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The regular weekly meeting of the City Council was held in the Council Chamber, City Hall, at 4:00 o'clock P. M., Wednesday, September 20th, 1939, with Mayor Pro Tem Hovis presiding in the absence of Mayor Douglas, and Councilmen Baxter, Britt, Hudson, Huntley, Nance, Sides, Ward and Wilkinson being present.

Absent: Mayor Douglas; Councilmen Albea and Little.

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RENEWAL OF CONTRACT WITH CIVITAN CLUB FOR ARMORY CONCESSIONS-RED SHIELD BOYS' CLUB.

Mr. Algie Lawing headed a delegation from the Civitan Club asking for renewal of the contract on behalf of the Red Shield Boys' Club for the concessions at the Armory-Auditorium for the year 1940.

Councilman Hudson, seconded by Councilman Baxter, moved that renewal of contract be granted, which was unanimously carried.

Mr. Lawing then asked that the contract be altered to permit the charging of 20-cents per bottle for beer, pointing out that they were losing money on the sale of beer at the price of fifteen cents per bottle, as stipulated in the contract. He added that they would prefer not to sell beer at all but were almost compelled to owing to the demand, etc.

After discussion, Councilman Baxter, seconded by Councilman Hudson, moved that the contract remain as is, but Councilman Wilkinson made a substitute motion that a clause be put in the contract permitting them to charge 20¢ for 15¢ beer and 15¢ for 10¢ beer, which motion was seconded by Councilman Sides and carried.

FREE RENTAL OF ARMORY FOR BENEFIT OF IRON LUNG, SEPTEMBER 25TH.

A Mr. Hood, on behalf of the V.F.W., asked for free use of the Armory-Auditorium on Monday night, September 25th., at which time Mr. Jim Crockett was giving that organization the benefits from the wrestling matches for the purchase of an iron lung.

After some discussion, Councilman Ward moved that this organization be given free rental for that night. Motion seconded by Councilman Nance.

Councilman Sides stated he was in favor of the motion provided the V.F.W's were guaranteed as much as \$50.00 (the amount of the rental) by Mr. Crockett. Councilman Ward stated that he was sure that Mr. Crockett would not take advantage of the situation and that he felt sure that they would receive much more than that amount. After which discussion, the motion carried.

PATRIOTIC ORDER, SONS OF AMERICA, REQUESTED WITHDRAWAL OF LICENSE TO CARNIVAL COMPANY SHOWING JUST PRIOR TO THE DATES GRANTED THIS ORGANIZATION.

Mr. L. L. Caudle, representing the Patriotic Order, Sons of America, to whom the Council granted free license to hold a carnival in Charlotte the week of October 2nd., sometime ago, again appeared in connection with this matter. Mr. Caudle stated that another show has since that

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date come in and purchased license to hold a carnival just one week prior to their opening date and that he felt that it was manifestly unfair to have them do so, since they will get the benefit of the advertising and newspaper articles relative to his show. He asked that the Council aid his organization in the matter if possible, citing the general law of the State as well as the City's revenue ordinance in connection with the granting of licenses to carnival companies. Mr. Scarborough, City Attorney, stated that the City cannot refuse to grant a license unless there is something against the applicant applying for such license; that the Supreme Court has ruled that they cannot refuse to grant a license for a legal business and that under the Supreme court ruling there is nothing the City can now do about the matter, inasmuch as they have already purchased the license.

COLORED ELKS ASKED FOR FREE LICENSE TO HOLD AGRICULTURAL FAIR.

Two representatives from the Order of Elks, Colored, appeared, asking for free license to hold an agricultural fair in Charlotte the week of October 2nd.

After a lengthy dicussion, Councilman Ward moved that the request for free license be denied, explaining that he was not against the Elks but against the carnival set-up, inasmuch as their representative had misrepresented facts in connection with the granting of license. Motion seconded by Councilman Britt and unanimously carried.

STREET MAINTENANCE HUNTLEY AVENUE.

On motion of Councilman Britt, seconded by Councilman Wilkinson, the request of Mr. T. E. Hemby that the City take over Huntley Avenue, from Providence to Cherokee Road, was granted.

ORR STREET TAKEN OVER FOR MAINTENANCE.

On motion of Councilman Wilkinson, seconded by Councilman Sides, the City took over for maintenance Orr Street, from Louise Avenue to Seigle Avenue.

WATER MAIN IN HUNTLEY AVENUE.

On motion of Councilman Baxter, seconded by Councilman Ward and carried, the Council authorized the execution of a contract with Mr. L. L. Hackney for the City to place a 2-inch water main, 666 feet long, in Huntley Avenue, at an estimated cost of \$340.00; Mr. Hackney agreeing to guarantee the annual revenue to be \$34.00.

W.P.A. EXPENSES.

Mr. J. B. Marshall, City Manager, presented an invoice from Mecklenburg County covering certain charges for W.P.A. expenses. He advised that this invoice does not give the nature of the expenditures and that he had been unable to get together with the County on these invoices and was uncertain as to just how to proceed in the matter. A discussion regarding this joint account with Mecklenburg County followed, Councilman Sides suggesting and putting in the form of a motion that the Council pay the amount of such bills up to the amount of the budget for this W.P.A. work and notify the County that when the sum budgeted has been spent that no more will be available. This motion seconded by Councilman Baxter and carried.

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SANITARY SEWER CONSTRUCTION ON EMERSON, DEACON AND DOTGER AVENUES.

On motion of Councilman Huntley, seconded by Councilman Baxter and carried, the Mayor and Clerk were authorized to sign a contract with Blythe Bros. Company, Inc., for the construction of Sanitary sewers on Emerson, Deacon and Dotger Avenues, a distance of 1100 feet, representing a total cost, on a unit price basis, of \$982.00.

Bids received on this work were as follows:

Blythe Bros. Co. Inc.	\$982.00
Boyd and Gofroth	1001.20
Geo. T. Smith	1104.00
W. A. Ebert	1188.75

PURCHASE OF TWO CARS CLAY PIPE.

The following bids having been received on two cars (1302 feet each) of 8-inch Vitrified Clay Pipe:

Charlotte Lumber Corp.	\$681.99
Caldwell Construction Co.	681.99
H & S Lumber Company	681.99
Doggett Lumber Company	681.99
T. J. Wiggins Lumber Co.	681.99
Builders Material Co.	681.99
Gathey Lumber Company	681.99
Tucker-Kirby Company	681.99
McGee Lumber Company	681.99

and in line with the City's policy of alternating awards where price and quality are the same, Councilman Huntley moved that one car be awarded to the Caldwell Construction Company, at a net delivered price of \$341.00, and one to the Charlotte Lumber Corp., at a net price of \$340.99, and that the Mayor and Clerk sign the contract. Motion seconded by Councilman Hudson and unanimously carried.

PURCHASE OF CITY LICENSE PLATES.

On motion of Councilman Sides, seconded by Councilman Wilkinson, the Mayor and Clerk were authorized to execute contract with the J. F. W. Dorman Co. Inc., for 18,000 City automobile plates and 150 City motorcycle plates, at a total price of \$635.25. Bids were received from the Geo. J. Mayer Company at \$653.40 and T. L. Pitts & Son at \$907.50.

SPECIAL OFFICE PERMITS.

The following permits for Special Police Officers were granted on motion of Councilman Wilkinson, seconded by Councilman Huntley and duly carried.

Queens-Chicora College - James Allen Glenn.
Blythe Bros. Co., - Robert A. Stokes, on premises of Little Homes, Inc. job at 2500 Kenmore Ave.
Thomas & Howard Co., - J. A. McCall
Williams & Shelton Co., Smith-Wadsworth Hardware Co. and Lowe and Campbell Athletic Goods Co., - Mr. W. R. Stroupe.

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CITY MANAGER TO ATTEND INTERNATIONAL CITY MANAGERS ASSOCIATION IN ST. LOUIS.

On motion of Councilman Wilkinson, seconded by Councilman Huntley and carried, the City Manager was authorized to attend the Convention of the International City Managers' Association, meeting in St. Louis, October 9th. 10th. and 11th., at the City's expense. The City Manager has been invited to present a paper at this Convention.

CEMETERY DEED AND PERPETUAL CARE AGREEMENT.

On motion of Councilman Sides, seconded by Councilman Ward and duly carried, the following cemetery deed and perpetual care agreement were approved:

Mrs. J. R. Beasley, South Half Lot #63, Section "X", Elmwood	\$62.65
Perpetual care on same	54.85

ADJOURNMENT.

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

Alice B. McConell
City Clerk