

September 15, 1938

Page 190

A special meeting of the City Council was held pursuant to notice duly given, in the Commissioners' Room in the County Court House in Charlotte at 11 o'clock, A. M., Mayor Douglas presiding and Councilmen Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Sides and Wilkinson being present.

Absent: Councilmen Albea, Little and Nance.

* * * * *

After calling the meeting to order, and after the Clerk had called the roll, the Mayor and the members of the Council present sat at the table at which the County Board of Elections was holding its meeting and thereupon said County Board of Elections and the City Council of the City of Charlotte as two separate bodies separately received from the Registrars and Judges of election in the various precincts the returns of the special election held September 13, 1938 within the City of Charlotte and did then and there also receive from the Registrars and Judges the special registration books made for said election by order of the City Council.

After said returns had been canvassed by the City

September 15, 1938

Page 191

Council, being simultaneously with the canvassing thereof by the County Board of Elections in the same place, Councilman Sides introduced the following resolution, which was read:

RESOLUTION CONCERNING THE CANVASSING OF THE RETURNS OF THE SPECIAL ELECTION HELD SEPTEMBER 13, 1938.

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. That the returns of the special bond election held September 13, 1938 in the City of Charlotte having been received from the proper election officers, and the City Council having canvassed the same, the following facts are hereby found and determined:

(a) That said election officers incorporated in their said returns not only the number of votes cast for and against the question submitted, but also the number of voters registered and qualified to vote in the election.

(b) That the City Council has examined the special registration books made for said election by order of the said City Council.

(c) That no complaints have been made to the City Council against the regularity of such election and that the City Council believes that said election was conducted in full accordance with law and with the orders of the City Council.

(d) That at said election there was submitted to the qualified voters of said City the following question:

Shall an ordinance passed July 27, 1938 authorizing not exceeding \$350,000 bonds of the City of Charlotte for paying a portion of the cost of constructing and equipping a public hospital in the City of Charlotte and acquiring a site therefor, and a tax for said bonds, be approved?

September 15, 1938
Page 192

Section 2. That the following schedule correctly shows the designations of the several precincts in the City, the number of voters registered at the special registration provided for said election and who were accordingly qualified to vote in each precinct in the election, the number of votes cast in favor of the question submitted, the number so cast against such question, and the number of spoiled ballots:

<u>Ward</u>	<u>Box</u>	<u>Voters registered and qualified to vote</u>	<u>Votes for Question</u>	<u>Votes against Question</u>	<u>Spoiled Ballots</u>
1	1	194	170	4	1
1	2	156	130	11	0
1	3	185	172	0	0
2	1	77	59	5	0
2	2	203	177	8	1
3	1	63	35	4	0
3	2	130	118	1	0
4	1	201	182	6	0
4	2	124	106	12	0
4	3	239	196	4	1
5	1	356	279	5	2
5	2	340	289	4	2
6	1	403	347	9	3
6	2	229	173	13	1
6	3	420	314	9	0
6	4	200	171	11	0
7	1	317	254	9	5
7	2	219	162	13	1
7	3	501	440	13	1
7	4	489	431	15	3
8	1	177	147	5	0
8	2	266	246	8	0

September 15, 1938

Page 193

8	3	336	294	8	9
8	4	229	201	3	0
9	1	109	97	1	1
9	2	230	185	6	0
10	1	263	174	16	0
10	2	96	71	5	0
10	3	178	145	4	0
11		146	109	3	3
TOTALS		7076	5874	205	34

Section 3. That a majority of all the qualified voters of the City voted in favor of the approval of the ordinance passed July 27, 1938 authorizing not exceeding \$350,000 bonds of the City of Charlotte for paying a portion of the cost of constructing and equipping a public hospital in the City of Charlotte and acquiring a site therefor, and a tax for said bonds, and that said ordinance was thereby approved and is in force and effect.

Upon motion of Councilman Sides, seconded by Councilman Wilkinson and unanimously carried, the foregoing resolution entitled "Resolution concerning the canvassing of the returns of the special election ~~held~~ September 13, 1938" was read and passed upon its first reading. The votes cast upon its first reading were as follows:

Councilman Baxton	Aye
Councilman Durham	Aye
Councilman Griswold	Aye
Councilman Hovis	Aye
Councilman Hudson	Aye

September 15, 1938

Page 194

Councilman Huntley	Aye
Councilmen Sides	Aye
Councilman Wilkinson	Aye
Councilman <u>Albea</u>	<u>Absent</u>
Councilman <u>Little</u>	<u>Absent</u>
Councilman <u>Nance</u>	<u>Absent</u>

Upon motion of Councilman Sides, seconded by Councilman Wilkinson and unanimously carried, the said resolution was read and passed upon its second reading. The votes cast upon its second reading were as follows:

Councilman Baxter	Aye
Councilman Durham	Aye
Councilman Griswold	Aye
Councilman Hovis	Aye
Councilman Hudson	Aye
Councilman Huntley	Aye
Councilmen Sides	Aye
Councilman Wilkinson	Aye
Councilman <u>Albea</u>	<u>Absent</u>
Councilman <u>Little</u>	<u>Absent</u>
Councilman <u>Nance</u>	<u>Absent</u>

Upon motion of Councilman Sides, seconded by Councilman Wilkinson and unanimously carried, the said resolution was read and passed upon its third and final reading and the Mayor declared it had passed. The votes cast upon its third and final reading were as follows:

Councilman Baxter	Aye
Councilman Durham	Aye
Councilman Griswold	Aye
Councilman Hovis	Aye
Councilman Hudson	Aye

September 15, 1938

Page 195

Councilman Huntley	Aye
Councilman Sides	Aye
Councilman Wilkinson	Aye
Councilman <u>Albea</u>	<u>Absent</u>
Councilman <u>Little</u>	<u>Absent</u>
Councilman <u>Nanco</u>	<u>Absent</u>

Councilman Wilkinson, seconded by Councilman Hovis, moved that the City Council do now adjourn this special meeting ~~to~~ meet at 12 o'clock noon in the Council Chamber in the City Hall, at a special meeting, pursuant to notice heretofore given, for the purpose of adopting an additional resolution relating to the special bond election held September 13, 1938, and for such other business as may ~~come~~ before the Council. Motion unanimously carried.

Alice B. McConnell
City Clerk

* * * *

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the City Council of the City of Charlotte at a special meeting held September 15, 1938 in the Commissioners' Room in the County Court House in Charlotte, the record having been made in Minute Book No. 7, beginning at page 190 and ending at page 195, and is a true copy of so much of the said proceedings as relate in any way to the canvass of the returns of the special election held September 13, 1938 in the Commissioners' Room in the County Court House.

WITNESS my hand and the seal of said City this
16th day of September, 1938.

Alice B. McConnell
City Clerk

September 15, 1938.

Page 196.

A special meeting of the City Council was held in the Council Chamber of the City Hall at 11:30 o'clock A. M., Mayor Douglas presiding and Councilmen Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Sides and Wilkinson being present.

Absent: Councilmen Albea, Little and Nance.

Councilman Hudson introduced the following resolution:

RESOLUTION DETERMINING THE RESULT OF THE SPECIAL
BOND ELECTION HELD SEPTEMBER 13, 1938.

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. That on September 15, 1938 at 11:00 o'clock A. M., the Mayor of the City of Charlotte and Councilmen Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Sides and Wilkinson held a special meeting of the City Council in the Commissioners' Room in the County Court House in Charlotte for the purpose of receiving and canvassing the returns of the special election held September 13, 1938, such meeting having been held at the same time and place as was held a meeting of the County Board of Elections for receiving and canvassing such returns by said County Board of Elections.

Section 2. That said County Board of Elections and also the City Council of the City of Charlotte did then and there receive from the proper election officers the returns of said special election, as well as the special registration books made for said election.

Section 3. That said election officers incorporated in their said returns not only the number of votes cast for and against the question submitted, but also the number of voters registered and qualified to vote in the election.

Section 4. That the canvass of said returns made by the City Council at said special meeting showed the following number of voters who were registered and qualified to

September 15, 1938
Page 197.

vote in the election, the number of votes cast for and against the question submitted, and the number of spoiled ballots which were rejected, to wit:

Number of registered voters..... 7,076

Question submitted: "Shall an ordinance passed July 27, 1938 authorizing not exceeding \$350,000 bonds of the City of Charlotte for paying a portion of the cost of constructing and equipping a public hospital in the City of Charlotte and acquiring a site therefor, and a tax for said bonds, be approved?"

Number of votes cast for said Question..... 5,874

Number of votes cast against said Question..... 205

Number of spoiled ballots..... 34

Section 5. That from the canvass so made by the City Council it was then and it is now determined that a majority of all the qualified voters of the City voted in favor of the approval of the ordinance passed July 27, 1938 authorizing not exceeding \$350,000 bonds of the City of Charlotte for paying a portion of the cost of constructing and equipping a public hospital in the City of Charlotte and acquiring a site therefor, and a tax for said bonds, and that said ordinance was thereby approved and is in force and effect.

Section 6. That the City Council has prepared and does adopt the following statement of the result of said election as the official statement to be delivered to the City Clerk for recording by her in the book of ordinances and for filing in her office and for publication in the Charlotte News, after the same shall have been signed by a majority of all the members of the City Council:

September 15, 1938
Page 198

RESULT OF SPECIAL BOND ELECTION

At a special bond election held September 13, 1938 7,076 voters were registered and qualified to vote; 5,874 votes were cast for the ordinance authorizing not exceeding \$350,000 bonds of the City of Charlotte for paving a portion of the cost of constructing and equipping a public hospital in the City of Charlotte and acquiring a site therefor, and a tax for said bonds, and 205 votes were cast against said ordinance, and said ordinance was thereby approved and is in force and effect.

This statement is given by order of the City Council this 15th. day of September, 1938.

(Signed) Ben E. Douglas
Mayor

J. L. Wilkinson

L. R. Sides

W. R. Hudson

John F. Durham

J. H. Huntley

H. H. Baxter

W. N. Hovis

T. V. Griswold
Members of City Council

On motion of Councilman Hudson, seconded by Councilman Durham and unanimously carried, the said resolution entitled "Resolution determining the result of the special bond election held September 13, 1938" was read and passed upon its first reading. The votes cast upon

September 15, 1938
Page 199.

its first reading were as follows:

Councilman Baxter	AYE
Councilman Durham	AYE
Councilman Griswold	AYE
Councilman Hovis	AYE
Councilman Hudson	AYE
Councilman Huntley	AYE
Councilman Sides	AYE
Councilman Wilkinson	AYE

On motion of Councilman Hudson, seconded by Councilman Durham and unanimously carried, the said resolution was read and passed upon its second reading. The votes cast upon its second reading were as follows:

Councilman Baxter	AYE
Councilman Durham	AYE
Councilman Griswold	AYE
Councilman Hovis	AYE
Councilman Hudson	AYE
Councilman Huntley	AYE
Councilman Sides	AYE
Councilman Wilkinson	AYE

On motion of Councilman Hudson, seconded by Councilman Durham and unanimously carried, the said resolution was read and passed upon its third and final reading and the Mayor declared it had passed. The votes cast upon its third and final reading were as follows:

September 15, 1938
Page 200.

Councilman Baxter	AYE
Councilman Durham	AYE
Councilman Griswold	AYE
Councilman Hovis	AYE
Councilman Hudson	AYE
Councilman Huntley	AYE
Councilman Sides	AYE
Councilman Wilkinson	AYE

On motion of Councilman Baxter, seconded by Councilman Hudson, and unanimously carried, the meeting adjourned.

Alice B. McConnell
City Clerk

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the City Council of the City of Charlotte at a meeting held September 15, 1938 in the Council Chamber of the City Hall, the record having been made in minute book No. 7, beginning at page 196 and ending at page 200, and is a true copy of so much of said proceedings as relate in any way to the passage of the resolution hereinabove set forth.

I FURTHER CERTIFY that a statement of the result of the election in the form set forth in said resolution has been duly signed by eight members of the City Council and delivered to me and has been recorded by me in the book of ordinances at pages 100 to 105, after which recording I filed the original in my office and caused a copy thereof to be published in the Charlotte News in its issue of September 16, 1938.

WITNESS my hand and the seal of said City this 16th day of September, 1938.

Alice B. McConnell
City Clerk

September 15, 1938
Page 201.

RESOLUTION ACCEPTING OFFER OF U.S. GOVERNMENT FOR GRANT OF \$450,000 FOR HOSPITAL.

After the adoption of the above resolutions, the following notice of special meeting, consent to meeting and resolution were read by the City Attorney:

NOTICE OF SPECIAL MEETING.

To Members of the City Council of the City of Charlotte, North Carolina.

Notice is hereby given that a special meeting of the City Council of the City of Charlotte will be held in the Council room at the City Hall at 11:30 o'clock A. M., on the 15th day of September 1938, for the purpose of considering an offer of the United States of America to aid by way of a grant in financing the construction of a Hospital Building, a Nurses' Home and a Laundry-Boiler House, including necessary equipment and the acquisition of necessary land, and adopting a resolution approving and authorizing the acceptance of such offer.

Dated this 13th day of September 1938.

(Signed) Ben E. Douglas
Mayor

CONSENT TO MEETING

We, the undersigned members of the City Council of the City of Charlotte, North Carolina, hereby accept service of the foregoing notice, waiving any and all irregularities in such service and such notice, and consent and agree that said City Council shall meet at the time and place therein named, and for the purpose therein stated.

Claude L. Albea, Mayor Pro Tem

W. R. Hudson, Councilman

H. H. Baxter, Councilman

J. H. Huntley, Councilman

John F. Durham, Councilman

A. Parks Little, Councilman

T. V. Griswold, Councilman

J. S. Nance, Councilman

W. N. Hovis, Councilman

L. R. Sides, Councilman

John L. Wilkinson, Councilman

A special meeting of the City Council of the City of Charlotte, North Carolina, held pursuant to the preceding call of the Mayor of the City of Charlotte, was held on the 15th day of September 1938, at 11:30 o'clock A. M., in the Council room in the City Hall, in the City of Charlotte.

The meeting was called to order by the Mayor and on roll call the following answered present: Councilmen Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Sides and Wilkinson.

Absent: Councilman Albea, Little and Nance.

September 15, 1938
Page 202.

After discussion of the offer of the United States of America to aid by way of grant in financing the construction of a Hospital Building, a Nurses' Home and a Laundry-Boiler House, including necessary equipment and the acquisition of necessary land, the following Resolution, entitled "A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE CITY OF CHARLOTTE, NORTH CAROLINA, TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF A HOSPITAL BUILDING, A NURSES' HOME AND A LAUNDRY-BOILER HOUSE, INCLUDING NECESSARY EQUIPMENT AND THE ACQUISITION OF NECESSARY LAND", was proposed by Councilman Sides, and read in full:

A RESOLUTION ACCEPTING THE OFFER OF THE UNITED STATES TO THE CITY OF CHARLOTTE, NORTH CAROLINA, TO AID BY WAY OF GRANT IN FINANCING THE CONSTRUCTION OF A HOSPITAL BUILDING, A NURSES' HOME AND A LAUNDRY-BOILER HOUSE, INCLUDING NECESSARY EQUIPMENT AND THE ACQUISITION OF NECESSARY LAND.

Be it resolved by the City Council of the City of Charlotte, North Carolina:

Section 1. That the offer of the United States of America to the City of Charlotte, North Carolina, to aid by way of grant in financing the construction of a Hospital Building, a Nurses' Home and a Laundry-Boiler House, including necessary equipment and the acquisition of necessary land, a copy of which offer reads as follows:

City of Charlotte,

Charlotte, North Carolina.

1. Subject to the Terms and Conditions (PWA Form No. 230, as amended to the date of this Offer), which are made a part hereof, the United States of America hereby offers to aid in financing the construction of a hospital building, a nurses' home and a laundry-boiler house, including necessary equipment and the acquisition of necessary land (herein called the "Project"), by making a grant to the City of Charlotte, North Carolina (herein called the "Applicant"), in the amount of 45 percent of the cost of the Project upon completion, as determined by the Federal Emergency Administrator of Public Works (herein called the "Administrator"), but not to exceed, in any event, the sum of \$450,000.
2. By acceptance of this Offer the Applicant covenants to begin work on the Project as early as possible but in no event later than 8 weeks from the date of this Offer and to complete such Project with all practicable dispatch, and in any event within 15 months from the commencement of construction.
3. This Offer is made subject to the express condition that, if the Administrator shall determine at any time that the Applicant has paid or agreed to pay, whether directly or indirectly, a bonus, commission or fee to any person, firm or corporation for attempting to procure an approval of the Applicant's application, or for alleged services in procuring or in attempting to procure such approval, or for activities of the nature commonly known as lobbying performed or agreed to be performed in connection with the application, then the Administrator shall have the right, in his discretion, to rescind this Offer and any agreements resulting herefrom, and, in the event of such rescission, the United States of America shall be under no further obligation hereunder.

UNITED STATES OF AMERICA
Federal Emergency Administrator
of Public Works
By (Sdg.) H. A. Gray
Assistant Administrator

be and the same is hereby in all respects accepted.

September 15, 1938
Page 203.

Section 2. That said City of Charlotte agrees to abide by all the rules and regulations relating to such grant a copy of which rules and regulations were annexed to the Government's offer and made a part thereof.

Section 3. That the City Clerk of the City of Charlotte be and she is hereby authorized and directed forthwith to send to the Federal Emergency Administration of Public Works three certified copies of this Resolution and three certified copies of the proceedings of this meeting in connection with the adoption of this Resolution, and such further documents or proofs in connection with the acceptance of said offer as may be requested by the Federal Emergency Administration of Public Works.

(Signed) Ben E. Douglas
Mayor, City of Charlotte, N. C.

Alice B. McConnell
City Clerk

The above resolution was seconded by Councilman Huntley, and was adopted, with the following voting aye: Councilmen Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Sides and Wilkinson, and the following voting nay: None.

The Mayor thereupon declared said Resolution carried and the Mayor and City Clerk thereupon signed said Resolution in approval thereof.

CONTRACT WITH C. C. HOOK & SONS FOR ARCHITECTURAL WORK ON MEMORIAL HOSPITAL.

Mr. Paul C. Whitlock then presented to the Council a proposed agreement between the City of Charlotte and Charles C. Hook and Walter W. Hook, for professional services of Messrs. Chas. C. and Walter W. Hook as Architects for the Memorial Hospital, which he stated was in accordance with a resolution adopted by the Council some time ago to employ them. After reading the entire agreement to the Council, a discussion was entered into, Mayor Douglas bringing up the point that in event the Government did not agree to allow the 45 percent grant the City should not be held responsible under this contract.

Councilman Wilkinson, seconded by Councilman Durham, moved that the contract be approved and that the Mayor and Clerk be authorized to sign same, and after the above discussion, included in their motion the clause that the City of Charlotte would in no wise be obligated to the terms of the above contract in event the Government did not make the grant. Motion carried.

ARMORY-AUDITORIUM GRANTED TO AMERICAN BUSINESS CLUB FOR DANCE, WITHOUT COST.

On request of Mr. George Wilkinson, representing the American Business Club, and Judge Marion Redd, Councilman Griswold, seconded by Councilman Albea, moved that the Armory-Auditorium be granted, without cost, to this Club for the purpose of holding a dance on Wednesday November 23rd., the proceeds from which will be used in the Club's Big Brother Movement. Motion carried. Judge Redd told of the splendid work being done by this Club for the under-privileged boys and girls of Charlotte.

September 15, 1938
Page 204.

COMMITTEE APPOINTED TO MEET WITH LIBRARY BOARD ON CERTAIN MATTERS.

Mr. J. A. Mayo and several members of the Charlotte Public Library Board, appeared before the Council at this time, Mr. Mayo stating that the Board of Trustees of the Library had several problems which they could not overcome, and requested appointment of a committee of three from the City Council to meet with this Board on the following day, September 16th., at 12 o'clock Noon, in order that they might lay their problems before this Committee, who in turn would bring same to the Council thereby saving time.

Whereupon, Councilman Albea moved that a committee from the Council be appointed to meet with the Board of Trustees of the Library. Motion seconded by Councilman Wilkinson and carried. The Mayor then appointed as a special committee from the Council for this purpose Councilmen Sides, Huntley and Hovis.

The Mayor took this opportunity to congratulate the Library Board on the splendid work being done by the Library.

REQUEST FOR CURBING AND BETTER SANITARY CONDITIONS ON CENTRAL AVENUE.

Mrs. George N. Cook, of 1517 Central Avenue, requested that something be done regarding the condition of the curbing in the 1500 block on Central Avenue and the unsanitary condition of the alleys back of the stores in this block. This matter was referred to the City Manager for report back at the next meeting.

ARMORY-AUDITORIUM FOR V.M.I. DANCE OCTOBER 8, 1938.

Mr. Clarence Kuester, of the Charlotte Chamber of Commerce, appeared and requested free use of the Armory-Auditorium for a script dance on the night of October 8th., at which time the V.M.I. cadets would be in Charlotte for the football game to be held on that date.

Mr. Kuester was advised that the automobile show would just be vacating the Armory on that date and Councilman Albea moved that the request be granted provided it was agreeable to the parties in charge of the automobile show, who had already contract for the Armory on that date. Motion seconded by Councilman Durham and carried.

Mr. Kuester also asked for permission to place a sign across the street in front of Ivey's and Efir's store, advertising the Davidson College football game on September 24th., but after discussion it was thought best not to allow this sign to be placed at this point.

PERMISSION FOR CARNIVAL TO BE HELD OCTOBER 17th THRU 22nd.

Mr. Wm. Greene, of the Central Labor Union, requested permission for a carnival to show in Charlotte the week of October 17th. thru 22nd.

On motion of Councilman Albea, seconded by Councilman Baxter, this request was granted provided it did not conflict with the Carolinas Agricultural Fair.

September 15, 1938
Page 205.

At 12:10 P.M. Councilman Albaea came into this meeting.

AGREEMENT WITH CHARLOTTE FLYING SERVICE, INC. FOR EGRESS AND INGRESS OVER AIRPORT PROPERTY.

Mr. States Lee, Chairman of the Municipal Airport Commission, presented an agreement between the City of Charlotte, the Municipal Airport Commission and the Charlotte Flying Service, Inc. for ingress and egress over a taxi strip at the Airport to the property of the Charlotte Flying Service, Inc., this company proposing to erect a repair shop for airplanes on a six acre tract of land which adjoins that of the Airport.

Mr. Boyd, City Attorney, stated he would not recommend the contract inasmuch as he did not feel that the City of Charlotte should contract for a term of twenty years; the terms of the contract stating that this privilege was granted for a period of ten years with option of renewal at the end of that time for another ten year period. A discussion was entered into, and Councilman Durham stated that this contract should also state that it covered not only the present property of the Airport but any property that might hereafter be acquired.

Mr. Lee stated that it was the recommendation of the Airport Commission that this agreement be entered into as it would bring in additional revenue to the Airport to have this repair shop close by. Councilman Hovis, Chairman of the Airport Committee, stated that his committee had met with the Airport Commission and a representative of the Charlotte Flying Service, and that it was his impression that the City Attorney approved the contract with the exception of the limit of time. Mr. Boyd stated he merely wanted to go on record as not approving the contract for a term of 20 years, as a matter of law. He stated if the Council desired to go on and approve the contract he had no objections, as he believed the contract was legal, except that the Council has no right to make a contract involving City property for twenty years to come.

Mr. Marshall was asked for his opinion in regard to the contract, and he stated that it would increase the revenue of the Airport since the Airport itself has no shop facilities and that they stood a chance of losing a number of planes by not being able to service them. He stated that at the present time it appears desirable to have this repair shop built.

After additional discussion, Councilman Hovis, seconded by Councilman Wilkinson, moved that the contract be approved.

The question was then discussed regarding the building of hangars by the party of the second part and whether it could cut prices in competition to the hangar at the Airport. It was brought out in this discussion that additional hangar space was needed at the Airport and that it did not appear that this would conflict.

The above motion was then put to a vote, as follows:

Aye: Councilmen Baxter, Griswold, Hovis, Hudson and Wilkinson
Nay: Councilmen Albaea, Durham, Huntley and Sides.

The Mayor declared the motion not carried.

Mr. Walter Hoyle, attorney for the Charlotte Flying Service, Inc., then stated that his company was willing to add the clause pertaining to "property which may hereafter be acquired" and called attention to the second paragraph on the 2nd. page of this contract, which reads as follows:

"It is further understood and agreed that nothing herein contained shall be interpreted or construed to prohibit the parties of the first part from erecting, constructing and maintaining their own ~~shop~~ repair shop or shops on their own property, or the construction and operation of any additional hangars on their own property at any time hereafter that the parties of the first part may decide to do so."

September 15, 1938
Page 206.

After further discussion, Councilman Hovis again moved that the contract be accepted as amended by adding the words "or any property which may hereafter be acquired". Motion seconded by Councilman Griswold, and carried, with the following vote recorded:

Aye: Councilmen Hovis, Baxter, Durham, Wilkinson, Griswold and Hudson.

Nay: Councilmen Albea, Huntley and Sides.

MR. WALTER W. HOOK PROTESTED AMENDMENT TO CONTRACT.

Mr. Walter W. Hook, of C. C. Hook & Sons, appeared before the Council at this time regarding the contract which the Council had just authorized to be executed, stating that C. C. Hook & Sons could not accept the responsibility should the Government not carry out their grant, and suggested that that clause of the motion be eliminated. He stated the contract was drawn under the regular form of the American Institute of Architects. But after quite a discussion the Council refused to change the contract.

NOTICE OF SUIT OF R. L. BROWN AND WIFE, ANNIE MAY BROWN VS. CITY OF CHARLOTTE.

The Mayor read a notice of claim for damages filed by R. L. Brown and wife, Annie May Brown, for alleged damages to their property on Pecan Avenue by reason of the City erecting the water tank in that vicinity. This notice was referred to the City Attorney for handling.

BILLS APPROVED FOR ELECTION EXPENSE.

The invoices of the Registrars and Judges who served in the Hospital Bond election on September 13th. were presented and on motion of Councilman Wilkinson, seconded by Councilman Hovis, were approved for payment.

CONTRACT FOR SHEET ASPHALT AND BINDER.

On motion of Councilman Wilkinson, seconded by Councilman Hovis, contract was awarded to Blythe Brothers Company, the low bidder, for Sheet Asphalt and Binder for use in resurfacing City streets, this contract being awarded on a unit price basis, the total amount of bid being \$31,465.00, and the Mayor and Clerk were authorized to sign the contract.

The only other bid received was that of F. N. Thompson, amounting to \$33,780.00.

CONTRACT FOR 8000 GALLONS PENETRATION ASPHALT.

On motion of Councilman Hovis, seconded by Councilman Wilkinson, contract for 8000 Gallons of AE-1 Penetration Asphalt was awarded to the Emulsified Asphalt Refining Company, at the price of \$608.00.

Other bids received were as follows:

American Bitumuls Company	\$608.00
Shell Union Oil Corp.	612.00
J. B. Hunt and Sons	618.00

CORRECTION

September 15, 1938
Page 207.

CONTRACT FOR TOILET AND SHOWER PARTITIONS FOR WATER WORKS SHOP.

On motion of Councilman Hovis, seconded by Councilman Griswold, contract for metal toilet and shower partitions for the Water Works Shop Building at the Filter Plant, was awarded to R. R. Robertson, the low bidder, at the price of \$244.00, and the Mayor and Clerk were authorized to sign the contract.

Bids received were as follows:

R. R. Robertson	\$244.00
A. L. Simpson	250.00
Walter L. Hoover	261.00
Edwin C. Boyette, Jr.	298.00

CONTRACT FOR CHECK VALVES.

On motion of Councilman Wilkinson, seconded by Councilman Hovis, the Mayor and Clerk were authorized to sign a contract with Crane Company, for 500- 3/4" Check Valves for use in the Water Department, at the price of \$625.00.

Other bids were as follows:

Grinnell Company	\$660.00
Chapman Valve Mfg. Co.	750.00
Charlotte Supply Co.	1560.00
Lunkenheimer Co.	1610.00

EQUIPMENT FOR ELGIN SWEEPER PURCHASED.

The City Manager reported that in repairing and reconditioning Elgin Sweeper No. 1062, it would be necessary to purchase the following parts:

1 DRC-L Elevator Belt Assembly @	\$229.40
2 DSC-D Broom fibre guard assembly @	22.00

and that inasmuch as these parts are special they could only be purchased from the manufacturers of this equipment.

Councilman Huntley, thereupon, moved that the Mayor and Clerk sign the contract with the North Carolina Equipment Company, Raleigh, for this equipment, at the price of \$251.40.

STREET MAINTENANCE ON BLUFF STREET.

On motion of Councilman Hovis, seconded by Councilman Wilkinson, Bluff Street, between Whisnant and Lindsay Avenues, was taken over for City maintenance. The cost of putting this street in shape was estimated by the Engineering Department at \$183.00.

S.A.L. UNDERPASS.

The City Manager reported receipt of a letter from the State Highway Commission, requesting the City to forward its certified check for \$32,700.00, the estimated amount of the difference which the City is required to deposit on the S.A.L. under-pass on North Tryon Street.

On motion of Councilman Hovis, seconded by Councilman Durham, this request was to be handled.

September 15, 1938
Page 208.

W.P.A. WAREHOUSE.

On motion of Councilman Sides, seconded by Councilman Wilkinson, the request of the W.P.A. that the City participate in the rent on a supply warehouse to the amount of \$30.00, was denied.

CONTRACT FOR RUNWAY CRANE FOR WATER SHOP AND OFFICE BUILDING.

The City Manager reported that bids had been received on one 2-ton Hand Propelled Suspension Type 2-runway Crane System, to be used in connection with the Water Works Shop and Office Building Construction, as follows:

Matthews-Morse Sales Company	\$635.00
American Monorail Company	683.00
John R. Purser Sales Engrs. Inc.	761.00
Engineering Sales Company	795.00

and on motion of Councilman Huntley, seconded by Councilman Wilkinson, the Mayor and Clerk were authorized to sign the contract with the Matthews-Morse Sales Company, for this crane system, at the low bid of \$635.00.

OFFER OF E. C. GRIFFITH COMPANY FOR SETTLEMENT OF TAXES ACCEPTED.

The City Manager read a recommendation from the Collector of Revenue, the City Attorney, the City Manager and the Chairman of the Finance Committee relative to an offer made by E. C. Griffith Company for settlement of past due taxes and street assessments, which recommendation reads as follows:

"The total amount of taxes and street assessments due on the property shown on this map is \$47,544.50, and approximately \$7,000.00 County taxes, which the City would have to pay if it undertook to foreclose this property for taxes and street assessments due it. It will be noted from the appraisals which the City received of this particular property that the reasonable market value of this land as a whole on today's market would be approximately \$40,000.00. The mortgagees have agreed to pay the City of Charlotte \$40,933.50 in full settlement of the taxes against this property, and the balance to be applied upon the street assessments, and your committee is of the opinion that it would be to the best interest of the City of Charlotte to accept this sum in full payment of the taxes to date and interest, with the balance to be applied against the unpaid street assessments on this property, and the mortgagees, through their agent, Mr. Cochran, have agreed to pay this amount as follows: \$16,000 cash now; one-half of the balance on July 1, 1939, and the balance December 1, 1939, it being understood that the cash payment of \$16,000 is to be used first to pay the past due taxes and interest, which amounts to approximately \$11,619.50."

Thereupon, Councilman Wilkinson, seconded by Councilman Durham, moved that this offer be accepted, which was unanimously carried.

DRILL TOWER PROJECT TO BE FILED WITH W.P.A.

Mr. Marshall stated that the City was desirous of filing an application with the W.P.A. for a project to erect a drill tower on property which the City owns on Seventh Street, at Briar Creek, and that he was of the opinion that the sponsor's share of this project could come from unappropriated revenue of the City, which it now has on hand, amounting to \$5,100.00. He stated that if the Council was favorable to this Drill Tower project he would proceed to prepare and file application, which he

September 15, 1938

Page 209.

felt would be the wise thing to do at this time.

On motion of Councilman Griswold, seconded by Councilman Sides, the City Manager was authorized to proceed with this application.

CEMETERY DEEDS.

On motion of Councilman Wilkinson, seconded by Councilman Griswold, the following cemetery deeds were approved:

Mrs. Willard E. Turner, Lot No. 127, Sec. "Y" Elmwood		\$56.80
Mrs. T. L. Stroupe, 44-C "D Annex"		38.85
Mrs. Ruby Nisbet 81 "Y"		35.00
Mrs. R. W. Duncan 3 "Z"		35.00
Mrs. Arnold D. Farrington $W\frac{1}{2}$ 52-B "D Annex"		56.00
Mrs. Tas. R. Griffin 10 "Y"		63.00
Albert Jackson, Lot No. 20, Section "F", Pinewood		16.00
Jennie M. Greenlee Moore, pepretual care on Lot No. 1 Fr. A Pinewood		25.00

INVITATION EXTENDED TO COUNCIL TO PARTICIPATE IN FAIR PARADE.

Councilman Wilkinson extended an invitation to the Mayor, City Council, City Manager, City Attorney, Clerk and Secretary to participate in the parade of the Charlotte Agricultural Fair on the 3rd of October, at 4:45 P.M.

ADJOURNMENT.

On motion of Councilman Baxter, seconded by Councilman Durham, the meeting then adjourned.

Arlene B. McQuinn
City Clerk