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The regular meeting of the City Council was held in the Council Chamber, City Hall, at 4:00 o'clock P. M., Wednesday, May 17th, 1944, with Mayor Baxter presiding, and Councilmen Albaea, Atkins, Cope, Daughtry, Hovis, Painter and Price being present.

Absent: Councilmen Baker, Bullard, Slye and Ward.

MINUTES APPROVED.

Upon motion of Councilman Albaea, duly seconded by Councilman Painter, the minutes of the meeting of May 10th were approved as read.

PRINTING OF PLUMBING CODE.

Councilman Price moved that award be made to the low bidder, Carolina Printing Company, for printing 1,000 copies of the Plumbing Code, at a price of \$116.12. Motion seconded by Councilman Cope and unanimously carried.

VACATION RULE PROMULGATED BY CITY MANAGER APPROVED.

Councilman Albaea moved that the vacation rule for all city employees promulgated by the City Manager be approved. Motion seconded by Councilman Price and unanimously carried.

PURCHASE OF EMULSIFIED ASPHALT.

Upon motion of Councilman Price, seconded by Councilman Atkins, and unanimously carried, the purchase of 1,800 gallons of emulsified asphalt was authorized from the Emulsified Asphalt Refining Company, at \$153.00.

CONTRACT AUTHORIZED WITH DUKE POWER COMPANY FOR TAR EMULSION.

Councilman Albaea moved that contract be authorized with Duke Power Company for 16,000 gallons of Tar Emulsion for allaying dust, in the total amount of \$960.00. Motion seconded by Councilman Painter, and unanimously carried.

ADOPTION OF RESOLUTION REGARDING BRIEF CONCERNING AIR TRANSPORTATION FACILITIES FOR CHARLOTTE.

The following resolution was presented by the City Manager:

WHEREAS, under date of January 5, 1944 the Council adopted a resolution authorizing the Mayor and City Attorneys, in behalf of the City, to prepare a brief for submission to the Civil Aeronautics Board in connection with a proceeding before said Board entitled: "Great Lakes to Florida Proceedings, Docket No. 570, Et Al", in which is involved, among other things, the question as to what, if any, additional transportation of passengers and freight by air shall be put into effect between the airport of the City and various points between the Great Lakes and Florida, and

WHEREAS, pursuant to said resolution the Mayor requested Coleman W. Roberts, as Chairman of the Charlotte Planning Committee, to prepare such a brief and agreed that the City would pay all expenses incurred in connection therewith not exceeding \$500;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk be, and they are, authorized and directed to execute a contract, dated as of January 5, 1944, providing for the preparation of the said brief by the said Roberts, and the payment by the City to Roberts of his expenses in connection

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therewith, not exceeding the sum of \$500.

RESOLVED FURTHER, that the amount necessary to pay the cost of preparing the brief above mentioned, not exceeding \$500, be, and it is, appropriated from the Emergency Appropriation of the General Fund.

Councilman Albea moved the adoption of the foregoing resolution. Motion seconded by Councilman Hovis, and was unanimously adopted.

ADOPTION OF RESOLUTION AUTHORIZING EMPLOYMENT OF GEORGE B. BUCK TO PERFORM CERTAIN ACTUARIAL SERVICES.

The following resolution was unanimously adopted upon motion of Councilman Atkins and duly seconded by Councilman Albea:

WHEREAS, the City Council has heretofore authorized the City Attorneys to negotiate certain contracts with Geo. B. Buck for the performance of certain actuarial services and, whereas, the said contracts have been drafted and have been submitted to the Council for approval and have been approved;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk be, and they are, authorized to execute, as of February 11, 1944, a contract with the said Buck for the examination of the proposal submitted to the City by the John Hancock Mutual Life Insurance Company, and other services, for a fee not to exceed \$255, and another contract, dated May 2, 1944, covering the examination of the proposed retirement plan submitted by the firemen and policemen, applying same to all employees of the City, for a fee not to exceed \$600;

RESOLVED FURTHER that there be, and there hereby is, appropriated from the Emergency Fund \$855 to cover the cost of said Buck's services, same to be paid as and when performed.

AN ORDINANCE DIRECTING THE REPAIR OF PROPERTY OF ANNA E. BEARDEN, 1006 EAST 7TH STREET.

The following ordinance was submitted by the City Manager:

WHEREAS, the Chief Building Inspector has duly reported to the City Council that the dwelling belonging to Anna E. Bearden, located at 1006 East 7th Street, in this city, is unfit for human habitation by reason of the fact that it has been damaged by fire, is now unoccupied and constitutes a public nuisance and, whereas, he further reports that it is necessary, in the public interest, that all window and door openings be boarded up and that the foundation be braced, the cost of which will be approximately \$50 and, whereas, it appears that due and proper proceedings have been had with respect to the aforesaid property pursuant to the Housing Ordinance heretofore adopted by the City Council;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CHARLOTTE, N. C.:

Sec. 1. That the one-story frame dwelling located at 1006 East 7th Street, Charlotte, N. C., the property of Anna E. Bearden, now unoccupied be, and the same hereby is, declared to be, in its present condition, a public nuisance.

Sec. 2. That, in the public interest, the Chief Building Inspector be, and he is, directed to do such work upon the said structure as is necessary in order to effectuate the purposes of the ordinance heretofore adopted by the City Council entitled: "An Ordinance Providing for the Repair or Elimination of Unfit Housing and Dangerous Building Conditions", and that, without limiting the generality of the foregoing, he be, and he is authorized to board up all window and door openings and brace the foundation;

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that the total expenditures for said work shall not exceed the sum of \$50.

Sec. 3. That the sum of \$50. be, and it is, appropriated from the Emergency Fund in order to accomplish the purpose and intent of this ordinance.

Sec. 4. That the Chief Building Inspector be, and he is, directed to certify the cost of the said work to the City Tax Collector and that the City Tax Collector be, and he is, directed to place upon the City's tax books for the year 1944 a charge equal to the cost of the said work, which is hereby declared to be a lien against the said property to be collected and foreclosed in the same manner as taxes and tax liens are collected and foreclosed.

Sec. 5. This ordinance shall be in effect from and after its adoption.

APPROVED AS TO FORM:

C. W. Tillett, City Attorney

Councilman Hovis moved the adoption of the foregoing ordinance. Motion seconded by Councilman Daughtry and unanimously carried.

HOLIDAY FOR CITY EMPLOYEES GRANTED ON MAY 20th.

Councilman Albea moved that City Employees be granted a holiday on Saturday, May 20th, in observance of the Signing of the Mecklenburg Declaration of Independence. Motion seconded by Councilman Price and unanimously carried.

OFFER TO CONVEY TO CITY PORTION OF PRIVATELY OWNED SEWER LINE IN MIDWOOD SECTION.

The City Manager advised the owners of a sewer line in Midwood Section have offered to convey to the City a portion of the line. He further stated this line was connected with the City's Outfall sometime ago, which crosses a 60 foot strip of land; they now learn this land is privately owned and, therefore, offer to convey that portion of their sewer, estimated at 30 to 35 feet, which crosses the said land, in order that the City may condemn the right-of-way for this distance if necessary. The Manager suggested that the matter be referred to the City Attorneys for their recommendation, which was done.

REPORT ON SUGGESTED WIDENING OF FIRE STATION ON WEST FIFTH STREET.

The City Manager reported that in accordance with request at the last Council Meeting, he had taken up with Chief Palmer the suggestion of widening the Fire Station on West 5th Street; that it was Chief Palmer's recommendation that the Station not be widened; that when the station was erected the width was considered and made to accommodate three pieces of equipment abreast, which is sufficient. However, he did recommend that the building be lengthened approximately 30 feet, to give more space in the basement and make it possible to have adequate heating facilities. The Manager's report was received as information on the subject.

APPOINTMENT OF BUDGET COMMITTEE FOR 1944-45.

Councilman Daughtry moved that Councilmen Slye, Hovis and Baker be and they are constituted the Council's Budget Committee for the year 1944-45. Motion seconded by Councilman Painter and unanimously carried.

CITY MANAGER AUTHORIZED TO EMPLOY CHARLOTTE REAL ESTATE BOARD TO APPRAISE PROPERTY FOR CEMETERY SITE.

Councilman Hovis stated the Cemetery Committee had been searching for available and appropriate lands for a cemetery site, and moved that

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the City Manager be authorized to employ the Charlotte Real Estate Board to appraise any property recommended by the Committee as being available for use as a cemetery site. Motion seconded by Councilman Albea and unanimously carried.

SPECIAL OFFICER PERMIT AUTHORIZED RENEWED TO JOHN E. SMITH.

Upon motion of Councilman Albea, duly seconded by Councilman Hovis and unanimously carried, the Special Officer Permit of John E. Smith, on the premises of Charlotte Memorial Hospital, was renewed for one year.

SPECIAL OFFICER PERMIT GRANTED TO WILLIAM H. LIVIE.

Councilman Daughtry moved that a Special Officer Permit be issued to William H. Livie for use on the premises of Charlotte Recreation Commission, Municipal Golf Course. Motion seconded by Councilman Hovis and unanimously carried.

CEMETERY DEEDS APPROVED FOR TRANSFER.

Councilman Hovis moved that the following cemetery deeds be approved for transfer. Motion seconded by Councilman Atkins and unanimously carried:

Leslie D. Weeks and wife, Carolina W. Weeks, South Half of Lot No. 110, in Section X, Elmwood Cemetery, \$70.00.
George F. Evans, Lot No 1-B, in Section "St. John", Elmwood Cemetery, \$34.25.
Transfer from B. C. Glover and G. J. Killius to C. Y. and Ora M. Logan, Lot No. 124-C, in Section "D-Annex", Elmwood Cemetery, \$1.00.

ADJOURNMENT.

Upon motion of Councilman Hovis, seconded by Councilman Price, the meeting was adjourned.

City Clerk