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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, July 7, 1969, at 3:00 o'clock p.m., with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, John Thrower, Jerry Tuttle, James B. Whittington and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Reverend C. E. Quick, Pastor East Stonewall A. M. E. Zion Church.

MINUTES APPROVED AS CORRECTED.

Motion was made by Councilman Short, seconded by Councilman Tuttle, and unanimously carried, approving the Minutes of the last Council Meeting, on June 30, 1969, as submitted with the following correction:

Page 128 - 32nd Line from top of page - change Andrill Terrace to "Ambel Drive".

STATEMENT OF POLICE CHIEF J. C. GOODMAN CONCERNING CRITICISM OF THE DEPARTMENT.

Mayor Belk read into the record the following memorandum from Police Chief J. C. Goodman, dated July 7, 1969, addressed to the Mayor and City Council:

"During the last few weeks the Charlotte Police Department has been the subject of rather strong criticism. The purpose of this memorandum is to assure you and all of the citizens of Charlotte that the Department welcomes constructive criticism. When such criticism points up the need for change - change will be made.

One recent criticism related to the Department's internal process of review of complaints against police officers. The point was made that black officers were not involved in the process. This process is now being revised and in the future black officers will be included.

Another point was that in one branch of the Department, the Patrol Bureau, black and white officers were not assigned in the same car. Changes have been made. Black and white officers are now working together in the same car.

The Police Department has and will continue to treat all citizens alike. This firm policy includes employees as well as the general public.

It should be pointed out that the Department and the Civil Service Commission make no distinction in recruitment and promotion practices. Black and white officers and civilian personnel are assigned to all activities within the Department performing the complete range of services. To name some of these areas: Plainclothes investigators, policewomen, accident investigators, motorcycle officers, parking meter checkers, school safety patrol officers, school crossing guards, community relations, intelligence, vehicle maintenance, secretarial and clerical, summer interns, and police reservists.

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All Charlotteans can be assured that the Charlotte Police Department will continue to stress fair and impartial treatment to employees and the public alike. The public should also be aware that the morale and effectiveness of the Department is high. We are gaining national recognition. We are at full strength. Twenty five percent of our personnel is engaged in college level training. In two weeks, we will be occupying the most modern law enforcement center in the nation.

I assure you your Police Department has and will continue to do its best in performing a most difficult task during most difficult times."

STATEMENT IN RESPONSE TO POLICE CHIEF GOODMAN'S REPORT ON ALLEGED CHARGES BY THE BLACK SOLIDARITY COMMITTEE.

Reverend Elo L. Henderson stated he is gratified to know that the Mayor of this great city is moving forward to make improvements; that last week the Chief of Police, J. C. Goodman, committed to Council a report on alleged charges made by the Black Solidarity Committee. He stated the Black Solidarity Committee is present today to dramatize their disapproval of that report.

Reverend Henderson stated they come to City Council at a time when their heads are bloody from police brutality, but unbowed; their minds have been harrassed, twisted and intimidated, but their dreams remain unchanged; they come at a time when the President of the United States is attempting to sabotage quality education in black America; they come at a time when both black and white are crying for peace, but there shall be no peace until every citizen, regardless of his race, ceases to be mistreated by the police department; they have come at a time when the City of Charlotte is demanding law and order - the laws to be kept by whom and the orders to be given by whom. He stated they come at a time when a complaint of police brutality must be lodged with a lily-white committee; they come at a time when the investigation of complaints must be done by a lily-white committee; they come at a time when evidences collected must be reviewed by a lily-white board; they come at a time when the black community is bitterly resenting this white process.

Reverend Henderson stated they have come at a time when a black man is arrested by four policemen, the man is subdued by being knocked to the ground, and while prostrated, officers with their dirty brogans stamped him until it became as though he were dead. He stated this case was reviewed by the lily-white board and the officers were exonerated. Yet, your Police Chief talks about minimum force on every arrest. He stated they come at a time when an arrested black man, hands cuffed behind his back, riding in a police car, arrives at the police station with a hole in his head; the arresting officer explains to the review board that the black man's hole in his head is the result of the black man hitting his head against a door panel; this lily-white committee exonerated the officers.

Reverend Henderson stated the Police Chief committed this fallacious report to Council and Council held its peace, although they are honorable men; that the Black Solidarity Committee will never be satisfied until these evils have been rectified.

He stated the record shows the Charlotte Police Department has 395 Policemen; of the 395, five percent, or 22 of them are black; the records show the department has 74 officers; of the 74 officers, there is not a single black man, although over 90% of the black policemen are college graduates. He stated the officer breakdown is - 1 Chief of Police, 2 assistants, 3 majors, 6 captains, 16 lieutenants, and 46 sergeants. If other southern cities can have Mayors and Chiefs of Police, including Mississippi and Alabama, surely the Queen City, the sophisticated city, can have a black man above the rank of a foot patrolman. He stated there are 34 plainclothesmen, with 16 youth bureau officers and 18 detectives in the City of Charlotte; of the 34 there is one black man.

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Reverend Henderson stated it is time for Charlotte to make decisions that will promote the welfare of all people regardless of their race; we have an opportunity today, and Council has this opportunity, to prevent this city from being blown up. He stated if they forget everything else he says, one thing he wants them to remember is that you cannot win the hearts and minds of people with sawed-off shotguns; the young generation you are facing today would rather die than remain shackled by your ugly hand of discrimination.

Reverend Henderson stated the Black Solidarity Committee offers the following demands to the City Council:

- (1) That a competent unbiased police chief be appointed who can command the respect from the entire community by treating all citizens, irrespective of race or status, with justice and fairness. We believe a black man can add quality to this position and believe that every consideration possible should be given to a black man for this position.
- (2) That the City Council demand that the Police Department increase its percentage of blacks on the force to reflect the total number of blacks in Charlotte.
- (3) That the City Council require that the Police Department set up a machinery to upgrade the present black policeman from their present rank all the way to assistant to the Chief of Police. We believe there should be black sergeants, black lieutenants, black captains, black majors and black assistants, and if necessary, a black chief of police.
- (4) That the City Council authorize the implementation of a civilian review board will full power to act on all cases; that the Black Solidarity Committee stands ready to help you in this direction.
- (5) That the Council issue an immediate order (which he understands has been done) that the Police Department integrate all of its cars to the fullest extent of its black personnel.

Reverend Henderson stated he is glad that Council has reached the stage where it will not listen to the whims of individual officers saying they do not want to ride with a black man; that the issues in Charlotte are too great for us to listen to individual's likes and dislikes.

Reverend Henderson stated this report is respectfully submitted by the Black Solidarity Committee.

Reverend C. E. Quick stated this City has failed to develop a system of tolerance and respect in its law enforcement proceedings; especially has this been true in its dealings with the black population; they, the residents of the Charlotte black community in their continuing effort to secure social, economic and political justice for all citizens, lodge this complaint against the continuous acts of the police of police brutality, harrassment and intimidation inflicted upon the black citizens of this fair City of Charlotte. That it is now time the elected officials begin to work towards putting an end to this kind of activity so blightly carried out by the citizens with every increasing frequency; these barbaric acts are carried out by individual officers; their conduct is either sanctioned or ignored by the police administration; this cruel and inhumane attitude of the police department demonstrates the need for a change within the department itself.

Reverend Quick stated therefore, they demand a thorough investigation of these acts with a view toward taking whatever steps are necessary by the City Council. He stated they have petitions with names signed on them; that they reluctantly hold these signatures for a number of reasons - among them being the following: they received some of the signatures because they promised the persons signing them that they would do so; they stated if their names were turned in (it has happened before) the policemen will go out to their homes and they will be beaten because they signed their signatures.

Reverend Quick stated they have some persons present today who would like to give first hand information of inhumane treatment by the Charlotte Police Department.

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Mr. James Covington stated on June 2, 1969, he went out to the Highway Patrol Station to get a duplicate of his driver's license. A friend, Johnny Evers, took him out there. That he went in and his friend stayed in the car; when he went out Mr. Evers had gone to sleep; that he tried to wake him up and while he was trying to wake him an officer came up and said "Get out of the car boy, you're drunk." His friend got out and was snatched around and thrown against the car and searched. At that time the officer told him to get out which he did; the officer asked his name and he told him. The officer said "Yea, I heard of you; you're one of those crazy black panthers, aren't you?" Mr. Covington said he told the officer it was none of his business what he belonged to. The officer's name was J. M. White. The officer told him to leave as he was going to take his friend to jail. He asked the officer to allow him to get the keys and drive the car home, and the officer said no and to get off the premises before he locked him up. Mr. Covington stated he told the officer he did not have the right to lock him up as he was there on business to get his driver's license and the officer had no right to order him off the premises. The officer then said if he did not leave he would show him what he could do. He stated he was then grabbed and his hands were drawn behind his back and he was handcuffed and thrown in the front seat of the car and his friend was placed in the back, and one officer was to bring them downtown. The officer told him that the crazy black panther shirt was going to get him killed and he told the officer if he died it would not hurt him, and asked why he should worry about what he does; at that time the officer said he would tell him what he would do and he started beating him in the mouth, and repeatedly hit him in the mouth. Mr. Covington stated he was brought down and was taken into the police station where he told the desk sergeant he wanted to take out a warrant for the officer. Instead of letting him take out a warrant he was taken upstairs and locked in jail. He told the jailer he wanted to take out a warrant and he said he would see about it. He told the jailer he wanted to make a call. He stated he was kept in jail about four hours before being allowed to make a phone call. When he was allowed to make the phone call, he called his lawyer, Mr. Daley. That Mr. Daley came to the Courthouse and argued with the man at the desk for two hours before he would issue a warrant for the police officer. Mr. Covington asked what will happen to the officer when they go into court? Nothing, because he is a black man and the officer is a white man and there is no justice in Charlotte for a black man - just because he is black and belongs to an organization they want to stop and nothing will happen to them. He asked Mayor Belk to come to the trial to see what happens. That the case will probably be thrown out of court and nothing will ever be done as there is no justice in Charlotte for a black man.

Mrs. Hattie Lowry stated she is a cosmetologist, a practical nurse and a gray lady for the Red Cross and that she has worked in politics for approximately 20 years in Charlotte. Mrs. Lowry stated on September 23, 1968 she was in her apartment in bed asleep and she saw a light flooding the house; her niece and nephew were in the yard playing; that her windows were down in the apartment. The children did not know she was on that side asleep. They came and asked the children if she was home and they said no. They pushed up the window and came in the window. Mrs. Lowry stated she asked who it was; they asked if she was Hattie Lowry and she said yes. She stated she had on a pair of light blue shorty pajamas; that she was in the third room back and the lights upset her a lot and she got up, and he said come on. She asked what it was, and he said he had a warrant. She asked for the warrant. That she never did turn the lights on; she left and slipped on a navy blue dress and went to the other side where the phone was and she called Mr. Arthur Goodman, Jr., and told him two white constables came out and came in her window and after opening the door brought two city policemen - the city policemen came in through the door. That Mr. Goodman asked to speak to one of them and they would not speak to him. They told her to get ready to go down. She stated she got her pocketbook and went down to the jail and she was put under a \$600 bond. She then went back home and her niece had talked to some friends and they decided to go back and take out a warrant. She stated while she was there she asked about taking out a warrant and they told her she could not take out a warrant for a white man coming through her window. That she went back home and came back to the station and Mr. Chevis and Mr. Ed

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Garner and several others went back down there, and they told them they could not take out a warrant; they could not wait on them; then a policeman hit Mr. Chavis and pushed him and said if they did not leave he would lock all of them up. She said at that time she was ready to be locked up. That she does not have a record but now she feels like having a record. She said she feels bad and everytime she has to talk about this it upsets her, but that is what actually happened, plus the fact they called her "nigger"; they said "Come on nigger."

Mr. Arthur Goodman, Jr., Attorney, stated all he can offer is corroboration of what Mrs. Lowry told. That he has known Mrs. Lowry for a number of years, through her activities in the community politically and otherwise; that he has represented her in civil matters. That he does know she called him one night terribly upset last fall; that he cannot pinpoint the date at this time as he was home and kept no record. She told him at the time that some constables had come through her window where she was in bed clothing, and as he recalls she had some difficulty getting them to allow her to put clothing on to go to jail; she said there were also some city policemen who came in a few minutes later. That he asked to speak to one of them; that he could hear voices in the background but who they were he cannot say. They did refuse to speak to her attorney. Mr. Goodman stated he was able to determine the next morning that she had in fact been arrested the night before, and she did in fact call him that night. He stated he offers this for whatever corroboration it may be - that at the time she called him and told him the same story she is telling here today.

Councilman Tuttle asked what the charge was, and Mr. Goodman replied as he recalls it was a worthless check charge of some sort that had been in the hands of a constable.

Miss Veronica Hagan stated a week ago a brother was arrested downtown at Family Dollar. The brother was put in jail and they came to get him out; that she walked up to the magistrate or the desk sergeant and asked for the bail, and he told them they had to get a bondsman; she asked how much it was and was told the bond was \$300. She asked how much it would be to get him out and he said \$33.00. She asked why \$33.00 when the bond was \$300.00. That he said \$3.00 was for the jail fee. That she told him he had not been there long enough for a jail fee. He said "you shut up, dammit; I charge very well what I want". She said she thinks this was an act of prejudice for her being black and the brother in jail being black. Also, Saturday night a call was turned in that somebody on South Turner was shooting; there were a lot of brothers and sisters out in the street, and about three carloads of policemen came down. She walked up to a car and asked what they wanted, and they said someone had turned in a call for shooting. She asked why so many came, and he said these days they cannot go out alone. She said she thinks the reason they came down was simply because it was on South Turner and the panther house in on South Turner, and he probably thought like bring on a whole lot and we will shoot up a whole lot of these "niggers" right down here. That is the only reason he brought all those; otherwise one cop would have come if it had been in Myers Park. She said that is harrassment.

Mayor Belk thanked Reverend Henderson for being present and for his sincerity and interest in the City of Charlotte. He stated he and members of Council will do everything possible to serve all the citizens of Charlotte; that they want to give everybody fair and just treatment; this is their goal and this is their interest, and they will need help.

Mayor Belk stated the former Mayor's Community Relations Committee is being changed to the Charlotte-Mecklenburg Community Relations Committee; that it will have the same functions, but it is going out into the county. He stated any suggestions Reverend Henderson has that will help the City in community relations he would appreciate being brought to him. That what they would like to do with this committee is to broaden the base and get more young people in and more people from various areas of the City so that a better job can be done.

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REQUEST BY CHARLOTTE PARK AND RECREATION COMMISSION TO EXCHANGE PARK PROPERTY ON KENTLAND LANE FOR PROPERTY OF THE CHARLOTTE MECKLENBURG BOARD OF EDUCATION AT THE NORTHEAST INTERSECTION OF HERRIN AVENUE AND SPENCER STREET.

Motion was made by Councilman Tuttle and seconded by Councilman Thrower to consent to the request of the Charlotte Park and Recreation Commission to exchange park property on Kentland Lane, adjacent to the J. Mason Smith Junior High School, for property of the Charlotte-Mecklenburg Board of Education at the northeast intersection of Herrin Avenue and Spencer Street, as required by Section 5.46(b) of the City Charter.

Councilman Short stated that some of the very good citizens in North Charlotte informally arranged this park on the school property, spending a lot of time on it over the last several years. He stated he does not know all the names but one was a very good friend, Mr. Frank Suddreth. He stated these gentlemen are to be commended for what they have done and now this will become a formal part of our park system.

The vote was taken on the motion and carried unanimously.

COUNCILMAN SHORT SELECTED AS DELEGATE ON THE CENTRAL PIEDMONT REGIONAL COUNCIL OF LOCAL GOVERNMENTS.

Mayor Belk appointed Councilman Milton Short as delegate to represent the City of Charlotte on the Central Piedmont Regional Council of Local Governments which term expires December 31, 1969.

Councilman Short thanked the Mayor for the appointment and stated it is an honor and will be an interesting assignment.

MEMORANDUM OF UNDERSTANDING WITH MECKLENBURG COUNTY MAKING REVISIONS IN THE ORGANIZATION OF THE MAYOR'S COMMUNITY RELATIONS COMMITTEE.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried approving the subject memorandum of understanding.

ORDINANCE NO. 246 AMENDING CHAPTER 3A ENTITLED "ANTIDISCRIMINATION" OF THE CODE OF THE CITY OF CHARLOTTE INCORPORATING INTO THE CODE REVISIONS INCLUDED IN THE MEMORANDUM OF UNDERSTANDING WITH MECKLENBURG COUNTY.

Councilman Whittington stated he does not have a copy of the subject ordinance, and he moved that decision be deferred. The motion was seconded by Councilman Jordan.

Mr. Veeder, City Manager, advised the adoption of the subject ordinance will change the name of the Mayor's Community Relations Committee to the Charlotte-Mecklenburg Community Relations Committee, and provides that the Mayor and Chairman of the Board of County Commissioners shall make appointments of individuals to the Committee. He stated in the ordinance where it refers to City, it will be changed to Charlotte-Mecklenburg; these changes will accomplish making it a joint city-county operation.

Mr. Veeder, stated there were two things to be done to change this from the "Mayor's" Community Relations Committee to "Charlotte-Mecklenburg" Relations Committee. One was to have the agreement with the County; this is accomplished by the approval of the Memorandum of Understanding. the other is to make the changes in the ordinance which now specifically calls it the "Mayor's" Community Relations Committee and to name it the Charlotte-Mecklenburg Community Relations Committee and to allow appointments by the Mayor and Chairman of the County Board.

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Councilman Thrower made a substitute motion to adopt the ordinance, which motion was seconded by Councilman Tuttle, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at page 209.

Mayor Belk asked that a letter be sent to the County Commissioners thanking them for their assistance in helping the betterment of our citizens.

ORDINANCES ORDERING THE REMOVAL OF WEEDS AND GRASS PURSUANT TO SECTIONS 6.103 AND 6.104 OF THE CITY CHARTER, CHAPTER 10, ARTICLE I, SECTION 10-9 OF THE CITY CODE AND CHAPTER 160-200 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, ordinances were adopted ordering the removal of weeds and grass pursuant to Section 6.103 and 6.104 of the City Charter, Chapter 10, Article I, Section 10-9, of the City Code and Chapter 160-200 of the General Statutes of North Carolina, as follows:

- (a) Ord. No. 247-X ordering the removal of weeds and grass at rear of 6700 and 6702 Woodstream Drive.
- (b) Ord. No. 248-X ordering the removal of weeds and grass at 733 McAlway Road.
- (c) Ord. No. 249-X ordering the removal of weeds and grass adjacent to 708 McAlway Road.
- (d) Ord. No. 250-X ordering the removal of weeds and grass adjacent to 1905 Washington Avenue.
- (e) Ord. No. 251-X ordering the removal of weeds and grass adjacent to 1905 Beatties Ford Road.
- (f) Ord. No. 252-X ordering the removal of weeds and grass adjacent to 2211 Kinney Street.
- (g) Ord. No. 253-X ordering the removal of weeds and grass adjacent to 3601 Statesville Road.

The ordinances are recorded in full in Ordinance Book 16, beginning on Page 210.

SPECIAL OFFICER PERMIT, AUTHORIZED.

Councilman Whittington moved approval of the issuance of a Special Officer Permit for a period of one year to Mr. John H. Gaston for use on the premises of Morris Speizman Company, Inc., 508 West Fifth Street. The motion was seconded by Councilman Jordan, and carried unanimously.

TRANSFER OF CEMETERY LOTS, AUTHORIZED.

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

- (a) Deed with Edwin Leon Preston and wife, Betty Brown Preston, for Lot No. 518, Section 6, Evergreen Cemetery, at \$320.00.
- (b) Deed with J. Chesley Sedberry and wife, Irene Parson Sedberry, for Graves No. 1 and 2, in Lot No. 196, Section 2, Evergreen Cemetery, at \$160.00.
- (c) Deed with Martin Gleason and wife, Hallie Carey Gleason for Lot No. 261, Section 6, Evergreen Cemetery, at \$320.00.

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PROPERTY TRANSACTIONS AUTHORIZED.

Upon motion of Councilman Thrower, seconded by Councilman Short, and unanimously carried, the following property transactions were authorized:

- (a) Acquisition of 4524.25 square feet of easement at 3216 Harrow Place, from Calvin F. Dean and wife, Susan H., at \$215.00, for the Upper Briar Creek Outfall.
- (b) Acquisition of 1233.52 square feet of easement at 3000 Harbinger Court, from Frank D. Worsham, at \$155.00, for the Upper Briar Creek Outfall.
- (c) Acquisition of 2245.25 square feet of easement at 1843 Arnold Drive, from Dessie H. Jamieson (widow), at \$140.00, for the Upper Briar Creek Outfall.
- (d) Acquisition of 2,089.75 square feet of easement at 1835 Arnold Drive, from Summie L. Sain and wife, Norma W., at \$133.00, for the Upper Briar Creek Outfall.
- (e) Acquisition of 2,647 square feet of easement at 1827 Arnold Drive, from Christian Curtis Collins (single), at \$265.00, for the Upper Briar Creek Outfall.
- (f) Acquisition of 6,729 square feet of easement on Central Avenue at Arnold Drive, from Construction Credit Corporation, at \$269.15, for the Upper Briar Creek Outfall.
- (g) Acquisition of 2,750 square feet of easement at 337 Fannie Circle, from James Mungo and wife, Lillie Belle, at \$142.00, for the Briar Creek Outfall.
- (h) Acquisition of 3,198.0 square feet of easement at 329 Fannie Circle, from Willie M. Ferguson and wife, Lillian K., at \$107.00, for the Briar Creek Outfall.
- (i) Acquisition of 2,996 square feet of easement at 5500 North Tryon Street, from Intercity Sales, Inc., at \$1.00, for sanitary sewer to serve General Motors.
- (j) Acquisition of 2,335.9 square feet of easement in the 6500 block of Farmway Drive, from William Trotter Development Company, at \$1.00, for sanitary sewer to serve Eastbrook Woods No. IV.
- (k) Acquisition of 1,880 square feet of easement at 2330 Crestview Drive, from North Carolina State Highway Commission, at \$1.00, for Northwest Freeway sanitary sewer relocation.

CONTRACT AWARDED TO OSHKOSH B'GOSH, INC. FOR WORK CLOTHING.

Motion was made by Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, awarding contract to the low bidder, Oshkosh B'Gosh, Inc., in the amount of \$51,196.70, on a unit price basis, for work clothing for various departments.

The following bids were received:

Oshkosh B'Gosh, Inc.	\$51,196.70
Hub Uniform Company	57,561.40

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CONTRACT AWARDED CHARLOTTE TANK LINING COMPANY, INC. FOR PAINTING OF TWO WATER TANKS.

Upon motion of Councilman Whittington, seconded by Councilman Short, and unanimously carried, contract was awarded the low bidder, Charlotte Tank Lining Company, Inc., in the amount of \$5,058.90, on a unit price basis, for painting two water tanks.

The following bids were received:

Charlotte Tank Lining Co., Inc.	\$5,058.90
Statsco Service Company	7,190.80

CONTRACT AWARDED PARNELL-MARTIN OF THE CAROLINAS, INC. FOR C. I. SOIL PIPE AND FITTINGS.

Councilman Thrower moved award of contract to the low bidder, Parnell-Martin of the Carolinas, Inc., in the amount of \$28,384.77, on a unit price basis, for C. I. soil pipe and fittings for the Engineering Department. The motion was seconded by Councilman Alexander, and carried unanimously.

The following bids were received:

Parnell-Martin of the Carolinas, Inc.	\$28,384.77
Hajoca Corporation	28,952.65
Grinnell Company, Inc.	29,818.13
Atlas Supply Company	30,075.08
Horne-Wilson, Inc.	30,871.33

NAME OF C. P. STREET PLACED IN NOMINATION FOR REAPPOINTMENT TO THE AIRPORT ADVISORY COMMITTEE.

Councilman Short placed the name of Mr. C. P. Street in nomination for reappointment to the Airport Advisory Committee. He stated some investigation indicates that Mr. Street would be eligible for reappointment if Council will reappoint him; that Mr. Street has served on the Committee since 1946.

Mr. Veeder, City Manager, stated Mr. Short has in mind the changing of a resolution which was adopted by Council in July, 1960, that prescribed two terms. He stated a resolution made by Council can be changed by Council.

COUNCILMAN SHORT ADVISES HE WILL BRING REPORT TO COUNCIL ON PROPOSAL OF REPRESENTATIVE FROM OHIO CALLING FOR FEDERAL GOVERNMENT TO ALLOW MUNICIPALITIES TO HAVE A LARGER CREDIT RATING.

Councilman Short stated last week he came across a speech made by a representative in Congress, Thomas L. Ashley from Ohio. Mr. Ashley has proposed an "Urban Development Bank", which calls for the federal government to allow municipalities to have a larger credit rating. One of the things that has been a particular bother in our effort to get our bond issue underway has been the fact that we are approaching the limits of our bankable credit unless we get into a higher interest rate. The proposal Mr. Ashley has made apparently would deal with this problem. Councilman Short stated he cannot imagine a more helpful federal program than the federal government wanting to help the cities and this seems an ideal way to do it - just give them credit to pursue those capital improvements that most cities need.

Councilman Short stated he has written Mr. Ashley for further information, and he will bring his reply to Council.

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REHEARING OF PETITION FOR CHANGE IN ZONING ON SOUTH SIDE OF CENTRAL AVENUE, BEGINNING AT CAROLYN DRIVE AND EXTENDING EASTWARD TO BE DISCUSSED BEFORE SETTING DATE OF HEARING.

Councilman Thrower referred to the Minutes of Council Meeting on May 26, 1969, Minute Book 52, Page 51 and the following motion:

"Councilman Whittington moved that tracts A and B be left as R-6MF, and the 3rd tract - a 55 foot lot - be left as O-6 as a buffer running through the entire length of this property (this would be a buffer of O-6, 55 feet wide at the rear of the residents on Carolyn Drive, between them and the Eastway Shopping Center), and the vacant property which was requested rezoned to B-2 be rezoned to B-1."

Councilman Thrower stated he and Mr. Withrow voted against the motion; that Mr. Withrow has agreed with him that they will bring this back for reconsideration provided that in the second line of the motion, the O-6 tract be changed to R-6MF; that he understands this would constitute another public hearing, and he moved that a public hearing be set. The motion was seconded by Councilman Withrow.

Councilman Short stated he was on the other side when the vote was taken on May 26, and presumably would look forward to this being brought up again, but he does not, and he cannot vote for this motion. That he feels these people are entitled to be somewhat secure in the victory they won in the original petition; that he does not think the valuable land use rights should depend on second guessing where we had the facts fully before us at the time.

Councilman Thrower stated this is another one of these instances where the former Council did not act, and neither he nor Mr. Withrow had the privilege of rehearing the petition; that he asked this Council for permission to rehear all these petitions, and it was the Attorney's ruling that it was not necessary and they could therefore vote; that he is exercising this prerogative.

Councilman Short replied if Mr. Thrower had asked for the rehearing before the vote it would have been one thing; but where it has been disposed of and the winners have won, it seems to him that the dignity and the security of zoning in general depends upon the winners being able to feel as though they won.

Councilman Whittington suggested that this be left as it is and Council have an opportunity to discuss it, and then if Council thinks it is necessary to call for a vote on a public hearing it can be done; that he sees no objection to having the second public hearing.

After further discussion, Councilman Jordan made a substitute motion to discuss this further and then if Council wants a public hearing, it can be called. The motion was seconded by Councilman Short, and carried unanimously.

ORDINANCE NO. 254-X TO AMEND ORDINANCE NO. 939-X, THE 1968-69 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF A PORTION OF THE UNAPPROPRIATED GENERAL FUND BALANCE FOR TRAFFIC SIGNALS AND CONTROL DEVICES AT THE INTERSECTION OF WOOD-LAWN ROAD AND OLD PINEVILLE ROAD.

Councilman Tuttle moved the adoption of the subject ordinance authorizing the transfer of \$4,200.00 to Traffic Engineering Department, Account No. 518.528, Traffic Signals and Control Devices. The motion was seconded by Councilman Whittington.

Councilman Whittington stated he has seconded this motion because he thinks the improvements are needed; that they were needed when he brought it up about six months ago and the Traffic Engineer said it was not needed, and the people were so informed at that time that the improvements were not recommended. He stated this is a complete reversal here today; perhaps

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there is more traffic but the inconsistency of this is not as it should be. Councilman Whittington stated while this is not direct criticism it is constructive criticism of the Traffic Engineering Department.

The vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 217.

Councilman Tuttle stated it will be five months before anything is done here; he asked how the City can let these people know that a decision has been made and something will be done? Councilman Whittington stated he has a list of all those who are interested. Councilman Tuttle asked that the information be given to Mr. Veeder and that the people be notified of Council's action.

SUBJECT OF DAY CARE CENTERS TO BE PLACED ON DOCKET FOR REVIEW.

Councilman Whittington stated the State Legislature took no action on Day Care Centers; that he thinks this Council, the City Attorney, Building Inspection Department, the Health Department and Fire Department must get back into this immediately; that he has received several phone calls today and over the weekend from Mothers who are concerned about the haphazard way that some of the centers are being operated and some of which are still operating and are not registered or licensed or inspected. He stated this should be gotten back into proper focus and Council, as a governing body, go ahead and vote on it.

Councilman Whittington suggested that it be placed on the docket and back into the departments that are responsible with a solution brought to Council whereby Council can act upon it; that Council has delayed the enforcement of it until the State passed its law, and the State has selected not to pass a law and it seems the City will have to pass its own.

Councilman Short stated upon the ending of the Legislative Session without the State-wide action, he got in touch with Mr. Jamison, Superintendent of Building Inspection Department, and suggested that he resume his activities, and he advises he has. That Mr. Jamison suggested a technical difficulty that he may bring up with Council.

The City Manager stated this is a subject that people have different views on and it seems to him it would be appropriate to review everything as to where we are, and how we got there; that to put it back on the agenda for review purposes would be very worthwhile.

Councilman Whittington stated the review is in order; that this was controversial and was misunderstood, but the fact^{is} there is an ordinance that Council should do something about after the review.

SUGGESTIONS FOR USE OF MONEY PAID BY HOUSING AUTHORITY IN LIEU OF TAXES.

Councilman Whittington asked what will be done with the \$78,637.00 that the Housing Authority gave to Council last week in lieu of taxes? Mr. Veeder, City Manager, replied it goes into the general funds, and becomes a part of the resources for appropriations.

Councilman Whittington stated this seems to be an excellent opportunity to do something in the field of recreation or in the field for the young people of this community by giving more mini-parks, by expanding our recreational program, and by doing things such as the footbridge over Sugar Creek so that

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people can get to a park we already have. He stated he is not making a specific suggestion as the administration can do this better. That last summer all these mini-parks were put in and perhaps more can be put in if this money is not already allocated; there may be an area where some of our personnel could be placed in neighborhoods where there are problems with blockbusting and scare tactics - the sort of thing where people are running from one neighborhood to another. Councilman Whittington stated he thinks some of these suggestions have real merit, particularly in the field of recreation.

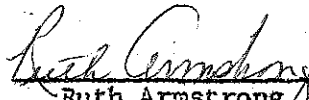
PROGRESS REPORT ON JOHNSON MEMORIAL YMCA.

Mayor Belk asked what the progress is as it relates to the Johnson Memorial YMCA? Councilman Whittington replied he has discussed this with Mr. Veeder, City Manager; Mr. Veeder has talked with Mr. Gordon Berg with UCS and with Mr. Simmons, Executive Director of the "Y", and they will begin meetings and keep Council informed of the needs of this "Y"; that this is not an immediate need but a long range need as the appropriation from the Johnson Foundation will be cut off at the end of this year.

Mr. Veeder stated a member of Council probably will be asked to serve on the UCS Committee.

ADJOURNMENT.

Upon motion of Councilman Jordan, seconded by Councilman Tuttle, and unanimously carried, the meeting was adjourned.


Ruth Armstrong, City Clerk