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Page 302, Book No. 8.

A regular meeting of the City Council was held in the Council Chamber of the City Hall at 4 o'clock, P. M., Mayor Pro Tem Hovis presiding and Councilmen Albea, Huntley, Little, Nance, Sides, Britt and Wilkinson being present.

Absent: Councilmen Baxter, Hudson and Ward.

* * * * *

Councilman Wilkinson introduced the following five resolutions, which were read:

RESOLUTION PROVIDING FOR THE ISSUANCE OF
\$40,000 WATER BONDS.

BE IT RESOLVED by the City Council of the City of
Charlotte:

Section 1. That the City Council has determined and does hereby find and declare:

(a) That it is necessary to issue all of the \$40,000 Water Bonds authorized by an ordinance passed August 21, 1940.

(b) That the probable period of usefulness of the extensions to be made to the existing water works system of said City from the proceeds of said bonds is a period of forty years from August 21, 1941, being a date not later than one year after the passage of said ordinance, and that said period expires August 21, 1981.

Section 2. That for the purpose provided in said ordinance the negotiable coupon bonds of the City of Charlotte shall be issued in the aggregate principal amount of \$40,000, designated "Water Bonds", consisting of forty bonds of the denomination of \$1,000 each, numbered 1 to 40, inclusive, dated October 1, 1940, maturing in numerical order annually, October 1, \$3,000 1943 to 1954,

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both inclusive, and \$4,000 1955, without option of prior payment, and bearing interest at the rate or rates, not exceeding 6% per annum to be determined by the Local Government Commission at the time the bonds are sold, which interest shall be payable semi-annually on the first days of April and October of each year, both principal and interest to be payable at the Central Hanover Bank and Trust Company in the City of New York, in any coin or currency of the United States of America which at the time of payment is legal tender for public or private debts.

RESOLUTION PROVIDING FOR THE ISSUANCE
OF \$30,000 SANITARY SEWER BONDS.

BE IT RESOLVED by the City Council of the City of
Charlotte:

Section 1. That the City Council has determined and
does hereby find and declare:

(a) That it is necessary to issue all of the
\$30,000 Sanitary Sewer Bonds authorized by an ordinance passed
August 21, 1940.

(b) That the probable period of usefulness of the
extensions to be made to the existing sanitary sewerage system
of said City from the proceeds of said bonds is a period of
forty years from August 21, 1941, being a date not later than
one year after the passage of said ordinance, and that said
period expires August 21, 1981.

Section 2. That for the purpose provided in said
ordinance the negotiable coupon bonds of the City of Charlotte
shall be issued in the aggregate principal amount of \$30,000

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designated "Sanitary Sewer Bonds", consisting of 30 bonds of the denomination of \$1,000 each, numbered 1 to 30, inclusive, dated October 1, 1940, maturing in numerical order annually, October 1, \$2,000 1943 to 1953, both inclusive, \$4,000 1954 and \$4,000 1955, without option of prior payment, and bearing interest at a rate or rates, not exceeding 6% per annum to be determined by the Local Government Commission at the time the bonds are sold, which interest shall be payable semi-annually on the first days of April and October of each year, both principal and interest to be payable at the Central Hanover Bank and Trust Company in the City of New York, in any coin or currency of the United States of America which at the time of payment is legal tender for public or private debts.

RESOLUTION PROVIDING FOR THE ISSUANCE
OF \$34,000 MOTOR EQUIPMENT BONDS

BE IT RESOLVED by the City Council of the City of
Charlotte:

Section 1. That the City Council has determined and
does hereby find and declare:

(a) That it is necessary to issue all of the
\$34,000 bonds for trucks and vehicles authorized by an ordin-
ance passed August 21, 1940.

(b) That the probable period of usefulness of the
equipment to be purchased from the proceeds of said bonds is
ten years from August 21, 1941 and that said period expires
August 21, 1951.

Section 2. That for the purpose provided in said
ordinance the negotiable coupon bonds of the City of Charlotte
shall be issued in the aggregate principal amount of \$34,000,

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designated "Motor Equipment Bonds", consisting of 34 bonds of the denomination of \$1,000 each, numbered 1 to 34, inclusive, dated October 1, 1940, maturing in numerical order annually, October 1, \$4,000 1943 and \$10,000 1944 to 1946, both inclusive, without option of prior payment, and bearing interest at a rate or rates, not exceeding 6% per annum to be determined by the Local Government Commission at the time the bonds are sold, which interest shall be payable semi-annually on the first days of April and October of each year, both principal and interest to be payable at the Central Hanover Bank and Trust Company in the City of New York, in any coin or currency of the United States of America which at the time of payment is legal tender for public or private debts.

RESOLUTION PROVIDING FOR THE ISSUANCE
OF \$93,000 STREET IMPROVEMENT BONDS

BE IT RESOLVED by the City Council of the City of
Charlotte:

Section 1. That the City Council has determined
and does hereby find and declare:

(a) That it is necessary to issue all of the \$93,000
Street Improvement Bonds authorized by an ordinance passed
August 21, 1940.

(b) That \$54,000 of the proceeds of said Street
Improvement Bonds shall be expended in constructing or recon-
structing the surface of roads, streets or highways of sheet
asph alt, and the probable period of usefulness of such
improvements is a period of twenty years from August 21, 1941,
being a date not later than one year after the passage of said
ordinance; that \$39,000 of the proceeds of said Street Improve-
ment Bonds shall be expended in constructing or reconstructing
the surface of roads, streets or highways of waterbound macadam
or penetration process, and that the probable period of useful-
ness of such improvements is a period of ten years from August 21,

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1941, being a date not later than one year after the passage of said ordinance; and that the average of said two periods is a period ending June 11, 1957.

Section 2. That for the purpose provided in said ordinance the negotiable coupon bonds of the City of Charlotte shall be issued in the aggregate principal amount of \$93,000, designated "Street Improvement Bonds," consisting of 93 bonds of the denomination of \$1,000 each, numbered 1 to 93, inclusive, dated October 1, 1940, maturing in numerical order annually, October 1, \$5,000 1943 to 1952, inclusive, \$10,000 1953 and \$11,000 1954 to 1956, inclusive, without option of prior payment, and bearing interest at a rate or rates, not exceeding 6% per annum to be determined by the Local Government Commission at the time the bonds are sold, which interest shall be payable semi-annually on the first days of April and October of each year, both principal and interest to be payable at the Central Hanover Bank and Trust Company in the City of New York, in any coin or currency of the United States of America which at the time of payment is legal tender for public or private debts.

RESOLUTION FIXING THE FORM OF
\$197,000 BONDS AND PROVIDING
FOR THEIR SALE.

BE IT RESOLVED by the City Council of the City of
Charlotte:

Section 1. That the \$40,000 Water Bonds, \$30,000 Sanitary Sewer Bonds, \$34,000 Motor Equipment Bonds and \$93,000 Street Improvement Bonds authorized by resolutions passed September 25, 1940, shall be signed by the Mayor and

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the City Clerk under the corporate seal of the City, and the annexed interest coupons shall be executed with the facsimile signature of said City Clerk, and that said bonds shall be registerable as to principal alone and as to both principal and interest in accordance with The Municipal Finance Act, 1921, as amended, and with the provisions for registration hereinafter set forth, which shall be printed upon said bonds. The City Treasurer is hereby appointed and designated Bond Registrar for the purpose of registering said bonds, subject to the right of this body hereinafter to appoint and designate another registrar under the terms of The Municipal Finance Act, 1921, as amended. No charge shall be made to any bond-holder for the privilege of registration herein granted.

Section 2. That said bonds and coupons and the endorsements to be printed upon the reverse thereof shall be in substantially the following form:

No. _____ \$1,000

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG
CITY OF CHARLOTTE
_____ BOND

The City of Charlotte, in Mecklenburg County, State of North Carolina, is justly indebted and for value received hereby promises to pay to the bearer, or, if this bond be registered, to the registered owner hereof, on the first day of _____, 19___, the principal sum of

ONE THOUSAND DOLLARS

together with interest thereon at the rate of _____ per centum per annum, payable semi-annually on the first days of April and October of each year upon the presentation and surrender of the annexed interest coupons as they severally fall due. Both principal and interest of this bond are payable at the Central Hanover Bank and Trust Company in the City of New York in any coin or currency of

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the United States of America which at the time of payment is legal tender for public or private debts. For the prompt payment hereof, both principal and interest as the same shall become due, the full faith and credit of said City are hereby irrevocably pledged.

This bond is one of a series issued by said City pursuant to and in full compliance with The Municipal Finance Act, 1921, as amended, and the Local Government Act, as amended, and an ordinance and resolutions duly passed by the City Council of said City for the purpose of

It is hereby certified and recited that all acts, conditions and things required to happen, exist and be performed precedent to and in the issuance of this bond by the laws and Constitution of North Carolina, have happened, exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said City sufficient to pay the principal and interest of this bond as the same shall fall due; and that the total indebtedness of said City, including this bond and all other indebtedness heretofore contracted during the fiscal year in which this bond is issued, does not exceed any constitutional or statutory limitation thereon.

This bond is registerable as to principal alone or as to both principal and interest in accordance with the provisions endorsed hereon.

IN WITNESS WHEREOF, the said City of Charlotte has caused this bond to be signed by its Mayor and City Clerk and its corporate seal to be affixed hereto, and the annexed interest

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coupons to be executed with the facsimile signature of said
City Clerk, all as of the first day of October, 1940.

Mayor

City Clerk

(ENDORSEMENTS ON BONDS)

This bond may be registered as to principal in the bond register of the City of Charlotte by the City Treasurer as Bond Registrar or by such other Bond Registrar as may be legally appointed by the governing body of said City, notation of such registry to be made hereon by such Bond Registrar, and this bond may thereafter be transferred on said bond register only upon written assignment of the registered owner or his attorney, duly acknowledged or proved, such transfer to be endorsed hereon by the Bond Registrar. Unless this bond be registered as to both principal and interest, such transfer may be to bearer and thereby transferability by delivery shall be restored, subject, however, to successive registrations and transfers as before. The principal of this bond, if registered, shall be payable only to the registered owner or his legal representative. Notwithstanding the registration of this bond, the coupons shall remain payable to bearer and shall continue to be transferable by delivery unless this bond shall be in like manner registered as to both principal and interest, notation whereof and of the cancellation of unmatured coupons is to be made on this bond, after which registration both principal and interest hereof shall be payable to the person in whose name it is registered, or his legal representative.

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<u>DATE OF REGISTRY</u>	<u>REGISTERED OWNER</u>	<u>BOND REGISTRAR</u>
.....
.....
.....

It is hereby certified that at the request of the holder of the within bond for its conversion into a bond registered as to both principal and interest, the undersigned has this day cut off and cancelled all unmatured coupons attached thereto, being _____ in number, numbered from _____ to _____, inclusive, of the aggregate face value of \$ _____, and that the within bond is hereby converted into a registered bond, the principal and interest of which are payable to the registered owner named in the registration blank above or his legal representative.

Dated _____, 19____.

Bond Registrar

The issuance of the within bond has been approved under the provisions of the Local Government Act of North Carolina.

W. E. Easterling,
Secretary, Local Government Commission

By _____
Designated Assistant

(FORM OF COUPON)

No. _____

\$ _____

On _____ 1, 19____

The City of Charlotte, North Carolina, will pay to bearer at the Central Hanover Bank and Trust Company in the City of New York, the sum of _____ Dollars in any coin or

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currency of the United States of America which at the time of payment is legal tender for public or private debts, as provided in and for the interest then due on its _____ Bond, dated October 1, 1940; numbered _____.

City Clerk

Section 3. That the dotted line in the foregoing bond form following the words "for the purpose of" shall be filled out as follows in the four bond issues herein provided for:

In the bonds designated "Water Bonds" the words:

"extending the existing water works system of said City."

In the bonds designated "Sanitary Sewer Bonds" the words:

"extending the existing sanitary sewerage system of said City."

In the bonds designated "Motor Equipment Bonds" the words:

"purchasing trucks and vehicles for use in various departments of said City."

In the bonds designated "Street Improvement Bonds" the words:

"constructing or reconstructing the surface of roads, streets or highways within said City."

Section 4. That the City Treasurer is directed to arrange for the advertisement and sale of all of said bonds under the Local Government Act.

Section 5. That said \$40,000 Water Bonds, \$30,000 Sanitary Sewer Bonds, \$34,000 Motor Equipment Bonds and \$93,000 Street Improvement Bonds, and all other indebtedness heretofore contracted in the current fiscal year, does not exceed 2/3rds of the amount by which the outstanding indebtedness of the City of Charlotte was reduced in the preceding fiscal year.

Upon motion of Councilman Wilkinson, made separately as to each of the foregoing five resolutions in relation to bonds, and seconded in each case by Councilman Britt and unanimously carried, the said five resolutions were read and

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were separately passed upon their first readings. The votes upon the first readings were as follows:

FIRST READINGS

Resolution providing for the Issuance of

Councilman	<u>\$40,000 Water Bonds</u>	<u>\$30,000 Sanitary Sewer Bonds</u>	<u>\$34,000 Motor Equipment Bonds</u>	<u>\$93,000 Street Improvement Bonds</u>	<u>Resolution fixing the form of \$197,000 Bonds and providing for their sale</u>
Albea	AYE	AYE	AYE	AYE	AYE
Baxter	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT
Britt	AYE	AYE	AYE	AYE	AYE
Hovis	PRESIDING	PRESIDING	PRESIDING	PRESIDING	PRESIDING
Hudson	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT
Huntley	AYE	AYE	AYE	AYE	AYE
Little	AYE	AYE	AYE	AYE	AYE
Nance	AYE	AYE	AYE	AYE	AYE
Sides	AYE	AYE	AYE	AYE	AYE
Ward	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT
Wilkinson	AYE	AYE	AYE	AYE	AYE

Upon motion of Councilman Wilkinson, made separately as to each of the foregoing five resolutions in relation to bonds, and seconded in each case by Councilman Britt and unanimously carried, the rules were suspended as to each of said five resolutions, and said five resolutions were read and were separately passed upon their second readings. The votes cast upon the second readings were as follows:

SECOND READINGS

Resolution Providing for the Issuance of

Councilman	<u>\$40,000 Water Bonds</u>	<u>\$30,000 Sanitary Sewer Bonds</u>	<u>\$34,000 Motor Equipment Bonds</u>	<u>\$93,000 Street Improvement Bonds</u>	<u>Resolution fixing the form of \$197,000 Bonds and providing for their sale</u>
Albea	AYE	AYE	AYE	AYE	AYE
Baxter	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT
Britt	AYE	AYE	AYE	AYE	AYE
Hovis	PRESIDING	PRESIDING	PRESIDING	PRESIDING	PRESIDING

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Hudson	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT
Huntley	AYE	AYE	AYE	AYE	AYE
Little	AYE	AYE	AYE	AYE	AYE
Nance	AYE	AYE	AYE	AYE	AYE
Sides	AYE	AYE	AYE	AYE	AYE
Ward	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT
Wilkinson	AYE	AYE	AYE	AYE	AYE

Upon motion of Councilman Wilkinson, made separately as to each of the foregoing five resolutions in relation to bonds, and seconded in each case by Councilman Britt and unanimously carried, the rules were suspended as to each of the said five resolutions, and said five resolutions were read and were separately passed upon their third and final readings. The votes cast upon the third and final readings were as follows:

THIRD READINGS

Resolution Providing for the Issuance of

<u>Councilman</u>	<u>\$40,000 Wa- ter Bonds</u>	<u>\$30,000 Sanitary Sewer Bonds</u>	<u>\$34,000 Motor Equipment Bonds</u>	<u>\$93,000 Street Im- provement Bonds</u>	<u>Resolution fixing the form of \$197,000 Bonds and providing for their sale</u>
Albea	AYE	AYE	AYE	AYE	AYE
Baxter	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT
Britt	AYE	AYE	AYE	AYE	AYE
Hovis	PRESIDING	PRESIDING	PRESIDING	PRESIDING	PRESIDING
Hudson	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT
Huntley	AYE	AYE	AYE	AYE	AYE
Little	AYE	AYE	AYE	AYE	AYE
Nance	AYE	AYE	AYE	AYE	AYE
Sides	AYE	AYE	AYE	AYE	AYE
Ward	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT
Wilkinson	AYE	AYE	AYE	AYE	AYE

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ARMORY-AUDITORIUM GRANTED FOR RELIGIOUS SERVICE MAY 6, thru 11th. 1941.

On motion of Councilman Little, seconded by Councilman Huntley and unanimously carried, the Chamber of Commerce was granted free use of the Armory-Auditorium on May 6th., 7th., 8th., 9th., 10th. and 11th. 1941, for a religious service, which they state will bring several thousand people to Charlotte.

RESOLUTION WITH REFERENCE TO PROPERTY OF H. L. McCROREY DESIGNATED ON MAP AS CITY STREETS.

Mr. Francis Clarkson, attorney representing H. L. McCrorey, President of Johnson C. Smith University, appeared before the Council relative to a number of streets shown on map dated 1912, which go through the property of Dr. McCrorey, and which he asks now be abandoned since they were never opened.

The following Resolution relative thereto was presented and on motion of Councilman Albea, seconded by Councilman Wilkinson, was unanimously adopted:

WHEREAS, H. L. McCrorey is the owner of certain property as shown on map dated 1912, by C. A. Spratt, Civil Engineer, and recorded in Map Book 332, page 175 of the Mecklenburg County, N. C. Registry; and whereas, there are certain streets shown on said map which have never been actually opened and used as such either by the public or those owning lands shown upon the said map or plat, within twenty years from the original date of said map; and that the said H. L. McCrorey has had a new map prepared by Jerry Respass, Surveyor, which is recorded in Map Book 4, page 437 of the Mecklenburg Registry, to which reference is hereby made, changing the location of certain streets as shown on the original map; and whereas, it is desirable that the old streets be abandoned, closed and withdrawn from the public use; and whereas, the opening and use of the old streets as hereinafter set forth is not necessary for the public interests and should be abandoned and relinquished:

NOW, THEREFORE, be it resolved that the withdrawal from dedication of the following named streets is hereby agreed to, and that the opening and use of the old streets as shown on the old map is not necessary for the public interests, and further, that the City Council does hereby agree to their abandonment and relinquishment.

NOW, THEREFORE, be it further resolved that there is hereby withdrawn from public or private use the following named streets or avenues as shown on the old map of H. L. McCrorey's property, in Map Book 230, page 175 of said Registry:

1. Washington Avenue, from Mulberry Street to Clifton Street,
2. Jefferson Avenue, from Duncan Street to the Wilkinson land,
3. Madison Avenue, from Duncan Street to Irwin's Creek,
4. Lincoln Avenue, from the S.A.L. Railroad (CC Railroad), to Irwin's Creek,
5. Duncan Street, from Washington Avenue to S.A.L. Railroad, or H. L. McCrorey's southerly line.
6. Mulberry Street, from Washington Avenue to H. L. McCrorey's southerly property line,
7. Fairfield Street, from the Belt Road (Oaklawn Avenue) to H. L. McCrorey's southerly property line,
8. Clifton Street, from the Belt Road to H. L. McCrorey's southerly property line,
9. Creek Street, from F. D. Alexander Company's property line to Irwin's Creek,

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all as shown on map of H. L. McCrorey's property, recorded in Map Book 230, Page 175 of said Registry.

APPROVED AS TO FORM:

J. M. Scarborough
City Attorney

I certify that this matter has been investigated by me and has my approval:

Lloyd McC. Ross
City Engineer

INVITATION EXTENDED TO COUNCIL TO ATTEND OPENING OF CHARLOTTE MEMORIAL HOSPITAL.

Mr. Clarkson extended an invitation to the City Council, Manager and others, to attend the opening of the Charlotte Memorial Hospital on September 27th. 1940.

\$200.00 FOR POLICE PROTECTION AUTHORIZED FOR CLEMSON-STATE GAME.

A Mr. Spearman appeared with request that the Council extend police protection to the Clemson-State football game to be played in Charlotte on October 5, 1940.

On motion of Councilman Sides, seconded by Councilman Little and carried, \$200.00 was authorized from the Emergency Fund as police protection for this game.

REQUEST FROM 120TH. INFANTRY FOR ASSISTANCE IN PAYING BACK DEBTS DENIED.

Mr. Harvey Morris, Mecklenburg County Commissioner, introduced to the Council Capt. Powell, of the 120th. Infantry, and Capt. Powell, in turn, asked that the City Council give assistance to this Company by helping to pay up a number of bills which they would like to have cleared up before leaving Charlotte. The City Attorney was consulted on this and stated that he had made a careful investigation of this matter and did not think that the Council could donate money for this purpose legally.

A lengthy discussion followed, in which the Council stated they would be glad to help if they could do it legally they passed on to other business.

OAKLAWN CEMETERY OFFER EXPIRED AS OF THIS DATE AND TURNED OVER TO CITY.

Mr. John Shaw, Attorney, representing Mr. J. Misenheimer, of Oaklawn Cemetery, stated that after a conference with the City Manager, his client was given until 4 o'clock this date to do something with regard to the Oaklawn Cemetery matter and that this time having been reached his client was unable to do anything, and read a letter, dated September 12th., in which they made an offer that they would accept should they be unable to pay the street assessment and tax account, which offer now holds good. This letter reads as follows:

"Confirming our conference with the City Council yesterday, we understand that the City of Charlotte will pay our client, Mr. J. J. Misenheimer and or Corporations in which he is interested, \$25,000 for the subject cemetery property, North of Oaklawn Avenue in this City and in addition

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thereto acreage adjacent thereto extending through the Cottrell tract of 21 acres, more or less, the total acreage to approximate 130-137 acres.

We further understand that our client is to have two weeks from September 11, 1940, at 4 o'clock P. M. to either settle with the City the street assessment and tax account of the subject cemetery or this offer is binding upon all parties.

It is further understood that should the City buy this property that there shall be deducted from such funds: (1) All taxes through the year 1939 owed by our client to the City of Charlotte and all taxes due Mecklenburg County on the property purchased. (2) All past due street paving owed by our client to the City of Charlotte, penalty interest to be waived by the City upon such street paving and a credit to be given for the opening on Woodlawn Avenue caused by Andrill Terrace. Nothing was said at the conference hereinbefore referred to with respect to 1940 taxes upon the property to be sold but we take it in fairness that a rebate will be issued or proper credit given our client for the land purchased for the remainder of the 1940 tax year.

After hearing the above, Mr. Scarborough, City Attorney, was instructed to prepare the necessary contract for the City taking over this property.

PURCHASE OF MOTOR EQUIPMENT.

Bids having been received on motor equipment for various departments of the City government, each item was reported and contract awarded, as follows:

SECTION I

Item 1. ONE STANDARD FOUR DOOR SEDAN FOR DOMESTIC RELATIONS COURT.

Norfleet Motors Company, Inc.	\$646.00
Pyramid Chevrolet Company	690.00
City Chevrolet Company	690.00
Heath Motor Co.	760.95
Pettit Motor Company	770.00

On motion of Councilman Little, seconded by Councilman Albea, this award was made to the lowest bidder, Norfleet Motors Company, Inc., on a Plymouth car, at a price of \$896.00, less \$250.00 trade-in allowance on Ford car No. 123, making net delivered price of \$646.00.

Item 2. FIVE STANDARD FOUR DOOR SEDANS

Norfleet Motors Company, Inc.	\$3,665.00
City Chevrolet Company	3,790.00
Pyramid Chevrolet Company	3,790.00
Pettit Motor Company	4,274.75
Heath Motor Company.	

The City Manager stated that in comparison of qualifications of all cars on which bids were submitted, it was found that the Chevrolet car is a heavier unit and seems to be of more rugged construction and easily accessible for servicing. It was, therefore, his recommendation that the Chevrolet car will serve the best interest of the City and that while the price bid was slightly higher, that the order be given to the City Chevrolet Company, at a price of \$5,086.50, less \$1,296.50 trade-in allowance on 5 Ford cars, Nos. 218, 228, 230, 235 and 236, making net delivered price \$3,790.00, inasmuch as cars were purchased from the other Chevrolet bidder, Pyramid Chevrolet Company, two years ago.

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Councilman Huntley made a motion that the contract be given to the low bidder, but this motion received no second.

Councilman Nance then moved that the award be made to the bidder recommended by Mr. Armstrong, City Manager. Motion seconded by Councilman Little, but Councilmen Huntley and Sides voted "No" and the Mayor pro tem declared the motion lost.

Councilman Huntley again made a motion that the contract be given to the low bidder, which was seconded by Councilman Sides, and this motion failed to carry. The Council then passed on to Item No. 3, and later on in the meeting, after having the Superintendent of the Motor Transport Division, explain the reason for recommending the Chevrolet cars over the Plymouth cars, and after a long discussion, Councilman Sides moved that the recommendation of the Superintendent and of the City Manager, to purchase these cars from the City Chevrolet Company, be complied with. This motion was seconded by Councilman Albea and carried.

Item 3. TWO SOLO MOTORCYCLES

The only bid submitted on this item was from the Creech Motorcycle Company, at \$978.02, and on motion of Councilman Wilkinson, seconded by Councilman Nance, this purchase was authorized at the net delivered price of \$514.75 each, making total of \$978.02.

SECTION II.

Item 1. ONE PANEL DELIVERY TRUCK (dead animal truck)

General Truck Company, Inc.	\$ 650.00
Norfleet Motors Company, Inc.	665.00
Pyramid Chevrolet Company	680.00
City Chevrolet Company	680.00
Heath Motor Company	752.50
Pettit Motor Company	782.50

On motion of Councilman Huntley, seconded by Councilman Britt, this award was made to the lowest bidder, General Truck Company, at a price of \$866.85, less trade-in allowance on Chevrolet truck #45, of \$216.85, making net delivered price of \$650.00.

Item 2. TWELVE ONE AND ONE-HAL F TON TRUCKS.

General Truck Company, Inc.	\$12,453.08
City Chevrolet Company	12,970.00
Pyramid Chevrolet Company	12,970.00
Carolina Truck & Trailer Company	13,204.32
Heath Motor Company	14,476.32
Pettit Motor Company	14,506.52

On motion of Councilman Albea, seconded by Councilman Huntley and carried, this order was placed with the lowest bidder, General Truck Company, Inc., on G.M.C. equipment, in the amount of \$15,011.40, less trade-in allowance of \$2,558.32 on Ford car #214, International trucks Nos. 15, 18, 19, 20 and 21, making net delivered price of \$12,453.08, as bid.

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SECTION III.

Item 1. ONE STATION WAGON.

General Truck Company	\$ 700.00
City Chevrolet Company	850.00
Pyramid Chevrolet Company	850.00

This item was awarded to the low bidder, General Truck Company, on G.M.C., equipment, at a price of \$992.35, less trade-in allowance of \$292.35, on International Truck No. 340, making net delivered price of \$700.00, on motion of Councilman Huntley, seconded by Councilman Wilkinson and carried.

Item 2. ONE TWO-TON DUMP TRUCK

The City Manager stated that after comparison of the bids it was determined that the bid of the Mack International Motor Truck Corp., which was the lowest bid, did not meet the specifications and, therefore, he could not recommend the purchase of their truck, but that the order be placed with the Carolina Truck and Trailer Company, at a price of \$1,224.26, less trade-in allowance of \$50.00 on Chevrolet #405, making net delivered price of \$1,174.26.

The bids on this truck were as follows:

Mack International Motor Truck Corp.	\$1,170.00
Carolina Truck & Trailer Company	1,174.26
General Truck Company	1,197.00
Norfleet Motors Company, Inc.	1,242.50

After hearing the recommendation of the City Manager, as above, a representative of the Mack International Motor Truck Corp., who was present, contended that the Mack truck was a 12,000 lb. gross truck and Mr. Fogus was called upon to explain the difference in the specifications furnished on the Mack truck and the truck recommended. After hearing this explanation, Councilman Nance moved that the recommendation of the City Manager be accepted, namely to purchase the two-ton truck of the Carolina Truck and Trailer Company, at the net delivered price of \$1,174.26, which motion was seconded by Councilman Little and carried.

Item 3. ONE THREE-TON CHASSIS AND CAB

General Truck Company, Inc.	\$1,378.00
International Harvester Company	1,520.00
Mack International Motor Truck Corp.	1,565.00
Autocar Sales & Service Company	1,598.00
The White Motor Company	1,635.00
Norfleet Motors Company, Inc.	1,798.00

On motion of Councilman Huntley, seconded by Councilman Britt, this contract was authorized to be drawn in favor of the lowest bidder, General Truck Company, on G.M. C. equipment, at a price of \$1,751.12, less trade-in allowance of \$373.12, making a net delivered price of \$1,378.00.

Item 4. ONE STREET FLUSHER UNIT.

Carolina Tractor & Equipment Company	\$1,708.00
North Carolina Equipment Company	1,753.00

On motion of Councilman Huntley, seconded by Councilman Nance, award on this equipment was made to the lowest bidder, Carolina Tractor and Equipment Company, on Standard Steel Works product, at a net delivered price of \$1,708.00, as bid.

G. H. W.

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Item 5. STREET ROLLER.

Carolina Tractor & Equipment Company		
On 8-ton Roller		\$3,375.00
On 10-ton "		3,980.00
Contractors Service, Inc. 8-ton		3,690.00
N. C. Equipment Company 8-ton		3,850.00
" " " 10-ton		4,301.00
E. F. Craven Company 8-10 ton		4,186.00

The City Manager reported that specifications on this equipment called for an 8 to 10-ton roller, and that it has been decided that the 10-ton unit is best suited for the City's needs. He, therefore, recommended that the order be placed with the lowest bidder, Carolina Tractor & Equipment Company, on Huber equipment, on a 10-ton unit, at a price of \$5,185.00, less trade-in allowance of \$1,205.00 on International Truck No. 13, making net delivered price of \$3,980.00.

On motion of Councilman Huntley, seconded by Councilman Albea, this award was made as recommended above.

Item 6. ONE BITUMINOUS MIXER

E. F. Craven Company	\$ 635.00
Contractors Service, Inc.	930.00
Carolina Tractor & Equipment Co.	980.00
H. B. Owsley & Son	1,075.00
North Carolina Equipment Company.	1,156.00

On motion of Councilman Albea, seconded by Councilman Nance, award on this equipment was placed with the Carolina Tractor & Equipment Company, at a net delivered price of \$980.00, the bids of E. F. Craven Co. and Contractors Service, Inc. not being on specifications.

Item 7. ONE ASPHALT KETTLE

Contractors Service, Inc.	\$ 274.00
Carolina Tractor & Equipment Co.	295.00
E. F. Craven Company	305.00
North Carolina Equipment Co.	326.25

On motion of Councilman Britt, seconded by Councilman Wilkinson, Contractors Service, Inc., was awarded this contract, at a net delivered price of \$274.00 on Rosco equipment.

All of the above motions carried instructions that the contracts be signed by the Mayor and Clerk in favor of the designated contractors or firms.

REPAIRS TO ROOF ON CITY GARAGE BUILDING TO DIXIE PAINT WORKS.

The following bids having been received on repairs to the roof of the Garage building at 932 Seigle Ave.:

Dixie Paint Works	\$279.00
R. S. Garmon Roofing Co.	308.70
Shuman Roofing & Heating Co.	375.00
George Norman Roofing Co.	400.00
Avrett Roofing & Heating Co.	440.00

On motion of Councilman Wilkinson, seconded by Councilman Huntley, award was made to the lowest bidder, Dixie Paint Works, covering patching and recoating the roof with a guaranteed service period of three years, at the price of \$279.00, and the Mayor and Clerk were authorized to sign the contract.

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RENTAL OF EQUIPMENT FOR RUNWAY IMPROVEMENTS AT MUNICIPAL AIRPORT.

The City Manager reported that the project for extending runways at the Municipal Airport would require certain heavy equipment for earth excavation, and that bids had been received on the rental of a Carryall Grader, Power Shovel and Eight Dump Trucks, as follows:

CARRYALL GRADER- WITH DIESEL CRAWLER TYPE TRACTOR
Estimated hours - 300.

Cochran & Ross Coal Co.	Size 8 cu. yds.	@ \$7.25 per hour	\$2,175.00
Cobb & Homewood, Inc.	8 9 " "	" 8.00 " "	2,400.00
Blythe Bros. Company	" 10 " "	" 10.00 " "	2,400.00
" " "	" 12 " "	" 12.00 " "	3,000.00
" " "	" " "	" " "	3,600.00

After thorough investigation it was decided that the Grader with a capacity of 12 cubic yards would be the most economical equipment to rent for this service and it was the recommendation of the City Manager that contract be drawn with Blythe Bros. Company for the rental of their 12-cubic yard Carryall Grader at \$12.00 per hour, based on a 300-hour estimated period of time, totaling \$3,600.00.

On motion of Councilman Wilkinson, seconded by Councilman Little and carried, the Mayor and Clerk were authorized to execute a contract on behalf of the City of Charlotte with Blythe Bros. Company for the 12-cubic yard Grader, at the price above shown, namely \$3,600.00.

POWER DRIVEN SHOVEL - Estimated hours - 325
EIGHT TRUCKS - " " -2600

M. B. Blankenship	3/4 cu. yds. shovel	@ \$6.15 per hour	\$1,998.75
	8 trucks	1.15 " "	2,990.00
Blythe Bros. Company	3/4 cu. yds shovel	@ \$5.50 " "	1,787.50
	8 trucks	1.75 " "	4,550.00
Cochran & Ross Coal Co.	3/4 cu.yds shovel	@ \$7.00 " "	2,275.00
	8 trucks	1.60 " "	4,160.00
Cobb & Homewood, Inc.	1 cu.yd. shovel	@ \$8.50 " "	2,762.50
	8 trucks	1.50 " "	3,900.00

It was recommended by the Manager that the bids of M. B. Blankenship on both the Shovel, at \$1,998.75 and on the Trucks, at \$2,990.00, representing a total bid of \$4,988.75, be accepted, and on motion of Councilman Albea, seconded by Councilman Wilkinson, the Mayor and Clerk were authorized to sign contract with M. B. Blankenship for the rental of this equipment at this price.

PURCHASE OF COPPER WIRE.

Bids having been received on five (5) miles of Weather Proof Copper Wire, for use in the Fire Department in connection with the Fire Alarm System, as follows:

Southern Electric Service Co. Inc.	\$ 256.31
General Electric Supply Corp.	261.18
Westinghouse Electric Supply Co.	273.72
Graybar Electric Company, Inc.	273.72
Mill Power Supply Company	275.10

On motion of Councilman Huntley, seconded by Councilman Wilkinson, the Mayor and Clerk were authorized to sign contract with the lowest bidder, Southern Electric Service Company, Inc., for this material, at a net delivered price of \$256.31.

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PURCHASE OF FIRE FIGHTING EQUIPMENT.

The following bids having been received on certain needed Fire Fighting Equipment, which is manufactured by only one concern, on this particular equipment:

Mine Safety Appliances Company, Pittsburg, Pa.

6- Service Masks	@ \$35.00	\$210.00
1- Oxygen Breathing Apparatus		200.00
1- Oxygen Cylinder		30.00
1- High Pressure Tube for Oxygen Cyl.		3.50

Councilman Albea moved that the contract be drawn in favor of the Mine Safety Appliances Co., in the net amount of \$434.63 and that the Mayor and Clerk sign same. Motion seconded by Councilman Sides and carried.

PURCHASE OF UNIFORMS FOR FIRE, POLICE AND SANITARY AND STREET DEPARTMENTS.

Bids having been received on Uniforms for the Fire, Police, Sanitary and Street Departments as follows:

SECTION I. FIRE DEPARTMENT

Elliott & Fink	\$3,336.90
Belk Bros. Company	3,597.66
Martin's Department Store (Bid #1)	3,630.15
Charlotte Mercantile Co.	3,906.90
Efird's Department Store	3,954.90
Martin's Department Store (Bid #2)	4,013.10

Councilman Huntley, seconded by Councilman Britt, moved that contract be given to the lowest bidder, Elliott & Fink, at a net delivered price of \$3,336.90, and the Mayor and Clerk were authorized to sign same.

SECTION II. POLICE DEPARTMENT

Elliott & Fink	\$4,270.06
Martin's Department Store (Bid #1)	4,312.80
Belk Bros. Company	4,629.67
Charlotte Mercantile Company	4,897.20
Efird's Department Store	4,994.10
Martin's Department Store	5,730.30

On motion of Councilman Huntley, seconded by Councilman Britt, this award was made to the lowest bidder, Elliott & Fink, at a net delivered price of \$4,270.06.

Elliott & Fink offered to allow the City to deduct 1% if the contracts for both the Fire and Police Departments were awarded to them, and contract for these two sections are to be incorporated in one contract, covering a net delivered price of \$7,530.89.

SECTION III. SANITARY DEPARTMENT

Belk Bros. Company	\$1,066.70
Martin's Department Store	1,086.70
Elliott & Fink	1,114.55

Mr. Armstrong advised that the bid of Belk Bros. Co. was on garments manufactured by Oskkosh Company and that the bids of Martin's Department Store and Elliott and Fink on garments of H. D. Lee

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Mercantile Company, both of which have been used by the City, but that after considering the service received from these garments, it is the opinion that it would serve the City's best interest to purchase the H. D. Lee Mercantile Company's garments, and it was his recommendation that the order be placed with the lowest bidder on Lee garments, Martin's Department Store.

On motion of Councilman Little, seconded by Councilman Britt and carried, award was made to Martin's Department Store on these uniforms, at a net delivered price of \$1,086.70 and the Mayor and Clerk authorized to sign the contract.

SECTION IV. STREET DEPARTMENT

Belk Bros. Company	\$476.28
Martin's Department Store	485.64
Elliott & Fink	500.63

On motion of Councilman Britt, seconded by Councilman Little and carried, this award was made to Martin's Department Store, at a net delivered price of \$485.64, on H. D. Lee Mercantile Company garments, for the same reason as the above award was made, and the Mayor and Clerk authorized to execute the contract.

PURCHASE OF CULVERT PIPE.

The following bids having been received on 120 lineal feet of 42" corrugated metal Culvert Pipe, in 20-ft sections, to be used in storm drainage systems at a location adjacent to Dunbar Street and east of the Southern Railway:

Tennessee Coal, Iron & R.R. Co.	\$463.34
The Dixie Culvert & Metal Co.	890.52
Wheeling Corrugating Company	680.13

On motion of Councilman Britt, seconded by Councilman Wilkinson, this material was authorized to be purchased from the low bidder, Tennessee Coal, Iron & R.R. Co., at a net delivered price of \$463.34 and the Mayor and Clerk authorized to sign the contract.

TRAFFIC SIGNAL AT SUMMIT AVENUE AND WEST MOREHEAD STREET.

On motion of Councilman Albea, seconded by Councilman Wilkinson, an automatic signal control was authorized to be installed at Summit Avenue and West Morehead Street, due to the character and volume of traffic at this point.

WATER CONTRACT WITH E. H. LITAKER.

On motion of Councilman Wilkinson, seconded by Councilman Sides, the Mayor and Clerk were authorized to sign a contract with Mr. E. H. Litaker, wherein the City of Charlotte will take over a pipe line located in East 35th. Street and extend the same to serve one house that is now being built on this street, the said E. H. Litaker to pay to the City the sum of \$85.00 for extension of this service line to serve his home.

SEWER MAIN IN TUCKASEEGEE ROAD.

On motion of Councilman Wilkinson, seconded by Councilman Little and carried, the Mayor and Clerk were authorized to sign a contract with the P & N Realty Company, for an 8" sanitary sewer main, approximately 1,914 feet, to be laid along Tuckaseegee Road, amounting to \$1,616.35; the development company agreeing to post \$1,016.34, to cover difference in cost of laying this sewer and the amount of \$200.00 per house allowed by

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the City, this amount to be refunded when the required number of houses are completed.

WATER MAIN IN MARSH ROAD.

Upon the request of the Marsh Land Company, Councilman Little made a motion that the City enter into a contract with that company for the extension of a 2" water main in Marsh Road, 480-feet outside the City Limits, estimated to cost \$245.00, contract calling for the posting of a check for that amount with the City to cover said expense. Motion seconded by Councilman Huntley and carried.

RESOLUTION TERMINATING LEASE OF ARMORY BY NATIONAL GUARDS.

On motion of Councilman Wilkinson, seconded by Councilman Little, the following resolution was unanimously adopted:

BE IT RESOLVED by the City Council of the City of Charlotte at regular session, upon ~~that~~ the request of the North Carolina National Guard, that the Lease heretofore entered into by and between the National Guard and the City of Charlotte, dated June 6th. 1940, be and the same is hereby terminated and cancelled.

AND BE IT FURTHER RESOLVED that the City of Charlotte provide a suitable storage space, without cost, for the equipment of said National Guard, until such time as the National Guard Unit may reestablish its headquarters in the Armory of the City of Charlotte.

ORDINANCE PROHIBITING PARKING ON NORTH SIDE OF ROMANY ROAD AND ALSO ON EAST 28TH STREET.

On motion of Councilman Wilkinson, seconded by Councilman Little, the following ordinance was unanimously adopted on three readings and declared by the Mayor Pro Tem to be an ordinance of the City of Charlotte, effective immediately:

AN ORDINANCE TO AMEND AN
ORDINANCE ENTITLED "AN ORDINANCE REGULAT-
ING TRAFFIC UPON THE PUBLIC STREETS OF THE
CITY OF CHARLOTTE, EFFECTIVE JANUARY 10, 1940".

BE IT ORDAINED by the City Council of the City of Charlotte, at regular session:

Section 1. That the Ordinance entitled "An Ordinance Regulating Traffic upon the Public Streets of the City of Charlotte, Effective January 10, 1940", be and the same is hereby amended by inserting in Schedule 1 of said Ordinance, between the words "Poplar Street ---- 80 feet south of Sixth, west side" and "Seventh Street ---- 65 feet west of Church, north side", the following:

"Romany Road ---- between Durwood Drive and
Kenilworth Avenue, north side".

Section 2. That the said Ordinance be further amended by inserting in Schedule 1 of said Ordinance between the words "Tryon Street--- 40 feet south of Thirteenth, east side" and "Vance Street--- Tryon to Church, south side", the following:

"Twenty-eighth Street ---- 115 feet east of
Brevard Street, south side."

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Section 3. This Ordinance shall be in full force and effect from its adoption.

SPECIAL OFFICER PERMIT FOR W. R. FUNDERBURK.

On motion of Councilman Wilkinson, seconded by Councilman Little, W. R. Funderburk was granted a Special Officer permit on the premises of the Kilgo Transfer Company and the Charlotte Produce Company.

CEMETERY DEEDS.

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

W. P. T. Mills, North Half Lot 42, Section B.B., Elmwood	\$49.00
S. F. Lomax, Perpetual care on North Half No. 96, "T"	72.00
Frank Cureton, Lot No. 5, Section "John", Pinewood	25.00

MINUTES OF MEETINGS OF FIVE MEETINGS APPROVED.

The minutes of the following regular Council meetings, July 31st., August 21st., September 4th. and 11th., and special meeting of September 16th., were read by the Clerk, and on motion of Councilman Nance, seconded by Councilman Sides, were approved as read.

ADJOURNMENT.

On motion of Councilman Little, seconded by Councilman Britt, the meeting adjourned.

Alice B. McConnell
City Clerk

6700