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A regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Tuesday, February 11, 1947, with Mayor Baxter presiding, and Councilmen Childs, Hinson, Johnston, Newson, Puette and White present:

Absent: Councilman McIntyre.

INVOCATION.

The invocation was given by Councilman J. S. Hinson.

MINUTES APPROVED.

Upon motion of Councilman Childs, seconded by Councilman Hinson, the minutes of the last meeting were approved as read.

RESOLUTION APPROVING SETTLEMENT OF PAVING ASSESSMENT NO. 25516.

Councilman Newson moved the adoption of the following resolution. Motion seconded by Councilman Johnston, and unanimously carried:

RESOLUTION APPROVING SETTLEMENT
OF PAVING ASSESSMENT NO. 25516.

WHEREAS, Civil Action No. 26, 661 was instituted in the Superior Court of Mecklenburg County contesting the validity of street paving assessments on Rozzells Ferry Road; and, whereas, judgment was entered in said civil action authorizing the City of Charlotte to settle all street assessments on Rozzells Ferry Road for 25% thereof, plus interest and costs; and, whereas, the City Attorney has recommended, due to the doubtful validity of said street paving assessment, that the same be settled in accordance with said judgment, or for \$83.10.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that said street paving assessment, as provided by Section 32(39) of the City Charter of the City of Charlotte, be settled upon the payment of \$83.10.

RESOLUTION AUTHORIZING EXECUTION OF LETTER OF INTENT AND CONTRACT IN CONNECTION WITH BUILDINGS AT MORRIS FIELD.

The following resolution was presented and read:

RESOLUTION AUTHORIZING EXECUTION OF
LETTER OF INTENT AND CONTRACT IN
CONNECTION WITH BUILDINGS AT MORRIS FIELD.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

That the Mayor and City Clerk in the name of and under the seal of the City of Charlotte are hereby authorized and directed to execute the Letter of Intent dated February 7, 1947, to War Assets Administration, Charlotte, N. C., in connection with 108 buildings, more or less, therein specifically referred to presently located upon the lands at Morris Field and in addition thereto to execute an off-site sales agreement with War Assets Administration upon its approved form under which the City is to pay the sum of \$5,000.00 for said buildings referred to in said Letter of Intent and Contract of Sale; and be it further resolved that the Mayor and City Clerk are hereby authorized to execute such other and further papers as may be necessary to carry out and effectuate the purchase of said buildings, and there is hereby appropriated \$5,000.00 from non-tax funds to be used for the purchase of said buildings.

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foregoing
Councilman Newson moved the adoption of the resolution as read.
Motion seconded by Councilman Johnston, and unanimously carried.

RESOLUTION RELATING TO THE CLOSING OF NORTH "A" STREET ALLEY.

Councilman Newson moved the adoption of the following resolution.
Motion seconded by Councilman Hinson, and unanimously carried:

RESOLUTION RELATING TO THE CLOSING
OF NORTH "A" STREET ALLEY.

WHEREAS, by deed dated March 1, 1912, recorded in the Office of the Register of Deeds for Mecklenburg County, North Carolina, in Book 291, page 90, it was agreed that a certain strip of land 30 feet in width, running from Eighth Street to Ninth Street in the City of Charlotte should be kept open for the joint use of the owners of the property on each side of said strip of land for alleyway purposes, and WHEREAS, although said strip of land was never dedicated to the public, the said strip was referred to in a deed recorded in Book 1196, page 291, in said Register's Office as "North A. Street", and WHEREAS by agreement recorded in said Register's Office in Book 1231, page 155, the owners of the property on each side of the said strip of land and the owners of the fee simple title to said strip of land have agreed to close said alley.

AND WHEREAS it is desirable that any right which the City of Charlotte might have to claim the said strip of land has been dedicated as a street on account of the reference to said strip of land as a street above referred to and otherwise should be abandoned, and the said strip of land should be abandoned, closed and withdrawn from any public use, if any, to which it may have been dedicated.

AND WHEREAS the use of said strip of land for street or alleyway purposes is not necessary for the public interest.

NOW, THEREFORE, BE IT RESOLVED that the City of Charlotte does hereby renounce any claim that said strip of land described in instrument recorded in the Office of the Register of Deeds for Mecklenburg County in Book 1231, page 155, has been dedicated to public use, and the City of Charlotte does hereby agree to the closing of said strip of land and the complete withdrawal of the same from any public use to which it may have been dedicated.

RESOLUTION WITH REGARD TO RECORDING RESOLUTIONS.

The following resolution was presented and read:

RESOLUTION WITH REGARD TO RECORDING
RESOLUTIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

WHEREAS, in the future it shall not be necessary for the City Clerk to copy resolutions into the minutes of Council Meetings, but in the minutes of each meeting she shall refer to the fact that a given resolution has been adopted and has been inserted in the Resolution Book with appropriate reference to the book and page, and she shall copy each resolution into the Resolution Book and at the bottom of each resolution in the Resolution Book shall certify to the passage of same over her signature, with appropriate reference to the book and page in the Minute Book showing its adoption.

Upon motion of Councilman Childs, seconded by Councilman Puette, the foregoing resolution was unanimously adopted.

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REMOVAL OF TREES FROM PLANTING STRIP AT 715 SOUTH TRYON STREET.

Motion was made by Councilman Hinson that two trees in the planting strip at 715 South Tryon Street be removed, as requested by Mr. Ralph S. Smith. Motion seconded by Councilman Childs, and unanimously carried.

PORTION OF TWENTY-NINTH STREET TAKEN OVER FOR MAINTENANCE.

Councilman Johnston moved that 29th Street, from North Tryon Street to a point approximately 100 feet west of North Church Street, be taken over for maintenance. Motion seconded by Councilman Puette, and unanimously carried.

CONTRACT WITH D. L. PHILLIPS FOR SANITARY SEWER IN LABURNUM AVENUE.

Motion was made by Councilman White that contract be authorized with Mr. D. L. Phillips for sanitary sewer construction in Laburnum Avenue, from Briar Creek Outfall to near Hanover Street, estimated to cost \$3,406.92. Motion seconded by Councilman Hinson, and unanimously carried.

CONTRACT WITH STATE HIGHWAY COMMISSION FOR ENCROACHMENT OVER RIGHT-OF-WAY IN PARK ROAD.

Upon motion of Councilman Childs, seconded by Councilman Puette, a contract was unanimously authorized with The State Highway & Public Works Commission for the encroachment over their right-of-way in Park Road, between Princeton Avenue and Alson Street, for the installation of a water main to serve a subdivision.

CONTRACT WITH O. E. MATHIS FOR WATER MAIN IN DICKMAN AVENUE.

Motion was made by Councilman Puette, seconded by Councilman Childs, and unanimously carried, authorizing contract with O. E. Mathis for the installation of a water main in Dickman Avenue, outside the city, at an estimated cost of \$375.00; applicant to pay all construction cost, the City to maintain and operate line and collect all revenues.

CONTRACT WITH V. P. LOFTIS COMPANY FOR WATER MAINS IN CHATHAM ESTATES SUBDIVISION.

Councilman Johnston moved that contract be approved with V. P. Loftis Company for the installation of water mains in Chatham Estates Subdivision, estimated to cost \$2,934.00; the City to finance the construction on a guaranteed 10% revenue basis. Motion seconded by Councilman Hinson, and unanimously carried.

CONTRACTS AND PURCHASES.

Motion was made by Councilman Hinson, seconded by Councilman Johnston, and unanimously carried, authorizing the following contracts and purchases, and the allocation of funds therefor, if necessary:

- (a) Contract with A. F. Dancey Company for One Adding Machine, in the sum of \$247.50, for the Water Department.
- (b) Contract with S. & H. X-ray Company for Tube Unit for X-ray Machine, at a net installed price of \$900.00, for the Health Department.
- (c) Purchase of One Generator for Grass Clipper Machine at Evergreen Cemetery, from E. J. Smith Company, in the sum of \$163.00.
- (d) Purchase of 48 Badges for Police Officers, from S. H. Reese, New York City, in the sum of \$109.67.
- (e) Payment to Stone's Lunch of \$107.00 for 428 meals for prisoners from January 1st to 15th, and \$102.50 for 410 meals from January 15th through 31st.

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Mr. Yancey, City Manager, reported the purchase of the following automotive equipment, under Council authority, for which contracts were authorized as follows:

- (f) Contract with Heath Motor Company, for One Ford Sedan, in the sum of \$1,221.25, for the Police Department.
- (g) Contract with Beatty Motor Company, Midland, N. C., for One Ford Sedan, in the sum of \$1,256.25, for the Police Department.
- (h) Contract with Atkinson-Norfleet, Inc., for Two Dodge 2-ton trucks, for the Street Department, and one Dodge 1/2-ton truck, for the Water Department, in the total sum of \$6,471.01.

APPOINTMENT OF O. C. FOGUS AS SUPERINTENDENT OF THE MOTOR TRANSPORT DEPT.

The City Manager reported the appointment of Mr. O. C. Fogus as Superintendent of the Motor Transport Department.

APPOINTMENT OF JAS. J. HARRIS TO THE CHARLOTTE MEMORIAL HOSPITAL AUTHORITY.

The Mayor announced the appointment of Mr. Jas. J. Harris, on February 10th, to the Charlotte Memorial Hospital Authority, for a term to expire on May 6, 1955, to fill the vacancy created by the resignation of Mr. Hamilton C. Jones, elected to Congress.

CEMETERY DEEDS FOR EXECUTION.

Councilman Childs moved that the Mayor and City Clerk be authorized to execute the following cemetery deeds. Motion seconded by Councilman Puette, and unanimously carried:

- (a) To Mr. and Mrs. J. W. Davis, Lot 241, Section 3, Evergreen Cemetery, at \$81.90.
- (b) To Mr. Berry C. Gibson and wife, Lot 291, Section 3, Evergreen Cemetery, at \$81.90.
- (c) Transfer of Lots 17 and 19, in Section Y, Elmwood Cemetery, to G. E. Suddreth and wife, from Dr. and Mrs. J. R. Alexander, at \$1.00 for transfer.
- (d) Transfer of Northwest Quarter of Lot 47, Section X, Elmwood Cemetery, to Mrs. Bettie N. Westmoreland, from Mrs. Frances M. Bebee Hoffman, at \$1.00 for transfer.

ADJOURNMENT.

Upon motion of Councilman Hinson, seconded by Councilman Johnston, the meeting was adjourned.

Lillian R. Hoffman
City Clerk