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A regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Wednesday, August 6, 1947, with Mayor Baxter presiding, and Councilmen Albea, DeLaney, Jordan, McKee, Lambeth and White present.

Absent: Councilman Childs.

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MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, the minutes of the last meeting, held on July 30, 1947, were approved as submitted.

AN ORDINANCE ALLOCATING SPACE IN THE ARMORY TO THE NATIONAL GUARD.

An ordinance entitled, AN ORDINANCE AMENDING AN ORDINANCE PERTAINING TO THE MANAGEMENT AND OPERATION OF THE ARMORY AUDITORIUM BY THE CHARLOTTE PARK AND RECREATION COMMISSION, was presented and read. Councilman Jordan moved the adoption of the ordinance as presented. Motion seconded by Councilman DeLaney, and unanimously carried. The ordinance is recorded in full in Ordinance Book 9, beginning at Page 459.

RESOLUTION MEMORIALIZING PARK & RECREATION COMMISSION TO MAKE AVAILABLE LANDS FOR BUILDING PURPOSES.

A resolution entitled, RESOLUTION MEMORIALIZING THE PARK & RECREATION COMMISSION TO MAKE AVAILABLE LANDS FOR BUILDING PURPOSES, was presented and read. Motion was made by Councilman McKee, seconded by Councilman White, and unanimously carried, that the resolution be adopted as presented. Resolution is recorded in full in Resolution Book 1, at Page 50.

CONTRACT AUTHORIZED WITH ARCHITECT, TO BE ENGAGED BY CITY MANAGER, FOR NEW RECREATIONAL BUILDING.

Councilman White moved that the City Manager be authorized to engage an Architect to prepare the plans and specifications for the new Recreational Building, and that the Mayor and City Clerk be authorized to execute a contract for same. Motion seconded by Councilman Albea, and unanimously carried.

ORDINANCE AMENDING THE MILK ORDINANCE TO PROVIDE FOR PASTEURIZATION.

An ordinance entitled, AN ORDINANCE AMENDING THE MILK ORDINANCE TO PROVIDE FOR PASTERURIZATION OF MILK SOLD IN CHARLOTTE ON OR AFTER NOVEMBER 1, 1947, was presented and read.

Dr. Bethel, Health Officer, explained in detail the need for the adoption of this measure, citing the authorities of the various medical organizations and public health services declaring this need and that the dairymen themselves recognized the fact that this would eventually come to pass. Mr. Joe Boyles stated he felt that to pass such an ordinance so quickly would be unfair to him and that it would force him out of business. He requested that the ordinance allow sufficient time to determine whether he could afford to put in pasteurization equipment.

Councilman Jordan moved that the effective date of the ordinance be changed from November 1, 1947 to January 1, 1948, and that the ordinance be adopted. Motion seconded by Councilman White, and unanimously carried. Ordinance is recorded in full in Ordinance Book 9, at Page 460.

## CONTRACT WITH STATE HIGHWAY COMMISSION FOR RIGHT OF WAY FOR WATER MAIN.

Councilman McKee moved that the Mayor and City Clerk be authorized to execute a contract with the State Highway and Public Works Commission for right-of-way for the construction of a 1-inch pipe line for water services across State Highway Route #74, 2.26 miles west from Charlotte, to serve the home of Mrs. J. H. Pruette whose property abuts on Wilkinson Boulevard. Motion seconded by Councilman Jordan, and unanimously carried.

## CONTRACT WITH STATE HIGHWAY COMMISSION FOR RIGHT-OF-WAY FOR WATER MAIN.

Motion was made by Councilman McKee, seconded by Councilman DeLaney, and unanimously carried, authorizing the Mayor and City Clerk to execute a contract with the State Highway & Public Works Commission for right-of-way for the construction of a 1-inch pipe line for water services across State Highway #21, approximately 1/4 miles southwest of Charlotte, to serve the property of G. W. Gabriel.

## SETTLEMENT OF CLAIM FOR DAMAGES TO CAR AND PERSONAL INJURIES, WITH MARION F. AND JOHN T. JAILLETTE.

Councilman White moved that payment of \$200.00 be made to Marion F. Jaillette and Franklin Fire Insurance Company covering damages to automobile, and \$9.00 to John T. Jaillette in settlement of doctor's bill for personal injuries, both arising out of a collision with a City Garbage Truck on April 16, 1947. Motion seconded by Councilman DeLaney, and unanimously carried.

## RESOLUTION AUTHORIZING LEASING OF AIRPORT BUILDING TO CHARLOTTE CHAPTER, AIR RESERVE AND/OR 323 TROOP CARRIER SQUADRON AND TO THE FEDERAL GOVERNMENT.

A resolution entitled, RESOLUTION AUTHORIZING THE LEASING OF BUILDING AT DOULGAS MUNICIPAL AIRPORT TO CHARLOTTE CHAPTER AIR RESERVE AND/OR 323 TROOP CARRIER SQUADRON AND TO THE FEDERAL GOVERNMENT, was introduced and read. Councilman Lambeth moved the adoption of the resolution as presented. Motion seconded by Councilman Albea, and unanimously carried. Resolution is recorded in full in Resolution Book 1, at Page 51.

## CONSTRUCTION OF SANITARY SEWER IN EAST 25th STREET.

Councilman Albea moved the authorization of the construction of a sanitary sewer in East 25th Street, from Sugaw Creek Trunk Line, 191-feet east towards North Davidson Street, at an estimated cost of \$269.72, to serve one house already constructed, and that applicant's deposit of \$69.72 be refunded if and when one additional house is connected to the sewer. Motion seconded by Councilman DeLaney, and unanimously carried.

## REMOVAL OF TREES AT NORTH TORRENCE STREET, BETWEEN EAST 5th AND PARK DRIVE.

Motion was made by Councilman Albea that Mr. Thomas Cavalaris be granted permission to remove three trees from the sidewalk area in front of his property at North Torrence Street, between East Fifth Street and Park Drive. Motion seconded by Councilman Jordan, and unanimously carried.

## APPOINTMENT OF L. L. LEDBETTER TO PERFORM DUTIES OF CITY MANAGER DURING ABSENCE OF MANAGER.

Councilman Jordan moved that Mr. L. L. Ledbetter be appointed to perform the duties of the City Manager during the absence of the Manager for the usual vacation period beginning August 11th. Motion seconded by Councilman McKee, and unanimously carried.

## PAYMENT OF ANNUAL SERVICE FEE TO NORTH CAROLINA LEAGUE OF MUNICIPALITIES.

Upon motion of Councilman White, seconded by Councilman Albea, payment of \$845.00 to the North Carolina League of Municipalities covering their annual service fee for the fiscal year 1947-48, was unanimously authorized.

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#### CONTRACTS FOR PURCHASES.

Upon motion of Councilman White, seconded by Councilman Albea, and unanimously carried, the following contracts, and the allocation of funds therefor if necessary, were authorized;

- (a) Contract with the International Harvester Company, for two  $1\frac{1}{2}$ -ton trucks, at \$1,409.60, or a total amount of \$2,819.20.
- (b) Contract with the International Harvester Company, for two  $1\frac{1}{2}$ -ton trucks, cab and chassis complete, for \$2,909.20.
- (c) Contract with Baker Equipment Company for two specially constructed steel bodies complete, with 6" hoist mounted on 156" wheel base trucks, in the amount of \$1,560.00, and one steel body with 6" hoist installed on chassis, in the amount of \$406.00.
- (d) Contract with the Pettit Motor Company, for one 1947 Ford Tudor, in the sum of \$1,355.11.
- (e) Contract with the North Carolina Equipment Company for two Elevator Belt Assemblies, complete at \$495.00 each, in the total amount of \$990.00.
- (f) Contract with the Pomona Terra Cotta Company, for 1,500 feet of 8-inch Terra Cotta Pipe, in the sum of \$577.50.

#### REQUEST FOR USE OF ARMORY FOR FOOD SHOW.

Mr. J. B. Vogler petitioned the Council for the use of the Armory for a Food Show on March 17th through March 27th. He was advised by the Mayor that the Armory would still be under the supervision of the Park and Recreation Commission, with the exception of the basement and main auditorium for two days a week. Mr. Yancey, City Manager, advised Mr. Vogler that if he would write him a letter giving the dates for the Show, that he would take it up with the Commandar of the National Guard Unit and get a definite commitment one way or the other and notify him.

#### UNANIMOUS CONSENT GIVEN PRESENTATION OF ITEMS NOT DOCKETED.

Upon motion of Councilman White, seconded by Councilman Albea, and unanimously carried, the unanimous consent of Council was given for the presentation of the following item by the City Attorney.

#### RESOLUTION RELATIVE TO OPERATION OF WATER LINES IN MARSH ESTATES.

A resolution entitled, A RESOLUTION RELATIVE TO THE OPERATION OF WATER LINES IN MARSH ESTATES, was presented by the City Attorney and read. Councilman Lambeth moved the adoption of the resolution. Motion seconded by Councilman White, and unanimously carried. Resolution is recorded in full in Resolution Book 1, at Page 51.

#### REPORT ON CONFERENCE WITH DUKE POWER COMPANY OFFICIALS RELATIVE TO BUS SERVICE.

Councilman DeLaney reported that his Committee met with representatives of the Duke Power Company and were advised that some new buses were on order with delivery promises in November; that with this exception the Power Company Officials were not very comittal and that the Committee would continue to function to seek greater cooperation.

#### CEMETERY DEEDS.

Upon motion of Councilman Albea, seconded by Councilman McKee, the Mayor and City Clerk were authorized to execute deeds for the following cemetery lots:

- (a) Mr. L. E. Martin, Lot 238, Section 3, Evergreen Cemetery, at \$99.45.
- (b) Mr. James C. Warren, Jr., Lot S.W. Portion #417, Section D-Annex, Elmwood Cemetery, transferred from Mr. and Mrs. J. H. Tucker.

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- (c) Mr. John Hoover Tucker, Lot N. W. Portion and entire east portion #41-F, Section D-Annex, Elmwood Cemetery, transferred the southwest portion and retaining the remainder.

ADJOURNMENT.

Upon motion of Councilman Albea, seconded by Councilman Jordan, the meeting was adjourned.

  
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Acting City Clerk