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A regular meeting of the City Council was held in the Council Chamber of the City Hall at 4 o'clock, P.M., Mayor Douglas presiding, and Councilmen Baxter, Britt, Howis, Hudson, Huntley, Little, Sides and Ward being present.

Absent: Councilmen Albea, Nance and Wilkinson.

* * * * *

Councilman Sides introduced the following three resolutions, which were read:

RESOLUTION PROVIDING FOR THE ISSUANCE
OF \$30,000 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 \$30,000 Water Bonds authorized by an ordinance passed September 13, 1939.

(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 September 13, 1940, being a date not later than one year after the passage of said ordinance, and that said period expires September 13, 1980.

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 \$30,000, designated "Water Bonds", consisting of 30 bonds of \$1,000 each, numbered 1 to 30, inclusive, dated December 1, 1939, maturing in

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numerical order annually, December 1, \$2,000 1942 to 1944, \$3,000 1945 to 1948 and \$4,000 1949 to 1951, all inclusive, without option of prior payment, and bearing 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 June and December 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 time of payment is legal tender for public or private debts.

RESOLUTION PROVIDING FOR THE ISSUANCE
OF \$30,000 SANITARY SEWER 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 \$30,000 Sanitary Sewer Bonds authorized by an ordinance passed September 13, 1939.

(b) That the probable period of usefulness of the extensions to be made to the existing sanitary sewerage system of said City from the proceeds of said bonds is a period of forty years from September 13, 1940, being a date not later than one year after the passage of said ordinance, and that said period expires September 13, 1980.

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 \$30,000, designated "Sanitary Sewer Bonds," consisting of

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30 bonds of \$1,000 each, numbered 1 to 30, inclusive, dated December 1, 1939, maturing in numerical order annually, December 1, \$2,000 1942 to 1944, \$3,000 1945 to 1948 and \$4,000 1949 to 1951, all inclusive, without option of prior payment and bearing 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 June and December 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 time of payment is legal tender for public or private debts.

RESOLUTION FIXING THE FORM OF
\$60,000 BONDS AND PROVIDING
FOR THEIR SALE.

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

Section 1. That the \$30,000 Water Bonds and the \$30,000 Sanitary Sewer Bonds authorized by resolutions passed November 15, 1939 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 and with provisions for registration to be hereinafter set forth, which shall be printed upon said bonds. The City Treasurer is hereby appointed and designated Bond Registrar for the purpose of registering said bonds, subject to the right of this body hereafter to appoint and designate another registrar under

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the terms of the Municipal Finance Act. No charge shall be made to any bondholder for the privilege of registration herein granted.

Section 2. That said bonds and coupons and the endorsements to be printed upon the reverse thereof shall be in substantially the following form:

No. _____ \$1,000

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

_____ 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 December, 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 June and December of each year upon the presentation and surrender of the annexed interest coupons as they severally fall due. Both principal and interest of 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 time of payment is legal tender for public or 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

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Act of North Carolina, as amended, and the Local Government
Act of North Carolina, as amended, and an ordinance and
resolutions duly passed by the City Council of said City
for the purpose of.....

It is hereby certified and recited that all acts,
conditions and things required to happen, exist and be per-
formed 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 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 and interest
of 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 or
as to both principal and interest in accordance with the pro-
visions 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 in-
terest coupons to be executed with the facsimile signature of
said City Clerk, all as of the first day of December, 1939.

Mayor

City Clerk

(Endorsements on Bonds)

This bond may be registered as to principal in the

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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 registry 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 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 REGISTRY</u>	<u>REGISTERED OWNER</u>	<u>BOND REGISTRAR</u>
.....
.....
.....

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 \$ _____.

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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

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 or private debts, as provided in and for the interest then due on its _____
_____ Bond, dated December 1, 1939, numbered _____.

City Clerk

Section 3. That the dotted line in the foregoing bond form following the words "for the purpose of" shall be filled out as follows in the two bond issues herein provided

for:

In the bonds designated "Water Bonds" the words:

"extending the existing water works system of said City."

In the bonds designated "Sanitary Sewer Bonds" the words:

"extending the existing sanitary sewerage system of said City."

Section 4. That the City Treasurer is directed to arrange for the advertisement and sale of all of said Water Bonds and all of said Sanitary Sewer Bonds under the Local Government Act.

Upon motions of Councilman Sides made separately as to each of the foregoing three resolutions in relation to bonds, and seconded in each case by Councilman Baxter and unanimously carried, the said three resolutions were read and were separately passed upon their first readings. The votes cast upon the first readings were as follows:

Councilman	<u>FIRST READINGS</u>		
	Resolution Pro- viding for \$30,000 Water Bonds	Resolution Pro- viding for \$30,000 Sanitary Sewer Bonds	Resolution fixing the form of \$60,000 bonds and providing for their sale.
Albea	ABSENT	ABSENT	ABSENT
Baxter	AYE	AYE	AYE
Britt	AYE	AYE	AYE
Hovis	AYE	AYE	AYE
Hudson	AYE	AYE	AYE
Huntley	AYE	AYE	AYE
Little	AYE	AYE	AYE
Nance	ABSENT	ABSENT	ABSENT
Sides	AYE	AYE	AYE
Ward	AYE	AYE	AYE
Wilkinson	ABSENT	ABSENT	ABSENT

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Upon motions of Councilman Sides, made separately as to each of the foregoing three resolutions in relation to bonds, and seconded in each case by Councilman Baxter and un-animously carried, the rules were suspended as to each of said three resolutions, and the said three resolutions were read and were separately passed upon their second readings. The votes cast upon the second readings were as follows:

Councilman	<u>SECOND READINGS</u>		
	<u>Resolution Pro- viding for \$30,000 Water Bonds</u>	<u>Resolution Providing for \$30,000 Sanitary Sewer Bonds</u>	<u>Resolution fixing the form of \$60,000 bonds and providing for their sale.</u>
Albea	ABSENT	ABSENT	ABSENT
Baxter	AYE	AYE	AYE
Britt	AYE	AYE	AYE
Hovis	AYE	AYE	AYE
Hudson	AYE	AYE	AYE
Huntley	AYE	AYE	AYE
Little	AYE	AYE	AYE
Nance	ABSENT	ABSENT	ABSENT
Sides	AYE	AYE	AYE
Ward	AYE	AYE	AYE
Wilkinson	ABSENT	ABSENT	ABSENT

Upon motions of Councilman Sides made separately as to each of the foregoing three resolutions in relation to bonds, and seconded in each case by Councilman Baxter and un-animously carried, the rules were suspended as to each of the said three resolutions, and the said three resolutions were read and were separately passed upon their third and final readings. The votes cast upon the third and final readings were as follows:

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Councilman	<u>THIRD READINGS</u>		
	<u>Resolution Pro- viding for \$30,000 Water Bonds</u>	<u>Resolution Provid- ing for \$30,000 Sanitary Sewer Bonds</u>	<u>Resolution fixing the form of \$60,000 bonds and providing for their sale.</u>
Albea	ABSENT	ABSENT	ABSENT
Baxter	AYE	AYE	AYE
Britt	AYE	AYE	AYE
Hovis	AYE	AYE	AYE
Hudson	AYE	AYE	AYE
Huntley	AYE	AYE	AYE
Little	AYE	AYE	AYE
Nance	ABSENT	ABSENT	ABSENT
Sides	AYE	AYE	AYE
Ward	AYE	AYE	AYE
Wilkinson	ABSENT	ABSENT	ABSENT

I, Alice B. McConnell, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the City Council of the City of Charlotte at a regular meeting held November 15, 1939, the record having been made in Minute Book No. 8, beginning at page 51 and ending at page 60, and is a true copy of so much of said proceedings as relate in any way to the authorization of bonds of said City.

WITNESS my hand and the corporate seal of said City this 16th. day of November, 1939.

Alice B. McConnell
City Clerk

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TRAFFIC SIGNAL AT CLARKSON AND MOREHEAD STREETS.

Mr. Marshall reported that several motor transport companies have erected new buildings and are operating from Clarkson Street into West Morehead Street and that the volume and character of traffic at this point is such as to create a hazardous condition. It was recommended by Mr. Skinner that an automatic traffic light be placed at this intersection and that the curb radii on the two corners be increased so as to make this intersection more accessible to trucks. He advised further that this matter had been taken up with the property owners on these two corners and that Mr. Chas. H. Stone, representing the American Cynamid & Chemical Corporation, had agreed to deed to the City the necessary land at this corner to make the cut-back at no cost to the City and that negotiations are being carried on with the property owner on the other corner.

On motion of Councilman Britt, seconded by Councilman Hudson, this traffic light was authorized, and on motion of Councilman Hovis, seconded by Councilman Huntley the City Manager was instructed to extend to Mr. Stone, in writing, the thanks of the Council for his kindness in giving the land above mentioned.

WATER ACCOUNTS CHARGED OFF.

On motion of Councilman Little, seconded by Councilman Baxter and unanimously carried, the following old, bad water accounts were authorized to be charged off:

Aaron Boyd	Clinton Park Service	\$100.80
Charlotte Woodworking Co.	701 W. Palmer St.	59.20
Gordon M. Finger	310 E. 5th St.	1.21
Farrow Flying Service	Old Airport	184.92
Mrs. Gibbon Estate	1100 Elm St.	55.56
Hawthorne Apartments	207 Hawthorne Land	22.53
Alice Jones	608 W. Hill St.	1.79
Holton Real Estate Co.	Wilmore Drive	81.62
Independence Park	Hawthorne Land	67.93
Jack's Damp Laundry	705 Belmont Ave.	40.00
Kinney & Harlan	Belvedere Ave.	12.41
	Total	\$627.97

PERMIT GRANTED FOR ERECTION OF BILLBOARD AT 5TH AND COLLEGE STREETS.

On motion of Councilman Hudson, seconded by Councilman Hovis and carried, the Schloss Advertising Company and the present Lessee of the City's lot at 5th and College Streets, were granted permission to erect a billboard on the back side of this lot.

APPROPRIATION FOR DRILL TOWER AND ASSEMBLY HALL.

The City Manager advised that the funds previously appropriated for the construction of the Drill Tower and Assembly Hall had been exhausted, but that the City has an accumulated, unappropriated revenue account of \$2,282.00, which has been received from rentals on the City's concrete mixer and from fire service outside the City limits, and he recommended that this amount be appropriated for use of the Drill Tower and Assembly Hall.

Councilman Sides moved that this unappropriated \$2,282.00 be set aside for this purpose, which was seconded by Councilman Huntley and unanimously carried.

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PURCHASE OF SAFETY TRAINING NET FOR DRILL TOWER.

Motion was made by Councilman Huntley, seconded by Councilman Little and duly carried, that one Drill Tower Safety Training Net be purchased from Atlas Fire Equipment Company, Inc., of New York City, at a net delivered price of \$542.18, and that the Mayor and Clerk sign the contract for this equipment.

Other bids received were as follows:

Superior Fire Equipment Co.	\$742.35
" " " " (alt.bid)	661.50

LADDERS FOR DRILL TOWER.

On motion of Councilman Hovis, seconded by Councilman Little, the Mayor and Clerk were authorized to execute a contract with Peter Pirsch & Sons Company for six Pompier Ladders, for use at the Drill Tower, at a net delivered price of \$295.03. Bids of the American-LaFrance-Foamite Corp. and The Seagrave Corporation were \$360.00.

AUTOMOBILE TIRES PURCHASED FROM CURRIE B. WITT, INC.

The following bids having been received on -

4-	40 x 8	12-ply Tires
4-	40 x 8	Tubes
4-	38 x 7	10-ply Tires
4-	38 x 7	Tubes

Currie B. Witt, Inc. (Fisk)	\$407.00
Sears Roebuck & Co. (Allstate)	425.17
Dayton Rubber Mfg. Co. (McClaren)	436.53
Mills Auto Service (Sieberling)	449.23
Goodyear Service (Goodyear)	450.72
Goodrich Silvertown St. (Goodrich)	460.00
McDonald Service Co. (Firestone)	460.00
Victor Shaw Co. (U.S. Royal)	460.00

Councilman Hudson moved that award be made to the lowest bidder, Currie B. Witt, Inc., at a net delivered price of \$407.00 and that the Mayor and Clerk sign the contract with this company. Motion seconded by Councilman Britt and unanimously carried.

RADIO EQUIPMENT PURCHASED.

On motion of Councilman Little, seconded by Councilman Ward and carried, authorization was given for the purchase of 5 Transmitters for 2-way service from F. M. Link, at a net delivered price of \$1,188.00, and on motion of Councilman Ward, seconded by Councilman Huntley, 5 Radio receiving sets for motorcycles were authorized purchased from F. M. Link, at a net delivered price of \$371.25, and the Mayor and Clerk were authorized to sign these contracts.

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RESOLUTION RELATIVE TO CHANGE IN LOCATION OF ESSEX STREET.

On motion of Councilman Baxter, seconded by Councilman Little and unanimously carried, the following Resolution was adopted:

RESOLVED that, whereas, the street shown on map recorded in the Mecklenburg Registry in Book 728, page 45, and extending from Plaza Road to Oakwood Avenue and known as Essex Street, has been laid out in a straight line from Plaza Road to Oakwood Avenue by the owners of property fronting on said street instead of in a curved line as shown on said map:

NOW, THEREFORE, The City Council of the City of Charlotte does ratify and approve the said change in the location of said street as herein set out and does hereby waive any right which it might have to insist that said street be laid out and used as it is shown on said map.

MONTHLY BUDGET STATEMENT FURNISHED.

A copy of the monthly budget statement was furnished each member of the Council, and the City Manager called to their attention the fact that on the expense side there is shown an underspent budget allotment of \$3471.73, while on the revenue side excess collections total \$40,779.23, or a budget surplus as of that date, \$44,250.96.

OPTIMIST CLUB GIVEN FREE USE OF THE ARMORY FOR DECEMBER 13, 1940.

On motion of Councilman Hovis, seconded by Councilman Little and carried, the Optimist Club was granted free use of the Armory-Auditorium for a benefit dance on December 13th., the proceeds to be turned over to the Committee to be spent entirely for underprivileged boys.

This request was made by Councilman Britt.

Y.M.C.A. TO USE ARMORY-AUDITORIUM ONE NIGHT EACH WEEK FOR BOXING MATCHES.

On motion of Councilman Hudson, seconded by Councilman Little, the Y.M.C.A. were granted use of the Armory-Auditorium for boxing matches on the same basis as it is given to the High School.

CEMETERY DEEDS.

The following cemetery deed and perpetual care agreement was approved, on motion of Councilman Hudson, seconded by Councilman Hovis:

Rena C. and Mary H. Harrell, Lot No. 98, Section "Y", Elmwood	\$35.00
Mr. and Mrs. A.R. Surratt, perpetual care on Lot 29 Sec. "T"	144.00

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INVITATION EXTENDED CITY OFFICIALS TO ATTEND OPENING OF INSTITUTE OF GOVERNMENT BUILDING ON NOVEMBER 29TH.

An invitation from Albert Coates, Director of the Institute of Government, to all city officials of Charlotte to participate in the program attending the opening of the Institute of Government building in Chapel Hill, beginning November 29th and continuing through November 30th., was read by the Clerk, and the Mayor stated he would like to have as many attend these exercises from Charlotte as can possibly do so.

CITY ATTORNEY UNABLE TO ATTEND ASSOCIATION OF CITY ATTORNEYS CONVENTION.

Mr. J. M. Scarborough advised the Council that he had received an invitation to attend the Convention of the Association of City Attorneys, to be held in Washington, November 26th. thru 28th., but that he would be unable to do so, and was merely presenting the matter to the Council because he had been asked to do so by the Association.

ADJOURNMENT.

On motion of Councilman Ward, seconded by Councilman Little, the meeting adjourned.

Alice Y. McConnell
City Clerk