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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, September 29, 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 H. Thrower, James B. Whittington and Joe D. Withrow present.

ABSENT: Councilman Jerry Tuttle.

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#### INVOCATION.

The invocation was given by Dr. Sidney L. Freeman of the Unitarian Church of Charlotte.

#### MINUTES APPROVED.

Upon motion of Councilman Thrower, seconded by Councilman Short, and unanimously carried, the minutes of the last meeting on September 22, 1969, were approved as submitted.

#### RECOMMENDATIONS OF STUDY COMMITTEE ON MANPOWER PROGRAMS APPROVED.

Mr. C. R. Harris stated he is present to report on a task which was assigned to him and other members of the community having to do with some of our manpower problems.

He stated the assignment came from Mayor Belk and it asked that he consult with and obtain the views and recommendations of those of the community, both in the public and private sectors who are already working on manpower matters and coming up with specific recommendations on the following:

- (1) The need for a "Manpower Committee" to serve as a coordinating and advisory group on all manpower activities of the community (excluding labor relations matters).
- (2) If the need for such a Committee does exist:
  - (a) Establish the objectives and functions of the Committee.
  - (b) Where such a Committee should fit into the structure of our Community.
  - (c) Groups in the community to be represented on the Board or Committee.
  - (d) The implementation of such a group in the interest of giving it meaningfulness, effectiveness and vitality.
  - (e) What the group or Committee should be named.

Mr. Harris stated the following participated in the study: Mr. Peter Verna, former Chairman of Area Fund Manpower Committee; Mr. Stan Brookshire, former Mayor of Charlotte; Mr. Bob Person, Director of Area Fund; Mr. Hoyle Martin, Director of CEP; Mr. Charles Lowe, Chairman, County Commissioners; Mr. Paul Jones, Model Neighborhood Director; Mr. Ed Dowd, Executive Director Central Piedmont Industries, Mr. Luther Hodges, N. C. Manpower Development Corporation; Mr. Ed Jones, of NABS, Mr. Ray Killian, Chairman of the Manpower Committee of the Chamber, and Mr. Pete Harris, former member Area Fund Manpower Committee.

Mr. Harris stated they asked what the problems are, and what this is all about; they all agree there was a multiplicity of public and private groups engaged in various aspects of trying to solve the manpower problems of the community; the scope of activities of some of the groups is large where others are narrow; much effort, considerable brains and considerable

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money is being expended in our community in an endeavor to solve these problems. The overall result does not appear to be in keeping with what is being put into the various programs. Some of the principal reasons seem to be: (1) too many independents trying to accomplish the same thing and a lack of coordination among the various groups; (2) a duplication of functions and efforts; (3) lack of clearly defined and understood objectives and results expected; (4) lack of participation - that is, involvement by business, by the community and by our respective public groups in the city; (5) insufficient periodic auditing of results balancing such against the funds expended and the efforts; (6) divided responsibilities; (7) competition among groups for monies, programs and even placing people in jobs; (8) lack of beneficial efforts towards solving the community's manpower problems, the results not being anywhere in keeping with the efforts, time and monies put into that area.

Mr. Harris stated his committee makes the following recommendations:

There is a very definite need for strong, purposeful and coordinated direction for the community manpower programs; all in the interest of doing the best overall job in a timely and reasonably economical fashion. It is recommended that:

1. A board to be known as the "Community Human Resources Board", be appointed and charged with providing overall coordination and guidance to the manpower programs of the community.
2. The principal groups of the community concerned with manpower programs be represented on the Board (should be the top man from each group insofar as practicable).
3. The Board to be an arm of the city-county government.
4. The principal objectives and functions of the Board would include the following:
  - (a) Provide coordination and unity of action among the various manpower groups of the community.
  - (b) Lend guidance in the establishment of objectives and goals for the various manpower activities in the community, with the objective of avoiding duplications and maximizing overall results in the most practicable manner.
  - (c) Coordinate matters having to do with funding the tax supported manpower agencies and encouraging private financial support when appropriate.
  - (d) Encourage community participation and understanding, including business.
  - (e) Audit the programs of the tax-supported manpower agencies, both as to results and use of funds.
  - (f) Serve as an adviser to the Mayor and Chairman of the County Board, and represent them on manpower program matters when so requested.
  - (g) Work with the operating executives of the manpower groups, providing counsel and guidance.
  - (h) Work toward an overall "United Community" type of operated and controlled program.

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5. In collaboration with the City-County, the tax-supported manpower agencies and business, a small full-time staff (man and secretary) be placed at the disposal of the Board to carry out its day to day work. (In this way only can the Board get the overall job done in an effective manner.)

He stated the annual expenses for providing the proposed staff is estimated at \$25,000.00.

Councilman Alexander moved approval of the recommendations as submitted by Mr. Harris. The motion was seconded by Councilman Thrower, and carried unanimously.

Mayor Belk thanked Mr. Harris for taking his time as he knows of no other citizen in the community who could do as fine a job as Mr. Harris has done; that with the new administration in Washington, they are having to make a lot of adjustment on various agencies, with which the City is concerned; that there is nothing more important nor timely in the future to the people than to tie all of this together. That we feel these agencies are just as vital to the county as to the city, and are glad that the County Commissioners and the City Council are together on this.

Mr. Harris stated this is not a small undertaking or a small job; the success of anything that we do in the community in this area is going to depend on the involvement and support we get from this Council and the members of the County Commission, together with business; that it is fine to give lip service but we are at the point now where we either do the job well with the means available to us and with the determination to do it as opposed to lip service and then we can get more things accomplished in this area. Only on that basis would he entertain any possibility of going ahead and being a part of this Board.

Reverend Elo Henderson stated he thinks in anything as important as manpower that those who are involved in the manpower program should be consulted; that he represents the OIC Board and they have been working in manpower for some time, and feel they have made a real contribution; they have not been consulted on this program which Council has just approved, and he feels this is necessary if it is to receive the full cooperation of the community. That anyone can criticize the programs we have in Charlotte. He stated there probably are duplications; there was duplication in placing people where they are today; and there will have to be a lot of other duplication to get them out of the place where they are today and to get them where they should be. If this is a genuine effort to turn the whole manpower program back to the establishment, it is highly necessary and important if you are going to serve people who are disadvantaged and poor, they must have agencies they can relate to. He stated the thing that have brought us where we are is because they have not had the confidence, and here you are creating a fifth wheel type of watchdog that seems to have a tendency to be a part of the establishment, and the people you are trying to help have lost faith in the establishment. They have confidence in the agencies and the people they have worked with and have trust in; that this is highly important. If you really want to do something and do it right, then use the \$25,000, and if you want to merge, merge, and merge it right, but not with some super structure over the existing program. That he does not feel this will get the results you are hoping for as this is the type of thing we have been brow beaten with all these years - having some super structure over us that we have to look up to. That in the study, he feels they should have consulted with the people who are involved in the manpower program.

Mayor Belk stated he knows that Reverend Henderson knows more about the OIC than he does, and he had hoped that it had not brow beaten anyone, but the new group will take all the agencies in and he hopes we can get better results.

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ORDINANCE NO. 379-X AMENDING ORDINANCE NO. 255-X, THE 1969-70 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF A PORTION OF THE UNAPPROPRIATED GENERAL FUND BALANCE FOR CONCENTRATED EMPLOYMENT PROGRAM.

Councilman Alexander stated Mr. Hoyle Martin, Director of the Concentrated Employment Program, appeared before Council on September 15, 1969 and presented a request for the city's share of local matching funds in the amount of \$29,120.00 for the fiscal year ending September 30, 1969. The Council delayed approval of the release of the city's share of matching funds until such action was instituted assuring an indepth review of the city's manpower programs. Council has now endorsed the recommendations submitted by Mr. Harris, and looks forward to the organization of this committee and the implementation of its work. Also before Council is an interpretation of the State's fiscal law by the Attorney General's Office, reminding Council of the proper legal procedures which must be followed in action such as this. With this interpretation before Council, he moved the adoption of the subject ordinance authorizing the transfer of funds in the amount of \$29,120.00 to the Charlotte Model Neighborhood Commission, a local government agency, for such use as in this instance the interpretation of the law so permits. The motion was seconded by Councilman Jordan, and carried unanimously.

The ordinance authorizing the transfer of \$29,120.00 to Model Cities Account to be used for the city's share of the required local matching funds for 1968-69 for the Concentrated Employment Program is recorded in full in Ordinance Book 16, at Page 352.

Mr. Person, Director of the Area Fund, asked if he understands the money will be appropriated through the Model Neighborhood Commission? That in this instance he thinks there is a technicality of the funds being requested as the Charlotte Area Fund at this time is the prime sponsor, and is responsible for the expenditures of these funds, and he would like to know how to handle this.

Councilman Alexander replied, the City's Legal Department has advised Council that this is the only way the City can handle these funds by transferring them through an agency of this type; this does not mean that the funds will not go to CEP; it just affords the city a means of transfer where the money can go to CEP legally.

Later in the meeting, Councilman Alexander stated he would like to read a portion of a paragraph for the clarification of the audience regarding the action of Council concerning the CEP program so there will not be a misunderstanding. He stated the Charlotte Concentrated Employment Program was initiated in July, 1968, and the Charlotte Area Fund was the prime sponsor, and as such is the local agency for CEP program, policy and for administering the program. These functions are to be carried out by the Manpower Committee of the Charlotte Area Fund Directors; the Committee is required to have the concurrence of the Model Neighborhood Commission on all decisions made on matters of policy affecting the CEP; this requirement is set forth in the agreement developed between the Charlotte Area Fund and Model Neighborhood Commission in May 1968. He stated the North Carolina Attorney General's Office has interpreted the state fiscal law as prohibiting city governments from making appropriations to private non-governmental corporations such as the Charlotte Area Fund; any city appropriation therefore has to be made to a local government agency which in turn can appropriate the funds to the Charlotte Area Fund or its delegation which in this case is CEP. He stated it was in light of the prohibition of direct appropriation that leads the Council to consider the appropriation of the requested funds through the Mecklenburg County Government or to the Model Neighborhood Commission, which is a direct agency of the local city government, and this is the manner in which this was done.

Councilman Short stated he thinks this is a matter that Mr. Underhill, City Attorney, might consider in the next legislation; that we have had this same problem time and again, and you have to go around your elbow to do something, and it winds up with the Model Cities Board having more power than Council in a sense.

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APPOINTMENT OF COMMITTEE TO EXPLORE POSSIBILITIES OF OBTAINING PRO-FOOTBALL FRANCHISE FOR CHARLOTTE.

Mr. James H. Carson, Jr. stated he is present today as a private citizen to ask Council's cooperation in a project in which he is interested and which he thinks would mean a great deal to the City of Charlotte and Mecklenburg County, if they are successful. That is to form a committee to undertake the exploration of the possibilities of obtaining a professional football franchise for Charlotte and Mecklenburg County; they would hope the Committee would be able to examine two aspects: (1) the possibilities of obtaining the franchise, and (2) the type of physical plant that would be necessary, and whether or not Memorial Stadium could be accomplished for this purpose. He stated to this end he and Mr. Jack Putt, Scout for the Kansas City Chiefs, and a Charlotte businessman, have had some discussion and the Board of County Commissioners this morning appointed the two of them as Vice Chairman of a Committee to undertake this study. He stated this will be done at no expense to the taxpayers, but on their own, to try to do something now while franchises are available.

Mr. Jack Putt stated late in 1975 the National Football League which is the American & National League will have 32 teams; their goal is either to bring on an established team, like the Boston Patriots, or to secure a franchise for a new one. That he and Mr. Carson would like to head up a committee to study possible pro football for Charlotte. That Charlotte has supported pro-golf, pro-hockey, baseball and tennis, and he sees no reason why it cannot support pro-football. Another reason why Charlotte should have pro-football is that we do not have a major college in Charlotte; that if you put a pro-football where there is a college team, you have to hurt the college team.

Councilman Thrower moved the appointment of Mr. Carson and Mr. Putt to the suggested committee. The motion was seconded by Councilman Short, and carried unanimously.

Mr. W. J. Elvin stated as usual we put the cart before the horse; in the first place, Memorial Stadium is not a place that should be expanded, nor should we encourage football games at the Stadium as we fuss about the traffic situation. That he is very close to the Central-Piedmont Community College and to him this is worth ten football stadiums, especially as we have been lacking in providing technical training for the people who use their hands. He asked where parking space will be found adjacent to the stadium if it is decided in that connection. That the most important thing is we have a college and it is developing very nicely. He suggested that an investigation be made to see what can be done legally about a stadium at the University of North Carolina at Charlotte.

Mayor Belk stated he was on a committee to pick a stadium site; that next year as these two leagues merge there is a ruling that you will have to have a 50,000 seat stadium, and there is no way to put this in at Memorial. That this is an advisory committee, and he thinks this is a good suggestion as he believes we will have a football club in the next few years. Councilman Thrower stated he thinks they will be interested in looking over other counties and not necessarily just in the City of Charlotte.

STATEMENT BY W. J. ELVIN REGARDING WATER LINE TO MATTHEWS.

Mr. W. J. Elvin stated that the furor over the material for use on the water line to Matthews is a tempest in a teapot, or the blind leading the blind. That the material for the lines should have been decided before the specifications were prepared or the suppliers asked to bid. The City and County should have gotten together and determined whether the city was prepared to go forward with ductile, which is highly recommended, or whether they would hold on to the cast iron; that should have been done in the first place.

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**BLACK SOLIDARITY PRESENTS ALLEGATIONS OF BRUTALITY BY POLICE DEPARTMENT.**

Reverend Robert Shirley stated the Black Solidarity Committee comes to Council requesting that two items of business be placed on the agenda for priority concern, and urged that these items of concern stay on the agenda until they are reconciled and justice prevails.

He stated one item concerns the continued aggravation and over-reaction by the Police Department of this city; the other item concerns the blight of the people involved in a labor dispute at the American Bakeries, Inc.

Reverend Shirley stated for well over a year the Black Solidarity Committee has sought to bring about positive and constructive solutions to the distrust and wide misapprehension in the black community towards our Police Department in general and police tactics specifically. He stated they have appeared before this Council and have laid their case before the Mayor's Committee on Human Relations with documented evidence; they have held lengthy conferences with Chief Goodman and members of his staff. As of this moment they have seen not one single positive step taken to show good faith or to allay the fears of the many blacks. That the Charlotte Police Department is a repressive agency rather than a protective agency for all the citizenry of this community. Black Solidarity has recommended the integration of patrol cars to prove to the community that justice is color blind as far as law enforcement is concerned. There has been no response. Black Solidarity has recommended the dispersal of black personnel throughout the various departments and divisions of the police department; it has recommended the upgrading of black personnel to the rank of sergeant and above to encourage other black men to join the force and add creativity to the community's respect for law and order based on equity. No response. Black Solidarity has recommended citizen participation in those borderline cases where complaints by citizens are reviewed in order to assure fairness and impartiality. No response. What has been seen instead is a constant apology by the Police Department about policy, procedures, standards and traditions; they have seen a total unwillingness to listen and to learn from those in the black sectors of this community who know that Charlotte is sitting on a power keg. The Police Department is not being creative; it is not being flexible; it is not facing the issues; it is not listening. And every day more and more complaints are coming into the Black Solidarity headquarters about illegal entry of homes, aggravated assault and abuse upon citizens stopped for questioning; gestapo-like beatings in the police station itself. This is not hearsay; they would not come before Council without proof. Some of the proof is here today.

He stated the Police Department is under the Council's jurisdiction. Council has the power to effect change. They urge Council to utilize that power immediately; for the sake of Charlotte, but particularly for those of low income who lack knowledge of law, who lack money and who lack influence. It would be their hope that we have not reached the state in America where only the strong survive. It would be their hope that this Council still would be willing to bear the infirmities of the weak.

Reverend Shirley stated on the matter of the bakery workers, in the American Democratic structure, labor unions are being recognized as an acceptable channel whereby reasonable grievances of workers can be transmitted to management and thereby negotiated and settled. Such a union has existed at the American Bakeries, Inc., for over ten years and has throughout sustained an integrated membership. The organizer and leader of that union is Mr. Elliott Martin, a black man. No one would hold such a position unless his ability and commitment were unquestionable. In recent months, because of the kind of concerns and grievances he has raised, concerns that would put more money in the worker's hands than in the management's pockets, attempts have been made to remove him and those who follow him.

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He stated another issue of equal importance to be understood is that Mr. Martin's local wishes to succeed from the International Union and become an affiliate of the American Labor Alliance rather than the AFL-CIO. We face an unusual situation in Charlotte, a labor union and an industry together seeking to smother the efforts of a local group to manage its own affairs and make its own decisions. To accomplish this, a new local has been formed and this new local is being recognized as the negotiating body at American Bakeries. These are the issues and this is why a strike is now taking place.

Reverend Shirley stated they of Black Solidarity believe that labor and management have the responsibility to iron out their own differences and grievances with a minimum of community interference. Their involvement in this issue is based upon a request by Local 28 for help. And they are giving that help and endorsing their cause because the rights, freedom and dignity of these workers is now in jeopardy. This is why they have come to Council.

He stated last Wednesday, the Police Department en masse went to the American Bakeries Plant to quell an alleged disturbance. Members of Local 28 had sought conferences with the management in their offices; when management could not be contacted after 2-1/2 hours, the group decided to go to the union hall to discuss their future plans. They proceeded to the locker room to get coats, car keys, etc., and were met by Police who refused their admittance. Women were in the forefront of those seeking admittance to the locker room and they were first to suffer the enforcement tactics of the Police; they were shoved, knocked down and struck by the Police; the men present resented this and a fight ensued.

He stated since that incident, as picketing has begun, men have been arrested for alleged disobedience to picketing laws - three men were jailed, refused bond and the judge went on vacation. These men would be in jail today were it not for the intervention of their lawyers. Men have been picked up at their homes on warrants based on alleged incitement of riot charges.

Reverend Shirley stated they are saying this: "Free speech, peaceful demonstration, picketing are all legal rights assured all American citizens by the Constitution to air and seek redress for any grievances they may have. Be they black or white, this is their right. The Police of this city or any American city are charged with the duty to preserve this right - not repress it. But, here in Charlotte, the tendency is to overreact, to harrass, to brutalize. We, and especially you, the Council, can do a lot to correct this. We urge you to begin."

Reverend C. E. Quick stated before Mayor Brookshire left office he made a statement in which he said the citizens of Charlotte should become involved in order that the city might grow. He stated they as citizens of Charlotte are seeking to be involved and they are interested in the continued growth of our city; they are interested in the development of the same; they are concerned for many reasons; they believe an ounce of prevention is worth 60 gallons or more of cure; therefore, they come to Council this afternoon seeking to prevent something and trying to help others before things happen.

Reverend Quick stated he is proudly a member of the Black Solidarity Committee and they come to Council today reporting police brutality.

He stated on July 7, 1969, the Black Solidarity Committee appeared before the Council and made five (5) requests; it was their understanding the City Council was taking these requests under advisement and would at least do something about them. At that same meeting, the Mayor read a memorandum from Chief J. C. Goodman which made several empty promises: "Black and white officers are now working together in the same car." The only integrated car they have seen has an Indian and white riding together.

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Reverend Quick stated it is noted with keen concern the statement by Mayor Belk last week that Charlotte has the best Police Department in the United States; they would invite him to paint his face black and live in a low income neighborhood for one weekend and they will guarantee he would not make the same mistake or statement again.

He stated the following are some of the incidents they would like to report:

(1) On July 11, 1969, Steve Lowe was arrested. While his hands were tied behind his back, the police broke his jawbone. (2) On August 17, 1969, Alfred Hood and James Nash were arrested and brutally beaten for no cause whatsoever. Hood, after being thrown into the police car, lost all his toenails as a result of an officer slamming the door on his foot. Ironically both were arrested and charged with the same thing, but Nash was exonerated while Hood was sentenced. (3) On August 23, 1969, Herman Hart was arrested and brutally beaten for no cause whatsoever, so badly that his parents had to take him to the hospital for treatment. (4) On September 3, 1969, Moses Simmons was arrested and beaten so badly that the police themselves took him to the hospital to be treated; they lied by stating the young man was hurt in an accident; the print of the policeman's fist was on the young man's body. (5) On September 25, 1969, Mrs. Helen W. Mack and practically all her family were arrested and beaten ferociously for no cause whatsoever.

Reverend Quik stated almost all the victims mentioned above are here today. He stated they come to the Mayor and City Council out of major concern for their city; they come out of concern for the City Council and for the citizens and particularly for the policemen; they feel if all will listen to them and if it is heard well, they will be able to save this city many problems, much money and much bloodshed. He stated they ask the Mayor and Council to find it in their hearts to listen to those who are out there, not simply to prevent problems; but those who are out there trying to help solve the problems. They feel as interested citizens they should do their part to try to make Charlotte a better place in which to live; they come to Council because they are concerned and because they feel Council should be concerned about all mankind. They hope and trust Council will take their advice under advisement and do its best to help our city to not be the number one in crime - last year we were about third; if we continue this type of thing he is afraid we will top the list. He stated they hope the Police Chief will be instructed to look into this police problem and try to do something about it to help them - they are citizens and they feel responsible; that is why they are here; not to complain but to try to help solve the problem in a peaceful way before it gets out of hand where no one will be able to handle it.

Mayor Belk stated these cases will be investigated and Council will report back to them.

Councilman Thrower asked if these cases have been tried; is Council not superseding a court by listening to this?

Mrs. Helen Washington Mack, 2305 Rozzells Ferry Road, stated the policemen came into her yard while her two sons were talking to each other; one of her son's got into the car after the policeman told him to get into the car; that she came out, did not know what was happening so she asked, and told her son he did not do anything and to get out of the car. Before he could get out of the car, one of the policemen dragged him out, threw him on the ground and started knocking him with a stick, and she begged him "please don't kill my son in front of me". When she said this, he pushed her down, and she has a broken finger from it. That she does not think this is right; that she has never been in trouble; this is her first offense that none of her children have never been into anything in their lives; that the police department has really treated her rough, and she feels very bad about it.



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Mr. Cornelius Washington, Mrs. Mack's son, stated coming from a party on Saturday morning, he and his brother were in their front yard having a little argument; no profanity was being used; no hard talking; six policemen from nowhere, no one called them, came into the yard and told him to get into the car because they were breaking the peace. If they were doing this, why did no one call the police. That he got into the car and they charged him with resisting arrest. They asked him to get in and he got in on his own. When he got into the car, his mother came out from inside the house, with no shoes on, and asked what was going on. She told them he had not done anything and for him to get out of the car. When he started to get out of the car, two of them grabbed him out before he could put one foot on the ground; threw him on the ground, used billy sticks, blackjacks, the butt of the gun and their hands and fists. He stated he has been cut for a double hernia and they kicked him in his front and had him spitting up blood all Saturday morning when he got out of jail. He stated he got down to the police department, and what did they do, they knocked him out with the butt of the gun again and hit his brother in the head while they were answering questions. That one said he was going to shoot his 14-year old brother, and he asked for what. When he asked the question, he was slapped again. He stated they cannot tell him this is law and justice. He stated he is 21 years old and has never been "uptown" a day in his life; not even for a driving citation.

Councilman Alexander moved that Chief J. C. Goodman be requested to report back to Council on these items as submitted here. The motion did not receive a second.

Councilman Thrower stated he has not received an answer to his question; he asked Mrs. Mack if her case has been tried before a court? Mrs. Mack replied they have not been tried. Councilman Thrower stated he thinks Council is entirely out of order in even hearing this prior to being heard before a court of law; that in all fairness to Mrs. Mack or anyone else concerned that Council should hear this before justice has been administered.

Councilman Alexander stated in defense of the motion he made, in cases like these, he does not think this Council needs to wait for a court of law to take action; this could take six months or a year; the matter of the police chief giving the council a report of his findings as regards the actions as so stipulated and documented here has nothing to do with the outcome of a case in law - civil or criminal; this is the reason he made the motion, and he still makes the motion that Chief Goodman be requested to give Council a report on the items as documented.

Mayor Belk stated that Council will get all this information together and report back to Reverend Henderson, or if there are any other cases, Council will investigate and report back. That he thinks Mr. Thrower is correct - Council cannot have jurisdiction over the courts, and should not interfere with the courts. Councilman Alexander stated he is not insisting that Council interfere with the courts, but this Council should take formal action regarding the cases as documented; that he is trying to get the Chief of Police to come back to Council with his findings so that it can be determined whether there is anything that Council should go further on; that formal action should be taken so that the record will show the response to the charges made today.

Councilman Alexander stated if Council lets these actions even be alleged in open Council and does not show concern and it is going to take formal action on them, then where are we headed; we have heard these people make their complaints and this is the proper place for them to make these complaints; that he would rather it be done here than in the streets. Heretofore, when the allegations were made, Council said submit your proof. Today the same people come up and bring the proof and witnesses who make their statements. Our records should show that Council authorizes the Chief of the Police Department to come back with answers to these complaints to get both sides.

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Mr. James Nash stated most of the incidents have been before the public relations, but they cannot get any answers; that his case has been tried - both his and Mr. Hood's.

Councilman Alexander moved that Council request a report on the cases that have been tried. Councilman Withrow stated he sees no difference in the motion and what the Mayor says will be done, and he seconded the motion. The vote was taken on the motion and carried unanimously.

Dr. Nathaniel Tross stated because of the time element he asks special permission to appear before Council on this and many kindred questions raised this afternoon; the technical things, things that concern not only white, not only black, but the entire community. We have to be concerned of the issues raised and where they are carrying us. A bad image is being projected in the City of Charlotte; the image of one group saying we have a very splendid police department, second to none; the other image is that we have scallywags, and cutthroats in the Police Department. Which is which? It seems to him that this image must be repaired or else we all go down with it. We are holding up the Police Department to ridicule and scorn; no one would want to live in a city where the police department, as pictured here this afternoon, has the control of our destiny, our protection; when we sleep at night; when we walk the streets; in every respect no one would want to entrust their destiny and their children's destiny, the destiny of this city to a police department as we have pictured here. The image is bad and if this image prevails where are we going? We therefore have to repair it. That he would want to project some facts in which we can find some basis for repairing this image.

Councilman Short stated the Council obviously is of an opinion to consider police brutality on the cases that have been tried and he thinks this should be done as to the cases that have been tried, and by council order and this is what has been done. He stated he does not think that a defendant who might want to appeal should have to decide if he appeals it would take a long time and that means it will not be through in the court and police brutality will not be investigated; this puts the defendant in an awkward position. He stated the Mayor has said that he will see that these matters are examined, and the Mayor has the right and authority under the City Code and Charter; so that in addition to what the Council has done, he would hope the Mayor would also pursue these cases as he has said he would with reference to both those that have been tried and those that have not.

Mr. Hariston stated that a person comes in and has to wait until he is tried to get action. That in his personal experience the judge will listen to the policemen's lies and the man will be found guilty. What can the Council do after he has been sentenced - beat up and sentenced - found guilty when not guilty. What can the Council do then? Why cannot the action come before it is tried in court, and before the police can get up and lie before the judge, and they only give you a few statements you can say without calling you down. He stated he knows this from personal experience - the judge will listen to the lies of the policeman, and there are some big audacious liars on the Charlotte Police Force, and some nasty officers; that he personally knows.

Mayor Belk stated the City Council has no ruling on the judge; that is the judicial board; the police department does come under the authority of the City Council, and Council intends to have an investigation made of the allegations.

Mayor Belk stated as he understands the issue of the American Bakeries work stoppage; it is between two unions, and it appears to be a private labor dispute, which is governed by the rules and regulations of the National Labor Relations Board, and the city has no jurisdiction over this dispute. However, the city police were called by the plant management for protection of violence of property and damage. As far as police brutality, any case that is brought

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up will be investigated as he and Council want to continue to have the best police department and if there are any errors we want to get them straightened out. Mayor Belk stated he feels sure the police department only wants to give the best protection for all our citizens.

Councilman Thrower asked if Council is going to sit as judge and jury prior to a court hearing on anything that may be brought up before it; that he thinks this is the intent of Mr. Short's suggestion, and he would like for him to clarify this for the record; that he does not understand where this Council gets the authority to interfere.

Mr. Underhill, City Attorney, stated subject to some further thinking and perhaps some research, the City Council has the authority and jurisdiction over the Charlotte Police Department and all actions by the Charlotte Police Department; included in this jurisdiction and authority is the right to investigate, when they so desire, the specific actions of individual policemen or various policemen of the Police Department. If brutality is alleged, the question of whether brutality did exist at the time of making the arrest or whether a crime was committed to him are separate; that he can see the separation between the question of whether the policeman's actions in making an arrest were excessive and the question of whether a crime was committed for which a trial will take place. It is his opinion, subject to further thinking, that the City Council can, if it so desires, investigate and ask for a report concerning any actions of a policeman carried on in the line of duty. Mr. Underhill stated there have to be some exceptions.

Councilman Alexander asked if his statement means it is the prerogative of Council in cases such as it has heard today to take action regardless of whether a case is ever tried or not; that the matter of a case being tried, has nothing to do with the authority of Council as far as taking action on the complaint of a citizen such as has been presented today? Mr. Underhill replied he thinks that is correct; that the actions of a policeman and the arrest for a crime are separate.

Councilman Thrower stated as he understands it the summons are in these people's hands; is Council to pre-try these cases? Mr. Underhill replied the action taken in serving the summons is properly a consideration for the City Council if it desires to so investigate; that he can see these two things as being separate.

Councilman Short stated the court will be considering whether Mr. Washington breached the peace, and Council will be considering whether the police officer treated Mr. Washington brutally - it is two totally different questions. Councilman Alexander stated he will never sit here as a City Councilman and be a party to any attempt, any effort or anything that would get into the minds of a citizen that there is no purpose in coming here, which is a public forum established to hear the complaints or whatever its citizens care to bring before it; whenever we reach the day that our citizenry can feel there is no purpose for them to come before the City Council, we are in bad shape.

HEARING SET FOR MONDAY, OCTOBER 13, ON PETITION REQUESTING A PUBLIC HEARING ON SENATE BILL 761 WHICH AUTHORIZES THE CITY TO HAVE A PUBLIC HEARING FOR PURPOSE OF BRINGING THE LOCAL HOUSING AUTHORITY UNDER CONTROL OF THE CITY COUNCIL AS A DEPARTMENT OF LOCAL GOVERNMENT.

Mr. Paul Leonard stated he has in his possession a petition with the required signatures of at least 25 voters requesting the City Council to call a public hearing on Senate Bill 761 which authorizes the City to bring the Housing Authority of Charlotte under the City Council's direct control as a department of local government. He stated that the crisis in which Charlotte finds itself in regard to the location and design of its public housing as well as its coordination and placement with schools and parks makes the need of this hearing self-evident. Since the petition speaks for itself,

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he and those who have signed it will withhold further comment until the public hearing is scheduled. He filed the petition with the City Clerk.

Councilman Withrow moved that a public hearing be held on October 13 at 4:30 o'clock p.m. at such time that it will not inconvenience two groups of people scheduled for hearing. The motion was seconded by Councilman Alexander, and carried unanimously.

REPRESENTATIVE OF CITY EMPLOYEES UNION REQUEST COUNCIL TO IMPLEMENT SIX POINTS PROMISED BY CITY COUNCIL ON AUGUST 4.

Mr. Jim Pierce, representing the City's Employee's Union, stated on August 4th of this year at the request of Council, he went to his members and asked that they refrain from striking and go back to work; that he did this in good faith after hearing the report in which it was said certain things would be done for the employees of this city. He stated they went back to work; they have been waiting two months; numerous conferences have been held, and to this minute, nothing has been brought before Council implementing those six decisions made two months ago. Mr. Pierce stated they have discussed this with the city personnel office and their people; that he now finds maybe it did not mean what Council said it meant; maybe the city cannot do what it said it would do, or in some cases what it said it would do is just plain silly. He stated the employees did their part and did abide by their part of the bargain in good faith; they did go back to work and they have not gone back on strike yet, and they would rather not. But two months is too long to implement six points - very simple, humane, human points that affect the lives and jobs of the city's employees.

Mr. Pierce stated on Wednesday of last week, he sent a letter to Personnel Director Earle, suggesting some changes - every one of the changes were in line with the six points the city spelled out on August 4th; that he talked to Mr. Earle again today to no avail. Possibly the Personnel Director does not have the authority to do those things he was told to do on August 4; but if he does not then we are in trouble.

Mr. Pierce stated he would like for Council, individually, or as a group, to sit down with the employees or a committee of employees of the city, and try to resolve this if the Personnel Office cannot do so. The employees of the city have been extremely patient; the big delay in securing proper language and Council approval can only mean the City is not following the settlement agreement of August 4th.

For example, they asked for a very simple thing - that a safety committee be set up and that it include employees, that they have meetings and investigate unsafe conditions and make recommendations. He stated people have been hurt in the last two months as unsafe conditions do exist and continue to exist, and nothing has been done to implement this one simple point that Council passed two months ago.

Mr. Pierce asked the City Council, as a group or as individuals, to sit down with them and try to bring this to a settlement so that the personnel practices of the city can be put before the Council for passage before anything else happens. That he feels their members would be totally justified under these circumstances in resuming the strike; that he does not want to but he will if necessary recommend that they do just that if nothing is done in the near future.

Councilman Withrow stated he thinks these accusations should be answered to the public; that it is not fair for the union to come up and say something and Council does not explain to the public. That he would like to know if any of the points have been implemented, or what is being done, and he thinks the public should know.

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**PRESIDENT OF BREAKFAST OPTIMIST CLUB REQUESTS CITY TO USE DECAL FOR CAR WINDOWS AS CITY LICENSE.**

Mr. Henry Byrd, President of the Breakfast Optimist Club, stated last week Council discussed the purchase of decals for car windows as city licenses, and some people wanted to go back to the metal tags because they wanted to publicize the City of Charlotte. He stated he is speaking in favor of the purchase of decals as last year his club made about 6,000 metal plates available to the citizens of Charlotte to match the state plates, and they intend to do that again this year providing Council does not put a stumbling block in their way. That they would like to see the city use the \$20,000 estimated difference for some other cause.

**ORDINANCE NO. 380-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING ZONING OF PROPERTY ON THE SOUTH SIDE OF MONROE ROAD, EXTENDING FROM NEAR GLENDORA DRIVE TO JERLYN DRIVE.**

Councilman Jordan moved that the subject ordinance be adopted changing the zoning of approximately 21.4 acres of property from R-9 to R-9MF as recommended by the Planning Commission. The motion was seconded by Councilman Whittington, and carried by the following vote:

YEAS: Councilmen Jordan, Whittington, Alexander and Withrow.

NAYS: Councilmen Short and Thrower.

The ordinance is recorded in full in Ordinance Book 16, at Page 353.

**APPROVAL OF AN AMENDATORY AGREEMENT WITH UNITED AIR LINES EXTENDING THEIR LEASED AREAS AT DOUGLAS MUNICIPAL AIRPORT.**

Councilman Thrower moved approval of an amendatory agreement with United Air Lines extending their leased areas out on to the ramp area north of their present spaces in the form of two rectangular extensions, totalling 425 square feet at \$70.83 per month (\$2.00 per square foot per year), retroactive to August 18, 1969, to run until the expiration of present airline terminal building leases on June 15, 1974. The motion was seconded by Councilman Jordan, and carried unanimously.

**APPROVAL OF SPECIAL OFFICER PERMITS FOR ONE YEAR.**

Motion was made by Councilman Whittington, seconded by Councilman Short, and unanimously carried, approving the issuance of special officer permits for a period of one year, to the following:

- (a) Frank O. Hancock for use on the premises of Carolina Golf & Country Club.
- (b) David M. Riddle for use on the premises of K-Mart, 2701 Freedom Drive.

**CONTRACTS FOR THE INSTALLATION OF WATER MAINS AUTHORIZED.**

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, contracts for the installation of water mains were authorized, as follows:

- (a) Contract with Evans Construction Company and Ed Griffin Development Corporation, a joint venture, for the installation of 6,080 feet of water mains and four fire hydrants, to serve McClintock Woods Subdivision, inside the city limits, at an estimated cost of \$29,500.00; and the installation of 5,945 feet of water mains and five fire hydrants to

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serve portions of East Forest and Wynwood Subdivision, inside the city limits, at an estimated cost of \$28,200.00; making a total of 12,025 feet of water mains and nine fire hydrants at a total estimated cost of \$57,700.00. The City will finance all construction costs and the applicants will guarantee an annual gross water revenue equal to 10% of the total construction cost.

- (b) Supplementary Contract, to contract dated August 16, 1965, with J. A. Jones Construction Company for the installation of 4,850 feet of water mains and five fire hydrants to serve industrial property abutting on Old Pineville Road, outside the city limits, at an estimated cost of \$27,300.00, with the applicant to pay the entire cost of the mains and fire hydrants, and own same until such time as the area in which the mains are located is incorporated into the city limits at which time the mains will become the property of the city without further agreement in connection therewith.

**ORDINANCE NO. 381- X AMENDING THE 1969-70 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF \$27,021.00 OF THE GENERAL FUND CONTINGENCY ACCOUNT TO MOTOR TRANSPORT DEPARTMENT.**

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, the subject ordinance was adopted amending the 1969-70 Budget Ordinance authorizing the transfer of \$27,021.00 of the General Fund Contingency Account to Motor Transport Department to be used to cover emergency expenditures caused by the recent work stoppage of the sanitation department.

The ordinance is recorded in full in Ordinance Book 16, at Page 354.

**APPROVAL OF PAYMENT TO HENLEY PAPER COMPANY FOR PLASTIC BAGS.**

Councilman Whittington moved approval of payment to Henley Paper Company, in the amount of \$18,222.57 covering the cost of 432,250 plastic bags purchased on an emergency basis without competitive bidding as permitted under State Statutes. The motion was seconded by Councilman Thrower, and carried unanimously.

**PROPERTY TRANSACTIONS AUTHORIZED.**

Motion was made by Councilman Thrower, seconded by Councilman Whittington, and unanimously carried, authorizing the following property transactions:

- (a) Acquisition of 10' x 714.29' of easement on Brooksdale at Faye Street off West Boulevard, from H.L.C. & Associates Construction Company, at \$1.00, for sanitary sewer to serve Boulevard Homes Low Rent Housing.
- (b) Acquisition of 10' x 913.76' of easement on Brookvale Street, off West Boulevard, from H.L.C. & Associates Construction Company, Inc., at \$1.00, for sanitary sewer to serve Boulevard Homes Low Rent Housing.
- (c) Acquisition of 15' x 118.59' of easement at 6900 St. Johns Church Road, from St. Johns Baptist Church, at \$120.00, for sanitary sewer to serve Eastbrook Woods III.
- (d) Acquisition of 15' x 1,499.63' of easement at 2901 Dalton Village Drive, from Edna G. Livingstone (widow), at \$600.00, for upper Briar Creek Outfall.
- (f) Negotiated settlement with J. S. & F. W. Spurrier in the amount of \$11,000 for 1,295.09 square feet of property on the southeast corner of South Boulevard and Hartford Avenue, for the South Boulevard Intersection Project.

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CONSIDERATION OF ORDINANCES ORDERING THE DEMOLITION AND REMOVAL OF DWELLINGS,  
DEFERRED FOR ONE WEEK.

Councilman Whittington moved that consideration of ordinances ordering the demolition and removal of dwellings be deferred for one week so that he might look at one of the buildings. The motion was seconded by Councilman Jordan, and carried unanimously.

ORDINANCES 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.

Upon motion of Councilman Thrower, seconded by Councilman Withrow, and  
unanimously carried, ordinances ordering the removal of weeds and grass  
were adopted, as follows:

- (a) Ordinance No. 382-X ordering the removal of weeds and grass at 339 Cemetery Street.
- (b) Ordinance No. 383-X ordering the removal of weeds and grass at 333 Cemetery Street.
- (c) Ordinance No. 384-X ordering the removal of weeds and grass adjacent to 1930 Providence Road.
- (d) Ordinance No. 385-X ordering the removal of weeds and grass adjacent to 901 Bridlepath Lane.
- (e) Ordinance No. 386-X ordering the removal of weeds and grass adjacent to 2813 Clyde Drive.
- (f) Ordinance No. 387-X ordering the removal of weeds and grass adjacent to 814 Cantwell Street.
- (g) Ordinance No. 388-X ordering the removal of weeds and grass adjacent to 805 Spring Street.
- (h) Ordinance No. 389-X ordering the removal of weeds and grass at end of Dare Drive.
- (i) Ordinance No. 390-X ordering the removal of weeds and grass adjacent to 914 Sugar Creek Road.
- (j) Ordinance No. 391-X ordering the removal of weeds and grass at 3047 South Boulevard.
- (k) Ordinance No. 392-X ordering the removal of weeds and grass adjacent to 4601 Nations Ford Road.
- (l) Ordinance No. 393-X ordering the removal of weeds and grass adjacent to 1700 East Boulevard.
- (m) Ordinance No. 394-X ordering the removal of weeds and grass adjacent to 3109 Bank Street.
- (n) Ordinance No. 395-X ordering the removal of weeds and grass adjacent to 3013 Eastham Lane.
- (o) Ordinance No. 396-X ordering the removal of weeds and grass adjacent to 232 Scofield Road.
- (p) Ordinance No. 397-X ordering the removal of weeds and grass adjacent to 3447 Selwyn Avenue.
- (q) Ordinance No. 398-X ordering the removal of weeds and grass at rear 330 Yorkshire Drive.

The ordinances are recorded in full in Ordinance Book 16, beginning at Page 355.

TRANSFER OF CEMETERY DEEDS.

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

- (a) Deed with Mrs. Georgia C. Carras for Lot No. 261, Section 4-A, Evergreen Cemetery, at \$252.00.
- (b) Deed with Elmer H. Dudley for Lot No. 262, Section 6, Evergreen Cemetery, at \$320.00.
- (c) Deed with Mrs. Lola K. Durham for Graves No. 8 and 9, in Lot No. 20, Section 2, Evergreen Cemetery, at \$160.00.

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**CONTRACT AWARDED PALMER'S ROWAN STATIONERS, INC. FOR CITY AUTOMOBILE LICENSE DECALS FOR 1970.**

Motion was made by Councilman Withrow, seconded by Councilman Thrower, and unanimously carried, awarding contract to the low bidder, Palmer's Rowan Stationers, Inc., in the amount of \$3,650.50 for 130,000 city automobile license decals for 1970.

The following bids were received:

Palmer's Rowan Stationers, Inc.	\$ 3,659.50
Weldon, Williams & Lick, Inc.	4,186.00
Avery Label Company	7,906.60

**CONTRACT AWARDED AMITY CORPORATION FOR SANITARY SEWER FACILITIES TO SERVE DALTON VILLAGE.**

Councilman Jordan moved award of contract to the low bidder, Amity Corporation, in the amount of \$14,951.75, on a unit price basis, for sanitary sewer facilities to serve Dalton Village. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

The Amity Corporation	\$14,951.75
W. K. Baucom	15,330.00
C. M. Allen & Co., Inc.	16,447.00
Thomas Structure Co.	16,961.10
Dickerson, Inc.	18,584.95

**CONTRACT AWARDED AIR MASTERS INC. FOR MODIFICATION OF BOILER AND INSTALLATION OF GAS FIRED BURNER FOR MOTOR TRANSPORT GARAGE.**

Upon motion of Councilman Whittington, seconded by Councilman Thrower, and carried unanimously, contract was awarded the low bidder, Air Masters, Inc., in the amount of \$11,695.00, on a unit price basis, for modification of boiler and installation of gas fired burner for Motor Transport Garage.

The following bids were received:

Air Masters, Inc.	\$11,695.00
J. V. Andrews Company	12,300.00

**MEMORANDUM FROM CITY COUNCIL TO BOARD OF COUNTY COMMISSIONERS OF MECKLENBURG COUNTY CONCERNING TYPE OF PIPE TO BE USED FOR WATER LINE TO MATTHEWS.**

Councilman Whittington stated this morning the Board of County Commissioners sent Council a copy of an apology they made to Council as it relates to the CFC Committee and its recommendation.

Councilman Whittington read into the record the following memorandum in answer to the action taken by the County Commissioners this morning:

"Council accepts the Commission's apology in the spirit in which it was offered.

In reference to the Commission's suggestion for proceeding with a type of pipe other than that recommended by CFC, or in the alternative, holding a public hearing involving County Commission, City Council, and



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CFC, Council offers the following proposals:

1. All parties proceed at once with construction of the line down Old Monroe Road, using the type of pipe recommended by CFC.

In support of this proposal, please note that it is stated or indicated seven times in the documents prepared by the Calhoun Committee and adopted by County Commission and City Council that CFC will develop specifications for pipe. (Four times in the Partnership Plan, once in Monroe Road line agreement, twice in Amendment to the Partnership Plan).

2. Instruct CFC to proceed with a thorough study of pipe and other specifications; such study to be completed and reported on by January 1, 1970, if possible. Allow CFC to make this study without participation of either government, but with total cooperation from both.

In support of this proposal, please note such a study by the CFC is called for three times in the Calhoun Committee documents adopted by County Commission and City Council. (Twice in Partnership Plan, once in Amendment to Partnership Plan).

Everyone is weary of City-County water disagreements. The CFC was created to put an end to these disagreements. Overruling the CFC on the Monroe line specifications, and intruding upon their assignment to make a general study of specifications, would be a double vote of no confidence imperiling the existence of the Committee and the Partnership Plan.

After careful consideration of the possible consequences of proceeding in a fashion different from that recommended by the CFC, the Council respectfully requests the Commission to reconsider its position."

Councilman Whittington moved approval of the memorandum and that Council's reply be sent to the Board of County Commissioners. The motion was seconded by Councilman Thrower, and carried unanimously.

COMMENTS BY COUNCIL CONCERNING N. C. 3-10 PROJECT WITH REQUEST THAT RECORD BE SENT TO THE HOUSING AUTHORITY.

Councilman Whittington stated Council has asked him to make the following statement as it relates to the North Carolina N. C. 3-10 Public Housing Project.

- "(1) Council believes that stopping N. C. 3-10 would be compatible with Council's action of March 31 and April 8, 1969.
- (2) Council has no legal authority in the matter."

Councilman Whittington moved that this be made a part of the record and that it be sent to the Housing Authority. The motion was seconded by Councilman Jordan, and carried unanimously.

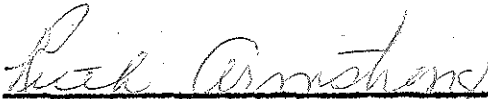
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**NEW PUBLIC RELATIONS BUREAU COMMENDED FOR SERVICES RENDERED.**

Councilman Jordan stated he has received many, many comments on the new public relations bureau and the results the public has received from their calls; that he hopes this will continue and the public will get the services it has in the last few days; that this is a great step forward. That people who have had complaints about calls in the past seem to be getting answers now; that he is real happy about this department.

**ADJOURNMENT.**

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

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Ruth Armstrong, City Clerk