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Regular meeting of the City Council, held at 4:00 o'clock P.M., Wednesday, July 24, 1940, in the Council Chamber, City Hall. Mayor Ben E. Douglas presided and present were: Councilmen Albea, Baxter, Britt, Hovis, Hudson, Huntley, Little, Nance, Sides, Ward and Wilkinson.

Absent: None.

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APPROVAL OF MINUTES.

The minutes of the special meeting of July 21st. were read by the Clerk and on motion of Councilman Huntley, seconded by Councilman Albea, were unanimously approved.

NEBEL KNITTING MILL WORKERS REQUESTED BETTER POLICE PROTECTION FROM STRIKERS AND ASSISTANCE OF COUNCIL IN SETTling STRIKE.

A large delegation of workers from the Nebel Knitting Company, headed by James C. Jones, were present, with regard to conditions at that mill caused by a strike which has been on for several months.

Mr. Jones called on several members of this delegation to give an account of what the workers have to contend with. Miss Virginia Maddock told of conditions, which she said the Policemen paid no heed to. She stated that those who are working are compelled to ride into the mill grounds in vans for protection and that they are subjected to curses, profane and indecent languages, threats, slingshot slugs, tear gas and foul smelling bombs. She stated that one police officer had stated that there was nothing they could do about it, that the sidewalks were free; and that all the strikers had to do was to entertain the police.

Otis A. Wright, Arthur Mauldin, Mrs. Carolyn Heffner, Mrs. Virginia Bunn and others, all told of the threats, shooting and other embarrassing incidents which they were subjected to by the strikers, with the apparent indifference of the police to do anything about it.

After listening to the above for more than one hour, Councilman Sides suggested that the City Attorney and City Manager investigate the law with regard to picketing. Mr. Scarborough stated that he had made a special study for about a week and had given a full report of his findings with regard to the law on picketing to the Police Department. He stated that it was illegal to band together and keep the workers from going to and from the mill. He stated that under the United States Constitution and also the State Constitution any organization has a right to picket, but that they must move so as not to block traffic on the sidewalks, but that they have no right to use force, threats or intimidations to keep others from going to work, although they do have the right to use argument to prevent them from going to and fro.

Councilman Hudson stated that owing to the limited number of policemen available for strike duty, he would suggest that the City call on outside sources, such as the Department of Justice of the State of North Carolina to assist with this problem. Councilman Sides asked that the State and County be invited to give assistance.

Mr. James asked the Council to use their influence in helping to effect a settlement of the strike.

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Councilman Baxter made a motion that the Mayor appoint a committee of three from the Council to meet with a representative from each side, in the Mayor's office, within a week, in an endeavor to settle the strike. This motion was seconded by Councilman Albea.

Councilman Wilkinson offered an amendment to this motion that a committee be appointed as set forth in the original motion, and that a representative from the Sheriff's office, from the County Police and the State Police, meet with this committee to see if they cannot restrict the responsibility and get some assistance. Councilman Baxter accepted this amendment to his motion, also to include a member from the National Labor Relations Board. This motion carried, with Councilman Britt voting in the negative.

Mayor Douglas appointed on the committee from the Council, Councilmen Baxter, Sides and Albea, also City Attorney Scarborough and himself.

PURCHASE OF TERRA COTTA PIPE.

On motion of Councilman Little, seconded by Councilman Huntley and carried, the Mayor and Clerk were authorized to sign a contract with the Caldwell Construction Company for one car (1302 feet) of No. 1-8" Terra Cotta Pipe, in 3-foot joints, at the price of \$340.99, and also with Charlotte Lumber Corp., for one car of the same, at the price of \$341.00.

All bids received on this material were quoted at the same price and the awards were made on the basis of distribution of business where price and quality are equal.

CONTRACT FOR AUTOMOBILE AND TRUCK TIRES.

Bids having been received on the following tires for automobile and truck service, as follows:

12 - 32x6 heavy duty "stop and start" 10-ply tires	
12 - 32x6 heavy duty 10-ply tires	
12 - 30x5 heavy duty 8-ply "	
10 - 600xl6 4-ply tires	
McDonald Service Company (Firestone)	\$831.38
Witt Tire Company (Fisk)	883.48
Charlotte General Tire Co (Generals)	894.38
Dayton Tire Sales Co. (Dayton)	919.23
Goodyear Service (Goodyear)	933.52
Goodrich Silvertown (Goodrich)	971.72
Victor Shaw Company (U. S. )	1025.30
Myers Auto Service Co (U. S. )	1173.54
Mills Auto Service, Inc. (Atlas)	518.16
Fleming Tire & Vulc. Co. (Penn)	518.36
Sears, Roebuck & Co. (All State)	545.50

The City Manager advised that all of the above bids are on specifications, which call for 100 line merchandise, except bids of Mills Auto Service, Inc., on "Atlas" and Sears-Roebuck & Co. on "All State".

Councilman Ward made a motion that award be made to the lowest bidder, McDonald Service Company, in the amount of \$831.38 and that the Mayor and Clerk sign the contract. Motion seconded by Councilman Huntley and carried.

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CONTRACT FOR PRINTING YEAR'S SUPPLY WATER BILL FORMS.

Councilman Sides made a motion that contract for printing 250,000 (one year's supply) of Water Bill Forms be awarded to the lowest bidder, Piedmont Printery, in the amount of \$232.45, and that the contract be signed by the Mayor and Clerk. Motion seconded by Councilman Albea and unahimously carried.

Other bids received on furnishing these forms were:

The News Publishing Company	\$235.00
Huneycutt Printing Company	239.16
Standard Printing Company	243.34
The Tavern Press	255.30
Pound and Moore Company	274.75
Southern Printing Company	323.00

HOUSE MOVING CONTRACT.

DeWitt Tate was awarded the contract for moving three houses in connection with the Eleventh Street widening project, at the price of \$240.00, and the Mayor and Clerk were authorized to execute the said contract, on motion of Councilman Little, seconded by Councilman Wilkinson and carried.

Bid was also received from the Trull House Moving Company on this work, at the price of \$475.00.

EXTENSION OF SEWER IN EAST 5TH STREET FOR DRs. FLEMING AND SCRUGGS.

On motion of Councilman Hovis, seconded by Councilman Little, authority was given for the extension of a sewer in East 5th Street, from Park Drive 240 feet towards Hawthorne Lane, to serve one large house which is being moved from the front of this lot on Hawthorne Lane to a new location facing on East 5th. Street, by Drs. Fleming and Scruggs. The cost of this extension will be \$271.15 and Drs. Fleming and Scruggs have agreed to pay the difference of \$71.15 between the estimated cost and the customary \$200.00 allowed by the City for each sewer connection.

RE-ASSESSMENT ORDINANCE - NORTH TRYON STREET.

On motion of Councilman Hovis, seconded by Councilman Little, the following re-assessment ordinance for property of the Southern Railway System, on North Tryon Street, was unanimously adopted on three readings and declared by the Mayor to be an ordinance of the City of Charlotte:

The City Council of the City of Charlotte, North Carolina, DO ORDAIN that the special benefits to the abutting property on North Tryon Street on account of the paving of the street, beginning at a point 525.9 feet measured southerly from the southeast intersection corner of North Tryon Street and East 27th Street, and running in a southerly direction 3,180 feet and originally assessed as a whole against the Southern Railway Company, is hereby subdivided and reassessed on the East Side only, as follows:

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<u>STREET NO.</u>	<u>OWNER</u>	<u>FRONTAGE</u>	<u>WATER</u>	<u>SEWER</u>	<u>STREET</u>	<u>WALK</u>	<u>TOTAL</u>
1500 thru 2114	Southern Rwy Co.	2,620	-	240.51	3,451.13	-	3,691.64
2116 thru 2202	Southern Rwy. Co.	287	-	10.92	378.05	-	388.97
2204-2224	Southern Rwy. Co.	273	-	10.92	359.60	-	370.52

AMENDMENT TO CONTRACT OF WALTER W. HOOK, ARCHITECT FOR CHARLOTTE MEMORIAL HOSPITAL.

The City Manager presented an amendment to the contract of Walter W. Hook, for architectural services on the Charlotte Memorial Hospital project, which has been approved by the Hospital Board. He stated that this amendment is brought about by the fact that additional work, other than that specified in the original contract, has been handled by Mr. Hook, with the approval of the Owner's representative and the Hospital Board, on the various hospital contracts, and it was the City Manager's recommendation that this amendment to the contract of September 14, 1938, be approved.

On motion of Councilman Hovis, seconded by Councilman Wilkinson and carried, this approval was given for amendment to Contract dated September 14, 1938, which amendment reads as follows:

"It is hereby mutually agreed between parties hereto that the Agreement between Owners and Architect under date of September 14, 1938, by and between the City of Charlotte, N. C., hereinafter called the Owner, and Walter W. Hook, hereinafter called the Architect, shall be amended as follows:

Section 1 - Architect's Services - The Architect shall prepare the necessary drawings and specifications for the purchase of certain kitchen equipment, ranges and stoves, kitchen machines, also certain refrigerators and refrigeration equipment and lobby furniture at the Charlotte Memorial Hospital, designated as Docket N.C. 1412-F; also draw the forms of proposal and contracts, issue certificates of payment, keep accounts and supervise the installation of said equipment.

Section 2 - Payments - For the performance of the above stated work, the Architect shall be paid a total of five percent (5%) of the cost of the equipment purchased under said specifications, payable as follows:

On the award of the contract, 66% of the total fee arising from the rate set forth above and on completion of the installation, the balance due on the total contract arising from this amended agreement.

Section 3 - The other Articles included in the original contract, except as noted above, shall be equally binding on this amendment to the original agreement."

STREET NAMES IN PIEDMONT COURTS - HOUSING PROJECT.

Councilman Baxter moved that the streets in Piedmont Courts project be named as follows: First Street entering the project from Seigle Avenue, going north, to be named Willis Street, and the second street to be named MacRae Street. These names were recommended by the Executive Director of the Local Housing Authority and do not conflict with other street names in the City. Motion seconded by Councilman Little and unanimously carried.

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REDUCTION IN TAX VALUATION.

The City Manager reported that he had received a request from the Mechanics Perpetual Building & Loan Association with reference to property located at 920 North Tryon Street, acquired thru foreclosure in March 1930 from Lex Marsh, Jr. There was considerable personal property in this return, which was considered to be in error. The records show that a supplemental return was filed prior to the time that the tax books for 1929 were closed. This supplemental return, however, would not be accepted at that time by the tax authorities. In 1930 the Mechanics Perpetual Building and Loan Association endeavored to pay their tax on this property, as shown by the amended return but same would not be accepted. Since that time efforts have been made to pay on the amended return and only within the past thirty days the Board of County Commissioners passed a motion allowing payment based on the amended return, considering the first return was in error. The county tax has now been paid on the amended return and request is made that the City accept payment on the same basis. The same applies to 310 East Park Avenue. Interest to be paid as of March 1930, on both properties.

On motion of Councilman Baxter, seconded by Councilman Ward and unanimously carried, the City Council authorized payment on the basis of the amended return, as set out above.

SALARY FOR EMPLOYEES IN NATIONAL GUARD.

Mr. Armstrong reported that the National Guard will be called out on August 3rd. for three weeks and asked for a decision from the Council with reference to the payment of salaries of four City employees who are members of the National Guard. He stated that two weeks of this time will be considered as the regular vacation period.

Councilman Ward made a motion that where ordered out that the City pay these salaries (if legal) while they are in service, letting their work be done by other employees in their respective departments. No second to this motion.

Councilman Albea made a motion, which was seconded by Councilman Huntley, that they be paid for three weeks, if legal, while on maneuvers and that their jobs be saved for them when they return after three weeks.

Councilman Sides then offered a substitute motion, which was seconded by Councilman Wilkinson, that the Council rely upon the statement made by the City Manager in his report and that their jobs be held for them when they return, if legal. This was made after a discussion as to those members who have already used their two weeks vacation. This motion was voted on and carried.

BIDS FOR CAST IRON PIPE REJECTED AND TO BE RE-ADVERTISED.

The City Manager advised that bids had been advertised for and received on a year's supply of Cast Iron water pipe for the Water Department and read the bids as received.

On motion of Councilman Hovis, seconded by Councilman Little, all bids on this pipe were rejected and ordered to be re-advertised.

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PETITION TO RE-ROUTE HIGHWAY FROM 11TH STREET BACK TO TRYON STREET.

Councilman Hudson presented a petition from residents of West 11th Street, asking that the highway be re-routed from this street back to North Tryon Street, due to the fact that this street is becoming a speedway.

This was turned over to the City Manager to investigate as to the rate of speed of vehicles traveling this highway, and Councilman Hudson was advised that the matter should also be taken up with the Highway Commission.

REPORT OF COMMITTEE ON NEGRO SWIMMING POOL SITUATION.

Councilman Wilkinson, as Chairman of the committee appointed to go into the request of the Negro Citizens League for assistance in getting Fairview swimming pool re-opened, reported that his committee had met and gone into this matter with the Park and Recreation Commission, and that the Commission is making every effort possible to get a W.P.A. project which will get the pool in shape for use, with the limited funds which they have. He stated that the project which they have in mind will cost about \$15,000.00 with W.P.A. assistance.

GROUP OF NEGRO MUSICIANS TO HOLD FESTIVAL IN ARMORY.

Councilman Sides made a motion that upon the request of the Park and Recreation Commission a group of negroes be granted the use of the Armory-Auditorium on some night when it is not to be used by any other organization, for the purpose of holding a music festival. Motion seconded by Councilman Albea and carried.

SUGGESTION THAT INDUSTRIAL HOME LAUNDRY BE USED FOR CITY SANITARY DEPARTMENT UNIFORMS.

Councilman Hudson suggested that the City Manager look into the possibility of using the laundry at the Industrial Home for the washing of the uniforms of the sanitary and street department employees.

CLAIM OF C. A. PAUL.

Notice of claim of C. A. Paul, for damages in the sum of \$15,000.00 for alleged injuries sustained by falling on the snow and ice in the City's streets, last winter, was presented by his attorney, Mr. John Robinson, and this was turned over to the City Attorney for handling.

CEMETERY DEEDS.

On motion of Councilman Albea, seconded by Councilman Baxter, the following cemetery deeds and perpetual care agreements were approved: