

A Special Meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, in the City Hall, on Wednesday, August 20, 1958, at 11:30 o'clock a.m., due notice having been given the Council Members by the Mayor in accordance with the provisions of Section 26 of the City Charter. Mayor Smith presided and Council members Albea, Baxter, Brown, Dellinger, Evans and Wilkinson were present.

ABSENT: Councilman Foard.

* * * * *

INVOCATION.

The invocation was given by Councilman Claude L. Albea.

PURPOSE OF MEETING.

Mayor Smith stated that the purpose of the meeting is to consider a resolution authorizing borrowing funds in anticipation of the collection of taxes to meet the City's financial obligations, and such other matters as may come up by unanimous consent.

RESOLUTION AUTHORIZING THE ISSUANCE OF A \$30,000 REVENUE ANTICIPATION NOTE.

The following resolution was introduced and read:

"RESOLUTION AUTHORIZING THE ISSUANCE OF
A \$30,000 REVENUE ANTICIPATION NOTE.

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

Section 1. That in order to meet appropriations heretofore made for the current fiscal year for necessary expenses of the City there shall be issued a Revenue Anticipation Note of the City of Charlotte in the face amount of \$30,000, dated August 29, 1958, and maturing October 29, 1958, without option of prior payment, which note shall be numbered 1 and shall bear interest at a rate to be determined by the Local Government Commission at the time the note is sold, not exceeding 6% per annum, payable at the maturity of the note to which no interest coupons shall be attached. Said note shall be payable as to both principal and interest at such bank or trust company as may be fixed by the Mayor after the award of the note by the Local Government Commission, and both the principal of and the interest on said note shall be payable in lawful money of the United States of America. Said note shall be issued pursuant to The Municipal Finance Act, 1921.

Section 2. That it is hereby declared that said note is within the amount of appropriations heretofore made for the current fiscal year for necessary expenses of the City, is issued in anticipation of the collection of the taxes and revenues of the current fiscal year and is not in excess of 50% of such taxes.

Section 3. That said Revenue Anticipation Note shall be signed by the Mayor and the City Clerk, under the corporate seal of said City, and shall have endorsed thereon the written approval of the City Attorney, and said note shall be in such form as shall be fixed by the Mayor and the City Clerk and approved by the City Attorney, evidenced by their execution and signing of such note.

Section 4. That the action of the City Treasurer in applying to the Local Government Commission to approve, advertise and sell said note, and the action of the Local Government Commission in asking for bids for said note be and the same are hereby ratified and confirmed."

Councilman Dellinger stated he thinks there are a lot of people in Charlotte who do not understand the City's position in this matter. He stated further that he has checked with Mr. Livingston, Mr. Ledbetter and Mr. John Shaw, and the City of Charlotte is not broke to the extent that it must borrow \$30,000. That the law is such that we cannot spend what we have. That we have five or six million dollars in the bank and the Park & Recreation Commission has \$40,000 that has been in the bank since 1950 but the law states these funds must be spent for the purpose for which bonds were issued. That he wants the citizens to know it is not a matter of bad management, but just a matter of doing what is legally possible. He asked the reporters to kindly clarify the situation in the press.

Mr. Shaw, City Attorney, stated the General Statutes of North Carolina provide for criminal penalty for spending bond funds for purposes other than that for which the bonds were issued.

Councilwoman Evans asked if she is correct in thinking that the amount presently on deposit is bond money per se? Mr. Shaw stated that he is advised that it is the remainder of such bond funds and was voted for capital investments. She then asked the amount on deposit in the City's General Fund. Mr. Ledbetter, Treasurer, replied he could not say without checking, but it will take everything in the General Fund and in the Water Fund to take care of us until some time in September when tax monies come in; that the City's monthly payroll alone is \$450,000, and the weekly payroll of the Park & Recreation Commission is \$5,800.00. He stated further that he contacted the State Highway Commission and asked if we could receive the Powell Funds now, as they were received in August of last year, so that they could be advanced to the Park & Recreation Commission now, but learned they would not be received in time. Councilwoman Evans then asked the amount appropriated

from the General Fund for Street Maintenance, and Mr. Ledbetter replied he did not know the exact figure without checking but it was \$30,000 or more.

Thereupon, upon motion of Councilman Baxter, seconded by Councilman Wilkinson, and unanimously carried, the foregoing resolution entitled: "Resolution Authorizing the Issuance of a \$30,000 Revenue Anticipation Note" was passed by the following vote:

YEAS: Council members Albea, Baxter, Brown, Dellinger, Evans and Wilkinson.

NAYS: None

ACTION DEFERRED ON ITEMS PRESENTED BY COUNCILMAN BAXTER AND CITY MANAGER, DUE TO UNANIMOUS CONSENT OF COUNCIL NOT OBTAINABLE AS ALL MEMBERS NOT PRESENT AT MEETING.

Councilman Baxter stated he wished to present a motion requesting the ABC Board to grant us extra funds for flood relief, which was an urgent matter and would eliminate a week's delay in getting started on the work.

Mr. Yancey, City Manager, stated he wished to present three matters that needed immediate action, one relative to the Coliseum Roof, another the attendance of the City Solicitor and a Police Captain at a Traffic School and the third relative to taking action against Mr. Godley for drainage from his property inundating the Hoskins Filter Plant siding.

The City Attorney stated that no other items could be acted on by Council as the unanimous consent of the body could not be obtained due to all members not being present.

PLAN TO ESTABLISH AN EQUALIZATION ASSESSMENT BOARD PROPOSED BY CHAMBER OF COMMERCE PROPERTY RE-ASSESSMENT COMMITTEE.

Mr. Caldwell McDonald, Chairman of the Property Re-Assessment Committee of the Chamber of Commerce, and Committee members Mr. Crawford, Mr. Hal McKee, Mr. Willis Henderson and Col. Paul Yountz, were present and Mr. McDonald presented, in writing, a Plan to Establish an Equalization Assessment Board. He stated the Committee has made a study of property values in Charlotte and the County and find that in most cases the same values are being used as appraised in 1951. That during the seven years in a fast growing City and County like ours, many changes have taken place in values, some up and some down, and that a large percentage of assessments are now out of line both as to values and as to equity. The Plan provides that a separate Adjustment Office be established; that real estate values be kept every year, and not every 10 or 12 years, on as near an equity basis as possible to do so, which would mean that the Adjustment Office would be permanent and continuous. The number of Board members recommended and their duties and the necessary personnel to operate the Office is outlined in the Report.

Mr. McDonald stated further that they want to bring to Charlotte an assessment expert or two to go into the matter; he stated it is understood that one of the best jobs in this line is being done in Birmingham, and the Committee would like to visit one or two places and to confer with the assessment experts handling the jobs; that they do not know what the expenses in connection with the trips will be, but the Committee requests the City for \$1,000.00 to finance the trips, together with the \$1,000.00 allocated by the Board of County Commissioners last

Monday. That expense accounts will be rendered both the City and County of the expenses involved following the trips. Mr. McDonald stated that if the Plan is adopted, some legislative changes by the General Assembly will be necessary, so it is necessary that the preliminary work be begun now.

Mayor Smith advised Mr. McDonald that no action could be taken on the request today, but will be considered at the Council Meeting next Wednesday.

ADJOURNMENT.

Upon motion of Councilman Brown, seconded by Councilman Wilkinson, and unanimously carried, the meeting was adjourned.

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk