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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 14, 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 J. R. Love, Pastor, Parkwood A.R.P. Church.

MINUTES APPROVED.

Upon motion of Councilman Childs, seconded by Councilman Hinson, the minutes of the Special Meeting and the Regular Meeting on May 7, 1946 were approved as read.

ADOPTION OF RESOLUTION ACCEPTING DEED TO MORRIS FIELD.

Mayor Baxter stated he had received the deed to Morris Field on yesterday in Washington and it was in order that it be accepted by the city. Councilman Hinson moved that the resolution providing for the acceptance of the deed be presented. Motion seconded by Councilman Childs, and unanimously carried.

The following resolution was then presented and read:

RESOLUTION AUTHORIZING THE EXECUTION OF THE NECESSARY PAPERS TO ACCEPT QUITCLAIM DEED OF CERTAIN LANDS BEING CONVEYED TO THE CITY BY THE UNITED STATES OF AMERICA ACTING BY AND THROUGH WAR ASSETS ADMINISTRATOR WHICH LANDS ARE LYING IN BERRYHILL TOWNSHIP, MECKLENBURG COUNTY, ADJACENT TO DOUGLAS AIRPORT, AND AUTHORIZING THE CANCELLATION OF THE PRESENT LEASE BETWEEN THE CITY OF CHARLOTTE AND UNITED STATES OF AMERICA, BY AGREEMENT WITH UNITED STATES OF AMERICA ACTING BY AND THROUGH THE WAR ASSETS ADMINISTRATOR.

WHEREAS, there is presented to the City Council of the City of Charlotte at its meeting this the 14th day of May, 1946, a quitclaim deed from the United States of America acting by and through War Assets Administrator, which deed conveys certain lands, easements and clearance zones and certain buildings deemed to be necessary for airport purposes under certain restrictions and conditions set out in the quitclaim deed, and further there is presented an agreement to be entered into by and between the United States of America acting by and through the War Assets Administrator and the City of Charlotte through its Mayor, under which agreement all leases and supplemental agreements heretofore entered into by and between the United States of America and the City of Charlotte dealing with the leasing and operation of the municipal owned airport by the United States of America are to be cancelled except two supplemental agreements, one dated May 28, 1941, the other dated December 3, 1940, one agreement dealing with the radio control which is not adjacent to Morris Field and the other agreement between Mr. Boyle and the United States of America, of which lease the City of Charlotte is not a party. Under this agreement, the City of Charlotte in lieu of restoration of the premises, and as a fair equivalent for the release of the obligations in the leases referred to above, receives all non-airport structures and improvements on the lands

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leased from the City of Charlotte, except the chapel building, and including but not limited to all streets, sidewalks, drainage facilities, night lighting system, general water distribution system, sewerage disposal system and general electric distribution system, pumps, dynamos and transformers appurtenant to the properties conveyed in said agreement to the City of Charlotte. Said conveyance of the properties being transferred under certain restrictions and conditions set out in the agreement, copies of the quitclaim deed and agreement being attached and made a part of this resolution as though fully set out therein, it being represented that for the same consideration the War Assets Administration and/or some other department or agency of the United States of America will convey to the City of Charlotte certain personal property set forth in a report dated January 21, 1946, of the Civil Aeronautics Administration, being C.A.A. Report No. 1, in connection with Morris Field, Charlotte, North Carolina.

NOW, THEREFORE, BE IT RESOLVED that the quitclaim deed and agreement be accepted in accordance with the said provisions set out therein and the Mayor is authorized and directed to execute the necessary papers and the City Clerk is authorized and directed to attest the same for the City.

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

UNANIMOUS CONSENT OF COUNCIL GIVEN CITY MANAGER TO PRESENT ITEMS NOT ON AGENDA.

Upon motion of Councilman Childs, seconded by Councilman Johnston, the City Manager was unanimously authorized to present the following three items not included in today's Agenda.

REPAVING OF PORTION OF PROVIDENCE ROAD, AND WIDENING OF PORTION OF SELWYN AVENUE TO BE REQUESTED OF STATE HIGHWAY DEPARTMENT.

The City Manager presented requests from representatives of Queens College and Myers Park Baptist Church that Providence Road, from Moravian Lane to Queens Road be repaved and that Selwyn Avenue, from Queens Road to Westfield Road be widened. Mr. Flack explained that these streets were state highways, and he recommended that the State Highway Department be requested to do the work. Councilman Childs moved that the City Manager be authorized to request the State Highway Department, through Mr. Ben E. Douglas, Commissioner, to comply with the request as made from funds allocated for improvements to highways within Charlotte. Motion seconded by Councilman Puette, and unanimously carried.

TRANSFER OF FUNDS FROM THE EMERGENCY FUND FOR AIRPORT PURPOSES AUTHORIZED.

Councilman Puette moved that \$5,000.00 be transferred from the Emergency Fund to be expended at the discretion of the City Manager for necessary expense incident to the transfer of airport property to the City of Charlotte, provided the purposes of said expenditures are approved by the City Attorney. Motion seconded by Councilman Childs, and unanimously carried.

CITY EMPLOYEES GRANTED HOLIDAY ON MAY 20th.

Councilman White moved that Monday, May 20th, be declared a holiday for city employees, in commemoration of the signing of the Mecklenburg Declaration of Independence. Motion seconded by Councilman Hinson, and unanimously carried.

CONSTRUCTION OF SANITARY SEWER IN HEATH COURT AUTHORIZED.

Councilman Newson moved that a sanitary sewer be constructed in Heath Court as requested by Mr. W. J. Spoon, to serve one house now under construction, at an estimated cost of \$445.50, and that \$245.50 be posted

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by Mr. Spoon, ~~for said~~ \$21,515.50 to be refunded him if and when two additional houses are construction and served by said line. Motion seconded by Councilman Childs, and unanimously carried.

CONTRACTS AUTHORIZED FOR WATER MAINS EXTENSIONS.

Councilman Hinson moved that contracts be authorized for the extension of water mains as follows. Motion seconded by Councilman Puette, and unanimously carried:

- (a) Marsh Land Company, 2870 feet of 6 inch main and 385 feet of 2 inch main in Sedgfield Subdivision, estimated to cost \$5,173.00, on a basis of a guarantee of 10 percent of cost.
- (b) John Crosland Company, 7390 feet of 6 inch main and 1090 feet of 2 inch main, in Plaza Heights Subdivision, estimated to cost \$13,900.00, on a basis of a guarantee of 10 percent of cost.
- (c) Marsh Realty Company, 920 feet 6 inch main, in Fordham Road, estimated to cost \$1,425.00, on a basis of a guarantee of 10 percent of cost.

CONTRACTS AUTHORIZED FOR SANITARY SEWER EXTENSIONS.

Councilman Johnston moved that contracts be authorized for the extension of sanitary sewer line extensions as follows. Motion seconded by Councilman Childs, and unanimously carried:

- (a) Kirby Smith and H. Y. Dunaway, in Lockhart Drive from Lynway Drive to Clayton Drive, a distance of 1,350 feet, estimated to cost \$2,228.60, applicants to furnish entire cost, to be repaid when and if 12 houses are built.
- (b) D. L. Phillips, in Bay Street, from Hanover Street to Briar Creek Outfall, estimated to cost \$2,172.28, applicant to furnish entire cost, to be repaid when and if 11 houses are built.

CORRECTIONS IN CONTRACTS FOR WATER MAIN EXTENSIONS AUTHORIZED.

At the request of the City Manager, motion was made by Councilman Childs that contract-agreement authorized with The Stephens Company on May 7th for water main extension in Cherokee Road, at an estimated cost of \$1,084.00 be corrected to read with E. C. Griffith Company at an estimated cost of \$984.00.

Also, that contract-agreement authorized with E. C. Griffith Company on May 7th for water main construction in Thrift Road, be corrected to read at an estimated amount of \$1,210.00 instead of \$1,200.00.

Motion seconded by Councilman Puette, and unanimously carried.

CONTRACT AWARDED LYNCHBURG FOUNDRY COMPANY FOR PIPE AND FITTINGS, AND TO A. P. SMITH MANUFACTURING COMPANY FOR GATE VALVES.

Motion was made by Councilman Childs that contract be awarded to Lynchburg Foundry Company for 25,746 feet of cast iron pipe and 20,000 pounds of cast iron pipe fittings, at a net delivered price of \$26,051.72, and that contract be awarded A. P. Smith Manufacturing Company for 94 Gate Valves, at a net delivered price of \$3,159.20. Motion seconded by Councilman Hinson, and unanimously carried.

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CONTRACTS AND PURCHASES AUTHORIZED.

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

- (a) Purchase from E. J. Smith Company of One 24 inch Starlawn 1½ H.P. Power Mower, at a price of \$196.44, for use at Elmwood Cemetery.
- (b) Contract with Standard Oil Company for 15,514.9 gallons of gasoline for the month of April, in the sum of \$2,335.95.
- (c) Contract with North Carolina State Board of Health for 100 vials of penicillin, in the sum of \$2,622.98.
- (d) Contract with Tucker-Kirby Company for 1,500 feet of 8 inch terra cotta pipe, at a price of \$465.00, for use by the Engineering Department.
- (e) Purchase from Remington-Rand Corporation of File Cabinets for the Health Department, at a net delivered price of \$183.99.

FEES OF COUNTY BOARD OF ELECTIONS FOR SERVICES IN CONNECTION WITH RECENT BOND ELECTION AUTHORIZED PAID.

The City Manager presented bills totaling \$1,325.00 from the County Board of Elections for their fees in connection with the recent bond election. He advised the City was responsible for the payment of one-half the amount of the bills.

Councilman Puette moved that one-half the total bill be paid, amounting to \$662.50, said amount to be repaid from the Bond Issues. Motion seconded by Councilman Childs, and unanimously carried.

TRANSFER OF FUNDS FROM EMERGENCY FUND TO COUNCIL TRAVEL ACCOUNT AUTHORIZED.

Motion was made by Councilman Childs, duly seconded by Councilman Johnston, and unanimously carried, transferring \$350.00 from the Emergency Fund to the Council's Travel Account.

PAYMENT OF FEE AND EXPENSES TO E. J. HANSON, ATTORNEY, AUTHORIZED.

Motion was made by Councilman Hinson that \$1,000.00 partial fee and \$43.41 expense account be paid to Mr. E. J. Hanson, Attorney, for services in connection with airport matters. Motion seconded by Councilman Childs, and unanimously carried.

APPOINTMENT OF THOS. W. CHURCH AND ROBERT C. ALLEN TO PARK & RECREATION COMMISSION.

Councilman Hinson moved the reappointment of Mr. Thos. W. Church, and appointment of Mr. Robert C. Allen as members of the Park and Recreation Commission, each for a term of five years. Motion seconded by Councilman Childs, and unanimously carried.

REQUEST OF OPTIMIST CLUB FOR INSTALLATION OF DRAINAGE PIPE LINE TO ELIMINATE FLOODING OF PARK DEFERRED.

Mr. J. B. Vogler and Mr. Harry Spencer, representing the Optimist Club, requested the City to construct a pipe line in North Brevard Street to eliminate the storm and drain water which now floods the Recreation Park in North Charlotte built by them and deeded to the city. The matter was referred to the City Manager for investigation and report at next week's meeting.

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CEMETERY LOTS AUTHORIZED FOR SALE.

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

- To - Mrs. J. Warren Roark and Family, Lot 70, Section L-Annex, Elmwood Cemetery, \$180.00.
Perpetual Care on Lot 70, Section L-Annex, Elmwood Cemetery, to Mrs. J. Warren Roark and Family, \$100.00.
- To - Martin L. Cannon and wife, Ohla B. Cannon, Lot 65, Section L-Annex, Elmwood Cemetery, \$180.00.
Perpetual Care on Lot 65, Section L-Annex, Elmwood Cemetery, to Martin L. Cannon and wife, Ohla B. Cannon, \$100.00.
- To - Mrs. Mattie Moore Wash, widow of J. W. Wash, Duplicate Deed to North Half of Lot 41 Fraction, Section A, Elmwood Cemetery, \$1.00.
- To - Samuel Mack Edmiston, Estate, transfer from Mrs. Mattie M. Wash, Lot South Half of 41 Fraction, Section A, Elmwood Cemetery, \$1.00.
- To - M. C. Gresham and wife, Annie Lou Gresham, Perpetual Care on Lot No. 7 Fraction, Section R, Elmwood Cemetery, \$114.00.
- To - Etta Price and Laura M. Price, Duplicate Deed of Lot No. 54, Section H, Pinewood Cemetery, \$1.00.

ADJOURNMENT.

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

Lillian R. Hoffman
City Clerk