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The regular meeting of the City Council was held in the Council Chamber, City Hall, at 4:00 o'clock P. M., on Wednesday, March 28, 1945, with Mayor Baxter presiding, and Councilmen Albea, Baker, Bullard, Cope, Daughtry, Price, Slye and Ward being present.

Absent: Councilmen Atkins, Hovis and Painter.

MINUTES.

The reading of the minutes of the last meeting was dispensed with.

ADOPTION OF RESOLUTION RELATIVE TO WITHDRAWAL OF STREETS IN SUBDIVISION OWNED BY PEGRAM-WADSWORTH LAND COMPANY AND BEING SOLD TO JOHN CROSLAND COMPANY, AND ACCEPTANCE OF AGREEMENT WITH JOHN CROSLAND COMPANY REGARDING SEWERS IN SAID SUBDIVISION.

The John Crosland Company and the Pegram-Wadsworth Land Company presented a communication requesting the withdrawal of certain streets located in subdivision lying between Pinckney Avenue, The Plaza, Drummond Avenue and Louise Avenue. The communication stated that a sewer line was now located within the plat; that in the event of the relocation of streets, as contemplated, right-of-way for said sewer line would be granted, or if conditions required that the sewer line be removed and relocated, said John Crosland Co. would bear the entire cost.

In this connection, the following resolution was presented by Mr. Frank McCleneghan, Attorney:

WHEREAS, Pegram-Wadsworth Land Company, a North Carolina Corporation, was in 1907 the owner of a tract of land in the northern part of the city of Charlotte, a portion of which was then within and a portion of which was then without the city limits of the City of Charlotte, but all of which is now within said city limits, and the said Pegram-Wadsworth Land Company caused to be recorded a map of said tract of land in Book 230, Page 1, in the office of the Register of Deeds of Mecklenburg County, said map having been recorded on or about the 21st day of May, 1907; and

WHEREAS, subsequent thereto said Pegram-Wadsworth Land Company caused to be recorded in said Register's Office a map showing Block 53, as shown on the former map, to be divided into lots with an alley extending through the same, which map was recorded on or about the 14th day of October, 1911, in Book 230, page 142. And that portion of the streets and alleyways shown upon said maps, which lies within the following boundaries, has not been actually opened and used as such within twenty years from the original dates of said maps, either by the public or those owning lands shown on said maps:

Bounded by the southerly line of Louise Avenue (now Greene Avenue); the westerly line of Charles Avenue (now Clemson Avenue) as it extends from Louise Avenue (now Greene Avenue) to Poorhouse Road (now The Plaza); the northwesterly line of Poorhouse Road; the northerly line of Catawba Avenue extending from Poorhouse Road to Swift Street; the easterly line of Swift Street (now Wilkinson Street) extending from Catawba Avenue to the north side of Drummond Avenue; the northerly line of Drummond Avenue extending from the east side of Swift Street to Pinckney Avenue, and the easterly line of Pinckney Avenue extending from Drummond Avenue to Louise Avenue; and

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WHEREAS, Pegram-Wadsworth Land Company has contracted to sell and convey the land laying within said boundaries to John Crosland Company a North Carolina Corporation, or its assigns with the exception of Lots 15 and 16 in Block 54; Lots 5, 6, 7 and 8 in Block 53; Lots 10, 11, 12, 13, 22 and 23 in Block 51 and Lot 19 in Block 39, as shown on said map or maps, which lots have heretofore been conveyed by the Pegram-Wadsworth Land Company. The said John Crosland Company, or its assigns contemplates developing the property lying within said boundaries and in order to do so to extend over and through said property streets and avenues in a manner different than is shown upon said maps, and it is desirable that the old streets and alleyways as shown on said maps, which lie within the boundaries hereinbefore set forth be abandoned, closed and withdrawn from public and private use; and

WHEREAS, the opening and use of said old streets and alleyways within said boundaries is not necessary for the public interests and should be abandoned and relinquished; and

WHEREAS, the Pegram-Wadsworth Land Company has executed and filed and caused to be recorded in the Register's office of Mecklenburg County, wherein said land lies, a declaration withdrawing the streets and alleyways lying within the aforementioned boundaries from the public or private use to which they may have heretofore been dedicated;

NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte that the withdrawal from dedication of the streets and alleyways shown upon the maps of the property of the Pegram-Wadsworth Land Company, recorded in Book 230, Page 1, and Book 230, Page 142, which lie within the boundaries hereinbefore defined, is hereby agreed to and that the opening and use of said streets and alleyways shown on said maps within said boundaries is not necessary for the public interest, and, further, that the City Council of the City of Charlotte does hereby agree to the abandonment and relinquishment thereof and the same are hereby withdrawn from public or private use as contemplated by Section 1 of Chapter 460 of the North Carolina Public Local Laws of 1923.

Councilman Albea moved that the resolution be adopted, on condition that the aforementioned communication from John Crosland Company and Pegram-Wadsworth Land Company regarding sewers located within plat, is made a part and parcel of said resolution. Motion seconded by Councilman Price, and unanimously carried.

CLAIM OF WILLIE WHITE FOR ALLEGED PERSONAL INJURIES.

The City Manager advised that a claim for \$1,000.00 for alleged personal injuries to Willie White, 315 East Vance Street, had been filed by Mr. H. M. Boyd, Attorney.

REQUEST GRANTED TO INSTALL WATER LINE CONNECTION TO THRIFT ROAD MAIN.

Councilman Slye moved that the request of D. C. Gibson, to connect a 2 inch water line to the main in Thrift Road, said line to be laid for a distance of 1000 feet in Major Street, Edgewood Road and Edgewood Street, be granted with Mr. Gibson paying the entire cost of said connecting line, and that contract with Mr. Gibson stipulate that if and when the city limits are extended that said portion of water line which then comes within the city limits shall become the property of the City of Charlotte. Motion seconded by Councilman Albea, and unanimously carried.

CONTRACT FOR GATE VALVE APPROVED WITH CHAPMAN VALVE MANUFACTURING COMPANY.

Upon motion of Councilman Baker, seconded by Councilman Slye, contract was unanimously awarded Chapman Valve Manufacturing Company for one 25 inch Gate Valve, at a net delivered price of \$467.00.

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PURCHASE OF ANHYDROUS AMMONIA FROM RESEARCH PRODUCTS COMPANY.

Upon motion of Councilman Daughtry, seconded by Councilman Albea, purchase of 900 pounds of anhydrous ammonia was unanimously approved from Research Products Company, at a price of \$138.60.

PURCHASE OF YEAR'S SUPPLY OF CINDERS FROM BUCKEYE COTTON OIL COMPANY.

Upon motion of Councilman Slye, seconded by Councilman Cope, the purchase of one year's supply of cinders for street maintenance purposes was unanimously approved from Buckeye Cotton Oil Company, at a price of \$100.00.

AMENDMENT TO LEASE WITH U. S. GOVERNMENT (No. W-54-qm-1915) REGARDING TIME OF NOTICE FOR RESTORATION OF PREMISES, AIRBASE TRACK OF LAND.

Councilman Daughtry moved that prior action of the Council be ratified relative to Lease-Agreement with the U. S. Government for Airbase track of land, providing for 20 days notice, instead of 90 days, for the restoration of premises upon termination of lease. Motion seconded by Councilman Albea, and unanimously carried.

SUSPENSION OF TAXICAB OPERATORS PERMITS.

The City Manager stated the Police Department was requesting the suspension of licenses to operate taxicabs within the city held by W. Frank King, Hall H. Fennell and Marvin Hutchins, as these men have court cases pending against them. Councilman Daughtry moved that the licenses be suspended pending disposition of the cases against these men. Motion seconded by Councilman Cope, and unanimously carried.

CITY MANAGER AUTHORIZED TO APPOINT AUXILIARY MEMBERS OF POLICE AND FIRE DEPARTMENTS, UNDER AMENDMENT TO CHAPTER 49 OF CITY CHARTER (CIVIL SERVICE ACT) BY N.C. LEGISLATURE.

Upon recommendation of the City Manager, Chief of Police and Chief of the Fire Department, Councilman Baker moved that the City Manager be authorized to act under the provisions of a recent amendment to Chapter 49 (Civil Service Act) of the City Charter, providing as follows: "That during World War No. 2 and for six months thereafter the City Manager is authorized to appoint auxiliary members of the Police and Fire Departments without previous examination by the Civil Service Commission and other provisions contained in the amendment, upon approval of the City Council. Motion seconded by Councilman Daughtry, and unanimously carried.

DEPOSIT OF PUBLIC FUNDS AUTHORIZED.

The City Treasurer filed a report in detail regarding the deposit of public funds, said report being on file in the City Clerk's Office and bearing File No. (Misc.) 21-35. The essence of this report is that the Treasurer recommended that \$10,000 be deposited in the Morris Plan Bank and the balance of the cash be divided among the other Commercial Banks as follows:

American Trust Company	50%
Commercial National Bank	18%
Wachovia Bank and Trust Co.	17%
Union National Bank	15%

That the \$10,000 suggested to be deposited in the Morris Plan Bank is a fraction less than 1% and the Treasurer should have the authority to reduce this amount, as, if and when balances on hand are reduced.

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That the city rotate the banks for the deposits of the Collector of Revenue and Water Departments each month and that checks be drawn on the same bank on which deposits are made each month.

That distribution of cash to funds be made on an allotment basis not oftener than once a week and adjusted to actual collections at the close of each month.

Councilman Slye moved that the Treasurer's recommendations be approved and carried out. Motion seconded by Councilman Daughtry, and unanimously carried.

REPORT OF TAXES AND STREET ASSESSMENTS INVALIDATED BY ENACTMENT OF A STATUTE OF LIMITATIONS BY N.C. LEGISLATURE REQUESTED OF TAX DEPARTMENT.

Councilman Baker moved that in view of recent enactment by the State Legislature of a Statute of Limitations, that the Collector of Revenue and Assistant Collector of Revenue prepare and present to Council on April 11, 1945 a detailed report concerning all taxes and street assessments that will be invalidated in accordance with the new statute. Motion seconded by Councilman Daughtry, and unanimously carried.

ADOPTION OF RESOLUTION RELATIVE TO THE CREATION OF A VETERANS' RECREATION AUTHORITY.

On motion of Councilman Baker, duly seconded by Councilman Ward, the following resolution was unanimously adopted:

WHEREAS, the General Assembly of the State of North Carolina has duly enacted Senate Bill 154 at its 1945 Session, which bill is known as "An Act to Provide for the Creation of Veterans' Recreation Authorities"; and

WHEREAS, the City of Charlotte has a population of more than 100,000, according to the last federal census; and

WHEREAS, the City Council of the City of Charlotte has duly made such investigation as it deems necessary, and has determined therefrom the facts hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED that the said Council of the City of Charlotte finds that there is a lack of adequate veterans' recreation facilities and accommodations from the operation of public or private enterprises in the city and surrounding area; and that the public interest requires the construction, maintenance and operation of a veterans' recreation project for the veterans of the City of Charlotte;

AND BE IT FURTHER RESOLVED that notice of this determination be given to the Mayor of the City of Charlotte, in order that he may take such action as is necessary under the Act aforesaid, to establish said Authority."

ADOPTION OF RESOLUTION APPROVING CONTRACT WITH J. N. PEASE AND COMPANY FOR ENGINEERING SERVICES IN MAKING IMPROVEMENTS AND ADDITIONS TO THE CITY SANITARY SEWERAGE SYSTEM.

Following the presentation of a proposed Contract with J. N. Pease and Company for engineering services in making improvements and additions to the City Sanitary Sewerage System (which Contract is filed in the Office of the City Clerk, File No. (Contract) 7B - 39) the following resolution was presented:

RESOLVED that the Mayor and City Clerk be, and they are, authorized to execute the contract with J. N. Pease and Company, for engineer-

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ing services to be performed by said Company for the City in connection with making improvements and additions to its sanitary sewerage system which has this day been submitted to and considered by the Council.

Councilman Baker moved the adoption of the resolution. Motion seconded by Councilman Price, and unanimously carried.

HOLIDAY GRANTED CITY EMPLOYEES ON APRIL 2, 1945 FOR EASTER MONDAY OBSERVANCE.

Councilman Albe moved that a holiday be granted city employees on April 2, 1945 in observance of Easter Monday. Motion seconded by Councilman Ward, and unanimously carried.

CEMETERY DEEDS APPROVED FOR TRANSFER.

Upon motion of Councilman Baker, duly seconded by Councilman Albea, the following cemetery deeds were approved for transfer:

C. F. Hunter Family, Lot No. 118, in Section X, Elmwood Cemetery, \$70.00.
Perpetual Care on Lot No. 118, C. F. Hunter Family, \$60.00.
J. G. Pardee, South Half Lot No. 51, in Section A-Annex, Elmwood Cemetery, \$76.30.
Perpetual Care on South Half Lot No. 51, in Section A-Annex, J.G. Pardee, \$54.50.
Miss Lucy Sullivan, Lot No. 314, in Section Y, Elmwood Cemetery, \$35.00.
Perpetual Care on Lot No. 314, in Section Y, Miss Lucy Sullivan, \$25.00.
Burt M. Hayes and wife, Frances W. Hayes, Lot No. 30, in Section Z, Elmwood Cemetery, \$35.00.
H. F. Harrelson, Lot No. 39, in Section Z, Elmwood Cemetery, \$31.50.
Alex J. Neilson, south half, Lot No. 130, in Section X, Elmwood Cemetery, \$70.00.
Perpetual Care on south half Lot No. 130, Section X, Alex J. Neilson, \$60.00.

ADJOURNMENT.

Upon motion of Councilman Slye, seconded by Councilman Baker, the meeting was adjourned.

Lillian R. Hoffman
City Clerk