIX PERCENTUM PER ANNUM THEREAFTER UNTIL PAID.

SECTION 3. THE CITY TREASURER IS HEREBY AUTHORIZED, EMPOWERED AND DIRECTED TO APPORTION THE FUNDS COMING INTO HIS HANDS FROM TAXES COLLECTED FOR THE FISCAL YEAR 1935-36, ACCORDING TO THE RATES AND CLASSIFICATIONS FIXED IN SECTION 1 HEREOF.

SECTION 4. THAT ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH ARE HEREBY REPEALED.

UPON MOTION OF COUNCILMAN HOVIS, SECONDED BY COUNCILMAN NANCE, THE FOREGOING ORDINANCE WAS PLACED UPON ITS FIRST READING AND UNANIMOUSLY ADOPTED.

THE RULES WERE SUSPENDED AND THE ORDINANCE WAS IMMEDIATELY PLACED UPON ITS SECOND AND THIRD READINGS AND UNANIMOUSLY ADOPTED, AND DECLARED TO BE AN ORDINANCE OF THE CITY OF CHARLOTTE, EFFECTIVE TEN DAYS AFTER ITS FIRST PUBLICATION.

RATIFIED THIS 21ST. DAY OF AUGUST 1935

**CEMETERY DEEDS APPROVED;**

ON MOTION OF COUNCILMAN ALBEA, SECONDED BY COUNCILMAN TIPTON THE FOLLOWING CEMETERY DEED WAS APPROVED.

AUG. 21, 1935 MARY PERRY, WEST PINWOOD, SEC. "D", LOT #8 \$25.00

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**NORTH CAROLINA SYMPHONY ORCHESTRA.**

COUNCILMAN SIDES STATED THAT THE NORTH CAROLINA SYMPHONY ORCHESTRA WOULD SPEND TWO MONTHS IN CHARLOTTE, SEPTEMBER AND OCTOBER, AND WOULD GIVE EIGHT CONCERTS DURING THAT TIME IF THE CITY OF CHARLOTTE WOULD GIVE THE ARMORY-AUDITORIUM FREE OF CHARGE.

THE QUESTION WAS ASKED IF ADMISSION WOULD BE CHARGED AT THESE CONCERTS AND COUNCILMAN SIDES STATED THERE WOULD BUT THAT THIS WAS SIMPLY TO DEFRAY TRAVELING EXPENSES AND MUSIC AND DID NOT GO TO THE MUSICIANS.

COUNCILMAN SIDES MADE A MOTION THAT THE ARMORY AUDITORIUM BE GIVEN FREE CHARGE FOR THE EIGHT CONCERTS.

COUNCILMAN WILKINSON STATED HE WOULD SECOND THE MOTION PROVIDED THAT IT WAS LEGAL AND CAN BE DONE, THAT HE HEARTILY APPROVED OF THIS AS IT WOULD BE GOOD ADVERTISING FOR THE CITY OF CHARLOTTE.

THE COUNCIL WAS ADVISED BY CITY ATTORNEY BOYD THAT IT WOULD BE NECESSARY TO AMEND THE ORDINANCE REGULATING THE LEASE AND USE OF THE ARMORY-AUDITORIUM. NO VOTE WAS TAKEN ON COUNCILMAN SIDES'S MOTION BUT THE CITY ATTORNEYS WERE INSTRUCTED TO PREPARE AN AMENDMENT TO THE ORDINANCE WHEREBY THE SYMPHONY ORCHESTRA MAY BE GIVEN EIGHT NIGHTS FREE OF CHARGE IN SEPTEMBER AND OCTOBER PROVIDED IT DOES NOT INTERFERE WITH ANY ORGANIZATION COMING IN WHICH WOULD PAY FOR IT.

**RECESS OF MEETING;**

COUNCILMAN ALBEA MOVED THAT THE MEETING RECESS AT 6 P. M., UNTIL 6:20 P. M. MOTION SECONDED BY COUNCILMAN NANCE AND UNANIMOUSLY CARRIED.

**RECONVENED.**

AT 6:40 P. M. THE COUNCIL RECONVENED IN THE COUNCIL CHAMBER, FOR FURTHER BUSINESS.

**ELECTION OF CIVIL SERVICE COMMISSIONER.**

ON MOTION COUNCILMAN HOVIS, MR. GEORGE STRATTON WAS NOMINATED TO FILL OUT THE UNEXPIRED TERM OF MR. A. P. WHITE, A MEMBER OF THE CIVIL SERVICE COMMISSION, RESIGNED. MOTION SECONDED BY COUNCILMAN WILKINSON AND CARRIED UNANIMOUSLY, AND THE MAYOR DECLARED MR. STRATTON UNANIMOUSLY ELECTED.

**SPECIAL MEETING OF COUNCIL SET FOR 7 O'CLOCK THURSDAY EVENING AUG. 22, 1935.**

ON MOTION OF COUNCILMAN HOVIS, SECONDED BY COUNCILMAN HUNTLEY, THE COUNCIL UNANIMOUSLY AGREED TO MEET IN SPECIAL SESSION ON THURSDAY EVENING, AUGUST 22, 1935, AT 7 O'CLOCK P.M.

**ADJOURNMENT.**

MOTION TO ADJOURN MADE BY COUNCILMAN SIDES, SECONDED BY COUNCILMAN ALBEA AND UNANIMOUSLY CARRIED.

*Alice B. McConnell*  
CITY CLERK.