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The regular weekly meeting of the City Council was held at 4 P. M., Wednesday, May 10, 1939, in the Council Chamber, City Hall, with Mayor Douglas presiding and Councilmen Baxter, Britt, Hovis, Hudson, Huntley, Little, Nance, Sides, Ward and Wilkinson being present.

Absent: Councilman Albea.

#### READING OF MINUTES.

The minutes of the May 3rd. meeting were read and on motion of Councilman Huntley, seconded by Councilman Hudson, were unanimously approved.

#### APPOINTMENTS OF DEPARTMENT HEADS.

The Mayor announced that the first business of the meeting would be the appointments of officials and department heads, and called for nominations for City Manager.

On motion of Councilman Huntley, seconded by Councilman Wilkinson, Mr. J. B. Marshall was nominated for City Manager. Motion unanimous, and Mr. Marshall was declared re-appointed as City Manager.

Motion was made by Councilman Sides, seconded by Councilman Wilkinson, that Alice B. McConnell be re-appointed City Clerk. Motion carried unanimously.

On motion of Councilman Wilkinson, seconded by Councilman Huntley, Mr. L. L. Ledbetter was unanimously re-appointed as City Treasurer.

Councilman Little made the motion that Mr. J. M. McCorkle be re-appointed Municipal Accountant. Motion seconded by Councilman Hovis and unanimously carried.

Councilman Hudson, seconded by Councilman Baxter, moved that Mr. Jas. W. Armstrong be re-appointed as Collector of Revenue, which was unanimous.

On motion of Councilman Hovis, seconded by Councilman Baxter, Mr. J. M. Scarborough was nominated to succeed Mr. B. M. Boyd as City Attorney. No further nominations and Mr. Scarborough was unanimously elected City Attorney for the forthcoming two years.

On motion of Councilman Hudson, seconded by Councilman Nance, Mr. Fred Hasty was again made City Solicitor.

Councilman Hovis, seconded by Councilman Baxter, made the motion that Mr. Frank K. Sims, Jr. be re-appointed City Recorder, and motion carried unanimously.

On motion of Councilman Britt, seconded by Councilman Huntley, Mr. Hendrix Palmer was unanimously re-appointed Chief of the Fire Department.

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APPOINTMENT OF CHIEF OF POLICE POSTPONED FOR TWO WEEKS.

Councilman Nance made a motion that Capt. Harry Joyner be made Chief of Police. Motion seconded by Councilman Hudson.

Councilman Baxter made a substitute motion that the matter of this appointment be held over for two weeks, which was seconded by Councilman Wilkinson, and a vote taken on the substitute motion as follows:

AYE: Councilmen Baxter, Huntley, Little, Sides, Ward and Wilkinson.

NAY: Councilmen Hudson, Britt, Hovis and Nance.

The Mayor declared the substitute motion carried and the matter of appointment of a Chief of Police was held in abeyance for two weeks.

APPOINTMENT OF ONE MEMBER TO CIVIL SERVICE COMMISSION.

Mayor Douglas called for nominations for one member on the Civil Service Commission to succeed Mr. Geo. W. Patterson, resigned, and Councilman Baxter nominated Mr. Thomas Griffith for this place. Motion seconded by Councilman Wilkinson and unanimously carried, and Mr. Griffith was declared elected.

PARK AND RECREATION COMMISSION.

Nominations were next in order for the five members of the Charlotte Park and Recreation Commission.

On motion of Councilman Hudson, seconded by Councilman Baxter, the name of Mr. J. A. Moore was placed in nomination.

Councilman Britt nominated Mr. E. W. Gibson, one of the present incumbents. Motion seconded by Councilman Hudson.

Councilman Wilkinson, seconded by Councilman Hudson, nominated Mr. John M. Sorrow, one of the present members of the Board.

On motion of Councilman Sides, seconded by Councilman Huntley, the name of Mr. Harry Schwartz was put up for nomination, and

Councilman Ward, seconded by Councilman Baxter, nominated Mr. Leon Lawrence.

Councilman Sides moved that the nominations be closed and the five members be elected by acclamation. The motion was seconded by Councilman Hovis and carried, and the Mayor called on the Clerk to cast the unanimous vote for the five members, which was done and Messrs. Moore, Gibson, Sorrow, Schwartz and Lawrence were declared elected to the Park and Recreation Commission.

RECORDER PRO TEM.

On motion of Councilman Nance, seconded by Councilman Little, Mr. Walter K. Covington was appointed Recorder Pro Tem.

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BOXING COMMISSION REAPPOINTED BY THE MAYOR.

Mayor Douglas reappointed Messrs. R. P. Steffey, Frank Hoffman and Bob Garland to the Boxing Commission.

HOUSING AUTHORITY LOAN.

Mr. Edwin L. Jones, Chairman of the Local Housing Authority, asked the Council for a loan of \$1500.00 for incidental expenses, this money to be refunded as soon as the Housing Grant from the Federal Government is received.

On motion of Councilman Baxter, seconded by Councilman Nance, this loan was granted from the Emergency Fund to be repaid on July 1st. or as soon thereafter as practicable, this money to represent a deferred charge against the Housing Authority.

Messrs. Dillehay and Gluck, of the Local Housing Authority, were introduced to the Council by the Mayor.

CLAIM OF NEGRO GIRL.

Mr. Uhlman Alexander, attorney for a colored girl having a claim against the City of Charlotte for alleged damages received by falling in a hole in one of the City sidewalks, again appeared before the Council on behalf of his client. This matter was referred to a special committee, composed of Councilmen Hudson, Little and Baxter, on April 26th., but the committee asked for another week in which to make report, which was granted.

CHESTER NIXON APPEARED IN BEHALF OF CHIEF E. D. PITTMAN.

Mr. Chester Nixon, a citizen of Charlotte, took the floor on behalf of Chief E. D. Pittman, of the Police Department, stating that he was appearing without the knowledge of Chief Pittman but felt that he would be negligent in his duty if he did not speak for Chief Pittman. He asked the Council to use the utmost caution at the next meeting in selecting a Chief of Police and stated that if the present Chief is removed from office without specific charges against him that the citizens of Charlotte would call for a thorough investigation, and that he was pleading with the Council to not remove him from this office.

SECOND WARD HIGH SCHOOL (COLORED) GRANTED FREE USE OF ARMORY-AUDITORIUM MAY 16th.

The principal of Second Ward High School (colored), J. E. Grigsby, requested free use of the Armory-Auditorium on May 16th. for a school entertainment, the proceeds from which will be used to promote the school paper. On motion of Councilman Sides, seconded by Councilman Hudson, this request was granted.

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CITY MANAGER MARSHALL VOICED APPRECIATION TO COUNCIL FOR REAPPOINTMENT.

Mr. J. B. Marshall expressed to the Council his appreciation of the confidence bestowed upon him in reappointing him as City Manager, stating he was very deeply effected and that he rededicated himself to the service of the City of Charlotte.

NEW RULES ADOPTED FOR POLICE AND FIRE DEPARTMENTS.

Each member of the Council was presented with a copy of the Proposed Rules for the Charlotte Fire Department and also Police Department, which, in accordance with the new City charter, must be approved by the Council.

On motion of Councilman Hudson, seconded by Councilman Wilkinson, these are to be studied for two weeks before any action is taken.

ENCROACHMENT AGREEMENTS WITH STATE HIGHWAY DEPARTMENT.

On motion of Councilman Wilkinson, seconded by Councilman Huntley, the Mayor and Clerk were authorized to sign four standard form encroachment agreements with the State Highway Department, as follows:

1. On Route 271, water main extension- Thrift Road.
2. On Route 262, water main extension- Providence Road
3. On Route 272, water main extension- Tuckaseegee Road
4. On Route 20, water main extension- Monroe Road.

BARNETT PLACE TAKEN OVER FOR CITY MAINTENANCE.

The request from residents on Barnett Place, from East Fourth Street to Hedgewood Place, a distance of about 300 feet, that this street be taken over for City maintenance, was granted by motion of Councilman Huntley, seconded by Councilman Wilkinson and unanimously carried. The Engineering Department reported this street in shape to be taken over.

COMMUNITY CENTER - D. H. HILL SCHOOL, GRANTED USE OF ARMORY-AUDITORIUM.

On motion of Councilman Baxter, seconded by Councilman Britt, the request of Mrs. Dewitt Simpson, representing the Community Center at D. H. Hill School, for children and adults, for use of the Armory-Auditorium on Wednesday, May 31st. for a square dance, the proceeds from which would be used to purchase materials for use at the Center, was referred to the Buildings Committee.

On motion of Councilman Hovis, seconded by Councilman Ward, this committee was given power to act in order that the Community Center could arrange the program for this date.

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STREET NAME CHANGED.

On motion of Councilman Hovis, seconded by Councilman Sides and unanimously carried, the request of Mr. Haywood Robbins, representing Mr. B. W. Roberts, that the name of a street in Midwood Section be changed to Plaza Court was granted.

SEWER EXTENSION EAST SIXTEENTH STREET.

Councilman Huntley moved that the request of Mr. J. O. Williams, 1237 Harrill Street, for the extension of a sewer on East 16th Street from Seigle Street towards Harrill Street, a distance of 192 feet, to serve one house, be granted. Motion seconded by Councilman Hudson and carried. The estimated cost of doing this work is \$198.22.

PETITION REQUESTING CLOSING OF BUSINESS HOUSES AND RESTAURANTS ON EAST SEVENTH AND PECAN AVENUE REFERRED TO POLICE COMMITTEE AND CITY ATTORNEY.

The City Manager reported receipt of a petition signed by approximately fifty residents in the vicinity of East Seventh Street and Pecan Avenue, requesting the Council to have all business houses and restaurants in that section closed by 12 o'clock midnight.

On motion of Councilman Hovis, seconded by Councilman Huntley, this petition was referred to the Police Committee and the City Attorney for report back at the next meeting.

RED SHIELD BOYS' CLUB GRANTED FREE LICENSE FOR INDIAN RELIC EXHIBIT.

On motion of Councilman Huntley, seconded by Councilman Hudson and carried, the Red Shield Boys' Club was granted a free license for a period of ten days for exhibiting the E. F. Kirksey Collection of Indian Relics, proceeds of this exhibit to be used in the work of this Club.

ADDITIONAL APPROPRIATION FOR SANITARY SEWER EXTENSIONS.

The City Manager reported the following sanitary sewer extensions already approved by the Council but that the original appropriation of \$10,000.00 has been exhausted and asked that funds for the construction of these extensions be provided from the Emergency Fund:

474 Ft. of 8" sewer in W. Tremont Avenue	\$524.40
485 " " " " " Westmoreland Ave.	391.60
185 " " " " " Sumter Avenue	199.10
315 " " " " " Whiting Avenue	275.55
347 " " " " " Lima Avenue	343.42
1500 " " " " " Merriman Avenue	1287.00
Total	\$ 3021.07
192 " East 16th St. just approved	198.22
	\$ 3,219.29

Councilman Wilkinson made a motion that this amount be approved for these projects and taken from the Emergency Fund. Motion seconded by Councilman Sides and unanimously carried.

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CONTRACT FOR 3/4" SWING CHECK VALVES AWARDED TO GRINNELL COMPANY.

The following bids having been received on 500- 3/4" Swing Check Valves:

Grinnell Company	\$ 597.80
Crane Company	612.50
Textile Mill Supply Co.	612.50
Chapman Valve Mfg. Co.	750.00
The Charlotte Supply Co.	1087.80

Councilman Wilkinson, seconded by Councilman Hudson, moved that the award be made to the low bidder, Grinnell Company, at the total delivered price of \$597.80, and that the Mayor and Clerk sign the said contract. Motion carried.

CONTRACT FOR CAST IRON PIPE.

On motion of Councilman Wilkinson, seconded by Councilman Hudson, contract for furnishing 1800 feet of 6" Cast Iron Pipe was awarded to the low bidder, Lynchburg Foundry Company, Inc. and the Mayor and Clerk were authorized to sign the contract for \$1,332.00 delivered.

Other bids received were as follows: \$1337.00

Glamorgan Pipe and Foundry Co.	\$1377.00
American Cast Iron Pipe Co.	1404.00
McWane Cast Iron Pipe Co.	1404.00
U. S. Pipe & Foundry Co.	1404.00

PURCHASE OF ONE 8" AUTOMATIC CHECK VALVE FROM GRINNELL COMPANY.

On motion of Councilman Huntley, seconded by Councilman Wilkinson, the Mayor and Clerk were authorized to sign a contract with Grinnell Company for 1- 8" Automatic Check Valve, at the price of \$257.00. The City Manager reported that this is a special valve manufactured only by Grinnell Company and Globe Automatic Sprinkler Company, whose price was \$263.00.

27,000 GALLONS PENETRATION ASPHALT PURCHASED FROM EMULSIFIED ASPHALT REFINING COMPANY.

The following bids having been received on 27,000 gallons of AE-1 Penetration Asphalt:

American Bitumuls Company	\$2025.00
Emulsified Asphalt Refg.Co.	2025.00
J. B. Hunt & Sons	2119.95

Councilman Hudson moved that contract be awarded to the Emulsified Asphalt Refining Company and the Mayor and Clerk authorized to sign the contract. Motion seconded by Councilman Sides and carried.

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CEMETERY DEEDS.

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

Mrs. H. M. Lerch, Lot No. 13, Section "Y", Elmwood	\$63.00
S. E. Hamilton, Jr. " 89 " " "Y" "	35.00

NO MEETING TO BE HELD ON MAY 17th.

Due to the absence from the City of the Mayor and Mayor Pro Tem, who will be in New York attending the Mayors Conference, Councilman Hovis moved that the next regular meeting of the City Council be dispensed with. Motion seconded by Councilman Little and carried.

ADJOURNMENT.

On motion of Councilman Wilkinson, seconded by Councilman Sides, the meeting adjourned.

*Alice B. McPherson*  
City Clerk