

April 26, 1939
Page 385.

The regular weekly meeting of the City Council was held in the Council Chamber, City Hall, at 4:00 o'clock P. M., Wednesday, April 26, 1939, with Mayor Ben E. Douglas presiding, and Councilmen Barter, Durham, Hudson, Huntley, Little, Nance, Sides and Wilkinson being present.

Absent: Councilmen Albea, Griswold and Hovis.

MINUTES READ AND APPROVED.

The minutes of the meeting of April 12th. were read and on motion of Councilman Sides, seconded by Councilman Huntley, were unanimously approved.

MATTER OF INJURY RECEIVED BY COLORED GIRL REFERRED TO SPECIAL COMMITTEE.

Mr. Uhlman Alexander, Attorney for a ten-year old colored girl who claims to have been injured by stepping in a hole in one of the City's sidewalks, appeared before the Council, requesting that they authorize the City Attorney to work out some settlement with him in the matter. He reported that the child's leg was broken in the accident and while she has recovered from the injuries he was of the opinion that she should receive some damages because of the accident.

After discussion, Councilman Huntley made a motion that the matter be referred to a committee for investigation and report back at the next meeting. Motion seconded by Councilman Wilkinson and carried.

Mayor Douglas appointed on this committee Councilmen Hudson, Little and Baxter.

CONTRACT WITH CIVIL AERONAUTICS AUTHORITY FOR ANTENNA SYSTEM.

Mr. States Lee, Jr., Chairman of the Municipal Airport Commission, was present and had the City Manager present to the Council an agreement with the Civil Aeronautics Authority for changing three antenna poles at the Municipal Airport, this change being made for better reception and recommended by the Airport Commission.

On motion of Councilman Huntley, seconded by Councilman Sides, the Mayor was authorized to execute this agreement for the City of Charlotte.

QUESTION OF PAYING AGENTS ON WATER WORKS BONDS DISCUSSED BUT NO CHANGE MADE.

Mayor Douglas reported that he was in receipt of a letter from the Chemical Bank and Trust Company regarding their being made paying agents for the City of Charlotte's Water Works Bonds; the Central Hanover Bank and Trust Company having been made paying agent at the time the bonds were issued. Councilman Durham, Chairman of the Finance Committee, reported that his committee recommended that no change be made and he accordingly so moved, which motion was seconded by Councilman Sides and carried.

April 26, 1939
Page 386.

RESOLUTION AWARDING CONTRACTS FOR CHARLOTTE MEMORIAL HOSPITAL HEATING AND VENTILATING SYSTEMS.

The following Resolution was presented and on motion of Councilman Baxter, seconded by Councilman Huntley, was unanimously adopted:

WHEREAS, pursuant to advertisement for bids for the installation of Heating System and Ventilating in the Charlotte Memorial Hospital, Charlotte, N. C., and installation of a Heating System in the Nurses Home, bids have been filed by the following bidders:

Bagwell Plumbing & Heating Co. Inc.,	Durham, N. C.
Piedmont Plumbing & Heating Co.,	Gastonia, N. C.
A. Z. Price Company,	Charlotte, N. C.
Reliance Engineering Co.,	Charlotte, N. C.
Rowe-Coward, Inc.,	Durham, N. C.
Tompkins-Johnston Co.,	Charlotte, N. C.
Toomey Brothers,	Charlotte, N. C.
Waldrop Heating & Plumbing Co.,	Rock Hill, S. C.

And that said bids have been duly received and publicly opened and read.

WHEREAS, Walter W. Hook, Architect, and J. B. Marshall, City Manager, have tabulated and considered all bids heretofore received for the installation of the Heating System for the Charlotte Memorial Hospital, and have duly made recommendations to the City Council, and it appearing from said recommendations and report that the Rowe-Coward, Inc., of Durham, N. C. is the lowest and best bidder for the heating and ventilating contract for the Hospital Building, in the sum of \$49,965.00, which amount contemplates the acceptance of Alternates Nos. 1 to 5 inclusive on the Hospital Building; and that Tompkins-Johnston Company of Charlotte, N. C. is the lowest and best bidder in the sum of \$4,567.00 for the heating system in the Nurses Home.

And after considering said report and recommendations and all bids heretofore filed, find that the above tabulated bids are the lowest and best bids.

NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte, N. C. as follows:

SECTION 1- That the bid of Rowe-Coward, Inc., for the Heating and Ventilating for the Hospital Building, in the sum of \$49,965.00; and that the bid of Tompkins-Johnston Company for the Heating for the Nurses Home in the sum of \$4,567.00, be hereby accepted, determined and declared to be the lowest and best bids, and that the contract for installation of said work heretofore described by the plans, specifications and contract documents shall be executed for said installations.

SECTION 2- That Ben E Douglas, Mayor, and Alice B. McConnell, City Clerk, are hereby authorized and directed to execute said contracts for and on behalf of the City of Charlotte, N. C.

WATER MAIN EXTENSION - HUNTLEY AVENUE.

On motion of Councilman Sides, seconded by Councilman Hudson and unanimously carried, the Mayor and Clerk were authorized to execute a contract with Mr. T. E. Hemby for the extension of a 6" water main in Huntley Avenue, wherein the applicant proposes to guarantee 10% per year yield from the water main.

60317

April 26, 1939
Page 387.

COST OF PARK AND RECREATION TAX ELECTION.

The City Manager reported that in connection with the election for the Park and Recreation Commission Tax, it is estimated by the Election Board that the cost of this election will be between \$600 and \$700.00. The City Attorney ruled that this expense can be borne by the special taxation for Parks and Recreation if the additional levy is authorized, but that if it is defeated the expense will have to come from the Emergency Fund, and Mr. Marshall asked that he be authorized to take care of this expense from the Emergency Fund until such time as the election results are obtained.

Councilman Sides, seconded by Councilman Baxter, moved that this be paid from the Emergency Fund and refunded if and when the election carries. Motion carried.

LICENSE GRANTED TO OPERATE RIDING DEVICES.

On motion of Councilman Huntley, seconded by Councilman Baxter, license to operate a Merry-go-round, Ferris Wheel and Chair Car, at Fourth and Caldwell Streets, for the week beginning May 1st. through 7th. was granted

SEWER EXTENSION ON MORTON STREET.

An application from Mrs. Estelle R. Miller and Mrs. Elizabeth M. Hunter for extension of a sewer on Morton Street, from the end of the existing sewer, 32-feet west of a manhole in West Morehead Street west 877 feet to the end of the present sewer in Berryhill Road, was presented by the City Manager; the applicants agreeing to construct the sewer at their expense and the City to take same over when the required number of connections are made.

On motion of Councilman Nance, seconded by Councilman Baxter, this extension was granted.

SEWER EXTENSION TREMONT AVENUE.

On motion of Councilman Wilkinson, seconded by Councilman Sides, authorization was given for the extension of a sewer in Tremont Avenue from Camden Road to Hawkins Street, to serve three industrial buildings; the estimated cost of this work being \$524.48.

WHITING AVENUE SEWER EXTENSION.

On motion of Councilman Wilkinson, seconded by Councilman Baxter, the request of Mrs. O. C. Griffin, 2716 Whiting Avenue, for extension of a sewer in Whiting Avenue from The Plaza 315 feet north, to serve two houses and estimated to cost \$275.00, was approved.

SUMTER AVENUE SEWER EXTENSION.

The application of R. B. Graham and S. B. Severs for the extension of a sewer in Sumter Avenue from the present sewer to Auten Street, to serve one house already started and one to be constructed within a short time, was approved on motion of Councilman Huntley, seconded by Councilman Durham.

SEWER EXTENSION WESTMORELAND AVENUE.

On motion of Councilman Huntley, seconded by Councilman Little, extension of sewer on Westmoreland Ave. from Bascom to Westover St., was authorized at cost of \$390.00, if and when one other house is started.

April 26, 1939
Page 388

STREET MAINTENANCE FOR WESTMORELAND AVENUE.

On motion of Councilman Little, seconded by Councilman Huntley, Westmoreland Avenue, between Westover and Bascom Streets, was taken over for City maintenance, the Engineering Department reporting this street in good condition.

CONTRACT FOR CAST IRON PIPE AWARDED TO WALWORTH COMPANY, INC.

The following bids having been received on 2450 feet of 3-inch Cast Iron Pipe:

Walworth Company, Inc.	\$874.65
McWane Cast Iron Pipe Co.	1029.00

Councilman Huntley moved that the contract be awarded to the low bidder, Walworth Company, Inc., on a unit price basis of .357 per foot, total delivered price \$874.65, and that the Mayor and Clerk sign same. Motion seconded by Councilman Sides and unanimously carried.

PURCHASE OF CRUSHED STONE AND PORTLAND CEMENT FOR KING'S DRIVE PROJECT.

On motion of Councilman Wilkinson, seconded by Councilman Durham and unanimously carried, the Mayor and Clerk were authorized to sign contract with the Caldwell Construction Company, for 2352 cubic yards of Crushed Stone to be used on King's Drive project, on a unit price basis of \$2.82 per cubic yard, totaling \$6,632.64; and the purchase of 1800 barrels of Portland Cement from the low bidder, Tucker-Kirby Company, on a unit price basis of \$2.56 per barrel, totaling \$4,608.00.

Other bids received on this material were as follows:

CRUSHED STONE

Caldwell Construction Co. (only bidders)	\$6,632.64
--	------------

PORTLAND CEMENT

Doggett Lumber Company	4,607.00
Builders Merchandise Company	4,698.00
Caldwell Construction Company	4,716.00

CONTRACT FOR STEEL SPAN OVER SEABOARD RAILWAY.

The following bids having been received for the construction of a Steel Span over the Seaboard Railway, near Beatties Ford Road, to carry the water supply line over track:

John M. Porter	\$1,785.00
Boyd and Goforth, Inc.	1,822.38
W. A. Ebert	1,928.50
F. A. Triplett	1,944.67
Geo. T. Smith	2,089.50
Hobbs-Peabody Construction Co.	2,150.75
Southeastern Construction Co.	2,195.00
Blythe Bros. Company	2,399.50

Councilman Wilkinson moved that contract be awarded to the lowest bidder, John M. Porter, on a unit price basis, totaling \$1,785.00 and that the Mayor and Clerk execute contract for the City of Charlotte. Motion seconded by Councilman Huntley and unanimously carried.

April 26, 1939
Page 389.

CONTRACT FOR CAST IRON WATER PIPE.

On motion of Councilman Hudson, seconded by Councilman Baxter, the Mayor and Clerk were authorized to sign contract with Walworth Company, Inc., the low bidder, for 7,000 feet of Cast Iron Water Pipe to be used on various projects by the Water Department, at a total delivered price of \$1,435.00. The only other bid received on this material was that of McWane Cast Iron Pipe Company, at a price of \$1,493.30.

CONTRACT COVERING SALE OF AUTOMOBILE TO MUNICIPAL AIRPORT.

The City Manager presented a contract which had been prepared by the City Attorney covering the sale of 4-door Ford Sedan, which was duly advertised for sale at Public Auction on March 20, 1939, and sold to the highest bidder, the Charlotte Municipal Airport, at \$300.00; the bid having been held open for ten days for upset bid and none having been received.

On motion of Councilman Hudson, seconded by Councilman Little, the Mayor and Clerk were authorized to execute this contract.

AN ORDINANCE RELATING TO THE CARE AND CUSTODY OF STRAY ANIMALS.

At the request of the Mecklenburg Humane Society, the following ordinance was prepared and presented by the City Attorney, and on motion of Councilman Huntley, seconded by Councilman Wilkinson, was unanimously adopted on three readings and declared by the Mayor to be an ordinance of the City of Charlotte:

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

Section 1. That it shall be unlawful for any person in the City of Charlotte, for a longer period of time than twenty-four (24) hours, to knowingly and intentionally harbor or keep in possession by confinement or otherwise, any animal belonging to another person, which animal may have strayed or "taken up" at or on the premises of any person, unless such person notify the owner or if said owner is unknown, notify the City Police Department so that said animal can be placed in the City Pound by the City authorities, and properly cared for until returned to its owner or otherwise disposed of.

Section 2. Any person violating the provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined \$10.00.

Section 3. This ordinance shall become effective upon adoption and publication in The Charlotte News.

CEMETERY DEEDS.

On motion of Councilman Huntley, seconded by Councilman Little, the following cemetery deeds were approved:

Mrs. C. P. Lockey, Jr., Lot No. 91, Section "Y", Elmwood	\$35.00
Mrs. C. S. Cook, " " 9, " "Z" "	35.00
S. C. Williams, " " 94, " "Y" "	35.00
Mrs. J. R. Austin, S.W.Part " 23-B, " "D Annex"	41.65
Mrs. F. A. Augsbury, Perpetual Care on Lot No. 72, Section "C"	144.00

April 26, 1939
Page 390.

EXPRESSIONS OF REGRET OF COUNCIL IN NOT HAVING COUNCILMAN DURHAM A CANDIDATE FOR ANOTHER TERM.

Councilman John F. Durham, the only Councilman who was not a candidate for re-election in the primary held on April 24th., expressed his pleasure in working with the Council for the past four years, and several members of the Council, the Mayor and City Manager, all expressed their regrets that Mr. Durham was not a candidate for re-election, and Councilman Wilkinson moved that he be voted the appreciation of the Council for the splendid work he had done in helping to make the Council what it is. This motion seconded by Councilman Huntley and unanimously carried.

ADJOURNMENT.

On motion of Councilman Hudson, seconded by Councilman Huntley, the meeting then adjourned.

Alice B. McConnell
City Clerk