

OCTOBER 28, 1935.

JOINT MEETING OF CITY COUNCIL, CITY OF CHARLOTTE, AND THE BOARD OF COMMISSIONERS OF MECKLENBURG COUNTY, HELD IN THE MAYOR'S OFFICE, CITY HALL, MONDAY, OCTOBER 28, 1935, AT 4:00 O'CLOCK P.M., MAYOR BEN E. DOUGLAS PRESIDING.

PRESENT FOR CITY: MAYOR DOUGLAS, COUNCILMEN ALBEA, BOYD, HUDSON, HOVIS, HUNTLEY, NANCE, SIDES, TIPTON AND WILKINSON AND CITY MANAGER J. B. MARSHALL AND CITY ATTORNEY B. M. BOYD.

ABSENT: COUNCILMEN BAXTER AND DURHAM.

PRESENT FOR COUNTY: CHAIRMAN BAXTER HUNTER, COMMISSIONERS CASHION, DUNN, HARKEY AND WORLEY, AND COUNTY ATTORNEY HENRY FISHER.

THE MEETING WAS CALLED TO ORDER BY THE MAYOR, WHO STATED THE FIRST BUSINESS TO COME BEFORE THE JOINT BOARD AT THIS TIME WAS THE PROPOSED REPAIRS TO THE CHARLOTTE PUBLIC LIBRARY BUILDING.

LIBRARY BUILDING REPAIRS.

COUNCILMAN HUDSON, CHAIRMAN OF PUBLIC BUILDINGS COMMITTEE OF THE CITY COUNCIL, REPORTED THAT THE BUILDING IS BADLY IN NEED OF REPAIRS AND THAT IT WILL MEAN A SAVING OF MONEY TO REPAIR SAME AT THIS TIME.

DISCUSSION AS TO TITLE TO THIS BUILDING FOLLOWED, MR. BASIL BOYD, CITY ATTORNEY, EXPLAINING THAT THE CHARLOTTE CARNEGIE PUBLIC LIBRARY, INC., CONTROLLED BY A BOARD OF TRUSTEES COMPOSED OF SIX MEN, TWO OF WHOM ARE APPOINTED ALTERNATELY EACH TWO YEARS, BY THE MAYOR, HOLDS THE TITLE TO THE BUILDING IN TRUST FOR THE CITY OF CHARLOTTE BY AN ACT OF THE LEGISLATURE.

CHAIRMAN HUNTER STATED THAT THE COUNTY ATTORNEY HAS RULED THAT THE COUNTY CANNOT MAKE REPAIRS TO ANY BUILDING TO WHICH IT DOES NOT HOLD TITLE. HE SAID, HOWEVER, THAT THE BOARD OF COMMISSIONERS REALIZE THE NECESSITY FOR THESE REPAIRS AND WOULD LIKE TO DO THEIR PART BUT THAT THE ONLY WAY THEY COULD DO THIS WOULD BE BY DONATION AND AS THEY HAVE ALREADY GIVEN \$7500.00 TO THE LIBRARY THIS YEAR, WHICH IS AN INCREASE OF \$2500.00 OVER LAST YEAR, THEY DID NOT HAVE THE FUNDS TO DO SO.

COUNCILMAN SIDES OFFERED THE SUGGESTION THAT THE CITY MAKE REPAIRS TO THIS BUILDING AND LET THE COUNTY TAKE CARE OF ITS PART NEXT YEAR. A DISCUSSION AS TO THIS PROCEDURE FOLLOWED.

COMMISSIONER HARKEY THEN MOVED THAT THIS MATTER BE REFERRED TO THE CITY ATTORNEY AND COUNTY ATTORNEY TO WORK OUT SOME PLAN WITH THE BOARD OF TRUSTEES OF THE LIBRARY WHEREBY THEY CAN REPAIR THE BUILDING AND THE CITY AND COUNTY REIMBURSE THEM WITH AN APPROPRIATION AT THE BEGINNING OF THE NEXT BUDGET YEAR, EQUALLY BORNE BY THE CITY AND COUNTY. THIS MOTION SECONDED BY COUNCILMAN BOYD.

COMMISSIONER HARKEY THEN OFFERED AN AMENDMENT TO THIS MOTION TO INCLUDE THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS AND THE CITY MANAGER TO WORK WITH THE TWO ATTORNEYS AND THE LIBRARY BOARD. AMENDMENT ACCEPTED BY COUNCILMAN BOYD, AND THE AMENDMENT WAS VOTED ON AND CARRIED

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UNANIMOUSLY. WHEREUPON, THE ORIGINAL MOTION WAS PUT TO A VOTE AND UNANIMOUSLY CARRIED.

SALARY INCREASE FOR MR. B. L. BAKER, JUVENILE DEPARTMENT.

COMMISSIONER HUNTER STATED THAT THE JOINT BOARD HAD REDUCED THE SALARY OF MR. B. L. BAKER, OF THE JUVENILE OFFICE, AT A PREVIOUS MEETING BUT THAT HE HAD HEARD SEVERAL MEMBERS OF BOTH THE CITY AND COUNTY BOARD SAY THEY THOUGHT THIS UNWISE, AND ASKED THE JOINT BOARDS TO RE-CONSIDER THIS SALARY CUT.

COUNCILMAN ALBEA, SECONDED BY COMMISSIONER HUNTER, MOVED TO BRING THE SALARY OF MR. BAKER BACK UP. MOTION CARRIED UNANIMOUSLY.

COUNCILMAN HUDSON THEN MOVED THAT THE SALARY OF MR. BAKER BE PUT BACK TO \$180.00 PER MONTH RETROACTIVE AS OF THE DATE REDUCED. MOTION SECONDED BY COMMISSIONER HUNTER AND UNANIMOUSLY CARRIED.

SALARY OF MISS HONEYCUTT INCREASED.

COMMISSIONER HUNTER THEN EXPLAINED TO THE BOARDS THAT THROUGH A MISUNDERSTANDING ON HIS PART, MISS HONEYCUTT, OF THE INDUSTRIAL HOME, HAD BEEN TOLD THAT HER SALARY WOULD BE \$60.00 PER MONTH, WHEREAS, ALL THEY COULD PAY HER WAS \$50.00 THE SAME AS WAS PAID MRS. NEWELL, AND STATED THAT HE WOULD LIKE TO SEE HER SALARY INCREASED TO \$60.00 PER MONTH AND MADE RETROACTIVE.

COUNCILMAN ALBEA MOVED THAT MISS HONEYCUTT'S SALARY BE RAISED TO \$60.00 PER MONTH. NO SECOND TO THIS MOTION AND MR. ALBEA WITHDREW SAME.

COUNCILMAN SIDES, SECONDED BY COMMISSIONER WORLEY THEN MOVED THAT MISS HONEYCUTT BE PAID \$60.00 PER MONTH BEGINNING NOVEMBER 1ST. MOTION CARRIED UNANIMOUSLY.

RADIO FOR COUNTY NOW READY.

MR. MARSHALL, CITY MANAGER, AS A MATTER OF INFORMATION, ADVISED THE TWO BOARDS THAT THE JOINT RADIO STATION HAS BEEN COMPLETED AND IS NOW IN OPERATION; THAT THE TOWER HAS NOT YET ARRIVED, ALTHOUGH SHIPPED LAST FRIDAY, AND THAT THE COUNTY COMMISSIONERS CAN NOW INSTALL THEIR RADIO SETS IN THEIR CARS.

THE BOARD OF COMMISSIONERS STATED THAT A COMMITTEE HAS BEEN APPOINTED TO PURCHASE THESE SETS AND ASKED FOR THE CITY'S HELP IN SELECTING SAME.

REPAIRS TO JUVENILE JAIL.

MR. HENRY FISHER, COUNTY ATTORNEY, PRESENTED THE NEED FOR REPAIRS AT THE JUVENILE JAIL, STATING TWO EXTRA CELLS ARE BADLY NEEDED, AND ASKED COMMISSIONER HARKEY TO EXPLAIN THE SITUATION.

MR. HARKEY STATED THAT CERTAIN CLASS OF BOYS ABUSE THE BUILDING; THAT BOYS COME IN DISEASED AND THAT IT IS NOT PROPER AND RIGHT TO PUT THEM WITH THE OTHER CHILDREN AND WITH TWO EXTRA CELLS THEY COULD BE SEPARATED AND TREATED. HE STATED THE BEST PLACE TO PUT THESE TWO CELLS IS DOWN IN THE OLD COURT ROOM AND THAT THERE IS MATERIAL ENOUGH FROM THE OLD JAIL BUILDING TO BE SALVAGED TO MAKE THE TWO CAGES; THAT TWO TOILETS

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AND A RADIATOR WILL BE REQUIRED; THAT THE COST OF INSTALLING THE TWO CELLS COMPLETE, ACCORDING TO THE LOWEST BID, WILL BE \$125.00, AND INSTALLING THE TWO TOILETS AND RADIATOR, USING AN OLD RADIATOR, WILL AMOUNT TO \$118.50, TOTAL COST NOT TO EXCEED \$250.00. MR. HARKEY STATED THAT THIS COULD BE HANDLED IN THE SAME MANNER AS REPAIRS TO THE BUILDING WHEN CONVERTED INTO A JUVENILE JAIL, THE CITY TO REIMBURSE THE COUNTY IN ADDITIONAL RENT.

IT WAS AGREED THAT IF THE CITY APPROVED THESE REPAIRS, WHICH HAVE ALREADY BEEN APPROVED BY THE COUNTY, THAT THE AGREEMENT ALREADY EXISTING BETWEEN THE CITY AND COUNTY FOR THE JUVENILE JAIL COULD BE EXTENDED FROM JANUARY 3, 1938 TO ABOUT MARCH 1, 1938, IN ORDER TO TAKE CARE OF THE CITY'S PART OF SAME.

COUNCILMAN BOYD, SECONDED BY COUNCILMAN SIDES, MOVED TO PUT IN THE TWO CELLS, TOILETS AND RADIATOR, MOTION CARRIED UNANIMOUSLY.

INTEREST CHARGE ON DELINQUENT TAXES.

THE MATTER OF WHEN TO BEGIN CHARGING INTEREST ON DELINQUENT TAXES WAS BROUGHT UP AND DISCUSSED AT LENGTH.

COUNCILMAN ALBEA MADE A MOTION NOT TO CHARGE INTEREST THROUGH OCTOBER AND NOVEMBER. NO SECOND AND MOTION WITHDRAWN.

COUNCILMAN WILKINSON THEN MOVED NOT TO CHARGE INTEREST UNTIL JANUARY 1ST., SECONDED BY COMMISSIONER HARKEY.

CITY ATTORNEY BOYD CITED THE LAW THAT INTEREST MUST BE RETROACTIVE AS OF OCTOBER 1ST., AND BOTH ATTORNEYS STATED THAT THEY DID NOT THINK THE ABOVE MOTION WOULD BE LEGAL. COUNCILMAN WILKINSON WITHDREW HIS MOTION, AND AFTER LONG DISCUSSION, IT WAS DECIDED THAT NO ACTION WOULD BE TAKEN UNTIL THE ATTORNEYS CAN GO INTO THE MATTER MORE THOROUGHLY.

HOSPITALIZATION OF CHARITY PATIENTS BY CITY AND COUNTY JOINTLY.

THE CITY MANAGER REPORTED THAT THE ACCOUNTING DEPARTMENT OF THE CITY WAS WITHHOLDING PAYMENT OF CERTAIN BILLS FOR HOSPITALIZATION AS THE QUESTION HAD AROSE AS TO WHETHER THE CITY WAS PAYING HOSPITALIZATION ON PATIENTS LIVING IN THE COUNTY AND THAT THE ACCOUNTING DEPARTMENT WAS TAKING FOR GRANTED THAT ONLY PATIENTS WITHIN THE CITY SHOULD BE TAKEN CARE OF BY THE CITY. HE STATED THAT THE OLD CUSTOM WAS TO PAY ALL BILLS APPROVED BY THE COMMITTEE. THE AMOUNT BEING HELD UP BY THE ACCOUNTING DEPARTMENT AS COVERING PATIENTS OUTSIDE THE CITY WAS \$1188.50, OR THE CITY'S HALF AMOUNTING TO \$594.25.

AFTER DISCUSSION, MR. MARSHALL RECOMMENDED THAT THE CITY SETTLE THESE BILLS, AMOUNTING TO \$1188.50 ON A JOINT BASIS AND THEN SETTLE WHETHER TO GO AHEAD ON THE SAME BASIS.

COUNCILMAN SIDES, SECONDED BY COUNCILMAN HUDSON, MOVED THAT THE CITY SETTLE THESE BILLS ON A PRO RATA BASIS THROUGH OCTOBER. MOTION CARRIED UNANIMOUSLY.

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COMMISSIONER HARKEY THEN MADE A MOTION THAT THE MAYOR, THE CITY MANAGER, THE CHAIRMAN OF THE BOARD OF COMMISSIONERS AND ONE MEMBER OF THE BOARD OF COMMISSIONERS, APPOINTED BY THE CHAIRMAN, BE APPOINTED A COMMITTEE TO GO INTO THE MATTER AND WORK OUT A PROPER BASIS FOR HANDLING THIS HOSPITALIZATION. MOTION SECONDED BY COUNCILMAN WILKINSON.

COMMISSIONER HUNTER OFFERED AN AMENDMENT TO THE ABOVE MOTION THAT THE AUDITORS OF THE CITY AND COUNTY BE INCLUDED ON THAT COMMITTEE.

MR. BRADSHAW, AUDITOR FOR MECKLENBURG COUNTY, ASKED THAT BOTH AUDITORS BE LEFT OFF BUT MR. HUNTER EXPLAINED WHY HE WANTED THEM ON, AND MR. HARKEY ACCEPTED THE AMENDMENT, AND MOTION AS AMENDED CARRIED UNANIMOUSLY.

COUNCILMAN WILKINSON THEN OFFERED AS AMENDMENT ALSO THAT THE CHAIRMAN OF THE FINANCE COMMITTEE FROM THE CITY OF CHARLOTTE BE PUT ON THE COMMITTEE INSTEAD OF THE MAYOR. THIS SECONDED BY COUNCILMAN HOVIS AND ACCEPTED BY COMMISSIONER HARKEY, AND UNANIMOUSLY CARRIED.

CHAIRMAN HUNTER APPOINTED AS THE MEMBER FROM THE COUNTY BOARD OF COMMISSIONERS ON THIS COMMITTEE COMMISSIONER HARKEY.

PAUPERS COFFINS AND GRAVE DIGGING.

THE MATTER OF PAUPERS COFFINS AND GRAVE DIGGING WAS BROUGHT UP BY MR. MARSHALL, STATING THAT THIS WAS A MATTER SIMILAR TO THAT JUST ABOVE; THAT THERE WAS A TENTATIVE AGREEMENT BETWEEN THE CITY AND COUNTY THAT THE CITY PAY FOR ALL GRAVE DIGGING AND THE COUNTY FOR ALL PAUPERS COFFINS, WHICH AMOUNT TO ABOUT THE SAME.

COUNCILMAN HOVIS, SECONDED BY COUNCILMAN HUNTLEY, MOVED THAT THIS MATTER BE REFERRED TO THE SAME COMMITTEE AS ABOVE, WHICH MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT.

MOTION BY COMMISSIONER HARKEY, SECONDED BY COUNCILMAN HUNTLEY TO ADJOURN, UNANIMOUSLY CARRIED.

Alice B. McConnell
CITY CLERK

G. D. Bradshaw
CLERK, COUNTY BOARD OF COMMISSIONERS.