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The regular weekly meeting of the City Council was held in the Council Chamber, City Hall, at 4:00 o'clock P. M., Wednesday, May 24th, 1939, with Mayor Douglas presiding, and Councilmen Baxter, Britt, Hovis, Hudson, Huntley, Little, Nance, Sides, Ward and Wilkinson being present.

Absent: Councilman Albea.

MINUTES OF MAY 10TH MEETING READ AND APPROVED.

On motion of Councilman Hudson, seconded by Councilman Sides, the minutes of the meeting of May 10th. were approved as read.

NOMINATION OF POLICE CHIEF.

Councilman Wilkinson at this time placed in nomination for Chief of Police the name of E. D. Pittman, present incumbent, which nomination was seconded by Councilman Baxter.

On seconding this motion, Councilman Baxter stated that he did so not only personally but as Chairman of the Police Committee, which he stated represented the unanimous vote of that committee. Councilman Baxter called upon several members of the Council who had opposed the appointment of Chief Pittman at a former meeting, asking if they had talked with Chief Pittman lately regarding the work of the Department. Councilman Britt declined to reply to the question, while Mr. Hudson stated he did not care to go into a personal discussion of the matter and Mr. Nance stated that he had not talked with the Chief, since Mr. Baxter was Chairman of the Police Committee. Mr. Baxter stated that he regretted that an discussion had to come up but felt that the Council should stand by the and support the present administration. After which Mayor Douglas called for a vote on the motion, which after receiving five affirmative votes, namely: Councilmen Sides, Baxter, Ward, Huntley and Wilkinson, was declared by the Mayor as being lost.

Thereupon, Councilman Sides introduced the following resolution and moved its adoption, which was seconded by Councilman Little:

WHEREAS, in the opinion of the City Council of the City of Charlotte, it is to the best interests of the City to appoint a Commissioner of Police, whose duties shall be to coordinate the various functions of the Police Department, to develop greater efficiency so that the service of the Department may be improved:

THEREFORE, BE IT RESOLVED: That there is hereby created the office or position of Commissioner of Police and that the City Manager or acting City Manager immediately appoint some suitable person to said office or position in order that the purposes herein above expressed may be accomplished.

Councilman Sides included in this motion that this newly created position carry a salary of \$4200.00 per year, plus \$25.00 per month car allowance, seconded by Councilman Little.

Councilman Wilkinson opposed the above, stating that he did not feel that the Council should put another burden on the taxpayers of Charlotte and that he was not in favor of such a move. Councilman Huntley also voiced opposition to the Commissioner, whereas, Councilman Hudson stated he believed that such a move would effect a saving in that Department and that he would support same. The Mayor then called for a vote on the above motion, which was as follows:

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AYES: Councilmen Sides, Nance, Little, Hovis, Hudson and Britt.

NAYS: Councilman Baxter, Huntley, Ward and Wilkinson.

The Mayor declared the motion carried.

STREET ASSESSMENT CHARGED OFF.

The Acting City Manager, Mr. Jas. W. Armstrong, reported that in September 1922 paving was laid in front of 309 North Caldwell Street and the records show that this street assessment account, in the amount of \$179.94 was paid in full on June 23, 1923 by Mr. J. P. Hackney. In February 1930 a reassessment was made on the North Caldwell Street paving evidently due to some slight discrepancy in the frontage and an additional charge of \$3.71 was made against Mr. Hackney. No explanation of the charge was made to him nor is it clear to him why this charge was made. In view of the fact that Mr. Hackney holds a "Paid in full" receipt and also in view of the fact that he had no notice over a long period of time it was the recommendation of the Collector of Revenue that the charge of \$3.71 be charged off.

On motion of Councilman Hudson, seconded by Councilman Wilkinson, this request was granted.

TAXES ON WRISTON ESTATE REFERRED TO CITY ATTORNEY.

The 1917 tax books of the City of Charlotte show an unpaid item in the amount of \$956.70 in the name of the Wriston Estate, covering property on South Tryon Street. It is the opinion of the best title layers that 1926 and prior taxes are barred in Charlotte and since this property has since changed hands and the present owners take the position that these taxes are not collectable, the Collector of Revenue recommended that the matter be referred to the City Attorney for handling by him to the best advantage to the City, and report back to the Council.

On motion of Councilman Sides, seconded by Councilman Nance, this recommendation was approved.

SEWER EXTENSION ON CHAMWOOD DRIVE.

On motion of Councilman Hudson, seconded by Councilman Huntley, the extension of an 8" sanitary sewer on Chambwood Drive, from the end of the present sewer towards Belvedere Avenue, 45 feet, to serve one house, and estimated to cost \$34.65, was authorized.

SPECIAL OFFICER PERMIT FOR J. L. THOMASSON ON MILLER MOTOR EXPRESS CO. PREMISES.

Application of the Miller Motor Express for a special officer permit for J. L. Thomasson on their premises, was authorized on motion of Councilman Britt, seconded by Councilman Nance and unanimously carried.

PURCHASE OF 8 INCH TERRA COTTA PIPE FROM J. L. WIGGINS & SON LUMBER COMPANY.

Bids having been received on 1302 Feet of 8-inch Terra Cotta Pipe from seven concerns, all at the price of \$340.99, and following the practise of rotating business where quality and price are the same, Councilman Nance moved that the contract be awarded to the J. L. Wiggins & Son Lumber Company and that the Mayor and Clerk sign same. Motion seconded by Councilman Sides and unanimously carried.

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REPORT OF POLICE COMMITTEE ON REQUEST OF EAST SEVENTH STREET RESIDENTS TO CLOSE BUSINESS HOUSES IN THAT VICINITY BY MIDNIGHT.

In the matter of the request of a number of residents of East Seventh Street that business houses in that vicinity be closed by midnight, which was referred to the Police Committee at a previous meeting, Councilman Baxter, Chairman of the Committee, reported that this committee had investigated the matter and that there is nothing that the Council can do except refer the matter to the Chief of Police for action if a nuisance actually exists, and that the police have been asked to watch the place complained of and if they find it to be a nuisance it will have to be closed.

EXTENSION OF WATER MAIN IN WILMOUNT ROAD.

The request of Mr. Lex Marsh for extension of a water main in Wilmount Road and Barringer Drive, which was referred to the Public Works Commission, having been investigated, Councilman Wilkinson reported as Chairman of this Commission the following recommendations:

1. That an 8" line be laid from Wilmount Road to Spruce Street, a distance of 850 feet, the developing company to pay for this portion of the line except for the additional expense between an 8" line and a 6" line, which the City will pay, in the amount of \$297.50.
2. That the City will bear the expense of an 8" line through City property, beginning at Spruce Street and ending at Barringer Drive, which is the end of City property, this distance being 665 feet and the cost for an 8" line being \$1,064.00.
3. That the expense of running a line along Barringer Drive to be borne by the developing company, and this line to be a 6" main.

Based on the estimate prepared by the Superintendent of the Water Department, this would mean that in order to make the proposed extensions, the cost to the City would be \$1,361.50, and the recommendations of the committee are based upon the developing company putting up the necessary cash to care for their portion of the work at the time the work is started.

Councilman Wilkinson moved that the recommendations of the committee be accepted. Motion seconded by Councilman Baxter and carried.

CITY OWNED LAND ON WILMOUNT ROAD.

The Acting City Manager presented a letter from Mr. L. L. Ledbetter, Treasurer, regarding land which the City owns on the Wilmount Road, close to the property of C. S. Bostic, in which Mr. Bostic requests the City to place its approval upon the project of his subdivision which he is developing through Federal Housing Administration in order to secure mortgage loans on this sub-division, as well as the property owned by the City.

Councilman Huntley moved that this be postponed for one week in order to give more study to it, which was seconded by Councilman Sides. Mayor Douglas referred the matter to the City Manager and City Attorney for investigation and report back to the Council.

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CEMETERY DEEDS.

On motion of Councilman Sides, seconded by Councilman Huntley, transfer of East Half of Lot No. 38 in Section "D", Elmwood Cemetery, from Dr. W. Myers Hunter and wife, Camille Hunter, to Mr. and Mrs. W. S. Dickson, was approved. This included perpetual care.

ADJOURNMENT.

On motion of Councilman Hudson, seconded by Councilman Wilkinson, the meeting adjourned.

Alvin B. McConell
City Clerk