

A regular meeting of the City Council was held in the Council Chamber, City Hall, at 11 o'clock a.m., on Wednesday, May 25, 1949, with Mayor Shaw presiding, and Councilmen Aitken, Albea, Boyd, Coddington, Daughtry, Jordan and Wilkinson present.

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

MINUTES APPROVED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the minutes of the last meeting, on May 18th, were approved as submitted.

AN ORDINANCE (No. 69) AMENDING THE MILK ORDINANCE TO LIMIT THE GRADES OF FRESH FLUID MILK THAT MAY BE RECEIVED IN A PROCESSING PLANT SELLING MILK IN CHARLOTTE.

An ordinance entitled, "An Ordinance (No. 69) Amending the Milk Ordinance to Limit the Grades of Fresh Fluid Milk that May be Received in a Processing Plant Selling Milk in Charlotte" was presented and read. Councilman Aitken stated that in accordance with the recommendation of the Health Advisory Committee, and for the safeguard of the health of the citizens of Charlotte and in order to enact into law the agreement now among the Dairymen, he moved the adoption of the ordinance to become effective on June 1st 1949. The motion was seconded by Councilman Daughtry, and unanimously carried. Ordinance is recorded in full in Ordinance Book 11, at Page 63.

REQUEST OF B. L. PENDLETON FOR BEER LICENSE FOR ELLIE'S PLACE, 627 BELMONT AVENUE. WITHDRAWN.

Protests against the renewal or issuance of a Beer License to Mr. B. L. Pendleton for Ellie's Place, 627 Belmont Avenue, were registered by the Reverend Joe Caldwell, acting as spokesman for a large delegation of residents of the Belmont section of the city. His statements that the sale of beer at this location created a nuisance and an unwholesome and undesirable condition were substantiated by the remarks of the Reverend Roy Liner, Rev. C. S. Wilson, Rev. J. H. Eades and Mr. C. R. Hutchinson, Federal Parole Officer, all of whom urged that the sale of beer be prohibited at 627 Belmont Avenue for the peace and welfare of the community. Captain John Yandle of the City Police Department, presented a record of convictions against Mr. Pendleton and advised that a license was refused him three years ago due to convictions; that a beer license was then taken out by his wife, and it's renewal had been refused by the Police Department upon petition of residents of the area. Mr. Ray Farris, Attorney representing Mr. Pendleton, presented character witnesses in his behalf, and Mr. Pendleton stated he had endeavored to operate an orderly place of business.

Following the lengthy discussion, Mr. Farris withdrew his request for the License, stating they now desired to wait until the new state law with regard to Beer License goes into effect July 1st and apply to the State A.B.C. Board, Malt Beverage Division, for a license.

No action in the matter was taken by the City Council.

REMOVAL OF TREES AT EUCLID AVENUE AND MOREHEAD STREETS.

Motion was made by Councilman Boyd, seconded by Councilman Coddington, and unanimously carried, authorizing the removal of trees from the planting strip at the south-east corner of Euclid Avenue and Morehead Streets, in order to construct a driveway to a new Service Station, as requested by Mr. Claude Brown.

STREETS IN SMALLWOOD HOMES DEVELOPMENT TAKEN OVER FOR CITY MAINTENANCE.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the following streets in Smallwood Homes Development were authorized taken over for city maintenance:

- Seldon Drive, from Trade St. through Development back to Trade St.
- Lathan Place, from Trade St. to Seldon Drive.
- North Turner Ave., from Trade St. to Seldon Drive.
- North Gardner St., from Trade St. to Seldon Drive.
- North Gregg St. from Trade St., to Seldon Drive.
- North Smallwood Place, from Trade St. to Seldon Drive.

CONTRACTS AUTHORIZED FOR THE CONSTRUCTION OF NEW SANITARY SEWERS.

Councilman Jordan moved approval of the following contracts for the construction of new sanitary sewers. Motion seconded by Councilman Albea, and unanimously carried:

- (a) Contract with Marsh Realty Company, for the construction of an 8-inch sewer in West Boulevard, for a distance of 2,237 feet, at an estimated cost of \$4,645.75, to be borne by the City, and applicant's deposit of the full amount to be subsequently refunded in accordance with the terms of the contract.
- (b) Contract with J. B. Caddell, 2027 The Plaza, for new 8-inch sewer in Mecklenburg Avenue, for a distance of 315 feet, at an estimated cost of \$531.30. The entire cost to be borne by the City, and applicant's deposit of the full amount to be subsequently refunded in accordance with the terms of the contract.
- (c) Contract with The Stephens Company, for new 8-inch sewer in Hopedale Avenue, for a distance of 832 feet, at an estimated cost of \$1,478.84, to be borne by the City, and applicant's deposit of the full amount to be subsequently refunded in accordance with the terms of the contract.

CONTRACT WITH RATCHFORD BROS. FOR THE PURCHASE OF A CATERPILLAR MOTOR GRADER.

Motion was made by Councilman Albea, seconded by Councilman Wilkinson, and unanimously carried, authorizing a contract with Ratchford Bros., Dallas, N. C., for the purchase of One Caterpillar Motor Grader, Model No. 212, at a net delivered price of \$3,700.00.

CONTRACTS AUTHORIZED FOR THE PURCHASE OF WATER MAINS IN AREA ANNEXED JANUARY 1, 1949.

Upon motion of Councilman Albea, seconded by Councilman Daughtry, and unanimously carried, the following contracts were authorized for the purchase of water mains in the area annexed on January 1, 1949:

- (a) Contract with Charlotte Equipment Company, for 3,097 feet of mains in Hutchinson Avenue, at a price of \$7,359.10.
- (b) Contract with The Linde Air Products Co., 30 East 42nd St., New York City, for 2,604 feet of mains in West Trade Street, at a price of \$5,501.94.

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- (c) Contract with Realty Development Company, for 2,811 feet of mains in Greenland Ave., Morton St., and Remount Circle, at a price of \$2,039.43.

SPECIAL OFFICER PERMIT GRANTED JAMES G. HASTY.

Councilman Coddington moved that a Special Officer Permit be authorized issued to James G. Hasty on the premises of the Mint Museum of Art. Motion seconded by Councilman Jordan, and unanimously carried.

UNANIMOUS CONSENT GIVEN THE PRESENTATION OF PERSONNEL APPOINTMENTS.

Upon motion of Councilman Coddington, seconded by Councilman Albea, the unanimous consent of Council was given the presentation of personnel appointments.

APPOINTMENT OF L. L. LEDBETTER AS CITY TREASURER.

Councilman Daughtry moved the appointment of Mr. L. L. Ledbetter as City Treasurer, at his present salary. Motion seconded by Councilman Coddington, and unanimously carried.

APPOINTMENT OF GEORGE B. LIVINGSTON AS CITY ACCOUNTANT.

Councilman Jordan moved the appointment of Mr. George B. Livingston as City Accountant, at his present salary. Motion seconded by Councilman Aitken, and unanimously carried.

APPOINTMENT OF JAMES W. ARMSTRONG AS COLLECTOR OF REVENUE.

Councilman Boyd moved the appointment of Mr. James W. Armstrong as Collector of Revenue, at a salary of \$6,000.00 per annum, with his term of office to begin June 1, 1949. Motion seconded by Councilman Wilkinson, and unanimously carried.

APPOINTMENT OF FRANK N. LITTLEJOHN AS CHIEF OF POLICE.

Councilman Albea moved the appointment of Mr. Frank N. Littlejohn as Chief of Police, at his present salary. Motion seconded by Councilman Jordan, and unanimously carried.

APPOINTMENT OF DONALD S. CHARLES AS CHIEF OF FIRE DEPARTMENT.

Councilman Coddington moved the appointment of Mr. Donald S. Charles as Chief of the Fire Department, at his present salary. Motion seconded by Councilman Albea, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Jordan, which unanimously carried, the meeting was adjourned.

Lillian R. Hoffman
City Clerk