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Regular weekly meeting of the City Council was held in the Council Chamber, City Hall, at 4:00 o'clock P. M., Wednesday, June 23, 1943, Mayor Baxter presiding, and the following members of the Council being present: Messrs. Albea, Atkins, Baker, Cope, Hovis, Painter, Price, Slye and Ward.

Absent: Councilmen Bullard and Daughtry.

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On motion of Councilman Albea, seconded by Councilman Slye, the minutes of the June 16th meeting were approved as read.

HUMANE SOCIETY DELEGATES ASKED FOR ADOPTION OF DOG LEASH LAW.

Mr. Ed Ebird headed a delegation from the Humane Society, asking for the adoption of the dog leash ordinance which has been pending for some time, but Mayor Baxter asked to be allowed one week longer in which to study the proposed ordinance.

RESOLUTION IN REGARD TO THE COLLECTOR OF REVENUE OF THE CITY OF CHARLOTTE.

The following Resolution was presented and on motion made by Councilman Baker, duly seconded by Councilman Price, was unanimously adopted:

WHEREAS, on the 9th day of June, 1943, William A. White was duly elected to the office of Collector of Revenue of the City of Charlotte, North Carolina, by the City Council and was authorized to take over the said office at midnight, June 23, 1943, to succeed E. S. Delaney; and

WHEREAS, by law it is required that the Collector of Revenue make daily deposits to the credit of the City of Charlotte and that "duplicate" deposit slips be furnished daily to the City Treasurer of the City of Charlotte, and that the City Treasurer of the City of Charlotte check such deposits against such duplicate deposit slips daily:

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlotte that the said Collector of Revenue, William A. White, be and he hereby is directed to deposit daily in the Commercial National Bank of Charlotte, North Carolina, all funds collected by him for the City of Charlotte to the credit of the City of Charlotte, L. L. Ledbetter, Treasurer, by William A. White, Collector of Revenue, and thereafter to furnish to said L. L. Ledbetter duplicate deposit slips daily, and to take a receipt therefor from the City Treasurer, and that the City Treasurer, L. L. Ledbetter be and he hereby is directed to check daily said deposits made by the Collector of Revenue of the City of Charlotte against the said duplicate deposit slips and to give to the Collector of Revenue daily a receipt for each deposit made by the said Collector of Revenue; and

BE IT FURTHER RESOLVED by the Council of the City of Charlotte that the funds collected by the Collector of Revenue for the City of Charlotte, and deposited daily in the Commercial National Bank of Charlotte, shall be withdrawn from this account only by checks signed by the Municipal Accountant and the City Treasurer, and thereafter to be distributed by the City Treasurer in accordance with the Cash Report furnished by the Collector

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of Revenue and deposited in the respective banks in which the funds, as shown by said Cash Report are deposited and that the American Trust Company, the Wachovia Bank and Trust Company, the Commercial National Bank and The Union National Bank of Charlotte are hereby designated as depositories for such funds of the City of Charlotte; and

WHEREAS, the United States Casualty Company of New York, New York, desires to execute a bond as surety for William A. White, Collector of Revenue of the City of Charlotte, and furnish said bond to the City of Charlotte, said bond to be in the penal sum of \$50,000.00, the condition of which bond is that the said William A. White shall well and faithfully perform, according to law, all and singular the duties incumbent upon him by reason of his election or appointment to the said office and shall properly account for 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, and that such bond will cover the period beginning midnight of June 23, 1943 and ending midnight of June 23, 1944; and

WHEREAS, the bond of E. S. Delaney, the outgoing Collector of Revenue for the City of Charlotte, heretofore executed by the National Surety Corporation, covers all funds of the City of Charlotte, in accordance with the conditions thereof, prior to midnight of June 23, 1943; and

WHEREAS, the books of said E. S. Delaney, the outgoing Collector of Revenue for the City of Charlotte, are being audited, but said audit has not been completed,

NOW, THEREFORE, BE IT FURTHER RESOLVED that the auditors who are auditing the books of E. S. Delaney, as Collector of Revenue, be and they hereby are authorized and instructed to supervise all collections and the handling of all funds collected by the City of Charlotte until said auditors complete their audit of the books of E. S. Delaney; and

WHEREAS, the present law sets forth the duties of the Collector of Revenue for the City of Charlotte, as set out in the Charter of the City of Charlotte, as contained in the Public-Local Laws of the State of North Carolina for the year 1939, and being Chapter 366 thereof, Section 38; and

WHEREAS, it is the desire of the City Council of the City of Charlotte that the said Collector of Revenue shall collect any and all revenues and moneys due the City of Charlotte, from any and all sources, except accounts due the Water Department of the City of Charlotte,

NOW, THEREFORE, BE IT FURTHER RESOLVED that it shall be the duty of William A. White, as Collector of Revenue during such period of time as he shall hold the office of Collector of Revenue, to collect any and all revenues and moneys due the City of Charlotte from any and all sources, other than accounts due the Water Department of the City of Charlotte, and that the bond executed by the United States Casualty Company shall cover all such revenues and moneys so collected by the said William A. White, Collector of Revenue of the City of Charlotte, during such period of time as he shall hold said office during the period from midnight of June 23, 1943 to and including midnight of June 23, 1944; and

WHEREAS, under the present law, the Collector of Revenue of the City of Charlotte is not responsible for the collection of unpaid taxes but is only responsible for the faithful and diligent performance of his duties, as set out in the Charter of the City of Charlotte above referred to, and as hereinabove set out,

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NOW, THEREFORE, BE IT FURTHER RESOLVED that the United States Casualty Company shall not be liable nor responsible for uncollected taxes but shall be liable and responsible as surety under said bond for the faithful performance by the said William A. White of his duties as Collector of Revenue of the City of Charlotte, 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.

APPROVED AS TO FORM:
H. B. Campbell
City Attorney.

RESOLUTION RELATIVE TO FINAL DISPOSITION OF DOWD INVESTMENT CO. ET AL TAX SUIT.

On motion of Councilman Baker, seconded by Councilman Slye, the following resolution relative to final disposition of tax suit #463, City of Charlotte vs. Dowd Investment Co. et al, was unanimously adopted:

WHEREAS, Dowd Investment Company is the owner in fee-simple of Lot 4, Block 10, as shown on map recorded in Book 112, page 8, of the Registry for Mecklenburg County, which is located at No. 1022 Seigle Avenue in the City of Charlotte, free and clear of liens and encumbrances except the lien of the City of Charlotte on account of Street Assessment Account #24880 in the principal amount of \$491.89, with interest thereon from on or about December 18, 1929, the liens of city taxes in the principal amount of \$6.19 and county taxes in the principal amount of \$2.86 for the year 1942 and the liens of both city and county taxes for the year 1943 in amounts not yet determined; and whereas, the City of Charlotte has instituted action in the Superior Court of Mecklenburg County, being Tax Suit No. 463, for the foreclosure of its liens against said property; and whereas, said company has proposed, pursuant to amendment to Section 52 of the Charter of the City of Charlotte enacted by the 1943 session of the Legislature of North Carolina, to execute and deliver its deed conveying said property to said city, subject to the lien of county taxes for the years 1942 and 1943, in extinguishment of all liens of said city against said property and of costs accrued in the aforesaid foreclosure action; and whereas, the said property is assessed for taxation at a valuation of \$340.00, and its fair market value is in excess of the aggregate amount of the tax liens of both City and County and the aforesaid costs,

RESOLVED, THEREFORE, that the City of Charlotte accept the proposed deed of the Dowd Investment Company in extinguishment of all of its liens against the aforesaid property, and that the City Accountant and City Treasurer be, and they hereby are, authorized and directed to issue check to the Clerk of the Superior Court of Mecklenburg County in the amount of \$11.05, ~~and~~ in payment of costs accrued in Tax Suit No. 463, and in payment for the revenue stamp on the aforesaid deed.

APPROVED AS TO FORM:
H. B. Campbell
City Attorney

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REPORT MADE BY CITY MANAGER ON STATE HIGHWAY FUND ALLOTMENT TO CITY OF CHARLOTTE.

The City Manager reported that the amount of funds made available to the City of Charlotte by the State Highway Commission, to be used on maintenance of highways within the city limits, was \$50,745.00, and added that he felt that there would be no purpose in protesting this small amount since the Municipal League endeavors each year to get this allotment raised and nothing ever comes of it.

This report was received as information.

BRIDGE OVER SUGAW CREEK.

Mr. Flack reported that after advertising, bids were opened on steel for bridge over Sugaw Creek, on East Stonewall Street, for the park near Thompson Orphanage, only one bid being received, that of Southern Engineering Company, of Charlotte, in the sum of \$1564.14 complete, fabricated and delivered to bridge site, but that inasmuch as the question of the park is now in court, he recommended that it be held over for one week to see what situation develops, and this recommendation was acceptable to the Council.

APPROPRIATION FROM EMERGENCY FUND FOR REPAIRS TO INCINERATOR.

On June 16th., the Council approved the payment of a charge of \$300.60 to the Piedmont Products Company of Charlotte, for furnishing material to repair and spray the walls, etc., of the middle unit of the incinerator, but that out of the appropriation of \$500.00 previously made from the Emergency Fund for repairs to the incinerator there remains only a balance unexpended of \$219.05.

On motion of Councilman Baker, seconded by Councilman Price, and unanimously carried, the sum of \$81.55 was appropriated from the Emergency Fund at this time to make up the difference needed on this contract of \$300.60.

50,000 ONE CENT POSTAL CARDS TO BE PURCHASED.

Councilman Slye moved that 50,000 one-cent postal cards for use by the Water Collection Department, be purchased from the U. S. Post Office, for \$500.00. Seconded by Councilman Baker and unanimously carried.

UNPAID ACCOUNTS.

Councilman Baker brought to the attention of the Council at this time the matter of unpaid accounts outstanding, on which the former Council employed Mr. Morgan B. Gilreath to handle on a 20% collection basis. At the end of the former Council term, these accounts were turned over to the Clerk to be referred to the incoming Council, with the recommendation from the Chairman of the Finance Committee (outgoing) that they be followed up, since a large number of the accounts were thought to be collectable. These accounts having been turned over to the Mayor, it was agreed that the matter would be gone into as soon as possible.

RECESS.

A recess was taken at this time to the Mayor's office, where they again went into conference over the question of the amount of tax to be levied for school purposes; the Council having met in the Mayor's office at 3:30 o'clock with the Supt. of Schools and members of the School Board but not completed at that time.

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A delegation of teachers were present at the meeting in the Council Chamber, but at the end of the recess period, no action was taken on the school tax levy.

CEMETERY DEEDS.

On motion of Councilman Albea, seconded by Councilman Hovis and carried, the following cemetery deeds and perpetual care agreements were authorized:

John W. & Florrie E. Norwood, N.E. 1/4 Lot No. 73-A D Annex, Elmwood	\$35.00
Richard E. Hunter & Family, Lot No. 24, A Annex,	96.60
Perpetual care on " " " "	69.00
Perpetual care on Lot No. 63 "A", purchased by James Hal Bobbitt	144.00
(This lot is in the name of Mrs. Gray Utley (now deceased)	
Transfer of Lot No. 276 "U", Elmwood, from Athalee M. Stacy (formerly Mrs. J. E. Query) and husband, H. E. Stacy to Mrs. L. H. Query	1.00

ADJOURNMENT.

On motion of Councilman Hovis, the meeting then adjourned.

Alice B. McConnell
City Clerk