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July 8, 1942

A regular meeting of the City Council of the City of Charlotte was held in the Council Chamber of the City Hall in the City of Charlotte, North Carolina, at 4 o'clock P. M., Mayor Pro Tem Albea presiding and Councilmen Baker, Beasley, Daughtry, Hovis, Little, Painter, Price, Ross, Slye and Ward being present.

Absent: Mayor Currie.

\* \* \* \* \*

Councilman Ward introduced the following resolution, which was read:

RESOLUTION PROVIDING FOR THE ISSUANCE  
OF \$230,000 WATER BONDS.

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

Section 1. That the City Council has determined and does hereby find and declare:

(a) That it is necessary to issue all of the \$230,000 Water Bonds authorized by an ordinance passed June 1, 1942.

(b) That the probable period of usefulness of the extensions to be made to the existing water works system of said City from the proceeds of said bonds is a period of forty years from June 1, 1943, being a date not later than one year after the passage of said ordinance, and that said period expires June 1, 1983.

Section 2. That for the purpose provided in said ordinance the negotiable coupon bonds of the City of Charlotte shall be issued in the aggregate principal amount of \$230,000 designated "Water Bonds", consisting of 230 bonds of the denomination of \$1,000 each, numbered 1 to 230, inclusive, dated August 1, 1942, and maturing annually,

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August 1, in numerical order, lowest numbers first, without option of prior payment, as follows:

\$7,000 1945 to 1949, \$10,000 1950 to 1955,  
\$15,000 1956 to 1964, all inclusive.

Section 3. That said \$230,000 Water Bonds shall bear interest at a rate or rates not exceeding 6% per annum to be determined by the Local Government Commission at the time the bonds are sold, which interest shall be payable semi-annually on the first days of February and August of each year, both principal and interest to be payable at the Central Hanover Bank and Trust Company in the City of New York in any coin or currency of the United States of America which, at the respective dates of payment thereof, is legal tender for public and private debts.

Section 4. That said \$230,000 Water Bonds shall be signed by the Mayor and the City Clerk under the corporate seal of the City, and the annexed interest coupons shall be executed with the facsimile signature of said City Clerk, and said bonds shall be registerable as to principal alone and as to both principal and interest in accordance with The Municipal Finance Act, 1921, as amended, and with provisions for registration to be hereinafter set forth, which shall be printed upon said bonds. The City Treasurer is hereby appointed Bond Registrar for the purpose of registering said bonds, subject to the right of this body hereafter to appoint another registrar under the provisions of The Municipal Finance Act, 1921, as amended. No charge shall be made to any bondholder for the privilege of registration herein granted.

Section 5. That said bonds and coupons and endorsements to be printed upon the reverse thereof shall be in substantially the following form:

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No. \_\_\_\_\_

\$1,000 \_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG  
CITY OF CHARLOTTE  
WATER BOND

The City of Charlotte, in Mecklenburg County, State of North Carolina, is justly indebted and for value received hereby promises to pay to the bearer or, if this bond be registered, to the registered owner hereof, on the first day of August, 19\_\_\_, the principal sum of

ONE THOUSAND DOLLARS

together with interest thereon at the rate of \_\_\_\_\_ per centum per annum, payable semi-annually on the first days of February and August of each year upon the presentation and surrender of the annexed interest coupons as they severally fall due. Both the principal of and the interest on this bond are payable at the Central Hanover Bank and Trust Company in the city of New York in any coin or currency of the United States of America which, at the respective dates of payment thereof, is legal tender for public and private debts. For the prompt payment hereof, both principal and interest as the same shall become due, the full faith and credit of said City are hereby irrevocably pledged.

This bond is one of a series issued by said City pursuant to and in full compliance with The Municipal Finance Act, 1921, as amended, and the Local Government Act, as amended, and an ordinance and resolutions duly passed by the City Council of the said City for the purpose of extending the existing water works system of said City.

It is hereby certified and recited that all acts, conditions and things required to happen, exist and be performed precedent to and in the issuance of this bond by the laws and Constitution of North Carolina, have happened, exist and have been performed in regular

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and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said City sufficient to pay the principal of and the interest on this bond as the same shall fall due; and that the total indebtedness of said City, including this bond and all other indebtedness heretofore contracted during the fiscal year in which this bond is issued, does not exceed any constitutional or statutory limitation thereon.

This bond is registerable as to principal alone and as to both principal and interest in accordance with the provisions endorsed hereon.

IN WITNESS WHEREOF, the said City of Charlotte has caused this bond to be signed by its Mayor and City Clerk and its corporate seal to be affixed hereto, and the annexed interest coupons to be executed with the facsimile signature of said City Clerk, all as of the first day of August, 1942.

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Mayor

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City Clerk

(ENDORSEMENTS ON BONDS)

This bond may be registered as to principal in the bond register of the City of Charlotte by the City Treasurer as Bond Registrar or by such other Bond Registrar as may be legally appointed by the governing body of said City, notation of such registration to be made hereon by such Bond Registrar, and this bond may thereafter be transferred on said bond register only upon a written assignment of the registered owner or his attorney, duly acknowledged or proved, such transfer to be endorsed hereon by the Bond Registrar. Unless this bond be registered as to both principal and interest, such transfer may be to bearer and thereby

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transferability by delivery shall be restored, subject, however, to successive registrations and transfers as before. The principal of this bond, if registered, shall be payable only to the registered owner or his legal representative. Notwithstanding the registration of this bond, the coupons shall remain payable to bearer and shall continue to be transferable by delivery unless this bond shall be in like manner registered as to both principal and interest, notation whereof and of the cancellation of unmatured coupons is to be made on this bond, after which registration both principal and interest hereof shall be payable to the person in whose name it is registered, or his legal representative.

<u>Date of Registration</u>	<u>Registered Owner</u>	<u>Bond Registrar</u>
.....I.....	.....	.....
.....	.....	.....
.....	.....	.....

It is hereby certified that at the request of the holder of the within bond for its conversion into a bond registered as to both principal and interest, the undersigned has this day cut off and cancelled all unmatured coupons attached thereto, being \_\_\_\_\_ in number, numbered from \_\_\_\_\_ to \_\_\_\_\_, inclusive, of the aggregate face value of \$ \_\_\_\_\_, and that the within bond is hereby converted into a registered bond, the principal and interest of which are payable to the registered owner named in the registration blank above or his legal representative.

Dated \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Bond Registrar

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The issuance of the within bond has been approved under the provisions of the Local Government Act of North Carolina.

W. E. EASTERLING,  
Secretary, Local Government Commission  
By \_\_\_\_\_  
Designated Assistant

(FORM OF COUPON)

No. \_\_\_\_\_ \$ \_\_\_\_\_

On \_\_\_\_\_ 1, 19 \_\_\_\_\_

The City of Charlotte, North Carolina, will pay to bearer at the Central Hanover Bank and Trust Company in the City of New York, the sum of \_\_\_\_\_ Dollars in any coin or currency of the United States of America which at the time of payment is legal tender for public and private debts, as provided in and for the interest then due on its Water Bond, dated August 1, 1942, numbered \_\_\_\_\_.

\_\_\_\_\_  
City Clerk

Section 6. That the City Treasurer is directed to arrange for the advertisement and sale of all of said Water Bonds under the Local Government Act.

Section 7. That said \$230,000 Water Bonds and all other indebtedness heretofore contracted in the current fiscal year does not exceed two-thirds of the amount by which the outstanding indebtedness of the City of Charlotte was reduced in the preceding fiscal year.

Upon motion of Councilman Ward, seconded by Councilman Ross, and unanimously carried, the foregoing resolution was read and passed upon its first reading. The votes cast upon the first reading were as follows:

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Councilman Baker	AYE
Councilman Beasley	AYE
Councilman Daughtry	AYE
Councilman Hovis	AYE
Councilman Little	AYE
Councilman Painter	AYE
Councilman Price	AYE
Councilman Ross	AYE
Councilman Slye	AYE
Councilman Ward	AYE

Upon motion of Councilman Ward, seconded by Councilman Ross, and unanimously carried, the rules were suspended and the foregoing resolution was read and passed upon its second reading. The votes cast upon the second reading were as follows:

Councilman Baker	AYE
Councilman Beasley	AYE
Councilman Daughtry	AYE
Councilman Hovis	AYE
Councilman Little	AYE
Councilman Painter	AYE
Councilman Price	AYE
Councilman Ross	AYE
Councilman Slye	AYE
Councilman Ward	AYE

Upon motion of Councilman Ward, seconded by Councilman Ross and unanimously carried, the rules were suspended and the foregoing resolution was read and passed upon its third and final reading. The votes cast upon the third and final



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MINUTES READ AND APPROVED.

Upon motion of Councilman Baker, seconded by Councilman Little, the minutes of the meeting of July 1st. were approved as read.

RESIGNATION OF HARRY M. JOYNER AS CHIEF OF POLICE.

The following letter, dated July 8, 1942, was read by Mayor Pro Tem Albea:

"To the Honorable Mayor  
Members of the City Council,  
Charlotte, N. C.

Gentlemen:

I hereby tender my resignation as Chief of Police of the City of Charlotte to become effective July 8, 1942. However, I would like for you to take into consideration that at the time of my promotion from Captain to Chief of Police I had a thorough understanding that in the event the Council no longer desired my services as Chief of Police I would be returned to the rank of Captain. This date the City Attorney advises me that the Council has no lawful right to make such a proposition. In the face of this, the only thing that I can do is to trust that you gentlemen in some way right this wrong.

Yours very truly,

H. M. Joyner  
Chief of Police "

HMJ-w

Councilman Little moved that this resignation be accepted with regrets. Motion seconded by Councilman Beasley and carried.

RESOLUTION APPOINTING CAPT. ALEX WEST ACTING CHIEF OF POLICE.

Immediately following the acceptance of Harry M. Joyner's resignation as Chief of Police, Councilman Beasley moved that the following resolution be adopted, which motion was seconded by Councilman Slye and carried:

RESOLVED that, pending the appointment of a Chief of Police, and during the vacancy in the said position which has been created by the resignation of Harry Joyner, Alex West ex officio as senior captain of the Police Department be, and he is, authorized and directed to perform all of the duties of Chief of Police as auxiliary duties in addition to his duties as Captain of Police.

SALARY OF ACTING CHIEF SEP.

Thereupon, by motion made by Councilman Hovis, duly seconded by Councilman Ward and carried, the salary of the Acting Chief of Police, Alex West, was set at \$275.00 per month so long as he is serving as Chief of Police.

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CONTRACT BETWEEN UNITED STATES RUBBER COMPANY AND CITY OF CHARLOTTE FOR WATER LINE TO SHELL LOADING PLANT.

A contract between the United States Rubber Company and the City of Charlotte, covering the laying of a 12 inch water line to the site of the shell loading plant of the U. S. Rubber Company, being erected about nine and one-half miles south of Charlotte, was read by the City Manager, and, upon motion made by Councilman Baker, duly seconded by Councilman Little and unanimously carried, the Mayor and Clerk were authorized to execute this contract on behalf of the City of Charlotte.

Copy of this contract is attached hereto and made a part of the minutes of this meeting.

PRINTING OF 10,000 CITY OF CHARLOTTE VOUCHER CHECKS AUTHORIZED.

Bids having been received for printing 10,000 City of Charlotte voucher checks, as follows:

Southern Printing Co.	\$142.50
Piedmont Printery	159.50
Pound & Moore Company	159.85
Economy Printing Company	174.00
Huneycutt Printing Company	189.50
American Sales Book Co. Inc.	191.70

On motion made by Councilman Slye and seconded by Councilman Ward, authority was given for the purchase of these checks from the lowest bidder, Southern Printing Company, of Charlotte, at a net delivered price of \$142.50.

ELECTRICAL REPAIRS AT SUGAW CREEK DISPOSAL PLANT.

The City Manager reported that due to electrical storms emergency repairs were made at the Sugaw Creek Disposal Plant by the Southern Electric Service Company, Inc., in the amount of \$136.84, and upon motion of Councilman Baker, seconded by Councilman Little and carried, this action was approved by the Council.

PURCHASE OF CRUSHED STONE FOR STREET REPAIR.

Due to excessive rainfall in June, it was necessary to make an emergency purchase of four (4) carloads of crushed stone for repairs to city streets, and the City Manager reported that quotations were received from various companies by telephone and the purchase was made from the lowest bidder, Superior Stone Company of Raleigh, at a net delivered price of \$426.08.

Councilman Little moved that this purchase be ratified and that the Mayor and Clerk execute contract for same. Motion seconded by Councilman Painter and carried.

ELON STREET TAKEN OVER FOR CITY MAINTENANCE.

Upon motion of Councilman Slye, seconded by Councilman Little, Elon Street, from Camp Green Avenue south to the last house, a distance of approximately 350 feet, was taken over for city maintenance.

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APPROPRIATION FROM EMERGENCY FUND FOR ERECTION OF REST ROOMS FOR WAR MANEUVERS.

Councilman Ross reported that the Civilian Defense has estimated that it will take more than a thousand dollars to again erect and equip the rest room on Mint Street, for use during the war maneuvers, and moved that the Council appropriate from the 1942-43 Emergency Fund the sum of \$1500.00 to take care of the sanitary needs during this period.

Councilman Baker questioned the legality of the appropriation on the grounds that the budget for 1942-43 has not yet been adopted. City Attorney Tillett reported that in case of a genuine emergency the letter of the law gives way and such emergency appropriation can be made. Whereupon, Councilman Painter seconded the motion made by Mr. Ross, and the motion, when put to a vote, carried, with Councilman Baker not voting.

SPECIAL POLICE OFFICER ON PREMISES JOHNSON C. SMITH UNIVERSITY.

Councilman Beasley moved that Evander McCoy (colored) be granted a special officer permit on the premises of Johnson C. Smith University. Motion seconded by Councilman Slye and carried.

Councilman Beasley also moved that Turner A. Ferrell also be made a special officer on the premises of the W & S Motors, Inc., which motion was seconded by Councilman Slye and carried.

AMENDMENT TO MILK ORDINANCE AGAIN PRESENTED AND HELD OVER.

The proposed amendment to the Milk Ordinance, submitted and held over from the last meeting of the Council, was again presented by Councilman Hovis, who moved that Section 1 be further amended by adding the following paragraph:

"Provided, however, that until such time as buttermilk producers come under full and final effect of this ordinance and can sell only Grade "A" Buttermilk to final consumers, they shall pay only \$1 per year for a permit as heretofore."

This amendment to come between the two paragraphs of the proposed new section to be numbered "Section 3-A". Councilman Hovis' motion was seconded by Councilman Daughtry, but after discussion, Councilman Baker offered a substitute motion that the amendment as offered be included in the ordinance and that each member be furnished a copy of the amendment or the amended ordinance for study before adoption. This motion was duly seconded and carried.

CEMETERY DEEDS.

On motion of Councilman Ward, seconded by Councilman Little, the following cemetery deeds were approved for transfer:

Mrs. Julia Z. Cathey, Lot No. 264, Section "Y", Elmwood Cemetery \$35.00  
Transfer of East 1/2 Lot No. 5 "A Annex" from Mrs and Mrs. C. W. Eason  
to Mrs. W. Guy Barrier 1.00

ADJOURNMENT.

On motion of Councilman Little, the meeting then adjourned.

*Alice B. McConnell*  
City Clerk