

An adjourned regular meeting of the City Council of the City of Charlotte was held at 10 o'clock, A.M., on May 5, 1955, in the Courthouse of Mecklenburg County in Charlotte, North Carolina.

Present: Mayor Pro Tempore Smith, and Councilmen Baxter, Boyd, Brown and Wilkinson.

Absent: Mayor Van Every and Councilmen Albee and Dellinger.

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After calling the meeting to order and after the City Clerk had called the roll, the members of the City Council of the City of Charlotte sat at the table at which the County Board of Elections was holding its meeting and thereupon said County Board of Elections and said City Council of the City of Charlotte, as two separate bodies, separately received from the registrars and judges of election in the various precincts of the City of Charlotte the returns of the special bond election held on May 3, 1955. After said returns had been canvassed by said City Council, being simultaneously with the canvassing thereof by the County Board of Elections in the same place, Councilman Brown introduced the following resolution, which was read:

RESOLUTION CANVASSING THE RETURNS
OF THE SPECIAL BOND ELECTION HELD
MAY 3, 1955, AND DETERMINING AND
DECLARING THE RESULT THEREOF

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

Section 1. That the returns of the special bond election held in the City of Charlotte on May 3, 1955, having been received from the proper election officers, and the City Council having canvassed the same, the following facts are hereby found and determined:

(a) That each registrar and judge for the special bond election held in the City of Charlotte on May 3, 1955 was duly qualified by law and had taken the necessary oath.

(b) That the election officers had incorporated in their returns not only the number of votes cast for and against each question submitted but also the number of voters registered and qualified to vote in each precinct in the election.

(c) That at said election there were submitted to the qualified voters of said City the following questions:

1. Shall an ordinance passed on March 23, 1955, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Water Bonds in an aggregate principal amount not exceeding \$6,000,000 for the purpose of providing funds for extending and enlarging the water-works system of said City, including the construction of improvements and betterments to existing water treatment plants, the construction of new water treatment plant facilities, the construction and installation of additional water mains and lines, and the acquisition of necessary land, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, be approved?
2. Shall an ordinance passed on March 23, 1955, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Sanitary Sewer Bonds in an aggregate principal amount not exceeding \$500,000 for the purpose of providing funds for extending and enlarging the sanitary sewer system of said City, including the construction of improvements and betterments to the existing sewage treatment plants, the construction and installation of additional sewer mains and lines, and the acquisition of necessary land, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, be approved?
3. Shall an ordinance passed on March 23, 1955, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Street Improvement Bonds in an aggregate principal amount not exceeding \$750,000 for the purpose of providing funds for constructing or reconstructing the surface of streets in said City, including the contemporaneous construction or reconstruction of sidewalks, curbs, gutters, drains and grading, and the acquisition of necessary land, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, be approved?
4. Shall an ordinance passed on March 23, 1955, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Fire Station Bonds in an aggregate principal amount not exceeding \$200,000 for the purpose of providing funds for erecting and equipping a fire station or stations in said City, including the acquisition of necessary land, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, be approved?
5. Shall an ordinance passed on March 23, 1955, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Auditorium Bonds in an aggregate principal amount not exceeding \$698,000 for the purpose of providing funds, with the proceeds of \$3,000,000 Auditorium Bonds approved at the special bond election held October 14, 1950, and the \$1,000,000 Auditorium Bonds approved at the special bond election held June 6, 1953, for erecting and equipping buildings within said City for public gatherings and acquiring a site therefor and improving the same, such buildings to consist of two auditoriums with seating capacities of approximately 10,000 and 2,500, respectively, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, be approved?

6. Shall an ordinance passed on March 23, 1955, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Public Health Center Bonds in an aggregate principal amount not exceeding \$500,000 for the purpose of providing funds for erecting and equipping a City Public Health Center and acquiring a site therefor and improving the same, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, be approved?
7. Shall an ordinance passed on March 23, 1955, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Spastics Hospital Bonds in an aggregate principal amount not exceeding \$190,000 for the purpose of providing funds for enlarging, reconstructing and equipping the spastics hospital owned by the City, including constructing and equipping an addition thereto, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, be approved?

Section 2. That the following schedule correctly shows the designations of the precincts at which said election was held, the number of voters registered and qualified to vote in each precinct in the election, the number of votes cast in each precinct in favor of each question submitted, the number cast against each question, and the totals of such numbers:

Pre- cinct	Polling Place	Voters reg- istered and qualified to vote	\$6,000,000 Water Bonds	
			Votes for	Votes against
1	Court House 700 E. Trade Street	1742	92	35
2	Second Ward School 501 S. Alexander Street	2587	156	28
3	Zeb Vance School 825 Westbrook Drive	1195	107	52
4	Bethune School 601 N. Graham Street	1694	133	49
5	First Ward School 401 E. 9th Street	1487	94	43
6	Piedmont Jr. High School 1241 E. 10th Street	2255	270	121
7	Elizabeth School 1601 Park Drive	2843	455	109
8	Myers Park Elementary Sch. 2132 Radcliffe Avenue	2405	552	120
9	Dilworth School 405 E. Park Avenue	3169	501	155
10	2201 Springdale Avenue	1363	160	40

<u>Pre- cinct</u>	<u>Polling Place</u>	<u>Voters reg- istered and qualified to vote</u>	<u>\$6,000,000 Water Bonds</u>	
			<u>Votes for</u>	<u>Votes Against</u>
11	Wesley Heights School 128 S. Summit Avenue	1556	138	56
12	Seversville School 1701 Sumter Avenue	1251	79	62
13	Villa Heights School 2000 N. Allen Street	2328	157	149
14	Hawthorne Jr. High 1400 Louise Avenue	1733	118	143
15	Midwood School Central Avenue	1999	313	101
16	Chantilly School 701 Briar Creek Road	2724	413	182
17	Fireman's Hall 2601 E. 7th Street	1325	152	68
18	Eastover School 500 Cherokee Road	3140	787	167
19	Myers Park High School 2400 Colony Road	2616	590	122
20	Avondale Com. House Avondale & Lilac Road	1294	271	103
21	2830 Dorchester Place	1183	246	60
22	Wilmore School 428 West Boulevard	3127	176	95
23	Ashley Park School 3128 Belfast Drive	1391	154	58
24	Enderly Park School Parkway Avenue	1659	239	139
25	West Charlotte Jr. High Sch. 1773 1415 Beatties Ford Rd.		284	85
26	Double Oaks School 1905 Earle Street	2909	177	28
27	Hutchison School 1400 Hutchison Avenue	1002	57	40
28	Plaza Road School 3501 Plaza Road	2684	214	160
29	Merry Oaks School 3508 Draper Avenue	731	99	64
TOTALS		57,165	7,184	2,634

Pre- cinct	\$500,000 <u>Sanitary Sewer Bonds</u>		\$750,000 <u>Street Improvement Bonds</u>	
	<u>Votes for</u>	<u>Votes against</u>	<u>Votes for</u>	<u>Votes against</u>
1	88	34	94	33
2	134	21	131	21
3	107	54	98	54
4	128	48	113	52
5	90	38	82	43
6	274	108	245	127
7	441	114	377	158
8	553	117	464	186
9	499	145	444	175
10	159	39	149	45
11	133	58	113	74
12	81	55	65	68
13	154	150	147	149
14	125	136	94	149
15	309	99	269	127
16	404	185	365	207
17	145	66	135	73
18	786	170	719	227
19	594	114	537	159
20	259	102	218	143
21	246	58	215	85
22	178	95	142	119
23	146	62	139	67
24	232	137	216	138
25	268	84	263	89
26	160	30	166	20
27	58	38	58	38
28	207	157	197	173
29	91	65	88	65
Totals	7,049	2,579	6,343	3,064

<u>Pre- cinct</u>	<u>\$200,000 Fire Station Bonds</u>		<u>\$698,000 Auditorium Bonds</u>	
	<u>Votes for</u>	<u>Votes against</u>	<u>Votes for</u>	<u>Votes against</u>
1	83	37	76	47
2	118	24	102	35
3	99	51	74	79
4	115	47	101	69
5	81	43	75	52
6	231	130	202	185
7	362	158	339	223
8	487	170	445	224
9	442	167	416	121
10	146	49	132	72
11	130	57	95	101
12	71	61	48	85
13	150	148	108	202
14	109	133	80	169
15	254	132	246	171
16	376	197	325	278
17	131	68	132	81
18	674	255	674	286
19	533	152	512	192
20	219	133	208	171
21	215	79	193	107
22	169	95	120	152
23	167	43	100	108
24	246	122	140	217
25	232	105	200	128
26	145	30	139	44
27	56	38	42	52
28	187	173	166	211
29	85	71	92	68
Totals	6,313	2,968	5,582	3,930

Pre-cinct	\$500,000 Public Health Center Bonds		\$190,000 Spastics Hospital Bonds	
	<u>Votes for</u>	<u>Votes against</u>	<u>Votes for</u>	<u>Votes against</u>
1	91	35	88	32
2	127	22	120	16
3	102	51	107	39
4	123	55	126	45
5	81	48	85	37
6	251	133	265	116
7	375	172	378	164
8	462	205	504	169
9	454	174	471	158
10	143	53	153	38
11	124	70	143	50
12	82	53	93	38
13	171	138	186	124
14	110	136	121	134
15	272	128	296	101
16	395	185	430	156
17	135	69	143	64
18	704	252	699	248
19	536	159	556	137
20	237	127	250	116
21	226	78	244	60
22	157	102	176	84
23	153	56	177	38
24	216	140	237	118
25	297	64	247	78
26	177	21	165	19
27	55	40	73	23
28	211	157	219	149
29	92	64	109	52
Totals	6,559	2,987	6,861	2,603

Section 3. That no complaint has been made to the City Council against the regularity of said election.

Section 4. That from the canvass so made it is determined and declared:

(a) That 57,165 voters were registered and qualified to vote in the City of Charlotte at said election.

(b) That a majority of the qualified voters of the City who voted thereon at said election voted in favor of the approval of the ordinance authorizing not exceeding \$6,000,000 Water Bonds of the City of Charlotte, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and that said ordinance was thereby approved and is in force and effect.

(c) That a majority of the qualified voters of the City who voted thereon at said election voted in favor of the approval of the ordinance authorizing not exceeding \$500,000 Sanitary Sewer Bonds of the City of Charlotte, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and that said ordinance was thereby approved and is in force and effect.

(d) That a majority of the qualified voters of the City who voted thereon at said election voted in favor of the approval of the ordinance authorizing not exceeding \$750,000 Street Improvement Bonds of the City of Charlotte, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and that said ordinance was thereby approved and is in force and effect.

(e) That a majority of the qualified voters of the City who voted thereon at said election voted in favor of the approval of the ordinance authorizing not exceeding \$200,000 Fire Station Bonds of the City of Charlotte, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and that said ordinance was thereby approved and is in force and effect.

(f) That a majority of the qualified voters of the City who voted thereon at said election voted in favor of the approval of the ordinance authorizing not exceeding \$698,000 Auditorium Bonds of the City of Charlotte, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and that said ordinance was thereby approved and is in force and effect.

(g) That a majority of the qualified voters of the City who voted thereon at said election voted in favor of the approval of the ordinance authorizing not exceeding \$500,000 Public Health Center Bonds of the City of Charlotte, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and that said ordinance was thereby approved and is in force and effect.

(h) That a majority of the qualified voters of the City who voted thereon at said election voted in favor of the approval of the ordinance authorizing not exceeding \$190,000 Spastics Hospital Bonds of the City of Charlotte, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and that said ordinance was thereby approved and is in force and effect.

Section 5. That the City Council has prepared and does adopt the following statement showing the result of the special bond election held in the City of Charlotte on May 3, 1955, and declaring the result thereof:

STATEMENT OF RESULT OF
THE SPECIAL BOND ELECTION
held in the
CITY OF CHARLOTTE, NORTH CAROLINA
on May 3, 1955

At a special bond election held May 3, 1955, 57,165 voters were registered and qualified to vote.

At said election 7,184 votes were cast for the approval of the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$6,000,000 Water Bonds of said City for the purpose of providing funds for extending and enlarging the waterworks system of said City, including the construction of improvements and betterments to existing water treatment plants, the construction of new water treatment plant facilities, the construction and installation of additional water mains and lines, and the acquisition of necessary land, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 2,634 votes were cast against said ordinance, and said ordinance was thereby approved and is in force and effect.

At said election 7,049 votes were cast for the approval of the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$500,000 Sanitary Sewer Bonds of said City for the purpose of providing funds for extending and enlarging the sanitary sewer system of said City, including the construction of improvements and betterments to the existing sewage treatment plants, the construction and installation of additional sewer mains and lines, and the acquisition of necessary land, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 2,579 votes were cast against said ordinance, and said ordinance was thereby approved and is in force and effect.

At said election 6,343 votes were cast for the approval of the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$750,000 Street Improvement Bonds of said City for the purpose of providing funds for constructing or reconstructing the surface of streets in said City, including the contemporaneous construction or reconstruction of sidewalks, curbs, gutters, drains and grading, and the acquisition of necessary land, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 3,064 votes were cast against said ordinance, and said ordinance was thereby approved and is in force and effect.

At said election 6,313 votes were cast for the approval of the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$200,000 Fire Station Bonds of said City for the purpose of providing funds for erecting and equipping a fire station or stations in said City, including the acquisition of necessary land, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 2,968 votes were cast against said ordinance, and said ordinance was thereby approved and is in force and effect.

At said election 5,582 votes were cast for the approval of the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$698,000 Auditorium Bonds of said City for the purpose of providing funds, with the proceeds of \$3,000,000

Auditorium Bonds approved at the special bond election held October 14, 1950, and the \$1,000,000 Auditorium Bonds approved at the special bond election held June 6, 1953, for erecting and equipping buildings within said City for public gatherings and acquiring a site therefor and improving the same, such buildings to consist of two auditoriums with seating capacities of approximately 10,000 and 2,500, respectively, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 3,930 votes were cast against said ordinance, and said ordinance was thereby approved and is in force and effect.

At said election 6,559 votes were cast for the approval of the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$500,000 Public Health Center Bonds of said City for the purpose of providing funds for erecting and equipping a City Public Health Center and acquiring a site therefor and improving the same, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 2,987 votes were cast against said ordinance, and said ordinance was thereby approved and is in force and effect.

At said election 6,861 votes were cast for the approval of the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$190,000 Spastics Hospital Bonds of said City for the purpose of providing funds for enlarging, reconstructing and equipping the spastics hospital owned by the City, including constructing and equipping an addition thereto, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 2,603 votes were cast against said ordinance, and said ordinance was thereby approved and is in force and effect.

By order of the City Council of the City of Charlotte, this 5th day of May, 1955.

J. S. Smith
Mayor Pro Tempore

W. E. Wilkinson

Basil M. Boyd

H. H. Baxter

H. A. Brown
Councilman

Section 6. That when the foregoing statement shall have been signed by a majority of the members of the City Council and delivered to the City Clerk, the latter shall record it in the Ordinance Book and such statement shall be filed in her office and published by her once in the Charlotte News. A notice substantially in the following form shall be appended to the copy of the foregoing statement which is published:

TO THE CITIZENS AND TAXPAYERS OF THE CITY OF CHARLOTTE:

No right of action or defense founded upon the invalidity of the election mentioned in the foregoing statement shall be asserted, nor shall the validity of such election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the publication of the foregoing statement.

Lillian R. Hoffman
City Clerk

Upon motion of Councilman Brown, seconded by Councilman Baxter, the foregoing resolution entitled: "RESOLUTION CANVASSING THE RETURNS OF THE SPECIAL BOND ELECTION HELD MAY 3, 1955 AND DETERMINING AND DECLARING THE RESULT THEREOF" was passed by the following vote:

Yeas: Councilmen Baxter, Brown, Boyd and Wilkinson.

Nays: None.

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I, Lillian R. Hoffman, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the recorded minutes of the City Council of the City of Charlotte at a meeting held on May 5, 1955, the record having been made in Minute Book 36, beginning at page 24 and ending at page 35, and is a true copy of so much of said proceedings as relate in any way to the special bond election held on May 3, 1955.

I FURTHER CERTIFY that the statement of the result of the election adopted by the above resolution has been recorded by me in Ordinance Book No. 11, beginning at page 294 and ending at page 296.

WITNESS my hand and the corporate seal of said City, this 6th day of May, 1955.

Lillian R. Hoffman
City Clerk