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The City Council met in regular session in the Council Chamber, City Hall, at 4 o'clock P. M., Wednesday, August 20, 1941, with Mayor Currie presiding and Councilmen Albea, Beasley, Daughtry, Hovis, Painter, Slye, Price, Ross and Ward being present.

Absent: Councilmen Baker and Little.

MINUTES APPROVED.

On motion of Councilman Albea, seconded by Councilman Beasley, the minutes of the previous meeting were approved as read.

REQUEST FOR USE OF DRESSING ROOMS AND SHOWERS AT ARMORY FOR FOOTBALL GAMES REFERRED TO CITY MANAGER.

The request of Mr. Marvin Ritch, for use of dressing rooms and showers at the Armory by the professional football teams of the Dixie League, was referred to the City Manager for handling.

QUESTION OF LICENSE ON MUSIC BOX MACHINES REFERRED TO CITY MANAGER.

Mr. Nathaniel G. Sims, Attorney, representing Mr. Adrian Sharpe, owner of five music box machines, appeared before the Council, asking refund of \$100.00, which he states was illegally paid as license on these machines, since the Attorney General for the State of North Carolina has passed upon the classification of these machines as music machines, such machines being taxed by the State at \$10.00 each, and that under the Revenue Act, sub-section 6 provides that "counties, cities and towns may levy and collect a license tax not in excess of 50% of the total amount collected by the State from music machines". He stated that the sum of \$125.00 was paid by his client under protest, and that he was seeking a refund of the \$100.00 overpaid according to the State Revenue Act.

Mayor Currie referred this matter to the City Manager, with request that he take same up with the City Attorney as to what can be done.

PETITION FILED BY MRS. SARAH ROSS HOUSER.

Mr. E. T. Cansler, representing Mrs. Sarah Ross Houser, a former employee of the Domestic Relations Court of the City of Charlotte and County of Mecklenburg, presented a petition on behalf of Mrs. Houser, in which she requests the City Council to investigate the propriety of her discharge as Assistant to the Clerk of the Domestic Relations Court, and Secretary to the Court, and to obtain an impartial opinion of the Attorney General of North Carolina as to whether or not Judge Redd had authority to discharge her; also that a thorough investigation be made and that she be reinstated to the position which she held for over six years.

This was referred by the Mayor to a special committee,

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composed to Councilmen Daughtry, Ward and Slye, to take up with the City Attorneys for advice as to what can be done legally under the circumstances.

SURVEY TO BE MADE ON BILLING MACHINES FOR WATER DEPARTMENT.

Councilman Hovis reported for the special committee on survey for billing machines to be used by the Water Department, stating that the committee had gotten in touch with the manufacturing concerns making this type of machine and that the survey would be made at an early date.

TWO MEMBERS OF CITY COUNCIL APPOINTED ON COMMITTEE FOR DELINQUENT TAXES AND STREET ASSESSMENTS.

The Mayor advised that a meeting had been held between representatives of the City and County governments, relative to the problem of collection of delinquent taxes and street assessments, and that at that meeting it was decided that a committee would be appointed from the joint body, City Council and Board of County Commissioners, to meet with the City and County Attorneys and work out a proper system to collect these delinquent taxes. Mayor Currie appointed as members of this committee from the City Council, Councilmen Hovis and Ross.

STANDBY CHARGE FOR FIRE HYDRANT AT CHARLOTTE MEMORIAL HOSPITAL WAIVED.

A copy of the opinion of the City Attorneys relative to the standby charge for fire hydrants and water charges at the Charlotte Memorial Hospital having been furnished each member of the City Council, as requested at the last meeting, Councilman Ross made a motion that the standby charge on the two fire hydrants on the premises of the Hospital plus all future standby charges on same, be waived. Motion seconded by Councilman Ward and carried.

CITY OWNED PROPERTY ON NORTH GRAHAM STREET TO BE OFFERED FOR SALE.

Councilman Ross reported that Mr. Clarence Kuester, of the Charlotte Chamber of Commerce, had asked for authority to sell the property owned by the City of Charlotte, located on North Graham Street, between 5th. and 6th Streets, at the price of \$15,000.00 in order to pay off the note signed by a group of Charlotte citizens, used for purchasing land at the Charlotte Air Base. The appraisers engaged to determine the value of this land, having placed a price of \$18,000.00 on this property as a fair value, Mr. Ross asked for permission to advise Mr. Kuester that the City would not consider less than this amount for the property.

After a lengthy discussion, Councilman Daughtry moved that the property be offered for sale at not less than \$18,000.00, which motion was seconded by Councilman Hovis and unanimously carried.

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RESOLUTION RELATIVE TO CEMETERY LOT FOR COLORED EMPLOYEE OF CITY OF CHARLOTTE.

The following resolution was presented by Councilman Ross, who stated that same had been requested by Mr. Lloyd Ross, City Engineer:

WHEREAS, Wash Culver has been a faithful and conscientious servant of the City of Charlotte for over thirty years and has worked many extra hours without special compensation, the City takes note of his death, and on account of the above reasons furnishes his family, without cost, a 10 x 10 lot in West Pinewood Cemetery as a reward for his long and loyal service.

After some discussion as to whether the adoption of the above resolution would be setting a precedent, Councilman Ross made a motion that this lot be granted to the deceased employee's family provided the City Attorney rules that it can legally be done. Motion seconded by Councilman Beasley and carried.

REQUEST OF U.S.O. FOR \$900.00 FOR SOLDIERS RECREATION HALL LEGAL.

Mayor Currie announced that the City Attorney had given an opinion that the City of Charlotte could make an appropriation of \$900.00 to the U.S. O. for police and sanitary purposes in connection with the club house for soldiers' recreation; which was authorized at the last meeting, to come from the Emergency Fund provided the City Attorney ruled that it was legal.

AMERICAN CYANAMID AND CHEMICAL CORPORATION FIRE HYDRANT CONNECTIONS.

Mr. Chas. H. Stone, representing the American Cyanamid and Chemical Corporation, requested permission to make connections of two fire hydrants on their property to the water line on Wilkinson Boulevard, leading to the Army Air Base. Mr. Stone advised that this connection would be used for fire hydrant purposes only, and that a standby charge of \$26.67 per hydrant per year will be paid to the City of Charlotte for same. He also stated that he had discussed this with Major Springs, of the Army Air Base, who advised that he would recommend to the Air Base officials that this be approved.

After considerable discussion, Councilman Price moved that this request be granted subject to the approval of the Air Base. Motion seconded by Councilman Ward and carried.

EAST TENTH STREET WIDENING PROGRAM.

The City Manager reported that in widening East 10th Street it was necessary to move and relocate Service Station equipment at East 10th Street and Louise Avenue, owned by Mr. J. C. Caldwell. He stated that provision for this work was made in the budget, and that bids on the electrical wiring made necessary in this change are as follows:

Allen Electric Company	\$120.00
Hunter Electric Company	155.00
Economy Electric & Supply Co.	157.50

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On motion of Councilman Albea, seconded by Councilman Price, award was made to the lowest bidder, Allen Electric Company, for doing this work, in the amount of \$120.00; the City Manager advising that the owner of the property and the lessee, the American Oil Company, are agreeable that the work be done by this company.

In connection with this same program, it is also necessary to relocate tanks, pumps, air-stand and sign of this service station, and bids for doing this work are as follows:

V. C. Mullis	\$175.00
J. V. Andrews	300.00
L. I. Strickland	315.00

And on motion of Councilman Price, seconded by Councilman Albea, the work was let to the lowest bidder, V. C. Mullis, at the price of \$175.00, provided that he is licensed to do that type of work.

PURCHASE OF FOURTEEN CARLOADS OF TERRA COTTA PIPE.

The Engineering Department having requested permission to purchase 14 carloads (18,228 feet) of 8" terra cotta sewer pipe, to cover the next ten months requirements, advertisement calling for bids on this pipe was carried in The Charlotte News on August 8th. and copies of advertisement mailed to twenty pipe concerns. As a result of this advertisement, the following bids were received:

Doggett Lumber Co., Charlotte, N. C.	\$4,862.32
Pine Hall Brick & Pipe Co., Winston-Salem	4,862.32
W. S. Dickey Clay Mfg. Co., Chattanooga, Tenn.	4,862.32

The bid of W. S. Dickey Clay Mfg. Co. did not include unloading and stacking on the stock yards, as required in the specifications.

On motion of Councilman Albea, seconded by Councilman Daughtry and unanimously carried, contract for this supply of pipe was awarded to the Doggett Lumber Company, a local concern, on a unit price basis of $27\frac{1}{2}$ cents per foot, or a net delivered price of \$4,862.32; the pipe to be ordered and paid for as needed over a period of ten months, and the Mayor and Clerk were authorized to sign the contract.

PURCHASE OF PARTS FOR ELGIN SWEEPER.

The two Elgin Street Sweepers owned by the City being in need of repair parts, which were listed by the City Manager in his report, and these parts being obtainable only from the manufacturer of the Elgin equipment, the North Carolina Equipment Company, state agents for this equipment, offered to supply the list submitted, f.o.b. factory, at a net ~~delivered~~ price of \$356.10, and on motion of Councilman Price, seconded by Councilman Beasley, the Mayor and Clerk were authorized to execute contract with this company, at the price quoted.

HEAVY DUTY EXTENSION LADDER FOR MAINTENANCE TRUCK, INSPECTION DEPARTMENT.

The following bids having been received on one heavy duty extension ladder to be mounted on the maintenance truck of the Inspection Department for signal control work:

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Metropolitan Device Corp., Brooklyn, N.Y.	\$340.00
American Coach & Body Works, Cleveland, O.	422.10
T. L. Pitts & Company, Charlotte, N. C.	422.10

On motion of Councilman Slye, seconded by Councilman Albea and carried, award was made to the lowest bidder, Metropolitan Device Corporation, at a net delivered price of \$340.00, and the Mayor and Clerk were authorized to sign the contract.

SPECIAL OFFICER PERMIT .

On motion of Councilman Albea, seconded by Councilman Ross, Mr. Clarence M. Wilson was appointed a special officer on the premises of the Quartermaster Depot, 1820 Statesville Avenue.

SUPPLIES AND EQUIPMENT FOR ONE YEAR.

Mr. Ledbetter, City Manager, reported that he had received a schedule of supplies and equipment (excepting the Water Department, which is the largest department and, therefore, requires longer time to compile their list) necessary to be purchased during this fiscal year, which, insofar as can be ascertained at this time, amounts to \$126,326.44. He advised that this is not in a completed form since similar supplies of various departments have been grouped together to determine the quantity of each character of supply, but that one copy of this schedule is available for the inspection of the Council. A complete report will be made as soon as possible.

BOND FOR CITY MANAGER REFERRED TO FINANCE COMMITTEE.

Mr. Ledbetter advised that he has always felt that the City Manager should be bonded, and he recommended that he be bonded in the amount of \$25,000.00, which is estimated to cost \$125.00; this amount to be paid from the Emergency Fund.

After some discussion as to the necessity of this being done, the matter was referred to the Finance Committee to discuss with Mr. Ledbetter and report back to the Council.

LABOR DAY HOLIDAY.

As has been the custom in the past, Councilman Albea moved that all City employees who can conveniently be away from their work, observe Labor Day as a holiday and that the City Hall be closed. Motion seconded by Councilman Ward and carried.

ATTORNEYS FEES FOR EXAMINING TITLE TO BERRYHILL LAND TO BE PAID.

On motion of Councilman Ross, seconded by Councilman Price and carried, the sum of \$15.00 is to be paid to Attorney J. H. McLain, from the Emergency Fund, for examining title to Berryhill land leased to the Charlotte Air Base.

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RESOLUTION RELATIVE TO PROPERTY ACQUIRED FOR AIRPORT PURPOSES.

On motion of Councilman Price, seconded by Councilman Beasley, the following resolution was unanimously adopted:

RESOLVED that the 7.26 acres recently acquired by the City in Berryhill Township by deed from Minnie Berryhill and others, be included in the property leased to the U. S. Government for airport purposes, and that the proper officials of the City be, and they hereby are, authorized and directed to execute all necessary documents to effectuate the purpose and intent of this resolution.

COMMITTEE FROM COUNCIL APPOINTED TO INVESTIGATE AND SEARCH FOR CITY MANAGER.

The Mayor appointed a committee from the Council to investigate and search for a City Manager, composed of the following: Councilmen Albea, Ross, Baker, Price and Little; this committee to work with the Mayor, the Chairman of same to be appointed by the committee.

SIGNAL CONTROL LIGHT AT SOUTH TRYON ST. AND WEST BOULEVARD.

The Council, on August 13th., authorized the installation of a signal control light at South Tryon Street Extension and West Boulevard. The following bids were received for the purchase of the controller and signal:

Southern Electric Service Co.	
Controller (Eagle)	\$153.00
Signal "	132.60
Mill Power Supply Co.	
Controller (Crouse-Hinds)	153.00
Signal "	132.60
Graybar Electric Company, Inc.	
Controller (Crouse-Hinds)	153.00
Signal "	132.60
Westinghouse Electric Co.	
Controller (Crouse-Hinds)	153.00
Signal "	132.60
General Electric Supply Corp.	
Controller (General Electric)	153.00
Signal	132.60

Inasmuch as all prices quoted were the same and all concerns bidding were local, and the equipment interchangeable, on motion of Councilman Ward, seconded by Councilman Albea, the recommendation of the Safety Engineer, Mr. Skinner, is to be followed in awarding order for this equipment.

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WATER ACCOUNT OF CHARLOTTE MEMORIAL HOSPITAL.

The Superintendent of the Water Department, Mr. W. E. Vest, reported through the City Manager, that the account for water service of the Charlotte Memorial Hospital is past due, as follows:

Water service for domestic purposes, June 1, 1940 through Sept. 10, 1941	\$1,506.30
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Mr. Vest stated that he had been unable to get any results through correspondence in the payment of the regular monthly statements and this report was presented as information to the Council, with no action being taken by them at this time.

EMPLOYEES OF STREET DEPARTMENT REQUESTING 10% INCREASE IN SALARY.

Mr. Ledbetter reported receipt of a petition from several employees of the Street Department, requesting a 10% increase in salary, due to the increased cost of living, and this was referred by the Mayor to the Finance Committee.

CEMETERY DEEDS.

On motion of Councilman Albea, seconded by Councilman Slye, the following cemetery deeds and perpetual care agreements were approved:

Mrs. Sue Douglas Crouch, North Half Lot 86, Section "X" Elmwood	\$70.00
Perpetual care on same	60.00
Mrs. J. C. Broomfield, Jr., Lot No. 245, Section "Y" "	35.00
Perpetual care on same	25.00
Transfer of E.W. 1/4 Lot No. 71, Section "X" by Miss Grace Anthony to Miss Alma Cox, including care	1.00
Transfer of East Half Lot No. 33, Old Pinewood Cemetery from Jacob Thompson, Jr. to Mrs. Nannie Leary Syphax	1.00

TELEPHONE LINE FACILITIES AT AIRPORT.

Mr. Ledbetter reported that Mr. Robert Lassiter, Chairman of the Airport Commission, had turned over to him a letter from the Southern Bell Telephone Company, requesting permission for extension of a pole line to a point near the Administration building at the Airport, being about five poles, and that Mr. Roy Gassoway, Manager at the Airport, agrees that the proposed location of the additional poles, as shown on the plans, does not create a hazard to the general use of the Airport. Mr. Ledbetter, therefore, recommended that this request be granted, subject to any restrictions which the City Attorney deems necessary for the protection of the City's interest.

On motion of Councilman Ross, seconded by Councilman Albea, it was moved that this request be granted, as recommended by the City Manager.

ADJOURNMENT.

On motion of Councilman Albea, the meeting adjourned.

Alice B. D. C. Council
City Clerk