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The regular weekly meeting of the City Council was held at 4 P. M., Wednesday, August 9, 1939, in the Council Chamber, City Hall, with Mayor Douglas presiding, and Councilmen Baxter, Britt, Hudson, Huntley, Little, Nance, Ward and Wilkinson being present.

Absent: Councilmen Albea, Hovis and Sides.

MINUTES APPROVED.

On motion of Councilman Huntley, seconded by Councilman Ward and unanimously carried, the minutes of the meeting of August 2nd. were approved as read.

ARMORY GRANTED TO PHALANX MASONIC LODGE WITHOUT CHARGE.

At the request of Mr. John Shaw, and on motion of Councilman Baxter, seconded by Councilman Wilkinson, Phalanx Lodge, Masonic, was granted free use of the Armory-Auditorium for October 10th. 1939, at which time it will celebrate the 160th. Anniversary of that Lodge.

MALE SEX SANS COAT AND TIE FROM SUNUP TO SUNDOWN.

Mr. John Shaw appealed to the Council to permit the male sex to go sans coat and tie from sunup to sundown, during the heat of summer, in order to relieve them from the bondage of convention under which they have been burdened for centuries, and on motion of Councilman Wilkinson, seconded by Councilman Baxter, this suggestion was unanimously approved by the City Council, after which a number of Councilmen removed their coats.

PUBLIC ADDRESS SYSTEM FOR RELIGIOUS PURPOSES.

Mr. F. H. Meadows, Publicity Agent for J. Harold Smith Revival, again appeared before the Council in an appeal that they be permitted to use the public address system from a truck on the city streets, asking that the present ordinance prohibiting such practise be amended to permit this use for religious purposes only. The City Attorney, however, advised that the ordinance could not discriminate in favor of any particular group or organization, and on motion of Councilman Wilkinson, seconded by Councilman Little, the ordinance regarding sound trucks is to remain unchanged.

COUNCIL REQUESTED TO ASCERTAIN LENGTH OF TIME WHICH COUNCILMAN ALBEA WILL HAVE TO BE ABSENT FROM COUNCIL MEETINGS.

Mr. Chester Nixon advised the Council that he was responsible for the increase from a five-man Council to the present eleven man Council, and that at the time the bill was presented by Senator Bell it was the intent that the affairs of the City be handled by the entire Council of eleven members and the Mayor and that he felt that the Council would be remiss in its duty if it did not attempt to ascertain just how much longer it would be necessary for Councilman Albea to be absent, due to injury sustained several months ago, and that if he could not return to Charlotte and to the Council very shortly, that he be requested to resign and a

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successor appointed. He stated that Mr. Albea has not qualified as a Councilman, having been absent at the time the other members took oath of office, and that in bringing up questions of importance he felt that a full Council should be present.

Mayor Douglas stated that he had visited Mr. Albea at the hospital in Columbia some time ago, and at that time he had expected to return and his physician had advised that he could return within five weeks from that date, but that since then he had again been very ill and his return had been delayed.

No action was taken on the above request.

PURCHASE OF YEAR'S SUPPLY OF COAL.

The following bids having been received on a year's supply of Coal for heating various municipal buildings:

Cochran and Ross Coal Co.	\$7205.00
H. V. Johnson & Son Coal Co.	7270.00
Southernstern Ice & Coal Co.	7585.00

Councilman Wilkinson moved that the contract be awarded to the low bidder, Cochran and Ross Coal Company, at the total delivered price of \$7205.00, and that the Mayor and Clerk sign the contract. Motion seconded by Councilman Hudson and carried.

PURCHASE OF BONDS.

On motion of Councilman Huntley, seconded by Councilman Little, approval was given for the purchase of the following Bonds for the Sinking Fund Account, subject to the approval of the Local Government Commission:

\$2000.00 Rockingham, N. C. School Bonds,
due 5/1/42 @ 1% net,
plus accrued interest.

\$2000.00 Wilmington, N. C. 4 3/4% Bonds,
due 1/1/41 @ 1% net,
plus accrued interest.

NOTICES OF SUITS IN CONNECTION WITH COLLAPSE OF FOOT BRIDGE ACROSS SUGAW CREEK.

Mr. J. B. Marshall, City Manager, reported receipt of notices of suits on behalf of Bennie Haigler, deceased, \$25,000.00, attorney Uhlman S. Alexander; Alton Gardner, deceased, \$25,000; Loreda Cathey, Helen Brice, and Willie Broom, all deceased, and all in the sum of \$25,000, represented by Tarlton and Abernathy; whose deaths were due to drowning when the bridge across Sugaw Creek collapsed several weeks ago. These notices were referred to the City Attorney for handling.

NOTICE OF SUIT OF HELEN MAY MILLS.

Notice of suit of Helen May Mills against the City of Charlotte, in the sum of \$50,000.00, for alleged personal injuries caused by falling in a hole on North Tryon Street, was also turned over to the City Attorney. Plaintiff's attorneys are H. Haywood Robbins, Jr. and Carswell & Ervin.

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STREET ASSESSMENT SETTLEMENTS.

The City Manager advised that there are several problems arising almost daily in connection with some of the old street assessment accounts and that the Collector of Revenue has suggested that the Council appoint a small committee with whom they can confer in regard to making settlement on these accounts.

Councilman Wilkinson, seconded by Councilman Ward, moved that such committee be appointed, which carried unanimously, and the Mayor appointed on this Committee Councilman Barter, as Chairman; Councilman Ward and Wilkinson, to work with the City Manager and City Attorney.

PERSONNEL CHANGES.

Mr. Marshall reported the following personnel changes:

The employment of Miss Virginia Ritch as Clerk in the Purchasing Division, and the transfer of Howell Louthian to Clerk at the Cemetery.

CONTRACT FOR CONCRETE PIPE.

On motion of Councilman Wilkinson, seconded by Councilman Baxter and carried, the Mayor and Clerk were authorized to execute contract with the low bidder, Carolina Concrete Pipe Company, for 625 feet of No. 1, 18" T & G Reinforced Concrete Pipe, at a total delivered price of \$544.59.

The following bids were secured on this material:

Carolina Concrete Pipe Co.	\$544.59
Gray Concrete Pipe Co.	658.36
Cement Products Co.	693.10

ADVANCE TO PARK AND RECREATION COMMISSION.

The following Resolution, which was adopted by the Charlotte Park and Recreation Commission on August 8th. was read by the City Manager:

BE IT RESOLVED by the Park and Recreation Commission of the City of Charlotte that the Commission make a request of the City Council of the City of Charlotte to lend or advance the sum of \$2,800.00, which sum of money shall be evidenced by note of even date herewith made payable to the City of Charlotte, and that the Charlotte Park and Recreation Commission pledge its portion of the difference in the 85% (eighty-five per cent) valuation of \$108,553,000.00 and the 98% (ninety-eight per cent) valuation of the same amount, which shall become due and payable unto said Commission as collected by the City Tax Collector and that the City Tax Collector or City Treasurer be authorized to pay unto the treasurer of the City of Charlotte such funds as would go to the Park and Recreation Commission from the unbudgeted current taxes until said note of \$2,800.00 shall be paid in full. It is intended to use this money by the Park and Recreation

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Commission for the payment of bills now due for the completion of the new Municipal Swimming Pool at Revolution Park in the City of Charlotte, which is now by Law under the supervision and control of the Charlotte Park and Recreation Commission.

THIS RESOLUTION adopted this 8th. day of August 1939

This is to certify the adoption of this resolution by the Park and Recreation Commission

(Signed) E. W. Gibson, Chairman
Park and Recreation Commission.

Councilman Hudson moved that this request be granted with the understanding that if it becomes necessary for the City of Charlotte to borrow money for current expenses that the Park and Recreation Commission would be charged interest on this money. Motion seconded by Councilman Baxter and unanimously carried.

BUDGET OF SCHOOL BOARD APPROVED.

On motion of Councilman Hudson, seconded by Councilman Baxter and unanimously carried, approval was given on the Budget submitted by the Board of School Commissioners for this fiscal year.

ADDITIONAL APPLICATION TO BE FILED WITH PUBLIC WORKS ADMINISTRATION ON CHARLOTTE MEMORIAL HOSPITAL.

The City Manager informed the Council that construction costs on the Charlotte Memorial Hospital are more than was originally allotted in the application to the Public Works Administration, exceeding the estimated amount by between \$50,000 and \$55,000.00, and that the Federal authorities have stated that they would consider an application from the City to make up the difference, which would necessitate the sponsor putting up about \$28,000.00. He also advised that the Hospital Board has authorized its proper officers to turn over to the City that amount of money, or as much of that amount as they can raise, if the Council will authorize the filing of an application with the Federal Government for the additional grant.

Councilman Baxter made a motion that the application be prepared and sent in if and when the Hospital Board turns over to the City the money for the sponsor's share. Motion seconded by Councilman Huntley and carried.

SPECIAL POLICE OFFICERS.

Applications for the appointment of special police officers for the Park and Recreation Commission were not acted upon due to lack of approval by the Chief of Police.

TELEGRAM TO BE SENT TO COUNCILMAN SIDES AND WIFE ON DEATH OF MRS. SIDES' MOTHER.

On motion of Councilman Baxter, seconded by Councilman Huntley, a telegram of sympathy was ordered sent by the Mayor to Councilman and Mrs. Sides upon the death of Mrs. Sides' mother, which occurred this date in South Boston, Virginia.

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COUNCIL INVITED TO ATTEND ZONING MEETING TO BE HELD FRIDAY, AUGUST 11TH.

The Mayor read a letter addressed to the Mayor and Council from Mr. V. J. Guthery, inviting them to attend a meeting to be held on Friday, August 11th. at 10 o'clock A. M., to discuss the matter of a zoning ordinance for the City of Charlotte, and Mr. Douglas urged as many of the Council to attend as possibly could.

COUNCIL INVITED TO ATTEND 30TH ANNIVERSARY CONVENTION OF N. C. LEAGUE OF MUNICIPALITIES.

Mr. Douglas read a copy of resolution sent to him by the North Carolina League of Municipalities, authorizing certain members of the City Council to represent Charlotte at the Thirtieth Anniversary Convention of the North Carolina League of Municipalities to be held at Wrightsville Beach August 17-19, 1939, and to vote in the election of league officers and other matters of state-wide municipal policy.

On motion of Councilman Ward, seconded by Councilman Little, the Resolution was adopted, the names of as many of the Councilmen as can possibly attend to be filled in this Resolution.

CEMETERY DEEDS.

On motion of Councilman Wilkinson, seconded by Councilman Huntley, the following cemetery deeds were approved:

W. D. and Daisy Mitchell, Lot No. 109, Section "Y", Elmwood	\$35.00
J. M. Harry & Company, Lot No. 9, "Y"	63.00
Mrs. H. W. Small, Jr., W. Part of Lot 63 "Y"	58.80
Tipton Funeral Home, West Half Lot 289 "U"	35.00
Mr. & Mrs. Lem T. Smith, Lot 28 "G Annex", with perpetual care	120.00
Dr. and Mrs. P. M. King, East portion Lot No. 63, "Y"	46.90
Transfer of East Portion No. 1 "Y" from Mrs. Mary W. Herndon to Dr. and Mrs. Parks M. King	1.00
Mrs. W. F. Canupp, Lots 17 and 47, Section "Z"	66.50
Mrs. J. F. Skinner 73-A, NW 1/4. Section "D Annex"	35.00
Mrs. H. Carl Smith, N $\frac{1}{2}$ Lot No. 58, Sec. "X", with perpetual care	117.50
John H. Overcash, Lot 55, Sec. "Z"	31.50
Mrs. J. P. Brennan, Lot 92, Sec "Y"	35.00
K. H. Diamond, East Half Lot 13 "E" West Pinewood	22.88
Bertha B. Bailey, West Half Lot 13, "E" West Pinewood	22.88
A. E. Spears, Lot No. 2, Section "D", Elmwood	81.00
J. H. Hill, Lot No. 21, Section "F", West Pinewood	20.00

ADJOURNMENT.

On motion of Councilman Hudson, seconded by Councilman Ward, the meeting adjourned.

Alice B. J. Powell
City Clerk