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A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber in the City Hall, on Monday, June 10, 1968, at 3:00 o'clock p.m., with Mayor Stan R. Brookshire presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, Gibson L. Smith, James B. Stegall, Jerry Tuttle and James B. Whittington present.

ABSENT: None.

* * * * *

INVOCATION.

The invocation was given by Reverend Coleman Kerry, Minister of Friendship Baptist Church.

MINUTES APPROVED.

Upon motion of Councilman Jordan, seconded by Councilman Short, and unanimously carried, the minutes of the last meeting, on June 3, 1968, were approved as submitted.

EMPLOYEE AWARD PRESENTED TO CARL G. HOLLIMAN, RETIRED POLICE LIEUTENANT.

Mayor Brookshire presented the City of Charlotte Employee Award to Lieutenant Carl G. Holliman, who was employed in the Police Department on October 18, 1933 and retired May 31, 1968.

ORDINANCE NO. 878 AMENDING THE CODE OF THE CITY OF CHARLOTTE BY THE ADDITION OF A NEW CHAPTER ENTITLED: "CHAPTER 13A, ANTI-DISCRIMINATION".

Councilman Whittington stated he would like to make the following statement on behalf of a majority of this Council in connection with the anti-discrimination ordinances:

"The most difficult questions Council had to resolve centered around public accommodations. The key question was: What are public accommodations and what practices should be prohibited?

We spent much time on this. We had many discussions among ourselves and with others. We received considerable mail and many individuals and groups expressed their opinions. We gave it much thought and considered many alternatives. And, we have made our decision.

Our decision - the decision of a majority of Council Members - can be simply stated: We believe all places of accommodation open to the public in Charlotte should be open to all Charlotteans.

The language used in the ordinance we plan to adopt makes that clear.

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In preparing the ordinance, the City Attorney's Office relied on what is generally accepted as the model law for anti-discrimination. The model itself was prepared by some of the best legal minds in our country.

In deciding that all places of public accommodation should be open to everyone, a majority of Council also concluded that places of public accommodation should not be required to offer to the public something more that was offered prior to the effective date of this ordinance. To do so could create hardships. Appropriate language on this point is included in the ordinance."

Councilman Whittington moved the adoption of the ordinance which each member now has in his possession. The motion was seconded by Councilman Tuttle.

Councilman Smith stated this ordinance has been 'watered down' by the following paragraph:

"This ordinance, however, shall not be construed to require any place of public accommodation to acquire, offer for sale, or use any merchandise, equipment or supplies different in nature from those offered prior to the effective date of this ordinance; nor shall this ordinance be construed to require the personnel of any place of public accommodation to acquire or develop any new skills for the performance of services offered to the public other than those skills offered prior to the effective date of this ordinance."

Councilman Smith stated the reason this was put in was to eliminate barbers and beauticians. If you are going to eliminate these, then you will have to eliminate laundrettes, swimming pools and all the other things that the ordinance is suppose to cover.

Councilman Smith made a substitute motion to adopt the subject ordinance, eliminating paragraph two, on Page 2. The motion did not receive a second.

Councilman Short stated he supports the ordinance because a pattern exists where 25 percent of our population has its trade restrained, or its trading opportunities restrained; and where business practices happen to form this type of pattern, then refusal to serve becomes a matter of public concern. In general, he supports the idea of private businessmen having the minimum possible interference from the law.

Councilman Short directed Council's attention to Article VI of the proposed ordinance prepared by the Mayor's Community Relations Committee. That at the very beginning is a long list of words describing the various types of schools, including public schools, which are not the Council's domain and which are already intergrated. What is really dealt with are business schools or other type of schools. That he sees this sort of business, where it is open to the general public, as a public accommodation about as much as a bowling alley business or any other business that is included within the ordinance, the adoption of which is just moved. That the status of private schools under a public accommodations act is such a close question - a question of whether or not a private school is a business - under an act such as that just proposed that if we do not do something about this question, he thinks we will be

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creating confusion and undoubtedly bringing in litigation. In one State, the public accommodations act specifically included private schools and in another State the private schools were specifically not included, but in the State of California, there was an instance where the legislation said nothing, one way or another, and this has produced litigation and appeals and now they are in the process of re-doing the legislation. That he does not see the logic of giving citizens of any race free access to washerettes or to places that would provide them with beer and not giving them free access to places that would provide them with teaching and skills. In reference to enabling, our Charter has a provision allowing us to regulate business, and because of this Mr. Underhill says he thinks Council is enabled on public accommodations, but not enabled on schools. Councilman Short stated he thinks a court might decide that a private training school which is open to the general public is a business, and he thinks the quickest way to find out and avoid this confusion is to pass this school ordinance suggested by the Mayor's Community Relations Committee.

Councilman Short offered a substitute motion that Council add to the ordinance just proposed under the original motion Article VI of the Mayor's Committee ordinance with the understanding that the paragraph numbers will run consecutively. The motion was seconded by Councilman Alexander for discussion.

Councilman Tuttle stated it is difficult for him to conceive of this Council, a virtual lay group, even giving second thought deemed to be beyond its statutory power by our own legal staff, and whose opinion is confirmed by the Institute of Government at Chapel Hill. That the final summary and conclusion of our attorney reads as follows: "It is likewise the opinion of this writer that the City of Charlotte has no authority to legislate and regulate the fields of education and employment. At the present, these areas can be regulated only by the North Carolina General Assembly and the Federal Government, and until specific enabling legislation allowing the regulation of these areas is passed by the General Assembly, the City under its police power has no authority to act. The power to pass such an ordinance has not been delegated to the City of Charlotte or any municipality in this State."

Councilman Tuttle asked how Mr. Short proposes that Council can ignore such advice and can continue to govern in other matters under the advice of this same legal staff? Councilman Short replied he has a legal brief that indicates that while the Institute of Government might have adopted one attitude, this has caused confusion and litigation and appeals and the rewriting of legislation where this matter was not cleared up as to whether or not a private school is a public accommodate, and the quickest way to find out about this is to go ahead and enact this ordinance.

Councilman Whittington stated every member of this Council has worked harder on this particular problem than anything that he can recall in a long, long time; they have worked together, they have worked individually trying to resolve the question. That he appreciates what Mr. Short has stated and his suggestions.

Councilman Whittington stated what he is saying alludes to both his motion and Mr. Short's motion. First, Mr. Smith made the statement that the ordinance deals with barber shops and beauty shops. This is not true. It does deal with a hardship case, and the people he talked to realize there could be hardship cases if the ordinance is enforced immediately.

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He stated as the Council deals with discrimination as it involves education and employment, the question to be resolved is not whether the ordinances are constitutional but rather a question of whether the City has enabling legislative authority. With that in mind, the City Attorney and the Institute of Government at Chapel Hill believe we do not have this enabling authority. This being the case, the ordinance dealing with public accommodation and the Mayor's Community Relations Committee is all that he as an individual Councilman can vote on or act on today because, as a layman and not as an attorney, he has to take the advice of these people he has mentioned. That the other sections of the ordinance relating to education and employment must be referred to the legislative delegation, to be decided upon by the general public in November, and after they are elected, they would then take these requests of Council and the County Commissioners and other citizens to the General Assembly in 1969. That he thinks Council today should pass on the public accommodations which does not deny anyone the right of using facilities under public accommodations and then after the General Assembly convenes next year, these things can be taken to them by Council, County Commissioners or by others.

Councilman Smith replied if you read the sentence "Use any merchandise, equipment or supplies different in nature from those offered prior to the effective date of this ordinance, or to acquire or develop any new skills", that no one could have written that if they had not had in mind beauty parlors and barber shops. That he has been in on all the discussions, and what he says is true.

Councilman Jordan stated he believes Mr. Short is asking Council to disregard the legal opinion of the Legal Department for his own legal opinion, and he cannot do that as he will have to abide by the Legal Department; that is what they are for, to advise Council, and he will have to go along with their opinion at this time.

Councilman Alexander stated he is taken back somewhat by his colleague handing him a statement as he takes his seat today and an ordinance connected with it and for that statement to say "the most difficult questions Council had to resolve centered around public accommodations", and to further say "that we spent much time on this and we had many discussions among ourselves", which "ourselves" he would like to know, and it says further "we have made our decision", and what "we"? That he does not think anyone would think he could make up his mind on this which has been handed to him, in five minutes time. That he cannot understand since the presentment of this ordinance has been no secret and since he was agreeable to seeing that each member of Council had a copy of the ordinance in their hands, and has seen that they have been as knowledgeable of his efforts as anyone could be, he cannot understand why anyone was afraid to sit down with him in their final determination of what they wanted to do regarding the presentment of this ordinance. He stated he would accept the whole measure before Council as irregular by virtue of the fact he was not in on any final discussions as to a determination as to the "we" we are speaking about here made. That questions have been set up regarding why nothing can be done about other ordinances.

Councilman Alexander stated he would like to read into the record a legal opinion; that Council is dealing with opinions and nothing that can be called real law as yet; that although there is a Legal Department to advise Council on legal matters, they are given as an opinion, and the only thing he has seen from the Acting City Attorney is an opinion that he so determines regarding the subject before Council.

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Councilman Alexander stated the following is a letter and comment from an attorney, Julius Chambers, who is recognized as a first rate attorney in matters of this type:

"I have read the memorandum of the Acting City Attorney, Mr. Henry Underhill, Jr., dated May 30, 1968, regarding the authority of the City of Charlotte to enact an anti-discrimination ordinance. The conclusion of the Acting City Attorney is that the City has authority to create an agency like the Mayor's Community Relations Committee pursuant to Section 5.01 of the Charlotte City Charter, and that the City may or may not have authority to enact an ordinance prohibiting discrimination in public accommodations; but that the City has no authority to enact an ordinance prohibiting discrimination in education and employment.

The reasoning of the City Attorney is that specific authority is granted by the City Charter to create an agency such as the Mayor's Community Relations Committee; that the City has general licensing authority of businesses, trades and professions, but that no such specific licensing authority exists with reference to education and employment. The sections which admittedly grants authority to license and regulate places of public accommodations provides - authority to license occupations, businesses, trades, professions and forms of amusement, or entertainment in the interest of public health, welfare, safety, order or convenience and to prohibit such as may be inimical to the public health, welfare, safety order or convenience. The section itself refers to occupations and businesses and is therefore equally applicable to employment and education.

There is additional authority for the City to enact an ordinance prohibiting discrimination such as proposed in the general and necessary clauses of the City Charter. The ordinance is being enacted by the City, not with the emphasis of directing a business or educational program, but to prescribe conduct and practices inimical to public health, comfort and convenience, good order, better government and the general welfare of the City and its inhabitants. It is a punitive provision similar to the criminal ordinances that have already been enacted by the City regulating traffic, prohibiting certain fire hazards and prohibiting practices, such as disturbing the peace, drinking beer, or alcoholic beverages on the public streets, etc. The City clearly has authority to enact ordinances prescribing criminal conduct for the betterment of the community, as long as the City does not act arbitrarily or capriciously. It is the City which makes the determination of what practices and conduct should be deemed criminal; and having this authority, it is the City which here is making the determination that racial discrimination in places of public accommodations, education and employments should be deemed criminal and therefore should be prescribed. Such a determination in my view is neither arbitrary nor capricious. It matters not whether the individual, agency or organization thereby affected is public or private or a place of public accommodations, education or employment.

I therefore feel that the City has the authority to enact the ordinance you have submitted.

Sincerely yours,

J. LaVonne Chambers"

Councilman Alexander stated he submits this for the record to show clearly that it is a matter of opinion as far as legal minds are concerned as to whether or not the City has any legal impediments that keep it from enacting ordinances regarding education and employment as has been stated here. He stated Council has passed ordinances before that have gone before the Courts and been turned down.

Councilman Alexander asked what is the purpose of adopting a public accommodations ordinance that does not do anything, and this is the purpose of the public accommodations ordinance here. That to a point he has to agree with Mr. Short. That when we speak of public accommodations the only purpose of the public accommodations ordinance is to pick up where the federal ordinance leaves off. Right here in Charlotte, there is a Barber College that Negroes cannot go to; the nearest college they can attend is in Durham or Winston Salem; and yet there is no way for Negroes who want to learn the barber trade to avail themselves of that opportunity within the confines of the City, and this is the purpose of the ordinance; and if Council is to adopt an ordinance that leaves out education, and an ordinance that as he interprets with the paragraph in it means that Council adopts this ordinance but no business that was not rendering it service before adoption has to do it after the ordinance is adopted. If it does not mean that, then he is moving under the wrong interpretation. The adoption of this ordinance as such gives nothing at all to go on. That he cannot sit here and be a party to approval of what he has heard submitted today. First, because he was not a party to the final determination; second, he has disagreements with the manner in which it is presented that Council cannot act on the total ordinance as such, and third, in adopting just a public accommodations ordinance we are still not covering the situation for which these ordinances are submitted.

Councilman Alexander stated it would be asking too much for him to say that he can approve either of the motions as submitted and he offered a substitute motion for the whole that the ordinance as submitted by the Mayor's Community Relations Committee with respect to discrimination in employment, public accommodations and education be approved.

Mayor Brookshire advised according to Robert's Rules of Order, he can accept the motion as a privileged motion if it is seconded, and take a vote on the motion without discussion. In lieu of that he suggested that Mr. Alexander withdraw his motion until Council has considered the substitute motion and then he will accept Mr. Alexander's motion as a substitute motion. Councilman Alexander stated he would agree to this.

Councilman Smith stated in voting against the substitute motion, it may be that some think it is not adequate and not going far enough, so he is going to vote against the motion.

The vote was taken on the substitute motion and failed by the following vote:

- YEAS: Councilmen Short and Alexander.
- NAYS: Councilmen Jordan, Smith, Stegall, Tuttle and Whittington.

Councilman Short stated he does not agree with Mr. Smith that the ordinance presented by Mr. Whittington in the original motion will cut out those things that Mr. Smith mentioned - barber shops and so forth.

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That he does not believe that there is any difference between the motion made by Mr. Smith and the one made by Mr. Whittington because obviously, in the motion made by Mr. Smith, no one is required to go out and invest money in more equipment than he already has; all that anyone is required to do is not refuse service to someone who applies for it because of his color. There is nothing in any version that has been discussed this afternoon that would force some merchants or some person rendering service to go out and invest more money in different equipment; that he cannot agree that this motion as presented by Mr. Whittington is cutting out beauticians and barbers; that he expects to vote for it because, in his opinion, it does not read that way, and it would not be stated as 'watered down' motion.

Councilman Smith stated he does not see why it was put in there in the first place if it was not intended to do this, and if it is like Mr. Short says, it does not make any difference, he does not think the majority of Council would be solidifying behind it. There is some reason for it; that it was put in for a purpose.

Councilman Whittington stated this ordinance as recommended and written by the City Attorney and his staff does not deny anyone the use of anything or any facility that would be covered under the public accommodations ordinance. When you write such an ordinance you have to look at both sides of the picture and if there is anyone who thinks that their legal rights, regardless of their color, is being taken away from them, this should be a part of the ordinance. This is all he has tried to do - to not deny anyone the use of these facilities, but at the same time, if the ordinance was passed without this paragraph, you could create a financial hardship on a particular firm or firms. He stated this is his best judgement.

Councilman Whittington stated in reply to Mr. Alexander's question of the use of "we", that in his statement he referred to the majority; that through all of this - not all the time all together - Council has had open and free discussions of these ordinances. He stated as long as he is on the Council, if the legal folk at City Hall tell him Council does not have the authority, then he does not feel that he can vote for it. When it goes to the State Legislature and the Legislature enacts enabling legislation for the City Council to do something about it, then Council can do something about it. Until then, he cannot.

Councilman Alexander stated his question still has not been answered, and that is the purpose for this paragraph where it states "This ordinance, however, shall not be construed to require any place of public accommodations to acquire, offer for sale or use any merchandise, equipment or supplies different in nature from those offered prior to the respective date of this ordinance, nor shall this ordinance be construed to require the personnel of any place of public accommodations to acquire or develop any new skills for the performance of services offered to the public other than those skills offered prior to the effective date of this ordinance". He asked what they are talking about when they talk about new material, new merchandise, new skills?

Councilman Short stated while this may not add anything legally, at least it eliminates just the confusion in the minds of some man operating a beauty salon or barber shop. Is he supposed to go back to school? Is he supposed to go out and buy new materials?

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Councilman Whittington stated by way of explanation - suppose a man was a manufacturer of right hand screws, and it was covered in this ordinance, and someone went in and said he wanted 50,000 left hand screws and the owner said he could not make them; if this ordinance did not have this paragraph, then he could require it. If a lady went into a beauty parlor and an operator said to her that she did not have the equipment to fix her hair; that she has no right to refuse the lady the services she has, but she did not have the equipment to do it as it is expected to be done; that is what this paragraph does. Councilman Alexander asked if it does not remain then that it is up to the client to determine whether or not she wants to take that risk?

Councilman Alexander stated, for example, the present Barber Shops - that he cannot see where it would require any change in anything; Negro barbers have cut white heads for generations; it would not require any change there, and as he understands it, the same barber technique is taught everybody - the white and the Negro.

Councilman Stegall stated he would prefer to vote for this ordinance in a clean cut fashion - no strings attached; but due to the fact there is a possibility it would not be enacted and he thinks we need a public accommodations ordinance, he is going to vote for Mr. Whittington's motion. By clean cut he means just a public accommodations and does not mean to include education and employment in it because the City Attorney and other people have told Council this is not its prerogative to do anything with, and does not have the power or authority to do anything with it.

Councilman Smith stated Mr. Short indicates he would not object to taking out the clause and Mr. Stegall says he would not if it would pass, and perhaps Mr. Alexander might vote for it. He then made a substitute motion to delete the second paragraph, on Page 2, of the ordinance. The motion was seconded by Councilman Alexander, and lost by the following vote:

YEAS: Councilmen Smith and Alexander.

NAYS: Councilmen Jordan, Short, Stegall, Tuttle and Whittington.

Councilman Alexander made a substitute motion that the original ordinance with respect to discrimination in employment, public accommodations and education be adopted. The motion was seconded by Councilman Smith, and lost on the following vote:

YEAS: Councilmen Alexander and Smith.

NAYS: Councilmen Jordan, Short, Stegall, Tuttle and Whittington.

The vote was then taken on the original motion by Councilman Whittington, and carried by the following vote:

YEAS: Councilmen Whittington, Jordan, Short, Stegall and Tuttle.

NAYS: Councilmen Alexander and Smith.

The ordinance is recorded in full in Ordinance Book 15, beginning at Page 299.

Mayor Brookshire stated the motion just passed includes the establishment of the Mayor's Community Relations Committee with the prerogatives and privileges and responsibilities that are outlined in the ordinance.

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Mr. L. M. Wright asked Mr. Whittington who the "we" was that he was speaking for in the majority in the earlier part of the statement he made? Councilman Whittington replied he thinks the ones who voted for the motion would give that answer - Mr. Jordan, Mr. Tuttle, Mr. Short, Mr. Stegall and himself.

Dr. Burt W. Fox, Dentist, stated he has been a resident of Charlotte for fifty years and has practiced here for the past 44 years. That after so many years of practice and for the past five or six years, he has had an average of at least four or five patients a week call for appointments, but trying to reduce his practice, it has been his policy to tell them he is not taking new patients. That as he understood the ordinance in the newspaper, any Negro who calls and asks for an appointment, he can tell the same thing he told the white patient, and yet that Negro would have the right to cite him to appear before this Community Relations Committee and try to force him to prove that he was not discriminating. Under the ordinance as outlined in the newspaper, a patient could call him every day and he could be cited to appear before the Committee daily. He stated after practicing for forty four years if he is going to be hauled before a Committee or Court, then he is making plans in the morning to retire from practice as he has no desire to try to practice in a city where rights are given to the Negro populations and not given to the white population and his rights are done away with by an enactment of an ordinance.

Mr. Underhill, Assistant City Attorney, replied the ordinance prohibits the denial to any individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of a place of public accommodation because of race, color, religion, or national origin. He stated if an individual or an operator or owners of a place of public accommodation turned down an individual because of his race, color, religion or national origin, then a violation would occur; however, this does not prevent the owner or operator of a place of public accommodation from turning down any individual, regardless of his color or his race or his religion or his national origin for any other valid reason. If Dr. Fox's reason for turning down a patient is because he does not wish to extend his practice and is not taking on any new patients, and for this reason he is accepting no new patients regardless of color, religion or national origin or race, then he is within his rights to do so and it would not constitute a violation of the ordinance.

Mr. Underhill stated the Conciliation Division of the Mayor's Community Relations Committee has no judicial powers; their only powers are that of an investigative nature and an attempt to remedy a discriminatory practice through voluntary conciliation tactics. A Complainant who alleges a violation of the public accommodations ordinance does not have to go to the Community Relations Committee; he has an option of either seeking his recourse in civil or criminal action or going to the Community Relations Committee. There are options open to the complainant. He stated the only prohibitive act of this ordinance is to deny an individual a right to services or the public accommodations in question because of his race, color, creed or religion. Other valid reasons are acceptable and are not unlawful.

Mr. Charles A. Davis stated he does not want to break any laws, but wants to obey them. That he feels everybody should not be stirred up about cutting hair. He stated there should be Barber Shops here where

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people can take up a trade and learn to cut hair. He stated if there was a place in Charlotte where the Negroes could be trained, then we would not have the problems we have now. The trouble is there is no place in Mecklenburg County to take up a trade. Mr. Davis stated he would like to take up barbering at night, but there is no place in Charlotte for him to learn the trade.

Councilman Short stated he would like to endorse what Mr. Davis has said about the need for training and training opportunities for all races.

Reverend J. H. Bailey stated today has been a start to change what our forefathers started years ago in the way of discrimination. He thanked the Council for moving in that direction - it may or may not have been what he would have liked, but it is a move in that direction. That they have had about 400 years of discrimination and enslavement here in America to make it what it is. To those who seem to be afraid, he stated they have nothing to fear but fear itself. Whenever you do the right things you will have a good and wonderful city. He stated this is the best city he knows. That when they have problems and bring them to Council, they are not joking and it may seem insignificant, but they have problems and they come to the City Fathers to help with the problems and they would like for them to take note and do that. He stated sometimes it may come through a medium they may ignore, but if it is the truth, then the City Fathers better listen and weigh it for what it is worth. That God has His way of sending things sometime not where they are recognized.

Councilman Tuttle stated to Reverend Bailey that he especially appreciates what he said when he said "we have made a start". That this Council has made a genuine effort to make a start. That he honestly feels Council made the right move today. The clause about which there has been so much objection was put in because they honestly believe there are a few situations who could be affected and they do not believe the Negroes want anybody's civil rights violated.

(COUNCILMAN SMITH LEFT THE MEETING AT THIS TIME AND WAS ABSENT FOR THE REMAINDER OF THE SESSION.)

Reverend C. E. Quick stated even though they feel they are not getting perhaps what they should, they are happy. He stated he detests being dictated to and he feels Council detests being dictated to. He stated we should be able to solve some of these problems in our own city, not waiting for the State or Federal Government to tell us. He is happy that we are on our way up and that Council has observed now through searching its conscience that we must move forward. He thanked the Mayor and members of the Council for this start and stated he prays and hopes that somewhere along the line that we will come to realize that, regardless of the pigment of our skins, regardless of where we live, we are all children of God.

Mrs. Robert Johnson stated she would like to speak in support of the entire anti-discrimination ordinance. That it has been argued that from 1/3 to 2/3 of the response has been negative and suggested that negative response has not been public because of fears of reprisals. She suggested that some fears are much more inclined because of the sub-conscious guilt of those not wanting to appear publicly. Also, these negative statements would generally reflect self-interest. She

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stated a start must be made sometime; that Negro beauticians have a very limited clientele until the late hours of the day since most black customers are employed. Also a trained woman must work as a moonlighting domestic in a white accommodation until the hours when those she is allowed to serve are available. She stated the Mayor and others have warned that threats of violence will not be tolerated; that she has heard no threats of violence. People who are in a better position to judge the climate than City Leaders have voiced their fears of what may happen, of what is a miracle has not already happened. If these warnings seem to be threats because of the emotional or urgent tones in which they have been voiced, then she proposes there is an even greater lack of understanding on Council's part. After having read several of James Baldwin's books, she can remember being shocked that a man so obviously concerned for the soul of black and white Americans was considered a militant. Recently a national publication stated that white America will have to learn there are two types of militants. One is the militancy that says we have given up all hope that white America will ever change and is working for separate power; another kind of militancy is a stand taken to overcome the fears and frustration of passionate determination to be human beings even when not generally recognized as such. She stated she is thankful that the latter militancy still hopes enough for a whole community to share their common concern with us. She stated she speaks to the voice of Christians who say they must try to change men's hearts. That if they are Christians, then they have forgotten the truth that must come to any man before he can become a believer in God's will. No person could be Christian without first recognizing his own unfailing self concern, and then he begins to understand the self centered nature of all men.

Mr. James Ferguson, Attorney and private citizen, stated Council has made a start. But they have made a very late start and a start at a very slow pace. While this ordinance gives one a bit more freedom with where he spends his money, it does not do very much for those citizens of Charlotte who have been deprived in giving them a greater opportunity for preparing themselves to make money and to be assured of employment after they have gained those skills. It also neglects to deal with the problem of housing. He stated the problems of housing, education and employment are perhaps of much more basic significance than the surface kind of discrimination which Council has dealt with in the ordinance passed today. He stated the passage of this law perhaps leaves more problems unsolved than solved. That this is a matter which Council should continuously concern itself with, and that in the very near future, Council should give more and greater consideration to actions in these areas because of their very basic and fundamental importance to the citizens of the City who have been deprived. If Charlotte is to bear the title of "Model City", then conditions in Charlotte should reflect the merit and just desert of that title.

Councilman Short stated he does not believe there are any two members of this Council who have not gotten together and discussed this matter at great length; that he does not believe there is any group of three, or any group of four, or any group of five, or any group of six, or any group of seven, or any group of eight that could be named that have not gotten together and tried to work this out. All of those kinds of grouping and getting together, telephoning and conferring occurred. That it seemed to him the danger that existed no more than two hours ago was with five or four views we really could not get a consensus on anything. That he is thankful that it did occur and a certain group finally did manage to agree on somethings; that it did not go as far as he had attempted, but he was glad to go along with those as far as they could go.

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MEETING RECESSED AND RECONVENED.

Mayor Brookshire called a five-minute recess at 4:20 o'clock p.m., and reconvened the meeting at 4:25 o'clock p.m.

DECISION ON PETITION NO. 68-8 BY DOROTHY ALEXANDER POTTER FOR A CHANGE IN ZONING OF A TRACT OF LAND AT THE SOUTHEASTERLY CORNER OF PROVIDENCE ROAD AND SARDIS ROAD, POSTPONED.

Councilman Whittington moved that decision be postponed for one week on the subject petition. The motion was seconded by Councilman Stegall, and carried unanimously.

CONTRACT WITH ROUSSEAU-PETTY COMPANY FOR CONSTRUCTION OF SANITARY SEWER MAIN AUTHORIZED.

Motion was made by Councilman Stegall, seconded by Councilman Jordan, and unanimously carried, approving the request of Rousseau-Petty Company for the construction of 1,455 feet of 8-inch sanitary sewer trunk, and 2,900 feet of 8-inch sanitary sewer main, to serve Castleton Gardens, inside the City, at an estimated cost of \$25,060.00, with all cost of construction to be borne by the applicant whose deposit has been received and will be refunded as per terms of the agreement.

ORDINANCE NO. 879, AMENDING CHAPTER 17, SECTION 52 OF THE CODE OF THE CITY OF CHARLOTTE INCREASING RATES FOR SEWER LATERAL CONSTRUCTION IN PAVED STREETS.

Councilman Whittington moved the adoption of the subject ordinance increasing rates for sewer lateral construction in paved streets from \$100 to \$150. The motion was seconded by Councilman Stegall.

After discussion the vote was taken on the motion and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 306.

REPORT REQUESTED ON WATER LATERAL HOOK-UP RATE INCREASE.

Councilman Stegall asked the City Manager if there are any plans to increase the charge on water lateral hook-ups? That the present policy is to charge \$75.00 and if it is more, then the customer is billed. That sometimes there is difficulty in collecting these additional bills based on the original charge of \$75.00. That he would like to see this increased because in the last couple he has had hooked up, he has had additional charges on them. That a man in the construction business would find himself having underbid a job based on the \$75.00 hook-up if it ran \$150.00.

RESOLUTION URGING NORTH CAROLINA ZOOLOGICAL GARDEN STUDY COMMISSION TO ACT FAVORABLY UPON THE REQUEST FOR A STATE ZOOLOGICAL GARDEN IN THE CHARLOTTE-MECKLENBURG AREA.

Motion was made by Councilman Alexander, seconded by Councilman Tuttle, and unanimously carried, adopting the subject resolution.

The resolution is recorded in full in Resolutions Book 6, at Page 147.

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ORDINANCES ORDERING THE DEMOLITION AND REMOVAL OF DWELLINGS PURSUANT TO THE HOUSING CODE OF THE CITY OF CHARLOTTE AND ARTICLE 15, CHAPTER 160 OF THE GENERAL STATUTES OF NORTH CAROLINA.

Upon motion of Councilman Jordan, seconded by Councilman Stegall, and unanimously carried, the following ordinances were adopted:

- (a) Ordinance No. 880-X ordering the demolition and removal of the dwelling at 2824 McComb Street pursuant to the Housing Code of the City of Charlotte and Article 15, Chapter 160 of the General Statutes of North Carolina.
- (b) Ordinance No. 881-X ordering the demolition and removal of the dwelling at 2200 Newland Road pursuant to the Housing Code of the City of Charlotte, and Article 15, Chapter 160 of the General Statutes of North Carolina.
- (c) Ordinance No. 882-X ordering the demolition and removal of the dwelling at 2549 Hemphill Street pursuant to the Housing Code of the City of Charlotte and Article 15, Chapter 160 of the General Statutes of North Carolina.
- (d) Ordinance No. 883-X ordering the demolition and removal of the dwelling at 400 Biddle Street pursuant to the Housing Code of the City of Charlotte and Article 15, Chapter 160 of the General Statutes of North Carolina.

The ordinances are recorded in full in Ordinance Book 15, beginning at Page 307.

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.

Motion was made by Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, adopting the subject ordinances, as follows:

- (a) Ordinance No. 884-X ordering the removal of weeds and grass on Hildebrand Street, Block 25, Lot No. 47, Cedar Hills Cemetery.
- (b) Ordinance No. 885-X ordering the removal of weeds and grass at 518 North College Street.
- (c) Ordinance No. 886-X ordering the removal of weeds and grass at 518 Kingston Avenue.
- (d) Ordinance No. 887-X ordering the removal of weeds and grass on McKinnley Street, Block 61, Lot No. 4, Book 103.
- (e) Ordinance No. 888-X ordering the removal of weeds and grass adjacent to 3514 Belhaven Boulevard.

The ordinances are recorded in full in Ordinance Book 15, beginning at Page 311.

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ORDINANCE NO. 889-X ORDERING THE DEMOLITION AND REMOVAL OF THE BUILDING AT 1025 SEIGLE AVENUE PURSUANT TO THE BUILDING CODE OF THE CITY OF CHARLOTTE, AND SECTION 6.61, ARTICLE IV, SECTION 6, CHARTER OF THE CITY OF CHARLOTTE.

Councilman Tuttle moved the adoption of the subject ordinance, which was seconded by Councilman Jordan, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 15, at Page 316.

RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATION AGREEMENT BETWEEN THE CITY OF CHARLOTTE AND THE HOUSING AUTHORITY OF THE CITY OF CHARLOTTE IN CONNECTION WITH THE APPLICATION FOR A PROGRAM RESERVATION AND PRELIMINARY LOAN FOR AN ADDITIONAL 1,000 UNITS OF PUBLIC HOUSING IN THE CITY OF CHARLOTTE.

Councilman Whittington moved the adoption of the subject resolution authorizing the execution of a cooperation agreement between the City and the Housing Authority of the City in connection with the application for a program reservation and preliminary loan for an additional 1,000 units of public housing in the City, which agreement will supersede the three existing agreements and will include the 1,000 additional units sought in the application of May 1968 and will cover the entire housing program to date. The motion was seconded by Councilman Jordan, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 149.

CLAIM OF MR. AND MRS. RICHARD OWENS, JR., DENIED.

Councilman Short moved that claim of Mr. and Mrs. Richard Owens, Jr., 2607 Kendell Drive, in the amount of \$1,223.00 for damages alleged to have occurred in October 1967 when sewer lines caused sewage to back up through the commode in their home and deposit sewage into the bedroom, hall, living room and bedroom be denied as recommended by the City Attorney. The motion was seconded by Councilman Tuttle.

Councilman Stegall stated this is the third such case of sewage stop up and he wonders if in the interest of fair play to the people concerned if there is anything the City can do to rectify this situation; that we have some moral responsibility; that while we may not have any legal responsibility, morally we have some responsibility to help these people by seeing that this does not happen in the future or to see that we help them in some way.

Councilman Tuttle stated a lot of this trouble is caused by the use of the disposal diapers; he asked if it would not be well to enclose some notice in the water bills cautioning people about rags and disposal diapers being flushed? Mr. Veeder, City Manager, replied this can be done. Councilman Alexander stated he did not know that people throw diapers into the commodes for a wash tub. That most stop-ups come from this when they are flushed on down in the sewer.

After further discussion, the vote was taken on the motion and carried by the following vote:

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

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CLAIM OF MRS. MINNIE P. BROWN FOR PERSONAL INJURIES, DENIED.

Motion was made by Councilman Short to deny claim, as recommended by the City Attorney, of Mrs. Minnie P. Brown for personal injuries received when she tripped and fell while walking on the sidewalk in front of 2038 Greenway Avenue on November 1, 1967. The motion was seconded by Councilman Tuttle, and carried by the following vote:

YEAS: Councilmen Short, Tuttle, Alexander, Jordan, Stegall.

NAYS: None.

Councilman Whittington abstained from voting.

CLAIM OF FRANK THEODORE GAITHER, SR., DENIED.

Councilman Short moved that claim of Mr. Frank Theodore Gaither, Sr., 1822 Russell Avenue, in the amount of \$1,054.20, for damages caused when sewer lines of the City caused sewage and water to back up and flood the entire basement level of his home, be denied as recommended by the City Attorney. The motion was seconded by Councilman Whittington, and carried by the following vote:

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

NAYS: Councilman Stegall.

SUPPLEMENTARY CONTRACT TO CONTRACT WITH ED GRIFFIN CONSTRUCTION COMPANY FOR WATER MAIN CONSTRUCTION, AUTHORIZED.

Upon motion of Councilman Jordan, seconded by Councilman Stegall, and unanimously carried, a supplementary contract was authorized to contract dated October 16, 1967, with Ed Griffin Construction Company for the construction of 4,160 feet of water main and two fire hydrants, to serve Hope Valley Subdivision, Section 2-C, inside the City, at an estimated cost of \$19,500.00, with the City to finance all construction costs and the applicant to guarantee an annual gross water revenue equal to 10% of the total construction cost.

APPRAISAL CONTRACTS AUTHORIZED.

Upon motion of Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, appraisal contracts were approved, as follows:

- (a) Contract with Kemp R. Dunaway for appraisal of one parcel of land for the Northwest Expressway.
- (b) Contract with Wallace D. Gibbs, Jr., for appraisal of two parcels of land for the Charlotte-Mecklenburg Library Park Project.
- (c) Contract with H. L. McKee for appraisal of two parcels of land for the Charlotte-Mecklenburg Library Park Project.

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PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilman Short, seconded by Councilman Stegall, and unanimously carried, approving the following property transactions:

- (a) Resolution authorizing condemnation proceedings for acquisition of 16,683 square feet of property of Alfred E. Allen and wife, Margaret P. Allen, at 427 Charles Avenue for the East Thirtieth Street Project.
- (b) Acquisition of approximately one acre of land at 6140 Browhill Circle, Berryhill Township, from Mrs. Dorothy Hall Culp (widow), at \$12,000, for Airport Terminal Expansion.
- (c) Acquisition of right of way 987.50 square feet on Sharon Road, West, near Pineville Road, from Jesse E. Philemon and wife, Ollie, at \$98.75 for easement to Kings Branch Pumping Station.
- (d) Acquisition of right of way of 745 square feet on Briarbend Drive, at South Boulevard, from North Carolina National Bank, Co-Trustees with George Snyder, Crisman S. Jones and Hubert R. Jones, at \$150.00, for sanitary sewer easement to serve Phillips Petroleum.

The resolution is recorded in full in Resolutions Book 6, at Page 148.

TRANSFER OF CEMETERY LOTS.

Councilman Short moved that the Mayor and City Clerk be authorized to execute a cemetery deed with Mrs. Frances M. Blackwelder, for Lot No. 405, Section 6, Evergreen Cemetery, at \$240.00. The motion was seconded by Councilman Whittington, and carried unanimously.

ORDINANCE NO. 890-X APPROPRIATING FUNDS FOR PAYING USUAL EXPENSES OF THE CITY PENDING ADOPTION OF THE 1968-69 BUDGET ORDINANCE.

Upon motion of Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, the subject ordinance was adopted and is recorded in full in Ordinance Book 15, at Page 317.

ORDINANCES AMENDING ORDINANCE NO. 655-X, THE 1967-68 BUDGET ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS.

Motion was made by Councilman Tuttle, seconded by Councilman Whittington, and unanimously carried, adopting ordinances amending the 1967-68 Budget Ordinance by transferring funds, as follows:

- (a) Ordinance No. 891-X authorizing the transfer of \$124,200 within the General Fund.
- (b) Ordinance No. 892-X authorizing the transfer of \$84,000 within the Water Fund.
- (c) Ordinance No. 893-X authorizing the transfer of \$25,000 within the Airport Fund.
- (d) Ordinance No. 894-X authorizing the transfer of \$12,086.15 within the Water Capital Projects Fund.

The ordinance are recorded in full in Ordinance Book 15, beginning at Page 318.

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REJECTION OF BIDS RECEIVED FOR CITY TAGS.

Councilman Tuttle moved that all bids received on City Metal Tags be rejected. The motion was seconded by Councilman Jordan, and carried unanimously.

Councilman Whittington stated he has had several calls from manufacturer's representatives and advertising people as it relates to decals and he hopes all these people or as many as the City can reach will be given the opportunity to bid on the decals. The City Manager replied a number also have contacted the Purchasing Department; that we will want as many as possible to bid on this. The design service can be attached as part of the bidding because the people who manufacture the decals are accustomed to doing this, and then he can come back to Council with several alternatives.

CONTRACT AWARDED DEWEY BROTHERS, INC. FOR CAST IRON VALVE PIPES.

Upon motion of Councilman Jordan, seconded by Councilman Alexander, and unanimously carried, contract was awarded the low bidder, Dewey Brothers, Inc., in the amount of \$5,563.80; on a unit price basis, for cast iron valve boxes.

The following bids were received:

Dewey Brothers, Inc.	\$ 5,563.80
Knoxville Foundry Company	\$ 5,890.00

CONTRACT AWARDED DRESSER MANUFACTURING DIVISION, DRESSER INDUSTRIES INC. FOR SERVICE CLAMPS.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, awarding contract to the low bidder, Dresser Manufacturing Division, Dresser Industries, Inc., in the amount of \$2,195.43, on a unit price basis, for service clamps.

The following bids were received:

Dresser Mfg. Division	
Dresser Industries, Inc.	\$ 2,195.43
Grinnell Company (Mueller)	3,059.43
Mueller Company	3,144.14
Grinnell Company (Smith-Blair)	3,234.33
Smith-Blair, Inc.	3,234.33

CONTRACT AWARDED GLAMORGAN PIPE & FOUNDRY COMPANY FOR CAST IRON PIPE.

Councilman Jordan moved award of contract to the low bidder, Glamorgan Pipe & Foundry Company, in the amount of \$238,975.00, on a unit price basis, for cast iron pipe. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Glamorgan Pipe & Foundry Co.	\$238,975.00
Lynchburg Foundry Co.	241,675.00
American C. I. Pipe. Co.	252,175.00
U. S. Pipe & Foundry Co.	254,300.00

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CITY MANAGER REQUESTED TO INVESTIGATE COMPLAINT OF RESIDENT WHO STATED POLICE DEPARTMENT COULD NOT FIND LOCATION AT 515 NORTH DAVIDSON STREET.

Councilman Alexander stated he received a call at 4:00 a. m. this morning from a lady who said someone was trying to break into her home. That she called the Police Department and after 30 minutes they had not come; she called back and they told her they could not find such an address. That she lives at 515 North Davidson Street which is 1/2 block from Eighth Street, and there is a house number on her house. That after the second call two or three cars showed up. That he does not know what the mistake was but he requested the City Manager to check and see what might have happened.

NOMINATION OF HUGH ASHCRAFT TO THE PLANNING COMMISSION.

Councilman Short placed in nomination the name of Mr. Hugh Ashcraft for re-appointment to the Charlotte-Mecklenburg Planning Commission for a term of three years.

MOTION TO REAPPOINT CRAIG BROWN TO CIVIL SERVICE BOARD DID NOT RECEIVE A SECOND.

Councilman Tuttle moved the re-appointment of Mr. Craig T. Brown to the Civil Service Board for a three year term. The motion did not receive a second.

PLANNING COMMISSION REQUESTED TO MAKE RECOMMENDATION ON MULTI-FAMILY ZONING ON QUEENS ROAD, AND ON WEST BOULEVARD, FROM CLIFFWOOD PLACE TO AIRPORT.

Councilman Whittington requested the City Manager to confer with the Planning Commission and ask them for a recommendation on the multi-family zoning on Queens Road and on the request he made of them about West Boulevard from Cliffwood Place to the Airport.

RECOMMENDATIONS ON RECRUITMENT PROCEDURES FOR POLICE AND FIRE DEPARTMENTS.

Councilman Whittington stated several weeks ago he proposed that Council have a meeting with the Chief of Police, Chief of Fire Department and the Civil Service Board about the recruiting procedures. This came about when Chief Ingersoll, before he left, told of the difficulties they were having; that he has asked Mr. Veeder to give Council his thoughts on this and he believes he has something for Council to study and perhaps act upon next week.

Mr. Veeder, City Manager, stated sometime ago Council suggested the desirability of a review of the recruitment and selection practices and he has asked the Personnel Department to make such a review and this is in the form of a memorandum to him. He passed around copies of the memorandum to Council for their study.

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PERSONNEL DIRECTOR TO MAKE RECOMMENDATIONS ON COVERAGE GIVEN TO CITY PERSONNEL HURT ON THE JOB.

Councilman Whittington requested the City Manager to ask Mr. Earle, Personnel Director, to bring back to Council on June 17th, recommendations on personnel hurt on the job as to what kind of coverage they will be given and for what length of time.

ALL CONSTRUCTION CONTRACTS TO INCLUDE NON-DISCRIMINATION REQUIREMENTS.

Mr. Veeder, City Manager, stated whenever the City advertises a construction job for bidding that involves the use of Federal money included in these specifications are some non-discrimination requirements. These requirements appear in the specifications for the job and they also appear in part in the construction contracts for the successful bidder. He stated this applies only in cases where the City is using federal money as part of the funding of the project. He recommended that all contract for construction include the appropriate language.

Councilman Tuttle moved approval of the recommendation of the City Manager, which motion was seconded by Councilman Alexander, and carried unanimously.

CONTRACT AWARDED PROPST CONSTRUCTION COMPANY FOR THE SIGHT PREPARATION TO RECONSTRUCT TAXIWAY AT AIRPORT.

Upon motion of Councilman Jordan, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Propost Construction Company, in the amount of \$272,107.20, on a unit price basis, for the sight preparation, Schedule I-A, Taxiway A.

The following bids were received:

Propst Construction Co.	\$272,107.20
Dickerson, Inc.	289,479.00
Rea Construction Company	347,710.40

CONTRACT AWARDED REA CONSTRUCTION COMPANY FOR PAVING OF TAXIWAY A.

Councilman Tuttle moved award of contract to the low bidder, Rea Construction Company, in the amount of \$84,401.35, on a unit price basis, for paving under Schedule II-A Taxiway A at Airport. The motion was seconded by Councilman Whittington, and carried unanimously.

The following bids were received:

Rea Construction Co.	\$ 84,401.35
Blythe Brothers	88,517.00
Propst Construction Co.	92,296.25
Dickerson, Inc.	93,866.00

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CONTRACT AWARDED COLTER AND CHAPPEL ELECTRIC COMPANY FOR LIGHTING OF TAXIWAY A AT AIRPORT.

Motion was made by Councilman Whittington, seconded by Councilman Jordan, and unanimously carried, awarding contract to the low bidder, Colter and Chappel Electric Company, in the amount of \$10,399.65, on a unit price basis for lighting under Schedule III, for Taxiway A at airport.

The following bids were received:

Colter & Chappell Electric Co.	\$ 10,399.65
National Electric Co., Inc.	11,826.44
Bryant Utilities Const. Co.	14,812.07

CONTRACT AWARDED PROPST CONSTRUCTION COMPANY FOR TAXIWAY CONSTRUCTION AND APRON EXPANSION SIGHT PREPARATION.

Upon motion of Councilman Alexander, seconded by Councilman Whittington, and unanimously carried, contract was awarded the low bidder, Propst Construction Company, in the amount of \$314,064.45, on a unit price basis, for sight preparation for Taxiway Construction/Apron Expansion.

The following bids were received:

Propst Construction Co.	\$314,064.45
Rea Const. Co.	325,399.40
Dickerson, Inc.	348,056.25

CONTRACT AWARDED REA CONSTRUCTION COMPANY FOR PAVING FOR TAXIWAY CONSTRUCTION/APRON EXPANSION AT AIRPORT.

Councilman Whittington moved award of contract to the low bidder, Rea Construction Company, in the amount of \$183,772.22, on a unit price basis, for paving under Schedule II-B for Taxiway Construction/Apron Expansion. The motion was seconded by Councilman Stegall, and carried unanimously.

The following bids were received:

Rea Construction Co.	\$183,772.22
Blythe Brothers	190,597.25
Propst Const. Co.	199,669.00

RESOLUTION SETTING A DATE OF PUBLIC HEARING ON JUNE 24 FOR THE DESIGNATION OF A COMMUNITY ACTION AGENCY.

Mr. Veeder, City Manager, stated sometime ago Council authorized him to inform the Office of Economic Opportunity on a preliminary basis of the City's intention to consider seriously the City assuming responsibility for the poverty program in Charlotte. He stated this notice was forwarded to the Office of Economic Opportunity, and appropriate follow-up work was done toward the end of meeting a second procedural step which required the submission of a second form. To proceed further with the third step as required by their regulation, a public hearing would be in order, and the earliest date would be June 24.

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Mr. Veeder stated at approximately the same time Council took action on this, Mecklenburg County took a similar action; and to date Mecklenburg County has proceeded on the same basis as the City of Charlotte. The County has called a hearing on its intent to proceed. He stated he has had conversations with the County Manager to determine if the County has any interest in the efforts being combined, or any interest in one unit of government deferring to the other unit of government. Mr. Veeder stated he understands the County is of a mind that they should proceed as they have started and if there are any steps to be taken toward the end of combining the city and county efforts, this could take place after the final applications are submitted to the Office of Economic Opportunity.

Mayor Brookshire stated he has discussed this with Dr. Martin and the County is not disposed at this point in consolidating their interest with the City; they are determined to proceed with the public hearing. Dr. Martin indicates he would like to see the City proceed to make similar application and to hold a public hearing. Mayor Brookshire stated he pointed out to Dr. Martin in his opinion that would indicate to both OEO and to this Community there is competition between the two local governments for this particular program. That he sees some rather detrimental aspects in competition, whether it is in fact or merely an appearance. He stated he suggested to Dr. Martin as the County was proceeding and had already instituted advertisement for their public hearing, that the City defer to the County in the matter and support their application. That it appears from the guide lines that the County will have less difficulty in complying with the guide lines than the City would. Also, the North Carolina Fund is being phased out and local support will have to come from local government, and if the County wants to take it over and let it come out of general funds, then he thinks that is all in the matter of equity. Mayor Brookshire suggested that Council simply defer to the County in the matter and let them file their further application and hold their public hearing.

Councilman Short stated he does not believe the City should lose its options at this point in this OEO Program. That he particularly wonders if the City does not want to preserve all options until we hear from a poverty study that has been assigned to the Council of the United Community Services.

Councilman Short moved that the City proceed with the public hearing as outlined by Mr. Veeder to be held on June 24, 1968. Councilman Whittington seconded the motion for discussion.

Mayor Brookshire stated he is sure the County Government would give Council an opportunity to work out an agreement with them involving some financial support; that he very much dislikes competing with the County Government for the program. Councilman Short replied he does not really believe this is competition; it is merely preserving the city's options until the City has more opportunity to appraise the situation and have the benefits of the study now in progress.

Councilman Short stated he does not necessarily propose that we fight at the governmental level over poverty programs but proposes that we vigorously conduct these programs.

Councilman Alexander stated he agrees with Mr. Short and he bases his thinking on the fact that the Greene Amendment did not spell out either/or. It leaves a big gap. He feels at this stage we would be safe in

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trying to protect an option in case we do have one. That he does not feel anyone would feel it is competitive; we are just following the line of procedure. He stated he is concerned about certain philosophies that exist now regarding the poverty program, and until we can see further, he believes we should preserve our options at this point to protect our position.

Councilman Whittington stated when this came up six months ago, he made a motion that the City take the necessary steps to inform OEO and the federal government where the City stood on this amendment. That he feels the City should go ahead with the public hearing, and asked if the hearing could be held jointly with the county? Mayor Brookshire replied no, as each has to be advertised separately. Councilman Whittington stated then the City can have its own public hearing, the County have its hearing, then the two bodies can get together, or the City can have a meeting of its own and determine the next step.

Mr. Veeder stated he serves on the Public Officials Advisory Council to the Office of Economic Opportunity. Recently this Council had a meeting with the officials of Economic Opportunity; much of the discussion centered around the difficulty that all levels of government were having with the regulations that have been promulgated by OEO. The State Government, County Government and City Government have difficulties. He stated individually and collectively, they pointed out to the top officials of the program their views and the difficulties they were having. They were told that the Agency was not in a position to make any revisions in these rules at least until after the July 1st deadline that has currently been set for a submission by local governments. He stated they made the suggestion that the Agency consider setting up a special task force of perhaps some of the members of the Public Officials Advisory Council to help review these regulations towards the end of making them less difficult to work effectively with; to date nothing has been done to act on this suggestion. He stated there are difficulties in any unit of government in North Carolina dealing effectively with the regulations. He stated he is sure that any submission the City makes will have to be qualified in terms of not being able to specifically meet a good number of the detailed regulations they have promulgated following the adoption of the agreement.

The vote was taken on the motion to set a public hearing on June 24, and carried unanimously.

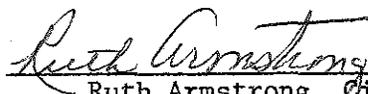
The resolution is recorded in full in Resolutions Book 6, at Page 150.

JOINT CITY COUNTY BUDGET MEETING SET FOR JUNE 27 IN COUNTY COMMISSIONERS' BOARD ROOM.

Mayor Brookshire advised a joint city county meeting on joint budget matters has been set for June 27 at 10:30 A.M. in the County Commissioners' Board Room.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk