

March 17, 1943

The regular meeting of the City Council was held at 4 P.M., Wednesday, March 17, 1943, in the Council Chamber, with Mayor Currie presiding and the following Councilmen being present: Albea, Baker, Beasley, Daughtry, Havis, Painter, Price, Ross, Slye and Ward.

Absent: Councilman Little.

On motion of Councilman Ward, seconded by Councilman Baker, the Minutes of the Meeting of March 10th were approved as read, with the following correction: that the Japanese Suicide Submarine will be displayed by the U. S. Treasury Department - instead of the U. S. War Department as shown in Paragraph 1, Page 229.

MR. CHAS. SETZER, REPRESENTING THE CIVIL SERVICE COMMISSION, RECOMMENDS THE CREATION OF A PENSION FUND FOR THE POLICE DEPARTMENT.

Mr. Chas. Setzer, Member of the Civil Service Commission, stated that the Commission wished to recommend to the Council that a pension fund be created for the Police Department employees, as well as for the Fire Department employees. Mayor Currie advised that a Committee of Council had been appointed to go into the matter of such fund for all city employees.

GRANT OF LANHAM FUNDS FOR RECREATIONAL FACILITIES FOR SERVICE MEN.

The City Manager advised that notice had been received from the Federal Works Agency of the grant of \$17,255.00 from the Lanham Fund for maintenance and operation of recreational facilities for service men for that period from March 1st to June 30th.

PROGRESS REPORT ON STONEWALL STREET WORK.

The City Manager gave a report on the Stonewall Street work, in connection with opening a roadway through the Thompson Orphanage property, and stated that at the present time it was not possible to secure the steel for the bridge over Sugaw Creek; however, as soon as the right-of-way was secured and funds available, work on the roadway proper would commence.

PROGRESS REPORT ON NORTH BREVARD STREET WORK.

The City Manager reported that the stone for the work on North Brevard Street would be available about April 1st, and that the work would not be undertaken on the penetration until later when the weather had settled.

NORTH TRYON STREET SEWER.

On motion of Councilman Albea, seconded by Councilman Baker and carried, the sewer extension in North Tryon Street to serve one house, requested by Mr. F. H. Cothran, was approved at a cost of \$399.96, provided that a check for \$199.96 was deposited with the City to cover the cost over \$200.00, in accordance with City regulations, same to be refunded if and when additional houses are erected.

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PURCHASE OF CRUSHED STONE.

On motion of Councilman Slye, seconded by Councilman Beasley, and carried, approval was given for the purchase of One Car Load of Crushed Stone from Caldwell Construction Company, in the amount of \$103.14.

CLAIM OF MRS. EULA EVERS.

The City Manager advised that notice had been received of the claim in the amount of \$1,500.00 of Mrs. Eula Evers, against the City, for alleged injuries sustained on December 11, 1943, by reason of an alleged defect in the sidewalk opposite 1108 South Boulevard. He also stated the claim had been referred to the Legal Department.

APPROVAL OF TAX FORECLOSURE SALES.

On motion of Councilman Baker, seconded by Councilman Daughtry, and carried, the City Manager was instructed not to raise the bid of H. B. Keller, on property located at 530-32 Beatties Ford Road, being Tax Suit #390; also, the bid of C. T. Brown on property located at 405-07 East Tremont Avenue, being Tax Suit #384. In the case of the bid of T. W. Anderson, in the amount of \$1,300.00, being Tax Suit #411, the City Manager was instructed to have said property appraised by Mr. Paul J. Guthery, in accordance with Council resolution previously adopted.

INFORMATION BY CITY MANAGER RELATIVE TO "JUKE JOINTS".

The City Manager advised that Chief Anderson had recommended to him that the Police Department be given the authority to regulate the activities of so-called Juke Joints and control the sale of wine, beer, etc., therein. Mr. Flack advised that he had requested the City Attorneys to prepare the proper legislation regarding same for the consideration of the Council.

RESOLUTION RELATIVE TO THE CREATION OF A HOSPITAL AUTHORITY.

On motion of Councilman Baker, duly seconded by Councilman Price, the following resolution was unanimously adopted:

RESOLUTION REGARDING THE
CREATION OF A HOSPITAL AUTHORITY.

WHEREAS, the General Assembly of the State of North Carolina duly enacted Senate Bill No. 254 at its 1943 Session, which Bill is known as the Hospital Authorities Law; and

WHEREAS, the City of Charlotte has a population of more than seventy-five thousand according to the last Federal census; and

WHEREAS, the City Council of the City of Charlotte has duly made an investigation which it deemed necessary and sufficient to ascertain the facts herein contained;

NOW, THEREFORE, be it resolved that the City Council of the City of Charlotte finds that the public health and welfare, including the health and welfare of persons of low income in the City and said surrounding area, require the construction, maintenance or operation of public hospital facilities for the inhabitants thereof.

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BE IT FURTHER RESOLVED that notice of this determination be given to the Mayor of the City of Charlotte for him to take such further steps and actions as are set out and contained in said Hospital Authorities Law.

RECESS.

The Council recessed at 4:35 P.M., to the Mayor's office, and returned to the Council Chamber at 7:00 P. M., whereupon the Mayor again called the meeting to order.

RESOLUTION AGREEING TO THE CONVERSION OF A \$50,000.00 CLAIM AGAINST THE CANNON AIRCRAFT SALES AND SERVICE, INC.

Mr. Frank McCleneghan, Attorney for the Estate of Joseph F. Cannon, Jr., requested the City as beneficiary in the Will of said Joseph F. Cannon, Jr., to agree to the conversion of a \$50,000.00 claim against the Cannon Aircraft Sales and Service, Inc. After the Council had conferred with Mr. C. W. Tillett, City Attorney, motion was made by Councilman Baker, duly seconded by Councilman Ward, and the following resolution was unanimously adopted:

WHEREAS, the City of Charlotte is a beneficiary under the Last Will and Testament of Joseph F. Cannon, Jr., which Will appears in Will Book 2, page 369, in the office of the Clerk of the Superior Court of Mecklenburg County; and

WHEREAS, it has been made to appear to the satisfaction of the Council of the City of Charlotte that prior to the death of the said Joseph F. Cannon, Jr., the stockholders and directors of the Cannon Aircraft Sales & Service, Inc., a North Carolina Corporation, in which the said Joseph F. Cannon, Jr., ^{see margin} in cancellation of an indebtedness of said Corporation in the sum of Fifty Thousand Dollars (\$50,000.00) and that the said Joseph F. Cannon, Jr., had agreed to accept said stock therefor and the legal documents had been prepared at the instance of the said Joseph F. Cannon, Jr., to consummate such agreement, but on account of his untimely death, the same were not actually signed by him; and

WHEREAS, all of the stock in said Corporation was devised to John A. Cunningham by the terms of said Will, and under the circumstances said stock should be issued in accordance with the action and agreement of the stockholders and directors of said Corporation, and, particularly, of Joseph F. Cannon, Jr., and on account of the terms of said Will said stock should be delivered to said John A. Cunningham.

NOW, THEREFORE, the City Council of the City of Charlotte does resolve:

That the City agrees that the conversion of the said \$50,000.00 claim against Cannon Aircraft Sales & Service, Inc., may be proceeded with and consummated in the manner agreed upon between Joseph F. Cannon, Jr., and said Company before his death, this resolution to be effective upon filing with the City Clerk of the statements of S. D. Whitaker and John A. Cunningham this day presented to the Council duly sworn to, together with a sworn balance sheet of Cannon Aircraft Sales and Service, Inc. //

* was the principal stockholder, had determined to issue Five Hundred Shares of its Capital Stock to the said Joseph F. Cannon, Jr.

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RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO OFFER LESS THAN FULL-TIME WORK TO CERTAIN MEMBERS IN THE POLICE DEPARTMENT AND FIXING THE COMPENSATION FOR SUCH PART TIME WORK.

RESOLVED that Chief of Police, Walter F. Anderson, be and he is authorized to offer to Policemen A. J. West, R. C. Gardner, E. J. Nolen, J. L. Clark and D. C. Gay the alternative of performing the full duties of whatever positions he assigns them to and drawing full pay for said positions according to the established City schedule, or doing less than full time as Chief Anderson may direct, in which latter event they shall until this action is rescinded by the City Council be paid the sum of \$140.00 per month.

On motion of Councilman Beasley, duly seconded by Councilman Ross, the above resolution was unanimously adopted.

RESOLUTION RELATIVE TO RETIREMENT PENSION FOR CITY EMPLOYEES.

The following resolution was introduced by Councilman Ward, duly seconded by Councilman Albea:

WHEREAS, in the interest of efficiency, it may be necessary, from time to time, to replace older employees with younger employees in a number of positions with the City Government, and believing it to be unjust, unfair and inhuman to discard these employees without recognition of their long years of faithful service by providing for them a fair, honorable and adequate income for their livelihood and in recognition of the standard practice of giving a proper retirement pension:

THEREFORE BE IT RESOLVED, that the City of Charlotte shall, if it is found feasible to do so, establish at the earliest possible moment, a system for pensioning retiring employees, the money for the same to be provided from city funds, employees contributions and in cooperation with any State or Federal Agencies that may assist in providing such funds.

BE IT FURTHER RESOLVED that a Committee be appointed immediately to formulate plans to carry out the purposes herein expressed, and report back to this Council as soon as such plans can be made available, so that action may be taken upon the same by this body, said Committee to be empowered to visit other cities and study their pension plans to employ a consulting actuary and to do whatever else may be necessary to consummate such a program.

Councilman Slye introduced the following amendment to the above resolution, which was duly seconded by Councilman Ross:

Mr. Mayor

Several weeks ago either in your office/or here in the Council Chamber, you appointed a Committee consisting of Mr. Baker and Mr. Tillett and agreed to serve on same yourself to investigate the possibility of setting up a Retirement System for City Employees. I believe your reason for placing Mr. Baker to head this Committee was due to the fact that he had consistently discussed the possibility of this plan, and since Mr. Baker and Mr. Tillett have done a great deal of work on this matter I would like to ask that this Committee be continued, and that a Sub-Committee consisting of Chief Palmer of the City Fire Department, Chief Anderson of the City Police Department, Mr. L. L. Ledbetter, City Treasurer and Mr. J. M. McCorkle, City Accountant, all be appointed to work with the present Committee to draft a Retirement System.

Councilman Ward objected to the amendment on the grounds that the selection of the Committee was the duty and privilege of the Mayor and

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not the Council. Whereas, Councilman Hovis moved that the Amendment include the following phrase "And whoever the Mayor deems advisable to appoint", said motion being seconded by Councilman Albea. Whereupon, Councilman Slye advised that it was agreeable with him to include the above quoted phrase in the amendment. The vote was then taken and the resolution as amended was unanimously adopted.

ADJOURNMENT.

On motion of Councilman Baker, the meeting adjourned.

Lillian R. Hayman
Assistant City Clerk