

Regular Meeting
City Council
August 14, 1961

Present:

Mayor Robert H. Butler
Mayor Pro-tem Sol C. Rose

J. O. Tally, Jr., City Attorney
G. W. Ray, City Manager

Councilmen:

Eugene Plummer
Ted Rhodes
D. B. Maness

Mayor Butler stated the first order of business was that of a public hearing on a petition for paving Ann Street from Gray Street Northward to its intersection with Vine Street. No one was present to voice any objection and upon motion of Councilman Rose, seconded by Councilman Plummer, this section of street, by unanimous vote, was ordered paved.

The Cross Creek or downtown parks committee, of which the co-chairwomen are Mrs. Julian Rutaff, Mrs. Neil Currie, Jr. and Mrs. Richard Lilly were present to report further on activities pertaining to the purchase of the Kyle property on Green Street and the development of the proposed park.

Mr. Hector McGeachy, Jr., as spokesman for the committee, stated that "approximately 100 people who are interested in such a park met in the courtroom at City Hall on Wednesday evening, August 9th, and that some 15 or more persons spoke very highly in favor of purchasing the Kyle property as the first step towards the development of the proposed park. He stated further that no opposition to this project was voiced by anyone present.

Mr. McGeachy recognized Mr. Charles Warren, president of the Chamber of Commerce, who stated that during his term as president of the Chamber, a number of industrial prospects interested in locating in Fayetteville had expressed considerable interest in parks as a factor to be considered in locating a plant in a new community. Mr. Warren stated that in his opinion the proposed park would be a tremendous asset to the business and cultural interest of the city.

Mrs. Allen Campbell was next recognized by Mr. McGeachy. Mrs. Campbell stated that when she first came to Fayetteville 33 years ago, there were many attractive spots in Fayetteville that Army personnel liked to visit, but that in recent years, she was not able to find those spots. She stated further that in San Antonio, Texas a river beautification project had been carried out in such a way that the river area has become a beauty spot which is most inviting to all Army personnel stationed in the area and is a source of tremendous pride to the community and especially to those who had a part in this development.

Mrs. J. W. Johnson, Jr. was recognized and gave a brief history of the Kyle house, which she stated was begun in 1832 on a site where there had been previously a school. She stated that the materials for the building were brought here from Philadelphia and that the structure was completed in 1840. She stated that the house is an excellent example of the architecture of that period, and that the Fayetteville should, by all means, preserve it.

Mrs. Ernest Reinecke, whose late husband spent many years of his life in restoring old buildings, stated that Mr. Reinecke had commented many times about the beauty of the Kyle house and of what an asset it is to the town.

Mr. Henry Rankin stated that the purchase of the property on Green Street would ^{not} together many points of interest in Fayetteville, particularly St. John's Church and First Presbyterian Church on which the congregation has recently spent one-half million dollars, a good portion of which was to preserve the old structure of the church.

Mr. McGeachy requested that the Council take immediate steps to acquire the Kyle property while there was time.

Mayor Butler stated that he was personally very much in favor of acquiring the property and asked for further discussion from the Council.

Mr. Rumbough, Planning Director, stated that Federal funds to the extent of 20 to 30 per cent of the cost might be available, under the Omnibus Housing Act, for the preservation of permanent open space in the downtown area.

Councilman Plummer moved that Mr. Rumbough be instructed to investigate the possibility of getting Federal participation in the project and that the City negotiate with

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Grantee as provided for in Section 13 hereof, and shall fail within thirty (30) days after written notice from the City to correct such default or non-compliance, the City Council shall have the right to revoke this Franchise and all rights of the Grantee hereunder.

Section 16. Should any Section, clause or provision of this Franchise be declared invalid by a Court of record, same shall not affect the validity of the Franchise as a whole or any part thereof, other than the part so declared invalid.

Section 17. This Franchise shall be non-exclusive between the City of Fayetteville and the Grantee and shall take effect and be in force for five years from the date of its final passage by the City Council of the City of Fayetteville and the acceptance of its terms in writing by the Grantee or its assigns and shall automatically renew itself from year to year after the expiration date thereof unless the City Council of the City of Fayetteville or the Grantee shall notify the other within sixty (60) days prior to the expiration of this Franchise or any renewal thereof of their intention to terminate same.

Section 18. This ordinance is adopted in the interest of public welfare and convenience.

Section 19. Any ordinance, or part of any ordinance, in conflict with this ordinance, to the extent of such conflict, is hereby repealed.

Section 20. This ordinance shall be in full force and effect from and after its final adoption.

Adopted this the 14th day of August, 1961.