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The regular weekly meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, October 28, 1936, at 4:00 o'clock P. M., Mayor Douglas presiding and Councilmen Albea, Baxter, Boyd, Durham, Hovis, Hudson, Huntley, Nance, Tipton and Wilkinson, ^{present} Councilmen Durham and Albea coming in late.

Absent: Councilman Sides.

APPROVAL OF MINUTES OCTOBER 21ST. MEETING.

On motion of Councilman Huntley, seconded by Councilman Baxter, the minutes of the meeting of October 21st. were approved as read.

USE OF ARMORY-AUDITORIUM TO NEGRO RECREATION COMMITTEE GRANTED FREE OF CHARGE.

On motion of Councilman Boyd, seconded by Councilman Tipton and unanimously carried, the use of the Armory-Auditorium for the purpose of a musical program, on the evening of November 30, 1936, was granted to the Negro Recreation Committee, free of charge, the proceeds from this musical to be used in helping to complete the Fairview Community Center.

CONTRACT FOR SIGNAL LIGHTS.

Councilman Baxter moved that contract for Signal Lights for five street intersections be awarded Graybar Electric Company, at a price of \$1428.20; the bid of Graybar Electric Co. being the same as two other companies bidding, but this concern offers a discount of 2% for payment within ten days of invoice; and that the Mayor and Clerk sign the contract. Motion seconded by Councilman Wilkinson and unanimously carried.

Bids received on these Signal Lights were as follows:

Graybar Electric Company	\$1,428.20
Mill Power Supply Company	1,428.20
Westinghouse Electric Company	1,428.20
General Electric Company	1,488.00
Southern Electric Service Company	1,551.00
Esco Manufacturing Company	1,599.20

CONTRACT AWARDED AUSTIN ELECTRIC COMPANY FOR POWER WIRING ARMORY-AUDITORIUM.

On motion of Councilman Wilkinson, seconded by Councilman Boyd, contract for power wiring for the Armory-Auditorium was awarded to the Austin Electric Company, at \$738.00 and the Mayor and Clerk were authorized to sign the contract.

Bids received were as follows:

Austin Electric Company	\$ 738.00
Ross Electric Company	777.46
Interstate Electric Company	900.64
Hunter Electric Company	917.00

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Economy Electric Company	\$ 997.45
Sou. Electric & Service Co.	1,080.00
F. E. Robinson & Co.	1,085.00
Woodside Electric Company	1,123.38
Robinson Electric Company	1,375.00
Anderson Elec. & Supply Co.	1,248.00

CONTRACT FOR TRUCKS.

On motion of Councilman Huttley, seconded by Councilman Wilkinson, contract for the purchase of One 1-1/2 Ton Dump Body Truck was awarded to the Diamond T Motor Truck Sales & Service Company, at a price of \$960.90 and the Mayor and Clerk were authorized to sign the contract.

Bids received on One 1-1/2 Ton Dump Body Truck were as follows:

Diamond T Motor Truck Sales & Service Co.	\$ 960.90
Pettit Motor Company	1,021.53
International Harvester Company	1,093.12

ROCK CRUSHER EQUIPMENT RENTED FROM T. L. PITTS & SON.

Contract for rental of Rock Crushing Equipment for the W.D.A. Rock Quarry, was awarded to T. L. Pitts & Son on a 10" x 18" Crusher, at the price of \$341.25 per month, said rental to apply against the purchase price of \$2,925.00 in event the City decides to purchase this equipment at the expiration of the W. P. A. project, and the Mayor and Clerk were authorized to sign contract to cover; this being by motion of Councilman Boyd, seconded by Councilman Nance and unanimously carried.

Bids were received on Crushing Equipment as follows:

	<u>Rental</u>	<u>Purchase</u>
T. L. Pitts & Son		
9x16 Reliance Crusher,		
Factory Rebuilt	341.25	\$ 2,632.50
10x17 Ditto	341.25	2,925.00
Contractors Service Company		
9x16 Grundler Crusher, New	360.00	4,268.00
10x20 " " "	500.00	5,950.00
North Carolina Equipment Co.		
9x16 Champion Crusher,		
Factory Rebuilt	700.00	4,200.00
9x16 Champion Crusher, New	850.00	5,100.00
E. F. Craven & Company		
9x16 Universal Crusher, New	550.00	5,250.00

ADDITIONAL EQUIPMENT FOR AIRPORT AUTHORIZED FROM CONTINGENT FUND.

City Manager J. B. Marshall reported that it will cost approximately \$5,500.00 to furnish equipment and personnel required to complete the Airport, and recommended that this amount be set aside from the Contingent Fund for that purpose.

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Councilman Baxter, seconded by Councilman Hovis, moved that the City Manager's recommendation be complied with.

The question was brought up as to whether this could legally be done. City Attorney Boyd advised that he doubted the legality of such appropriation. Mayor Douglas explained that if the contribution was not made there was a possibility of the Airport not being completed, and after discussion, a vote was taken, with all members present voting "Aye", with the exception of Councilman Nance, who is recorded as not voting.

CONTRACT FOR PROTECTOGRAPH MACHINE.

On motion of Councilman Baxter, seconded by Councilman Tipton and unanimously carried, the Mayor and Clerk were authorized to sign contract with the Todd Sales Company for Check Protectograph, at a price of \$435.00, less allowance for old machine of \$75.00, making total price of \$360.00.

Bids were received from W. M. Lane and Monroe Calculating Machine Company, at prices of \$125.00 and \$260.00 respectively, but the Todd Sales Company machine being designed to work in conjunction with the Signing Equipment already purchased by the City, this machine was recommended from the standpoint of standardization and economy.

COST OF YEAR BOOK CHARGED TO CONTINGENT FUND.

On motion of Councilman Nance, seconded by Councilman Hudson and unanimously carried, the cost of printing the 1936 Year Book, amounting to \$512.52, was authorized to be charged to the Contingent Fund, this amount not being included in the budget for that purpose.

AUTEN AND SUMTER STREETS TAKEN OVER FOR CITY MAINTENANCE.

On recommendation of the City Manager and City Engineer, Auten Street, between Sumter Street and Duckworth Avenue, and Sumter Street between West 4th Street and Auten Street, were taken over for City Maintenance by motion of Councilman Hovis, seconded by Councilman Baxter and unanimously carried.

GRAYBAR STREET TAKEN OVER FOR MAINTENANCE.

On motion of Councilman Wilkinson, seconded by Councilman Baxter and carried, Graybar Street, for a distance of 250 feet south of Morehead Street, was authorized to be taken over for City maintenance.

EXTRA COST OF RENOVATING CEMETERIES TO BE CHARGED TO CONTINGENT FUND.

The City Manager reported that the renovation of Elmwood and Pinewood Cemeteries is costing more than was originally estimated, the amount budgeted for this Capital Outlay being \$2500.00, and that in order to complete the work it is estimated that \$1400.00 more will be needed.

Councilman Hovis moved that the amount of \$1400.00 be taken from the Contingent Fund in order to complete this work, which motion was seconded by Councilman Tipton and unanimously carried.

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MISS JULIA J. ROBERTSON TO BE PAID AMOUNT SET UP AS COST OF BUILDING
RETAINING WALL ON HER PROPERTY - SOUTH GRAHAM STREET, IN LIEU OF BUILDING WALL.

Councilman Hovis moved that the amount of \$1,068.80 set up in the award of benefits and damages on South Graham Street, as the cost of building a retaining wall at the Robertson property, on the corner of South Graham Street and West Trade Street, be paid to Miss Julia J. Robertson in lieu of constructing the wall; this property now being leased for a filling station and the lot to be graded to street level. Motion seconded by Councilman Nance and carried.

CONSTRUCTION OF SEWER LINE ON CARLTON AVENUE.

On recommendation of the Engineering Department, Councilman Baxter moved that an 8" sewer be constructed on Carlton Avenue near Mt. Vernon Avenue to replace an existing 6" pipe laid by a development company and now in bad condition, the estimated cost of this sewer extension being \$214.50. Motion seconded by Councilman Boyd and carried.

EXTENSION OF SEWER LINE ON WEST 24TH STREET.

On motion of Councilman Huntley, seconded by Councilman Hovis and carried, the extension of a sewer on West 24th Street, from North Tryon Street west 1068 feet, was authorized, at an estimated cost of \$996.60, serving seven houses.

CANCELLATION OF PENALTY FOR LATE LISTING.

On motion of Councilman Nance, seconded by Councilman Wilkinson and carried, the penalty for late listing of taxes on property of Moses Reid (colored) foreclosed by the Home Owners' Loan Corporation, was cancelled, the tax being paid by the mortgage holder. This penalty is \$4.89.

PENALTY REMITTED ON PROPERTY OF HESTER FRENCH.

Councilman Wilkinson, seconded by Councilman Tipton, ~~and carried~~ made a motion that the penalty for late listing of taxes on the property of Hester French, amounting to \$2.24, be cancelled. Motion carried.

PARK IMPROVEMENT BONDS.

Mr. Marshall presented a letter received from Masslich & Mitchell, Bond Attorneys, in regard to the Park Improvement Bonds, in which they expressed fear that the proposed constitution^{al} amendment exempting tax assessments on homesteads up to \$1,000.00 would effect the future sale of these bonds, and asking if it would be advisable to proceed quickly with the issuance of the bonds. The City Manager stated that nothing can be done about the matter as we are not in position to say how many bonds will be sold, as only that portion of the bonds covered by the project approved would be sold.

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SPECIAL OFFICER PERMIT ISSUED TO J. G. HASTY.

At the request of the Mint Museum Board, Councilman Nance, seconded by Councilman Boyd, moved that a special officer's permit be issued to Mr. J. G. Hasty, watchman at the Mint Museum. Motion carried.

BUDGET STATEMENT PRESENTED.

A copy of the Budget Statement showing operating costs for the first three months of the fiscal year was presented each Councilman.

AMENDMENT TO ARMORY-AUDITORIUM ORDINANCE.

Councilman Hudson presented the following amendment to the Armory-Auditorium Ordinance and moved its adoption, which motion was seconded by Councilman Nance and carried:

**ORDINANCE AMENDING ORDINANCE ADOPTED ON THE
19TH DAY OF JUNE 1935, ENTITLED "AN ORDINANCE
REGULATING THE LEASING, USE AND OCCUPANCE OF THE
ARMORY-AUDITORIUM."**

BE IT ORDAINED by the City Council of the City of Charlotte in regular session:

Section 1. That the Ordinance adopted on the 19th day of June 1935, entitled, "An Ordinance regulating the Leasing, Use and Occupancy of the City Armory-Auditorium" be amended by adding to Paragraph "B" under Section 6, the following:

"Provided that if any local organization or person shall contract to use the said Armory for as many as ten successive days in any fiscal year of the City of Charlotte that the rate for said ten days so contracted for shall be \$50.00 per day where the same is used for any purpose other than those enumerated under Paragraph "C" below."

Section 2. Provided that no person, firm or corporation shall be permitted to sub-lease the Armory-Auditorium for any purpose and if this proviso is violated, that will automatically cancel the contract of the person so violating it.

Section 3. That this Ordinance shall be in full force and effect from the date of its adoption.

Councilman Hudson then moved that the other food show be refunded down to that amount, if legal. Motion seconded by Councilman Boyd, and after discussion as to the legality of doing this, the motion was put to a vote and lost.

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CEMETERY DEEDS.

On motion of Councilman Hovis, seconded by Councilman Durham, the following cemetery deeds were approved for recording:

Mrs. A. E. Mulholland, N.W. 1/4 Lot No. 23-A, "D Annex"	\$35.00
Perpetual care of S. W. 1/4 of lot No. 77, Section "C", recorded in the name of D. W. Oates, paid by Mr. Neal Y. Pharr	36.00

MR. WARREN H. BOOKER, CHIEF ENGINEER, STATE BOARD OF HEALTH, PRESENTED.

The City Manager introduced to the Council Mr. Warren H. Booker, Chief Engineer, State Board of Health, from Raleigh, N. C., who was in the City attending the Water Works and Sewage Works Convention.

ADJOURNMENT.

On motion of Councilman Durham, seconded by Councilman Wilkinson and unanimously carried, the meeting adjourned.

Alice B. McConnell
City Clerk.)