

# Council Slams Coleman For Shunning Decision

By DEBORAH WHITE

The City Council adopted a resolution yesterday deploring U.S. Transportation Secretary William T. Coleman's disqualifying himself from deciding the Overton Park expressway case.

Coleman withdrew from the 20-year-old dispute last week following his daughter's employment in a Washington law firm which originally filed suit to stop construction of Interstate 40 through the midtown park. Coleman appointed Deputy Transportation Secretary John Barnum to decide the case.

In the resolution, the council said the action of Coleman, "in refusing to reach a definite decision on the Overton Park leg of Interstate 40, is deemed an abdication of responsibility on the secretary's part."

In another development, an attorney with the Department of Transportation in Washington said Coleman's withdrawal was entirely lawful. The attorney cited a law stating that the DOT deputy secretary "shall perform such functions, powers and duties as the secretary shall prescribe."

The council called Coleman's action ill-advised, deplorable and a "gross injustice to the citizens of Memphis and other citizens of this country."

A stronger-worded version of the resolution, drafted at the request of Councilman Billy Hyman, brought protests from Councilmen J. O. Patterson and Robert James.

They objected to the original version, which said Coleman's action is "irresponsible, a disgrace to his office and the government of the country, and a disgraceful abdication of responsibility on the secretary's part and casts much suspicion on his ability to hold office."

Hyman said that if Coleman's daughter is a close member of the family, "he should have known she shouldn't go to work for this firm. If she isn't influential in the family, he shouldn't use it as an excuse."

Mayor Wyeth Chandler said at the council's executive session, "I agree 100 per cent. I can't believe it."

Because of elections yesterday, the council delayed action one week on controversial items, including a final decision on proceeding with a garbage-burning energy plant proposed by the Memphis Light, Gas & Water Division.

Due to the delay announced in the council's morning executive session, the LG&W board postponed its recommendation on the energy recovery system until tomorrow.

LG&W President Calvin R. Henze, who called off a special meeting of the board yesterday, said the LG&W staff would have recommended to go ahead with the project.

Customers who have agreed to sign contracts since Thursday are The Memphis Publishing Co., the Tennessee Hotel, Methodist Hospital, Lincoln American Towers and Firestone Tire & Rubber Co.

In other business yesterday, Chandler told the council that he used his veto for the second time as mayor on an ordinance which allowed a developer to proceed with development after the city or county approved plans, but without a contract with the city or county.

The ordinance, adopted Oct. 19, was initiated by the Planning Commission and did not have approval of the city or county engineers, Chandler said.

Councilmen said they passed the ordinance assuming the administration approved it. "That was not the case," Chandler said.

The council also:

- Approved a two-year special permit for operation of a dance studio at 324 Perkins, in a residential zone, although the Planning Commission recommended rejection of the case.
- Approved a four-year lease for bookstore in a kiosk in front of 100 North Main with a monthly rental of 5 per cent of gross sales.
- Approved a five-year lease with Cel International, Ltd. which provides the company will place at least 100 trash containers on the Mid-America Mall in return for the right to sell advertising on the containers.