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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, May 21, 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 C. A. Bachman, Pastor, First Church of God.

MINUTES APPROVED.

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

REQUEST OF OPTIMIST CLUB FOR CONSTRUCTION OF SEWER IN NORTH BREVARD STREET TO DRAIN PARK PROPERTY REFERRED TO APPRAISAL COMMITTEE.

The request of the Optimist Club, by Mr. J. B. Vogler, that the city construct a sewer in North Brevard Street to eliminate storm and drain water from flooding the Recreation Park was referred to the Appraisal Committee for recommendation.

REQUEST THAT CITY CONSTRUCT SANITARY SEWER IN ROSLYN AVENUE REFERRED TO APPRAISAL COMMITTEE.

The Mayor referred to the Appraisal Committee for recommendation the request of Mr. B. O. Johnson, that the city pay the entire cost, estimated at \$460.00, of constructing a sanitary sewer to his house now being erected on Roslyn Avenue.

OFFER OF FRANK JONES TO PURCHASE MELLON PROPERTY ON NORTH POPLAR STREET REFUSED.

Mr. Frank Jones, Realtor, made a verbal offer of \$35,000.00 with a \$500.00 binder, for the Mellon Property and adjoining vacant lot on North Poplar Street, on which bids were received at public auction May 20, 1946. Mr. Jones was advised the City could not accept his offer without a 5% deposit as required by law. Mr. Jones stated he was not interested in that arrangement.

SALE OF TAX FORECLOSED PROPERTY CONFIRMED.

Councilman Newson reported that the following tax foreclosed property was sold at public auction on May 6, 1946 and has remained open for 10 days without an upset bid:

209-10 State Street, high bid of C. H. Robinson	\$450.00
228-30 State Street, high bid of O. B. Ellis	517.00
1729-39 South Tryon Street, high bid of Bayne and Schnedl	4,050.00

Councilman Newson moved that the sales be confirmed. Motion seconded by Councilman Johnston, and unanimously carried.

TAX FORECLOSED PROPERTY AUTHORIZED ADVERTISED FOR SALE.

Councilman Newson reported that the Appraisal Committee recommended that the following tax foreclosed property be advertised for sale upon receipt of bona fide offers, accompanied by 5% deposit, and no bids be accepted

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for less than \$1,000.00:

Corner lot at the southwest intersection of North Tryon Street and Duls Lane, adjoining Southern Railway Property, containing 0.0812 acres, more or less, which was deeded to the City by Osmond L. Barringer and wife.

Councilman Hinson moved that the property be advertised for sale as recommended. Motion seconded by Councilman Childs, and unanimously carried.

RESOLUTION ACCEPTING DEED OF MCCOY MORETZ AND WIFE TO PROPERTY AT 2334 HUTCHINSON AVENUE IN EXTINGUISHMENT OF TAX AND PAVING LIENS.

Upon motion of Councilman Childs, seconded by Councilman Johnston, the following resolution was unanimously adopted:

RESOLUTION AUTHORIZING ACCEPTANCE OF DEED OF MCCOY MORETZ AND WIFE TO PROPERTY AT 2334 HUTCHINSON AVENUE IN EXTINGUISHMENT OF TAX AND PAVING LIENS.

WHEREAS, McCoy Moretz and wife, Virginia B. Moretz, are the owners in fee simple of Lot 23, Block 2, as shown on map of Graham Heights recorded in Map Book 3, pages 42 and 43, of the Registry for Mecklenburg County, which is located at No. 2334 Hutchinson Avenue in the City of Charlotte free and clear of liens and encumbrances except City taxes, principal and interest, in the amount of \$52.12, County Taxes, principal and interest, in the amount of \$24.45, Special Assessment Account No. 24822 in the principal amount of \$196.71, with interest thereon from on or about December 18, 1929, and accrued court costs in Tax Suit No. 293 in the amount of approximately \$10.00; and whereas, said McCoy Moretz and wife have proposed, pursuant to the provisions of Section 52 of the Charter of the City of Charlotte, to execute and deliver their deed conveying said property to said City, subject to the lien of County taxes, in extinguishment of all liens of said City against said property and of costs accrued in the aforesaid tax suit; and whereas, the said property is assessed for taxation at a valuation of \$85.00 and its fair market value is in excess of the aggregate of the tax liens of both City and County and the aforesaid costs in the approximate amount of \$87.00.

RESOLVED, THEREFORE, that the City of Charlotte accept the proposed deed and that the City Accountant and the City Treasurer be, and they hereby are, authorized and directed to issue checks in payment of City and County taxes and accrued court costs; that the City Accountant be, and he hereby is, authorized and directed to set the property up on the real estate records of the City at a value equal to the aggregate amount of said checks, and that the aforesaid special assessment account be charged to the City.

RESOLUTION ACCEPTING RESIGNATION OF AIRPORT COMMISSION, AND AUTHORIZING THE ESTABLISHMENT OF AN AIRPORT ADVISORY COMMITTEE.

Upon motion of Councilman Childs, seconded by Councilman Hinson, the following resolution was unanimously adopted:

RESOLUTION ACCEPTING RESIGNATION OF THE AIRPORT COMMISSION OF THE CITY OF CHARLOTTE AND AUTHORIZING THE ESTABLISHMENT OF AN AIRPORT ADVISORY COMMITTEE.

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

Section 1. That the resignation of Messrs. J. C. Erwin, C. P. Street and H. B. Campbell, as the Airport Commission of the City of Charlotte, North Carolina, be and the same is hereby accepted.

Section 2. That the Airport Commission of the City of Charlotte,

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North Carolina, is hereby abolished.

Section 3. That the City Manager of the City of Charlotte, North Carolina, be and he is hereby authorized and directed to appoint an Airport Committee, consisting of three (3) members, to serve in an advisory capacity to the Manager of Douglas Municipal Airport (Morris Field), the City Manager and the City Council of the City of Charlotte, for the betterment of aviation and air transport for the City of Charlotte, without compensation.

REPORT REGARDING HOUSES IN PINEVILLE ROAD WITHOUT SEWER CONNECTION.

The City Manager reported that the Health Department, Sanitation Division, was investigating the matter of the two houses in Pineville Road not being connected to a sanitary sewer, as reported by Mr. W. H. Spoon, and that the proper orders will be issued relative thereto.

PAVING OF FORDHAM ROAD APPROVED AS REQUESTED BY MARSH REALTY COMPANY.

Councilman Childs moved that the request of Marsh Realty Company be approved that the city repave Fordham Road, from West Boulevard to the city limits, the applicant to furnish the cost of materials, at \$1.60 per foot, estimated to cost \$1,568.00, and the city to furnish labor and equipment. Motion seconded by Councilman Johnston, and unanimously carried.

BAY STREET APPROVED FOR PAVING AS REQUESTED BY DWIGHT L. PHILLIPS.

Councilman Hinson moved that the request of Mr. Dwight L. Phillips be approved that the city repave Bay Street, from Bascom Street to Wyanoke Street, the applicant to furnish the cost of materials, at \$1.60 per foot, estimated to cost \$3,200.00, and the city to furnish labor and equipment. Motion seconded by Councilman Childs, and unanimously carried.

RESOLUTION CONCERNING PEASE & COMPANY SEWERAGE CONTRACT.

Councilman White moved the adoption of the following resolution. Motion seconded by Councilman Childs, and unanimously carried:

RESOLUTION CONCERNING PEASE
AND COMPANY SEWERAGE CONTRACT.

BE IT RESOLVED that the City Manager be and he hereby is authorized and directed to request J. N. Pease & Company, in accordance with their existing contract with the City, to prepare (1) a formula in connection with the maximum caustic content of industrial waste that may be discharged into the sewerage system of the City of Charlotte, (2) Plans and specifications for the Sugaw Creek Outfall from Princeton Avenue to the northern limit; and (3) Plans and specifications for the first addition to Irwin Creek Plant.

Said services to be paid for from the proceeds of bond sale.

RESOLUTION WITH RESPECT TO PEASE & COMPANY WATER CONTRACT.

Councilman Childs moved the adoption of the following resolution. Motion seconded by Councilman Puette, and unanimously carried:

RESOLUTION WITH RESPECT TO
PEASE & COMPANY WATER CONTRACT.

BE IT RESOLVED that the City Manager be and he is hereby authorized and directed to request J. N. Pease & Company, in accordance with their existing contract with the City to prepare detailed working drawings and specifications, including cost estimates in connection therewith, with respect to:

The City's Catawba River Pumping Station and raw water lines from

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such station to the City's Oakdale raw water storage reservoir and also in connection with filter plant additions to the water supply system of the City.

Said services to be paid for from the proceeds of bond sale.

APPLICATIONS FOR LICENSE TO CONDUCT PRIVATE DETECTIVE AGENCIES GRANTED.

Councilman Hinson moved that the applications of Wm. C. Timmons, Jr., and Daniel E. McShane for city license to conduct private detective agencies be granted. Motion seconded by Councilman Johnston, and unanimously carried.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO CITY MANAGER'S CAPITAL OUTLAY ACCOUNT AUTHORIZED.

Motion was made by Councilman White that \$46.00 be transferred from the Emergency Fund to the City Manager's Office Capital Outlay Account. Motion seconded by Councilman Johnston, and unanimously carried.

PURCHASES AND CONTRACTS AUTHORIZED.

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

- (a) 5,000 stamped envelopes for Tax Department, in the sum of \$168.44.
- (b) 70 Meter Yokes from Ford Meter Box Company, in the sum of \$101.50, for Water Department.
- (c) 22 Searifier Teeth for Caterpillar on the Dragline, from North Carolina Equipment Company, in the sum of \$106.15.
- (d) One DeLaval Special Impeller for sewage pump at Sugaw Creek Disposal Plant from J. R. Purser, Sales Engineer, at \$186.00.
- (e) Two Tapping Sleeves and Valves for Water Department from A. P. Smith Mfg. Company, at a net delivered price of \$189.10.

ENCROACHMENT AGREEMENTS WITH STATE HIGHWAY DEPARTMENT AUTHORIZED.

Councilman Puette moved that the following encroachment agreements with the State Highway Department be authorized. Motion seconded by Councilman Johnston, and unanimously carried:

- (a) 8-inch water main under Albemarle Road, to Country Club Hills subdivision, W. T. Minor owner.
- (b) Water main under Newberry Street, G. C. Stafford, owner.

CONTRACTS AUTHORIZED FOR EXTENSION OF WATER MAINS.

Motion was made by Councilman Childs that contracts be authorized for the extension of the following water mains. Motion seconded by Councilman Hinson, and unanimously carried:

- (a) With Belvedere Hosiery Company, for water main extension on Ferry Road, 750 feet, applicant to pay all costs at \$1,920.00.
- (b) With O. E. Mathis, for 2" water main extension on applicant to pay all costs.

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- (c) With W. R. and G. T. James, for water main in Enderly Road East, 340 feet, applicant to pay all costs estimated at \$167.00.
- (d) With J. S. Spurrier, for water main in "Country Side" subdivision, 2000 feet, estimated to cost \$1,482.00, applicant to pay all costs.
- (e) With C. D. Spangler, trading as Sunset Hills Development Co., for 6-inch water main in "Sunset Hills" subdivision, 1780 feet, estimated to cost \$3,128.00, with a guaranteed annual revenue of 10% of cost.

SPECIAL OFFICER PERMIT GRANTED MILES A. EASTWOOD.

Upon motion of Councilman Childs, seconded by Councilman Hinson, a Special Officer Permit was unanimously granted Miles A. Eastwood, for use at Griffith Park, as requested by Mr. Phillip Howser.

COUNTY APPROPRIATIONS FOR 1946-47 FOR CITY HEALTH DEPARTMENT AND FOR FIRE PROTECTION OUTSIDE CITY LIMITS.

The City Manager reported that the result of his conference with Mecklenburg County Commissioners relative to their appropriation for 1946-47 for the City Health Department and for Fire Protection Outside the city limits was as follows:

The County agreed to appropriate \$25,000.00 as its share of the cost of the City Health Department for 1946-47.

That the County's contract with the City for Fire Protection was increased from \$25.00 to \$50.00 per call outside the city limits, and the stand-by charge of \$200.00 to remain as for previous years.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO CITY CLERK'S BUDGET AUTHORIZED.

Upon motion of Councilman Puette, seconded by Councilman Hinson, the City Manager was given the unanimous consent of Council to present the following item not included on today's Docket:

That \$498.40 be transferred from the Emergency Fund to the City Clerk's Budget to cover publication of the Revenue Ordinance.

Councilman Childs moved that \$498.40 be transferred as requested. Motion seconded by Councilman Hinson, and unanimously carried.

VOTE OF THANKS GIVEN C. W. GILCHRIST FOR SERVICE AS CHAIRMAN OF THE PLANNING BOARD.

Councilman Newson moved that a unanimous vote of thanks be given Mr. C. W. Gilchrist for the splendid service he has rendered the City during his term of office as Chairman of The Planning Board. Motion seconded by Councilman Childs, and unanimously carried.

COMMITTEE APPOINTED TO RECOMMEND POLICY REGARDING EMPLOYEES WHO HAVE REACHED RETIREMENT AGE.

Mayor Baxter appointed Councilmen Childs and Hinson as a Special Committee to study the City's Retirement System and recommend a policy with regard to the employees who have reached retirement age.

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SUPPLEMENTAL CONTRACT AUTHORIZED WITH E. J. HANSON, JR.

Mr. John Shaw, City Attorney, stated that Mr. E. J. Hanson, Jr., had completed his work in connection with the transfer of Morris Field to the City, and had submitted his final bill. He presented the following resolution which was then read:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

That a supplemental contract be authorized in connection with the contract between E. J. Hanson, Jr., and the City of Charlotte, dated January 30, 1946, for services in connection with negotiations by and on behalf of the City of Charlotte in connection with Morris Field, to increase the amount of \$3,500.00 in Line 5, on Page 2 of said contract, to \$4,050.00 and that said additional amount of \$550.00 be appropriated for such purpose from non-tax funds of the City of Charlotte.

Councilman White moved the adoption of the foregoing resolution. Motion seconded by Councilman Hinson, and unanimously carried.

REVENUE ORDINANCE FOR FISCAL YEAR 1946-47 ADOPTED.

The Revenue Ordinance for the fiscal year, July 1, 1946 through June 30, 1947 was presented and read. Councilman Newson moved the adoption of the ordinance as presented. Motion seconded by Councilman Puette, and unanimously carried. Ordinance is recorded in full in Ordinance Book 9, beginning at Page 345.

CEMETERY LOTS AUTHORIZED FOR SALE.

Councilman Hinson moved that the Mayor and City Clerk be authorized to execute deeds for the sale, and transfer; of the following cemetery lots. Motion seconded by Councilman Childs, and unanimously carried:

- G. L. Huss and wife, Mary Mullen Huss, Lot 77, Section L-Annex, Elmwood Cemetery, \$149.40.
- Perpetual Care on Lot 77, Section L-Annex, Elmwood Cemetery, G. L. Huss and wife, Mary Mullen Huss.
- G. G. Bost and wife Jessie Shaw Bost, Lot 98, Section L-Annex, Elmwood Cemetery, \$90.00.
- Perpetual Care on Lot 98, Section L-Annex, Elmwood Cemetery, G. G. Bost and wife, Jessie Shaw Bost.
- Transfer of Lot 2-A, Section BB, Elmwood Cemetery, from L. W. Goodwin and wife, Mrs. Annie May Goodwin, to J. K. Gilbert, \$1.00.
- Perpetual Care on Lot 2-A, Section BB, Elmwood Cemetery, J. K. Gilbert, \$44.00.
- Perpetual Care on Lot 6-Fraction, Section R, Elmwood Cemetery, C. L. Wyatt, \$118.50.
- Perpetual Care on Lot 63, Section S, Elmwood Cemetery, John F. Boyd, \$144.00.
- Transfer of West Portion of Lot 17-Fraction, Section F, Pinewood Cemetery, from Francina Bailey, widow of C. B. Bailey, to Mrs. Nannie Leary, \$1.00.
- Francina Bailey, East Portion of Lot 17-Fraction, Section F, Pinewood Cemetery, \$1.00.
- Mrs. Hattie Horton, Lots 78 and 79; Section Z, Elmwood Cemetery, \$70.00.

ADJOURNMENT.

Upon motion of Councilman Hinson, seconded by Councilman Johnston, the meeting was adjourned.

Lillian R. Huffman
City Clerk