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The regular weekly meeting of the City Council was held in the Council Chamber, City Hall, at 4 o'clock P. M., Wednesday, June 9, 1943, Mayor H. H. Baxter presiding, and the following members of the Council being present: Messrs. Albea, Baker, Cope, Atkins, Daughtry, Hovis, Painter, Price, Slye and Ward.

Absent: Councilman Bullard.

On motion of Councilman Albea, seconded by Councilman Painter, the minutes of the meeting of June 2nd., were approved as read.

REQUEST OF J. J. McDEVITT FOR REASSESSMENT OF LOT ON HUTCHLISON AVENUE REFERRED TO CITY ATTORNEYS.

Mr. H. L. Taylor, Attorney representing Mr. J. J. McDevitt, appeared before the Council at this time with reference to a lot on Hutchison Avenue owned by his client, on which there is a paving assessment of \$2,796.68; petitioning the Council to permit Mr. McDevitt to pay the sum of \$796.68 and to reassess the remaining \$2,000.00 payments over a period of ten years at 6 percent interest.

After some discussion of the matter, Councilman Slye made a motion that the matter be referred to the City Attorneys. This motion was seconded by Councilman Albea and unanimously carried.

COMMITTEE TO INSTRUCT J. H. McLAIN, ASSISTANT COLLECTOR OF REVENUE, REGARDING SUIT INSTITUTED TO FORECLOSE CITY'S LIENS AGAINST LOTS-MINT ST.

The City Manager reported that the City of Charlotte has instituted suit to foreclose the City's liens against three lots on Mint Street, for taxes and street assessments, and that the defendant owners of these lots have filed answer raising an issue of fact. He stated that taxes due the City amount to approximately \$2250.00, and County taxes amount to approximately \$1225.00, making a total of approximately \$3,475.00, with approximately \$1300.00 due on the street assessments. An appraisal of this property made by Mr. LeRoy Dulin, set a price of \$500.00 each or a total of \$1,500.00 valuation on these three lots, and in view of the appraisal being so much out of line with amount of taxes and street assessments, Mr. McLain, Assistant Collector of Revenue, had asked for specific instructions as to his procedure in bidding at the foreclosure sale.

On motion of Councilman Albea, seconded by Councilman Ward and unanimously carried, this matter was referred to the Budget Committee, composed of Councilman Slye, as Chairman, Councilmen Hovis and Bullard, with power to instruct Mr. McLain after making a determination of the matter.

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CITY MANAGER REPORTED AN INABILITY TO PURCHASE TWO POLICE CARS AT THIS TIME.

The City Manager reported that the City had advertised for bids on two automobiles for the Police Department but was unable to get a bid at this time and will have the certificates extended and purchased later.

REQUEST FOR 25 CENT LEVY FOR SCHOOL PURPOSES.

Mr. Flack presented a resolution adopted by the Board of School Commissioners on May 6, 1943 as follows:

"BE IT RESOLVED by the Board of School Commissioners of the City of Charlotte, that in order to provide the necessary funds for the operation of the schools of the City of Charlotte for the year ending June 30, 1944, the City Council be and they are hereby requested to levy the special school tax of 25¢ as heretofore authorized by the voters of the City of Charlotte for the support of the City Schools".

Mr. Flack also advised that this resolution had been submitted to the City Attorneys for a ruling as to whether it was mandatory that the City Council levy 25¢ for school purposes and whether the School Board should support their claim for this levy. The City Attorneys' opinion read in part "Section 15 of the School Machinery Act provides that the School Board shall submit to the Council its request for funds to supplement State school funds on or before the 15th day of June, on forms provided by the State Board of Education, and that the Council may "approve or disapprove its supplemental budget in whole or in part." While Section 55(4) of the Charlotte Charter provides that the City Council shall levy an annual tax for the support of public schools "in accordance with the public laws of the State of North Carolina". In the light of the above, it was the opinion of the City Attorneys that when the City School Board presents to the City Council the request for supplemental funds in accordance with Section 15 of the School Machinery Act, the Council may approve or disapprove the request in whole or in part.

After considerable discussion of the above, it was left to the discretion of the Mayor to call a special meeting of the City Council, if necessary, at such time as the school authorities could present the matter to the Council in support of their request for this 25¢ levy. It being brought out that the Board of School Commissioners must file their budget with the State not later than June 15th., which is prior to the next regular meeting of the City Council.

3000 BLOCK OF SUNSET DRIVE TAKEN OVER FOR CITY MAINTENANCE.

On motion of Councilman Baker, seconded by Councilman Albea and unananimously carried, the 3000 block of Sunset Drive was taken over for City maintenance.

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RENT OF OFFICE FOR MEAT INSPECTOR.

On motion of Councilman Albea, seconded by Councilman Slye and unanimously carried, authorization was given for the payment to George W. Parr of \$135.00 covering rent for Meat Inspector's office at the Charlotte Abbatoir from September 1, 1942 to June 1st, 1943.

RENEWAL LEASE FOR SEWER LINE TO AIR BASE.

Councilman Hovis moved that the Mayor be authorized to execute renewal lease with the United States Government for the sewer line from the Army Air Base to Irwin Creek Sewage Disposal Plant, for the fiscal year ending June 30, 1944; this being No. W231 eng.-600. Motion was seconded by Councilman Slye and unanimously carried.

RENEWAL LEASE FOR ORIGINAL AIRBASE PROPERTY AUTHORIZED TO BE SIGNED BY MAYOR.

On motion of Councilman Hovis, duly seconded by Councilman Slye and unanimously carried, the Mayor was authorized to execute on behalf of the City of Charlotte renewal lease with the United States Government for the original Air Base property; QM-1915.

CONTRACT LET FOR PRINTING REVENUE ORDINANCE.

Bids having been received on the publishing of the Revenue Ordinance for 1943-44 one time in a local paper, furnishing 3900 copies of the ordinance in booklet form without covers, 100 copies with manuscript covers, and printing one copy each of the ordinance in the Minute and Ordinance Books of the City of Charlotte, as follows:

The Charlotte Observer:	\$433.95
The Charlotte News:	460.11

On motion of Councilman Slye, seconded by Councilman Hovis, contract was awarded to the low bidder, The Charlotte Observer, at the price of \$433.95, and the Mayor and Clerk were authorized to sign the contract.

STAMPED ENVELOPES FOR TAX DEPARTMENT.

On motion of Councilman Baker, seconded by Councilman Painter, authority was given for the purchase of 5000 2-cent and 1000 3-cent open window type, stamped envelopes, for the Tax Department, in the amount of \$144.88.

SALE OF EXCESS WATER WORKS STOCK TO THE CITY OF MOBILE, ALABAMA.

Approval was given for the sale to the City of Mobile, Ala., of 7000 feet of 2-inch cast iron pipe and 25 cast iron fittings, which the Water Department has been carrying as excess stock, at the price of \$2302.20 f.o.b. Charlotte, on motion of Councilman Baker, seconded by Councilman Daughtry and unanimously carried.

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APPROPRIATION FROM EMERGENCY FUND OF \$1000 FOR HEALTH DEPARTMENT SURVEY WORK.

At the request of the Doctors who are assisting in the reorganization work of the City Health Department, and on motion of Councilman Baker, seconded by Councilman Slye, an appropriation of \$1000.00 was made from the Emergency Fund for the work of the Committee.

CITY TREASURER TO ATTEND MUNICIPAL FINANCE OFFICERS CONFERENCE AND \$50.00 APPROPRIATED FROM EMERGENCY FUND FOR EXPENSES.

On motion of Councilman Slye, seconded by Councilman Albea, approval was given for the City Treasurer, L. L. Ledbetter, to attend the Municipal Finance Officers Conference in Pittsburg, Pa., June 15th. through 17th. 1943, and the sum of \$50.00 was appropriated from the Emergency Fund to supplement his expense in connection therewith.

TERMINATION OF SERVICES OF E. S. DeLANEY AS COLLECTOR OF REVENUE.

The following motion was made by Councilman Atkins, which was seconded by Councilman Painter:

"I move that the employment of E. S. DeLaney as Collector of Revenue be, and it hereby is, terminated effective midnight, June 23, 1943, and that his vacation start at once."

After considerable discussion regarding this motion, during which Mayor Baxter turned the chair over to the Mayor Pro Tem, and spoke against the adoption of the motion, as well as a number of other Councilmen both for and against, a vote was taken on same, with the following result:

AYE: Councilmen Atkins, Baker, Cope, Daughtry, Painter and Price.

NAY: Councilmen Albea, Hovis, Slye and Ward.

The Mayor declared the motion carried.

RESOLUTION APPOINTING WILLIAM A. WHITE COLLECTOR OF REVENUE.

Councilman Atkins then presented the following resolution and moved its adoption, which motion was seconded by Councilman Baker:

WHEREAS, the position of Collector of Revenue has become vacant; and

WHEREAS, the Council desires now to appoint a Collector of Revenue to take office and serve, pending the Council's consideration of the qualifications of all persons whose names may be brought before it for appointment, as successor to E. S. DeLaney,

NOW, THEREFORE, BE IT RESOLVED that William A. White be appointed Collector of Revenue, effective midnight, June 23, 1943, at a salary of Three Hundred Twenty-five (\$325.00) Dollars per month, and the said William A. White before entering upon the performance of his duties as

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Collector of Revenue shall give bond in the sum of Fifty Thousand (\$50,000) Dollars for the faithful performance of his duties and for a proper accounting of all funds coming into his hands by virtue of his office, or coming into his possession in connection therewith, for which he may be responsible, said bond to be renewed annually.

APPROVED AS TO FORM:

H. B. Campbell
City Attorney

The above resolution was adopted on the following vote:

AYE: Councilmen Atkins, Baker, Cope, Daughtry, Painter and Price.

NAY: Councilmen Albea, Hovis, Slye and Ward.

The Mayor declared the resolution adopted.

At this time a party seated in the Council Chamber asked if he might say a few words and spoke in behalf of Mr. DeLaney, stating he was a high type, Christian gentleman, and he hoped that the Council had made no mistake in dismissing him.

INVITATION TO ATTEND SPEAKING AT COURT HOUSE.

The Mayor read a letter of invitation from J. A. Moore, Secretary to the Charlotte Labor Union, to the Mayor and Council to attend a speaking at the Court House, at 8 o'clock P. M., this date.

CHECK FROM CHARLOTTE HOUSING AUTHORITY TO BE USED IN LIQUIDATION OF NOTE MADE BY CHARLOTTE CITIZENS TO PURCHASE LAND FOR ARMY AIR BASE.

The Mayor presented a check for \$1740.36 as a voluntary contribution from the Charlotte Housing Authority, because of taxes waived during the fiscal year ending March 31, 1943, which amount represents savings effected through economies in operation. The Mayor suggested that this money be turned over to the Charlotte Park & Recreation Commission to be used for recreational activities of Charlotte's under-privileged children, and Councilman Albea made a motion that after the matter has been referred to the Legal Department and if legal, that it be used as recommended by the Mayor, but this motion received no second.

Councilman Baker then moved that this amount be applied to the liquidation of the note made by a group of Charlotte citizens for the purchase of additional land for the Army Air Base. Motion seconded by Councilman Daughtry and unanimously carried.

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APPOINTMENT OF TWO MEMBERS FROM CITY COUNCIL TO SERVE ON MECKLENBURG COUNTY INDUSTRIAL HOME BOARD.

Councilmen Alba and Painter were appointed by Mayor Baxter as the two members of the City Council to serve on the Mecklenburg County Industrial Home Board for the next two years.

CEMETERY DEEDS.

On motion of Councilman Ward, seconded by Councilman Painter, the following cemetery deeds and perpetual care agreements were authorized to be issued:

Mrs. Harry Summerville, South Portion of Lot No. 32, A-Annex, Elmwood	\$40.95
Perpetual care on same	29.25
C. M. Sloop & Wife, Mary L. Sloop, Lot No. 309, Section "Y"	35.00
W. R. Smith & wife, Martha A. Smith " 312 " " "Y"	35.00
Mrs. O. J. Rader, perpetual care on S Half Lot No. 72, Sec. "G"	50.00
Mrs. Robert Glasgow, perpetual care on Lot No. 83, D-Annex	65.25
Duplicate deed issued to the Heirs of Thomas Monroe Christanbury for South Half of Lot No. 51, in Section "M", on affidavit that original deed has been lost or mislaid.	1.00

ADJOURNMENT

On motion of Councilman Price, duly seconded and carried, the meeting then adjourned.

Alice B. McReel
City Clerk