

A regular meeting of the City Council was held in the Council Chamber, City Hall, at 11 o'clock a.m., on Wednesday, August 10, 1949, with Mayor pro tem Aitken presiding, and Councilmen Albea, Boyd, Coddington, Daughtry and Wilkinson present.

Absent: Mayor Shaw and Councilman Jordan.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Daughtry, seconded by Councilman Wilkinson, and unanimously carried, the minutes of the last meeting, on August 3rd, were approved as submitted.

PROTEST REGISTERED BY RESIDENTS OF HARDING PLACE AGAINST OFFENSIVE ODORS FROM SUGAW CREEK.

A group of residents of Harding Place, with Mr. Henry Dockery as spokesman, appeared before Council in protest of the offensive odors from Sugaw Creek. Mr. Dockery requested that steps be taken immediately to correct the condition, which, he stated, has become a health menace. He cited an existing ordinance, being Chapter 7, Section 293, of the City Code, which prohibits the discharge of waste matter into streams within the limits of Charlotte, and urged its enforcement.

Mrs. J. P. McMillan stated she had been a resident of Harding Place for 20 years and the odors have become increasing objectionable. She urged that steps be taken at once to have waste matter emptied into the sewerage system instead of into Sugaw Creek.

Mr. Floyd Kay termed Sugaw Creek
30 feet wide and an average
and

At the request of Councilman Daughtry, the Council unanimously consented to his presenting a motion with regard to the matter. Whereupon Councilman Daughtry moved that the Council go on record authorizing the City Manager to advise the violators of the existing ordinance, prohibiting the discharge of waste into streams within the city limits, that such ordinance exists, mailing them a copy of same, and advising that steps be taken immediately to correct this unhealthy condition. Motion was seconded by Councilman Albea, and unanimously carried.

REQUEST FOR IMPROVEMENTS TO ROADWAY BETWEEN EAST 36th STREET AND NORTH TRYON STREET MADE BY MRS. C. L. PHILEMON.

Mrs. C. L. Philemon requested the improvement of a section of the street between East 36th Street and North Tryon Street, which she stated is now inside the city limits and is impassable.

Mr. Yancey, City Manager, advised that the section of the street in question has never been dedicated to the city, and unless and until it is put in proper condition it cannot be maintained by the City.

CONSIDERATION OF AN ORDINANCE TO REGULATE SOLICITATION OF PUBLIC FUNDS DEFERRED FOR ONE WEEK.

Mayor pro tem Aitken announced that consideration of the proposed ordinance to regulate solicitation of public funds would be deferred for one week and requested that it be placed on the Docket for the Council Meeting on August 17th.

DOUBLE OAKS APARTMENTS, INC., SEWER CONTRACT ASSIGNMENT REFUND IN FAVOR OF WACHOVIA BANK AND TRUST COMPANY APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilman Coddington, and unanimously carried, the assignment of the refund on the sewer contract between Double Oaks Apartments, Inc., and the City of Charlotte was authorized to the Wachovia Bank and Trust Company.

NOTICE OF CLAIM OF SCHWARTZ & SON, INC., FOR PROPERTY DAMAGES REFERRED TO CITY ATTORNEY.

Councilman Albea moved that Notice of Claim of Schwartz & Son, Inc., filed by their attorney, Mr. Maurice A. Weinstein, in the amount of \$7,500.00, for damages to property on West Third Street on June 13, 1949 by flood water, be referred to the City Attorney for handling. Motion seconded by Councilman Coddington, and unanimously carried.

CLAIM FOR PERSONAL INJURIES TO MRS. THELMA LOUISE YANDLE REFERRED TO CITY ATTORNEY.

Upon motion of Councilman Albea, seconded by Councilman Coddington, and unanimously carried, claim in the amount of \$311.45 in behalf of Mrs. Thelma Louise Yandle for personal injuries by stepping into a rut in the street at Poplar and Fourth Streets on June 3, 1949, was referred to the City Attorney.

PORTION OF PINEHURST PLACE TAKEN OVER FOR MAINTENANCE.

Motion was made by Councilman Albea, seconded by Councilman Wilkinson and unanimously carried, authorizing taking over for city maintenance a portion of Pinehurst Place for a distance of 675 feet from the end of the present maintenance to 200-feet from the intersection of Pinehurst Place and Wakefield Drive.

CONTRACTS FOR THE CONSTRUCTION OF NEW SANITARY SEWERS.

Councilman Albea moved that the following contracts be authorized for the construction of new sanitary sewers. Motion was seconded by Councilman Wilkinson, and unanimously carried:

- (a) Contract with Marsh Realty Company for sewer in Brentwood Place, for a distance of 1604 feet, at an estimated cost of \$4,142.83, to serve 45 vacant lots. All cost to be borne by the City, and applicant's deposit of full amount to be subsequently refunded in accordance with the terms of the contract.
- (b) Contract with Marsh Realty Company for sewer in Shuman Avenue for a distance of 1128 feet, at an estimated cost of \$2,371.27 to serve 14 vacant lots. All cost to be borne by the City, and applicant's deposit of full amount to be subsequently refunded as per terms of the contract.
- (c) Contract with Erwin Construction Company for sewer from Briar Creek trunk line to Arnold Drive, at an estimated cost of \$1,881/11, to serve 5 houses and 12 vacant lots. All cost to be borne by the City, and applicant's deposit of full amount to be subsequently refunded in accordance with the terms of the contract.
- (d) Construction of a 12-inch sewer along Dairy Branch for a distance of 1777 feet, parallel with Ideal Day, to replace the inadequate old 10 inch sewer, at an estimated cost of \$4,846.20, to be borne by the City.
- (e) Construction of an 8-inch sewer in Camp Green Street, from Berryhill Road branch trunk line north to beyond Elon St., and in Elon St. from Camp Green Street east and west to end of street, a total distance of 1100 feet, at an estimated cost of \$3,373.70, to serve 31 houses. All cost to be borne by the City.

RENEWAL OF LEASE OF AIRPORT BUILDING WITH THE PURE OIL COMPANY.

The City Manager reported the renewal of lease of Airport Building No. 53 to The Pure Oil Company, on a month to month basis, at a monthly rental of \$25.80.

UNANIMOUS CONSENT OF COUNCIL GIVEN THE PRESENTATION OF UNDOCKETED ITEMS.

Upon motion of Councilman Albea, and seconded by Councilman Daughtry, the unanimous consent of Council was given the presentation of the following four undocketed items.

ORDINANCE AMENDING THE CITY CODE TO PROVIDE FOR THE CITY MAKING LATERAL SEWER CONNECTIONS AND PRESCRIBING CHARGE THEREFOR.

An ordinance entitled, "An Ordinance Amending the City Code of the City of Charlotte to Provide for the City making Lateral Sewer Connections and Prescribing the Charge Therefor", was introduced and read. Councilman Wilkinson moved the adoption of the ordinance. Motion was seconded by Councilman Daughtry, and unanimously carried. Ordinance is recorded in full in Ordinance Book 11, at Page 74.

BIDS ON POLICE UNIFORMS REJECTED AS RECEIVED ON AUGUST 2ND, AND AUTHORIZED READVERTISED.

Upon motion of Councilman Coddington, seconded by Councilman Boyd, and unanimously carried, all bids on Policemen uniforms as received on August 2, 1949, were rejected due to an error in the specifications, and authorized readvertised, as recommended by the City Manager.

RESOLUTION APPROVING BUS ROUTE CHANGES EFFECTIVE AUGUST 16, 1949.

A resolution entitled, "Resolution Approving Motor Bus Route Changes effective August 16, 1949" was introduced and read. Upon motion of Councilman Albea, seconded by Councilman Coddington, the resolution was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Pages 193-194.

RESOLUTION RELATIVE TO IMPROVED BUS TRANSPORTATION FACILITIES AND ADDITIONAL AND EXTENDED BUS ROUTES.

A resolution entitled, "Resolution Relative to Improved Bus Transportation Facilities and Additional and Extended Bus Routes" was introduced by Councilman Boyd, who moved its adoption. Motion was seconded by Councilman Daughtry, and unanimously carried. Resolution is recorded in Resolutions Book 1, at Page 195.

ADJOURNMENT.

Upon motion of Councilman Coddington, seconded by Councilman Albea, and unanimously carried, the meeting was adjourned.

Lillian R. Hoffman
City Clerk