

July 17, 1945
Page 189 - Book 31

The regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Tuesday, July 17, 1945, with Mayor Pro Tem Childs presiding, and Councilmen Hinson, Johnston, McIntyre, Puette and White being present.

Absent: Mayor Baxter and Councilman Newson.

MINUTES APPROVED.

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

POLICY CONCERNING WATER LINE CONSTRUCTION DEFERRED FOR TWO WEEKS.

Mr. J. B. Thomas stated he had priorities to construct five houses on Commonwealth Avenue and had conferred with the Superintendent of the Water Department relative to the construction of a water line to serve these houses. That he found he had not understood the City's policy regarding water line construction and requested Council to consider the matter so that he could proceed with construction. He was advised that Council intended to hold a conference on July 24th, at 3 p. m., to consider the general policy of such construction, and he would then be advised regarding same.

SOLICITATION ORDINANCE TO REMAIN IN EFFECT.

Members of the Legislative Committee of the Charlotte Merchants Association requested that the Solicitation Ordinance now under consideration by the Council be neither repealed nor amended. Councilman McIntyre moved that the ordinance remain in effect. Motion seconded by Councilman Johnston, and unanimously carried.

WITHDRAWAL OF RESIGNATION BY WALTER E. ANDERSON, CHIEF OF POLICE, GRANTED.

Councilman White moved that request of Walter E. Anderson to withdraw his resignation as Chief of the Police Department be granted. Motion seconded by Councilman Hinson, and unanimously carried.

SALE OF TAX FORECLOSED PROPERTY AT 1009-19 SEIGLE STREET CONFIRMED.

Upon motion of Councilman Johnston, seconded by Councilman McIntyre, sale of tax foreclosed property at 1009-19 Seigle Street to James Williams at \$3,050.00 was ^{unanimously} confirmed, as recommended by the Appraisal Committee.

NOTICE OF CLAIM OF F. H. NELSON FOR ALLEGED INJURIES.

The City Manager reported that notice of claim had been filed by F. H. Nelson for alleged injuries caused by being struck by a city truck on July 6, 1945.

REQUEST DENIED FOR CHARITY LICENSE TO SELL SALVE.

Wyatt Brown requested a Charity License to sell salve. Following a discussion of the matter, Councilman McIntyre moved that the request be denied. Motion seconded by Councilman White, and unanimously carried.

CONTRACT AWARDED CONCRETE SUPPLY COMPANY FOR CRUSHED STONE.

Upon motion of Councilman Puette, seconded by Councilman Hinson, contract was unanimously awarded Concrete Supply Company for 440 tons of crushed stone, at \$924.00.

July 17, 1945
Page 190 - Book 31

CONTRACT AWARDED AMERICAN LA FRANCE FOAMITE CORP. FOR REPAIR PARTS.

Councilman White moved that contract be awarded American La France Foamite Corporation for repair parts for fire trucks at \$275.71. Motion seconded by Councilman Johnston, and unanimously carried.

CONTRACT AUTHORIZED WITH STANDARD OIL COMPANY OF NEW JERSEY FOR GASOLINE.

Upon motion of Councilman Hinson, seconded by Councilman Johnston, contract with Standard Oil Company of New Jersey was unanimously authorized for 18,911 gallons of gasoline, in the amount of \$3,041.15, which was furnished the City during June 1945.

POLICY CONCERNING FINANCING SIDEWALK CONSTRUCTION DEFERRED FOR TWO WEEKS.

The City Manager advised that petitions were on file for sidewalk construction on Clayton Drive, Cumberland Avenue, Mecklenburg Avenue and Wilmore Drive. Mr. John L. Wilkinson urged that work be started on Clayton Drive and Cumberland Avenue at once. Council advised it would be necessary to formulate a policy regarding the financing of such work and this would be done within the next two weeks.

ADOPTION OF RESOLUTION ENLISTING IN LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

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

WHEREAS, the 1945 General Assembly amended the Local Governmental Employees' Retirement System so as to make the benefits of said system available to all counties, cities, and towns, and

WHEREAS, the governing body of this Unit realizes the necessity of providing its employees with the security and protection provided by a sound retirement plan, since said employees are not eligible for the benefits of any of the Social Security programs of the federal government, and

WHEREAS, Article 3 of Chapter 128 of the General Statutes of North Carolina provides that any governmental unit desiring to enroll its employees in said System shall make application to the Board of Trustees of the Local Governmental Employees' Retirement System and shall, by resolution, elect to participate in said System;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTE in regular session:

1. That the City of Charlotte hereby elects to participate its employees in the North Carolina Local Governmental Employees' Retirement System, effective on and after January 1, 1946.
2. That the City of Charlotte hereby agrees to comply with all provisions of the Local Governmental Employees' Retirement System as defined in Article 3, Chapter 128 of the General Statutes of North Carolina as amended by the 1945 General Assembly.
3. That the Mayor and City Clerk are hereby ordered and directed to make application to the Board of Trustees of the Local Governmental Employees' Retirement System for enrollment of this Unit and its employees in said system, and in so doing to execute a form in words and figures as follows:

July 17, 1945
Page 191 - Book 31

"The City of Charlotte hereby makes application to the Board of Trustees of the Local Governmental Employees' Retirement System for enrollment of its employees who may desire to participate in the Local Governmental Employees' Retirement System, effective on and after January 1, 1946.

1. The City of Charlotte hereby agrees to make the contributions required by said retirement system of participating employers and to make the required deductions from the salaries of the employees who may become members of the system.

2. The City of Charlotte further agrees to promptly transmit such contributions and deductions to the Board of Trustees, or their authorized agents, as required by Article 3 of Chapter 128 of the General Statutes.

3. The City of Charlotte further agrees to make employers' contributions for the participation in the retirement system of all employees entering the service of this unit after the participation begins who shall elect to become members.

Attached hereto is a certified copy of resolution in the Local Governmental Employees' Retirement System.

The City of Charlotte agrees to perform the duties required of it under the provisions of Chapter 128, Article 3, of the General Statutes and lawful regulation of the Board of Trustees of the North Carolina Local Governmental Employees' Retirement System."

REPORT OF CITY MANAGER ON PENDING MATTERS.

The City Manager reported in detail concerning matters not completed by the former City Council, and matters referred for report by the present City Council.

AN ORDINANCE "TO REPEAL CERTAIN SECTIONS OF THE FIRE PREVENTION ORDINANCE OF THE CITY OF CHARLOTTE, N. C., AS RECORDED IN ORDINANCE BOOK 8, PAGE 365" AMENDED AND ADOPTED.

An ordinance entitled "An Ordinance To Repeal Certain Sections Of The Fire Prevention Ordinance Of The City Of Charlotte, N.C., As Recorded In Ordinance Book 8, Page 365" was presented. Councilman Puette moved that the ordinance as read be amended by eliminating Section 2 thereof and renumbering Section 3 thereof as Section 2. Motion seconded by Councilman Hinson. Councilman McIntyre made a substitute motion that the matter be deferred for study, but motion did not receive a second. Original motion was voted upon and carried, with Councilman McIntyre recorded as not voting.

Councilman Puette then moved that ordinance as above amended be adopted. Motion seconded by Councilman Hinson, and carried, with Councilman McIntyre recorded as not voting.

Ordinance as adopted is recorded in full in Ordinance Book 9, beginning at Page 269.

AN ORDINANCE TO AMEND THE FIRE PREVENTION ORDINANCE OF THE CITY OF CHARLOTTE, N. C., DEFERRED FOR STUDY.

Upon the presentation of an ordinance entitled "An Ordinance To Amend The Fire Prevention Ordinance Of The City Of Charlotte, N. C.", relative to adding to Part 17, after Section 1731, a Section 1732 regarding "Open Flames And Heating", Councilman McIntyre moved that the ordinance be rejected, but motion did not receive a second. Councilman Hinson made a

July 17, 1945
Page 192 - Book 31

substitute motion that action be deferred for study, and be considered within 30 days. Motion seconded by Councilman Puette, and carried, with Councilman McIntyre recorded as not voting.

AN ORDINANCE "DECLARING CERTAIN STREETS TO BE WITHIN THE CONGESTED BUSINESS DISTRICT OF THE CITY OF CHARLOTTE" REFERRED TO COMMITTEE FOR REPORT AT NEXT MEETING.

An ordinance entitled "An Ordinance Declaring Certain Streets To Be Within The Congested Business District Of The City Of Charlotte" was read. Whereupon Councilman Hinson moved that same be deferred and a Committee be appointed to study it and make recommendation to Council at the next meeting. Motion seconded by Councilman Puette, and carried, with Councilman McIntyre recorded as not voting.

Mayor pro tem Childs named Councilmen Hinson and Puette as the Committee to study and report on the proposed ordinance.

ADOPTION OF AN ORDINANCE TO REGULATE THE CONSTRUCTION OF RAILWAY TRACKS, THE CHANGING OF LOCATION OR GRADE THEREOF IN ANY STREET OR ALLEY, AND THE MAINTENANCE THEREOF.

An ordinance entitled "An Ordinance To Regulate The Construction Of Railway Tracks, The Changing Of Location Or Grade Thereof In Any Street Or Alley, And The Maintenance Thereof" was read, and Councilman Puette moved it's adoption. Motion seconded by Councilman Hinson, and carried, with Councilman McIntyre recorded as not voting. Ordinance recorded in full in Ordinance Book 9, Page 271.

AN ORDINANCE REGULATING SPEED OF RAILWAY TRAINS AND REQUIRING WATCHMEN, FLAGMEN, GATES, SIGNAL SYSTEMS AND STOPPING OF TRAINS AT CERTAIN CROSSINGS DEFERRED FOR TWO WEEKS.

An ordinance entitled "An Ordinance Regulating Speed Of Railway Trains And Requiring Watchmen, Flagmen, Gates, Signal Systems and Stopping Of Trains At Certain Crossings" was read. Council agreed to defer action on the proposed ordinance for two weeks in order to study it.

ADOPTION OF AN ORDINANCE MAKING IT UNLAWFUL FOR MERCHANTS AND OTHERS TO SWEEP TRASH, ETC., ONTO THE SIDEWALK AND INTO THE STREET.

An Ordinance entitled "An Ordinance Making It Unlawful For Merchants And Others to Sweep Trash, Etc., Onto The Sidewalk And Into The Street" was presented and read. Upon motion of Councilman Puette, seconded by Councilman Hinson, the ordinance was adopted, with Councilman McIntyre recorded as not voting. Ordinance is recorded in full in Ordinance Book 9, Page 272.

ADOPTION OF AN ORDINANCE TO AMEND THE HEALTH CODE OF THE CITY OF CHARLOTTE.

An Ordinance entitled "An Ordinance To Amend The Health Code Of The City Of Charlotte" was presented and read. Councilman Puette moved the adoption of the ordinance. Motion seconded by Councilman Hinson, and carried, with Councilman McIntyre recorded as not voting. Ordinance is recorded in full in Ordinance Book 9, Page 274.

July 17, 1945
Page 193 - Book 31

ADOPTION OF AN ORDINANCE TO AMEND THE TYPHUS CONTROL ORDINANCE OF THE CITY OF CHARLOTTE, N. C.

An ordinance entitled "An Ordinance To Amend The Typhus Control Ordinance Of The City Of Charlotte, N. C.," was read. Councilman Puette moved the adoption of the ordinance. Motion seconded by Councilman Johnston, and carried, with Councilman McIntyre recorded as not voting. Ordinance is recorded in full in Ordinance Book 9, Page 273.

ADJOURNMENT.

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

Lillian R. Hoffman
City Clerk