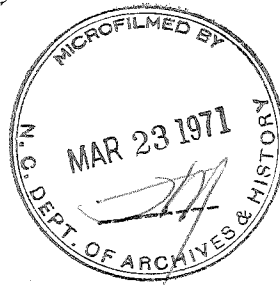


February 23, 1938
Page 1. Book #7.



The City Council of the City of Charlotte met in regular weekly session at 4:00 o'clock P. M., on Wednesday, February 23, 1938, with Mayor Ben E. Douglas presiding and Councilmen Albea, Baxter, Durham, Griswold, Hudson, Huntley, Little, Nance, Sides and Wilkinson being present.

Absent: Councilman Hovis.

READING OF MINUTES DISPENSED WITH.

On motion of Councilman Hudson, seconded by Councilman Wilkinson and carried, the reading of the minutes of the last meeting was dispensed with at this time owing to pressure of other business.

CHARLOTTE SYMPHONY SOCIETY REQUESTED ARMORY-AUDITORIUM AT COST.

Mr. Spencer Bell appeared before the Council on behalf of the Charlotte Symphony Society asking for use of the Armory-Auditorium at the rate allowed to charitable organizations on an unengaged date in April. Mr. Bell was informed that this matter could be handled with the City Manager and that it was not necessary for the Council to pass on where it was not requested entirely free of charge.

SUNDAY QUESTION.

Mrs. Patsy Smith Goodwin was the first of a number of speakers heard on the Sunday issue; the Council Chamber being crowded to overflowing with opponents also a few proponents of the so-called "Open Sunday"; Mrs. Goodwin stating that she represented hundreds of women in Charlotte opposed to open Sunday. Mr. McAlister Carson, Mrs. Haywood Robbins, Mrs. W. B. Lindsay, Rev. E. O. Cole, Mr. E. A. Cole and a number of others were heard as opposing a liberalized Sunday ordinance, after which the Mayor presented letters from a number of churches, religious organizations and individuals urging no change in the present Sunday laws.

Mr. Robert Lassiter, Rev. H. E. Lysinger, Rev. Kneeland, Mr. John Shaw and Mr. E. L. Bridges spoke for a liberalized Sunday. After hearing all arguments from the audience the Mayor gave the Council an opportunity to speak, and Councilman Sides spoke in favor of an unofficial referendum, after which he made the following motion, which was seconded by Councilman Wilkinson:

"I move that the matter of Sunday observance be left to a referendum of the people of the City of Charlotte to be conducted at such time as a committee from the Council, of three and the Mayor, a committee from the closed Sunday advocates, of three, and a committee from the open Sunday, of three; that these ten men work out particulars of an election and have it held when they call it."

Councilman Wilkinson stated that he would second the above motion but would like to have the ordinance now standing on 1st. reading put on its second reading before the above motion was put. Councilman Sides preferred not to have the second or third reading of the proposed ordinance until the wishes of the people could be determined but after discussion he withdrew his first motion and made the following motion, which was seconded by Councilman Wilkinson:

February 23, 1938
Page 2.

That the ordinance on second reading be disposed of or tabled until such time as a referendum could be determined.

The following vote was taken on this motion:

For: Councilmen Sides, Nance, Hudson, Wilkinson and Huntley.
Against: Councilmen Baxter, Durham, Albea, Little and Griswold.

This being a tie, the Mayor cast his vote in opposition and the ordinance was not to be tabled.

Councilman Wilkinson then moved that the ordinance be put on its second reading, and this motion was seconded by Councilman Hudson.

Councilman Baxter asked that this not be done until the absent member of the Council could be present and after further discussion Councilman Wilkinson withdrew his motion after being informed that it would not be necessary to dispose of the ordinance before passing the motion made by Councilman Sides to name committees to work out a referendum, and Councilman Sides again made his motion that a committee of ten men be named to work out the details of a referendum. Councilman Durham offered an amendment to this motion that the Council be bound by the decision of an unofficial referendum, but no second was received, and the following vote was taken on Councilman Sides' motion which had been seconded by Councilman Wilkinson:

For: Councilman Sides, Hudson, Wilkinson and Huntley.
Against: Councilman Baxter, Durham, Nance, Albea, Little, and Griswold.

The Mayor declared this motion lost.

Councilman Wilkinson again made a motion that the ordinance passed on first reading at the last meeting be put on its second reading, which was seconded by Councilman Nance and after Councilman Baxter stated he did not feel it right and proper at this time to pass the ordinance on second reading due to the absence of Councilman Hovis, and Councilman Nance contending that it was, the Mayor called for a vote on the motion, which was as follows:

For: Councilman Baxter, Durham, Little and Griswold
Against: Councilman Albea, Nance, Hudson, Wilkinson and Huntley.

Councilman Sides not voting. The Mayor declared the ordinance lost on second reading.

RECESS OF COUNCIL.

On motion of Councilman Baxter, seconded by Councilman Albea, a recess of ten minutes was declared.

CONTRACT FOR PRINTING WATER BILLS FOR WATER DEPARTMENT.

On motion of Councilman Hudson, seconded by Councilman Little and carried, the Mayor and Clerk were authorized to sign a contract with the Southern Printing Company for printing one year's supply of Water Bills at a total delivered price of \$214.00, this being the low bid received for doing the work.

Other bids received were Huneycutt Printing Co. \$219.75; News Printing Company \$227.00; and Queen City Press \$289.25.

63817

February 23, 1938
Page 3.

SALE OF MOTORS AND TRANSFORMERS TO SOUTHERN ELECTRIC SERVICE COMPANY, INC.

The City Manager reported that only one bid was received from the advertising of the 3 used motors and 3 old transformers recently taken out of service at the River Pumping Station, which was the bid of the Southern Electric Service Company, Inc., of \$900.00 and it was his recommendation that the equipment be sold for that amount.

Thereupon, Councilman Wilkinson, seconded by Councilman Huntley, moved that the above threemotors and transformers be sold to the Southern Electric Service Company, Inc., for \$900.00.

EXTENSION OF WATER MAIN ON HASSELL PLACE APPROVED.

Upon the application of the Selwyn Water Company for extension of a water main for about 400 feet on Hassell Place, which is outside the City limits, and which was estimated to cost \$220.00, Councilman Wilkinson moved that the Mayor and Clerk be authorized to enter into a contract with this company that the City will do this work when the applicant deposits the sum of \$220.00 to pay for the entire cost of the construction. Motion seconded by Councilman Hudson and carried.

SEWER IN MARSH ROAD TO BE CONSTRUCTED WHEN REQUIRED NUMBER OF HOUSES ARE UNDER CONSTRUCTION.

An application having been received from the Marsh Land Company for the construction of a sewer in Marsh Road, approximately 1060 feet long, estimated by the Engineering Department to cost \$875.60, Councilman Griswold, seconded by Councilman Wilkinson, moved that this sewer be constructed if and when the five houses, which this company intends to build, are under construction. Motion unanimously carried.

MATTER OF TAXES OF MRS. G. N. BLAIR REFERRED TO FINANCE COMMITTEE.

A communication from the Collector of Revenue relative to a tax matter of Mrs. G. N. Blair was presented to the Council; Mrs. Blair asking for the cancellation of accrued interest on her taxes for two years, due to the fact that when she paid her taxes on the property they failed to give her the taxes for two delinquent years listed in the name of someone else.

Councilman Durham, seconded by Councilman Albea, moved that this interest charge be cancelled, but after City Attorney Boyd advised that this could not be done, Councilman Durham withdrew his motion and moved that the matter be referred to the Finance Committee, which was seconded by Councilman Albea and carried.

APPOINTMENT OF SPECIAL OFFICERS.

On motion of Councilman Huntley, seconded by Councilman Little, Mr. J. B. Smoak was appointed Special Officer on the property of the Southern Fruit Company at 425 West 2nd. Street; the application receiving the approval of the Police Department.

On motion of Councilman Griswold, seconded by Councilman Albea, Mr. W. A. Brown was appointed Special Officer on the premises of the Southern Railway Company; this application also receiving the approval of the Police Department.

February 23, 1938
Page 4.

BUDGET STATEMENT.

A copy of the Budget Statement as of January 31, 1938 was furnished each Councilman.

REPORT BY CITY MANAGER ON RECENT AUDIT OF MUNICIPAL AIRPORT FUNDS.

Mr. Marshall advised the Council that an Audit of the Charlotte Municipal Airport had been made by Richard M. Hunter and James E. Bevis, Certified Public Accountants, as of January 24, 1938, and that there is an apparent shortage in the accounts of the Manager, which was not reported to the Council until this date due to the fact that the Auditors had advised that the report dated January 24th. might not include all of the transactions occurring during the period audited, but that the Commission had now been advised that it was complete and the Bonding Company had been notified.

He also advised that, at a meeting of the Commission held on this date, he had been made the Agent for the Commission with authority to hire and fire employees at the Municipal Airport, provided it is found by the City Attorney that he can legally act in this capacity.

REPORT OF FINANCE COMMITTEE ON TAXES ON 2028 ROZZELL FERRY ROAD.

Councilman Durham reported, in connection with the matter of taxes assessed against 2028 Rozzell Ferry Road referred to the Finance Committee at the last meeting, that an appraisal had been made of the property, which appraisal valued the lot at \$650.00; that the street assessments, after three payments had been made, amount to \$1188.95, and that the Committee recommends that the account be settled for the price of the lot, namely \$650.00.

Councilman Durham, seconded by Councilman Sides, then moved that this recommendation be accepted, which was unanimously carried.

These assessments are as follows:

| | |
|------------------------------------|----------|
| #20723, at 2028 Rozzell Ferry Road | \$231.28 |
| #21852 " 217-27 Lima Avenue | 957.67 |

ADJOURNMENT.

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

Alice B. McJannet
City Clerk

60817