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The City Council met in the Council Chamber, City Hall, at 4 P. M., Wednesday, April 2, 1941, in regular weekly session, with Mayer Douglas presiding and Councilmen Albea, Baxter, Hovis, Huntley, Little, Sides, Ward and Wilkinson being present.

Absent: Councilmen Britt and Nance.

MINUTES MARCH 26TH MEETING APPROVED.

On motion of Councilman Huntley, seconded by Councilman Hovis, the minutes of the March 26th. meeting were approved without change.

LYON STREET TAKEN OVER FOR MAINTENANCE.

On motion of Councilman Albea, seconded by Councilman Hovis, Lyon Street, from Westmoreland to Chesterfield Avenue, was taken over for City maintenance.

SANITARY SEWER INSTALLATION IN PYRON STREET.

A request having been received that an 8" sanitary sewer be installed in Pyron Street, from Oaklawn Avenue south 210 feet towards Bluff Street, and estimated by the Engineering Department to cost \$199.10, Councilman Little, seconded by Councilman Albea, moved that the request be granted and the sewer installation made. Motion unanimously carried.

REMOVAL OF TREES IN PLANTING STRIP CORNER NORTH TRYON AND ELEVENTH STREETS.

The City Manager reported that a request had been received from Mr. C. W. Tillett that the trees be removed in the parking strip at 803 North Tryon Street, at which site an A & P Super-Store is being constructed; the sidewalk in front of this store to be paved solid.

On motion of Councilman Wilkinson, seconded by Councilman Little, this request was granted; Mr. Wilkinson stated that his motion is also to include the removal of the trees on the East side of Church Street, between 7th and 8th Streets, which have torn up the sidewalk in this block. Motion carried.

DEPOSIT CHECK OF MR. THOMPSON DANIEL ON OAKLAWN CEMETERY PROPERTY.

Mr. Armstrong advised the Council that at the Council meeting of March 20, 1941, the matter of \$1,000 deposit check put up by Mr. Thompson Daniel in connection with the Oaklawn Cemetery tax and street assessment accounts; which check was put up by Mr. Daniel in good faith that the taxes and street assessments would be taken care of, but that it later developed that Mr. Daniel did not have power of attorney to sell that certain property of Oaklawn Cemetery inside the City limits, which

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was foreclosed by the City of Charlotte for street assessment accounts and the City now holds the deed to same. He stated that Mr. Clyde R. Hoey, Attorney for Mr. Daniel, is requesting that the \$1,000 check deposited by Mr. Daniel be returned, and that after discussing the matter with the City Attorney, there appears to be no reason for holding this check.

Thereupon, on motion of Councilman Wilkinson, seconded by Councilman Albea and carried, this check is to be returned.

REASSESSMENT ORDINANCE - WEST MOREHEAD STREET.

On motion of Councilman Hovis, seconded by Councilman Little, the following reassessment ordinance covering property of E. C. Griffith Company, on West Morehead Street, was unanimously adopted on three readings and declared by the Mayor to be an ordinance of the City of Charlotte:

WEST MOREHEAD STREET

The City Council of the City of Charlotte, N. C., DO ORDAIN that the special benefits to the abutting property on West Morehead Street, on account of the paving of the street, beginning at a point, the west end of Stewart Creek Bridge, and running thence in a westerly direction 432.0 feet to the northeast intersecting corner of a proposed new street, unnamed, and being originally assessed as a whole against E. C. Griffith Company, is hereby sub-divided and reassessed on the NORTH side only, as follows:

<u>Street No.</u>	<u>Owner</u>	<u>Frontage</u>	<u>Water</u>	<u>Sewer</u>	<u>Street</u>	<u>Walk</u>	<u>Total</u>
1700-1724	E. C. Griffith Co.	334.3	-	-	\$1,126.56	-	\$1,126.56
1726-1732	Estelle R. Miller and Elizabeth M. Hunter	97.7	-	-	329.24	-	329.24

SETTLEMENT OF STREET ASSESSMENTS MRS. ELIZABETH HUNTER AND MRS. ESTELLE R. MILLER.

Mr. Armstrong stated that on January 29, 1941 the Council passed a resolution with reference to certain street assessments on West Morehead Street. It later developed that the lot known as 1726-1732 West Morehead, fronting 97.7 feet on the north side of West Morehead Street, is partially owned by Miller Estate and by the Wadsworth Land Company, and that the Engineering Department has been requested to reassess the said 97.7 feet on the basis of ownership, and on motion of Councilman Albea, seconded by Councilman Wilkinson the following Resolution was unanimously adopted in connection therewith:

The following agreement was presented by the City Attorney to correct and amend Resolution passed by the City Council on January 29, 1941:

NORTH CAROLINA)
MECKLENBURG COUNTY)

WHEREAS, Mrs. Estelle R. Miller and Mrs. Elizabeth M. Hunter are the owners of land fronting on West Morehead Street or Wilkinson Boulevard, and the said land has street assessments against the same in the principal sum of \$10,344.22 and interest thereon in the sum of \$6,479.05, and there is existing a dispute as to the legality of the lien of said assessments, and

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WHEREAS, Mrs. Miller and Mrs. Hunter have agreed to settle this dispute by making certain adjustments between the City and themselves whereby the City would receive the sum of \$10,344.22 in cash at this time, and conveying unto the City five and six-tenths (5.6) acres of land fronting 193.6 feet on the Southerly line of West Morehead Street and extending back to the Elizabeth Mill tract of land and formerly being a part of Bryant Park, in full satisfaction of the liens on the lands as above set forth; in particular being assessments Numbers 25283 through 25285 both inclusive; 25292 through 25299 both inclusive; 25300 through 25307 both inclusive, except 25306; 25312; 25313; 25315; 25317; 25319; 25320; 25321; 25328; 25329; 25330; 25331; 25332; 25322; 25323; 25324; 25325; 25334 through 25345 both inclusive except 25337; and also the outstanding principal due on assessment levied against lot known and designated, according to the numbering of the City of Charlotte, as 1726 - 1732 fronting 97.7 feet on the North side of West Morehead Street which is to be reassessed upon petition to be presented to Council; the original amount of which assessment is calculated to be \$329.24, one-half of which has been paid, leaving a balance due on principal of \$164.62, and that said accounts be cancelled as of record, including the account covering 1726 - 1732 West Morehead Street the number of which will be determined under the reassessment of old account #25281.

It is, therefore, upon motion of Councilman Albea, seconded by Councilman Wilkinson, resolved that adjustment hereinabove be accepted and the City of Charlotte's Collector of Revenue be and he is hereby authorized to accept such settlement and cancel said assessments lien evidences from the record, and that said liens be satisfied in full when Mrs. Miller and Mrs. Hunter have paid the \$10,344.22 and conveyed said property as provided.

COMMITTEE APPOINTED TO INVESTIGATE AND REPORT BACK AT NEXT MEETING ON REQUEST FOR REBATE ON STREET ASSESSMENTS MADE BY C. H. McCALL ON SEIGLE AVENUE, AND ON OFFER OF WESTSIDE ICE AND FUEL COMPANY INC. FOR LOT OWNED BY CITY ON BRUNS AVENUE.

Mr. Armstrong presented a petition from C. H. McCall, asking for rebate on street assessments made by him on property owned by Mr. McCall at 1609 and 1613 Seigle Street, on the same percentage basis as settlements have been made with other lot owners on this street, stating that the amount paid by him on 1613 Seigle Street is more than the lot is now worth and that 1609 is now assessed at \$1560.00, whereas, when the assessments were levied it was assessed at \$2140.00.

On motion of Councilman Wilkinson, seconded by Councilman Albea, this matter was referred to a committee to be appointed by the Mayor, said committee to investigate and report back at the next meeting.

Mr. Armstrong also presented a letter from the Collector of Revenue, stating that Mr. Grainger Pierce, Attorney, had sent him a check for \$250.00 as a cash offer on a lot known and designated as 119-21 Bruns Avenue, this offer being made by the Westside Ice and Fuel Company. He advised that Mr. Ledbetter had the property appraised by two real estate men who appraised it at \$150.00; also that the City Engineer had estimated that it would cost \$400.00 to pipe a small branch, which runs diagonally across the length of the lot, to say nothing of the cost of filling in the lot, and this was considered a good offer.

This matter was referred to the same committee authorized above, and the Mayor appointed on this committee Councilman Wilkinson, Chairman, Councilmen Huntley and Albea.

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REQUEST FOR "LOADING AND UNLOADING" SIGNS ON GRAHAM STREET.

The request of a number of merchants on Graham and Eleventh Streets, asking that the City place "Loading and Unloading" signs in the short block on Graham Street. between 11th. and 12th. Streets, and 80 feet west of Eleventh St; 80 feet east on Eleventh St., and 80 feet south on Graham Street, from the corner, was referred to Mr. B. A. Skinner for report back at the next meeting.

EASTER HOLIDAY.

On motion of Councilman Albea, seconded by Councilman Huntley, City employees are to be granted a holiday on Easter Monday, April 14th., which is the usual custom; this applying to such employees as can conveniently be away from their duties.

AIRPORT BOND ELECTION.

On motion of Councilman Huntley, seconded by Councilman Albea, a vote of thanks was extended to Councilman John L. Wilkinson for his work in securing a full page ad in The Charlotte News relative to the Airport Bond Election to be held the following day, April 3rd.

A number of short talks were made by the Council relative to the election, in which Councilman Ward asked that the appreciation of the Council be extended to the five signers of the letter sent out regarding the Airport election.

INVITATION TO ATTEND SERVICES AT FIRST METHODIST CHURCH.

Councilman Wilkinson extended an invitation to the Mayor, Council, City Manager, City Attorney, City Clerk and the Press, to attend in a body the services, the following evening, at the First Methodist Church to hear Dr. G. Ray Jordan.

ADJOURNMENT.

On motion of Councilman Wilkinson, seconded by Councilman Albea, the meeting adjourned.

Alice B. McConnell
City Clerk