

3) The property abutting on said street to be so paved and improved will be benefited by such pavement and improvement to the extent of the part of the cost thereof to be assessed, as stated below, against such abutting property:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, DOES ORDER THAT:

1) All of Primrose Drive, Dancy Street and Stansberry Street, shall be paved (or repaved) and curbs and gutters laid thereon, the cost of such improvements (exclusive of so much of said cost as is incurred at street intersections) to be specially assessed in the amount of two-thirds thereof upon the lots and parcels of land abutting upon said improved street portions according to the extent of the respective frontage thereon by an equal rate per foot of such frontage, to be paid after completion of such work and within thirty (30) days after notice of assessment, in cash with no interest, or in five equal annual installments, bearing annual interest at six (6%) per cent, payable annually.

2) This RESOLUTION and ORDER shall be published once in THE FAYETTEVILLE OBSERVER, a newspaper published in the City of Fayetteville, and shall be in effect immediately following such publication.

Adopted this 9th day of January, 1961, by the City Council of the City of Fayetteville, North Carolina.

*Louis H. Galt*  
Clerk

*George H. Henderson*  
Mayor

On request of the Planning Director, and on motion by Councilman Plummer, seconded by Councilman Rose, the following resolution was unanimously adopted:

WHEREAS, there is now in effect in the City of Fayetteville, North Carolina, the comprehensive zoning ordinance, which has been in effect many years, and

WHEREAS, such ordinance, although amended numerous times during past years, which it has been in effect, is in need of comprehensive revision or replacement by a zoning ordinance designed for the present time;

and, WHEREAS, undersaid present ordinance, there is in being and operating, a City Planning Commission;

now, Therefore, such present existing City Planning Commission, pursuant to North Carolina's general Statutes 160-177 is hereby appointed and designated as the zoning commission of the City of Fayetteville, North Carolina, and is directed to prepare, pursuant to North Carolina general statutes 160-172 et. seq., the comprehensive revision or replacement for the present zoning ordinance of the City of Fayetteville, North Carolina, and to make a preliminary report of such comprehensive or replacement ordinance, to the City Council of the City of Fayetteville, North Carolina, and to hold at least two public hearings thereon, therefore, to make its final report of such comprehensive or replacement ordinance to the City Council of the City of Fayetteville, North Carolina, after which said Council shall hold public hearings thereon, after due advertisement as provided by law.

Applications of Delbert Luzader and Louis B. Jackson for taxi driver's permits were presented with the recommendation by Chief of Police that application for Delbert Luzader be approved. Because of a Court record, no recommendation was given Louis B. Jackson. After considerable discussion, Councilman Plummer moved taxi driver's permit be approved for Delbert Luzader and the application of Louis B. Jackson be tabled until the next regular meeting when his F.B.I. record can be reviewed. Motion seconded by Councilman Massei and Unanimously carried.

Mr. Louis F. Bullard was present and stated that he was refused a taxi driver's permit in November, 1960, and he would like for the members of the City Council to review his record and reconsider his application. Mr. Bullard's record was reviewed and the matter was discussed by members of the Council but no further action was taken.

Mr. Preston Williams, whose application for a taxi driver's permit has also been refused at a previous meeting, requested that his record be reviewed and his application be reconsidered. Members of the Council reviewed the record but took no action on the request.

Mr. Mason Hicks, architect, presented bids for alterations and additions to the Honeycutt Recreation Center. The Recreation Advisory Committee recommended that contract be awarded to the low bidders in the amount of \$25,706.00. After some discussion, Councilman Massei moved that contract for alterations and additions to Honeycutt Recreation Building be awarded to Quality Construction Company, Bramble Heating Company, Glen Newberry Company, Blackwell & Ray Electrical Company, plus \$40.00 for a dirt trap at the entrance. Motion seconded by Councilman Plummer, unanimously carried.

On Motion by Councilman Massei, seconded by Councilman Rose, appointments were made for the Recreation Advisory Commission as follows:

Charles vonRosenberg - 3 years  
Rev. R. E. Massei - 2 years  
Edward B. Hope - 3 years  
J. O. Lee - 2 years  
Mrs. Floyd Saunders - 3 years

Robert Lee Parrish - 1 year  
David Godwin - 1 year  
David Ladley - 1 year  
R. O. McCoy, Jr. - 1 year

On request of the Public Works Commission, on motion of Councilman Plummer, seconded by Councilman Rose, contract was approved with Lynchburg Foundry, Lynchburg, Virginia, for furnishing a year's supply of pipe to the Public Works Commission at the estimated cost of \$50,000.

Mr. Carl McArthur stated that due to ill health he is compelled to stop operating a taxi cab in the City and in order that he might be able to sell his equipment he would like to request that his owners permit be issued to Mr. McMinn, whose name now appears second on the list for an operator's permit. This matter was discussed at length and tabled for the present time, to see if anything can be worked out for issuing a permit to Mr. McMinn.

On motion of Councilman Plummer, seconded by Councilman Massei, the following resolution was unanimously adopted:

Attached hereto, marked "Exhibit A", is a list of paving assessments of the City of Fayetteville, N. C., which have been long delinquent, but which have had to be taken into account at each auditing of the Tax Collector's Office of the City of Fayetteville, N. C., for many years.

As to such assessments as shown on "Exhibit A", the City Council of the City of Fayetteville, N. C., after full investigation, finds and declares as facts, that:

1) As to the assessments thereon numbered 1, 2, 3, 5, 6, 8, 9, 10, 13, 14, 15, and 32, the parcels of land so assessed belong to the City of Fayetteville, N. C., which is liable to itself for such assessments, but there is no system of accounting internal to and among the departments of the City to provide for payments for and receipts of the amounts of such assessments.

2) As to the Assessment thereon numbered 4, the parcel so assessed either belongs to the City of Fayetteville, N. C., or is of so little value and so much potential monetary burden (it being a small, abandoned cemetery tract), that it would be disadvantageous to the City to try to collect such assessment by foreclosure.

3) As to the assessments thereon numbered 7, 12, and 23 the parcels so assessed are owned directly by the U. S. Government or its agencies which, by law, are not liable for such assessments.

4) As to the assessment thereon numbered 11 the parcel so assessed is owned by the State of North Carolina or one of its agencies and is exempt by law from such assessment.

5) As to the assessments thereon numbered 16, 17, and 18 such assessments are errors in bookkeeping the same having been, each twice listed.

6) As to the assessments thereon numbered 24 and 25 most installments thereof are barred by the statute of limitations, and, as to the remained, in any event, the entry of said assessments on the books was in error in that the owner of said parcels (Phoenix Lodge of the Masonic Order) entered into agreement with the City at the time of the improvement which was the basis of said assessments to dedicate a portion of said parcels for Mason Street extension in consideration for no paving assessment against said owner.

7) As to the assessments numbered 19, 20, 21, 22, 26, 27, 28, 29, 30, and 31 the statute of limitations on each and every installment of same has run, barring collection thereof.

Accordingly, pursuant to the above findings of fact and pursuant to North Carolina General Statutes 160-90, The City Council of the City of Fayetteville, N. C., does hereby cancel each and all of said assessments, and does hereby relieve the Tax Collector of the City of Fayetteville, N. C., of any further responsibility in connection therewith, and does declare that said assessments shall no longer be taken into account in any auditing of said Tax Collector's Office.

There being no further business, on motion of Councilman Plummer, seconded by Councilman Massei, the meeting was adjourned.

*Louis H. Galt*  
City Clerk