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REGULAR MEETING OF CITY COUNCIL HELD IN THE COUNCIL CHAMBER, CITY HALL, WEDNESDAY, OCTOBER 2, 1935, AT 4 O'CLOCK P.M., MAYOR DOUGLAS PRESIDING AND PRESENT: COUNCILMEN ALBEA, BAXTER, BOYD, DURHAM, HOVIS, HUDSON, HUNTLEY, NANCE, SIDES, TIPTON AND WILKINSON.

ABSENT: NONE.

READING OF MINUTES SEPTEMBER 25TH. MEETING.

COUNCILMAN ALBEA MOVED THAT THE MINUTES OF THE MEETING OF SEPTEMBER 25, 1935, BE APPROVED AS READ. MOTION SECONDED BY COUNCILMAN HUNTLEY AND UNANIMOUSLY CARRIED.

REPORT OF CITY ATTORNEYS ON CONTRIBUTION TO NATIONAL GUARD UNITS.

CITY ATTORNEY BOYD REPORTED THAT AFTER INVESTIGATION HE IS OF THE OPINION THAT THE CITY CANNOT CONTRIBUTE FUNDS TO THE NATIONAL GUARD UNITS.

REPORT OF COMMITTEE ON SEWER SERVICE FOR WINTER STREET, LUCENA STREET AND BELVEDERE AVENUE.

COUNCILMAN BAXTER, CHAIRMAN OF PUBLIC WORKS COMMITTEE, REPORTED THAT A SURVEY WAS MADE OF THESE PROPOSED SEWER LINES ON WINTER STREET, LUCENA ST. AND BELVEDERE AVENUE; THAT HIS COMMITTEE RECOMMENDS THE CONSTRUCTION OF A TRUNK LINE, AS PROPOSED, PROVIDED THE OWNERS LAY THEIR OWN SEWERS AND THAT THE TRUNK LINE NOT BE COMPLETED UNTIL THE PRIVATE SEWER LINES ARE LAID ACCORDING TO CITY SPECIFICATIONS AND THAT THE SAID OWNERS OF THE LAND PROVIDE THE NECESSARY RIGHT OF WAY FOR SAID TRUNK LINE, AND AS CHAIRMAN OF THE COMMITTEE MOVED THE ADOPTION OF THIS RECOMMENDATION. MOTION SECONDED BY COUNCILMAN DURHAM AND UNANIMOUSLY ADOPTED.

COUNCILMAN BAXTER, SECONDED BY COUNCILMAN WILKINSON, THEN MOVED THAT THE APPLICATION OF MR. KRUGER FOR SEWER ON LUCENA AVENUE, AND THE APPLICATION FOR SEWER ON BELVEDERE AND FULTON AVENUES, BE GRANTED, THESE PROJECTS COMING WITHIN THE \$200.00 ALLOTTMENT.

CITY MANAGER'S REPORT.

NATIONAL YOUTH MOVEMENT MEETING.

THE CITY MANAGER PRESENTED AN INVITATION TO THE MAYOR AND COUNCILMEN TO ATTEND A MEETING IN THE COUNCIL CHAMBER, THURSDAY, OCTOBER 3RD., ON THE NATIONAL YOUTH MOVEMENT, THE ADDRESS TO BE MADE BY DR. WALTER CUTTER, EXECUTIVE DIRECTOR, OF RALEIGH, N. C.

TRAFFIC LIGHT AT ROZZELL FERRY ROAD AND WEST TRADE STREET.

MR. MARSHALL PRESENTED PETITION TO HAVE TRAFFIC LIGHT PLACED AT FIVE POINTS, ON THE ROZZELL FERRY ROAD AND WEST TRADE STREET INTERSECTION, WHICH PETITION ALSO ASKED FOR A POLICEMAN TO BE ASSIGNED TO THAT SECTION, AND MR. MARSHALL SUGGESTED THAT THE MATTER OF ADDITIONAL POLICE PROTECTION BE REFERRED TO THE CIVIL SERVICE COMMISSION AND THE TRAFFIC LIGHT TO THE SAFETY INSPECTOR, MR. SKINNER, TO REPORT

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BACK AS TO THE DESIRABILITY OF DOING SO.

MOTION BY COUNCILMAN ALBEA, SECONDED BY COUNCILMAN BAXTER AND UNANIMOUSLY CARRIED, THAT THE CITY MANAGER'S REQUEST BE COMPLIED WITH.

COUNCILMAN BAXTER REPORTED THE ADVISABILITY OF PLACING A TRAFFIC LIGHT AT THE INTERSECTION OF EAST TRADE STREET AND 4TH. STREET, HAVING A YELLOW^{INTERMEDIATE} LIGHT, INSTEAD OF THE RED AND GREEN LIGHT THERE NOW. MR. MARSHALL ADVISED HE WOULD HAVE THE MATTER INVESTIGATED.

CONTRACT FOR RUGS FOR MAYOR'S OFFICE.

MOTION BY COUNCILMAN ALBEA, SECONDED BY COUNCILMAN TIPTON AND UNANIMOUSLY CARRIED, AUTHORIZED THE MAYOR AND CLERK TO SIGN A CONTRACT WITH BELK BROS. COMPANY FOR TWO RUGS AND PADS FOR THE MAYOR'S OFFICE, IN THE AMOUNT OF \$266.89.

UNITED WELFARE FEDERATION CONTRIBUTION.

CITY MANAGER PRESENTED A LETTER FROM MR. GILMORE RELATIVE TO CONTRIBUTION OF \$10,000.00 TO THE UNITED WELFARE FEDERATION, AT THE RATE OF \$2,000.00 PER MONTH BEGINNING WITH THE MONTH OF JULY, AS PREVIOUSLY AGREED UPON.

ON MOTION OF COUNCILMAN WILKINSON, SECONDED BY COUNCILMAN BAXTER, THE COUNCIL UNANIMOUSLY APPROVED THE PAYMENT OF THIS AMOUNT OF MONEY FOR FIVE MONTHS AT \$2,000. PER MONTH PROVIDED THE FUNDS ARE AVAILABLE.

CONTRACT WITH MEXICAN PETROLEUM CORP. RESCINDED AND NEW CONTRACT AUTHORIZED WITH CENTRAL OIL EMULSION CORPORATION.

DUE TO A CONFUSION IN NAMES, COUNCILMAN HUDSON MOVED THAT CONTRACT MADE WITH THE MEXICAN PETROLEUM CORP. COVERING THE PURCHASE OF 6,000 GALLONS OF EMULSIFIED ASPHALT, BE RESCINDED AND NEW CONTRACT AUTHORIZED IN THE NAME OF THE CENTRAL OIL EMULSION CORP., FOR 6,482 GALLONS, AT \$0.07 PER GALLON, OR A TOTAL OF \$453.74. MOTION SECONDED BY COUNCILMAN WILKINSON AND UNANIMOUSLY CARRIED.

APPROPRIATION FOR EXPENSES OF MAYOR TO WASHINGTON IN INTEREST OF W.P.A. AND P.W.A.

COUNCILMAN BOYD MOVED TO APPROPRIATE THE SUM OF \$500.00 FROM CONTINGENT FUND AT THIS TIME TO DEFRAY EXPENSES OF THE MAYOR TO WASHINGTON IN THE INTEREST OF P.W.A. AND W.P.A. PROJECTS, THIS AMOUNT BEING AUTHORIZED IN EVENT IT IS NECESSARY FOR HIM TO GO BACK TO WASHINGTON. MOTION SECONDED BY COUNCILMAN WILKINSON AND UNANIMOUSLY CARRIED.

FOOTBRIDGES ON N. ALEXANDER AND N. DAVIDSON STREETS AUTHORIZED.

ON MOTION OF COUNCILMAN BOYD, SECONDED BY COUNCILMAN ALBEA, THE CITY COUNCIL UNANIMOUSLY AUTHORIZED THE CONSTRUCTION OF A FOOT-BRIDGE ACROSS SUGAW CREEK ON N. DAVIDSON STREET, AT AT COST OF \$198.66, AND FOR N. ALEXANDER STREET AT A COST OF \$196.90.

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RENEWAL OF NOTE FOR \$21,000.00, AMERICAN TRUST COMPANY.

COUNCILMAN SIDES INTRODUCED THE FOLLOWING RESOLUTION AND THE SAME WAS READ:

RESOLUTION AUTHORIZING THE RENEWAL OF NOTE FOR \$21,000.00 AT THE AMERICAN TRUST COMPANY.

WHEREAS, THE AMERICAN TRUST COMPANY, CHARLOTTE, N. C., HOLDS A NOTE OF THE CITY OF CHARLOTTE, DATED JULY 15, 1935, FOR \$28,500.00, SAID NOTE MATURING OCTOBER 15, 1935; AND

WHEREAS, THE AMERICAN TRUST COMPANY HAS SIGNIFIED ITS WILLINGNESS TO EXTEND AND RENEW FOR NINETY DAYS THE AMOUNT OF \$21,000.00 THEREOF, PROVIDED THE CITY PAY THE SUM OF \$7,500.00 AND INTEREST ON MATURED INDEBTEDNESS, WHICH SAID INTENTION ON THE PART OF THE AMERICAN TRUST COMPANY IS SET FORTH IN A LETTER DATED SEPTEMBER 30, 1935, READING AS FOLLOWS:

CHARLOTTE, N.C.
SEPT. 30, 1935.

MR. J. B. MARSHALL,
CITY MANAGER,
CITY OF CHARLOTTE,
CHARLOTTE, N.C.

DEAR SIR:

REFERRING TO YOUR NOTE WHICH WE HOLD, MATURING ON OCTOBER 15, 1935, FOR \$28,500.00 DATED JULY 15, 1935, AND DRAWING INTEREST AT 3%, THIS IS TO ADVISE THAT WE SHALL BE GLAD TO ACCEPT A NEW NOTE FOR \$21,000.00, TO BE DATED OCT. 15, 1935, AND MATURE JANUARY 13, 1936, UPON THE PAYMENT OF \$7,500.00 IN CASH, IN SETTLEMENT OF THIS NOTE. THE NEW NOTE TO BEAR INTEREST FROM DATE AT 3%.

YOURS VERY TRULY,
AMERICAN TRUST COMPANY
SIGNED: T. E. HEMBY
EXECUTIVE VICE-PRESIDENT.

TEH:J

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF CHARLOTTE, IN REGULAR SESSION CONVENED, THIS THE 2ND DAY OF OCTOBER, 1935, HEREBY AUTHORIZES THE CITY TREASURER TO PAY THE SUM OF \$7,500.00 AND INTEREST ON THE MATURED INDEBTEDNESS TO THE AMERICAN TRUST COMPANY AND HEREBY AUTHORIZES THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER TO THE AMERICAN TRUST COMPANY A RENEWAL NOTE OF THE CITY OF CHARLOTTE, DATED OCTOBER 15, 1935, DUE AND PAYABLE NINETY DAYS FROM DATE, IN THE SUM OF \$21,000.00, SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT COMMISSION, RALEIGH, NORTH CAROLINA.

UPON MOTION OF COUNCILMAN SIDES, SECONDED BY COUNCILMAN HOVIS AND UNANIMOUSLY CARRIED, THE RULES WERE SUSPENDED AND THE RESOLUTION AUTHORIZING \$21,000.00 RENEWAL REVENUE ANTICIPATION NOTE WAS READ AND PASSED UPON ITS FIRST READING. THE VOTES CAST WERE AS FOLLOWS:

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

UPON MOTION OF COUNCILMAN SIDES, SECONDED BY COUNCILMAN HOVIS AND UNANIMOUSLY CARRIED, THE RESOLUTION AUTHORIZING \$21,000.00 RENEWAL REVENUE ANTICIPATION NOTE WAS READ AND PASSED ON ITS SECOND READING. THE VOTES CAST UPON SAID SECOND READING WERE AS FOLLOWS:

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

UPON MOTION OF COUNCILMAN SIDES, SECONDED BY COUNCILMAN HOVIS AND UNANIMOUSLY CARRIED, THE RESOLUTION AUTHORIZING \$21,000.00 RENEWAL REVENUE ANTICIPATION NOTE WAS READ AND PASSED UPON ITS THIRD AND FINAL READING. THE VOTES CAST UPON SAID THIRD AND FINAL READING WERE AS FOLLOWS:

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

APPROVED AS TO FORM:

SCARBOROUGH & BOYD
CITY ATTORNEYS
BY J. M. SCARBOROUGH.

HEALTH DEPARTMENT REPORT BY DR. BUCK.

MR. MARSHALL REPORTED THAT DR. CARL E. BUCK HAS COMPLETED THE SURVEY IN THE HEALTH DEPARTMENT AND SUBMITTED ONE COPY OF AN APPRAISAL FORM SHOWING THE RATING OF THE DIFFERENT DEPARTMENTS, BUT THAT HIS COMPLETED REPORT WILL BE FORWARDED FROM THE NEW YORK OFFICE WITHIN THE NEXT FEW DAYS; THE APPRAISAL SUBMITTED BEING OPEN TO INSPECTION BY THE COUNCIL IF THEY DESIRE TO GO OVER SAME.

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EXPENSES OF BOND ATTORNEY IN PREPARATION OF MOTOR TRANSPORT
DIVISION BONDS CHARGED TO CONTINGENT FUND.

MR. MARSHALL REPORTED IN CONNECTION WITH THE ISSUANCE OF THE \$25,000. BONDS FOR EQUIPMENT FOR THE MOTOR TRANSPORT DIVISION, THAT THE EXPENSE OF THE BOND ATTORNEY IN THE PREPARATION OF THESE BONDS AND RESOLUTIONS IS \$89.04, AND THAT THIS AMOUNT IS BEING CHARGED TO CONTINGENT FUND, SINCE IT WAS NOT PROVIDED FOR IN THE BOND ISSUE.

CLAIMS OF MRS. CHAS. L. TORRENCE AND WILLIE BEASLEY.

REPORT FROM THE CITY ATTORNEYS RELATIVE TO THE CLAIM OF MRS. CHAS. L. TORRENCE AGAINST THE CITY AND CLAIM OF WILLIE BEASLEY, BOTH FOR ALLEGED INJURIES, WAS PRESENTED BY MR. MARSHALL. IN THE MATTER OF MRS. TORRENCE, THE CITY ATTORNEYS RECOMMENDED SETTLEMENT OF CLAIM ON THE BASIS OF \$125.00 AND IN THE CASE OF WILLIE BEASLEY, FOR \$50.00.

COUNCILMAN ALBEA MOVED THAT THE CITY ATTORNEYS RECOMMENDATIONS BE COMPLIED WITH, IF THE CITY ADMITS THE HOLES WHERE CLAIMANTS ALLEGE ACCIDENTS OCCURED, WERE THERE. MOTION SECONDED BY COUNCILMAN BOYD AND CARRIED, WITH COUNCILMAN SIDES VOTING "No".

IN THIS CONNECTION, THE CITY MANAGER WAS INSTRUCTED TO OBTAIN THE NAMES OF THE ATTORNEYS AND DOCTORS HANDLING EACH OF THESE CLAIMS AND ALL CLAIMS FILED SINCE THE BEGINNING OF THE NEW ADMINISTRATION AND IN THE FUTURE.

REPORT OF CITY ATTORNEYS RELATIVE TO OWNERSHIP OF CHARLOTTE
PUBLIC LIBRARY.

A LETTER FROM THE CITY ATTORNEYS RELATIVE TO THE OWNERSHIP OF THE CHARLOTTE PUBLIC LIBRARY WAS PRESENTED BY THE CITY MANAGER, AND AFTER DISCUSSION, COUNCILMAN HUDSON INTRODUCED THE FOLLOWING RESOLUTION AND MOVED ITS ADOPTION, WHICH WAS SECONDED BY COUNCILMAN BOYD AND UNANIMOUSLY CARRIED:

WHEREAS, THE LAND ON WHICH THE CHARLOTTE CARNEGIE PUBLIC LIBRARY IS NOW LOCATED WAS FORMERLY OWNED AND PURCHASED BY THE CITY OF CHARLOTTE FOR THE PURPOSE OF PROVIDING A FREE LIBRARY FOR THE CITIZENS OF CHARLOTTE, AND

WHEREAS, THE SAID PROPERTY WAS CONVEYED BY THE CITY OF CHARLOTTE TO THE CHARLOTTE CARNEGIE PUBLIC LIBRARY UNDER AN ACT OF THE LEGISLATURE OF 1903 TO BE HELD BY THE SAID CORPORATION IN TRUST FOR THE CITY OF CHARLOTTE FOR THE PURPOSE OF FURNISHING A FREE LIBRARY TO THE WHITE CITIZENS OF CHARLOTTE, AND

WHEREAS, THE BUILDING LOCATED ON SAID PROPERTY ON NORTH TRYON STREET AND USED AS A FREE PUBLIC LIBRARY BUILDING IS IN A BAD STATE OF REPAIR AND IS DETERIORATING AND BEING DAMAGED AND THAT THE ROOF LEAKS AND THE PLASTERING ON THE WALLS IS CRACKING AND FALLING OFF ON ACCOUNT OF THESE LEAKS AND OTHER CONDITIONS AND THE COUNCIL IS OF THE OPINION AND FURTHER FINDS AS A FACT, THAT IT WOULD BE ECONOMY TO HAVE THE SAID BUILDING REPAIRED IN ORDER TO CONSERVE THE BUILDING FOR THE PURPOSES FOR WHICH IT WAS BUILT AND BEING OPERATED.

NOW, THEREFORE; BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE THAT THE MAYOR AND CITY CLERK BE AUTHORIZED TO ENTER INTO A CONTRACT WITH THE LOW AND ACCEPTED BIDDER

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FOR THIS WORK AND THAT THE PROPER AND NECESSARY REPAIRS TO SAID BUILDING BE MADE, PROVIDED MECKLENBURG COUNTY COMMISSIONERS BEAR ONE-HALF THE EXPENSE OF THE REPAIRS.

RATIFIED AND ADOPTED THIS THE 2ND. DAY OF OCTOBER 1935.

MR. MARSHALL ADVISED THAT HE HAD CONFERRED WITH THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS WHO FELT THAT THE COUNTY SHOULD BEAR HALF OF THE EXPENSE OF SAID REPAIRS AND THAT HE WOULD PRESENT THE MATTER TO HIS BOARD AT ITS NEXT MEETING.

POLICE PHYSICIAN TO WORK ON A FEE BASIS.

THE CITY MANAGER REPORTED THAT HE HAD DISPENSED WITH THE SERVICES OF DR. J. E. S. DAVIDSON AS POLICE PHYSICIAN AND HAD ENTERED INTO AN AGREEMENT WITH DR. W. TURNER RAY TO HANDLE THIS WORK ON A FEE BASIS.

MR. LLOYD RANSOM MADE SPECIAL OFFICER.

ON MOTION OF COUNCILMAN ALBEA, SECONDED BY COUNCILMAN BOYD AND UNANIMOUSLY CARRIED, MR. LLOYD RANSOM WAS GIVEN A PERMIT FOR SPECIAL OFFICER ON SCHOOL PROPERTY OF THE CITY OF CHARLOTTE, THIS HAVING BEEN REQUESTED BY THE BOARD OF SCHOOL COMMISSIONERS.

OPEN GULLEY ON WEST TRADE STREET REPORTED UNSAFE.

COUNCILMAN WILKINSON REPORTED THAT AN OPEN GULLEY BETWEEN SUMMITT AVENUE AND THE CREEK, ON THE SOUTH SIDE OF WEST TRADE STREET, HAD BEEN CALLED TO HIS ATTENTION AS BEING UNSAFE, THIS GULLEY BEING ABOUT 8 FEET DEEP AND THE RAILING PROTECTING IT BEING GONE. MR. MARSHALL STATED HE WOULD HAVE THE MATTER INVESTIGATED.

CEMETERY DEEDS.

ON MOTION OF COUNCILMAN WILKINSON, SECONDED BY COUNCILMAN HUNTLEY AND CARRIED, THE FOLLOWING CEMETERY DEEDS WERE ORDERED APPROVED AND RECORDED:

MRS. R. D. O'SHIELD, SEC. "X", N. HALF LOT NO. 28	\$62.65
PERPETUAL CARE FOR ABOVE LOT	54.85
W. F. SUMMERS, SEC. "X", S. HALF OF LOT NO. 32	62.65
PERPETUAL CARE FOR SAME	54.85
MRS. ETHEL SCARBORO AND A. L. SCARBORO, SEC. "U", LOT No. 223	70.00

REGISTRATION FOR COMING AIRPORT ELECTION.

COUNCILMAN DAXTER STATED THAT THE COMMITTEE APPOINTED FOR THE AIRPORT ELECTION SHOULD SEE THAT GREATER EFFORT IS MADE TO GET THE CITIZENS OUT TO REGISTER FOR THE ELECTION, THAT THE REGISTRATION TO DATE IS VERY SMALL AND THAT IF IT SHOULD BECOME KNOWN IN WASHINGTON THAT THE CITIZENS ARE NOT INTERESTED ENOUGH TO GO OUT AND VOTE IT MIGHT HURT THE POSSIBILITY OF GETTING THE AIRPORT APPROPRIATION. HE ALSO

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HE ALSO ADVISED THAT REPORTS HAD COME TO HIM THAT THE REGISTRARS IN SOME OF THE WARDS WERE NOT KEEPING THE BOOKS OPEN AND THAT PEOPLE GOING TO REGISTER COULD NOT DO SO.

COUNCILMAN BAXTER MOVED THAT THE COUNCIL THANK MAYOR DOUGLAS FOR THE SPLENDID WORK DONE IN WASHINGTON FOR THE AIRPORT. MOTION SECONDED BY COUNCILMAN WILKINSON AND CARRIED UNANIMOUSLY.

COUNCILMAN SIDES THEN MADE A MOTION THAT THE CITY COUNCIL ASK THE MECKLENBURG COUNTY BOARD OF ELECTIONS TO SEE TO IT THAT THE REGISTRARS ARE, IN THEIR PLACES AT THE HOURS REQUIRED BY LAW. MOTION SECONDED BY COUNCILMAN BAXTER AND UNANIMOUSLY CARRIED.

ADJOURNMENT.

MOTION BY COUNCILMAN ALBEA, SECONDED BY COUNCILMAN WILKINSON AND UNANIMOUSLY CARRIED THAT THE MEETING ADJOURN.

Alice B. McConnell
CITY CLERK