

COUNCIL MINUTES

REGULAR MEETING

September 6, 2011

A Regular Meeting of the City Council of the City of Jacksonville was held Tuesday, September 6, 2011 beginning at 7:00 PM in the Council Chambers of City Hall. Present were: Mayor Sammy Phillips presiding; Mayor Pro-Tem Michael Lazzara and Council Members: Jerry Bittner, Fannie K. Coleman, Randy Thomas, Bob Warden and Jerome Willingham. Also present were: Richard Woodruff, City Manager; Ronald Massey, Assistant City Manager, Gayle Maides, Interim Finance Director; Glenn Hargett, Communications and Community Affairs Director; Mike Yaniero, Police Chief; Rick McIntyre, Fire Chief; Tim Chesnutt, Recreation and Parks Director; Grant Sparks, Public Services Director; Reggie Goodson, Planning and Development Services Director; Carmen Miracle, City Clerk; and John Carter, City Attorney. *An audio recording of the Council Meeting is presently available for review in the City Clerk's Office.

CALL TO ORDER

Mayor Sammy Phillips called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Lazzara led the Pledge of Allegiance.

INVOCATION

Mr. John Carter pronounced the invocation.

ADOPTION OF AGENDA AND CONSENT ITEMS

A motion was made by Mayor Pro-Tem Lazzara, seconded by Council Member Coleman and unanimously approved to adopt the agenda as amended to include in Closed Session, the discussion of the property acquisition of 15 Newberry Street and properties between Old Bridge St., Highway 17 and the New River as previously discussed by Council, pursuant to General Statute 143-318.11, subsection (a-5), and a corrected Budget Amendment on Hurricane Irene Expenses for Consent Agenda Item #4.

ADOPTION OF MINUTES

A motion was made by Councilman Warden, seconded by Councilman Thomas, and unanimously adopted to approve the minutes of the Regular Meeting held August 3, 2011, the

minutes of a Special Workshop Meeting held August 16, 2011, and the minutes of the Regular Meeting held August 16, 2011 as presented.

PRESENTATIONS

RECOGNITION OF JACKSONVILLE RECREATION ALL-STAR TEAMS

With the assistance of Councilman Willingham, Council Liaison to the Recreation and Parks Commission, Mayor Phillips presented Certificates of Recognition to the 2011 14U Junior League All-Star Team and coaches who were runner-ups at the Little Tar Heel League 14U State Championship Tournament. He also presented Certificates of Recognition to the 2011 14U Girls All-Star Team and coaches who were runner-ups at the N.C. Statewide Athletic Committee Under-14 State Tournament. Mayor Phillips recognized both teams for their outstanding accomplishments.

ON SLOW COUNTY PARTNERSHIP FOR CHILDREN RECOGNITION TO JACKSONVILLE POLICE AND FIRE DEPARTMENTS

Mayor Phillips announced that several members of the Jacksonville Police and Fire Departments volunteered their time to plan, coordinate, solicit and facilitate the 2nd Annual Guns and Hoses Charity Golf Tournament sponsored by the Onslow County Partnership for Children. They raised over \$8,000 for the Child Advocacy Center.

Ann Marie Raymond, Division Director, Onslow County Partnership for Children, introduced Kathleen Holbrook, Child Advocacy Center Director. Ms. Holbrook stated that the money raised was used to furnish a child-friendly waiting room for the families that visited the Center, with residual funds used to evaluate children for whom funding was not available. Ms. Holbrook presented Certificates of Appreciation to the volunteers.

PROCLAMATION – SICKLE CELL AWARENESS MONTH

Mayor Phillips read a Proclamation naming the month of September 2011 as Sickle Cell Awareness Month in the City of Jacksonville. Following the reading of the Proclamation, Cynthia Watson from the Sickle Cell Disease Association of America, Inc. – Eastern North Carolina Chapter accepted the Proclamation.

PROCLAMATION – UNITED WAY OF ONSLOW COUNTY MONTH

Mayor Phillips read a Proclamation naming the month of September 2011 as United Way of Onslow County Month in the City of Jacksonville. Following the reading of the Proclamation, Mr. Craig Wagner, Executive Director of United Way of Onslow County, accepted the Proclamation.

YARD OF THE MONTH RECOGNITIONS

With the assistance of Councilman Bob Warden, Council Liaison to the Beautification and Appearance Commission, Mayor Phillips presented the Personal Property Yard of the Month to Pam Flowers for her residence at 1000 Foscue Drive. The Business Yard of the Month was awarded to Wines & Wares, Inc. at 1 North Marine Boulevard. Neil Cockrell was unable to attend to accept his award. Mayor Phillips thanked the winners for their efforts.

RETIREMENT RECOGNITION – ORLANDO MAXWELL

Mayor Phillips introduced Grant Sparks, Public Services Director, and Johnny Stiltner, Streets Superintendent. Mr. Sparks reviewed the past service of Orlando Maxwell who retired from the Public Services Department-Streets Division after 5 years of service. Orlando worked with the City of Jacksonville as the Inmate Driver for roadside trash pickup. Mr. Sparks presented a plaque and retirement clock to Mr. Maxwell who thanked the City.

RECESS/RECONVENE

Mayor Phillips recessed the meeting for those who did not want to stay for the entire meeting at 7:35 PM. Mayor Phillips reconvened the meeting at 7:37 PM.

PUBLIC HEARINGS

REZONING FROM CU-B-1 TO B-1 – 4101 & 4175 WESTERN BOULEVARD

Ms. Mary Sertell, Senior Planner, stated that Parker & Associates, on behalf of John & Cathy Psilos of JCL Properties, has submitted a request to rezone two parcels totaling 40.4 acres from Conditional Use Business 1 (CU B-1) to Business 1 (B-1). The subject sites were located at 4101 and 4175 Western Boulevard. The conditions on the properties predominantly reference road connections and improvements on Henderson Drive, which have already been completed.

Mayor Phillips recessed the regular meeting at 7:40 PM in order to convene the Public Hearing

John Parker, 306 New Bridge St., clarified they were currently working on subdividing the parcel into as many as 16 business parcels similar to those on Western Blvd. He felt that

conditions on the property from twenty years ago should no longer apply as Special Use Permits should follow current specifications to streamline the process.

Mayor Pro-Tem Lazzara asked if a Master Plan would be associated with the whole parcel. He felt with Special Use Permits interconnectivity items should be reviewed. If zoning was changed and current plans did not proceed, Council would no longer be able to review.

Mr. Parker stated that staff was currently reviewing a Master Plan and a traffic analysis was being prepared with connectivity being reviewed; however, they were not at the point where it could be brought to Council.

Mayor Pro-Tem Lazzara asked if this change was premature. Mr. Parker stated he did not think it was premature as an overlay.

Mr. Woodruff stated that one of the disadvantages of the B-1 zoning was that it allowed the developer to move forward with conventional zoning. If for whatever reason the current development plan fell through, the conditions which could have been placed would not be there. He asked Mr. Parker when the Subdivision Master Plan would come forward for Council's review.

Mr. Parker stated the Master Plan would probably be submitted within the next 60 to 90 days. The subdivision of the land also had to be submitted to Council and that would be when Council could ensure the connectivity of the land and the roadway improvements irrespective of the zoning.

Mr. Woodruff stated Council had more legislative powers under the zoning process than under the subdivision process, but he was not suggesting the request be denied.

Councilman Bittner stated the Master Plan should be shown to Council first before deciding on the zoning change.

Mr. Parker stated that his understanding was the only reason the property was conditional use was because of the need twenty years ago to complete Henderson Drive. He was bringing it before Council now so that each time they had a prospective buyer, they wouldn't have to worry about the time it took to get a Conditional Use permit. He was just trying to streamline the process.

Mr. Woodruff stated he didn't think Council was concerned about giving up the special use of the site plan, but with 40 acres, they would like more certainty of what was going to go on the site. He asked if this was delayed for 30 days until the subdivision master plan could be

presented, would it hurt them. Mr. Parker stated it wouldn't hurt them as by then they should have the TIA draft.

Councilman Warden stated he didn't have a problem with postponing if that was the will of Council, but the property across Western Blvd. was zoned B-1 without any conditions. He didn't know what Council was gaining by keeping it conditional use at this time.

With no one else desiring to speak, Mayor Phillips closed the Public Hearing at 7:57 PM and reconvened the regular meeting.

A motion was made by Councilman Bittner and seconded by Councilman Warden to approve the rezoning request based on Findings of Facts A, B, C, and D being found in the affirmative.

A vote was taken on the motion and was approved on a 5-1 vote, with Mayor Pro-Tem Lazzara voting "nay."

Ordinance 2011-49, Bk. 10, Pg. 507

PUBLIC COMMENT

There was no one present desiring to speak at this public comment section.

NEW BUSINESS

CONSENT ITEMS

EXTENSION OF ENHANCEMENT GRANT – LEJEUNE BOULEVARD GREENWAY

The North Carolina Department of Transportation (NCDOT) and City of Jacksonville executed a municipal agreement on 8/11/2009 for the construction of a 10 foot wide asphalt greenway from the intersection of Lejeune Boulevard and Montford Point Road (Beirut Memorial) to the intersection of Lejeune Boulevard and Camp Knox Road (approximately 1.8 miles). This Agreement would extend the timeframe completing pre-construction activities including right-of-way certification to March 31, 2012 and project completion to May 1, 2013.

Council authorized the City Manager to execute the Supplemental Agreement with NCDOT to extend the timeframe for project completion to May 1, 2013.

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH NCDOT TO INSPECT CITY BRIDGES

The Highway Bridge Replacement and Rehabilitation portion of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act – A legacy for Users (SAFETEA – LU) requires all structures defined as bridges located on public roads to be inspected on a cycle, not

to exceed two years. It was recommended that the Mayor and Council allow the State to conduct or have these inspections conducted.

Council authorized the City Manager to sign the agreement with the State for the inspection of Municipal bridges by the State.

**RESOLUTIONS FOR DESIGNATION OF AGENT FOR APPLICATIONS OF
FEDERAL/STATE ASSISTANCE AND BUDGET AMENDMENT FOR
HURRICANE IRENE EXPENSES**

A Resolution for Designation of Applicant's Agent was required by the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to disaster assistance. A Budget Amendment was also needed to cover all Hurricane Irene expenses. The President declared a State of Emergency for North Carolina which allowed for Federal reimbursement of eligible hurricane related expenses.

Council approved the Resolution for designation of Applicant's Agent for Hurricane Irene and the related budget amendment as amended to appropriate \$700,000 for Hurricane Irene expenses.

Resolution 2011-23, Bk. 6, Pg. 400

Ordinance 2011-50, Bk. 10, Pg. 509

TAX RELEASES, REFUNDS, AND WRITE-OFFS

The County/City Tax Collector and the City's Finance Director recommended releases, refunds, and write-offs of property taxes as attached. The detail list of these tax releases and refunds that included the listing by property name, amount, reason, etc. was available in the Finance Office for review.

Council approved the tax releases, refunds and write-offs.

NON-CONSENT ITEMS

**SITE PLAN WITH APPROVED CONDITIONAL USE PERMIT –
TELECOMMUNICATIONS FACILITY (CO-LOCATION) – 1164 COMMONS
DRIVE NORTH**

Ms. Mary Sertell, Senior Planner, stated the City of Jacksonville submitted a Site Plan with an Approved Conditional Use Permit for a proposed collocation on an existing water tower. If approved, the 230 square foot building that housed the telecommunications equipment would be added to the 2.1 acre site. The property was zoned Conditional Use Office and Institutional (CU-O&I) and within this district any use required a Conditional Use Permit. On October 21, 2003, City Council approved a Conditional Use Permit for several uses including Non-broadcast

Communications towers, Broadcast communication towers and public/private communication towers. The proposed use, which was now referred to as Telecommunications Antenna (collocation on existing tower) was within the constraints of the approved conditional use permit.

Councilman Bittner asked why this property was exempt from sidewalks when property owners developing property on this side of Commons North were required to put sidewalks along their property. The City Parks Department and the County were required to put sidewalks along their frontage.

Ms. Sertell stated that sidewalks were a requirement. Mr. Woodruff said he did not know why the City had not put in a sidewalk at the time the water tank was installed, but since the Planning department brought it to our attention, once the construction was complete, necessary steps would be taken to put in the sidewalk. Councilman Bittner stated it would still be sidewalks to nowhere, but at the same time the City should not be exempted from requirements that developers have to follow.

A motion was made by Councilman Bittner, seconded by Councilman Warden, and unanimously adopted to approve the Site Plan with an Approved Conditional Use Permit with conditions noted in the staff report.

ACCEPTANCE OF RECREATION MASTER PLAN

Using the PowerPoint presentation attached to the official minutes as Exhibit A, Tim Chesnutt, Recreation Director, reviewed with Council the Comprehensive Recreation Master Plan, presented the results of the Military Growth Task Force Addendum, and briefly discussed initial implementation concepts to be considered. He requested that Council formally accept the plan so that it could be used for future efforts and grant applications.

Mayor Pro-Tem Lazzara thanked Mr. Chesnutt for the valuable tour of the parks and for the work his staff had done in providing their thoughts and ideas.

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Bittner, and unanimously approved to adopt as a guideline the Comprehensive Recreation Master Plan as presented.

PUBLIC COMMENT

There was no one present desiring to speak at this public comment section.

REPORTS

HURRICANE IRENE EFFORTS

Mayor Phillips recognized the diligent efforts of the City of Jacksonville's staff that weathered the storm during the hurricane and all of the employees involved in the clean-up efforts. They were doing a fantastic job, starting the day after the storm and haven't stopped since then. He felt many citizens did not realize how great this task was with the limited resources available. It may be a month until the debris was all cleaned up.

Councilman Warden also thanked City staff for the fine job they did in monitoring the storm and all the work they were doing.

Councilman Thomas stated he had gotten a lot of positive feedback from the citizens on the City's response.

Council Member Coleman stated that many citizens were impressed to have received a message from the Mayor during the storm and she thanked him for doing so.

Councilman Willingham thanked the staff. He stated the updates he received were very informative. The plans and organization were also very impressive.

Councilman Bittner echoed the comments about the employees doing such a good job and he also appreciated the updates furnished by the Manager in keeping everyone posted. He still had debris in front of his house, but felt the staff was doing a great job in cleaning up.

Mayor Pro-Tem Lazzara also thanked the staff. He visited the EOC during the storm and felt the communication process in getting information out in various forms, not only to Council, but to the citizens such as emails, G-10 updates, and phone calls, was very good. The City's communication with the newspapers in getting information out on storm response and debris cleanup was also good.

Mr. Woodruff stated that the leadership given by Mayor and Council during the storm was appreciated. It was a team effort with staff from various departments at City Hall round-the-clock. One of the real assets was that communications came from City government in various fashions. The fact that the Connect CTY program could be used was essential. For any citizen that did not get the call from the Mayor, Mr. Woodruff urged them to go to the City's website and sign up for the service.

PARKWOOD STORM WATER PROJECT

Mayor Pro-Tem Lazzara commended Wally Hansen and his crew for securing property and making sure no construction material or equipment was left out that could damage any of the residences near the Parkwood Storm Water site. They worked very hard to clean up the area before the storm.

DAILY NEWS COMMENTS

Councilman Willingham stated the Daily News reported that he claimed to have accomplishments that he did not have. It was disturbing to be publicly accused of something untrue. When he said he was the first black quarterback in ninth grade at Jacksonville High School it was actually Jacksonville Junior High School. The point of his comment was that he has been trying to do positive things all his life. He had been involved in some barrier breaking and that was the point. It was important to remember that there was a price for being first. He was very sensitive to the allegations and he had documented that he was telling the truth.

Councilman Willingham provided a report with a detailed response to be included in the minutes for historical record, herein attached to the official minutes as Exhibit B.

DEBRIS REMOVAL

Mr. Woodruff stated there were thousands of residents affected by the hurricane and over 2,000 large trees (not including Bradford Pear and Crepe Myrtle trees) were down through the City. Almost 20,000 cubic yards of debris had been collected so far, but an estimated 100,000 cubic yards would have to be dealt with in the City alone. City Council authorized extra contractors to help in debris removal, with two beginning work today, and another major contractor later in the week. The goal was to have everything picked up within the City by October 15, 2011.

The debris could only be picked up if it was at the curb. The City was blessed in having Governor Beverly Perdue press the federal government to get the declarations needed to qualify the county and city for federal government assistance. In time, the federal government would pay 75% of the clean-up cost and the state would pay 25%. It was estimated that the cost to clean up the City would be between \$750,000 to \$1,000,000 and this was only a category 1 storm. We were fortunate that it wasn't a category 2 storm or worse. Citizens needed to finish the cleaning of their property in a fashion that would allow the City to come through in only one or two sweeps.

Mr. Woodruff asked Council if they would authorize the suspension of the City Code requirements on landscaping material. The City Code stated how much could be put at the curb at one time. The suspension would allow citizens to put out as much debris as they needed to.

Councilman Bittner stated that the suspension should be a part of emergency conditions. It was the consensus of Council to authorize the request.

Mayor Phillips asked that G-10 be used, as well as Connect CTY, to get this message out. Mr. Woodruff stated it would be done.

Mr. Woodruff stated that FEMA would be opening their office in Jacksonville at the old Navy Federal building on South Wilmington St. (Hwy 17). Anyone who needed individual assistance could go there, but FEMA suggested that the 1-800 number be called first to get the process started before going into the office.

Mr. Woodruff asked that anyone who had debris in front of their house to park their car as far away from the debris as possible to allow collection crews in as well as the street sweepers after the debris crews had picked up.

PATRIOT DAY 2011

Mr. Woodruff stated that this coming Sunday, September 11 was the 10th anniversary of 9/11. There would be many events happening in the City to commemorate the event. At 8:15 AM there would be a ceremony at Lejeune Memorial Garden, at noon there would be a memorial bell event conducted by the Franciscans of Silver Spring, Maryland at Lejeune Memorial Garden, and at 2:00 PM the Civic Affairs Committee would be hosting a community wide observance at Northside High School.

CLOSED SESSION

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Thomas, and unanimously approved to recess the Regular Meeting at 8:36 PM in order to convene a Closed Session for the purpose of discussing personnel matters, pursuant to General Statute 143-318.11, subsection (a-6) and discussing the property acquisition of 15 Newberry Street and properties between Old Bridge St., Highway 17 and the New River as previously discussed by Council, pursuant to General Statute 143-318.11, subsection (a-5).

RECONVENE

Mayor Phillips reconvened the Regular Meeting at 9:40 PM.

Councilman Bittner, as chairman of the evaluation committee, reported that Council was unanimous in its opinion that the City Manager had performed exceptionally well, meeting all expectations of when he was hired. He had proven himself as a leader and activist in the community and facilitator among the Council to get things done, and was a goodwill ambassador throughout the community.

In accordance with his performance, a motion was made by Councilman Bittner, seconded by Councilman Willingham and unanimously approved to provide the City Manager a salary increase of 2%, increase in the car allowance of \$100 per month and increase in vacation allowance of an additional week per year, retroactive to July 1, 2011.

ADJOURNMENT

A motion was made by Councilman Willingham, seconded by Councilman Thomas, and unanimously adopted to adjourn the meeting at 9:41 PM.

Adopted by the Jacksonville City Council in regular session this 20th day of September, 2011.

Sammy Phillips, Mayor

ATTEST:

Carmen K. Miracle, City Clerk

Jacksonville City Council



September 6, 2011

New Business

**Site Plan with Approved
Conditional Use Permit**
Telecommunications Facility
1164 Commons Drive N

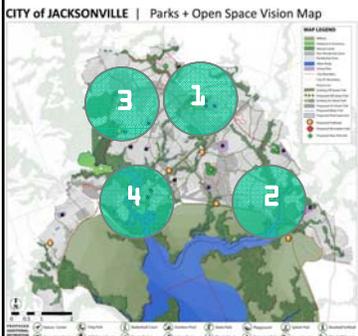
Agenda Item #6



**Jacksonville Recreation & Parks
Department
Comprehensive Master Plan**




Hub Concept



CITY OF JACKSONVILLE | Parks + Open Space Vision Map

- 1. Jacksonville Commons**
– Active Recreation
- 2. Northeast Creek Park**
– Water-Based Recreation
- 3. Williamsburg Park**
– Natural Recreation
- 4. City Park**
– Signature Park/Open Space

**MGTF Addendum: A Regional
Approach**




Bottom Line

“Currently, **all parties** are in need of **additional recreation land/amenities**, but have limited resources with which to satisfy those needs.

If all parties were willing to work together to develop a joint use site, a large portion of **each party’s needs could be met at a lower cost...**”



How Would It Work?

- Develop a Levels of Service (LOS) Committee
- Include COJ, Onslow County and Marine Corps Community Services (MCCS)
- Work collaboratively to develop a joint project
- Develop facility standards that will ensure success



Ideal Characteristics

- Location within the County that is convenient to both bases and the City
- Amenities that will address the needs of the residents on and off base
- Large enough property to host numerous activities and facilities



Onslow Pines Park

- Suitable for redevelopment
- Convenient for residents of both bases and the City
- Large enough property to accommodate competition level facilities



Tarawa Terrace

- On Camp Lejeune
- Large, indoor facility
- Outdoor Adventure amenities
- Public aquatic facilities



Next Steps

- Identify four existing parks for immediate attention
- Identify the major assets
- Incorporate master plan recommendations with staff knowledge and expertise
- Develop concepts for redesign



Phillips Park Major Assets



- Visibility
- Central Location
- Water Access
- History



Phillips Park Proposed Uses



Waterfront Park

- Boardwalk
- Kayak/Canoe Facility
- Playground
- Two Shelters
- Support Facilities
- Open Air Amphitheater
- Splash Pad



Jack Amyette Major Assets



- Location of Property
 - Adjacent to School
 - Convenient to User Groups
- Current Use Pattern
- Access
- History



Jack Amyette Park Proposed Uses



- Community Center
- Indoor Basketball Court
- Outdoor Basketball Court
- Improved Ball Field
- Playground
- Support Facilities
- Splash Pad
- Multipurpose Field
- Perimeter Trail



Northeast Creek Park Major Assets



- Land Area
- Waterfront
- Water Access
- User Neighborhood
- Central Location
- Environmental Diversity



Northeast Creek Park Proposed Uses



- 4 Ball Fields
- Playground
- Natural Area and Boardwalk
- Canoe & Kayak Facility
- Splash Pad
- Outdoor Basketball Court
- Boat Ramp
- Expanded Disc Golf Course
- 2 Shelters
- Support Facilities



The Commons & Richard Ray Park Major Assets



- Land Area
- Adjacent to 3 schools
- Convenient to the Neighborhood
- Adjacent to Richard Ray Park
- Current Regional Facilities



The Commons & Richard Ray Park Future Park



- 4 Adult Ball Fields
- 4 Youth Ball Fields
- Community Center
- Indoor Basketball Court
- Outdoor Basketball Court
- Skate Park
- Tennis Courts
- Playground
- Exercise/Walking Trails
- Support Facilities
- Multipurpose Fields



Exhibit "B"

Letter to the Editor

"Jacksonville Daily News' False Reporting"

On 19 August 2011, Lindell Kay accused me of making a false statement on 3 August 2011 at the Jacksonville City Council meeting, claiming to have been the first Black Quarterback at Jacksonville Senior High. I did not.

I never mentioned Jacksonville "Senior" High. I mentioned being in the 9th grade. I was in the 9th grade at Jacksonville Junior High School. I was the Student Council president and starting quarterback at that time, in 1969. Now, the 9th grade is at Jacksonville Senior High; when I was in the 9th grade, we were at Jacksonville Junior High. Rather than respond to the substantive accusations I made against him, Lindell intentionally misrepresents the truth by exploiting the one little opening he saw when I failed to say "Junior" before High School.

Do you know how easy it would have been for the Jacksonville Daily News to research their own newspaper to see where I played football in the 9th grade? It took me about 15 minutes to find the picture in their newspaper. Look at all the time they spent trying to make me a liar.

The Jacksonville Daily News nostalgically refers to the closure of Georgetown High School. That is not nostalgia; that is a nightmare. That was attempted mass murder. The Jacksonville Daily News mentioned investigating my residence for five years. If they had spent that much time investigating the bombing of Georgetown, that attempted mass murder may have been solved by now.

I was not even thinking about Sammy Rogers. After integration, Sammy Rogers was the first Black starting quarterback in Jacksonville, becoming such in 1967. However, I think the first Black quarterback in Onslow County at an integrated school was Eli White at Richlands in 1965.

Lindell Kay e-mailed me at 7:47 p.m. Wednesday night, the 17th of August. In his email to me, he did not mention Sammy Rogers. Kay told me that Tyrone Willingham was published as being the first. He asked if it were Tyrone or me. I told him to do his research. I no idea I was being bated into saying Tyrone after Lindell Kay already knew Sammy Rogers was the first at Jacksonville Senior High School. Lindell Kay wanted to fabricate a controversy.

My comments at the city council meeting dealt with the early age I got involved in politics, and being a leader in sports in the 9th grade at Jacksonville Junior High. In fact, I began challenging racial discrimination for the right to participate in sports in Jacksonville approximately in 1964 or 1965, playing Midget Football for A&B Tire Company, and Little League baseball for the Chamber of Commerce. This was before the closure of the Georgetown School. Mr. Fletcher Baker kept noticing Tyrone and me playing football in the street. He told us he wanted us to play in his league. I think he spoke to our parents about the challenge; and the rest is history unless the Jacksonville Daily News changes it.

My comments had nothing to do with Sammy Rogers. I have always admired and respected Sammy Rogers. I sought out his son for an appointment of the Jacksonville Recreation Advisory Board. I truly hope that Kay's exploitation of the truth, via his divide and conquer approach, has not damaged the relationship between the Rogers family and mine.

Tyrone has never said one word impugning Sammy Rogers' legacy. As recent as yesterday, in the online edition, Kay adds more bias to suggest that there is a controversy. If you read closely, it was the Jacksonville Daily News time after time stating that Tyrone was the first Black quarterback at Jacksonville Senior High, not Tyrone. Even one of the Daily News reporters states Tyrone never said any such thing. So attribute any controversy to the sloppy reporting of the Jacksonville Daily News, not us.

What you overlook is that when we speak of "first," there is an element of sadness. The sadness reflects upon the horrors of hate and discrimination that previously prevented our participation. Some of us may have had an easier time than others; some suffered hate crimes. Just going to one of my games in the 60's, I was struck in the head by a coke bottle thrown from the woods at Phillips Park, suffering a concussion. They caught the White kid; he was never prosecuted; the police weren't even called.

There is one constant with the Jacksonville Daily News. My projected quilt is always on the front page; the report of my actual innocence gets obscured on the back pages. Several years ago, the Jacksonville Daily News embellished an accusation that I committed embezzlement. It was determined that there was no the probable cause to believe that I had committed a crime. The evidence was not sufficient to even get an indictment. Now, the Jacksonville Daily News creates a crime suggesting that I committed voter fraud. That is what started this latest episode. Now that there is nothing to that, they come up with this false claim

about playing football, playing football! I have never been convicted of a crime; we know who has!

The Jacksonville Daily News has been against every civil rights struggle of which I am familiar. Elliot Potter (Jacksonville Daily News Editor) told me that he believes employment discrimination based on race should be legal in the private sector. That statement along with his criminal exploits should be enough for him to lose his job. However, community tolerance has historically emboldened haters and mob leaders. Fighting against racism was not easy as a child in the 60's; fighting the racism of the Daily News is not easy as a man today.