

The motion further stipulated that the assessment be at the rate of \$3.45 per foot.

Councilman Rhodes moved for adoption of Final Resolution, pursuant to petition by the property owners along Puritan Street, made through the Public Works Commission for the installation of a sanitary sewer main and service laterals in Puritan Street. His motion was seconded by Councilman Maness and the resolution, as described below, was unanimously adopted:

FINAL RESOLUTION
REQUIRING THE IMPROVEMENT,
PURSUANT TO PETITION,
OF
PURITAN 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 judgement, the City Council of Fayetteville, North Carolina, finds as fact that:

1) A petition, pursuant to Chapter 224 of the Private Laws of North Carolina of 1927 (Section 128, et seq. of the Code of the City of Fayetteville) was filed with the City Council of Fayetteville, North Carolina, requesting the below described improvement of PURITAN STREET, and said petition is in due and sufficient form, containing a general description of the improvements proposed for said Street, and requesting that such improvements be made in conformity with the applicable provisions of law, and that the proportion of the cost of such improvements below specified by 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 RESOLUTION and ORDER adopted at its meeting on the 9th day of APRIL, 1962, by the City Council of the City of Fayetteville, North Carolina, entitled "PRELIMINARY RESOLUTION REQUIRING THE IMPROVEMENT, PURSUANT TO PETITION OF PURITAN STREET", having been duly published on the 27th day of APRIL, 1962, 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 7th day of MAY, 1962, 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 below described improvement of PURITAN STREET:

and

4) The property abutting on said street to be so improved will be benefited by such 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 PURITAN STREET which lies between SOUTHERN AVENUE and EAST END OF PURITAN STREET, shall be improved by the construction and installation of sanitary sewer main and service laterals in the street or parts thereof as named above within the limits defined; such sanitary sewer main and service laterals to be in accordance with standards of the Public Works Commission of the City of Fayetteville and such improvements to also include the necessary grading as

determined by Public Works Commission engineers and to do all other work incidental to the construction and installation of sanitary sewer mains and service laterals and 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 (except that the entire cost of such sanitary sewer service laterals shall be specially assessed) 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%) percent, 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 7th day of MAY, 1962, by the City Council of the City of Fayetteville, North Carolina.

ROBERT H. BUTLER
Mayor

Maurice W. Downs
City Clerk

The Council, heard and discussed a recommendation by the Planning Board for the rezoning of an area on Owen Drive behind LaFayette Lanes from R-10 Residential District to CIP Shopping Center District. Upon motion by Councilman Rose, seconded by Councilman Rhodes, the Council voted unanimously to advertise a public hearing for 8:00 P.M. on May 28th, 1962.

Also, upon recommendation of the Planning Board; the Council, upon motion by Councilman Plummer, seconded by Councilman Maness, voted unanimously to advertise a public hearing for May 28th on annexing to the City, pursuant to petition, an area on both sides of Village Drive between Robeson Street, Owen Drive and Blount's Creek.

City Planning Director Rumbough reported to the Council that a petition had been received from residents in the Massey Hill area for annexation to the City of a tract now contiguous to the present City limits, but that the Planning Board had not yet had a chance to study the petition. Council directed that study be made by Planning Board, City Engineer and Public Works Commission for further discussion at next regular meeting.

Taxicab Driver Permits were approved for the following applicants:

Patrick Thomas Vest	James M. Watts
Charles McNeill Jackson	Erich H. Dippel

The public hearing on rezoning matter of petitioner Mrs. Marian Szymkowicz which was originally set for the regular meeting of May 14th was continued until regular meeting of May 28th, Council's regular meeting of May 14th has been cancelled to allow Council members to attend Mayor's Conference in Florida during this period.

Council heard a recommendation from Sgt. Hart, Taxicab Inspector, for denial of a request from Mr. Frank Gray for transfer of an Operator's Certificate, and for cancellation of certificate now held due to violation of the Taxicab Ordinance by Mr. Gray. After considerable discussion, Councilman Rhodes moved to grant transfer of the certificate as requested by Mr. Gray. After further discussion, Councilman Plummer entered a substitute motion to follow the recommendation of the Taxicab Inspector to deny the request and cancel the certificate for cause. His motion was seconded by Councilman Rose. The vote was as follows: "FOR THE MOTION" Councilmen Plummer, Rose and Maness. "AGAINST THE MOTION" Councilman Rhodes.

Upon motion by Councilman Plummer, seconded by Councilman Rose, the Council unanimously confirmed the appointment of Mr. WILLIAM HOWARD CHESHIRE as ACTING SUPERINTENDENT of the RECREATION AND PARKS DEPARTMENT as of May 1, 1962. Mr. Selwyn Orcutt resigned this position effective April 30th to accept another position in Jacksonville, North Carolina.

City Manager, Mr. Ray read a letter from Mr. Jarvis Jones, City Tax Collector requesting refund of \$3.78 to Johnnie Banks for 1957 taxes paid in error by Banks to City in July, 1961. Councilman Plummer moved for refund. Motion was seconded by Councilman Rhodes and unanimously carried.