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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 27, 1964, 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 Otis L. Swords, Jr., Pastor of the First Christian Church.

MINUTES APPROVED AS CORRECTED.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and un-animously carried, the Minutes of the last regular meeting of the Council on January 20th were approved as submitted with the following correction: on Page 489, second item relative to improvements to Connecticut Avenue and Carter Road, change the street from "Carter Road" to "Cardiff Avenue".

PETITION NO. 64-1 FOR CHANGE IN ZONING OF TRACT OF LAND AT THE NORTHWEST CORNER OF MONROE ROAD AND SARDIS ROAD NORTH DEFERRED PENDING FURTHER STUDY BY PLANNING COMMISSION.

Upon motion of Councilman Thrower, seconded by Councilman Bryant, and un-animously carried, Petition No. 64-1 by J. R. Renfrow, for change in zoning of tract of land at the northwest corner of Monroe Road and Sardis Road North was deferred at the request of the Planning Commission for their further study.

ORDINANCE NO. 228-Z AMENDING CHAPTER 23, SECTION 23-40 OF THE CITY CODE GRANTING HESS OIL & CHEMICAL CORPORATION PERMISSION TO STORE PETROLEUM PRODUCTS ON TRACT OF LAND ON SOUTH SIDE OF OLD MT. HOLLY ROAD, ADOPTED.

Councilman Dellinger moved the adoption of Ordinance No. 228-Z Amending Chapter 23, Section 23-40 of the City Code Granting Hess Oil & Chemical Corporation, Permission to Store Petroleum Products on tract of land approximately 700' x 500' on the south side of Old Mt. Holly Road, beginning about 500' east of Thrift Road, as recommended by the Planning Commission. The motion was seconded by Councilman Bryant, and un-animously carried. The ordinance is recorded in full in Ordinance Book 13, at Page 495.

ORDINANCE NO. 229-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING OF PROPERTY ON BOTH SIDES OF LAMAR AVENUE, FROM INDEPENDENCE BOULEVARD TO CENTRAL AVENUE, ADOPTED.

Motion was made by Councilman Albea, seconded by Councilman Thrower, and un-animously carried, adopting Ordinance No. 229-Z Amending Chapter 23, Section 23-8 of the City Code, Amending the Zoning Ordinance by changing from R-6MF to B-1 the property on both sides of Lamar Avenue, from Independence Boulevard to Central Avenue, upon the request of Mr. John V. Hanford, Jr., and others, as recommended by the Planning Commission. The ordinance is recorded in full in Ordinance Book 13, at Page 496.

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PETITION NO. 64-4 BY ERNEST C. RUSSELL & MARGARET L. RUSSELL FOR CHANGE IN ZONING OF LOT AT 4116 CUSHMAN STREET FROM R-9 TO B-1 DENIED.

Councilman Jordan moved that Petition No. 64-4 by Ernest C. Russell and Margaret L. Russell for change in zoning from R-9 to B-1 of a lot at 4116 Cushman Street be denied as recommended by the Planning Commission. The motion was seconded by Councilman Thrower.

Councilman Smith commented that this is the case where the petitioner has spent her money on setting up a Beauty Parlor in her home and complied with all regulations except Zoning, of which she says she had no knowledge, and it is a hard thing now to say she cannot operate the Shop when all the neighbors are agreeable to it; it would be an exception to permit it but at the same time it is not an exception when the neighbors do not oppose it. Councilman Albea stated it is pure and simply a matter of spot zoning and he cannot vote for that. Councilman Bryant stated it would also be an invitation for anyone who wanted to put in a different type situation in another neighborhood going on and spending their money and then come down and say that the Council did it in this case and should do it for them. Councilman Smith stated when we did not have zoning, restrictions could be relieved in cases where the neighbors had no objections. Councilman Albea pointed out that was one of the reasons Zoning was adopted, to protect the residents and keep out spot zoning, that he would like very much to do something for the petitioner but as it is now, it is pure and simple spot zoning and if that is to be done, the Zoning might as well be done away with.

Councilman Smith asked if it would be possible to make it conditional as long as the Beauty Shop is in operation? The City Attorney replied that it would not be possible to do so.

Councilman Dellinger asked if there is any such thing as operating legally where no persons are employed and no outside signs are used? And the City Attorney advised that it cannot be done.

Mayor Brookshire stated he is sure we would all like to help the Petitioner if it is legally possible, and he asked the City Attorney if it is possible for her to operate the Shop without changing the zoning at all but give her permission a year at a time to operate? Council was not agreeable to this suggestion. Councilman Dellinger asked if the owners of the adjoining property requested a similar change in zoning, could it be handled under this petition without posting another fee? Mr. Morrissey stated if you had a larger area requested rezoned you would have to have a new Petition.

The vote was taken on the motion to deny the petition, and carried by the following recorded vote:

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

PETITION NO. 64-5 BY INVESTMENT PROPERTIES, INC. FOR CHANGE IN ZONING FROM R-6 TO R-6MF OF AN AREA WEST OF BEATTIES FORD ROAD AND SOUTH OF UNIVERSITY PARK, DENIED.

Councilman Smith moved that Petition No. 64-5 by Investment Properties, Inc., for change in zoning from R-6 to R-6MF of an area of land west of Beatties Ford Road and south of University Park, including property on Montgomery Avenue, Moore Avenue, Estelle Street, Hildebrand Street and McDonald Street, be denied as recommended by the Planning Commission, petitions protesting the change having been filed by 142 property owners in the area. The Motion was seconded by Councilman Jordan.

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Councilman Bryant offered a substitute motion that the Petition be granted. The motion did not receive a second.

Councilman Dellinger stated he was not exactly happy about the remarks made at the Hearing last week about the private road in the property, and the type development the Petitioner could go ahead with if the zoning change was not approved; he asked the City Attorney if he could do so under the present subdivision? Mr. Morrissey replied that he can under the subdivision approved prior to the adoption of the present ordinance; that he would have to develop it without any variation under the old subdivision ordinance, under which it was laid out. That if he resubdivides the property, he will have to comply with the present subdivision regulations. That Mr. Waters gave every indication last week that there was a possibility he would develop it as now subdivided. Councilman Whittington asked if Mr. Morrissey is saying that based on the Planning Commission's recommendation that the Petition for zoning change be denied, then the Petitioners can develop the property under the old subdivision plan on 40 ft. lots and put as many houses in as he desires, which would probably be more damaging than it would be if it were under the new subdivision? Mr. Morrissey stated this is correct, but he does not think Council should eliminate from consideration the economical feasibility or lack of feasibility as to that type of development. Councilman Dellinger stated he is concerned about the private street, which Mr. Waters would have to maintain himself; that the City has always gotten into trouble in cases like this and eventually the City has had to take over the streets and it has cost the taxpayers money to do it, and he does not know how a situation like that could be policed.

Councilman Smith stated he made the motion to uphold the recommendation of the Planning Commission, that there was some evidence that all of these people are negroes who live in this area but this problem comes up all over town in your better neighborhoods where rental property comes in adjacent to homes owned by homeowners and depresses the individually owned homes. There are very few renters who take the same pride in their homes that the homeowner does, this is basic, and this is an economic question and he thinks some of these residents had strained themselves to uplift themselves into better housing and the economic impact on them of these duplexes adjacent was bad - - that he thinks Martin Waters has done a good job in helping supply rental units for the City of Charlotte and he would like very much to vote for this if it were not for this fact. As for the threat of building single-unit rental homes, he thinks if he can do this it would not change his vote, even the single unit would be more desirable than duplexes in this area. At least the individual house for rent would have a private yard that the renter would be responsible for maintaining and a duplex is one of those areas where neither the tenant nor landlord assumes the responsibility for keeping up the grounds.

Councilman Bryant stated he is certainly in sympathy with the people who protested the petition, however, he talked with the petitioner to see if he might be able to make better use of the land in keeping with what these protestors would like to have, and Mr. Waters assured him that he was going to build regardless of whether they are duplexes or single units for rent; however, if he can do this on 40-ft. lots with the street perfectly legally, the reason he asked that a substitute motion be offered was he feels this would be a better situation for the people than single family units on 40ft. lots, and as a result he felt like it would be a better thing.

The vote was taken on the motion to deny the petition, and carried by the following recorded vote:

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

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ORDINANCE NO. 230-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING ORDINANCE BY CHANGING ZONING OF TRACT OF LAND AT SOUTH-EAST CORNER OF LINWOOD STREET AND BELLHAVEN BOULEVARD, ADOPTED.

Councilman Whittington moved the adoption of Ordinance No. 230-Z Amending Chapter 23, Section 23-8 of the City Code, Amending the Zoning Ordinance, by changing from R-6MF to B-1 a tract of land 152' x 200' at the southeast corner of Linwood Street and Bellhaven Boulevard, upon request of Johnny C. Bigham, upon the recommendation of the Planning Commission. The motion was seconded by Councilman Bryant, and unanimously carried. The ordinance is recorded in full in Ordinance Book 13, at Page 497.

ANNUAL REPORT OF ROSTER OF FIRE DEPARTMENT APPROVED FOR CERTIFICATION TO THE BOARD OF TRUSTEES OF NORTH CAROLINA FIREMEN'S PENSION FUND.

Upon motion of Councilman Dellinger, seconded by Councilman Thrower, and unanimously carried, the Annual Report of the Roster of Active members of the Charlotte Fire Department was approved for certification to the Board of Trustees of the North Carolina Firemen's Pension Fund.

CONSTRUCTION OF SANITARY SEWER MAIN AUTHORIZED IN HAPPY VALLEY DRIVE.

Motion was made by Councilman Albea, seconded by Councilman Jordan, and unanimously carried, authorizing the construction of 1,656 feet of sanitary sewer main in Happy Valley Drive, at the request of Hornets Nest Builders, Inc., at an estimated cost of \$4,800.00. All costs to be borne by the Applicant, whose deposit of the entire cost will be refunded as per terms of the contract.

CONTRACTS AUTHORIZED FOR THE INSTALLATION OF WATER MAINS IN SEABOARD INDUSTRIAL PARK AND HIDDEN VALLEY SUBDIVISION NO. 7.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and unanimously carried, contracts were authorized for the installation of water mains at the following locations:

- (a) Contract with the Seaboard Air Line Railroad Company for the installation of 950 feet of water main and one hydrant in Seaboard Industrial Park, inside the city limits, at an estimated cost of \$7,475.00. The City to finance all construction cost and applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (b) Contract with Hidden Valley Builders, Inc. for the installation of 6,195 feet of water main and 4 hydrants in Hidden Valley Subdivision No. 7, inside the city limits, at an estimated cost of \$18,600.00. The City to finance all construction cost and applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost.
- (c) Supplementary contract, to contract dated November 9, 1959, with the Seaboard Air Line Railroad Company, for the installation of 320 feet of additional water mains in Seaboard Industrial Development, at an estimated cost of \$2,450.00. All construction cost to be borne by the applicant, who will dedicate the mains to the City without cost or further agreement upon acceptance of the work by the City.

TRANSFER OF CEMETERY LOTS.

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

- (a) Deed with Mrs Mae Ellard Pearsall, for Grave 5, Lot 120, Section 2, Evergreen Cemetery, at \$60.00.
- (b) Deed with Mrs Irene Cockinos, for Lot 252, Section 4-A, Evergreen Cemetery, at \$189.00.
- (c) Deed with Mr and Mrs C. T. Hunter, for Graves 3, 4, 5 and 6, Lot 248, Section 2, Evergreen Cemetery, transferred from Mr S. A. Hunter, Jr. and wife, Sadie G. Hunter, at \$3.00 for transfer deed.
- (d) Deed with Mr and Mrs G. W. Hunter for Graves 1, 4, 5 and 6, Lot 249, Section 2, Evergreen Cemetery, transferred from Mr S. A. Hunter, at \$3.00 for transfer deed.
- (e) Deed with Mr. S. A. Hunter, Jr. for Graves 1 and 2, Lot 248, Section 2, and Graves 2 and 3, Lot 249, Section 2, Evergreen Cemetery, at \$3.00 for new deed.

STREETS TAKEN OVER FOR CONTINUOUS MAINTENANCE.

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

STREET	FROM	TO
Briarhill Drive	Milton Road	Meadowcliff Place
Briarhill Drive	Meadowcliff Place	180' SE to end
Meadowcliff Place	Briarhill Drive	150' NW to old paving.

CONTRACT AWARDED SHERWOOD BROCKWELL, JR. AGENT FOR EUREKA FIRE HOSE, DIVISION OF U.S. RUBBER COMPANY FOR FIRE HOSE.

Councilman Thrower moved that contract be awarded the low bidder, Sherwood Brockwell, Jr. Agent for Eureka Fire Hose, Division of U. S. Rubber Company, for 4,800 feet of Fire Hose, as specified, at a total price of \$3,684.48, on a unit price basis. The motion was seconded by Councilman Albea, and unanimously carried.

The following bids were received:

Sherwood Brockwell, Jr. Agent for Eureka Fire Hose Div. of U. S. Rubber Co.	\$ 3,684.48
Fabric Fire Hose Co. of ^S handy Hook, Conn.	3,961.68
Dixie Fire & Safety Equipment Co.	3,991.52
Southern Rubber Co., Inc.	4,037.98
Hewitt-Robins	4,078.80
^B oston Woven Hose & Rubber Co.	4,147.68
The Fyr-Fyter Company	4,465.82
American LaFrance	4,625.80

CONTRACT AWARDED LEE CONSTRUCTION COMPANY FOR CONSTRUCTION OF IRWIN CREEK SEWAGE PUMPING STATION.

Upon motion of Councilman Smith, seconded by Councilman Bryant, and un-animously carried, contract was awarded the low bidder, Lee Construction Company, for the construction of Irwin Creek Sewage Pumping Station, as specified, at a total price of \$173,880.00, on a unit price basis.

The following bids were received:

Lee Construction Company	\$ 173,880.00
Noll Construction Company	174,953.00
Crowder Construction Co.	189,750.00
A. P. White & Associates	210,050.00
C. W. Gallant, Inc.	217,335.00
Boyd & Goforth, Inc.	224,375.00
Glenn Construction Co.	226,249.00
Blythe Brothers Company	227,594.00
Potts-Brown Company	240,425.00

BIDS ON PUMPING EQUIPMENT FOR IRWIN CREEK SEWAGE PUMPING STATION REJECTED.

Councilman Jordan moved that all bids on Pumping Equipment for the Irwin Pumping Station be rejected and re-advertised, as recommended by the City Engineer and Purchasing Agent. The motion was seconded by Councilman Smith, and unanimously carried.

The following bids were received:

T. C. Heyward & Company	\$ 28,069.00
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Bids not meeting specifications:

Worthington Corporation	13,212.00
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CONTRACT AWARDED INDUSTRIAL ELECTRICAL COMPANY FOR ELECTRICAL WORK, IRWIN CREEK SEWAGE PUMPING STATION.

Upon motion of Councilman Smith, seconded by Councilman Whittington, and un-animously carried, contract was awarded the low bidder, Industrial Electrical Company, for Electrical Work at Irwin Creek Sewage Pumping Station, as specified, at a total price of \$15,900.00.

The following bids were received:

Industrial Electrical Company	\$ 15,900.00
Todd Electric Company	17,493.00
Howard Electric Company	17,827.00
Morris Electric Company	21,424.00

CONTRACT AWARDED SPARTAN EQUIPMENT COMPANY FOR MATERIALS SPREADER AND TRANSFER OF FUNDS FROM CONTINGENCY FUND FOR THIS PURPOSE.

Councilman Smith moved the award of contract to the low bidder, Spartan Equipment Company, for a Materials Spreader, as specified, at a total price of \$2,923.95, and the transfer of \$856.95 from the Contingency Fund to Engineering Department Account 513.75 towards the purchase price. The motion was seconded by Councilman Bryant and unanimously carried.

The following bids were received:

Spartan Equipment Co,	\$ 2,923.95
Sanco Corporation	3,012.75

Bids not meeting specifications:

A. E. Finley & Associates, Inc.	2,182.57
Alternate Bid	2,603.84

CONTRACT AWARDED GRAY CONCRETE PIPE COMPANY FOR SEWER PIPE.

Upon motion of Councilman Thrower, seconded by Councilman Jordan, and unanimously carried, contract was awarded the only bidder meeting the specifications, Gray Concrete Pipe Company, Inc, for 2,292 feet of 18-inch R. C. Sewer Pipe, in 12-foot lengths, as specified, at a total price of \$6,303.00, on a unit price basis.

The following bids were received:

Gray Concrete Pipe Company, Inc.	\$ 6,303.00
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Bid not meeting specifications:

N. C. Products Corporation	6,633.74
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ACQUISITION OF EASEMENTS FOR SANITARY SEWER LINE TO HOSKINS AREA.

Upon motion of Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, the acquisition of easements for sanitary sewer line to serve a portion of the Hoskins area was authorized as follows:

- (a) Acquisition of tract 20' wide by 277.34' long, from Charles E. Ross and wife, Evelyn D. Ross, 816 Norwood Drive, at \$138.67.
- (b) Acquisition of tracts 20' wide by 559.02' in length, also 10' wide by 30.50' in length, from Meridwether Company, Inc., Richard H. Wright, III, President, Norwood Drive, at \$294.76.
- (c) Acquisition of tract 20' wide by 1,046.05' in length, from Macke Properties, Inc., 2701 Rozzells Ferry Road, at \$784.54.

EXTENSION OF CUT-OFF DATE OF SPECIAL ASSESSMENT POLICY FOR STREET IMPROVEMENTS.

Councilman Thrower moved that the cut-off date of the special assessment policy for street improvement be extended another 12 months to December, 1964. The motion was seconded by Councilman Albea, and unanimously carried.

RESOLUTION RELATIVE TO THE CITY COUNCIL SUPPORTING AND ENDORSING THE OBJECTIVES OF THE NORTH CAROLINA FUND AND THE CHARLOTTE AREA FUND.

A resolution entitled: Resolution Relative to the City Council Supporting and Endorsing the Objectives of the North Carolina Fund and the Charlotte Area Fund, was introduced by Councilman Albea, and following the reading thereof was unanimously adopted upon the motion of Councilman Albea, and seconded by Councilman Bryant. The resolution is recorded in full in Resolutions Book 4, at Page 358.

RESIGNATION OF ROBERT LASSITER FROM AIRPORT ADVISORY COMMITTEE ACCEPTED WITH REGRET.

A letter to the Mayor and Council from Mr. J. C. Erwin, Chairman of the Airport Advisory Committee, having been read, advising that Mr. Robert Lassiter had informed him that because of a change in residence, he can no longer act as a member of the Committee and has submitted his resignation, and that a vacancy now exists on the Committee, Councilman Dellinger moved that the resignation be accepted with regret and that he be written and thanked for his long years of service on this Board. The motion was seconded by Councilman Albea, and unanimously carried.

APPOINTMENT OF HERBERT SPAUGH, JR. TO FILL VACANCY ON AIRPORT ADVISORY COMMITTEE.

Councilman Jordan moved the appointment of Mr. Herbert Spaugh, Jr. as a member of the Airport Advisory Committee for the unexpired term of Mr. Lassiter, ending on July 31, 1966. The motion was seconded by Councilman Albea, and unanimously carried.

JOHN HUFFAKER AUTHORIZED OFFERED POSITION OF NEGOTIATOR IN RIGHT-OF-WAY DIVISION ON SIX-MONTHS TRIAL BASIS.

Councilman Smith moved that Mr. John Huffaker be offered the position as Negotiator in the Right-of-Way Division, based on an annual salary of \$6,000; however, if he will agree to accept it on a six-months trial basis and during this trial period, Council will analyze the work that has been accomplished and decide at that time whether we will further extend his employment. The motion was seconded by Councilman Jordan, and unanimously carried.

TRAFFIC ENGINEER REQUESTED TO GIVE ATTENTION TO IMPROVING CROSS-VISIBILITY AT STREET INTERSECTIONS.

Councilman Smith commented that he thinks Mr. Hoose should give attention to making possible cross-visibility at street intersections; that the time to trim shrubbery and trees is in the winter; at Wendover and Providence it is needed and maybe at Randolph and Wendover and many other intersections. That he would like to see it implemented now that it is an ordinance.

Councilman Dellinger stated he agrees with Mr. Smith but we initiated a program last year on Street Beautification and nothing much has been done about it; at some places rose-bushes were planted and they grew up maybe four feet and you can't cut them down in the spring because they are flowering, and you can't cut them down in the winter because it will kill them, so he doesn't think this ordinance was meant for islands of beautification where there are no more obstructions than these small rosebushes and he hopes it will be taken into consideration that people are doing something for the beautification of our streets. Councilman Smith said he is talking about shrubs and hedges that obstruct the view and he hopes that something will be done.

Mayor Brookshire stated he thinks that Mr. Hoose might also be reminded that this is the time of year to mulch those plants set out in our beautification program, that in the planting area at Queens and Providence Road he noticed last summer the grass practically took over, and the mulch will hold the moisture, promote the growth and keep out the grass.

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CALDWELL STREET, SIXTH STREET, FIFTH STREET, WEST FOURTH STREET AND BREVARD STREET GIVEN PRIORITY FOR COST ESTIMATES ON IMPROVEMENTS TO BE MADE.

Councilman Smith called attention that the Council has been requested by the Mayor to review the list of proposed streets in the downtown area to be improved, and suggested that if the members of Council have firmed up on the streets that some emphasis be put on four or five of them on which to have a cost estimate made of the work.

Councilman Dellinger stated all of them need some work; for example he has been trying to get something done on Caldwell Street for four or five years, and he moved that priority be given the following streets in the order named and the City Manager bring in cost estimates on them:

1. Caldwell Street, from Independence Boulevard to the Northwest Expressway.
2. 6th Street, from Caldwell Street to Graham Street.
3. 5th Street, from College Street to Caldwell Street.
4. West 4th Street, from the Railroad to Tuckaseegee Road.

The motion was seconded by Councilman Albea.

Councilman Bryant offered a substitute motion that the selection of the streets by priority be postponed for a week or two, so that the Council may each come up with a list and see how closely they approximate each other and they would be much better able to come to a conclusion. The motion did not receive a second.

Councilman Dellinger stated he is merely asking for a cost estimate on these four streets and any others the Council may wish to add.

Councilman Whittington stated in the prior discussion, Council said they would have a special meeting to discuss these streets and he is willing to have it at any time. That along with the streets Mr. Dellinger mentioned, he would like a cost estimate on 3rd Street. Councilman Thrower stated he would like to see one on 28th Street.

Councilman Smith stated the Mayor's whole idea was to do something for the downtown area and we have done a lot around the outer areas, such as Kenilworth, Kings Drive, new connection on Providence Road, and his understanding is that the Council wants to balance the program. That this priority doesn't necessarily have to carry on through but just to get the cost estimate, which will determine a great deal the work that can be done.

Councilman Whittington stated he will bring in his recommendations next week.

Councilman Bryant asked that Brevard Street, from 3rd Street to the Northwest Expressway be added as the fifth street on which a cost estimate be made, which was acceptable to Councilman Dellinger to be added to his list.

Councilman Whittington stated he is thinking about the west side, the north-south traffic, Pine, Mint, 6th Street setbacks that the City Manager has been talking about, which would be moving traffic north and south, between Graham, or between the Westside Grade Elimination Program - he asked if it would merit any consideration as far as cost estimate is concerned at this time? Councilman Dellinger stated there is not the traffic over there that is on these other streets.

Councilman Dellinger stated he believes Smith Street is in the Wilbur Smith Report and it is the logical street in that area for the north-south traffic.

Councilman Smith stated the Engineering Department has months of work on these five named streets. Mr. Veeder stated it will not be too time consuming, that the big job is going to be identifying the right-of-way requirements and the property involved.

Councilman Smith stated he would like to confine it to the four suggested by Mr. Dellinger, and Councilman Dellinger stated that five streets have been accepted.

Mr. Veeder stated one of the first things we will do, in the hopes it will be ready for Council review a week from today, is to take each of these streets and put it on a good scale topographic map showing basically existing pavement and what is involved here, and this will give a better picture of what we think will have to be priced, including the buildings.

The vote was taken on the motion to prepare a cost estimate of the four streets as named by Councilman Dellinger, and Brevard Street, from 3rd Street to the Northwest Expressway as requested by Councilman Bryant, and unanimously carried.

COUNCILMAN SMITH IS ABSENT FOR THE REMAINDER OF THE SESSION.

Councilman Smith left the meeting at this time and was absent for the remainder of the session.

EVALUATION OF STATUS OF MINIMUM HOUSING CODE REQUESTED.

Councilman Bryant asked if we are far enough along with the minimum Housing Code to make an appraisal of how it is working, whether we have enough people working on the program, how far along we are in keeping up with the number of inspections they are making as to what the problem is; in other words, is the Code tough enough or do we have enough staff to adequately do the job as it was intended to be done? The City Manager replied that certainly we have accomplished a great deal with this Code since Council approved it; whether it is rigid enough and whether we have enough people enforcing it probably are both questions you get relative answers on; that he does not know if he can candidly say if we have or have not enough people, it depends in some measure on the degree of emphasis that we wish to put on it; that it necessarily follows if we were able to utilize a greater number of people the total effort would be expanded by that much, that this is basically a judgment value involved more so than an objective value.

Councilman Bryant stated the only thing he can see that would be a gauge would be to bring up to date the Survey that was made as to how many buildings we had that needed inspecting to see whether we are falling behind or whether we are just stemming the tide, making progress or slipping back. That it would seem to him with a year and a half experience we would be able to make a rough gauge as to whether we are fooling ourselves thinking we have an adequate staff or whether we are really making progress. Mr. Veeder stated it would seem to him to some degree we use census tracts and census data on number of structures that needed some attention; that whether or not we have ways of upgrading that data he does not know, but would like to explore this. That the Planning Staff would have some ideas of approaches as to how we could evaluate what progress we are making. Councilman Bryant stated in other words, if it is not working we are talking about a lot of useless things on some of the other moves we have been making, it seems to him.

Councilman Dellinger stated as far as that Agency is concerned he thinks they are doing a good job and from a layman's standpoint he does not think you

can push the program much faster; that it is reasonable to assume so much repair work can be done, and he thinks people have been cooperating right well with the Agency, and he does not think if the force is doubled that the public would be any more cooperative, and the Agency could do any more than they have been doing.

Councilman Thrower asked if he is not correct in assuming that we have as strong a Housing Code that we can have under the State law? Mr. Veeder stated that statement is not far from being absolutely correct, there might be some minor points where it could be improved, but basically everything in the Code, of necessity, must go back to the State Statutes, which controls. That he thinks it is generally recognized throughout North Carolina that we have a first rate program with this respect, certainly as compared with most if not all of the cities in the State.

Councilman Whittington asked the City Manager if he did anything about the recommendation he made to Council whereby the staff of Mr. Lackey, the Health Department and the Fire Department would concentrate in an area? Mr. Veeder stated he has had some preliminary discussions with some of our people but has not been able to put it all together, and he thinks it has real merit.

DISCUSSION OF CITY'S TAX STRUCTURE AND APPOINTMENT OF COMMITTEE TO RECOMMEND NEW SOURCES OF REVENUE.

Councilman Bryant said he would like to briefly discuss our Tax Structure, which he has been thinking about in connection with the Economic Survey, as it seems to be one of its prerequisites. That to his knowledge this discussion has been going on for four or five years and probably much longer about another source of revenue rather than property tax, and he is not speaking just of the downtown property owners or business property owners but also home owners. That he has advocated in the past, as have others of the Council, the matter of finding an additional source, and we have had several Committees working and surveys and done an awful lot about it, and everybody has thrown up their hands and said it is something we can't get through the Legislature, there is no possible way, and it would seem to him this would be a good time for the Mayor to appoint a Committee to come up with a definite recommendation in order to have it ready for the 1965 Legislature. He stated to let's do it or forget about it and do the best we can.

Councilman Dellinger moved that Mr. Bryant be appointed as a Committee to do this. Councilman Albea seconded the motion that Mr. Bryant be appointed as a Committee of one, and Councilman Bryant stated he would be delighted.

Mayor Brookshire stated to Councilman Bryant that he had been appointed by the Council it appears and asked if there was anyone he would like to serve with him? Councilman Bryant asked that Mr. Albea, Mr. Whittington and Mr. Veeder. Councilman Albea asked why not have the whole Council on the Committee, that he does not like Committee and he wanted Mr. Bryant to do this as he seemed to be the only one who wanted to push it.

Mr. Veeder stated he believes that Mr. Smith and Mr. Bryant are serving on the Pace and Progress Committee and he is aware that this Committee has already made its recommendations on what money should be spent for what in the community over the Capital Improvements, and he is aware that the Committee has had a number of meetings towards the end of where the money is coming from. Councilman Bryant stated that is one of the reasons he thought a Committee appointed by the Mayor to refer a disposition, one way or the other, to what will be our Legislative Committee, to take advantage

of these things that are recommended by the Pace and Progress Committee. He stated the Chamber of Commerce has a Committee on this particular question, on which he has served one or two years; that his idea was to bring something to a head, that we can do it or we cannot. He stated a number of people are interested in it and would like to see something done, and if we do not begin to get something together we will be so far gone when next January comes along we will be talking about the 1967 Legislature; that this is a vital matter as far as people who own property and people who are interested in coming into the city are concerned, if we are going to attract from the Economic Survey and the implementation of it.

Councilman Thrower asked Councilman Bryant if he can give Council any suggestions? Councilman Bryant stated we are down to four or five possibilities, some have merit and some have none whatsoever, that we have been over it many times, there is the payroll tax, doing away with a couple of State Intangibles in exchange for sales tax, there are taxes on people who just earn their living who live outside Charlotte, City license tags - that the Councilmen were probably given a copy of the Mayor's Committee Report that was very well done and they made a definite recommendation of an Income Tax, however the people who wrote that changed their minds in some respect since then and might have other feelings now.

Following a brief discussion, the City Manager stated he is curious, recognizing all of the time and efforts the Pace & Progress Committee has put into answering this question, as to when their report will be out, which presumably will include some answers as to where the dollars should come from. Councilman Bryant stated he missed the last meeting of the Committee and does not know whether they determined a target date on it, but from past experience he is sure Council should have the report not later than the middle of March. Mayor Brookshire stated he was of the opinion their study report on Pace & Progress would come out and then an addendum covering New Sources of Revenue. He stated further all of this emphasizes the importance, and perhaps the necessity, of our finding sources of revenue as an alternative to increasing taxes or selling more bonds.

Councilman Bryant asked if it would be appropriate to appoint a Committee to receive all such information for the benefit of Council? Councilman Albea asked that this be a Committee of the whole Council. Mayor Brookshire stated he thinks when the Pace and Progress Committee Report and the Addendum with reference to new income sources is out, Council would all like copies of it.

ADJOURNMENT.

Upon motion of Councilman Thrower, seconded by Councilman Albea, and unanimously carried, the meeting was adjourned.


Lillian R. Hoffman, City Clerk