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The City Council met in regular weekly session at 4 o'clock P. M., Wednesday, May 26, 1943, in the Council Chamber, City Hall, with Mayor Baxter presiding and Councilmen Albea, Atkins, Baker, Bullard, Cope, Daughtry, Painter, Price, Slye and Ward being present.

Absent: Councilman Hovis.

MINUTES CORRECTED. RE SANITARY DEPARTMENT WALKOUT.

On motion of Councilman Albea, seconded by Councilman Price, the minutes of the previous meeting, May 19th., were approved with the correction that Councilman Baker be placed on record as approving the adoption of an act similar to the Hatch Act, for city employees, by the next session of the General Assembly, in order to prevent a repetition of the discord among such City employees in the future as has just occurred in the Sanitary Department.

COMPLAINT MADE BY JOHN W. LADD, RE ARREST FOR PARKING IN "LOADING & UNLOADING ZONE".

A Mr. John W. Ladd, operator of Ladd's Service Station, appeared before the Council with a complaint against his being given a parking ticket for parking in a "Loading & Unloading" zone at Graham and 11th Streets, while loading a stove which he was picking up for repairs. He stated that he was brought to Police headquarters and because he did not have the money to pay half the costs, for which he was taxed, he was threatened with being locked up. Mr. Ladd stated that he did not feel that he should have had to pay the fine when he was using a "Loading and Unloading" zone space for loading.

After hearing this man, Mayor Baxter stated that the Council had no authority to reverse the order of the Judge, but that he would be glad to do all he could personally to assist him in paying the fine, which Mr. Ladd stated he did not have at the time.

BRIDGE OVER SUGAW CREEK - STONEWALL STREET EXTENSION.

City Manager Flack reported that the bridge to be erected over Sugaw Creek, on Stonewall Street Extension, would cost more than had been anticipated in the beginning, but that plans now call for construction of a better bridge, and that the additional cost will be in the fabricating of the steel. Total cost of the bridge is now estimated to be \$6,129.20, and he asked that the Council authorize the work to proceed on this figure.

Councilman Ward, seconded by Councilman Baker, moved that the City Engineer be given authority to proceed on the above recommendation of the City Manager, which motion was unanimously carried.

SALE OF WATER WORKS MATERIAL.

On motion of Councilman Slye, seconded by Councilman Albea, authority was given for the sale to Morris Field of 1- 1½" corporation stop and goose neck, and the installation of 1- 2" stop, in the sum of \$20.00, which carries a 10% handling charge, from surplus commodity stock of the Water Department.

On motion of Councilman Albea, seconded by Councilman Painter,

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authority was likewise given for the sale to Morris Field of 3 cast iron fittings, for the price of \$21.45, which is 10% above City's cost, from the Water Department.

AUTHORITY GIVEN FOR THE SALE OF SURPLUS MATERIALS IN THE WATER DEPARTMENT UP TO \$200.00.

At the request of the City Manager, and on motion made by Councilman Bullard, duly seconded by Councilman Slye and unanimously carried, the City Manager was granted authority to sell surplus materials in the Water Department up to \$200.00 without securing Council approval each time. The sale of this surplus material is necessary under the surplus commodity plan set up by the War Production Board.

PURCHASE OF SHIRTS FOR POLICE DEPARTMENT.

On motion of Councilman Daughtry, seconded by Councilman Albea and unanimously carried, authority was given for the purchase of 468 gray shirts for patrolmen for summer wear, from Belk Brothers Company, at a unit price of \$2.00 each.

Belk Bros. Company have the material in stock for these shirts, and bids could not be secured from other sources due to this type of material being practically exhausted.

REPLACEMENT OF BROKEN SEWER NEAR McNINCH STREET AUTHORIZED.

The City Manager reported necessity for replacement of a broken sewer near McNinch Street, which is temporarily being by-passed into another sewer, but this arrangement cannot continue for any length of time, and the cost of this replacement has been estimated at \$935.55. He recommended that this be done at once.

On motion of Councilman Slye, seconded by Councilman Daughtry and unanimously carried, authority was given for the replacement of this sewer, at the estimated cost of \$935.55.

SANITARY SEWER TO BE CONSTRUCTED ON N. TRYON STREET FOR SECOND PRESBYTERIAN CHURCH.

Mr. Flack reported that the Second Presbyterian Church has requested extension of a sanitary sewer on North Tryon Street in the east sidewalk from a manhole in East 6th Street, south to the sewer lateral of the Church, in order to take care of the difficulties they are now having with the present sewer. This work has been estimated to cost \$585.75 and the Church has agreed to pay \$385.75, the difference between the estimated cost and the amount of \$200.00 which the City allows for each sewer connection, and the City Manager recommended that the City enter into such arrangement, since this is an urgent matter.

Councilman Baker moved that this work be done under the above arrangement, which was seconded by Councilman Painter and unanimously carried.

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MONEY APPROPRIATED FROM EMERGENCY FUND FOR REPAIR AND REHABILITATION OF POLICE DEPARTMENT.

On motion of Councilman Baker, seconded by Councilman Daughtry and unanimously carried, the sum of not exceeding \$4000.00 was appropriated from the Emergency Fund for repairs and rehabilitation of Police headquarters.

PURCHASE OF TWO AUTOMOBILES FOR POLICE DEPARTMENT AUTHORIZED.

On motion of Councilman Slye, seconded by Councilman Price and unanimously carried, the City Manager was granted authority to proceed with the purchase of two police cars, and the sum of \$2400.00 was appropriated from the Emergency Fund, current budget, to take care of these purchases.

RESOLUTION REGARDING HEARINGS BEFORE CIVIL SERVICE BOARD.

The following resolution was offered by Councilman Atkins, who moved its adoption. Motion to adopt seconded by Councilman Daughtry and carried, unanimously:

WHEREAS, it frequently occurs at hearings before the Civil Service Board that the orderly and complete presentation of evidence and arguments in support of the charges involved, or action of the Police or Fire Chief involved, renders it necessary or desirable that the Chief be represented by an attorney -- this being especially true in cases where the member of the Fire or Police Department involved is represented by an attorney --; and, whereas, the City Attorney is not available to represent the Chief whose charges or action is involved because the City Attorney must be in position to advise the Civil Service Board impartially in the matter,

NOW, THEREFORE, BE IT RESOLVED that the City Manager be and he is directed, upon the application of the Chief of the Fire or Police Department, to employ an attorney to represent and assist the Chief at any hearing before the Civil Service Board, when according to the best information available to the Chief in advance of the hearing it is the intention of the policeman or fireman involved to be represented by an attorney, or when at the hearing the policeman or fireman involved is represented by an attorney.

RESOLUTION REGARDING RETIREMENT SYSTEM.

Councilman Baker offered the following resolution and moved its adoption. Motion seconded by Councilman Ward and unanimously carried:

RESOLVED, that the City Attorney be, and he is, authorized in the name of the City to employ George B. Buck, Actuary, to come to Charlotte and advise with the Council Committee on the retirement system for City employees for a fee of \$35.00 per day, plus expenses.

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APPOINTMENT OF PARK AND RECREATION COMMISSION.

Councilman Baker nominated for members of the Park and Recreation Commission Mr. Charles H. Stone, Mr. Walter Lambeth, Mr. James H. Carson and Mr. John R. Pender, to succeed themselves, and Mr. Gordon Lupo as the fifth member of this board. This nomination was seconded by Councilman Daughtry, and with no further nominations, the motion was unanimously carried, and the above five members were declared by the Mayor elected to serve with the Council term.

TRAFFIC SUGGESTIONS.

Councilman Baker brought to the attention of the Council the advisability of attempting to educate Charlotte pedestrians in the importance of walking to the right in the congested business district. Mayor Baxter stated that this was a good suggestion and that this task of educating the public might be given to the two local newspapers. Councilman Baker stated that while he was satisfied that the newspapers would do their part, he felt that it might be a good gesture on the part of the City to draw a line or have signs painted on the sidewalks reading "Keep to the Right". No official action was taken at this time.

CEMETERY DEEDS.

On motion of Councilman Baker, seconded by Councilman Atkins, the following cemetery deeds were authorized to be issued:

Mr. & Mrs. Frank E. Dawson, South Part #25, Section BB, Elmwood	\$56.70
C. P. & Earl Polk, South Half No. 48, Section BB	49.00
Curtis Courtney & Virginia Courtney, N Half #49, Section BE	49.00
B. A. & Bertie Lee Hagler, S. Half #59, Section BB	49.00
Mrs. Pearl M. Hobbs, #55-A, Section "X", with perpetual care	128.05
Mrs. Maude S. Richards, Lot No. 274, Section "Y"	35.00
Mrs. Dollie R. Brown, Lot No. 63-A, Section "Z"	27.65

QUESTION OF PERPETUAL CARE DISCUSSED.

Councilman Bullard brought up the question of perpetual care in Charlotte cemeteries, stating that in most cities this has been dropped. The City Manager stated that he was not informed as to the practice in other places, but that he would check up on the matter; Mr. Bullard stating that it might be well to look into this question since it was an enormous drag on the City to take care of lots.

ADJOURNMENT.

On motion of Councilman Daughtry, duly seconded and carried, the meeting then adjourned.

Alice B. McPherson
City Clerk