

Newell

From Page A1

Proponents of the legislation say "responsible" means whatever the aldermen want it to mean.

However, Special Deputy Attorney General T. Buie Costen said in a letter two weeks ago to the aldermen that, in his office's opinion, the board could not refuse to award a contract based on the lack of minority participation.

Sparrow said his amendment requires city contracts to go to the lowest bidder only, regardless of minority participation. He said any other interpretation would open the door for corruption. Sparrow is a general contractor in Cary.

Seeber said the amendment puts the city "right where we started" concerning minority participation. He said the city doesn't have the authority to enforce set-asides according to the language in the law. He said the earliest the aldermen could attempt to amend the law is 1987.

But Newell said the city should go ahead and test the law by applying it in court.

"I think we should test the waters," she said. "There are many opinions on that law. Let's try to test the law and let the contractors test it in court."

Rep. Annie Brown Kennedy, D-Forsyth, who co-sponsored the bill in the Legislature, agreed, saying the law has substance enough for the aldermen to draft a proposal, "if they want to."

Otherwise, she said, they may have to wait until 1987 to have the bill reintroduced in the General Assembly. Kennedy said the Legislature agreed before its spring recess to an adjournment

resolution that limits the items it will consider when it meets again during the summer of 1986. She said the set-aside law does not fall in the category of items to be considered.

"The adjournment resolution designates what will go before the Legislature, but a representative could make a motion to suspend the rule," she said.

She said the adjournment resolution limits the Legislature's agenda to the state budget, bills that only passed one house in 1985, items related to study commissions, noncontroversial local bills and any other item the Legislature decides on which passes by a two-thirds vote.

By 1987, Keendy said, the Legislature could be considering a statewide bill concerning set-asides. "I'm interested in the subject," she said, "but I don't know the route it (the bill) would take. There is an interest in a statewide bill. It could come up in the 1987 session."

Newell said the attorney general's opinion should not keep the city from implementing a set-aside program.

She said she will suggest to the board that it go ahead and draft a proposal to implement the law.

Seeber said he assumes that the board does not want to go ahead with the set-aside law. "They want to get this thing straight first," he said.

Mayor Wayne A. Corpening said the attorney general's opinion should be heeded since he is the highest-ranking attorney in the state. "What bothers me is that, if we test it, we could be sued and our insurance wouldn't

help us because we went against the advice of our city attorney," Corpening said.

He said each board member could be individually sued if a lawsuit is brought.

Newell said the aldermen are sued every day, collectively as a board and individually as aldermen.

"They just don't want to do it because it means dollars in the pockets of black people," Newell said.

North Ward Alderman Larry D. Little agrees with Newell that the city should test the limitations of the set-aside law. "I would agree with that (testing)," he said. "I would like to see what would happen."

Southeast Ward Alderman Larry W. Womble said that the amendment made the set-aside law ineffective and the aldermen should try to amend the law in 1987. He said trying the law in court is not a good idea. "If we could do that, we would have done it with Fowler-Jones (Construction Co.)," he said. Fowler-Jones was awarded \$12 million in city contracts to expand the M.C. Benton Convention Center and build an adjoining parking deck despite little minority participation in both projects.

Northwest Ward Alderman Martha S. Wood said that the aldermen should attempt to get a bill they can use rather than attempt to go ahead with the set-aside law. "Let's fix what's broken," she said. "I respect Mrs. Newell's opinion, but I feel that it would be a waste of time and effort to test this bill. If someone shows me how it would be

worth it to challenge it (the set-aside law) in court, then I might change my mind. I think we should try to get a new bill."

Northeast Ward Alderman Vivian H. Burke said that testing the set-aside law is a possibility. "We could do that," she said. "It depends on who is willing to test it. If a test will make it (the law) clearer, this could be something we could do."

Burke said the set-aside law needs to be reviewed some more. "We have to have the support of the entire board," she said. "Until you have sensitive people on the board, this (passing a set-aside law) will be hard."

West Ward Alderman Robert S. Northington Jr. said his position on testing the set-aside law depends on the size of the test contract and if the test contract is one that won't hold up city business.

"If an expensive construction contract were tested in court, it might take several months," he said. "If it is a purchase or a contract that won't hold up city business, I might look at it (testing) a different way."

Southeast Ward Alderman Lynne Harpe said she needed to know more about the possible consequences of testing the set-aside law.

"Prior to any testing, I would like to know what position it would put the board in," she said.

South Ward Alderman Ernestine Wilson said she doesn't believe that set-asides should be enforced. "He (the attorney general) ruled just like I feel," she said.

Heaviest voting

From Page A11

the Northeast Ward has not been strong enough.

"We have not had the aggressive-type leadership that is needed," said Johnson. "I decided to run for alderman because I was dissatisfied and concerned about the quality of leadership."

One of Johnson's staunchest supporters is Louise Wilson, executive director of Experiment In Self-Reliance. Wilson is regarded as "St. Louise" to many in the black community, said a local newspaper recently.

Pre-primary activity in the Northeast Ward has been described by some as ward politics at its worst. Burke supporters have accused Johnson supporters of stealing campaign signs. Johnson said early in the campaign that Burke reported him for a sign-ordinance violation. Signs supporting Burke and Johnson seem to be everywhere in the ward. In some yards, there are two signs, one for each candidate.

Johnson has called for a debate with Burke, but Burke refuses, saying she has nothing to debate.

Whoever wins the Northeast Ward primary will more than likely be the ward's alderman. There is no Republican opposition.

Ernest Shaw.

Womble, who almost decided not to seek re-election in favor of finishing his doctorate, said he is running on the same platform he used four years ago, which includes protecting Salem Lake, enforcing existing housing codes more strictly, providing adequate police and fire protection and placing foot patrols in neighborhoods. Womble calls himself an "A-1" candidate who offers "answers, action and accountability."

Phillips, 40, has run previously for alderman, county commissioner and register of deeds. He has no platform, saying that this race will be won on personalities.

"Platforms are no good in ward races," Phillips has told the *Chronicle*. "What you need to do is to get to know the people and meet the people. A ward race is more of a personal thing."

Shaw, ironically, worked with Womble in the 1984 Rufus Edmisten gubernatorial campaign and on Womble's own campaign for alderman in 1981.

Shaw's platform consists of a plan to revitalize communities, industrial recruitment and the retention and updating of the

equipment used by the police and fire departments.

THE SOUTH WARD

In the South Ward, incumbent Ernestine Wilson faces Francis L. Frye and James Kennedy in the Democratic primary. Gregory Fountaine is the lone Republican. Wilson won both a second primary and the general election by fewer than 100 votes in 1981.

Frye, a realtor from the Washington Park community, said he opposes Wilson mainly because of her stances on key zoning decisions that affected her ward.

THE NORTHWEST WARD

In the Northwest Ward, incumbent Martha Wood faces Democrat Samuel T. Brame and Republican Bryan C. Miller.

If re-elected, Wood said she wants to study and possibly change Winston-Salem's public safety concept. Policemen should be policemen and firemen should be firemen, said Wood.

Brame, a retired sheriff's deputy who coordinates law enforcement training at Forsyth Technical College, said he is running to give the people a choice. Brame also said he has no complaints concerning Wood's performance as an alderman.

THE SOUTHEAST WARD

Southeast Ward Alderman Larry Womble faces two Democratic opponents, R.J. Reynolds Tobacco Co. employee Don W. Phillips and restaurateur

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