

Regular Meeting
City Council - Fayetteville, N. C.
January 23, 1961

A regular meeting of the City Council was held in the City Hall, January 23, 1961.

Present: Mayor George B. Herndon G. W. Ray, City Manager

Councilmen: Ernest L. Massei
Sol C. Rose
Eugene Plummer

Copies of bid tabulation on fire hose requirements were passed to each member of the Council. After some discussion, Councilman Massei moved that the contract for furnishing 2,000 feet of 2½" hose and 1,500 feet of 1½" hose be awarded to B. F. Goodrich & Company whose bid in the amount of \$3,125.00 was low. Motion seconded by Councilman Rose, and unanimously carried.

On recommendation of the Planning Board and on motion of Councilman Massei, seconded by Councilman Plummer, public hearing was set for 8:00 P.M., February 13, 1961, to rezone from residence 5 to Local Business a lot on Hay Street adjacent to the Colonial Store on Haymount which is presently in the local business zone.

Petition was presented by Mr. Al Rumbough requesting the annexation of the McPherson Church property of Cliffdale Road with the recommendation of the Planning Board that the City Council not annex such a small area. Mr. Jerome Clark, attorney, representing members of the church, stated that he feels that this is a special case and it seems it would be easier on the police and firemen to serve this property and it would be a definite advantage to the church for them to be annexed. On behalf of the church, he requested that the City Council give serious consideration to annexing the property. Councilman Massei moved that the petition be accepted and that a public hearing be advertised at 8:00 P.M., February 13th. Motion seconded by Councilman Plummer, unanimously carried.

Mr. Rumbough, Planning Director, presented plat of Edgewood Section 2, property of D. F. Byrd, for final approval with the recommendation of the Planning Board that the plat be approved subject to necessary easement being provided and put on record. Councilman Plummer moved that approval be given to the plat of Edgewood Subdivision Section 2 subject to the approval of the City Engineer and the Public Works Commission. Motion seconded by Councilman Massei, and unanimously carried.

There has been some talk of petition being presented requesting the annexation of an area of the Raleigh Road in the vicinity of the new proposed school site adjacent to the Old Plantation Road. This matter was given some discussion and Councilman Massei moved that a joint meeting of the City Council, the Public Works Commission, Planning Board, and interested citizens of this area, be set for February 6, 1961 to discuss possibilities of annexing the area. Motion seconded by Councilman Plummer, unanimously carried.

The Planning Director reported that some time ago the plat of South Lockwood Park, Section 2 was approved with a great number of lots being excepted. All requirements have been met on lots 2, 5, 14, thru 19, and 22 thru 26, therefore, the Planning Board recommended that subdivision be approved, subject to the recording of the necessary easements and posting of the necessary bond and further subject to the approval of the City Engineer and the Public Works Commission. The developers have requested that they be allowed to release these lots by document instead of by a new plat. Councilman Massei moved that the recommendation of the Planning Board be approved, subject to the necessary easements and approval of City Engineer. Motion seconded by Councilman Plummer, unanimously carried. (See end of minutes for this meeting for Resolution - Page 142)

On recommendation of the Planning Board and on motion of Councilman Massei, seconded by Councilman Plummer, public hearing was set for 8:00 P.M., February 13, 1961, to rezone from Residence 5 to Residence 6 property at the corner of Seabrook Road and Broadell Drive. This is a part of Holly Springs Park III and included the unnumbered lots adjacent to lots 1, 2, and 3 Block A Holly Springs Part V.

The Planning Board recommended that the request of the Public Works Commission be approved for a change in the cross section of city streets so that a 24 inch utility strip and a four foot six inch sidewalk area be provided in lieu of the present eighteen inch utility strip and five foot sidewalk area. Councilman Massei moved that the request be approved. Motion seconded by Councilman Rose and unanimously carried.

On recommendation of the Planning Board and on motion of Councilman Massei, seconded by Councilman Rose, public hearing was unanimously set for February 13, 1961 at 8:00 P.M. on petition to rezone from residence 6 to local business an area on the western margin of Ramsey Street being approximately 530 feet southward from the southwest corner of Ramsey and Hillsboro Street and being all of lot 23, 25, 26, 27, 28, and 29 of Harrington Hills Heights property of Fannie Stein.

It was further requested that the developers of South Lockwood Park be allowed by pave the street by private contract and the city reimburse them for the city's share. After some discussion, Councilman Massei moved that the developers of Lockwood subdivision be permitted to pave the subdivision by private contract and the city's share of cost be reimbursed to them providing the paving is done under the supervision of the City Engineering Department. Motion seconded by Councilman Rose and unanimously carried.

Mr. Rumbough, Planning Director, presented each member of the City Council with a preliminary report of the new zoning ordinance for the City of Fayetteville. This report was presented at this time for their information and study.

On request of the Tax Collector and on motion of Councilman Plummer, seconded by Councilman Massei, refund of \$1.06 for overpayment of 1960 taxes was unanimously approved for Mrs. F. H. Walker.

On motion of the Chief of Police and the City Manager, and on motion of Councilman Rose, seconded by Councilman Plummer, the following applications for taxi driver's permits were unanimously approved:

Hampton C. Edge
Charlie Thomas

Lenwood Odell Rogers
Joseph H. Tellman

Thomas G. Wilson

There was no recommendation on the application of Raymond Melvin. Mr. Melvin was present and stated that he has had a drinking problem but this has been corrected and he does not drink at all now. After considerable discussion, Councilman Rose moved that Mr. Melvin's application be tabled for 60 days. Motion seconded by Councilman Plummer, and unanimously carried.

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

PRELIMINARY RESOLUTION REQUIRING THE PAVING, PURSUANT TO PETITION OF BLUE STREET

After careful study and consideration of the matter and of all pertinent facts and circumstances, including engineering and planning studies and advice, and in the exercise of its best legislative judgment, The City Council of Fayetteville, North Carolina, finds as fact that:

1) A petition, pursuant to North Carolina General Statute 160-82, et seq, has been filed with the City Council of Fayetteville, North Carolina, requesting the paving and other below described improvement of Blue Street, and said petition is due and sufficient form, containing a general description of the paving and other improvement proposed for said Street, and requesting that such paving and other improvement be made in conformity with the applicable provisions of law, and that the proportion of the cost of such paving and other improvement below specified be specially assessed against the property abutting on said Street, and said petition has been signed by at least a majority in number of the owners, who own at least a majority of all lineal feet of frontage, of the lands abutting on said Street.

and
2) The public interest, safety, convenience and general welfare requires the paving and other below described improvement of Blue Street:

and
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 that portion of Blue Street which lies between Washington Drive and Murchison Road, 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) A meeting of the City Council of Fayetteville will be held at the City Hall of Fayetteville at 8:00 P.M. on the 13th day of February, 1961, on the proposed improvement(s) when all objections to the legality of making said proposed improvement(s) shall be made in writing, signed in person or by Attorney, and filed with the Clerk of the City of Fayetteville at or before such time, and any such objections not so made will be waived.

3) This RESOLUTION and ORDER shall be published once in THE FAYETTEVILLE OBSERVER, a newspaper published in the City of Fayetteville, ten (10) days before the time fixed for said meeting.

Adopted this 23rd day of January, 1961 by the City Council of the City of Fayetteville, North Carolina.

George B. Herndon
Mayor

Levin H. Zallat
Clerk

The City Manager reported that the street leading from Grove Street to the new Municipal Garage, is a dirt street and gets very muddy and is almost impassable during the rainy weather and he would like the Council's permission to have this street paved. Councilman Plummer moved that the Council approve the paving of the dirt street from Grove Street to the City's Municipal garage. Motion seconded by Councilman Massei and unanimously carried.

On recommendation of the Chief of the Fire Department and the City Manager, and on motion of Councilman Massei, seconded by Councilman Rose, Boyd Benjamin Campbell, Jr., and Howard Nolan Matthews were unanimously appointed to the Fire Department.

On recommendation of Mr. Carl A. Cain, Chief of the Fire Department, and the City Manager, on motion of Councilman Plummer, seconded by Councilman Massei, Mr. Athal E. Truelove, was promoted from the rank of Fireman to the rank of Driver of the Fire Department.