

An adjourned regular meeting of the City Council of the City of Charlotte was held at 10 o'clock, A.M., on April 29, 1958, in the Courthouse of Mecklenburg County in Charlotte, North Carolina.

Present: Mayor Smith, and Council members Brown, Dellinger, Evans and Foard.

Absent: Council members Albea, Baxter and Wilkinson.

* * * * *

The City Council met with the County Board of Elections and the two boards, as two separate bodies, separately received from the registrars and judges of election in the various precincts of the City of Charlotte the returns of the special bond election held on April 26, 1958.

After said returns had been canvassed by the City Council, such canvass being simultaneous with the canvassing thereof by the County Board of Elections in the same place, Councilman Dellinger introduced the following resolution which was read:

RESOLUTION CANVASSING THE RETURNS
OF THE SPECIAL BOND ELECTION HELD
APRIL 26, 1958, AND DETERMINING
AND DECLARING THE RESULT THEREOF

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

Section 1. That, the returns of the special bond election held in the City of Charlotte on April 26, 1958, having been received from the proper election officers and having been canvassed, the City Council has found and determined and does hereby declare:

(a) That each registrar and judge for the special bond election held in the City of Charlotte on April 26, 1958 was duly qualified by law and had taken the necessary oath.

(b) That the election officers had incorporated in their returns not only the number of votes cast for and against each question submitted but also the number of voters registered and qualified to vote in each precinct in the election.

(c) That at said election there were submitted to the qualified voters of said City the following questions:

1. Shall an ordinance passed on March 12, 1958, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Water Bonds in an aggregate principal amount not exceeding \$1,301,000 for the purpose of providing funds for enlarging and extending the waterworks system of the City (including the acquisition and construction of water mains and lines and appurtenant facilities, the acquisition of necessary land and rights of way and the purchase of existing water mains and lines) within and without the corporate limits of the City, including the territory provided by Chapter 802 of the 1957 Session Laws of North Carolina to come into the City limits from and after December 31, 1959 as a result of the election held pursuant to said Chapter 802, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, be approved?
2. Shall an ordinance passed on March 12, 1958, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Sanitary Sewer Bonds in an aggregate principal amount not exceeding \$3,265,000 for the purpose of providing funds for enlarging and extending the sanitary sewer system of the City (including the acquisition, construction and enlargement of sewer mains and lines, sewer outfalls and other sewage collection and disposal facilities, the acquisition of necessary land and rights of way and the purchase of existing sewer mains and lines) within and without the corporate limits of the City, including the territory provided by Chapter 802 of the 1957 Session Laws of North Carolina to come into the City limits from and after December 31, 1959 as a result of the election held pursuant to said Chapter 802, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, be approved?
3. Shall an ordinance passed on March 12, 1958, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Fire Alarm System Bonds in an aggregate principal amount not exceeding \$134,000 for the purpose of providing funds for enlarging and extending the fire alarm system of the City (including the acquisition of any necessary land and equipment) within and without the corporate limits of the City, including the territory provided by Chapter 802 of the 1957 Session Laws of North Carolina to come into the City limits from and after December 31, 1959 as a result of the election held pursuant to said Chapter 802, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, be approved?
4. Shall an ordinance passed on March 12, 1958, authorizing the City of Charlotte, North Carolina, to contract a debt, in addition to any and all other debt which said City may now or hereafter have power or authority to contract, and in evidence thereof to issue Public Health Center Bonds in an aggregate

principal amount not exceeding \$100,000 for the purpose of providing funds, with the proceeds of \$500,000 Public Health Center Bonds approved at the special bond election held May 3, 1955 and issued under date of June 1, 1956, for erecting and equipping a City Public Health Center and acquiring a site therefor and improving the same, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, be approved?

Section 2. That the following schedule correctly shows the several precincts in the City at which said election was held, the location of the polling place in each precinct, the number of voters registered and qualified to vote, the number of votes cast in favor of each question submitted, the number cast against each question, and the totals of such numbers:

<u>Precinct</u>	<u>Polling Place</u>	Voters registered and qualified to vote	<u>\$1,301,000 Water Bonds</u>	
			<u>Votes for</u>	<u>Votes against</u>
1	Court House 700 E. Trade St.	1065	41	9
2	Second Ward School 501 S. Alexander St.	1628	45	9
3	Zeb Vance School 825 Westbrook Dr.	809	24	10
4	Bethune School 601 N. Graham St.	1463	38	13
5	First Ward School 401 E. 9th St.	1218	39	9
6	Piedmont Jr.High School 1241 E. 10th Street	1715	131	26
7	Elizabeth School 1601 Park Drive	2342	204	44
8	Myers Park Elementary School 2132 Radcliffe Ave.	2646	318	36
9	Dilworth School 405 E. Park Ave.	2640	239	63
10	2201 Springdale Ave. Recreation Room	1336	103	16
11	Wesley Heights School 128 S. Summit Ave.	1251	47	18
12	Seversville School 1701 Sumter Avenue	1315	34	25

<u>Precinct</u>	<u>Polling Place</u>	Voters reg- istered and qualified to vote	\$1,301,000 Water Bonds	
			<u>Votes for</u>	<u>Votes against</u>
13	Villa Heights School 2000 N. Allen St.	1472	39	35
14	Hawthorne Jr. Hi School 1400 Louise Ave.	1620	44	23
15	Midwood School Central Ave.	1828	163	25
16	Chantilly School 701 Briar Creek Rd.	2209	103	26
17	Fireman's Hall 2601 E. 7th Street	1466	76	29
18	Eastover School 500 Cherokee Rd.	1622	245	20
19	Myers Park High School 2400 Colony Road	2618	353	41
20	Avondale Com House Avondale & Lilac Road	1434	172	32
21	Sedgefield Elemen- tary School 700 Marsh Road	1975	221	31
22	Wilmore School 428 West Boulevard	2512	124	37
23	Ashley Park School 3128 Belfast Drive	1884	86	10
24	Enderly Park School Parkway Ave.	1826	58	38
25	North West Jr. High School 1415 Beatties Ford Rd.	2072	211	48
26	Double Oaks School 1905 Earle St.	2578	81	18
27	Hutchison School 1400 Hutchison Ave.	1239	44	24
28	Plaza Road School 3501 Plaza Road	2308	128	54
29	Merry Oaks School 3508 Draper Ave.	969	106	17
30	Highland School 3201 Clemson Ave.	1390	31	17
31	Marie Davis School 443 W. Griffith St.	640	22	9
32	Youth Activities Bldg. 1412 Providence Road	1805	332	47
33	Eastway Jr. High School 3333 Biscayne Drive	1285	123	34
Total		56,180	4,025	893

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<u>Precinct</u>	<u>\$3,265,000</u> <u>Sanitary Sewer</u> <u>Bonds</u>		<u>\$134,000</u> <u>Fire Alarm</u> <u>System Bonds</u>		<u>\$100,000</u> <u>Public Health</u> <u>Center Bonds</u>	
	<u>Votes</u> <u>for</u>	<u>Votes</u> <u>against</u>	<u>Votes</u> <u>for</u>	<u>Votes</u> <u>against</u>	<u>Votes</u> <u>for</u>	<u>Votes</u> <u>against</u>
1	38	12	41	10	40	11
2	40	12	40	8	42	7
3	25	11	27	9	24	11
4	37	11	37	11	36	13
5	39	9	39	9	39	9
6	129	26	133	24	125	30
7	199	48	197	52	191	56
8	317	36	300	47	286	61
9	233	65	237	62	216	83
10	99	17	96	20	95	19
11	46	20	45	19	44	22
12	33	25	35	24	35	24
13	41	33	43	32	40	35
14	44	23	45	22	42	25
15	161	24	161	26	157	31
16	102	26	102	27	97	31
17	76	28	77	27	72	33
18	244	21	239	23	221	41
19	350	41	346	46	343	51
20	174	31	171	32	165	39
21	219	30	216	33	215	33
22	123	37	122	36	115	44
23	86	10	86	10	79	16
24	58	39	60	34	57	38
25	208	46	208	45	210	43
26	81	14	79	14	81	14
27	43	25	43	25	42	27
28	127	56	129	54	129	54
29	106	17	98	25	101	20

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<u>Precinct</u>	<u>\$3,265,000 Sanitary Sewer Bonds</u>		<u>\$134,000 Fire Alarm System Bonds</u>		<u>\$100,000 Public Health Center Bonds</u>	
	<u>Votes for</u>	<u>Votes against</u>	<u>Votes for</u>	<u>Votes against</u>	<u>Votes for</u>	<u>Votes against</u>
30-	29	18	29	19	30	18
31	21	8	19	10	19	9
32	330	48	327	48	307	70
33	124	33	126	30	128	30
Totals	3,982	900	3,953	913	3,823	1,048

Section 3. That no complaint has been made to the City Council against the regularity of said election.

Section 4. That from the canvass so made by the City Council it is determined and declared:

(a) That 56,180 voters were registered and qualified to vote at said election.

(b) That at said election 4,025 votes were cast for the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$1,301,000 Water Bonds of said City for the purpose of providing funds for enlarging and extending the waterworks system of the City (including the acquisition and construction of water mains and lines and appurtenant facilities, the acquisition of necessary land and rights of way and the purchase of existing water mains and lines) within and without the corporate limits of the City, including the territory provided by Chapter 802 of the 1957 Session Laws of North Carolina to come into the City limits from and after December 31, 1959 as a result of the election held pursuant to said Chapter 802, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 893 votes were cast against said ordinance, that a majority of the qualified voters of said City who voted thereon at said election voted in favor of said ordinance, and that said ordinance was thereby approved and is in force and effect.

(c) That at said election 3,982 votes were cast for the ordinance authorizing the City of Charlotte to contract a debt and in evidence

thereof to issue not exceeding \$3,265,000 Sanitary Sewer Bonds of said City for the purpose of providing funds for enlarging and extending the sanitary sewer system of the City (including the acquisition, construction and enlargement of sewer mains and lines, sewer outfalls and other sewage collection and disposal facilities, the acquisition of necessary land and rights of way and the purchase of existing sewer mains and lines) within and without the corporate limits of the City, including the territory provided by Chapter 802 of the 1957 Session Laws of North Carolina to come into the City limits from and after December 31, 1959 as a result of the election held pursuant to said Chapter 802, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 900 votes were cast against said ordinance, that a majority of the qualified voters of said City who voted thereon at said election voted in favor of said ordinance, and that said ordinance was thereby approved and is in force and effect.

(d) That at said election 3,953 votes were cast for the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$134,000 Fire Alarm System Bonds of said City for the purpose of providing funds for enlarging and extending the fire alarm system of the City (including the acquisition of any necessary land and equipment) within and without the corporate limits of the City, including the territory provided by Chapter 802 of the 1957 Session Laws of North Carolina to come into the City limits from and after December 31, 1959 as a result of the election held pursuant to said Chapter 802, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 913 votes were cast against said ordinance, that a majority of the qualified voters of said City who voted thereon at said election voted in favor of said ordinance, and that said ordinance was thereby approved and is in force and effect.

(e) That at said election 3,823 votes were cast for the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$100,000 Public Health Center Bonds of said City for

the purpose of providing funds, with the proceeds of \$500,000 Public Health Center Bonds approved at the special bond election held May 3, 1955 and issued under date of June 1, 1956, for erecting and equipping a City Public Health Center and acquiring a site therefor and improving the same, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 1,048 votes were cast against said ordinance, that a majority of the qualified voters of said City who voted thereon at said election voted in favor of said ordinance, and that said ordinance was thereby approved and is in force and effect.

Section 5. That the City Council has prepared and does adopt the following statement showing the result of the special bond election held in the City of Charlotte on April 26, 1958, and declaring the result thereof:

STATEMENT OF RESULT OF
THE SPECIAL BOND ELECTION
held in the
CITY OF CHARLOTTE, NORTH CAROLINA
on April 26, 1958

At a special bond election held in the City of Charlotte on April 26, 1958, 56,180 voters were registered and qualified to vote.

At said election 4,025 votes were cast for the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$1,301,000 Water Bonds of said City for the purpose of providing funds for enlarging and extending the waterworks system of the City (including the acquisition and construction of water mains and lines and appurtenant facilities, the acquisition of necessary land and rights of way and the purchase of existing water mains and lines) within and without the corporate limits of the City, including the territory provided by Chapter 802 of the 1957 Session Laws of North Carolina to come into the City limits from and after December 31, 1959 as a result of the election held pursuant to said Chapter 802, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 893 votes were cast against said ordinance, and said ordinance was thereby approved and is in force and effect.

At said election 3,982 votes were cast for the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$3,265,000 Sanitary Sewer Bonds of said City for the purpose of providing funds for enlarging and extending the sanitary sewer system of the City (including the acquisition, construction and enlargement of sewer mains and lines, sewer outfalls and other sewage collection and disposal facilities, the acquisition of necessary land and rights of way and the purchase of existing sewer mains and lines) within and without the corporate limits of the City, including the territory provided by Chapter 802 of the 1957 Session Laws of North Carolina to come into the City limits from and after December 31, 1959 as a result of the election held pursuant to said Chapter 802 and authorizing the

levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 900 votes were cast against said ordinance, and said ordinance was thereby approved and is in force and effect.

At said election 3,953 votes were cast for the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$134,000 Fire Alarm System Bonds of said City for the purpose of providing funds for enlarging and extending the fire alarm system of the City (including the acquisition of any necessary land and equipment) within and without the corporate limits of the City, including the territory provided by Chapter 802 of the 1957 Session Laws of North Carolina to come into the City limits from and after December 31, 1959 as a result of the election held pursuant to said Chapter 802, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 913 votes were cast against said ordinance, and said ordinance was thereby approved and is in force and effect.

At said election 3,823 votes were cast for the ordinance authorizing the City of Charlotte to contract a debt and in evidence thereof to issue not exceeding \$100,000 Public Health Center Bonds of said City for the purpose of providing funds, with the proceeds of \$500,000 Public Health Center Bonds approved at the special bond election held May 3, 1955 and issued under date of June 1, 1956, for erecting and equipping a City Public Health Center and acquiring a site therefor and improving the same, and authorizing the levy and collection of a sufficient tax for the payment of the principal of and the interest on said bonds, and 1,048 votes were cast against said ordinance, and said ordinance was thereby approved and is in force and effect.

By order of the City Council of the City of Charlotte, this 29th day of April, 1958.

J. S. Smith

Mayor

Martha W. Evans

Steve W. Dellinger

Ernest Foard

H. A. Brown

Members of City Council

Section 6. That when the foregoing statement shall have been signed by a majority of the members of the City Council and delivered to the City Clerk, the latter shall record it in the Ordinance Book and such statement shall be filed in her office and published by her once in The Charlotte News. A notice substantially in the following form shall be appended to the copy of the foregoing statement which is published:

TO THE CITIZENS AND TAXPAYERS OF THE CITY OF CHARLOTTE:

No right of action or defense founded upon the invalidity of the election mentioned in the foregoing statement shall be asserted, nor shall the validity of such election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the publication of the foregoing statement.

Lillian R. Hoffman
City Clerk

ADJOURNMENT:

Upon motion of Councilwoman Evans, seconded by Councilman Foard and unanimously carried, the meeting was adjourned.

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk