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A regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Tuesday, August 13, 1946, with Mayor Baxter presiding, and Councilmen Childs, Hinson, Johnston, McIntyre, Puette and White present.

Absent: Councilman Newson.

INVOCATION.

The invocation was given by Councilman Hinson.

HEARING ON PETITION TO WAIVE SETBACK LINE REQUIREMENT AT S. TRYON & WEST SECOND STREETS.

A hearing was held on the petition filed on August 6, 1946 by Tillett & Campbell, Attorneys, requesting that the setback line requirement be waived at South Tryon and West 2nd Streets, in order that the Strand Theatre might be erected as originally planned.

Mr. C. W. Tillett, Attorney, and Mr. H. F. Kinsey, theatre owner, urged that the requirement be waived in this instance. They stated land was purchased in 1943, plans for the theatre drawn and building permit secured prior to the adoption by the City of the setback line requirement. That if the ordinance was enforced their lot would be reduced by 9 feet along West 2nd Street and the seating capacity of the theatre reduced by 310 seats. Also, that due to the permanent buildings on the other three corners of the intersection that the street could not possibly be widened for many years.

Mayor Baxter advised that Council would consider the request and render a decision at the next meeting.

REMOVAL OF TREES ON EWING AVENUE APPROVED.

Representatives of the Building Committee of the Church of the Holy Comforter advised that two trees had been removed from in front of the new Church of the Holy Comforter at Ewing and Worthington Avenues, and they were later advised that the removal was in violation of a city ordinance, which they knew nothing about. Their apologies were offered, and upon motion of Councilman Childs, seconded by Councilman McIntyre, the removal of the trees was approved.

PERMISSION TO USE ASBESTOS PIPE IN LIEU OF CAST IRON PIPE REQUESTED BY DAVID CROSLAND IN CONSTRUCTION OF SANITARY SEWER.

Mr. David Crosland requested permission to install asbestos pipe, in lieu of cast iron pipe as required by city ordinance, in the construction of a sanitary sewer in Bethel Road to serve six houses just completed and badly needed for use by veterans. In view of the fact that Mr. Crosland stated he had been promised delivery of the cast iron pipe within a week's time for said sewer line no action was taken by Council.

APPRECIATION FOR APPOINTMENT OF NEGRO POLICE OFFICERS UNDER CIVIL SERVICE EXPRESSED BY DR. TROSS.

Dr. J. S. N. Tross expressed his appreciation for Council having granted Civil Service Status to the six negroes serving as Special Peace Officers. He also stated that word had been circulated among the negro race that this action was due to pressure and threats of action against the City. He stated he regretted that such information was believed to be true by the negroes of Charlotte and urged that Council make it plain that such was not the case. Mayor Baxter advised him the negro employees were

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given Civil service Status as the direct result of their service as police officers and with the desire of the Council to maintain and improve racial relations in Charlotte.

RESOLUTION APPROPRIATING FUNDS FOREXPENSES OF E. J. HANSON IN CONNECTION WITH AIRPORT MATTERS.

The following resolution was presented and read:

RESOLUTION APPROPRIATING MONEY TO
DEFRAY CERTAIN EXPENSES OF E. J.
HANSON, SPECIAL AIRPORT ATTORNEY.

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

WHEREAS, E. J. Hanson has been heretofore employed as Special Attorney to handle certain airport matters at a salary of \$50.00 a day and expenses, such services and expenses, in no event, to exceed \$1500.00, and

WHEREAS, it is necessary to appropriate funds with which to pay for such services and expenses.

NOW, THEREFORE, it is hereby ordered and directed that there be transferred out-of-account No. 107 "North Carolina Veteran's Commission" \$1500.00, such sum to be transferred to account No. 109 "Professional Services - Airport Matters".

AND BE IT FURTHER RESOLVED that out of the first non tax monies coming into the Treasury of the City of Charlotte after this date, there be transferred back to said account No. 107 "North Carolina Veteran's Commission" the sum of \$1500.00.

Upon motion of Councilman White, seconded by Councilman Hinson, the foregoing resolution was unanimously adopted.

SALARY INCREASES AUTHORIZED TO JUDGE OF RECORDER'S COURT AND CITY SOLICITOR.

Councilman Johnston moved that the salaries of Mr. E. McA. Currie, Judge of Recorder's Court and Mr. M. J. Blankenship, City Solicitor, be increased 15%, in line with the general increase to employees in the current budget. Motion seconded by Councilman Hinson, and unanimously carried.

CONTRACT FOR ESTIMATED YEAR'S SUPPLY OF MOTOR OIL AWARDED PURE OIL COMPANY.

Councilman Childs moved that contract be awarded the Pure Oil Company, the low bidder, for an estimated year's supply of 6000 gallons of motor oil, at .55 cents per gallon, or a total price of \$3,300.00. Motion seconded by Councilman Hinson, and unanimously carried.

CITY ATTORNEY DIRECTED TO PREPARE RESOLUTION AUTHORIZING PURCHASE OF YEAR'S SUPPLY OF COAL.

The City Manager stated that approximately 850 tons of coal would be required for use by the city during the coming winter. That coal dealers advised they could not place bids for same. He recommended that authority be given, by proper resolution, to purchase the coal when and where it could be obtained, the total amount to be expended for coal to be not in excess of \$8,500.00. Council concurred in the recommendation, and directed the City Attorney to prepare and present at next week's meeting the proper resolution.

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M. R. MARSH, ARCHITECT, EMPLOYED TO DRAW PLANS FOR PROPOSED FIRE STATIONS.

Motion was made by Councilman Hinson that Mr. M. R. Marsh, Architect, be employed to draw plans for the proposed two fire stations, as recommended by the Chief of the Fire Department, and that the City Attorney prepare the proper contract between the City and Mr. Marsh. Motion seconded by Councilman White, and unanimously carried.

CONTRACT AWARDED CAROLINA TRACTOR AND EQUIPMENT COMPANY FOR ROAD ROLLER.

Councilman White moved that contract be awarded the Carolina Tractor and Equipment Company for one Huber Road Roller, at a price of \$4,883.00, as recommended by the City Manager. Motion seconded by Councilman Childs, and carried.

ACTION ON NOVEMBER 9, 1945 AWARDED CONTRACT TO GENERAL TRUCK COMPANY FOR TRUCKS RESCINDED.

Motion was made by Councilman Hinson that action on November 9, 1945, awarding contract for two trucks to General Truck Company, be rescinded, by and with the consent of said Company, due to their being unable to make delivery - as recommended by the City Manager. Motion seconded by Councilman Childs, and unanimously carried.

CONSTRUCTION OF TWO SANITARY SEWER PROJECTS IN DICKINSON PLACE AUTHORIZED.

Councilman Childs moved that the construction of two related sanitary sewer projects in Dickinson Place be authorized, at a cost of \$326.70 for the new sewer and \$181.50 for replacement for sewer line being abandoned. Motion seconded by Councilman Hinson, and unanimously carried.

ESTABLISHMENT OF DENTAL HYGIENE PROGRAM AND APPROPRIATION OF FUNDS FROM THE EMERGENCY FUND FOR ITS OPERATION AUTHORIZED.

Motion was made by Councilman Hinson that reestablishment of a Dental Hygiene Program in the Health Department be authorized as recommended by Dr. Bethel, Chief Health Officer, and that \$5,000.00 be appropriated from the Emergency Fund for its operation. Motion seconded by Councilman Childs, and unanimously carried.

CONTRACTS AND PURCHASES AUTHORIZED.

Councilman Hinson moved that the following contracts and purchases be authorized, and funds appropriated if necessary:

- a. Contract with Standard Oil Company for 25,241.9 gallons of gasoline, purchased during July 1946, in the sum of \$3,798.11.
- b. Purchase of One sickle mower from E. J. Smith Company, in the sum of \$167.93, for the new Cemetery.
- c. Payments to The Charlotte News of \$30.00 and to The Charlotte Observer of \$27.55, for advertisement of surplus material at Morris Field, from the Emergency Fund.
- d. Purchase of 1,440 flash light batteries from Henry-Walke Company, in the sum of \$100.80, for the Police Department.
- e. Contract with Underwood Corporation for One Electric Adding Machine, in the sum of \$252.00, for the Health Department.

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UNANIMOUS CONSENT GIVEN PRESENTATION OF ITEMS NOT ON DOCKET.

Upon motion of Councilman Hinson, seconded by Councilman Johnston, unanimous consent of Council was given the presentation of the following items not included in today's Agenda of business.

CITY ATTORNEY DIRECTED TO PREPARE RESOLUTION AUTHORIZING IMPROVEMENTS TO CUMBERLAND AVENUE.

on July 31m 1946
 Councilman Hinson stated he voiced objection to the improvements being made on Cumberland Avenue because he was not familiar with the need of such improvement and he did realize the need of similar improvements on other streets and near city schools. He moved that the expenditure of \$10,838.32 be authorized for the opening of and improvements to Cumberland Avenue and that the improvements be made in the order of its importance to similar work on other streets. Motion seconded by Councilman McIntyre.

The City Attorney advised the authorization of said work should be done by resolution. Therefore, no vote was taken on the motion, and the City Attorney was requested to prepare the resolution and present same at the next meeting of Council.

FUNERAL DIRECTORS ORDERED TO OBSERVE SPEED LIMIT LAW AND REDUCE NOISE OF SIRENS IN THE OPERATION OF AMBULANCES.

Councilman Childs stated he had received complaints from residents regarding noise and speed of ambulances leaving the two Funeral Homes on East Morehead Street. Mayor Baxter requested the City Manager to direct the Police Department to advise Directors of Funeral Homes to reduce the noise of sirens to a minimum and to observe the speed limit law in the operation of ambulances.

REMOVAL OF TREES IN WIDENING OF SELWYN AVENUE AUTHORIZED.

Councilman White moved that the City Manager be authorized to have the eight trees removed in the widening of Selwyn Avenue. Motion seconded by Councilman Childs, and unanimously carried.

FIRE PROTECTION OUTSIDE CITY DIRECTED MAINTAINED.

The City Manager advised the Superintendent of the Water Department has called attention to the fact that since Section 761 of the City Code was repealed on July 31, 1946 there is no ordinance in effect under which a charge may be made for fire protection outside the city. The Manager stated the charge heretofore for fire hydrants outside the city was \$26.67 per hydrant per year. Council directed that the charge for private fire protection outside the city be maintained.

PUBLIC LIABILITY INSURANCE ON MUNICIPAL AIRPORT AUTHORIZED.

Mr. Ledbetter, City Treasurer, presented the following prices for public liability insurance on the Municipal Airport properties, compiled from a survey made by insurance representatives, the Airport Manager and himself:

	<u>Bodily Injury</u>		<u>Property Damage</u>		<u>Total</u>
\$ 25/50,000	- \$ 190.50	\$ 25,000	- \$ 117.75		\$ 308.25
\$ 50/100,000	- \$ 198.00	\$ 50,000	- \$ 127.50		325.50
\$ 100/300,000	- \$ 205.50	\$ 100,000	- \$ 138.75		344.25

Mr. Ledbetter recommended that the Charles E. Lambeth Insurance Agency be authorized to issue policy for 100/300,000 Bodily Injury and \$100,000 Property Damage at an estimated premium of \$344.25, subject to cancellation on prorata basis if we find it possible to secure this coverage at a better rate.

Councilman Childs moved the acceptance and authorization of the recommendation. Motion seconded by Councilman Hinson, and unanimously carried.

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PAYMENT OF FIRE INSURANCE UNDER BINDER FROM MAY 13, 1946 TO AUGUST 2, 1946
AUTHORIZED.

Councilman McIntyre moved that the payment of \$1,229.18 for fire insurance on the Municipal Airport properties carried under binder from May 13, 1946 to August 2, 1946, with \$300,000.00 maximum coverage, be authorized from the Emergency Fund if necessary. Motion seconded by Councilman Hinson, and unanimously carried.

SALE OF CEMETERY LOTS AUTHORIZED.

Councilman Childs moved that the Mayor and City Clerk be authorized to execute the following deeds for the sale of cemetery lots. Motion seconded by Councilman Puette, and unanimously carried:

Mrs. J. E. Prather, Lot 33, Section L-Annex, Elmwood Cemetery, \$180.00.
Perpetual Care on above lot, \$100.00.
Robert Patterson, Lot 90, Section L-Annex, Elmwood Cemetery, \$90.00.
Perpetual Care on above lot, \$50.00.
Mrs. Lessie W. Jordan, Lot 76, Section L-Annex, Elmwood Cemetery, \$176.85
Perpetual Care on above lot, \$98.25.
Transfer of Southeast 1/4 of Lot 53 Fraction, Section "Q", Elmwood Cemetery, from W. E. Irby and wife, Mamie Belle Irby, to Maurice or Mary W. Dickson, at \$35.00.

ADJOURNMENT.

Upon motion of Councilman Hinson, seconded by Councilman Johnston, the meeting was adjourned.

Leccian R. Hoffman
City Clerk