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A special meeting of the City Council having been duly called, was held in the Council Chamber, City Hall, at 11:00 o'clock A. M., Friday, May 19, 1939, with Mayor Douglas presiding, and Councilmen Baxter, Britt, Hovis, Hudson, Huntley, Little, Nance, Sides, Wilkinson and Ward being present.

Absent: Councilman Albea.

READING OF MINUTES DISPENSED WITH.

On motion of Councilman Baxter, seconded by Councilman Little, the reading of the minutes of the previous meeting was dispensed with at this meeting.

CONTRACT FOR CAST IRON PIPE - LYNCHBURG FOUNDRY COMPANY.

The City Manager reported the following bids received on:

3600 Ft.	6" Cast Iron Pipe
6	6" Cast Iron Sleeves, 10" Long
6	8" Cast Iron Sleeves, 15" Long
6	6" Split Cast Iron Sleeves, 10" Long
25	6" Plain Plugs

from:

Lynchburg Foundry Company	\$2,768.78
Glamorgan Pipe & Foundry Company	2,860.35
American C. I. Pipe Company	2,914.41

and on motion of Councilman Huntley, seconded by Councilman Baxter, award was made to the lowest bidder, Lynchburg Foundry Company, at the net delivered price of \$2,768.78, the Mayor and Clerk being authorized to sign the said contract.

ELEVATOR BELT ASSEMBLY FOR ELGIN SWEEPER.

On motion of Councilman Baxter, seconded by Councilman Little, the Mayor and Clerk were authorized to sign a contract with the North Carolina Equipment Company for one complete Elevator Belt Assembly to repair City's Elgin Sweeper, at the price of \$224.14; this assembly only being available from the Elgin Equipment Company or their representatives.

PURCHASE OF 100 WATER METERS.

Bids on 100- 5/8" Water Meters having been received from Hersey Manufacturing Company; Pittsburgh Equitable Meter Company and Neptune Meter Company, at the same price, on motion of Councilman Sides, seconded by Councilman Wilkinson, award was made to the Hersey Manufacturing Company, at \$900.00, on the basis of alternating awards where price is the same, and the Mayor and Clerk were authorized to sign the contract.

EXPENDITURES IN CONNECTION WITH REAL SURVEY.

The City Manager reported that expenditures in connection with the Real Survey project to date have amounted to \$988.45, and that it now appears that it will require from six to eight weeks longer to complete the project and approximately \$375.00 additional allotment for the work.

Councilman Sides moved that the project be completed and the amount of \$375.00 be taken from the Emergency Fund to do so. Motion seconded by Councilman Baxter and unanimously carried.

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NOTICE OF SUIT ED TURNER VS CITY OF CHARLOTTE.

Notice of suit of Ed Turner, Plaintiff, against the City of Charlotte, for alleged injuries sustained from falling into a hole in the sidewalk on West Trade Street, in the amount of \$1,000.00, was referred to the City Attorney. Plaintiff's attorney is Mr. E. A. Hilker.

CONTRACT WITH AMERICAN CYANAMID AND CHEMICAL CORP., SEWER CONNECTION.

Mr. Marshall presented for consideration of the Council a contract between the American Cyanamid & Chemical Corp. and the City of Charlotte, for installation of a sanitary sewer main to connect with the City's sewer system, wherein the Chemical Corporation agrees to pay to the City the sum of \$444.00 per year for serving its sewer main, at the rate of \$37.00 per month, provided the Chemical Company does not deposit in excess of 36,000 gallons per day, in which event they pay the City 4¢ per thousand gallons for any such excess; also agreeing to properly treat or neutralize the waste water or sewage before discharging it into the City's sewer.

On motion of Councilman Wilkinson, seconded by Councilman Baxter, this contract was authorized to be executed on the part of the City of Charlotte by the Mayor and Clerk.

AN ACT PROVIDING FOR A STATE VOLUNTEER FIRE DEPARTMENT.

The City Manager furnished each Councilman with a copy of an Act adopted at the last session of the North Carolina General Assembly to provide for a State Volunteer Fire Department. Under this Act it is optional with any municipality to participate in the establishment of a State Volunteer Fire Department, and Mr. Marshall asked the Council to study this Act prior to the adoption of the new budget.

SEWER EXTENSION CHESTERFIELD AVENUE.

Request having been received for a sewer extension on Chesterfield Avenue 2374 feet long to cost \$1,936.44 and to serve eight houses, which would warrant the City to expend only \$1600.00, or \$200.00 per house, the applicants have posted a certified check for \$336.44, which is the difference between the estimated cost and the warranted amount, with the agreement that when two additional houses are constructed and served by connections to this sewer, that the City refund the amount posted.

Mr. Marshall reported in this connection, that there are no additional funds in the Capital Outlay for sewer extensions, but read a letter received from the City Attorney, in which he advised that the City has the right to proceed with this construction. Mr. Scarborough, City Attorney, being present, explained to the Council that the City had money available in that particular fund and while not budgeted for that particular work it could be used. Thereupon, Councilman Hudson made motion that this extension be made and that the Mayor and Clerk execute the agreement above referred to. Motion seconded by Councilman Hovis and carried.

STREET MAINTENANCE, SHENANDOAH AVENUE.

On motion of Councilman Nance, seconded by Councilman Huntley, City maintenance for Shenandoah Avenue was extended 200 feet at the lower end of this street, the Engineering Department reporting the street in shape to be taken over.

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FISCAL AUDIT.

Mr. Marshall reported to the Council that the contract for the audit of the books of the City of Charlotte for the fiscal period July 1, 1938 to June 30, 1939 had not been awarded and that since it is advisable to have the Auditors begin work prior to the end of the period so that the books can be closed in time to make the budget for the next fiscal year, it was his recommendation that the matter be handled at once and that in his opinion it was to the best interest of the City that it again be served by the company who made the audit last year, George G. Scott & Company, who have quoted a price of \$2,250.00 for the present audit.

On motion of Councilman Hovis, seconded by Councilman Wilkinson and unanimously carried, award for this audit was made to George G. Scott & Company at the price of \$2,250.00.

NEW CITY CHARTER TO BE PREPARED FOR PRINTING.

It was the opinion of the City Manager that it would be advisable to have the new charter printed so that copies will be available for City officials and attorneys, and he suggested that the City Attorney be requested to prepare an index to the charter and that bids be called for on printing same.

On motion of Councilman Wilkinson, seconded by Councilman Huntley, bids are to be called for on this work under the guidance of the City Attorney.

RESOLUTION RELATIVE TO SETTLEMENT OF STREET ASSESSMENTS.

The following Resolution was presented by the City Manager:

WHEREAS, there has been certain controversy between owners of property and the City of Charlotte with reference to the amount of street assessments assessed against said property, certain owners contending that the assessments are illegal and in excess of the value of the property, and that collections cannot be made for the assessments without resorting to Court action and entailing quite an amount of expense and without jeopardizing the City's chances to collect any amount of the assessments and that it would be unprofitable for the City of Charlotte to bind said property where the assessment against the property is greater than the value thereof.

THEREFORE, Councilman Baxter moves that the Collector of Revenue be authorized to settle these disputed street assessments for an amount equal to the appraised value of the property, or accept adjustment necessary to take care of all outstanding taxes, provided that the adjustment be approved by the City Manager or Mayor and the City Attorney. Motion was seconded by Councilman Hovis and carried unanimously.

MAY 20TH DECLARED A HOLIDAY FOR CITY EMPLOYEES.

On motion of Councilman Baxter, seconded by Councilman Sides, Saturday, May 20th. was declared a holiday for all City employees who can conveniently be away from their duties.

APPOINTMENT.

The City Manager reported that Mr. C. W. O'Danniell, Jr. had been employed as an assistant in the Municipal Accountant's office.

BUDGET STATEMENT.

A copy of the budget statement for ten months, ending April 30, 1939, was furnished each Councilman.

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NOTICE OF CLAIM OF MRS. MARIE HALL VS CITY OF CHARLOTTE.

Notice was presented to the Council of claim of Mrs. Marie Hall against the City of Charlotte for alleged injuries received when the ground caved in over a drain pipe installed and maintained by the City on premises known as 908 N. Poplar Street. Amount of claim for damages \$5000.00; the plaintiff represented by Robinson & Jones. This was referred to the City Attorney for handling.

APPOINTMENT OF ASSISTANT CITY MANAGER.

On motion of Councilman Hudson, seconded by Councilman Baxter, the following resolution was unanimously adopted:

WHEREAS, on different occasions it becomes necessary for the City Manager to be absent from the City of Charlotte, and further that his duties must be performed in his absence and that it is necessary that someone be designated as acting City Manager in the absence of the City Manager so that the business of the City of Charlotte shall not be delayed:

BE IT THEREFORE RESOLVED that James W. Armstrong be, and he is hereby named as acting or Assistant City Manager with full power and authority to perform the duties of the City Manager, whenever and at such times as the City Manager may be absent from the City.

SALARY OF ASSISTANT MANAGER.

Councilman Baxter, seconded by Councilman Sides, moved that the salary of the Revenue Collector be \$4200.00 per year from this date, motion unanimously carried.

ASSISTANT CITY CLERK.

Councilman Hovis offered the following resolution, which was seconded by Councilman Huntley and unanimously adopted:

WHEREAS, on different occasions it becomes necessary for the City Clerk to be absent from the City of Charlotte, and further that her duties must be performed in her absence and that it is necessary that someone be designated as Assistant City Clerk in the absence of the City Clerk, so that the business of the City of Charlotte shall not be delayed:

BE IT THEREFORE RESOLVED that Lillian R. Hoffman be, and she is hereby named as Assistant City Clerk with full power and authority to perform the duties of the City Clerk, whenever and at such times as the City Clerk may be absent from the City.

SALARIES OF ALL APPOINTED OFFICERS OF CITY FIXED.

On motion of Councilman Hudson, seconded by Councilman Wilkinson and unanimously carried, the salaries of all appointed officers of the City Council shall remain the same as in the past.

CITY MANAGER OR ASSISTANT CITY MANAGER TO SIGN CHECKS.

The Mayor called attention to the fact that under the Charter all checks for the disbursement of public funds shall be signed by the Mayor, or Mayor Pro Tem, the Treasurer and Municipal Accountant, and he asked that the City Manager or his Assistant be authorized to continue to sign the checks as has been ~~is~~ the custom in the past. Thereupon, Councilman Sides moved that the City Manager or his Assistant continue to sign checks. Motion seconded by Councilman Huntley and carried.

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CEMETERY DEEDS

The following perpetual care agreements were approved, on motion of Councilman Wilkinson, seconded by Councilman Hovis:

Mrs. Ida M. Hook,	Lot No. 17, Section B.B.	\$ 90.00
Mr. A. L. Wiley, Jr.	Lot No. 61, Section "Y"	45.00

REGULAR MEETING DATE FIXED.

On motion of Councilman Hudson, seconded by Councilman Little, the Council will continue to hold its regular weekly meetings at 4:00 o'clock P. M., on Wednesdays.

ADJOURNMENT.

Councilman Baxter moved that the meeting adjourn; seconded by Councilman Wilkinson and carried.

Alice B. McCoull
City Clerk