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THE REGULAR MEETING OF THE CITY COUNCIL WAS HELD IN THE COUNCIL CHAMBER, AT 4:00 O'CLOCK P. M., WEDNESDAY, SEPTEMBER 18, 1935, WITH MAYOR BEN E. DOUGLAS PRESIDING, AND COUNCILMEN: ALBEA, BAXTER, BOYD, DURHAM, HOVIS, HUDSON HUNTLEY, NANCE, SIDES AND TIPTON PRESENT.

ABSENT: COUNCILMAN WILKINSON.

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APPROVAL OF MINUTES OF SEPTEMBER 11, 1935.

ON MOTION OF COUNCILMAN ALBEA, SECONDED BY COUNCILMAN DURHAM, THE MINUTES OF THE MEETING OF SEPTEMBER 11, 1935 WERE APPROVED AS READ, COUNCILMAN BOYD NOT VOTING DUE TO ABSENCE FROM THE SEPTEMBER 11TH. MEETING.

MR. R. A. CAMP APPEARED ASKING FOR RE-CONSIDERATION AS BOILER MAN.

MR. R. A. CAMP, FORMER EMPLOYEE OF THE CITY OF CHARLOTTE, APPEARED BEFORE THE COUNCIL, ASKING THAT HE BE CONSIDERED IF A THIRD BOILER MAN IS PUT ON AND ASKING IF HIS SERVICES WERE NOT SATISFACTORY IN THE PAST IN JUST WHAT MANNER WERE THEY NOT.

MR. STATES LEE AND DR. HOLLAND RECOGNIZED.

THE MAYOR INTRODUCED MR. STATES LEE AND DR. HOLLAND AS TWO VISITORS PRESENT BUT NEITHER HAD ANYTHING TO SAY AT THIS TIME.

CITY MANAGER'S REPORT.

THERE BEING NO OUTSIDE DELEGATIONS TO BE HEARD FROM, THE MAYOR STATED THE CITY MANAGER WOULD PRESENT HIS REPORT, AS FOLLOWS:

SUIT OF McDOWELL AGENCIES.

ON RECOMMENDATION FROM THE CITY ATTORNEYS WITH REGARD TO THE SUIT OF McDOWELL AGENCIES ON ACCOUNT OF ALLEGED INJURY AND DAMAGES TO ITS LAND NEAR THE SUGAW CREEK DISPOSAL PLANT, COUNCILMAN BAXTER, SECONDED BY COUNCILMAN HUDSON, MOVED TO ADOPT THE CITY ATTORNEYS' RECOMMENDATION TO SETTLE THIS CLAIM FOR \$750.00.

A.G.M.

COUNCILMAN SIDES OPPOSED THIS SETTLEMENT DUE TO THE FACT THAT THE ORIGINAL CLAIM WAS FOR \$25,000 AND THEY ARE WILLING TO SETTLE FOR \$750.00, IT APPEARS SOMEONE IS TRYING TO GET SOMETHING FOR NOTHING.

MR. BOYD, CITY ATTORNEY EXPLAINED THE STATUS OF THE CASE UP TO THE PRESENT TIME AND THEIR RECOMMENDATION WAS DUE TO THE FACT THAT WHETHER THE CITY WON OR LOST ITS CASE IT COULD NOT COME OUT FOR AS LOW A SUM AS \$750.00. GENERAL DISCUSSION FOLLOWED, WITH A VOTE ON SAME RESULTING AS FOLLOWS:

AYE: COUNCILMEN BAXTER, DURHAM, NANCE AND HUDSON.
NAY: COUNCILMEN ALBEA, HOVIS, BOYD, HUNTLEY, SIDES AND TIPTON.

MOTION DECLARED LOST AND THE CLAIM IS NOT TO BE SETTLED FOR \$750.00

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REPAIRS TO CHARLOTTE PUBLIC LIBRARY.

THE CITY MANAGER PRESENTED A LETTER FROM THE BOARD OF THE CHARLOTTE PUBLIC LIBRARY WITH REGARD TO THE CONDITION OF THE LIBRARY BUILDINGS AT THE PRESENT TIME, IN WHICH THEY STATE NO WORK HAS BEEN DONE ON THESE BUILDINGS FOR THE PAST TEN YEARS, AND BOTH ARE IN BAD DISREPAIR. MR. MARSHALL STATED HE HAD A REPORT ON THE COST OF THE CONTEMPLATED WORK, BUT STATED THAT HE WOULD SUGGEST THAT THE MATTER BE REFERRED TO THE BUILDING COMMITTEE FOR A LITTLE MORE STUDY. IT BEING AGREEABLE TO THE COUNCIL, THE MAYOR REFERRED THIS MATTER TO THE BUILDING COMMITTEE.

CHEMICAL HYDRATED LIME AUTHORIZED FOR WATER WORKS PLANT.

ON MOTION OF COUNCILMAN HOVIS, SECONDED BY COUNCILMAN HUNTLEY, AND CARRIED UNANIMOUSLY, THE MAYOR AND CLERK WERE AUTHORIZED TO EXECUTE CONTRACT WITH THE WEARN LUMBER COMPANY FOR 25 TONS OF CHEMICAL HYDRATED LIME AT \$11.22 PER TON FOR USE AT THE WATER WORKS PLANT, TOTAL AMOUNT OF CONTRACT TO BE \$280.50.

REPAIRS TO ELECTRICAL TRANSFORMER AT CATAWBA RIVER STATION.

THE MAYOR AND CLERK WERE AUTHORIZED TO SIGN CONTRACT WITH THE CHARLOTTE ELECTRIC REPAIR COMPANY FOR EMERGENCY REPAIRS ON TRANSFORMER AT THE CATAWBA RIVER PUMING STATION, IN THE TOTAL AMOUNT OF \$247.90, ON MOTION OF COUNCILMAN SIDES, SECONDED BY COUNCILMAN TIPTON AND UNANIMOUSLY CARRIED.

REQUEST FOR OPENING HENRY STREET NOT GRANTED.

COUNCILMAN HUDSON MOVED NOT TO GRANT THE REQUEST OF E. C. GRIFFITH REALTY COMPANY THAT HENRY STREET BE OPENED FOR A DISTANCE OF 150 FEET NORTH FROM WEST MOREHEAD STREET TO SERVE THE BILTMORE DAIRIES, IT BEING THE POLICY OF THE COUNCIL NOT TO OPEN STREETS THAT SERVE ONLY ONE CONCERN. MOTION SECONDED BY COUNCILMAN NANCE AND CARRIED UNANIMOUSLY.

RE-ASSESSMENT ORDINANCE EAST SECOND STREET.

COUNCILMAN ALBEA INTRODUCED THE FOLLOWING ORDINANCE AND MOVED ITS ADOPTION, WHICH WAS SECONDED BY COUNCILMAN NANCE AND UNANIMOUSLY CARRIED:

THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, DO ORDAIN THAT THE SPECIAL BENEFITS TO THE ABUTTING PROPERTY ON EAST SECOND STREET ON ACCOUNT OF THE PAVING OF THE STREET AND WALKS, BEGINNING AT THE NORTHEAST CORNER OF SOUTH BREVARD AND EAST SECOND STREETS AND EXTENDING THENCE IN AN EASTERLY DIRECTION A DISTANCE OF 390 FEET, AND BEING ORIGINALLY ASSESSED AS A WHOLE AGAINST A.M.E. ZION PUBLISHING HOUSE, IS HEREBY SUB-DIVIDED AND REASSESSED ON THE NORTH SIDE ONLY AS FOLLOWS:

NEW NO.	OWNER	FRONT	SEWER	WATER	ROAD	WALK	TOTAL
401-07	A.M.E.ZION PUB. HOUSE	98	----	----	367.50	97.13	464.63
409-31	AM.E.ZION PUB. HOUSE	292	36.80	---	1,095.00	268.64	1,400.44

ON MOTION OF COUNCILMAN ALBEA, SECONDED BY COUNCILMAN NANCE AND UNANIMOUSLY CARRIED, THE RULES WERE SUSPENDED AND THE ORDINANCE WAS ADOPTED ON IT SECOND AND THIRD READINGS, AND DECLARED TO BE AN ORDINANCE OF THE CITY OF CHARLOTTE.

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E.R.A. HEADQUARTERS RENT REDUCED TO \$75.00 PER MONTH.

MR. MARSHALL REPORTED THAT HE HAD MADE AN AGREEMENT WITH MR. PAUL CHATHAM TO REDUCE THE RENT ON THE QUARTERS OCCUPIED BY THE E.R.A. FROM \$150.00 TO \$75.00 PER MONTH. THE CITY AND COUNTY WILL CONTINUE TO PAY THE LIGHT, POWER AND WATER AS IN THE PAST. THIS TO BE EFFECTIVE AS OF OCTOBER 1ST. SINCE ALL OFFICES HAVE NOT COMPLETED MOVING FROM THE FLOOR WHICH WAS GIVEN UP.

RADIO EQUIPMENT FOR BROADCASTING STATION.

THE CITY MANAGER REPORTED THAT OFFICIAL APPROVAL HAS BEEN RECEIVED FROM THE FEDERAL RADIO COMMISSION TO INCREASE THE POWER OF THE BROADCASTING STATION, AND THAT ARRANGEMENTS ARE BEING MADE TO INSTALL THE TOWER AND EQUIP THE STATION FOR THE NEW WATTAGE. COUNCILMAN BOYD MADE A MOTION AUTHORIZING THE MAYOR AND CLERK TO SIGN A CONTRACT WITH THE SOUTHERN ENGINEERING COMPANY, IN THE AMOUNT OF \$275.00 FOR CERTAIN STRUCTURAL STEEL ALTERATIONS IN THE ROOF, NECESSARY TO CARRY THE 94-FOOT TOWER. THIS MOTION SECONDED BY COUNCILMAN ALBEA AND CARRIED UNANIMOUSLY.

ON MOTION OF COUNCILMAN HUNTLEY, SECONDED BY COUNCILMAN SIDES AND CARRIED UNANIMOUSLY, THE MAYOR AND CLERK WERE ALSO AUTHORIZED TO EXECUTE CONTRACT WITH THE GRAYBAR ELECTRIC COMPANY FOR THE TOWER, WHICH INCLUDES INSULATORS, AT A COST OF \$671.00.

TRAFFIC SURVEY

THE CITY MANAGER STATED THAT DURING THE PAST WEEK HE HAD SENT TO EACH MEMBER OF THE COUNCIL A COPY OF THE TRAFFIC SURVEY, TOGETHER WITH A SUGGESTED TRAFFIC ORDINANCE, BOTH OF WHICH HAVE ALSO BEEN SUBMITTED TO THE CIVIL SERVICE COMMISSION, THE CITY ATTORNEYS, JUDGE WHITING AND SOLICITOR BARKLEY, AND HE ASKED FOR ANY SUGGESTIONS REGARDING SAME.

COUNCILMAN SIDES ASKED THAT THE COUNCIL PASS ON THE SECTION OF THE ORDINANCE RELATIVE TO SCHOOL CHILDREN SOLICITING RIDES BY STANDING IN THE MIDDLE OF THE STREETS, AT THIS MEETING, STATING THAT WITH SCHOOL JUST OPENING HE FELT THAT THIS SHOULD BE ACTED ON AT ONCE. HOWEVER, MR. MARSHALL ASKED THAT THEY TRY FOR ONE WEEK HAVING THE POLICE DEPARTMENT INSTRUCT THE OFFICERS TO KEEP THE CHILDREN OUT OF THE STREETS UNTIL THE ORDINANCE IS ADOPTED.

FREE WATER FOR PARKS AND PLAYGROUNDS DEFERRED UNTIL COUNCILMAN WILKINSON'S RETURN.

THE QUESTION OF FREE WATER BEING SUPPLIED BY THE CITY FOR ALL DRINKING FOUNTAINS IN CITY PARKS WAS DEFERRED UNTIL COUNCILMAN WILKINSON CAN BE PRESENT.

TRANSFER OF FUNDS FROM CONTINGENT TO CIVIL SERVICE FOR PURPOSE OF CONDUCTING EXAMINATIONS.

ON MOTION OF COUNCILMAN SIDES, SECONDED BY COUNCILMAN HUNTLEY AND CARRIED UNANIMOUSLY, THE RECOMMENDATION OF CITY MANAGER MARSHALL TO TRANSFER \$100.00 FROM THE CONTINGENT FUND TO CIVIL SERVICE DEPARTMENT FOR THE EXPENSE OF CONDUCTING AN EXAMINATION AND ADDITIONAL CLERICAL HELP INCIDENTAL THERETO, WAS ACCEPTED.

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DOTGER AVENUE TAKEN OVER FOR CITY MAINTENANCE.

ON MOTION OF COUNCILMAN ALBEA, SECONDED BY COUNCILMAN BOYD AND UNANIMOUSLY CARRIED, THE REQUEST OF MR. C. N. SHERRILL THAT DOTGER AVENUE, BETWEEN 5TH STREET AND KENMORE AVENUE BE TAKEN OVER FOR CITY MAINTENANCE, WAS GRANTED ON RECOMMENDATION OF THE CITY ENGINEER AND CITY MANAGER.

MEDAL FOR RETIRING POLICEMAN MERRITT.

THE CITY MANAGER ADVISED THAT MR. C. C. BEASLEY, CHAIRMAN OF THE CIVIL SERVICE COMMISSION, HAD RECOMMENDED THAT A GOLD MEDAL BE PRESENTED TO MR. TOM MERRITT, WHO IS RETIRING FROM THE POLICE DEPARTMENT AFTER THIRTY YEARS OF FAITHFUL SERVICE, AND COUNCILMAN BOYD MOVED THAT THE CITY PRESENT TO MR. MERRITT A MEDAL IN KEEPING WITH THE SERVICES RENDERED BY MR. MERRITT, PROPERLY INSCRIBED. MOTION SECONDED BY COUNCILMAN HUNTLEY AND CARRIED UNANIMOUSLY.

COUNCILMAN BOYD EXPRESSED HIS HIGH ESTEEM FOR POLICEMAN MERRITT AND HIS REGRET AT HIS LEAVING THE SERVICE.

NEW EMPLOYEES FOR SCHOOL NURSING PROGRAM- CITY HEALTH DEPT.

THE CITY MANAGER REPORTED THE FOLLOWING APPOINTMENTS MADE FOR THE SCHOOL NURSING PROGRAM IN THE HEALTH DEPARTMENT:

MRS. MARTHA WRIGHT, SUPT. OF SCHOOL NURSING
MISS CLARA HENDERSON, PUBLIC HEALTH NURSE
MISS VIRGINIA CRAWFORD, " " "
MISS SARA IRWIN, " " "
BLANCHE SANSON, " " "
MILDRED HAYGOOD " " "
MISS MELITA TEAM, CLERICAL ASSISTANT.

REQUEST FOR OPENING STREET TO THE POLO GROUNDS.

THE CITY MANAGER REPORTED A REQUEST RECEIVED FROM MR. W. S. LEE FOR OPENING A STREET OFF LOMBARBY CIRCLE TO THE POLO GROUNDS AND READ A REPORT FROM THE CITY ENGINEER AS TO THE APPROXIMATE COST OF THIS WORK. THIS REPORT RECOMMENDS THAT IF THE CITY DOES NOT CARE TO OPEN THIS STREET THAT BROKEN CONCRETE FROM OTHER EXCAVATIONS CAN BE DONATED IF THEY WISH TO DO THE WORK THEMSELVES.

THEREUPON, COUNCILMAN SIDES MOVED NOT TO OPEN THIS STREET BUT TO DONATE THE BROKEN CONCRETE IF THEY CARE TO OPEN IT. MOTION SECONDED BY COUNCILMAN BOYD AND UNANIMOUSLY CARRIED.

CONTRACT OF H. C. NORTHROP & COMPANY.

THE CITY MANAGER PRESENTED A REPORT OF THE CITY TREASURER RELATIVE TO CONTRACT OF H. C. NORTHROP & COMPANY FOR SPECIAL WORK IN CONNECTION WITH THE AUDIT REQUIRED WHEN THE TAX COLLECTOR'S POSITION WAS CHANGED.

MR. LEDBETTER WAS ASKED TO EXPLAIN WHY THIS SPECIAL AUDIT WAS NECESSARY.

COUNCILMAN ALBEA THEN MOVED THAT THE MAYOR AND CLERK BE AUTHORIZED TO EXECUTE THE CONTRACT COVERING THIS WORK, WHICH WAS SECONDED BY COUNCILMAN HUDSON AND CARRIED UNANIMOUSLY.

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RAILWAY CROSSING AND SPEED ORDINANCE.

COUNCILMAN HUDSON INTRODUCED THE FOLLOWING ORDINANCE,
AND THE SAME WAS READ:

AN ORDINANCE ENTITLED,
THE REGULATION OF THE OPERATION OF RAILWAY TRAINS
AT CERTAIN STREET CROSSINGS IN THE CITY OF CHARLOTTE.

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

SECTION 1. THAT ALL CARS, TRAINS, LOCOMOTIVES AND SHIFTING ENGINES OF ANY RAILROAD OR RAILWAY COMPANY SHALL BE MADE TO COME TO A FULL STOP BEFORE CROSSING SOUTH TRYON STREET, SOUTH MINT STREET, NORTH DAVIDSON STREET, CENTRAL AVENUE, PARK AVENUE, EAST FIFTH STREET, EAST SIXTH STREET, EAST SEVENTH STREET AND EAST NINTH STREET IN THE CITY OF CHARLOTTE AND BEFORE ANY SUCH CARS, TRAINS, LOCOMOTIVES OR SHIFTING ENGINES SHALL ENTER UPON ANY SUCH CROSSING, A FLAGMAN SHALL PRECEDE THEM OVER THE CROSSINGS FOR THE PURPOSE OF WARNING THE TRAVELING PUBLIC; PROVIDING, HOWEVER, IF THE COMPANY OR COMPANIES OPERATING OVER SUCH STREETS AT THE CROSSINGS MENTIONED SHALL HAVE PROVIDED A WATCHMAN OR AN ACCEPTABLE STANDARD ELECTRIC CROSSING SIGNAL DEVICE AT ANY STREET CROSSING MENTIONED ABOVE FOR THE PURPOSE OF WARNING THE TRAVELING PUBLIC OF CARS, TRAINS, LOCOMOTIVES AND SHIFTING ENGINES APPROACHING ANY SUCH CROSSING, THEN IT SHALL NOT BE NECESSARY FOR SUCH CARS, TRAINS, LOCOMOTIVES OR SHIFTING ENGINES TO STOP AT ANY SUCH CROSSING NOR SHALL IT BE NECESSARY TO MAINTAIN A WATCHMAN OR FLAGMAN AT ANY OF SAID CROSSINGS, PROVIDED SUCH CROSSING IS EQUIPPED WITH AN ACCEPTABLE STANDARD ELECTRIC CROSSING SIGNAL DEVICE.

SECTION 2. THE SPEED OF RAILROAD TRAINS IN PASSING THROUGH THE CITY SHALL NOT EXCEED 25 MILES PER HOUR, EXCEPT WHEN CROSSING CITY STREETS AND THE SPEED THEN SHALL NOT BE IN EXCESS OF 15 MILES PER HOUR.

SECTION 3. ALL LAWS AND CLAUSES OF LAWS IN CONFLICT HEREWITH ARE HEREBY REPEALED.

SECTION 4. ANYONE VIOLATING ANY PROVISION OF THIS ORDINANCE UPON CONVICTION SHALL BE FINED THE SUM OF \$25.00 FOR EACH AND EVERY OFFENSE.

SECTION 5. THIS ORDINANCE SHALL BECOME EFFECTIVE TEN (10) DAYS AFTER ITS ADOPTION.

COUNCILMAN HUDSON, SECONDED BY COUNCILMAN BOYD, MOVED THE ADOPTION OF THE ABOVE ORDINANCE, WHICH WAS UNANIMOUSLY CARRIED.

ON MOTION OF COUNCILMAN HUDSON, SECONDED BY COUNCILMAN BOYD, THE RULES WERE SUSPENDED AND THE FOREGOING ORDINANCE WAS PLACED UPON SECOND AND THIRD READINGS, AND UNANIMOUSLY ADOPTED, AND DECLARED TO BE AN ORDINANCE OF THE CITY OF CHARLOTTE, EFFECTIVE TEN DAYS AFTER ITS RATIFICATION.

ELGIN SWEEPER.

ON MOTION OF COUNCILMAN ALBEA, SECONDED BY COUNCILMAN HUNTLEY, THE ELGIN SWEEPER PURCHASED FOR THE STREET DEPARTMENT, WAS UNANIMOUSLY ACCEPTED BY THE CITY COUNCIL AFTER HAVING BEEN TESTED AND FOUND IN ACCORDANCE WITH THE SPECIFICATIONS.

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CONTRACT FOR 6,000 GALLONS OF GASOLINE FROM SINCLAIR REFINING CO.

ON ADVICE OF THE CITY MANAGER THAT JUST PRIOR TO CONTRACTING FOR THE YEARLY SUPPLY OF GASOLINE, THE CITY PURCHASED 6,016 GALLONS OF GASOLINE AT .1422 CENTS PER GALLON FROM SINCLAIR REFINING COMPANY, THE LOW BIDDER ON SAME, COUNCILMAN BOYD MADE A MOTION, WHICH WAS SECONDED BY COUNCILMAN HUDSON AND CARRIED UNANIMOUSLY, THAT THE MAYOR AND CITY CLERK SIGN THE CONTRACT COVERING THIS PURCHASE OF GASOLINE.

RE MR. R. A. CAMP.

COUNCILMAN BOYD STATED THAT HE WOULD LIKE TO HAVE THE COUNCIL DO SOMETHING FOR MR. CAMP, WHO HAD APPEARED EARLIER IN THE MEETING ASKING FOR RE-EMPLOYMENT. MR. BOYD STATED HE WOULD LIKE TO HAVE MR. MARSHALL GO INTO THE MATTER AND SEE IF SOMETHING CANNOT BE WORKED OUT FOR HIM.

CITY MANAGER TO HAVE CHECK-UP MADE ON PERSONAL POLL TAX AND CITY AUTOMOBILE TAGS.

COUNCILMAN SIDES STATED THAT HE WOULD LIKE FOR THE COUNCIL TO PERMIT THE CITY MANAGER TO HAVE AN ABSOLUTELY FREE HAND TO PROCEED WITH THE CHECKING UP OF ALL PEOPLE WHO HAVE NOT BOUGHT CITY TAGS FOR THIS YEAR AND ALL THOSE WHO HAVE NOT PAID PERSONAL POLL TAX. THAT IF NECESSARY HE BE GIVEN EXTRA HELP TO CHECK UP ON THE REGISTRATION FOR THE SCHOOL ELECTION AND ALL ELECTIONS HELD IN CHARLOTTE FOR THE LAST FOUR OR FIVE YEARS AND SEE THAT THESE PEOPLE ARE MADE TO PAY, AND MADE A MOTION THAT THIS BE DONE IF IT MEETS WITH THE CITY MANAGER'S APPROVAL. MOTION SECONDED BY COUNCILMAN BOYD AND CARRIED UNANIMOUSLY.

CEMETERY DEEDS APPROVED.

ON MOTION OF COUNCILMAN ALBEA, SECONDED BY COUNCILMAN DURHAM, THE FOLLOWING CEMETERY DEEDS AND PERPETUAL CARE AGREEMENTS WERE UNANIMOUSLY APPROVED AND ORDERED RECORDED:

MRS. J. R. SMITH, LOT No. 273, IN SECTION	"U"	\$75.60
M. G. TOWNEND " 6 "	"X"	83.30

PERPETUAL CARE AGREEMENTS TO:

M. G. TOWNEND LOT No. 6 IN SECTION	"X"	71.80
MRS. S. B. ALEXANDER 298 "	"U"	100.00

MR. TOM WATKINS, OBSERVER REPORTED INTRODUCED AS HEAD OF A NEW CLAN.

MR. TOM WATKINS, REPORTER FOR THE CHARLOTTE OBSERVER, WAS INTRODUCED BY COUNCILMAN DURHAM AS THE HEAD OF A NEW CLAN, KNOWN AS THE WATKINS CLAN, MR. WATKINS BEING THE PROUD FATHER OF A FINE GIRL BORN ON SEPTEMBER 17TH. 1935.

ADJOURNMENT.

ON MOTION OF COUNCILMAN ALBEA, SECONDED BY COUNCILMAN HOVIS AND UNANIMOUSLY CARRIED, THE MEETING ADJOURNED.

Alice B. McConnell
CITY CLERK.