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The City Council met in the Council Chamber, City Hall, on Wednesday, April 27, 1938, at 4:00 o'clock P. M., with Mayor Douglas presiding and Councilmen Albea, Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Nance, Sides and Wilkinson present.

Absent: Councilman Little.

READING OF MINUTES DISPENSED WITH.

On motion of Councilman Albea, seconded by Councilman Hovis, the reading of the minutes of the last meeting was postponed at this meeting.

COLORED REPRESENTATIVES OF GREENVILLE SECTION ASKED FOR BETTER STREETS, ETC.

Rev. W. A. Blackwell, colored, representing the P. T. A. and Negro Ministers of the Greenville Section of the City, appeared before the Council with a delegation, asking for better streets and lighting in this section, in an effort to prevent crime and improve conditions among the colored race. Mayor Douglas advised the delegation that the City could not pave the streets, under the constitutional amendment, without a vote of the people, and therefore, the City could do nothing for them along that line, but that if they would petition for street lights the City would be glad to see what could be done in that connection. A woman member of the delegation asked to have the streets oiled and was advised that this would also have to be done under petition.

REV. W. W. JONES ASKED THAT THE CITY'S PARKS BE MADE MORE SUITABLE FOR THE YOUNG PEOPLE OF THE CITY.

Rev. W. W. Jones, Pastor of Allen Street Baptist Church, appeared before the Council, asking that something be done to make the public parks of the City cleaner places of recreation for the young people of Charlotte, and that beer drinking and other unsuitable conduct be stopped. He stated that beer drinking parties made it impossible to hold picnics and other outings for the young people, and that while he had intended to bring his complaint before the Park and Recreation Commission before presenting it to the Council, he would be out of the City at the time of the next meeting of the Commission.

Mayor Douglas assured Mr. Jones that the Council was anxious to make the public parks proper places of recreation and to cooperate in every way possible to make Charlotte a cleaner, more moral and friendlier city. He expressed regret that Rev. Jones had made certain statements to the press regarding alleged beer drinking parties in the parks before presenting his complaint to the proper officials; these statements involving City employees, and advised Mr. Jones that the City's annual parties are held at the Armory-Auditorium and not in the City parks.

ASSESSMENTS ON EAST PARK AVENUE.

Mr. H. L. Taylor appeared before the Council, asking for relief for his client on account of double assessment on property at 303 E. Park Avenue, stating that the property was certified to the H.O.L.C. for a loan, and was not properly indexed by the City and the attorney for H.O.L.C. did not catch the double assessment, which was against the property on the Cleveland Ave. side.

On motion of Councilman Wilkinson, seconded by Councilman Albea, this was referred to the Finance Committee.

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ORDINANCE REGARDING TAXICAB LIABILITY INSURANCE.

Mr. H. L. Taylor, Attorney, representing the ten-cent taxicab owners of Charlotte, appeared before the Council with a large delegation, stating that he had been advised that the ordinance regarding liability coverage for taxicabs would be amended, and protested any proposed amendment, stating that the dime taxicabs were getting along very well. Mr. Taylor spoke at length on the merits of the present operation and brought to the attention of the Council the fact that the dime cabs cannot get insurance and would, therefore, be thrown out of employment, if prevented from operating under the present arrangement. He also explained the settlement of a number of cases for damages brought against the taxicab owners.

Mr. Frank Kennedy, attorney for the Yellow Cab Company, 25-cent taxicab owner, spoke against the present manner of operation of the ten-cent taxis, and asked for repeal or amendment of the ordinance.

Mr. T. W. Alexander, an attorney, also spoke against the manner in which the claims against ten-cent taxi owners are handled, stating that when an accident occurs nobody knows who to bring suit against as the companies posting the cash bonds do not own the cabs and suit cannot be brought against them, and he, too, urged that something be done with regard to the present situation.

Mr. Blair Stroupe, owner of a number of dime cabs, took the floor and compared the operation of the taxicabs to the careless manner of operating the transportation buses, and protested the changing of the present ordinance.

After hearing all of the above arguments, no action was taken by the Council at this time, and the meeting passed on to other business.

CHRISTIAN ENDEAVOR BUTTON DAY.

Mr. Gray Rankin asked permission of the Council to designate Saturday, April 30th. as Christian Endeavor Button Day, this organization to sell buttons on the streets of the City that day. The Mayor advised that such permission would be granted provided it would not conflict with any other arrangements for that date.

CONTRACTS FOR 8" TERRA COTTA PIPE.

Bids having been received on two cars of 8" Terra Cotta Pipe for use on various sewer projects of the City, as follows:

Caldwell Construction Company	\$338.52
Charlotte Lumber & Mfg. Co.	338.52
J. L. Wiggins & Son Lbr. Co.	338.52
Tucker-Kirby Company	338.52
Cathey Lumber Company	338.52
Builders Merchandise Company	338.52
Doggett Lumber Company	338.52
T. J. Wiggins Lumber Company	338.52
The Wearn Lumber Company	351.54
McGee Lumber Company	351.54
W. S. Dickey Clay Mfg. Company	351.54

and in accordance with the usual custom of rotating business where bids are the same, Councilman Wilkinson moved that one car be purchased from

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the Caldwell Construction Company and one from the Charlotte Lumber & Mfg. Company, at the price of \$338.52 each. Motion seconded by Councilman Albea and unanimously carried.

CONTRACT FOR 10" TERRA COTTA PIPE.

On motion of Councilman Baxter, seconded by Councilman Durham and carried, the Mayor and Clerk were authorized to sign a contract with the Tucker-Kirby Company for the purchase of 2,643 feet of 10" Terra Cotta Pipe, for use in the sanitary sewer extension for the P. & N. Realty Company, at a total price of \$949.48.

Other bids received on this material were as follows:

Doggett Lumber Company	\$951.68
J. L. Wiggins & Son Lbr. Co.	962.05
Wearn Lumber Company	962.05
Caldwell Construction Co.	962.05
Cathey Lumber Co.	962.05
Charlotte Lumber & Mfg. Co.	962.05
McGee Lumber Co.	962.05
Builders Merchandise Co.	962.05
T. J. Wiggins Lumber Co.	962.05
W. S. Dickey Clay Mfg. Co.	999.05

CONTRACT FOR TELEPHONE CIRCUIT.

On motion of Councilman Durham, seconded by Councilman Hudson, the Mayor and Clerk were authorized to sign a contract with the Southern Bell Telephone and Telegraph Company for the use of that company's poles by the City of Charlotte for stringing telephone wires from the Filter Plant to the River Pumping Station, at a cost of \$7.80 per year.

SUIT OF JAMES COLSTON VS. CITY OF CHARLOTTE.

Report was made to the Council of receipt of notice of suit of James Colston against the City of Charlotte for alleged injuries sustained from stumbling over a meter box lid, claimed to be defective. Suit is for \$5,000.00 and the defendant's attorney is Mr. Thad A. Adams.

RESOLUTION WITH REFERENCE TO THE SIGNING OF CHECKS IN THE ABSENCE OF THE CITY MANAGER.

On motion of Councilman Wilkinson, seconded by Councilman Baxter, the following resolution was unanimously adopted:

BE IT RESOLVED by the City Council of the City of Charlotte, in regular session convened:

That Ben E. Douglas, Mayor, in the absence of the City Manager, J. B. Marshall, be and he hereby is authorized and empowered to sign, in the name of the City of Charlotte, checks, vouchers and other documents requiring the signature of the City Manager, and

BE IT FURTHER RESOLVED that the signature of the said Ben E. Douglas to any such papers heretofore executed be and the same hereby is ratified and confirmed as the act and deed of the said City of Charlotte.

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TAXICAB ORDINANCE AMENDED ON FIRST READING.

Councilman Baxter stated in view of all the facts presented to the Council regarding the taxicab situation in Charlotte at the present time, he felt that any taxicab driver who runs his business legitimately can get insurance, and that he would like for the City Attorney to read an amendment to the present ordinance. This amendment was read by Mr. Boyd, City Attorney as follows:

AN ORDINANCE  
TO REPEAL SECTION TWO OF THAT CERTAIN ORDINANCE ADOPTED SEPTEMBER 2, 1936 AND RECORDED IN ORDINANCE BOOK 7 AT PAGES 320 AND 321 IN THE OFFICE OF THE CITY CLERK RELATIVE TO LIABILITY INSURANCE, SURETY BONDS OR CASH DEPOSITS BY TAXICAB OPERATORS.

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

Section 1: That that certain ordinance adopted September 2, 1936 recorded in Ordinance Book 7, at pages 320 and 321 in the office of the City Clerk, entitled:

"AN ORDINANCE TO REQUIRE JITNEY BUS AND TAXICAB OPERATORS CARRYING PASSENGERS FOR HIRE WITHIN THE CITY OF CHARLOTTE TO TAKE OUT AND CARRY LIABILITY INSURANCE OR PROVIDE SURETY BONDS OR MAKE DEPOSIT OF SECURITIES WITH THE TREASURER OF THE CITY OF CHARLOTTE",

be amended by striking out all of Section Two of said ordinance, which provides that taxicab operators may deposit with the City Treasurer money or other securities approved by the City Council in lieu of furnishing liability insurance.

Section 2: That from and after July 1, 1938, all persons, firms or corporations now operating taxicabs in the City of Charlotte under said Section Two of said ordinance of September 2, 1936, shall be required to operate under the provisions of Section One thereof, and all other sections thereof except Section Two, which is hereby repealed, said repeal to become effective July 1, 1938.

Section 3: That the money or other securities heretofore deposited with the City Treasurer by certain persons, firms or corporations under said Section Two of said ordinance of September 2, 1936, shall be retained by the City Treasurer to satisfy any final judgment rendered for injury or damage to person or property as the result of any action arising out of the operation of any taxicab operating under this section up to the effective date of this repealing ordinance and said money to be retained for this purpose for twelve months agyer July 1, 1938, or until any action involving said fund that may be pending in the Superior Court is disposed of, provided said action is started within six months from July 1, 1938.

Section 4: That all other sections of said ordinance above referred to adopted on September 2, 1936, shall remain in full force and effect.

Section 5: This amending ordinance shall become effective July 1, 1938 and shall be published in the Charlotte News one time at least ten days prior to that date.

Councilman Baxter then moved the adoption of this ordinance on

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first reading, which motion was seconded by Councilman Griswold and carried.

COMMITTEE APPOINTED TO STUDY QUESTION OF OLD AGE RETIREMENT FUND.

Councilman Baxter, seconded by Councilman Albea, moved that a committee, composed of two members from the City Council and two from the City employees, be appointed to go into the study of old age retirement fund for City employees. This motion carried unanimously and the Mayor appointed as the two members from the Council, Councilmen Baxter and Durham, and as the two members from City employees, L. L. Ledbetter, City Treasurer, and M. L. Westmoreland, Municipal Accountant.

BUS STOPS TO BE STUDIED BY POLICE COMMITTEE.

A discussion was held as to the method of stopping buses at corners and as to the manner in which some of the buses are being operated. City Attorney Boyd advised that the City Council should adopt ordinances regulating the bus stops, etc. uptown, and the Mayor referred this matter to the Police Committee for investigation and report back at the next meeting.

CEMETERY DEEDS.

On motion of Councilman Griswold, seconded by Councilman Huntley, the following cemetery deeds were approved:

C. H. Canup, Lot No. 4, in Section "Z", Elmwood Cemetery	\$ 35.00
Henry W. Helms, Lot No. 54, in Section "Y", Elmwood Cemetery	63.00

ADJOURNMENT.

On motion of Councilman Hudson, seconded by Councilman Huntley, the meeting then adjourned.

*Alice B. McConnell*  
City Clerk.

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The City Council held its regular weekly meeting in the Council Chamber, City Hall, at 4:00 o'clock P. M., Wednesday, May 4, 1938, with Mayor Douglas presiding, and Councilmen Albea, Baxter, Durham, Griswold, Hudson, Huntley, Nance, Little, Sides and Wilkinson present.

Absent: Councilman Hovis.

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MINUTES OF APRIL 20TH. AND 27TH. APPROVED.

On motion of Councilman Albea, seconded by Councilman Nance, the minutes of the April 20th. and 27th. meetings were approved as read.

PARK AND RECREATION COMMISSION PRESENT REVISED PROJECT ON SWIMMING POOL.

Mr. E. W. Gibson, Chairman of the Charlotte Park and Recreation Commission, appeared before the Council, stating that since the Commission had been unable to raise the required amount to sponsor a municipal swimming pool, that the W.P.A. project had been revised and that it was the intention of the Park board to construct the pool with what has already been donated, \$3000.00 from the current year's budget and \$5,581.00 from uncollected back taxes, which they asked the City to advance; and that the community house would be built at a later date from subscriptions.

A resolution adopted by the Park and Recreation Commission at its last meeting, was read as follows:

BE IT RESOLVED by the Park and Recreation Commission of the City of Charlotte that the Commission make a request of the City Council of the City of Charlotte to lend or advance the sum of \$5,581.00, which sum of money shall be evidenced by note of even date herewith made payable to the City of Charlotte, and that the Charlotte Park and Recreation Commission pledge its portion of uncollected back taxes, and such portion of present taxes in excess of budget amount for current year, which shall become due and payable unto said Commission as collected by the City Tax Collector and that the City Tax Collector or City Treasurer be authorized to pay unto the Treasurer of the City of Charlotte such funds as would go to the Park and Recreation Commission from the uncollected back taxes until said note of \$5,581.00 shall be paid in full. It is intended to use this money by the Park and Recreation Commission for the development of the first unit of a swimming pool and improving parks in the City of Charlotte, which are now by Law under the supervision and control of the Charlotte Park and Recreation Commission.

This Resolution adopted this 25th day of April 1938.

In addition to the above, the following resolution, adopted by the Charlotte Park and Recreation Commission was also read to the Council:

RESOLVED That the Park and Recreation Commission in a called meeting of this date went on record unanimously authorizing the chairman of the Special Pool Committee, Mr. Sorrow, to deposit with the Treasurer of the Park and Recreation Commission money collected in Swimming Pool Campaign to the amount of \$2,200.00 or whatever amount that has been deposited to the credit of this fund, to be placed in a special fund which will be used to guarantee the sponsor's portion of project requested through Works Progress Administration for the construction of the swimming pool at Revolution Park.

In addition to the above, the treasurer is authorized to set aside from this year's budget the amount of \$3,000.00 to add to this same fund. The above amount (\$3,000.00) shows in this year's budget as set