

officer - John W. Davis - who resides outside the corporate limits of the City, and who had placed second in the Sergeants examination, had been informed by the Civil Service Commission that he could not be recommended for promotion due to his living outside the City. City Attorney Tally was then asked by the Council for his opinion and ruling on this. Attorney Tally said that his opinion and interpretation of the N. C. Constitution requires residence in the City and that the Attorney General has ruled repeatedly since 1959 and as late as 1961 that it is a requirement for a City Police Officer to be a qualified elector where he serves.

Several letters were then presented by Councilman Packer to Attorney Brewer from several N. C. cities namely, Charlotte, Wilmington, Chapel Hill, and Burlington regarding their policies. Councilman Packer said these letters were in answer to letters he had instructed Chief of Police Worrell to write. The letters stated in all cases that generally no distinction was made in these cities between police officers residing inside or outside the city regarding their promotion policy.

Council then recognized Mr. C. C. Bailey, a resident of Massey Hill and a neighbor of Police officer John W. Davis who stated that several petitions for annexation of their area to the city had been rejected due to drainage problems. Mayor Clark then read a letter from the Public Works Commission which stated that there was an elevation problem in the area referred to by Mr. Bailey which made service by city utilities both expensive and difficult if annexed. Councilman Plummer corroborated this by stating that attempts had been made in the past to annex the area but the cost is prohibitive at the present. A question then arose regarding the petitions and Assistant City Engineer Bennett was requested to secure the petition in question from his files so the Council could view it.

Pending this, Council recognized Mr. Riley Williams, a resident of Bryan Street, who requested Council to give consideration to the repaving and installation of curb and gutter along Bryan Street from Arsenal Avenue to Branson Street without a petition. City Attorney Tally was asked for a ruling on this and it was determined that this could be done under City's policy of repaving a street to connect two other paved streets. Following some discussion, Councilman Packer moved that a public hearing be advertised on this matter for December 9th by the adoption of the following resolution. Motion seconded by Councilman Holt and approved unanimously by the adoption of the following resolution:

PRELIMINARY RESOLUTION  
REQUIRING THE REPAVING,  
WITHOUT A PETITION,  
OF  
BRYAN 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 judgment, the City Council of Fayetteville, North Carolina, finds as fact that:

- 1) The repaving of BRYAN STREET is necessary in order to connect streets already paved, to wit Arsenal Avenue and Branson Street;
- 2) The public interest, safety, convenience, and general welfare requires the repaving and other below described improvement of Bryan Street;
- 3) The property abutting on said street to be repaved 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 Bryan Street which lies between Arsenal Avenue and Branson Street, shall be repaved and curbs and gutters laid thereon, the cost of such improvements (exclusive of so much of said cost as 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 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) A meeting of the City Council of Fayetteville will be held at the City Hall of Fayetteville at 8 P.M. on the 9th day of December, 1963, on the proposed improvements when all objections to the legality of making said proposed improvements shall be made in writing, signed in person or by Attorney, and filed with the Clerk of the City of Fayetteville at or before such time, and any such objections not so made will be waived.

3) This RESOLUTION and ORDER shall be published once in THE FAYETTEVILLE OBSERVER, a newspaper published in the City of Fayetteville, ten (10) Days before the time fixed for said meeting.

Adopted this 11th day of November, 1963, by the City Council of the City of Fayetteville, North Carolina.

Wilbur Clark  
Mayor

Maurice W. Downs  
Clerk

Engineer Bennett, having returned with the petition for annexation referred to by Mr. Bailey, Council then resumed discussion of said petition. The Council studied the petition and upon motion by Councilman Plummer, seconded by Councilman Packer, unanimously directed said petition to be taken under study by the Planning Board and that a recommendation be made by it regarding the advisability of annexing this area to the City.

Council then resumed its discussion of Sergeant promotions within the Police Department. After some further expressions of opinions, Mayor Clark suggested that the matter be referred back to the Civil Service Commission for further study before action is taken by the Council. This suggestion was accepted by the other members of the Council.

City Manager Ray reported that a request has been made by residents of the Bordeaux Sub-division that a 25 mile per hour speed limit be established on all streets in Bordeaux except Village Drive. Following a brief discussion, Mayor Clark suggested that the City Manager, Chief of Police and Traffic Officer make a study of all 25 mile per hour streets within the City with the view toward elimination of all 25 mile per hour zoned streets since such streets within a normally zoned 35 mile per hour area only tend to confuse the driving public, and constitute more of a menace to life and limb than justifies their existence.

Mr. Ray reported that the State Highway Commission has requested that the Council order "no parking" on both sides of Murchison Road from Rowan Street to the City Limits and on Ramsey Street from Monument Square to the City limits. Councilman Plummer moved that Council approve Commission's request and order "no parking" along the portions of said streets. Motion seconded by Councilman Packer and approved unanimously.

Mr. Ray requested the Council to order "no parking" on the south side of Maiden Lane from Ray Avenue to Burgess Street alongside the new No. 5 parking lot (old Central School site) since parking was causing a hazard in entering and exiting the new lot and since the north side of the street was already zoned "no parking". Councilman Plummer so moved, and motion was seconded by Councilman Holt and approved unanimously.

Upon motion by Councilman Packer, seconded by Councilman Plummer, a traffic signal was ordered installed at the intersection of Maiden Lane and Ray Avenue to replace the blinker signal there now.

Mr. Ray, reporting on request for school crossing guard at the intersection of the Old Wilmington Road and East Russell Street, stated that studies had been made by the Traffic Bureau on October 22, 24, and 25 during the hour from 7:30 to 8:30 A.M. and that on those days a total of 15, 23, and 18 children respectively used the intersection and that all except 3 of these students were of junior high school age. Council took no action on the request.

Mr. Ray reported that a rough draft of the City's Annual Report had been submitted to him by the printers and was available for inspection in his office.

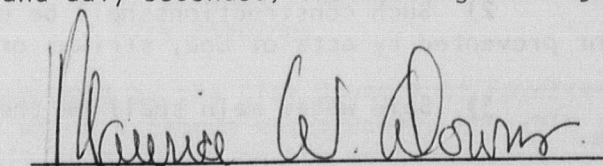
Mr. Ray reporting on the extension of Fairfield Road, (connecting road between Tallywood Sub-Division and Murray Hill Sub-division), stated that the estimated cost to construct such a link would be \$53,530.00. Council took no action.

Councilman Packer suggested that an information desk be created in the lobby of the City Hall to operate jointly with Public Works Commission and the other City offices in assisting the general public. Mayor Clark suggested that City Manager Ray and Public Works Commission Administrator Muench study the matter and make a recommendation to the Council at a later date.

Councilman Packer also suggested that the south side of Campbell Avenue between Gillespie Street and Cool Spring Street be zoned "no parking" due to the narrowness of the street. It was also suggested that Dick Street be zoned "no parking" due to the narrowness of the street. Mayor Clark suggested that these matters be considered at the next meeting of the Council since there would probably be some residents from the area who would like to present and voice their opinions.

Councilman Holt suggested that an investigation for Dutch elm tree infestation be conducted. He stated that he had seen evidences of what appeared to be infestation in several trees in the City Cemeteries. Mayor Clark stated that he had just recently received a report from a forestry authority which stated that no infestation was present in this area.

There being no further business and upon motion made and duly seconded, the meeting was adjourned at 11:00 P. M.

  
Maurice W. Downs  
City Clerk