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Regular weekly meeting of the City Council was held in the Council Chamber, City Hall, at 4 o'clock P. M., with Mayor Pro Tem Claude L. Albea presiding during the early part of the meeting; Mayor Currie taking over the chair later, and with all members of the Council being present.

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REQUEST FOR WAIVER OF INTEREST ON PAST DUE TAXES REQUESTED BY MRS. EUGENE PAYNE, FOR WRISTON ESTATE, REFERRED TO FINANCE COMMITTEE.

Mrs. Eugene Payne appeared before the Council with regard to back taxes which she had discovered were due on the Wriston Estate, asking that the interest on these back taxes be waived, due to the fact that no notice of same had ever been received and that it was through her attorney that they were discovered.

Upon motion of Councilman Slye, seconded by Councilman Price, this matter was referred to the Finance Committee for investigation and report back to the Council.

MINUTES READ AND APPROVED.

Upon motion of Councilman Little, seconded by Councilman Ward, the minutes of the meeting of August 12th. were approved as read.

INVOICE OF S. B. McLAUGHLIN FOR MAKING APPRAISAL OF OAKLAWN CEMETERY TO BE PAID FROM EMERGENCY FUND.

Upon motion of Councilman Ross, seconded by Councilman Little and carried, an invoice from S. B. McLaughlin, in the amount of \$250.00, for making appraisal of Oaklawn Cemetery property, was approved for payment from the Emergency Fund.

SPECIAL OFFICER PERMIT FOR RALPH C. CLONTZ, JR.

Councilman Beasley moved that the request of the Mecklenburg Hotel for appointment of Ralph C. Clontz, Jr., as Special Officer on the premises of the Mecklenburg Hotel, be authorized and approved. Motion seconded by Councilman Slye.

PURCHASE OF PIPE, FITTINGS AND VALVES FOR CONSTRUCTION OF WATER LINE TO THE NAVY MUNITIONS PLANT.

The City Manager reported that bids were received on August 10th. on Pipe, Fittings and Valves for the construction of a water line to the Navy Munitions Plant, and the same was handled item by item as follows:

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ITEM 1. 26,250 Ft. 12-in. Pipe

	<u>Start Delivery</u>	<u>Complete Delivery</u>	<u>Delivered Price</u>
Dixie Culvert & Metal Co.	60 days	75 days	\$49,917.00
Lynchburg Foundry Company	30 "	70 "	51,187.50
Hajoca Corporation	50 "	60 "	75,048.75

Upon motion of Councilman Slye, seconded by Councilman Little, award of this item was made to the Lynchburg Foundry Company, at the bid of \$51,187.50.

ITEM 2. 5,900 Ft. 16-in. Cast Iron Pipe

Lynchburg Foundry Co.	80 days	85 days	\$17,641.00
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Upon motion of Councilman Baker, seconded by Councilman Little, this award was made to the Lynchburg Foundry Co., at the price of \$17,641.00.

ITEM 3. 5,500 Ft. 20-inch Cast Iron Pipe.

Lynchburg Foundry Co.	70 days	75 days	\$23,155.00
Central Foundry Co.	55 "	90 "	30,965.00

Councilman Baker moved that this award be made to the Lynchburg Foundry Company, which motion was seconded by Councilman Painter and carried; the price as quoted above - \$23,155.00

ITEM 4. 980 Ft. 24-inch Water Pipe.

Lynchburg Foundry Co.	75 days	80 days	\$ 5,507.60
Central Foundry Co.	35 "	60 "	7,252.00

And upon motion of Councilman Slye, seconded by Councilman Ross, the award of this item was made to Lynchburg Foundry Company, at a price of \$5,507.60.

ITEM 5. 49,000 Pounds Cast Iron Fittings.

Lynchburg Foundry Co.	Delivery with pipe	\$ 2,817.50
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Upon motion of Councilman Ward, seconded by Councilman Little, Lynchburg Foundry Co. was awarded this item at the price quoted - \$2,817.50.

CONSOLIDATION OF ABOVE AWARDS INTO ONE CONTRACT.

Wherein the various items shown above were awarded to the same company - Lynchburg Foundry Company, it was moved by Councilman Ross that such items be consolidated in one contract by and with the approval of the City Attorney. Motion was seconded by Councilman Little, and after discussion, was carried, with Councilman Baker voting against it. By this motion the Mayor and Clerk were authorized to sign the contract on behalf of the City of Charlotte.

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ITEM 6. 11 - 4 Inch Gate Valves.

	<u>Start Delivery</u>	<u>Complete Delivery</u>	<u>Delivered Price</u>
Hajoca Corporation	42 to 56 days	70 to 84 days	\$ 166.32
Atlas Supply Company	42 to 84 "	70 to 84 "	166.98
Grinnell Company	28 days	28 days	170.50

Councilman Ward moved that award of this item be made to the Grinnell Company, at the delivered price of \$170.50. Motion seconded by Councilman Slye and carried.

ITEM 7. 6 - 6-inch Gate Valves.

Hajoca Corporation	42 to 56 days	70 to 84 days	\$ 151.44
Atlas Supply Company	42 to 56 "	70 to 84 "	151.80
Grinnell Company	28 days	28 days	156.00

Upon motion of Councilman Slye, seconded by Councilman Beasley and carried, this item was awarded to Grinnell Company, at the delivered price of \$156.00.

ITEM 8. 15 - 12-inch Gate Valves.

Hajoca Corporation	42 to 56 days	70 to 84 days	\$1,277.85
Atlas Supply Company	42 to 56 "	70 to 84 "	1,278.75
Grinnell Company	60 days	60 days	1,312.50

This item was awarded to the Grinnell Company, at the quoted price of \$1,312.50, upon motion made by Councilman Little, seconded by Councilman Beasley and carried.

ITEM 9. 4 - 16-inch Gate Valves.

Hajoca Corporation	42 to 56 days	70 to 84 days	\$1,027.16
Atlas Supply Company	42 to 56 "	70 to 84 "	1,027.40
Grinnell Company	90 days	120 days	1,052.00

Upon motion of Councilman Ward, seconded by Councilman Painter, this award was made to Grinnell Company, at the delivered price of \$1,052.00.

ITEM 10. 8- 20-inch Gate Valves.

Hajoca Corporation	42 to 56 days	70 to 84 days	\$2,965.12
Atlas Supply Company	42 to 56 "	70 to 84 "	2,965.60
Grinnell Company	90 days	120 days	3,036.00

Councilman Slye moved that this item be awarded to the Grinnell Company at a delivered price of \$3,036.00, which motion was seconded by Councilman Beasley and carried.

CONSOLIDATION OF ALL OF ABOVE ITEMS IN ONE CONTRACT WITH GRINNELL COMPANY.

As in the case of the first 5 items, inasmuch as the above items Nos. 6 through 10, were awarded to the Grinnell Company, Councilman Hovis moved that these items be consolidated in one contract, by and with the approval of the City Attorney, and that the Mayor and Clerk

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be authorized to sign the consolidated contract on behalf of the City of Charlotte. Motion seconded by Councilman Little and carried, with Councilman Baker voting "No".

PURCHASE OF CRUSHED STONE FOR STREET IMPROVEMENTS.

Mr. Flack, City Manager, reported that bids were received on August 11th. on approximately 1495 tons of Crushed Stone for Street Improvements, as follows:

Caldwell Construction Company	\$2,660.00
Southern Aggregates Corporation	2,813.38

Thereupon, on motion of Councilman Hovis, seconded by Councilman Slye, the Mayor and Clerk were authorized to sign contract for the above stone, with the low bidder, Caldwell Construction Company, at a net delivered price of \$2,660.00.

ENCROACHMENT RIGHT-OF-WAY AGREEMENT WITH STATE HIGHWAY DEPARTMENT.

Upon motion made by Councilman Beasley, seconded by Councilman Ross, the Mayor and Clerk were authorized to execute the standard encroachment right-of-way agreement with the State Highway Department in connection with the laying of the water line to the new Munitions Plant, covering two sections of road between the City limits and the Plant.

CONTRACT FOR PRINTING WATER BILLS.

Bids having been received on printing 250,000 water bills, the low bid out of six being that of Huneycutt Printing Company, upon motion of Councilman Beasley, seconded by Councilman Slye, award of contract for this printing was made to the Huneycutt Printing Company, at a net delivered price of \$261.20, and the Mayor and Clerk were authorized to sign the same.

PURCHASE OF FLOURESCENT LIGHTS.

Upon motion of Councilman Beasley, seconded by Councilman Daughtry, the Mayor and Clerk were authorized to sign a contract with the Mill Power Supply Company, for 12 No. 1200 Miller Fluorescent Lights, in the sum of \$277.92.

FIRE HOSE TO BE PURCHASED FOR STREET MAINTENANCE DEPARTMENT.

Mr. Flack reported that the Street Maintenance Department was in need of 200 feet of 2-1/2 inch fire hose, which purchase could only be made from Eureka Fire Hose Division, United States Rubber Company, with the A-10 rating which the City is able to give, and upon motion of Councilman Ward, duly seconded by Councilman Ross and carried, authority was given for this purchase at a net delivered price of \$120.00; payment for same to be made from the Water Department Emergency Fund.

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ENVELOPES FOR HEALTH DEPARTMENT.

Upon motion made by Councilman Slye, seconded by Councilman Baker and carried, authority was given for the purchase of 12,500 printed, stamped envelopes, amounting to \$305.60, from the Post Office Department, for the City Health Department.

CONTRACT FOR FENCE AROUND FILTER PLANT TO BE EXECUTED.

The City Council having authorized, on July 15th., a contract with the Allison Fence Company to furnish and erect a fence around the Filter Plant, at a price of \$1,424.86, and the Legal Department ruling later that advertisement was necessary, the City Manager reported that this had now been done and that the bid received was in the sum of \$1,424.86. Thereupon, Councilman Ward moved that contract be executed by the City of Charlotte with the Allison Fence Company for furnishing this fence, at the price above quoted, and that the Mayor and Clerk sign the contract on behalf of the City.

APPROPRIATIONS FROM EMERGENCY FUND.

Upon motion of Councilman Ross, seconded by Councilman Baker, appropriation from the Emergency Fund to the following indicated items in the amounts shown, was authorized:

Temporary help at Incinerator	\$57.20
Scythe - heretofore authorized	155.75
Ramp for old Rock Quarry	51.00

WAR TRANSPORTATION COMMITTEE EXPENDITURES REPORTED.

As a matter of information, the City Manager reported that \$413.12 has been paid out and charged to the budget set up for War Transportation Committee.

MAYOR TAKES OVER CHAIR.

At this point in the meeting, Mayor Curris, who had just arrived a short time before, took over the chair from Mayor Pro Tem Albee.

SPECIAL JOINT MEETING WITH COUNTY OFFICES AND STATE MERIT SYSTEM REPRESENTATIVES TO BE HELD ON SEPTEMBER 2nd. AT 5 O'CLOCK P. M.

The City Manager stated that Mr. McAden, Chairman of the Board of County Commissioners, had invited the City Council to meet in joint session with his Board to hear Dr. Fox on a discussion of the Merit System, on September 2nd., and after some discussion as to the hour for holding this meeting, upon motion made by Councilman Price, seconded by Councilman Baker and carried, the hour of 5 o'clock P. M., was set for this joint meeting; the date being September 2, 1942.

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STREET DANCE - SEPTEMBER 1st WEST THIRD STREET.

At the request of a representative of the War Activities Committee of the Motion Picture Industry, and upon motion of Councilman Little, duly seconded by Councilman Albea and carried, the Charlotte Junior Chamber of Commerce was granted permission to put on a street dance in the first block of West Third Street, from 9:30 P.M. to 11:30 P. M., September 1st., for the benefit of War Bonds and Stamps; the street to be roped off for this period of time.

AN ORDINANCE TO AMEND THE BUILDING ORDINANCE ADOPTED OCTOBER 30, 1940.

The following ordinance was read by the Clerk and upon motion of Councilman Albea, seconded in each instance by Councilman Ross, was unanimously adopted on three readings, and declared by the Mayor to be an ordinance of the City of Charlotte.

**AN ORDINANCE TO
AMEND THE BUILDING ORDINANCE ADOPTED
OCTOBER 30, 1940.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, N. C.:

Section 1. That Section 8 of Chapter 1 of the Building Ordinance adopted October 30, 1940, be and it is amended by striking same and substituting therefor the following:

"Section 8. Penalties for Violation. Any person, firm or corporation violating, or failing, refusing or neglecting to comply with any provision or requirement of any section or subsection of this ordinance, or permitting any violation, or failure refusal or neglect to comply therewith, shall be subject to, and shall pay, a penalty of Fifty (\$50) Dollars for each and every offense, but the judgment for any penalty may be reduced or wholly or partly remitted by the Recorder of the City of Charlotte as he may deem just in any case tried before him, or by any other court before which an action is brought to recover such penalty where such court has jurisdiction of such action. Each day that any breach or violation of, or any failure to comply with, any provision or requirement of any section or subsection of this ordinance continues, or is allowed to continue, shall constitute, and is hereby declared to be, a separate and distinct offense; but nothing contained in this section, or this ordinance, shall be construed to relieve, or shall have the effect of relieving, any offender of any fine, imprisonment or penalty for repeated violations on any one day".

Section 2. All ordinances and clauses of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall take effect from and after its passage.

APPROVED AS TO FORM:

Tillett & Campbell
City Attorneys

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AN ORDINANCE REPEALING LICENSE TAX ON TRANSIENT PHOTOGRAPHERS.

Upon motion of Councilman Hovis, seconded in each instance by Councilman Daughtry, the following ordinance was read and passed upon three readings, and declared by the Mayor to be an ordinance of the City of Charlotte:

AN ORDINANCE
REPEALING LICENSE TAX ON TRANSIENT
PHOTOGRAPHERS.

WHEREAS, the Council adopted an Ordinance September 19, 1934 levying a tax upon transient photographers and imposing other requirements and, whereas, under the existing State Revenue Act cities are forbidden to tax this trade and, whereas, it is desirable to repeal the above stated ordinance in order that it may be omitted from the forthcoming City Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, N. C.:

Section 1. That the ordinance taxing and imposing restrictions upon transient photographers adopted September 19, 1934, be, and same hereby is, repealed.

Section 2. This ordinance shall take effect from and after its passage.

APPROVED AS TO FORM:

Tillett & Campbell
City Attorneys

AN ORDINANCE REPEALING THE BEVERAGE CONTROL ORDINANCE ADOPTED APRIL 29, 1933.

In order to clarify the records of the City for the forthcoming City Code, the following ordinance was introduced and upon motion of Councilman Slye, seconded by Councilman Beasley on each reading, the ordinance was unanimously adopted on three readings and declared by the Mayor to be an ordinance of the City of Charlotte:

AN ORDINANCE
REPEALING THE BEVERAGE CONTROL ORDINANCE
ADOPTED APRIL 29, 1933.

WHEREAS, under date of April 29, 1933 the Council adopted a Beverage Control Ordinance, which was amended on the 10th day of May, 1933 and, whereas, the said ordinance has been superseded and rendered obsolete by the State Beverage Control Act of 1939, as amended, and it is, therefore, desirable to repeal the City's Beverage Control Ordinance in order that it may be omitted from the forthcoming City Code;

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NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, N. C.:

Section 1. That the Beverage Control Ordinance adopted April 29, 1933 and thereafter amended be, and the same hereby is, repealed.

Section 2. This ordinance shall take effect from and after its passage.

APPROVED AS TO FORM:

Tillett & Campbell
City Attorneys

CEMETERY DEEDS.

Upon motion of Councilman Little, seconded by Councilman Albea, the following cemetery deeds were approved:

A. T. Lawing, Jr., Lot No. 310, Section "Y", Elmwood Cemetery	\$35.00
W. S. Wood, " " 316, " "Y", " "	35.00

Transfer of 1/2 Half of Lot No. 39 "U", Elmwood Cemetery from V. R. Niven to Harry W. Jarrett	1.00
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(By this transfer the entire lot now becomes the property of Harry W. Jarrett, no specific half having been assigned to each purchaser at the time it was bought).

ADJOURNMENT.

Upon motion of Councilman Little, duly seconded by Councilman Ross and carried, the meeting adjourned.

Alice B. McPherson
City Clerk