

November 5, 1941
Page 258

The regular weekly meeting of the City Council was held on Wednesday, November 5, 1941, at 4 o'clock P. M., in the Council Chamber, City Hall, with Mayor Currie presiding and the following members present: Councilmen Albea, Beasley, Daughtry, Hovis, Little, Painter, Price, Ross and Ward.

Absent: Councilmen Baker and Slye.

MINUTES APPROVED.

On motion of Councilman Little, seconded by Councilman Ward, the minutes of the meeting of October 29th. were approved as read.

REPORT OF POLICE & FIRE COMMITTEE RELATIVE TO TIME OFF FOR FIREMEN.

Councilman Beasley, Chairman of the Police and Fire Committee, reported that his committee had held a meeting relative to the request of Firemen for one day off each week; that it was found that the Fire Department budget has an item of \$11,000 for new equipment which cannot be purchased at this time and that if this fund could be diverted and used for the employment of 12 additional firemen the men in the Department could be given two days off each month. It was, therefore, the committee's recommendation that if the funds referred to above can be used for additional men, that the firemen be given two days off each month.

After discussion, the matter was referred to the Finance Committee by the Mayor to secure opinion of the City Attorneys and bring back to the Council at the next meeting.

RESOLUTION RELATIVE TO REPAIR WORK ON INCINERATOR UNIT.

The matter of repairs to the Incinerator unit, which was deferred at the last meeting for further study, was reported on by the Special Committee appointed to make investigation; Councilman Price reporting that after investigation they were ready to proceed with the City Manager's recommendation of last week, and the resolution which was presented at that time was again read and on motion of Councilman Price, seconded by Councilman Daughtry, was adopted. This resolution is as follows:

RESOLUTION
AUTHORIZING EMPLOYMENT OF MARK H. ALLEN
TO DESIGN INCINERATOR AND SUPERVISE CON-
STRUCTION OF SAME.

RESOLVED, that the proper city officials be, and they are, authorized to enter into a contract with Mark H. Allen employing him to prepare plans and specifications to rebuild the west unit of the incinerator located in the southern section of the city, and to pay him \$500 therefor when the said plans and specifications are accepted by the City; to employ him to supervise the construction of the said unit if the same is built, and to pay him \$500 for these services when the unit has been completed and accepted by the City; to provide that he is to incorporate in

November 5, 1941
Page 259

the design all necessary plans and devices covered by patents or improvements on same that he owns and controls, granting to the City, in writing, a license to use the same; and to provide for protection of the City against the claims of others for patent infringements.

The contract covered by the above resolution was also read by the Mayor.

Before adoption of the resolution Councilman Ward asked the amount the necessary repairs would actually cost and on being informed that it would be \$16,000, he stated that instead of spending all that money, he thought the Council should consider building another incinerator out of the heart of the city. City Manager Flack agreed with Councilman Ward that some sort of study along that line should be begun but that it was necessary to make these repairs in order to take care of the immediate future, doing the work during the winter in order to be prepared for the heavy season of wet garbage next summer.

PARKING METERS.

Councilman Beasley reported that the Police & Fire Committee had selected two types of parking meters to be installed on the streets of Charlotte, one the automatic type and the other the manual meter. Councilman Albea stated that as a member of the committee he did not concur in the committee's report.

Mr. Beatty, City Purchasing Agent, presented the bids received on parking meters, low bids only, as follows:

On "Penny" "Nickel" automatic meter: Dual Parking Meter Co.,
\$60.00 per meter installed.

On "Penny" "Nickel" manual meter: M. H. Rhodes, Inc.,
\$48.00 per meter installed.

Councilman Ward stated that according to information which he had the Dual Parking Meter Co. bid did not meet specifications, in that specifications asked for a certified check on a North Carolina bank, whereas, a cashier's check was furnished with the bid. Mr. Beatty stated that was true but that he had taken the recommendation of the City Attorneys in accepting the bid as submitted. Mr. Ward also brought up the fact that he had a letter showing that meters of a similar type were sold to other cities recently for as low as \$26. or \$27. each.

After considerable discussion, Councilman Price moved that the matter be deferred another week, amending the motion to include the provision that the Council meet at 7:30 P. M., Monday, November 10th. in the Mayor's office, with the City Attorneys, the City Manager and the Purchasing Agent, to discuss the question. This motion was seconded by Councilman Beasley and unanimously carried.

RESOLUTION RELATIVE TO APPROVING PURCHASE OF MEDLIN PROPERTY BY PARK AND RECREATION COMMISSION DEFERRED ONE WEEK FOR STUDY.

The following resolution was presented by Councilman Beasley, at the request of Mr. Marvin Ray, Superintendent of the Park and Recreation office:

November 5, 1941
Page 260.

RESOLVED that the Council hereby approves the purchase by the Charlotte Park & Recreation Commission from Smith Medlin and wife, Mary Lou Medlin, for the price of \$3000 the tract of land containing 11.6 acres, more or less, in the vicinity of Sugaw Creek, described in deed to said Medlin by H. C. Dockery, Trustee, dated Aug. 3, 1941 and recorded in the Register's Office in Book 1054, page 369.

Councilman Price moved that this be received as information and study for one week. Motion seconded by Councilman Ward and carried.

PURCHASE OF SPRINKLER SYSTEM MATERIALS.

A list of material required by the Water Department for use in the construction of the International Harvester Company's new building sprinkler system, amounting to \$138.43, was, on motion made by Councilman Albea, seconded by Councilman Painter and carried, authorized to be purchased from the Grinnell Company, Inc., at the net delivered price of \$138.43; this being the only local concern from whom the material can be purchased.

REPAIRS TO ELECTRIC MOTOR AT IRWIN CREEK DISPOSAL PLANT.

Upon motion of Councilman Daughtry, seconded by Councilman Albea and unanimously carried, approval was given for the payment of \$137.50 to the Southern Electric Service Company, for repairs made to electric motor at Irwin Creek Disposal Plant on September 1, 1941.

FEES TO J. H. McLAIN FOR EXAMINING TITLES TO REAL ESTATE AUTHORIZED FROM EMERGENCY FUND.

The City Manager reported that on October 8th. the Council authorized the City Attorneys to employ Mr. J. H. McLain to examine title of the Montrose D. Phifer property, recently sold in connection with the foreclosure of city and county taxes, at a fee of \$25.00, and on October 15th., for examining title to property to be condemned for the extension of Smith Street, at a fee of \$30.00, which authorizations did not state the fund from which these fees should be paid.

On motion of Councilman Little, seconded by Councilman Albea, payment of the above amounts were authorized to be made from the Emergency Fund.

SEWER EXTENSION IN CUMBERLAND AVENUE AND LILAC ROAD.

On motion of Councilman Ward, seconded by Councilman Ross, extension of an 8" sanitary sewer in Cumberland Avenue, from Dairy Branch trunk near Clayton Drive, to Lilac Road, thence west on Lilac Road to the end of the sewer near Idlewood Circle, a distance of 1764 feet, was authorized. Cost of this extension is estimated by the Engineering Department at \$2,011.35, said sewer to serve eleven houses now started.

November 5, 1941

Page 261.

ENCROACHMENT RIGHT OF WAY AGREEMENT WITH STATE HIGHWAY COMMISSION.

On motion of Councilman Albea, seconded by Councilman Hovis and unanimously carried, the Mayor and Clerk were authorized to execute an encroachment right-of-way agreement with the State Highway and Public Works Commission for 3/4" water pipe to be laid under Wilkinson Boulevard in order to provide water service to one of the ten original applicants for such service living on the opposite side of the highway from the existing water main.

RESOLUTION AUTHORIZING EXECUTION OF INDEMNITY BOND RE STOPPING PAYMENT ON LOST CHECK.

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

WHEREAS, in receiving bids for water meter boxes, the City of Charlotte, on September 26, 1941, received from the General Foundry & Machine Company, Greensboro, North Carolina, a bid together with check in the amount of \$330.75, representing 5% of its bid; said check having been drawn on Security National Bank, Greensboro, North Carolina, and duly certified by that bank; and whereas, contract has now been awarded for said water meter boxes and it thereupon became the duty of the City of Charlotte to return the said check to General Foundry & Machine Company; and whereas, said check has been misplaced or destroyed and cannot be returned; and whereas, the Security National Bank, Greensboro, North Carolina, refuses to stop payment on said check unless the City gives it an indemnity bond in the amount of said check.

NOW, THEREFORE, Be it resolved by the City Council of the City of Charlotte, North Carolina, that the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute on behalf of the City of Charlotte, North Carolina, an indemnity bond to the amount of \$330.75, the amount of said check, conditioned upon the City saving the Security National Bank, Greensboro, North Carolina, harmless from all claims, liabilities, losses, damages or other expenses under or by reason of its refusal to cash said check.

LEASE FOR SPACE IN CHATHAM BUILDING FOR W.P.A. OFFICES.

The City Manager reported that it appears there is no record of a lease for the present occupancy of office space in the Chatham Building, used by the W.P.A., though the City has paid rent for several years; the rental cost being \$248.00 per month, half paid by the City and half by the County. New lease has been prepared, calling for a rental of \$350.00 per month, half to be paid by the City and half by the County but that the amount appropriated in the current budget for this rental was \$1,488.00, whereas, the rental necessary to be paid by the end of the fiscal year will total \$1,896.00, and that if the lease is approved by the Council, it will be necessary to appropriate this difference of \$408.00 from the Emergency Fund.

On motion of Councilman Albea, seconded by Councilman Ross, the Mayor and Clerk were authorized to sign the lease. Thereupon, Councilman Ross, Chairman of the Finance Committee, moved that an appropriation of \$408.00 be made from the Emergency Fund to take care of the lease. Motion seconded by Councilman Albea and carried.

November 5, 1941
Page 262.

RESOLUTION PROVIDING FOR EXTENSION OF SMITH STREET, CONDEMNING LAND NECESSARY THEREFOR AND IMPROVEMENT OF SAME.

The following resolution was presented by Councilman Ross, who moved its adoption on three readings, seconded in each instance by Councilman Daughtry, and carried. Whereupon, the Mayor declared the resolution adopted:

WHEREAS, in order to provide for traffic and meet the needs of the public it is necessary that North Smith Street be extended from its intersection with West 6th Street Place to West 6th Street and, whereas, the City has been unable to agree with the owners of the land needed for such extension upon the purchase price of the same;

NOW, THEREFORE, BE IT RESOLVED:

1. That North Smith Street, from its intersection with West 6th Street Place to West 6th Street, be extended and permanently improved by grading, draining and paving the same, and by the establishment of a concrete roadway 36 feet wide, sidewalks on both sides of the extension 5 feet wide, granite curbs and necessary gutters.

2. That title be acquired by condemnation of the land necessary for this extension, said land consisting of two parcels more particularly described as follows:

FIRST TRACT: BEGINNING at an iron pin on the south edge of West Sixth Street Place, which marks the division corner between the property of Mecklenburg Realty Company and Piedmont Fire Insurance Company, and runs thence with the south side of West Sixth Street Place in an easterly direction 47 feet to the west face of the brick wall of the Bus Terminal Building; thence with said face of said wall in a southerly direction 104.67 feet to the north edge of West Sixth Street; thence with the north edge of West Sixth Street in a westerly direction 46.86 feet to an iron pin which marks the division corner between the property of Mecklenburg Realty Company and Piedmont Fire Insurance Company; thence in a northerly direction with the dividing line between the properties of the said companies, 103.62 feet to the point of BEGINNING, and being parts of Lots 17 and 18 as shown on map recorded in the office of the Register of Deeds for Mecklenburg County, in Map Book 3, page 159.

SECOND TRACT: BEGINNING at an iron pin on the south edge of West Sixth Street Place, which marks the division corner between the property of Mecklenburg Realty Company and Piedmont Fire Insurance Company, and runs thence with the dividing line between the said properties in a southerly direction 103.62 feet to an iron pin on the north edge of West Sixth Street; thence with the said edge of West Sixth Street in a westerly direction 3 feet to a stake; thence in a northerly direction parallel to the dividing line between the properties of Mecklenburg Realty Company and Piedmont Fire Insurance Company, 103.55 feet to a stake on the south edge of West Sixth Street Place; thence with said edge of West Sixth Street Place in an easterly direction 3 feet to the point of BEGINNING; being a strip three feet wide off of the easterly end of Lot 19 as shown upon the map recorded in Map Book 3, page 159, in the office of the Register of Deeds for Mecklenburg County.

3. That the purpose of extending and improving the said street is to provide a necessary outlet for traffic from the present southern terminus of North Smith Street to West 6th Street.

4. That the area in which damages or special benefits to property will result from said extension and improvement of said street, in the best judgment of the Council, includes all of the property on either side of the proposed extension and abutting thereon between West 6th Street Place and West 6th Street, and the said area, including all of the above mentioned property, is hereby laid out and constituted an

November 5, 1941
Page 263.

assessment district, a map of which shall be filed with the City Clerk.

5. That the 19th day of November, 1941, at 4 o'clock P. M., in the Council Chamber of the City Hall, is hereby set apart as the time and place where and when the Council shall hear reasons for and against making the said improvement, shall hear all parties interested and shall make final determination of the matter.

6. That notice of the time and place of said hearing and a brief description of the proposed improvement shall be published in some newspaper published in the City of Charlotte for not less than ten days prior to said meeting.

ARMISTICE DAY TO BE OBSERVED BY CITY EMPLOYEES.

On motion of Councilman Albea, seconded by Councilman Hovis and unanimously carried, Armistice Day, Tuesday, November 11th., was declared a holiday for all City employees who can conveniently be away from their duties.

CEMETERY DEEDS.

The following cemetery deeds and perpetual care agreements were approved for transfer on motion made by Councilman Hovis, seconded by Councilman Little and unanimously carried:

J. J. Moore & Wife, Lucille C. Moore, North Half Lot No. 50, Section BB,	Elmwood Cemetery	\$49.00
William Wilson Brown, Lot No. 25, G-Annex,	" "	140.00
Perpetual care on same		100.00
Mrs. J. T. Harrison, South Half Lot No. 76, Sec. "X"		70.00
Perpetual care on same		60.00
Perpetual care on South Half Lot #35, BB to Mrs. J.T. Willkie		35.00
Perpetual care on Lot #121, Section "T" to Miss Helen M. Smith		100.00

MOTOR EQUIPMENT PURCHASED.

Bids on motor equipment having been received, the following actions were taken by the Council:

15- GARBAGE CHASSIS AND CABS

Due to the fact that there was considerable discussion regarding some of the bids on this item being up to specifications; specifications calling for 150" wheelbase and the lowest bid being on 158" wheelbase; on motion of Councilman Hovis, seconded by Councilman Little, all bids on this equipment were thrown out and instructions given that it be re-advertised.

7- POLICE CARS, 4-DOOR, SEDAN TYPE PASSENGER CARS.

Norfleet Motors Co. Inc., (Plymouth DeLuxe)	\$1171.20ea.
Less trade-in allowance on Equipment #6, #212, #234	
and #388 and #213	\$1150.00

NET DELIVERED PRICE \$7048.40

November 5, 1941
Page 264.

Pettit Motor Company (Ford)	\$1169.25 ea	\$8184.75
Less trade-in allowance for old equip- ment		<u>800.00</u>
NET DELIVERED PRICE		\$7384.75

Pettit Motor Co. (Alternate Bid on 90 H.P. Motor deduct \$25.00 each, or total of \$175.00.

City Chevrolet Co. (Chevrolet DeLuxe)	\$1136.65 ea	\$7956.55
Less trade-in allowance on Equipment		<u>475.00</u>
NET DELIVERED PRICE		\$7481.55

Pyramid Chevrolet Co. (Chevrolet DeLuxe)	1136.65	\$7956.55
Less trade-in allowance on Equipment		<u>475.00</u>
NET DELIVERED PRICE		\$7481.55

Upon motion of Councilman Little, seconded by Councilman Ward, these cars were authorized to be purchased from the lowest bidder, Norfleet Motors Co. Inc., at a net delivered price of \$7048.40, and the Mayor and Clerk were authorized to sign the contract.

3-TON CHASSIS AND CAB FOR STREET DEPARTMENT STREET FLUSHUER UNIT

General Truck Company, Inc., (GMC Model CC-453)	\$1927.54
Less trade-in allowance on Equipment #319	<u>227.54</u>
NET DELIVERED PRICE	\$1700.00

Norfleet Motors Co. Inc., (Dodge WK-61)	\$2743.10
Less trade-in allowance on Equipment #319	<u>793.10</u>
NET DELIVERED PRICE	\$1950.00

On motion made by Councilman Hovis, seconded by Councilman Albea and carried, award on this item was made to the lowest bidder, General Truck Company, Inc., on GMC product, at a net delivered price of \$1,700.00, and the Mayor and Clerk authorized to sign the contract.

RECONDITIONING WOODEN BODIES- 15 GARBAGE TRUCKS

Only bid received on this work was that of the Carolina Truck & Trailer Company, at \$150.00 each, or a net delivered price of \$2,250.00. However, in canvassing the bid it was found that the bidder did not meet specifications regarding bid check, and after discussing the matter with the Superintendent of the Equipment Depot it was found that the City could perhaps repaid these bodies at a considerable saving under the above quotation. Therefore, Councilman Daughtry moved that the bid of the Carolina Truck & Trailer Company on this item be rejected. Motion seconded by Councilman Hovis and carried.

TRACTOR WITH POWER MOWER

North Carolina Equipment Co., bidding on International equipment without electric starter and lights	\$774.00
---	----------

November 5, 1941
Page 265.

Alternate Bid, same equipment with lights, starter and automatic raising and lowering unit	\$805.50
Alternate Bid #2, same equipment with smaller tires on rear	747.90
E. F. Craven Company, Allis-Chalmers "B" Type Tractor and industrial mower	\$797.50
Alternate bid, same equipment, with Rogers DO-ALL motor complete	\$903.26
Alternate Bid #2, same as above with/automatic raising and lowering device	\$747.58
Alternate Bid #3, Allis-Chalmers "WC" tractor	\$1147.61
Pettit Motor Company (Ford)	\$979.50

The lowest bid on this equipment equipped with lights, starter and automatic raising and lowering unit is that of E. F. Craven Company, but due to the fact that their unit has the motor and operator's seat in the center of the tractor, whereas, the unit recommended is the International type with motor and operator's seat to the left side of the unit, providing clearer vision of the swath, on motion of Councilman Ward, seconded by Councilman Beasley, this item was awarded to the North Carolina Equipment Company on their Alternate Bid No. 1, at a net delivered price of \$805.50, and the Mayor and Clerk authorized to sign the contract.

STREET FLUSHER UNIT, 1200 GALLON

Municipal Supply Co., (Suburban Model)	\$1817.50
Carolina Tractor & Equipment Co. (Standard Steel)	1895.00
If streamline feature not desired,	1795.00
Baker Equipment Engineering Co. (Gar-Wood)	2042.00
E. F. Craven Company (Allis-Chalmers)	3129.34

The bid of Municipal Supply Co. did not come up to specifications, in that it offered a pump with maximum capacity of 450 gallons per minute, and specifications required approximately 500 gallons per minute. According to Superintendent of Motor Equipment, the streamline feature on the lowest regular bid was not necessary, and on motion of Councilman Little, seconded by Councilman Albea, award was made to Carolina Tractor & Equipment Co., on their alternate bid, without streamline feature, at a net delivered price of \$1795.00, and the Mayor and Clerk authorized to sign the contract.

RECESS TAKEN.

At 5:40 P.M. a recess was declared by the Mayor and the Council adjourned to the Mayor's office during this recess. Reconvened at 5:55 P.M.

November 5, 1941
Page 266.

CITY TO SEND REPRESENTATIVES TO WASHINGTON TO APPEAR BEFORE C.A.A.

Councilman Hovis moved that the Mayor be authorized to send whomever and as many as he deems necessary to Washington to the Civil Aeronautics Commission hearing with reference to the extension of Air service in Charlotte, if he deems necessary. Motion seconded by Councilman Little and unanimously carried.

ADJOURNMENT.

On motion of Councilman Albea, the meeting adjourned at
6 P. M.

Alice B. McConnell
City Clerk