

Regular Meeting  
City Council - Fayetteville, N. C.  
March 27, 1961

The regular meeting of the City Council was held in the City Hall at 8:00 p. m. on March 27, 1961.

Present: Mayor George B. Herndon

G. W. Ray, City Manager

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

Nelson Taylor, Acting City Attorney

Having been duly advertised, and there being no opposition present, and on motion of Councilman Plummer, seconded by Councilman Massei, following amendment to the zoning ordinance was unanimously approved:

Rezone from Local Business to C-3 Heavy Commercial the following described property:

Beginning at the southwestern corner of Broadfoot Avenue and Morganton Road; and running thence along the southern margin of Morganton Road North 72 degrees 38 minutes West 100 feet to a point in the southern margin of the Morganton Road; and running thence South 17 degrees 22 minutes West 206 feet to a point in the northern margin of a 10 foot alley; and running thence within the northern margin of said alley North 72 degrees 38 minutes West 70 feet; and running thence with the western margin of the 10 foot alley South 5 degrees 30 minutes West approximately 83 feet; and running thence South 85 degrees 30 minutes East crossing a 10 foot alley and with the southern margin of the David R. Ray property approximately 233 feet to the centerline of Broadfoot Avenue; and running thence with the centerline of Broadfoot Avenue South 4 degrees 30 minutes West 75 feet to the southern boundary of the present local business zone and running thence South 85 degrees 30 minutes East 240 feet to a point; and running thence North 4 degrees 30 minutes East 130 feet; and running thence North 85 degrees 30 minutes West 110 feet to a point; and running thence North 4 degrees 30 minutes East approximately 160 feet to the southern margin of Morganton Road and running thence North 72 degrees 38 minutes West crossing Broadfoot Avenue approximately 160 feet to the beginning.

Public hearing having been duly advertised, and there being no opposition present, on motion of Councilman Massei, seconded by Councilman Plummer, the following resolution was unanimously adopted:

FINAL RESOLUTION REQUIRING THE PAVING, WITHOUT A PETITION, OF LAMON STREET, FROM ANN TO RAMSEY

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) The paving of Lamon Street is necessary in order to connect streets already paved, to wit, the paved portion of Lamon Street and Ramsey Street;

and

2) The RESOLUTION and ORDER adopted at its meeting on the 13th day of March, 1961, by the City Council of the City of Fayetteville, North Carolina, entitled "PRELIMINARY RESOLUTION REQUIRING THE PAVING, WITHOUT A PETITION, OF LAMON STREET", having been duly published on the 16th day of March, 1961, in the Fayetteville Observer, a newspaper published in the City of Fayetteville, North Carolina, giving notice of a meeting of the City Council to be held on the 27th day of March, 1961, at 8:00 p. m., in the Court Room at the City Hall of Fayetteville, North Carolina, when all objections to the legality of making the proposed improvements were to be made in writing, signed in person or by Attorney, filed with the Clerk of the City of Fayetteville, at or before said time, and that any such objections not so made would be waived, and objections to the legality, as well as to the policy or expediency, of the making of said improvements not having been filed or made (or having been filed and made, which objections were duly considered by said City Council, and none of said objections were sustained);

and

3) The public interest, safety, convenience and general welfare requires the paving and other below described improvement of Lamon Street;

and

4) 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 Lamon Street which lies between Ann Street and Ramsey 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 the 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 27th day of March, 1961, by the City Council of the City of Fayetteville, North Carolina.

*George B. Herndon*  
Mayor

*John H. Seltzer*  
City Clerk

The City Manager reported that bids were opened for summer uniforms for the Police and Fire Departments, and that tabulation of the bids were attached to the agenda. On motion of Councilman Massei, seconded by Councilman Plummer, the low bid was accepted on all items and awarded as follows:

Police Department:

Black's, Inc. - Trousers, caps and raincoats  
Ed Fleishman & Bros. - Breeches  
Creighton Company, J. C. Penney, and Belk-Hensdale - Shirts

It was included in the motion that if Ed Fleishman and Bros. do not desire to furnish the eight pairs of breeches, then Belk-Hensdale be contacted since their bid was second and in the event they are not interested, the contract will be awarded to third low bidder; Black's, Inc.

Fire Department:

J. C. Penney - 268 Uniform Shirts  
The Globe - 268 Work Pants  
Creighton Shirt - 20 Shirts  
Black's, Inc. - 20 Uniform Trousers  
Ed Fleishman & Bros. - 20 Firemen Caps  
The Globe - Officers Caps

Mr. Robert S. McNeill presented a map and petition requesting the annexation of an area on the west side of Raleigh Road to Country Club Drive. These petitions contained 72 names.

Mayor Herndon received the petition and asked Mr. Ray Muench, Public Works Commission, to explain to the people present the policies of the Public Works Commission with reference to furnishing utilities in the newly annexed areas. Mr. Muench gave a brief resume of the policies as to what the people could expect if they are annexed.

Mr. Luther Hart presented a petition with 93 names in opposition to the annexation of this area. After considerable discussion, Councilman Massei moved that public hearing on the annexation of the area south of Raleigh Road to Country Club Drive, be advertised for May 8, 1961, at 8:00 p. m. Motion seconded by Councilman Plummer, unanimously carried.

The City Manager and the Chief of Police recommended the approval of the following applications for taxi driver's permits:

James D. Currie  
Johnnie W. Johnson  
William D. Lamonds

Byron L. Benson  
Boyd Peel Parker

Councilman Massei moved that the recommendation by the City Manager and Chief of Police be approved and that the application of Raymond T. Melvin also be approved for a taxi driver's permit. Motion seconded by Councilman Plummer, unanimously carried.

Because of a court record, there was no recommendation on the application of Leo S. Jones for a taxi driver's permit. No action was taken.

The City Manager read a letter from Mr. William B. Shirley, requesting that the median on Churchill Drive be shortened by thirty feet at the south end of Churchill Drive near Morganton Road. Mr. Shirley proposed to pay the expenses of this alteration if it is authorized by the Council. It was the opinion of some members of the Council that Mr. Shirley should not bear the entire cost since traffic from the city street is damaging his property. After considerable discussion, Councilman Plummer moved that the request of Mr. Shirley be approved and that the city participate to the extent of fifty per cent (50%) of the cost for shortening this median. Motion seconded by Councilman Massei, unanimously carried.

Mayor Herndon stated that the City Hall is very crowded and he feels that the Public Works Commission should give some consideration to the construction of the medium priced two-story building on their property at the corner of "B" and Russell Street for their operation. This matter was discussed by members of the Council and representatives of the Public Works, but no definite action was taken.