

Minute Book No. 10
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The City Council met at 4 o'clock P. M. Wednesday, July 21, 1943, in the Council Chamber, City Hall, in regular session, with Mayor Baxter presiding and the following members of the Council present: Councilman Albea, Atkins, Baker, Bullard, Cope, Hovis, Painter, Price, Slye and Ward.

Absent: Councilman Daughtry

On motion of Councilman Baker, seconded by Councilman Albea, and carried, the minutes of the previous meeting were approved as read.

ADOPTION OF THE BUDGET ORDINANCE FOR THE FISCAL YEAR 1943-1944.

The appropriation budget for the fiscal year 1943-1944 was presented for adoption, as follows:

AN ORDINANCE
 RELATIVE TO THE ADOPTION OF THE APPROPRIATION
 BUDGET FOR THE CITY OF CHARLOTTE FOR THE FISCAL
 YEAR 1943-1944.

WHEREAS, the following appropriation budget has been prepared and submitted to the Mayor and City Council of the City of Charlotte and has been considered and studied by the Mayor and each of the Councilmen, the City Manager and the Municipal Accountant; and,

WHEREAS, the law requires that this appropriation budget be adopted by the governing body of the City of Charlotte not later than the fourth Monday in July;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, pursuant to a regular meeting of the City Council held in the Council Chamber, at 4:00 o'clock P. M., on the 21st day of July 1943;

Section 1. That there is hereby set aside and appropriated from the funds on hand and current revenues received and to be received during the fiscal year 1943-1944, for the maintenance and operation of the general government of the City of Charlotte, and its various subdivisions or departments, and for the payment of its bonded indebtedness, the following amounts of money, and the payment of said sums are hereby authorized for the items herein set out:

CITY OF CHARLOTTE
 BUDGET APPROPRIATIONS
 July 1, 1943 to June 30, 1944

PURPOSE	FUND	EXPENDITURES		BUDGET
		1941-1942	1942-1943	1943-1944
<u>OPERATING & MAINTENANCE</u>				
	General Fund	1,238,254.62	1,316,250.85	1,500,853.41
	Water & Sewer Fund	331,828.15	345,367.70	375,027.60
Total Operating & Maintenance		1,570,082.77	1,661,618.55	1,875,881.01
<u>CAPITAL OUTLAY</u>				
	General Fund	95,672.22	21,121.41	81,198.50
	Water & Sewer Fund	40,524.81	14,918.70	11,615.00
Total Capital Outlay		136,197.03	36,040.11	92,813.50

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DEBT SERVICE

Municipal Debt Service Fund	450,530.80	351,021.98	360,051.69
Water & Sewer Debt Service Fund	376,179.10	409,318.03	336,625.21
Total Debt Service	826,709.90	760,340.01	696,676.90
Total	2,532,989.70	2,457,998.67	2,665,371.41

CITY OF CHARLOTTE
BUDGET REQUIREMENTS
JULY 1, 1943 to JUNE 30, 1944

<u>FUND</u>	<u>REVENUES REALIZED</u>		<u>BUDGET</u>
	<u>1941-1942</u>	<u>1942-1943</u>	<u>1943-1944</u>
<u>REVENUES</u>			
General Fund	1,423,303.15	1,540,341.58	1,581,151.91
Water & Sewer Fund	440,709.27	416,326.69	386,642.60
Total	1,864,012.42	1,956,668.27	1,967,794.51
Municipal Debt Service Fund	477,449.82	369,502.01	360,051.69
Water & Sewer Debt Service Fund	384,707.23	419,020.41	336,625.21
TOTAL	862,157.05	788,522.42	696,676.90
TOTAL REVENUES	2,726,169.47	2,745,190.69	2,664,471.41

SALE OF CAPITAL ASSETS

General Fund	4,687.54	401.47	900.00
Water & Sewer Fund	456.34	38.67	.00
Total Sale of Capital Assets	5,143.88	440.14	900.00
TOTAL	2,731,313.35	2,745,630.83	2,665,371.41

Upon motion of Councilman Hovis, seconded by Councilman Slye and carried, the foregoing ordinance, together with the budget as submitted by the Municipal Accountant, was read and passed; the votes cast were as follows:

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Councilman Albea	AYE
Councilman Atkins	AYE
Councilman Baker	AYE
Councilman Bullard	AYE
Councilman Cope	AYE
Councilman Hovis	AYE
Councilman Painter	AYE
Councilman Price	AYE
Councilman Slye	AYE
Councilman Ward	AYE

Upon the foregoing recorded vote the ordinance was duly adopted and declared to be the appropriation budget ordinance of the City of Charlotte for the fiscal year 1943-1944.

AN ORDINANCE

ENTITLED: "AN ORDINANCE FIXING THE TAX RATE FOR THE CITY OF CHARLOTTE FOR THE FISCAL YEAR 1943-1944 AND LEVYING A TAX UPON ALL REAL AND PERSONAL PROPERTY LOCATED WITHIN THE LIMITS OF THE CITY OF CHARLOTTE FOR SAID FISCAL YEAR".

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, N. C., in regular session, this the 21st day of July, 1943:

Section 1. That for the purpose of defraying the general expenses of the City of Charlotte for the fiscal year 1943-1944; for the paying of interest accrued or to accrue; the retirement of maturing bonds, additions to the sinking funds; for the partial operation of schools; for the Charlotte Park and Recreation Commission, and Industrial Home, there is hereby levied upon all real and personal property located within the limits of the City of Charlotte, North Carolina, the following rates of taxation:

(a) For general government purposes .9032 on the One Hundred Dollars valuation of real and personal property and a tax on polls of \$1.00 each.

(b) For the payment of interest, the retirement of maturing bonds and additions to sinking funds of the general government debt and street bonds .1172 on the One Hundred Dollars valuation of real and personal property.

(c) For the payment of interest, the retirement of maturing bonds and additions to sinking funds on sewerage bonds .0 on the One Hundred Dollars valuation of real and personal property, and .03 per lineal foot frontage of real estate of each respective owner having sewerage lines in front of said property or which is being served by the City sewerage.

(d) For the payment of interest, the retirement of maturing bonds and additions to sinking funds on school bonds .0366 on the One Hundred Dollars valuation of real and personal property.

(e) For the partial operation of schools .25 on the One Hundred Dollars valuation of real and personal property.

(f) For the use of the Charlotte Park and Recreation Commission .02 on the One Hundred Dollars valuation of real and personal property.

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(g) For the upkeep and maintenances of the Industrial Home .0030 on the One Hundred Dollars valuation of real and personal property.

Section 2. The City Tax Collector, or Collector of Revenue of the City of Charlotte is hereby authorized, empowered and directed to proceed to collect taxes levied upon all real and personal property located within the City of Charlotte, based upon the foregoing rates; provided that on all taxes paid there shall be added interest at the rate allowed by law.

Section 3. The City Treasurer is hereby authorized, empowered and directed to apportion the funds coming into his hands from taxes collected for the fiscal year 1943-1944, according to the rates and classifications fixed in Section 1 hereof.

Section 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall become effective immediately upon its adoption and shall be published one time in The Charlotte Observer.

Upon motion of Councilman Slye, seconded by Councilman Baker, the foregoing ordinance was unanimously adopted, and declared to be an ordinance of the City of Charlotte, effective immediately upon adoption.

Ratified this the 21st day of July, 1943.

Lillian R. Hoffman
Acting City Clerk

APPROVED AS TO FORM:

C. W. Tillett
City Attorney

Published in The Charlotte Observer July 24, 1943.

VOTE OF THANKS TO BUDGET COMMITTEE AND ASSISTANTS.

Councilman Ward moved that a vote of thanks be given the Budget Committee, and their Assistants, for the fine work ^{done} in connection with preparing the budget for the year 1943-1944; motion seconded by Councilman Albea and unanimously carried.

Bids on Fire Truck.

The City Manager stated bids were received on a Fire Truck on July 14th as follows:

American-La France Foamite Corp.	Net bid	\$ 9,545.67
Mack Manufacturing Corp.	Net bid	\$ 8,692.45
The Seagrave Corp.	Net bid	\$ 8,771.00

He read a letter from Chief Palmer recommending the purchase of the American-LaFrance Foamite Corp. truck. Mr. Ewell, representing Mack Manufacturing Corp. then stated his was the low bid and his was a local concern who had submitted a very low bid hoping to secure the business. Mr. Stewart representing The Seagrave Corp. stated he learned that the American-LaFrance Foamite Corp. had submitted a supplementary letter to their bid, and, therefore,

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his company had submitted a similar letter taking off certain items, thereby reducing their bid. He urged the Council to consider awarding the contract to his company as their bid was lower than that of the American-LaFrance Foamite Corp. Chief Palmer then stated the form of all three bids received were acceptable to the City Attorneys. Councilman Albea made a motion, which was duly seconded by Councilman Bullard, that the recommendation of Chief Palmer be accepted in awarding the contract. Councilman Baker made a substitute motion that since there appeared to be a cloud over the entire transaction that all bids be rejected and the City readvertise for bids on the fire truck. Motion seconded by Councilman Atkins and unanimously carried.

RESOLUTION REGARDING EXTENSION OF EAST STONEWALL STREET.

On motion of Councilman Baker, seconded by Councilman Price, the following resolution was passed ^{on its first reading} with Councilman Atkins voting against the motion:

WHEREAS, the Park & Recreation Commission has purchased certain property adjacent to Pearl Street and has begun to develop plans for the establishment of a park upon said property and, whereas, there is no paved street running in any direction which will connect this park with any nearby paved street and it is, therefore, desirable and in the public interest that a street be constructed through a corner of the said park for the purpose of connecting the said park with the paved portion of East Stonewall St. on the one side and Baldwin St., a paved street, on the other, and, whereas, such a street is also desirable by reason of the fact that there is now no thoroughfare east and west between Morehead St. on the south and 4th Street on the north, and, whereas, the Thompson Orphanage has donated to the City an easement over its property for use in connection with such a street, deed for same being recorded in the office of the Register of Deeds for Mecklenburg County in Book 1092, page 209, and, whereas, in order to connect the present eastern terminus of Stonewall St. with the easement described in the aforesaid deed a right of way will have to be acquired by purchase or condemnation over certain intervening property and a bridge will have to be constructed over Sugaw Creek and, whereas, a suit has been instituted in the Superior Court of Mecklenburg County entitled: John M. Dudley, et als, v. City of Charlotte and Charlotte Park & Recreation Commission, and a part of the relief sought therein is an injunction restraining the City from constructing the proposed street, it being alleged in the complaint filed in the said action that it is the intention of the City to do certain acts and things in connection with the proposed street, and, whereas, in order properly to present to the court the exact question involved it is desirable for the Council to state its intention with regard to the proposed street to the end that the City Attorneys may state such intention to the court;

NOW, THEREFORE, BE IT RESOLVED that the following is the intention of the City with respect to the proposed street:

1. To acquire by purchase or condemnation an easement over the land which separates the present eastern terminus of Stonewall St. from the western terminus of the easement which was granted to the City by the Thompson Orphanage.

2. To connect the park above referred to with the eastern end of the pavement on Stonewall St. and with Baldwin St., a paved street, by constructing a street over the acquired right-of-way as follows: type of surfacing to be a top soil four inches thick, composed of pit-run gravel; street to be 22 feet wide between gutters; the curbs will be 30 feet apart; the roadway will be oiled to prevent dust and to hold the top soil in place under traffic; sidewalks will be top soil 5 feet wide on both sides of the

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street for pedestrians; necessary grading and storm drainage.

3. To pay out of the general funds of the City all cost of acquiring that part of the said right-of-way which would have to be acquired by purchase or condemnation, and also to pay from the general funds of the City the cost of constructing the street as above stated, it being the Council's understanding that it will be legal to do this (1) because the construction of the said street as above outlined will not constitute a permanent improvement under section 52 of the charter and (2) even if so, under said section of the charter as amended by Chapt. 666 of the Session Laws of 1943, such street, under the circumstances herein outlined, may legally be paid for by the City, and in that connection the Council hereby determines that the acquisition of the said right-of-way and the construction of the said street as above outlined, in the public interest, is necessary in order to connect the said public park with the paved portion of Stonewall St. on the east and Baldwin St. (a paved street) on the west. If the court holds and rules that the acquisition of the said right-of-way and the construction of the said street as above specified are a permanent improvement under section 52 of the charter, the Council hereby determines to pay for the said right-of-way and the construction of the said street from the City's general funds in accordance with the charter amendment contained in Chapt. 666 of the Session Laws of 1943.

RESOLUTION IN REGARD TO BOND OF WILLIAM A. WHITE, COLLECTOR OF REVENUE, EXECUTED BY THE UNITED STATES CASUALTY COMPANY OF NEW YORK, NEW YORK, AS SURETY.

On motion of Councilman Baker, duly seconded by Councilman Slye, the following resolution was unanimously adopted:

WHEREAS, under date of June 9, 1943, William A. White was duly elected to the office of Collector of Revenue of the City of Charlotte, North Carolina, by the City Council, to become effective at midnight, June 23, 1943; and

WHEREAS, the United States Casualty Company of New York, New York, executed a bond as surety for the said William A. White, Collector of Revenue of the City of Charlotte, covering the period beginning at midnight, June 23, 1943; and

WHEREAS, the employment of the said William A. White, as Collector of Revenue, terminates at midnight, July 14, 1943, pursuant to resolution of the City Council of the City of Charlotte, of July 7, 1943; and

WHEREAS, the governing body of the City of Charlotte desires to release the United States Casualty Company of New York from any and all liability it may have by virtue of said bond in the amount of \$50,000, executed by it, as surety, for the said William A. White, Collector of Revenue of the City of Charlotte, from and after midnight, July 14, 1943,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the City Clerk be, and they hereby are, authorized, empowered and directed on behalf of the City of Charlotte to execute a release to the United States Casualty Company of New York, relieving it of any and all liability on said bond in the amount of \$50,000, executed by it, as surety, for William A. White, Collector of Revenue of the City of Charlotte, from and after midnight July 14, 1943, but specifically reserving all rights the City of Charlotte may have in and under said bond for any breach of the conditions thereof between the period of midnight, June 23, 1943 and ending midnight, July 14, 1943, said

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release being in the following form:

"KNOW ALL MEN BY THESE PRESENTS, that whereas the United States Casualty Company of New York duly executed, as surety, a bond in the amount of \$50,000 for William A. White, Collector of Revenue of the City of Charlotte, upon conditions as therein set forth, covering a period from midnight, June 23, 1943; and

WHEREAS, the said William A. White has ceased to hold the office of Collector of Revenue of the City of Charlotte from and after midnight, July 14, 1943, and the City of Charlotte desires to discontinue the payment of any premium upon said bond after midnight, July 14, 1943.

NOW, THEREFORE, in consideration of the United States Casualty Company of New York foregoing the collection of any further premium on said bond, the City of Charlotte, for itself, its successors and assigns, does hereby remise, release and forever discharge the said United States Casualty Company of New York from any and all actions, causes of action, claims and demands for, upon, or by reason of any damage or loss, or other breach of conditions of the said bond which may occur after midnight, July 14, 1943, but the City of Charlotte specifically reserves any and all rights it may have under and by virtue of said bond for any acts, conduct or things which may have occurred between the period of midnight, June 23, 1943 to midnight, July 14, 1943.

IN TESTIMONY WHEREOF, the City of Charlotte has caused these presents to be signed in its name by its Mayor and its corporate seal to be hereto affixed and attested by the City Clerk, all in accordance with the authority from the City Council of the City of Charlotte.

This the 21st day of July, 1943.

CITY OF CHARLOTTE

By H. H. Baxter
Mayor.

Attest:

Lillian R. Hoffman
Acting City Clerk

APPROVED AS TO FORM:

H. B. Campbell
City Attorney

BIDS ON TWO AUTOMOBILES FOR POLICE DEPARTMENT.

On motion of Councilman Slye, duly seconded by Councilman Hovis, and unanimously carried, bids of Heath Motor Company for One 8-cylinder Ford automobile, at a cost of \$1,182.74 and of Pettit Motor Company, for One 6-cylinder Ford automobile, at a cost of \$1,151.29 were accepted and contracts with said companies authorized.

BIDS FOR PUBLICATION OF THE 1942 DELINQUENT TAX LIST.

The City Manager stated bids for the publication of the 1942 delinquent tax list had been received as follows:

The News Publishing Company

- (a) \$1.00 per inch, less 2%, if number of column inches is 2000 or more.
- (b) \$1.05 per inch, less 2%, if number of column inches less than 2000.

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\$1.07 per column inch, less 2%, on the estimated 2000 column inches.

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On motion of Councilman Hovis, seconded by Councilman Baker, and unanimously carried, contract was awarded The News Printing Company, at quoted rate to be determined when total of column inches is determined.

APPROVAL OF CHANGE IN METHOD OF HANDLING COLLECTED PARKING METER MONEY.

The City Manager recommended that the present method of bringing monies collected from parking meters to the City Hall for counting and transferring to the bank for deposit be changed to permit collectors to take such monies directly from the parking meters when collected to the bank for counting and depositing. Motion was made by Councilman Albea, seconded by Councilman Atkins, and unanimously carried, that same be done.

EXPENSES IN CONNECTION WITH RECENT CHANGES IN POLICE DEPARTMENT BUILDING.

The City Manager stated he wishes to clarify the matter of the amount of funds expended in connection with recent changes in the Police Department Building. He stated the total cost of repairs, etc., to the building amounted to \$4,256.16, and for fixing the vault in the Police Department Garage amounted to \$1,564.49.

RESOLUTION TO INCREASE THE SALARIES OF DAVID J. CRAIG, JR., AS RECORDER, AND MERCER J. BLANKENSHIP, AS SOLICITOR.

On motion of Councilman Baker, duly seconded by Councilman Slye, the following resolution was unanimously adopted:

RESOLVED that, effective from and after the 1st day of July, 1943, the salary of David J. Craig, Jr., as Recorder, be increased from \$250. per month to \$275. per month, and that the salary of Mercer J. Blankenship, as Solicitor of the Recorder's Court, be increased from \$225. per month to \$250. per month.

PURCHASE OF PRINTED, STAMPED ENVELOPES FOR HEALTH DEPARTMENT.

The purchase of printed, stamped envelopes from the U. S. Post Office, at a cost of \$345.65, for use by the Health Department, was authorized on motion of Councilman Albea, seconded by Councilman Bullard and carried.

PAYMENT FOR MEALS FOR PRISONERS IN CITY JAIL.

Authorization for payment of \$137.40 to Purity Cafe for 687 meals for prisoners in the City Jail, from July 1 through July 15, was given on motion of Councilman Slye, seconded by Councilman Hovis, and carried.

PURCHASE OF REPAIR PARTS FOR EDUCTOR.

On motion of Councilman Hovis, seconded by Councilman Albea, and carried, the purchase of repair parts for an Eductor was authorized from Autocar Sales & Service Company, in the sum of \$110.44.

PURCHASE OF CRUSHED STONE.

On motion of Councilman Hovis, seconded by Councilman Bullard, and carried, authority was given for the purchase of crushed stone from Caldwell Construction Company, as follows:

1 car #9 crushed stone, 53.95 tons	\$115.99	on 6-25-43
1 car #2 crushed stone, 58.40 tons	\$110.96	on 6-28-43
1 car #9 crushed stone, 52.50 tons	\$112.88	on 7- 1-43

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APPOINTMENT OF SPECIAL POLICE OFFICERS.

On motion of Councilman Albea, seconded by Councilman Hovis, and carried, Mr. Sam F. Stewart was appointed a Special Police Officer on the premises of Queens College, and 1630 Queens Road, and Mr. Turner R. Farrell on the premises of Carolina Transfer & Storage Company.

RESOLUTION REGARDING THE POSITION OF CITY CLERK.

The following resolution was adopted on motion made by Councilman Baker, duly seconded by Councilman Bullard, and carried, with Councilman Albea voting against the motion:

RESOLVED that the employment of Alice B. McConnell as City Clerk be, and it is, terminated, effective midnight August 4, 1943, and that her vacation start at once.

That during the temporary situation created by the vacation of Mrs. McConnell, Lillian R. Hoffman be, and she is, directed to act as City Clerk, performing the duties of the said office;

RESOLVED FURTHER, that Lillian R. Hoffman be, and she is, appointed City Clerk, effective midnight August 4, 1943, and that she is required to give bond in the same amount as now in force on the City Clerk, with some surety company authorized to do business in North Carolina as the surety, and that her salary as City Clerk be, and it is, fixed at \$185.00 per month, and that in addition to the duties prescribed by the charter she be, and is, required to perform such other duties as may be assigned from time to time by the City Manager, and be, and is, required to operate the office under the supervision and direction of the City Manager.

REPORT OF DOMESTIC RELATIONS COURT.

On motion of Councilman Ward, seconded by Councilman Bullard, and unanimously carried, a vote of commendation was given to Judge F. Marion Redd, for the splendid work done during the past year by the Domestic Relations Court, as shown in the Annual Report of said Court received by the Council.

LION'S CLUB PARK PROJECT.

Councilman Bullard stated he was very much impressed with the project adopted by the Lion's Club for the development of a first-class park in Charlotte. He moved that the Council write the Lion's Club expressing its gratitude to their members for starting such a movement. Motion seconded by Councilman Albea and unanimously carried.

APPOINTMENT OF MR. ZEB C. STRAWN, AS MEMBER OF THE CHARITY SOLICITATION COMMISSION, BY MAYOR BAXTER.

Mayor Baxter advised the Council he had appointed Mr. Zeb C. Strawn, as a member of The Charity Solicitation Commission, to fill the vacancy created by the expiration of term of office of Mrs. V. K. Hart.

RECOMMENDATION FROM CHARLOTTE DEFENSE RECREATION COMMITTEE THAT BOWLING ALLEYS AND SKATING RINKS BE ALLOWED TO OPEN DURING CERTAIN HOURS ON SUNDAY.

Mayor Baxter stated a letter had been received from the Charlotte Defense Recreation Committee, requesting that bowling alleys and skating rinks be allowed to open on Sunday, between 2:00 o'clock p.m. and 6:30 o'clock p.m. and from 9:00 o'clock p.m. until 11:00 o'clock p.m., for the exclusive use of service men and their lady companions. He further stated that copy of a letter from Colonel Warner B. Gates, Commanding Officer, Morris Field, addressed to the Charlotte Defense Recreation Committee, had been received by him, in which additional recreational facilities over the week-end were requested. Motion was made by Councilman Hovis, seconded by Councilman Bullard, and unanimously carried, that the City Attorneys rule on the above request, and if found legal, to prepare an ordinance relative thereto, for

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the consideration of the Council at it's next regular meeting.

MCCORKLE'S CLEANERS & DYERS REQUESTS PERMIT FOR DISCHARGING WASTE WATER INTO THE CITY SANITARY SEWERAGE SYSTEM.

Mr. Ed McCorkle stated permission had been refused by the Superintendent of the Charlotte Water Department for McCorkle's Cleaners & Dyers to discharge their waste water into the City sanitary sewerage system. He requested the Council to grant them the privilege of so doing. He advised there would be no strong chemicals, etc., in the waste water that could in any way be injurious to the city sewerage system; that only mild soaps would be used in cleaning the blankets and comforts for the Army, for which service the plant was being opened. The Mayor advised the matter would be investigated and a report given to the Council at it's next regular meeting.

CEMETERY DEEDS AND PERPETUAL CARE AGREEMENTS.

On motion of Councilman Hovis, seconded by Councilman Slye, the following cemetery deeds and perpetual care agreements were ordered issued:

William E. Hill and Family, Lot No. 18, Section "F"	\$81.00
John M. Robinson & Wife, Cammie R. Robinson, Lot 63-A, Section D-Annex	\$140.00
Perpetual care on same lot	\$100.00
W.S. O'B. Robinson & Wife, Elizabeth R. Robinson, Lot No. 63-B, in Section D-Annex	\$128.10
Perpetual care on same lot	\$ 91.50
H. W. Glasgow & Wife, Mary J. Glasgow, East Part of Lot 48, in A-Annex	\$ 82.46
Perpetual care on same lot	\$ 58.90
Clyde M. Evans & Wife, Ethel A. Evans, West Park of Lot No. 48, in A-Annex	\$ 86.94
Perpetual care on same lot	\$ 62.10

ADJOURNMENT.

On motion of Councilman Albea, seconded by Councilman Bullard, the meeting adjourned.

Lillian R. Haffman
Acting City Clerk