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The regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, January 26, 1944, at 4:00 o'clock P. M., with Mayor Baxter presiding, and Councilmen Albea, Atkins, Baker, Cope, Daughtry, Painter, Price, Slye and Ward being present.

Absent: Councilmen Bullard and Hovis.

MINUTES APPROVED.

Upon motion of Councilman Albea, duly seconded by Councilman Daughtry, the minutes of the previous meeting were approved as read.

RESOLUTION ADOPTED RELATIVE TO FORECLOSURE SALE OF PROPERTY AT 2120 COMMONWEALTH AVENUE AND SALE OF SAID PROPERTY TO ORIGINAL OWNER.

The following resolution was presented by Mr. J. H. McLain, Assistant Collector of Revenue:

WHEREAS, at foreclosure sale on January 4, 1943, in Tax Suit #260, entitled "City of Charlotte vs. Mrs. Annie J. Granger et al.", the City of Charlotte was high bidder for the lot of land located at No. 2120 Commonwealth Avenue in said City and being Lot 6, Block 11, of "Chantilly" as shown on map recorded in Book 230, pages 248 and 249, of the Registry for Mecklenburg County, and said lot was conveyed to said City pursuant to said sale by deed dated February 12, 1943, and recorded in Book 1091, page 155, of said Registry; and whereas, Mrs. Annie Jones Granger, the sole owner of said lot prior to foreclosure, has requested that said City sell said lot to her, pursuant to the provisions of Section 61 of the Charter of said City, at the price of \$649.41, which amount represents as of February 1, 1944, the taxes, interest, penalties and other liens which were enforced in said tax suit, together with court and foreclosure costs, and proposes to pay \$30.00 of said purchase price in cash and to execute and deliver to said City her promissory note in the amount of \$619.41, bearing interest at 6% per annum, secured by first deed of trust on said lot, and payable in monthly installments of \$30.00 each, beginning March 1, 1944, to be applied first to accrued interest and then to unpaid principal until said note and all interest thereon shall have been paid in full.

RESOLVED, that the Mayor and City Clerk of the City of Charlotte be, and they hereby are, authorized and directed to execute in the name of the City a deed of bargain and sale conveying said lot of land to said Mrs. Annie J. Granger subject to the lien of any taxes assessed subsequent to the year 1943, such deed to be delivered to her upon the payment by her to the City Treasurer of the aforesaid cash payment of \$30.00, the execution and delivery by her to the City Treasurer of the aforesaid note and deed of trust and the payment by her of the amount necessary to purchase the revenue stamp to be affixed to said deed.

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

APPROPRIATION OF \$273.35 MADE FROM EMERGENCY FUND TO CHARLOTTE RESCUE MISSION IF LEGAL.

Request was made by Mr. Seuter of the Charlotte Rescue Mission for an appropriation of \$273.35 to said Mission, it being stated by him that the 1943 City taxes on their property amounted to \$773.35, and the \$500.00 granted them by the City in 1943 would be applied against these taxes but they would be unable to pay the balance of \$273.35 without further aid. Councilman Albea moved that \$273.35 be appropriated from the Emergency Fund and given the Mission for the purpose of paying the 1943 taxes if the City Attorney stated it was legal to do so. Motion seconded by Councilman Ward and unanimously carried.

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REPORT OF COMMITTEE TO STUDY THE PROPOSED DOG LAW, KNOWN AS "THE RAVELLE PLAN".

Mayor Baxter stated a report had been submitted by the Committee appointed to study the proposed Dog Law, known as "The Ravelle Plan". Copies of the report were distributed to the Councilmen and the City Manager was directed to deliver a copy to the City Attorneys with request that an ordinance including the recommendations in the report be prepared for Council consideration.

Mr. Tom Ravelle, a member of the Committee, was present and stated the Committee had worked diligently to bring in a report that was with the unanimous consent of the Committee, and they believed they had submitted a report that would solve the dog problem in Charlotte and they would be glad to confer with the Council on the subject at any time. Councilman Ward moved that the Council go on record as commending the Committee for the splendid work it had done. Motion seconded by Councilman Slye and unanimously carried.

CITY MANAGER AUTHORIZED TO APPLY FOR DEFERMENT OF THE EQUIVALENT ELIMINATION PROVISION OF THE AGREEMENT WITH THE CHARLOTTE HOUSING AUTHORITY FOR A PERIOD OF ONE YEAR.

Upon motion of Councilman Ward, duly seconded by Councilman Daughtry, the City Manager was authorized to request a deferment for one year, dating from March 13, 1944, of the Equivalent Elimination Provision of the Agreement with the Charlotte Housing Authority.

PURCHASE OF MATERIAL AUTHORIZED FROM DOGGETT LUMBER COMPANY FOR REPAIRS TO CITY OWNED HOUSES AT SUGAW CREEK DISPOSAL PLANT.

Councilman Baker moved that authority be given to purchase from Doggett Lumber Company the necessary material for making repairs to City owned houses at Sugaw Creek Disposal Plant in the amount of \$130.55. Motion seconded by Councilman Albea and unanimously carried.

COLLECTOR OF REVENUE OF MECKLENBURG COUNTY GRANTED USE OF SURVEY OF PERSONS AND FIRMS SUBJECT TO PRIVILEGE LICENSES AND TO SHARE IN EXPENSE OF SURVEY.

The City Manager advised the Collector of Revenue recommended that the Collector of Revenue of Mecklenburg County be granted the use of the City's notes resulting from the survey of persons and firms subject to City privilege licenses; that the County would pay its proportionate share of the cost of the survey. Councilman Albea moved that the request be granted. Motion seconded by Councilman Painter and carried.

APPROVAL OF ADVERTISEMENT FOR AND PURCHASE OF ADDRESSOGRAPH MACHINE FOR WATER DEPARTMENT.

Councilman Baker moved that the City advertise for bids on an Addressograph Machine for the Water Department and that \$1,300.00 be appropriated from the Water Contingent Fund for the purpose of buying the machine. Motion seconded by Councilman Price and unanimously carried.

CITY MANAGER DIRECTED TO SUBMIT RECOMMENDATIONS AS TO DESIRABILITY OF ESTABLISHING SETBACK LINES.

Councilman Price moved that the City Manager be directed to recommend concerning the desirability of establishing setback lines, and if same approved by Council, a comprehensive setback line plan be delivered to the City Attorneys with request that they formulate the necessary legislation for Council action. Motion seconded by Councilman Albea and unanimously carried.

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PURCHASE OF STAMPED ENVELOPES FOR TAX DEPARTMENT.

Councilman Albea moved that the Collector of Revenue be authorized to purchase 7,000 - 2¢ stamped envelopes from the Charlotte Post Office, at \$159.20. Motion seconded by Councilman Ward and carried.

SALE OF SCRAP BRASS AND IRON.

Councilman Slye moved that the sale of scrap brass and iron be authorized to the high bidders as follows:

To Schwartz & Son Company, scrap brass at 9.50 CWT, delivered by the City to the Company's yard.

To Charlotte Iron and Metal Company, scrap iron at 811 Fairmont Street, at .8929 CWT, delivered by the City to the Company's yard.

To Charlotte Iron and Metal Company, mixed scrap at .76 CWT to be delivered by the City to the Company's yard.

Motion seconded by Councilman Ward and carried.

CANCELLATION OF CONTRACT WITH DUKE POWER COMPANY AUTHORIZED FOR UNDELIVERED PORTION OF DUST LAYING MATERIAL.

The City Manager requested the cancellation of the undelivered portion of the contract with Duke Power Company, dated September 22, 1943, for dust laying material, the undelivered portion amounting to \$264.00, as this material has been frozen and Duke Power Company will be unable to deliver the remainder of the contract. Councilman Atkins moved that the contract be cancelled covering the undelivered portion of the material. Motion seconded by Councilman Albea and carried.

ADOPTION OF AN ORDINANCE AMENDING THE MILK ORDINANCE ADOPTED MARCH 18, 1942 AND RECORDED IN MINUTE BOOK NO 9, BEGINNING AT PAGE 387, MINUTES OF THE CITY COUNCIL, CITY OF CHARLOTTE, NORTH CAROLINA.

The following ordinance was submitted by the City Manager:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
N. C.:

Section 1. That Section 8 of the Milk Ordinance adopted March 18, 1942, and amended by an ordinance adopted January 27, 1943, recorded in Minute Book 10, at page 203, Minutes of the City Council, City of Charlotte, N.C., be, and the same hereby is, amended by striking out the words "provided, however, that from and after 12 o'clock noon of March 18, 1944;" and inserting in lieu thereof the following: "provided, however, that from and after 12 o'clock noon of March 18, 1945".

Section 2. This ordinance shall take effect from and after its passage.

APPROVED AS TO FORM:

H. B. Campbell, City Attorney.

Councilman Baker moved the adoption of the ordinance. Motion seconded by Councilman Slye and unanimously carried.

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ADOPTION OF AN ORDINANCE AMENDING CHAPTER 21, SECTION 6 OF THE BUILDING ORDINANCE OF THE CITY OF CHARLOTTE ADOPTED OCTOBER 30, 1940.

The following ordinance was submitted by the City Manager:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
N. C.:

Section 1. That Chapter 21 of the Building Ordinance of the City of Charlotte, N.C., adopted October 30, 1940, be and the same hereby is, amended by striking out Section 6 thereof, and inserting in lieu thereof the following:

6. On or before February 1, 1945, all roofs and the tops and sides of all dormer windows covered with wood or wood shingles shall be replaced or recovered with coverings which comply with this ordinance.

6a. It shall be unlawful and shall be a violation of this ordinance for any person, firm or corporation to suffer or permit any thing or condition to exist that does not conform to, or is contrary to, the provision of this chapter.

Section 2. This ordinance shall take effect from and after its passage.

APPROVED AS TO FORM:

Tillett & Campbell
City Attorneys
By: H. B. Campbell

Councilman Daughtry moved the adoption of the ordinance. Motion seconded by Councilman Baker and unanimously carried.

PURCHASE OF THE GENERAL STATUTES OF NORTH CAROLINA OF 1943 AUTHORIZED FROM THE MICHIE COMPANY.

The City Manager recommended the purchase of The General Statutes of North Carolina of 1943 from The Michie Company of Richmond, Va., at \$45.00, to be paid for from the Emergency Fund. Councilman Albea moved that the purchase be made and same charged against the Emergency Fund. Motion seconded by Councilman Atkins and carried.

ADOPTION OF RESOLUTION PROVIDING FOR VACATIONS WITH PAY AND FURNISHING OVERALLS TO NEGRO EMPLOYEES OF THE CITY.

The following resolution was presented by Councilman Daughtry, who moved its adoption:

WHEREAS, it has heretofore been the City's practice to grant two weeks vacation with pay to all city employees except negroes, and to furnish overalls to all city employees performing work requiring overalls, except negroes, and

WHEREAS, the Council finds that there is no reason or justification for this discrimination.

NOW, THEREFORE, BE IT RESOLVED that the City Manager be, and he is, instructed to allow each negro employee who has been in the city's employ for as much as twelve months continuously, two weeks vacation with pay each year and to furnish to all negro employees, performing work requiring overalls,

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the necessary overalls at the city's expense.

Motion seconded by Councilman Cope and unanimously carried.

ADOPTION OF RESOLUTION AUTHORIZING COMPROMISE OF SOUTHERN RAILWAY SUITS REGARDING CAMDEN ROAD STREET ASSESSMENTS.

The following resolution was submitted by the City Attorneys and read by the City Clerk:

WHEREAS, there is now pending in the District Court of the United States for the Western District of North Carolina, an action entitled SOUTHERN RAILWAY COMPANY vs. CITY OF CHARLOTTE, equity number 54, involving the validity of two street paving assessments which were levied in the year 1926 against property occupied by the said railway company as right of way adjacent to the 1600 and 1700 blocks of Camden Road, and whereas, there is also pending in the said court an action entitled SOUTHERN RAILWAY COMPANY vs. CITY OF CHARLOTTE, equity number 120, involving the right of the said railway company to restrain the city from levying a similar assessment against property occupied by it in the 1800 block of Camden Road and adjacent thereto, and whereas, the validity and collectibility of the first two named assessments is doubtful and the validity and collectibility of the last named assessment would be doubtful if the same should be levied, and whereas, the City Attorneys have recommended that the said suits be compromised upon the terms hereinafter stated,

NOW, THEREFORE, BE IT RESOLVED, two-thirds of the Councilmen present concurring, that the City Attorneys be and they are authorized to compromise the said suits and all matters and things involved therein for the sum of \$6,068.53 representing with respect to the first two named assessments principal in the sum of \$1,534.09 and interest in the sum of \$1,572.45, and with respect to the last named assessment, principal sum of \$2,148.27 and interest in the sum of \$813.72; that they be and they are authorized to present this proposal of compromise to the resident judge of the Superior Court of the 14th Judicial District and in the event he approves same to consent to such Orders and Judgments in the aforesaid actions as may be necessary in order to accomplish the compromise, it being understood that the Southern Railway Company shall pay the costs incurred in the aforesaid actions.

RESOLVED further that upon the receipt by the City of the aforesaid sum the Collector of Revenue is authorized and directed to cancel the records in his office of the aforesaid assessments.

Councilman Albea moved the adoption of the foregoing resolution. Motion seconded by Councilman Cope and unanimously carried.

SPECIAL OFFICER PERMIT RENEWED.

Upon motion of Councilman Albea, seconded by Councilman Daughtry, the Special Officer Permit held by E.G. Richardson was renewed for one year for use on the premises of the Municipal Buildings.

ROBERT LASSITER RELIEVED OF DUTIES AS CHAIRMAN OF AIRPORT COMMISSION AND JOHN C. ERWIN APPOINTED TO SUCCEED HIM AS CHAIRMAN.

Councilman Baker advised that Mr. Robert Lassister had requested him to state that he wished to be relieved of the duties of Chairman of the Municipal Airport Commission, due to the increase of duties in connection with his private business brought about by the absence of his sons now in the Army. Mr. Baker moved that Mr. Lassister be relieved of the Chairmanship and be retained as a member of the Commission, and that Mr. John C. Erwin,

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a member of the Commission, be appointed Chairman. Motion seconded by Councilman Daughtry and unanimously carried.

CEMETERY DEEDS APPROVED FOR TRANSFER.

Upon motion of Councilman Daughtry, seconded by Councilman Ward, the following cemetery deed was approved for transfer:

Mrs. Ruby C. Blackwell, Lot No. 44, in Section "Z", in Elmwood Cemetery, at \$31.50.

ADJOURNMENT.

Upon motion of Councilman Ward, duly seconded by Councilman Daughtry, the meeting adjourned.

City Clerk

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