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The regular weekly meeting of the City Council was held in the Council Chamber, City Hall, at 4:00 o'clock P. M., Wednesday, October 19th., 1938, with Mayor Pro Tem Albea presiding, and Councilmen Baxter, Durham, Hovis, Hudson, Huntley, Sides and Wilkinson.

Absent: Mayor Douglas, Councilmen Griswold, Little and Nance.

MINUTES OF PREVIOUS MEETING APPROVED.

On motion of Councilman Sides, seconded by Councilman Durham, the minutes of the meeting of October 12th. were approved as read.

TWO CARNIVAL COMPANIES REQUESTING DATES FOR SPRING OPENINGS IN CHARLOTTE.

Attorney Elbert Foster appeared before the Council on behalf of Strait's Carnivals, stating that this carnival had given up its dates to show in Charlotte this fall due to conflicting with the Food Show, and that they would now like to have the week transferred to join in with the week already granted them for opening their spring season in April, making two weeks instead of one, as originally given them by this Council. This carnival is to be held under the sponsorship of the Veterans of Foreign Wars, and the dates desired were the weeks of April 9th. and 16th. 1939.

Councilman Wilkinson moved that the request be granted, which was seconded by Councilman Sides, and carried.

Mr. Cracraft, representative of this organization, stated that the show would winter in Charlotte, having already leased a building and arranged for siding, etc.

A Mr. Breese, representing the Ideal Shows, now playing in Charlotte, stated that his show would also winter in Charlotte if suitable quarters could be obtained, but before making these arrangements he would like to have the Council grant permission to open their show in Charlotte during the last week in March or the first week in April of 1939. A discussion as to who would sponsor the show in the spring was held, Mr. Breese advising that they would be sponsored by the Central Labor Union, and on motion of Councilman Durham, seconded by Councilman Baxter, the Council voted to hold open these dates for one week in order to have a representative of the executive committee of the sponsors present.

Mr. Foster and Mr. Cracraft protested the Council granting the Ideal Shows permission to open just prior to their opening on the grounds that they had already involved the expenditure of several thousands of dollars in order to winter here and that it was customary to open the show in the spring where they wintered and if the other show preceded their by just a week or two it would ruin their show in Charlotte.

LOW COST HOUSING.

Councilman Durham reported as Chairman of the Finance Committee, regarding the matter referred to that committee at the last meeting to investigate the request for providing office space for forty workers to make a survey on low cost housing in Charlotte, and the expenditure of

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\$100.00 for stationery, etc., stating that it was the recommendation of his committee that this request be denied, and so moved.

Mr. John Shaw, Chairman of the citizens' committee, was present and explained the manner in which the survey would be made, stating that he was not informed as to whether the forty workers would be brought in to Charlotte from Raleigh or whether they would be taken from the W.P.A. rolls in Charlotte, but that the State Planning Board would not recommend the project unless an inventory was made, and that if the City undertook to make this real estate inventory later it would cost at least \$10,000.00.

Mr. Shaw also stated that his committee hoped to have a report ready to present at the next meeting of the Council, and after discussion, Mr. Shaw asked that the Council not turn down the question definitely at this time but that it be held over for one week until the committee could show whether such a project would or would not be desirable for Charlotte.

After discussion, Councilman Sides made a motion that the matter be tabled until the next meeting, with Councilman Baxter seconding the motion, which carried, Councilman Wilkinson voting "No".

RE-ASSESSMENT ORDINANCE - WEST FOURTH STREET.

On motion of Councilman Sides, seconded by Councilman Baxter, the following ordinance was unanimously adopted on three readings and declared to be an ordinance of the City of Charlotte:

The City Council of the City of Charlotte, North Carolina, DO ORDAIN that the special benefits to the abutting property on West Fourth Street on account of the paving of the street and walks, beginning at a point 200.6 feet measured northerly from the northwest intersection corner of Tuckaseegee Road and West Fourth Street and running thence in a northerly direction 47.2 feet and being originally reassessed as whole against W. E. Love, is hereby subdivided and reassessed on the East side only as follows:

NEW NO.	OWNER	FRONTAGE	WATER	SEWER	STREET	WALK	TOTAL
1714	W.E. Love	17.2	-	-	76.76	12.87	89.53
1716	W.E. Love	30.00	-	13.52	133.88	22.27	169.67

CLAIM OF BARNHARDT MANUFACTURING COMPANY FOR DAMAGE TO COTTON BY REASON OF WATER BEING MUDDY.

Mr. Marshall advised that the Barnhardt Manufacturing Company had filed claim against the City for damages to material in their plant, to the amount of \$57.32, alleging that a certain amount of cotton was damaged by reason of the water being muddy at the time of processing. Mr. Marshall stated that an investigation was made and it was found that the water had actually been muddied due to making repairs and joining to the main at Central Avenue, S.A.L. Railway and Clement Avenue, and that he had taken the matter up with the City Attorney, who stated that he thought the claim should be paid but that he could not give an opinion as to whether they could collect or not.

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Councilman Sides moved that the claim be settled at the price stated, \$57.32, but after discussion Councilman Huntley made a motion that the matter be held over for one week. The Mayor Pro Tem stated if agreeable to the Council he would refer the matter back to the City Attorney for an opinion, several of the Council being of the opinion that if this claim was paid it would be setting a precedent and other claims of a similar nature would follow. It was thereupon agreed that the matter be referred to the City Attorney.

NOTICE OF SUIT OF HELEN ANDERSON VS. CITY OF CHARLOTTE.

The City Manager reported receipt of a letter from Attorney Uhlman Alexander, notifying the City that suit would be brought in the name of Helen Anderson, for alleged injuries received from falling into a hole on East Stonewall Street. Amount of damages claimed is \$3,000.00.

SEWER EXTENSION - NORTH TRYON STREET.

On motion of Councilman Baxter, seconded by Councilman Sides, application was approved for the extension of a sewer on North Tryon Street, 117 feet south of the A.T. & O - Southern Railway tracks, to serve one filling station. The estimate of the cost of this work was \$102.00.

APPLICATION FOR ODDITIES SHOW DENIED.

The application of the Wendel Kuntz Oddities Show to exhibit in Charlotte was denied, upon motion of Councilman Hovis, seconded by Councilman Sides.

SPECIAL OFFICER PERMIT GRANTED FOR CHARLES W. LITTLE- ON RALSTON PURINA CO. GROUNDS.

On motion of Councilman Sides, seconded by Councilman Wilkinson, a Special Officer permit was granted for Mr. Charles W. Little, upon the premises of The Ralston Purina Company; this application having the approval of the Chief of Police.

PETITION FROM GLENWOOD SCHOOL FOR POLICE DURING OPENING AND CLOSING HOURS.

A petition was presented by the City Manager from a large number of parents of the Glenwood School section, requesting police protection at the school, located on Clay Street, during the opening and closing hours, but on motion of Councilman Hovis, seconded by Councilman Sides, this petition was referred to the Civil Service Commission.

NEWSTAND, BUS STATION AND DOORSTEP TO BE REMOVED FROM CORNER OF TRADE AND TRYON STREETS.

Mr. Marshall advised that a bad situation exists at the northeast corner of Trade and Tryon Streets due to the congestion caused by the fact that the buses stop at this corner and a newstand, bus station and doorstep all being on this corner, on City property. He stated that this situation had been causing trouble for some time but that it was only recently discovered that this newstand, bus station and doorstep were on City property.

Councilman Huntley made a motion that if they are on City property they be removed, which was seconded by Councilman Sides and carried.

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REQUEST FOR RULING OF SUPREME COURT OF NORTH CAROLINA ON SUNDAY LAWS AT
ELM CITY, N. C.

Councilman Sides asked if the City had received a ruling from the Attorney General on the recent decision of the Supreme Court relative to the Sunday Blue Law at Elm City, N. C., and upon being informed that no such report had been received, he made a motion that the City Attorney be instructed to write to the Attorney General and get an official ruling on the Sunday Ordinance at Elm City. This motion was seconded by Councilman Baxter, and when put to a vote failed to carry, the following vote being recorded:

For the motion: Councilmen Sides, Baxter, Durham and Hovis.

Against the motion: Councilmen Hudson, Huntley and Wilkinson.

Councilman Sides then advised the Council that he would secure this ruling himself, as he wished to be informed on the laws of the State of North Carolina, which the Council is under oath to uphold.

RESOLUTION UPON THE DEATH OF CAPT. WILLIAM H. PITTS.

Councilman Baxter offered the following Resolution and moved its adoption, which was seconded by Councilman Sides and unanimously carried:

R E S O L U T I O N

WHEREAS, in the providence of the Almighty God and in His divine wisdom, He has called William H. Pitts from the Church Militant to the Church Triumphant, and

WHEREAS, Mr. Pitts loyally and faithfully served the City of Charlotte for forty-three years, in the Police Department, it is with deep appreciation and respect that we honor his memory.

NOW, THEREFORE, BE IT RESOLVED: First, that we, the members of the City Council of the City of Charlotte, bow in humble submission to His will, knowing that He is too kind to willingly afflict without cause.

Second, that we extend to his family our sympathy and pray God's blessing to rest upon them.

Third, that a copy of this Resolution be spread upon the Minutes of the City Council, a copy sent to the family of the deceased, and copies furnished to the newspapers in the City of Charlotte.

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STREET ASSESSMENT ON PROPERTY AT 1417 AND 1421 SEIGLE AVENUE.

Councilman Durham reported that he had received the following letter from the Collector of Revenue relative to the property of Mrs. Nannie B. Carpenter, at 1417 and 1421 Seigle Avenue:

"You are familiar with the case of Mrs. Nannie B. Carpenter, 1417 Seigle Avenue. Some time ago the Council authorized the acceptance of \$600.00 on Street Assessments at 1417 and 1421 Seigle Avenue, or \$300.00 for each lot.

You probably know the dilapidated condition of Mrs. Carpenter's house, and she has just been to this office and has requested that she be allowed to pay the \$300.00 on the 1417 Seigle Avenue lot in full settlement of all Street Assessments on same, which amounts to approximately \$652.00.

She further requests that the question of paying \$300.00 on 1421 Seigle Avenue, or the vacant lot, be held in abeyance until a later date.

Will you please advise whether or not Mrs. Carpenter's request will be granted?"

Councilman Durham stated that he was familiar with the condition of this woman's property and recommended that the request be granted. He, therefore, moved that the assessments on the two pieces of property be split in order to enable Mrs. Carpenter to re-roof her house. Motion seconded by Councilman Baxter and carried.

ADJOURNMENT.

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

Alicia B. McConnell
City Clerk