

Aug. 22, 1935

A SPECIAL MEETING OF THE CITY COUNCIL WAS HELD IN THE COUNCIL CHAMBER OF THE CITY HALL AT 8 O'CLOCK P. M. THURSDAY, AUGUST 22, 1935, THIS MEETING HAVING BEEN SET BY THE COUNCIL AT ITS REGULAR MEETING ON WEDNESDAY, AUGUST 21ST. MAYOR DOUGLAS PRESIDING AND COUNCILMAN ALBEA, BAXTER, DURHAM, HOVIS, HUDSON, HUNTLEY, NANCE, TIPTON AND WILKINSON BEING PRESENT.

ABSENT: COUNCILMEN BOYD AND SIDES.

MEETING CALLED TO ORDER BY MAYOR DOUGLAS.

REPORT OF HEALTH COMMITTEE ON SURVEY TO BE MADE BY AMERICAN PUBLIC HEALTH ASSOCIATION.

COUNCILMAN ALBEA, CHAIRMAN OF THE HEALTH COMMITTEE, ADVISED THAT DR. RANKIN HAD RECEIVED A LETTER FROM MR. CARL E. BUCK, DR. P. H., FIELD DIRECTOR OF THE AMERICAN PUBLIC HEALTH ASSOCIATION, RELATIVE TO MAKING A SURVEY OF THE HEALTH DEPARTMENT OF THE CITY. MR. MARSHALL READ THIS LETTER, IN WHICH DR. BUCK ESTIMATES THE COST OF MAKING SUCH APPRAISAL TO BE BETWEEN \$700. AND \$1,000., TAKING TWO WEEKS TIME, MORE OR LESS, AND SUGGESTING THAT THIS WORK COMMENCE ABOUT THE FIRST OF SEPTEMBER.

COUNCILMAN ALBEA, MOVED THAT SUCH SURVEY BE MADE, WHICH WAS SECONDED BY COUNCILMAN NANCE.

UPON DISCUSSION AS TO THE AMOUNT TO BE SPENT FOR THIS SURVEY COUNCILMAN BAXTER SUGGESTED THAT THE MOTION BE AMENDED TO READ "THAT A COMPLETE SURVEY BE MADE NOT TO EXCEED \$1,000.00" WHEREUPON COUNCILMAN ALBEA STATED HE WISHED TO HAVE THAT ADDED TO HIS MOTION.

MOTION CARRIED UNANIMOUSLY.

RESIGNATION OF CIVIL SERVICE COMMISSION MEMBERS.

MAYOR DOUGLAS ANNOUNCED THAT HE HAD RECEIVED A LETTER FROM MR. C. M. WESTBROOK AND DR. CLAUDE B. SQUIRES, MEMBERS OF THE CIVIL SERVICE COMMISSION, TENDERING THEIR RESIGNATIONS FROM THIS BOARD, STIPULATING, HOWEVER, THAT SAME WERE NOT TO BE ACCEPTED UNLESS THE RESUME OF HAPPENINGS INCIDENT TO THEIR RESIGNATIONS (WHICH RESUME IS SET FORTH IN THEIR LETTER) IS MADE A PART OF THE MINUTES OF THE COUNCIL MEETING AT WHICH SUCH RESIGNATIONS ARE ACCEPTED.

COUNCILMAN BAXTER MOVED THAT THE RESIGNATION BE ACCEPTED, SECONDED BY COUNCILMAN DURHAM, AND CARRIED, WITH COUNCILMAN ALBEA VOTING "NO".

MAYOR DOUGLAS THEN STATED THAT IN ACCEPTING THE RESIGNATIONS OF THESE TWO CIVIL SERVICE COMMISSIONERS, DR. CLAUDE B. SQUIRES AND MR. C. M. WESTBROOK, HE WISHED TO THANK THEM FOR THE SPLENDID SERVICES GIVEN BY THEM TO THE CITY OF CHARLOTTE, N.C., AND FOR THE SPLENDID WORK THEY HAVE DONE; THAT IT WAS VERY UNFORTUNATE THAT AN OCCASION LIKE THIS SHOULD ARISE BUT WHEN THEY DO IT IS VERY NECESSARY FOR THE COUNCIL, WHO ARE ELECTED BY THE PEOPLE OF THE CITY, TO TAKE MATTERS IN THEIR OWN HANDS AND WORK OUT THE PROPOSITIONS AS THEY SEE BEST. HE AGAIN EXPRESSED HIS APPRECIATION FOR THE VERY SPLENDID SERVICES RENDERED THE CITY OF CHARLOTTE.

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ELECTION OF NEW CIVIL SERVICE BOARD.

MAYOR DOUGLAS STATED THAT THE COUNCIL WOULD PROCEED WITH THE ELECTION OF A NEW CIVIL BOARD, AND COUNCILMAN DURHAM PLACED THE NAME OF MR. GEORGE W. PATTERSON IN NOMINATION TO FILL OUT THE UNEXPIRED TERM OF MR. C. M. WESTBROOK, WHICH ENDS IN 1936, WHICH WAS SECONDED BY COUNCILMAN WILKINSON.

COUNCILMAN BAXTER NOMINATED MR. C. C. BEASLEY TO FILL OUT THE UNEXPIRED TERM OF MR. A. P. WHITE, WHICH EXPIRES IN 1937, SECONDED BY COUNCILMAN HUNTLEY.

COUNCILMAN HUNTLEY NOMINATED MR. W. W. KALE TO FILL OUT THE UNEXPIRED TERM OF DR. CLAUDE B. SQUIRES, EXPIRING IN 1938, WHICH WAS SECONDED BY COUNCILMAN HOVIS.

THE MAYOR CALLED FOR A VOTE ON MR. GEORGE W. PATTERSON WHICH VOTE WAS UNANIMOUS.

VOTE ON MR. C. C. BEASLEY NEXT IN ORDER WAS ALSO UNANIMOUS.

MR. W. W. KALE, RECEIVED UNANIMOUS VOTE OF THE COUNCIL.

THE MAYOR DECLARED MESSERS. PATTERSON, BEASLEY AND KALE ELECTED.

COMPLYING WITH REQUEST OF MR. WESTBROOK AND DR. SQUIRES, RESIGNED.

COUNCILMAN ALBEA CALLED ATTENTION TO THE FACT THAT WHILE HE VOTED AGAINST THE RESIGNATION OF THE TWO MEMBERS OF THE COMMISSION, SINCE THESE RESIGNATIONS WERE ACCEPTED HE WOULD MOVE TO COMPLY WITH THE REQUEST IN THEIR LETTER THAT THAT LETTER BE SPREAD UPON THE MINUTES OF THE CITY COUNCIL, WHICH MOTION WAS SECONDED BY COUNCILMAN BAXTER, AND UNANIMOUSLY CARRIED; THIS LETTER READING AS FOLLOWS:

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MAYOR BEN E. DOUGLAS AND
CITY COUNCIL,
CITY OF CHARLOTTE,
CHARLOTTE, NORTH CAROLINA.

GENTLEMEN:

THIS IS THE RESIGNATION OF CLAUDE B. SQUIRES AND CLIFF M. WESTBROOK AS MEMBERS OF THE CIVIL SERVICE COMMISSION, NOT TO BE ACCEPTED, HOWEVER, UNLESS THE FOLLOWING RESUME OF HAPPENING INCIDENT TO OUR RESIGNATION IS MADE A PART OF THE MINUTES OF THE COUNCIL MEETING AT WHICH OUR RESIGNATION IS ACCEPTED.

RESUME OF HAPPENINGS SINCE WEDNESDAY, AUGUST 14, 1935.

AT THE REGULAR COUNCIL MEETING ON WEDNESDAY, THE FOLLOWING RESOLUTION WAS PASSED.

"WHEREAS, THE INVESTIGATION BY THE CITY COUNCIL OF THE ALLEGED BRUTALITY ON THE PART OF CERTAIN POLICE OFFICERS TOWARDS CERTAIN NEGRO CITIZENS FAILED TO UNCOVER ANY SPECIFIC EVIDENCE POINTING TO THE GUILT OF ANY ONE OFFICER OR PERSON. THE CITY COUNCIL, HOWEVER, DID UNCOVER AND RECONIZE THE FACT THERE IS A GROSS LACK OF DISCIPLINE AND ORGANIZATION WITHIN THE DEPARTMENT.

NOW, THEREFORE, BE IT RESOLVED THAT THE CIVIL SERVICE COMMISSION BE NOTIFIED IMMEDIATELY THAT THE SITUATION IN THE POLICE DEPARTMENT IS NOT SATISFACTORY TO THE COUNCIL AND THAT THE COUNCIL CAN NO LONGER CONDONE OR COUNTENANCE THE LAX MANNER IN WHICH THE DEPARTMENT IS OPERATING AND THE CIVIL SERVICE COMMISSION MUST PROCEED IMMEDIATELY TO RESTIFY THE TROUBLE AND TO PLACE THE DEPARTMENT ON AN EFFICIENT BASIS WITHIN THE NEXT TWO WEEKS, AND

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IF THEY FAIL TO DO SO IN THIS LENGTH OF TIME THEIR RESIGNATION WILL BE REQUESTED."

AFTER THE COMMISSION LEARNED OF THIS RESOLUTION, THE COMMISSION DECIDED THAT IT WOULD NOT BE IN POSITION TO CONTINUE THE INVESTIGATION UNTIL SUCH TIME AS COUNCIL WAS READY TO COMPLETELY EXONERATE MR. WHITE OR TOOK SUCH DEFINITE ACTION AS THEY SAW FIT. THE COMMISSION TOOK NO POSITION IN THIS MATTER, BELIEVING IT A MATTER FOR THE COUNCIL TO DECIDE AND AT APPROXIMATELY 9:00 A. M. THURSDAY, AUGUST 15TH. THE MAYOR, COUNCILMEN BAXTER AND WILKINSON WERE SO ADVISED BY PHONE BY C. M. WESTBROOK. AT APPROXIMATELY 10:40 O'CLOCK THURSDAY AUGUST 15TH, 1935, COMMISSIONER WESTBROOK RECEIVED A PHONE CALL REQUESTING HIM TO COME TO THE MAYOR'S OFFICE TO DISCUSS THE MATTER WITH THE MAYOR, THE CITY MANAGER AND SEVERAL OF THE COUNCILMEN.

WHEN MR. WESTBROOK ARRIVED AT THE CITY HALL, HE WAS TOLD BY THE CITY MANAGER, THAT A NUMBER OF NEGRO CITIZENS HAD CALLED ON THE CITY MANAGER REQUESTING THAT COMMISSIONER WHITE RESIGN.

AT THIS TIME COMMISSIONER WESTBROOK WENT INTO A CONFERENCE WITH THE MAYOR, THE CITY MANAGER, AND SEVERAL COUNCILMEN IN ORDER TO TRY TO WORK OUT A SATISFACTORY AND PROPER CONCLUSION TO THE ENTIRE POLICE AFFAIR.

AS TIME PASSED, OTHER COUNCILMEN CAME IN AND AT ABOUT NOON THE MAYOR CALLED THOSE COUNCILMEN WHO WERE NOT THERE IN ORDER THAT A SPECIAL SESSION MIGHT BE HELD.

AT THIS CONFERENCE IT WAS FIRST DECIDED AND AGREED THAT COMMISSIONER WHITE AND WESTBROOK WOULD RESIGN WITHIN SIXTY DAYS AND THAT COMMISSIONER WHITE WOULD NOT TAKE ANY PART IN THE MEETINGS OF THE COMMISSION WHEN THE COMMISSION WAS DEALING WITH ANYTHING THAT TOOK PLACE ON THE NIGHT OF AUGUST 3RD.

THE QUESTION OF THE CHIEF OF POLICE WAS NEXT DISCUSSED, AS THE COMMISSION FELT THAT A COMPLETE REORGANIZATION WAS NECESSARY. NINETY DAYS AGO THE COMMISSION CALLED ON THE CITY MANAGER AND EXPRESSED DISSATISFACTION WITH CONDITIONS IN THE DEPARTMENT AND WENT ON RECORD AT THAT TIME TO THE EFFECT THAT THE COMMISSION THOUGHT CHIEF PITTMAN TO BE AN HONEST, FAITHFUL AND DILIGENT OFFICER BUT NOT A LEADER OR POSSESSED OF THE QUALIFICATIONS TO PROPERLY EDUCATE AND MAINTAIN THE NUMBER OF MEN UNDER HIS DIRECTION. THE CITY MANAGER AGREED WITH THE COMMISSION AND IT WAS DECIDED TO GIVE MR. PITTMAN FULL SUPPORT FOR NINETY DAYS IN ORDER TO SEE WHAT COULD BE ACCOMPLISHED. (THE RECOMMENDATION OF THE COMMISSION AS TO THE CHIEF OF POLICE WAS IN NO WAY INFLUENCED BY WHAT HAPPENED ON AUGUST 3RD AS MR. PITTMAN HAD NO PART IN THE AFFAIR).

HOWEVER, IN VIEW OF SUCH STEPS AS HAD TO BE TAKEN BECAUSE OF THE AFFAIR OF AUGUST 3RD, THE COMMISSION RECOMMENDED THAT THE ENTIRE DEPARTMENT BE PUT ON THE PROPER BASIS AT ONE TIME.

THE ENTIRE COUNCIL WAS PRESENT, WITH THE POSSIBLE EXCEPTION OF ONE MAN DURING THIS DISCUSSION WHICH WAS HELD IN THE MAYOR'S OFFICE.

AS TO REMOVING MR. PITTMAN AS CHIEF OF POLICE BUT KEEPING HIM IN THE DEPARTMENT DURING THE DISCUSSION ONLY ONE COUNCILMAN EXPRESSED A NEGATIVE ATTITUDE, MR. BOYD, WHO SPOKE RIGHT OUT AND SAID "NO". THE REMAINDER AGREED TO THE PROGRAM OR AT LEAST FAILED TO EXPRESS OPPOSITION SO THE MAYOR ASKED COMMISSIONER WESTBROOK TO RETIRE FROM THE CONFERENCE AND WRITE A LETTER OUTLINING THE COMMISSION'S RECOMMENDATION.

MAYOR DOUGLAS AND C. M. WESTBROOK LEFT THE MAYOR'S OFFICE, WENT TO THE COMMISSION'S OFFICE WHERE C.M. WESTBROOK DICTATED THE LETTER AND MAYOR DOUGLAS WAITED FOR THE LETTER TO BE TYPED IN ORDER TO GET ACTION ON THE MATTER IMMEDIATELY.

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WHEN THE LETTER HAD BEEN TYPED, THE MAYOR RETURNED TO HIS OFFICE AND AFTER A LAPSE OF ABOUT FIFTEEN MINUTES, THE COUNCIL MOVED INTO THE COUNCIL CHAMBER; WERE CALLED TO ORDER BY THE MAYOR, PASSED A RESOLUTION, WITH WHICH YOU ARE FAMILIAR AND ADJOURNED.

THE COMMISSION WAS ASSURED THEIR RECOMMENDATION WOULD BE FOLLOWED SO AFTER THE COUNCIL ENCOURAGED AND PERMITTED C.M. WESTBROOK, AS VICE CHAIRMAN, TO WRITE THE LETTER, ASKING THAT MR. PITTMAN BE GIVEN OTHER WORK IN THE DEPARTMENT AND REMOVED AS CHIEF AND THEN COUNCIL FAILED TO ACT THERE WAS NO OTHER COURSE THAN TO OFFER OUR RESIGNATION IN A BODY WHICH WAS DONE.

MR. A. P. WHITE, HAS SINCE RESIGNED AND THIS IS THE RESIGNATION OF C. M. WESTBROOK AND CLAUDE B. SQUIRES.

PERMIT US TO SAY THAT WE REALIZE EACH MEMBER OF THE COUNCIL HAS A RIGHT TO HIS VOTE AND WE DO NOT CRITICISE A MAN FOR VOTING HIS CONVICTION, BUT WE DO NOT FEEL THAT WE SHOULD HAVE BEEN GIVEN REASONS TO BELIEVE THAT A COMPLETE REORGANIZATION, WHICH IS NEEDED, COULD BE MADE UNLESS THE COUNCIL EXPECTED TO ACT FAVORABLY ON OUR RECOMMENDATIONS.

IT IS ONE THING TO PASS A RESOLUTION AND ANOTHER TO ACCOMPLISH RESULTS AND WE DO HOPE FOR THE GOOD OF CIVIL SERVICE THAT YOU GIVE THE NEW COMMISSION THE SAME SPLENDID SUPPORT YOU GAVE US, EXCEPT IN THE ONE CASE AT HAND.

RESPECTFULLY,

(SIGNED) C. M. WESTBROOK.

CLAUDE B. SQUIRES.

CONTRACT FOR HEALTH DEPARTMENT SURVEY AUTHORIZED.

MR. MARSHALL EXPLAINED THAT DUE TO THE FACT THAT THE SURVEY AUTHORIZED TO BE MADE OF THE HEALTH DEPARTMENT WILL EXCEED \$200.00 IT WILL BE NECESSARY FOR THE MAYOR AND CITY CLERK TO BE AUTHORIZED TO EXECUTE AND SIGN CONTRACT FOR SAME WITH THE AMERICAN PUBLIC HEALTH ASSOCIATION.

COUNCILMAN ALBEA, MOVED THAT THE MAYOR AND CLERK BE AUTHORIZED TO SIGN THIS CONTRACT, WHICH WAS SECONDED BY COUNCILMAN NANCE AND UNANIMOUSLY CARRIED.

RESOLUTION OF COUNCIL THANKING FORMER CIVIL SERVICE FOR EXCELLENT SERVICES.

ON MOTION OF COUNCILMAN HOVIS, SECONDED BY COUNCILMAN HUNTLEY, AND UNANIMOUSLY CARRIED, THE COUNCIL PASSED A RESOLUTION OF THANKS TO THE FORMER CIVIL SERVICE COMMISSION FOR THEIR EXCELLENT SERVICES RENDERED DURING THEIR TERM OF OFFICE, AS FOLLOWS:

RESOLUTION

WHEREAS, MR. C. M. WESTBROOK, DR. CLAUDE B. SQUIRES, AND MR. A. P. WHITE HAVE SUBMITTED THEIR RESIGNATION TO THE CITY COUNCIL AS COMMISSIONERS OF THE CIVIL SERVICE COMMISSION OF THE CITY OF CHARLOTTE; AND

WHEREAS, THE CITY COUNCIL HAS ACCEPTED THE RESIGNATION OF THESE GENTLEMEN BUT IN DOING SO THE MEMBERS OF THE CITY COUNCIL AND THE MAYOR WISH TO EXPRESS TO EACH OF THEM THEIR APPRECIATION FOR THEIR SERVICES WHICH THEY HAVE GIVEN WITHOUT PAY TO THE CITY OF CHARLOTTE DURING THE PAST SEVERAL MONTHS:

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE THAT THESE GENTLEMEN AND EACH OF THEM BE AND THEY HEREBY ARE GIVEN THE THANKS AND APPRECIATION OF THE CITY COUNCIL FOR THE SPLENDID SERVICES AND SACRIFICE OF THEIR TIME WHICH THEY HAVE GIVEN TO THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF CHARLOTTE DURING THE PAST SEVERAL MONTHS.

BE IT FURTHER RESOLVED THAT A COPY OF THIS RESOLUTION BE MAILED BY THE CITY CLERK TO EACH OF THE THREE COMMISSIONERS.

ADJOURNMENT.

COUNCILMAN ALBEA MOVED THAT THE MEETING ADJOURN SINE DIE, WHICH MOTION WAS NOT CARRIED. COUNCILMAN ALBEA THEN MOVED THAT WE ADJOURN, WHICH WAS SECONDED BY COUNCILMAN WILKINSON AND UNANIMOUSLY CARRIED.

Alice B. McConnell
CITY CLERK.