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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, October 2, 1945, with Mayor Baxter presiding, and Councilmen Childs, Hinson, Puette and White being present.

Absent: Councilmen Johnston, McIntyre and Newson.

MINUTES APPROVED.

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

ADOPTION OF RESOLUTION PROVIDING FOR THE ISSUANCE OF \$50,000.00 SIDEWALK BOND ANTICIPATION NOTES.

Councilman White introduced the following resolution, which was read:

RESOLUTION PROVIDING FOR THE
ISSUANCE OF \$50,000.00 SIDEWALK
BOND ANTICIPATION NOTES.

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

Section 1. That in order to anticipate the receipt of the proceeds of \$50,000 Sidewalk Bonds authorized by an ordinance passed September 18, 1945 (none of which bonds has been issued and no notes being outstanding which were issued in anticipation of the sale of said bonds), and for the purpose for which said bonds were so authorized, a temporary loan of \$50,000. is hereby authorized to be evidenced by negotiable notes of the City of Charlotte.

Section 2. That it is hereby found and determined as a fact that petitions have heretofore been filed, pursuant to law, praying that local improvements be made of the character provided in said ordinance, and praying, further, that a portion of the cost thereof, said portion being at least one-fourth of such cost, be specially assessed; and that the estimated cost of the work so petitioned for but not provided for by other bond issues or otherwise, is \$50,000.

Section 3. That said notes shall be designated "Sidewalk Bond Anticipation Notes", shall be dated November 1, 1945, mature on November 1, 1946, and bear interest at a rate to be determined by the Local Government Commission at the time the notes are sold, not exceeding 6% per annum, which interest shall be payable on May 1, 1946, and at the maturity of the notes, such interest being payable upon presentation and surrender of interest coupons to be attached to said notes. Said notes shall be payable as to both principal and interest at such bank or trust company and shall have such denominations and bear such numbers as may be fixed by the Mayor after the award of the notes by the Local Government Commission.

Section 4. That said notes shall be signed by the Mayor and the City Clerk, under the corporate seal of the City, and shall have endorsed thereon the written approval of the City Attorney, and the annexed interest coupons shall be executed with the manual signature of said City Clerk, and the form thereof shall be substantially as follows:

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No. _____

\$ _____

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG
CITY OF CHARLOTTE
SIDEWALK BOND ANTICIPATION NOTE

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 on November 1, 1946, the principal sum of

_____ DOLLARS

together with interest thereon at the rate of _____ per centum per annum, payable on May 1, 1946 and at maturity hereof, upon the presentation and surrender of the annexed interest coupons as the same fall due. Both the principal of and the interest on this note are payable at the _____ in the City of _____. For the prompt payment hereof, both principal and interest as the same shall fall due, the full faith and credit of said City of Charlotte are hereby irrevocably pledged.

This note is given for money borrowed in the amount of the face of this note in anticipation of the receipt of the proceeds of a like amount of Sidewalk Bonds duly authorized by an ordinance passed by the City Council of the City of Charlotte on September 18, 1945 which has taken effect, and this note is issued pursuant to and in full compliance with The Municipal Finance Act, 1921, as amended, and the Local Government Act, as amended, and a resolution duly passed by the City Council of said City.

It is hereby certified and recited that all acts, conditions and things required by the laws and Constitution of North Carolina to happen, exist and be performed precedent to and in the issuance of this note, have happened, exist and have been performed in regular and due form and time as so required, and that the total indebtedness of said City, including this note and all other indebtedness heretofore contracted during the fiscal year in which this note is issued, does not exceed any constitutional or statutory limitation thereon.

IN WITNESS WHEREOF, said City of Charlotte has caused this note to be signed by its Mayor and City Clerk, under the corporate seal of the City, and the annexed interest coupons to be executed with the manual signature of said City Clerk, all as of the first day of November, 1945.

Mayor

City Clerk

The issuance of this note is hereby approved.

City Attorney

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(COUPON)

No. _____ \$ _____

On _____ 1, 19__.

The City of Charlotte, North Carolina, will pay the bearer the sum of _____ Dollars at the _____ in the City of _____, _____, for the interest then due on its Sidewalk Bond Anticipation Note, dated November 1, 1945, numbered _____.

City Clerk

(TO BE ENDORSED UPON REVERSE OF NOTE)

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

W. E. Easterling,
Secretary, Local Government Commission.

By _____
Designated Assistant.

Section 5. That said \$50,000.00 Sidewalk Bond Anticipation Notes 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.

Section 6. That the City Treasurer is hereby directed to request the Local Government Commission to advertise and sell said notes.

Upon motion of Councilman White, seconded by Councilman Hinson, and unanimously carried, the foregoing resolution entitled "Resolution providing for the issuance of \$50,000.00 Sidewalk Bond Anticipation Notes" was read and passed. The votes cast were as follows:

YEAS: Councilmen Childs, Hinson, Puette and White.

REQUEST BY REPRESENTATIVES OF COMMUNITY CRUSADERS RELATIVE TO NEGRO POLICEMEN.

Dr. Nathaniel Tross, Henry Houston and Thad Tate, representing The Community Crusaders, requested that the negro policemen be given the same status as other policemen as to salary and Civil Service rating. Also, that at least four additional negro policemen, and two negro detections, be added to the Police Department.

Mr. Houston requested that a sidewalk be provided in the Greenville Section.

Mayor Baxter assured the Committee that the Council would give serious consideration to their requests regarding negro policemen, and that an investigation of the sidewalk condition in Greenville Section would be made immediately.

SALE OF TAX FORECLOSED PROPERTY ON HUTCHINSON AVENUE AND SOUTH BOULEVARD CONFIRMED.

Councilman Puette moved that the sale of tax foreclosed property at 2401-4, 2405-7, 2409-11, 2413-15 and 2417-19 Hutchinson Avenue, to Baker Equipment Engineering Company, at \$6,000.00, and property at 2600-04 South Boulevard, to Roy L. Goode, at \$2,900.00, be confirmed. Motion seconded by Councilman Hinson, and unanimously carried.

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CONTRACT AWARDED BLYTHE BROS. COMPANY FOR STREET IMPROVEMENTS.

Upon motion of Councilman Childs, seconded by Councilman Puette, contract was unanimously awarded Blythe Bros. Company for street improvements on Mecklenburg Avenue, Wilmore Drive East, Cumberland Avenue and Clayton Drive, in the amount of \$44,395.20.

CONTRACT AWARDED BLYTHE BROS. COMPANY IMPROVEMENTS TO SMITH STREET.

Councilman Puette moved that contract be awarded Blythe Bros. Company for paving, curbing and sidewalks on Smith Street, between West Sixth Street and West Sixth Street Place, in the amount of \$3,302.15. Motion seconded by Councilman Childs, and unanimously carried.

APPROPRIATION AUTHORIZED FROM SEWER & WATER EMERGENCY FUND FOR REPAIRS TO SEWER TRUNK LINE BETWEEN CEDAR STREET AND CREEK NORTH OF MOREHEAD STREET.

Councilman Puette moved that \$999.00 be appropriated from the Sewer & Water Emergency Fund for repairs to a break in the sewer trunk line between Cedar Street and the creek just north of Morehead Street, as recommended by the City Manager. Motion seconded by Councilman Hinson, and unanimously carried.

PURCHASE OF SEWER RODS AND OF AMMONIA AUTHORIZED.

Councilman Hinson moved that the following purchases be authorized and funds appropriated if necessary. Motion seconded by Councilman Childs, and unanimously carried:

1. 166 3-foot sections of sewer rods from W. H. Stewart in the amount of \$162.68.
2. Seven 150 pounds cylinders of Anhydrous Ammonia from Research Products Company in the amount of \$161.70.

ADOPTION OF RESOLUTION AUTHORIZING SALE OF PROPERTY ON NORTH TRYON AND WEST TWELFTH STREETS.

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

RESOLUTION AUTHORIZING SALE OF PROPERTY
AT NOS. 901-07 NORTH TRYON STREET AND
NOS. 106-20 WEST TWELFTH STREET TO
R. A. MAYER.

WHEREAS, pursuant to foreclosure sale in Tax Suit No. 285, entitled "City of Charlotte vs. R. A. Mayer et al. ", the City of Charlotte acquired title to Lots Nos. 3-12, inclusive, as shown on map recorded in Book 332, page 93, of the Registry for Mecklenburg County, which are located at Nos. 901-07 North Tryon Street and Nos. 106-20 West Twelfth Street in the City of Charlotte, by deed dated November 8, 1944, and recorded in Book 1145, page 36, of said Registry; and whereas, all liens for taxes and paving which were enforced in said tax suit, plus court costs and other foreclosure costs expended in connection therewith and interest and taxes which have accrued since the date of the judgment entered in said tax suit aggregate the sum of \$7,146.64; and whereas, R. A. Mayer, owner as tenant in common with Associated Activities, Inc., prior to foreclosure of an interest in said property, has tendered to the City of Charlotte a check for the sum of \$7,146.54, dated September 26, 1945, and payable to City of Charlotte, together with ten cents in cash, and has requested that the said property be conveyed to him pursuant to the provisions of Section 61 of the Charter of the City of Charlotte.

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RESOLVED, that the Mayor and City Clerk of the City of Charlotte be, and they hereby are, authorized and directed to accept the aforesaid tender and to execute in the name of said city and deliver a deed of bargain and sale, without covenants of warranty, conveying said property to R. A. Mayer.

RECOMMENDATION OF PLANNING BOARD RELATIVE TO STREET MAINTENANCE DEFERRED.

Councilman White moved that consideration of the recommendation of the Planning Board relative to street maintenance, be deferred. Motion seconded by Councilman Hinson, and unanimously carried.

SPECIAL OFFICER PERMIT GRANTED SPURGEON F. STACKS.

Councilman Hinson moved that a Special Officer Permit be issued to Spurgeon F. Stacks, for use on the premises of the Barringer Hotel and the Barringer Hotel Parking Lot and Garage. Motion seconded by Councilman Childs, and unanimously carried.

CEMETERY LOTS APPROVED FOR SALE AND DEEDS AUTHORIZED ISSUED.

Upon motion of Councilman Childs, seconded by Councilman Hinson, sale of the following cemetery lots, and issuance of deeds therefor were un-animously authorized:

- To - H. H. Rhyne, Lot No. 6-B, Section X, Elmwood Cemetery, at \$118.30.
Perpetual Care on above lot, at \$101.40.
- To - O. C. Giles, South Half Lot No. 129, Section X, Elmwood Cemetery, \$70.00.
Perpetual Care Deed for above lot, at \$60.00.
- To - Mrs. J. Q. Taylor, Lot No. 92-B, Section D. Annex, Elmwood Cemetery, \$102.20
Perpetual Care Deed for above lot, at \$73.00.
- To - Mrs. Margaret H. Rubey, Lot No. 326, Section Y, Elmwood Cemetery, \$35.00.
Perpetual Care Deed for above lot, at \$25.00.

ADJOURNMENT.

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

Lillian R. Hoffmann
City Clerk