

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, November 22, 1965, at 3 o'clock p.m., with Mayor Stan R. Brookshire presiding and Councilmen Claude L. Albea, Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry Tuttle and James B. Whittington present.

ABSENT: None.

INVOCATION.

The invocation was given by the Reverend Cecil K. Myrick, Pastor of Aldergate Methodist Church.

MINUTES APPROVED.

Upon motion of Councilman Short, seconded by Councilman Albea, and unanimously carried, the Minutes of the last meeting on November 15th were approved as submitted to the City Council.

BOMBING OF FOUR HOMES BY UNKNOWN PERSONS DEPLORED BY THE MAYOR, CITY COUNCIL, THE GOVERNOR, CHARLOTTE COMMUNITY RELATIONS COMMITTEE, CHAMBER OF COMMERCE, CHARLOTTE-MECKLENBURG COUNCIL ON HUMAN RELATIONS, MECKLENBURG CHRISTIAN MINISTERS ASSOCIATION, AND INTERESTED CITIZENS; AND THE MAYOR AND CITY COUNCIL PLEDGES THAT EVERY EFFORT WILL BE MADE TO APPREHEND THE PERPETRATORS OF THESE CRIMES.

Mayor Brookshire remarked that he knows there are a number of citizens, not only in this room at the moment but throughout our city, who are very much disturbed about the bombing of the homes of four of our citizens last night, and in that connection he will read the following three statements for the record and ask Council approval of them:

That the first statement he made early this morning: "These bombings are most unfortunate and uncalled for and our whole city is shocked. We have worked hard to promote peaceful and constructive race relations in which the leadership of the city has joined and which has been supported by the community at large. We will do everything possible to get to the bottom of this matter. Governor Moore's office called this morning to offer any help that may be needed, and we appreciate this offer and will take advantage of it if necessary."

He stated that later in the morning Governor Moore issued the following statement which shows considerable concern, not only for Charlotte, but for the good of the entire State: "The bombing of the private homes in Charlotte early this morning are dastardly acts. These terrorists will be sought by every means available and then will be prosecuted to the fullest extent of the law. I cannot condemn too strongly such cowardly acts. The acts of those who use the cloak of darkness to terrorize our fellow citizens will not be tolerated in this State. I have ordered the Bureau of Investigation and the State Highway Patrol to assist in every way possible in the apprehension of these vicious criminals. No one will be allowed to terrorize our citizens. Law and order will be maintained in North Carolina."

Mayor Brookshire stated that the next statement was issued jointly by Dr. Warner Hall, Chairman of the Mayor's Community Relations Committee, and himself this morning. "We are ashamed and horrified by the acts of violence done in the early morning hours today. They have done much damage to the four homes involved. They have done far greater damage to our community. We are proud of the spirit of goodwill and cooperation which has existed in Charlotte. We regard it as one of our chief assets. We view anything which threatens it as a serious threat to our whole community. Every resource of the law enforcement agencies has been mobilized to apprehend those who are responsible. We are confident that the citizens of Charlotte feel exactly as we do about this terrible thing. We further believe that the citizens of Charlotte would welcome an opportunity to repudiate what has been done, to apologize to the victims, and to repair the damage done to these homes and to the good name of our city. We, therefore, invite our fellow Charlotteans and all men of goodwill to join us in contributing to a fund -- "Operation Rebuilding" -- rebuilding homes, goodwill and the reputation of our beloved city. It may be that the owners of the homes involved have insurance that will cover the damages to their property. If, by chance, each of them has such insurance then the money contributed will be used by the Charlotte Community Relations Committee to further cooperation and progress in this community. What has happened is bad. But if we are resolute, if Charlotte responds heartily to this appeal, we may yet overcome the blow struck at our city."

Councilman Jordan moved approval of these statements. The motion was seconded by Councilman Short, and unanimously carried.

Mayor Brookshire advised that Doctor Hall is in the audience but he underwent a throat operation only a week or so ago and for that reason he is unable to speak, otherwise, he is sure that Doctor Hall would like to address us.

Mayor Brookshire remarked that he has received numerous telephone calls this morning from interested citizens wanting to do anything they can to help, many of which he has not been able to return. He stated that he also received the following telegram this morning from the Executive Committee of the North Carolina Council on Human Relations: "The Charlotte-Mecklenburg Council on Human Relations wishes to express our concern, which we know you share, at the bombings this morning and we are sure that you will take all possible steps to apprehend the perpetrators in this crime, and to prevent further violence in our community. This crime is further evidence for the need of bond increase in the size and effectiveness of our Police force." The telegram is signed by Mrs. Martin L. Cannon, Jr., Chairman; Fred Alexander, Vice-Chairman; Mrs. Robert E. Miller, Secretary; Dr. Emery L. Rand, and Dr. Raymond Wheeler.

Mayor Brookshire recognized Mr. Brodie Griffith, President of the Chamber of Commerce, who wishes to make a statement to the Council.

Mr. Griffith read a statement of the position of the Chamber of Commerce in this matter, addressed to the Mayor and City Council: "The Chamber of Commerce, representing the business interests of our community, depløres the cowardly bombing of four of our homes in the early hours of this morning. We join all citizens of Charlotte in condemning these actions and pledge our support in any way in which the Chamber of Commerce may be of assistance. As we do so, we share in the earnest hope of the community for the early apprehension and punishment of the guilty persons."

Mr. C. O. Milford, President of Mecklenburg Christian Ministers Association, advised that the Executive Committee of the Association met this morning and heard with deep appreciation and warm approval the statements of the Governor, the Mayor and the Chairman of the Human Relations Committee of Charlotte deploring the tragic bombing of homes in our city this morning. That they also deplore this act as unspeakably reprehensible and trust that the law enforcement agencies will quickly bring these criminals to justice. They extend their heartfelt regret and their compassionate concern to the gentlemen and their families who were attacked. They recognize that this attack was against every home in our community. They commit themselves to an increasing effort to build respect and goodwill between all persons and to unrelenting efforts toward justice and righteousness in our city.

Mr. Albert Pierson stated that he has full confidence in the City of Charlotte and its officials and in the State of North Carolina. That while this thing that has happened has been a shock, to say that it is a total surprise would not be quite the truth. Things will happen. There are thousands of us outside who, because of the strain put on us, do things we should not do. That he thinks that we as a community are to a certain extent responsible for what goes on and he is sure that everything possible will be done to apprehend the terrorists.

Mayor Brookshire stated that he knows that the citizens of Charlotte will not tolerate this sort of thing. That we have not only the resources but the will to take corrective measures. That he hopes whoever committed these crimes will be apprehended at an early date. That it is entirely possible that they come from beyond this community and if so, we have been victimized by outside evil influences. Be that as it may, this community has demonstrated, over a period of years, its interest in promoting good community relations between all of our citizens in providing, not only equal rights and opportunities, but encouraging all of our citizens to make the most of their individual lines.

Miss Mary Hall stated she is shocked like everyone else in Charlotte by this bombing of homes. She would like to suggest that a purse be raised as a reward to aid in apprehending these people who are responsible. She also suggested that the FBI and members of the Police Department make a list of people who might be the next victims, because she thinks that this is the kind of thing that spreads and gets the lower element excited and they think if it can be done once and people will put up with it, it can be done again, and she or someone else might be next.

Mayor Brookshire advised Miss Hall that he believes a sum of money is already being arranged by one of our fine citizens to be used as a reward for, we hope, the early apprehension of these criminals.

ORDINANCE NO. 396-Z AMENDING CHAPTER 23, SEC. 23-8 OF THE CITY CODE, CHANGING THE ZONING OF PROPERTY ON THE EAST SIDE OF FARMINGDALE DRIVE, BEGINNING 400 FEET FROM INDEPENDENCE BOULEVARD, ADOPTED.

Councilman Jordan moved the adoption of Ordinance No. 396-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning from R-9 to B-2 of property on the east side of Farmingdale Drive, beginning 400 feet from Independence Boulevard, as recommended by the Planning Commission and petitioned for by Mrs. Gertrude M. Wallace. The motion was seconded by Councilman Whittington, who stated for the record that this zoning petition is one of the most difficult zoning requests that we have had since his becoming a member of the City Council. That the residents on Shelley Avenue, Holbrook Drive and Amity Place, as well as the owners of City Chevrolet Company, have valid arguments representing

their feelings in this matter. That the history of this petition is simply this, it began in May of this year and the option on the Wallace property was secured in September 1965. When the first hearing was held, it was for about twenty acres on both sides of Farmingdale Drive and back to an unopened street in the rear of the homes on Amity Place. The Planning Commission recommended after careful study that the request be cut to approximately ten acres and the R-9 back up to Shelley Avenue and Amity Place be left as it was. That the petitioner also agrees to build and maintain a concrete screen wall that will be approximately 870.26 feet along the rear or northeasterly line of the property which is to be rezoned B-2. This wall will be built up on the bank in the rear of the B-2 property and will be built in such a way as to act as a screen against floodlights that the Automobile Company might see fit to erect. That we can be sure, and he wants the people on Amity Place to know this, that the wall will be maintained permanently because the Lawyers have advised us that an instrument will be placed on public record sufficient to compel them to do this. This is certainly for the protection of, and can be enforced by any of the residents who live adjoining this B-2 property. That Amity Place is a street with cross street that has a width varying from 340 feet to 700 feet and is about one mile long. That what we have with the people on Amity Place is about 44.667 acres against the petitioners who own the property on Independence Boulevard of about 310 acres, and you have the same thing on the Albemarle Road cutoff, which leaves Amity Place, unfortunately, in an island between Albemarle Road and Independence Boulevard. He stated that he believes with this buffer of 345 feet, plus an unopened street, which will be opened in the future as a sort of buffer between the 800 feet of B-2; he is going to vote for this petition for that reason because, and he is most sincere about this, he believes that it is the only practical thing the Council can do if we are going to continue the orderly development of Independence Boulevard and attempt to maintain a buffer for the people who own homes adjacent to the Boulevard. He stated that the history of the Boulevard since he has been on the Council is that the Council has tried to zone it to protect the people who back up to it, and he thinks he has voted for more O-6 zoning back towards town, along with maybe Mr. Albea, than anyone else on the Council trying to keep a buffer and trying to protect the residents. That this thing has moved now beyond anything anybody comprehended when he came on the Council seven years ago, and he thinks now the Council must do the best they can to protect these people who live back of the Boulevard and that is why he is seconding the motion and is voting for the petition.

Councilman Albea stated that he voted against this strip zoning along the Boulevard when it was first brought up, and he can prove that by the records; that he did not think it was good then and he does not think it is good now, but the Council saw fit to override his vote and went ahead and did it. The trouble of it is that it is there.

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

YEAS: Councilmen Jordan, Whittington, Albea, Alexander, Short and Thrower.
NAYS: Councilman Tuttle.

Councilman Tuttle stated that there is not a man on this Council, not a man in this room, not a man in this city more interested in, or who has more publicly stated his concern for the growth and rehabilitation of this city. But to build and expand at the expense of the very people who make up the city, is not in keeping with the goal we seek. In this case we are not talking about a road, or a hospital, or a school, or anything in the direct public interest. But instead, we are talking only in terms of

what is best for big business and trying to console ourselves with a slight fringe of good rubbing off on the public. This zoning is at the expense of the little man. It is bad. It is wrong. And in this he feels strongly.

He stated further that now he has said that, for the sake of unity, he moves that we make the vote unanimous. The motion was seconded by Councilman Whittington, and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14 at Page 237.

ORDINANCE NO. 397 AMENDING CHAPTER 23, ZONING ORDINANCE, ARTICLE III, SECTION 23-31, TABLE OF PERMITTED USES, TO PERMIT "NURSING HOMES, REST HOMES, AND HOMES FOR THE AGED, SUBJECT TO REGULATIONS IN SECTION 23-43," IN ALL SINGLE FAMILY RESIDENTIAL DISTRICTS (R-6, R-9, R-12, R-15), AND AMENDING ARTICLE IV, SECTION 23-43 BY REQUIRING THAT THE USES STATED ABOVE SHALL OBSERVE CERTAIN MINIMUM AREA, YARD AND HEIGHT REGULATIONS STIPULATED THEREIN, ADOPTED.

Petition No. 65-88 by The Presbyterian Home of Charlotte, Inc., to Amend Chapter 23, Zoning Ordinance, Article III, Section 23-31, Table of Permitted Uses, to Permit Nursing Homes, Rest Homes and Homes for the Aged, subject to regulations in Section 23-43, in all single family Residential Districts (R-6, R-9, R-12, R-15), and amend Article IV, Section 23-43 by requiring that the uses stated above shall observe certain minimum area, yard and height regulations stipulated therein, was presented for Council consideration.

Councilman Tuttle stated that we have before us a petition involving the rezoning of the whole city to make possible the placement of our elderly people in whatever residential area they may chose; and he, therefore, moved approval of the petition and the adoption of the Ordinance, as recommended by the Planning Commission.

The motion was seconded by Councilman Short, who stated he has given this petition a great deal of thought because of the discussion that occurred about it at last week's meeting. That he thinks it is possible that the situation might be momentarily confusing if Council should pass the Ordinance and then Judge Little's injunction should subsequently be made permanent, but the greater and more certain confusion would be the Court's confusion in attempting to adjudicate this action without having before it all of the legislation that is likely to come. Also in the matter of the nursing home slums that were mentioned last week, the limitations imposed by this new ordinance are more stringent and confining than those that now apply to residential zoning under the heading of room renting. If room renting slums have not already developed, and he does not see that they have, he does not believe that nursing home slums can be expected at all under this ordinance.

The vote was taken on the motion, and carried unanimously. The ordinance is recorded in full in Ordinance Book 14, at Page 238.

ORDINANCE NO. 398-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF PROPERTY ON BOTH SIDES OF AUTEN ROAD, FROM OAKDALE ROAD EASTWARD, ADOPTED.

Councilman Thrower moved the adoption of Ordinance No. 398-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning from R-9 to R-9MF of property on both sides of Auten Road, from Oakdale Road east-

ward approximately 1,330 feet, as recommended by the Planning Commission and petitioned for by M. W. Grass, Jr., et al. The motion was seconded by Councilman Albae, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 239.

ORDINANCE NO. 399-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF A LOT ON THE EAST SIDE OF OLD STEELE CREEK ROAD, BEGINNING APPROXIMATELY 625 FEET NORTH OF WILMOUNT ROAD, ADOPTED.

Upon motion of Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, Ordinance No. 399-Z Amending Chapter 23, Section 23-8 of the City Code, was adopted changing the zoning from R-6MF to I-1 of a lot 100 ft. x 353 ft. on the east side of Old Steele Creek Road, beginning approximately 625 feet north of Wilmount Road, as recommended by The Planning Commission, and petitioned for by Oscar B. Bowman. The ordinance is recorded in full in Ordinance Book 14, at Page 240.

ORDINANCE NO. 400-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF A TRACT OF LAND BEGINNING 300 FT. SOUTH OF I-85 AND 300 FT. WEST OF STATESVILLE AVENUE, ADOPTED.

Councilman Tuttle moved the adoption of Ordinance No. 400-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning from R-6MF to I-1 of a tract of land containing 2.32 acres of land, beginning 300 ft. south of I-85 and 300 ft. west of Statesville Avenue, as recommended by the Planning Commission, and petitioned for by Frank G. Templeton. The motion was seconded by Councilman Thrower, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 241.

ORDINANCE NO. 401-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF TRACT OF LAND ON THE SOUTH SIDE OF ALBEMARLE ROAD, APPROXIMATELY 700 FT. EAST OF LAWYERS ROAD, ADOPTED.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, Ordinance No. 401-Z Amending Chapter 23, Section 23-8 of the City Code, was adopted, changing the zoning from R-12MF to B-1 of a tract of land containing 2.02 acres, on the south side of Albemarle Road, beginning approximately 700 ft. east of Lawyers Road, as recommended by the Planning Commission and petitioned for by Neil R. Cox. The ordinance is recorded in full in Ordinance Book 14, at Page 242.

ORDINANCE NO. 402-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING ZONING OF A LOT ON THE SOUTH SIDE OF FAIRVIEW ROAD, BEGINNING 631 FEET WEST OF THE CENTER LINE OF SHARON ROAD, ADOPTED.

Councilman Jordan moved the adoption of Ordinance No. 402-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning of a lot on the south side of Fairview Road, beginning 631 feet west of the center line of Sharon Road, from O-15 to B-1, as recommended by the Planning Commission, and petitioned for by John Crosland Realty Company. The motion was seconded by Councilman Short, and unanimously carried. The ordinance is recorded in full in Ordinance Book 14, at Page 243.

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PETITION NO. 65-104 FOR CHANGE IN ZONING OF TWO LOTS ON EAST SIDE OF EATON ROAD, BEGINNING 265 FEET NORTH OF MONROE ROAD, DENIED.

Councilman Tuttle moved that Petition No. 65-104 by Howard O. Graham, Jr., for change in zoning from R-9 to R-9MF of two lots on the east side of Eaton Road, beginning 265 feet north of Monroe Road, be denied as recommended by the Planning Commission. The motion was seconded by Councilman Jordan, and unanimously carried.

DECISION ON PETITION NO. 65-105 FOR CHANGE IN ZONING OF A TRACT OF LAND FRONTING ON THE SOUTHWEST SIDE OF PROVIDENCE ROAD, BEGINNING 100 FEET NORTHWEST OF SHOREHAM DRIVE, POSTPONED UNTIL DECEMBER 20TH ON REQUEST OF THE PETITIONER.

The request of Mrs. Cynthia Pharr Whiting was considered that Council action be postponed for 30 days on her Petition No. 65-105 for change in zoning from R-15 to R-6MPH of a tract of land on the southwest side of Providence Road, beginning 100 feet northwest of Shoreham Drive, on which a protest petition was filed that is sufficient to require the 3/4th affirmative vote of the City Council to approve the rezoning.

Councilman Tuttle remarked that the Council has always gone along with petitioners requests for deferment and he sees no reason for making an exception in this instance, and he moved that Council action be deferred until December 20th. The motion was seconded by Councilman Whittington.

Mr. James E. Walker, Attorney for the property owners who filed the protest petition, asked if he may know why the petitioner is requesting Council to delay its decision? That he understood the Mayor to say at the hearing on the petition that the decision would be made today.

Mr. Kiser, Acting City Attorney, stated that the reason for the request might be very helpful to Council in its determination as to whether they want to grant a deferment.

Mr. Robert Kurtz, Attorney for the Petitioner, advised that the request for postponement was made to give them time to consult with the Staff of the Planning Commission and to try to consult with the parties in the neighborhood of the property in an attempt to see if there were any changes they could make in their petition or their plans, or proposals for their building that would make it more acceptable or desirable, or less undesirable to the neighborhood and the residents who have protested the zoning change.

Mr. Walker replied that this does not mean that the people who are opposing the change are going to find it any more acceptable. That the law requires six affirmative votes of Council to change the zoning whenever 20% of one side enters a protest, and he, personally, owns 100% of the property on one side and he signed the protest petition, and he knows that Mr. Kurtz is not going to change his mind. So he says, why the delay?

The vote was taken on the motion, and carried unanimously, and Council decision was deferred until December 20th.

ORDINANCE NO. 403-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING OF A LOT ON THE SOUTHWEST SIDE OF EAST 8TH STREET, BEGINNING 150 FEET NORTHEAST OF HAWTHORNE LANE, ADOPTED.

Councilman Whittington moved the adoption of Ordinance No. 403-Z Amending Chapter 23, Section 23-8 of the City Code, changing the zoning from R-6MF to O-6 of a lot 43 feet x 182 feet on the southwest side of East 8th Street, beginning 150 feet northwest of Hawthorne Lane, as recommended by the Planning Commission, and petitioned for by William G. Allen. The motion was seconded by Councilman Tuttle, and carried unanimously. The ordinance is recorded in full in Ordinance Book 14, at Page 244.

ORDINANCE NO. 404-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE, CHANGING THE ZONING OF PROPERTY AT THE SOUTHWEST CORNER OF BEATTIES FORD ROAD AND GRIERS GROVE ROAD, ADOPTED.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, Ordinance No. 404-Z Amending Chapter 23, Section 23-8 of the City Code, was adopted changing the zoning from R-6 to R-6MF of property at the southwest corner of Beatties Ford Road and Griers Grove Road, fronting 431 feet on Griers Grove Road and about 510 feet on Beatties Ford Road, as petitioned for by the Planning Commission. The ordinance is recorded in full in Ordinance Book 14, at Page 245.

CHANGE ORDER NO. 4 APPROVED IN CONTRACT WITH BLYTHE BROTHERS COMPANY FOR CONSTRUCTION OF LOWER SUGAR CREEK OUTFALL.

Upon motion of Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, Change Order No. 4 in contract with Blythe Bros. Company for the construction of Lower Sugar Creek Outfall, was approved eliminating tunnel liner plates and timber stabilization and substituting rock bolts, in the amount of \$63,551.78 decrease in the contract price, and liquidated damages for overrun in contract time.

DEED FROM THE REDEVELOPMENT COMMISSION TO THE AFRICAN METHODIST EPISCOPAL ZION CHURCH FOR TRACT OF LAND LOCATED IN BROOKLYN URBAN RENEWAL AREA AUTHORIZED COSIGNED BY THE MAYOR, QUITCLAIMING THE CITY OF CHARLOTTE'S INTEREST IN SAID LAND AND STREETS AND ALLEYWAYS ADJACENT THERETO.

Councilman Thrower moved that the Mayor and City Clerk be authorized to cosign a Deed from the Redevelopment Commission to the African Methodist Episcopal Zion Church for a tract of land located in the Brooklyn Urban Renewal Area, quitclaiming the City of Charlotte's interest in said land, and any streets and alleyways adjacent to or in connection therewith. The motion was seconded by Councilman Albea, and unanimously carried.

REQUEST THAT AUDIENCE BE GIVEN OPPORTUNITY TO BE HEARD WHEN THE QUESTION OF THE DEMOLITION OF UNFIT HOUSING IS PRESENTED FOR COUNCIL CONSIDERATION.

Councilman Short referred to the next three items relative to the demolition of certain unfit housing and stated that he hopes the Mayor will call for remarks by anyone in the audience interested in the housing recommended to be demolished. That he has had a few telephone calls regarding the demolition of such property, and he would like to be able to say to persons calling him that they will certainly be given an opportunity to present their side of the question when such matters are presented to Council for action.

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ORDINANCE NO. 405-X ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 601 NORTH PINE STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 15, SECTION 160 OF THE GENERAL STATUTES OF NORTH CAROLINA, ADOPTED.

Councilman Alba moved the adoption of an ordinance entitled: Ordinance No. 405-X ordering the Demolition and Removal of the dwelling at 601 North Pine Street pursuant to the Housing Code of the City of Charlotte and Article 15, Section 160 of The General Statutes of North Carolina. The motion was seconded by Councilman Alexander.

Mayor Brookshire invited anyone in the audience who was interested in this matter to speak. No one responded.

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

The ordinance is recorded in full in Ordinance Book 14, at Page 246.

ORDINANCE NO. 406-X ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 1505 LUTHER STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA, ADOPTED.

Councilman Alba moved the adoption of an ordinance entitled: Ordinance No. 406-X ordering the Demolition and Removal of the dwelling at 1505 Luther 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 Alexander.

Mayor Brookshire asked if anyone is present who would like to speak on this subject. There was no response.

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

The ordinance is recorded in full in Ordinance Book 14, at Page 247.

ORDINANCE NO. 407-X ORDERING THE DEMOLITION AND REMOVAL OF THE DWELLING AT 2229 TATE STREET PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA, ADOPTED.

Councilman Alba moved the adoption of an ordinance entitled: Ordinance No. 407-X ordering the Demolition and Removal of the dwelling at 2229 Tate 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 Alexander.

No one responded to Mayor Brookshire's invitation to anyone in the audience interested in the ordinance to speak.

The vote was taken on the motion and unanimously carried.

The ordinance is recorded in full in Ordinance Book 14, at Page 248.

CONTRACTS AUTHORIZED FOR APPRAISAL OF RIGHTS OF WAY FOR NORTHWEST EXPRESSWAY AND WOODLAWN ROAD WIDENING, AND APPRAISAL OF PROPERTY FOR SITE FOR PARK ROAD FIRE STATION.

Upon motion of Councilman Short, seconded by Councilman Whittington, and unanimously carried, the following contracts for the appraisal of property were authorized:

- (a) Contract with Robert R. Rhyne, Sr., for the appraisal of one parcel of land at 621 Sunnyside Avenue, for Northwest Expressway.
- (b) Contract with B. Brevard Brookshire, for the appraisal of one parcel of land on Woodlawn Road, for Woodlawn Road Widening, and one parcel of land at the northeast corner of Park Road and Sulkirk Road, for Sharon Colony #11 Fire Station.

CONTRACT AUTHORIZED WITH HALLMARK & COMPANY, INC., FOR INSTALLATION OF WATER MAINS IN BRIARWOOD SUBDIVISION.

Councilman Whittington moved the authorization of a contract with Hallmark & Company, Inc., for the installation of 850 feet of water mains in Briarwood Subdivision, inside the city limits, at an estimated cost of \$1,600.00. 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 Thrower and unanimously carried.

MECKLENBURG ENGINEERS AUTHORIZED TO CONNECT PRIVATE SANITARY SEWER LINES IN HUNTINGTOWNE FARMS TO CITY'S SANITARY SEWERAGE SYSTEM.

Motion was made by Councilman Jordan, seconded by Councilman Albea, and unanimously carried, authorizing Mecklenburg Engineers to connect their private sanitary sewer lines in a portion of Huntingtowne Farms, outside the city limits, to the City's Sanitary Sewerage System; said lines to become the property of the City when the area in which they are located is annexed.

CONSTRUCTION OF SANITARY SEWER LINES AUTHORIZED IN MAUREEN DRIVE AND PONDEROSA SUBDIVISION.

Upon motion of Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, the construction of sanitary sewer lines was authorized as follows:

- (a) Construction of 1,150 feet of sanitary sewer main in Maureen Drive, inside the city limits, at the request of Ed Griffin Construction Company, at an estimated cost of \$4,931.00. All cost to be borne by the Applicant, whose deposit of \$4,930.00 has been received and will be refunded as per terms of the contract.
- (b) Construction of 1,525 feet of sanitary sewer main in Ponderosa Subdivision, inside the city limits, at the request of Ervin Construction Company, at an estimated cost of \$8,360.00. All cost to be borne by the Applicant, whose deposit of \$8,360 has been received and will be refunded as per terms of the contract.

TRANSFER OF CEMETERY LOTS.

Motion was made by Councilman Albea, seconded by Councilman Thrower, and unanimously carried, authorizing the Mayor and City Clerk to execute the following cemetery deeds:

- (a) Deed with Charles W. Robinson and Mildred G. Robinson, for Lot 351, Section 2, Evergreen Cemetery, at \$360.00.
- (b) Deed with Mrs. Mabel O. Bennett Norman and husband, H. E. Norman, for Lot 426, Section 6, Oaklawn Cemetery, transferred to them by Mrs. Pearl Bennett Cook, at \$3.00 for the transfer of the deed.
- (c) Deed with Mrs. Clyde N. Sloan, for Perpetual Care of the northwest quarter of Lot 72, in Section S, Elmwood Cemetery, at \$50.50.
- (d) Deed with Mrs. J. H. Newson, for Perpetual Care of Lot 19, in Section P, Elmwood Cemetery, at \$201.60.

CONTRACT AWARDED O. J. RICHARDSON FOR BUNKER SUITS FOR FIRE DEPARTMENT.

Councilman Jordan moved the award of contract to O. J. Richardson, the low bidder, for 38 Bunker Suits, as specified, in the amount of \$1,761.30, on a unit price basis. The motion was seconded by Councilman Alexander, and unanimously carried.

The following bids were received:

O. J. Richardson	\$1,761.30
The Leslie Company	1,769.39
Goodall Rubber Company	1,848.00
Horace D. Draughon	1,878.72
The Globe Mfg. Co.	2,009.97

Bid Not Meeting Specifications

C. W. Williams Company	\$1,746.29
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CONTRACT AWARDED O. J. RICHARDSON FOR BUNKER BOOTS FOR FIRE DEPARTMENT.

Upon motion of Councilman Albea, seconded by Councilman Whittington, and unanimously carried, contract was awarded O. J. Richardson, the low bidder, for 90 pairs of Bunker Boots, as specified, in the amount of \$1,393.85, on a unit price basis.

The following bids were received:

O. J. Richardson	\$1,393.85
Goodall Rubber Company	1,421.58
Industrial & Textile Supply Co.	1,459.92
The Leslie Company	1,497.03
Dixie Fire & Safety Eqpt. Co.	1,525.69
U. S. Rubber Company	1,633.68
Rubber Products Company	1,655.64

Bid Not Meeting Specifications

Southern Rubber Company	\$1,216.87
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CONTRACT AWARDED C. M. ALLEN & COMPANY, INC., FOR CONSTRUCTION OF SANITARY SEWERS IN CAPITAL DRIVE, SHANNON PARK AND PINEVILLE ROAD.

Motion was made by Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, awarding contract to C. M. Allen & Company, Inc., the low bidder, for the construction of 11,365 lin. ft. of sanitary sewers in Capital Drive, Shannon Park and Pineville Road, as specified, in the amount of \$50,795.45.

The following bids were received:

C. M. Allen & Company, Inc.	\$50,795.45
C. D. Spangler Const. Co.	53,415.50
Boyd & Goforth, Inc.	55,374.75
Sanders Brothers	65,102.00
Crowder Const. Co., Inc.	91,567.50

CONTRACT AWARDED CAROLINA GRAPHICS, INC., FOR VERTICAL CAMERA.

Councilman Tuttle moved the award of contract to Carolina Graphics, Inc., the low bidder, for One Vertical Camera, as specified, in the amount of \$2,439.86. The motion was seconded by Councilman Jordan, and unanimously carried.

The following bids were received:

Carolina Graphics, Inc.	\$2,439.86
Addressograph Multigraph Corp.	2,559.55

CONTRACT AWARDED BROWN CONSTRUCTION COMPANY FOR CONSTRUCTION OF DISTRIBUTION SYSTEM WATER MAINS IN EASTWAY DRIVE.

Upon motion of Councilman Thrower, seconded by Councilman Alexander, and unanimously carried, contract was awarded Brown Construction Company, the low bidder, for the construction of Distribution System Water Mains in Eastway Drive, as specified, in the amount of \$51,710.00.

The following bids were received:

Brown Construction Company	\$51,710.00
F. L. Showalter, Inc.	52,395.00
Boyd & Goforth, Inc.	55,768.00

CONTRACT AWARDED FENCE BUILDERS, INC., FOR CHAIN LINK FENCE.

Councilman Whittington moved the award of contract to Fence Builders, Inc., the low bidder, for 2,439 lin. feet of Chain Link Fence, as specified, in the amount of \$3,382.25. The motion was seconded by Councilman Albea, and unanimously carried.

The following bids were received:

Fence Builders, Inc.	\$3,382.25
Allied Chain Link Fence Co.	3,405.15
Allison Fence Company	3,451.00
Wilson Fence Company	3,753.93
Anchor Post Products, Inc.	4,863.00

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ORDINANCE NO. 408 AMENDING CHAPTER 13, ARTICLE OF THE CODE OF THE CITY OF CHARLOTTE PROHIBITING CERTAIN ACTS WITH RESPECT TO THE PURCHASE, SALE, LEASE OR OCCUPANCY OF RESIDENTIAL REAL PROPERTY, ADOPTED.

Councilman Tuttle moved the adoption of Ordinance No. 408 Amending Chapter 13, Article I of the Code of the City of Charlotte Prohibiting Certain Acts with Respect to the Purchase, Sale, Lease or Occupancy of Residential Real Property. The motion was seconded by Councilman Short.

Councilman Whittington asked the City Attorney and Council to consider an amount for the violation of this ordinance.

Mr. Kiser, Acting City Attorney, replied the State Law makes the violation of any city ordinance a misdemeanor, punishable by fine of not more than \$50.00, or a jail sentence of not more than 30 days, or both. In addition to the State Law, there is an ordinance in an earlier section of the Code which makes the same offense a violation of the City Code.

Councilman Thrower stated he is not against the ordinance itself, but he does not believe the ordinance can be enforced. That he is of the firm opinion that by the Council just sitting here passing laws makes people have complete defiance of the laws we have on our books that are put on there for the peoples own safety. That he does not believe that one can legislate morality, and he believes that is what we are attempting to do here; therefore, he will vote against it.

Mr. Charles Bell, an Attorney, stated he is very interested in this ordinance concerning blockbusting. That it is his sincere conviction there is no such thing as blockbusting and this ordinance was brought before the Council for the purpose of preventing Negroes from moving into certain areas in Charlotte. He is talking about legitimate moving, not just to bust up any block, but people who sincerely want to buy real estate. That he is sure the City Attorney knows this is dangerous legislation, and he is sincerely concerned about the constitutionality of it. That he doubts seriously whether any ordinance passed concerning the sale or the prohibition of the sale of real estate based upon racial tones will stand up constitutionally, and any court will over-ride any such ruling or any such ordinance enacted by this Council. That since this matter has been discussed before the Council, he has had property transactions which he was unable to carry through because of the discussion and publicity that has been given it in the newspaper, because people are afraid they will be accused of blockbusting. That there is a presumption that all citizens are equal and there is a presumption that all citizens have the right to purchase and rent real estate anywhere in the City of Charlotte. That all restrictions, all covenants concerning the disposition of property and the prohibition of the disposition of property based upon race have been ruled unconstitutional by the Supreme Court of the United States. That we had a case right here in Charlotte - the golf course case - which had a covenant for Negroes not to use this certain property, and it was thrown out of our Court. So, he says this proposed ordinance is akin to it. That it is a means of perpetuating segregation in housing in Charlotte, and it is a dangerous ordinance, and they say that it prevents Negroes from buying and renting property they absolutely need. That they have a lot of people in this City who are in need of housing, and a lot of people would sell to them, and if Council passes this ordinance it will prevent those people or make them reluctant to sell or rent property because they will be classified as blockbusters and may be indicted under the ordinance Council proposes to pass. That they ask Council not to pass this ordinance. They say the only way to legitimately pass it, Council must assume there is inequality among the citizenry of Charlotte.

Councilman Short remarked that this ordinance as written provides for exactly the opposite of what Mr. Bell seems to say, if he hears him right. That he is reading from the ordinance and he asked if Mr. Bell does not agree with him - "It shall be unlawful for any person to exert force against any owner on the ground that he has sold his residential real property to a person of any particular race." Councilman Short stated he solicits Mr. Bell's support in asking the Negroes to understand the way the ordinance is written.

Mr. Bell stated his contention is - they do not think any ordinance should be enacted by this Council which has anything in it about race, sofar as the disposition, sale or the rental of property is concerned.

Councilman Short stated in other words, Mr Bell wants all citizens to have the rights provided in this Act, but he wants them to have it without the Act being passed? Mr. Bell replied, No, he does not think it is necessary for it to be passed, and his request is that it not be passed by the Council.

Councilman Alexander asked Mr. Bell if he has read the ordinance and does he understand that the only thing the ordinance is doing is setting up a reason for making it illegal for a person to use unscrupulous tactics in forcing or scaring a property owner into selling? Mr. Bell stated he does not think any sensible citizen would be put into such fear that he would dispose of his property. Councilman Alexander asked if he is wrong in thinking that the purpose of the ordinance is to prevent an unscrupulous realtor from using unscrupulous means to coerce a property owner to sell by using racial tones and scare tactics in attempting to frighten a property owner into thinking his property will lose value because of this? Mr. Bell replied he does not know what Mr. Alexander is thinking, but he knows this, that he does not think it is necessary because any property owner who is in fear of making any legitimate sale of property has other remedies that would be more effective than this ordinance.

Councilman Short stated he believes this act provides essentially what Mr. Alexander is saying it does, but it also provides against reprisals by any person against those who may have sold their property to some purchaser to whom they wanted to sell.

Councilman Whittington commented that he respects what Mr. Bell has said if they are his convictions, but he doesn't know whether Mr. Bell is speaking as an individual or for a group of citizens of Charlotte. That he thinks this blockbusting ordinance is very important and he hopes Council will vote in favor of it today, and he hopes they will ask the next General Assembly to pass a Statewide Bill. This blockbusting ordinance is not intended, nor was it written to get ^{at} one race, it was intended to prevent individuals or unscrupulous realtors, which Mr. Alexander has mentioned, from going out and literally using fear and any other tactics available to coerce people into getting out of a neighborhood. That this is wrong and as long as he is on the Council, he will try to prevent this, and he thinks this ordinance ought to be passed. That the National Board of Realtors and several cities across the Country and on the West Coast and in the Middle Atlantic States and on the East Coast have passed it for the same reason, and the only reason.

Councilman Tuttle remarked to Mr. Bell that he has said he does not think race should ever be used. That the Constitution of the United States says that we cannot discriminate against race, creed or color, and all the Council is doing is saying that race, creed or color cannot be used to discriminate or coerce; and we are following a part of the Constitution of the United States in this particular ordinance.

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Mr. Bell pointed to the inequities of the ordinance and remarked that he knows the intentions are good, but the ordinance will actually do more harm than good. That he thinks the matter can be handled in another way.

Mayor Brookshire stated that the ordinance does not relate to the sale of any piece of property which one person owns and is willing to put a price on and sell to another who is willing to pay that price. Rather it is directed towards the unethical practices that have been involved here and elsewhere which result in scare tactics to disturb a whole neighborhood by circulating certain information or misinformation by word of mouth or by literature in order to scare residents into moving wholesale out of a community. That it relates directly to the ethics of our real estate people.

Mr. Bell stated that the ordinance will have the effect of preventing a large number of Negro homeowners in this community from buying homes because many people, out of ignorance, will be reluctant to deal with Negro purchasers. Another factor is that any colored man has a right to purchase and own property anywhere in the City of Charlotte. Mr. Bell stated that the purpose for which Council will pass this ordinance has already been served. We do not need it because there has been enough talk about it in the newspaper to apprise people of the unscrupulous methods that could be used.

Mayor Brookshire stated that the publicity might be effective as Mr. Bell says, but it might not be quite as effective as an ordinance itself. This is directed at a practice which has been observed here and elsewhere to demoralize realty values in a given neighborhood by the use of scare tactics. That's all it is intended to prevent.

Mr. Kiser, Acting City Attorney, stated that Mr. Bell speaks to the point that he thinks the intention or the effect of this ordinance would be to perpetuate segregated housing. That rather than that, it provides an opportunity for those who so desire to live in integrated areas. For example - Suppose he owns a house and Mr. Bell approaches him and wants to buy it. That he is perfectly free to sell that house to Mr. Bell. If Mr. Bell wants to buy the next door neighbor's house, he can approach the next door neighbor and buy that house also if they can come to an agreement. But if the next door neighbor does not wish to sell to him, then he cannot be forced to sell to Mr. Bell. What this ordinance attempts to do is to prevent a real estate broker or anyone from coming to the next door neighbor and telling him that his property is losing value because of the fact that Mr. Bell bought the house next door. That is what is the intent of this first section of the ordinance. If Mr. Bell moves into his house and his next door neighbor desires to continue to live there, he may do so in an integrated area. Mr. Bell cannot be subject to reprisal of any type from anyone. Such acts against him, the seller, are prohibited so that reprisals against him for selling his house to Mr. Bell would be an offense. The property itself cannot be damaged or threatened because of Mr. Bell's owning or occupying the house, so he submits to Mr. Bell that, rather than perpetuating a segregated type of neighborhood, this ordinance would permit it if the citizens so desire an integrated neighborhood. What happens now in an area if Mr. Bell were to move in? The real estate people or others would scare all the other residents of the area into a scare sale to make the property available at low prices, giving them the impression that if they don't sell now, they are never going to have anyone in their houses.

Councilman Jordan stated we have already had an example of this a few weeks ago and that is the reason for this ordinance. Certainly if we can do something to prevent realtors or people who use these scare tactics, then this is the ideal way to do it and the time to do it.

Councilman Short asked Mr. Bell if he is here as an attorney representing a client? Mr. Bell stated he is here representing a group of citizens and his own personal interests, and to be realistic about it, he does not think that anybody, under any circumstances, in this enlightened community could be forced to sell property.

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

YEAS: Councilmen Albea, Alexander, Jordan, Short, Tuttle and Whittington.

NAYS: Councilman Thrower.

The ordinance is recorded in full in Ordinance Book 14, at Page 249.

ACQUISITION OF PROPERTY FOR RIGHT OF WAY FOR SANITARY SEWERS TO SERVE MELBOURNE COURT AND UNIVERSITY PARK, AND FOR SITE FOR NEW FIRE STATION.

Upon motion of Councilman Albea, seconded by Councilman Jordan, and unanimously carried, the following property was authorized acquired for right of way for sanitary sewer lines and for site of new Fire Station:

- (a) Acquisition of property 25' x 93.12' at 5909 Wedgewood Drive, from Robert J. Grubbs and Margaret M. Grubbs, at \$93.12, for right of way for a sanitary sewer line to serve Melbourne Court.
- (b) Acquisition of property 25' x 247.14' off I-85 at the rear of Johnson Motor Lines Terminal, from Johnson Motor Lines, Inc., at \$100.00, for right of way for sanitary sewer line to serve University Park.
- (c) Acquisition of 41,810 sq. ft. of property at the northeast corner of Park Road and Sulkirk Road, from The Howey Company, at \$17,500.00, for site for new Park Road Fire Station.

SALE OF TAX FORECLOSED PROPERTY ON SEIGLE AVENUE AND EAST EIGHTEENTH STREET AUTHORIZED, BID OF \$7,000 HAVING BEEN RECEIVED.

Councilman Albea moved approval of the sale of tax foreclosed property located at 1400, 1508 and 1600 Seigle Avenue and at 723 East 18th Street, a total of 73,200 sq. ft. on which a bid of \$7,000.00 has been offered by Haskell J. Crater and his deposit in the amount of \$350.00 has been received. The motion was seconded by Councilman Jordan, and unanimously carried.

NOMINATION OF MR. RAY KING AND MR. BISHOP DALE TO THE REDEVELOPMENT COMMISSION TO REMAIN OPEN FOR ONE WEEK.

Councilman Thrower nominated Mr. Ray King for a 5 year term on the Redevelopment Commission beginning November 27, 1965.

Councilman Alexander nominated Mr. Bishop Dale to succeed himself on the Commission for a 5 year term.

Mayor Brookshire announced that the nominations would remain open for one week.

REQUEST FOR SIDEWALK TO SERVE COLLINSWOOD SCHOOL REFERRED TO CITY MANAGER.

Councilman Albea referred to a letter from Mr. Donald Young, Principal of Collinswood School, requesting a sidewalk for the 402 students from Grades 1 to 6. The letter was referred to the City Manager for investigation and recommendation.

COUNCIL INVITED TO ATTEND GET-TOGETHER OF STUDENTS OF CHARLOTTE BUSINESS COLLEGE ON NOVEMBER 23RD FOR THE PURPOSE OF RAISING FUNDS TO PURCHASE GIFTS FOR MEN FIGHTING IN VIET NAM.

Councilman Whittington advised that he has a letter from Martin Luther Oxidine, a student at Charlotte Business College, stating that on Tuesday, November 23rd, from 7:30 until 11:00 P.M. at the Business College Recreation Hall, 1405 Eastway Drive, they are having a get together and urging the public to attend. That the admission is 50¢. And that the purpose of the meeting is to buy gifts for the personnel who are fighting the war in Viet Nam, with special attention to the men from North and South Carolina. Councilman Whittington stated he thinks that it is most commendable that these young people are doing this, and he is just expressing their wishes that Council attend and urge the citizens at large to do so in order to raise funds to send presents to these men.

PROPERTY MANAGEMENT REAL ESTATE DIVISION PRESIDENT REQUESTS INFORMATION AS TO REQUIREMENTS TO RESIDE IN PUBLIC HOUSING, AS A MEANS OF COOPERATION BETWEEN THEM AND THE HOUSING PEOPLE.

Councilman Whittington stated that Mr. Gene Davant, head of the Property Management Real Estate Division, would like to know what the requirements are for tenants to live in public housing. That this group would like to have this information as it would be helpful to them, and would be a means for cooperation between them and our public housing people. He asked the City Manager to see that they get this information.

PROGRESS REPORT ON EXPRESSWAYS AND BELT ROADS.

Councilman Whittington asked what progress is being made on the Expressways and the Belt Roads. Mr. Veeder replied he was in Raleigh last week and spent some time with Mr. Babcock, Highway Administrator, and members of his staff reviewing the projects. That two of the projects - Eastway Drive and North 29, from about Arnold Drive, and Woodlawn from Park Road to approximately Nations Ford Road - both are scheduled for letting in January. That they talked about the extension of Woodlawn, from South Tryon Street to Yorkmont, cutting across the filling station property there, they are working on getting that let shortly; however, they have to make more decisions on it. They are going ahead with the design on the circumferential from about N.C. 49 swinging back to I-85. They have done some field work and will be making some decisions on the type of facility it will be and letting the design work after December 13th. They will be doing some field work on the section of the road from Independence to Park Road next month. They are making good progress on the North-South Expressway. The date the work from Woodlawn North will be let was not mentioned; they are making progress on the acquisition of right of way. The Northwest Expressway is moving along satisfactorily; and he hopes that some contracts would be let sometime not too long after the 1st of the year. That the first contracts let will probably be for the structure, as there is a good deal of structure to be built. That they have decided to design the structures so that an additional two lanes can be added if it is ever necessary.

Councilman Whittington asked about North Tryon and South Tryon Streets? Mr. Veeder replied they have let the section of South Tryon (N.C. 49) approximately from the city limits to the river, and the section into the city up to Woodcrest.

Councilman Thrower stated it was let the 27th. His question is when are they going to start? That Blythe Bros was the low contractor. Mr. Veeder stated he cannot answer that.

Mr. Veeder stated further he did not get a great deal of encouragement on the possibility of putting 28th Street on the State system. That he discussed this with Mr. Babcock and physically they feel that this facility would only provide local service in contrast to a through service, and they pointed out they are already participating in two facilities to provide both local and some through service by the circumferential routes - the Expressway route and the circumferential route taking off from Eastway Drive. That he is not too optimistic about this being accepted as part of the state system; but he thinks they will have some more conversation on it.

Mayor Brookshire asked if the U. S. Bureau of Roads would be involved in their accepting 28th Street for state maintenance? Mr. Veeder replied he does not believe so. That this is something we have worked out with them previously and it is always subject to change and subject to amendment on the approval of both the Council and Highway Commission.

Mayor Brookshire stated then we very definitely cannot use any part of the money allocated to Charlotte of the \$300,000,000 Bond Issue on the improvement or opening of 28th Street, unless it comes under state maintenance? Mr. Veeder replied that is right.

COUNCILMAN ALEXANDER EXPRESSES HIS APPRECIATION FOR THE INTEREST AND ASSISTANCE GIVEN HIM AND THE THREE OTHER RESIDENTS WHOSE HOMES WERE BOMBED THIS MORNING.

Councilman Alexander stated he would like to express his appreciation to the Mayor and members of Council, City Manager and other city officials who have shown expressed interest in the unfortunate incident that occurred early this morning. He stated he would also like to pass commendation on the City Police Department for the prompt response to their call, and for the efforts the Chief has made in trying to render all assistance that could be rendered under the circumstances; also for bringing the demolition squad from Fort Bragg to assist in attempting to determine the type of damage. That they are indeed grateful for the many expressions of concern coming from many of the citizens of Charlotte. That their community is concerned but under the circumstances he feels the civil authorities are doing their utmost at this time and any acts of unreasonable activity from anyone as reprisals will be unwarranted. That he says this because he would hate to see anything get out of hand, and he would not want anyone to think that our officials have not given this matter their utmost consideration.

Mayor Brookshire stated he hopes and believes that this community can meet its problems with calmness and good judgment.

COUNCILMAN TUTTLE ADVOCATES AN INTENSIVE PROGRAM TO BE SPONSORED BY THE CHAMBER OF COMMERCE, CIVIC CLUBS, CHURCHES AND OTHER ORGANIZATIONS WITH COOPERATION OF THE PRESS, RADIO AND TELEVISION, ON THE RESPONSIBILITY OF THE CITIZENS TO THE POLICE DEPARTMENT IN THE MATTER OF CRIME.

Councilman Tuttle stated we have seen in the press and editorials much lately about law and order and responsibility of the public, and he is inclined to think that several Councilmen are concerned about it and maybe worrying about what can be done. That he would like to read a statement he made in the Charlotte News on April 14, 1965 when he was a candidate for Council. That the question had to do with what might be done about crime in Charlotte, and part of his answer was as follows: "We must find a means to enlighten the citizenry of their responsibility to the Police Department, which is actually no more than their responsibility as a citizen. How can we criticize the Police Department when gangs raid the property of others and go unpunished for failure of known witnesses to testify? How can we criticize the Police when they simply offer instructive warnings and are insulted by the curious when they do so? How can we criticize the Police, when further disrespect for them and the law in general, exists in too many cases?" He stated that he respectively advocates an intensive program to be sponsored by the Chamber of Commerce and Civic Clubs and Churches and all appropriate local organizations, with the full cooperation of the press, radio and television, reminding all of us of our responsibilities to law and order. That he has tried unsuccessfully to get several different organizations to pick up the ball and take on this program. The Chamber of Commerce was not in position to talk about it because they did not have a Chairman of the Law Enforcement Committee. Only two or three weeks ago they named a permanent chairman, who is Mr. B. L. Rae, who told him today they had their first organization meeting less than a week ago, and they will meet again Friday, and he will take it up with his Committee, and recommend that the Chamber pick the ball up in this program to enlighten us of our responsibilities to law and order.

DISCUSSION OF SITUATION ON SELWYN AVENUE CAUSED BY LAWLESSNESS AND CITY MANAGER ADVISED THAT POLICE HAS THE NAMES OF SOME OF THE INDIVIDUALS INVOLVED.

Councilman Tuttle asked the City Manager if he has a breakdown of the request he made last week for a study of the Selwyn Avenue situation regarding hoodlums congregating and making trouble in the 2900 block? Mr. Veeder, City Manager, replied that he has an Officer posted out there and he is sure that he can take care of the situation. Councilman Tuttle remarked that this is very commendable, but what he asked for was a study of the whole situation - are these boys from the neighborhood or from the other side of town who are causing this trouble. That if we know something about who is causing the trouble it would be possible for us to approach their parents, and the school principals and may be break this trouble up to where we will not have to have a Patrolman on duty out there. That he believes between the Merchants out there and the Police, they know who this gang is, and they know whether we are talking about Myers Park students or students from other sections of town. Mr. Veeder remarked that there is no question about their knowing this. That he is sure the Police Department would like to have any assistance they could obtain from any source willing to provide it toward the end of precluding the activities of these individuals. He advised that he has read some of the reports on these activities and they deal with the names of some of the individuals involved. That he does not know that a study per se is the answer. That he is aware that the Church out there is most concerned about the situation, and is anxious that something be done about it. He suggested that Councilman Tuttle read some of these reports at the Police Department. That he does not believe the answer

to the problem is in knowing who the individuals are. Councilman Tuttle replied that he would like to read the reports.

Mayor Brookshire observed that unless the members of the Police Department actually observe them breaking the law, they must rely on the citizens who are willing to swear out warrants. So it amounts to what he thinks is the responsibility of the public in helping to alleviate the trouble. That Council cannot do it by itself, neither can the Police Department.

Councilman Tuttle remarked that he hopes the Chamber of Commerce will pick this up and the Committee will give it their attention.

SPECIAL MEETING OF THE CITY COUNCIL SCHEDULED FOR FRIDAY, NOVEMBER 26TH AT 2 O'CLOCK P.M. FOR POSSIBLE AWARD OF CONTRACTS FOR ADDITIONS TO THE HOSKINS WATER TREATMENT PLANT AND PUMPING STATION.

The City Manager advised in September we advertised for bids for the expansion of the Hoskins Filter Plant, and bids were received towards the end of October. That we received good bids, and the amount we are concerned with in these bids is \$2,600,000.00. That nothing has been presented to Council earlier because we have been attempting to find out what the possibilities are of some of the dollars involved being construed as dollars eligible for Federal matching funds if and when we are ready to make application for Federal matching funds. That the most recent information we have on that specific point came from a discussion with the Mayor and General Younts who was in Atlanta about two weeks ago and the Regional Officials at that time thought it would be early in January before we have knowledge of the ground rules and had forms by which to make the application. That further toward determining whether or not some of these dollars would be eligible for Federal matching funds, the Mayor has made an effort in the last several days to contact top officials in Washington and they have been unable to answer his questions.

He stated further that we have the \$2,600,000 scheduled for award, and we also have a little over \$3,000,000.00 of other contracts that can be awarded shortly as soon as we find out the Federal ground rules. That we are faced with the question whether or not to award these contracts or wait, assuming that it would be eligible for Federal matching funds. That if we award the contracts we would still be eligible for matching Federal funds. He stated that the deadline for awarding the contract is Friday of this week. That he thinks the best thing we can do now, and he suggests it, is that Council agree to a Special Meeting on Friday of this week possibly to award these contracts, and we will have between now and Friday to attempt to get further information regarding the Federal matching funds.

Councilman Jordan moved that Council defer any action on these bids and that a Special Meeting of the Council be held on Friday, November 26th, at 2 o'clock p.m. The motion was seconded by Councilman Whittington, and unanimously carried.

COUNCILMAN JORDAN EXPRESSES ENTHUSIASM FOR THE IMPROVEMENTS TO AND EXPANSION OF HARTFORD AND NEW HAVEN WHICH HE VIEWED ON HIS RECENT VISIT WITH MEMBERS OF THE DOWNTOWN CHARLOTTE ASSOCIATION.

Councilman Jordan commented that Council would probably like to know something about their trip to Hartford and New Haven, and there is a Publicity Director for the Downtown Association and he is assuming that they will give this information to Council as a Body. That personally he is very enthused after seeing what they have been doing in these cities, and especially in Hartford, which is a real example of all that can be done for a city, and he hopes we can do something like that here.

ADJOURNMENT.

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