

SPECIAL MEETING
September 6, 1941
Page 171.

A special meeting of the City Council was held in the Council Chamber, City Hall, at 10 o'clock A. M., Saturday, September 6, 1941, due notice having been sent to each and every Councilman as required by law. Mayor Currie presided and the following Councilmen were present: Baker, Beasley, Daughtry, Hovis, Painter, Price and Ross.

Absent: Councilmen Albea, Little, Slye and Ward.

PURPOSE OF MEETING.

The Mayor announced that this meeting had been called for the purpose of considering a request of the Government for a bridge across Fordson Avenue, between Lucena Street and Hutchison Avenue, and also, to consider a request from the Government to construct a sewer line from Statesville Avenue to Lucena Street.

READING OF MINUTES OF REGULAR MEETING DEFERRED.

On motion of Councilman Ross, seconded by Councilman Price, the reading of the minutes of the regular meeting of September 3rd., was postponed until the next regular meeting.

RESOLUTION AUTHORIZING U. S. GOVERNMENT TO DO CERTAIN WORK ON FORDSON AVENUE.

The Mayor called upon the City Manager to explain the purpose of the work in question; Mr. Ledbetter went into the matter quite fully, after which the following resolution was presented:

RESOLUTION AUTHORIZING U. S.
GOVERNMENT TO DO CERTAIN WORK ON FORDSON AVENUE.

WHEREAS, the U. S. Government owns a Quarter Master Depot south of Fordson Avenue and finds it necessary, in the public interest, to construct a sidetrack from said Quarter Master Depot across Fordson Avenue for the purpose of making connection with the Southern Railway and, whereas, the Government desires that the City grant it permission to do this work and the City is willing to grant the permission upon the terms hereinafter stated;

NOW, THEREFORE, BE IT RESOLVED that the Acting City Manager be, and he is, authorized to grant to the U. S. Government permission to do such excavation as may be necessary for the purpose of constructing the aforesaid sidetrack through and across Fordson Avenue, and to construct, maintain and operate the said sidetrack through and across said Avenue, provided the Government meets and complies with the following conditions:

1. It shall agree to construct across the said sidetrack along Fordson Avenue a reinforced concrete bridge 40 feet wide with a 30 foot roadway and two 5 foot sidewalks equipped with proper guard rails, the plans and specifications for the said bridge to be first approved by the City Engineer, it being understood that the Government shall also be required to establish the amount of clearance between the track and the bridge which the City Engineer prescribes, and shall be required to establish the grade for the approaches to the bridge which the City Engineer shall prescribe.

Special Meeting
September 6, 1941
Page 172.

2. The Government shall agree that it will reconstruct the water line which now runs along Fordson Avenue at the point where the bridge shall be built in such manner as shall be prescribed by the Superintendent of Water Works.

3. The Government shall agree during the process of construction, and until the work is finally completed and approved by the City Engineer, that it and its contractor will indemnify the City and save it harmless from any and all loss, liability, cost, damage demand, attorney's fees and expenses that the City may incur on account of, or that may, directly or indirectly, grow out of, or in any manner be connected with, the execution by the Government of the aforesaid work; further, that until the said work has been completed and approved by the City Engineer, the Government and/or its contractor will have issued to the City and continued in force during the work a liability policy in a company approved by the City Manager, insuring the City against liability for property or personal injury damages on account of the aforesaid work, with limits of not less than \$5000 for property damage and with personal injury liability limits of not less than \$10/20,000, the protection afforded by said insurance policy to be in addition to the contractor's and the Government's assumption of liability as above provided for.

4. The Government shall agree that if at any time hereafter it acquires the land abutting Fordson Avenue on the north side of said Avenue between the proposed bridge and Statesville Avenue, it will in that event reimburse the City for all cost and expense incurred by the City in laying a sewer along Fordson Avenue from Lucena Street to Statesville Avenue, the construction of said sewer now being made necessary by the work to be done by the Government which is hereinabove provided for.

5. The terms and conditions governing the permission granted to the Government shall all be included in a contract to be entered into between the City and the Government duly executed by authorized officials of the Government and the City of Charlotte, which said contract shall be in form approved by the City Attorney.

6. Pending the final drafting and execution of the contract above provided for, the Government shall have the authority to commence and proceed with the said work upon the delivery to the City Manager of the liability insurance policy hereinabove provided for, with the understanding, however, that if the said contract is not promptly drafted and executed, and if the terms and conditions hereinabove set forth are not faithfully carried out, the City Manager shall cancel the permission hereby given to do the said work.

Upon motion of Councilman Price, seconded by Councilman Daughtry, the above Resolution was unanimously adopted on three readings.

Special Meeting
September 6, 1941
Page 173.

RESOLUTION PROVIDING FOR CONSTRUCTION OF SEWER ON FORDSON AVENUE.

After the adoption of the above resolution, the following resolution, regarding the sewer line along Fordson Avenue, was presented and discussed fully. Councilman Hovis then moved that the resolution be adopted. Motion seconded by Councilman Ross. Councilman Ross moved that the resolution be adopted on three readings, and on motion made by him duly seconded by Councilman Beasley in each instance, the motion was placed on second and third readings and unanimously adopted:

RESOLUTION
PROVIDING FOR CONSTRUCTION OF SEWER ON
FORDSON AVENUE.

WHEREAS, the construction by the U. S. Government of a sidetrack through Fordson Avenue in accordance with a resolution duly adopted by the Council will necessitate the construction of a sewer line along Fordson Avenue, which will connect the sewer on Lucena Street to the sewer on Statesville Avenue, a distance of approximately 1800 feet and, whereas, in the judgment of the City Council it is not necessary or desirable to require that the U. S. Government or the property owners along Fordson Avenue be required to pay any portion of the cost of the said sewer;

NOW, THEREFORE, BE IT RESOLVED that the City Engineering Department be, and it hereby is, instructed to construct the said sewer, charging the entire cost of same to sewer bonds, the estimated cost of said construction being approximately \$1500.

COUNCILMAN BAKER TO SERVE ON BILLING MACHINE COMMITTEE.

Councilman Daughtry asked that Councilman Baker be named to serve on the committee appointed to make certain trials and surveys of billing machines in order that the best type machine be purchased for use by the Water Department, and Councilman Baker agreed to serve on this committee in addition to the three members previously appointed by the Mayor.

ADJOURNMENT.

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

Alice B. McConell
City Clerk