

June 2, 1937
Page 163.

The regular meeting of the City Council was held in the Council Chamber, City Hall, on Wednesday, June 2, 1937, at 4:00 o'clock P. M., with Mayor Pro Tem Albea presiding, and present: Councilmen Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Little, Nance, Sides and Wilkinson.

Absent: Mayor Douglas.

READING OF MINUTES.

On motion of Councilman Griswold, seconded by Councilman Durham, the minutes of the meeting of May 26th. were approved as read.

REQUEST THAT TRUANT OFFICER AND CASE WORKER BE RETAINED.

Lawyer Sanders appeared before the Council with the request that the truant officer and case worker for colored boys, appointed by the Council and County Commissioners three months ago, be continued on during the summer months, due to the satisfactory service rendered by this man. He advised that the County Commissioners are willing to continue this if the City Council will do so, and also that it had the approval of Judge Redd, of the Juvenile Court.

Councilman Griswold, seconded by Councilman Hovis, moved that the matter be held in abeyance until Judge Redd's recommendation could be secured and then act on the request.

Councilman Durham suggested that the City Manager get a complete report on the work of this man from Judge Redd and the City Police. This received the consent of Councilmen Griswold and Hovis, and the motion was unanimously carried.

WATER MAIN CONTRACT WITH D. L. PHILLIPS.

On motion of Councilman Sides, seconded by Councilman Durham and unanimously carried, the Mayor and Clerk were authorized to sign contract with Mr. D. L. Phillips for water main extension on Shenandoah Avenue, between Lyon and Wyanoke Streets, upon agreement that the applicant will pay an amount equal to 10% of the original cost per year.

CONTRACT FOR WATER MAINS ON BAY STREET.

On motion of Councilman Griswold, seconded by Councilman Wilkinson, the Mayor and Clerk were authorized to sign contract with Frank N. Littlejohn, Tom Watkins and C. H. Baker for extension of water mains in Bay Street, between Westover and Bascom Streets, the above parties guaranteeing the 10% revenue.

REFUND OF STREET PAVING ASSESSMENT TO E. C. GRIFFITH DECLINED.

On motion of Councilman Hudson, seconded by Councilman Huntley and unanimously carried, the application of E. C. Griffith for refund of street paving assessment at Bryant Street and West Morehead Street, was declined; the City Attorney ruling that the City does not have the legal right to make this refund.

June 2, 1937
Page 164.

CONTRACT WITH AMERICAN TRUST COMPANY FOR CONSTRUCTION OF WATER MAIN IN WILLOW OAK.

Councilman Wilkinson, seconded by Councilman Hudson, moved that the Mayor and Clerk sign contract with the American Trust Company for the construction of a 2-inch water main in the territory known as Willow Oak. Motion unanimously carried.

SCREENS FOR AIRPORT.

On motion of Councilman Wilkinson, seconded by Councilman Hovis, the Mayor and Clerk were authorized to sign contract with the Bost Building Equipment Company for screening the Administration Building at the Airport, at a price of \$260.00.

Bids received were as follows:

Bost Building Equipment Co.	\$260.00
Johnson Metal Products Co	300.00
Chamberlin Metal Weather Strip Co.	474.05.

CONTRACT FOR WATER METERS TO PITTSBURGH EQUITABLE METER COMPANY.

The Mayor and Clerk were authorized to sign a contract with the Pittsburgh Equitable Meter Company for the purchase of 100- 5/8" Water Meters, at the price of \$900.00, on motion of Councilman Griswold, seconded by Councilman Baxter and unanimously carried.

Bids received were as follows:

Pittsburgh Equitable Meter Co.	\$900.00
Hersey Manufacturing Co.	900.00
Neptune Meter Company	900.00
Worthington-Gamon Meter Co.	900.00
Hajoca Corporation	985.00

CONTRACT FOR SIDEWALKS, CURBS AND GUTTER ON WINTER STREET AWARDED TO GEORGE T. SMITH.

On motion of Councilman Hovis, seconded by Councilman Durham and unanimously carried, contract for the laying of sidewalks, curb and gutter on the East side of Winter Street, was awarded to George T. Smith, the low bidder, at the price of \$886.50.

Bids were as follows:

George T. Smith	\$886.50
W. A. Ebert	944.00
Blythe Bros. Co.	944.79

PURCHASE OF LAND FOR WATER TANK.

Upon recommendation of the City Manager that the City of Charlotte be authorized to purchase the lot at the corner of Euclid and Magnolia Streets from J. A. Love, at the price of \$1,800.00, for the erection of the Water Tank in the southern end of the City, Councilman Huntley, seconded by Councilman Hudson, moved that this be done. Motion unanimously carried.

June 2, 1937
Page 165

STREET PAVING ASSESSMENTS.

The City Manager requested that the Council take some immediate action to institute the necessary legal procedure to collect past due street paving assessments which are barred by the statute of limitations after ten years from the due date of the installment, stating that it is necessary that the governing body see that foreclosure suits are brought before these accounts become uncollectable.

After some discussion, Councilman Hudson, seconded by Councilman Hovis, moved that the City go ahead and bring these suits.

The question was then brought up that the City Attorney would need additional help in doing this work and what would be a fair amount to pay for this extra legal assistance. Councilman Wilkinson, seconded by Councilman Nance, offered an amendment to the above motion that the City Attorney be given authority to employ additional help so that the work could be completed immediately. However, this amendment was withdrawn until the original motion could be adopted, and a vote was taken on the original motion of Councilman Hudson, which was unanimously carried.

The City Attorney read a letter received from the Attorney General, which he stated gave the Council authority to employ such help as would be needed.

Thereupon, Councilman Wilkinson, seconded by Councilman Sides, moved that the City Attorney proceed and hire whatever extra help that he needs to proceed with these suits, the expense of same to be approved by the Council. Motion unanimously carried.

SALARY OF CITY ATTORNEY SET AT \$6000.00

On motion of Councilman Sides, seconded by Councilman Durham, and unanimously carried, the City Attorney's salary for this year was set at \$6000.00.

FEE FOR EXTRA HELP.

Mr. B. M. Boyd, City Attorney, stated he felt that \$7.50 per suit would be a fair charge, for the amount of work involved.

Whereupon, Councilman Griswold, seconded by Councilman Sides, moved that the City Council set the fee for outside attorneys for street assessment suits at \$7.50 each. But after discussion, Councilman Wilkinson suggested that the City Attorney go over the situation with one of the Judges now presiding in Charlotte to determine if this would be a fair and just charge, and Councilman Griswold, with consent of Councilman Sides, moved that the motion be tabled until the next meeting.

Councilman Wilkinson then made a motion that the City Attorney write out a brief to the Judge on what the City is trying to do and what will have to be done in order to bring these suits and see if \$7.50 is a fair charge or not, and report at the next meeting. Motion seconded by Councilman Huntley and unanimously carried.

June 2, 1937
Page 166.

APPOINTMENTS.

Mr. Marshall, City Manager, reported that Mr. Tom Brandon had been employed as Radio Operator to succeed Mr. U. L. Lynch, resigned. Also, that Miss Florence Laslie had been employed in the office of Collector of Revenue to succeed Mrs. Phillips, who has resigned.

RESOLUTION OF THANKS TO CHARLOTTE OBSERVER ON ESTABLISHING BOYS FRESH AIR CAMP.

Councilman Baxter introduced the following Resolution and moved its adoption, which was seconded by Councilman Griswold and unanimously carried:

WHEREAS, the Charlotte Observer has established at the Catawba river near the Buster Boyd Bridge an open air camp for the less privileged boys of the community, and

Whereas, The Charlotte Observer has provided funds for the purchase of a tract of land of more than 125 acres and the construction of the cabins and the providing for counsellors to look after and supervise the boys while in camp, and

Whereas, this undertaking is of inestimable value to the less privileged boys of the community and will be the means of building and developing them into better boys physically, mentally and morally, all of which the Council of the City of Charlotte wishes to recognize and commend The Charlotte Observer and Mr. Curtis B. Johnson, publisher.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that Mr. Johnson and the Charlotte Observer be and are hereby given the thanks of the people of this community through the governing body of the City of Charlotte.

SPECIAL COMMITTEE REAPPOINTED ON MATTER OF SCHOOL BOARD RENT REFUNDING NOT WILLING TO DECIDE QUESTION.

Councilman Sides, one of the members of the special committee appointed at the last meeting to go into the request of Mr. Henry Benoit for refund of \$3600.00 rent on school board offices, stated that the committee had conferred and that this committee felt that the matter is too important for three men to decide and, therefore, that the committee felt that the question should be decided by the entire Council without recommendation from the special committee.

After discussion, Councilman Baxter made a motion that Mr. Benoit's request be granted. No second.

Councilman Sides then moved that the City Attorney give the Council a ruling on whether the Council can grant Mr. Benoit's request. Motion seconded by Councilman Hovis and unanimously carried.

June 2, 1937
Page 167.

CEMETERY DEEDS.

On motion of Councilman Hovis, seconded by Councilman Durham the following cemetery deeds were ordered recorded:

Mr. George Mavrides, Lot No. 16, Section Z, Elmwood	\$35.00
Mrs. Mary W. Herndon, " " 100, "D Annex"	89.60
Transfer of Lot No. 30, Section "U", from W. C. Garrison to W. M. and W. H. Garrison,	1.00
Transfer of N. $\frac{1}{2}$ Lot No. 31, Section "U", from W. C. Garrison to B. L. Brown	1.00

ADJOURNMENT.

On motion of Councilman Durham, seconded by Councilman Hudson the meeting adjourned.

Alice P. McNeill
City Clerk

June 9, 1937
Page 168

A regular meeting of the City Council was held in the Council Chamber of the City Hall at 4:00 o'clock, P. M., Mayor Pro Tem Claude L. Albea presiding, and Councilmen Baxter, Durham, Griswold, Hovis, Hudson, Huntley, Little, Nance, Sides and Wilkinson being present.

Absent: Mayor Ben E. Douglas.

* * *

Councilman Sides introduced the following ordinance, and the same was read:

AN ORDINANCE AUTHORIZING \$100,000 STREET IMPROVEMENT FUNDING BONDS.

BE IT ORDAINED by the City Council of the City of Charlotte:

Section 1. That the City of Charlotte issue its bonds pursuant to the Municipal Finance Act, as amended, in an amount not exceeding \$100,000 for the purpose of funding a like amount of valid subsisting indebtedness of the City of Charlotte now evidenced by \$100,000 Bond Anticipation Notes dated May 1, 1937, maturing August 2, 1937, and issued in anticipation of the receipt of the proceeds of \$100,000 Street Improvement Bonds authorized by an ordinance passed by the City Council of the City of Charlotte on June 3, 1936.

Section 2. That a tax sufficient to pay the principal and interest of said Street Improvement Funding Bonds

Page 169.

shall be annually levied and collected.

Section 3. That the holders of said Street Improvement Funding Bonds shall be subrogated to all the rights and powers of the holders of the indebtedness so funded.

Section 4. That a statement of the debt of the City has been filed with the Clerk and is open to public inspection.

Section 5. That this ordinance shall take effect upon its passage and shall not be submitted to the voters.

And thereupon the City Council, by unanimous vote, designated M. L. Westmoreland, City Accountant, as the officer whose duty it shall be to make and file with said Clerk the sworn statement required by the Municipal Finance Act as to debt and assessed valuation, and directed Lloyd McC. Ross, City Engineer, to furnish the City Accountant, the City Engineer's estimate of the amount of special assessments to be levied on account of local improvements for which any part of the gross debt of the City was or is to be incurred and which will be applied, when collected, to the payment of such part of the gross debt.

Thereupon M. L. Westmoreland, City Accountant, filed with the Clerk, Alice B. McConnell, in the presence of the City Council, such statement of debt and assessed valuation, at the foot of which statement Lloyd McC. Ross, City Engineer, had noted his estimate of the amount of such special assessments to be levied, which amount the City Accountant had included in his own statement.

CITY OF CHARLOTTE, NORTH CAROLINA
STATEMENT OF DEBT AND ASSESSED VALUATION
MADE PURSUANT TO SECTION 2943, MUNICIPAL
FINANCE ACT, AS AMENDED.

I, M. L. Westmoreland, being duly sworn, DO HEREBY CERTIFY that I am the duly appointed and qualified City Accountant of the City of Charlotte, and have been designated by the City Council to make and file with the City Clerk a statement pursuant to Section 2943, Municipal Finance Act, as amended, and that the following is a true statement as shown by the books in my office, not taking into consideration any debt incurred or to be incurred in anticipation of the collection of taxes or in anticipation of the sale of bonds other than funding and refunding bonds:

(a) GROSS DEBT

a(1) Outstanding debt, not evidenced by bonds:

Judgment Funding Notes.....	\$ 45,000.00	
State Loans Payable - School Bldgs..	<u>\$ 58,500.00</u>	
		\$ 103,500.00

a(2) Outstanding bonded debt:

School Bonds.....	\$ 1,474,000.00	
Electric Light Bonds.....	None	
Water Bonds.....	\$ 1,707,617.43	
Other Bonds.....	<u>\$ 6,226,882.57</u>	
		\$ 9,408,500.00

a(3) Bonded debt to be incurred under ordinances passed or introduced:

Street Improvement Bonds.....	\$ 100,000.00	
Water Bonds.....	\$1,365,000.00	
Street Improvement Funding Bonds..	\$ 100,000.00	
Park Improvement Bonds.....	<u>75,000.00</u>	
		\$ 1,640,000.00

(a) GROSS DEBT, being the sum of a(1), a(2), and a(3).....\$11,152,000.00

(b) DEDUCTIONS

b(1) Unissued funding or refunding bonds..... \$100,000.00

b(2) Sinking funds or other funds held for the payment of any part of the gross debt, other than debt incurred for schools, water, gas, electric light or power purposes or two or more of said purposes..... \$219,283.08

b(3) Uncollected special assessments heretofore levied on account of local improvements for which any part of the gross debt was or is to be incurred and which will be applied when collected to the payment of such part of the gross debt.....\$ 1,067,081.38

b(4) Special assessments to be levied on account of local improvements for which any part of the gross debt was or is to be incurred, and which, when collected, will be applied to the payment of such part of the gross debt..... \$295,391.37

Page 171.

- b(5) Bonded debt included in gross debt and incurred or to be incurred for water, gas, electric light or power purposes, or two or more of said purposes.....\$3,072,617.43
- b(6) The amount which the City will be entitled to receive from any railroad or street railway company under contract heretofore made for payment by such company of all or a portion of the cost of eliminating a grade crossing or crossings within the City, which amount will be applied, when received, to the payment of some part of the gross debt.....\$ 44,042.80
- b(7) Indebtedness included in gross debt and incurred for school purposes.....\$1,532,500.00
- (b) DEDUCTIONS, being the sum of b(1), b(2), b(3), b(4), b(5), b(6), and b(7).....\$6,330,916.06
- (c) NET DEBT, being the difference between the GROSS DEBT (a) and the DEDUCTIONS (b).....\$4,821,083.94

(d) ASSESSED VALUATION

- (d) ASSESSED VALUATION of property as last fixed for municipal taxation, being the valuation fixed in 1936.....\$105,864,145.00

(e) DEBT RATIO

- (e) Percentage that the net debt bears to said assessed valuation..... 4.5503%

The foregoing statement is true.

City Accountant of the City of Charlotte, North Carolina.

Subscribed and sworn to before me this 9th day of June, 1937.

Notary Public
My commission expires May 31, 1939.

The undersigned, City Engineer of the City of Charlotte, North Carolina, hereby states that he has examined the foregoing statement and that the amount there stated of special assessments to be levied, item b(4), is in accordance with the undersigned's estimate.

City Engineer

STATE OF NORTH CAROLINA)
) ss
 MECKLENBURG COUNTY)

The foregoing is a true copy of a statement filed with me as City Clerk of the City of Charlotte, on June 9, 1937, at a meeting of the City Council of said City, said statement consisting of a statement of certain financial matters sworn by the City Accountant, followed by a statement of the City Engineer, not sworn, all of which was so filed after the introduction and before the passage of an ordinance authorizing \$100,000 Street Improvement Funding Bonds, which statement is and has been since said filing open for public inspection in my office.

9th WITNESS my hand and the seal of said City, this day of June, 1937.

Alice B. Howell
 City Clerk.

Upon motion of Councilman Sides, seconded by Councilman Durham and unanimously carried, the ordinance authorizing \$100,000 Street Improvement Funding Bonds was read and passed upon its first reading. The votes cast upon the first reading were as follows:

Councilman Baxter	AYE
Councilman Durham	AYE
Councilman Griswold	AYE
Councilman Hovis	AYE
Councilman Hudson	AYE
Councilman Huntley	AYE
Councilman Little	AYE
Councilman Nance	AYE
Councilman Sides	AYE
Councilman Wilkinson	AYE

Page 173-A

Upon motion of Councilman Sides, seconded by Councilman Durham and unanimously carried, the rules were suspended and the ordinance authorizing \$100,000 Street Improvement Funding Bonds was read and passed upon its second reading. The votes cast upon its second reading were as follows:

Councilman Baxter	AYE
Councilman Durham	AYE
Councilman Griswold	AYE
Councilman Hovis	AYE
Councilman Hudson	AYE
Councilman Huntley	AYE
Councilman Little	AYE
Councilman Nance	AYE
Councilman Sides	AYE
Councilman Wilkinson	AYE

Upon motion of Councilman Sides, seconded by Councilman Durham and unanimously carried, the rules were suspended and the ordinance authorizing \$100,000 Street Improvement Funding Bonds was read and passed on its third and final reading and declared to be an ordinance by the Mayor Pro Tem. The votes cast upon its third and final reading were as follows:

Councilman Baxter	AYE
Councilman Durham	AYE
Councilman Griswold	AYE
Councilman Hovis	AYE
Councilman Huntley	AYE
Councilman Hudson	AYE
Councilman Little	AYE
Councilman Nance	AYE
Councilman Sides	AYE
Councilman Wilkinson	AYE