

December 30, 1936  
Page 25.

The regular weekly meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, December 30, 1936, with Mayor Douglas presiding, and Councilmen Albea, Baxter, Boyd, Durham, Hovis, Hudson, Huntley, Nance, Sides, Tipton and Wilkinson present.

Absent: None.

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APPROVAL OF MINUTES OF DECEMBER 16TH. MEETING.

On motion of Councilman Baxter, seconded by Councilman Albea, the minutes of the meeting of December 16th. were unanimously approved as read.

REFUND ON WATER BILL AT DEMOCRATIC HEADQUARTERS.

Mr. Keely Grice appeared before the Council as Treasurer of the Mecklenburg County Democratic Committee, asking for refund on water bill rendered for Democratic Headquarters in the old Manufacturers Club building, this bill being for \$37.38, which he stated was excessive for the amount of water used, \$3.00 being a fair amount in his opinion.

Councilman Wilkinson made a motion that the water bill be cut to \$3.00, which was seconded by Councilman Durham and unanimously carried.

INVITATION EXTENDED TO VISIT MINT MUSEUM OF ART.

The Mayor extended an invitation on behalf of Mrs. Dwelle, to the Council to visit the Mint Museum of Art on Thursday, December 31st., from 7 o'clock until 9 o'clock P. M.

CONTRACT TO CRANE COMPANY FOR CAR OF WROUGHT IRON PIPE.

Bids having been received on one car of Genuine Wrought Iron Pipe for Water Works extensions, as follows:

Grinnell Company	\$3,922.30
The Charlotte Supply Company	3,922.30
Textile Mill Supply Company	3,922.30
Crane Company	3,922.30
Hajoca Corporation	4,206.10

all bids providing for a 2% discount, Councilman Wilkinson, seconded by Councilman Albea, moved that contract be awarded to Crane Company, carrying out the policy of the City to rotate business where all prices are the same.

Councilman Hovis, seconded by Councilman Hudson, then made a motion that the names of the concerns bidding the same be placed in a hat with contract awarded to the name drawn.

A vote was taken on Councilman Wilkinson's motion first, with the following vote recorded:

For the motion: Councilmen Baxter, Sides, Albea,  
Nance, Wilkinson and Tipton.

Against: Councilmen Hovis, Durham, Hudson, Huntley  
and Boyd.

December 30, 1936  
Page 26.

The Mayor declared the motion carried and contract awarded to Crane Company.

Councilman Hovis then made a motion that on all the remaining bids for this material, where the prices are the same, that the names of the concerns bidding be placed in a hat and drawn out, with contract awarded to the concern whose name is drawn.

Motion seconded by Councilman Hudson, with the following vote taken:

For the motion: Councilman Hovis, Durham, Nance, Hudson, Huntley and Tipton.

Against: Councilmen Albea, Boyd, Sides, Wilkinson and Baxter.

The Mayor declared the motion carried and the names of bidders to be placed in a hat and drawn out.

#### CONTRACT FOR ALUMINUM SULPHATE.

Bids received on year's supply of aluminum sulphate for the Water Department were as follows:

	<u>Per Ton</u>	<u>Total</u>
American Cyanamid & Chemical Corp.	\$30.80	\$3,696.00
Chas. H. Stone, Inc.	30.80	3,696.00
Pennsylvania Salt Mfg. Company	30.80	3,696.00
Monsanto Chemical Company	31.80	3,816.00

The City Manager reported that the bid of the American Cyanamid & Chemical Corp. carried the following provision: "The above price is based upon present freight rates and any decrease or increase in this rate is for the buyers account," and that investigation discloses that the freight will be reduced .40% per ton as of January 1st., which would reduce the bid of American Cyanamid & Chemical Corp. to \$3,648.00, and on this basis he recommended that contract be awarded to them.

Councilman Albea made a motion that the City Manager's recommendation be complied with and that the Mayor and Clerk be authorized to sign contract with the American Cyanamid & Chemical Corporation for this material. Motion seconded by Councilman Boyd and carried.

#### CONTRACT FOR CHEMICAL HYDRATE LIME.

The bids on one hundred tons of chemical hydrate lime for the Water Department received from Chas. H. Stone, Inc., North Charlotte Lumber Company; Tucker-Kirby Company; Doggett Lumber Company and Kimbalton Lime Company all being the same, these names were placed in a hat and the name of Doggett Lumber Company was drawn therefrom.

Councilman Boyd then made a motion that the Mayor and Clerk be authorized to sign a contract with the Doggett Lumber Company for this supply of chemical hydrate lime, at the price of \$11.50 per ton, with a 25% discount for payment in 10 days. Motion seconded by Councilman Albea and carried.

December 30, 1936  
Page 27.

FERRIC CHLORIDE.

The only bid received on the necessary supply of Ferric Chloride for the Water Department was that of the Pennsylvania Salt Mfg. Company, at \$71.20 per ton, making a total of \$4,272.00, the bid providing for a 1% discount 10 days.

Thereupon, Councilman Huntley, seconded by Councilman Hudson, made a motion that the Mayor and Clerk be authorized to sign contract with the Pennsylvania Salt Mfg. Company for this material, at the price quoted above. Motion carried unanimously.

LIQUID CHLORINE.

The bids of American Cyanamid & Chemical Corp; Chas. H. Stone, Inc.; The Mathieson Alkali Works; F. H. Ross & Company and Pennsylvania Salt Mfg. Company were all the same on the supply of liquid chlorine, the price quoted being \$0.08 per pound, totaling \$960.00, with all bids providing for 1% discount in 10 days with the exception of F. H. Ross & Company. These names were then placed in a hat and the name of Mathieson Alkali Works was drawn therefrom.

Councilman Hudson, seconded by Councilman Tipton, then moved that contract be awarded to Mathieson Alkali Works, at the price quoted, and that the Mayor and Clerk be authorized to sign the contract. Motion carried.

ACTIVATED CARBON.

The bids on Activated Carbon were held up pending further investigation.

ANHYDROUS AMMONIA.

Bids on this material received from Mathieson Alkali Works Monsanto Chemical Company; E. I. du Pont de Nemours Co. Inc., and Chas. H. Stone, Inc., were all at 18¢ per pound, totaling \$360.00, while the bid of Pennsylvania Salt Mfg. Company was 18½¢, totaling \$370.00. All the above names with the exception of Pennsylvania Salt Mfg. Company were placed in a hat and the name of Monsanto Chemical Company was drawn therefrom.

Councilman Hovis, seconded by Councilman Sides made a motion that contract be awarded to the Monsanto Chemical Company, at the price of 18¢ per pound, and that the Mayor and Clerk be authorized to sign the contract. Motion carried.

WATER METERS.

Bids on 100- 5/8" Water Meters were received from Neptune Meter Company, Hersey Manufacturing Company and Pittsburg Equitable Meter Company, all at the price of \$9.00 each, with a 2% discount.

Inasmuch as 100 meters were purchased from the Pittsburg Equitable Meter Company in August and 100 meters from Hersey Manufacturing Company in September, Mr. Marshall recommended that contract be awarded to Neptune Meter Company at this time.

The point was raised by some of the Council that inasmuch as they had been placing the names of all concerns bidding in a hat and drawing out a name, where all bids were the same, it was only fair that this should be handled in the same manner and after discussion, Councilman Wilkinson made a motion that on this particular award Councilman Hovis' motion to place the names in a hat and draw therefrom be rescinded and that

December 30, 1936  
Page 28.

the City Manager's recommendation be accepted. Motion seconded by Councilman Hovis, with the following vote taken:

For the motion: Councilmen Hovis, Nance, Hudson, Wilkinson, Huntley, Tipton and Boyd.

Against: Councilmen Baxter, Sides, Albea and Durham.

The Mayor declared the motion carried.

Councilman Boyd, seconded by Councilman Tipton then made a motion that the contract be awarded to Neptune Meter Company and that the Mayor and Clerk be authorized to sign the contract. Motion carried.

#### SWING CHECK VALVES.

Bids received on 500- 3/4" Swing Check Valves for the Water Department were as follows:

	<u>Each</u>	<u>Total</u>
The Chapman Valve Mfg. Co.	\$1.14	570.00
Grinnell Company:		
1. Pratt & Cady Valve	1.43	715.00
2. Lunkenheimer Valve	1.42	710.00
3. Chapman Valve	1.51	755.00
Crane Company	1.44	720.00

Councilman Hovis, seconded by Councilman Baxter, made a motion that contract be awarded to Chapman Valve Mfg. Company, at \$1.14 each, and that the Mayor and Clerk be authorized to sign the contract. Motion carried.

#### OLIVITE PUMP FOR SEWAGE DISPOSAL PLANT.

Councilman Wilkinson, seconded by Councilman Durham, made a motion that one 2" Olivite Pump be purchased from the Oliver United Filters, Inc., Hazeltown, Pa., at a price of \$277.00 f.o.b. their plant, for use in connection with the Olivite Filter at the Sewage Disposal Plant, and that the Mayor and Clerk be authorized to sign the contract. Motion carried unanimously.

#### RE-ASSESSMENT ORDINANCE - STATESVILLE AVENUE.

On motion of Councilman Sides, seconded by Councilman Boyd, the following re-assessment ordinance for property on Statesville Avenue, was unanimously adopted on three readings and declared by the Mayor to be an ordinance of the City of Charlotte:

The City Council of the City of Charlotte, North Carolina, DO ORDAIN that the special benefits to the abutting property on Statesville Avenue on account of the paving of the street, beginning at a point, the common corner of lots Nos. 33 and 34, block 1, which point is 88.91 feet south of the south R/W line of the Southern Railway, and running thence, south with the westerly edge of said Statesville Avenue, a distance of 50 feet, being originally assessed as a whole against F. M. Simmons, is hereby sub-divided and re-assessed on the west side only as follows:

NEW NO.	OWNER	FRONTAGE	WATER	SEWER	STREET	SIDEWALK	TOTAL
1227	C.T.H. Corp.	25.5	---	.00	158.61	7.14	\$165.75
1229	Wesley T. Heath Corporation	24.5	---	22.50	152.39	6.86	181.75

December 30, 1936  
Page 29.

TAX PENALTY OF J. N. MARTIN WAIVED.

On motion of Councilman Wilkinson, seconded by Councilman Hovis and unanimously carried, the recommendation of the Collector of Revenue that a late listing penalty of \$11.50 on the 1929 tax of J. N. Martin be waived, was accepted.

INTEREST CHARGES ON TAX OF W. O. MILLER WAIVED.

On recommendation of the Collector of Revenue, Councilman Albea made a motion that certain interest charges of W. O. Miller be waived because of an error in the Tax Office, the taxes of W. O. Miller being carried on the books for whites instead of colored property owners. Motion seconded by Councilman Wilkinson and unanimously carried.

CITY TO SURFACE AND MAINTAIN COLVILLE ROAD.

Upon petition of certain residents in the vicinity of Colville Road, Councilman Baxter, seconded by Councilman Wilkinson, moved that this street be taken over for maintenance by the City and surfaced from Biltmore Drive to Scotland Avenue; the Engineering Department's estimate of the cost of this work being \$138.60. Motion unanimously carried.

SEWER EXTENSION ON PITCHER STREET.

On motion of Councilman Baxter, seconded by Councilman Huntley and unanimously carried, application was granted for the extension of a sewer on Pitcher Street for a new building that is to be erected thereon near the railroad; the cost of this work being estimated at approximately \$200.00.

SEWER EXTENSION ON SOUTH BOULEVARD.

Councilman Albea moved that the request for extension of a sewer line on South Boulevard near the city limits, to serve three houses and a new industrial plant now being built, be granted; the estimated cost of this work being \$750.53. Motion seconded by Councilman Durham and unanimously carried.

The City Manager advised that in this connection it would be necessary to adopt an agreement between the Southern Railway and the City of Charlotte relative to the crossing under the railroad, and on motion of Councilman Hudson, seconded by Councilman Boyd and unanimously carried, the Mayor and Clerk were authorized to sign this agreement.

BOND OPINION.

The City Manager reported that the City Attorneys had received a communication from Masslich and Mitchell, New York Bond Attorneys, in which they raise certain questions as to the issuance of Street Improvement Bonds and of the proposed \$25,000 Water Extension Bonds, in which they suggested that a Supreme Court decision be obtained on certain points involved, and that at the request of the City Attorneys they would like authority from the Council to employ counsel to bring suit against the City immediately so that the matter can be definitely cleared up in the near future.

December 30, 1936  
Page 30.

After discussion, Councilman Albea made a motion that the City Attorneys be authorized to employ counsel to carry this matter to the Supreme Court. Motion seconded by Councilman Boyd and unanimously carried.

#### USE OF ARMORY FOR STATE CONVENTION OF HOUSE OF GOD.

At the request of Rev. W. T. Nelson, pastor of the House of God, for use of the Armory-Auditorium for the State Convention of that organization on May 12, 13, 14 and 15th., at a price of \$50.00 for the four day period, Councilman Wilkinson, seconded by Councilman Albea, moved that this request be granted. Motion carried.

#### PURCHASE OF BONDS FOR SINKING FUND ACCOUNT.

On motion of Councilman Sides, seconded by Councilman Hudson and unanimously carried, authority was granted for the purchase of the following bonds for the Sinking Fund:

- \$5,000.00 City of Charlotte Funding 4 $\frac{1}{2}$ % due 4-1-37, to yield 1%, subject to approval of the Local Government Commission.
- \$1,000.00 N. C. State Highway 4% due 7-1-37 to yield 1%.
- \$4,000.00 N. C. State 4% due 7-1-37 to yield 1%.
- \$3,000.00 N. C. State Funding 5% due 2-1-37, to yield 1%.

#### INVESTMENT OF SINKING FUND.

On motion of Councilman Sides, seconded by Councilman Huntley and unanimously carried, authority was given for the transfer of the balance of the Sinking Fund cash of approximately \$105,000.00 from Open Account to Term Deposit Account with the American Trust Company, who have agreed to pay interest on the basis of  $\frac{3}{4}$  of 1%; this money to remain with them until March 25th. 1937, at which time it will be used to make payment on \$175,000.00 30-year bonds due April 1st.

#### SPECIAL OFFICER PERMITS GRANTED.

Councilman Albea, seconded by Councilman Wilkinson, moved that Fred Stewart be appointed as Special Officer on the premises of the S.A.L. Railway; this approved by the Chief of Police. Motion unanimously carried.

Councilman Hudson moved that R. H. Hart be appointed as Special Officer for R. H. Hart & Company; this also having the approval of the Chief of Police. Motion seconded by Councilman Wilkinson and unanimously carried.

#### NEW YEAR'S DAY HOLIDAY.

On motion of Councilman Boyd, seconded by Councilman Durham and unanimously carried, Friday, January 1st., New Year's Day, was granted as a holiday to all City Employees who could conveniently be away from their duties.

December 30, 1936  
Page 31.

**CEMETERY DEEDS.**

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

Mrs. Clara Elmore, N.E.1/4 Lot No. 31-A , D Annex	\$35.00
W. E. Griffin, N.W.1/4 " " 31-A D Annex	35.00
W. T. Carroll, S.E.1/4 " " 37-A D Annex	35.00
Mrs. Clyde C. Childers, N.E.1/4 Lot No. 44-A, D. Annex	35.00
Miss Rena G. Young, Lot No. 353, Section "U"	70.00
W. M. Failor, Lot No. 355, Section "U"	70.00
Perpetual care on " " " "	50.00
Mrs. S. B. Bivens, Perpetual care on Lot No. 116, Section "U"	54.00
Ben E. Robertson, S. Half of Lot #37, Section "X"	62.65
Perpetual care on " " " " " "	54.85
R. B. Norris, Jr., Lot No. 51, Section "X"	125.30
Perpetual care on " " " " " "	109.70

**ADJOURNMENT**

On motion of Councilman Tipton, seconded by Councilman Wilkinson and unanimously carried, the meeting adjourned.

*Alice B. McPherson*  
City Clerk