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A REGULAR MEETING OF THE CITY COUNCIL WAS HELD IN THE COUNCIL CHAMBER OF THE CITY HALL, ON WEDNESDAY, AUGUST 28, 1935, WITH MAYOR BEN DOUGLAS PRESIDING. PRESENT: COUNCILMEN BAXTER, DURHAM, HOVIS, HUDSON, HUNTLEY, NANCE, TIPTON AND WILKINSON.

ABSENT: COUNCILMEN ALBEA, BOYD AND SIDES.

**APPROVAL OF MINUTES:**

ON MOTION OF COUNCILMEN WILKINSON, SECONDED BY COUNCILMAN HUNTLEY THE MINUTES OF THE MEETING OF AUGUST 21, 1935 WERE UNANIMOUSLY APPROVED AS READ.

**MR. CHESTER NIXON DISCUSSED AIRPORT QUESTION.**

MR. CHESTER NIXON APPEARED BEFORE THE COUNCIL URGING THEM TO USE EVERY EFFORT TOWARDS SECURING NEW AIRPORT FACILITIES FOR CHARLOTTE, WHILE THERE WAS YET TIME TO OBTAIN A FEDERAL LOAN. MAYOR DOUGLAS ADVISED THAT SEVERAL SITES WERE BEING CONSIDERED AND THAT AN OFFICIAL FROM THE FEDERAL BUREAU OF AIR COMMERCE WOULD BE IN CHARLOTTE WITHIN A FEW DAYS TO INSPECT THESE LOCATIONS. ALSO THAT AN AIRPORT IS NOT CONSIDERED A NECESSITY BY THE GOVERNMENT AND, THEREFORE, MUST GO BEFORE THE PEOPLE FOR A VOTE IN ORDER TO SECURE FEDERAL AID, AND WOULD HAVE TO BE FINANCED BY A BOND ISSUE.

**MR. MARVIN RITCH REQUESTS ACTION BE TAKEN ON COMPLETING THE STADIUM AND CONSTRUCTING MUNICIPAL SWIMMING POOLS.**

MR. MARVIN RITCH APPEARED BEFORE THE COUNCIL REQUESTING THAT SOME IMMEDIATE ACTION BE TAKEN TO OBTAIN FEDERAL LOANS TOWARD COMPLETING THE STADIUM IN INDEPENDENCE PARK AND ALSO TOWARDS CONSTRUCTING SEVERAL SWIMMING POOLS. MAYOR DOUGLAS EXPLAINED THAT PROJECTS OF THIS TYPE WERE BEING COMPILED BY THE PARKS AND RECREATION COMMISSION AND THAT HE WOULD REQUEST THAT BODY TO PRESENT THEM TO THE CITY AT ONCE FOR CONSIDERATION.

IN THIS CONNECTION, COUNCILMAN WILKINSON WISHED TO GO ON RECORD AS ASKING MAYOR DOUGLAS TO REQUEST THE PARK AND RECREATION COMMISSION TO RUSH THROUGH THESE PROJECTS IN ORDER TO GET THEM IN WITHIN THE SPECIFIED TIME SET BY THE FEDERAL GOVERNMENT. THIS WAS MADE IN THE FORM OF A MOTION AND WAS SECONDED BY COUNCILMAN HOVIS AND UNANIMOUSLY CARRIED.

**REPORT OF THE CITY MANAGER.**

**CENTRAL LABOR UNION GRANTED FREE LICENSE FOR CARNIVAL:**

THE CITY MANAGER PRESENTED A REQUEST FROM THE CENTRAL LABOR UNION FOR A FREE LICENSE TO HOLD A CARNIVAL ON TREMONT AVE., FOR A PERIOD OF ONE WEEK, THE PROCEEDS TO GO TO CHARITY. MR. L. R. MCELIECE, REPRESENTING THE CENTRAL LABOR UNION WAS PRESENT AND STATED THAT THIS LICENSE WAS GRANTED LAST YEAR WITHOUT CHARGE. COUNCILMAN HUDSON MADE A MOTION THAT THE LICENSE BE GRANTED AND THE MOTION WAS SECONDED BY COUNCILMAN TIPTON AND UNANIMOUSLY CARRIED.

**APPLICATION FOR WALL ON EACH SIDE OF SUGAW CREEK FROM EAST BOULEVARD TO EAST 4TH STREET FILED WITH WORKS PROGRESS ADMINISTRATION.**

THE CITY MANAGER SUBMITTED THE COMPLETED APPLICATION FOR A RETAINING WALL ON EACH SIDE OF SUGAW CREEK FROM EAST BOULEVARD TO EAST 4TH STREET TO BE HANDLED WITH W.P.A. FUNDS. HE ADVISED THAT THE WALL BOUNDING THE CREEK WILL BE APPROXIMATELY

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33 FEET APART AND WILL SERVE AS A FLOOD CONTROL. THE TOTAL COST OF THIS PROJECT WILL AMOUNT TO \$208,888.00 THE TOTAL COST OF THE CITY BEING \$17,873.88, AND APPROXIMATELY 647 MEN SHOULD BE EMPLOYED ON THE PROJECT FOR A YEAR. CITY TRUCKS AT \$5.00 PER DAY COULD BE RENTED FOR HAULING ON THIS PROJECT AND APPROXIMATELY \$8,000.00 COULD BE REALIZED, THEREBY REDUCING THE CITY'S COST. THE CITY MANAGER EXPLAINED THAT THE CITY PROPOSED TO SUBMIT OTHER PORTIONS OF THIS PROJECT FROM TIME TO TIME TO CONTINUE THE WORK THRU TO NORTH CHARLOTTE, HOPING EVENTUALLY TO BUILD A ROADWAY OVER THIS STREAM 45 FEET WIDE. COUNCILMAN BAXTER MOVED THAT THIS APPLICATION BE FILED WITH THE W.P.A. THE MOTION WAS SECONDED BY COUNCILMAN WILKINSON AND UNANIMOUSLY CARRIED.

**APPLICATION FOR STREET IMPROVEMENTS PROJECT TO BE FILED WITH PUBLIC WORKS ADMINISTRATION.**

APPLICATION FOR STREET IMPROVEMENTS PROJECT WAS SUBMITTED BY THE CITY MANAGER. HE ADVISED THAT THIS PROJECT COVERED THE PAVING OF A LARGE NUMBER OF STREETS, ALSO IMPROVEMENTS TO THESE STREETS IN UNDER-GROUND WORK, INCLUDING STORM DRAINS, SANITARY SEWERS ETC. ALSO WIDENING OF SOUTH GRAHAM STREET FROM WEST TRADE STREET TO MOREHEAD STREET. THE TOTAL COST OF THIS PROJECT AMOUNTED TO \$680,000.00 OF WHICH 55% WILL BE ASSESSED AGAINST PROPERTY OWNERS ALONG THESE STREETS. THE CITY WOULD HAVE TO ISSUE \$375,000.00 STREET ASSESSMENT BONDS, WHICH WOULD NOT EFFECT THE NET DEBT OF THE CITY. THE MONEY COULD BE ADVANCED BY THE CITY AND ASSESSED OVER A PERIOD OF 10 YEARS. ON MOTION OF COUNCILMAN WILKINSON, SECONDED BY COUNCILMAN TIPTON THE FOLLOWING RESOLUTION COVERING THIS APPLICATION WAS UNANIMOUSLY ADOPTED:

BE IT RESOLVED BY THE CITY COUNCIL OF CHARLOTTE, NORTH CAROLINA.

SECTION 1. THAT J. B. MARSHALL, CITY MANAGER, BE AND HE IS AUTHORIZED TO EXECUTE AND FILE AN APPLICATION ON BEHALF OF THE CITY OF CHARLOTTE, NORTH CAROLINA, TO THE UNITED STATES OF AMERICAN, FOR A LOAN AND GRANT IN FINANCING THE CONSTRUCTION OF STREET PAVING, CURB AND GUTTERS AND APPURTENANCES.

SECTION 2. THAT J. B. MARSHALL, CITY MANAGER, BE HEREBY AUTHORIZED AND DIRECTED TO FURNISH SUCH INFORMATION AS THE UNITED STATES OF AMERICA THROUGH THE FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS MAY REASONABLY REQUEST IN CONNECTION WITH THE APPLICATION WHICH IS HEREIN AUTHORIZED TO BE FILED.

**APPLICATION FOR EXTENSIONS TO AND REMODELING OF THE POLICE DEPARTMENT BUILDING TO BE FILED WITH PUBLIC WORKS ADMINISTRATION.**

THE CITY MANAGER SUBMITTED AN APPLICATION TO THE PUBLIC WORKS ADMINISTRATION FOR FUNDS TO BE USED FOR EXTENSIONS TO AND REMODELING OF THE POLICE DEPARTMENT. THE PROJECT INCLUDED INSTALLING AN ELEVATOR, ENLARGING BUILDING, ADDITIONAL CELLS, ETC. THIS PROJECT WILL COST APPROXIMATELY \$45,000.00, THE CITY'S PORTION AMOUNT TO APPROXIMATELY \$24,500.00. ON MOTION OF COUNCILMAN HUNTLEY SECONDED BY COUNCILMAN HOVIS AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION COVERING THIS APPLICATION WAS ADOPTED:

BE IT RESOLVED BY THE CITY COUNCIL OF CHARLOTTE, NORTH CAROLINA.

SECTION 1. THAT J. B. MARSHALL, CITY MANAGER, BE AND HE IS AUTHORIZED TO EXECUTE AND FILE AN APPLICATION ON BEHALF OF THE CITY OF CHARLOTTE, NORTH CAROLINA, TO THE UNITED STATES OF AMERICA FOR A LOAN AND GRANT IN FINANCING THE CONSTRUCTION OF ADDITONS TO AND REMODELING OF THE POLICE DEPARTMENT BUILDING.

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SECTION 11. THAT J. B. MARSHALL, CITY MANAGER, BE HEREBY AUTHORIZED AND DIRECTED TO FURNISH SUCH INFORMATION AS THE UNITED STATES OF AMERICA THROUGH THE FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS MAY REASONABLY REQUEST IN CONNECTION WITH THE APPLICATION WHICH IS HEREIN AUTHORIZED TO BE FILED.

**TEN WORKS PROGRESS ADMINISTRATION PROJECTS FILED TO DATE:**

THE CITY MANAGER REPORTED AS INFORMATION, TEN APPLICATIONS HAVE BEEN FILED TO DATE WITH THE WORKS PROGRESS ADMINISTRATION, AMOUNTING TO \$411,000.00.

**BRIDGE ON NORTH ALEXANDER AND 16TH STREETS.**

THE CITY MANAGER REQUESTED THE COUNCIL TO TAKE ACTION ON THE QUESTION OF A BRIDGE ON NORTH ALEXANDER AND 16TH STREETS, WHICH WAS COVERED BY A PETITION PRESENTED AT THE LAST COUNCIL MEETING BY MR. FULLERTON. THE CITY MANAGER ADVISED THAT THE ESTIMATED COST WOULD BE \$5,156.25. THIS WORK WAS BEGUN BY THE C.W.A. AND LEFT UNCOMPLETED AND THE CITY MANAGER ADVISED THAT HE COULD NOT RECOMMEND THE CONSTRUCTION OF THIS BRIDGE, AS THERE WERE AT LEAST OTHER BRIDGES ALONG THIS CREEK IN A SIMILAR CONDITION. COUNCILMAN HUDSON SUGGESTED THAT IMPROVEMENTS BE MADE TO THE PRESENT BRIDGE AT NORTH ALEXANDER AND 16TH STREETS NOW, AND COUNCILMAN WILKINSON SUGGESTED THAT IMPROVEMENTS BE MADE TO ALL THREE BRIDGES MENTIONED. THE MATTER WAS REFERRED TO THE CITY MANAGER FOR FURTHER HANDLING.

IN THIS CONNECTION COUNCILMAN BAXTER SUGGESTED THAT THE SUGAW CREEK RETAINING WALL PROJECT WOULD EFFECT THESE BRIDGES EVENTUALLY, HE RECOMMENDED THAT ADDITIONAL FORCES BE PUT TO WORK TO AID IN RUSHING W.P.A. AND P.W.A. PROJECTS TO A COMPLETION BEFORE THE EXPIRATION DATES SET BY THE GOVERNMENT. THIS WAS REFERRED TO THE CITY MANAGER.

**DOWD ROAD OVERPASS.**

THE CITY MANAGER, PRESENTED AN ESTIMATE PREPARED BY MR. LEE KINNEY RELATIVE TO DAMAGES ON LOTS COVERING RIGHT-OF-WAY FOR THE DOWD OVERPASS, AMOUNTING TO \$3,850.85. COUNCILMAN HOVIS MADE A MOTION THAT CERTAIN LANDS BE CONDEMNED TO SUPPLY THIS RIGHT-OF-WAY, WHICH WAS SECONDED BY COUNCILMAN WILKINSON AND UNANIMOUSLY CARRIED.

**CONTRACT WITH J. S. BEVERLY COMPANY FOR LICENSE TAGS.**

ON MOTION OF COUNCILMAN HUNTLEY, SECONDED BY COUNCILMAN TIPTON AND UNANIMOUSLY CARRIED, THE MAYOR AND CLERK WERE AUTHORIZED TO SIGN A CONTRACT WITH J. C. BEVERLY COMPANY FOR THE PURCHASE OF 12,000 CITY AUTOMOBILE LICENSE TAGS FOR 1936, AMOUNTING TO \$390.00.

**ONE BLOCK OF NASSAU BOULEVARD TAKEN OVER FOR CITY MAINTENANCE.**

THE CITY MANAGER RECOMMENDED THAT THE CITY TAKE OVER ONE BLOCK OF NASSAU BOULEVARD, BETWEEN KENSINGTON DRIVE AND BROWNING AVENUE FOR CITY MAINTENANCE, STATING THAT IT WAS ADVISABLE BECAUSE OF ITS LOCATION NEAR THE NEW SCHOOL. COUNCILMAN NANCE MOVED THAT THIS BLOCK BE TAKEN OVER BY THE CITY FOR MAINTENANCE, THE MOTION WAS SECONDED BY COUNCILMAN WILKINSON AND UNANIMOUSLY CARRIED.

**RESOLUTION ADOPTED CONCERNING MOREHEAD STREET ASSESSMENTS.**

THE CITY MANAGER REQUESTED AUTHORITY TO ACCEPT IN FULL FOR A PERIOD OF 30 DAYS WITHOUT INTEREST, IN THE SAME MANNER AS IS

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DONE WITH STREET ASSESSMENT ROLLS, IN REGARD TO BENEFITS AWARDED PROPERTY OWNERS ON WEST MOREHEAD STREET, AND THE FOLLOWING RESOLUTION WAS ADOPTED ON MOTION OF COUNCILMAN HOVIS, SECONDED BY COUNCILMAN HUDSON, AND UNANIMOUSLY CARRIED.

"RESOLVED THAT IT SHALL BE THE DUTY OF THE CITY CLERK OF THE CITY TO CAUSE TO BE PUBLISHED IN A NEWSPAPER PUBLISHED IN CHARLOTTE, AFTER THE EXPIRATION OF FIVE DAYS FROM THE CONFIRMATION OF THE ASSESSMENT ROLL IN THE MATTER OF WIDENING AND PAVING OF WEST MOREHEAD STREET BETWEEN TRYON AND CHURCH STREETS, A NOTICE STATING THAT ANY ASSESSMENT CONTAINED IN THE SAID ASSESSMENT ROLL MAY BE PAID AT ANY TIME TO THE COLLECTOR OF REVENUE OF THE CITY OF CHARLOTTE, BEFORE THE EXPIRATION OF THIRTY DAYS FROM THE FIRST PUBLICATION OF SAID NOTICE, WITHOUT ANY ADDITION."

**ORDINANCE RELATIVE TO CITY ARMORY AUDITORIUM.**

THE CITY MANAGER PRESENTED THE FOLLOWING ORDINANCE PREPARED BY THE CITY ATTORNEYS, RELATIVE TO THE CITY ARMORY AUDITORIUM:

**AN ORDINANCE ENTITLED  
THE LETTING OF THE CITY ARMORY  
AUDITORIUM TO THE NORTH CAROLINA  
SYMPHONY ORCHESTRA FREE OF CHARGE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

SECTION 1. THAT THE NORTH CAROLINA SYMPHONY ORCHESTRA BE ALLOWED THE USE OF THE CITY ARMORY AUDITORIUM FOR CONCERTS TO BE GIVEN THEREIN FOR EIGHT (8) DAYS AND NIGHTS DURING THE MONTH OF SEPTEMBER AND OCTOBER 1935, SUCH DAYS AND NIGHTS TO BE AGREED UPON BY THE CITY MANAGER AND AN AGENT OF THE NORTH CAROLINA SYMPHONY ORCHESTRA; THAT THE USE OF SAID MONEY ARMORY AUDITORIUM BY THE NORTH CAROLINA SYMPHONY ORCHESTRA SHALL BE WITHOUT CHARGE ON THE PART OF THE CITY OF CHARLOTTE.

SECTION 11. THAT ALL LAWS OR CLAUSES OF LAWS IN CONFLICT HEREWITH ARE HEREBY REPEALED. THAT THIS ORDINANCE SHALL TAKE EFFECT UPON ITS ADOPTION.

UPON MOTION OF COUNCILMAN WILKINSON, SECONDED BY COUNCILMAN TIPTON THE FOREGOING ORDINANCE WAS PLACED UPON ITS FIRST READING, AND UNANIMOUSLY CARRIED.

THE RULES WERE SUSPENDED AND THE ORDINANCE IMMEDIATELY PLACED UPON ITS SECOND AND THIRD READING AND UNANIMOUSLY ADOPTED AND DECLARED BY MAYOR DOUGLAS TO BE AN ORDINANCE OF THE CITY OF CHARLOTTE EFFECTIVE THIS AUGUST 28, 1935.

**TELEGRAM FROM MR. H. C. BAITY, ACTING STATE DIRECTOR FOR PUBLIC WORKS ADMINISTRATION.**

THE CITY MANAGER READ THE FOLLOWING TELEGRAM RECEIVED FROM MR. H. G. BAITY, ACTING STATE DIRECTOR FOR PUBLIC WORKS ADMINISTRATION:

"PLEASE ATTEND OR HAVE REPRESENTATIVE PRESENT MEETING THIS OFFICE ELEVEN O'CLOCK THURSDAY MORNING AUGUST 29TH OF ALL ENGINEERS AND ARCHITECTS HANDLING PWA WORK FOR IMPORTANT DISCUSSION METHOD PREPARATION FOR ME UNDER NEW SEPTEMBER FIFTH DEADLINE ORDER."

THE MAYOR AUTHORIZED MR. MARSHALL TO GO TO CHAPEL HILL ON THURSDAY, AUGUST 29TH, TO ATTEND THE MEETING REGARDING

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THE CITY P. W. A. APPLICATIONS.

TELEGRAM FROM MR. PATRICK HEALY, N.C. LEAGUE OF MUNICIPALITIES  
REFERENCE HEARING OF MUNICIPALITIES PROTESTING ALLOCATION OF  
MAINTENANCE FUNDS.

THE CITY MANAGER READ THE FOLLOWING TELEGRAM  
RECEIVED FROM MR. PATRICK HEALY, N. C., LEAGUE OF MUNICIPALITIES:

"HIGHWAY CHAIRMAN WAYNICK REQUESTS ME TO INFORM  
YOU THAT WE WILL HEAD REPRESENTATIVES OF ALL MUNICIPALITIES  
DESIRING TO PROTECT ALLOCATION OF FIVE HUNDRED THOUSAND DOLLARS  
MAINTENANCE FUND IN CITIES AND TOWNS. THIS HEARING WILL TAKE  
PLACE AT OFFICE OF HIGHWAY COMMISSION RALEIGH FRIDAY AUGUST 30TH  
AT 2:30 O'CLOCK."

IN THIS CONNECTION THE CITY MANAGER RECOMMENDED  
THAT THE SMALL ALLOTMENT OF \$14,700.00 FOR CHARLOTTE BE PROTESTED  
AND MAYOR DOUGLAS AUTHORIZED THE CITY MANGER TO GO TO RALEIGH  
ON FRIDAY AUGUST 30TH, THE FOLLOWING MEN WERE ALSO REQUESTED TO  
ATTEND HEARING: COUNCILMAN BAXTER, DURHAM, WILKINSON AND CITY  
ATTORNEY BASIL BOYD, WITH ANY OTHER COUNCILMEN WHO ARE ABLE TO  
DO SO.

RESIGNATION OF J. W. SPAIN, ASSISTANT REVENUE COLLECTOR.

THE CITY MANAGER NOTIFIED THE COUNCIL OF THE  
RESIGNATION OF MR. J. W. SPAIN, ASSISTANT REVENUE COLLECTOR,  
WHO HAS ACCEPTED A POSITION WITH THE STATE DEPARTMENT IN RALEIGH.

APPOINTMENT OF W. M. YANDLE AS POLICE OFFICER.

THE CITY MANAGER NOTIFIED THE COUNCIL OF THE  
APPOINTMENT BY THE CIVIL SERVICE COMMISSION OF MR. W. M. YANDLE,  
TO THE POLICE FORCE.

RESOLUTION AUTHORIZING CORRECTION IN RELEASE TO DEED.

UPON MOTION OF COUNCILMAN HUDSON, SECONDED BY  
COUNCILMAN WILKINSON, AND UNANIMOUSLY CARRIED, THE COUNCIL  
PASSED A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE  
A NEW RELEASE TO THE DEED FROM C. S. BOSTICK AND WIFE TO MRS.  
BESSIE HICE FOR THE PURPOSE OF CORRECTING AN ERROR, OR OMISSION  
IN THE RELEASE:

"AND SAW THE CORPORATE SEAL AFFIXED THERETO"

WHICH PHRASE WAS LEFT OUT IN THE NOTARY CERTIFICATE ON THE RE-  
LEASE WHICH WAS EXECUTED JULY 15, 1932, BY THE CITY OF CHARLOTTE,  
WITH MR. CHARLES E. LAMBETH, MAYOR.

SEPTEMBER 2ND. LABOR DAY, DECLARED A HOLIDAY FOR CITY EMPLOYEES.

ON MOTION OF COUNCILMAN HUDSON, SECONDED BY COUNCIL-  
MAN WILKINSON AND UNANIMOUSLY CARRIED. SEPTEMBER 2ND WAS DECLARED  
A HOLIDAY FOR ALL CITY EMPLOYEES WHO CAN CONVENIENTLY BE AWAY  
FROM THEIR DUTIES.

CEMETERY DEED TRANSFER APPROVED.

ON MOTION OF COUNCILMAN HUDSON, SECONDED BY COUNCIL-  
MAN NANCE THE FOLLOWING TRANSFER OF CEMETERY DEED WAS APPROVED  
AND ORDERED RECORDED BY A UNANIMOUS VOTE:

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AUGUST 24, 1935 TRANSFER DEED J. O. SULLIVAN TO MRS. LULA  
EAST HALF OF LOT No. 57, SECTION #D BELMWOOD CEMETERY \$1.00  
PERPETUAL CARE AGREEMENT COVERING SAME \$1.00  
NEW DEED ISSUED TO J.O.SULLIVAN FOR WEST HALF - \$1.00

ADJOURNMENT:

MOTION TO ADJOURN WAS MADE BY COUNCILMAN HOVIS, SECONDED  
BY COUNCILMAN BAXTER AND UNANIMOUSLY CARRIED.

*Lillian R. Hoffmann*  
ASSISTANT CITY CLERK.