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The regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Tuesday, September 4, 1945, with Mayor Baxter presiding, and all members of the City Council being present.

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DECISION AS TO REVOKING TAXICAB OPERATOR'S PERMIT OF MARVIN HUTCHINS POSTPONED FOR TWO WEEKS.

Decision as to revoking the permit of Marvin Hutchins to operator a taxicab was postponed for two weeks, in order that Chief Anderson and Judge Hamilton could confer relative to the Court's decision in the charge of involuntary manslaughter brought against Mr. Hutchins.

ADOPTION OF RESOLUTION ESTABLISHING FEES FOR LEVYING GARNISHMENT OF PERSONAL PROPERTY FOR PAYMENT OF TAXES.

Upon motion of Councilman White, seconded by Councilman Puette, the following resolution was unanimously adopted:

BE IT RESOLVED, that the Collector of Revenue of the City of Charlotte, or such person as he may designate to act in his place and stead, be and he is hereby authorized to proceed by way of levy, attachment or garnishment of personal property for taxes of taxpayers who have failed to pay their taxes, and

BE IT FURTHER RESOLVED, that should it become necessary to attach or garnishee personal property of the taxpayer, the fee for serving the notice of garnishment or attachment shall be 25¢ if the tax is less than \$10.00, and 50¢ if the tax is \$10.00 or more; provided, however, that, if the taxes of more than one taxpayer are included in the notice served in connection therewith, the service fee shall not exceed 15¢ per taxpayer named therein.

ADOPTION OF RESOLUTION CONCERNING THE RE-EMPLOYMENT OF VETERANS OF WORLD WAR II.

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

ALTHOUGH the City of Charlotte is not covered by the re-employment provisions of the various Acts of Congress concerning veterans of World War II, as a matter of policy it is the desire of the City Council of the City of Charlotte to re-employ returning veterans.

NOW, THEREFORE, BE IT RESOLVED that the various department heads and the City Manager be and they are hereby instructed to re-employ veterans of World War II, subject to the following rules:

1. The veteran must have entered upon active service in the Army, Navy, Marine Corps, Coast Guard or Merchant Marine of the United States subsequent to May 1, 1940. No distinction shall be made between volunteers and men or women drafted, or between enlisted men or women and officers.
2. The veteran must have been honorably discharged or released from service. The exhibition by the veteran of his or her discharge or release shall be sufficient to establish this fact.
3. The veteran must apply for his or her old job and report for work within ninety (90) days after his or her discharge or release.

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4. The veteran must be qualified to perform the duties of his or her old job.

5. The veteran's old job must have been other than a temporary job.

6. The veteran shall be restored to his or her old job without loss of seniority, status and pay, and shall be considered to have been on furlough or leave of absence during his or her period of service, under the rules of the City of Charlotte with respect thereto.

7. Should any dispute arise between any department head and a veteran with respect to matters of re-employment, the City Manager of the City of Charlotte shall decide the same and his decision shall be final and determinative of the City's and such veteran's rights with respect to the matter in dispute.

ATTORNEY OUTLINES PROCEDURE NECESSARY PRIOR TO CONDEMNATION OF SEWER LINE RIGHT-OF-WAY IN CLUB ACRES.

Mr. Gaebel Porter, Attorney, advised that prior to the preparation of a resolution by Mr. Frank Kennedy and himself, and the adoption of same by Council, authorizing the institution of condemnation proceedings of sewer line right-of-way in Club Acres, that the City must first submit to the property owner an offer to buy the property; that upon said offer being rejected, the resolution will be prepared as soon as possible.

COUNCIL APPROVES OFFER TO PROPERTY OWNER FOR SEWER LINE RIGHT-OF-WAY IN CLUB ACRES.

Councilman Newson requested the unanimous consent of Council to the Appraisal Committee presenting a recommendation as to the amount to offer for the sewer line right-of-way in Club Acres. Councilman White moved that the recommendation be presented. Motion seconded by Councilman Puette, and unanimously carried.

Councilman Newson moved that the City make an offer of \$150.00 for the sewer line right-of-way, plus \$50.00 additional for alleged restrictions, making a total offer of \$200.00, and that the City Attorney take whatever steps are necessary for the immediate preparation of the resolution to be presented to Council. Motion seconded by Councilman Puette, and unanimously carried.

PAYMENT AUTHORIZED TO JOHN JAMES FOR EXAMINATION OF TITLES FOR STONEWALL STREET EXTENSION RIGHT-OF-WAYS.

Councilman Hinson moved that payment of \$150.00 be authorized from the Emergency Fund to Mr. John James, Attorney, for examination of all titles in connection with securing the right-of-ways for Stonewall Street Extension. Motion seconded by Councilman Shields, and unanimously carried.

CONTRACT AUTHORIZED WITH STANDARD OIL COMPANY FOR GASOLINE.

Upon motion of Councilman White, seconded by Councilman Puette, contract was unanimously authorized with Standard Oil Company for 19,075 gallons of gasoline delivered during July 1945, at a total cost of \$3,067.74.

CONTRACT AWARDED C. N. ALLEN & CO. INC. FOR DIGGING & BACKFILLING DITCH FOR WATER LINE TO NEW CEMETERY SITE.

Councilman Johnston moved that contract be awarded C. N. Allen & Company, Inc., for digging and backfilling a ditch, for an estimated distance

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of 8,500 feet, in Lawyers Road for laying a water line to the new Cemetery site, at a cost of 24 cents per foot, totaling \$2,040.00. Motion seconded by Councilman Hinson, and unanimously carried.

CONTRACT AWARDED W. A. OWENS FOR REPAIRING CITY HALL BOILERS AND FURNISHING LABOR AND MATERIALS.

Upon motion of Councilman Johnston, seconded by Councilman Hinson, contract was unanimously awarded W. A. Owens, Salisbury, N.C., for repairing two heating boilers in the City Hall, including labor, materials and equipment, at a total cost of \$900.00.

IMPROVEMENTS TO 2000 BLOCK OF SPRINGDALE AVENUE AUTHORIZED WHERE NO LIABILITY TO CITY INCURRED.

Councilman Newson reported for the Appraisal Committee regarding the Petition for improvements to the 2000 block of Springdale Avenue, and moved that the City Engineer be instructed to confer with the City Attorney as to what improvements can legally be made without the City incurring any liability in the matter, and that the City Engineer then proceed with whatever improvements are decided upon, either by drainage or the diversion of surface water. Motion seconded by Councilman Puette.

Councilman White made a substitute motion that no improvements be undertaken. Motion did not receive a second. Original motion voted upon and carried.

TAX FORECLOSED PROPERTY ON TREMONT AVENUE AUTHORIZED ADVERTISED FOR SALE.

The Appraisal Committee recommended that the City Treasurer be authorized to advertise the following property for sale, upon receipt of bona fide offer accompanied by 5% deposit, with no bids to be accepted for less than the amount set forth opposite each piece of property:

305-07 Tremont Avenue	\$400.00
313-15 Tremont Avenue	400.00
321-23 Tremont Avenue	400.00
425-27 Tremont Avenue	525.00
516-18 Tremont Avenue	400.00
600-02 Tremont Avenue	500.00

Councilman Newson moved the adoption of the recommendation. Motion seconded by Councilman Childs, and unanimously carried.

ADOPTION OF RESOLUTION RELATIVE TO APPOINTING AGENTS TO PURCHASE MATERIALS AND/OR EQUIPMENT FROM SURPLUS WAR MATERIALS FOR SALE BY U. S. GOVERNMENT.

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

RESOLVED that George P. Fort, Purchasing Agent, and in his absence, R. W. Flack, City Manager of the City of Charlotte, be and they are hereby designated and appointed agents to enter bids at sales of surplus war materials by the United States Government, or any agency thereof, and to take such other actions in connection therewith that may be necessary to purchase such materials and/or equipment in behalf of and for the City of Charlotte.

PURCHASE OF TWO BULLDOZERS AUTHORIZED FROM UNITED STATES GOVERNMENT SURPLUS WAR MATERIALS.

Councilman McIntyre moved that the City purchase two bulldozers at an approximate cost of \$8,000.00, from the United States Government surplus war materials. Motion seconded by Councilman Puette, and unanimously carried.

Note:  
Minutes of  
9-11-45  
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actual  
figure  
of  
\$8,029.00  
requested  
shown.

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**PURCHASE OF ELECTRICAL EQUIPMENT FROM MARITIME COMMISSION AUTHORIZED.**

Councilman McIntyre moved that the City purchase electrical equipment at \$500.00 from the Maritime Commission surplus war supplies. Motion seconded by Councilman Hinson, and unanimously carried.

**PURCHASE OF EARTH MOVER AND ROADING MACHINE AUTHORIZED FROM UNITED STATES GOVERNMENT SURPLUS WAR MATERIALS.**

Councilman McIntyre moved that the purchase of an Earth Mover and a Roding Machine from the United States Government Surplus War Materials, be authorized. Motion seconded by Councilman Childs, and unanimously carried.

**PAYMENT FOR MOTOR REPAIRS AUTHORIZED TO GENERAL TRUCK COMPANY IN LIEU OF PAYMENT AUTHORIZED ON AUGUST 14, 1945.**

Councilman Hinson moved that action on August 14, 1945 authorizing payment of \$197.37 to General Truck Company for rebuilding motor, be rescinded and payment of \$194.37 be authorized in lieu thereof, as recommended by the City Manager. Motion seconded by Councilman Childs, and unanimously carried.

**SALE OF CEMETERY LOTS AND ISSUANCE OF DEEDS AUTHORIZED.**

Upon motion of Councilman Hinson, seconded by Councilman Johnston, sale of the following cemetery lots, and issuance of deeds for same were unanimously authorized:

- To W. F. Chastain and wife, Alma M. Chastain, Lot #364, Section Y, Elmwood Cemetery, at \$60.55.
- To Mrs. Eva H. Miller and son, W. H. Miller, Lot #363, Section Y, Elmwood Cemetery, at \$59.15.
- To Mrs. Fred L. Reames, Lot #341, Section Y, Elmwood Cemetery, \$35.00.
- To James O. Stephens, Lots No. 346 and 352, Section Y, Elmwood Cemetery, \$58.45.
- To C. F. Shuman and wife, Jessie May Shuman, North Half Lot #133, Section X, Elmwood Cemetery, \$70.00.
- To C. F. Shuman and wife, Perpetual Care on North Half Lot #133, Section X, Elmwood Cemetery, \$60.00.

**ADJOURNMENT.**

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

*Lillian R. Hoffman*  
City Clerk