

Regular Meeting
March 26, 1962
8:00 P.M.
Council Room

Present:

Councilmen: Ted O. Rhodes
Sol C. Rose
D. B. Maness
Eugene Plummer

Absent: Mayor, Robert H. Butler
City Manager, G. W. Ray

Others Present:

Acting City Attorney,
Nelson Taylor
PWC Administrator,
R. A. Muench
PWC Secretary, A. B. Carr

In the absence of Mayor Butler, Mayor pro tem Rose opened and presided.

A public hearing was held on a petition from property owners to pave the section of Manchester Street lying between Pearl Street and Greenland Drive. There was no opposition voiced and upon motion of Councilman Plummer and seconded by Councilman Maness and by unanimous vote by the Council, a preliminary resolution was adopted, ordering that this section of street be paved.

PRELIMINARY RESOLUTION

REQUIRING THE PAVING,

PURSUANT TO PETITION,

OF

MANCHESTER 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 North Carolina General Statute 160-82, et seq, has been filed with the City Council of Fayetteville, North Carolina, requesting the paving and other below described improvement of Manchester Street, and said petition is in due and sufficient form, containing a general description of the paving and other improvement proposed for said Street, and requesting that such paving and other improvement be made in conformity with the applicable provisions of law, and that the proportion of the cost of such paving and other improvement below specified be 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.

2) The public interest, safety, convenience and general welfare requires the paving and other below described improvement of Manchester Street;

and

3) The property abutting on said street to be so paved 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 Manchester Street which lies between Pearl Street and Greenland Drive, shall be paved (or repaved) and curbs and gutters laid thereon, 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 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%)

per cent, payable annually.

2) A meeting of the City Council of Fayetteville will be held at the City Hall of Fayetteville at 8:00 P.M. on the 26th day of March 1962, on the proposed improvement(s) when all objections to the legality of making said proposed improvement(s) 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 12th day of March, 1962 by the City Council of the City of Fayetteville, North Carolina.

All persons interested may and are invited to appear and be heard.

ROBERT H. BUTLER
Mayor

Maurice W. Downs
Clerk

Pursuant to a request from the developers of Glendale Acres, a public hearing was held on the question of paving, without a petition, from the abutting property owners, of that section of Tarwick Avenue lying between Terry Circle and the Glendale Acres subdivision. Mr. O. C. Weaver, owner of one of the abutting lots objected to any part of the paving costs of the street being assessed against his property. His objection was based on his contention, that he purchased his lot free of all assessments. A brief discussion followed and Councilman Plummer moved that the matter be tabled until the next regular meeting of the Council and that the matter be investigated further to see if a solution could be found that would be acceptable to all interested parties. This motion was seconded by Councilman Rhodes and adopted by unanimous vote.

A request was presented from Thompson McLean Development Corporation that they be permitted to pave, on a private contract, those streets in Section V, part "A" of the Vanstory Hills subdivision. Motion was made by Councilman Plummer, seconded by Councilman Maness and by unanimous vote, the Thompson-McLean request was approved.

Residents and property owners living on the East side of Murchison Road in the area of Normal Avenue, Bullard Street and Newark Avenue, petitioned the Council to annex this area to the City. After some discussion and upon motion of Councilman Plummer and seconded by Councilman Rhodes, the Council voted to table the matter until the next regular meeting, in order that further study could be made to determine the problems involved.

A report from Mr. Jarvis D. Jones, Tax Collector of a number of delinquent personal property and poll tax accounts for 1949 and prior years was submitted with a request that they be declared insolvent. During the discussion that followed, members of the Council expressed the opinion that certain accounts were collectable. Councilman Plummer moved that no action be taken at this meeting and that the list of accounts be restudied by the Tax Department, in order that collectable accounts might be eliminated. This motion was seconded by Councilman Maness and adopted by unanimous vote.

James Paul Plumley was granted a permit to drive a taxi-cab.

A public hearing was held on a request to rezone from R-6 Residential to C-1 Local Business, a lot on Ramsey Street, beginning 60 feet northward from Sunrise Circle. Several residents of the area were present and voiced their objections to the proposed rezoning. After much discussion, Councilman Plummer moved that the request for rezoning be denied. The motion was seconded by Councilman Maness. When the vote on the motion was called, Councilman Plummer and Councilman Maness voted "FOR" and Councilman Rose and Councilman Rhodes voted "AGAINST" the motion.

Bids that were received at 10:30 A.M., this date, for furnishing summer uniforms to the Police and Fire Departments were reported to the Councilmen. Discussion followed after which a motion was made by Councilman Plummer that clothing needs for the Fire Department, with the exception of work pants, be awarded to the Globe and that the work pants be purchased from the Belk-Hensdale Company. The motion was seconded by Councilman Rhodes and passed. Purchase of clothing needs for the Police Department was, upon motion by Councilman