

January 7, 1963
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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Monday, January 7, 1963, at 3 o'clock p.m., with Mayor Brookshire presiding, and Councilmen Albea, Bryant, Dellinger, Jordan, Smith, Thrower and Whittington present.

ABSENT: None.

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INVOCATION.

The invocation was given by the Reverend Mr. Dwight B. Mullis, Pastor of Providence Methodist Church.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the Minutes of the last meeting on December 31st were approved as submitted.

DECISION ON PETITION FOR LOCAL IMPROVEMENTS ON CINDERELLA ROAD, FROM SUGAW CREEK ROAD TO YUMA STREET, DEFERRED ONE WEEK.

In connection with the Petition of George S. Goodyear, Sibarco Corporation and Fred A. Beachum for improvements to Cinderella Road, from Sugaw Creek Road to Yuma Street, by the installation of storm drainage and constructing curb and gutter and base and surface course, Mr. John D. Shaw, Attorney for Mr. E. J. Rust, a property owner on Cinderella Road, again appeared before Council and presented maps of the area showing the front footage involved, etc, for Council's information. Mr. Shaw stated that Mr. Beachum, who signed the Petition, has nothing to do with the improvement, as his property is not a part of the improvement area, which leaves only two property owners on the Petition, the Oil Company on the corner plus Goodyear, and that his client, Mr. Rust, who is protesting the petition, owns the land on the right of Cinderella Road. That his investigation shows that Mr. Goodyear applied under the Subdivision Ordinance in April 1959 for approval of Hidden Valley No. 1 and it was approved, and at that time the Subdivision law did not require curb and gutter, but when he applied it became obvious to the Planning Board that he was going to have a secondary street that was going to take all of the traffic in Hidden Valley and take it to his through street - Sugaw Creek Road, and they required on the preliminary plat that Mr. Goodyear show Cinderella Road as 60 feet, which was the requirement under the Subdivision Law. That Cinderella Road in 1952, as shown in Map Book 6, Page 705 was known as Knolldale Lane, and was 40 feet wide, and Mr. Goodyear added 20 feet and made it a 60 ft street, and the final approval of Hidden Valley did not include the requirements for the fixing up of this street, but it was shown on the map. So the Council is up against its Subdivision Ordinance on one hand authorized by the Legislature of North Carolina and the Charter Amendments authorized by the Legislature of North Carolina for street paving and he thinks Mr. Goodyear should pay for this street and his client should pay nothing. He advised that he has talked with Mr. Goodyear to see if the matter can be adjusted and he said no, that it is the City of Charlotte who wants the street fixed and he is willing to go along. Councilman Thrower asked what amount we are talking about, and Mr. Shaw replied we are talking about approximately \$7,000.00 and if half of that is put on his client it would be about \$3,500.

SUBJECT

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Mayor Brookshire asked if Mr. Shaw is saying that under the Subdivision law the City Council can require Mr. Goodyear to provide ingress and egress, and Mr. Shaw stated it appears to him that way.

Mr. Fred Bryant of the Planning Board Staff was present and stated that basically it boils down to two points, Subdivision approval is given in two stages, first is the preliminary approval which approves the plan, such a lot design, street locations, etc and the improvement requirement really comes into play when the person gets ready to have his plat recorded, and there is no process whereby the Planning Board can force anyone to put a plat on record, and this part of the property in question has not been put on record nor had final approval, but the part further back in Hidden Valley has; that as far as the width of Cinderella is concerned, he understands there has been some written instrument filed dedicating the additional 20 feet of right of way, which is entirely on Goodyear property.

Mr. Shaw stated that Mr. Goodyear told him he had put in curb and gutter on his side of the street and he had put in about 20 feet of stone - in other words he has fixed up the 20 feet additional. At the question of Councilman Smith as to Mr. Shaw's statement last week that his client would pay a part of the amount, Mr. Shaw advised that Mr. Goodyear would not go along with that; that he recommended to his client that if Mr. Goodyear would fix the street with stone and put in the drainage, that his client pay for the blacktopping, and that would still be his recommendation as it cuts the cost about in half.

Councilman Bryant asked what portion of the petition Mr. Beachum had, and Mr. Shaw stated he had a lot that was 59.63 feet, and Councilman Bryant asked if Mr. Goodyear would still have over 50% of the property, and Mr. Shaw stated that it says, add 9 feet to the angle of Sugaw Creek Road, and it may be a very small amount that will give them a little over 50%, but according to the City including Mr. Beachum's property it is 75% of the abutting property owners which is not true, and it is really 67 2/3% of abutting property owners. That he would say if the Council would relieve Mr. Rust under the corner law of the corner, he would come in and pay his part. He stated he thinks it will be found that Mr. Goodyear has a contract with the Oil Company to improve the street. Mayor Brookshire asked if the Council can exclude the corner property and the City Attorney advised they cannot. Mr. Veeder asked if Mr. Shaw's client would be willing to pay the assessment if the radius at the corner of Yuma was deleted from the assessment project and Mr. Shaw replied he would not, that the radius coming off of Yuma would have to be eliminated as it is covered by the Subdivision ordinance; that he is suggesting that Mr. Goodyear should be required to fix the street and pay the whole thing. Councilman Smith stated the judgment still rests with the Council whether they will do anything or not and he personally would be willing to let it sit on the table for a while. That Mr. Goodyear is obligated to give the people a street as it is shown on the Subdivision Plan, and has already given 20 feet to get a 60 ft. street. Mr. Veeder stated that Mr. Goodyear has indicated a willingness to proceed on the basis on which the petition has been submitted; this basis for proceeding was suggested to Mr. Goodyear by the City as a means of providing the access which is needed by the residential property which could well be served by the road.

Councilman Whittington asked if it would not be in order to take this back to the City Manager and let him confer with Mr. Goodyear, and Mr. Veeder stated he would be glad to do so in any fashion the Council wishes.

Councilman Whittington moved that the matter be deferred until next week and Mr. Veeder contact Mr. Goodyear and perhaps have him here next week. The motion was seconded by Councilman Thrower, and unanimously carried.

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PETITION NO. 62-63 BY MRS BEATRICE S WILSON FOR CHANGE IN ZONING FROM R-6 TO B-1 OF TRACT OF LAND AT SE CORNER OF BEATTIES FORD ROAD AND SAINT PAUL STREET REFERRED BACK TO PLANNING COMMISSION WITH REQUEST TO CONSIDER THE REZONING OF BEATTIES FORD ROAD FROM TATE STREET TO SAINT PAUL STREET FOR BUSINESS.

Petition No. 62-63 by Mrs Beatrice S. Wilson for change in zoning from R-6 to B-1 of a tract of land at the SE corner of Beatties Ford Road and Saint Paul Street was considered and at the request of Councilman Thrower as to the reasons the Planning Commission recommended that the petition be disapproved, Mr. Fred Bryant of the Planning Commission Staff advised that it was primarily on the basis that Business Zoning does not fit into the area-wide zoning plan for this particular location. That business zoning is several blocks removed from this location, and this would, in effect, be a spot zoning situation, and the official reason as stated by the Commission was based on that fact.

Councilman Smith noted there is O-6 zoning almost up to the location; that he has made some inquiries out there and other Councilmen have also and there is a sprinkling of business from Tate Street all out to the property in question, and he thinks the vast majority of the people living along there would like it zoned for business. That he admits that merely zoning Mrs Wilson's property would be spot zoning but he would like to suggest that the Planning Commission take under consideration the zoning of Beatties Ford Road, from Tate Street out to Saint Paul, for business as the zoning is Industrial right up to Tate Street, then you go into O-6 zoning to Saint Paul, and it is definitely a hardship on Mrs Wilson for her property to be zoned R-6. He advised he would rather not take action today without some study and suggestions from the Planning Commission and would like for them to get his sentiments and those of the other Council members, and if 99% of the property owners on the street would like it zoned for business, then Council should consider it very strongly. He moved that the matter be referred back to the Planning Commission with the suggestion that they consider the rezoning of Beatties Ford Road, from Tate Street to Saint Paul Street for business. The motion was seconded by Councilman Thrower.

Councilman Dellinger stated about six years ago this property was zoned for Business and changed to Residential and he thinks there is room out there for residents who are being displaced in the Brooklyn area, as there will be more in the same fix as Mrs Wilson. That Mrs Wilson has owned her property on Saint Paul Street for 20 years and the Commission should take into consideration that these people who have been displaced by the urban renewal project are trying to do something for themselves, and he thinks this is a natural business section. Councilman Jordan stated he has talked with the people out in the area and they are interested in the area being changed for business and in the same block that Mrs Wilson lives there is a Soda Shop and other business in the next two blocks.

Mr. Fred Bryant advised that the O-6 zoning was put in as a buffer between the Industrial area and the Residential district, and this also entered into the thinking of the Planning Commission, plus the fact you will find when you cross the power line you do get into the best housing on Beatties Ford Road.

The vote was taken on the motion, and carried unanimously.

ORDINANCES NOS. 149-X THROUGH 157-X ORDERING THE DEMOLITION AND REMOVAL OF DWELLINGS AT 422 STATE STREET, 625-627 WACO STREET, 634 WACO STREET, 619 RAYON STREET, 621 RAYON STREET, 511 NORTH DAVIDSON STREET, 726 AND 730 SNOWBALL STREET AND 813 BURTON STREET, PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Councilman Bryant moved the adoption of Ordinances No. 149-X through 157-X Ordering the Demolition and Removal of Dwellings at 422 State Street, 625-627 Waco Street, 634 Waco Street, 619 Rayon Street, 621 Rayon Street, 511 North Davidson Street, 726 Snowball Street, 730 Snowball Street and 813 Burton Street, pursuant to the Housing Code of the City of Charlotte and Article 15, Chapter 160 of the General Statutes of North Carolina. The motion was seconded by Councilman Whittington.

Councilman Smith asked on the tax records how much valuation was put on the property and how much on the land? Mr. Jamison, Superintendent of the Building Inspection Department replied that the dwelling on State Street was valued at \$1,385.00 based on the last appraisal. Councilman Smith stated he thinks Council is setting a precedent and he does not like the City being able to go on a man's property and tear down his house and assess the cost of tearing it down against the property, therefore, he cannot support the motion, although he is in sympathy with what is desired achieved but does not go along with the method of achievement. That by not tearing these houses down would not defeat the ordinance, for it gives the right to keep the houses from being occupied, and he agrees that people should not live in such houses, but going in with a bulldozer and destroying the house is another thing. As an example, if a man was out of the country for a number of years and planned to come back and live in his house, and did come back and was willing to pay the taxes and spend money fixing up the old home place, and the City had already torn his house down, then what position would the City be in?

Mayor Brookshire stated these houses have been appraised as being below the 50% point and if the person were here in Charlotte today we would tell him he had to tear it down and he would have no recourse other than to do so. Councilman Smith stated he could protect himself by selling the house and selling the materials in it or other things he could do.

Councilman Thrower stated these houses are fire hazards and have proven to be a social hazard, and the owners are not interested enough to even answer correspondence from the City about them, and unless something is done half the houses in Charlotte could be nailed up and allowed to fall down.

Councilman Dellinger stated he does not agree with the Ordinance permitting the demolition and removal of these dwellings in its entirety but he thinks unless we take this action we might as well discard the ordinance. He stated he feels in every case of this type the City should have disinterested appraisers to appraise these properties other than our own staff and he feels that qualified experts should do this, and he thinks the City should go to all lengths to see that we are right.

Councilman Bryant stated he would like to explain why he can be for this and not for urban renewal; that under the housing code in this instance the owner still has the property and he had the opportunity to bring his house to standard to keep it and the City has given him every opportunity to do so, and he has not taken advantage of it, and as a result it can be torn down but he still has his property, while under the other program the man has no alternative, no matter what condition his house is in, but to sell and does not retain the ownership of the property although he has paid for it and has not choice in the matter.

Councilman Smith stated if the house on State Street is on the books at \$1,320.00 at a 50% appraisal that means they thought it was worth \$2,640.00 and if you can go on someones property and take \$2,640.00 away from them then that is what he thinks the City should not be authorized to do.

At the question of Councilman Dellinger as to the time element from the date of the notice to the owner, Mr. Jamison advised on the majority it has been 90 days, that the heirs to the State Street property replied and a hearing was held with them and they were in favor of going ahead with the demolition and expect the cost to be added to their taxes.

Councilman Thrower pointed out that in tearing the houses down it will bring the property value down, which will prevent back taxes from accumulating against the property, therefore, the City might be doing the owners a favor.

Councilman Smith stated he thinks this is something that is going to cause a lot of thinking in legal terms. Mr. Morrisey, City Attorney, stated there are similar situations in which the law provides a remedy which is addressed against the property rather than against the person, and this is true with taxes, they are levied against the property and the property stands for those taxes. If a piece of property becomes abandoned and tax foreclosure proceedings instituted then the person beginning the proceedings is required to use all diligence to try to determine the whereabouts of the owner, and exhausting reasonable diligence he is then authorized, under the law, to give notice by publication, and if that person does not come in in response to the notice then the property is foreclosed upon and taken from him, and the same principals are utilized in this housing law. Councilman Smith asked if when a house is foreclosed for taxes, are the taxes not taken and the difference remitted to the owner? Mr. Morrisey replied in this case the cost of the demolition becomes a lien against the property, the City is required to sell the remains after the house is demolished and any balance over the cost of the proceedings must be deposited in the Clerk of Court's office. Councilman Smith stated the point he is making is you are still protecting the owner on his interest, all you want is the taxes and the remainder goes to the owner by law, but you are not protecting a man when you take a house valued by the County at \$2,640.00 and knock it off the lot because you cannot find the owner.

Councilman Dellinger suggested if these controveries are going to come up about the Code, we should go back and see if there are other things that should be discussed before we get to this point. Councilman Bryant stated that except without this particular inclusion in the Code, it may as well be forgotten, as this is all that makes it effective. Councilman Smith stated he does not agree with that because when you keep a man from renting his house, you have cut off his income and he has to repair it.

The vote was taken on the motion for the adoption of the ordinances, and carried by the following recorded vote:

YEAS: Councilmen Bryant, Whittington, Albea, Dellinger, Jordan and Thrower.
NAYS: Councilman Smith.

The ordinances are individually recorded in Ordinance Book 13, beginning at Page 384 and ending at Page 392.

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STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE.

Upon motion of Councilman Dellinger, seconded by Councilman Thrower, and unanimously carried, the following streets were taken over for continuous maintenance by the City:

Tipperary Place	From 120 ft. southwest of Bankston Place to 350 ft. northeast of Slagle Drive.
Bankston Place	From Tipperary Place to 650 ft. northwest.
Lubbock Place	From Bankston Place to 190 ft. southwest.
Slagle Drive	From 160 ft. northwest of Tipperary Place to 230 ft. southeast of Tipperary Place.
Ledwell Street	From Freedom Drive to 1100 ft. southwest.
Colebrook Place	From Milton Road to 50 ft. west of Malta Place.
Malta Place	From Colebrook Road to 210 ft. northwest of Colebrook Road.
Meadowcliff Place	From Colebrook Road to 270 ft. southeast of Colebrook Road.
Dallas Avenue	From Kelly Street to Montague Street.
Tresavant Avenue	From 240 ft. from Tennyson Drive to Davenport St.
Tennyson Drive	From Plainview Road to 625 feet north.
Rosemont Street	From Wilkinson Boulevard to Hargrove Avenue.
Carlyle Drive	From 160 feet east of Sonora Lane to 230 ft. west of Thornton Road.
Sonora Lane	From Carlyle Drive to Thornton Road.
Thornton Road	From Carlyle Drive to 270 ft. N. of Afton Lane.
McKinley Drive	From Thornton Road to 150 ft. northwest of Thornton Road.
Afton Lane	From Thornton Road to 100 ft. northwest of Thornton Road.

PAYMENTS FOR RIGHTS OF WAY FOR THE CONSTRUCTION OF A SANITARY SEWER TRUNKLINE IN WILKINSON BOULEVARD AUTHORIZED.

Motion was made by Councilman Albea, seconded by Councilman Whittington, and unanimously carried, authorizing the payments for rights of way for the construction of a sanitary sewer trunk line in Wilkinson Boulevard, as follows:

- (a) Payment of \$78.85 to Clara Lee Withrow and A. F. Withrow for right of way 10 ft. wide by 157.70 ft. long.
- (b) Payment of \$273.29 to Philip Bent Fisher, Edward J. Fisher, Etux. for right of way 10 ft. wide by 526.58 ft. long.
- (c) Payment of \$86.88 to John Dennis Withrow and wife, Florence for right of way 15 ft. wide by 173.76 ft. long.
- (d) Payment of \$213.19 to Mrs Estelle Humphery for right of way 15 ft. wide by 426.38 ft. long.
- (e) Payment of \$76.62 to Lula Dunlap for right of way 15 ft. wide by 153.24 ft. long.
- (f) Payment of \$583.52 to Richard Behrendt and wife Margaret for right of way 15 ft. wide by 1167.04 ft. long.
- (g) Payment of \$233.00 to C. V. Strawn and wife Ola for right of way 15 ft. wide by 233 ft. long.

LEASE OF PORTION OF AIRPORT BUILDING NO. 287 TO COFFEE BREAK, INC.

Councilman Whittington moved approval of the lease to Coffee Break, INC. for a portion of Airport Building No. 287 for a term of one year, beginning January 1, 1963, at a monthly rental of \$30.00, as recommended by the City Manager and Airport Manager. The motion was seconded by Councilman Jordan, and unanimously carried.

RENEWAL OF SPECIAL OFFICER PERMIT TO JOHN P. BRUDENELL FOR USE ON PREMISES OF SOUTHERN KNITWEAR MILLS.

Upon motion of Councilman Jordan, seconded by Councilman Smith, and un-animously carried, the Special Officer Permit was renewed for one year to Mr. John P. Brudenell, 3521 Warp Street, for use on the premises of Southern Knitwear Mills.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, authorizing the Mayor and City Clerk to execute deeds for the transfer of the following cemetery lots:

- (a) Deed to Mrs Jane Severs Gabriel and Miss Matilda Severs for the south half of Lot 66, Section M, Elmwood Cemetery, transferred from the Heirs of M. L. Alexander, at \$3.00 for transfer deed.
- (b) Deed to Heirs of M. L. Alexander for the north half of Lot 66, Section M, Elmwood Cemetery, at \$3.00 for new deed.
- (c) Deed to Mr C. G. Vincent and Ruby Mae Vincent for Lot 88, Section Z, Elmwood Cemetery, transferred from W. G. Frye, at \$3.00 for transfer deed.

CONTRACT AWARDED GRINNELL COMPANY, INC. FOR 940 COUPLINGS FOR SMALL PIPE LINES.

Councilman Dellinger moved the award of contract to Grinnell Company, Inc., the low bidder meeting the specifications, for 940 Couplings for small pipe lines, at their bid price of \$1,865.00. The motion was seconded by Councilman Bryant, and unanimously carried.

The following bids were received:

Grinnell Company, Inc.	\$1,865.00
Tidewater Supply Company	1,899.98
Southern Meter & Supply Company	1,905.79
Pump & Lighting Company	2,023.64
Dresser Manufacturing Company	2,366.82
Adams Repair Products	1,475.79
(Did not meet specifications)	

CITY MANAGER, CITY ATTORNEY AND TRAFFIC ENGINEER REQUESTED TO STUDY PROVISIONS OF THE ZONING ORDINANCE RELATIVE TO THE REQUIREMENT OF BARRIERS AROUND PARKING LOTS AND ADVISE COUNCIL IF THIS APPLIES TO ALL PARKING LOTS.

Councilman Dellinger requested the City Manager, City Attorney, and Traffic Engineer to study the Zoning Ordinance relative to the requirement of barriers around parking lots and give Council more information as to whether it applies to all parking lots.

PAYMENT AUTHORIZED FOR RIGHT OF WAY FOR THE KENILWORTH AVENUE EXTENSION PROJECT.

Upon motion of Councilman Albea, seconded by Councilman Thrower, and unanimously carried, payment of \$125.00 was authorized to Mr. Melvin F. Campbell and wife, Elsie, 1220 and 1222 Kenilworth Avenue for 72.3 square feet of property as right of way for the Kenilworth Avenue Extension Project.

REPORT ON COMPLAINT OF RESIDENTS OF ALTONDALE AVENUE REGARDING DRAINAGE PROBLEM SUPPOSEDLY FROM RECENT CONSTRUCTION OF TOWERS CENTER BUILDING AT PROVIDENCE ROAD AND ALTONDALE AVENUE.

At the request of Councilman Whittington, the City Manager gave a report relative to the complaint of residents of Altondale Avenue regarding surface water and the drainage problem arising from paving surrounding the Towers Center Building. He read the report from the City Engineer advising that a representative of the Engineering Department met with Mr. English on November 28th at the Towers Center Building recently constructed at the northeast corner of Providence Road and Altondale Avenue intersection, and on examination both on the grounds and on the City's topographic maps with particular attention given the storm drainage condition, Mr. English was advised - (1) that approximately 32 acres drain storm run off to the location, between one and two acres of this were affected in recent months by construction of both Providence Road street improvements and the building with parking lot construction at 725 Providence Road. (2) That no diversion of storm water has taken place, particularly as it affects the subject location, paving of streets and parking lots always increase runoff. (3) Existing street drainage inlets at the subject location would be cleaned regularly and on any specific occasion when they need cleaning. (4) Ditches and inlets to drainage pipes upstream from the subject location are poorly designed and/or maintained, and this causes overland flow and ponding in Altondale as water from approximately 90% of the offsite area must come from across Altondale. Affected property owners should be reminded they are responsible for keeping these drains operating on their property. That the fourth item was emphasized as the most likely to be significant, however, Mr. English does not concur in this and until the Department can observe the location under operating conditions, they wish to withhold specific recommendations, after which another report will be made, following the next rainfall of real volume.

Councilman Whittington asked if the City Manager would write the people on Altondale on behalf of the Council and explain what the Engineering Department has done and will follow up after a heavy rain.

CITY MANAGER REQUESTED TO TAKE UP WITH POLICE DEPARTMENT MATTER OF FUNERAL HOME TENT TOPS BURNED AND STOLEN IN CITY CEMETERIES LAST WEEK.

Councilman Whittington advised that last week a Funeral Home tent top and frame was burned in Elmwood Cemetery and over the week-end another was burned in Oaklawn Cemetery with fresh flowers and a tent top was stolen in Oaklawn Cemetery. He stated he is bringing it before Council so they will be aware of it and so the City Manager can take it up with the Police Department as some protection is certainly needed if this is going to continue, as those tops cost about \$500.00.

ADMINISTRATIVE ASSISTANT AND ENGINEERING DEPARTMENT REPRESENTATIVES THANKED FOR MANNER IN WHICH THEY HANDLED MEETING WITH SELWYN AVENUE RESIDENTS.

Councilman Jordan expressed his appreciation to Mr. Bobo and the Engineering Department for the way they handled the meeting with the Selwyn Avenue people last week at the Esso Building; that four of the Council members were present and the meeting went better than he had expected and he believes the residents are happy with the results. Also, at the meeting the people who live on Westfield Road made a complaint as to it being used as a speed track and he hopes this will be handled with the Police Department.

CITY MANAGER TO REQUEST APPROVED LIST OF APPRAISERS TO SIGNIFY PREFERENCE FOR APPRAISAL OF RESIDENTIAL, RURAL OR COMMERCIAL PROPERTIES, AND TO BE CLASSIFIED AND SELECTED FOR ASSIGNMENT ALPHABETICALLY UNDER EACH CLASSIFICATION.

The list of approved Appraisers for city work was reviewed and discussed. Councilman Dellinger called attention that the list furnished the Council is evidently not complete as the amount paid to Mr. DeLaney for appraisal is not listed. The City Manager advised that the list evidently does not include the Kenilworth Avenue Project on which Mr. DeLaney worked.

Councilman Whittington stated the Realtors he has talked with feel they have not been treated fairly and in looking down the List he would have to agree with them. One man was on the Kenilworth project and was also on another project and he thinks when a man is given a job then his name should be put on the bottom of the List and each man be given an opportunity in the order of his listing.

Mayor Brookshire called attention that some Realtors are better qualified for a particular job and Council has given the City Manager leeway in that respect. Councilman Whittington stated the City Manager has not been given such leeway by him. Councilman Jordan stated that some of the people complaining are specialists in their given field and have only been called one time. The City Manager suggested the Council might like to change the method of assignment and say flatly who is to make a given appraisal on each and every job; that he thinks in every case he has asked Council to approve the person to be contacted to see if he is available. Councilman Thrower stated he thinks that would be the better plan. Councilman Bryant asked that it be kept on a rotating basis, as it gets too political for Council to decide on a given person for a given job. Councilman Smith stated in his opinion, Mr. Veeder has tried to be fair and certain of the jobs are larger than others. Councilman Whittington stated he too thinks the City Manager has been fair but he would like to point out, if the work is assigned alphabetically when the first man finishes a job then his name should be put on the bottom of the list, and that is the way he

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has wanted it done all the time, the same thing being true with Attorneys. These people with complaints do not come to the City Manager or City Attorney, they come to the Council, and rightly so if they feel they are not getting their share of the work. If Mr. Veeder has some question about whether a particular man is qualified to do a particular job he could call the Board of Realtors for information and when a man is selected then Mr. Veeder bring the name to Council who would pass on it.

The City Manager advised that in general the assignments have been made in the order of the listing but from time to time Council has been asked to name the next two or three men on the list from which a person who is available may be selected and invariably Council has concented to do so. He stated he has tried to do that and certainly wants to do it the way the Council thinks best; that he thinks there is probably something to be said against taking the list in a straight alphabetical order, as some of the men would be quick to acknowledge they are specialists in one field more than in another. Probably Council would like the men selected on the basis of his speciality, be it residential, airport, or what; however if Council wants it handled in a strictly alphabetical order, certainly he will do it that way.

Councilman Jordan suggested that the list might be set up under definite classifications in which the realtors excel and list each classification alphabectically.

Mayor Brookshire suggested it might be helpful to Mr. Veeder if the Board of Realtors prepared a list of qualified appraisers and stated in which field they are best qualified to serve.

Councilman Smith suggested that each of the men on the approved list be written and asked to signify the order of his preference for appraisal of residential rural and commercial property and they then be listed alphabetically under each classification and their assignments be rotated in order.

Councilman Dellinger stated that Mr. Howard Webb who lives on Queens Road has asked that his name be added to the list.

Councilman Whittington stated he thinks that Mr. Smith's suggestion is good and if the men appraise their own ability and are listed alphabetically under the various classifications and assigned work in order of their listing, then it should be alright and free from criticism.

Mr. Veeder stated he will proceed on the basis of Mr Smith's suggestion, which seems to meet the approval of everyone. He asked if Council wishes to add Mr. Howard Webb to the List? It was agreed to include Mr. Webb if he is a member of the Board of Realtors and to leave the list open for a week for the inclusion of others if the Council wishes.

CITY MANAGER THANKED FOR PROMPT ACTION IN LINING UP PROPER STREET LIGHTING ON CLARKSON STREET.

Councilman Smith thanked the City Manager for his prompt action on Clarkson Street, advising he received his memorandum stating the Traffic Engineer would install three, 7,000 mercury lumen vapor street lights within 30 days between West Trade Street and West 5th Street on Clarkson Street. He stated that should help the situation very much.

CITY MANAGER REQUESTED TO INVESTIGATE BAD CONDITION OF MCALWAY ROAD WITH VIEW TOWARD RESURFACING SAME.

Councilman Smith advised that over the weekend two people on McAlway Road called him and he went over and looked at the street and it is in very poor shape and needs resurfacing. He requested the City Manager to look into this, as the street carries lots of traffic from the Cotswold section going to the Coliseum and it is a winding road, and should be resurfaced.

COUNCILMAN BRYANT ADVISES HE WILL DEFER OFFERING RESOLUTION OPPOSING THE RECOMMENDATIONS BY THE GOVERNOR'S COMMITTEE CONCERNING REVENUE BONDS ATTRACTING INDUSTRY TO STATE, UNTIL FULL LIST OF RECOMMENDATIONS RECEIVED.

Councilman Bryant stated he would like to say why he has not today offered a resolution in opposition to the general recommendations that were made by the Governor's Committee concerning revenue bonds attracting industry to the State as he stated he would at the last meeting. That since he does not have the complete and final recommendations and in an effort not to muddy the waters, he would like to postpone it until a copy of the full recommendations is received.

CITY MANAGER REQUESTED TO ADVISE AS TO THE REPAVING OF THE LOWER END OF TILLMAN ROAD FROM I-85.

Councilman Whittington stated he was assured by the City Manager and Mr. Bobo that the lower end of Tillman Road from I-85 would be resurfaced, the upper end was and this was to be done in the last paving contract, and he was out there last week and it has not been done and he feels an obligation to these people having said that it would be in this program. Mr. Veeder advised he would check into the matter and give a report on it.

CITY MANAGER REQUESTED TO HAVE ENGINEERING DEPARTMENT SPOT PAVE SHARON-AMITY ROAD BETWEEN RANDOLPH ROAD AND PROVIDENCE ROAD FOR THE TIME BEING AS ROAD IN BAD CONDITION.

Councilman Whittington asked the City Manager what the programming is of Sharon Road from Randolph Road to Providence Road; that curb and gutter is being installed on the Shopping Center side and this is probably the worse stretch of the road. Mr. Veeder advised that money is programmed in the current Capital Improvement Program for 1963-64 for the widening of Sharon-Amity between Providence and Randolph. Councilman Whittington asked that the City Engineer be requested to check into this and do what he can to spot pave it as it is in bad shape.

APPOINTMENT OF DR. JOHN P. HARLOE TO AIR POLLUTION CONTROL AND ADVISORY BOARD.

Councilman Jordan called attention that at the last meeting Councilman Albea nominated Dr. Gage for reappointment to the Air Pollution Control and Advisory Board; he advised that he has talked with Dr. John P. Harloe and he is willing and anxious to serve in this capacity. He advised that he has just been elected President of the Medical Association, and he moved his nomination and appointment to fill the vacancy. The motion was seconded by Councilman Whittington.

Councilman Smith asked how long Dr. Gage has served on the Board and was advised he has been on this Board for seven years. He stated he believes in passing these appointments around and would therefore feel inclined to support Dr. Harloe. Councilman Albea stated that Dr. Gage has done an excellent job on the Board and he believes in reappointing a person when he is doing a good job.

At the suggestion of Mayor Brookshire, Councilman Albea made a substitute motion that both Dr. Gage and Dr. Harloe be voted on for the appointment. The motion was unanimously carried.

The vote was taken on the motion for the appointment of Dr. Gage who was nominated first and whose name is first alphabetically, and lost by the following recorded vote:

YEAS: Councilman Albea.

NAYS: Councilmen Bryant, Dellinger, Jordan, Smith, Thrower and Whittington.

The vote was then taken on the motion for the appointment of Dr. Harloe, and carried by the following recorded vote:

YEAS: Councilmen Jordan, Whittington, Bryant, Dellinger, Smith and Thrower.

NAYS: Councilman Albea.

Councilman Albea moved that the appointment be made unanimous.

Councilman Bryant suggested that since we always run into this confusion on appointments of Board members, that a definite policy be settled on and he is willing to do it anyway. That one man should be nominated at a time and either vote him in or out, but Council should decide on something to avoid this confusion. Councilman Albea stated he is not willing to do anything that would cut off nominations. Councilman Whittington stated he understood that a person's name was supposed to be placed in nomination and left there for two weeks and other could be placed in nomination in the meanwhile. Mr. Veeder asked if it would be helpful if the City Attorney and himself tried to reduce something to writing on this for Council consideration, but the suggestion was not accepted.

CONSIDERATION OF APPOINTMENT OF MEMBER TO FILL VACANCY ON FIREMEN'S RELIEF FUND BOARD OF TRUSTEES DEFERRED ONE WEEK.

Upon motion of Councilman Dellinger, seconded by Councilman Albea, and unanimously carried, consideration of the appointment to fill the vacancy on the Firemen's Relief Fund Board of Trustees called to their attention in a letter by Chief Charles, was deferred one week.

CHAIRMAN OF COMMUNITY DEVELOPMENT REHABILITATION SUBCOMMITTEE OF THE CITIZENS ADVISORY COMMITTEE ADVISES COUNCIL OF FINE WORK BEING DONE.

Mr. W. F. McNeill, Chairman of the Community Development Rehabilitation Sub-Committee of the Citizens Advisory Committee on Urban Renewal, appeared before Council and Mayor Brookshire stating he has been doing a very fine job and the efforts he has expended so far promise fine results.

Mr. McNeill advised they are on the way to getting things done; that it took them about six months to begin to find out what it was all about and the job is too big for himself or for the Mayor, as an individual, but with the cooperation of every person in Charlotte from many angles

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it can be done. That it took about 100 years to get into this and he can assure Council they have done a marvelous job in promoting the situation on the slums. That he thinks it will take more than 6 months or maybe more than 6 years, as it is a tremendous job, and as they go along he would like to ask the active cooperation and constructive criticism of the things they are doing. That they are meeting with the people over in the Greenville community on January 17th at 7 o'clock at Fairview School, at their request and he thinks they are going to clean up the section and do many things. That he is hoping as the Council goes into these various areas, and particularly the Greenville community, they will pick out people to talk with and encourage them personally to clean up as they are in the mood to do something and he feels he is on the right track, and he is willing to meet with any group anywhere at any time.

ADJOURNMENT.

Upon motion of Councilman Bryant, seconded by Councilman Jordan, and un-animously carried, the meeting was adjourned until 2 o'clock p.m., on Monday, January 14th.

Lillian R. Hoffman
Lillian R. Hoffman, City Clerk

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