

A regular meeting of the City Council was held in the Council Chamber, City Hall, at 11 o'clock a.m. on Wednesday, September 28, 1949, with Mayor Pro-tem Aitken presiding, and Councilmen Albea, Boyd, Coddington, Daughtry, Jordan and Wilkinson present.

Absent: Mayor Shaw

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the minutes of the last meeting, on September 21st, were approved as submitted.

PETITION FOR USE OF VICTORY PIPE IN SUB-STANDARD HOUSES.

Mr. Fred Harkey, President of Charlotte Real Estate Board, petitioned the City Council to waive the requirement of heavy pipe as required in the City Ordinance and allow the use of victory pipe in bringing sub-standard houses up to requirement, claiming that the use of victory pipe would save the owners of these buildings an average of \$75.00 to \$100.00 per house in putting in toilet and bathing facilities.

Mr. Paul Guthery, Mr. T. W. Wilson and Mr. Jim Trotter all spoke in the interest of the use of victory pipe. Mr. Paul Guthery called attention to these old houses already being settled and not requiring as heavy pipe as new buildings.

Councilman Jordan moved that action be deferred for one week in order that all interested parties might be heard. Motion seconded by Councilman Daughtry and carried.

Councilman Jordan moved that the requirement of heavy pipe not be enforced until after the hearing which had been deferred one week. Motion seconded by Councilman Wilkinson and passed unanimously.

COMPLAINT OF CONDITION OF BERNARD STREET,

Mrs. Philemon appeared before the Council in protest of the condition of Bernard Street, stating that it was not fair to make her pay taxes and not fix the street so that she could get mail and enjoy other benefits. The City Manager stated that this street, along with others, were being considered and he was awaiting an opinion by the City Attorney and the Attorney General as to how much work could be done without assessing the abutting property.

RESOLUTION APPROVING APPLICATION FOR PRELIMINARY LOAN FROM PUBLIC HOUSING ADMINISTRATION.

Resolution entitled "Resolution Approving Application for A Preliminary Loan from Public Housing Administration" was introduced and read, and upon motion of Councilman Jordan, seconded by Councilman Albea, was unanimously adopted. Resolution is recorded in full in Resolution Book 1 at page 205.

RESOLUTION EXTENDING EFFECTIVE DATE FOR ENFORCEMENT OF NON-LEASING OF TAXICABS TO MIDNIGHT, OCTOBER 31ST, 1949.

Resolution entitled "Resolution Extending Effective Date for Enforcement of Non-Leasing of Taxicabs to Midnight, October 31st, 1949", was introduced and read and upon motion of Councilman Coddington, seconded by Councilman Wilkinson, was adopted. Resolution is recorded in full in Resolution Book 1, at page 206.

COMPLAINT OF WATER BILL.

Mr. Tom Sykes appeared before the City Council in protest of the big increase in his water bill, reading off the amounts of these bills in proof of his contentions.

The City Manager read a report received from the Water Department in reference to this account.

Councilman Boyd moved that the average bill for the 9 months between August 1948 and April 1949 be used as a basis of settlement. This motion was seconded by Councilman Wilkinson and passed unanimously.

RESCINDING ACTION OF SEPTEMBER 7TH INCREASING BOND OF CITY TREASURER.

Councilman Albea mover that that portion of the Resolution passed September 7, 1949, requiring the City Treasurer to give additional bond for handling Park funds be rescinded. Motion seconded by Councilman Jordan and passed unanimously.

REQUEST FOR INCREASE OF LIABILITY INSURANCE ON TAXICABS.

Mr. Charles Myers, Attorney, petitioned the City Council to increase the amount of liability insurance of the taxicabs to \$10,000.00 for one person and to \$50,000.00 for two or more persons, stating that in the State of North Carolina after a person has had a wreck he is required to carry a minimum of \$11,000.00 liability insurance.

He further requested that the 5-mile limit be removed so that anyone entering a Cab within the City limits would be protected wherever an accident might occur.

Councilman Boyd moved that this matter be taken under consideration and was seconded by Councilman Jordan and the motion was passed.

CREATING POSITION OF SERGEANT OF POLICE.

Motion made by Councilman Coddington that the Council create the position of Sergeants of Police, and authorize appointment of not exceeding four Sergeants, from the present personnel of the Department, and fix the salary for such position at \$10.00 per month above that of Patrolman, providing for a total expenditure of \$480.00 per annum, funds for which are available in the current budget, was seconded by Councilman Albea and passed unanimously.

SUBDIVISION PLATS APPROVED.

Upon motion of Councilman Wilkinson, seconded by Councilman Daughtry and unanimously carried, the following Subdivision Plats were approved:

Four plats of Wendover Hills Subdivision, property of Mr. C. A. Meisenheimer, located in the southeastern section of the City, and is bounded on the North by Grayson Park and land of Mason Wallace; on the West by property of E. C. Griffith and on the South by property of Dr. Elias Faison and Dr. Amos Bumgardner.

APPROVED CLAIM OF J. H. SPEARMAN, PRESIDENT, CHARLOTTE RENTAL COMPANY.

Motion was made by Councilman Coddington, seconded by Councilman Wilkinson and passed, for approval of payment of Claim of J. H. Spearman, President, Charlotte Rental Company, for damages to building caused by City Garbage Truck, in an amount not exceeding \$200.00, as provided in City Charter; damaged property is located at 215 West Ninth Street and is owned by the Estate of A. R. Surratt.

APPROVAL OF THE CONSTRUCTION OF SANITARY SEWER MAINS.

Upon motion made by Councilman Albea, seconded by Councilman Wilkinson and unanimously passed, construction of the following sewers was authorized:

- (a) Construction of 8" sewer in Benard Avenue from E. 36th Street east to near Rosedale Avenue, for a distance of 1,125 feet, at a cost of \$2,368.30, to serve twelve houses already built and 14 vacant lots. All cost to be borne by the City.
- (b) Construction of 8" sewer in Roland Avenue, for a distance of 200 feet, at a cost of \$264.00, to serve 2 family units. All cost to be borne by the City.
- (c) Construction of 8" sewer in Eden Alley from East 12th Street to beyond Newell's Alley, for a distance of 280 feet, at a cost of \$606.10, to serve six family units. All cost to be borne by the City.
- (d) Construction of 8" sewer in an alley between The Plaza and Thomas Avenue, for a distance of 133 feet, at a cost of \$285.56, to serve three family units. All cost to be borne by the City.
- (e) Construction of 8" sewer in Westmoreland Avenue and Chesterfield Avenue, for a distance of 2,224 feet, at a cost of \$4,490.20. All cost to be borne by the City.
- (f) Construction of 8" sewer in Westmoreland Avenue and Chesterfield Avenue, for a distance of 2,263 feet, at a cost of \$5,902.82. All cost to be borne by the City.

APPROVAL FOR LOCATION OF TEMPORARY WAREHOUSE ON SOUTH ELLIOTT STREET.

Councilman Albea moved the approval of the location of storage warehouse (temporary) at 516 South Elliott Street, consisting of approximately 2,500 square feet in an Industrial Zone. Motion was seconded by Councilman Wilkinson and passed unanimously.

REPORT OF FINAL SETTLEMENT FOR PURCHASE OF WATER LINES.

City Manager Yancey reported that final settlement had been made in accordance with terms of contracts approved by the City Council for purchase of water lines as follows:

Charlotte Country Club	\$2,553.58
Independence Post Housing Corporation	335.40
N. B. Krimminger	193.36
Park Road Water Company	3,465.36
A. T. Withrow	208.82
D. L. Phillips	11,160.23
J. R. Cherry	332.96
J. C. Baugh	1,617.90
Scotland Colony Inc.	8,169.85
Morebilt Homes, Inc.	5,619.37
John R. Pender	1,378.51
Charlotte Equipment Company	7,359.10
Linde Air Products Company	5,501.94
Realty Development Company	2,039.43
Richard Behrendt and Clyde Threatt	164.83
W. W. Ray	149.15
W. H. Starrette	1,654.11
F. G. Stephenson	1,165.11
G. L. Neal	561.82
H. C. Sherrill Company	2,505.86
W. P. Mitchell	172.40

CONTRACTS FOR PURCHASES.

Councilman Daughtry moved that in view of the fact that the Garwood Load Packers now in use had proved satisfactory and as the City of Charlotte had not used Leach Packers the contract be divided and that contract be awarded to Heath Motor Company for two (2) 15 cubic yard Leach Packers to be installed on Ford F-8 Chassis and Cabs, as specified, at a net delivered price of \$12,193.58; and a contract be awarded to Heath Motor Company for two (2) 15 cubic yard Garwood Load Packers installed on Ford F-8 Chassis and Cabs, as specified, at a net delivered price of \$12,278.58 for the Motor Transport Department, and the funds be allocated therefor, if necessary. Motion was seconded by Councilman Jordan and passed unanimously.

Motion was made by Councilman Wilkinson and seconded by Councilman Coddington that contract be awarded Heath Motor Company for four (4) Chassis and Cabs with Metal Dump Bodies, as specified, @ \$1923.59, add for 100 H.P. Motors @ \$22.50 each; for one (1) Chassis and Cab with Metal Dump Body, as specified @ \$1923.59. Net delivered price for five units \$9707.95, for the Motor Transport Department.

Motion made by Councilman Jordan and seconded by Councilman Wilkinson, and passed, that contract be awarded Heath Motor Company for one (1) 3/4 Ton Pick Up Truck, as specified, at a net delivered price of \$1347.00, for the Motor Transport Department.

Motion made by Councilman Wilkinson and seconded by Councilman Jordan, and passed, that contract be awarded Heath Motor Company for one (1) Street Flusher Mounted on Chassis and Cab, as specified, at a net delivered price of \$5,275.79, for the Motor Transport Department.

Upon motion by Councilman Coddington, seconded by Councilman Jordan and unanimously passed, contract with North Carolina Equipment Company, for one (1) Crawler Type Tractor with Clam Shell, as specified, with steering boosters and 22" track shoes, at a net delivered price of \$12,470.00, for the Motor Transport Department.

Motion made by Councilman Wilkinson, seconded by Councilman Jordan, and passed, that contract be authorized with Heath Motor Company for Six (6) Chassis and Cabs with Metal Dump Bodies, as specified, @ \$1669.63; less trade in allowance; add for 100 H. P. Motors @ \$22.50 each, at a net delivered price of \$9,752.78, for the Engineering Department.

Upon motion by Councilman Coddington, seconded by Councilman Daughtry, and passed, contract was authorized with Atkinson Motors, Inc. for four (4) Standard 3/4 Ton Pick Up Trucks, as specified, on a unit price basis of \$1543.00, representing a price of \$6,172.00. (Price is subject to cash discount of \$1336.00), for the Engineering Department.

Motion was made by Councilman Jordan, seconded by Councilman Wilkinson and passed, authorizing contract with Heath Motor Company for one (1) Chassis and Cab Complete with Platform Dump Body, as specified \$1979.09, add for 100 H. P. Motor \$44.50, at a total net delivered price of \$1819.59, for the Engineering Department.

Motion was made by Councilman Jordan, seconded by Councilman Wilkinson and unanimously passed, authorizing contract with Heath Motor Company, for one (1) Eductor Mounted on Chasis and Cab, as specified, at a net delivered price of \$9,696.60, for the Engineering Department.

Contract with E. F. Craven Company for one (1) Asphalt Kettle, as specified, at a price of \$531.75. (This price is subject to Cash discount of \$10.63), for the Engineering Department, was authorized upon motion of Councilman Albea and seconded by Councilman Coddington and passed unanimously.

Councilman Jordan moved authorization of contract with North Carolina Equipment Company for one (1) Tractor Power Mower, complete with Mower Attachment, as specified, at a net delivered price of \$1275.00, for the Engineering Department. Motion was seconded by Councilman Coddington and passed.

Councilman Albea moved that contract be authorized with Atkinson Motors, Inc., for one (1) 3/4 Ton Chassis and Deluxe Cab, with Meter Service Body, as specified, at a price of \$1942.45. (This price is subject to cash discount of \$318.00), for the Engineering Department. Motion was seconded by Councilman Daughtry and passed.

Motion made by Councilman Coddington authorizing contract with Everett-Noble Motors, Inc. for one (1) Standard 2-Door Coupe, as specified, @ \$1469.30, less \$200 for Trade-In Allowance, less Federal Tax of \$76.30, net delivered price \$1193. (This price subject to cash discount of \$129.50) for the Water Department. Motion seconded by Councilman Albea and passed.

Motion made by Councilman Wilkinson authorizing contract with Heath Motor Company for one (1) Chassis and Cab, complete with Motor Service Body, as specified \$2083.38, add for 100 H. P. Motor \$22.50, at a net delivered price of \$2105.88, for the Water Department. Motion was seconded by Councilman Jordan and passed.

Motion was made by Councilman Coddington, seconded by Councilman Albea and passed, authorizing contract with International Harvester Company for one (1) Chassis and Cab, as specified at a net delivered price of \$1346.81, for the Water Department.

Motion was made by Councilman Wilkinson authorizing contract with Heath Motor Company for one (1) Chassis and Cab, with Express Body, as specified at a price of \$1853.34, add for 100 H. P. Motor \$22.50; less Trade-In Allowance of \$250.00, at a net delivered price of \$1625.84, for the Water Department. Motion was seconded by Councilman Albea and passed unanimously.

Councilman Albea moved the Authorizing of contract with Heath Motor Company for one (1) Half-Ton Panel Truck, 8 cylinder, as specified, at a net delivered price of \$1417.55, for the Fire Department. Motion was seconded by Councilman Daughtry and passed.

Upon motion of Councilman Jordan, seconded by Councilman Albea and passed, contract was authorized with Pettit Motor Company for one (1) light weight 4-door standard 8-cylinder sedan, at a price of \$1825.70. (Subject to cash discount \$237.20) for the Fire Department.

Councilman Daughtry moved that contract be authorized with Everett-Noble Motors, Inc., for five (5) Plymouths, Model P-17, as specified, at a price of \$6300.00. (The price is subject to cash discount of \$705.00), for the Police Department. Motion was seconded by Councilman Wilkinson and passed.

Councilman Coddington moved that contract be authorized with Overhead Door Company of Carolinas, for six (6) Overhead Doors, as specified, f.o.b. Charlotte, at a total price of \$3140.00, for the Fire Department. Motion was seconded by Councilman Albea and passed.

CEMETERY LOTS TRANSFERRED.

Councilman Albea moved that the Mayor and City Clerk be authorized to execute deeds for the transfer of the following Cemetery Lots and perpetual care. Motion was seconded by Councilman Daughtry and unanimously passed.

- (a) Deed to C. M. Helton and wife, Betty T. Helton, for one lot No. 379, in Section 4-A, Evergreen Cemetery at \$81.90.
- (b) Deed to M. B. Query, for North Half of Lot No, 53, Section X in Elmwood Cemetery, at \$62.65.
- (c) Deed to M. B. Query for Perpetual Care on North Half of Lot No. 53, in Section X, in Elmwood Cemetery at \$54.85.

