

There was considerable discussion and following this; Councilman Rose moved that the issue be postponed until Council's next regular meeting on February 12th in order to give the Council members time to study the proposed changes. Motion was seconded by Councilman Plummer and carried.

A complaint about an open drainage ditch across her property was voiced by Mrs. Elizabeth Henderson of Murchison Road.

Upon motion by Councilman Rhodes, seconded by Councilman Rose, the Council voted to instruct City Manager Ray to contact the State Highway Commission about securing some drainage pipe for installation to relieve the problem.

A complaint was also heard by the Council from a Mr. L. A. Harding of Boundry Lane about a drainage problem at his residence.

After a brief discussion, Councilman Rose suggested that the City Engineer and City Attorney investigate the problem.

Upon motion by Councilman Rhodes, seconded by Councilman Maness, the Council voted to authorize the Public Works Commission to purchase various materials for the year as follows:

1. 4 1/2" fire hydrants, 16" horizontal mechanical joint valves, tapping sleeves and valves and 4" thru 12" fittings from Greenville Company., of Charlotte, N. C.
2. Gate valves and 5" fire hydrants from A. P. Smith Manufacturing Co., Atlanta, Georgia.
3. 4" thru 8" pipe and 16" fittings from Glamorgan Pipe and Foundry Co. of Lynchburg, Virginia.

The above firms were low bidders on unit bid basis and total expenditures would be between \$60,000.00 and \$100,000.00 for the materials for the year.

Upon motion by Councilman Plummer, seconded by Councilman Maness, the Council further authorized the Public Works Commission to purchase electrical distribution transformers from Industrial Electric Company of Fayetteville for the year. Industrial Electric Company was the low bidder based on net low bid. Included in the above motion was a request that the City Attorney contact the Department of Justice about possible collusion by dealers on electrical equipment bids.

Upon motion by Councilman Rhodes, seconded by Councilman Maness, the Council authorized the Public Works Commission to purchase electric meters and electrical conductor from Westinghouse Electric Supply for the year. Westinghouse was low bidder based on unit bid basis.

Upon motion by Councilman Rose, seconded by Councilman Rhodes, the Council voted to amend Section 31-10 of the City Code by adoption of the following ordinance:

REPEAL OF CONTEST OF CODE SECTION 31-10, AND ENACTMENT OF NEW PROVISIONS - REGARDING RETURN OF PART OF COST OF INSTALLING SEWER AND WATER-LINES IN LAND THAT, THEREAFTER, COMES WITHIN THE CITY LIMITS

THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA DOES ORDAIN:

Section 1) The entire working of Section 31-10 of the Code of the City of Fayetteville, North Carolina, beginning with the words "all developers . . ." and ending with the words ". . .by the City Council" is hereby repealed.

Section 2) In place thereof new Sections 31-10(a) and 31-10 (b) are enacted as follows:

31-10 (a) If property in which water and/or sanitary sewer mains have been installed comes within the city limits within one year of the date of the contract between developer and Public Works Commission providing for said water and/or sanitary sewer extensions, fifty per cent of the developer's installation cost of said water and/or sanitary sewer facilities shall be returned by Commission to Developer.

31-10 (b) If property in which water and/or sanitary sewer mains have been installed comes within the city limits within two years of the date of the contract between developer and Public Works Commission providing for said water and/or sanitary sewer facilities shall be returned by Commission to Developer.

Section 3) This ordinance shall be in full force and effect from and after its adoption.

Adopted this 22nd day of January, 1962.

ATTEST:

MAURICE W. DOWNS
Clerk

ROBERT H. BUTLER
Mayor

Upon motion by Councilman Plummer, seconded by Councilman Maness, the Council passed the following resolution and authorized the Mayor and City Clerk to sign the resolution:

"WHEREAS Eutaw Shopping Center, Inc., being then the owner of certain land in the City of Fayetteville, North Carolina, executed two certain easements duly recorded respectively in Book 662, Page 408, and Book 702, Page 398, Cumberland County, N. C. Registry, which easements granted to the City of Fayetteville the right to construct sewer and water lines over a described portion of said land:

AND WHEREAS, further, since the time of the granting of said easements it has been discovered by the City of Fayetteville that, properly to serve said land, and to serve the best interest of the City of Fayetteville, it is necessary to have routes over said land, different from the originally intended routes;

AND WHEREAS Eutaw Shopping Center, Inc., the present owner of said land, has duly granted to the City of Fayetteville, such presently necessary easements over the correct and presently indicated portions of said land,

AND WHEREAS part of the consideration for the granting, of such presently needed easement routes was that said unneeded easements described above and recorded as stated above, should be cancelled and withdrawn;

NOW, THEREFORE, Be it resolved by the City Council of the City of Fayetteville at its regular meeting on 22 January, 1962, that the Mayor and Clerk of the City of Fayetteville be and they are hereby authorized and directed to execute in behalf of the City of Fayetteville an instrument releasing and quitclaiming any and all rights, privileges and easements which the City of Fayetteville may have by virtue of said erroneous deeds of easement."

Councilman Plummer moved that new copies of the City Code be offered to the general public for \$25.00 per copy to include supplements. Motion seconded by Councilman Rose and passed.

City Manager Ray advised the Council that allocation of insurance under Public and Institutional Plan was not yet complete but would be ready by next regular meeting.

Upon motion by Councilman Plummer, seconded by Councilman Rhodes, the Council voted to hire Mr. Arthur C. Jenkins, Jr. as architect for Fire Station #5.

City Manager Ray advised the Council that he had completed list of unaccepted streets which Council requested earlier.

Upon motion by Councilman Plummer, seconded by Councilman Maness the Council, acting on a request for refund of \$73.67 taxes paid by Mrs. W. L. Bunce in error.

Councilman Plummer moved that a public hearing be advertised for Council's regular meeting on February 12 for the levying of street paving assessments for portions of Lamson Street, Bevil Street and "B" Street. Motion seconded by Councilman Maness and approved.

Mr. Ray advised the Council that Fayetteville's Fire Department had been awarded second place in the State by the National Fire Protection Association.

Councilman Plummer moved that a letter of commendation be written to Fire Chief Carl Cain and the Fire Department for their achievement. Motion was seconded by Councilman Rose and carried.

Mayor Butler advised the Council that Mr. Purcell, PWC Engineer, who was to have attended school on radiation detection in New York, would not be able to attend. It was reported that an alternate would be chosen.

Police Chief Worrell reported to the Council that a State Highway Commission Engineer would be in the City on Tuesday, January 23rd, relative to the installation of traffic lights at Stamper Road at Emeline Avenue.

Edgar C. Willis was recognized by the Council relative to a request for a Taxicab Owner's Permit. The request was discussed briefly after Mr. Willis stated that he had been residing in another city and allowing another person to operate a cab here under a permit, which he now holds, in his name under power of attorney.

Councilman Plummer moved that the request be tabled for further study by the Council. Motion was seconded by Councilman Maness and carried. Councilman Rhodes suggested that Lt. Davis, Traffic Bureau, make a study of the number of taxicabs being operated in the city in absentia by power of attorney and report back to the Council at a later meeting.

There being no further business and upon motion by Councilman Rhodes, seconded by Councilman Maness, the meeting was adjourned at 10:00 P. M.

Maurice W. Downs, City Clerk