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The regular meeting of the City Council was held in the Council Chamber, City Hall, at 4:00 o'clock P. M., Wednesday, January 10, 1945, with Mayor Baxter presiding, and all members of the Council present.

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MINUTES APPROVED.

Upon motion of Councilman Ward, seconded by Councilman Hovis, the minutes of the meeting on January 3rd were approved as read.

ADOPTION OF RESOLUTION RELATIVE TO APPOINTMENT OF BEN. E. DOUGLAS TO THE STATE HIGHWAY AND PUBLIC WORKS COMMISSION.

Councilman Atkins presented the following resolution, and moved its adoption:

WHEREAS, Mecklenburg County has not for a number of years had a representative upon the State Highway and Public Works Commission; and whereas, by reason of its size, importance and the amount of taxes which it pays into the State Treasury, Mecklenburg County is entitled to a representative upon said Commission:-

AND WHEREAS, Honorable Ben E. Douglas, of Charlotte, North Carolina, a former Mayor of the City of Charlotte and who has taken a large part in the civil defense work in the state, is a man of the highest character, imbued with patriotism and a real desire to be of public service and by his training and experience is highly qualified to serve as a member of said Commission:-

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in session on January 10, 1945, that the Honorable E. Gregg Cherry, Governor of the State of North Carolina, be petitioned and urged to appoint Honorable Ben E. Douglas of Charlotte, North Carolina, as a member of the State Highway and Public Works Commission to represent the Highway District in which Mecklenburg County is located. Knowing Mr. Douglas as they do, each member of the City Council of the City of Charlotte urges his appointment.

Motion seconded by Councilman Ward, and unanimously carried.

RESOLUTION AUTHORIZED TO BE PREPARED RELATIVE TO CITY PARTICIPATION IN FUNDS EXPENDED BY THE STATE HIGHWAY COMMISSION.

City Manager Flack called attention to a resolution adopted by the Board of Commissioners of Mecklenburg County relative to the County's participation and consultation as to funds expended by the Highway Commission in said county, and requested that the Council approve same; and, also, request similar information and participation as to the City of Charlotte, and that the City Council adopt the program of the Municipal League as to Highway Funds. Councilman Daughtry moved that the City Manager present such a resolution to the Council at its next meeting. Motion seconded by Councilman Albea, and unanimously carried.

RENTAL OF HOUSE ON NEW CEMETERY PROPERTY APPROVED.

Councilman Albea moved that the house located on the Albemarle Road Cemetery property be rented at \$40.00 per month, and that lease for same provide for certain limitations as to occupancy. Motion seconded by Councilman Painter, and unanimously carried.

SALE OF CRANKCASE TO CITY OF MONROE APPROVED.

Councilman Ward moved that the extra crankcase from stock of the Fire Department be sold to the City of Monroe, N. C. at \$125.00, as

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requested. Motion seconded by Councilman Daughtry, and unanimously carried.

PAYMENT OF PRISONERS MEALS AUTHORIZED.

Councilman Hovis moved that payment of \$117.00 to Purity Cafe for prisoners meal from December 16th through 31st, 1944, be approved. Motion seconded by Councilman Ward, and unanimously carried.

PURCHASE OF PHOTOGRAPHIC SUPPLIES FOR POLICE DEPARTMENT AUTHORIZED.

Councilman Ward moved that photographic supplies for use by the Police Department be purchased from Holly Smith at \$111.63. Motion seconded by Councilman Albea, and unanimously carried.

REQUEST OF SOUTHERN RAILWAY TO INSTALL FLASHING LIGHT SIGNALS AT EAST SECOND STREET DEFERRED.

Councilman Albea moved that the approval of the request of the Southern Railway to install a standard highway flashing light signal at East 2nd Street in lieu of crossing watchman service, be deferred, and the City Manager arrange for a representative of said Railway to attend a Council Meeting to discuss the matter. Motion seconded by Councilman Price, and unanimously carried.

CONTRACT FOR WATER SERVICE TO DIXIE TAG & ENVELOPE COMPANY'S PLANT AND ALL FUTURE SIMILAR CONTRACTS TO PROVIDE FOR LINE NOW OUTSIDE CITY LIMITS TO BECOME THE PROPERTY OF THE CITY WITHOUT COMPENSATION.

Councilman Baker moved that the contract with Dixie Tag and Envelope Company for water service approved by Council on January 3, 1945 and all future similar contracts contain the provision that if and when the city limits are extended that said portion of the water line formerly outside the city limits which will then be within the city limits shall become the property of the city, without cost to the city. Motion seconded by Councilman Daughtry, and unanimously carried.

CONTRACT AUTHORIZED WITH OTIS ELEVATOR COMPANY FOR WORK ON AND MAINTENANCE OF ELEVATORS IN CITY HALL AND POLICE DEPARTMENT BUILDING.

Councilman Ward moved that a contract be entered into with the Otis Elevator Company for work on and maintenance of the two elevators in the City Hall, at an initial cost for work of \$396.00 and a maintenance charge of \$63.00 per month thereafter; and for maintenance of the elevator in the Police Department Building at \$13.00 per month. Motion seconded by Councilman Slye, and unanimously carried.

APPROVAL OF EARNED VACATION PAY FOR PERSONNEL ENTERING ARMED FORCES.

Councilman Slye moved that in addition to the two weeks bonus previously provided for city personnel entering the Armed Forces, they be allowed one day's pay for each full month of service in the calendar year, provided the vacation allowed for the year has not been taken prior to going into service, and that effective September 1, 1945 such personnel not having had his vacation, receive a full two weeks vacation pay, same to be effective as of January 1, 1945, and not to be retroactive. Motion seconded by Councilman Ward, and unanimously carried.

APPROVAL OF BILL ENTITLED "AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO PROVIDE LAND AND BUILDINGS FOR A VETERANS' RECREATION AUTHORITY TO BE ORGANIZED THEREIN".

Councilman Baker moved that the following Bill be approved as drawn by the City Attorneys for presentation to the North Carolina Legislature:

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A BILL TO BE ENTITLED: "AN ACT AUTHORIZING THE CITY OF CHARLOTTE TO PROVIDE LAND AND BUILDINGS FOR A VETERANS' RECREATION AUTHORITY TO BE ORGANIZED THEREIN".

The General Assembly of North Carolina Do Enact:

Section 1. That if a Veterans' Recreation Authority is organized in the City of Charlotte during the fiscal year ended June 30th, 1945, the Council is authorized to purchase and convey, or cause to be conveyed to such authority, land and buildings for its use notwithstanding the fact that the expenditure required for such purchase may not have been included in the appropriation Resolution for said fiscal year.

Section 2. This Act shall be in full force and effect from and after its ratification.

Motion for adoption seconded by Councilman Albea, and unanimously carried.

APPROVAL OF BILL ENTITLED "AN ACT TO RATIFY CERTAIN ACTS OF THE CITY CLERK OF CHARLOTTE, NORTH CAROLINA".

Councilman Price moved that the following Bill be approved as drawn by the City Attorneys for presentation to the North Carolina Legislature:

A BILL TO BE ENTITLED: "AN ACT TO RATIFY CERTAIN ACTS OF THE CITY CLERK OF CHARLOTTE, NORTH CAROLINA".

WHEREAS, the City Clerk of the City of Charlotte have heretofore administered oaths of office to a substantial number of persons holding office in connection with the City; and

WHEREAS, some doubt has arisen as to whether or not said City Clerks had the authority to administer said oaths;

NOW, THEREFORE, the General Assembly of North Carolina do enact:

Section 1. That the actions of City Clerks of the City of Charlotte in taking the oaths of persons holding office in connection with said City be, and the same are hereby ratified and confirmed, retroactive to the date of administering said oaths, and that all persons otherwise legally qualified to hold office, who have taken their oaths of office before any of the City Clerks of the City of Charlotte be, and they are, ratified and confirmed in their said respective offices as of the dates of the assumption of the same.

Section 2. This Act shall be in full force and effect from and after its ratification.

Motion for adoption seconded by Councilman Baker, and unanimously carried.

ADOPTION OF AN ORDINANCE PROVIDING FOR ANNUAL REPORTS BY THE CITY ATTORNEY AND THE ASSISTANT TO THE COLLECTOR OF REVENUE, ASSISTING IN THE COLLECTION OF DELINQUENT TAXES AND STREET ASSESSMENTS.

An ordinance entitled "An Ordinance Providing For Annual Reports By The City Attorney And The Assistant To The Collector Of Revenue Assisting In The Collection Of Delinquent Taxes And Street Assessments" was read by the City Clerk. Councilman Baker moved that the title "Tax Attorney" in the ordinance be changed to conform with the present designation of the office - same being "Assistant To The Collector of Revenue". Motion seconded

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by Councilman Ward, and unanimously carried. Councilman Baker then moved the adoption of the ordinance. Motion seconded by Councilman Cope, and unanimously carried, and same was declared by the Mayor to be an ordinance of the City of Charlotte. The ordinance is recorded in full in Ordinance Book 9, beginning at Page ~~25~~ 257

ADOPTION OF RESOLUTION REQUESTING REPORTS OF TILLET & CAMPBELL AND J. H. MCLAIN.

Councilman Baker moved the adoption of the following resolution:

RESOLVED, that Tillett & Campbell and J. H. McLain be, and they are requested to file with the City Clerk as soon as is reasonably possible, reports in the nature of the annual reports which will hereafter be required in January of each year of the City Attorney and the Tax Attorney in accordance with an Ordinance this day adopted relating to suits and claims now being handled by them provided the said report may be general as to the miscellaneous accounts receivable with respect to which the Council's special committee on accounts receivable conferred with the City Attorneys.

Motion seconded by Councilman Price, and unanimously adopted.

ACTION DEFERRED ON RESIGNATION OF C. W. TILLET AND H. B. CAMPBELL, CITY ATTORNEYS.

Mayor Baxter read a letter from Messrs. C. W. Tillett and H. B. Campbell, in which their resignation as City Attorneys was submitted.

Councilman Baker moved that action thereon be deferred, and Messrs. Tillett and Campbell be requested to continue in office until the end of the present administration, and that the Council furnish them all aid and assistance legally possible. Motion seconded by Councilman Cope, and unanimously carried.

APPOINTMENT OF MEMBERS OF CHARLOTTE PLANNING COMMISSION.

Mayor Baxter advised that the three members appointed to the Charlotte Planning Board on December 20, had advised they would be unable to accept the appointment; therefore, nominations of appointees were in order.

Councilman Baker moved the appointment to the Board:

- C. W. Gilchrist Term to expire on June 30, 1947
- Mrs. C.C. Duncan Term to expire on June 30, 1946
- Louis G. Ratcliffe Term to expire on June 30, 1945

Motion seconded by Councilman Price, and unanimously carried.

CEMETERY DEEDS APPROVED FOR TRANSFER.

Councilman Hovis moved that the following cemetery deeds be approved for transfer. Motion seconded by Councilman Ward, and unanimously carried:

- Mrs. A.J. Willoughby, South Half Lot 120, Section Y, Elmwood Cemetery, \$70.00 Perpetual Care Deed on above lot, \$60.00.
- Mrs. Allie E. Ferguson, Lot 378, Section Y, Elmwood Cemetery, \$35.00.

ADJOURNMENT:

Upon motion of Councilman Ward, duly seconded by Councilman Albea, the meeting was adjourned.

*Lillian R. Huffman*  
City Clerk