

Section 5. That a copy of such Code shall be kept on file in the office of the City Clerk, preserved in looseleaf form, or in such other form as the City Clerk may consider most expedient. It shall be the express duty of the City Clerk or someone authorized by him, to insert in their designated places all amendments or ordinances which indicate the intention of the City Council to make the same a part of such Code when the same have been printed or reprinted in page form, and to extract from such Code all provisions which may be from time to time repealed by the City Council. This copy of such Code shall be available for all persons desiring to examine the same and shall be considered the official Code of Fayetteville, North Carolina.

Section 6. That in case of the amendment of any section of such Code for which a penalty is not provided, the general penalty as provided in Section 1-7 of such Code shall apply to the section as amended; or in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty, is provided in another section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 7. That it shall be unlawful for any person, firm or corporation in the City to change or amend by additions or deletions, any part or portion of such Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Fayetteville to be misrepresented thereby. Any person, firm or corporation violating this section shall be punished as provided in Section 1-7 of the Code of Ordinances of the City of Fayetteville.

Section 8. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed, on the effective date of this ordinance.

Section 9. That this adopting ordinance shall be printed, typewritten or mimeographed and shall be published one time in a newspaper of general circulation in the City of Fayetteville, North Carolina, after its passage, and shall be published by posting a copy at the City Hall and at two other conspicuous places in the City for a period of ten days.

Section 10. This ordinance shall become effective on the sixtieth day after passage.

PASSED by the City Council of the City of Fayetteville, North Carolina, the Thirteenth day of November, 1961, and approved by the Mayor of the City, the Thirteenth day of November, 1961.

Robert H. Butler
Mayor

Maurice W. Downs
Clerk

Upon motion by Councilman Rhodes, seconded by Councilman Maness, the Council voted to authorize Fire Chief Carl Cain to install a centrally located fire alarm box on the campus of State Teachers College. This was requested by Dr. Rudolph Jones, President. Regarding other requests from Dr. Jones; the City Engineer was directed to study the matter of drainage and sidewalk paving and report back to the Council for possible action at a later date.

A request from Mr. E. S. Autry, President of the Fayetteville Taxicab Association, for an increase in taxicab rates was heard by the Council and was tabled for further consideration at a later meeting.

On a related matter, the Council, upon motion by Councilman Rhodes, seconded by Councilman Maness, voted unanimously to authorize Chief of Police Worrell and Lt. W. A. Davis, Traffic Bureau, to issue temporary taxicab driver permits pending final approval of applications at next meeting of Council.

Upon motion by Councilman Plummer, seconded by Councilman Maness, the Council unanimously approved the following taxicab driver permits:

Belvin Easterling
William David Smith

Richard Donald Watts

Marshall S. Vandergrift
Thomas Albert Rogers

Upon a motion by Councilman Plummer, seconded by Councilman Maness, the Council granted a Taxicab Operator's Permit to Allen Rudolph Green.

City Manager Ray advised the Council that the Powell-Kistler Co. bid of \$82.43 per month for the lease of the McNeill property on Old Street was the only bid received at the auction held on November 10, 1961. Bid is to be held open 10 days pending receipt of additional bids, if any, prior to final approval as required by law.

City Manager Ray also advised the Council that Mr. Donald Hayman, of the Institute of Government, University of N. C., was ready to report to the Council on the revised City Pay Plan. A tentative meeting was set for Thursday, November 16, 1961, 8:00 P. M.

City Manager Ray further advised the Council that paving of Wilmington Road had been completed as had been a greater portion of the streets in Bordeaux Subdivision, including Village Drive. He also stated that curb and gutter work was progressing satisfactorily in Tallywood, Glendale and Holly Hills Subdivision and Imperial Drive.

Mr. Ray stated that he had been requested by the Airport Commission to request the Council to authorize the City Manager and Commission to extend a firm offer of \$15,240.00 to West-Hankins for purchase of land for clear zone easements for the proposed instrument landing system installation at Municipal Airport.

Upon motion by Councilman Rhodes, seconded by Councilman Plummer, the Council voted unanimously to support the request.

City Manager Ray reported that one of the applicants for a position with the Fire Department had dropped out and requested Council's approval of Hubert Gordon Carroll as a replacement.

Upon motion by Councilman Plummer, seconded by Councilman Rhodes, the Council confirmed the appointment of Mr. Carroll.

Upon motion by Councilman Maness, seconded by Councilman Plummer, the Council voted unanimously to follow recommendation of City Manager Ray and Chief of Police Worrell and promoted the following police officers from Patrolman to Sergeant:

C. B. Morrison and M. C. Bullard

City Manager Ray advised the Council of a meeting of the Executive Board of the International City Managers' Association in Miami Beach, Florida from November 25th through November 29th and requested permission of the Council to attend, since he is a member of the Board. Approval was granted.

City Attorney Tally presented to the Council for its approval a consent agreement widening Maiden Lane at A.C.L. Crossing from the Atlantic Coast Line Railroad.

Upon a motion by Councilman Plummer, seconded by Councilman Rose, the Council voted unanimously to authorize the Mayor and City Clerk to sign the agreement by adoption of the following resolution:

RESOLUTION

Be it resolved by the City Council of the City of Fayetteville, N. C. in regular meeting assembled, that the Mayor of said City be, and he hereby is, authorized to enter into an agreement with the Atlantic Coast Line RAILROAD COMPANY, and to sign same on behalf of said City, whereby the said Railroad Company grants to said City the right or license of improving and maintaining a highway or street crossing at grade across the right of way and track or tracks of the Railroad Company at Fayetteville, North Carolina, described as follows, to wit: Beginning at a point on the present southerly line of Maiden Lane distant 11.5 feet eastwardly measured at right angles from the center line of the Railroad Company's Yadkin Junction-Sanford main track; running thence southwardly parallel with said center line 8.35 feet; thence westwardly at right angles to said center line 45.05 feet to a point 33.55 feet westwardly, measured at right angles from said center line; thence northwardly parallel to said center line 8.35 feet to the present southerly line of Maiden Lane; thence eastwardly along said lane line 45.05 feet to the point of beginning; also Beginning at a point on the present northerly line of Maiden Lane distant 17 feet eastwardly measured at right angles from said center line; running thence northwardly, parallel to said center line 8.35 feet; thence westwardly, at right angles to said center line 50.55 feet to a point 33.55 feet westwardly, measured at right angles from said center line; thence southwardly, parallel to said center line, 8.35 feet to the present northerly line of Maiden Lane; thence eastwardly, along said lane line 50.55 feet to the second described point of beginning; all as more clearly described in said agreement, which agreement is dated October 26, 1961, a copy of which agreement is filed with this City Council.

Robert H. Butler
Mayor

Maurice W. Downs
Clerk

There being no further business before the Council and upon motion by Councilman Rose, the meeting was adjourned at 10:30 P. M.

Maurice W. Downs
City Clerk