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The regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Tuesday, April 23, 1946, with Mayor Baxter presiding, and Councilmen Childs, Hinson, Johnston, Newson, Puette and White present.

Absent: Councilman McIntyre.

INVOCATION.

The invocation was given by the Reverend J. Walton Stewart, Pastor of The Plaza Presbyterian Church.

MINUTES APPROVED.

Upon motion of Councilman Hinson, seconded by Councilman Newson, the minutes of the last meeting were approved as read.

REQUEST OF MRS. M. C. MCCALL THAT SALE OF PROPERTY AT 1724-26 PEGRAM STREET BE RESCINDED. MATTER REFERRED TO CITY ATTORNEY AND CITY TREASURER.

Mrs. M. C. McCall appeared before Council and requested that the confirmation of sale of tax foreclosed property located at 1724-26 Pegram Street to W. J. Hilton, by Council on April 16, 1946, be rescinded and that her bid on said property be reconsidered. Following a discussion of the subject, Mayor Baxter referred the matter to the City Attorney and City Treasurer.

RECESS TAKEN AT 4:20 p.m. - RECONVENED AT 4:40 p.m.

At the request of Mayor Baxter the Council recessed to the office of the Mayor at 4:20 p.m. They returned to the Council Chamber at 4:40 p.m., and the Mayor again called the meeting to order.

PRELIMINARY REPORT OF ZONING COMMISSION ACCEPTED, AND COMMISSION AUTHORIZED TO PROCEED UNDER REGULATIONS OF STATE ENABLING ACT.

Councilman Newson moved that the Preliminary Report of the Zoning Commission be accepted and they be authorized to proceed under the regulations set forth in the State Enabling Act. Motion seconded by Councilman Johnston, and unanimously carried.

PLAZA HEIGHTS SUBDIVISION APPROVED.

Councilman Puette moved that the Plaza Heights Subdivision, situated between Drummond Avenue and Plaza Road, submitted by John Crosland Company, and approved by the Planning Board, be approved by the Council. Motion seconded by Councilman Childs, and unanimously carried.

CONTRACT FOR PARKING METERS AUTHORIZED PAID AND ASSIGNMENT ACCEPTED.

Motion was made by Councilman Childs that payment be authorized to Michaels Art Bronze Company for 360 parking meters and freight thereon, amounting to \$17,223.43, under contract dated January 2, 1946, and that assignment of said contract to the First National Bank & Trust Company of Covington, Ky., be accepted. Motion seconded by Councilman Puette, and unanimously carried.

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AUTHORIZATION OF CONTRACT TO CREECH MOTORCYCLE COMPANY FOR TWO SERVI-CAR MOTORCYCLES RESCINDED, AND NEW CONTRACT AWARDED.

Councilman Hinson moved that authorization of contract with Creech Motorcycle Company for two servi-car motorcycles at \$824.00 on April 9, 1946 be rescinded, and a contract for two solo motorcycles at \$824.00 be awarded in lieu thereof. Motion seconded by Councilman Johnston, and unanimously carried.

CONTRACT FOR WATER MAIN CONSTRUCTION IN PERRIN PLACE AUTHORIZED.

Motion was made by Councilman Puette that contract be authorized with Mr. Tom Q. McGee, Spartanburg, S. C., for the construction of a 6-inch water main in Perrin Place, at an estimated cost of \$1,209.43, under the city's usual policy, and that the deposit be returned to Mr. McGee when the annual revenue equals \$60.00. Motion seconded by Councilman Childs, and unanimously carried.

CONTRACT FOR SANITARY SEWER LINES IN FORDHAM AND BETHEL ROADS AUTHORIZED.

Councilman Hinson moved that contract be authorized with Carolina Home Builders, Inc., for the construction of sanitary sewer lines in Fordham and Bethel Roads, at an estimated cost of \$3,170.20 for the street sewer lines and \$4,001.25 for the outfall line, under the usual terms and conditions, as recommended by the City Manager and approved by the City Attorney. Motion seconded by Councilman Childs, and unanimously carried.

COMMISSIONERS' AWARD AUTHORIZED PAID TO CLERK OF SUPERIOR COURT IN SUIT OF CITY VS. M. LEE HEATH RELATIVE TO MIDWOOD SECTION SEWERS.

Councilman Childs moved that the City Treasurer be authorized to pay the Commissioners' award, amounting to \$135.50, to the Clerk of Superior Court of Mecklenburg County, involved in suit of City vs. M. Lee Heath regarding Midwood Section sewers. Motion seconded by Councilman Hinson and unanimously carried.

CONTRACTS AUTHORIZED.

Councilman Hinson moved that the following contracts be authorized, and funds appropriated if necessary. Motion seconded by Councilman Puette and unanimously carried:

- a. Contract with Dorr Company, for parts for flocculator at the Filter Plant, in the amount of \$256.45.
- b. Contract with McWane Cast Iron Pipe Company for 15,624 feet of 2-inch pipe, at \$4,887.19.
- c. Contract with Standard Oil Company for 14,199 gallons of gasoline at \$2,116.29.

SPECIAL OFFICER PERMIT GRANTED JAMES THOMAS MOORE.

Upon motion of Councilman Johnston, seconded by Councilman Hinson, a special officer permit was unanimously granted to James Thomas Moore, on the premises of Charlotte Memorial Hospital.

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TILLET & CAMPBELL, ATTORNEYS, APPOINTED TO REPRESENT CITY IN SUIT OF SHORE & WILSON AGAINST CITY AND PARK & RECREATION COMMISSION.

Upon motion of Councilman Puette, seconded by Councilman Childs, unanimous consent of Council was given the City Attorney to present the following matter:

Mr. Shaw stated that Messrs. W. T. Shore and T. C. Wilson have instituted suit against the City and the Park & Recreation Commission for the recovery of certain lands within the Revolution Park area on the grounds of an alleged violation on the part of the city of the condition of conveyance of title. Mr. Shaw recommended that Tillett & Campbell, Attorneys, be appointed to represent the city in the suit. Councilman White moved that Tillett & Campbell be appointed, and the amount of their fee be determined upon completion of the case.

APPOINTMENT OF AVIATION COMMITTEE.

Mayor Baxter announced the appointment of an Aviation Committee as recommended by the City Council and Chamber of Commerce, to secure additional airline transportation for Charlotte, particularly east-west service, as follows:

J. L. Wilkinson
Robert Lassiter, Sr.
H. B. Campbell
Geo. M. Ivey
R. W. Flack
J. C. Erwin

SALE OF CEMETERY LOTS AUTHORIZED.

Councilman Hinson moved that the Mayor and Clerk be authorized to execute deeds for the sale of the following cemetery lots, and perpetual care thereon. Motion seconded by Councilman Childs, and unanimously carried.

Mrs. R. C. McClain, Lot 300, Section Y, Elmwood Cemetery, \$35.00.
C. L. Clark and wife, Dagmer L. Clark, Lots 91 and 92, Section Z, Elmwood Cemetery, \$70.00.
E. F. Skidmore and Sarah S. Skidmore, Lot 93, Section Z, Elmwood Cemetery, \$35.00.
J. D. Tucker and wife, Myrtle S. Tucker, Lot 32, Section Z, Elmwood Cemetery, \$38.85.
Mr. and Mrs. E. C. Marshall, Lot 66, Section L-Annex, Elmwood Cemetery, \$180.00.
Perpetual Care on Lot 66, Section L-Annex, Mr. and Mrs. E. C. Marshall, \$100.00.
Mrs. Fanny Erwin and Mrs. Louise E. Lambe, Lot 52, Section L-Annex, Elmwood Cemetery, \$180.00.
Perpetual Care on Lot 52, Section L-Annex, Mrs. Fanny Erwin and Mrs. Louise E. Lambe, \$100.00.
Mrs. Effie Pugh Berryhill, Lot 84, Section L-Annex, Elmwood Cemetery, \$180.00.
Perpetual Care on Lot 84, Section L-Annex, Elmwood Cemetery, Mrs. Effie Pugh Berryhill, \$100.00.
Mrs. Cornelia Dowd Jones, Lot 96, Section L-Annex, Elmwood Cemetery, \$90.00.
Perpetual Care on Lot 96, Section L-Annex, Mrs. Cornelia Dowd Jones, \$50.00.

ADJOURNMENT.

Councilman Hinson moved that the meeting be adjourned to meet at 10 o'clock a.m., on April 25, 1946, in the Commissioners' Room in the Mecklenburg County Court House. Motion seconded by Councilman Newson, and unanimously carried.

City Clerk