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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 22, 1946, with Mayor Baxter presiding, and Councilmen Childs, Hinson, Johnston, McIntyre, Puette and White present.

Absent: Councilman Newson.

INVOCATION.

The invocation was given by the Reverend O. W. Sink, Pastor, Holy Trinity Lutheran Church.

MINUTES APPROVED.

Upon motion of Councilman White, seconded by Councilman Puette, the minutes of the meeting on October 15, 1946 were approved as read.

PETITION REQUESTING RESTRICTION OF PORTION OF PROVIDENCE ROAD AGAINST BUSINESS CONSTRUCTION, AND ENDORSING THE PROPOSED ZONING ORDINANCE.

Mr. Cooper Taylor, 1641 Providence Road, filed a petition, bearing the signatures of thirty residents of Providence Road and vicinity, endorsing the proposed Zoning Ordinance, and requesting that the portion of Providence Road between the intersection of Queens Road and the city limits be restricted against future construction for occupancy by or for business firms or purposes, and that the area be further restricted against the utilization of existing structures not now so used, by and for any business or purpose.

The Mayor advised Mr. Taylor that the proposed zoning ordinance was now being studied, and the requests contained in the petition would be seriously considered.

ADMINISTRATION OF JUVENILE DELINQUENCY PROGRAM OUTLINED BY SUPERINTENDENT OF PUBLIC WELFARE.

At the request of the Council Committee on Juvenile Delinquency, Mr. W. H. Kuralt, Superintendent of Public Welfare spoke concerning the program being administered with regard to juvenile delinquency problems. He stated they were making a detailed study over a year's period to determine the type of detention and foster home care to best meet the problem. That they did not wish to make permanent recommendations until the completion of the study. Also, that rather than resort solely to punishing juvenile delinquents, they wished to eliminate conditions that contribute to their delinquency. He stated the offences by juveniles, such as complained of to Council on October 15th were inexcusable and should not continue, however the offenders were not in fact simply turned loose by the Court, as was reported, but they were paroled to their parents and ordered to report to the probation officer on Saturdays.

The Mayor congratulated Mr. Kuralt on the work being done towards the improvement of the delinquency problem and the handling of the juvenile program.

CONTRACT FOR WATER MAINS CONSTRUCTION IN GREEN WOODS PARK SUBDIVISION.

Councilman Puette moved that a contract be authorized with Preston H. Taylor and Harvey H. Elmore, Belmont, N. C., for water mains construction from the line in Wilkinson Boulevard to Green Woods Park Subdivision, 1.9 miles beyond the city limits, estimated to cost \$850.00, and applicants to pay all costs. Motion seconded by Councilman Hinson, and unanimously carried.

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AGREEMENT WITH STATE HIGHWAY & PUBLIC WORKS COMMISSION FOR RIGHT-OF-WAY ENCROACHMENT IN WILKINSON BOULEVARD FOR WATER MAIN CONSTRUCTION.

Upon motion of Councilman Johnston, seconded by Councilman Childs, an Agreement with the State Highway and Public Works Commission was unanimously authorized for a right-of-way encroachment in Wilkinson Boulevard for the construction of water main laterals to serve Green Woods Park Subdivision, on the north side of the Boulevard, 1.9 miles beyond the city limits.

SALE OF TAX FORECLOSED PROPERTY CONFIRMED.

Councilman Johnston moved that the sale of the following tax foreclosed property, on October 7, 1946, be confirmed:

252-54 Balch Lane, to the high bidder, Lee Kinney, at \$ 137.50

113-15 Brevard Street, to the high bidder, P. D. Alexander, at \$8,100.00

Motion seconded by Councilman Hinson, and unanimously carried.

PAYMENT OF FEE FOR SERVICES IN CONNECTION WITH BOND ELECTIONS ON APRIL 23, 1946 AUTHORIZED TO MASSLICH & MITCHELL, BOND ATTORNEYS.

Councilman White moved that payment of fee, in the amount of \$1,840.51, for services in connection with the Bond Elections on April 23, 1946, be authorized to Masslich & Mitchell, Bond Attorneys, and be charged against the bond issues. Motion seconded by Councilman Childs, and unanimously carried.

ISSUANCE OF PRIVILEGE LICENSE TO CAROLINA DETECTIVE AGENCY.

Councilman McIntyre moved that authority be given the Collector of Revenue to issue a privilege license to the Carolina Detective Agency, 506 Independence Building. Motion seconded by Councilman Puette, and unanimously carried.

RESOLUTION AUTHORIZING RENEWAL OF \$50,000 SIDEWALK BOND ANTICIPATION NOTE.

Councilman White introduced the following resolution which was read:

RESOLUTION PROVIDING FOR THE
ISSUANCE OF A \$50,000 SIDEWALK BOND
ANTICIPATION NOTE.

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 an ordinance authorizing \$50,000 Sidewalk Bonds was passed on September 18, 1945.

(b) That in order to anticipate the receipt of the proceeds of said bonds there was issued a \$50,000 Sidewalk Bond Anticipation Note, dated November 1, 1945, maturing on November 1, 1946, and bearing interest at the rate of 1/2 of 1% per annum, which note was delivered on November 9, 1945.

Section 2. That in order to anticipate the receipt of the proceeds of said bonds and for the particular purpose of paying said Sidewalk Bond Anticipation Note at its maturity, the issuance of a \$50,000 Sidewalk Bond Anticipation Note is hereby authorized, to be dated November 1, 1946, to mature February 1, 1947, without option of prior payment, to be numbered 1, and to

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bear interest at the rate of 3/8th of 1% per annum, payable at the maturity of the note to which no interest coupons shall be attached. Both the principal of and the interest on said note shall be payable at The Union National Bank of Charlotte, Charlotte, North Carolina.

Section 3. That said note 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.

Section 4. That the form of said note and the endorsement to be placed upon the reverse thereof shall be in substantially the following form:

| | | |
|--------|---|----------|
| No. 1. | UNITED STATES OF AMERICA STATE OF NORTH CAROLINA COUNTY OF MECKLENBURG CITY OF CHARLOTTE <u>Sidewalk</u> <u>Bond Anticipation Note</u> | \$50,000 |
|--------|---|----------|

The City of Charlotte, in Mecklenburg County, North Carolina, is justly indebted and for value received hereby promises to pay to the bearer on February 1, 1947, the principal sum of

FIFTY THOUSAND DOLLARS

together with interest thereon at the rate of 3/8th of 1% per annum, payable upon presentation and surrender of this note at its maturity. Both the principal of and the interest on this note are payable at The Union National Bank of Charlotte, in the City of Charlotte, North Carolina. 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 sets, conditions and things required by the Constitution and laws 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 the indebtedness evidenced by this note, 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 its City Clerk, under the corporate seal of the City, all as of the first day of November, 1946.

Mayor

City Clerk

The issuance of this note is hereby approved.

City Attorney

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(To Be Endorsed Upon Reverse Of Notes)

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 the Local Government Commission of North Carolina be requested to exchange, through the State Treasurer, the \$50,000 Sidewalk Bond Anticipation Note herein authorized, for the \$50,000 Sidewalk Bond Anticipation Note of the City of Charlotte dated November 1, 1945, maturing November 1, 1946, numbered 1, bearing interest at the rate of 1/2 of 1% per annum, and payable at The Union National Bank of Charlotte, Charlotte, North Carolina.

Section 6. That the application to the Local Government Commission by the City Treasurer is hereby ratified for its approval of the Sidewalk Bond Anticipation Note herein authorized and for the exchange thereof for the indebtedness to be funded as hereinabove set forth, with the consent of the holder of such indebtedness.

Upon motion of Councilman White, seconded by Councilman Childs, and unanimously carried, the foregoing resolution entitled "Resolution providing for the issuance of a \$50,000 Sidewalk Bond Anticipation Note" was read and passed. The votes cast were as follows:

Yeas: Councilmen Childs, Hinson, Johnston, McIntyre, Puette and White.

Nays: None.

PAYMENT OF ADDITIONAL FREIGHT COSTS ON PIPE AUTHORIZED TO MCWANE CAST IRON PIPE COMPANY.

Councilman Puette moved that payment of \$20.11 be authorized to McWane Cast Iron Pipe Company, for additional cost of freight, due to increase in rate, on 15,624 feet of cast iron pipe purchased on April 16, 1946. Motion seconded by Councilman Hinson, and unanimously carried.

CONTRACT WITH POMONA TERRA COTTA PIPE COMPANY FOR PIPE.

Motion was made by Councilman Hinson, seconded by Councilman Johnston, and unanimously carried, authorizing contract with Pomona Terra Cotta Pipe Company for 1,002 feet of 8 inch terra cotta pipe for sewer construction, at a cost of \$350.70.

SPECIAL OFFICER PERMIT RENEWED TO LLOYD RANSOM.

Upon motion of Councilman Puette, seconded by Councilman Childs, the Special Officer Permit held by Mr. Lloyd Ransom, was unanimously renewed for one year for use on the City School Property.

INSTALLATION AND USE OF AMPLIFIERS GRANTED CHARLOTTE MERCHANTS ASSOCIATION.

Councilman McIntyre moved that the request of the Charlotte Merchants Association be granted to permit the installation of three amplifiers on the Liggett Drug Store building, for playing Christmas carols during the period, December 2nd to 24th, inclusive. Motion seconded by Councilman Hinson, and unanimously carried.

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RESOLUTION DIRECTING RECOMMENDATION OF ALTERNATE ROUTE FOR HIGHWAY #74 INTO CITY AND COST DATA ON PROPOSED AND ALTERNATE ROUTES.

Mayor Baxter called attention to the informal public hearing relative to the construction of a highway to connect Monroe Road with the Wilkinson Boulevard, held in the Council Chamber at 7:30 p.m., on October 21, 1946, and asked if Council desired to take any action with regard to the requests made at the hearing.

Whereupon, Councilman Childs introduced the following resolution:

RESOLVED that the City Manager and Mr. J. B. Marshall look into and recommend one or more alternate routes for Highway #74 entering the City of Charlotte, and obtain cost data on the presently suggested route, and, also, the alternate routes.

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

SALE OF CEMETERY LOTS.

Councilman McIntyre moved that the Mayor and Clerk be authorized to execute deeds for the sale of the following cemetery lots and perpetual care thereon. Motion seconded by Councilman Puette, and unanimously carried:

Lot 27, Section L-Annex, Elmwood Cemetery, to E. R. Cannon, Sr., at \$180.00, and Perpetual Care, at \$100.00.

Lot 101, Section L-Annex, Elmwood Cemetery, to A. B. Jordan and wife, Minnie B. Jordan, at \$90.00, and Perpetual Care, at \$50.00.

Lot 133 Fraction, Section T, Elmwood Cemetery, to Mrs. E. P. Gatling, at \$35.00.

ADJOURNMENT.

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

Lillian R. Huffman
City Clerk