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A regular meeting of the City Council was held in the Council Chamber, City Hall, on Tuesday, January 7, 1947, with Mayor Baxter presiding, and Councilmen Childs, Hinson, Johnston, Newson and White present.

Absent: Councilman McIntyre and Puette.

INVOCATION.

The invocation was given by Councilman J. S. Hinson.

MINUTES APPROVED.

Upon motion of Councilman Johnston, seconded by Councilman Newson, the minutes of the last meeting were approved as read.

PETITION FILED ON BEHALF OF VANCE H. WATTS AND WIFE FOR CANCELLATION OF SALE OF PROPERTY.

J. S. Bowser, Attorney, filed a petition on behalf of Vance H. Watts and wife, Bessie Watts, requesting that sale of tax foreclosed property located at 432 Solomon Street, to them on November 19, 1946, at a price of \$25.00, be declared void and the said \$25.00 be returned to them, due to their not being able to receive a clear title to the property. The matter was referred to the City Manager for investigation and report.

DESIGN FOR MARKER COMMEMORATING THE MECKLENBURG DECLARATION OF INDEPENDENCE SUBMITTED BY MISS JULIA ALEXANDER.

Miss Julia Alexander requested that the bronze marker commemorating the Mecklenburg Declaration of Independence be replaced in the center of The Square, the former marker having recently been covered over when the street was repaved. Miss Alexander submitted a design for the marker and requested that a marker be made and placed in the street in such manner that it could be removed when paving is done.

Mayor Baxter accepted the design for consideration and assured Miss Alexander that it was the intention of the City to replace the marker.

DISCUSSION OF ZONING ORDINANCE.

Protests against the adoption of the proposed Zoning Ordinance were registered by Messrs. Lee Heath, W. C. Davis and Dwight L. Phillips. Messrs. J. M. Armstrong, W. D. Alexander, Jack Stroup and A. B. Schnedl requested the elimination of certain portions of the ordinance. Mr. C. H. Gover, Attorney, asked for the elimination of the set-back provision of the ordinance, and was advised by the Mayor that the said provision had been omitted, from the Industrial and Business No. 1 Districts.

Following the discussion, Councilman Newson moved that the zoning ordinance be read, as amended, for action. Motion seconded by Councilman White. The motion was lost for lack of four affirmative votes. The following vote was recorded:

AYE: Councilmen Newson, Johnston and White.

NAY: Councilmen Childs and Hinson.

ZONING ORDINANCE DIRECTED PLACED ON DOCKET FOR NEXT COUNCIL MEETING.

Motion was made by Councilman White that the ordinance be placed on the Council Docket for the next meeting. Motion seconded by Councilman Newson, and unanimously carried.

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RESOLUTIONS PROVIDING FOR THE ISSUANCES OF WATER, SANITARY SEWER AND FIRE STATION BOND ANTICIPATION NOTES.

Councilman Childs introduced the following resolution, which was read:

RESOLUTION PROVIDING FOR THE ISSUANCE  
OF \$53,000 WATER BOND ANTICIPATION NOTES

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 \$1,800,000 Water Bonds was passed on March 11, 1946, which ordinance was approved by the vote of a majority of the qualified voters of said City who voted at an election duly called and held on April 23, 1946.

(b) That none of said bonds has been issued and no notes are outstanding which were issued in anticipation of the sale of said bonds.

Section 2. That in order to anticipate the receipt of the proceeds of a like amount of said Water Bonds, and for the purpose for which said bonds were authorized, a temporary loan of \$53,000 is hereby authorized to be evidenced by negotiable notes of the City of Charlotte designated "Water Bond Anticipation Notes", which notes shall be dated February 1, 1947, shall mature on August 1, 1947, without option of prior payment, and shall bear interest at a rate to be determined by the Local Government Commission at the time the notes are sold, not exceeding 6% per annum, which interest shall be payable at the maturity of the notes to which no interest coupons shall be attached. Said notes shall be payable as to both principal and interest at such bank or trust company, and shall have such denominations and bear such numbers as may be fixed by the Mayor after the award of the notes by the Local Government Commission.

Upon motion of Councilman Childs, seconded by Councilman Newson, and unanimously carried, the foregoing resolution entitled, "Resolution Providing for the Issuance of \$53,000 Water Bond Anticipation Notes" was read and passed. The votes cast were as follows:

Yeas: Councilmen Childs, Hinson, Johnston, Newson and White.

Nays: None.

Thereupon Councilman Childs introduced the following resolution, which was read:

RESOLUTION PROVIDING FOR THE ISSUANCE  
OF \$93,000 SANITARY SEWER BOND ANTICIPATION NOTES.

BE IT REVOLVED 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 \$2,325,000 Sanitary Sewer Bonds was passed on March 11, 1946, which ordinance was approved by the vote of a majority of the qualified voters of said City who voted at an election duly called and held on April 23, 1946.

(b) That none of said bonds has been issued and no notes are

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outstanding which were issued in anticipation of the sale of said bonds.

Section 2. That in order to anticipate the receipt of the proceeds of a like amount of said Sanitary Sewer Bonds, and for the purpose for which said bonds were authorized, a temporary loan of \$93,000 is hereby authorized to be evidenced by negotiable notes of the City of Charlotte designated "Sanitary Sewer Bond Anticipation Notes", which notes shall be dated February 1, 1947, shall mature on August 1, 1947, without option of prior payment, and shall bear interest at a rate to be determined by the Local Government Commission at the time the notes are sold, not exceeding 6% per annum, which interest shall be payable at the maturity of the notes to which no interest coupons shall be attached. Said notes shall be payable as to both principal and interest at such bank or trust company, and shall have such denominations and bear such numbers as may be fixed by the Mayor after the award of the notes by the Local Government Commission.

Upon motion of Councilman Childs, seconded by Councilman Hinson, and unanimously carried, the foregoing resolution entitled, "Resolution Providing for the Issuance of \$93,000 Sanitary Sewer Bond Anticipation Notes" was read and passed. The votes cast were as follows:

Yeas: Councilmen Childs, Hinson, Johnston, Newson and White.

Nays: None.

Thereupon Councilman Childs introduced the following resolution, which was read:

RESOLUTION PROVIDING FOR THE ISSUANCE  
OF \$5,000 FIRE STATION BOND ANTICIPATION NOTES.

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 \$112,500 Fire Station Bonds was passed on March 11, 1946, which ordinance was approved by the vote of a majority of the qualified voters of said City who voted at an election duly called and held on April 23, 1946.

(b) That none of said bonds has been issued and no notes are outstanding which were issued in anticipation of the sale of said bonds.

Section 2. That in order to anticipate the receipt of the proceeds of a like amount of said Fire Station Bonds, and for the purpose for which said bonds were authorized, a temporary loan of \$5,000 is hereby authorized to be evidenced by negotiable notes of the City of Charlotte designated "Fire Station Bond Anticipation Notes", which notes shall be dated February 1, 1947, shall mature on August 1, 1947, without option of prior payment, and shall bear interest at a rate to be determined by the Local Government Commission at the time the notes are sold, not exceeding 6% per annum, which interest shall be payable at the maturity of the notes to which no interest coupons shall be attached. Said notes shall be payable as to both principal and interest at such bank or trust company, and shall have such denominations and bear such numbers as may be fixed by the Mayor after the award of the notes by the Local Government Commission.

Upon motion of Councilman Childs, seconded by Councilman Johnston, and unanimously carried, the foregoing resolution entitled, "Resolution Providing for the Issuance of \$5,000 Fire Station Bond Anticipation Notes" was read and passed. The votes cast were as follows:

Yeas: Councilmen Childs, Hinson, Johnston, Newson and White.

Nays: None.

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Thereupon Councilman Johnston introduced the following resolution, which was read:

RESOLUTION FIXING THE FORM AND MANNER OF EXECUTION OF \$151,000 BOND ANTICIPATION NOTES AND DIRECTING APPLICATION TO THE LOCAL GOVERNMENT COMMISSION FOR THE APPROVAL AND SALE THEREOF.

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

Section 1. That the \$53,000 Water Bond Anticipation Notes, \$93,000 Sanitary Sewer Bond Anticipation Notes and \$5,000 Fire Station Bond Anticipation Notes to be issued by the City of Charlotte pursuant to resolutions passed on January 7, 1947, 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 2. That the form of said notes and the endorsements to be placed upon said notes shall be in substantially the following form:

No. \_\_\_\_\_ \$ \_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

CITY OF CHARLOTTE

..... Bond Anticipation Note

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

\_\_\_\_\_ DOLLARS

together with interest thereon at the rate of \_\_\_\_\_ per centum per annum, payable upon presentation and surrender of this note at its maturity. Both the principal and the interest on this note are payable at the \_\_\_\_\_, in the City of \_\_\_\_\_.

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 \_\_\_\_\_ Bonds duly authorized by an ordinance passed by the City Council of the City of Charlotte on March 11, 1946, which ordinance was approved by the vote of the majority of the qualified voters of said City who voted at an election duly called and held, 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 resolutions duly passed by the City Council of said City.

It is hereby certified and recited that all acts, conditions and things required by the laws and Constitution 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 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 February, 1947.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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SPCAY

The issuance of this note is hereby approved.

\_\_\_\_\_  
City Attorney

(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 3. That the reference to the bonds in anticipation of the receipt of the proceeds of which the notes are being issued shall be completed in the notes as follows:

(a) In the \$53,000 Water Bond Anticipation Notes the word "Water".

(b) In the \$93,000 Sanitary Sewer Bond Anticipation Notes the words "Sanitary Sewer".

(c) In the \$5,000 Fire Station Bond Anticipation Notes the words "Fire Station".

Section 4. That the City Treasurer is hereby directed to apply to the Local Government Commission for the approval of said \$151,000 notes to be dated February 1, 1947, and to request the Local Government Commission to advertise and sell said notes.

Upon motion of Councilman Johnston, seconded by Councilman Hinson, and unanimously carried, the foregoing resolution entitled "Resolution Fixing the Form and Manner of Execution of \$151,000 Bond Anticipation Notes and Directing Application to the Local Government Commission for the Approval and Sale Thereof" was read and passed. The votes cast were as follows:

Yeas: Councilmen Childs, Hinson, Johnston, Newson and White.

Nays: None.

CONTRACT WITH J. N. PEASE & COMPANY FOR PROFESSIONAL ENGINEERING SERVICES TO THE PLANNING BOARD.

Councilman Childs moved that contract be entered into with J. N. Pease & Company, for professional engineering and consultation services to The Planning Board. Motion seconded by Councilman Newson, and unanimously carried.

CONTRACT WITH M. R. MARSH, ARCHITECT, IN CONNECTION WITH TWO NEW FIRE STATIONS CANCELLED, AND NEW CONTRACT AUTHORIZED.

Motion was made by Councilman Johnston, that the existing contract with M. R. Marsh, Architect, for drawing plans, etc., for two new fire stations, estimated to cost \$80,000, be cancelled, and a new contract be entered into with Mr. Marsh for this work estimated to cost \$112,000.00. Motion seconded by Councilman Newson, and unanimously carried.

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REFUND OF DEPOSIT FOR SANITARY SEWER CONSTRUCTION TO D. L. PHILLIPS.

Upon motion of Councilman Childs, seconded by Councilman Johnston, deposit in the amount of \$2,172.23 posted with the City in connection with the construction of a sanitary sewer in Bay Street was unanimously authorized refunded to D. L. Phillips, from the Water Emergency Fund.

CONTRACT WITH JOHN CROSLAND COMPANY FOR WATER MAINS IN FOREST PARK SUBDIVISION.

Councilman Newson moved that contract be approved with John Crossland Company for the construction of water mains in Forest Park Subdivision, on a guaranteed revenue basis, estimated to cost \$7,400.00. Motion seconded by Councilman Childs, and unanimously carried.

TRANSFER OF FUNDS WITHIN HEALTH DEPARTMENT.

Motion was made by Councilman Hinson that the transfer of funds within the Health Department Budget be authorized as follows. Motion seconded by Councilman White, and unanimously carried:

From - Venereal Disease Drugs	(Code 304 C-17)	\$ 3,500.00
To - Salary of Health Officer	(Code 301 A-3)	600.00
Salary of Health Educator	(Code 301 A-8)	1,335.00
Car Allowance of Health Educator	(Code 301 B-10)	300.00
Office Supplies - Administrative	(Code 301 C-20)	600.00
Telephone	(Code 301 B-42)	400.00
Travel Expense	(Code 301 B-44)	265.00

OVERRUN IN CONTRACT WITH LYNCHBURG FOUNDRY COMPANY FOR PIPE AUTHORIZED PAID.

Councilman Johnston moved that over-run in the amount of \$151.07 on contract with Lynchburg Foundry Company, dated May 14, 1946, be paid. Motion seconded by Councilman Hinson, and unanimously carried.

OVERRUN IN CONTRACT WITH AMERICAN CYANAMID & CHEMICAL COMPANY AUTHORIZED PAID.

Motion was made by Councilman Hinson that payment of \$54.80 be authorized to the American Cyanamid & Chemical Company, representing an over-run in contract for aluminum sulphate, in the amount of \$6,850.00 dated December 11, 1945. Motion seconded by Councilman Childs, and unanimously carried.

CONTRACTS AND PURCHASES.

Upon motion of Councilman Johnston, seconded by Councilman Childs, the following contracts, purchases and the allocation of funds therefor, if needed, were unanimously authorized:

- (a) Purchase of Gas Stove for Fire Station Headquarters, from Duke Power Company, in the amount of \$184.50.
- (b) Purchase of Typewriter from Royal Typewriter Company, Inc., in the sum of \$185.38, for the Sanitary Division.
- (c) Purchase of Repair Parts for fire trucks from the American LaFrance Foamite Corp., in the sum of \$110.75.
- (d) Purchase of 4,400 Meter Charts from Simplex Valve & Meter Company, in the sum of \$129.00, for the Water Department.
- (e) Payment of \$163.00 to Stone's Lunch for 652 meals for prisoners for the first half of December, 1946.
- (f) Contract with Pomona Terra Cotta Company for 1,500 feet of pipe, in the sum of \$540.00, for sewer construction.
- (g) Contract with J.L. Newell, Plaza Road, for grading and pouring concrete floor in Radio Building, in the sum of \$473.75.
- (h) Contract with Marchant Calculator Machine Co. for automatic calculator, in the sum of \$712.00, for the Accounting Department.

ORDINANCE AMENDING RULES & REGULATIONS GOVERNING EVERGREEN CEMETERY.

An ordinance entitled, AN ORDINANCE AMENDING THE RULES AND REGULATIONS GOVERNING EVERGREEN CEMETERY was introduced and read. Motion was made by Councilman White that the ordinance be adopted as presented. Motion seconded by Councilman Childs, and unanimously carried. Ordinance is recorded in full in Ordinance Book 9, at Page 416.

ORDINANCE AMENDING PARKING METER REGULATIONS, TO EXTEND METER ZONE ON TRADE STREET TO SOUTHERN RAILWAY MAIN LINES ON WEST TRADE STREET.

An ordinance entitled, AN ORDINANCE AMENDING THE PARKING METER REGULATIONS OF THE CITY OF CHARLOTTE was introduced and read. Councilman Childs moved the adoption of the ordinance as presented. Motion seconded by Councilman Johnston, and unanimously carried. Ordinance recorded in full in Ordinance Book 9, at Page 416.

SPECIAL OFFICER PERMITS.

Upon motion of Councilman Hinson, seconded by Councilman Childs, a special officer permit was authorized issued to Vance Elbert Huggins, for use on the premises of Federal Reserve Bank for a period of one year.

SALE OF SURPLUS HEATERS.

The City Manager announced the sale of two additional surplus heaters at the Airport, at \$17.50 each.

LEASE OF AIRPORT BUILDINGS.

City Manager Yancey advised that lease of buildings at Douglas Municipal Airport have been concluded, as follows:

LESSEE	BUILDING NUMBER	MONTHLY RENTAL	DATE & TERM OF LEASE	
J. A. Terry & Son	217	\$30.00	1-1-47	5 years
Quality Hemming & Mfg. Co.	316	\$40.00	1-15-47	1 year

CEMETERY LOTS SALE.

Councilman White moved that the Mayor and City Clerk be authorized to execute deeds for the following lots in Elmwood and Pinewood Cemeteries. Motion seconded by Councilman Childs, and unanimously carried:

Transfer to Mr. and Mrs. Carl J. Lee, from E. W. Patrick and wife, East Half Lot 324, Section U, Elmwood Cemetery - cost of transfer \$1.00.

Transfer to Mr. and Mrs. J. B. Grier, from E. P. Rose and wife, Lot 298, Section Y, Elmwood Cemetery - cost of transfer \$1.00.

Transfer to E. P. Rose and wife, from Mr. and Mrs. J. B. Grier, Lot 297, Section Y, Elmwood Cemetery - cost of transfer \$1.00.

Perpetual Care on Lot 108, Section S, to Mrs. S. M. Crowell, at \$144.00

Duplicate Deed to James McKnight, on North Half Lot 127, Section "Johnson", Annex, Pinewood Cemetery, cost of issuance \$1.00.

ADJOURNMENT.

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

*Lillian R. Huffman*  
City Clerk