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The regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Tuesday, May 28, 1946, with Mayor Baxter presiding, and Councilmen Childs, Hinson, Johnston, McIntyre, Newson, Puette and White present.

INVOCATION:

The invocation was given by Dr. C. C. Warren, Pastor, First Baptist Church.

LICENSE FEE OF \$25.00 FOR SALESMEN TO BE ELIMINATED FROM REVENUE ORDINANCE.

A large delegation of citizens, and attorneys representing business firms and individuals, was present to protest the imposing of a license fee of \$25.00 for salesmen, as provided in the Revenue Ordinance for the fiscal year 1946-47. Opinions were expressed that enforcement of such fee for salesmen operating within the city was unjust, would create a double tax on firms paying a privilege license, would impair the progress of Charlotte as a distributing center, and would establish a precedent that would likely be followed in cities and towns throughout North Carolina.

Following the discussion, consideration was given the protests by the City Council, and a motion was made by Councilman Hinson that the Revenue Ordinance be amended by striking out that section providing for the imposing of a license fee of \$25.00 for salesmen, and that the City Attorney prepare the proper legislation relative thereto for adoption at the next Council Meeting. Motion seconded by Councilman Childs, and unanimously carried.

LICENSE FEE FOR EMPLOYMENT AGENCIES TO BE REDUCED FROM \$500.00 TO \$200.00 IN REVENUE ORDINANCE.

Councilman Childs moved that the Revenue Ordinance be amended to reduce the license fee of Employment Agencies from \$500.00 to \$200.00, and that the City Attorney prepare the proper legislation relative thereto for adoption at the next Council Meeting. Motion seconded by Councilman Hinson, and unanimously carried.

OFFER TO PURCHASE MELLON PROPERTY REFERRED TO CITY TREASURER.

Mr. Frank Jones, Realtor, submitted an offer of \$35,000.00, together with the required 5% deposit, for the Mellon Property on North Poplar Street. He was advised that his bid should be made to the City Treasurer, who handles all real estate transactions for the City.

ADOPTION OF RESOLUTION AUTHORIZING INTERVENTION ON BEHALF OF THE CITY OF CHARLOTTE IN DOCKET NO. 730, et al, BEFORE CIVIL AERONAUTICS BOARD.

Councilman Newson moved the adoption of the following resolution. Motion seconded by Councilman Hinson, and unanimously carried:

BE IT RESOLVED by the City Council of the City of Charlotte:

That the Aviation Committee, by and on behalf of the City of Charlotte, be and it is hereby authorized and directed to intervene in that certain proceeding pending before the Civil Aeronautics Board, Washington, D. C., entitled "Boston, New York, Atlanta, New Orleans Case Docket No. 730, et al" and cause the City of Charlotte to be properly represented therein by appearing before said Board or any Examiner thereof and present testimony, oral argument, file briefs and take such other steps as may be required in the premises.

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UNANIMOUS APPROVAL GIVEN CITY MANAGER TO PRESENT ITEMS NOT ON DOCKET.

Upon motion of Councilman Childs, seconded by Councilman Puette, the unanimous approval of Council was given the City Manager to present for consideration a Subdivision Plat and an Encroachment Agreement, which was not included on today's Docket.

SUBDIVISION PLATS OF "ECHO HILLS" AND "SHENANDOAH PARK" APPROVED.

Motion was made by Councilman Childs that the following subdivision plats be approved. Motion seconded by Councilman Puette, and unanimously carried:

- (a) Echo Hills, situated on Monroe Road beyond the city limits, submitted by J. N. Wallace, and approved by the Planning Board.
- (b) Shenandoah Park, situated at the city limits on Briar Creek, submitted by C. B. Barber, Agent for D. E. Drye, and approved by the Planning Board.

ENCROACHMENT AGREEMENT WITH STATE HIGHWAY COMMISSION AUTHORIZED.

Councilman Childs moved that the Mayor and City Clerk be authorized to execute an Agreement with the State Highway Commission for encroachment on state highway property on West Boulevard, beyond the city limits, approximately 105 feet west, for the construction of a sanitary sewer in Skyland Drive. Motion seconded by Councilman Puette, and unanimously carried.

CONSTRUCTION OF STORM DRAIN IN OPTIMIST CLUB PARK PROPERTY AUTHORIZED.

Councilman Newson reported that the Appraisal Committee recommended that a storm drain be constructed to eliminate drain water from flooding the Optimist Club Park property in North Charlotte, at a cost of \$1,511.00 when funds are available upon the condition that a title in fee simple be given the City for the park property, instead of a joint title with the County. Councilman Hinson moved that the recommendation be approved. Motion seconded by Councilman Johnston, and unanimously carried.

REPAYMENTS ON WATER AND SEWER CONTRACTS FROM BUDGET ADOPTED AFTER CONDITIONS OF CONTRACTS MET.

The City Manager recommended that ⁱⁿ all water and sewer construction contracts wherein the City obligates itself to repay to the applicant certain sums in the event certain conditions are met, the City's obligation be payable out of the next adopted budget after the applicant has met the conditions of the contract, and that said recommendation apply to existing contracts insofar as possible. Motion was made by Councilman Newson that the recommendation be approved. Motion seconded by Councilman Hinson, and unanimously carried.

CONTRACT FOR FIRE AND POLICE DEPARTMENT UNIFORMS AND SHIRTS AWARDED TO BELK BROS. COMPANY.

Councilman Childs moved that a contract be awarded Belk Bros. Company, the low bidder, for uniforms and shirts for the Fire and Police Departments, at a delivered price of \$9,405.30. Motion seconded by Councilman Puette, and unanimously carried.

TRANSFER OF FUNDS AUTHORIZED FOR WATER MAIN CONSTRUCTION CONTRACTS.

The City Manager recommended that \$22,965.00 be transferred to Water Account Code 1610 G-31 to cover water main construction contracts from the following funds:

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Code 601-A4	\$3,465.00
Code 601-B 21	5,000.00
Code 609-B 25	10,000.00
Code 1609- G 2	500.00
Code 610- B 49	4,000.00

Councilman Johnston moved that funds be transferred as recommended. 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. Motion seconded by Councilman Puette, and unanimously carried:

- (a) One Year's supply of Cinders from Buckeye Cotton Oil Company, estimated at 600 cubic yards, in the sum of \$100.00.
- (b) Slip Sheet Attachment for Mimeograph Machine, complete and installed, from Gray & Creech, Inc., at a net delivered price of \$143.00.
- (c) One Water Works Test Set complete with carrying case, from Northrop & Company, Inc., in the sum of \$119.50.
- (d) 500 Feet 3/4 Inch Steel Cable, from Contractors Service, at a net delivered price of \$163.00.
- (e) Repair Parts for Bulldozer from Bell-Lott Road Machinery Company, in the sum of \$118.36, f.o.b. Columbia, S. C.

SPECIAL OFFICER PERMIT RENEWED TO J. W. THOMASON.

Upon motion of Councilman Childs, seconded by Councilman McIntyre, the Special Officer Permit held by J. W. Thomason, 1215 Greenleaf Avenue, was unanimously renewed for one year on the premises of A & P Tea Company.

RETIREMENT OF CITY EMPLOYEES.

Councilman Childs reported that the Committee appointed to recommend a policy relative to retirement of city employees who have reached the retirement age, recommended that all employees of retirement age whose work is satisfactory be retained on their present jobs, and those employees whose services are inadequate be retired and their retirement benefit be supplemented by casual jobs to provide an income of \$75.00 per month.

Following a discussion of the matter, Councilman Newson moved that the Board of Trustees of the North Carolina Local Governmental Employees' Retirement System be advised that all personnel of the City of Charlotte between the ages of 65 and 70 years will be retained until they are 70 years of age. Motion seconded by Councilman Puette, and carried, with the following vote recorded:

- AYE: Councilmen Childs, Johnston, McIntyre, Newson, Puette and White.
- NAY: Councilman Hinson.

Councilman White then moved that the Board of Trustees of the North Carolina Local Governmental Employees' Retirement System be advised that all personnel of the City of Charlotte over 70 years of age will be

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retained for a period of two years, provided that the Department Head of each employee recommend to Council that said employee be retained. Motion seconded by Councilman Hinson, and lost, with the following vote recorded:

AYE: Councilmen Childs, Hinson and White.

NAY: Councilmen Johnston, McIntyre, Newson and Puette.

REAPPOINTMENT OF ZEB C. STRAWN TO SOLICITATION COMMISSION BY MAYOR.

Mayor Baxter announced the reappointment of Mr. Zeb C. Strawn to the Solicitation Commission for a period of three years.

CEMETERY LOTS AUTHORIZED SOLD.

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

Mrs. Olin W. Norton, Lot 38, Section Z, Elmwood Cemetery, \$31.50.
Mrs. W. W. Turner, Lot 57, Section L-Annex, Elmwood Cemetery, \$180.00.
Perpetual Care on Lot 57, Section L-Annex, Mrs. W. W. Turner, \$100.00.
H. S. Bost and wife, Addie W. Bost, Lot 64, Section L-Annex, Elmwood Cemetery, \$180.00.
Perpetual Care on Lot 64, Section L-Annex, H. S. Bost & wife, \$100.00
Perpetual Care on Lot 231, Section Y, Mrs. Mary Smith, Elmwood Cemetery, \$25.00.

ADJOURNMENT.

Upon motion of Councilman McIntyre, seconded by Councilman Puette, the meeting was adjourned.

Lillian R. Huffman
City Clerk