

A regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Wednesday, January 21, 1948, with Mayor Baxter presiding, and Councilmen Albea, Childs, DeLaney, Jordan, Lambeth, McKee and White present.

INVOCATION.

The invocation was given by the Reverend P. L. Greer, Pastor of Sardis A. R. P. Church.

MINUTES APPROVED.

Upon motion of Councilman Childs, seconded by Councilman Albea, and unanimously carried, the minutes of the meeting on January 14th were approved as submitted.

NOTICE OF INJURY TO W. F. FENNER ET AL FILED BY ROBT. LASSITER, ATTORNEY.

Mr. Robert Lassiter, Jr., Attorney, filed a notice of the injury to his clients, W. F. Fenner, Margaret M. Fenner and Worth F. Fenner, Jr., to the extent of \$5,000.00, alleged to have been caused by the wilful and negligent act of the City in improperly digging, failing to restore and unreasonable use of Virginia Lee Avenue, now Ferrin Place.

RESOLUTION PROVIDING FOR THE ISSUANCE OF A \$5,000.00 FIRE STATION BOND ANTICIPATION NOTE.

Councilman Childs introduced the following resolution, which was read:

RESOLUTION PROVIDING FOR THE ISSUANCE
OF A \$5,000 FIRE STATION BOND ANTICI-
PATION NOTE.

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 in order to anticipate the receipt of the proceeds of said bonds there was issued:

- (i) a \$5,000 Fire Station Bond Anticipation Note, dated February 1, 1947, maturing on August 1, 1947, bearing interest at the rate of 1/2 of 1% per annum; and
- (ii) for the particular purpose of paying said Fire Station Bond Anticipation Note, a \$5,000 Fire Station Bond Anticipation Note, dated August 1, 1947, maturing on February 1, 1948, and bearing interest at the rate of 1/2 of 1% per annum.

Section 2. That in order to anticipate the receipt of the proceeds of a like amount of said bonds and for the particular purpose of paying the Fire Station Bond Anticipation Note maturing on February 1, 1948, the issuance of a \$5,000 Fire Station Bond Anticipation Note is hereby authorized, to be dated February 1, 1948, to mature May 1, 1948, without option of prior payment, to be numbered 1, and to bear interest at the rate of 1/2 of 1% per annum, payable at the maturity of the note to which no interest

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coupons shall be attached. Both the principal of and the interest on said note shall be payable at the American Trust Company in the City of Charlotte, North Carolina.

Section 3. That said note 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 4. That the form of said note and the endorsement to be placed upon the reverse thereof shall be in substantially the following form:

NO. 1

\$5,000

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

CITY OF CHARLOTTE

Fire Station Bond Anticipation Note

The City of Charlotte, in Mecklenburg County, North Carolina, is justly indebted and for value received hereby promises to pay to the bearer on May 1, 1948, the principal sum of

FIVE THOUSAND DOLLARS

together with interest thereon at the rate of 1/2 of 1% per annum, payable upon presentation and surrender of this note at its maturity. Both the principal of and the interest on this note are payable at the American Trust Company in the City of Charlotte, North Carolina. 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 Fire Station 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 a 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 a resolution duly passed by the City Council of said City.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws 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, 1948.

Mayor

City Clerk

The issuance of this note is hereby approved.

City Attorney

(TO BE ENDORSED UPON REVERSE OF NOTE)

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 5. That the Local Government Commission of North Carolina be requested to exchange, through the State Treasurer, the \$5,000 Fire Station Bond Anticipation Note herein authorized, for the \$5,000 Fire Station Bond Anticipation Note of the City of Charlotte dated August 1, 1947, maturing February 1, 1948, numbered 1, bearing interest at the rate of 1/2 of 1% per annum, and payable at the American Trust Company in the City of Charlotte, North Carolina.

Section 6. That the City Treasurer is hereby directed to apply to the Local Government Commission for its approval of the Fire Station Bond Anticipation Note herein authorized, and for the exchange thereof for the note dated August 1, 1947, and described in Section 5 of this resolution, with the consent of the holder of such note.

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

YEAS: Councilmen Albea, Childs, DeLaney, Jordan, Lambeth, McKee and White.

RESOLUTION APPROVING SETTLEMENT OF TAX SUIT NO. 431 HIRST, ET AL.

The following resolution was presented by Councilman Albea, who moved its adoption. Following the reading thereof, motion was seconded by Councilman Jordan, and unanimously carried:

RESOLUTION APPROVING SETTLEMENT OF TAX SUIT NO. 431 HIRST, ET AL.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

That, Whereas, an offer to compromise has been made by the Attorney representing the defendants in Tax Suit No. 431 of payment in full of all City and County ad valorem taxes upon the property involved in Tax Suit No. 431 and court costs, plus 25% of the street paving assessments against said property, and interest, and,

WHEREAS, City Attorney has recommended the acceptance of such proposition and certifies that the collectibility and validity of the street paving assessments is doubtful;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve such settlement and authorizes and instructs the City Attorney to take such steps as may be necessary to close said transaction.

FIRTH COURT, FROM FULTON AVE. TO DRIVEWAY ACROSS BRANCH, TAKEN OVER FOR MAINTENANCE.

Upon motion of Councilman Albea, seconded by Councilman Childs, and unanimously carried, Firth Court, from Fulton Avenue to driveway across branch to Peachtree Street was taken over for maintenance.

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REMOVAL OF TREES AT RADCLIFFE AVE. AND 1501 QUEENS ROAD WEST.

Motion was made by Councilman Albea, seconded by Councilman Jordan, and unanimously carried, authorizing the removal of four trees from the planting strip at Radcliffe Avenue and 1501 Queens Road West.

LEASE OF AIRPORT FACILITIES TO PIEDMONT AVIATION, INC.

Councilman Lambeth moved that office space in the Airport Administration Building, use of runways and airport facilities for rendering regular passenger-commercial service be leased to Piedmont Aviation, Inc., effective February 1, 1948, for a period of five years. Motion seconded by Councilman Childs, and unanimously carried.

SUPPLEMENTARY CONTRACT WITH F. G. STEPHENSON FOR WATER MAINS CONSTRUCTION IN WOLFE PLACE SUBDIVISION.

Upon motion of Councilman Jordan, seconded by Councilman Lambeth, and unanimously carried, supplementary contract to contract dated September 10, 1947, was approved with F. G. Stephenson, for the construction of water mains in Wolfe Place Subdivision, at an estimated cost of \$350.00, at the expense of the applicant.

SANITARY SEWER CONSTRUCTION IN TRUMAN ROAD.

Motion was made by Councilman Jordan, seconded by Councilman Albea, and unanimously carried, authorizing the construction by the City of a sanitary sewer in Truman Road, for a distance of 238 feet, at an estimated cost of \$482.46.

SANITARY SEWER CONSTRUCTION IN KENSINGTON DRIVE.

Motion was made by Councilman White, seconded by Councilman DeLaney, and unanimously carried, authorizing the construction by the City of sanitary sewer in Kensington Drive, for a distance of 93 feet, at an estimated cost of \$183.26,

CONTRACTS FOR PURCHASES.

Councilman Childs moved that the following contracts for purchases and the allocation of funds therefor, if necessary, be authorized. Motion seconded by Councilman Albea, and unanimously carried:

- (a) Contract with Automatic Signal Division, Eastern Industries Inc., for Special Traffic Equipment, at a net delivered price of \$708.50.
- (b) Contract with Contracto* Service, Inc., for repair parts for Street Roller, in the amount of \$536.63.
- (c) Purchase of 12,000 stamped envelopes from the Charlotte Postmaster, at \$402.40, for the Tax Department.

APPOINTMENT OF H. N. SUTTON, AS CHIEF SAFETY INSPECTOR.

The City Manager reported the appointment of Mr. H. N. Sutton, to the position of Chief Safety Inspector, effective January 15, 1948.

LEASE OF AIRPORT BUILDINGS.

The City Manager reported that leases had been concluded on the following buildings at Douglas Municipal Airport:

BUILDING NO.	LESSEE	MONTHLY RENTAL	DATE AND TERM OF LEASE
88	E. P. Nisbet Co. Inc.	\$54.00	1-1-48 1 year
112	E. P. Nisbet Co. Inc.	15.00	12-1-47 month to month

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LEASE OF AIRPORT BUILDING NO. 227 TO CAROLINA SPASTICS ASSOCIATION.

Councilman White moved that Airport Building No. 227 be leased to the Carolina Spastics Association, as requested, for a period of five years, at \$1.00 per annum, on the same terms and conditions of similar leases on buildings at Douglas Municipal Airport, and the Mayor and City Clerk be authorized to execute said lease, when approved by the City Manager and City Attorney. Motion seconded by Councilman Albea, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Jordan, seconded by Councilman Albea, and unanimously carried, the meeting was adjourned.


City Clerk