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A regular meeting of the City Council of the City of Charlotte North Carolina, was held in the Council Chamber of the City Hall, on Wednesday, July 13, 1955, at 4 o'clock p.m. with Mayor Van Every presiding and Council members Albea, Baxter, Brown, Dellinger, Evans, and Smith being present.

ABSENT: Councilman Wilkinson

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Smith, seconded by Councilman Brown, and unanimously carried, the Minutes of the regular meeting on July 6, 1955 were approved as submitted.

RESIDENTS OF MORNINGSIDE DRIVE EXPRESS APPROVAL OF PROPOSED STREET IMPROVEMENTS IF NO ASSESSMENTS MADE AGAINST PROPERTY OWNERS.

Mr. Harry F. Luecke, 1300 Morningside Drive, representing twenty property owners residing on Morningside Drive (a list of whom he filed with the City Clerk) stated they do not seek nor desire the widening and extension of the street as they enjoy the quietness of the dead-end street which is free of unusual traffic; that they are definitely of the opinion that the improvement will not be advantageous to the residents; however, in the interest of progress and the probable need for the street to be connected with Independence Boulevard, they will offer no objections, provided there are no assessment against them for the improvements.

Mayor Van Every and the City Attorney explained the legal requirements for such street improvements; that the property fronting on the street must be appraised before and after the improvements are made by a Board of Appraisers, appointed by the Council, who determine what, if any, benefit is realized by the property owner, and the assessment is made accordingly.

CONTRACT AWARDED BLYTHE BROS. CONSTRUCTION COMPANY FOR PAVING PARKING AREA AT AUDITORIUM-COLISEUM.

Upon motion of Councilman Baxter, seconded by Councilman Albea, and unanimously carried, contract was awarded Blythe Bros. Construction Company for paving the parking area at the Auditorium-Coliseum, at a total price of \$155,442.00.

CONTRACT AWARDED AMERICAN SEATING COMPANY FOR STEEL FOLDING CHAIRS FOR AUDITORIUM-COLISEUM.

Councilman Smith moved the award of contract to the low bidder, American Seating Company for Steel Folding Chairs for the Auditorium-Coliseum, at a total price of \$14,700.36. The motion was seconded by Councilman Baxter.

Mr. W. M. Fowler, whose company submitted a bid of \$14,890.00, stated that he objects to the award of the contract to the American Seating Company at a price of \$14,700.36, as the bid of this company as read by Mr. Odell, Architect, at the Letting was \$16,400.00, and their Alternate Bid of \$14,700.36 was not read. He stated further that it was the belief of his Company following the Letting that their bid of \$14,890.00 was low and they feel that the contract should be awarded them.

Mr. Odell, Auditorium-Coliseum Architect, stated that he is of the opinion that all bids, both base bids and alternates were read aloud, however, through an oversight it is possible that the alternate bid of the American Seating Company could have been overlooked; however, he announced at the Letting, both before and after the bids were opened, that anyone could see the bids at any time, both at the Letting or afterwards in his office. That the Tabulation Sheets recorded at the Letting lists the alternate bid in question.

Councilman Dellinger asked if the bid of the Fowler Company is the low bid other than the alternate bid of the American Seating Company, and Mr. Odell replied that it is. Councilman Dellinger then asked the City Attorney if it is not his ruling that bids must be received and read at the Letting. Mr. Shaw, City Attorney, stated this is true, however Mr. Odell states if the alternate bid was overlooked, it was due to the complexity of the bids and that the bid meets the specifications and all bids were made open to the bidders.

Mr. Fowler stated further that the bid of \$16,400.00 is on the sample submitted by the American Seating Company and they have not submitted a sample on the Alternate Bid. Mr. Odell stated that before the bids were opened he announced that anyone having samples in addition to those already submitted, should wait and submit them after the bids were opened.

A vote was then taken on the motion to award the contract to the American Seating Company, and carried, with the votes cast as follows:

YEAS: Councilmen Smith, Baxter, and Brown.

NAYS: Councilmen Dellinger, Albea, and Evans.

Mayor Van Every breaking the tied vote by voting YEA.

CONTRACT AWARDED SICO DEVELOPMENT COMPANY FOR PORTABLE SEATING PLATFORMS FOR AUDITORIUM-COLISEUM.

Upon motion of Councilman Brown, seconded by Councilman Baxter, and unanimously carried, contract was awarded the low bidder, Sico Development Company, for Portable Seating Platforms for the Auditorium-Coliseum, at a total price of \$23,592.11.

CONTRACT AWARDED F. E. ROBINSON COMPANY FOR PORTABLE LIGHTING EQUIPMENT AT THE AUDITORIUM-COLISEUM

Councilman Baxter moved that contract be awarded the low bidder, F. E. Robinson Company, for Portable Lighting Equipment at the Auditorium-Coliseum, at a total price of \$3,360.00. The motion was seconded by Councilman Albea, and unanimously carried.

CONTRACT AWARDED KNOXVILLE SCENIC STUDIOS FOR FOLLOW SPOTLIGHTS AT THE AUDITORIUM-COLISEUM.

Motion was made by Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, awarding contract to the low bidder, Knoxville Scenic Studios, for Follow Spotlights at the Auditorium-Coliseum, at a total price of \$24,000.00

CONTRACT AWARDED SPENCER DISPLAY FOR SCOREBOARDS AT THE AUDITORIUM-COLISEUM

Upon motion of Councilman Smith, seconded by Councilman Dellinger, and unanimously carried, contract was awarded the low bidder, Spencer Display, for scoreboards at the Auditorium-Coliseum, at a total price of \$7,276.00.

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CONTRACT AWARDED SOUTHERN FLOORING & ACOUS. FOR PORTABLE BASKETBALL FLOORS AT THE AUDITORIUM-COLISEUM.

Motion was made by Councilman Brown, seconded by Councilman Smith, and unanimously carried, awarding contract to the low bidder, Southern Flooring & Acous. for Portable Basketball Floors at the Auditorium-Coliseum, at a total price of \$12,518.00.

BIDS ON CONCESSION EQUIPMENT FOR AUDITORIUM-COLISEUM REJECTED AND NEW BIDS AUTHORIZED RECEIVED BOTH ON FULL EQUIPMENT AND ON FULL EQUIPMENT LESS THE FOUNTAIN.

Councilman Baxter requested that Mr. Stanton Pickens be permitted to submit a proposal relative to the fountain equipment for the Concession in the Auditorium.

Mr. Pickens advised that in lieu of the soda fountain being purchased by the City for the Auditorium, which is included in the bids on Concession Equipment, the Charlotte Coca-Cola Bottling Company, which he represents, would like to save the City some money and install in the Auditorium, without cost to the City, their new drink-dispensing device. Mr. Pickens stated further that the City would not need to carry any fountain stock nor make any inventory. That their Company will see to it that the supplies are always on hand, and the storage necessary will be nominal. That they will supply any kind of drink desired from their fountain, not just Coca-Cola.

Councilman Albea asked if the machine would belong to the City of Charlotte, or if the Coca-Cola Company would be at liberty to remove it they so desired? Mr. Pickens stated it would be the property of the City, that their Company would, of course, have to service it at all times.

Mayor Van Every asked what would happen if the City decided they did not like it and wished the machine removed? Mr. Pickens stated the Company would remove the machine at their own expense - that all they are trying to do is save the City some money.

Mr. Odell, Architect for the Auditorium-Coliseum, stated that the Building Committee considered all types of fountain equipment; they decided to operate out of bottles in the Coliseum, as is done in the larger coliseums; however, they felt it would be much nicer to have a dispensing machine or fountain in the Auditorium. That \$2,780.00 was included in the Concession Equipment estimate for the Auditorium fountain and a savings of around \$1,800.00 would be realized if the Coca-Cola equipment is accepted; however, it would mean the City would be restricting its purchase of cold drinks to the Coca-Cola Company; therefore, there are advantages and disadvantages to the proposition.

Councilman Brown stated he would prefer the Building Committee making a firm recommendation in the matter. Mr. Odell replied that the Committee has done so on their Bid Form in recommending that the Concession Equipment be purchased from the low bidder, Grant E. Key, at a price of \$15,049.29.

Mayor Van Every called attention to the fact that the original bid of Grant E. Key was \$28,464.00 and after negotiations by the Building Committee, (which is legally permissible with the low bidder) the bid has been reduced to \$15,049.29.

Mr. Wm. E. Poe, Attorney for Smith-Wadsworth Hotel Supply Company stated they submitted a bid on the Concession Equipment and it was the low bid, and it is now understood their bid is considered irregular and will not be considered and the Company wished to know the reason.

Mr. Ward of the Smith-Wadsworth Company stated their bid was properly submitted and was \$4,000.00 low on the Base bid and on the Alternate. That Mr. Odell states their equipment does not meet the specifications. That they contend their equipment is equal to that called for in the specifications and that theirs is the low bid and they feel that the Architect has no right to negotiate for a lesser price than that bid by the opposing company.

Mr. Odell stated that the specifications called for a complete stainless steel fountain with four handles whereas the bid of Smith-Wadsworth Company is for a 2-handle fountain with only the top of stainless steel. That on the number of handles alone the bid is irregular. That the bid of Grant E. Key was and is low, and that after the opening of the bids Mr. Key wrote that they had made an error in their Alternate Bid which would reduce it by \$6,000.00, which was certainly acceptable to the Committee. That in further negotiations with the low bidder, the bid was further reduced and ended up at a total price of \$15,049.29. That the Committee and he think the equipment of Grant E. Key will best serve the City's needs and that it meets the specifications in every detail.

Mr. Poe stated if the drink-dispensing machine of the Coca-Cola Company is accepted by the City, then Smith-Wadsworth Company should be allowed to submit a new bid exclusive of the machine; also, that in accepting the Coca-Cola Company machine, the basis for their bid being irregular would be removed.

Mr. A. D. Beam, manufacturer of the machine on which Smith-Wadsworth Company submitted a bid, stated it is true their machine has only the two handles, ^{but} the machine will supply three different drinks from one handle or two drinks and club soda; too, their machine will produce drinks as fast as the Coca-Cola Company's machine.

Mr. J. B. Eudy, representative of Grant E. Key, stated it would be false economy to accept the Coca-Cola machine as the main revenue received from the operation of the building will be from the Concessions, and, in fact the fountain will pay for itself in a few short weeks, not months; that their machine is of stainless steel, with four handles and with a three-gallon tank inside the collar; that the City would be buying the best fountain on the market in the purchase of their machine. That no matter what machine is used, storage is necessary; however, their fountain will require less storage space as their containers are smaller than those of the Coca-Cola Company.

Mr. Yancey, City Manager, stated it is his impression that at the time the bids were received, there is no doubt but that the bid of Smith-Wadsworth Company was irregular, but by some act committed today, the Council could make it necessary to readvertise for bids.

Councilman Albea stated that as he has said to the Council before, he is opposed to accepting free donations from any person or company.

Mr. Odell stated that the unit on which the bid of Smith-Wadsworth Company is submitted will definitely not do the job required; that the Company states they can put extra handles on their machine, but that was not provided for in the specifications.

Councilwoman Evans moved that all bids on the Concession Equipment be rejected and be readvertised. The motion was seconded by Councilman Albea.

Councilman Dellinger offered a substitute motion that we accept the low bid of Grant E. Key in toto. The motion was seconded by Councilman Brown, and lost, with the votes cast as follows:

YEAS: Councilmen Dellinger and Brown.

NAYS: Councilmen Baxter, Smith, Albea, and Evans.

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Councilman Brown offered a substitute motion that action in the matter be deferred for two weeks, which was lost for lack of a second.

Mr. Odell stated it is necessary that the Committee be instructed as to who will furnish the fountain units; that the Building Committee agrees if the City accepts the Coca-Cola Company's offer, then the remainder of the equipment should be readvertised, otherwise, they highly recommend that the bid of Grant E. Key be accepted.

The vote was then taken on the main motion that all bids be rejected and be readvertised, and carried, with the votes cast as follows:

YEAS: Councilmen Evans, Albea, Baxter, and Smith.

NAYS: Councilmen Brown and Dellinger.

Councilman Smith then moved that bids be received on the full equipment and also alternate bids eliminating the fountain. The motion was seconded by Councilman Baxter, and unanimously carried.

CONTRACT AWARDED F. E. ROBINSON COMPANY FOR EXTERIOR LIGHTING AT THE AUDITORIUM-COLISEUM.

Motion was made by Councilman Baxter, seconded by Councilwoman Evans, and unanimously carried, awarding contract to the low bidder, F. E. Robinson Company, for Exterior Lighting at the Auditorium-Coliseum, at a price of \$21,119.00.

CONTRACT AWARDED WIL-KIN THEATRE SUPPLY FOR DRAPERY FOR THE AUDITORIUM-COLISEUM.

Upon motion of Councilman Dellinger, seconded by Councilman Baxter, and unanimously carried, contract was awarded Wil-Kin Theatre Supply for Drapery for the Auditorium-Coliseum, at a price of \$1,441.00.

ORDINANCE NO. 270-X RELATIVE TO THE ADOPTION OF THE APPROPRIATION BUDGET FOR THE FISCAL YEAR 1955-56.

An ordinance entitled: "Ordinance No. 270-X Relative to the Adoption of the Appropriations Budget for the Fiscal Year 1955-56" was introduced and read. Councilman Dellinger moved the adoption of the ordinance, which was seconded by Councilman Brown, and unanimously carried. Upon the foregoing recorded vote, the ordinance was duly adopted, and declared to be the Budget Appropriation Ordinance of the City of Charlotte for the fiscal year 1955-56. The ordinance is recorded in full in Ordinance Book 11, at Page 434.

ORDINANCE NO. 271-X FIXING THE TAX RATE FOR THE CITY OF CHARLOTTE FOR THE FISCAL YEAR 1955-56 AND LEVYING A TAX UPON ALL REAL AND PERSONAL PROPERTY LOCATED WITHIN THE LIMITS OF THE CITY OF CHARLOTTE FOR SAID FISCAL YEAR.

An ordinance entitled: "Ordinance No. 271-X Fixing the Tax Rate for the City of Charlotte for the Fiscal Year 1955-56 and Levying a Tax upon all Real and Personal Property located within the limits of the City of Charlotte for said Fiscal Year" was introduced and read. Councilman Brown moved the adoption of the ordinance, which was seconded by Councilman Baxter, and unanimously carried. The ordinance is recorded in full in Ordinance Book 11, at Page 436.

RESOLUTION REQUESTING THE ADVISORY COMMITTEE OF THE CITY HEALTH DEPARTMENT TO ASSIST IN PLANNING THE NEW HEALTH CENTER BUILDING.

A resolution entitled: "Resolution Requesting the Advisory Committee of the City Health Department to Assist in Planning the New Health Center Building" was introduced and read. Councilman Baxter moved the adoption of the resolution, which was seconded by Councilwoman Evans, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 321.

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CLAIMS OF ISIDORE BUCKHANTZ AND JOHN B. THOMPSON REFERRED TO CITY ATTORNEY.

Upon motion of Councilman Smith, seconded by Councilman Albea, the following claims for injuries were referred to the City Attorney:

- (a) Claim of Isidore Buckhantz for \$3,000.00 for injuries sustained on April 29, 1955 alleged to have been caused by falling on broken pavement in the sidewalk on the north side of West Sixth Street.
- (b) Claim of John B. Thompson for \$25,000.00 for injuries sustained on May 21, 1955 alleged to have been caused by falling over cracked pavement in the sidewalk at 911 South Tryon Street.

COLLECTOR OF REVENUE AUTHORIZED TO CHARGE OFF AND CANCEL CERTAIN DELINQUENT PERSONAL PROPERTY TAXES WHICH DEPARTMENT HAS BEEN UNABLE TO COLLECT.

Motion was made by Councilman Albea, seconded by Councilman Brown, and unanimously carried, authorizing the Collector of Revenue to cancel and charge off certain delinquent personal property taxes for the year 1953, in the total amount of \$612.85, in order to clear the records, which he has been unable to collect due to being unable to locate the persons owing the accounts.

STREETS TAKEN OVER FOR CITY MAINTENANCE.

Upon motion of Councilman Dellinger, seconded by Councilwoman Evans, and unanimously carried, the following streets were taken over for city maintenance:

- (a) Wickham Lane, from Norwich Place to dead-end.
- (b) Chelveston Drive, from Wilmount Road to Walton Road.
- (c) Norwich Place, from Walton Road to dead-end.
- (d) Walton Road, from Wilmount Road to dead-end.
- (e) Idlewood Circle, from Yale Place south to dead-end.
- (f) Marlwood Terrace, from Idlewood Circle west to dead-end.

CONTRACT WITH DUKE POWER COMPANY FOR LIGHTING INDEPENDENCE BOULEVARD FROM EAST MOREHEAD STREET NORTH TO CITY LIMITS AUTHORIZED ON JUNE 15, 1955 RESCINDED, AND NEW CONTRACT APPROVED.

Councilman Dellinger moved that contract authorized on June 15, 1955 with Duke Power Company, for lighting Independence Boulevard from East Morehead Street north to the city limits, be rescinded, and a new contract be approved with the Power Company with a reduction of eight 6000-lumen lamps and seven 15,000-lumen lamps from the number authorized in the former contract. The motion was seconded by Councilman Smith, and unanimously carried.

BIDS RECEIVED ON CRUSHED STONE ON JULY 8, 1955 REJECTED AND THE READVERTISEMNT FOR NEW BID AUTHORIZED.

Upon motion of Councilman Smith, seconded by Councilman Baxter, and unanimously carried, the Bid received on Crushed Stone on July 8, 1955 was rejected as recommended by the City Manager and authority was given to readvertise for new bids.

CONTRACT AWARDED CROWDER CONSTRUCTION COMPANY FOR STREET IMPROVEMENTS ON PROVIDENCE ROAD.

Councilman Baxter moved that contract be awarded the low bidder, Crowder Construction Company, for street improvements on Providence Road, as specified, on a unit price basis, representing a total price of \$72,343.00. The motion was seconded by Councilman Dellinger, and unanimously carried.

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PLAT OF FORSYTHE SUBDIVISION APPROVED.

Upon motion of Councilwoman Evans, seconded by Councilman Smith, and unanimously carried, the Plat of Forsythe Subdivision was approved, as recommended by the Planning Commission.

SUPPLEMENTARY CONTRACT TO CONTRACT DATED APRIL 29, 1952 WITH BOB ALLEN AGENCY APPROVED, FOR CONSTRUCTION OF ADDITIONAL WATER MAINS IN GRAHAM HEIGHTS.

Motion was made by Councilman Smith, seconded by Councilman Baxter, and unanimously carried, authorizing a supplementary contract with Bob Allen Agency, to contract dated April 29, 1952, for the construction of 1,360-feet of additional water mains and 2 fire hydrants in Graham Heights, at an estimated cost of \$3,400.00. All costs to be borne by the City, and the applicant to guarantee a gross annual water revenue equal to 10% of the cost.

CONSTRUCTION OF SANITARY SEWER IN LAMAR AVENUE AUTHORIZED.

Councilman Dellinger moved approval of the construction of 69-feet of sanitary sewer main in Lamar Avenue, at an estimated cost of \$140.00 and the City to bear all costs. The motion was seconded by Councilman Baxter, and unanimously carried.

ACTION ON JUNE 29, 1955 ADOPTING RESOLUTION FIXING DATE OF HEARING ON JULY 27TH ON PETITION OF GEORGE S. GOODYEAR AND WIFE FOR ANNEXATION OF PROPERTY IN SHARON TOWNSHIP, RESCINDED.

Motion was made by Councilman Smith, seconded by Councilman Baxter, and unanimously carried, rescinding action on June 29th adopting a resolution fixing the date of hearing on July 27, 1955 on the petition of George S. Goodyear and wife for the annexation of property in Sharon Township, due to an error by the newspaper in the publication on the designated dates.

RESOLUTION WITH REFERENCE TO PETITION OF GEO. S. GOODYEAR AND WIFE, FOR THE ANNEXATION OF CERTAIN PROPERTY IN SHARON TOWNSHIP, FIXING DATE OF HEARING ON AUGUST 10, 1955.

A resolution entitled: "Resolution with Reference to a Petition of Geo. S. Goodyear and wife, for the annexation of certain property in Sharon Township, Fixing the date of hearing on August 10, 1955" was introduced and read. Councilman Albea moved the adoption of the resolution, which was seconded by Councilman Baxter, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 322.

TRANSFER OF CEMETERY LOTS.

Upon motion of Councilman Dellinger, seconded by Councilman Smith, and unanimously carried, the Mayor and City Clerk were authorized to execute deeds for the transfer of the following cemetery lots:

- (a) Deed with Miss Hazel Gardner, for Grave #3 in Lot 117 and Grave #1 in Lot 118, in Evergreen Cemetery, at \$80.00.
- (b) Deed with Mrs. Minnie Harvell, for Grave #2 in Lot 118, Section 3, Evergreen Cemetery, at \$40.00.

RESOLUTION AUTHORIZING ACTING CHIEF BUILDING INSPECTOR TO POSTPONE ENFORCEMENT ACTION IN CONNECTION WITH NURSING HOMES FOR TWO WEEKS.

A resolution entitled: "Resolution Authorizing Acting Chief Building Inspector to Postpone Enforcement Action in Connection with Nursing Homes for Two Weeks", was introduced and read. Councilman Dellinger moved the adoption of the resolution, which was seconded by Councilwoman Evans, and unanimously carried. The Resolution is recorded in full in Resolutions Book 2, at Page 323.

FUNDS APPROPRIATED TO MEMORIAL HOSPITAL AUTHORITY FOR PREPARATION OF PRELIMINARY ARCHITECTURAL PLANS AND SPECIFICATIONS FOR ADDITION TO HOSPITAL.

Councilman Baxter moved the acceptance of the following resolution, whereby Memorial Hospital Authority agrees to prepare plans and specifications for additional hospital facilities, and further moved that \$15,000.00 of non-tax funds from the Emergency Fund be appropriated to the Authority to be spent and called for as required in the preparation of the said plans. The motion was seconded by Councilwoman Evans, and unanimously carried:

R E S O L U T I O N

WHEREAS, pursuant to the authority vested in the City Council of the City of Charlotte by an Act adopted by the General Assembly of the State of North Carolina at the 1955 Session, the City Council of the City of Charlotte by a resolution adopted at its regular meeting on June 22, 1955 requested the Charlotte Memorial Hospital Authority to have architectural plans and specifications prepared for additional hospital facilities in the City of Charlotte, and

WHEREAS, said request was submitted to the Board of Commissioners of the Charlotte Memorial Hospital Authority as its regular monthly meeting which was duly called and held on July 7, 1955, and

WHEREAS, after due consideration, the Board of Commissioners of the Charlotte Memorial Hospital Authority has determined that the preparation of such preliminary architectural plans and specifications would be to the best interests of the City of Charlotte;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Charlotte Memorial Hospital Authority does accede hereby to the request of the City Council of the City of Charlotte and agrees to undertake the preparation of preliminary architectural plans and specifications for additional hospital facilities to be located in the City of Charlotte, and

BE IT RESOLVED FURTHER, that the Board of Commissioners of the Charlotte Memorial Hospital Authority hereby requests the City of Charlotte to allocate to it the sum of \$50,000.00 with which to defray the costs of the preparation of such preliminary architectural plans and specifications, and

BE IT RESOLVED FURTHER, that the Executive Committee of the Board of Commissioners of the Charlotte Memorial Hospital Authority, together with any and all committees appointed for the purpose of having said preliminary architectural plans and specifications prepared by, and they are empowered hereby, to do any and all things necessary or convenient to effectuate the preparation and completion of such preliminary plans and specifications.

PAYMENT AUTHORIZED TO MITCHELL, PERSHING, SHETTERLY AND MITCHELL, ATTORNEYS FOR LEGAL SERVICES IN CONNECTION WITH ISSUANCE OF LIBRARY BONDS.

Upon motion of Councilman Baxter, seconded by Councilman Smith, and unanimously carried, the payment of \$1,391.21 was authorized to Mitchell, Pershing, Shetterly & Mitchell, Bond Attorneys, for legal services in connection with the issuance of the \$800,000.00 Library Bonds.

CONSTRUCTION OF SANITARY SEWER IN RUSSELL AND DEAN STREETS AUTHORIZED.

Councilman Smith moved approval of the construction of 2,487-feet of sanitary sewer main and trunk in Russell and Dean Streets, to serve eight family units and 50 vacant lots, at an estimated cost of \$9,090.00. The City to finance all costs and the applicant, Ervin Construction Company, to make the required deposit of \$6,790.00; same to be refunded as per terms of the contract. The motion was seconded by Councilman Dellinger, and unanimously carried.

SETTLEMENT OF CLAIM OF BOYD B. HILL FOR DAMAGES TO TIRE.


Upon motion of Councilman Smith, seconded by Councilwoman Evans, and unanimously carried, the settlement of Claim of Mr. Boyd B. Hill, for damages to his car tire in the amount of \$20.00, was authorized as recommended by the City Attorney and City Manager.

RESOLUTION WITH REGARD TO PLACING FOOTINGS UNDER SIDEWALK ADJACENT TO BUILDING OF THE HAWTHORNE MEDICAL CENTER, INC. ON HAWTHORNE LANE.

A resolution entitled: "Resolution with regard to Placing Footings under Sidewalk Adjacent to Building of the Hawthorne Medical Center, Inc. on Hawthorne Lane", was introduced and read. Councilman Baxter moved the adoption of the resolution on its first reading, which was seconded by Councilman Dellinger, and unanimously carried. The resolution is recorded in full in Resolutions Book 2, at Page 324.

ADJOURNMENT.

Upon motion of Councilman Smith, seconded by Councilman Baxter, and unanimously carried, the meeting was adjourned.



Lillian R. Hoffman
City Clerk