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MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF CHARLOTTE, NORTH CAROLINA, HELD AT 4:00
O'CLOCK P. M., IN SAID CITY ON THE 30TH DAY OF NOV-
EMBER 1938.

On the 30th day of November, 1938, the City Council of the City of Charlotte, North Carolina, met in the Council Chamber in said City in regular session. The meeting was called to order at 4:00 o'clock P. M., by the Mayor, and on the roll call the following members of the Council were found to be present: Councilmen Albea, Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Nance, Sides and Wilkinson.

Absent: Councilman Little.

The Mayor announced that a petition having been filed with the City Clerk, by the requisite number of residents of the City, setting forth that there is a need for a Housing Authority to function in the City of Charlotte, as provided by the "Housing Authorities Law" of the State of North Carolina, and the Clerk having given due and proper notice of a public hearing to be held at this time and place, at which the Council would determine the need for such an Authority in the City, the Clerk was directed to read such notice and the proof of publication thereof required by said Housing Authorities Law, which notice and proof of publication were ordered spread upon the minutes as follows:

NOTICE OF MEETING OF CITY COUNCIL
IN REFERENCE TO ESTABLISHING A
HOUSING AUTHORITY FOR CITY OF CHAR-
LOTTE.

Notice is hereby given that a petition has been filed with me as City Clerk of the City of Charlotte, North Carolina, by 25 residents of said City, (must be at least twenty-five) pursuant to Chapter 456, Public Laws of North Carolina, 1935, referred to as the "Housing Authorities Law," setting forth that there is a need for an Authority to function in said City; that a public hearing will be held on the 30th day of November, 1938, at 4 o'clock P. M. in the Council Chamber in the City Hall in the City of Charlotte, North Carolina, at which full opportunity to be heard will be granted to all residents and taxpayers of the City of Charlotte and to all other interested persons upon the question:

- (1) Whether unsanitary or unsafe inhabited dwelling accommodations exist in the City of Charlotte, and/or
- (2) Whether there is a lack of safe or sanitary dwelling accommodations in the City of Charlotte available for all the inhabitants thereof.

After such hearing the Council will determine whether or not such housing conditions exist in the City of Charlotte and whether or not there is need for an Authority to function in said City.

(Seal of City of Charlotte)

ALICE B. McCONNELL, City Clerk
BASIL M. BOYD, City Attorney

AFFIDAVIT OF PUBLICATION

North Carolina,
Mecklenburg County

G. W. Martin, Bookkeeper of THE CHARLOTTE NEWS, a daily newspaper published in Charlotte, Mecklenburg County, North Carolina, being duly sworn, says: That the advertisement of Notice of Meeting to Establish Housing Authority for City of Charlotte, (copy attached), was published in the aforesaid newspaper once each week for One Time, beginning with the issue dated November 20, 1938.

(Signed) G. W. Martin

Sworn to and subscribed before me
this the 30th day of November 1938,

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Edward J. Rigler
Notary Public in and for
Mecklenburg County, North Carolina

My commission expires May 12, 1940.
Edward J. Rigler, Notary Public.

A full opportunity to be heard on said question was granted to all residents and taxpayers of the City and to all other interested persons, and a lengthy discussion, both pro and con, followed by a number of interested citizens and representatives of the City's real estate men, who were present at this time.

Mr. H. L. Kiser, representing organized labor in Charlotte, and a member of the Low Cost Housing Committee appointed by the Mayor, reported that he had assisted in making a survey of one-fourth of the City of Charlotte and that 816 houses in that portion alone were sub-standard, with a total of all the committees of 3077 such houses reported.

Mr. John Shaw, Chairman of the Committee, stated that while his committee had been unanimous on the need for low cost housing, it will be necessary for such a project to rent for \$2.25 per week per unit to be of benefit to occupants of the present sub-standard houses, and also pointed out that the Council will have no control over the Local Housing Authority if such is established.

Mr. Lex Marsh, real estate operator, protested the appointing of a Housing Authority for Charlotte, on the grounds that only about 15 or 20% of the occupants of these housing projects would come from the so-called "slum areas".

Mr. David Henderson spoke for the Housing Authority, as a deterrent to juvenile delinquency, Mr. Henderson being interested in boys work through the Y.M.C.A.

Mr. Ben Wellons pointed out the need in order to reduce the costs to the City of crime and disease, through the workings of the Welfare Department, Health Department, Juvenile Court and City and other courts.

Mr. Eddie L. Jones, a member of the Committee, brought out the point that such a project is needed to take care of the natural increase in population, being of the opinion that this would in no manner affect the real estate men, and that the offer of the U. S. H. A. was one that the City could not afford to turn down.

Mr. Hugh Pomeroy, of Chicago, Field Consultant of the American Society of Planning Officers and the National Association of Housing Officials, having been invited to Charlotte for this meeting by Mayor Douglas, was introduced by Mr. W. H. Newell, Field Consultant of the North Carolina League of Municipalities, and explained to the Council and those present, the workings of the Federal Housing Authority. Mr. Pomeroy stated he had visited cities throughout the United States having such housing projects and that they had benefitted residents of the slum areas and explained by means of a chart just how rents can be reduced to be of benefit to this class of people by eliminating capital, interest and taxes, leaving only maintenance and operation to be paid for by the renters.

After a very interesting talk, several of the citizens present asked many questions of Mr. Pomeroy in connection with the workings of the U.S.H.A., Mr. Pomeroy being of the opinion that it could serve a very fine purpose in Charlotte. Mr. Tom Henderson, real estate man, took the position that it would result in increased taxes for Charlotte property owners, and advised the Council that the Charlotte Real Estate Board had tabled unanimously the appointment of a local Housing Authority.

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After giving all those present who so desired an opportunity to be heard, the Mayor then placed the question of whether a Housing Authority should be established in Charlotte before the Council for discussion.

Councilman Albea, seconded by Councilman Griswold, immediately moved that a Local Housing Authority be appointed.

Councilman Wilkinson took the position that the people of Charlotte should handle this situation without the help of the Government and felt sure that they would do so. He then made a substitute motion, which was seconded by Councilman Durham, that this matter be deferred for the time being until it could be given more thought and study to see how and if the people of Charlotte with means would come forward and offer to help with the problem, and after discussion, Councilman Wilkinson changed the substitute motion, with the consent of Mr. Durham, to read that the matter be deferred until January 1st. However, a number of the Council felt that one week was long enough to hold the matter up, and when put to a vote the motion lost.

After discussion as to whether the Council would have control over the Housing Authority if and when appointed, and also as to whether such an Authority would have to work with the U.S.H.A., or through private capital; Mr. Pomeroy advising that similar projects in several cities were being financed through private interests, Councilman Hovis offered a second substitute motion to delay the matter for one week. Motion seconded by Councilman Huntley and carried, and Councilman Griswold, Sides and Albea voting "No".

The Mayor declared this motion carried and the matter of whether a Local Housing Authority for Charlotte would be appointed was deferred for one week.

PETITION OF MR. D. S. BATES FOR PERMISSION TO HAVE NEWSTAND ON CORNER TRYON AND TRADE STREETS.

Mr. D. S. Bates, news vendor in front of the Independence Building on Tryon Street, presented a petition, asking for permission to keep his newstand at this location, this stand now projecting 16" on the sidewalk. Mr. Bates was advised by the City Manager that this obstruction would have to be moved and it was the recommendation of the Public Works Committee that it be moved, Mr. Wilkinson, Chairman of this Committee, so moving. No second was received to this motion, and Councilman Nance, seconded by Councilman Hudson, made a motion that he be given until January 1st. (the same time as allowed the newstand operator at the corner of Liggetts) to move this stand. Motion carried. It was understood, however, that Mr. Bates could continue to sell from a window of the Independence building. It was also agreed that the Council go on record as not allowing any more such stands to remain on the streets.

PROTEST IN PROPOSED CHANGE OF EASTOVER BUS ROUTE.

Mr. J. Louis Carter, a resident of Vail Avenue, appeared in protest of the proposed change of the Eastover bus route which was presented to the Council at the last meeting and deferred for one week. Mr. Carter stated that if the proposed change was made it would result in a majority of the residents of Vail Avenue being a quarter of a mile or more from the bus route.

On motion of Councilman Baxter, seconded by Councilman Albea, this matter was again deferred for one week for further investigation.

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RECOMMENDATION OF PUBLIC WORKS COMMITTEE ON REQUEST OF LIGGETT DRUG CO.
FOR OPENING ON TRADE STREET.

Councilman Wilkinson reported that the Public Works Committee had met with the City Manager, and go over the request of the Liggett Drug Company for permission to leave an opening on the Trade Street side of their building, and that after going over the situation it was the recommendation of the Committee that this entrance be closed; the Liggett Drug Company to put in an elevator to carry merchandise in from the basement; that it would be unsafe to leave this entrance.

Councilman Wilkinson then moved that the recommendation of the Committee be approved, which motion was seconded by Councilman Hudson and carried.

REQUEST FOR EXTENSION OF BUS ROUTE ON SOUTH BOULEVARD EXTENDED.

Mr. Marshall presented a petition filed by Mr. Phillips, requesting the City Council to order the Duke Power Company to extend the bus route on South Boulevard to the City limits. Mr. Phillips, who was present at this meeting earlier in the afternoon, was to have explained to the Council the need for this bus route but had left the Council Chamber at this time.

Councilman Baxter made a motion that Mr. Marshall accompany Mr. Phillips to the Duke Power Company with this request to see what could be done in the matter. Motion seconded by Councilman Huntley and carried.

SEWER EXTENSION ON WOODALE PLACE.

On motion of Councilman Hovis, seconded by Councilman Baxter, the application of the John Crosland Company for extension of the sewer on Woodale Place from the present 12-inch trunk sewer to Rockway Road, was approved, provided the development company furnishes to the City the necessary right-of-way, without cost, to the City. The estimated cost of this extension is \$1,064.00, to serve five houses under construction and permit secured for the erection of the sixth.

PURCHASE OF TWO WATER METERS FOR CHARLOTTE MEMORIAL HOSPITAL.

On motion of Councilman Huntley, seconded by Councilman Wilkinson, the contract for 1- oscillating piston type water meter to be used in connection with the Charlotte Memorial Hospital, was awarded to the low bidder, National Meter Company, at the price of \$202.50; and for one compound meter for the same project, to the Neptune Meter Company, at the price of \$234.00, and the Mayor and Clerk were authorized to sign these contracts.

Bids received on these meters were as follows:

ONE OSCILLATING PISTON TYPE METER:

National Meter Company	\$202.50
Hersey Manufacturing Company	234.00

ONE COMPOUND METER:

Neptune Meter Company	\$234.00
Hersey Mfg. Company	234.00
Pittsburgh Equitable Meter Co.	234.00
National Meter Company	234.00

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STREET MAINTENANCE ON MC CLINTOCK ROAD.

On motion of Councilman Albea, seconded by Councilman Hudson, the request of Mr. W. B. McClintock that the City take over for maintenance McClintock Road from the Plaza to Westover Street, was granted. The Engineering Department reported that this street already had cement sidewalks laid and that the road had been surfaced with gravel in accordance with the City's specifications and that a number of houses have been constructed on this street.

NOTICE OF SUIT OF PEARL VIRGINIA HUDSON AGAINST CITY OF CHARLOTTE.

Report was made to the Council by the City Manager of receipt of notice of a suit against the City of Charlotte by Pearl Virginia Hudson, for alleged injuries received from falling into a hole on East 6th Street near Brevard. The amount of the suit is for \$5000.00 and the attorney is H. L. Strickland.

APPROVAL OF INVOICE OF MASSLICH AND MITCHELL.

On motion of Councilman Hovis, seconded by Councilman Baxter, the invoice of Masslich and Mitchell, Bond Attorneys, for services in connection with the \$350,000 Hospital Bonds and \$65,000 Water Bond issues, in the amount of \$592.28, was approved for payment.

INVOICE OF MASSLICH & MITCHELL ON STREET IMPROVEMENT BONDS.

On motion of Councilman Hudson, seconded by Councilman Durham, an invoice in the amount of \$19.44, for Masslich & Mitchell, was approved for payment; this invoice covering telegrams and long distance calls in connection with the preparation of forms and proceedings authorizing \$20,000 Sanitary Sewer Bonds and \$210,000 Street Improvement Bonds, which were never sold.

RESOLUTION ON THE DEATH OF MR. CHARLES W. DULIN, CITY EMPLOYEE.

The following Resolution was presented by Councilman Griswold, who moved its adoption:

WHEREAS, in the Divine Wisdom of the Almighty God, He has seen fit to remove from our midst, Charles W. Dulin; and

WHEREAS, Mr. Dulin loyally served the City of Charlotte and passed away while in this service, it is with deep appreciation and respect that we honor his memory.

NOW, THEREFORE, BE IT RESOLVED: First: That we, as members of the City Council of the City of Charlotte extend to his family our sympathy and pray God's blessings to rest upon them.

Second: That this Resolution be apread upon the Minutes of the City Council and a copy be sent to the family of the deceased and to the newspapers in the City of Charlotte.

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ORDINANCE RELATIVE TO UNAPPROPRIATED FUNDS OF CITY OF CHARLOTTE.

The following ordinance was presented by the City Attorney, and on motion of Councilman Hovis, seconded by Councilman Albea, was adopted on three readings, and declared by the Mayor to be an ordinance of the City of Charlotte:

AN ORDINANCE
OF THE CITY OF CHARLOTTE APPROPRIATING \$5,110.17
UNAPPROPRIATED SURPLUS FUND ON HAND IN THE CITY
TREASURY TO BE USED IN THE EXTENSION OF THE RUN-
WAYS OF THE MUNICIPAL AIRPORT AND OTHERWISE EN-
LARGING AND IMPROVING THE FACILITIES AND EQUIPMENT
OF THE SAID AIRPORT.

WHEREAS, Marvin L. Westmoreland, Municipal Accountant, has certified that there exists in the treasury of the City of Charlotte, an unappropriated surplus fund in the total sum of \$5,110.17, \$3905.99 of which was derived from ad valorem taxes and \$1204.18 of which was derived from license, franchise, privilege taxes and fees, which fund now on hand and unappropriated has accumulated over a period of years from unexpended balances, and

WHEREAS, the Governing Body of the City of Charlotte finds as a fact that it is necessary to extend the present runways of the municipally owned airport in order to make said runways practical, safe and usable for the larger type mail and transport planes now using the route on which the Charlotte Airport is located, and that said addition, enlargement and extension to the said runways is a necessary municipal expense, and

WHEREAS, the Governing Body of the City of Charlotte is desirous of using the said fund for this purpose, and otherwise enlarging and improving the facilities and equipment of the said airport, all of which are found by the said Governing Body and declared to be necessary municipal expenses.

NOW, THEREFORE, the Governing Body of the City of Charlotte does hereby ordain and enact:

Section 1: That the sum of \$5,110.17 above referred to, being an unappropriated surplus fund now on hand in the City Treasury, \$3905.99 of which was derived from ad valorem taxes, and \$1204.18 of which was derived from license, franchise, privilege taxes and fees, be, and the same hereby is appropriated, authorized and directed to be used and paid out by the City Treasurer for the purpose of extending the existing runways of the municipally owned airport, in order to make said runways practical, safe and usable for the large type mail and transport planes, and also for the purpose of acquiring additional land, if necessary, for the extension of said runways, and for the general necessary maintenance, upkeep and improvement of the facilities and equipment of the said airport.

Section 2: That this ordinance shall become effective upon its adoption and one publication in The Charlotte News.

CIVIL SERVICE COMMISSION TO INVESTIGATE CERTAIN RUMORS RELATIVE TO
POLICE DEPARTMENT. FACT FINDING COMMITTEE APPOINTED.

The following motion was introduced by Councilman Nance, seconded by Councilman Albea:

"I wish to make the motion that this Council instruct the

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Mayor to direct the Charlotte Civil Service Commission to make a thorough, unbiased and impartial investigation of the alleged rumors that have been given certain publicity and which have invited unfavorable comment relative to the general policy and lack of proper action on the part of certain units of our City government.

Every city employee should be instructed to render full cooperation to the investigating body and it should be impressed upon each employee that his or her full cooperation will be expected and that such action will in no manner or degree jeopardize his or her position."

Mr. Baxter, as Chairman of the Police Committee, stated that he had looked into the rumors going the rounds and found them to come from only a small group of people who were out to get the jobs of the City Manager, Chief of Police and Chief of Detectives, and that while he welcomed an investigation, he did not feel that such was necessary unless written statements and charges are made.

Mr. Marshall stated that inasmuch as neither he nor Chief Pittman were under the jurisdiction of the Civil Service Commission, if an investigation regarding the rumors concerning them was made, that it should be made by the City Council, and that he would demand that the Council make this investigation in order to clear up such rumors, if groundless.

Councilman Nance stated that in making the above motion for an investigation by the Civil Service Commission he did not mean to infer that the rumors regarding Mr. Marshall were true.

Councilman Wilkinson stated that he thought the Chairman of the Civil Service Commission, Mr. Geo. W. Patterson, was correct when he said that an investigation would be made when a signed complaint was received, and said that he was not in favor of an investigation being made of any one other than for whom signed charges were filed against.

After discussion, Councilman Griswold offered a substitute motion that a Fact-finding Committee be appointed from the City Council to find out if there are any facts to the rumors and if so, that it bring these facts back to the City Council. This motion was seconded by Councilman Wilkinson, and carried, with Councilman Nance voting "No".

Councilman Baxter then stated that he would like to see the matter settled at once, and the Mayor appointed as the members of this Fact-finding Committee, Councilman Baxter, Chairman of the Police Committee, Councilmen Nance and Griswold, and Councilman Baxter immediately called a meeting of this Committee for 4 o'clock P. M., the following day, December 1st.

CEMETERY DEED.

On motion of Councilman Griswold, seconded by Councilman Albea, approval was given for the transfer of a cemetery deed from Mrs. Lizzie Hinshaw Waisner to Mrs. Beulah Leeper, for lot No. 55, in Section "E", Elmwood Cemetery.

ADJOURNMENT.

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

Alice B. W. Powell
City Clerk