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A regular meeting of the City Council of the City of Charlotte, North Carolina was held on Monday, September 22, 1969, at 3:00 o'clock p.m., in the Council Chamber, City Hall, with Mayor John M. Belk presiding, and Councilmen Fred D. Alexander, Sandy R. Jordan, Milton Short, John H. Thrower, Jerry Tuttle, James B. Whittington and Joe D. Withrow present.

ABSENT: None.

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INVOCATION.

The invocation was given by Councilman James B. Whittington.

MINUTES APPROVED.

Upon motion of Councilman Whittington, seconded by Councilman Thrower, and unanimously carried, the minutes of the last meeting, on Monday, September 15, 1969, were approved as submitted.

REPORT TO CITY COUNCIL BY POLICE CHIEF J. C. GOODMAN ON QUESTIONS CONCERNING THE CHARLOTTE POLICE RESERVE SYSTEM.

Police Chief J. C. Goodman stated in response to a request made by Councilman Alexander in meeting on September 15, he would like to answer some of the questions raised regarding the Charlotte Police Reserve System.

Chief Goodman stated the technical staff unit of the Department and the regular police reserves are doing an excellent job; that the technical staff has brought the Charlotte Police Department and the City of Charlotte national recognition; it was picked up by the National Council of Mayors and a film strip has been produced which explains its operations and the value it has been to the police department. The strip will be made available to all cities in the United States.

Chief Goodman stated this unit has made accessible to the police department a group of experts which are available to the department as needed; the experts are used frequently to aid in various technical investigations; they have appeared in court as expert witnesses.

Chief Goodman stated the uniform reserve unit was organized during World War II, and has been of exceptional value to the police department and to the citizens of Charlotte; without pay they perform thousands of hours of police service for the benefit of the citizens of Charlotte, and for their personal satisfaction in making a contribution to the community; the city government itself receives much of the benefits as these men work at all special events, at the coliseum, park center, high school football games, carrousel parade, festival in the park, and many activities of the park and recreation commission. He stated anytime the department calls on them they are available; they supplement the one-man patrol cars.

Chief Goodman stated he would like to reply to the questions raised last week by Councilman Alexander, as follows:

- (1) The Police Reserves are integrated completely in the work, administration, promotions and responsibilities of the police reserve organization.
- (2) The Board of Governors, by majority vote, elects all officers. Sergeant vacancies are filled as follows: the platoon lieutenant submits a recommendation to the Board of Governors; the Board of Governors makes

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the decision. There are no ranks in the technical staff. The Commander of the reserve and the director of the technical staff is appointed by the Chief of Police.

- (3) Upon joining the police reserve, the operation officer of the reserves assigns the individual officer to a platoon.
- (4) The facts as to organization are correct with the exception that there were no white reservists in Platoon 3. The platoon system has no value other than for administrative purposes. The men volunteer for assignments and there is no regard as to what platoon or what color they are in making assignments. It has never been brought to my attention that there has been any resentment among the Negro reservists. The Negro reservists have proven to be excellent officers and leaders.
- (5) There is no reason why Negro officers cannot be placed in Platoons 1 or 2, and by action of the Board of Governors on September 21, 1969, the Negro members have been reassigned to all platoons.
- (6) The Charlotte Police Department agrees with Councilman Alexander in that we should not condone any form of segregation.

Councilman Alexander stated from the information he has before him now, he understands that as of yesterday, there does exist the same Platoons 1, 2 and 3, but they are all integrated. Does that mean the Negro reservists have been integrated into the other two platoons? Chief Goodman replied that is what it means. Councilman Alexander asked if the positions of the Negroes who held rank still exists, and there has been no change? Chief Goodman replied the positions still exist and there has been no change.

Councilman Alexander stated without raising any questions as to why this has not been done before now, he is satisfied that this side has been cleared up; that he appreciates the information given by the Chief and that he has seen that this has been done.

Chief Goodman continued with his replies:

- (8) We have an organization that is part of the police reserve. This is the technical staff which is recruited by Dr. Joe B. Craig, the director, and the Chief of Police. The Director is responsible for the administration and coordination of the technical staff. The rules and regulations of the police reserve specifies "in order that the work of this unit (technical staff) be coordinated with the department and reserve, a director shall be appointed by the Chief of Police. The director will become a member of the Board of Governors of the police reserve, and will, with the Chief of Police, approve applications for membership in the technical staff unit".
- (9) The technical staff came into being by unanimous vote by the Board of Governors of the police reserve.
- (10) The group is termed the technical staff, Charlotte Police Reserves. At times it has been referred to as special consultants.
- (11) The director and chief of police were given the authority to approve applicants by unanimous vote of the Board of Governors. These men are not issued identification badges but ID cards identical to the Charlotte police reserve officers. Nine men have been issued firearms. Twenty-four men have not; these men are eligible to receive firearms for use if and when they are on assignment with regular police officers. They are not allowed to carry firearms while off duty.

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Councilman Short asked if while on duty they can carry concealed weapons? Chief Goodman replied yes, just as any regular police officer; they are always assigned with a police officer and they never operate on their own.

(12) In regards to carrying firearms while not in uniform, the following is a quote from the supplement to the Rules and Regulations of the Charlotte Police Reserve:

- (a) "Members of Reserve will not carry firearm concealed except while on duty assignment or on the way to and from such assignments."
- (b) "While in civilian attire and performing police duties the firearm will be carried with coat or proper clothing as needed to conceal the weapon."

Due to the function of the technical staff, as advisors within their specialty, the technical staff was exempt from attending regular meetings of Charlotte Police Reserve. The supplement to the rules and regulations states: "Rules and regulations of the Charlotte Police Reserve will apply to personnel of this unit except those required attendance at meeting as prescribed therein."

- (13) We have not received an application from any Negro individual for membership in this unit. We have at no time during our recruiting on television, in the papers, and at various meetings, or any way indicated that this was a segregated group, or a secret group.
- (14) The qualification is that an individual has specific, essential skills that could be utilized by the Charlotte Police Department. If the need for a certain profession or specialty is filled, we do not entertain any more applicants for that specialty. The members do represent many professions and skills and the list is basically correct.
- (15) The director and the chief of police were given the authority to approve applicants by unanimous vote of its Board of Governors. These men are not issued identification badges but ID cards identical to the Charlotte police reserves. Nine men have been issued firearms. Twenty-four men have not; these men are eligible to receive firearms for use if and when they are on assignment with regular police officers. By specific regulation, firearms are to be carried only when on duty and in compliance with regulations.

Councilman Alexander asked why the nine men have received firearms? Chief Goodman replied because of their particular assignments, and they carry the firearms only when on duty with a regular police officer.

- (16) All members are assigned numbers as are all members of the regular police department and members of the reserves; they are prefixed with the letters "S.C.", standing for specialist and consultant.
- (17) The chief of police and board of governors and Charlotte police reserve are not aware of any dissension; it is apparent that Councilman Alexander has information to this effect and I will make a supposition as to the possible reason. It is possibly due to a lack of understanding as to the role of the technical staff. Some members of the uniform reserve may use this as an avenue to being a plain clothes reserve police officers. It is a misconception of the technical staff's main purpose. This purpose is providing a specific skill that is needed by the Charlotte Police Department and reserve. Their secondary role is as a peace officer. Their primary role as an advisor and consultant places the technical staff in a position where during some situations, it is necessary that they have the authority and financial protection, such as insurance and workmen's compensation, that goes with the responsibility and risk of working as a law enforcement officer.

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- (18) The men are sworn in by the Mayor of Charlotte in a public ceremony. It has always been reported by the news media as any other police ceremony.

Chief Goodman stated this reserve organization has been a valuable tool for recruiting within the police department; to date we have employed 13 police reservists as regular police officers; we have over 75 regular police officers that have been police reservists. This alone is a very significant contribution to the police department.

Councilman Alexander asked who Dr. Joe Craig is? Chief Goodman replied he is a chemist, a dentist, and joined the Reserve Unit as a police reserve officer, helped design the crime lab, and worked very closely with the department's criminologist.

Councilman Alexander asked who establishes the organization of the police reserve? Mr. Underhill, City Attorney, replied it is established under the city charter; the city council may authorize the city manager to appoint auxiliary members of the fire and police department. Councilman Alexander stated he is concerned with the organization if it; and if it is so organized like it was, and if it existed before the police reserves, why is it tied to the police reserves now; why do they need to be tied to the police reserves if the police reserves' Board of Governors approve of this, why does the organization not have any knowledge of it as they do not fully understand about it? Chief Goodman replied it is fairly new and came into being in the last year.

Mr. Veeder, City Manager, stated the technical unit has been in existence something over a year; Chief Goodman reported to Council and told them how successful the unit was in March of this year; Chief Goodman has been real active in disseminating information about this unit towards the end of getting as much attention drawn to it to recruit. This organization has been publicized completely and fully by the police department since its inception including a number of reports to Council; it is serving a useful function; it is new to the police field, bringing to the police department the availability of a lot of specialities that otherwise would not be available. If there is any misunderstanding of the role of this unit, it is not any misunderstanding from the unit itself or from the police department; it is serving a worthwhile function and has been covered publicly, and continually.

Councilman Alexander stated if this is a necessary unit, he does not see why it needs to be tied in with anything; he does not see why it cannot operate as an independent unit from anything else? Mr. Veeder replied that is exactly the way it functions; when any citizen of Charlotte is serving in a volunteer capacity, we want to afford as much protection for them as we can; we now have arrangements where by workmen's compensation insurance is made available to members of the reserve; for this reason, if for no other, it is an adequate valid reason for making this an adjunct of the police reserve to make sure these men, when they are serving their community voluntarily, have this measure of protection that otherwise they would not.

Mr. Veeder stated this group is not only involved in solving crimes, but is actively involved in trying to prevent crimes; they are doing things to help in the educational process of the police department; there is a committee involved in a youth program. There is nothing attached to this unit, that he has any knowledge of, that is anything but open and above board, and certainly nothing that reflects but the highest amount of credit as volunteers who care about their community and are willing to share their abilities and skills with their police department.

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Councilman Alexander stated he is trying to buy this, and trying to accept the manner in which the information is presented, but he does not buy it like that, and he wishes he could think this is really what it does altogether, and this is all it does; and if it does just this, he cannot see why a broader spectrum could not be involved; there is a lot of crime in Negro communities and he does not see why there are no Negro technicians used; that he is sure there must be some Negroes in this town with some of the capabilities these technicians have; that he cannot see why none are there, or why none have not been recruited. That he thinks it could add to a group of this type. He stated a matter such as this should not be under wraps, and should be open to anyone who wants to join to a certain point, of course. That he just cannot see the need for the existence of this type of constabulary. If we need technicians, then they should be able to exist connected with the police department in a different phase and a general phase with someone left with a personal responsibility on behalf of the city; many of the things submitted need to be looked into a little more than he has had time to look into them; that he is not satisfied that the explanation he has fully justifies the existence of the special body of men who can be put together as police officers at any particular time, unknowledgeable as to who they are and things of that sort.

Councilman Jordan stated personally he feels the city is very fortunate to have citizens such as these who are willing to give their time; that he knows a great many of these people and from all he knows about the months they have been operating, they are doing an excellent job. Councilman Jordan stated he would like to commend them for their efforts in this particular type of work.

Councilman Short asked if the members of the technical staff, in fact, carry concealed weapons when they are about their business for the police department? Chief Goodman replied there is a strong possibility; they are used a lot in the area of narcotics and they are permitted to wear weapons and they always work with an officer when they carry the weapons. Councilman Short stated he does not see how a florist, who is a member of the technical staff of the police reserve, needs a concealed weapon; that he cannot see how we can justify it; that the law does allow policemen to conceal guns, but when you add to that a police reserve, and then go another step and make a technical staff to the police reserve and authorize them to carry concealed weapons, it just gets on and on, and gets rather remote from the Chief's control and the control of the Council and the government.

Councilman Short asked why a florist who is advising the police reserve requires a concealed weapon? Why does a banker require a concealed weapon? Chief Goodman replied the florist is an expert in Red Cross disaster work, and an expert in radio communications.

Councilman Alexander asked why another expert Red Cross worker is needed, when the Red Cross organization in Charlotte has many technicians? Chief Goodman replied the police department plans for disasters and it calls on all the expert help it can get, and they think this is one of the best in town. Councilman Alexander stated he knows some expert people in the Negro community who work under the banner of the Red Cross, and asked why some of them are not on this staff? Chief Goodman replied only one was needed on this particular staff.

Councilman Alexander stated if this group of citizens must exist, then they should exist without connection with the police reserve because it can put a cloud on the police reserve; and if the members of the police reserve (at least some of them) are confused over their existence and their authority, then there are many citizens who can be confused; if it has to exist it should exist as such; if they are called plainclothes men then they should be plainclothes men attached to the police department, and should be established as such in a way there are not attached to the police reserve. If they have any connection with the police reserve and Dr. Joe Craig has the authority as stipulated in the information today, and if he (Mr. Alexander

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was head of the police reserve he would wonder who is on first. He stated if we have to have this many specialists (and there are some 33 here), then there should be some Negro specialists in the group too. That he questions this is needed in this fashion and he appreciates the answers given, but still says he does not agree with all the reasons.

Councilman Tuttle stated Mr. Alexander referred to the fact that we should be getting more out of all this in solving crimes, and Mr. Veeder said these technicians are used more in preventing crimes, which apparently they have done. That he is proud of the fact that in Charlotte, when we do have a crime, it makes headlines, and apparently we are not having too many. He referred to a clipping relegated to the inside of the Washington Post - Thursday's crimes; that they simply in want ad size say - assaulted three, robbed 32, murdered so many; that Charlotte has not hit this point. As far as he is concerned until Charlotte has to relegate its crimes to the inside want ads then he is for the police reserves and these technicians and anyone else who can keep us on the front page.

Councilman Thrower stated he would like to thank the Chief and commend him for his explanation, and to especially thank the members of this technical staff; they are offering a tremendous service to this city. That as he reviews the list he thinks it would be rather hard to put a full time minister on, but he is proud he is associated with the police department.

Councilman Withrow stated he agrees with Mr. Alexander that there should be some Negroes on this committee, and there should be some research done and Mr. Alexander probably can give the names of some technical people; that he would like personally to see some Negroes on a committee such as this as the Department is dealing with Negroes as well as whites. Chief Goodman replied he would be happy to do so; that it is a volunteer unit and if they want to apply, they would be glad to investigate them.

Councilman Short stated he does not want to be in the position of not appreciating the fine and courageous work done by volunteer people; that he raised the one point about the concealed weapon, and this is a point of some interest to him; but he is appreciative in general of all the things these people are doing.

Councilman Alexander stated he does not think he has said that he is critical of the services being rendered by these citizens or any citizens who are rendering a service to the community; that he does not accept the fact that the reason no Negroes are on this group is that they have not applied; that he does not think they knew that anyone was looking for them. That he does not think too many people know about what is being heard here today; that he doubts the people in the police reserve fully knew. The fact that no Negroes have applied is no answer to the question he raised; that there are Negroes here who can speak many languages; there are Negroes here skilled in scientific fields. That this is the reason he raised the questions, and he takes not away from any citizen who is contributing one way whatsoever.

Mayor Belk stated he and Council appreciates the fine job the Chief is doing; that Charlotte has the greatest police department of any in the USA, and it is due to the Chief's leadership in this day and time, and if he can get a reserve unit to help him in his work, that the help should be offered to him and anytime Council can be of assistance to the Chief, it wants to.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS COMPLETED ON KENWOOD AVENUE, FROM KENSINGTON DRIVE TO RANDALL STREET.

The public hearing was held relative to the confirmation of the assessment roll for improvements completed on Kenwood Avenue, from Kensington Drive to Randall Street, a total of 1,235.3 front feet, with the total cost of the project being \$14,998.97, of which the city's share is \$9,272.12 and the share to be assessed against the owners of property abutting the improvements \$5,726.85, at an assessment rate of \$4.636 per front foot.

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No one spoke to the petition.

Motion was made by Councilman Tuttle, seconded by Councilman Jordan, and unanimously carried, adopting the resolution confirming the assessment roll for local improvements completed on Kenwood Avenue, from Kensington Drive to Randall Street, at 3:37 o'clock p.m.

The resolution is recorded in full in Resolutions Book 6, at Page 420.

RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS COMPLETED ON GOLDWYN STREET, FROM ALPHA STREET TO MARNEY AVENUE.

The scheduled hearing was held relative to the confirmation of the assessment roll for improvements completed on Goldwyn Street, from Alpha Street to Marney Avenue, a total of 694.52 front feet, with the total cost of the project being \$1,681.56, of which the city's share is \$121.07, and the share to be assessed against the owners of property abutting the improvements \$1,560.49, at an assessment rate of \$2.421 per front foot.

No one spoke to the petition.

Councilman Tuttle moved adoption of a resolution confirming the assessment roll for local improvements completed on Goldwyn Street, from Alpha Street to Marney Avenue. The motion was seconded by Councilman Thrower, and carried unanimously at 3:40 o'clock p.m.

The resolution is recorded in full in Resolutions Book 6, at Page 422.

STATEMENT BY W. J. ELVIN.

Mr. W. J. Elvin stated he hopes the Mayor and members of Council have read the September 12th issue of Time Magazine. He stated he was sorry that there was not a better representation from the city and county when twenty-two of our police officers graduated after a two year course at Central Piedmont Community College a week ago on September 14th. Since there had already been much criticism for the apparent lack of interest by our "top brass" regarding improving their education, the absence of many who should have been in attendance was most unfortunate.

Mr. Elvin stated Councilman Thrower's suggestion for action on traffic control, parking and sidewalks is long overdue and of far more importance than wasting time on the Convention Hall or Convention Boulevard. He suggested that we put "first things first".

Mr. Elvin suggested that street parking and dumping of trash on many of our major arteries should be prohibited, particularly where no hardship is involved.

ORDINANCE NO. 375-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING OF PROPERTY AT THE NORTHWEST CORNER OF DERITA AVENUE AND MAPLE STREET ON PETITION OF JARRELL STEEL AND CONSTRUCTION COMPANY.

Councilman Tuttle moved adoption of the subject ordinance changing the zoning from R-12 to O-6, as recommended by the Planning Commission. The motion was seconded by Councilman Thrower, and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Page 347.

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ORDINANCE NO. 376-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING ZONING OF PROPERTY AT 3612-14 GLENWOOD DRIVE, ON PETITION OF SUSIE MAE CLARKE.

Upon motion of Councilman Jordan, seconded by Councilman Withrow, and unanimously carried, the subject ordinance was adopted changing the zoning from R-6MF to B-1 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 16, at Page 348.

ORDINANCE NO. 377-Z AMENDING CHAPTER 23, SECTION 23-8 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING ZONING OF PROPERTY AT 720 SOUTH SUMMIT AVENUE ON PETITION OF E. J. WANNAMAKER.

Motion was made by Councilman Whittington, seconded by Councilman Tuttle, and unanimously carried, adopting the subject ordinance, changing the zoning from O-6 to I-1 as recommended by the Planning Commission.

The ordinance is recorded in full in Ordinance Book 16, at Page 349.

PETITION NO. 69-89 BY MARY R. ALEXANDER AND MARY B. A. HOWELL FOR A CHANGE IN ZONING FROM R-9MF TO B-1 OF A TRACT OF LAND ON THE WEST SIDE OF ASHLEY ROAD, NORTH OF IRVIN STREET, DENIED.

Councilman Tuttle moved that the subject petition be denied as recommended by the Planning Commission. The motion was seconded by Councilman Whittington and carried unanimously.

DECISION ON PETITION NO. 69-90 BY GEORGE W. MCMANUS AND ELAM RAY WOLFE FOR A CHANGE IN ZONING FROM R-9 TO R-6MF OF A TRACT OF LAND APPROXIMATELY 21.4 ACRES IN SIZE ON THE SOUTH SIDE OF MONROE ROAD, EXTENDING FROM NEAR GLENDORA DRIVE TO NEAR JERLYN DRIVE.

Councilman Jordan moved the adoption of an ordinance amending the zoning map by changing the zoning from R-9 to R-9MF rather than the requested R-6MF as recommended by the Planning Commission. The motion was seconded by Councilman Withrow.

Councilman Thrower made a substitute motion to defer decision for one week so that he might look at the property again. The motion was seconded by Councilman Tuttle, and carried unanimously.

ORDINANCE NO. 378-Z AMENDING CHAPTER 23, SECTION 23-36.02 OF THE CITY CODE AMENDING THE ZONING MAP BY CHANGING THE ZONING FROM R-15 TO R-15PUD OF LAND BOUNDED GENERALLY BY CARMEL ROAD, SHARONVIEW ROAD, MCMULLEN CREEK AND COLUMBINE SUBDIVISION, ON PETITION OF CARMEL PROPERTIES.

Councilman Tuttle stated he hardly sees how there can be any opposition to a development as important as this, as much money as it means, and the planning that has gone into it. He stated when this passed the Planning Commission by a 4-3 vote he is a little concerned; he asked the attitude of the members who voted against it.

Mr. Fred Bryant, Assistant Planning Director, stated there was one detail that accounted for the closeness of the vote; that he does not believe the closeness of the vote reflects the overall attitude of the Planning Commission to the project as a whole; the one item involved in considerable planning commission study related to whether or not offices should be permitted in the shopping area; that he really thinks the closeness of the vote reflected on their thinking of that one item rather than their thinking of the project as a whole.

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Councilman Tuttle asked the necessity for offices? Mr. Bryant replied the necessity for offices is pretty well centered on the reasons and economic factors involved in the project from a developer's standpoint. The developer made a rather strong presentation, first of all as to whether or not the shopping center would be economically feasible and hinged on his ability to have at least the option of providing office space within the center itself. He stated the size of the shopping center is limited to 25,000, and it was the indication of the petitioner he did not feel that the center with the design involvement here necessarily would account for that much space from a retail standpoint; as a result he felt it was an economic necessity for him to have the option of going toward office development to complete the center. That doctor's offices and things of this nature would provide a real service to the people in the community.

Councilman Short stated he understands the 25,000 square feet is acceptable to the sponsors of this petition, but he thinks the 25,000 sq. feet is just too small; that whether they are satisfied or not, he does not think Council would be doing the best for the citizens; that the 25,000 feet is not realistic, and he thinks Council would be a little off base to ask anyone to make a realistic shopping area out of that amount of square feet; that he added up what he thinks is the smallest area you could get by with and it is about 40,000 square feet.

Councilman Whittington moved that the subject ordinance changing the zoning from R-15 to R-15PUD be adopted as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle.

Councilman Short made a substitute motion to approve the petition and change the square footage for the commercial center to 40,000 square feet rather than the recommended 25,000 square feet. The motion did not receive a second.

The vote was taken on the motion to adopt the ordinance as recommended and carried unanimously.

The ordinance is recorded in full in Ordinance Book 16, at Pages 350-351.

PROPERTY TRANSACTIONS AUTHORIZED.

Motion was made by Councilman Thrower, seconded by Councilman Alexander, and unanimously carried, approving property transactions, as follows:

- (a) Acquisition of 10' x 205.03' of easement on Pressley Road, Rose-Ridge Place, Parcel 2, from D. L. Phillips Investment Builders, Inc., at \$1.00, for sanitary sewer to serve Roseland Apartments, Inc.
- (b) Acquisition of 10' x 431.19' of easement on Pressley Road, at Rose-Ridge Place, Parcel 3, from D. L. Phillips Investment Builders, Inc., at \$1.00, for sanitary sewer to serve Roseland Apartments, Inc.
- (c) Acquisition of 10' x 622.97' of easement at 1210 Pressley Road, Parcel 4, from Roseland Apartments, Inc., at \$1.00, for sanitary sewer to serve Roseland Apartments, Inc.
- (d) Acquisition of 15' x 175' of easement at 5811 and 5817 Eastbrook Road, from William Trotter Development Company, at \$1.00, for sanitary sewer to serve Eastbrook Woods III.
- (e) Acquisition of 15' x 397.76' of easement at 7100, 7101 and 7107 Marden Court, from William Trotter Development Company, at \$1.00, for sanitary sewer to serve Eastbrook Woods III.

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- (f) Acquisition of 15' x 201' of easement at 7100 and 7112 Cardigan Avenue, from William Trotter Development Company, at \$1.00, for sanitary sewer to serve Eastbrook Woods III.
- (g) Acquisition of 15' x 284.96' of easement at 7101 and 7105 Cardigan Avenue, from William Trotter Development Company, at \$1.00, for sanitary sewer to serve Eastbrook Woods III.
- (h) Acquisition of 15' x 86.95' of easement at 7120 and 7126 Covecreek Drive, from William Trotter Development Company, at \$1.00, for sanitary sewer to serve Eastbrook Woods III.
- (i) Acquisition of 15' x 192.30' of easement at 7132 Covecreek Drive, from William Trotter Development Company, at \$1.00, for sanitary sewer to serve Eastbrook Woods III.

Councilman Withrow asked if the sewer lines under (a), (b) or (c) go through or close to, or serve Project N. C. 10, Dwight Phillips' Roseland Project? Mr. Bobo, Administrative Assistant, replied this serves only N. C. 3-11.

NEGOTIATED SETTLEMENT WITH J. S. & F. W. SPURRIER FOR ACQUISITION OF PROPERTY ON SOUTHEAST CORNER OF SOUTH BOULEVARD AND HARTFORD AVENUE FOR THE SOUTH BOULEVARD INTERSECTION PROJECT, DEFERRED FOR ONE WEEK.

Councilman Thrower moved approval of a negotiated settlement with J. S. and 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. The motion was seconded by Councilman Whittington.

Councilman Short asked why the price jumped from \$4,750 to \$11,000? Mr. Underhill, City Attorney, replied although it looks as though the square footage involved is rather small, in taking the land for the widening this has caused them to move a pump back - an island pump - reduce the area between the pumps and the gas station to an amount considered to be not in the best interest of a gas station operation; this is crowding from what before the taking was three lanes around the pump to two lanes around the pump, and putting the pump within 8 or 10 feet of the front of the station which severely handicapped the man's property for the operation of a service station. He stated our people feel that perhaps the appraisers did not consider severance damage close enough.

Councilman Thrower stated this was a very small station, and this is taking a lot of his property.

Councilman Whittington made a substitute motion that the settlement be deferred for one week, and the questions Council is concerned with be brought in as information. The motion was seconded by Councilman Thrower, and carried unanimously.

RESOLUTION CALLING FOR A PUBLIC HEARING ON MONDAY, OCTOBER 13, ON THE REDEVELOPMENT PLAN FOR PROJECT NO. N. C. R-78 (N.C. A-3-(4)) GREENVILLE URBAN RENEWAL AREA, PROGRAM NO. N.C.A-3.

Councilman Alexander moved adoption of the subject resolution calling a public hearing on October 13 on the Redevelopment Plan for Project No. N.C. R-78 (N.C. A-3-(4)) Greenville Urban Renewal Area, Program No. N. C. A-3. The motion was seconded by Councilman Whittington, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, beginning at Page 424.

Councilman Whittington stated he would hope Mr. Sawyer, Executive Director of the Redevelopment Commission, and his staff will do everything possible

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to publicize this hearing on Monday, October 13, in the Greenville area by going to the schools and using every means they have available to publicize this meeting so that everyone will know about the hearing on that date and the place of the hearing.

CONTRACT WITH E. J. SMITH & SONS COMPANY FOR WATER MAIN INSTALLATION.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, a contract was approved with E. J. Smith & Sons Company for the installation of 2,074 feet of water main and two (2) fire hydrants to serve an industrial complex in Morris Field Drive and Golf Acres Drive, inside the city, at an estimated cost of \$16,000.00, with all cost of construction to be borne by the applicant who will guarantee an annual gross water revenue equal to 10% of the total construction cost.

RENEWAL OF SPECIAL OFFICER PERMITS.

Motion was made by Councilman Tuttle, seconded by Councilman Short, and unanimously carried, approving the renewal of special officer permits for a period of one year, as follows:

- (a) Renewal of permit to Mrs. Brenda Crouch for use on the premises of J. B. Ivey & Company.
- (b) Renewal of permit to Mrs. Helen Ruth Payne for use on the premises of J. B. Ivey & Company.

RESOLUTION CREATING THE MECKLENBURG, IREDELL, CABARRUS AND UNION LAW ENFORCEMENT PLANNING UNIT FOR THE PURPOSE OF PREPARING AND IMPLEMENTING COMPREHENSIVE LAW ENFORCEMENT PLANS FOR PARTICIPATING GOVERNMENTS.

Councilman Whittington moved adoption of subject resolution, which was seconded by Councilman Thrower, and carried unanimously.

The resolution is recorded in full in Resolutions Book 6, at Page 426.

CONSTRUCTION OF ACCESS ROAD TO SERVE PROPERTIES OWNED BY E. C. GRIFFITH AND BLOCKED BY THE CONSTRUCTION OF THE FOURTH STREET EXTENSION.

Upon motion of Councilman Jordan, seconded by Councilman Thrower, and unanimously carried, the construction of an access road, 15 feet in width, and approximately 225 feet in depth, at an estimated cost of \$2,200.00, was approved.

CONTRACT FOR CITY AUTOMOBILE LICENSE DECALS, DEFERRED ONE WEEK.

Councilman Alexander moved award of contract to the low bidder, Palmer's Rowan Stationers, Inc., in the amount of \$3,659.50, for city automobile license decals. The motion was seconded by Councilman Withrow.

Councilman Whittington stated he is opposed to buying these decals; that he thinks the citizens of this community are also; that he has had more complaints from people about this little decal; the complaint is because the people who reside in this community are proud of their city and when they go to a place like New York, Boston or Chicago, no one knows where they are from; that he commends the Lions Club who went out on their own this past year, after the city went to this decal, and bought their plates and sold them for the same thing the city had been selling the city tag. He stated he thinks Council should reconsider this and go back

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to the plate and publicize our city; we are an All-America city this year, and we have a lot of things going for us, and we do not have anything to identify us; that he hopes the rest of Council will agree to postpone this item and see if we cannot come up with a new way to publicize our city on our automobiles.

Councilman Tuttle made a substitute motion to postpone decision on the award of contract for one week. The motion was seconded by Councilman Whittington.

Mr. Veeder, City Manager, stated the last time the city bought metal tags it was through Prison Industries, and it cost 9 cents a tag; the City Treasurer estimated if we did buy tags this year, it would be about 14 cents - about \$140 a thousand. That we cannot get them through Prison Industries.

Mr. D. C. Brown, Purchasing Agent, stated the Prison Industries is back in business; that the cost would have been from 9-11 cents this year; that there is not enough time to get the plates from Prison Industries this year; that more than likely they can be purchased from an outside source and it will cost around 19-22½ cents.

Councilman Tuttle requested Mr. Brown to investigate to see if the metal tags can be purchased and what the real price will be.

The vote was taken on the substitute motion to defer for one week, and carried unanimously.

CONTRACT AWARDED H. L. COBLE CONSTRUCTION COMPANY FOR SANITARY SEWER FACILITIES TO SERVE BOULEVARD HOMES.

Motion was made by Councilman Whittington to award contract to the low bidder, H. L. Coble Construction Company, in the amount of \$26,448.90, on a unit price basis, for sanitary sewer facilities to serve Boulevard Homes. The motion was seconded by Councilman Jordan, and carried unanimously.

The following bids were received:

H. L. Coble Construction Company	\$26,448.90
Sanders Brothers, Inc.	39,155.80
W. K. Baucom	40,709.40
Thomas Structure Company	43,833.00
The Amity Corporation	44,522.50
C. M. Allen & Co., Inc.	44,650.00
Dickerson, Inc.	50,186.65

CONTRACT AWARDED REA CONSTRUCTION COMPANY FOR FALL ASPHALT RESURFACING TO VARIOUS STREETS.

Councilman Tuttle moved award of contract to the low bidder, Rea Construction Company, in the amount of \$69,891.04 on a unit price basis, for fall asphalt resurfacing to various streets. The motion was seconded by Councilman Thrower and carried unanimously.

The following bids were received:

Rea Construction Company	\$69,891.04
Blythe Brothers Company	70,479.20
Dickerson, Inc.	74,588.50

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STATEMENT BY L. L. LEDBETTER REGARDING TAX REFORM ACT OF 1969.

Mr. L. L. Ledbetter stated he is concerned about the Tax Reform Act of 1969 recently passed by the House of Representatives and is now with the Finance Committee in the Senate. That he is afraid most of our citizens have the false impression that only wealthy individuals benefit from tax free bonds, whereas the information he has indicates that 38% of the outstanding municipal bonds are owned by commercial banks; 17% by insurance companies; 13% by sinking funds and 32% by individuals and trust funds.

Mr. Ledbetter stated every individual taxpayer should know that he has benefited since 1913 by the low interest rate on state and municipal bonds in comparison with Federal and Corporate bonds; that based on his past experience, the study he has just completed, after consulting with several security dealers, it is his considered opinion that the next bonds the city sells will cost the taxpayers an additional three (3%) percent interest and this will amount to \$16,320,000 on the proposed \$32,000,000 bonds, published in the papers. Based on the assessed valuation used in preparing the 1969-70 budget, he figures this will force an increase on the tax rate of 9½ cents on the \$100.00 over what the cost will be if we continue to have tax free exemption.

He stated he feels if the City Council, with the cooperation of local newspapers will warn the public of this condition, they will flood our senators and the Senate Finance Committee with letters and cards protesting the removal of tax exemption on state and municipal bonds. He stated there is a provision in the act for a subsidy, but how long will it last? It is in the discretion of the Secretary of the Treasury; the federal government is abusing its powers too much now without granting them any more.

Mayor Belk thanked Mr. Ledbetter for his presentation and stated we agree; he also thanked him for the fine services he has given this community.

TRAFFIC ENGINEER TO REQUEST HIGHWAY COMMISSION TO RELEASE MONEY FOR PEDESTRIAN OVERPASSES.

Councilman Whittington, thanked Mr. Veeder, City Manager, for getting the reports he asked about at the last meeting - the pedestrian overpasses and the sidewalk study and the report on the possible consolidation of the Redevelopment Commission and the Housing Authority.

Councilman Whittington stated in connection with the pedestrian overpasses and the sidewalk study that instead of waiting on TOPICS, we have waited too long, he urged Mr. Veeder to get the traffic engineer to go ahead and make this request to the new highway commissioner and the highway commission that this money be released.

MAYOR REQUESTED TO APPOINT COUNCIL COMMITTEE TO STUDY AND REPORT BACK TO COUNCIL ON THE RECOMMENDATIONS FOR ZONING HEARINGS AS PRESENTED BY MR. MCINTYRE.

Councilman Short moved that the Mayor be requested to appoint a Council Committee which will study and report back to Council on the five points brought out by Mr. McIntyre, Planning Director, in his material about zoning hearings, as well as several other points including: the possibility of eliminating "hearsay" evidence from zoning hearings, and studying situations where one man can move to zone the land of another man; and the proposal that zoning hearings be divided into specified use and category type hearings, and the Queens Road Zoning. The motion was seconded by Councilman Whittington, and carried unanimously.

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SUGGESTION THAT HOYLE MARTIN'S REQUEST FOR LOCAL FUNDS BE PLACED ON AGENDA FOR NEXT WEEK.

Councilman Short stated Council took under advisement last week Mr. Hoyle Martin's request for money he wants to use as local matching money for the CEP Program; he suggested that Mr. Veeder include this in the agenda for next week.

SUGGESTION THAT CITY ATTORNEY ARRANGE SOME MEANS TO GET AROUND TECHNICAL PROBLEMS AND GET BEFORE THE COURTS THE TWO CHECK SYSTEM.

Councilman Short stated he has conferred with the City Attorney and suggested to him that he thinks the city should cooperate with the labor organization, we were conferring with some weeks ago, and arrange some means to get around technical problems and to get before the courts the issue of this two check system, and he has suggested to Mr. Underhill a means whereby he thinks this can be done.

CIVILIAN REVIEW BOARD FOR CHARLOTTE POLICE DEPARTMENT REQUESTED BY CIVIL LIBERTIES UNION.

Mr. George Daley, President of the Charlotte Chapter of the American Civil Liberties Union, stated he would like to discuss the recommendation of the local chapter of the American Civil Liberties Union that Council appoint a civilian review board for the Charlotte Police Department. The desire to have a review board is because they feel we need more legal procedures to make the police department responsible to the public. As it now exists, the review procedures are as follows: the police internal review board receives the complaint from the citizens which has a procedure on paper, which does not involve much, if any, legal representation or any very set procedure. If the police review board and its higher echelon approvals in the department result in an officer being subjected to disciplinary action, he can then go before the Civil Service Review Board. That once the citizen is through with the internal review board he has no place to go but the courts, and ask for damages. The internal affairs section of this police department, and other police departments throughout the country, are now subject to what amounts to a flood tide of criticism on grounds of conflict of interest, and on grounds of extreme delay and in some cases completely ignoring complaints. He stated one case of a person who does not hear back of the disposition of his case is a very serious matter; that he understands there are numerous instances of that. There have also been charges of police brutality; there have been charges of police harrassment which have been substantiated - the ACL unit case is in federal court and has this police department under injunction now; that it is not a very pleasant position to be in. He stated he would like to have somewhere else to go rather than to court - some citizens' review board.

Mr. Daley stated they filed a motion in federal court last week on behalf of a lady from New York who came to Charlotte with a friend on private business; they were very respectful ladies; for one reason or another, they did not have too much money; they rode the bus down here and checked into one of the lower priced hotels downtown; they went to bed at ten o'clock at night and at 3:30 in the morning at least seven people who said they were members of the vice squad came into their room - forced their way in. He stated this is such a gross, flagrant violation of the right of a citizen's privacy; the right of a citizen to be free from unlawful arrest that very quickly they went ahead and filed a complaint in federal court. Mr. Daley stated he thinks that lady should have another avenue of redress; that he also thinks the police should have another forum where they could be heard. Where it is not a question of criminal complaint in the lower court, and not a question of going down to a federal jury where the federal jury realizes it is the only way to say it does not like what the policeman has done and

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give damages against them. If you devised a procedure in between these, namely a Civilian Review Board, you would have a place where the police and the citizens could meet half way; you would have a police department put on the spot to be more responsible to the public. A lot of the problems that have arisen between the minority groups around town and the police are due to not having a forum in which to work out the problems.

Mr. Daley stated the clash of attitudes in the street, out in the public forum, is very great today; there are minority groups who are becoming active and in some cases violent; they feel they want a greater stake and a greater participation in what America has to offer, and very often they see the police as their enemy; the police very often see their function to keep quiet on the street. He stated, of course, the street is the market place of ideas, the forum for exchange of opinions between citizens. That he thinks we need to create another forum which is different from the criminal law and different from the damage law. Simply a group of citizens from various walks of life representing various opinions - that he would not care whether they had the power to direct the police department to take any action; that it would be good if they just had the power to recommend to the police department that they take certain action; they should have the power to hold hearings, subpoena witnesses, gain expert testimony and have some permanent standing. That the procedure which has been used in various large cities around the country would be a very great credit to the City of Charlotte and would help with a good many of our problems.

Mr. Daley requested Council to appoint a committee to study this matter or invite him to present draft legislation or whatever it wishes. He stated they are ready to go forward with the program, and ready to work with Council and they are very much in favor of it.

Councilman Alexander stated if Mr. Daley had made this request two weeks ago he would have listened with much concern and interest; but after his attempts to get Negroes appointed to the Civil Service Board for the past four years and been unsuccessful in doing it, plus after what he knows now about the existence of this technical staff of the police reserve, which means at any moment we can have groups of citizens named technical staffers or special technicians armed, he is afraid he cannot see the merit in a review board.

Councilman Alexander stated he would like to move that Council appoint a committee to consider this request from the Civil Liberties Union as submitted by Mr. Daley, and report back to Council.

Councilman Tuttle stated he does not think a motion is necessary. Councilman Short stated Council has been discussing this and there is some potential in just continuing the type of man-to-man discussion that has occurred which might be more illuminating on the subject than relegating it to a committee which would set it off for just a few to talk about this.

Councilman Alexander moved that Council take the request as submitted under advisement and report back its findings. The motion was seconded by Councilman Short.

Councilman Tuttle stated he is certain the Mayor when he thanks Mr. Daley will say that Council will take it under consideration; that he does not see any need of pinning this down.

Councilman Whittington stated today has been a black day for the police department and for the citizens of this community who are interested and in what all these people here are interested in, and what we, as a local government, are interested in, and that is a good city; all of us make mistakes. We do not do things that perhaps the entire citizenry agree with,

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or even a minority of the citizens; but we cannot resolve these problems by embarrassing people; by bringing up issues that cause the police department to be questioned; this committee, headed by Dr. Craig to be questioned or by, in fact, any member of the police reserve or the police department. He stated he appreciates what Mr. Daley has brought to Council, and he thinks it should be taken under advisement and Council get the advice of the city attorney, the professional staff and any other citizens it needs to get advice from before voting on this in any way, shape or form. He stated Council should think in terms of these things that have been brought today with a little more concern and with a little more involvement. This is not criticism of anyone but sometimes some of the things Council does up here, the people can sit out there in complete mockery of this Council in some of the ways it has voted today; that he thinks people laughed and walked out. That it is embarrassing to him and he thinks, his colleagues, for Council to transact business this way. That he would hope whatever Council has done today, it will come back and take a new look next week and perhaps do a better job as Councilmen.

Councilman Alexander stated he does not accept anything that has been done today, that he had a part in, as a black mark on the police department, as a black mark on any citizen of Charlotte. If he should have to think in those terms, he would rather think it is a black mark on the City of Charlotte that we can have an organization like this, established in the manner in which it is established. If we need technical assistance as he has heard of today, he knows of no law or regulation that keeps any department or any facet of city government from calling upon any citizen to render whatever technical knowledge it has. There are many ways to look at it, and he hopes the police department or anyone else will not feel that anyone has had a black mark placed upon them. That he feels there is a black mark placed upon many citizens in light of some of the things. That he is not embarrassed by any action he has taken today; that he is not embarrassed by the motion he has made.

The vote was taken on the motion, and failed to carry by the following vote:

YEAS: Councilmen Alexander and Short.

NAYS: Councilmen Jordan, Thrower, Tuttle, Whittington and Withrow.

COUNCIL ADVISED THAT ENGINEERING DEPARTMENT IS CONFERRING WITH RAILROAD OFFICIALS CONCERNING THE WOODEN BRIDGE OVER RAILROAD ON STEELE CREEK ROAD.

Councilman Withrow called attention to the wooden bridge on Steele Creek Road; that the sides are rotten and decayed and if something is not done soon, a car can slid up against it and go over the embankment. He stated two cars can hardly pass on the bridge, and a truck and car cannot pass at the same time; this is one of the most dangerous bridges in the city.

Mr. Underhill, City Attorney, stated the City Engineering Department has been conferring with the railroad officials about getting this bridge repaired for some months; that this was started before the article appeared in the newspaper.

REVISIONS IN PLANS FOR COULWOOD AND NORTHEAST PLAZA SHOPPING CENTERS, APPROVE

Councilman Whittington moved approval of the revisions in plans for the Coulwood and Northeast Plaza Shopping Centers, as recommended by the Planning Commission. The motion was seconded by Councilman Tuttle, and carried unanimously.

INVITATION EXTENDED TO STATE HIGHWAY COMMISSION TO HOLD NOVEMBER MEETING OF THE COMMISSION IN CHARLOTTE.

Mayor Belk requested that an official invitation be extended to the State Highway Commission, through Commissioner Charles Maxwell, to hold the November meeting in Charlotte.

ENGINEERING CONTRACT WITH RALPH WHITEHEAD & ASSOCIATES FOR PHASE II OF BELMONT NEIGHBORHOOD IMPROVEMENTS PROGRAM, AUTHORIZED.

Upon motion of Councilman Thrower, seconded by Councilman Jordan, and unanimously carried, an engineering contract with Ralph Whitehead & Associates, in the amount of \$10,160.00, was authorized for Phase II of Belmont Neighborhood Improvement Program which includes the final construction plans on Caldwell Street, Davidson Street, Twentieth Street and a portion of Parkwood Avenue, and the design of a culvert at Parkwood Avenue and Sugar Creek.

REPORT ON TRIP TO SAN FRANCISCO IN NOVEMBER SPONSORED BY THE CHARLOTTE CHAMBER OF COMMERCE.

Mr. Veeder, City Manager, stated on Friday at the invitation of the Chamber of Commerce, he attended a luncheon to discuss with representatives of a number of groups the upcoming trip to San Francisco the Chamber has planned in November. He stated the preview of this trip struck him as rather significant in terms of the things they hope to accomplish and the things they hope to take a look at and the ideas they hope to generate. He stated it appears to him to be a most worthwhile experience to participate in. He stated they have obtained the real top people in San Francisco to participate in this trip and get some opinions from. His point in mentioning this is to encourage Council Members, if they can, to find time to go and represent the city.

Mr. Veeder stated if a majority of Council should go, this would mean there will be no Council Meeting on Monday, November 17.

Mayor Belk stated San Francisco has solutions to problems that Charlotte has, and it is surprising how compatible the two cities are in their relationship with our country's problems.

COUNCIL NOTIFIED THAT LEAGUE MEETING WILL BE HELD IN ASHEVILLE OCTOBER 26 THROUGH OCTOBER 28.

Mr. Veeder stated the League Meeting is scheduled in Asheville for Sunday, October 26 through Tuesday, October 28; if a majority of Council attends this meeting, there will not be a Council Meeting on Monday, October 27.

REPORT ON FLOOD CONTROL PROJECT.

Mr. Paul Bobo, Administrative Assistant, stated in connection with the flood control project involving the Corp of Engineers, it was reported some time ago that all the right of way had been acquired or it had been condemned with the exception of one piece of property. Recently the Corp of Engineers submitted construction plans and they are now reviewing the plans. Mr. Bobo stated the plans have been changed from the original request and it appears it will be necessary to acquire additional rights of way which will involve 50 to 60 tracts of land. He stated it was left with the Corp of Engineers that we wanted to review their request and then get back with them to discuss it further and this is planned within the next two weeks; they hope some of the Corp's requests can be changed.

Councilman Whittington stated then Council can receive another report in two weeks.

ADJOURNMENT.

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


Ruth Armstrong, City Clerk