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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held on Monday, January 12, 1970, in the Council Chamber, City Hall, at 3:00 o'clock p.m., with Mayor pro tem Whittington presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry Tuttle and Joe D. Withrow present.

ABSENT: Mayor John M. Belk.

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INVOCATION.

The invocation was given by Councilman Joe D. Withrow.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, the Minutes of the last Council Meeting, on January 5, 1970, were approved as submitted.

RECOGNITION OF TWENTY-ONE CITY EMPLOYEES.

Mayor pro tem Whittington stated today we have 21 city employees that have served this city and the citizens who live within this city long and faithfully; that up until a few years ago, Council had a party and made these presentations but having dispensed with that, these awards will be presented today to these ladies and gentlemen who have rendered such a valuable service to this city and the people who live here.

He asked Council to stand with him as he makes these presentations. They are as follows:

TWENTY FIVE YEAR SERVICE AWARDS

EMPLOYED

- | | |
|---|---------------------|
| A. J. Benton (absent) - Chemist with the Water Department | - January 17, 1944 |
| I. E. Duncan - Captain, Fire Department | - July 3, 1944 |
| Lt. J. R. Hall (absent) - Lieutenant, Police Dept. | - February 7, 1944 |
| C. A. Helms - Radio Engineer | - January 15, 1944 |
| S. E. Hill (absent) - Sergeant, Police Dept. | - November 10, 1943 |
| R. P. Holcomb - Broommaker, Motor Transp. Dept. | - November 16, 1944 |
| J. M. McCoy - Firefighter, Fire Dept. | - November 9, 1943 |
| H. D. McSwain - Lieutenant, Fire Dept. | - November 10, 1943 |
| J. H. Savage - Accounting Clerk, Finance Dept. | - August 1, 1944 |
| H. L. Strawn - Accountant, Finance Dept. | - September 1, 1944 |
| D. L. Wallace - Captain, Fire Dept. | - July 3, 1944 |

THIRTY YEAR SERVICE AWARDS

- | | |
|---|----------------------|
| Mrs. Pauline D. Jones - Clerk-Steno, Cemeteries | - September 25, 1939 |
| C. C. Hagler (absent) - Lieutenant, Police Dept. | - November 23, 1938 |
| H. O. Hooper (absent) - Deputy Fire Chief, Fire Dept. | - November 9, 1938 |
| Casey Jones - Laborer I, Water Dept. | - November 1, 1939 |
| Ed McCollough - Equip. Operator I, Water Dept. | - December 3, 1938 |
| T. F. Simpson - Captain, Fire Dept. | - April 16, 1939 |

THIRTY FIVE YEAR SERVICE AWARDS

- | | |
|--|---------------------|
| Chief Walter J. Black - Fire Department | - July 1, 1932 |
| L. W. Brown - Deputy Fire Chief, Fire Dept. | - November 9, 1938 |
| E. G. Davis - Supt., Motor Transport Dept. | - February 23, 1934 |
| J. D. Greene - Deputy Fire Chief, Fire Dept. | - November 26, 1934 |

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STATEMENT BY DEPUTY CHIEF L. W. (BUCK) BROWN OF THE CHARLOTTE FIRE DEPARTMENT.

Chief L. W. Brown stated sometime compensations in salary do not always fulfill your desires, but compensation comes to a city employee that gives of their service and works with the men they work with; that if any credit comes to him it has been by and through the men who work with him.

Chief Brown stated yesterday the Department had two second alarm fires in his district. That a man from McGee Lumber Company called him today and stated that at the time of the fire he would not have given five cents for the entire business. He stated this is the type of thing that makes you feel good and compensates for service rendered. Chief Brown stated he has enjoyed every minute of his work with the City; that he has worked with some of the finest people he has ever known.

Chief Brown stated the firemen are a dedicated bunch of men and they are men who give their all. He stated he appreciates the kind of government Charlotte has had over the years he has been with the city; that the present Council to him represents one of the most fair-minded groups he has known.

He asked that the news media, with the Council's cooperation and the Police Department, bring to the attention of the general public that when there is a major fire such as the two yesterday the traffic gets heavy and the fire trucks cannot get into the area and make the set ups that are necessary. He stated the public is not paying any attention to emergency vehicles; that one of his men was almost hit by a car as he was running with a hose to attach to a fire hydrant.

CITY OF CHARLOTTE EMPLOYEE SERVICE PLAQUE PRESENT TO MR. R. P. HOLCOMB.

Mayor pro tem Whittington asked Mr. R. P. Holcomb to again come to the front of the Chamber and be recognized. He stated Mr. Holcomb was employed in the Motor Transport Department on November 14, 1944 as a broommaker and retired on January 1, 1970 after 25 years of service. He presented Mr. Holcomb with the City of Charlotte Employee Service Plaque, and wished him well in his retirement.

ORDINANCE NO. 484 AMENDING CHAPTER 16, ENTITLED: "SEWAGE AND WATER" OF THE CODE OF THE CITY OF CHARLOTTE IN CONNECTION WITH RATES.

Mayor pro tem Whittington stated in the Conference Session today at 2:00 o'clock, Council received a report from the Community Facilities Committee on its study of water rates. He asked the Chairman of the Committee to again present his resolution.

Mr. Channing Brown, Chairman of the Community Facilities Committee, stated the Committee is composed of the following: Mr. Syndor Thompson, Attorney, is Vice Chairman; Mr. Patrick M. Calhoun, Vice President of the North Carolina National Bank; Mr. W. J. Smith, Vice President of First Union National Bank and Mr. Hugh E. White, an Architect.

Mr. Brown stated on December 23, 1969, Mr. Veeder wrote him requesting the Committee to consider material with respect to a rate increase for water service within the City of Charlotte and Mecklenburg County. This information included the report on water and sewer rates prepared by Weston and Sampson, Engineers, dated December, 1969, a copy of the financial report of the City of Charlotte, a staff report dealing with water and sewer charges other than rates, and a memorandum to Mr. Veeder from Mr. Fennell dated December 23, 1969. Mr. Brown stated the Committee has analyzed the information in these reports along with other information; Mr. W. J. Smith was allocated this duty to consider it in detail at their first meeting in September; he has done yeoman's work in this connection and made a very substantial report to the Committee this morning. He stated at the meeting today various persons spoke to them about the water rates, especially the large users. This was

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considered in detail. Also present with them this morning were the members of the Board of County Commissioners. Mr. Brown stated with all this information they finally agreed to present a motion to the Community Facilities Committee as to the percentage of increase to recommend or what amount of money they would recommend for Council's approval. He stated they agreed on a resolution first, and then the individual members of the Committee submitted their recommendations as to the percentage of increase for water rates. He stated these were substantially close together; the question then came up as to how to resolve three different percentages from four men; they finally agreed to take the average of those four recommendations which they did and adopted the following resolution:

"Mr. Smith made motion that the existing water service rates be increased not more than 17½% provided not more than \$637,000 be included in the 1970-71 budget for capital improvements including contractual repayments, and that the sewer charges continue to be 100% of water charges inside the city limits of Charlotte, and both water and sewer charges be doubled outside the city limits. The motion was unanimously approved."

Mayor pro tem Whittington on behalf of Council thanked Mr. Brown and the members of the Community Facilities Committee for the work they have done, not only in the water rate structure study but for the valuable work they have done with the city and county on the extension of water lines into the county.

Mr. Joe Grier, Attorney for some of the larger water and sewer users in Charlotte, stated when they finished their presentation to the CFC this morning, Mr. Smith said "we agree with your figures" meaning there had been a profit from operation of the water-sewer operation for every year since the rates were put into effect in 1961. Mr. Smith added that the question is purely one of determining how much capital development is to be done out of current revenue, and it was on that basis that the maximum increase which Council heard reported was discussed and arrived at.

Mr. Grier stated for the first time Council has the matter in proper perspective; revenue from users on the present rate is sufficient to cover operations; it is not sufficient to cover capital development in unlimited amounts - in limited amounts perhaps. Council has what Mr. Smith described this morning as being the "political" issue, or from what source you want to raise the revenue for capital development; that Mr. Smith in his report went at the matter in terms of seeing how much money has been spent out of revenue for capital development in the years since 1961 rates were adopted; he found that an average of approximately \$750,000 had been spent each year for capital development, and he concluded that it would be a reasonable precedent to say that the rates might now be established in such amount as to allow the continuation of that amount of investment. Mr. Grier stated he is in entire agreement, except for some minor variations, with the figures submitted by Mr. Smith and the focus in which he sees the thing.

Mr. Grier stated that the question of whether the present users are going to be required in the rates Council adopts to pay for extending the system into places they do not require is a question Council has never faced up to before; that this is a many sided question; that it is more complex than the simple question of whether to pay as you go on general obligation because there the payers in either case seem to be substantially the same. If you charge the users with capital development then you are requiring them to pay for a system that they will not use. He stated it seems to him that Council should not act hastily with respect to resolving the question that it has not had before and specifically considered.

He stated it seems to him the better policy for Council is to give careful consideration as to whether it wishes to include any capital development expenditures in revenues; that all it wishes to do at this time is to make a margin by which it can be dead sure that all expenses will be covered; that it put into effect only a very nominal increase. That every percentage that

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the rate is raised brings in an additional \$65,000 a year based on current estimates of revenue; that a very modest increase at this time with a review as soon as the operations for this year have been finalized by the actual figures; that any increase in excess of 5% will be going beyond what the facts justify.

Mr. Grier stated a question which was not before the CFC this morning and one that Council must resolve is "what are you going to do about the discrimination that continues to exist with respect to the so-called Westinghouse agreement and these other people who are perhaps consuming more water than is being delivered under that agreement". He stated a uniform rate is not being applied as long as the city continues to sell to the county at one price and to other people who consume more water without having a line specifically constructed for them as the city did for the county; this discrimination must be eliminated in order to provide uniform rates which is required of the city as a matter of law.

He stated prior to 1961 there was a category in excess of 100,000 cubic feet; that the cost of delivering water continues to go down as volume goes up; many cities have a category for that; he suggested that as a part of the city's effort to provide a fair rate structure that Council ask the finance and water departments to give it some recommendation about the establishment of another rate bracket with the idea that that rate bracket might be uniformly applied to the county and to other people who might qualify for it.

Councilman Short stated the Westinghouse rate was an effort to apply the D-2 policy to the 9 $\frac{1}{2}$ cent rate; that the city has followed its standard policy and has preserved a uniform rate in selling water to the county under the Westinghouse agreement. That the Council has considered very much and in great depth, as had the CFC, the various points Mr. Grier raised, and specifically, the point as to whether pay-as-you-go capital improvements from rates should be continued; that there are a half dozen points that could be made to defend this procedure.

Councilman Short moved by the adoption of the subject ordinance amending Chapter 16, entitled "Sewage and Water" that the city administration be instructed to proceed with an increase in the water rates in accordance with the resolution presented by Mr. Channing Brown, representing the CFC and specifically this will include the 17 $\frac{1}{2}$ % figure, and will include the provision that the 1970-71 water and sewer budget, whichever of the three budgets is proper, include not more than \$637,000 for pay-as-you-go for direct capital improvements as well as contractual repayments; that these rates be effectuated by February 15, and as a part of this motion that the various changes in fees as recommended to Council in a memorandum dated January 2 from L. P. Bobo to the City Manager, also be put into effect either on this date or an effective date that the City Manager will determine. The motion was seconded by Councilman Withrow.

Mayor pro tem Whittington stated he served on this Council in 1961 when the present water rates were adopted and Council went to a national consultant for help; this time, in 1969-70, Council was faced with the same problem having not raised these rates since 1961. This time, Council went to another national consultant, to the city's professional staff - Mr. Fennell, Mr. Franklin and Mr. Veeder - and also to the Community Facilities Committee. That the Community Facilities Committee, perhaps more than any other group has studied the needs of the city, the finances of the water department and why the rates are needed at this time. Mayor pro tem Whittington stated he concurs with Council action today.

Councilman Tuttle stated much study came up with figures ranging from 40-50 percent as a needed increase, and thanks to people who have really dug into this, he believes we have come up with something that is much more realistic and in order.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, beginning at Page 470.

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REQUEST THAT THURSDAY, JANUARY 15, BE DECLARED A HOLIDAY IN MEMORY OF DR. MARTIN LUTHER KING, JR. SUBMITTED BY THE BLACK STUDENT UNION OF UNCC.

Mr. Humphry Cummings, Minister of Information for the Black Student Union of the University of North Carolina at Charlotte, requested that the Mayor and City Council initiate action proclaiming January 15, Martin Luther King, Jr.'s Birthday, a legal holiday within the City of Charlotte; they further asked Council to contact the Mecklenburg Board of County Commissioners requesting that Mecklenburg County join with all those honoring Dr. King; they asked that flags on all city and county buildings be flown at half staff the day of January 15th including schools; that city and county employees be given a paid holiday and that schools be dismissed on the day of January 15. He stated the BSU has sent letters to Governor Scott and to President Friday of the Consolidated University; they ask the Governor to proclaim a legal holiday throughout the State of North Carolina and that flags be flown at half staff on state-owned buildings; they ask Dr. Friday to direct all flags/at all branches of the consolidated university and that he further take action to see that no branch of the consolidated university has classes scheduled on a future January 15; they ask the churches of this community and throughout the state to ring their church bells periodically every hour on the hour on January 15th.

Mr. Cummings stated numerous other communities have taken this step and aligned themselves with the principles that Dr. King held dear. They are New York, Philadelphia, Baltimore and Washington.

He stated on January 15 they plan a commemorative observance on the campus around the flag pole at 12:30 and they invite the Mayor and Council and all interested members of the community to join them. At this time they will present a petition to be sent to President Nixon and other responsible members of government at various levels asking that January 15 be declared a national holiday.

Mayor pro tem Whittington requested the City Attorney to look into this request and see what Council can do as a local governing body and report back this afternoon.

PETITION NO. 69-115 BY JOHNSON H. BROWN FOR A CHANGE IN ZONING FROM R-6MF TO B-1 AT 603 HAWTHORNE LANE, DENIED.

Upon motion of Councilman Tuttle, seconded by Councilman Withrow, and unanimously carried, subject petition was denied as recommended by the Planning Commission.

ORDINANCE NO. 485-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY FRONTING 100 FEET ON THE SOUTH SIDE OF AMHURST PLACE, AND EXTENDING THROUGH THE BLOCK TO FRONT 181 FEET ON LUTHER STREET.

Motion was made by Councilman Withrow, seconded by Councilman Tuttle, and unanimously carried, adopting the subject ordinance changing the zoning from R-6MF to R-6MFH as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 16, at Page 475.

CONSTRUCTION OF WATER MAINS AND FIRE HYDRANTS TO SERVE SECTION V, EASTBROOK WOODS SUBDIVISION, APPROVED.

Councilman Thrower moved approval of the construction of 4,640 feet of water mains and four (4) fire hydrants to serve Section V, Eastbrook Woods Subdivision, inside the city, at an estimated cost of \$22,400.00, with the city to finance all construction costs and the applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost. The motion was seconded by Councilman Tuttle, and carried unanimously.

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RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES.

Motion was made by Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, adopting the subject resolution authorizing the refund of certain taxes in the total amount of \$783.07 which were levied and paid in error.

The resolution is recorded in full in Resolutions Book 7, at Page 12.

APPROVAL OF RIGHT OF WAY AGREEMENT WITH THE NORTH CAROLINA STATE HIGHWAY COMMISSION FOR THE WATER DEPARTMENT TO REMOVE AND RELOCATE CERTAIN WATER MAINS BETWEEN EAST THIRD AND EAST FIFTH STREET IN THE RIGHT OF WAY OF THE NORTHWEST EXPRESSWAY.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, the subject Right of Way Agreement was approved with the North Carolina State Highway Commission for the Water Department to remove and relocate certain 6", 8" and 12" water mains between East Third and East Fifth Street in the right of way of the Northwest Expressway.

PROPERTY TRANSACTIONS AUTHORIZED.

Councilman Jordan moved approval of the following property transactions. The motion was seconded by Councilman Tuttle, and carried unanimously.

- (a) Acquisition of easement in a dedicated street at the corner of Whitton Street and Weona Avenue, from Honey Properties Incorporated, at \$1.00, for sanitary sewer to serve Weona Avenue.
- (b) Acquisition of 150' x 18.96' x 150' x 16.70' of easement at 2002 Pinewood Circle, from Basil M. Boyd, Jr. and wife, at \$150.00, for the Briar Creek Outfall.
- (c) Acquisition of 30' x 159.57' of easement at 2311 Brandon Circle, from G. C. Thomas, Jr. and wife, at \$350.00, for the Briar Creek Outfall.
- (d) Acquisition of 33' x 160' of easement at 2311 Brandon Circle, from G. C. Thomas, Jr. and wife, at \$650.00, for the Sugar Creek-Briar Creek Flood Control Project.

COMPROMISE SETTLEMENTS AUTHORIZED.

Motion was made by Councilman Thrower, seconded by Councilman Alexander, and unanimously carried, to authorize compromise settlements in the following acquisitions:

- (a) Settlement in the amount of \$10,775.00, for acquisition of 163.15' x 35.13' x 158.56' x 24.22' of property at 300 North Brevard Street, from H. E. Austin and wife, Mary E., for the Sixth Street Widening.
- (b) Settlement in the amount of \$22,025.00 for acquisition of 187' x 35' x 162.5' x 34.81' x 55.64' of property at 301 Grandin Road, from Robert P. Steffey, for the West Fourth Street Extension.
- (c) Settlement in the amount of \$10,475.00, for acquisition of 50.0' x 34.98' x 50.0' x 35.0' of property at 1511-13 Westbrook Road and 304-06 Grandin Road, for the West Fourth Street Extension, from Robert P. Steffey.

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MR. E. L. VINSON AND MR. J. CARLTON FLEMING REAPPOINTED TO MODEL NEIGHBORHOOD COMMISSION.

Upon motion of Councilman Tuttle, seconded by Councilman Thrower, and unanimously carried, Mr. E. L. Vinson was reappointed for a term of one year to the Model Neighborhood Commission.

Councilman Jordan moved the reappointment of Mr. J. Carlton Fleming to the Model Neighborhood Commission for a term of one year. The motion was seconded by Councilman Alexander and carried unanimously.

SPECIAL OFFICER PERMIT AUTHORIZED.

Councilman Thrower moved the appointment of Mr. Alvin David Sides, Sr. as a Special Officer for a period of one year to serve on the premises of North Wood Park and Eastbrook Woods Subdivision. The motion was seconded by Councilman Tuttle, and carried unanimously.

CONTRACT AWARDED PUMP & LIGHTING COMPANY, INC., FOR GATE VALVES FOR THE WATER DEPARTMENT.

Motion was made by Councilman Jordan, seconded by Councilman Withrow and unanimously carried, awarding contract to the low bidder, Pump & Lighting Company, Inc., in the amount of \$22,350.00, on a unit price basis, for 370 gate valves for the Water Department.

The following bids were received:

Pump & Lighting Co., Inc.	\$22,350.00
Grinnell Company, Inc.	22,789.02
Kennedy Valve Mfg. Co., Inc.	23,367.32
American Cast Iron Pipe Co.	26,491.36
U. S. Pipe & Foundry Co.	30,966.40

REPORT ON COMPLAINT REGARDING ZONING COMPLIANCE AT 4012 PARK ROAD.

Councilman Tuttle stated in reply to his request about the complaint of Mr. Bost on Park Road regarding compliance to the zoning ordinance, the reply reads: "One of the office buildings at the rear of Mr. L. W. Bost's property, located at 4012 Park Road was completed about six days ago. The plant to be used as a screen was too small and was not of the variety to comply with the zoning ordinance." Councilman Tuttle stated there are a number of these situations and he wonders how many we have where they have not complied with the ordinance, and people just get mad and say nothing about them. He stated his point is simply - should not the city follow up on these situations after the council zones something on condition that it will be screened off.

Mr. L. P. Bobo, Administrative Assistant, replied there was a follow up on this situation, and the property owner had been notified to correct the situation prior to the complaint received by Council.

COUNCILMAN TUTTLE LEFT THE MEETING AT THIS TIME.

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

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APPROVAL OF APPOINTMENT OF MRS. JOSEPH C. CROSBY TO THE CHARLOTTE-MECKLENBURG CHARTER COMMISSION.

Mayor pro tem Whittington stated Mayor Belk asks Council to approve his appointment of Mrs. Joseph C. Crosby to the Charlotte-Mecklenburg Charter Commission; that Mr. James Burch resigned from the Commission and has accepted a position with the State Department of Education in Raleigh. He stated Mrs. Crosby is a present member of the Citizens Review Commission, a graduate of Johnson C. Smith University and attended the Bank Street College in New York City.

Councilman Alexander moved approval of Mayor Belk's appointment of Mrs. Joseph C. Crosby to the Charlotte-Mecklenburg Charter Commission. The motion was seconded by Councilman Withrow, and carried unanimously.

CITY MANAGER REQUESTED TO CONTACT CORP OF ENGINEERS TO SEE IF THEY CAN HELP WITH THE PROBLEM OF THE FIRE AT THE LANDFILL ON STATESVILLE ROAD.

Mayor pro tem Whittington stated at the last Council Meeting, Councilman Alexander brought up the problem of the landfill on Statesville Road. He stated as late as Friday of this past week this was still burning. He stated it has been suggested to him that the City Manager contact the Corp of Engineers and ask them to come in and see what they can do to help with this problem of the fire burning underground.

Mr. Bobo, Administrative Assistant, stated the Sanitation Department has contracted with a private contractor to haul in some additional earth to build a fire wall which they hope will put this fire out.

Councilman Thrower stated the Minutes of the last Council Meeting indicate that he made a request that the City contact the Forestry Department to see if they cannot help in this situation.

MOTION TO SET THURSDAY, JANUARY 15, 1970, AS HOLIDAY FOR ALL CITY EMPLOYEES IN HONOR OF DR. MARTIN LUTHER KING, JR. DIED FOR LACK OF A SECOND.

Mr. Underhill, City Attorney, advised that City Council has the authority to establish holidays for city employees; this authority is vested in them and contained in the city's personnel rules and regulations; Council has no authority to establish holidays for private or other public bodies; City Council could recommend to other units of government or private industries if they so desire to set a holiday.

Mr. Underhill stated generally speaking holidays set by the Council in the past have been national holidays established nationwide and recognized by the Congress. They are - New Year's Day, Washington's Birthday, Easter Monday, Mecklenburg Independence Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day and Christmas Day.

Councilman Alexander stated much in the request for a holiday in memory of Dr. Martin Luther King, Jr. covers situations that Council has no control over, and only one section is he concerned with and he moved that Thursday, January 15, 1970 be designated a holiday in honor of Dr. Martin Luther King.

Councilman Short asked if this would permit all city employees a day off? Mr. Underhill replied it would. Councilman Short asked the City Manager to comment on this request as this is only three days away; that he is in sympathy with the idea but Council would be doing this rather quickly in reference to necessary work progress.

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Mr. Veeder, City Manager, replied to do something on a Monday of this nature that would be effective on the following Thursday is not much lead time. The dollar cost is something that Council might like to have in mind. He stated last week's payroll was just at \$373,000, dividing this by five, the daily payroll is about \$75,000; recognizing that if Council decides to designate Thursday as a holiday, there are a number of operations that have to continue in any event and the city's policies call for double time; this will add a factor on this \$75,000 for those who have to work and this would be no less than \$25,000. A conservative figure dollar cost to declare this a holiday in terms of salaries is \$100,000.

Councilman Withrow stated Dr. King has done a great job and he admires the work he has done, not only for his people but for the United States as a whole but he does not think that we as a Council or the City of Charlotte can accept this as a holiday unless we go back and accept other leaders of our nation; if we do this we will all stay away from work continuously 365 days a year. Councilman Withrow stated he would like to see the people work an extra day rather than taking a day off and to work harder to show their appreciation of this man's work.

Councilman Jordan stated if Council does this today, it will be setting a precedent that it will have to continue in the future.

Councilman Short stated the only one of the listed days that honors one individual human being is George Washington; all the others are holidays of various other sort rather than memorializing just one individual.

Councilman Alexander stated if Council so decides to approve this action it will not be the first time anything like this has been done; that this would not be doing anything different from what other cities do from time to time.

Mayor pro tem Whittington stated to Mr. Cummings and those who are present with him that he appreciates their concern for the memory of Dr. Martin Luther King, and for the services he rendered to this country. But he would hope and recommend to Council that this not be officially adopted as a day commemorating Martin Luther King's Birthday for many reasons. One is it would be setting a precedent never been done before in this City. Council received a request last year to proclaim a day for Malcolm X. Second, this has not been brought to the attention of the Board of County Commissioners and anytime one government has a holiday without the other one it causes a hardship on the government left open. That while he appreciates what they are doing, it would be in his best judgement that Council not set aside such a day for this.

Mayor pro tem Whittington asked if there is a second to Mr. Alexander's motion. The motion did not receive a second.

ADJOURNMENT UNTIL 7:30 P.M. AT UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE, STUDENT UNION CAFETERIA.

Councilman Thrower moved that the meeting be adjourned until 7:30 P.M. tonight, Monday, January 12, 1970, in the cafeteria of the Student Union Building, University of North Carolina at Charlotte to consider petitions for additions to the text of the zoning ordinance and changes in the zoning map for the University area. The motion was seconded by Councilman Withrow, and carried unanimously.


Ruth Armstrong, City Clerk