

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL

MINUTES OF MEETING
BOARD OF DIRECTORS
MCDOWELL CHAMBER OF COMMERCE, INC.
MCDOWELL COUNTY PUBLIC LIBRARY - CONFERENCE ROOM
August 18, 1969
Convened at 7:30 P.M. - Adjourned at 9:00 P.M.

Presiding Officer: Marshall Dark, Vice President
Recording Officer: George J. Verbruggen

Present: Stirling Bower, P. S. Bradley, Jr., Kimball Miller, John Cross, W. W. Howle, Victor Denton, Arthur Evans, James E. Evans, Ralph Hawkins, Carter Hudgins, William Kehler, Jim Lancaster, Otis Ledbetter, W. R. Ledbetter, E. E. Rankin, and Guy Thompson.

Absent: John Decker, Roger White, W. B. Gibbs, Jr., Paul Richardson, and Harry Patton.

Vice President Marshall Dark called the meeting to order at 7:55.

MINUTES OF JULY BOARD OF DIRECTORS MEETING
Mr. Verbruggen called to the attention of the directors that at the last meeting it was stated that the parking lot behind the Blanton Building contained 50 parking spaces and would be enlarged to 65 parking spaces. The correction in the minutes is to be that the parking lot contains 59 parking spaces now and could be enlarged to 74 if the Welfare building is torn down.

The Minutes of the July Board of Directors Meeting were then approved as presented with the correction.

TREASURER'S REPORT

Mr. Ed Rankin, treasurer, presented the treasurer's report. Motion was made and carried that the treasurer's report for July be approved as presented.

OLD BUSINESS - None

NEW BUSINESS

Results of the Directorship Election:

Mr. W. W. Howle and Mr. Carter Hudgins, two members of the nominating committee, met in the conference room before the meeting and counted the ballots for the election of directors. The results were as follows:

Business Retail Division

Martin Freeman - Western Auto Associate Store
Jim McGarr - Roseland Florist

Business Non-Retail Division

Galen Hobbs - First Union National Bank

Industrial Division

Jerry Dodson - Broyhill Furniture Company
Paul Cox - Collins & Aikman

Professional Division

Harry Stolte - Calder, Crawley & Company

Downtown Parking Facility Committee Report:

Vice President Dark read the following report:

The Downtown Parking Committee met on Tuesday, August 12, 1969 at 7:30 P.M. in the Chamber office. Present were: Bill Griffith - chairman, Vernon Eckerd, Dave Blanton, Everette Clark and George Verbruggen.

Mr. Griffith opened the meeting with a statement to the effect that the purpose of the meeting was to discuss and make recommendations on how to organize and establish a workable plan for the operation of off-street downtown parking.

STREET PAVING: The City Manager reported that the street patching project is underway with top priority being given to the heavily traveled streets that are in need of patching.

COMMUNITY BUILDING FEES: The Board instructed the City Manager to prepare for consideration at the next Board meeting a list of revised rental fees for the Community Building.

RIDGE STREET PAVING: The City Manager reported that he has received a street paving petition with signatures for the total footage along both sides of Ridge Street from a point where it intersects with Robert Street southwest to a point where it intersects with Turner Street. Upon a motion by Councilman Cross and seconded by Councilman Segers, the Board unanimously voted to pave this street.

MYPOR LAW ENFORCEMENT PLANNING: The City Manager reported that the City Council on March 17, 1969 adopted a resolution relating to law enforcement planning in McDowell, Mitchell, Yancey, Polk and Rutherford Counties. He stated that he has recently received a letter from the planning agency asking us to adopt a new resolution in place of the one adopted earlier. Upon a motion by Councilman Segers, seconded by Councilman Ledbetter, the Board unanimously adopted the following Mypor Law Enforcement Planning Resolution.

WHEREAS, the City of Marion by resolution dated October 7, 1969 has agreed to participate in planning efforts for the improvements of law enforcement and the criminal justice system in North Carolina; and

WHEREAS, pursuant to statutory authority conferred upon municipalities by virtue of G.S. 160-200 (45) and upon counties by virtue of G.S. 153-9 (60), said municipalities and counties may create joint agencies to act for and on behalf of participating municipalities and counties to plan and execute training and development programs for law enforcement agencies;

NOW, THEREFORE, BE IT RESOLVED that there is hereby created the MYPOR Law Enforcement Planning Unit to be composed of the following agencies, to wit:

Counties	Towns & Cities
McDowell	Marion
Mitchell	
Yancey	
Polk	
Rutherford	

The MYPOR Law Enforcement Planning Unit consists of: (1) a policy board which has two representatives from each governmental unit participating in the planning effort, one of whom is a representative of the the law enforcement agency serving said governmental unit; and (2) An executive board which consists of not less than five members elected by a vote of the policy board. The executive board consists of a President, Vice-President, Secretary, Treasurer and such additional positions as the policy board shall establish.

The planning unit shall have a Project Director who shall assume responsibility for coordinating the planning efforts for the MYPOR Law Enforcement Planning Unit.

The purpose of the MYPOR Law Enforcement Planning Unit is to prepare and adopt comprehensive law enforcement plans based on their evaluation of local problems of law enforcement. The Planning Unit may receive and disburse funds made available for the purpose of planning. It may prepare applications for action projects to improve law enforcement within its locality and may receive and disburse funds for these projects. It may function in any and all ways necessary to further the goals of law enforcement within the particular region involved and to this end may conduct surveys, studies, interviews and any other efforts necessary to prepare plans and projects for the improvement of law enforcement and the administration of criminal justice.

Done this 7th day of October, 1969.

Mayor

PARK AVENUE SIDEWALK: Mayor Neal stated that Mr. Jack Morris has agreed to either uncover the sidewalk adjoining his property on Park Avenue or to pay \$100.00 on the cost of installing a new sidewalk. After some discussion the Board asked the Mayor to inform Mr. Morris that the City would consider constructing a new sidewalk if he would pay one-half the total cost of the new sidewalk.

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CITY OF MARION

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Board of Directors - Regular Meeting

of American Thread and discussed labor availability, wages, fringe benefits and other aspects of the county. For about two months following their visit, the Chamber heard nothing from this industry. Then on Thursday, August 14, representatives from the Department of Conservation and Development came to Marion to conduct a labor survey for the industry. The Chamber of Commerce, along with the newspaper, the radio and the Employment Security Commission, agreed to assist in this survey. The newspaper printed applications and a story about the prospective industry.

Mr. Verbruggen stated that this was a AAA-1 industry. It is located in Johnson City, Tennessee. Five other states, besides North Carolina, are vying for the location of this industry. Marion was chosen as a site because there are no labor unions and because of labor availability. The pharmaceutical company (which makes hospital supplies, surgical gloves, and hospital kits) would employ around 300 people and expand to 600 in three or four years. The only disadvantage of the county for the industry would be inadequate sewer facilities for the amount of water the plant would use. Tentative sites were selected near Air Preheater in Pleasant Gardens, the Becker sand and gravel site and across from Collins and Aikman in Old Fort. Mr. Verbruggen stated that around 3,700 applications had been received from people not only in McDowell County but also from Spruce Pine, Newland, Morganton, Rutherfordton and Black Mountain.

Mr. Guy Thompson, of Old Fort Finishing, stated that he agreed with President Decker's policy of reading letters the Chamber received from companies asking about industrial sites in the county. He explained that this is a step in the right direction of keeping the directors informed on what is happening in the county. He stated that most of the directors were surprised when they learned of the survey being conducted by the prospective industry and had heard nothing from the Chamber concerning this. Mr. Thompson suggested that the Chamber appoint a committee to screen industries when they write for information about the county, so that a reply can be sent accordingly and not invite undesirable industries into the county. Mr. Thompson stated that the Chamber directors are to guide the Chamber and plan industrial growth, and that a committee should be set up to draw up a policy for guidelines in selecting industry for McDowell County.

Mr. Verbruggen explained to Mr. Thompson that the Department of Conservation and Development in Raleigh did not want or encourage undesirable industry to come into North Carolina. He pointed out that C. and D. checked these firms to be sure that they were accredited and reputable before any steps were taken to encourage them to locate in the state. He also pointed out that the companies did not like to reveal too much information about themselves, not even their name, until a definite decision was made on the location of the plant.

Mr. Thompson stated that it was not fair for the county to encourage industry to locate here when we don't know anything about them. Mr. Dark replied that when an industry decides to locate in a specific area it contacts industry, county leaders and the Chamber of Commerce and fills them in on what they plan to do.

Mr. Verbruggen agreed with Mr. Thompson that the Chamber should have an industrial committee to handle prospective industries; and that the committee should be composed of members from all four divisions of the Chamber.

Mr. Ed Rankin explained that the Chamber's job was to furnish statistics and when industries were interested in an area, they usually contacted the Chamber of Commerce for these statistics. He stated that when an industry becomes definitely interested in selecting a site for a plant, this is no longer in the Chamber's hands. The Chamber of Commerce is not instrumental in bringing industry in, it is only the first contact point.

Mr. Thompson then pointed out that no one wants an industry that would pollute the air or the water to come into the county. He also stated that most of the local plants were having a problem finding good experienced workers now and if a new plant comes in it would leave fewer good workers, male or female. Mr. Otis Ledbetter pointed out that the industry would employ 60% female and 40% male workers. Mr. Thompson stated that this situation could provide an opening for labor unions. He concluded by pointing out that if the new industry had been discussed and the directors consulted about it, there might have been more information available to them.

STREET PAVING: The City Manager reported that the street patching project is underway with top priority being given to the heavily traveled streets that are in need of patching.

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Done this 7th day of October, 1969.

Mayor

PARK AVENUE SIDEWALK: Mayor Neal stated that Mr. Jack Morris has agreed to either uncover the sidewalk adjoining his property on Park Avenue or to pay \$100.00 on the cost of installing a new sidewalk. After some discussion the Board asked the Mayor to inform Mr. Morris that the City would consider constructing a new sidewalk if he would pay one-half the total cost of the new sidewalk.

CCG002

MARION CABLE T.V.: Mayor Neal reported that Mr. McDonald, President of Marion Cable T.V., stopped by his office this afternoon and stated that he could not attend the meeting but will send to the City Manager an auditor's report. He also stated that he will be interested in meeting with the Board sometime in the near future.

CARSON - WESTCOURT STREET TRAFFIC SIGNAL: Councilman Cross asked if a traffic signal at the intersection of Carson and West Court Street is proposed in the traffic study now being reviewed by the Highway Commission. The City Manager stated that this particular intersection was not studied by our traffic engineer. However, we do have a signalization planned for it developed by a traffic engineering supply representative. After some discussion the City Manager was requested to write the Highway Commission requesting them to incorporate the proposed signalization for this intersection into the overall plan now being reviewed provided this can be done without further delaying the approval of the overall plan by the Highway Commission.

NORTH CAROLINA LEAGUE OF MUNICIPALITIES: The City Manager stated that the NCML conference will be in Asheville October 26, 27, and 28. He encouraged the Board members to try to attend at least some of the sessions.

WESTBROOK AVENUE: The City Manager stated that we have received a written request from International Music Instrument Company, Lois C. Cook, and Walton Clapp, Jr. requesting Westbrook Avenue be changed to Currier Avenue. Upon a motion by Councilman Cross and seconded by Councilman Wilkerson, the Board unanimously approved this request.

SPRING STREET: The City Council unanimously voted to prohibit parking on the north side of Spring Street from the intersection of Spring and South Main Streets east along Spring Street for a distance of approximately 70 feet.

JUNIOR HIGH SCHOOL: The City Manager stated that Mr. Byrd, principal of the Marion Junior High School, requested parking be prohibited on the south side of West Court Street in front of the school between 3:00 P.M. and 4:00 P.M. After some discussion, it was generally agreed that a no parking restriction would place an inconvenience on the residents living in this area and that the loading and unloading of children from cars in this area is the real problem - not parking. No action was taken on this request.

WATER SUPPLY MUNICIPAL LIMITATIONS: The City Manager reported that it is necessary to rely on all three raw water sources to have adequate water to meet daily demands. He stated that a breakdown for over two or three hours in any of the three sources will result in a water shortage. He further stated that it is his opinion that this is a top priority item that needs attention, however, because of cost (\$30,000 - \$50,000 estimated) it will have to be deferred until we are financially in a position to undertake the project.

TRIP TO RAW WATER INTAKES: After a brief discussion it was decided that this trip should be planned for a Wednesday morning sometime during this month.

STREET AND UTILITY EXTENSION POLICY: The City Manager stated that there are very few city policies recorded relating to the extension of streets and utilities. He recommended that consideration be given to the adoption of the following policies:

(Developed Areas)

Street Paving: The City of Marion will generally pave with asphalt a street if 50% of the estimated total cost related to paving is paid by the petitioners. Pavement width is to be 28', if sufficient right of way is available. In no case will a street be paved at a width of less than 20 feet. All paved streets are to have a cement or asphalt curb.

Water Lines:

Incorporated area only

All New water line extensions must be cast iron, at least 6" in diameter. The City of Marion will pay 50% of the cost of installing such lines provided the extension is in accordance with City water extension plans.

Fire Hydrants: To be installed as necessary on water line extensions. The City will pay 50% of the cost of fire hydrants.

Sanitary Sewers:

All sanitary sewer line extensions must be terra cotta, at least 8" in diameter. The City of Marion will pay 50% of the cost of installing such lines provided the extension is in accordance with City sanitary sewer extension plans.

Storm Sewers:

The City of Marion will pay 50% of the cost of installing a storm sewer provided the extension is in accordance with City storm sewer extension plans.

Petitioners must pay their estimated share of the project cost in advance of construction.

(Undeveloped Areas)

Developer or Subdivider shall install at no cost to the City of Marion

Water Lines - Minimum 6" cast iron
Fire Hydrants - One every block not to exceed 1000' between hydrants.
Sanitary Sewer Lines - Minimum 8" - terra cotta
Storm Sewers - As necessary
Streets - Right-of-way 50' graded level the full width
Pavement - Cement or asphalt; Minimum width: 28'
Curb - Cement or asphalt

All utilities must be installed in accordance with City standards and specifications and dedicated to the City of Marion.

After some discussion the City Manager stated he would send each of the Board members a copy of the proposed policies for further consideration at a later meeting.

DOGWOOD LANE: Upon a motion by Councilman Cross, seconded by Councilman Ledbetter, the Board unanimously voted to install "Slow, Children Playing" signs on Dogwood Lane in the vicinity of Lonon Street.

INDUSTRIAL DEVELOPMENT: Councilman Ledbetter stated the City of Marion and McDowell County needs new diversified industry to strengthen the economic base. Councilman Ledbetter made the motion that we notify the North Carolina Department of Conservation and Development that the City of Marion is interested in attracting new industry and we are willing to co-operate in any way with the Department to attract new industry into this area. This motion was unanimously approved and the City Manager was instructed to write such a letter to the Director of the Department of Conservation and Development.

NORTHWESTERN BANK WATER SERVICE: Councilman Segers stated the Northwestern Bank is interested in getting municipal water to their branch office on U.S. 70 West. After some discussion, it was agreed that the Northwestern Bank could tie onto one of the 6" crossovers in the vicinity of their building and extend a 2" water line in highway right-of-way to a point in front of their property, the banks service line would extend from this point to their building. The 2" line when completed would be dedicated to the City of Marion.

There being no further business, the meeting adjourned.

Mayor

City Manager
(Clerk)

CCG002

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

October 21, 1969

The Marion City Council met in a regular Board meeting Tuesday, October 21 at 7:30 P.M. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen Oliver Cross, James Segars, Horace Wilkerson and Phillip Laughridge. Absent: Councilman William Ledbetter. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney and Harold Dysart, Everette Carnes, Willard Harris, Carroll Toney, Wilburn Stepp, Paul Munnally and Rosamond Braly.

TAXI RATES: Carroll Toney, representing the four taxi cab businesses in Marion, stated the taxi cab companies have mutually agreed to raise their rates in accordance with the below schedule effective November 1, 1969, if the proposed increase is acceptable to the Board.

Zone 1	\$1.00	Zone 2	\$1.00	Zone 3	\$1.40	Zone 4	\$1.80
				Zone 5	\$2.20		

Return trips 50¢ - Fares beyond zone #5 = \$2.20 Plus 35¢ per mile - All stops 25¢ - Waiting time \$.50 per hour - All extra pick-ups 50¢ - An extra charge will be made for transporting ice or coal - Extra charge made for taking taxi off route - Extra charge may be made for loading or unloading.

Upon a motion by Councilman Laughridge and seconded by Council Segars, the Board unanimously voted to approve the requested rate increase.

MACKEY'S CREEK RAW WATER LINE: Harold Dysart appeared before the Board to inquire if a decision had been made regarding his request to tap onto the Mackey's Creek raw water line at City rates. After considerable discussion the Mayor stated he would appoint a committee to work out an agreement regarding water service that would be mutually acceptable to Harold Dysart and the City of Marion.

U.S. 70 WATER LINE - WATER SERVICE TO PIERCE BRADLEY'S PROPERTIES: Everette Carnes, a local attorney, appeared before the Board on behalf of Mr. Bradley to seek to get the Board to agree to Mr. Bradley's conditions regarding 1) his proposed contribution and 2) water service to his existing and proposed developments along U.S. 70 West. All the Board members and the City Attorney expressed that it was their understanding that Mr. Bradley had, at some time in the past, indicated a willingness to contribute \$6000 to the water line as Ray Simmons (past Board Member) indicated in a letter to Mayor Albert M. Neal dated January 7, 1969. Mr. Carnes stated that Mr. Bradley says he never offered to contribute \$6000 toward the construction of the water line. Mr. Carnes also stated that Mr. Bradley says he was assured prior to the construction of the water lines that he would not be charged for any existing or new taps. Mayor Neal and Councilman Segars informed Mr. Carnes that this was never part of the agreement. After a lengthy discussion the following motion was made by Councilman Cross, properly seconded and passed that:

The City of Marion accept, with thanks, a contribution from P.S. Bradley, Jr., in the sum of THREE THOUSAND DOLLARS, toward the cost of construction the new 10" water main out U.S. Highway 70 West of Marion and

That the present private lines supplying water, through the present meters, to Westgate Apartments and the existing residences on the Bradley property, be connected to the new water main at existing 6" crossover without payment of additional fees, and that the 2" water line previously installed by Bradley be taken up and Mr. Bradley reimbursed for the cost of such pipe in accord with an existing agreement and

That Mr. Bradley be permitted to construct a new 2" distribution line from Ballew Motor Company 6" crossover, through the proposed shopping center site, to the 6" cross over located North of said site and to connect it, if agreeable with Northwestern Bank to the 2" crossover recently constructed to serve the Bank, provided that after such construction is completed and approved by the City, the distribution line, together with an 15' wide easement extending 7 1/2' to either side of said line, for maintenance of the same, be given to the City, and thereafter any consumer obtaining water from said system shall be charged the usual tap fee and rates for water consumed, in accord with ordinances and regulations of the City applicable to water consumer.

After this action by the Board, Mr. Carnes excused himself from the meeting to call Mr. Bradley to see if this agreement would be acceptable to him. He returned later to state that the agreement was acceptable to Mr. Bradley. The City Manager was instructed to get together with Mr. Dameron, City Attorney; and Mr. Carnes, Mr. Bradley's attorney; to draw up an agreement encompassing the above provisions.

WILLOW STREET EXTENSION: Mr. Carnes stated that he is still very interested in having the City extend Willow Street from Broad Street south across the creek to Glenview Street. He stated that he had discussed the construction of a bridge with Mr. Boyd and that he indicated he could build a bridge across the creek and do the necessary grading on both sides of the bridge to permit street construction for \$1200. The bridge construction would be of 10' circular corrugate pipe (salvaged) with a four inch re-enforced concrete slab for the traveling service over the bridge. He indicated the \$1200 would include the construction of hand rails on the bridge and installing wing abutments from the ends of the corrugated pipe several feet back into the creek bank. After further discussion, the Mayor indicated to Mr. Carnes that the Board would take this request under consideration and give it further study.

BLUE RIDGE STREET CONNECTOR: The City Manager reported that Mrs. Louise Davis has signed the agreement with the City regarding driveway access to her property, but she will not sign the Highway right-of-way agreement because she claims the Highway Commission would be taking more of her property than she anticipated. The City Manager stated that he had been advised by the Highway Commission that this delay may make it impossible for the Highway Commission to let the project contract in November. After further discussion, it was generally agreed that Mrs. Davis should be recontacted to see if some agreement could be worked out so she would release the front corner of her property for right-of-way for the proposed street.

WEST HENDERSON STREET SIDEWALK: The Board instructed the City Manager to proceed with the construction of a sidewalk on the west side of West Henderson Street from a point where the existing sidewalk ends to Lail Street.

PARK AVENUE SIDEWALK: Mayor Neal stated that Jack Morris is willing to pay only \$100.00 toward the construction of a new sidewalk. If this is not satisfactory to the City, Mr. Morris would prefer that the existing sidewalk be uncovered. After further discussion, Mayor Neal indicated that he would like to discuss this matter further with Mr. Morris before the Board takes any action on this matter.

SALES TAX; LOCAL OPTION: The City Manager distributed draft copies of a letter that the North Carolina League of Municipalities suggests be sent to residents within the City. The City Manager stated that this letter could be sent to all residents within the corporate area for a cost of \$75.00 to \$100.00. After some discussion it was decided that rather than sending this letter by mail, the letter should be published in the local newspaper sometime before the November 4 election.

TRIP TO RAW WATER INTAKES: The City Manager stated that arrangements have tentatively been made for a trip to the intakes on Wednesday morning, October 29. He indicated the U.S. Forest Service has indicated a willingness to provide one or more four wheeldrive vehicles for transportation.

INDUSTRIAL DEVELOPEMENT: The City Manager circulated a letter from Roy G. Sowers, Jr., Director of the North Carolina Department of Conservation and Development, acknowledging receipt of a letter from the City. (reference October 7, 1969 minutes - page 115)

SCHOOL VEHICULAR AND PEDESTRIAN CONGESTION: The City Manager read the following letter to the Board:

Dear Mr. Denton:

In formal session on Monday, October 13, 1969, the McDowell County Board of Education reviewed, at length, the problem of and the proposed solutions to that portion of traffic congestion directly attributable to school related traffic at Marion Junior High School and at Marion Elementary School.

After considering all ramifications of problems attendant to proposed changes at Marion Junior High School, the Board was of the opinion that the institution of any changes proposed there to date would engender new problems and compound old ones, some of which would be of far reaching and serious consequences. Thus, the Board held action in this regard in abeyance with the understanding that other solutions would be sought.

The answer to the traffic problem at the Marion Elementary School, as was proposed by you and by Mr. Segars, received a favorable reaction from the Board of Education to the extent that the Board voted to permit the construction of a drive within the present lawn area of the school and running parallel to Robert Street. Since no funds were appropriated during the fiscal year for this project, its immediate construction is contingent upon funding from other sources. We invite your help in seeking the necessary funding.

CCG002

Please be assured that within the framework of possibilities available to us now, everything reasonable will be done to ensure the safety of our students and to expediate the orderly flow of traffic.

Sincerely,

James E. Johnson
Associate Superintendent

JEM:zj
cc: Mr. Jim Segars

After some discussion regarding the letter, it was decided that no action could be taken on this matter until further investigation is made of the problems and possible solutions.

STREET, UTILITY AND WATER EXTENSION POLICY: Upon a motion by Councilman Segars, seconded by Councilman Cross and unanimously approved, the following street, utility and water extension policies were adopted:

(Developed Areas)

Street Paving: The City of Marion will generally pave with asphalt a street if 50% of the estimated total cost related to paving is paid by the petitioners. Pavement width is to be 28', if sufficient right of way is available. In no case will a street be paved at a width of less than 20 feet. All paved streets are to have a cement or asphalt curb.

Water Lines:
Incorporated area only

All new water line extensions must be cast iron, at least 6" in diameter. The City of Marion will pay 50% of the cost of installing such lines provided the extension is in accordance with City water extension plans.

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Streets - Right-of-way 50' graded level the full width
Pavement - Cement or asphalt; Minimum width: 28'
Curb - Cement or asphalt

All utilities must be installed in accordance with City standards and specifications and dedicated to the City of Marion.

WATER LINE EXTENSION POLICY: See page 119

WATER SERVICE EXTENSION REQUEST: The City Manager stated that he has received a request from Willard Brooks to extend a 6" water line from the existing City distribution system to his property on the south side of U.S. 70 East between the Clinchfield Baptist Church and Clinchfield Railroad depot. The City Manager stated that Mr. Brooks has indicated that he would be willing to pay for the cost

of the materials for a 6" cast iron pipe to be extended from Matilda Avenue to his property or from the City limits on U.S. 70 East provided we would permit him to have 10 free taps on the line. The City Manager also stated that Amos Fortenbury is interested in obtaining water service from the newly installed 6" municipal line on Rutherford Road in the vicinity of the intersection on Baldwin Avenue. The City Manager stated 1) that a request has been received from Sam Phillips for water service to a parcel of ground that he owns on the north side of U.S. 221 between the Catawba River and Wiseman Motor Company, 2) that we will soon be getting a request for water service from the new consolidated school, and 3) that the residents of Robinson Road are attempting to get enough contributions to extend a 6" line from U.S. 70 northeast along Robinson Road for several hundred feet.

There being no further business, the meeting adjourned.

Mayor

City Manager
(Clerk)

October 21, 1969

WATER LINE EXTENSION POLICY: All new water lines must be installed in accordance with City specifications in the center of a 15' unobstructed easement or in a public right-of-way. Before any such water lines are placed in service the lines and the easement must be conveyed to the City of Marion. Regular tap fees will be required for each tap and in no instance shall more than one service be permitted off of each tap.

Mayor

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

November 4, 1969

The Marion City Council met in a regular Board meeting on Tuesday, November 4 at 7:30 in the Council Chamber. Present were Mayor Albert M. Neal, Councilmen Oliver Cross, Philip Laughridge, William Ledbetter, James Segars and Horace Wilkerson. Others present were, Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Lynn Neal and his son Albert Neal and Rosamond Braly.

BLUE RIDGE STREET CONNECTOR: The City Manager reported that all the right-of-way agreements for the Blue Ridge Street Connector have been signed and that the Highway Commission plans to let the construction contract sometime during this month.

PARK AVENUE SIDEWALK: Mayor Albert Neal stated that Jack Morris was re-contacted regarding the sidewalk on Park Avenue, and that he re-affirmed his earlier statement that he would prefer to uncover the sidewalk rather than pay more than \$100 toward the construction of a new sidewalk. After considerable discussion, the City Manager was asked by the Board to discuss this matter again with Mr. Morris as the present sidewalk has been covered to such an extent that to uncover it would develop maintenance problems on the part of the City and possibly erosion problems on the part of adjoining property owners.

PURCHASES - MUNICIPAL: The City Manager stated that he has received only one bid for the City's tire and tire related business. After some discussion the Board decided to make our purchases for tires and tire related items through the City Tire and Recapping Company.

FIRE DEPARTMENT - FIRE TELEPHONE SERVICE: Councilman Laughridge stated that "fire telephones" were again discussed at a recent volunteer firemen's meeting and the volunteer firemen would like for the City to again consider paying for the installation of 15 fire telephones for a total cost of \$25 and for the City to pay the monthly service charge of \$25 for the 15 telephones. Upon a motion by Councilman Cross, seconded by Councilman Segars, the Board unanimously voted to have the fire telephones installed, to pay the \$25 installation fee and to pay the \$25 monthly service charge for the 15 telephones.

FIRE DEPARTMENT - PROPOSED WITHDRAWAL OF SERVICE TO THE UNINCORPORATE AREAS: Councilman Laughridge stated that the volunteer firemen recently voted 30 to 2 in favor of limiting our fire protection service to the incorporate area of Marion. He stated that the volunteer firemen desire to make the City Council aware of their interest in restricting service to the incorporate area. He stated that this request was motivated by the fact that 1) the residents within the corporate limits are penalized to some extent on their fire insurance because it is necessary for our trucks to leave the incorporate area 2) when a response is made to a call in the unincorporate area, it is generally necessary for the volunteer firemen to go to the fire, thus leaving few volunteer firemen available to respond to a fire within the incorporate area 3) approximately 80% of our fires are outside our corporate limits, although the county contributes only \$3900 toward the approximate \$25,000 budget of the Fire Department. Councilman Laughridge further stated that this matter is being presented to the Council for only consideration and that many details will have to be worked out before any action can be taken on this matter.

SNOW AND ICE REMOVAL - PURCHASE OF A SAND AND SALT DISTRIBUTOR: The City Manager stated that there has been set aside \$1400 in the budget for a salt and sand distributor. He stated the Director of Public Works and himself have for the last several months been looking at different types of distributors. He further stated that they have decided on a particular make that they would recommend the City purchase. After some discussion, the Board granted the City Manager permission to make the purchase of the above item.

There being no further business, the meeting adjourned.

Mayor

City Manager
(Clerk)

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

November 18, 1969

The Marion City Council met in a regular Board meeting on Tuesday, November 18 at 7:30 in the City Council Chamber. All Board members were present. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Dean Wall, Hugh Beam and Rosamond Braly.

RICHARD DRIVE - REQUEST FROM DEAN WALL FOR WATER AND SEWER SERVICE: Dean Wall stated that he is buying a lot on Richard Drive and that he plans to build a house on this lot sometime in the future. He stated that he is interested in having City water and sewer service, however, he objects to having to pay 50% of the materials cost to provide a 6" water line and an 8" sewer line up Richard Drive to his property. After considerable discussion, the Board unanimously voted that 1) the City pay 50% of the cost of materials for the proposed utility extensions 2) that Dean Wall be assessed for one-third of the remaining 50% 3) the Cook estate (owner of the two lots between Mr. Wall's lot and Robert Street) be assessed one-third of the cost for each of the two lots and 4) Mrs. Lois Cook be notified of the assessment that is being placed on the Cook Estate property.

HILLTOP HOUSE INCORPORATED: Attorney Hugh Beam, Chairman of the Hilltop House Board, stated that the Hilltop House presently obtains its water through a 4" private line owned by the Nichols on Airport Road. He further stated that Mrs. Nichols has requested the Hilltop House to seek another source of water as she feels the Hilltop's increased water consumption has weakened her water pressure. Mr. Beam stated that in order to honor the Nichols request, it will be necessary for the Hilltop House to extend a line toward town to a point where they can connect onto a municipal line. Mayor Neal stated he recalled the City Council working out an agreement with the representatives of the Hilltop House several years ago that indicated the City would extend a 6" line along Airport Road to the City Limits and that the Hilltop House would be granted permission to tie onto this line if the need ever developed. After further discussion of this matter, it was agreed that upon request, the City would extend a 6" line to the City Limits and that the Hilltop House could connect into it. It was also agreed by Mr. Beam and the City Council that if this line is installed it would become the property of the City of Marion and no taps other than the Hilltop House would be permitted.

BLUE RIDGE STREET CONNECTOR: The City Manager reported that the Blue Ridge Street Connector project was advertised for bids on November 4, 1969 and that the bids will be opened on November 25. He stated that if there are acceptable bids, the Highway Commission will probably formally approve the letting of the contract at their next regular meeting.

PARK AVENUE SIDEWALK: The City Manager reported that Mr. Morris has agreed to pay approximately one-half of the cost of constructing a new sidewalk on Park Avenue (Ref. 11-4-69 minutes - page 119). The City Manager stated that this project will be constructed sometime in the near future, weather permitting.

LOGAN STREET, LEFT TURN LANES: The Board granted the City Manager permission to install left turn lanes at the intersection of Logan Street and West Henderson Street in the South bound lanes and at Logan Street and West Court Street in the North bound lanes.

WATER PLAN STUDY: The City Manager stated that the City is getting numerous requests to extend water lines out into the unincorporated area and some requests to upgrade existing service. He stated the City has the opportunity to apply for a public works planning loan for developing a comprehensive water plan for the Marion area. He stated that he had discussed this matter with our consulting engineer, Russell McCoy of Harwood Beebe and Associates and that they would highly recommend that this study be undertaken. He further stated that our consulting firm will assist us in getting a planning loan and later in getting as much grant money as possible to implement the plan. After discussing this matter the Board granted the City Manager permission to further investigate the possibilities of getting such a planning loan and to take the necessary preliminary steps to prepare an application for a loan.

RECREATIONAL EXPENSE: The City Manager stated that about two weeks ago Fred Parker came to his office requesting payment for umpiring several summer softball games that were sponsored by the Marion Recreation Commission. The City Manager stated that Mr. Parker's name was not on an employees' list submitted by the Recreation Director shortly after the program got underway and that he was not aware that Mr. Parker was even being used in the recreation program until he came into his office a couple of weeks ago. After some discussion the Board unanimously agreed that the City should pay his salary which totals \$116.00 for services rendered in the summer recreational program sponsored by the City.

CHRISTMAS DECORATION FUND: The City Manager reported that a representative of the Merchant's Association has notified him that they have raised \$750.00 for Christmas decorations and that they would like for the City to make their contribution of \$750.00, (Ref. 7-8-69 minutes - page 91). The City Manager stated that our agreement was to make a contribution to the Christmas Decoration Fund. He stated that the new fund has been called the Marion Beautification Fund and that he would like to know if the Board is interested in contributing to an account that would signify, by name, that it could be used for other than Christmas expenditures. After some discussion the City Manager was instructed to make the check payable to the Marion Beautification Fund. Councilman Ledbetter, stated in response to a question raised by Councilman Laughridge, that the Christmas Decoration Committee is assuming the responsibility for making the necessary arrangements for installing the Christmas lights.

FIRE DEPARTMENT - APPROVAL OF VOLUNTEER FIREMEN'S ROSTER FOR THE N.C. FIREMEN'S PENSION FUND:

L.D. Atkins
James E. Austin
John W. Beck
Clyde Bobo
R.M. Dark, Jr.
Pat Davis
Arthur Edwards
Arthur Evans
George Goldsmith
Glenn Laughridge
Jack Laughridge
John M. Laughridge

Morris Laughridge
Phillip Laughridge
C.W. Morgan
A.M. Neal
J.E. Neal, Jr.
C.R. Robinson
Edward Rowe
Harold Smith
Johnny Sullivan
Earl Webb
H.R. Wilkerson
Clarence Wise
Donald Wise

The City Council approved the above roster of active volunteer firemen for the City of Marion Fire Department.

MILDRED SMITH - REPORT OF INJURY ON PUBLIC RIGHT-OF-WAY: The City Manager stated that on Wednesday morning, November 5, Mrs. Mildred Smith got out of her car, parked on Fort Street across from Sears, with the apparent intent of walking around behind her car to cross the street to Sears. He stated that in the process of doing this she stepped into a grass covered drain, fell and was injured and had to be taken to the hospital for treatment. He stated that she was not admitted but is still under medical care. He stated that the hole, in the grass strip between the sidewalk and curb, was caused by a broken drain tile installed several years ago by the First Baptist Church. He stated that the City was not aware of any hazard in this area primarily because the Baptist Church has assumed the responsibility for cutting the grass in this area. The City Manager stated that within two days after the accident the janitor of the First Baptist Church made the repairs to the damaged drainage ditch. He stated that he has discussed this matter in considerable detail with Mr. Dameron and that he, the City Manager, would like permission for the Board to pay her medical expense if Mr. Dameron feels that this would be the desirable approach to take. The Board unanimously agreed to this action because of the limited financial resources of the Smiths, even though there is some doubt as to 1) the magnitude of what Mrs. Smith calls a hazard and 2) as to whether the church or the City, if either, is actually liable.

WATER SERVICE TO NEW CONSOLIDATED HIGH SCHOOL AND JR. HIGH SCHOOL ON U.S. 70 WEST: The City Manager stated the the school officials are interested in extending a water line West along U.S. 70 West from the end of our 10" water line to the site of the new school. The City Manager stated that he informed Mr. Johnson, Associate Superintendent, that the line would have to be 6" in size, installed in public right-of-way at least to the school site, and dedicated to the City. He stated that the same day Mr. Johnson contacted him regarding the water line extension, Mr. Sam Phillips called and stated that he would be willing to contribute the necessary money to have an 8" rather than 6" line installed along U.S. 70 as he is interested in developing some of his property along U.S. 70. After some discussion, the City Manager was instructed to inform Mr. Johnson that the City desires to have no less than an 8" line installed and that the school officials should work with Mr. Phillips on the water line extension.

ROBINSON ROAD: After some discussion the City Manager was instructed to replace the private line serving Robinson Road with a 6" municipal line as soon as sufficient contributions can be received to install the line. The City Manager was also instructed to charge a tap on fee of \$200 to any residents of this road that do not contribute to the line even though they may be getting their water from a private line at this time.

MARION CABLE T.V.: The City Manager was instructed by the Board to write to Mr. McDonald, President of Marion Cable T.V. and ask him to come to the next Board meeting and to submit to the City a complete audit report of Marion Cable T.V.

FIRE PROTECTION: The City Manager was instructed to try to set up a December meeting with the County Commissioners to discuss Fire Protection.

CITY MANAGER'S VACATION: The City Manager requested permission for a week's vacation during Thanksgiving week. This request was unanimously approved.

There being no further business, the meeting adjourned.

Mayor

City Manager
(Clerk)

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

December 2, 1969

The Marion City Council met in a regular Board meeting on Tuesday, December 2 at 7:30 in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen Oliver Cross, Phillip Laughridge, William Ledbetter and James Segars. Councilman absent, Horace Wilkerson. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Howard Phillips, Paul Fogleman and Rosamond Braly.

WESTERN PIEDMONT COUNCIL OF GOVERNMENTS: Howard Phillips, Executive Director and Paul Fogleman, Communications Editor of WPCOG stated that the Council is extending an invitation to McDowell and the municipalities in the county to join the Western Piedmont Council of Governments. They indicated that at a November meeting the Council decided to extend an invitation to us to join with the Council as we are a part of the Catawba River valley area, as are the four member counties - Burke, Catawba, Caldwell and Alexander. After a lengthy presentation by the above gentlemen they left a proposed resolution with the City Manager stating that if we decide to become a part of WPCOG we should adopt the resolution. Our assessment as a member of the Council would be 25¢ per capita or approximately \$850.00 per year. This matter was discussed in some detail after the representatives left, but no action was taken.

MARION CABLE T.V.: Mayor Neal stated that he has been informed that Marion Cable T.V. has begun construction of new tower facilities which, when completed, should improve the reception in the Marion area. After some discussion, the City Manager was instructed to ask Mr. McDonald, President of Marion Cable T.V. to attend our January 6 Board meeting primarily for the purpose of discussing with him complaints that are frequently received regarding the quality of their service.

FIRE PROTECTION: The City Manager reported that he tried to set up a December meeting with the County Commissioners to discuss fire protection but it was not possible because of numerous meetings the County Commissioners have already scheduled. Mayor Neal stated that he met with the County Commissioners at a regular meeting yesterday to request the title to the 1955 Dodge fire truck. He stated that the Commissioners are of the opinion that the fire truck belonged to the County and consequently have reservations about giving the title to the City. Mayor Neal stated that he discussed this matter with Terry Moore, recent Chairman of the County Commissioners, and Mr. Moore informed him that the truck belongs to the City and that last year he had called Mr. Snider, past City Manager, and told him he could pick up the title for the truck. For some reason this was never done. After considerable discussion regarding fire protection, the Board instructed the City Manager to invite the County Commissioners to our January 20 meeting to discuss and hopefully resolve this matter.

WEST HENDERSON STREET- PARKING METERS: The City Manager was instructed by the Board to change the three 24 minute parking meters on West Henderson Street in front of the old First Federal Building to one-hour meters.

MONTEVISTA AVENUE STREET LIGHT: The Board authorized the installation of a street light at the corner of Montevista and U.S. 70 West.

OFF STREET PARKING - LOGAN AND HENDERSON: The Board authorized the installation of a street light in the city parking lot near the intersection at Logan and West Henderson.

WEST COURT STREET SIDEWALK: Councilman Segars stated that he has received several complaints regarding a sidewalk on West Court Street (adjacent to the West Court Food Center) that has been covered with gravel and dirt. After some discussion, the Board instructed the City Manager to notify the property owner to either remove the gravel and dirt over the sidewalk or to build a new sidewalk according to City specifications over the old sidewalk.

CHRISTMAS BONUSES: Upon a motion by Councilman Laughridge and seconded by Councilman Segars, the Board voted to give Christmas Bonuses to City employees. Those employees that have been with the City over two months but less than one year are to be given a \$25 bonus. Those employees that have been with the City one year to three years are to be given a \$30 bonus and those over three years a \$35 bonus. The City Manager was instructed to expand on this allocation in coming years so that those employees that have been with the City five, ten years and longer, will receive larger bonuses.

CHRISTMAS HOLIDAYS: The Board granted all City employees a Christmas holiday vacation on Thursday, December 25 and Friday, December 26 and a New Years holiday vacation on January 1. The City Manager was instructed to use his judgement as to when the employees could be dismissed on Christmas Eve.

HILLSIDE DRIVE: Councilman Cross stated that he had been asked why the City does not maintain Hillside Drive. Mayor Neal and other Board members stated that this matter has been discussed in the past and that this "street" is actually an undedicated drive serving the two or three houses and because of this fact, the City does not maintain it.

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ANNEXATION: Councilman William Ledbetter stated that Gera Hollifield, owning property at the intersection of Baldwin Avenue and State Street, is interested in coming into the City. He further stated that since this property is adjacent to the Free Will Baptist Church property, we should see if the Church is still interested in annexation before any action is taken on this request. (Ref. 12-6-68 minutes - page 64) The City Manager is to check on this matter and report back to the Board.

CITY COUNCIL MEETING SCHEDULED FOR DECEMBER 16: The City Manager stated that he has made tentative reservations for the Board and their wives at the McDowell House for December 16 if there is interest in cancelling the mid-December meeting and having in its place a Christmas dinner for the Board members and their wives. After a brief discussion, the Board unanimously agreed that council matters arising between now and December 16 should be deferred until the regular January Board meeting and that in place of the mid-December meeting have a Christmas dinner social at the McDowell House.

There being no further business, the meeting adjourned.

Mayor

City Manager
(clerk)

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

January 13, 1970

The Marion City Council met in a regular Board meeting on Tuesday, January 13 at 7:30 P.M. in the City Council Chamber. (The January 6 meeting was postponed until this date because of inclement weather.)

Board members present: Mayor Albert M. Neal, Councilmen Oliver Cross, William Ledbetter, James Segars and Horace Wilkerson. Councilman absent, Phillip Laughridge. Others present were Victor H. Denton, City Manager, E.P. Dameron, City Attorney and Rosamond Braly.

WATER PLAN STUDY: The City Manager reported that he has completed an application for an advance for Public Works Planning for the water facilities and that the application can be submitted upon adoption of a resolution authorizing the City to make application for this advance. After a discussion and upon a motion by Councilman Segars, seconded by Councilman Cross, the Board unanimously adopted the following resolution:

RESOLUTION

(To be used unless contrary to local law)

Authorizing filing of application with the United States of America for an advance to provide for the planning of public works under the terms of Public Law 560, 83rd Congress of the United States, as amended.

WHEREAS, The City of Marion after thorough consideration of the various aspects of the problem and study of available data has hereby determined that the construction of certain works, generally described as a study of the water system of the City of Marion is desirable and in the public interest and to that end it is necessary that action preliminary to the construction of said works be taken immediately; and

WHEREAS, under the terms of Public Law 560, 83rd Congress, as amended, the United States of America has authorized the making of advances to public bodies to aid in financing the cost of engineering and architectural surveys, designs, plans, working drawings, specifications or other action preliminary to and in the construction of public works; and

WHEREAS, the applicant has examined and duly considered such act and the applicant considers it to be in the public interest and to its benefit to file an application under said act and to authorize other action in connection therewith;

NOW, THEREFORE, BE IT RESOLVED BY Council the governing body of said applicant, as follows:

1. That the construction of said public works is essential to and is to the best interests of the applicants, and to the end that such public works may be provided as promptly as practicable it is desirable that action preliminary to the construction thereof be undertaken immediately;
2. That Mayor or City Manager be hereby authorized to file in behalf of the applicant an application (in form required by the United States and in conformity with said act) for an advance to be made by the United States to the applicant to aid in defraying the cost of plan preparation for above described public works, and that he be further authorized to file an assurance of compliance with the Department of Housing and Urban Development regulations under Title VI of the Civil Rights Act of 1964.
3. That if such advance be made, the applicant shall provide or make necessary arrangements to provide such funds, in addition to the advance, as may be required to defray the cost of the plan preparation of such public works;
4. The said Mayor or City Manager is hereby authorized to furnish such information and take such action as may be necessary to enable the applicant to qualify for the advance;
5. That the officer designated in the preceding paragraph is hereby designated as the authorized representative of the applicant for the purpose of furnishing to the United States such information, data, and documents pertaining to the application for an advance as may be required; and otherwise to act as the authorized representative of the applicant in connection with this application.
6. That certified copies of this resolution be included as part of the application for an advance to be submitted to the United States.

HUD-Wash., D.C.

The above action was followed by a lengthy discussion centering around whether the City should use the Harwood Beebe Consulting Engineering Firm for this study or consider the services of another consulting engineering firm. It was decided to defer submitting the above resolution to the Department of Housing and Urban Development until we have the opportunity to hear a presentation from one or more consulting engineering firms qualified to undertake the water study. The City Manager stated he would try to have a representative of the O'Brian and Gere Consulting Engineering Firm in attendance at the January 20 meeting of City Council.

FIRE PROTECTION: After a general discussion of fire protection centering around the type of proposal that should be made by the City to the County Commissioners at the Quarterly City-County meeting scheduled for Thursday night, the following motion was made by Councilman Segars and seconded by Councilman Ledbetter and unanimously approved, (1) that since 75% - 80% of the alarms answered by the City of Marion Fire Department are outside the City limits the City ask the County Commissioners to pay two-thirds of the Fire Department's Annual Budget, (2) that the Commissioners be asked to take this proposal under consideration and give the City an answer by February 3, 1970.

QUARTERLY MEETING: The Board unanimously agreed that we should request the chairmanship of the Quarterly meeting be rotated every quarter between the Chairman of the County Commissioners, the Mayor of Old Fort, and the Mayor of Marion.

REGIONAL PLANNING DISTRICT: The City Manager reported that the McDowell County Commissioners have adopted a resolution putting McDowell County with Rutherford County and Polk County. The City Manager stated that he was disappointed that the Commissioners elected to align our County with the counties to the south as we have so little in common with them. He mentioned that we are closely associated with the counties to the east in transportation facilities - rail and interstate highways; we are in the same drainage basin with these counties, a substantial amount of urban development is taking place in the urban corridor between Hickory and Marion. He stated that we have very few ties with the counties to the south, both of which have lost population during the last decade. Only one major highway connects Marion with the counties to the south, we are in a different drainage basin; and there are several miles of rural, sparsely populated land between the Marion area and the Rutherford-Forest City area. After some discussion it was decided to discuss this matter with the County Commissioners at the Quarterly Meeting, especially since the Commissioners made their decision without consulting the County Planning Board, the City of Marion or the Town of Old Fort.

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COUNTY PLANNING BOARD: The City Manager stated that the term of W.B. Noyes, one of the Planning Board representatives from the City of Marion, has expired and that we need to recommend a replacement to the County Commissioners. After some discussion, it was decided to defer action on this matter until the next Board meeting.

WATER SERVICES TO THE NEW CONSOLIDATED HIGH SCHOOL AND JUNIOR HIGH SCHOOL ON US 70 WEST: Upon a motion by Councilman Segars, seconded by Councilman Ledbetter, the Board unanimously agreed to permit the School Board to connect onto the 10" municipal water line in front of the McDowell House with an 8" cast iron line and extend this line approximately 2500 feet down the south side of US 70 to the school site and then extend the 8" line approximately 500 feet up to the building site provided that the entire line be conveyed to the City along with a 15 foot easement (centered on the line) through the school property. For this action on the part of the School Board, the City of Marion gives the Board the assurance that it will have a flow of 200 gallons of water per minute at the Junior High School and 250 gallons per minute for the Senior High School. The City Manager stated that he had talked with Mr. Russell McCoy, Consulting Engineer and Mr. McCoy felt that we would have no difficulty in providing this quantity of water. He further stated that if there ever was a great reduction in flow, the line could be extended from the school site back to the water line on Reservoir Road near the microwave tower. The Board authorized the City Manager to enter into an agreement with the School Board setting forth the above provisions.

TRAFFIC CIRCULATION PROPOSAL: The City Manager stated that the traffic plan compiled last summer by Kimley Horn and Associates is still in the hands of the Highway Commission. The City Manager stated he would like permission to implement the following portions of the plan:

EAST COURT STREET AND GARDEN STREET: install left turn lanes on East Court Street on both sides of Garden Street and install a left turn lane on Garden Street on the north side of East Court Street. To implement this proposal it will be necessary to remove parking in front of the telephone office, remove parking for 180 feet north on the East side of Garden Street from a point where it intersects with Court Street, change all the parking on the east side of Garden Street between the Railroad and Court Street from angle parking to parallel curb parking; change the parking on the west side of Garden Street behind the Courthouse from 90° parking to 60° parking; remove one parking space on the south side of East Court Street immediately west of the intersection of Court and Garden Street, prohibit parking on the north side of East Court Street adjacent to the bus station, and restrict parking, by signs, to 15 minutes in front of Eckenrod Studio and the Hollifield Tax Office.

MAIN AND COURT: Install left turn lanes on Court Street on both sides of its intersection with Main Street; and remove one parking space on the south side of East Court Street near the point where it intersects with Main Street.

MONTEVISTA AND FERN: Install a yield sign on Montevista at its intersection with Fern Avenue.

MADISON STREET: Prohibit parking for a distance of 15 feet on the east side of North Madison, north from the driveway entrance to the A & P; and place a two hour time limit on all parking on the east side of Madison Street between Court Street and Port Street.

WEST COURT STREET: Remove the no parking sign near the Luthern Church and place a two hour parking limitation on parking on the south side of West Court Street between Pulliam and Burgin Street.

LOGAN AND HENDERSON: Prohibit parking on the west side of North Logan between West Henderson Street and the alley between West Henderson Street and West Court Street.

The above changes were unanimously adopted upon a motion by Councilman Cross and seconded by Councilman Ledbetter.

WEST HENDERSON AND BURGIN STREETS: Councilman Segars stated that it is frequently congested at the intersection of West Court and Burgin Street because of the lack of a left turn lane on West Court Street into Burgin Street. After some discussion the City Manager asked for and received permission to study the intersection and present a proposal at the next Board meeting.

COMMUNITY BUILDING: The City Manager stated that the American Legion has objected to paying a \$5 monthly fee for use of a room in the Community Building, because as they say, they participated to a great extent in raising funds for the construction of the building. There was some question on the part of the Council as to whether they did participate in the cost of constructing the building, however, it was the feeling of the Board that they should be given free use of one room.

RAILROAD CROSSING - GARDEN AND HENDERSON: The City Manager stated that Marshall Dark recently inquired about a possible agreement between the City and Southern Railroad. Mr. Dark indicated to the City Manager that it was his understanding that Southern Railroad agreed to transfer the signals from the Old West Henderson railroad crossing to the Garden Street crossing upon completion of the West Henderson Street project. The City Manager stated that he could find no such agreement and asked the Board if they could recall any agreement. Mayor Neal stated that he recalled discussing the matter but because of numerous problems, he did not think any commitment was made on the part of the railroad to relocate these signals. The Board unanimously agreed that the Garden Street crossing is very hazardous and they asked Mr. Dameron, advisor for the railroad, to ask Southern Railroad to consider installing a signal at this crossing.

SEWER PLANT SITE: (Land Leased from County) The City Manager stated he has received request from two individuals within recent weeks to use the land reserved for a new sewage plant, one request for farming and the other request for a riding stable. The City Manager stated that the County Commissioners, lessors of the land, have indicated to the City that they would like to see us grant permission for the site to be used for a riding stable. After some discussion, it was decided to permit the land to be used for a riding stable providing that there be a clear understanding that all facilities relating to the riding stables would be temporary in nature and removed upon short notice from the City of Marion.

There being no further business, the meeting adjourned.

Mayor

City Manager
(Clerk)

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

January 20, 1970

The Marion City Council met in a regular Board meeting on Tuesday, January 20, at 7:30, in the City Council Chamber. Board members present were: Mayor Albert Neal, Councilmen Oliver Cross, Phillip Laughridge, William Ledbetter, James Segars and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Charles Willis, Tom Chapman, Allen McDonald and Rosamond Braly.

MARION CABLE TV: Allen McDonald, representative of Marion Cable TV, attended the Board meeting at the request of City Council. Several members of the City Council expressed dissatisfaction with the quality of reception and the policies regarding the expansion of the Cable TV network. It was pointed out by the Mayor and others that the City has never received, (1) the requested audit report from the company, (2) information regarding the number of customers in this area, or (3) a statement regarding the revenue received from the Cable TV customers in the Marion area. Mr. McDonald stated that in the future he would submit to the City every quarter a statement of gross income and list the number of subscribers on the system. He stated that his firm will be placing a new tower facility on one of the higher mountains in the Marion area. When this project is completed, he stated the reception of all channels should be as good, if not better, than the present reception of the two or three channels that are now well received in the area. Mr. McDonald stated that relocating the tower facilities will permit the expansion of the number of channels available. He mentioned that this project has been delayed by poor weather conditions, but stated that upon completion he will present a "big" celebration, possibly in the Community Building, inviting local merchants to display their TV sets. Mr. McDonald stated in response to a question from the Mayor that cable TV service is available to approximately 99% of the residents living in the City limits of Marion. In response to a question about his mobile TV unit, Mr. McDonald stated that a shoulder camera unit is available and Marion Cable TV will be glad to televise, on request, any local activities provided they receive a few days advance notice. Mr. McDonald was asked by letter to bring to the meeting a complete 1969 audit report, a picture of the mobile TV unit, a listing of the places where this unit has been used, a picture of the new tower facilities or a picture of any construction that has taken place on the site and a map of the Marion Cable TV service system. Mr. McDonald stated he did not receive this letter.

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WATER PLANNING STUDY: Mr. Charles Willis and Tom Chapman, engineers with O'Brien and Gere, Charlotte, attended this meeting at the request of the City Council and City Manager to tell us about their firm and to comment on items they would include in a comprehensive water plan study for the Marion area. Mr. Willis, Office Manager for the Charlotte branch of O'Brien and Gere, stated that they are working in several municipalities in the area, as well as compiling a county wide water and sewer plan for McDowell County, (the Marion area was excluded from the study to comply with the Farmers Home Administration regulations.) After answering several questions relating to water and sewer planning, Mr. Willis stated he would prepare and submit a planning proposal to the City Manager sometime prior to the February 3 Council meeting.

COUNTY PLANNING BOARD: Action on this matter was deferred until the February 3 Board meeting.

WEST COURT STREET - BURGIN STREET INTERSECTION: The City Manager presented a proposed plan for installing a left turn lane on West Court Street at the Burgin Street intersection. This proposal, as presented, would necessitate the removal of parking on both sides of West Court Street for 130 feet east of the intersection, and the removal of parking 50 feet west of the intersection on both sides of West Court Street. This proposal was reviewed prior to the meeting by the Street Committee and was submitted to the Board as their recommendation. The recommendation included the following, (1) that all school bus loading and unloading be done on Academy Street near the intersection of Academy and West Court Street, (2) that a City policeman be stationed at the above intersection to facilitate the movement of traffic during the hours of loading and unloading, (3) that vehicles be prohibited from entering Academy Street from West Court Street during this period and (4) that traffic be regulated so the buses can exit from Academy Street with minimum delays. After considerable discussion and upon a motion by Councilman Cross and seconded by Councilman Wilkerson, the Board unanimously approved the above proposal. The Street Committee instructed the City Manager to put this plan into effect on Monday, January 26.

HAROLD DYSART: The City Manager stated that he had discussed Mr. Dysart's request for water service with Mr. E.P. Dameron, City Attorney and that between now and the February 3 Council meeting, he and the City Attorney would try to get together with Mr. Dysart to work out some mutually acceptable arrangement.

BLUE RIDGE STREET PROJECT: The City Manager stated that all work on the Blue Ridge Street project has been suspended until some questions regarding right-of-way can be resolved. The City Manager stated that it was his understanding that the Board had instructed him, with assistance from Mr. Dameron, to prepare the necessary papers to make it possible for the City or State to acquire right-of-way easement across the front south corner of the Davis-Sartain property in exchange for giving the property owner the perpetual right to use the adjoining City property for driveway access. The City Manager stated that some question has arisen as to whether this was the way this matter was to be handled. The Mayor, Mr. Dameron and other Board members stated that the City Manager's interpretation of the instructions was correct as it is not possible for the City to enter into any trade arrangement regarding City or State owned property. The City Manager stated that he will be meeting with state officials within the next few days and hopes that this matter can quickly be resolved so that the contractor can move forward on this project.

FIRE DEPARTMENT: The City Council designated Victor H. Denton, City Manager, to serve on a committee composed of representatives of all McDowell County Fire Departments for the purpose of establishing boundary lines of territories to be served by each department.

CEMETERY: The City Manager stated that there is a growing need to name the drives in Oak Grove Cemetery, so the local funeral directors and others can more easily direct people to grave sites. The City Manager displayed a sketch map of the cemetery showing proposed names of each of the drives in the cemetery. After some discussion, the Board unanimously approved the naming of the drives in accordance with the proposed sketch. A copy of this sketch is attached and is made a part of these minutes.

ABANDONED AUTOMOBILE ORDINANCE: At a recent City-County Quarterly meeting the County Commissioners stated that they would like to see a county wide Abandoned Auto Ordinance adopted - similar to the Asheville Ordinance. The City Manager stated that the City of Marion adopted in 1966 an abandoned car ordinance similar to the ordinance proposed by the County Commissioners. After some discussion it was decided that no further action needs to be taken on this matter.

in many instances, would realize a reduction in fire rates that would amount to more than what they would have to pay as an additional tax levy for fire protection. The county would annually collect the tax as a part of the property tax and turn the money over to the City for fire protection. Mr. Pickard stated that in order to implement such an undertaking, it would be necessary to determine the valuation of property in the fire district and to determine the actual cost of operating the fire department, and then from this information determine the amount of tax levy needed. The maximum levy permissible is 15¢ per \$100 valuation. Mr. Pickard indicated that if the residents fail to get the necessary names on the petition or fail to approve the referendum establishing the fire district, the City has a justifiable reason for withdrawing fire service. After considerable discussion it was decided that the Board should meet with the County Commissioners to discuss this proposal before any action is taken on this matter. To implement this proposal the City will need to increase the volunteer firemen roster from 28 to 48 and purchase at least one new fire truck.

FIRE TRUCK: Mr. Pickard stated the cities in North Carolina are normally using one of two approaches in purchasing a fire truck: one being to purchase the truck outright on a cash basis, the other, to purchase the truck on a lease purchase arrangement. Under the latter, which is being used by an increasing number of North Carolina communities, the City would buy the chassis, probably locally, and pay for it in cash. The chassis would be sent away to the fire apparatus company for installation of the fire apparatus. One year after delivery the City would make the first of seven or eight annual lease payments on the fire apparatus. This makes it possible for the City to spread the cost of the truck, other than the chassis, over a seven or eight year period. It would be necessary, however, to pay the going interest rate on extending the payments out over this period of time. An alternative approach would be to have the fire apparatus company provide the apparatus and chassis. Upon delivery the city would be required to pay 20% of the cost of the truck, 80% would be spread out over a seven or eight year period. After some discussion, Mr. Pickard stated that the League provides an added service to municipalities for the cost of \$100. This service includes assisting a community in working up the specifications for a fire truck, getting bids on the truck, and then checking the equipment after it is delivered to insure that it meets the specification. The service also includes assisting the community in determining the most suitable financial arrangement for purchasing a truck. Upon a motion by Councilman Laughridge and seconded by Councilman Segars, the Board unanimously voted to enter into a contract with the League for this service. (Mr. Pickard stated that the \$100 fee is not charged to the town until the fire truck is delivered.)

WASHINGTON MILLS: Councilman Cross stated that he had been asked by Horace Adams, Plant Manager of Washington Mills, if we would no longer answer fire calls to Washington Mills if we terminate fire service to the unincorporated area. Mr. Cross stated that Mr. Adams expressed the feeling that there was some verbal commitment made in the past by the City that we would provide his industry with fire protection. As none of the Board members could recall such commitment, the City Manager was instructed to review the agreement with Washington Mills to see if he can find any such information regarding such agreement.

ANNEXATION - OAK STREET - FLOYD DOVER AND W. MOORE PROPERTIES: Mayor Neal stated that he has received and turned over to the City Manager, a signed petition from Mr. Moore and Mr. Dover asking that the City take their properties into the City. After a brief discussion, and upon a motion by Councilman Cross, seconded by Councilman Ledbetter, the Board unanimously voted to start the annexation process to take these two parcels into town. A survey map is to be provided by the residents showing the proposed area to be annexed.

OFF - STREET PARKING: Councilman Laughridge stated that Mr. Bud Conley, owning vacant property on north Garden Street across from the telephone office, may be interested in renting or leasing this property to the City for off-street parking. Mayor Neal asked Councilman Cross to talk with Mr. Conley to see if he is interested in making the property available for off-street parking and at what cost.

CCG002

WATER PLANNING STUDY: Mr. Charles Willis and Tom Chapman, engineers with O'Brien and Gere, Charlotte, attended this meeting at the request of the City Council and City Manager to tell us about their firm and to comment on items they would include in a comprehensive water plan study for the Marion area. Mr. Willis, Office Manager for the Charlotte branch of O'Brien and Gere, stated that they are working in several municipalities in the area, as well as compiling a county wide water and sewer plan for McDowell County, (the Marion area was excluded from the study to comply with the Farmers Home Administration regulations.) After answering several questions relating to water and sewer planning, Mr. Willis stated he would prepare and submit a planning proposal to the City Manager sometime prior to the February 3 Council meeting.

COUNTY PLANNING BOARD: Action on this matter was deferred until the February 3 Board meeting.

WEST COURT STREET - BURGIN STREET INTERSECTION: The City Manager presented a proposed plan for installing a left turn lane on West Court Street at the Burgin Street intersection. This proposal, as presented, would necessitate the removal of parking on both sides of West Court Street for 130 feet east of the intersection, and the removal of parking 50 feet west of the intersection on both sides of West Court Street. This proposal was reviewed prior to the meeting by the Street Committee and was submitted to the Board as their recommendation. The recommendation included the following, (1) that all school bus loading and unloading be done on Academy Street near the intersection of Academy Street. (2) that a City policeman be stationed at the above intersection during the hours of loading and unloading from entering Academy Street from West Court Street. (3) that traffic be regulated so the buses can enter Academy Street. After considerable discussion and a motion by Councilman Wilkerson, the Board Street Committee instructed the City Manager to carry out this plan by January 26.

HAROLD DYSART: The City Manager water service with Mr. E.P. Dysart. At the January 3 Council meeting, he asked the City Manager to work out some mutual agreement.

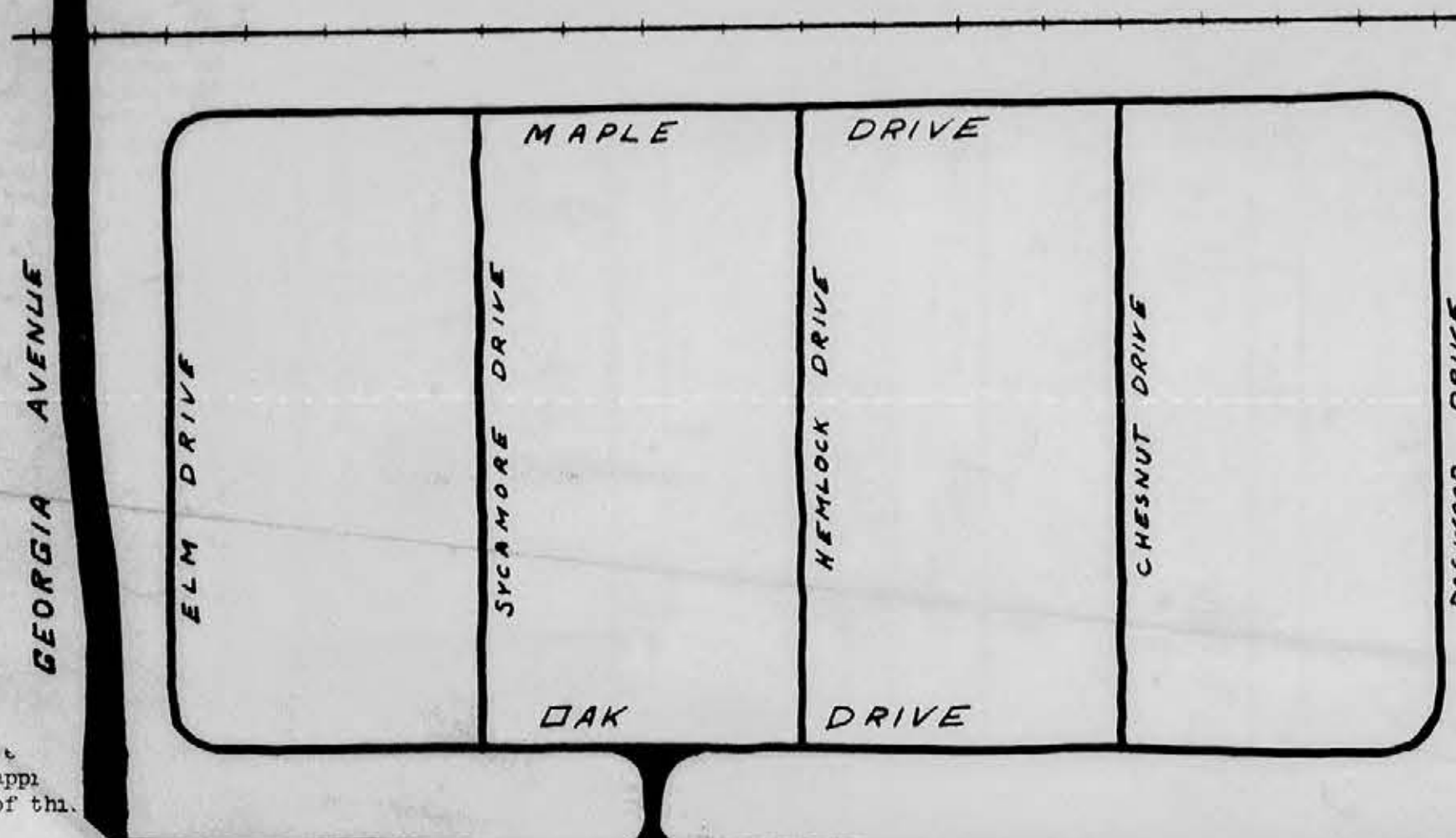
BLUE RIDGE STREET PROJECT: The Street project has been suspended. The City Manager instructed him, with assistance from the City Engineer, to make it possible for the City to acquire the front south corner of the property owner the perpetual easement. The City Manager stated that this was the way this matter was handled. Board members stated that the City was correct as it is not possible to acquire the front south corner of the property owner the perpetual easement regarding City or State property. The City Manager stated that he would be meeting with state officials to see if this can quickly be resolved so that the City can acquire the property.

FIRE DEPARTMENT: The City Council has formed a committee composed of representatives from each department to study the fire department.

CEMETERY: The City Manager stated that he would like to see the Oak Grove Cemetery, so that the City could direct people to grave sites. The City Manager stated that the cemetery showing proposed names of graves was discussed, the Board unanimously approved the proposed sketch. A copy of this sketch was given to the City Manager.

ABANDONED AUTOMOBILE ORDINANCE: At a recent County Commissioners meeting, the County Commissioners stated that they would like to adopt an ordinance similar to the Asheville ordinance. The City of Marion adopted in 1966 an abandoned automobile ordinance. After some discussion it was decided that no further action needs to be taken on this matter.

OAK GROVE CEMETERY MARION, N.C.



RUTHERFORDTON ROAD

in many instances, would realize a reduction in fire rates that would amount to more than what they would have to pay as an additional tax levy for fire protection. The county would annually collect the tax as a part of the property tax and turn the money over to the City for fire protection. Mr. Pickard stated that in order to implement such an undertaking, it would be necessary to determine the valuation of property in the fire district and to determine the actual cost of operating the fire department, and then from this information determine the amount of tax levy needed. The maximum levy permissible is 15¢ per \$100 valuation. Mr. Pickard indicated that if the residents fail to get the necessary names on the petition or fail to approve the referendum establishing the fire district, the City has a justifiable reason for withdrawing fire service. After considerable discussion it was decided that the Board should meet with the County Commissioners to discuss this proposal before any action is taken on this matter. To implement this proposal the City will need to increase the volunteer firemen roster from 28 to 48 and purchase at least one new fire truck.

FIRE TRUCK: Mr. Pickard stated the cities in North Carolina are normally using one of two approaches in purchasing a fire truck: one being to

purchase the truck on a lease basis, the other, to purchase the truck outright. Under the latter, which is being used by most North Carolina communities, the City would pay for it in cash. The chassis of the truck is purchased by the City and the company for installation of the fire apparatus. This makes it easier to replace the truck, other than the chassis. It would be necessary, however, to spread the payments out over this period. Mr. Pickard stated that the City would be to have the fire apparatus on a lease basis. Upon delivery the city would be to have the truck, 80% would be spread out over the period of the lease. Mr. Pickard stated that the City would be to have the truck for the cost of \$100. The City would be to have the truck in working up the specifications for the truck, and then checking the equipment to see if it meets the specification. The City would be to have the truck in determining the most suitable truck. Upon a motion by Councilman Beggs, the Board unanimously voted to purchase the truck for this service. (Mr. Pickard stated that the City would be to have the truck until the fire truck is delivered.)

Mr. Pickard stated that he had been asked by Horace Beggs, if we would no longer answer fire service to the unincorporated area. Mr. Pickard expressed the feeling that there was a feeling by the City that we would provide his service. The Board members could recall such a feeling and acted to review the agreement with the City. Mr. Pickard stated that he would be to have the truck until the fire truck is delivered.

AND W. MOORE PROPERTIES: Mayor Neal stated that he would be to have the truck for the cost of \$100. The City would be to have the truck in working up the specifications for the truck, and then checking the equipment to see if it meets the specification. The City would be to have the truck in determining the most suitable truck. Upon a motion by Councilman Beggs, the Board unanimously voted to purchase the truck for this service. (Mr. Pickard stated that the City would be to have the truck until the fire truck is delivered.)

Councilman Laughridge stated that Mr. Bud Conley, owning the property on North Garden Street across from the telephone office, may be interested in renting or leasing this property to the City for off-street parking. Mayor Neal asked Councilman Cross to talk with Mr. Conley to see if he is interested in making the property available for off-street parking and at what cost.

NEW STREET: Councilman Cross stated that he had been asked if New Street has been dedicated east beyond where the present street terminates. After some discussion, it was decided before this question could be answered it would be necessary to look over the deed description and subdivision plats of the area to make this determination.

PARKING REMOVAL: The City Council unanimously agreed to remove parking on the south side of Fort Street for a distance of approximately 180 feet east of the intersection of Fort Street and Main Street, (to facilitate the installation of a left turn lane,) and remove one parking space on the west side of north Logan Street at the intersection of Logan and West Court Street - beside the Library building.

UNITED METHODIST CHURCH: The City Manager stated that he has been approached by two of the United Methodist Church Board members asking that the City widen Richard Drive. This would require the removal of a high embankment. The City Manager stated that he felt the existing drive was wide enough to handle two moving lanes of traffic, that the existing street is wider than some of our present streets and that it would be very costly to remove the dirt from the embankment. He stated he would question the feasibility of undertaking this proposed project. The City Manager stated that he had shared his feeling with Mr. Ray Smith, member of the Church Board and that Mr. Smith indicated that either he or some of the Board members might come before the Board to make this request.

There being no further business, the meeting adjourned.

Mayor

City Manager
(Clerk)

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

April 7, 1970

The Marion City Council met in a regular Board meeting on Tuesday, April 7 at 7:30 in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilman Philip Laughridge, William Ledbetter, James Segars, Horace Wilkerson, Board member absent, Oliver R. Cross. Others present, Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Rosamond Braly, Newspaper Editor, Dr. Paul Stedman, Regional Health Council, Mrs. Sally Johnson and 14 local residents either opposing or questioning the benefits of fluoridation.

FLUORIDATION - COMMENTS BY THOSE APPEARING BEFORE THE BOARD: Mr. Robert James, serving as spokesman for a group of local residents opposing or questioning the benefits of fluoridation, stated that he has read a considerable amount of material about fluoridation and that he had found conveniencing evidence that fluoridation will reduce dental cavities in young people. He continued by stating that fluoride is not greatly beneficial to the older segment of the population and that there is some evidence that fluoride when added to water may possibly be detrimental to ones health. He stated that since there is some question regarding the benefits of fluoride (even though by a very small segment of the people knowledgeable about this subject) he hopes that the Board will explore this subject in more detail and consider not fluoriding

CITY TAG SALES: The City Council granted the Marion High School Distributive Education Class, under the director of Paul Bennett, permission to sell City tags in the downtown area on one Saturday in the near future. All funds from the sale of the city tags are to be turned over to the City of Marion. The City Manager stated that he feels that we could increase the sale of city tags by using this approach. After some discussion the Board unanimously voted in favor of this action.

BELL PROPERTY: Mayor Neal stated that Mr. Gladden, a local realtor, has contacted him on several occasions about the Bell property adjoining the City Hall property to the south. Mayor Neal stated that Mr. Gladden desired to know if the City is interested in purchasing the property for later expansion of the City Hall and/or for off-street parking. After some discussion it was decided to table this matter.

OFF STREET PARKING - BEHIND CITY HALL: The City Manager stated we are renting the parking lot behind City Hall on a monthly basis and that it is his understanding that since the rental agreement can be terminated within a matter of days, no improvements have been made to this lot. The City Manager asked for and was granted permission to see if it would be possible for the City to lease this property on a long term basis.

There being no further business, the meeting adjourned.

Mayor

City Manager
(clerk)

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

February 3, 1970

The Marion City Council met in a regular Board meeting on Tuesday, February 3, at 7:30, in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen Oliver Cross, Philip Laughridge, William Ledbetter, James Segars and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney and Rosamond Braly. Also present: Dr. Paul Stedman, Dentist and Staff Member of the Regional Health Council and the following local dentist: Dr. James Peppers, Dr. Robert Keenan, Dr. C.A. Parker and Dr. O.D. Rowe.

FLUORIDATION: Dr. Stedman presented an informative presentation on the health benefits of adding fluoride to the municipal water system to bring the level of this chemical up to an optimum level. Dr. Stedman stated that it is possible for the City of Marion to receive a federal grant through the Regional Health Council for modifying the Marion water system so fluoride can be added. He indicated that it will cost approximately \$10,000 to fluoridate the Marion water system and that the annual operating cost would be less than \$1000. He stated that the grant would cover approximately 80% of the \$10,000 installation expenditure and most of the operating expenses for the first five years. He indicated that the municipal application for a grant must be submitted by April 1 and that the program could be initiated within three to five months after this. After Dr. Stedman's presentation, Dr. Rowe, speaking for the McDowell County Dentists, stated that they are wholeheartedly in favor of fluoridation and would like to encourage the Marion City Council to take whatever steps are necessary to fluoridate the municipal water supply. The City Manager asked if it would be possible for the City to get additional money after the fluoridation equipment is installed if there proved to be a need for unanticipated additional equipment. Dr. Stedman stated it probably would not be possible to get additional money, consequently it is important to initially include all equipment needs that we feel might be needed to fluoridate the water system in an acceptable manner. Upon a motion by Councilman Segars and seconded by Councilman Laughridge, the Board unanimously voted to adopt the following resolution:

City of Marion, North Carolina

Fluoridation Resolution

Resolved: That the Marion City Council formally approve the use of fluoride in the water supply of the city of Marion, N.C. and authorized the City Manager to formally make application to the N.C. State Board of Health for permission to use fluoride in the water supply of the City of Marion, N.C.

Motion was made by James Segars.

Seconded by Philip Laughridge.

Motion carried unanimously.

I, Albert Neal, Mayor of Marion, certify this to be a true copy of the Resolution as approved by the City Council.

Albert M. Neal, Mayor

FIRE PROTECTION: The attached letter from the McDowell County Board of Commissioners was discussed at some length by the City Council.

All action on the subject of fire protection was deferred until Mr. Sherman Pickard, Field Representative of the North Carolina League of Municipalities can meet with the Board to discuss this matter. A tentative date of March 3 has been set for this meeting.

FIRE COMMISSION; MCDOWELL COUNTY: The City Manager stated that the County Commissioners have requested the City to appoint a representative to the County Fire Commission. The City Manager stated that he and Mr. Dameron, City Attorney, has reviewed the 1962 County resolution establishing the Fire Commission and it is their opinion that if we place a member on the Fire Commission, we are agreeing to be governed by the rules of the Commission. Mr. Denton stated and Mr. Dameron verified that if we become members of the County Fire Commission we would be relinquishing some of our power and authority to govern the City Fire Department to the County Fire Commissioner which is one of the County Commissioners. After discussing this matter in detail, it was decided to defer any action on the request of the County Commissioners until we can discuss this matter with Mr. Pickard.

WATER PLANNING STUDY: The City Manager stated that O'Brien and Gere Consulting Engineers has submitted a proposal for undertaking a comprehensive water planning study of the Marion area for a cost of \$7200. The City Manager stated that it is his recommendation that we employ the firm of O'Brien and Gere for a cost of \$7200 to undertake a comprehensive water study. Upon a motion by Councilman Cross and properly seconded, the Board unanimously approved the recommendation of the City Manager.

COUNTY PLANNING BOARD: Upon a motion by Councilman Laughridge, and seconded by Councilman Ledbetter, the Board unanimously voted to recommend to the County Commissioners that Jim McGarr be appointed to the County Planning Board to replace W.B. Noyes, whose term recently expired.

RADIO PATROL: The City Manager stated that the City has received a certificate of appreciation from the Marion Radio Patrol. Mayor Neal stated that accompanying the certificate of appreciation was a verbal request from the Director of the local unit that the City permit the local unit to use the Community Building free of charge. All the Board members indicated that the Radio Patrol was performing a service to the area and that no charge should be made for their use of the Community Building.

WATER LINE EXTENSIONS: The City Manager stated we have two water line extension policy proposals from the County Commissioners. (Given to the City at a recent quarterly meeting.) After some discussion of this matter, it was decided to have the City Council representative of the City-County Water Committee study this matter to determine what action, if any should be taken regarding the County's proposed policies.

RECREATION: The City Manager stated that there will be a baseball clinic in Lenior on Saturday, February 7, sponsored by the Broyhill Furniture Company and the Lenior Recreation Commission. One poster advertising the Clinic was received by the City Manager and was given to Councilman Segars for display in Taiter's Drugstore. Councilman Segars and Councilman Ledbetter requested the City Manager to check in to the possibility of having a similar clinic in Marion sometime in the future.

CITY-COUNTY DUMP: The City Manager stated that the County Manager has requested that the entrance to the dump be moved approximately 300 to 400 feet north of the present entrance and that the present drive be closed. Under our present cost sharing agreement we would pay one-half the cost of operating the dozer to open a new drive. Councilman Cross stated that a highway employee indicated the Highway Commission might be willing to provide the gravel for the new road. The City Council asked the City Manager to work with Mr. Harmon in laying out a new road to the dump provided the cost of building the road would be shared equally with the County.

POLICE DEPARTMENT: Mayor Albert M. Neal stated that the Police Department has located a relatively new highway patrol car that they would like to purchase to replace one of the present police vehicles. After some discussion, it was decided to defer action on the purchase of the car as such item was not in this year's budget. The Mayor stated that Claude Fortner is on sick leave and it is his understanding that he may be out of work for an extended amount of time. Councilman Wilkerson asked if we had any policies regarding sick leave. The City Manager stated that the City has no written policy relating to sick leave. Councilman Segars stated that he and other merchants in Marion feel that there is a need for more policemen on the third shift. This matter was discussed in some detail, however, no action was taken.

PINNACLE STREET: The City Council voted unanimously to prohibit parking on the east side of Pinnacle Street and instructed the City Manager to install the necessary no parking signs along this street.

CITY MANAGERS' CONFERENCE: The City Council granted the City Manager permission to attend a three day City Managers' Conference in Chapel Hill (Feb. 6-7-8-)

There being no further business, the meeting adjourned.

Mayor

City Manager
(clerk)

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

February 17, 1970

The Marion City Council met in a regular Board meeting on Tuesday, February 17, at 7:30 in the City Council Chamber. Board members present were: Mayor Albert M. Neal, Councilmen Oliver Cross, Philip Laughridge, William Ledbetter, James Segars and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney and Rosamond Braly.

BELL PROPERTY: Mayor Neal stated that Mr. Gladden, a local realtor, has again approached him regarding the property on the south side of the City Hall. Mr. Gladden's new proposal incorporates a ten year lease-purchase agreement, the City to buy the property for \$28,000 plus \$12,000 interest. After considerable discussion, Councilman Segars made the motion that Mr. Gladden be informed that the City is not interested in purchasing the property for \$28,000. This motion was seconded by Councilman Wilkerson and unanimously approved.

City of Marion, North Carolina

Fluoridation Resolution

Resolved: That the Marion City Council formally approve the use of fluoride in the water supply of the city of Marion, and City Manager to formally make application to the State Department of Health for permission to use fluoride in the City of Marion, N.C.

Motion was made by James Segars

Seconded by Philip Laughridge

Motion carried unanimously.

I, Albert Neal, Mayor of Marion, certify this to be a true copy of the Resolution as approved by the City Council.

Albert M. Neal, Mayor

FIRE PROTECTION: The attached letter from the McDowell Commissioners was discussed at some length by the City

All action on the subject of fire protection was deferred. Pickard, Field Representative of the North Carolina League can meet with the Board to discuss this matter. A date has been set for this meeting.

FIRE COMMISSION; McDOWELL COUNTY: The City Manager and Commissioners have requested the City to appoint a Fire Commission. The City Manager stated that he and has reviewed the 1962 County resolution establishing is their opinion that if we place a member on the Fire to be governed by the rules of the Commission. Mr. D verified that if we become members of the County Fire Commission, we are relinquishing some of our power and authority to govern the County Fire Commission which is one of the Commissioning this matter in detail, it was decided to defer of the County Commissioners until we can discuss this

WATER PLANNING STUDY: The City Manager stated that Engineers has submitted a proposal for undertaking a study of the Marion area for a cost of \$7200. The City Manager's recommendation that we employ the firm of O'Brien to undertake a comprehensive water study. Upon discussion and properly seconded, the Board unanimously approved of the City Manager.

COUNTY PLANNING BOARD: Upon a motion by Councilman L Councilman Ledbetter, the Board unanimously voted to Commissioners that Jim McGarr be appointed to the County place W.B. Noyes, whose term recently expired.

RADIO PATROL: The City Manager stated that the City appreciation from the Marion Radio Patrol. Mayor Neal the certificate of appreciation was a verbal request unit that the City permit the local unit to use the. All the Board members indicated that the Radio Patrol the area and that no charge should be made for their

WATER LINE EXTENSIONS: The City Manager stated we have two water line extension policy proposals from the County Commissioners. (Given to the City at a recent quarterly meeting.) After some discussion of this matter, it was decided to have the City Council representative of the City-County Water Committee study this matter to determine what action, if any should be taken regarding the County's proposed policies.

BOARD OF COUNTY COMMISSIONERS

O. D. ROWE, DDS, Chairman

J. B. WALKER, JR.

PIERCE S. BRADLEY, JR.

E. P. DAMERON

County Attorney

JACK H. HARMON

COUNTY MANAGER

BILLY R. TRUETT

COUNTY ACCOUNTANT

McDOWELL COUNTY

MARION, N. C. 28752

Telephone 697-6201

February 2, 1970

Marion City Council
Marion, N.C. 28752

Gentlemen:

Regarding your recent request for McDowell County to increase its aid to the Marion Fire Department, the Board of Commissioners have given careful consideration to a number of factors.

According to the N.C. Fire Rating Bureau the chief problem of the Marion Fire Department is the fact that it does not own an up to date fire truck to leave in the city when answering calls outside the city, the fact that the newest truck being used by the Marion Fire Department is the property of McDowell County and was purchased by McDowell County for answering calls in McDowell County, and that it has been the policy of the Board of Commissioners to assist all fire departments in McDowell County in the purchase of new fire trucks.

After considering the contributions made to other fire departments in McDowell County, and after conducting a survey of other counties in North Carolina with similar populations, the Board of Commissioners have reached the following decision:

The Board of Commissioners in addition to the regular yearly contribution to the Marion Fire Department would be willing to contribute over a period of two (2) years an amount equal to twenty percent (20%) of the purchase price of a new truck for the Marion Fire Department, that the title to the 1954 Dodge Truck shall remain in the name of McDowell County and that the Marion Fire Department shall continue to answer calls outside the city limits of Marion as they have in the past, and that should the Marion Fire Department choose to limit fire protection to the city limits it would be necessary to adjust the yearly contribution to the department accordingly.

Very truly,

McDowell County Board of Commissioners,

O. D. Rowe, D.D.S., Chairman

J. B. Walker, Jr. Commissioner

P. S. Bradley, Jr. Commissioner

RECREATION: The City Manager stated that there will be a baseball clinic in Marion on Saturday, February 7, sponsored by the Broyhill Furniture Company and the Marion Recreation Commission. One poster advertising the Clinic was received by the City Manager. Councilman Segars for display in Taiter's Drugstore. Councilman Ledbetter requested the City Manager to check in similar clinic in Marion sometime in the future.

The City Manager stated that the County Manager has requested be moved approximately 300 to 400 feet north of the present drive be closed. Under our present plan to pay one-half the cost of operating the dozer to the County Manager stated that a highway employee indicated be willing to provide the gravel for the new road. The City Manager to work with Mr. Harmon in laying out the cost of building the road would be shared

Councilman M. Neal stated that the Police Department has way patrol car that they would like to purchase police vehicles. After some discussion, it was decided to purchase the car as such item was not in this budget. Councilman Fortner is on sick leave and it is expected he will be out of work for an extended amount of time. The City has no written policy regarding sick leave. The City and other merchants in Marion feel that there is a need for a third shift. This matter was discussed in the meeting and no action was taken.

The City Council voted unanimously to prohibit parking on the street and instructed the City Manager to install the signs along this street.

The City Council granted the City Manager permission to attend the Managers' Conference in Chapel Hill (Feb. 6-7-8-9)

Since the meeting adjourned.

Mayor

February 17, 1970

At a regular Board meeting on Tuesday, February 17, at 8:00 p.m. Board members present were: Mayor Albert M. Neal, Philip Laughridge, William Ledbetter, James Segars, Victor H. Denton, City Manager, E.P. Dameron, and Billy R. Truett.

REAL PROPERTY: Councilman Neal stated that Mr. Gladden, a local realtor, has again approached him regarding the property on the south side of the City Hall. Mr. Gladden's new proposal incorporates a ten year lease-purchase agreement, the City to buy the property for \$28,000 plus \$12,000 interest. After considerable discussion, Councilman Segars made the motion that Mr. Gladden be informed that the City is not interested in purchasing the property for \$28,000. This motion was seconded by Councilman Wilkerson and unanimously approved.

MCDOWELL STREET EXTENSION:

The following resolution was offered by Councilman Segars and a motion was made by Councilman Segars that it be adopted; this motion was seconded by Councilman Cross and upon being put to a vote, was unanimously carried:

WHEREAS, the State Highway Commission has prepared and adopted plans to make certain street and highway improvements within the City of Marion consisting of the relocation and extension of McDowell Street, consisting of bridge and approaches, as shown on the plans of Project W.O. 9.7131602, McDowell County; said project having a right of way width as shown on the plans of Project W.O. 9.7131602, McDowell County, as filed with the State Highway Commission in Raleigh, North Carolina; that said project is considered to be a most necessary improvement in the street and highway system within the corporate limits of this Municipality for the promotion of public safety and convenience; and,

WHEREAS, in the plans and proposals of said improvement, it is provided that this Municipality cooperate with the State Highway Commission to the extent of:

- (1) Exercising any rights which it may have under any franchise to effect the changing, adjusting or relocating of telephone, telegraph, electric power lines, under ground cables and gas lines or any privately or public owned utilities without expense to the Commission and without cost or obligation to the Commission, shall lay, change, relay, repair and otherwise adjust any municipal owned electric lines, water, sewer, gas or other pipelines or conduits, and shall make all necessary adjustments to house or lot connection or services lying within the right of way of Project W.O. 9.7131602 which are owned by the Municipality or by others. Indemnifying and saving harmless the State Highway Commission from any and all claims of the State Highway Commission contractor that might arise out of the failure of the Municipality to promptly relocate the municipal owned utilities and to make all necessary adjustments to house or lot connections or services lying within the right of way of the project. Except the Commission, will, in accordance with Section 307-3.3 of the Standard Specifications for Roads and Structures, have vertical adjustments of two feet or less in the existing manholes, valve boxes and meter boxes encountered within the limits of the project, made at its own expense, and the Commission will reimburse the Municipality in accordance with the Municipal Owned Utility Policy of the Commission contained in the official minutes of the July 2, 1964, meeting of the Commission, which policy is incorporated herein by reference.
- (2) Entering into an agreement with the State Highway Commission as to establishing and maintaining traffic operating controls for the regulation of movement of traffic on said project.

NOW, THEREFORE, BE IT RESOLVED that project W.O. 9.7131602, McDowell County, be and it is hereby formally approved by the City Council of the City of Marion, and that the Mayor and City Clerk (or Manager) of this Municipality be and they are hereby empowered to sign and execute the required agreement between this Municipality and the State Highway Commission.

This resolution was passed and adopted the 17th day of February, 1970.

PROPOSED PERSONNEL ORDINANCE: The City Manager summarized the important features of a proposed personnel ordinance for City Employees. The ordinance calls for a continuation of the present policy that provides for all departments to be under the City Manager except the Police Department - which is under the Mayor. Mayor Neal stated that he would like for the Council to consider placing the Police Department under the City Manager at such time the new personnel policy is adopted. After a review of the ordinance, it was decided that the City Manager and City Attorney should work together to clarify some points in the proposed ordinance and that the ordinance be considered for adoption after the Board members have an opportunity to study it.

WATER SERVICE TO THE NEW CONSOLIDATED HIGH SCHOOL AND JUNIOR HIGH SCHOOL ON U.S. 70 WEST: The City Manager stated that a local contractor was in his office this afternoon seeking additional specifications on the proposed water line to the consolidated school site. The City Manager stated that he would like to have some guidance regarding the installation of fire hydrants. He stated that fire hydrants are not planned for the line, however, he feels that Mr. Sam Phillips, a major contributor to the line, may be expecting fire hydrants to be installed. After some discussion, the City Manager was instructed to 1) have tees installed on the line at the appropriate location for fire hydrants and 2) inform the County Commissioners that we are taking this action. If the Commissioners want hydrants installed, it will be necessary for the County to pay for the cost of purchasing and installing the fire hydrants.

KENT SUBDIVISION: The City Manager stated that Mr. & Mrs. Kent were recently in his office and informed him that they want the City to install water and sewer lines into a presently undeveloped section of the Hdlyhills subdivision. The City Manager stated that there are a considerable number of undeveloped lots in the section of the subdivision that have water and sewer and paved streets and that he questions the feasibility of making any utility line extensions into any new areas, especially if City money is involved - until more of his property is developed. The City Manager stated that he had looked back through the minutes and could find no reference to any previous agreement with Mr. Kent. After some discussion, it was decided to table this matter so the City Manager could search back through the minutes again to see if any additional information can be found on this matter.

EAST FORT STREET: PROPOSED LEFT TURN LANE AT MAIN STREET: The City Manager stated that a left turn lane is called for in the traffic engineering study on East Fort Street at the intersection of Main Street. The City Manager stated the left turn lane can be installed on East Fort Street very easily as little or no parking would have to be removed. After a brief discussion, the City Manager was authorized to install the left turn at the above intersection.

DELINQUENT TAXES: The City Manager stated that the County has employed the service of Attorney Robert Hunter to collect delinquent taxes. The City Council authorized the City Manager to contact Mr. Hunter to see if he is willing to collect delinquent taxes for the City of Marion.

BYPASS; MARION BYPASS: The City Manager stated that we have received no information on the proposed bypass around Marion. The City Manager asked for and was granted permission to write the North Carolina State Highway Commission representing Marion on the behalf of the City Council to inquire about the status of this project.

REQUEST TO HANG BANNER OVER MAIN STREET: The City Manager stated that he has received a request from the Heart Fund officials to hang a banner across Main Street promoting the Heart Fund Drive. Several of the Council members informed the City Manager that the City has an ordinance prohibiting street banners and that although they are in no way opposed to this fund raising project, they feel it is not in the best interest of the community to permit this or any other banners to be installed over Main Street.

MARION WATER SUPPLY; CAPACITY AND USAGE: The City Manager displayed a graphic indicating that the Marion Municipal water usage equals on the average, approximately 80% of our water production capacity. He stated that sometime in the near future we will have to give consideration to increasing our capacity to meet the increasing water demands on our system.

There being no further business, the meeting adjourned.

Mayor

City Manager
(Clerk)

CCG002

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

March 3, 1970

The Marion City Council met in a regular Board meeting on Tuesday, March 3 at 7:30 in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen Oliver Cross, Philip Laughridge, William Ledbetter, James Segars and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Rosamond Braly, Newspaper Editor, Sherman Pickard, Field Representative of the North Carolina League of Municipalities and Ernie House and L.M. Miller, local developers.

PROPOSED MOBILE HOME TRAILER PARK: Mr. House stated that he and Mr. Miller are planning to develop a mobile home park on State Street between the ASCS Office and the residence of Dr. Harry Lind. Mr. House stated that they would like to have City water and City sewer for the proposed development. After some discussion, it was agreed that water service would be provided from State Street with a meter service for each trailer site. A meter service - tap fee is to be charged for each mobile home pad. Sewer service is to be provided from a sewer line behind their property. The City is to extend the sewer line from the City line to the House-Miller property line and they are to extend the sewer line into the development. One sewer tap is to be charged for this service.

TREMONT STREET SUBDIVISION: Mr. House stated that he and Mr. Miller are planning to extend Tremont Street approximately 800 feet southeast beyond its intersection with Alabama Avenue. They indicated that the street right of way will be 40 feet with an 8 inch gravel stone base 24 feet. Mr. House requested the City to extend water service through their subdivision, he further stated he would like to have sewer service but after talking with the City Manager he was aware that sewer service could not be provided because of the lack of a sewer trunk line in the drainage basin of the development. After Mr. House and Mr. Miller left, the Board instructed the City Manager to work with Mr. House and Mr. Miller to insure that the proposed street is properly graded and properly stoned at no expense to the City. The Board also instructed the City Manager to inform Mr. House that a 6" water line is required in the proposed street, and that Mr. House and Mr. Miller are to pay for the water line extension on the same basis that the 6" water line was installed in Richard Drive, that being that the City will pay the full cost of installation and 50% of the cost of materials. Mr. House and Mr. Miller are to pay in advance of installation 50% of the cost of materials for extending the water line.

SOUTHERN RAILROAD: The City Manager stated that Southern Railroad Officials have informed him that they are planning to remove the remaining passenger train service on the Southern Railroad (this consists of one daily west bound passenger train and one daily east bound passenger train.) The City Manager stated that no date has been set for the removal of the service and there will be a public hearing prior to the removal of the passenger service.

FIRE SERVICE: Mr. Sherman Pickard, Field Representative of the North Carolina League of Municipalities met with the Board to discuss (1) fire service in the unincorporate fringe area of Marion, and (2) methods and procedures of purchasing a new fire truck. Mr. Pickard stated that municipalities have long questioned the fairness of providing municipal fire service to areas outside the corporate limits that do not contribute to the support of municipal fire departments. He indicated that communities have tried a multitude of approaches to this problem such as providing service on the basis of donations, fees, memberships and contributions. Mr. Pickard stated that none of these approaches usually accomplish the desired results. He stated that fire protection is a property service as opposed to police protection which is a people service, therefore, there is validity in using property tax to support the operations of a fire department. He suggested that the City give consideration to establishing a fire - tax - insurance district (with coterminous boundaries) around Marion. This district could extend from the corporate limits outward up to four road miles. If 50% of the residents living in this area petition the County Commissioners for a referendum for fire protection for this area, the Commissioners must hold a referendum. Residents living in the area,

our municipal water supply on the basis of the limited evidence that indicates it might be detrimental to ones health. Dr. Dickson, Rosalind Clark and Keith Pooser each made comments similar to those by Mr. James. Mr. Roy Davis stated that he has seen a short film on the adverse affects of fluoridation and that he would like for the Board to see this film. After considerable discussion of this subject, Mayor Neal stated that the City Council would give very thoughtful consideration to the group's comments.

JOHNSON, MRS. SALLY: Mrs. Sally Johnson and her son appeared before the Board to complain about what she feels was an unfair settlement on the part of her insurance company regarding a minor auto accident in September 1969 between a vehicle operated by her son and a vehicle operated by Miss Lamb in the Marion High School parking lot. Mrs. Johnson stated that her insurance company paid for the damage of the other vehicle on the basis of a police report filled out by Patrolman Paul Elliott. She stated that it was her understanding that her insurance did not investigate the accident, but rather took the information from the accident report filled out by Patrolman Elliott. She further stated that she has never seen the accident report but feels that the report did not portray the facts accurately. Mayor Neal stated that Patrolman Elliott elected at the time of the accident to charge neither party with a traffic violation. He further stated that this probably was to her advantage as it is possible that her son may have erred in judgment. Mayor Neal concluded by informing her that we would discuss this matter with her insurance agent, Mr. Ted Lowery, and get back in touch with her.

FLUORIDATION IMPLEMENTATION: Doctor Paul Stedman of the Regional Health Council stated that he has prepared an application for a grant for obtaining a portion of the necessary funds required to fluoridate the Marion water supply. He stated that the total first year cost of the project would be approximately \$37,300. The local first year City cost would be approximately \$5,000. He stated that this is a five year grant program and that the second year the City would possibly receive some money back from the Federal government - (approximately \$1500). The third and fifth years, there would be no expense to the City, thereafter, the cost would be approximately \$3000 per year. Dr. Stedman stated that the initial cost is high because of the nature of our water system, elaborating he stated that whether we fluoridate or not, strainers and meters are needed on our raw water lines. The Board members present generally indicated that they still endorse this program and would like for the City to continue to pursue the program outlined by Dr. Stedman. Prior to leaving, Dr. Stedman indicated that we are eligible for a \$1500 grant from the State Board of Health to aid in the fluoridating program, however, we need to make application for this grant. He also stated, in reference to a question by the City Manager, that engineering fees would possibly be covered by the grant if we could obtain a cost estimate for engineering services and include the amount in the submission of the final application.

DELINQUENT TAXES: Upon a motion made by Councilman Segars and seconded by Councilman Laughridge and unanimously passed the following resolution was adopted:

The City of Marion authorizes and empowers Robert Hunter, Attorney at Law to institute the necessary proceedings for the collection of delinquent taxes, as provided by law, and that the following fees be paid Mr. Hunter for his services:

1. \$50.00 upon the institution of each suit. If taxes, interest and penalties, together with court cost, are paid prior to the taking or preparation of interlocutory judgment, then no further attorneys' fees are to be paid by the City.
2. If interlocutory judgment is prepared or entered before payment in full of all taxes, penalties, interest and court cost, Mr. Hunter shall be paid an additional \$10.00 fee.
3. If any foreclosure shall also be done in the name of McDowell County as a joint property plaintiff, then the City will pay only one-half of all above listed fees.
4. The following percentages of taxes collected by Mr. Hunter shall be paid to him when a suit is not instituted.

Years through 1968 - 15% on first \$500.00 per claim basis.
Minimum of \$15.00 when taxes run from \$45.00 to \$100.00.
33 1/3% on all taxes under \$45.00.

OFF - STREET PARKING: The City Manager stated that he and the Director of Public works, Jack Brown, have looked at the Hugh T. Conley lot between North Garden and North Madison. He stated that he feels the lot would be suitable for an off-street parking lot, however, it will be necessary to remove several large stumps and level it. He stated that if the lot (approximately 110' x 225') was used for off-street parking, it would be one of the largest off-street parking lots in the City, however, it would be the farthest away from the downtown area. After some discussion and upon a motion by Councilman Ledbetter and seconded by Council Segars, it was unanimously voted that we make an offer to Mr. Conley of \$40 a month; if this is not acceptable at a cost not to exceed \$60 per month.

CITY PERSONNEL PLAN: Upon a motion by Councilman Ledbetter and seconded by Councilman Laughridge, the Board unanimously adopted the following Personnel Ordinance:

PERSONNEL ORDINANCE
CITY OF MARION
MARION, NORTH CAROLINA

ARTICLE I. ADMINISTRATION OF THIS ORDINANCE

The City Manager shall be responsible for the administration of this personnel ordinance which shall apply to all appointed employees of The City of Marion.

ARTICLE II. APPOINTMENTS, DISMISSAL, AND DEMOTION

Section 1. Appointments. Appointments to positions with the City shall be made on the basis of ability, training and experience. The City Manager shall appoint all full-time employees of the City, provided, however, that department heads shall be appointed, promoted, suspended and dismissed by the City Council.

Section 2. Probationary Period. All appointments to permanent positions in the service of the City shall be for a probationary period of six months. Before the completion of the probationary period, the department head shall indicate to the City Manager:

- (a) that he had discussed the new employee's progress (accomplishments, strengths, failures, and weaknesses) with the new employee, and
- (b) whether the new employee is performing satisfactory work,
- (c) whether the employee's probationary period should be extended six months,
- (d) whether the employee should be retained
- (e) whether the employee should be discharged

If retained, the employee shall be considered a permanent employee. An employee may be dismissed during the probation period at any time if the department head believes that the employee is not capable of doing his assigned duties.

Section 3. Reinstatement. If an employee who has been separated because of reduction of force or who has resigned while in good standing shall be reinstated within five years, he shall be credited with his previously accrued sick leave.

Section 4. Promotions. Department heads and supervisors shall anticipate retirements and turnover and hire and train employees to assume greater responsibility. In filling vacancies an effort should be made to promote QUALIFIED City employees before seeking an outside replacement.

Section 5. Suspension. During the investigation, hearing, or trial of an employee on any criminal charge, or during the course of any civil action involving an employee, when suspension would be in the best interest of the City, the City Manager may suspend the employee without pay for the duration of the proceedings as a non-disciplinary measure. Back pay shall not ordinarily be recoverable, but where the suspension is terminated by full reinstatement of the employee, the City Council may authorize full recovery of pay and benefits for the entire period of suspension or for any lesser period of the suspension.

Section 6. Dismissal. A permanent employee whose work is not satisfactory over a period of time shall be notified in what way his work is deficient and what he must do if his work is to be satisfactory. If a permanent employee fails to perform work up to the standard of the classification held, or continues to be negligent, inefficient, or unfit to perform his duties, he may be dismissed by the City Manager. Any discharged employee shall be given a written notice of his discharge setting forth the effective date and reasons for his discharge if he shall request such a notice.

Section 7. Demotion. Any employee whose work in his present position is unsatisfactory but who offers promise of becoming a satisfactory employee in another position may be demoted by the City Manager.

ARTICLE III. CONDITIONS OF EMPLOYMENT

Section 1. Annual Vacation Leave.

- (a) Vacation Earned. Each full-time municipal employee of the City shall earn one-half workday of vacation leave for each full calendar month of service for the first year of employment, thereafter at a rate of one workday for each full calendar month of service - subject to the limitations in subsection (c) below.
- (b) Approval of Annual Vacation Leave. Vacation leave may be taken as earned by an employee when the employee's department head approves the leave and can arrange for the leave to be taken without increasing the expense of operating the department. However, an employee will not be expected to request vacation leave while serving his probationary period unless the denial of the leave would create an unusual hardship.

- (c) Annual Vacation Leave is Cumulative. Vacation leave may be accumulated to a maximum of four weeks. When the maximum has been accumulated, no additional vacation leave will be earned until some of the accrued leave has been taken.

- (d) Terminal Pay. An employee resigning from the municipal service shall be paid for vacation leave accumulated to the date of separation provided he has completed six months or more of continuous service and provided he has submitted notice to his immediate superior at least two weeks in advance of the effective date of resignation. An employee who is involuntarily separated without fault or delinquency on his part shall be paid for vacation leave accumulated to the date of separation. Compensation equal to one-half ($\frac{1}{2}$) of the accumulated vacation leave shall be paid an employee separated for reasons of fault or delinquency or who does not submit the required notice. Upon the death of a permanent employee, there shall be paid to his estate a sum equal to all unused annual leave.

Section 2. Holidays. All City employees will receive full pay for the following holidays:

New Year's Day
Easter Monday
July 4th
Labor Day
Thanksgiving
Christmas (See Schedule Below)

When Christmas falls on:

The following days shall be observed as holidays:

Sunday	December 26 (Mon.)
Monday	December 25, 26 (Mon., Tues.)
Tuesday	December 24, 25 (Mon., Tues.)
Wednesday	December 24, 25 (Tues., Wed.)
Thursday	December 24, 25 (Wed., Thurs.)
Friday	December 24, 25 (Thurs., Fri.)
Saturday	December 24 (Fri.)

Section 3. Sick Leave.

- (a) Sick Leave is a Privilege. Sick leave with pay is not a right which an employee may demand but a privilege granted by the City. Notification of the desire to take sick leave should be submitted to the employee's supervisor prior to the leave, or not later than two hours after the beginning of the scheduled workday, or as required by departmental rules or regulations.
- (b) Definition. Leave from Work with pay may be charged as sick leave if the absence is due to sickness, bodily injury, quarantine, required physical or dental examinations or treatment, exposure to a contagious disease when continued work might jeopardize the health of others, illness in the employee's family which requires the care of the employees, or the funeral of a member of the employee's family or of a close personal friend.
- (c) Sick Leave Earned. Each full-time municipal employee shall earn sick leave at the rate of one week a year.
- (d) Sick Leave is Cumulative. Sick leave shall be cumulative with no limit on the maximum accumulation.
- (e) Physician's Certificate. Department heads may require a physician's certificate as to the nature of the illness and as to the employee's physical capacity to resume his duties for each occasion on which an employee uses sick leave. The employee may be required to submit to such medical examination, or inquiry as the department head deems desirable. The department head shall be responsible for the application of this provision to the end that (1) employees shall not be on duty when they might endanger their health or the health of other employees, and (2) there will be no abuse of sick leave privileges.

- (f) Advancing Sick Leave Credit. The City Council may on the recommendation of the City Manager advance sick leave to an employee with five or more years of service who has exhausted his sick leave because of a major operation or illness.
- (g) Separated Employees Lose Sick Leave Credit. Employees who retire or resign and are not reinstated within five (5) years, or are dismissed from City employment shall lose all sick leave credits. No employee shall be paid for any accrued sick leave.
- (h) Sick Leave as Workman's Compensation Leave. An employee injured in an accident arising out of and in the course of employment may elect to use his sick leave and/or vacation in order to receive the difference between the Workman's Compensation payment and his regular salary while he is disabled. The employee's sick leave or vacation leave shall be charged with that fraction of a day which the supplemental payment is of his daily salary for each day the supplemental payment is made.

- Section 4. Military Leave. The City Manager, upon the recommendation of the department head, may grant up to two weeks of military leave in any fiscal year to any full-time City employee for Reserve or National Guard training. While on military leave, each employee shall be compensated by the City the amount that this military compensation is less than his City compensation. Military leave shall not be charged against the annual leave for which the employee may be eligible.
- Section 5. Civil Leave. An employee summoned for jury duty or as a witness in any court shall be entitled to leave for such duty during the required absence. While on Civil leave, each employee shall be compensated by the City the amount that this Civil leave compensation is less than the City compensation.
- Section 6. Education Leave. A leave of absence at full or part pay for two weeks may be granted upon the recommendation of the department head by the City Manager to permit a municipal employee to take courses of study which will better equip the employee to perform his duties. A leave of absence at full or part pay for longer periods may be granted by the City Council upon the recommendations of the City Manager.
- Section 7. Leave Without Pay. A municipal employee may be granted a leave of absence without pay for up to one (1) year by the City Manager upon the recommendation of the supervising department head for reasons of personal or family illness, completing education, or special work which will permit the City to profit by the experience gained or the work performed.
- Section 8. Social Security. Each municipal employee covered by Old Age and Survivors' Insurance may become eligible for disability or retirement benefits in accordance with the provisions of the Social Security program.
- Section 9. Compulsory Retirement. Excluding disability or voluntary earlier retirement, each City employee shall be retired on June 30 following his 65th birthday; subject to the recommendations of a medical examiner and approval of the City Manager, the employee may be granted one or more one year extensions.

ARTICLE IV. CONFLICT OF INTEREST AND POLITICAL ACTIVITY

- Section 1. Applicability of Article. The provisions of this article shall be applicable to all municipal employees except elected officials.
- Section 2. Outside Employment. The work of the City should have precedence over the other occupational interests of employees. All outside employment for salary, wages or commissions and all self-employment must be reported to and approved by an employee's department head. Conflicting outside employment shall be grounds for dismissal.

Section 3. Political Activity Restricted. No employee of the City except those subject to popular election shall seek nomination, election, or appointment to a political office or as an office of a political party, club or organization, or take an active part in, or solicit contributions or donations to, any political campaign, or distribute badges, pamphlets, or handbills of any kind favoring or opposing any candidate for nomination or election to public office; nor use or threaten to use his or her influence favoring or opposing any candidate; nor any municipal supplies or equipment for political purposes. Provided, however, that nothing in this article shall be construed to prevent any employee from becoming or continuing to be a member of a political party, or from attendance at a political meeting, or from enjoying entire freedom from interference in casting his or her vote. Failure to comply with this section is grounds for immediate dismissal.

Section 4. Gifts and Favors. No official or employee shall accept any valuable gift, whether in the form of service, loan, thing, or promise from any person, firm, or corporation which to his knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the City; nor any such official or employee (1) accept any gift, favor, or thing of value that may tend to influence him in the discharge of his duties, or (2) grant in the discharge of his duties any improper favor, service, or thing of value.

Section 5. Penalty for Violation. Any employee violating the provisions of this Article shall be subject to suspension and removal.

ARTICLE V. CONFLICTING ORDINANCES REPEALED

Section 1. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

ARTICLE VI. EFFECTIVE DATE

Section 1. This ordinance will become effective as of April 7, 1970.

ANNEXATION - DOVER AND MOORE PROPERTIES: The City Manager stated that Mr. Dover and Mr. Moore have asked Mr. Haney, a local land surveyor, to prepare a map of the area to be annexed. As soon as this map is received we can proceed with the steps necessary to annex this property.

WATER PLAN STUDY: The City Manager stated that he had worked with our engineering firm of O'Brian and Gere in preparing an application for a Public Works Planning Advance. Upon completion of the application the HUD office in Atlanta was contacted to set up a conference date to submit the application. The City Manager stated that he was advised that the program had been done away with on January 30. He further stated that after receiving this information, he immediately called the N.C. State Department of Local Affairs and the League of Municipalities and was informed by both agencies that they had no knowledge of the program being terminated. He concluded by stating that an effort is still being made to take advantage of the program, however, it is very unlikely that this will be possible.

FRINGE AREA FIRE PROTECTION: The City Manager stated that on the basis of previous discussion with the County Commissioners, Mr. Sherman Pickard of the North Carolina League of Municipalities, the Marion Fire Chief and others and on the basis of studying our fire service area in some detail, he recommends that the City pull in the fire service area the first of July, 1970 to an area around Marion approximately two miles from the fire station and that the City indicate to the general public that consideration is being given to limiting service to only the incorporated area after the receipt of the new truck - if those residents in the outlying areas make no effort to establish a fire district. After considerable discussion, it was generally agreed that this approach should be considered, however, before taking any action in this direction, we should again (1) meet with the County Commissioners to determine if they are willing to encourage the establishment of a fire district around Marion and (2) if such approach outlined by the City Manager would generally be acceptable to them. It was decided that we should try to arrange a meeting with the County Commissioners as soon as possible to discuss this matter.

CCG002

PHONE 695-3251

C. David BlantonDRAWER 429
MARION, N. C. 28752REAL ESTATE MANAGEMENT
AND APPRAISALS

April 11, 1970

Mr. Victor H. Denton
City Manager
Marion, North Carolina

Dear Mr. Denton:

You will probably recall that a little over a year ago I wrote you asking an increase of the rental on the three parking lots the city rents from us from \$100.00 to \$150.00 per month. The council agreed to raise the monthly rental to \$125.00 which I agreed to go along with on a month to month basis; however, due to increase in taxes and other inflationary prices, I feel that I should have at least \$150.00 per month rental for these three parking spaces.

As you and your council know, two of the parking spaces; namely, the one behind Moore's store and the one on Railroad Street, are two of the most used parking lots in the city and of course the one on Garden Street, which is an all-day parking lot, is also used very extensively.

These three parking lots park approximately 100 cars and of course the land they are on is expensive property. I think your records will show that the city taxes on the property in my father's estate have increased over \$1,000.00 since 1966.

I think that every member of your council will have to agree that from the standpoint of location, value of property and number of parking spaces that \$150.00 per month rental will compare most favorably with any of the other parking lots in this city or any of our neighboring cities and I do not feel that they will want to discriminate against any one individual or family that has cooperated with the city, parkingwise, through the years and started furnishing customer parking spaces to the city at a very nominal price when parking in Marion was in its infancy.

I, therefore, respectfully request that you read this letter to your council at your next meeting and that they make some disposition of this matter at their earliest convenience. I will be glad to attend the meeting if you would like for me to and try and answer any questions that the council may have.

Sincerely,

David

C. David Blanton.

CDB:jb

be applicable to all municipal employees except

Section 2.

Outside Employment. The work of the City should have precedence over the other occupational interests of employees. All outside employment for salary, wages or commissions and all self-employment must be reported to and approved by an employee's department head. Conflicting outside employment shall be grounds for dismissal.

Section 3. Political Activity Restricted. No employee of the City except those subject to popular election shall seek nomination, election, or appointment to a political office or as an office of a political party, club or organization, or take an active part in, or solicit contributions or donations to, any political campaign, or distribute badges, pamphlets, or handbills of any kind favoring or opposing any candidate for nomination or election to public office; nor use or threaten to use his or her influence favoring or opposing any candidate; nor any municipal supplies or equipment for political purposes. Provided, however, that nothing in this article shall be construed to prevent any employee from becoming or continuing to be a member of a political party, or from attendance at a political meeting, or from enjoying entire freedom from interference in casting his or her vote. Failure to comply with this section is grounds for immediate dismissal.

Section 4. Gifts and Favors. No official or employee shall accept any valuable gift, whether in the form of service, loan, thing, or promise from any person, firm, or corporation which to his knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the City; nor any such official or employee (1) accept any gift, favor, or thing of value that may tend to influence him in the discharge of his duties, or (2) grant in the discharge of his duties any improper favor, service, or thing of value.

Section 5. Penalty for Violation. Any employee violating the provisions of this Article shall be subject to suspension and removal.

ARTICLE V. CONFLICTING ORDINANCES REPEALED

Section 1. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

ARTICLE VI. EFFECTIVE DATE

Section 1. This ordinance will become effective as of April 7, 1970.

ANNEXATION - DOVER AND MOORE PROPERTIES: The City Manager stated that Mr. Dover and Mr. Moore have asked Mr. Haney, a local land surveyor, to prepare a map of the area to be annexed. As soon as this map is received we can proceed with the steps necessary to annex this property.

WATER PLAN STUDY: The City Manager stated that he had worked with our engineering firm of O'Brien and Gere in preparing an application for a Public Works Planning Advance. Upon completion of the application the HUD office in Atlanta was contacted to set up a conference date to submit the application. The City Manager stated that he was advised that the program had been done away with on January 30. He further stated that after receiving this information, he immediately called the N.C. State Department of Local Affairs and the League of Municipalities and was informed by both agencies that they had no knowledge of the program being terminated. He concluded by stating that an effort is still being made to take advantage of the program, however, it is very unlikely that this will be possible.

FRINGE AREA FIRE PROTECTION: The City Manager stated that on the basis of previous discussion with the County Commissioners, Mr. Sherman Pickard of the North Carolina League of Municipalities, the Marion Fire Chief and others and on the basis of studying our fire service area in some detail, he recommends that the City pull in the fire service area the first of July, 1970 to an area around Marion approximately two miles from the fire station and that the City indicate to the general public that consideration is being given to limiting service to only the incorporated area after the receipt of the new truck - if those residents in the outlying areas make no effort to establish a fire district. After considerable discussion, it was generally agreed that this approach should be considered, however, before taking any action in this direction, we should again (1) meet with the County Commissioners to determine if they are willing to encourage the establishment of a fire district around Marion and (2) if such approach outlined by the City Manager would generally be acceptable to them. It was decided that we should try to arrange a meeting with the County Commissioners as soon as possible to discuss this matter.

OFF STREET PARKING - CRAWFORD STREET LOT: The Board members instructed the City Manager to get the Crawford Street Off Street Parking lot in a condition suitable for off-street parking and to install the necessary markings to direct people to the lot.

MCDOWELL COUNTY TECHNICAL INSTITUTE SEWER CHARGE: Mayor Neal stated that Mr. Eckerd, a McDowell County Technical Institute Board member, had asked him if it will be necessary for the Institute to pay a monthly sewer charge at their new facility. After some discussion, the Board generally agreed that the Institute should not be excused from paying a monthly sewer charge to the City. The City Manager stated that this charge would be based on the estimated amount of water pumped from a well at the site of the Institute.

CITY LICENSE TAGS: The Board authorized the City Manager to purchase 600 1971 City license tags.

STREET-PAVING: The City Manager stated that a new street paving process called "slurry seal" is being used by several communities in North Carolina. He stated that it is much less expensive than repaving with asphalt, however, treatment must be limited only to streets that need a new travel surface and seal to prolong the life of the pavement. He stated he has discussed this matter with other City Managers in North Carolina and that our Director of Public Works has inspected streets treated by this process in Morganton. He stated that upon the information he has obtained he would recommend that we use this type of treatment on some selected streets in Marion on an experimental basis. He stated that we can get approximately 15 to 20 blocks re-surfaced by this process for approximately \$3500. Upon a motion by Councilman Segars and seconded by Councilman Laughridge, the Board granted the City Manager permission to use this street paving process at his discretion with expenditures for this item to be limited to approximately \$3500.

LAW AND ORDER: The City Manager stated that the City has the opportunity to make application for a law and order grant for Police equipment. He stated that one step in becoming eligible for this grant is that we must record in the minutes a willingness on the part of the City to budget money for this purpose. After some discussion and upon a motion by Councilman Laughridge and seconded by Councilman Wilkerson, the Board unanimously voted to allocate \$100 for this purpose.

RECREATION: Councilman Segars and Councilman Laughridge stated that the County Recreation Commission is moving forward with their planning for a summer recreational program, however, at this time they have little or no funds to work with. After some discussion, it was generally agreed that we should consider turning the money we have budgeted for recreation over to the County Recreation Commission for carrying out a recreational program, rather than investing this money in a program sponsored by the City. As there was some question as to how much money is needed, no action was taken. Mayor Neal asked Councilman Segars to see if he can get a cost estimate on this matter and report back at the next council meeting.

CEMETERY - BURIAL FEE: Upon a motion by Councilman Ledbetter and seconded by Councilman Segars, it was unanimously voted to raise the burial fee at Oak Grove Cemetery from \$30 to \$40. *Jack Brown said info to Hall*

PRIVATE WATER LINE EXTENSION: The City Manager stated that private water lines are still being extended in some areas around Marion. He stated that occasionally there are instances when a line may be extended three or four hundred feet or more to a house without our knowledge and then a request is made for a meter. If we are told they already have water to their property, our policy has been generally to install a meter. As a result of this "loop hole", we are still having private water lines extended - sometimes for considerable distances - especially in the Pleasant Gardens area. No action was taken on this matter, however, the Board asked the City Manager to use his own discretion regarding the setting of meters on private lines. The Board asked the City Manager to express to developers in the Marion area the City's reservations about permitting private lines to be extended.

PAVEMENT MARKINGS - WEST COURT STREET: The Council authorized the City Manager to install left turn lanes on West Court Street at the intersection of West Court and Logan Streets.

TRASH PICKUP: The City Manager stated that the City occasionally gets request to pick up large amounts of tree and brush trimmings. After some discussion, the Board agreed with the City Manager's request to not pick up tree and brush trimmings if the work has been done by anyone other than the property owner or resident and that the City can limit its trash pick-up at any one property to no more than one truck load per week.

OFF STREET PARKING - C.D. BLANTON PROPERTIES: The City Manager distributed to the Board copies of the attached letter from Mr. Blanton. After some discussion, it was decided to invite Mr. Blanton to the next Board meeting.

TAX SALES ADVERTISEMENT: Upon a motion by Councilman Laughridge and seconded by Councilman Segars, the Board unanimously granted the City Manager permission to place an ad in the McDowell News announcing that a listing of individuals owing delinquent taxes will be published in the paper in June.

TAXES - COPY CITY TAX INFORMATION FROM COUNTY RECORDS: Upon a motion by Councilman Cross and seconded by Councilman Laughridge, the Board unanimously voted to employ Mrs. Juila M. Stanley to copy the 1970 City tax information from the County records in the Court House.

VINE STREET - RENAMED CARDINAL LANE: Upon a motion by Councilman Cross and seconded by Councilman Wilkerson, the Board unanimously approved the City Manager's recommendation to change the north eastern end of Vine Street (the unpaved portion) to Cardinal Lane.

AUDITORS - AWARDING CONTRACT: Upon a motion by Councilman Segars, seconded by Councilman Cross, the Board unanimously voted to award the auditing contract for the year 1969-1970 to the firm of Calder, Crawler and Company.

CITY - COUNTY MEETING PROPOSED DATE: The City Manager reported that the County Commissioners are unable to meet with the Board on April 28 as two of the members will be out of town. The City Manager was instructed to see if a joint meeting could be arranged for April 29, or 30.

MAY COUNCIL MEETING: As some of the Board members will be unable to attend the next Board meeting scheduled for May 5, it was unanimously approved to reschedule the meeting to 7:30, May 6th.

There being no further business, the meeting adjourned.

Mayor

City Manager
(clerk)

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

May 6, 1970

The Marion City Council met in a regular Board meeting on Wednesday, May 6th, at 7:30 in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen Oliver R. Cross, Philip Laughridge, W.R. Ledbetter, James Segars and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Rosamond Braly, Newspaper Editor and Mr. C. David Blanton.

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OFF-STREET PARKING - C. DAVID BLANTON PROPERTIES: Mr. Blanton stated that he feels he is not getting enough compensation from the City for the three lots that he is making available to the City for off street parking. He stated that the three lots combined can park a total of approximately one hundred cars. He further stated that in 1961 he agreed to lease the lots to the City for a five year period for \$1 per space per month. He stated that last year he asked the City for \$150 per month for the three lots, however, he said it was necessary to compromise on \$125. He continued by stating he feels he should have a minimum of \$150 per month for the three lots. After some discussion Mr. Blanton agreed to lease the three lots to the City for a five year period for a total of \$150 per month - with the provisions that if he desires to cancel the lease within the five year period he will reimburse the City 100% of the cost of any improvements that may be made on the lots after the date of any new lease agreement. *80% the second year, 60% the third year, 40% the fourth year and nothing the fifth year. Upon a motion by Councilman Cross the Board unanimously voted to lease his three lots for a total of \$150 with the above reimbursement provisions regarding improvements. The City Manager and Mr. Dameron were instructed by the Board to get together with Mr. Blanton and work out and execute a lease agreement that incorporates these provisions.

EMPLOYEE RECOGNITION DINNER: Upon a motion by Councilman Wilkerson and properly seconded the Board unanimously agreed to have a recognition dinner on Monday evening May 18 for employees with ten years and more of service with the City. The City Manager is to work out the details for the dinner.

PUBLIC ADDRESS SYSTEM: Mayor Neal stated that the Rescue Squad is raising funds to purchase a PA system that can be used for activities in the area - and for emergency situations that requires the need of a PA system. He stated that the Rescue Squad will be custodian of the system, however, it will be available to the City. He continued by stating that the Rescue Squad has asked the City for a donation for this purchase. After some discussion and upon a motion by Councilman Segars and seconded by Councilman Cross, the Board unanimously voted to contribute \$100 toward the purchase of the PA system.

WEST MARION WATER LINE: The City Manager stated that the County Commissioners have requested a meeting with the City water committee (City Manager and Councilman Segars). He continued by stating that the Commissioners would like for the Committee members to bring to the meeting information on the proposed size of the line, route of the line and estimated cost of the project. The Board expressed much interest in this project and encouraged the City Manager and Councilman Segars to meet with the Commissioners as soon as possible to try to get the details worked out on this proposed project.

WATERLINE EXTENSION POLICY: The City Manager stated that he feels it would be in the best interest of the City to incorporate the following into the waterline extension policies adopted by the County before the City undertakes any joint water line project. After discussing this proposal the Board suggested that the City Manager and Councilman Segars present this proposal to the County Commissioners when they meet them to discuss the West Marion water line project.

Proposed Modifications:

1. Proposed extensions will not be considered if there is evidence that such extensions will weaken in town pressures or greatly reduce our reserve capacity (difference between normal consumption and capacity.)
2. All pipe shall be cast iron, slip joint, minimum 6" diameter with main line valves every 2000 feet normally sufficient fittings (ties and valves) shall be purchased to permit the installation, or later installation, of fire hydrants every 1000 feet.
3. All water lines shall normally be installed in public right of way, however, where this is not practical, the lines shall be installed in a 15 foot easement centered on the line.
4. All lines shall become the property of the City before they are placed in service.
5. Repayment shall be limited to the County's contribution to the line. At any time the City may pay off the balance on the line - in place of surcharges.
6. The cost of meters, meter box and connections shall be deducted from tap fees. The balance shall be remitted to the County.
7. The two policies may be cancelled by either the City or County provided the other party is notified in advance.
8. The two policies cannot be modified without the consent of both parties.

PLANNING - PURPOSED ANNEXATION STUDY: The City Manager stated that he has recently talked with Charles Davis, a planning consultant in Hickory regarding an annexation study for the Marion area. The City Manager stated that if the Board is interested in considering such a study, Mr. Davis is willing to meet with the Board at our next meeting to explain the scope and cost of such a study. The Board granted the City Manager permission to invite Mr. Davis to the April 21 meeting.

KENT SUBDIVISION: The City Manager stated that Mr. Kent has constructed a wooden fence on the City right of way within a few inches of the curb line. He stated that this is in violation of a City ordinance, however, the fence in its self is not objectionable. The main objection and concern is that the fence is between the road and a fire hydrant. In order to use the fire hydrant, it will be necessary for the firemen to open a gate in the fence to get to the fire hydrant. The City Manager stated that it is his feeling that this matter must be immediately corrected. He further showed the Board pictures of how this matter had been handled in other places in Marion. As, on Fern Street, an opening has been left in a wood fence for access to a fire hydrant and on Hillcrest Street, a fence was set back sufficiently so that a hydrant would be in front of the fence. The City Manager stated that is there were no objections from the Board, he was going to ask Mr. Kent to correct this situation. No opposition was voiced.

COMMUNITY BUILDING WIRING: The City Manager reported that Mr. K.C. Byrd, a local electrical contractor, has been awarded the contract for wiring of the Community Building for the air conditioners and that this project should be completed within the next two to three weeks.

PUBLIC TELEPHONE BOOTH ON MAIN STREET: The City Manager stated that he has talked with Carl Tysinger, the local office manager with Western Carolina Telephone, regarding the need for more telephone booths on Main Street. The City Manager stated that Mr. Tysinger informed him that he has ordered the necessary equipment to install pay telephones in front of Tainters drug store and Ingles, (if permission can not be obtained to install a telephone in the latter location, the phone is to be installed in front of the Community Building.

MCDOWELL STREET: The City Manager reported he has received a letter from the Highway Commission stating the McDowell Street project will be let to contract in August of this year.

TRAFFIC STUDY: The City Manager reported that Mr. Andy Ward of the Highway Commission recently called and informed him that the traffic signalization study has been approved and that the State will soon let the contract at no cost to the City of Marion.

CABLE TV: The City Manager stated that he has been informed by a representative of the local cable TV office that the new tower facilities are nearly completed and within the next few days they will begin receiving signals from the new facilities.

NATURAL PUBLIC SERVICE COMPANY: The City Manager stated he has received a letter from Mr. B.E. Zeigler, President of the Public Service Company of North Carolina. Mr. Zeigler stated in his April 2 letter to the City Manager that several unanticipated delays have been experienced in extending the line from Black Mountain into the Marion area, however, they are now hoping to have the line into Marion in spring of 1971.

There being no further business, the meeting adjourned.

Mayor

City Manager
(Clerk)

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

April 21, 1970

The Marion City Council met in a regular Board meeting on Tuesday, April 21, at 7:30 in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen Oliver R. Cross, Philip Laughridge, William Ledbetter, James Segars and Horace Wilkerson. Others present, Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Rosamond Brady, Newspaper Editor and Charles H. Davis, Director, Traffic and Planning Associates in Hickory.

ANNEXATION - PLANNING STUDY: Mr. Charles Davis, Director of Traffic and Planning Associates, met with the Board. (Reference April 7 minutes.) Mr. Davis stated that his firm is rendering planning services to several communities in the area, including Morganton, Lenior and Statesville. He stated that his firm has done numerous annexation studies and that after looking over the Marion urban area, he feels that the Board is taking a step in the right direction by considering the employment of a planning firm to undertake an annexation study. Continuing he stated that he would recommend that the City consider initiating a planning program; the first phase should include base mapping of the Marion urban area, preparation of subdivision regulations and an annexation feasibility study. He stated that by including an annexation study along with other elements of a planning program we would possibly qualify for a (701) planning grant from the Department of Housing and Urban Development. Mr. Davis concluded by stating that he would advise the City, if we get into this program, to appoint a City planning board. The cost of the initial program, which included the base mapping, subdivision regulations and an annexation study would be \$7500. The local cost would be approximately \$2500 with a Federal grant amounting to approximately \$5000. After considerable discussion, Mayor Neal stated to Mr. Davis that the Board would study his proposals and the City Manager would inform him of any action that is taken on this matter.

HAROLD DYSART: The City Manager stated that he and Mr. Dameron, City Attorney met with Mr. Dysart on April 3. He stated that the purpose of this meeting was to determine Mr. Dysart's demands and to try to reach some mutually acceptable agreement. The City Manager stated that Mr. Dysart repeatedly stated emphatically that he interprets the April 16, 1923 agreement to mean that the City must provide water service to all of the property originally owned by Mary Burgin and described in the 1923 agreement at City water tap fees, City water rates and under City water policies that apply to the incorporated area of Marion. After considerable discussion and upon a motion by Councilman Segars, seconded by Councilman Ledbetter, it was unanimously approved that the City Manager inform Mr. Dysart that the City will, upon request, provide additional water service to Mr. Dysart provided it is done under the City of Marion policies applicable to the unincorporated area.

OFF STREET PARKING - HUGH T. CONLEY PROPERTY: Councilman Cross stated that he has discussed with Mr. Conley the interest the City has in renting his lot between Garden and Madison for off street parking. Councilman Cross stated that Mr. Conley told him that he has a prospect who may be interested in buying the property and until this matter is resolved, he does not care to rent the lot to the City.

WATER LINE EXTENSION POLICY: The City Manager reported that he and Councilman Segars reviewed the County's water line extension policies, 1) for the general extensions of water lines and 2) for the construction of water lines to industrial projects. The City Manager stated that he felt the proposed County policies need to be modified to be acceptable to the City. He further stated that it is his opinion that all lines should be installed according to City specifications and inspected by the City before they are put into service. He stated that he felt it might be suitable for the (surcharge) to be turned over to the County, however, he suggested the cost of the meter box and fittings be retained by the City. He also stated that he felt it should be stated clearly in the policies that any reimbursement to the County should be terminated when the County receives surcharges equal to their investment, that the City may pay off the balance of the County's investment in a line at any time, that the water line and at least a 15' easement centered over the line, if not installed in a public right of way, should be conveyed to the City prior to the line being put into operation, that the City should control the number of taps on any given line, that either or both of the policies may be cancelled by the City or County at any time provided that the other party is notified prior to the cancellation, and that the policies can not be modified without the consent of both parties. The Board generally concurred with the recommendations by the City Manager and asked that he have then typed for further consideration at the next Council meeting.

HAROLD DYSART: Mayor Neal stated that Harold Dysart contacted him this morning and requested to meet with him and Mr. Dameron, City Attorney. The Mayor stated that a meeting has been set up for 10:00 Thursday morning, May 7th. He stated that he would report back to the Board on the results of this meeting.

NORTH CAROLINA LEAGUE OF MUNICIPALITIES REGIONAL MEETING: Mayor Neal read a letter from Paul S. Cash, Mayor of Morganton, inviting the Board members and City Manager to attend the North Carolina League of Municipalities Regional meeting to be held in Morganton on May 15, 1970. After some discussion the Mayor instructed the City Manager to inform Mr. Cash that there will probably be four from the City of Marion in attendance at this meeting.

ANNEXATION - PLANNING STUDY: The City Manager requested that discussion of this matter be deferred until a later meeting as he wants to obtain more information from Mr. Davis before recommending any action on Mr. Davis's proposal. (Ref. minutes for April 21, 1970 page 144) This request was granted by the Board.

WATER LINE EXTENSION - MATILDA AVENUE TO US 70 E: The City Manager stated that Mr. Willard Brooks is interested in having a water line extended from an existing 6" line on Matilda Avenue to his property on US 70E. The City Manager stated that this project would cost between \$3500 and \$4000. He continued by stating that Mr. Brooks is willing to pay \$4000 on this line. For this amount he desires the City to extend the line from Matilda Avenue to US 70E and then east on US 70 to a point where the supplies and materials purchased with the \$4000 are expended. The City Manager stated that Mr. Brooks desires, in return for this investment which equals the total cost of materials for the line, eighteen free 3/4" taps. He stated that Mr. Brooks is willing to pay for the meters for each of the services. After some discussion and upon a motion by Councilman Segars and Seconded by Councilman Cross, the Board authorized the City Manager to enter into an agreement with Mr. Brooks under the above conditions.

MAIN STREET PARKING REMOVAL: The Board authorized the City Manager to remove the parking meter in front of the Gulf Station, across from McCall's Funeral Home, and prohibit parking in this location.

WATER CUT-OFF - CUT ON FEE: Upon a motion by Councilman Cross the Board unanimously voted to increase the water cut-off cut-on fee from \$3.00 to \$7.50 effective immediately.

FLUORIDATION: Mayor Neal read the following letter from the Marion Jaycees:

May 5, 1970

Mayor Albert Neal
Marion City Council
Marion, North Carolina 28752

Gentlemen:

This is to inform you that the Marion Jaycees at the regular meeting held April 9, 1970 voted unanimously to support your proposed program of fluoridation of city water. We feel you have acted in the best interest of our citizens and especially our school age children.

Sincerely,

Tom Blackburn, External Vice President
Marion Jaycees

TB/dbo

copy to: McDowell County School Board
Mr. Culver Dale

POLICE DEPARTMENT - PURCHASE OF VEHICLE: Mayor Neal stated that one of the police cars was extensively damaged by fire this morning. After some discussion the Board authorized the City Manager to purchase a used State Highway Patrol car to replace the damaged vehicle and to purchase a new police patrol car in December through the State Law and Order Commission. Thereafter to replace one of the three vehicles every fiscal year.

TATE STREET PAVING: Councilman Wilkerson stated that the State is planning to pave Tate Street beyond the corporate limits. He suggested that the City Manager request the State to pave the street all the way to Carson Street. The City Manager stated that he would make this request to the state.

There being no further business the meeting adjourned.

MAYOR

CITY CLERK

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

May 19, 1970

The Marion City Council met in a regular Board meeting on Tuesday, May 19th at 7:30 in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen Oliver Cross, Philip Laughridge, William Ledbetter, James Segars, and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Rosamond Braly, Newspaper Editor.

CITY-COUNTY WATERLINE EXTENSION POLICY: Councilman James Segars and the City Manager reported to the Board that they met with the County Commissioners today to discuss (1) waterline extension policies drafted by the County and (2) the West Marion water needs. Representing the County at the meeting were County Commissioners, J. B. Walker, Pierce Bradley, and County Manager Jack Harmon. The City Manager stated that they told the County Commissioners that the policies would need to be modified to be acceptable to the City. He continued by stating that they advised the County Commissioners that the City had considered drawing up a City policy; however, it was concluded that we should try to work together to develop one mutually acceptable policy. He stated that the County Commissioners found acceptable the proposed modifications listed in the May 6 minutes. Councilman Segars concluded the report by stating that the County Commissioners suggested that the City Manager and County Manager get together to draw up a mutually acceptable policy to be considered for adoption by the County Commissioners and the City Council. (The Commissioners stated at the above meeting that they desire to not change their "General Policy Regarding the Construction of Water Lines to Industrial Projects".)

WEST MARION WATERLINE PROJECT: The City Manager stated that Councilman Segars and he also discussed the proposed West Marion Waterline project with the County Commissioners. He stated that they informed the County Commissioners that the City would prefer to run a 10" line from near the underpass on West Henderson Street out West Henderson - Sugar Hill Road to Horton's Store and a 6" line from Mountain View School out Hudgins Street, then down High Street tying into the proposed 10" line at the intersection of High Street and Sugar Hill Road. It was indicated to the Commissioners that it would cost approximately \$1.90 per foot for the 6" pipe - and \$1.25 for the fixtures and other materials, making the total cost of the 6" line around \$3.15 per foot and the 10" line around \$4.50 to \$5.00 per foot. The County Commissioners stated that they would like to see the entire loop system completed but because of financial considerations they would prefer to initially contribute toward the construction of the 6" line to the intersection of High Street and Sugar Hill Road, continuing with a 10" along Sugar Hill Road to Horton's Store. They expressed favor with acting in accordance with the water extension policy - the proposal that they purchase the pipe and material - although no action was taken at this meeting. It was indicated to the Commissioners that the City would be willing to pay to the County the surcharges from this waterline and also the tap fees less the cost of any new meters, meter boxes, and fittings. This seems to be acceptable to the Commissioners. The Board expressed approval of this report.

DYSART; HAROLD: Mayor Neal stated that he and Mr. Dameron had talked with Mr. Dysart about his water request. Mayor Neal stated that Mr. Dysart indicated to them that it would be acceptable to him if the City would permit his house and 3 or 4 other houses to get city water at city rates and then charge county rates to all the other requested connections (30 - 35). Mayor Neal indicated that Mr. Dysart was willing to sign an agreement to this effect. After some discussion it was generally agreed that Mr. Dysart was still basically asking for the same concessions, and that Councilman Segars and the City Manager should get together with Mr. Dysart to offer a counter proposal. The City Manager stated that it was his feeling that consideration should be given to making concessions perhaps in the area of water taps but he would question making any concessions that would permit Mr. Dysart to have in-town water rates for any of his property. He continued by stating that this would be setting a precedence, as we do not charge any out-of-town customers city water rates, and also more importantly, if we permit Mr. Dysart to have in-town water rates it could be argued that we acknowledged that the Mary Burgin contact agreement also applies to water rates. The Mayor and the other Board members indicated to Councilman Segars and the City Manager that it would be acceptable to them to try to get Mr. Dysart to waive his demand for in-town rates. The Mayor stated that this was the very point that Mr. Dysart seems to be very dogmatic about and that he has little hope that we can get him to concede on this point.

JAMES HOLLIFIELD: Mayor Neal stated that James Hollifield, operator of the Marion Slaughter House near the intersection of No. 10 and Greenlee Road is dissatisfied with some recent high water bills and is refusing to pay them. The City Manager stated that James Hollifield has refused to pay his water bills for the last 3 months because he feels that they are unreasonably high. The City Manager stated that Mr. Hollifield feels that since one of the City's main waterlines is on his property he feels he should not have to pay the high water bills. The City Manager stated that within a few days after Mr. Hollifield was notified of his high water consumption one of the city meter readers checked Mr. Hollifield's line and found a sizable leak on his property near one of his animal pens. He continued by stating that Mr. Hollifield was advised of the leak at the time it was discovered. In response to a question from one of the Councilmen as to what Mr. Hollifield was asking for, Mayor Neal stated that he was requesting that the City adjust his unpaid water bills. After some discussion the Board unanimously decided that no adjustment should be made to Mr. Hollifield's water account for the Marion Slaughter House.

ANNEXATION STUDY: The City Manager stated that he has reviewed the proposal made by Mr. Davis at the April 21st Board meeting. He stated that the City needs at this time not only an annexation study but a water and sewer study, and comprehensive planning program. He stated that he does not feel that we should undertake an annexation study at this time. He continued by stating that normally comprehensive planning should come first. This would include subdivision regulations, zoning, a land development plan, and a community facilities plan. This work would then be followed by a water and sewer study and an annexation study. He stated that since (1) we are getting so many request for water and sewer line extensions (2) we are operating at approximately 80% of the capacity of our water plant and (3) we have an overloaded waste treatment plant he would suggest we assign top priority to water and sewer planning and then follow this with a comprehensive planning program. He stated that Councilman Laughridge, Councilman Wilkerson and himself had talked recently with a representative of the Engineering Firm of O'Brien and Geer at the N. C. League of Municipalities regional meeting in Morganton and that they were told that this firm would be willing to undertake a water and sewer study for the Marion area, spreading the cost of the two studies out over two budgetary years. He stated that the engineer indicated he thought his firm could develop a sewer plan with provisions for dumping at least some of our sewage into a proposed sewer treatment plant on the Catawba River. After some discussion the Board granted the City Manager permission to work with the engineer in developing cost estimate for undertaking a water and sewer study.

REQUEST FOR SEWER SERVICE TO PROPERTIES OWNED BY CLYDE HENLINE: The City Manager stated that a request has been received from Clyde Henline for sewer service for a house and vacant lot owned by Mr. Henline on Tate Street behind the Cross Mill Pentecostal Holiness Church. The City Manager stated that there is no sewer service on this street at this particular location and that it would be necessary to extend a sewer line from Tate Street in the vicinity of the Pentecostal Holiness Church approximately 575 feet down Tate Street to the Henline property. Since the City limits line is nearby it would be very unlikely that any additional services would be tied into this line. Because of this fact, there was some question if it would be feasible, with our limited funds, to make such a costly utility extension at this time. After some discussion the Board unanimously agreed that the City Manager should inform Mr. Henline that the City will extend the sewer line to his properties if he will contribute an amount equal to one-half of the materials cost for this project.

STREET PAVING: The City Manager requested and was granted permission to advertise for bids for resurfacing streets for an amount of approximately \$15,000. He stated that he has done some further checking into resurfacing some of the streets with the slurry process and he has some questions about the feasibility of spending \$3,000 to \$4,000 on this treatment when we have so many streets that need to be resurfaced. Councilman Laughridge stated that he had some doubts about the slurry seal treatment and suggested that the street committee visit Morganton to see if the slurry treatment process appears to be worth an investment of \$3,000 or \$4,000. The City Manager stated that he would work out a trip so the street committee could look at some of the streets in Morganton.

PETROLEUM BIDS: The City Manager requested and was granted permission to advertise for bids for petroleum products.

ROBERT JARRETT: DRAINAGE PROBLEMS BEHIND HIS PROPERTIES ON FERN AVE: Some of the Board members indicated that Mr. Robert Jarrett has indicated to them that he is concerned and annoyed with the water that is running down a drainage area into the back of his property. The City Manager stated that he looked into this situation several months ago and the problem is really created by the fact that the house he lives in was built in a natural drainage area. To alleviate the problem it will be necessary to try to divert the water out of the original drainage area. After some discussion the street committee indicated that they would like to go with the City Manager to look at the situation.

TAXI PRIVILEGE LICENSE: The City Manager stated that Roscoe Murphy has requested a Taxi Privilege License. He continued by stating that he had discussed this request with Mr. Dameron and they feel that this matter should be brought to the Board. If Mr. Murphy's request is granted he would be operating a taxi cab under a sub-franchise from the Eagle Cab Co. After some discussion it was generally concluded that most of the cabs in Marion are operating under such arrangements and that Mr. Murphy should be granted a privilege license.

POLICE DEPARTMENT: PURCHASE OF POLICE VEHICLES: The City Manager stated that a Police vehicle has been purchased from the North Carolina State Highway Patrol and that it should be delivered within the next week. The cost of the vehicle was \$1,600 plus \$40 for the siren and light.

FIRE DEPARTMENT - FIRE TRUCK: The City Manager stated that the specifications for the new fire truck have been completed by the North Carolina League of Municipalities, and that we should be receiving them within the next few days.

BLANTON PROPERTIES: The City Manager stated that a lease agreement for leasing some of Mr. Blanton's properties for off street parking (Reference May 6 minutes), drawn up and executed by Mr. Blanton and the City Manager.

LAKE CITY GARDEN CLUB: The Board unanimously agreed to commend the Lake City Garden Club for planting shrubbery at the Community Building and for donating three picnic tables to be used on the Community Building Grounds.

TATE STREET PAVING: The City Manager stated that he has written the District Highway Engineer requesting that Tate Street be resurfaced.

REGIONAL PLANNING DISTRICTS: The City Manager stated that he has received a letter from the State indicating that McDowell County has been placed in a Regional Planning District with Polk, Rutherford, and Cleveland Counties.

There being no further business the meeting adjourned.

Mayor

City Manager

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

June 2, 1970

The Marion City Council met in a regular Board meeting on Tuesday, June 2, 1970 at 7:30 in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Oliver R. Cross, Philip Laughridge, William Ledbetter, and James Segars. Absent Councilman Horace Wilkerson. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney and Rosamond Braly, Newspaper Editor.

WATERLINE EXTENSION POLICY: The City Manager reported that a proposed County-City Waterline Extension Policy has been drafted by Jack Harmon, County Manager and Victor H. Denton, City Manager. He continued by stating that they County Commissioners have adopted the proposed joint policy at their regular monthly meeting on June 1 and that the City needs to consider it for adoption. Upon a motion by Councilman Cross, seconded by Councilman Laughridge, the Board unanimously adopted the following County-City Policy for the extension of City waterlines into the unincorporated area.

General Policy of McDowell County-City of Marion For the Extension of City Water Lines Outside the Corporate Limits of Marion.

WHEREAS, McDowell County and the City of Marion are from time to time called upon by individuals and groups within McDowell County but outside the corporate limits of Marion to extend City Water Lines

WHEREAS, the County Board of Commissioners and the City Council feel that it is necessary to have a written policy concerning the extension of such water lines,

The McDowell County Board of Commissioners and the Marion City Council declare the following to be their general policy concerning the extension of City water lines outside the corporate limits of Marion:

1. The Board of County Commissioners and the City Council will study each proposed extension to determine (a) the number of people who will derive benefits from the proposed extension immediately, and in the future and (b) whether or not McDowell County and the City could expect to recover all or at least a major part of the initial investment and (c) the effect the proposed extension will have on the existing municipal water system.
2. If the proposed extension meets the requirements as set forth in number one above and if the two governing bodies deem sufficient funds and labor are available (a) McDowell County shall purchase all the pipe and fittings and (b) the City of Marion shall furnish all the labor necessary for undertaking the proposed extension.
3. All pipe shall normally be cast iron, slip joint, minimum 6" in diameter, with main line valves every 2000 feet; normally sufficient fittings (tees and valves) shall be purchased to permit the installation, or later installation, of fire hydrants every 1000 feet.
4. All water lines shall normally be installed in public right-of-way, or where this is not practical, in a 15 foot utility easement centered on the line.
5. All lines shall become the property of the City of Marion before they are placed in service and the City of Marion shall be responsible for all maintenance on the proposed lines.
6. For a period, not to exceed ten (10) years, McDowell County shall monthly be reimbursed for the cost of the pipe and fittings by receiving (a) all surcharges (water charges made by the City in excess of the rates charged to inside City water users) and (b) all tap fees derived from the extension less the cost of the meter, meter box and related fittings.
7. This policy can not be modified without the consent of both parties; however, it may be cancelled by either party provided the other party is promptly notified of such action.

Adopted by the
McDowell County Commissioners
on _____

Chairman

County Manager

Adopted by the
Marion City Council
on _____

Mayor

City Manager

CCG002

WATER AND SEWER PLANNING: The City Manager stated that he has received proposals from the engineering firm of O'Brien and Gere for undertaking a water and sewer planning study. The total cost would be \$13,700 (\$6,500 for the sewer plant study and \$7,200 for the water planning study). He continued by stating that the amount of \$13,700 can be paid over a two year budget period. The Board was asked to review the O'Brien and Gere proposal for the sewer planning study and consider the feasibility of programming this study in the 1970-1971 budget.

RECREATION: Councilman Ledbetter inquired about the lack of financial assistance on the part of the City toward the cost of the summer recreational program. After some discussion it was concluded that the County Recreational Commission has so far neglected, even after several requests to submit a proposed budget for the expenditures of City funds.

BLUE RIDGE STREET - ON-STREET PARKING: Upon a motion by Councilman Segars, seconded by Councilman Ledbetter the Board unanimously voted to prohibit parking on the east side of Blue Ridge Street from the railroad to its intersection with West Henderson Street, on the east side from the above intersection to the railroad and west on the South side of Blue Ridge to the alley on Blue Ridge between Pulliam and West Henderson. From this point west on the north side of Blue Ridge to the property line between the vacant lot owned by the City and the first dwelling east of this lot parking is to be prohibited between 8 A.M. and 4 P.M. on weekdays. All other parking regulations on Blue Ridge are to remain in effect.

CLAY STREET - ON STREET PARKING: Upon a motion by Councilman Cross, seconded by Councilman Ledbetter, the Board unanimously voted to prohibit parking on the east side of Clay Street from State Street to a point 100 feet north of the railroad and on the west side from a point 100 feet north of the railroad south to the first driveway entrance to IMI's parking lot.

OFF-STREET PARKING LOT BEHIND HOUSE THEATRE - REQUEST FOR A "STREET" LIGHT: Upon a motion by Councilman Cross seconded by Councilman Laughridge the Board unanimously voted to have a street light installed behind the House Theatre when Mr. House completes the proposed parking lot on the condition that the lot is available to the general public. At such time the lot is no longer available for public use the light is to be removed.

WEST MARION WATERLINE: The City Manager stated that the County Manager informed him that the County Commissioners, at their regular meeting on June 1, 1970, agreed to pay for the pipe and fittings necessary for the West Marion water project.

STATE STREET - DISCUSSION OF COMPLAINTS ABOUT THE MANNER IN WHICH CARS ARE FREQUENTLY OPERATED IN THE VICINITY OF THE HIGH SCHOOL: The City Manager distributed copies of the following letter to the Board:

MARION HIGH SCHOOL

May 21, 1970

Marion City Council
Marion, N.C.

Dear Sirs:

I am completing my fourth year at Marion High. During the time, I have observed that we have a serious traffic problem in and around our high school. Further, I invite you to examine the many tire marks in front of the school.

I have reported this to the police on many occasions. They have performed well in trying to stop the problem, but I realize that they cannot be in several places at once.

The point that I wish to make is that the problem still exists and the law of averages will not be on our side forever.

Sincerely,

David E. Ramsey
Teacher and Coach

After considerable discussion, the City Manager stated he would write the North Carolina League of Municipalities and some other North Carolina Cities to determine how they discourage drivers from spinning tires on city streets.

FIRE TRUCK SPECIFICATIONS: The City Manager stated that the specifications for the new fire truck have arrived but it would be two or three weeks before he could review them as he is devoting most of his time to next years budget.

TRAFFIC ENGINEERING STUDY: The City Manager reported that the North Carolina Highway Commission will open bids for our signalization improvement program on July 28, 1970.

TATE STREET PAVING: The City Manager reported that the State Highway Commission has agreed to resurface Tate Street from West Court Food Store to the City Limits.

WEED CONTROL: The City Manager stated that he will have a copy of a weed control ordinance for consideration at the next Board meeting.

SOUTH GARDEN STREET: The City Manager stated that he has received some complaints about the angle of the curb on the west side of Garden Street at the point where it curves between Spring Street and Rutherfordton Road. He continued by stating that he thought it would be necessary to move a utility pole and possibly encroach at this particular point. After some discussion the City Manager stated he would further check on this matter to see what can be done to eradicate this hazard.

There being no further business, the meeting adjourned.

Mayor

City Manager

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

June 16, 1970

The Marion City Council met in a regular Board meeting on Tuesday, June 16, 1970 at 7:30 in the City Council Chamber. Members present were Mayor Albert M. Neal, Councilmen: Oliver R. Cross, Philip Laughridge, William Ledbetter, James Segars, and Horace Wilkerson. Others present were Victor H. Denton, City Manager, E. P. Dameron, City Attorney, and Rosamond Braly, newspaper editor.

1970-1971 CITY BUDGET: The Board members unanimously agreed to meet at 8:00 a.m. Monday, June 22 at the Pilot House for a breakfast meeting to consider the 1970-1971 Budget.

SUMMER RECREATION APPROPRIATION: The City Manager stated that Pat Davis, member of the County Recreation Commission, has requested a \$3000 contribution from the City to aid in operating the summer recreation program. The City Manager stated that the County is disbursing all moneys for the recreation program and that any contribution needs to be given to the County. He further stated that the County is contributing \$3000 to \$4000 to the Marion Area Recreation Program. Upon a motion by Councilman Segars and seconded by Councilmen Ledbetter and Laughridge the Board unanimously voted to make a contribution of \$3000 to the County for aid in defraying the expenses related to the Summer Recreation Program.

PETROLEUM BIDS: The City Manager informed the Board that he has advertised as required by law, for petroleum bids for fiscal year 1970-1971. He stated that the only bid received was from B.P. Oil Company, the same firm that we are currently getting our petroleum from. Upon a motion by Councilman Cross and seconded by Councilman Wilkerson, the Board unanimously voted to continue to buy petroleum products from the B.P. Oil Company for the fiscal year 1970-1971 provided the products can be procured for the bid price.

LOGAN STREET: The City Manager stated that the Highway Commission has requested that we place Logan Street from its intersection with West Court Street to City Limits on the State System. He continued by stating the proposal originated in the Kimley-Horn traffic engineering plan and that the Highway Commission desires that we adopt a resolution placing this facility on the State System so they can advertise for bids for implementing the Signalization Plan. Upon a motion by Councilman Ledbetter and seconded by Councilman Cross the Board unanimously voted to place Logan Street from its intersection with West Court Street north to the Marion City Limits on the State System.

WEED CONTROL ORDINANCE: The City Manager stated that he checked over our existing ordinances and found that a weed control ordinance was adopted in 1941. (Recorded on page J-2 of the Code Book.) The City Manager read the ordinance to the Board after which it was generally agreed that this existing ordinance should be satisfactory for dealing with most of the city weed problems.

UNNECESSARY NOISE ORDINANCE: The City Manager stated that he has written the North Carolina League of Municipalities seeking information on how to handle the problem of drivers unnecessarily squeeling tires. He continued by stating that he has found an amendment to our existing Unnecessary Noise Ordinance dated August 2, 1955 stating that it is a violation of our Unnecessary Noise Ordinance to operate vehicles in such a manner as to make a vehicle tires screech or make a loud noise. The City Manager was asked to inform the Police Department of this existing Ordinance.

JARRETT, ROBERT: The City Manager stated that Mr. Robert Jarrett is willing to buy the necessary drainage pipe to extend a line from Crescent Drive to a catch basin at the rear of his property if the City will install it. After some discussion and upon a motion by Councilman Segars and seconded by Councilman Ledbetter it was unanimously voted that the City would install the drainage pipe if Mr. Jarrett would purchase it - provided the City can obtain permission from the property owner of the land in question to install the drainage pipe.

FLAG DISPLAY: Mayor Neal stated that Mr. Carl Mooney recently expressed concern to him about the few flags displayed on Flag Day. Mayor Neal stated that he had made the same observation. He continued by stating that he was considering making some public statement shortly before July 4 encouraging the public to display the U. S. Flag. All of the Board members indicated that they felt this should be done and they encouraged the Mayor to declare some statement or proclamation on displaying the Flag shortly before July 4.

SEWER TAP FEE: Upon a motion by Councilman Laughridge and seconded by Councilman Segars the Board unanimously voted to (1) increase the unincorporated area 4" sewer tap fee from \$40 to \$300, (2) establish a 6" tap fee of \$600, and (3) reaffirm the City's present policy of generally refusing out-of-town taps and requiring Council approval on any special exceptions.

PRIVILEGE LICENSE ORDINANCE: The Board, upon a motion by Councilman Laughridge and seconded by Councilman Segars, unanimously voted to re-adopt the 1949 Business Privilege License Ordinance as amended through June 16, 1970.

CITY MANAGER: APPOINTMENT OF: Upon a motion by Councilman Segars and seconded by Councilman Ledbetter the Board unanimously voted to re-appoint Victor H. Denton, City Manager with duties to include City Clerk, City Treasury, and City Tax Collector for fiscal year 1970-1971.

HOLIDAY, JULY 4: The Board granted City employees permission to observe the July 4th holiday on Monday July 6. The Board instructed the City Manager to work with necessary Department heads to insure that the necessary functions of the City could continue in a minimum acceptable manner during this period.

INTERIM APPROPRIATION ORDINANCE: The City Manager stated that since the budget would not be adopted by July 1, an Interim Appropriation Ordinance should be adopted. After some discussion and upon a motion by Councilman Laughridge and seconded by Councilman Segars the following ordinance was unanimously adopted:

INTERIM APPROPRIATIONS ORDINANCE

In order to operate the municipality from July 1, 1970 to the date of adoption of the Appropriations Ordinance, funds will be appropriated to pay salaries, principal and interest on indebtedness and ordinary expenses at the same rate of expenditure as provided for in the 1969-1970 Appropriations Ordinance. This Ordinance shall cease to be effective from and after the adoption of the 1970-1971 Appropriations Ordinance and all expenditures made in accordance with the Ordinance shall be chargeable to appropriations made in the 1970-1971 Appropriations Ordinance.

_____, Mayor

City Manager

WEST COURT STREET PAVING: Councilman Segars stated that West Court Street is in need of maintenance. The City Manager stated that he would bring this matter to the attention of the Highway Commission.

STREET PAVING - SLURRY SEAL TREATMENT: (Ref. April 7 minutes) The City Manager stated that Councilman Laughridge, a member of the Street Committee, and he visited Morganton to look at some of their streets that have been treated with the slurry seal. The City Manager stated that this particular treatment appears to be suitable for preserving streets that are in reasonably good condition; however, it was observed that the cracks in the existing pavement tends to reappear through the slurry seal. He continued by stating that we have some streets in the City that would merit using this type of treatment to prolong the pavement life. However, because we have so many streets in need of extensive maintenance it would be his recommendation to not invest any money in this type of treatment at this time, but rather to use all available funds for patching and resurfacing as many streets as possible in the City. The Board concurred with this recommendation of Councilman Laughridge and the City Manager.

ROBIN HOOD'S PENDING TRAVELS: The City Manager stated that in July, Mr. Robin Hood will be traveling to England to attend a festival in Noddingham. He continued by stating that it is his understanding that Mr. Hood has been selected to attend this festival with all expenses paid by the governing officials of the City of Noddingham - because of his name. The City Manager stated that he would suggest we should give consideration to sending some official statement from the Marion City Council to the governing body of Noddingham to be carried and delivered by Mr. Hood. The Board unanimously voiced approval of this proposal and asked the City Manager, City Attorney, and Mr. Hood to try to work up some appropriate document.

WEST HENDERSON STREET - INTERSECTION WITH BURGIN AND BLUERIDGE: Councilman Laughridge stated that the West Henderson Street, Blueridge-Burgin Intersection is very hazardous and that there appears to be a need for a traffic signal at this intersection. The City Manager stated that it is his understanding that the Highway Commission wants to observe the flow of traffic at this intersection before attempting to signalize it.

U. S. 70 WATERLINE - PIERCE BRADLEY: (Ref. August 29, 1967 minutes) The City Manager stated that during the past few weeks the City has been working with Mr. Bradley's plumber to get all of his services off his private line and onto the new 10" line that was recently installed down U. S. 70. He stated that as soon as Mr. Bradley's plumber ties Carolina Tire into the new line the City will be able to begin salvaging the 2" private line.

MARION CABLE TELEVISION: The City Manager stated that Mr. Allen McDonald assured the Board on January 20, 1970 that he would be utilizing his new tower facilities "within the next few days" and he will then present a "big" celebration, possibly in the Community Building, when this is done. He stated that 6 months has elapsed and he has had no word from the Cable TV representatives as to the completion of any improvements. Some of the Board members had indicated that the quality of Cable TV has recently improved; however, none of the Board members had any knowledge of the Company completing their new tower facilities. The Mayor asked the City Manager to call the Cable TV office to inquire about the improvement discussed by Mr. McDonald on January 20, 1970.

TAX LIEN SALE: The City Manager stated that a Tax Lien Sale was held at 12:00 noon on Monday, June 8, 1970. He stated that no one was present for the sale and that no sales were made.

HAROLD DYSART WATER SERVICE: The City Manager stated that he has written Mr. Dysart requesting a meeting to discuss his water service. He continued by stating that the letter was sent out the week of June 8 and that to date Mr. Dysart has not responded to the letter.

TATE STREET - CLYDE HENLINE SEWER: The City Manager stated that he has written Mr. Henline regarding his request for sewer service and that to date he has not had a response from Mr. Henline.

There being no further business, the meeting adjourned.

Mayor

City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

June 22, 1970

The Marion City Council met in a special Board meeting on Monday, June 22, 1970, at 8:00 a.m. at the Pilot House Restaurant for a Breakfast Meeting. Board members present were: Mayor Albert M. Neal, Councilmen: Oliver Cross, Phillip Laughridge, William Ledbetter, James Segars, and Horace Wilkerson. Others present: Victor H. Denton, City Manager.

PROPOSED 1970-1971 CITY BUDGET: The City Manager presented to each of the Board members a copy of the proposed 1970-1971 City Budget. After considerable discussion and after making some changes to the proposed budget the Board unanimously accepted the proposed budget "estimate" and authorized the City Manager, in accordance with G.S. 160-410.3, and to make it available to the general public for the next 20 days. The Proposed Budget includes a 5 per cent salary increase for all employees. The Police Department is to receive an additional 5 per cent increase in salary with the understanding that the City will no longer pay their Blue Cross Blue Shield for family coverage (reference May 30, 1967 minutes). In addition to the salary adjustment the City will pay the Blue Cross Blue Shield coverage for all city employees (not family coverage).

COMMUNITY BUILDING - LOG CABIN: The Board granted the City Manager permission to remove the Log Cabin from the Community Building and to erect a basketball court on the building site.

There being no further business, the meeting adjourned.

Mayor

City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

June 29, 1970

The Marion City Council, on June 29, unanimously approved the following resolution:

RESOLUTION

WHEREAS, July 4, 1970 is a national holiday commemorating the independence of the United States of America; and

WHEREAS, the United States Code provides that the flag should be displayed on all days when the weather permits and especially on Independence Day, July 4; and

WHEREAS, the display of the American flag on Independence Day is traditional with all Americans since it symbolizes the principles of freedom, equality, justice and humanity for which American patriots have sacrificed their lives and fortunes; and

WHEREAS, the display of the American flag on Independence Day will encourage a rededication to the principles of Americanism in which this Governing Body firmly believes,

NOW, THEREFORE, The City Council of the City of Marion do hereby urge all citizens of this community to prominently display the American flag on Independence Day, July 4, 1970.

This resolution adopted the 29 day of June 1970.

Mayor

ATTEST:

City Clerk

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

July 7, 1970

The Marion City Council met in a regular Board meeting on Tuesday, July 7, 1970, at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Oliver R. Cross, Phillip Laughridge, William Ledbetter, James Segars, and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney, Tom Sterns, James B. Morris, Alan McDonald, and Clyde Henline.

MARION CABLE T. V.: Mr. Sterns, a Morganton Attorney representing Suburban Propane stated that Suburban Propane is interested in purchasing the Marion TV Cable, Inc. Company. Before executing the purchase Suburban Propane desires the Marion City Council to approve the sale. He continued by stating that the Marion TV Cable, Inc. Franchise Ordinance is acceptable to Suburban Propane with the following two exceptions: (1) Suburban Propane desires the franchise ordinance to continue for 20 years from the date of purchase by Suburban Propane. (2) Suburban Propane desires the right to transfer the holdings of Marion TV Cable from one corporation to another corporation within the parent corporation (Suburban Propane) without the notification or approval of the City. (This request parallels Section 15 of the existing franchise ordinance.) Mr. Morris, a representative of Suburban Propane, stated that they are purchasing the Morganton Cable TV system as well as Marion TV Cable system and that the Morganton and Marion systems will be headquartered in the Marion area. After some discussion and upon a motion by Councilman Segars the Board unanimously approved the following resolution:

RESOLVED: That upon acquisition of the assets and properties belonging to Marion TV Cable, Inc. by Suburban Propane Gas Corporation, the Marion City Council hereby approves the transfer from Marion TV Cable, Inc. to Suburban Propane Gas Corporation of all rights and privileges appertaining under that certain franchise heretofore duly enacted by ordinance granting to Marion TV Cable, Inc. the right and privilege of operating a community antenna television system in Marion, North Carolina, said Suburban Propane Gas Corporation to succeed to all of the rights, privileges, obligations and responsibilities hereunder. Suburban Propane is granted the right to transfer the former holdings of Marion TV Cable, Inc. from one corporation to another corporation within the parent corporation (Suburban Propane) without notification or approval of the City. The Franchise Ordinance as now adopted including the above amendments is to remain in effect for twenty years from the date of purchase by Suburban Propane. (See formal Resolution on file in safe)

CLYDE HENLINE: Mr. Henline stated that he doesn't feel that he should have to pay one-half of the cost of materials for extending a sanitary sewer line down Tate Street approximately 200' to reach two adjoining parcels of land owned by him. After considerable discussion and upon a motion by Councilman Laughridge and seconded by Councilman Segars the Board unanimously voted to install a sewer line to Mr. Henline's property on Tate Street at the City's expense.

ANNEXATION - OAK STREET - FLOYD DOVER AND W. MOORE PROPERTIES: The City Manager stated that he has received from Mr. Floyd Dover and William Moore a survey map of the proposed annexation area. (Reference March 3, 1970 minutes) He stated that he has investigated the map and found it acceptable and that he certifies that the petition and map are valid and in conformance with GS 160 - 452 as amended.

Upon a motion by Councilman Cross and seconded by Councilman Ledbetter the following resolution was unanimously adopted:

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160-452, AS AMENDED

Whereas, a petition requesting annexation of the area described herein has been received, and

Whereas, certification by the Town Clerk as to the sufficiency of said petition has been made, now therefore

Be it resolved by the City Council of the City of Marion, North Carolina.

Section 1. That a public hearing on the question of annexation of the area described herein will be held in the City Council Chamber at 7:30 p.m. on the 21st day of July, 1970.

Section 2. The area proposed for annexation is described as follows:

Beginning at an iron stake, W. T. Moore's southwest corner, located two following courses and distances from a concrete marker, the present City extension corner on the south side of Oak Street and West Side of Highland Drive, N 21-51 E 268, 10 ft. to a stake, N 45-25 E 137.4 ft. to an iron stake Moore's corner the point of beginning, and runs

S 29 E 16 ft to the center of Oak Street, the present City extension line; thence

N 55-51 E 118 ft with the present City extension line and the center of Oak Street; thence

N 51-37 E 96 ft with the present City extension line to a point in the center of Oak Street; thence

N 39-04 W 16 ft to Dover's southeast corner; thence

N 13-45 W 85 ft to iron stake his corner; thence

N 23-31 W 85 ft to iron stake, Dover's northeast corner; thence

S 53-03 W 147.5 ft to a stake in Moore's line; thence

N 36-30 W 34 ft to a stake, Moore's northeast corner; thence

S 54-15 W 94 ft to a stake, Moore's northwest corner; thence

S 29 E 190 ft to Beginning, being the properties presently owned by W. T. Moore and Floyd A. Dover on Oak Street between Martin Street and Glenwood Drive.

Section 3. Legal notice of said public hearing shall be published once in the McDowell News, a newspaper having general circulation in the City of Marion, at least ten (10) days prior to the date of said public hearing.

ALBERT M. NEAL
Mayor

ATTEST:

VICTOR H. DENTON
Clerk

ROBIN HOOD'S PENDING TRAVELS: The City Manager displayed a City key that has been purchased for Robin Hood to present to the Sheriff of Nottingham when he attends the Nottingham Festival in July. The City Manager stated that Mr. Dameron and he are working on a letter for the Mayor to send with Mr. Hood to present to the Sheriff of Nottingham.

STREET RESURFACING - WEST HENDERSON AND WEST COURT STREETS: The City Council instructed the City Manager to write F. L. Hutchison, Division Highway Engineer requesting the Commission to resurface West Henderson Street and West Court Street sometime this summer.

NO PARKING - GARDEN STREET AND NORTH LOGAN STREET: Upon the City Manager's recommendation and upon a motion by Councilman Laughridge, the Board unanimously voted to prohibit parking on both sides of Garden Street south of the Southern Railroad crossing for a distance of 25 feet measured along the curb and to prohibit parking on the east side of Garden Street between State Street and the off-street parking lot between State Street and the railroad. The Board also voted to prohibit parking on the west side of Logan Street from Hillcrest Drive to the intersection of Logan Street and Main Street. The latter was approved with the provision that the City Manager discusses the removal of the parking with the manager of Marion Tire Center to see if he has any objections to this parking change.

SIDEWALK SALE: Upon a motion by Councilman Ledbetter and seconded by Councilman Laughridge the Board unanimously voted to give the Merchants permission to have a sidewalk sale on a Friday and Saturday in July or August.

MOSQUITO CONTROL: The City Manager stated that he has received a few request to "fog" the City. After some discussion it was decided that fogging should be deferred until after a few days of rain and that before any fogging is done the general public should be advised in advance as to the sate we plan to fog and as to the type of insecticide we will use.

D. W. SMITH, RETIRED POLICE CHIEF: Councilman Wilkerson stated that he has been told that Mr. Smith would like to receive a longevity certificate similar to those given our present employees on May 18, 1970. (Ref. May 6, 1970 minutes) After some discussion it was decided that a framed certificate should be given to Mr. Smith.

EAST COURT STREET SIDEWALK: Councilman Wilkerson stated that he recently observed a badly damaged section of sidewalk on East Court Street near Clay Street.

There being no further business the meeting adjourned.

Mayor

City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
TOWN OF MARION

July 21, 1970

The Marion City Council met in a regular Board meeting on Tuesday, July 21, 1970 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Oliver R. Cross, Philip Laughridge, William Ledbetter, James Segars, and Horace Wilkerson. Other present: Victor H. Denton, City Manager, Mike Gibson, Director of the McDowell County Department of Social Services and Linda Mace, Reporter for the McDowell News.

CHILD CARE ORDINANCE: Mike Gibson, Director of the McDowell County Department of Social Services stated that North Carolina is one of two states that does not license day care centers. The result is that such centers in North Carolina must meet no minimum standards as to the physical condition of centers or as to the number of children per staff member. He continued by stating that the County Commissioners are holding public hearings on an ordinance for the County excluding Marion. Mr. Gibson stated that he would like for the City to give consideration to adopting a similar ordinance. After considerable discussion it was decided to table this matter until the adoption procedures and the legal implications of such an ordinance can be discussed with Mr. Dameron, City Attorney (not present at this meeting).

ANNEXATION - OAK STREET - FLOYD DOVER AND W. MOORE PROPERTIES: A public hearing on the question of annexing the Floyd Dover and William Moore properties was held. Upon a motion by Councilman Laughridge, seconded by Councilman Ledbetter, the following Ordinance was unanimously adopted:

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF MARION, NORTH CAROLINA.

Whereas, the Marion City Council has been petitioned under G. S. 160-452, as amended, to annex the area described herein, and

Whereas, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Marion City Hall at 7:30 p.m., on the 21st day of July, 1970, after due notice by publication on the 10th day of July, 1970, and

Whereas, the Marion City Council does hereby find as a fact that said petition meets the requirements of G. S. 160-452, as amended; now therefore

Be it ordained by the Marion City Council of the City of Marion, North Carolina:

Section 1. By virtue of the authority granted by G. S. 160-452, as amended, the following described territory is hereby annexed and made part of the City of Marion as of the 21st day of July, 1970.

Beginning at an iron stake, W. T. Moore's southwest corner, located two following courses and distances from a concrete marker, the present City extension corner on the south side of Oak Street and West Side of Highland Drive, N 21-51 E 268, 10 ft. to a stake, N 45-25 E 137.4 ft. to an iron stake Moore's corner the point of beginning, and runs

S 29 E 16 ft to the center of Oak Street, the present City extension line; thence

N 55-51 E 118 ft with the present City extension line and the center of of Oak Street; thence

N 51-37 E 96 ft with the present City extension line to a point in the center of Oak Street; thence

N 39-04 W 16 ft to Dover's southeast corner; thence

N 13-45 W 85 ft to iron stake his corner; thence

N 23-31 W 85 ft to iron stake, Dover's northeast corner; thence

S 53-03 W 147.5 ft to a stake in Moore's line; thence

N 36-30 W 34 ft to a stake, Moore's northwest corner; thence

S 54-15 W 94 ft to a stake, Moore's northwest corner; thence

S 29 E 190 ft to Beginning, being the properties presently owned by W. T. Moore and Floyd A. Dover on Oak Street between Martin Street and Glenwood Drive.

Section 2. Upon and after the 21st day of July, 1970 the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Marion and shall be entitled to the same privileges and benefits as other parts of the City of Marion. Said territory shall be subject to municipal taxes levied for the fiscal year beginning July 1, 1970.

Section 3. The Mayor of the City of Marion shall cause to be recorded in the office of the Register of Deeds of McDowell County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance.

Section 4. This ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the City of Marion.

Adopted this 21st day of July, 1970.

ALBERT M. NEAL
Mayor

ATTEST:

VICTOR H. DENTON
Clerk

1970-1971 CITY BUDGET: Upon a motion by Councilman Wilkerson, seconded by Councilman Ledbetter the following Appropriations Ordinance was unanimously adopted:

1970-1971 Appropriations Ordinance

Be it ordained by the City Council of the City of Marion, North Carolina:

Section 1. APPROPRIATIONS: The amounts set forth in the adopted budget are hereby appropriated for the operation of the City Government and its activities for the fiscal year beginning July 1, 1970 and ending June 30, 1971.

Section 2. ESTIMATED REVENUES: It is estimated that the revenue set forth in the adopted budget will be available during the fiscal year beginning July 1, 1970, and ending June 30, 1971, to meet the adopted budget appropriations.

Section 3. TAXES LEVIED: There is hereby levied the following rates of tax on each one hundred dollars (100) valuation of taxable property, as listed for taxes as of January 1, 1970 for the purpose of raising the revenue from current year's Property Tax in the amount set for in the adopted budget.

GENERAL FUND (for the general expenses incident to the proper government of the City).....\$1.27

DEBT SERVICE FUND (for the payment of interest and principal on outstanding debt).....23

TOTAL RATE per \$100 of valuation of taxable property.....1.50

Such rates of tax are based on an estimated total assessed valuation of property for purpose of taxation of \$14,489,154.00 and an estimated rate of collection of 96%.

Section 4. POLL TAX: There is hereby levied a Poll Tax of \$1.00 on all male persons between the ages of 21 and 50, unless exempt as provided by law, for the purpose of raising the revenue from current year's Poll Tax, as set forth in the following estimates of revenue, and in order to finance the following appropriations.

Section 5. DISBURSEMENT OF FUNDS: Funds shall generally be disbursed in accordance with the allocations set forth in the adopted budget:

Adopted this 21st day of July 1970.

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Mayor, City of Marion

ATTEST:

VICTOR H. DENTON
Clerk, City of Marion

STREET RESURFACING: The City Manager stated that the closing date for accepting resurfacing bids was July 20, at 5:00 p.m. He stated that the following bids were opened and tabulated at that time:

Price per ton for I-2 Plant Mix Asphalt

A. R. Thompson, Contractors, Inc.	9.65
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Johnson Brothers Paving Co.	12.05
Warren Brothers Co.	13.96

After some discussion and upon a motion by Councilman Cross, seconded by Councilman Laughridge, the Board unanimously voted to award the resurfacing contract to A. R. Thompson Contractors, Inc.

FIRE TRUCK CHASSIS: The City Manager stated that he and Fire Chief Laughridge have reviewed the chassis specifications provided by the North Carolina League of Municipalities and found them to be acceptable. Upon a motion by Councilman Laughridge, seconded by Councilman Wilkerson, the Board unanimously voted to authorize the City Manager to advertise for bids for a new fire truck chassis.

WATER AND SEWER PLANNING: Upon a motion by Councilman Cross, seconded by Councilman Segars, the Board authorized the City Manager to contract with the engineering consulting firm of O'Brien and Gere for a water and sewer plan for a cost of \$13,700, with payment to be spread over fiscal year 1970-71 and fiscal year 1971-71. (Ref. Jun 2, 1970 min.)

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NEWSPAPER RACK ON MAIN STREET; REQUEST TO ADD: The City Manager stated that Ray Welch has requested permission to place "Asheville Citizens Time" paper rack on Main Street in front of the Rexall Drug Store. After some discussion it was decided to table this request.

WATERSHED SIGNS: Councilman Cross stated that some property owners around Lake Tahoma have expressed interest in having the City install watershed signs around the lake in hopes that such signs would discourage dumping. After some discussion it was decided to table this matter.

1970-1971 BUDGET

CODE NO.	GENERAL FUND REVENUE	ESTIMATED FOR 1970-71
145	Ad Valorem tax @ \$1.27 (Est. 96% Collection)	176,323.00
10-12	Prior Year Taxes	2,550.00
207	Interest and Penalties on Delinquent Taxes	250.00
154,209,210	Business License	4,300.00
251	Intangible Tax	9,628.00
253	Franchise Tax	21,000.00
212	Auto Tags	400.00
217	Court Revenue	450.00
15,208,247	Paving Assessments & Interest	2,500.00
219,230	Cemetery Lots & Grave Openings	2,600.00
220	Rent Revenue (Community Building)	1,500.00
248	Fire Protection (Co. Contribution)	3,900.00
256	Maintenance of Dump (Co. Contribution)	2,300.00
225	Parking Meter Revenue	8,200.00
227	Parking Violations	2,500.00
257	Powell Bill Revenue	18,350.00
254	Gasoline Tax Refund	2,800.00
245,246,255	Miscellaneous Revenue	2,200.00
213	Cable TV	1,200.00
250	Interest	500.00
270	State Contribution to the Operation & Maintenance of Traffic Control Devices	2,000.00
	Surplus from 1969-70	20,791.00
	Total	\$286,242.00
WATER AND SEWER FUND REVENUE		
233	Water Sales	190,000.00
235	Water Taps, Meters, Meter Boxes, & Penalties	7,500.00
231,232	Sewer Rent & Taps	55,000.00
215	House Rent	208.00
261,262,263	Waterline Installation Contributions	20,000.00
265,266		
	Total	272,708.00
DEBT SERVICE FUND REVENUE		
145A	Ad Valorem Tax @ .23 (Est. 96% Collection)	31,932.00
251A	Intangible Tax	1,681.00
10A, 12A	Prior Year Taxes	450.00
	Total	34,063.00
Grand Total		\$593,013.00

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ALBERT M. NEAL
Mayor, City of Marion

ATTEST:

VICTOR H. DENTON
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After some discussion and upon a motion by Councilman Cross, seconded by Councilman Laughridge, the Board unanimously voted to award the resurfacing contract to A. R. Thompson Contractors, Inc.

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GENERAL FUND DISBURSEMENTS

General Government

301	Mayor & Council	32,675.00
302	City Manager	
303	Bookkeeper	
303	Office Secretary	
303	Tax Listing & Election	
303	Personnel	
311	Janitor (1/2)	
305	City Attorney - Retainer	
306	Retirement	2,940.00
307	Social Security	1,120.00
309	Hospitalization Insurance	300.00
314	Marion Hospital Contribution	600.00
315	Office Supplies & Postage	1,500.00
316	Telephone	700.00
317	Printing & Advertising	1,300.00
319	Auditing	1,700.00
320	Electrical Power-City Hall	1,000.00
322	Maintenance of City Hall	500.00
326	Memberships & Subscriptions	600.00
327	Travel Expenses	500.00
328	Janitorial Supplies	400.00
331	Fuel for City Hall	1,000.00
332	Motor Vehicle Expense	200.00
333	Office Equipment Service & Maintenance	400.00
334	Miscellaneous	800.00
337	Capital Expense	2,000.00
	Total	50,235.00

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POLICE DISBURSEMENTS

401	Chief	82,500.00
402	Captain	
402	Sergeant	
402	Sergeant	
402	Sergeant	
402	Patrolman	
402	Patrolman	
402	Patrolman	
402	Patrolman	
402	Patrolman	
402	Patrolman	
403	Radio Operator	
403	Radio Operator	
403	Radio Operator	
406,406A	Retirement	4,730.00
407	Social Security	4,308.00
409	Hospitalization Insurance	1,116.00
415	Office Supplies	350.00
416	Telephone	580.00
417	Printing	350.00
427	Travel Expenses	300.00
432	Motor Vehicle Expense	2,500.00
433	Radio Maintenance	1,140.00
434	Miscellaneous	300.00
435	Uniforms	2,000.00
437	Capital Expense	3,000.00
438	Arsenal Supplies	400.00
439	Federal Matching Funds for a "Law & Order" Purchase	500.00
Total		104,074.00

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FIRE DISBURSEMENTS

501	Chief	
502	Assistant Chief	20,127.00
502	Fireman	
506	Retirement	1,490.00
507	Social Security	
509	Hospitalization Insurance	960.00
514	Pension Fund	225.00
516	Telephone	1,625.00
		600.00
527	Contribution to Volunteer Firemen	1,000.00
532	Motor Vehicle Expense	650.00
535	Uniforms	200.00
534	Miscellaneous	100.00
538	Supplies	
538A	Radio Maintenance	200.00
527A	Civil Defense	100.00
		100.00
	<u>Capital Expense</u>	
537A	Fire Truck	
537B	Hose	12,000.00
537C	Other	500.00
		.00
	Total	39,877.00

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STREET DISBURSEMENTS

601	Superintendent of Streets	30,707.00
602	Laborer - Truck Driver	
602	Laborer - Truck Driver	
602	Laborer	
602	Laborer	
606	Retirement	3,200.00
607	Social Security	1,800.00
609	Hospitalization Insurance	450.00
	<u>Street Maintenance</u>	
612A	Contractural	18,000.00
612B	City Forces	4,500.00
612D	Street Paving (From gravel to hard surfaces)	2,000.00
612E	Sidewalk Maintenance	500.00
	<u>Municipal Parking Lots</u>	
612F	Parking Lot Improvements	2,000.00
612G	Parking Lot Rent	3,600.00
	<u>Right-of-Way Acquisition</u>	
612I	State (Blue Ridge - Henderson)	12,600.00
	<u>Electrical Power</u>	
620A	Street Lights	15,000.00
620B	Traffic Signals	1,000.00
632	Motor Vehicle Express	1,300.00
633	Equipment Repair	1,700.00
638	Supplies & Materials	2,500.00
634	Miscellaneous	200.00
629	Chemicals (Weed Killers & Insectides)	300.00
629A	Sand & Salt (For Snow & Ice)	200.00
639	Christmas Street Decorations (Contribution to Merchants Association)	750.00
	<u>Capital Expense</u>	
637A	Street Signs	600.00
637B	Parking Meters	1,500.00
		104,407.00

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WATER & SEWER OPERATIONS DISBURSEMENTS

901	Director of Public Works	62,700.00
901	Office-Water Clerk	
901	Superintendent - Water & Sewer	
902	Heavy Equipment Operator	
902	Meter Reader/Repairman	
902	Meter Reader	
902	Laborer	
902	Laborer	
902	Laborer	
902	Laborer	
906	Retirement	3,800.00
907	Social Security	1,750.00
909	Hospitalization Insurance	900.00
916	Telephone (Shop)	150.00
920	Electric Power (Shop)	300.00
931	Fuel (Shop)	600.00
927	Travel & Scholling	100.00
932	Motor Vehicle Expense	1,300.00
938	Supplies & Materials	6,000.00
940	Postage and Printing	2,000.00
939	Water Analysis Fee	64.00
929	Chemicals (For Sewer Cleaning)	300.00
933A	Equipment Repair	
933B	Water Meters	600.00
933B	Back Hoe	1,000.00
933C	Other	1,000.00
937A	Capital Expense	
937B	New Waterlines (Materials)	23,000.00
937C	Water Meters	2,500.00
937C	Other	1,600.00
942	Water & Sewer Engineering	7,000.00
	Study & Plan (1/2 total cost in fiscal year 1970-71)	
	Total	116,694.00

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GENERAL FUND (for the general expenses incident to the proper government of the City).....\$1.27

DEBT SERVICE FUND (for the payment of interest and principal on outstanding debt).....23

TOTAL RATE per \$100 of valuation of taxable property.....1.50

Such rates of tax are based on an estimated total assessed valuation of property for purpose of taxation of \$14,489,154.00 and an estimated rate of collection of 96%.

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Adopted this 21st day of July 1970.

ALBERT M. NEAL

Mayor, City of Marion

ATTEST:

VICTOR H. DENTON

Clerk, City of Marion

STREET RESURFACING: The City Manager stated that the closing date for accepting resurfacing bids was July 20, at 5:00 p.m. He stated that the following bids were opened and tabulated at that time:

Price per ton for I-2 Plant Mix Asphalt

A. R. Thompson, Contractors, Inc.	9.65
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WATER FILTER PLANT DISBURSEMENTS

1002	Chemist (½)	14,223.00
1002	Plant Operator	
1002	Plant Operator	
1006	Retirement	2,100.00
1007	Social Security	840.00
1009	Hospitalization Insurance	225.00
1006	Telephone	400.00
1020	Electrical Power	8,000.00
1022	Maintenance of Buildings, Structures, & Grounds	1,500.00
1029	Chemicals	5,000.00
1033	Equipment Repairs	1,000.00
1034	Miscellaneous	100.00
1037	Capital Expense	.00
1027	Travel & Schooling	100.00
1038	Supplies & Materials	200.00
1031	Fuel	350.00
	Total	34,038.00

WASTE TREATMENT PLANT DISBURSEMENTS

1102	Chemist (½)	8,000.00
1102	Plant Operator	
1106	Retirement	1,000.00
1107	Social Security	400.00
1109	Hospitalization Insurance	74.00
1116	Telephone	325.00
1120	Electrical Power	9,000.00
1122	Maintenance of Buildings, Structures & Grounds	100.00
1129	Chemicals	200.00
1133	Equipment Repairs	3,000.00
1134	Miscellaneous	.00
1137	Capital Expense	.00
1138	Supplies & Materials	150.00
1131	Fuel (Heat & Foam Control)	900.00
1132	Motor Vehicle Expense (#9001)	100.00
	Total	23,249.00

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RECREATION PROGRAM & COMMUNITY BUILDING DISBURSEMENTS

1208, 1208A	Recreation Program Summer Recreation Program	3,500.00
	<u>Community Building</u>	
1203	Janitor (1/2)	2,000.00
1206	Retirement	250.00
1207	Social Security	125.00
1220	Electrical Power	700.00
1216	Telephone	
1231	Fuel	110.00
1222	Maintenance	750.00
1238	Supplies & Materials	300.00
		500.00
1234	Miscellaneous	
1237	Capital Expense (For Community Building - Play Equipment)	100.00
		1,000.00
	Total	9,335.00
	<u>PETROLEUM DISBURSEMENTS</u>	
1301	Gasoline	
1302	Oil & Grease	10,000.00
		400.00
	Total	10,400.00
	<u>INSURANCE DISBURSEMENTS</u>	
1401	Fleet Policy for Vehicles	
1402	PIP Policy	2,400.00
1404	Bonds	750.00
1405	Office & Safe Robbery	500.00
		36.00
1407	Volunteer Firemen's Group Life	
1408	Volunteer Firemen's Disability	1,000.00
1409	Employee's Life	84.00
1403	Workmen's Compensation	2,000.00
		3,800.00
	Total	10,570.00
	<u>DEBT SERVICE DISBURSEMENTS</u>	
1501	Bond Principal	
1502	Bond Interest	30,000.00
1503	Coupon Expense	6,000.00
		50.00
	Total	36,050.00
Grand Total		\$593,013.00

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TRUCK LOADING ZONE EXTENSION - LOGAN STREET: Upon a motion by Councilman Wilkerson, seconded by Councilman Cross, the Board unanimously voted to extend by one parking space, the loading on Logan Street next to alley, in front of Elizabeth James Mosiery Mill.

TIRE PURCHASES: The City Manager asked for and was granted permission not to advertise for bids for tire purchases this fiscal year as only one firm placed a bid last year. If at a later date another firm asks to bid on our tire purchases consideration is to be given at that time to advertising again for bids.

MARION CABLE TV: The City Manager stated that he and Councilman Laughridge met with an engineer from Suburban Propane to discuss the existing cable system. He said that the engineer stated that he found the system to be substandard and in need of repairs. The engineer stated that upon purchase by Suburban Propane they will begin making the necessary repairs to up-grade the system.

CITY-COUNTY DUMP: The City Manager reported that grading on the new road to the dump has been completed by the City and that the State plans to begin work on completing it sometime within the next two weeks.

WASTE TREATMENT PLANT: The City Manager stated that he received a phone call last week from the Western North Carolina Regional Director of Water and Air Resources. He stated that the Director asked why we are behind in our time schedule for up-grading our plant. The City Manager continued by stating that he is writing a letter to the Director explaining our delays, however, it will probably be necessary for representatives of the City to go to Raleigh and appear before the Water and Air Resources Board asking for a time extension.

WEST MARION WATERLINE: The City Manager reported that encroachment forms have been submitted to the North Carolina Highway Commission for installing the West Marion Waterline.

WATER INTAKE REPAIRS: The City Manager reported that during the recent dry spell extensive repairs have been made to the Clear Creek and Mackey Creek Intakes.

CITY MANAGER'S VACATION: The City Manager asked for and was granted permission for a vacation from noon Friday, July 24 to Monday August 3.

There being no further business the meeting adjourned.

Mayor

City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
TOWN OF MARION

August 4, 1970

The Marion City Council met in a regular scheduled meeting on Tuesday, August 4, 1970 at 7:30 P.M. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: William R. Ledbetter, James H. Segars, and Horace Wilkerson. Councilmen absent: Oliver R. Cross, and Philip Laughridge. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney, and Rosamond Braly, Newspaper Editor.

CHILD CARE ORDINANCE: Mr. Dameron, City Attorney, stated that if the Board desires to make the proposed County Child Care Ordinance applicable in the City of Marion, the Board can do this by resolution after the County adopts the Ordinance. No action was taken on this matter as the County as of this date has not adopted the Child Care Ordinance.

POLICE DEPARTMENT - PURCHASE OF POLICE CAR: The City Manager requested and was granted permission to purchase a State Highway Patrol Vehicle to replace a 1968 Plymouth that has over 80,000 miles on it. He stated that he and the Police Chief feel it would be most economical to purchase a replacement vehicle at this time in lieu of a new patrol vehicle in December. (Ref. May 6, 1970 min.)

FIRST BAPTIST CHURCH - MODIFICATION OF ON-STREET PARKING: Upon a motion by Councilman Wilkerson and seconded by Councilman Ledbetter the Board unanimously voted to extend the no parking zones on Logan Street and Main Street in front of the Baptist Sanctuary by approximately 20 feet and to create a no parking zone on Logan Street from its intersection with Fort Street, north on the east side of Logan Street to the existing no parking zone in front of the First Baptist Educational Building.

GARDEN STREET RAILROAD CROSSING: The City Manager distributed a letter from the Merchants Association to the Board stating that the Association is disturbed about the rough condition of the Garden Street Railroad Crossing. After some discussion the Mayor stated that the Railroad is presently replacing ties in the vicinity of the crossing and that any action on this matter should probably be table until we see if the Railroad makes any improvements at the crossing.

PERSONNEL CLASSIFICATION - PAY PLAN: Upon a motion by Councilman Ledbetter and seconded by Councilman Segars the Board unanimously voted to permit the City Manager to work with the Institute of Government in developing a proposed Personnel Classification - Pay Plan for the City of Marion.

COMMUNITY BUILDING - LOG CABIN: The City Manager stated that he has checked the interior condition of the Log Cabin on the Community Building grounds and found that the portion of the building used by a local men's choral group is in reasonably good condition. He stated that in giving further consideration to removing the Log Cabin and using the site for a basketball court he would suggest that we table this matter and instead place a small basketball court in the level area immediately south of the tennis court. (Ref. June 22, 1970 min.)

There being no further business, the meeting adjourned.

Mayor

Victor H. Denton

City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

August 18, 1970

The Marion City Council met in a regular Board meeting on Tuesday, August 18, 1970 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Oliver R. Cross, Philip Laughridge, William Ledbetter, James Segars, and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney, and Linda Mace reporter for the McDowell News.

MRS. ROSAMOND BRALY, EDITOR AND REPORTER FOR THE McDOWELL NEWS: Upon a motion by Councilman Laughridge, seconded by Councilman Cross, the Board unanimously adopted a resolution by Mayor Neal wishing Mrs. Braly a speedy recovery from a recent operation.

DYSART, HAROLD: After considerable discussion of Mr. Dysart's repeated demands for water tap and rate concessions based upon his interpretation of a June 16, 1923 agreement between the "Town" of Marion and M. M. Burgin, it was decided that the following proposal should be made to Mr. Dysart:

1. That three existing homes owned by Mr. Dysart, now obtaining water from the City of Marion at out-of-town water rates, be permitted in the future to obtain water at prevailing City rates. All other existing water customers on his property are to pay the prevailing out-of-town water rate.
2. That six future taps be permitted at \$80.00 per tap. All additional taps are to be at the prevailing out-of-town tap fee.
3. That the old 1923 M. M. Burgin agreement be voided for that portion of this old estate now owned by Harold Dysart and wife.
4. That all existing and future water lines other than service lines be conveyed to the City of Marion along with a fifteen foot easement centered on the water line.
5. That all future water distribution lines be installed in accordance with City specifications and under City supervision.

Mr. Dameron was asked to call Mr. Dysart to see if this proposal would be acceptable. After calling he stated to the Board that the proposal was generally acceptable to Mr. Dysart; however, he wanted to discuss the proposal with his wife who was not home at the time of the call. Mr. Dameron stated that Mr. Dysart desires eight instead of six taps at \$80.00 and that he desired city water rates for only himself and his family. He stated to Mr. Dameron that he would call back later in the evening after talking with his wife. After waiting for some time for Mr. Dysart to return the call it was decided that Mr. Dameron should work up a written agreement to present to Mr. Dysart incorporating the above provisions.

SIDEWALK RUMMAGE SALES: The City Manager stated that he has received a request from a local church to hold a rummage sale on West Henderson Street beside Tainter's Drug Store. After some discussion it was unanimously decided that sidewalk rummage sales could be held on sidewalks provided (1) they would not be held on Main Street and (2) they would not interfere with pedestrian traffic that may use the sidewalk.

CITY-COUNTY DUMP: The City Manager requested and received permission to submit application for a burning permit to the North Carolina Department of Water and Air Resources.

LAW AND ORDER PLANNING: The City Manager stated that the North Carolina Division of Law and Order is requesting elected officials, police chiefs, and sheriffs to attend a reorganization dinner meeting in Forest City on August 25. He stated that Mitchell and Yancey Counties are being dropped from our Law and Order Planning District and Cleveland County is being added.

POLICE DEPARTMENT: The City Manager recommended to the Board that if the schools request policemen at ball games this year, the schools should pay each policeman for his services. The City Manager stated that we normally have three or four men on the second shift and that if one or two of these on-duty men are assigned to a school for the ballgames there is a very low level of police protection available to the City. He stated that in the past off-duty policemen have served at the games for little or no compensation. After some discussion it was decided that this matter should be discussed with members of the School Board.

There being no further business the meeting adjourned.

Mayor

Victor H. Denton
City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

September 8, 1970

The Marion City Council met in a regular Board meeting on Tuesday, September 8, 1970 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Philip Laughridge, William Ledbetter, James Segars, and Horace Wilkerson. Absent: Oliver R. Cross. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Benson Jones, Micky Lewis, and Linda Mace, reporter for the McDowell News.

CITY - COUNTY DUMP: Mr. Benson Jones and Mr. Micky Lewis stated that they lived near the dump and were acting as spokesmen for several families living near the dump. They continued by stating that air pollution from the dump is nearly unbearable at times and they desire to know what is being done to correct the situation. The City Manager stated that the County is participating with three other counties in the development of a solid waste plan. He stated that it is his understanding that the plan has been approved by the Commissioners of each of the four counties and that the Federal Government has approved the proposed project for funding. He stated that a committee is in the process of being appointed to implement the plan. Mr. Jones made several proposals for "improving" the dump until the plan could be implemented. After some discussion and a lengthy dissertation by Mr. Lewis on the merits of controlling air and water pollution, the gentlemen excused themselves after being told by the Mayor that we would keep them informed.

FIRE TRUCK - PURCHASE OF CHASSIS: The City Manager stated that bids were requested from G.M.C., Ford, Dodge, Chevrolet, and International. He stated that bids were received from Ford and International - the Ford bid being \$9824 for a tilt cab, \$8547 for a conventional cab, the International bid: \$9871 and \$9134 respectively. Upon a motion by Councilman Segars, seconded by Councilman Wilkerson, the Board unanimously voted to accept the lowest tilt cab bid that meets the specifications - that being the Ford bid.

FIRE TRUCK - ADVERTISING FOR BIDS FOR THE FIRE APPARATUS: Upon a motion by Councilman Laughridge, seconded by Councilman Segars, the Board unanimously voted to authorize the City Manager to advertise for bids for the fire apparatus.

SOLID WASTE COMMITTEE: The City Manager stated that a Four County Committee is being appointed to be responsible for the implementation and operation of the regional solid waste system. He stated that the Mayors of all of the municipalities in each county are required to appoint one representative to this committee. Mayor Neal stated that he had been trying to get in touch with Kimball Miller to see if it was agreeable with him to appoint the Marion City Manager to this Committee.

COUNTY PLANNING BOARD MEETING: The City Manager stated that the City Council and County Commissioners are invited to a County Planning Board meeting at 6:30 p.m. Tuesday, September 15 at the Pilot House.

NORTH CAROLINA LEAGUE OF MUNICIPALITIES MEETING: The City Manager stated that the fall meeting of the League will be held in Winston-Salem October 4 to 6. Board members were encouraged to attend this meeting, at City expense.

CITY COUNCIL MEETING - SEPTEMBER 22, 1970: After some discussion it was decided to cancel the September 22 Board meeting because of numerous conflicts.

GARBAGE CONTAINERS AND COLLECTION: The City Manager stated that he would like to see an ordinance adopted prohibiting the residential use of 55 gallon barrels for residential garbage. He stated that several of our men have been injured by attempting to handle these heavy barrels. In addition, he stated that they are time consuming to unload and also unsanitary as most of the barrels have no lids. The City Manager also stated that it is necessary to make two daily trash pick ups at Ingles Grocery because of the volume and character of the waste. He recommended that either a City wide box "break down" ordinance be adopted or that he be given permission to try to work out some mutually acceptable arrangement with the Store Manager. The City Manager also proposed that we continue our Friday trash pickup but also pickup trash on regular garbage days if the residences will place their trash in plastic bags at the curb.

✓ Upon a motion by Councilman Segars and properly seconded the Board unanimously voted to require all residents to use 32 gallon standard garbage containers, effective November 1, 1970. The Board requested the City Manager to talk with the Ingle's Manager about their waste problem. The City Manager requested and received permission to notify the general public that we will continue our Friday trash pickups but will also have our garbage men pickup trash on garbage pickup days if the trash is placed in a plastic bag near the curb. Councilman Laughridge and other Board members stated that it would be more convenient if garbage pickup schedules could be arranged so that one pickup would be early in the week and the other three days later rather than two days later as is now the custom. The City Manager stated he would try to reschedule collections so this proposal can be effectuated.

TRAFFIC SIGNALIZATION: The City Manager stated that the State has awarded the traffic signalization project to the Haynes Electrical Contractors in Asheville. He stated they are to begin setting poles this week. Equipment is to be installed within the next thirty to forty-five days.

STREET RESURFACING: The City Manager stated that A.R. Thompson is to begin the resurfacing project around the first of October.

LAW & ORDER PLANNING: The City Manager stated that Councilmen Laughridge, Segars, and Wilkerson along with Police Chief Wood and the City Manager attended a reorganizational meeting of the Law & Order Group in Forest City on August 25. He stated that Councilman Segars and Chief Wood were appointed to represent the City* Sheriff Hubert Haynes was appointed to represent the County and to be this County's representative on the executive committee.

AUDIT REPORT: The City Manager stated that our audit report is being delayed at our request until we have the Highway Commission clarify our annual assessment for the right-of-way for the Blue Ridge Street Extension.

POLICE CAR: The City Manager stated that we are advertising for bids to sell a 1967 Plymouth that was recently replaced by a 1969 Ford.

* County Commissioner J. B. Walker was appointed to represent the County Commissioners.

CCG002

Mr. Dameron was asked to call Mr. Dysart to see if this proposal would be acceptable. After calling he stated to the Board that the proposal was generally acceptable to Mr. Dysart; however, he wanted to discuss the proposal with his wife who was not home at the time of the call. Mr. Dameron stated that Mr. Dysart desires eight instead of six taps at \$80.00 and that he desired city water rates for only himself and his family. He stated to Mr. Dameron that he would call back later in the evening after talking with his wife. After waiting for some time for Mr. Dysart to return the call it was decided that Mr. Dameron should work up a written agreement to present to Mr. Dysart incorporating the above provisions.

SIDEWALK RUMMAGE SALES: The City Manager stated that he has received a request from a local church to hold a rummage sale on West Henderson Street beside Tainter's Drug Store. After some discussion it was unanimously decided that sidewalk rummage sales could be held on sidewalks provided (1) they would not be held on Main Street and (2) they would not interfere with pedestrian traffic that may use the sidewalk.

CITY-COUNTY DUMP: The City Manager requested and received permission to submit application for a burning permit to the North Carolina Department of Water and Air Resources.

LAW AND ORDER PLANNING: The City Manager stated that the North Carolina Division of Law and Order is requesting elected officials, police chiefs, and sheriffs to attend a reorganization dinner meeting in Forest City on August 25. He stated that Mitchell and Yancey Counties are being dropped from our Law and Order Planning District and Cleveland County is being added.

POLICE DEPARTMENT: The City Manager recommended to the Board that if the schools request policemen at ball games this year, the schools should pay each policeman for his services. The City Manager stated that we normally have three or four men on the second shift and that if one or two of these on-duty men are assigned to a school for the ballgames there is a very low level of police protection available to the City. He stated that in the past off-duty policemen have served at the games for little or no compensation. After some discussion it was decided that this matter should be discussed with members of the School Board.

There being no further business the meeting adjourned.

Mayor

Victor H. Denton
City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

September 8, 1970

The Marion City Council met in a regular Board meeting on Tuesday, September 8, 1970 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Philip Laughridge, William Ledbetter, James Segars, and Horace Wilkerson. Absent: Oliver R. Cross. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Benson Jones, Micky Lewis, and Linda Mace, reporter for the McDowell News.

CITY - COUNTY DUMP: Mr. Benson Jones and Mr. Micky Lewis stated that they lived near the dump and were acting as spokesmen for several families living near the dump. They continued by stating that air pollution from the dump is nearly unbearable at times and they desire to know what is being done to correct the situation. The City Manager stated that the County is participating with three other counties in the development of a solid waste plan. He stated that it is his understanding that the plan has been approved by the Commissioners of each of the four counties and that the Federal Government has approved the proposed project for funding. He stated that a committee is in the process of being appointed to implement the plan. Mr. Jones made several proposals for "improving" the dump until the plan could be implemented. After some discussion and a lengthy dissertation by Mr. Lewis on the merits of controlling air and water pollution, the gentlemen excused themselves after being told by the Mayor that we would keep them informed.

FIRE TRUCK - PURCHASE OF CHASSIS: The City Manager stated that bids were requested from G.M.C., Ford, Dodge, Chevrolet, and International. He stated that bids were received from Ford and International - the Ford bid being \$9824 for a tilt cab, \$8547 for a conventional cab, the International bid: \$9871 and \$9134 respectively. Upon a motion by Councilman Segars, seconded by Councilman Wilkerson, the Board unanimously voted to accept the lowest tilt cab bid that meets the specifications - that being the Ford bid.

FIRE TRUCK - ADVERTISING FOR BIDS FOR THE FIRE APPARATUS: Upon a motion by Councilman Laughridge, seconded by Councilman Segars, the Board unanimously voted to authorize the City Manager to advertise for bids for the fire apparatus.

SOLID WASTE COMMITTEE: The City Manager stated that a Four County Committee is being appointed to be responsible for the implementation and operation of the regional solid waste system. He stated that the Mayors of all of the municipalities in each county are required to appoint one representative to this committee. Mayor Neal stated that he had been trying to get in touch with Kimball Miller to see if it was agreeable with him to appoint the Marion City Manager to this Committee.

COUNTY PLANNING BOARD MEETING: The City Manager stated that the City Council and County Commissioners are invited to a County Planning Board meeting at 6:30 p.m. Tuesday, September 15 at the Pilot House.

NORTH CAROLINA LEAGUE OF MUNICIPALITIES MEETING: The City Manager stated that the fall meeting of the League will be held in Winston-Salem October 4 to 6. Board members were encouraged to attend this meeting, at City expense.

CITY COUNCIL MEETING - SEPTEMBER 22, 1970: After some discussion it was decided to cancel the September 22 Board meeting because of numerous conflicts.

GARBAGE CONTAINERS AND COLLECTION: The City Manager stated that he would like to see an ordinance adopted prohibiting the residential use of 55 gallon barrels for residential garbage. He stated that several of our men have been injured by attempting to handle these heavy barrels. In addition, he stated that they are time consuming to unload and also unsanitary as most of the barrels have no lids. The City Manager also stated that it is necessary to make two daily trash pick ups at Ingles Grocery because of the volume and character of the waste. He recommended that either a City wide box "break down" ordinance be adopted or that he be given permission to try to work out some mutually acceptable arrangement with the Store Manager. The City Manager also proposed that we continue our Friday trash pickup but also pickup trash on regular garbage days if the residences will place their trash in plastic bags at the curb.

✓ Upon a motion by Councilman Segars and properly seconded the Board unanimously voted to require all residents to use 32 gallon standard garbage containers, effective November 1, 1970. The Board requested the City Manager to talk with the Ingle's Manager about their waste problem. The City Manager requested and received permission to notify the general public that we will continue our Friday trash pickups but will also have our garbage men pickup trash on garbage pickup days if the trash is placed in a plastic bag near the curb. Councilman Laughridge and other Board members stated that it would be more convenient if garbage pickup schedules could be arranged so that one pickup would be early in the week and the other three days later rather than two days later as is now the custom. The City Manager stated he would try to reschedule collections so this proposal can be effectuated.

TRAFFIC SIGNALIZATION: The City Manager stated that the State has awarded the traffic signalization project to the Haynes Electrical Contractors in Asheville. He stated they are to begin setting poles this week. Equipment is to be installed within the next thirty to forty-five days.

STREET RESURFACING: The City Manager stated that A.R. Thompson is to begin the resurfacing project around the first of October.

LAW & ORDER PLANNING: The City Manager stated that Councilmen Laughridge, Segars, and Wilkerson along with Police Chief Wood and the City Manager attended a reorganizational meeting of the Law & Order Group in Forest City on August 25. He stated that Councilman Segars, and Chief Wood were appointed to represent the City* Sheriff Hubert Haynes was appointed to represent the County and to be this County's representative on the executive committee.

AUDIT REPORT: The City Manager stated that our audit report is being delayed at our request until we have the Highway Commission clarify our annual assessment for the right-of-way for the Blue Ridge Street Extension.

POLICE CAR: The City Manager stated that we are advertising for bids to sell a 1967 Plymouth that was recently replaced by a 1969 Ford.

* County Commissioner J. B. Walker was appointed to represent the County Commissioners.

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WILLARD BROOKS WATERLINE: The City Manager reported that we are progressing with the Brooks waterline and that an 8" line has been installed in a 15" casing under the Southern Railroad main line and spurline near Yancey Street and U.S. 70 East.

RIDGE STREET: The City Manager reported that the school Superintendent has given the City permission to pave Ridge Street in the area where this street appears to be on school property.

There being no further business the meeting adjourned.

Mayor

Victor H. Denton
City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

The Marion City Council met in a regular Board meeting on Tuesday, October 6, 1970 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen Oliver R. Cross, Philip Laughridge, William Ledbetter, James Segars, and Horace Wilkerson. Others present: Victor H. Denton, City Manager, and Rosamond Braly, editor for the McDowell News.

DYSART, HAROLD: After considerable discussion the City Manager was requested to work with the City Attorney in drafting a written proposal to be submitted to Mr. Dysart. The City Manager is to let each councilman review the proposal before it is finalized.

FLUORIDATION: Upon a motion by Councilman Laughridge, seconded by Councilman Segars the Board by majority vote approved the following resolution. Councilman Wilkerson abstained from voting.

The Marion City Council 1) formally approves the use of fluoride in the water supply of the City of Marion, 2) authorizes the City Manager to make application to the North Carolina State Board of Health for permission to use fluoride in the water supply of the City of Marion and 3) agrees to provide 20% of the funds for equipment and renovation costs incurred in fluoridating the water supply of the City of Marion.

STREET RESURFACING: The City Manager stated that he has received a letter from A. R. Thompson, Contractors, Inc. stating that they plan to begin the resurfacing project the week of November 16, 1970. The City Manager stated this is later than desirable; however, the second low bidder is not in a position to begin the project any earlier. After some discussion it was decided to let A. R. Thompson, Contractors, Inc. do the work even though they stated on the bid proposal that they would start the project the latter part of August.

PUBLIC HOUSING: The City Manager reported that Mr. W. N. Bostic, Jr. of Sheetz & Bradfield Architects, Inc. has offered, under no obligation, to meet with Board to discuss Public Housing. It was agreed by the Board to have Mr. Bostic appear before the Board on October 20.

WATERLINE EXTENSION POLICY: The City Manager stated that in some instances in the unincorporated area we have required individuals desiring City water to purchase the pipe and materials and install it, in other instances we have required individuals only to pay for the pipe and materials and the City has installed it. The City Manager recommended as a proposed policy that if the new lines are installed within one-half mile of the Corporate Limits, we should require the individuals desiring City water to only purchase the pipe and materials. Beyond one-half mile the individuals desiring water should be required to pay for the pipe, materials, and for the installation. After some discussion the Board approved this modification to our waterline extension policy for residential development only; however, the City Manager was asked to clear this matter with the County as we have a joint City-County waterline extension policy. It is understood that this agreement does not apply to the extension of waterlines to possible industrial sites.

CORBETT LOT ON SOUTH MAIN STREET: The City Manager stated that Mrs. Corbett contacted him indicating her sister in Columbia, South Carolina is interested in leasing a vacant lot (across Main Street from Westmoreland and Hawkins Funeral Home) to the City for an off-street parking lot. After some discussion the City Manager was instructed to further discuss this matter with Mrs. Corbett to determine what type of lease arrangement could be worked out.

TAX WRITE - OFFS: Upon a motion by Councilman Cross, seconded by Councilman Laughridge the Board unanimously approved a proposal from our auditors to write-off the following taxes.

**Tax Charge Offs (1969 Levy) Due to Incorrect Listings
For the Fiscal Year Ended June 30, 1970**

Receipt Number	Name	Reason	Amount
11	Mrs. Eva Allison	Lives outside; gets mail inside	\$ 34.50
19	George and Roxie Anthony	Duplicate listing	8.25
185	Miss Grace Cannon	Outside of city limits	7.65
203	Jack D. Causby Gulf Station	Not in operation	3.75
212	Church. West Court Street	County relief	14.10
266	Joh. C. Cowan	Outside of city limits	2.80
310	Rev. Fred E. DeArmon, Jr.	Outside of city limits	13.50
314	Clyde Deyton	Lived in Murphy, N.C.	21.70
409	Jewel Hollifield Fox	Outside of city limits	4.45
435	Judith Gibson	Outside of city limits	21.25
510	Samuel J. Hall, Jr.	Lived in Winston-Salem	21.20
747	Addie Lavender	No car January, 1969	.75
811	Ronald Lunsford	Outside of city limits	13.88
1058	Henry Powell	Outside of city limits	12.75
1087	Richard Olin Rader	Lived in Macon, Ga.	21.25
1128	George Rollins	Outside of city limits	3.40
1256	Frank Staton, Jr.	Outside of city limits	18.85
1317	Tri County Block Company	Error in listing at courthouse	441.00
1353	Walkers Supply Company	Outside of city limits	73.50
1438	Kathy Woodard	Outside of city limits	14.85
			\$753.38

**Tax Charge Offs (1968 Levy) Due to Incorrect Listings
For the Fiscal Year Ended June 30, 1969**

1	Howard Abernathy	Outside of city limits	18.55
18	Naomi Anderson	Outside of city limits	4.03
41	Ballew Motor Company	Outside of city limits	499.27
77	Mary C. Blackburn	Outside of city limits	31.33
115	Ellen R. Bradley	Outside of city limits	2.99
124	James R. Bright	Outside of city limits	9.97
231	R. S. Clay and W. T. Morgan Heirs	Duplicate listing	10.03
238	Robert L. Cloer	Outside of city limits	23.88
276	John C. Cowan	Outside of city limits	2.56
313	Daniel P. Davis, III	Outside of city limits	15.43
323	Melvin D. Denton	Outside of city limits	12.70
364	Patricia Martin and Curry Elliott	Outside of city limits	11.66
371	Billy Joe England	Outside of city limits	4.12
438	Floyd Gibbs	Outside of city limits	13.74
454	W. M. Gladden	Outside of city limits	1.43
632	Frank W. Howell	Outside of city limits	6.37
714	William K. Lael	Outside of city limits	67.30
870	Marion Equipment Company	Outside of city limits	970.97
959	Alice Newell	Outside of city limits	7.80
981	Roy D. Owenby	Duplicate listing	7.15
1061	Joe M. Pyatt	Outside of city limits	10.10
1114	Rev. E. B. Rogers	Left town	10.92
1222	William E. Smith	Outside of city limits	12.31
1268	R. E. Sumlin, Jr.	Outside of city limits	6.24
1455	Clayton F. Burleson	Outside of city limits	2.63
1459	Cleo Lanning Elkins	Outside of city limits	14.00
1460	Jessie L. Elliott	Outside of city limits	6.98
1469	Valarie L. Hahn	Outside of city limits	4.42
1473	Ed Jackson	Outside of city limits	.65
1477	James A. Lawson	Outside of city limits	13.22
1478	Harold W. Ledford	In service - out of state	19.50
1480	Robert P. Lewis, Jr.	Outside of city limits	1.65
1484	Peterson, Howell and Heather	At Air Preheater - outside	17.42
1489	Billy Ray Ramsey	Outside of city limits	14.78
961	Frank Noles	Outside of city limits	21.57
			\$1,877.67

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BLUE RIDGE STREET, ALLEY BETWEEN HOWARD GOUGE'S APARTMENT AND A CITY OWNED LOT: The City Manager stated that Howard Gouge desires the City to pave an alley between his apartment and a City owned lot on Blue Ridge Street. He stated that Mr. Gouge has offered to pay one-half the cost of paving. After some discussion and upon a recommendation by the City Manager it was agreed that this alley should not be paved, however it should continue to be maintained by the City even though it's used primarily by only Mr. Gouge's renters.

SCHOOL BOARD - FREE WATER SERVICE: Upon a motion by Councilman Segars, seconded by Councilman Laughridge, it was unanimously agreed that after the November elections, school board members should no longer be exempt from paying for municipal water. (As City School Board has been dissolved with the recent consolidation.)

WATER METER SERVICE AND REPAIR: The City Manager was granted permission to establish the position of a Water Meter Repairman and purchase a used vehicle for this individual to use.

GARDEN AND FORT STREETS: The City Manager was granted permission to prohibit parking on Garden Street for a distance of 20 feet southeast of its intersection with Fort Street. (VMA)

FIRE SERVICE - OLD FORT: The City Manager stated that Old Fort Town Board is interested in having 1) their residents call Marion Fire Department for fire calls, 2) the Marion Fire Department activate their fire alarm, 3) the Marion Fire Department dispatch their fire trucks. After some discussion the Board, upon a motion by Councilman Ledbetter, seconded by Councilman Wilkerson, unanimously voted for the City to assume this responsibility provided the technical details can be worked out.

CITY PROPERTY: Councilman Cross stated that the City should consider selling some of the property owned by the City - specifically he suggested selling the lot on Blue Ridge Street purchased several years ago for a possible street extension. The City Manager was requested to see if Drexel might be interest in purchasing this lot.

CITY COUNCIL MEETING - DEC 15: The City Manager was granted permission to make reservations at the McDowell House for December 15 for a evening dinner meeting for the City Councilmen and their wives.

MCDOWELL STREET PROJECT: It was reported to the City Manager that the Highway Commission possibly has not let the contract for McDowell Street. The City Manager stated he would check on this matter.

MERCHANTS ASSOCIATION: The City Manager stated that he has received in the past month two letters from the McDowell Merchants Association. He stated that one letter was to inform the City that the Association has raised this year's \$750 for the Beautification Fund and that they would like for the City to match that amount. The City Manager stated that since 1) we agreed on September 2, 1969 to annually match their \$750, and 2) this amount was budgeted, he would make this payment to the Merchants Association if there were no objections. None were raised. The City Manager stated that the second letter pertained to the merchants concern about fire protection to the unincorporated area. The City Manager stated he has, since receiving this letter, discussed this matter with Mr. Brooks, Merchants Association President, and has hopefully cleared up some of the misunderstandings.

DOG CONTROL: The City Manager stated that the County Manager has informed him of the following information relating to the dog control program.

Dogs disposed of:

July	- 120
August	- 84
September	- 100

Since program began, the County estimates that approximately 2000 dogs have been eliminated.

FIRE SERVICE AREAS: The City Manager stated that he and the Fire Chiefs in the County will be meeting October 7 to discuss fire service areas.

BYPASS: The City Manager stated that the Highway Commission mailed the following reply to a Chamber of Commerce inquiry about the Marion bypass.

September 16, 1970

Mr. George J. Verbruggen
Executive Director
McDowell Chamber of Commerce, Inc.
Twenty North Logan Street
Marion, North Carolina 28752

Dear Mr. Verbruggen:

I am writing in further reference to Commissioner Jack Kirksey's letter to you of August 20, 1970, concerning the status of the proposed US221 Bypass of Marion.

At the present time, the staff of our Advance Planning Department is completing preliminary planning studies for the Bypass. We anticipate these planning studies should be completed within the next 30-60 days. Following completion and approval of the planning report, we will be in a position to establish a tentative schedule for the project.

The interest of the McDowell Chamber of Commerce in this project is greatly appreciated. I want to assure you the Highway Commission is interested in getting this project underway as rapidly as possible.

With best regards.

Sincerely,

George S. Willoughby, Jr.
State Highway Administrator

AUDIT REPORT: The City Manager asked for and was granted permission to invite our auditor to our October 20 meeting to present a brief report on our 1969-1970 audit.

CARSON - TATE - WEST COURT STREET TRAFFIC SIGNAL: The City Manager read the following letter to the Board:

September 29, 1970

In Reply Refer To
File No. 13-364

Mr. Victor H. Denton
City Manager
City of Marion
P. O. Box 536
Marion, N. C. 28752

Dear Mr. Denton:

This is to advise you that we have completed our study at the intersection of Carson Street and West Court Street and have determined that a traffic signal is warranted here. I am furnishing Mr. F. L. Hutchison with a sketch showing recommended design, and I am sure that he will have this installation made at his earliest convenience.

Please advise if we can furnish you additional information on this subject.

Yours very truly,

J. O. Litchford
State Traffic Engineer

W. A. Ward
Area Traffic Engineer

FIRE TRUCK APPARATUS: The City Manager reported that bid requests have been mailed to eleven or twelve fire apparatus manufactures. He stated the closing date for accepting bids will be 5:00 p.m. October 14, 1970.

SOLID WASTE COMMITTEE: The City Manager stated that he attended an organizational meeting of the Regional Solid Waste Committee in Morganton.

COUNTY PLANNING BOARD MEETING: The City Manager stated that he attended a recent County Planning Board meeting at the request of the Planning Board Chairman to hear their planning consultant discuss a preliminary draft of a governmental space study.

There being no further business, the meeting adjourned.


Mayor


City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

October 20, 1970

The Marion City Council met in a regular Board meeting on Tuesday, October 20, 1970 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Oliver R. Cross, Philip Laughridge, James Segars, and Horace Wilkerson. Board members absent: William Ledbetter. Others present: Victor H. Denton, City Manager and William N. Bostic, Jr.

PUBLIC HOUSING: Mr. William N. Bostic, Jr. of Sheetz and Bradfield, Architects, Inc. Atlanta, Georgia, gave a slide - tape recorded presentation on Public Housing. After the presentation Mr. Bostic made a few comments and answered some questions related to Public Housing then departed. (Ref. Oct. 6, 1970 min. p. 166)

CITY PROPERTY ON BLUE RIDGE STREET: The City Manager reported that Drexel Furniture Company is not interested in the City owned lot at this time. After some discussion it was decided that no further action should be taken at this time on selling the lot. (Ref. Oct. 6, 1970 min. p. 168)

CORBETT LOT ON SOUTH MAIN STREET: The City Manager stated that he had measured the Corbett lot and his dimensions do not check with those of Mrs. Corbett. The City Manager stated that since Mrs. Corbett is planning to have the property surveyed he would recommend taking no further action on this matter until the property survey is completed. The Board accepted this recommendation. (Ref. Oct. 6, 1970 min. p. 168)

DYSART, HAROLD: Upon a motion by Councilman Wilkerson, seconded by Councilman Cross the Board unanimously approved the following proposed agreement and authorized our City Attorney to present it to Mr. Dysart. (Ref. Oct. 6, 1970 min. p. 166)

NORTH CAROLINA

McDOWELL COUNTY

AGREEMENT

THIS CONTRACT, made and entered into this _____ day of _____, 1970, by and between the City of Marion, a municipal corporation of the State of North Carolina, party of the first part, and HAROLD W. DYSART and wife, MARY DYSART, of McDowell County, North Carolina, parties of the second part.

WITNESSETH:

For and in consideration of the sum of One Dollar each to the other in hand paid, the receipt of which is hereby acknowledged, and in further consideration of the agreements and covenants herein contained, the said parties hereby mutually agree as follows:

1. It is agreed that this contract and agreement shall apply only to property owned by the parties of the second part which is more fully described as follows:

2. The parties of the second part are hereby granted the right and privilege of obtaining water from the City of Marion's water system. The water shall be obtained by a meter service tap onto the City of Marion's eight (8) inch water line located upon the premises described in Paragraph 1. The water obtained shall be used for the following purpose and subject to the following conditions:

(a) For the purpose of supplying the residence of the parties of the second part situated upon the premises described in paragraph 1.

(b) For the purpose of supplying the residence or residences of the child or children of the parties of the second part situated upon the premises described in paragraph 1, which residence or residences are actually occupied by the living children of the parties of the second part.

(c) The water supplied in accordance with sub-paragraph (a) and (b) above shall be paid for by the said parties of the second part at the same prevailing rate paid or which may be paid hereafter by residents of the City of Marion, North Carolina.

(d) Water may also be obtained by said parties of the second part from said eight (8) inch City of Marion water line for the purpose of supplying other residences located or to be located upon the property described in paragraph 1 and subject to the further restrictions set out hereafter.

(e) Water obtained in accordance with sub-paragraph (d) above shall be paid for by said parties of the second part at the same prevailing rate paid or which may be paid hereafter by those persons living outside the corporate limits of the City of Marion.

3. Subject to the restriction hereinafter set out, the parties of the second part are hereby granted the right and privilege of thirty (30) meter service taps onto the City of Marion's water system. It is understood and agreed that one (1) such tap shall be that of a distribution line onto the City of Marion's eight (8) inch trunk line located on the premises described in paragraph 1, and the remaining meter service tap privileges shall extend from said distribution line. For each of the thirty (30) meter service taps the said parties of the second part shall pay to the City of Marion at the time such tap is made the sum of Eighty (\$80.00) Dollars. It is agreed that the parties of the second part shall have five (5) years from the date of this agreement within which to install the said thirty (30) meter service taps, but if at the end of five (5) years there are less than 30 meter service taps fully installed and approved by the City of Marion and in use serving a bonafide water customer, it is agreed that the number of such taps so installed, approved and in use at the expiration of the five (5) year period shall be the number to which the said parties of the second part are entitled at the rate fee of Eighty (\$80.00) Dollars each and no more. If the said parties of the second part wish to install meter service taps after the expiration of five years from the date of this agreement or if said parties of the second part wish to install more than thirty (30) meter service taps then for each such tap installed the parties of the second part shall pay to the City of Marion the same prevailing fee for each such meter service tap paid or which may be paid hereafter by those persons residing outside the corporate limits of the City of Marion.

4. In obtaining water from the City of Marion's water system under this contract, it shall be the responsibility of the parties of the second part to perform all necessary labor and to pay for and install all necessary water lines, air valves, or other equipment, other than water meters, necessary to obtain such water. All work performed by said parties of the second part or their agents shall be done in a workman like manner and in accordance with good accepted plumbing practices. Installation by said parties of the second part or their agents of any water lines or meter service taps must be inspected and approved by officials of the City of Marion before such lines are covered. Further, it shall be the duty of the parties of the second part to install all necessary air valves and it is agreed that such valve or valves will be installed at such location or locations specified by the City of Marion's Director of Public Works. All meters installed under this contract shall be installed by the City of Marion and shall remain the property of the City of Marion.

5. By these presents and in consideration of the premises, stipulations and covenants herein contained, the parties of the second part do hereby convey unto the City of Marion a perpetual and unobstructed right and easement along the entire length of the City of Marion's Eight (8) inch water line situated upon the property described in paragraph 1 of this contract and for a distance of seven and one-half (7½) feet on both sides of said trunk line along its entire length. Further, in consideration of the premises, stipulations and covenants herein contained, the said parties of the second part do hereby convey to the City of Marion the aforementioned water distribution line installed or to be installed and any extension hereafter of said distribution line, said distribution line to be and remain the property of the City of Marion. Further, the parties of the second part is consideration of the premises, stipulations and covenants herein contained do hereby convey unto the City of Marion a perpetual and unobstructed right and easement along the entire length of the said water distribution line and any extension thereof, and for a distance of seven and one-half (7½) feet on both sides of the said distribution line as far as it may exist upon the above described premises. It is further agreed that all water meters ----- shall be installed within the perpetual easements described in this paragraph.

6. The parties of the second part agree to provide reasonable assistance and cooperation in the preparation of a map of all of the water lines, valves, water service taps and meters located or to be located under this contract upon the property described in paragraph 1.

7. There are presently due from the parties of the second part to the City of Marion certain over-due water bills. Upon the execution of this agreement, said over-due water bills shall be paid by the parties of the second part as follows:

(a) For existing metered water services, the parties of the second part shall pay the prevailing City water rates.

(b) For existing non-metered water services, the parties of the second part shall pay to the City of Marion \$2.25 for each month that such non-metered water services have been attached to the City of Marion's water system. Except as expressly provided for in this contract all water policies of the City of Marion, water rates and any ordinances relating to water services shall apply to the property of the parties of the second part as described in paragraph 1 as the same relate and apply to any other area lying outside the corporate limits of the City of Marion. All water services must be metered and only one water service from each meter shall be allowed.

8. In consideration of the premises, covenants and stipulations herein contained it is mutually agreed that this contract takes the place of and voids any existing contract or agreement, express or implied, which may have heretofore existed with regard to supplying water by the City of Marion to the property described paragraph 1 and it is further agreed that this contract expressly voids that purported written agreement between Mrs. M. M. Burgin and the Town of Marion, dated June 16, 1923, and recorded in Book 62 at page 410 of the McDowell County Public Registry.

CITY OF MARION

By _____ (SEAL)
Mayor

Attest:

City Manager

Harold W. Dysart

Mary Dysart

NORTH CAROLINA

MCDOWELL COUNTY

I, _____, Notary Public, do hereby certify that before me this day personally appeared Victor Denton, who after being duly sworn, says:

That he is the City Manager of the City of Marion, North Carolina; that he is acquainted with Albert M. Neal, who is Mayor of said City; that he knows the Common Seal of the City of Marion, and that he saw the said Mayor sign the foregoing instrument in the name of the City of Marion, North Carolina, and that he saw the said Mayor affix the Corporate Seal of the City thereto; that he, the said City Manager, signed his name in attestation of the execution thereof, all as ordered by the Mayor and the Board of Aldermen of said City.

Witness my hand and Notarial Seal, this _____ day of _____, 1970.

Notary Public

My Commission Expires: _____

NORTH CAROLINA

MCDOWELL COUNTY

I, _____, Notary Public do hereby certify that Harold W. Dysart and wife, Mary Dysart, personally appeared before me this day and acknowledged the due execution of the foregoing Agreement.

Witness my hand and notarial seal, this _____ day of _____, 1970.

Notary Public

My Commission Expires: _____

FIRE TRUCK APPARATUS: The City Manager reported that three bids have been received on the fire apparatus. He stated that because of the complexities of the bids he has asked Mr. Pickard of the North Carolina League of Municipalities to meet with him to look over the bids. He stated that the earliest date Mr. Pickard can come to Marion is the evening of November 3. After some discussion it was agreed that the City Manager, Fire Chief, and interest Board members should meet with Mr. Pickard on November 3 to review and discuss the fire apparatus bids. (Ref. Sept. 8, 1970 min. p. 165)

CITY COUNCIL MEETING, DECEMBER 15: The City Manager reported that he has made reservations at the McDowell House for 6:30 p.m. December 15. (Ref. Oct. 6, 1970 min. p. 168)

PARK AVENUE - JUNK AUTOMOBILES AROUND A HOUSE LOCATED ON MR. DAVID BLANTON'S PROPERTY: Several Board members expressed concern and annoyance regarding the junked automobiles around a house on Park Avenue that is owned by Mr. Blanton. After considerable discussion the City Manager was asked to discuss this matter with Mr. Blanton in hopes he would take the necessary steps to improve the unsightly appearance of this property.

GARBAGE AND TRASH HANDOUT: The City Manager asked for and was granted permission to distribute the following handout to all city residents. He stated that he was bringing this matter before the Board to insure that the policies stated in the handout are acceptable to the Board. (Ref. September 8, 1970 min. p. 165)

CITY OF MARION

MARION, NORTH CAROLINA

GARBAGE AND TRASH COLLECTIONS October 1970

GARBAGE CONTAINERS

We have been experiencing many problems as well as injuries related to the pick-up of garbage that is placed in everything from wet paper sacks, to wooden boxes, to 55 gallon metal barrels. As this situation has not greatly improved as a result of appeals through the local newspaper and a hand-out to all residents last fall, it has become necessary to adopt an ordinance effective November 1, 1970, that will limit our garbage pick-ups to emptying standard 32 gallon or smaller garbage containers with lids and handles. If one is not sufficient to hold the accumulation of garbage between pick-ups, additional containers of the above type will need to be provided.

GARBAGE SCHEDULE

There are several problems related to providing two residential collections a week with more than one day between collections. It is our hope that in the near future we can make the necessary changes so that most of our residential collections can be either on Monday and Thursday or Tuesday and Friday.

TRASH SCHEDULE

Trash placed in boxes or cans near the street will be picked up on Fridays.

OTHER TRASH PICK-UPS

If you desire to have trash picked up earlier in the week, our garbage men will pick it up on their regular routes if it is placed in a closed plastic bag (not a box or sack) near the curb.

TREE TRIMMINGS

We do not have the equipment or manpower to pick-up large amounts of tree trimmings. Small amounts of trimmings (2 or 3 boxes) will be picked up on Fridays--our regular trash day. Larger amounts will be picked up a little at a time. Amounts exceeding one half truck load and all trimmings from the work of private contractors will need to be disposed of by other than City forces.

LEAF PICK-UP

During leaf season we will cover all streets at least once a week with our leaf truck. Although we will pick up loose leaves it would be helpful to place them in containers.

If you are missed on any of the above pick-ups, please let us know by calling 697-6301.

Thank you,

VICTOR H. DENTON
City Manager

WEST MARION WATERLINE - ADVERTISING FOR BIDS: The City Manager stated that although we have not, as yet, received approval of our encroachment request for installing this line in highway right-of-way, he recommends that we begin to move forward on this project by advertising for bids for the pipe for this project. Upon a motion by Councilman Segars, seconded by Councilman Laughridge the Board unanimously voted to authorize the City Manager to advertise for bids for the 6" cast iron pipe needed for this project. (Ref. July 21, 1970 min. p. 162)

VALE STREET AND OAK STREET PROPOSED STREET LIGHTS: Upon a motion by Councilman Segars, seconded by Councilman Laughridge, the Board approved the installation of a street light 1) near the north end of Vale Street and 2) on Oak Street between Martin Street and Greenwood Drive.

MILLER STREET - SANITARY SEWER PETITION: The City Manager presented a petition to the Board with 14 names requesting the City to install a sanitary sewer on Miller Avenue Extension. After some discussion, it was agreed that because of the cost of this project, action on this matter would possibly have to be deferred until we have a sanitary sewer bond referendum.

NATURAL GAS: The City Manager reported that Mr. A. C. Hogan, an Old Fort Board member, has contacted the North Carolina Utilities Commission regarding the delays being experienced in getting natural gas to this area. He stated that the head of the Utilities Commission told Mr. Hogan that all gas companies in this area are not extending their lines to take on new customers because of the shortage of natural gas. The Utilities Commission representative also told Mr. Hogan that we probably could not get service any sooner by working with any other gas company other than Public Service Company of North Carolina, Inc. (Ref. April 7, 1970 min. p. 143)

CITY COUNCIL MEETING - NOVEMBER: After some discussion it was decided 1) to cancel the November 3 Board meeting as it falls on election night and 2) to have our first November meeting on November 17.

SOUTHERN RAILROAD - WILLARD BROOK'S WATERLINE: Upon a motion by Councilman Cross, seconded by Councilman Wilkerson the Board unanimously approved the following resolution:

The Marion City Council authorizes Mayor Albert M. Neal to sign an agreement with the Southern Railroad System, relating to the passage of a City of Marion waterline under the main line of the Southern Railroad between milepost 97 and 98.

AUDIT REPORT: The City Manager reported that our auditor had to be out of town this evening and could not meet with us. He stated he is planning to meet with us at our November 17 meeting. (Ref. October 6, 1970 min. p. 169)

MCDOWELL STREET PROJECT: The City Manager reported that the contract has been let for the McDowell Street project and that he and the Director of Public Works will be participating in a preconstruction conference with the contractor and with representatives of the Highway Commission sometime within the next few days. (Ref. Oct. 6, 1970 min. p. 168)

MRS. E. J. BURGIN: The City Manager reported that Mrs. E. J. Burgin has indicated she desires water concessions as she has inherited part of the M. M. Burgin property referred to in the 1923 agreement between M. M. Burgin and the "Town" of Marion.

FIRE SERVICE - OLD FORT: The City Manager reported that radio communications between Marion and Old Fort have been checked out and found to be dependable. He stated that Old Fort is now in the process of buying the necessary radio equipment needed for our Fire Department to activate the Old Fort Fire Alarm. (Ref. Oct. 6, 1970 min. p. 168)

REGIONAL SOLID WASTE COMMITTEE: The City Manager reported the Regional Solid Waste Committee has had their second meeting. He stated that officers have been elected and a director has been selected. Actual employment of the director will come in November or December.

LAW & ORDER: Councilman Segars reported on a regional Law & Order meeting he and Chief Wood attended in Forest City. He stated that the Law & Order group may soon call a regional meeting of all City and County officials to discuss a proposed budget.

FIRE SERVICE: The Board discussed a recent article that appeared in the McDowell News relating to the Merchant's concern over the possibility of Marion pulling in its fire limits to the Corporate Limits. The article mentioned that the County and City Managers were being invited to a Merchants Board meeting to discuss fire protection. The City Manager stated he would attend this meeting and report back to the Board on it.

STREET RESURFACING: The City Manager reported that Mr. Anderson of A. R. Thompson Contractors, informed him yesterday that his company plans to begin the Marion paving project the week of October 26. (Ref. Oct. 6, 1970 min. p. 166)

There being no further business the meeting adjourned.

Albert M. Neal
Mayor

Victor H. Denton
City Manager

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

November 17, 1970

The Marion City Council met in a regular Board meeting on Tuesday, November 17, 1970 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Oliver R. Cross, William R. Ledbetter, Philip Laughridge, James H. Segars, and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Rosamond Braly, newspaper editor, Harry Stolte, and twenty-six local residents interested in fluoridation.

Mayor Albert M. Neal called the meeting to order in the City Council Chamber with the suggestion that the discussion of the fluoride issue be held in the firehall as the Council Chamber could not accommodate all the visitors. Mayor Neal reconvened the meeting a short time later in the firehall.

FLUORIDATION: Dr. B. A. Dickson served as spokesman for 25 individuals present that were concerned about adding fluoride to the municipal water system. Dr. Dickson stated that since the addition of fluoride to the municipal water system would benefit only those under twelve years of age, he felt it was improper to subject all of the Marion water customers over twelve years of age to this chemical. He stated that he was also concerned about the cost of adding fluoride to the water system. He also stated that he felt that adding fluoride to the water system is in violation of an individual's constitutional rights. After making a lengthy presentation Dr. Dickson stated that several others present would like to speak on this subject.

Attorney Hugh Beam made several comments about fluoridation, concluding with the remark that he was willing to leave the matter in the Board's hands but requested that they make sure that the addition of fluoride to the municipal water would have no detrimental effects on individuals.

Mr. William Shiflet stated very briefly that he was not informed on the subject of fluoridation; however, he was interested in the younger generation.

Rev. Henry Powell stated that he was opposed to subjecting the total population to mass medication that would be beneficial to only a small minority. He also stated that he was concerned about the cost of adding fluorides to the municipal water system.

Mr. V. E. Carson stated that he was concerned that there might be mass hysteria if we fluoridate the water system. He also stated that he was vitally concerned about the psychological effects that fluoride might have on individuals.

Mrs. Beth Padgett read excerpts from a letter from Miss Rosie Clark indicating that she had serious concern about the "little known" side effects that fluoride might have on individuals.

Rev. C. W. McMurray stated that he has recently read that some "authorities" feel there is increasing evidence that fluoride, when added to the municipal water supply might be detrimental to one's health.

Robert James, Chairman of the Citizens for Pure Water, stated that he questioned the side effects that fluoride might have on an individual's health and suggested that the matter should be voted on by the public.

Mrs. Hazel McNeill read several excerpts from letters that appeared in a magazine and also some excerpts from the Asheville newspaper relating to the impurities often found in the Asheville water system.

Dr. Dickson concluded the fluoridation discussion by reading a prepared comment asking the City Council to not tamper with the "pure water" that we now have.

After this discussion Mayor Albert M. Neal reconvened the Council Meeting in the City Council Chamber.

AUDIT REPORT: Harry Stolte, representing the firm of Calder-Crawley and Company, stated that the City has financially come a long way in the last twelve months, whereas the City was showing a deficit at the end of fiscal year 1968-69, fiscal year 1969-70 was closed out with approximately an \$8,000 surplus. He stated that the City needs to write off several old water deposits and three old paving assessments. After discussing the three paving assessments and upon a motion by Councilman Segars and seconded by Councilman Laughridge, the Board unanimously voted to write off a \$112.00 paving assessment due from E. P. Dameron, a \$14.45 paving assessment due from Cecil Owensby, and a \$294.30 paving assessment from an unidentified individual. The City Manager was asked to review the old water deposits and determine which ones should be written off. After discussing some of the highlights of the Audit Report and answering questions from the Board relating to the report, Mr. Stolte excused himself from the meeting. (Ref. Oct. 20, 1970 min. p. 175)

FIRE TRUCK APPARATUS: Upon a motion by Councilman Laughridge and seconded by Councilman Ledbetter the Board unanimously voted to authorize the City Manager to readvertise for bids for the fire truck apparatus in accordance with a revised set of specifications to be drafted by Sherman Pickard of the North Carolina League of Municipalities. (Ref. Oct. 20, 1970 min. p. 173)

FIRE SERVICE AREA: The City Manager stated that it's very likely that we will have a new fire truck within the next six to eight months. He stated that if we plan to modify the fire service area upon delivery of the new truck we should 1) be thinking in terms of what modifications to make to the service area and 2) inform the general public of this decision so that they can have time, if interested, to take steps to establish fire districts around Marion. After some discussion it was decided to table this matter until it's determined if the County Commissioners, with their new Board members, plan to take any action on fire protection. (Ref. Oct. 20, 1970 min. p. 175)

HAROLD DYSART: Mr. Dameron, City Attorney, stated that he has called Mr. Dysart three or four times and finally left word for him to return the call, however, he has not heard from him. Mr. Dameron stated that since he has not been able to talk with Mr. Dysart he has sent the newly drafted proposed agreement to Mr. Dysart for his review. (Ref. Oct. 20, 1970 min. p. 170)

TURNER STREET: Upon a motion by Councilman Cross and seconded by Councilman Laughridge the Board unanimously voted to change the name of Ridge Street to Turner Street.

FERN AVENUE - STREET LIGHT: The City Manager requested and was granted permission to have a street light near the intersection of Fern and Fleming relocated on a utility pole at the intersection of these two streets.

LAIL STREET AND OAK STREET - CREATION OF NO PARKING AREAS: Upon a motion by Councilman Laughridge and seconded by Councilman Wilkerson the Board unanimously voted to 1) establish a no parking area on the south side of Lail Street from its intersection with New West Henderson Street to a point approximately 75 feet west of the above intersection, 2) to establish a no parking zone on the east side of Clay Street from its intersection with Court Street to a point 75 feet south of the above intersection, and 3) to establish a no parking zone on the west side of Oak Street from its intersection with Court Street north on the west side of Oak Street to Morgan Terrace. Several of the Board members expressed concern about the traffic problems on Lail Street caused by the narrow width of the street. After considerable discussion the City Manager was asked to check on the feasibility of widening this street.

STATE STREET AND GARDEN STREET - ELIMINATION OF ANGULAR PARKING: Upon a motion by Councilman Laughridge and seconded by Councilman Wilkerson, the Board unanimously voted to establish parallel parking in place of angular parking on the west side of Garden Street between State Street and the railroad.

RAILROAD STREET - STORM DRAINAGE IN FRONT OF GREENE ENTERPRISES: The City Manager stated that Mr. Greene has on two or three occasions expressed concern about the surface water that flows down the edge of Railroad Street and the fact that vehicles using Railroad Street often splash this water either into or on his building. The City Manager stated that gravel has been placed on the shoulder of this street however, this has not corrected the problem. The City Manager stated that the only alternative is to pipe the water across the front of the Greene lot. After some discussion the City Manager asked for and was granted permission to work with the Director of Public Works to resolve this problem.

WASHINGTON MILLS: Councilman Segars stated that the Washington Mills plant manager, Mr. Horace Adams, had contacted him over the weekend inquiring as to why their plant no longer had the services of a patrolman to aid the employees in getting out of their parking lot onto Rutherford Road. The City Manager stated that he and the Police Chief within the last two weeks discussed the recent demands placed on the department as a result of the installation of the new traffic signals and the careless and reckless driving complaints they are getting around the High School. He stated that because of these two problems a patrolman had not been available to handle the Washington Mills traffic; however, he stated that as soon as the traffic signalization installation is completed the Police Department will normally have a patrolman available for Washington Mills. Councilman Segars stated that because of the high traffic volumes on Rutherford Road and the fact that most of Washington Mills employees have been experiencing considerable difficulty in getting out of the parking area onto Rutherford Road, he would suggest that the City Manager call Mr. Adams and inform him of the reason for removing the patrolman and also advise him as to what type of assistance they could expect to receive in the future. The City Manager stated that this would be done.

COUNTY FIREMEN'S ASSOCIATION: Upon a motion by Councilman Cross and seconded by Councilman Wilkerson the Board unanimously voted to pay the City of Marion's annual dues of \$28.00 to the McDowell county Firemen's Association.

LAW & ORDER MEETING: Councilman Segars stated that the Law & Order Meeting will be held in Forest City on Thursday, November 19. He stated that he and Chief Wood, being members of this planning body, has received invitations to attend the meeting. He continued by stating that even though he and the Chief are planning to attend, he would like the City Manager to attend this and future meetings of the Law & Order Agency. The City Manager stated he would be free to attend the November 19 meeting and that he would welcome the opportunity to attend future meetings of this agency.

FLUORIDATION ENDORSEMENT: The City Manager present the following letter to the City Council:

MARION ROTARY CLUB

Marion, N.C.

November 12, 1970

Governing Body
Town of Marion, N.C.

SUBJECT: Fluoridation of Marion and McDowell County Water System.

The members of the Marion Rotary Club have voted unanimously to approve and support the fluoridation plan as recommended by the Marion City Council.

Our club has had a very interesting program with statistics supporting this plan.

Our club has two dentists in its membership.

Our club has several elderly members, with two members in excess of eighty years of age.

Sect. Marion Rotary Club

James C. McGarr

Mayor Neal stated that he wanted to express his appreciation to the Marion Rotary Club for their interest in this matter and for their willingness to publicly go on record as being in favor of adding fluoride to the municipal water system.

TRAFFIC SIGNALS: The City Manager stated the State's contract with M.B. Haynes Electric Corporation for the installation of the traffic signals does not include connecting the existing walk signals into the new signal system. He stated that M.B. Haynes Electric Corporation estimates that it will cost approximately \$1000 to undertake this project. The City Manager stated that the Highway Commission will tie in the walk signals at no cost to the City; however, the M.B. Haynes Electric Corporation will permit the State to do no work on the walk signals until their ninety day warranty period has expired. The City Manager stated that Mr. Downtin, of Haynes Electric Corporation has told him that they would permit the State to connect the walk signals into the signalization system in less than ninety days if the City will give M.B. Haynes Electric Corporation a letter indicating that M.B. Haynes Electric Corporation will not be libel for any damages done to the new signalization system by the State in the process of wiring in the walk signals. After some discussion and upon a motion by Councilman Segars and seconded by Councilman Laughridge the Board unanimously voted to authorize the State to install the walk signals with the provision that the City would assume responsibility for any damage the State might do to the new signalization system in the process of wiring in the walk signals. The City Manager was authorized to write a letter indicating this to the State Highway Commission and to M.B. Haynes Electric Corporation.

WEST MARION WATERLINE: The City Manager stated that he has received five bids for the pipe for the West Marion Waterline project. Low bid was \$2.11 per foot F. O. B. Marion by Lynchburg Foundry, Lynchburg, Virginia. He stated that the encroachment application submitted to the Highway Commission several months ago has still not been returned to the City. The City Manager stated that he thought verbal permission could be obtained from the Highway Commission when the City is ready to begin work on this project. (Ref. Oct. 20, 1970 min. p. 174)

LOGAN STREET: The City Manager reported that Logan Street from its intersection with West Court Street north to the City limits was placed on the State Highway System on October 1, 1970. (Ref. Jun 16, 1970 min. p. 154)

STREET RESURFACING: The City Manager reported that the street resurfacing project has been completed and that the total expenditures amounted to approximately \$18,600. (Ref. Oct. 20, 1970 min. p. 175)

TURNER STREET: The City Manager stated that plans are being made to pave Turner Street. He stated that all the petitioners requesting paving have been notified of their assessments and were requested to make payments in full prior to the actual paving of the street. (Ref. Sept. 8, 1970 min. p. 166)

MCDOWELL STREET PROJECT: The City Manager reported that the contractor has started on the McDowell Street project. He stated that the contractor's plans to remove excess dirt on the East Court Street side of the railroad and construct the bridge over the railroad this winter; the work on the State Street side of the railroad will be deferred until next spring. (Ref. Oct. 20, 1970 min. p. 175)

CITY - COUNTY WATER EXTENSION POLICY: The City Manager reported that the proposed change to the City - County Water Extension Policy was reviewed by the County Commissioners with no objections being stated.

TRAFFIC SIGNALIZATION: The City Manager reported that the signalization contractor hopes to have the new traffic signalization completed and placed in operation sometime this week.

CITY - COUNTY DUMP: The City Manager reported that the City has received a burning permit from the North Carolina Department of Water and Air Resources for the City-County Dump effective through December 31, 1971. (Ref. Aug. 18, 1970 min. p. 164)


BYPASS: The City Manager stated that our Bypass Project might be in jeopardy because our through movement traffic volumes are estimated to be 2500 or 2500 shy of 5000, which is used as a guideline by the United States Bureau of Public Roads for justification for a bypass. Mayor Neal stated this was correct; however, Mr. Krikaey, State Highway Commissioner, informed him that he would continue to seek to get the Bypass for the Marion area. (Ref. Oct. 6, 1970 min. p. 169)

OLD FORT FIRE SERVICE: The City Manager reported that we are waiting on Old Fort to install the necessary electronic equipment that will enable our Fire Department to activate Old Fort's fire alarm. When this is completed we will begin answering Old Fort's fire calls and activating their alarm. (Ref. Oct. 20, 1970 min. p. 175)

CITY COUNCIL MEETING - DECEMBER 8: The City Manager stated that since our Board meeting falls on the first Tuesday after the first Monday, our December meeting will be on Tuesday, December 8.

CITY MANAGER'S VACATION: The City Manager was given permission by the Board to be off Thanksgiving week.

There being no further business the meeting adjourned.


Mayor

City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

December 8, 1970

The Marion City Council met in a regular Board meeting on Tuesday, December 8, 1970 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Oliver R. Cross, William R. Ledbetter, Philip Laughridge, James H. Segars, and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney and Rosamond Braly, newspaper editor.

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CLAY AND EAST COURT - NO PARKING: Upon a motion by Councilman Wilkerson, seconded by Councilman Ledbetter, the Board unanimously voted to modify the no parking area on the west side of Clay Street between East Court Street and Morgan Terrace to permit on street parking for two cars between the traffic signal light activator on Clay Street and Morgan Terrace. (Ref. Nov. 17 min. p. 177)

OLD WATER DEPOSITS: The City Manager stated that he questions the auditor's recommendation to write-off some of our old water deposits. After some discussion it was concluded that the City Manager should seek further information on the auditor's recommendation relating to old water deposits before taking any action on this matter. (Ref. Nov. 17 min. p. 176)

DYSART, HAROLD: Mr. Dameron, City Attorney, reported that the proposed water line agreement (Ref. Oct. 20 min. p. 170) was mailed to Mr. Dysart several weeks ago and as yet he has not replied. He also stated that he had left word at Mr. Dysart's residence to have him return the call; however, he has not of this date called. Upon a suggestion from Mayor Neal, Mr. Dameron called Mr. Dysart. Upon returning to the meeting Mr. Dameron stated that he had talked with Mr. Dysart and was told by him that the proposed agreement was generally acceptable except that he 1) did not want any time limitation in the agreement, 2) wanted thirty additional taps (over what he now has) and 3) wanted the agreement further clarified regarding reference to the application of the agreement only to that portion of the Mary Burgin Estate now owned by Harold Dysart. Mr. Dameron stated that Mr. Dysart said he would come to his office tomorrow to discuss the agreement. After some discussion the Board authorized Mr. Dameron to seek to get the proposed agreement signed. Mr. Dameron was also given permission to adjust from five up to ten years the time limitation stated in the agreement, however, it was the consensus of the Board that the number of taps should be limited to thirty plus those for his family (as stated in the proposed agreement).

STANDBY GENERATORS: The City Manager requested and was granted permission to check on the availability and cost (and procure if the supply is nearly exhausted and the price is reasonable) of Civil Defense standby generators for the chlorinating stations, sewer pump stations, Buck Creek pump station, filter plant and City Hall.

CHRISTMAS BONUSES: The Board authorized the City Manager to give Christmas Bonuses to all City employees; the bonuses to be in accordance with the following scale:

<u>Employee Longevity</u>	<u>Amount of Bonus</u>
Under one year	\$25.00
One- three years	30.00
Over three years	35.00

LAW & ORDER - RESOLUTION: Upon a motion by Councilman Wilkerson, seconded by Councilman Ledbetter, the Board unanimously voted to approve the following resolution:

Resolution to Participate in Program of the North
Carolina Committee on Law and Order

WHEREAS, the City of Marion by resolution dated December 8, 1970 has agreed to participate in planning effort for the improvement of the criminal justice system in North Carolina; and

WHEREAS, pursuant to statutory authority conferred upon municipalities by virtue of G.S. 160-200 (45) and upon counties by virtue of G.S. 153-9 (60), said municipalities and counties may create joint agencies to act for and on behalf of participating municipalities and counties to plan and execute training and development programs for criminal justice agencies;

NOW THEREFORE, BE IT RESOLVED that there is hereby created the Region C, Criminal Justice Planning Agency to be composed of the following agencies, to wit:

All counties of Cleveland, McDowell, Polk and Rutherford and all municipalities therein

The Region C Criminal Justice Planning Agency consists of: (1) one member representing each elected government unit (city or county) within the planning region. One member representing each law enforcement unit (city or county) within the planning region. At least two members of the Judiciary (Superior or District). One Solicitor. One member from each Model cities group within the planning region. At least one parole officer stationed within the planning region. At least one probation officer stationed within the planning region. At least five members representing the general public. Consideration should be given to female, minority and student representation. (2) An executive board shall consist of at least ten percent of the full policy board. No more than fifty percent of the executive board should be law enforcement personnel. There should be at least four members on the executive board being elected officials of the local units of government. At least two at large members (general public representatives) should be on the executive board.

The planning agency shall have a full-time Planning Director who shall assume responsibility for coordinating the planning efforts for the Region C Criminal Justice Planning Agency.

The purpose of the Region C Criminal Justice Planning Agency is to prepare and adopt comprehensive criminal justice plans based on their evaluation of local problems of the criminal justice system. The Planning Agency may receive and disburse funds made available for the purpose of planning. It may prepare applications for action programs to improve criminal justice within the particular region involved and to this end may conduct surveys, studies, interviews and any other efforts necessary to prepare plans and programs for the improvement of criminal justice.

Done this 8th day of December, 1970.

Mayor, City of Marion

LAW & ORDER BUDGET: Upon a motion by Councilman Laughridge, seconded by Councilman Cross, the Board unanimously voted to pay \$218.60, the City's share of the budget of Region C of the Criminal Justice Planning Agency.

LAW & ORDER GENERAL DISCUSSION: After considerable discussion of the Law & Order Agency and after reviewing an unsigned letter sent to Mayor Neal on this subject, it was decided that an effort should be made to obtain more information about this agency. Mr. Dameron was requested to try to obtain information about this agency from some of the other city and/or county attorneys in the region.

TRAFFIC VOLUMES ON MAIN STREET: The City Manager presented the following information on truck traffic on Main Street:

24 Hour Truck Volume Survey

Main St. at the R.R. Overpass

8:00 a.m. 12/1/70 to 8:00 a.m. 12/2/70

	Tractor Trailers	Trucks other than Tractor Trailers or Pickups	Pickup Trucks	Mobile Homes
8:00 a.m. to 4:00 p.m.	145 (27)	385 (15)	1608	4
4:00 p.m. to 12:00 a.m.	89 (9)	115 (3)	1064	0
12:00 a.m. to 8:00 a.m.	76 (26)	65 (3)	736	0
	310 (62)	565 (21)	3408	4

() Trucks carrying flammable or combustionable material

Grand Total = 4287 (Includes 83 Trucks carrying combustionable or flammable materials)

Grand Total less pickup trucks = 879

MARION BYPASS: After considerable discussion it was decided that the City Manager should write Mr. Kirksey, Highway Commissioner, asking that he continue to do what he can to insure the construction of a bypass around Marion.

MAIN AND COURT STREETS - NO LEFT TURNS: The City Manager stated that no left turn signs will be installed on Main Street at the intersection of Court Street. He requested and was granted permission to begin enforcing the no left turn regulation upon installation of the signs. (These "word" signs will supplement the arrow signs recently installed by the North Carolina Highway Commission.)

CEMETERY LANDSCAPING: The City Manager requested and received permission to purchase flowering trees for planting along the front of the cemetery between the Duke Power Substation and the main entrance to the cemetery.

COMMUNITY BUILDING: The City Manager requested and received permission to improve the appearance of the front of the Community Building by sand blasting the front of the building, adding a new sign, installing a new entrance light, and adding shutters to the front windows.

RAILROAD STREET - STORM DRAINAGE IN FRONT OF GREENE ENTERPRISES: The City Manager reported that City crews installed an asphalt gutter in front of Greene Enterprises. He stated that further checking regarding a storm sewer indicated it would be a costly project to install catch basins and storm sewer in front of Greene Enterprises along Railroad Street to a point where it could be brought back on the surface or piped into an existing storm sewer. The City Manager stated that this action was not in accordance with what was discussed at the November 17 Board meeting; however, the asphalt gutter that was installed would be needed even if a storm sewer is later installed. After some discussion it was decided to defer this matter to see if the newly installed gutter will alleviate the water problem at Greene Enterprises.

RECREATION COMMITTEE MEETING: The City Manager reported that the City Council has been invited to a Recreation Committee meeting scheduled for 5:00 p.m. Monday, December 14, in the local library. He stated that this meeting was called to give the recreation consultant an opportunity to present his preliminary plan for a recreation site in East Marion.

CITY COUNCIL CHRISTMAS DINNER: The City Manager reported that the City Council Christmas Dinner will be next Tuesday evening at 7:00 p.m. December 15 at the McDowell House.

RADIO PATROL CHRISTMAS DINNER: The City Manager stated that the Board has received an invitation to attend a "carry in" Christmas dinner sponsored by the local Radio Patrol Unit. The dinner will be at the Community Building at 12 noon on Sunday, December 20.

1971 CITY TAGS: The City Manager distributed City Tags to the Board members and stated that they are now on sale to the general public.

FIRE TRUCK APPARATUS: The City Manager stated that bid requests for the fire truck apparatus will be mailed Wednesday, December 9, 1970.

CITY-COUNTY DUMP: The City Manager reported that a City employee is stationed at the dump during the day to minimum uncontrolled burning and watch for fires in the surrounding woods. He stated this watch would continue until we get some precipitation. He also stated that the Sheriff's Department is assisting by checking the dump at night.

SMITH, ALVIN: Councilman Ledbetter and Councilman Segars questioned the City Manager's action in lowering Alvin Smith's salary. Both Councilman Ledbetter and Councilman Segars stated that Mr. Smith has talked with them and it is their feeling that his old hourly rate of \$2.98 should be reinstated since he was placed in this unusually high pay bracket several years ago by the City Council on recommendation of Mr. Reece Snyder, then City Manager. Mr. Denton stated when he assumed City Manager he noted Mr. Smith's hourly rate was out of line, and much above all the other hourly employees. He stated that since a street superintendent was needed and since he and Mr. Brown, Director of Public Works, thought he could fill the position, Mr. Smith was moved into this position which merited the higher salary. He stated that in the intervening months Mr. Smith, by several of his actions, demonstrated that he was not able to assume the responsibilities of this new position thus making it necessary to either release him or move him into a less demanding position. He stated he and Mr. Brown choose the latter; however, to keep his hourly rate in line with other employees it was necessary to reduce his rate from \$2.98 to \$2.65 which at this time still makes him the highest hourly employee in the Public Works Department. After considerable discussion no action was taken on the matter.

There being no further business the meeting adjourned.

Albert M. Neal
Mayor

City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

January 5, 1971

The Marion City Council met in a regular Board meeting on Tuesday, January 5, 1971 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Oliver R. Cross, Philip Laughridge, William R. Ledbetter, James H. Segars, and Horace Wilkerson. Also present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney and Rosamond Braly, newspaper editor.

DYSART, HAROLD: Mr. Dameron, City Attorney, stated that he has received no response from Mr. Dysart concerning the proposed water agreement. After some discussion the Board unanimously agreed to Mr. Dameron's suggestion that he send the proposed agreement to Mr. Dysart along with a letter stating that if he does not promptly sign and return the agreement, we will assume he is not going to take any action on it and proceed to resolve this matter through the necessary court action. The City Manager stated he had received a call this evening from Mr. Correll Jr. Mr. Correll stated he is moving into one of Mr. Dysart's mobile homes (two others already occupied) and he was told by Mr. Dysart to call the City and tell "them" that his water service was unmetered and that he was to be charged a flat rate of \$2.25 until an agreement can be worked out. The City Manager stated that 1) since the occupants of the two other mobile homes have not notified the City that they are using City water and 2) since no agreement has been reached with Mr. Dysart, he feels no flat rate billings should be initiated until this whole matter is resolved. Mr. Dameron and several of the Board members expressed similar feelings. (Ref. Dec. 8, 1970 min. p. 180)

LAIL STREET - WIDENING PROJECT: The City Manager stated he had discussed widening Lail Street with Mr. Jerry Dodson, Plant Manager of Broyhill Furniture and Mr. Dodson is not willing to dedicate eight feet adjoining Lail Street (between New and Old West Henderson Streets) for the widening project. After considerable discussion this matter was tabled. (Ref. Nov 17, 1970 min. p. 177)

FIRE DISTRICTS: The City Manager suggested that consideration be given to proposing to the County that a joint City-County Committee of elected officials and others be created to study the County wide fire service needs and to make recommendations on how to improve the County wide fire services. After considerable discussion it was unanimously agreed that we should request a meeting with the County Commissioners to discuss this matter. The City Manager was asked to make this request to the County. (Ref. Nov. 17, 1970 min. p. 177)

SPEED LIMITS ON STATE SYSTEM STREETS IN THE BUSINESS DISTRICTS: Upon a motion by Councilman Wilkerson, seconded by Councilman Ledbetter the Board unanimously voted to adopt the following ordinances:

CERTIFICATE OF MUNICIPAL ORDINANCE DECLARING MODIFICATIONS TO SAFE AND REASONABLE SPEEDS AND REQUEST FOR CONCURRING ORDINANCE BY STATE HIGHWAY COMMISSION

TO THE NORTH CAROLINA STATE HIGHWAY COMMISSION:

I, Victor H. Denton, Clerk of the City of Marion, do hereby certify that the Marion City Council of the Marion (City) duly enacted on the 5th day of January, 1971 an ordinance based upon an engineering and traffic investigation pursuant to authority granted by G.S. 20-141 (g1) and (g2) declaring the following modifications to safe and reasonable speed limits as set forth below on the following described portion of a State Highway System Street:

Rescind the Following Speed Limits

Speed Limit	Location Number	Description
20	1	N. Main St. (US 70E-221-NC 226) from New St. to Court St. (US 70E), thence along S. Main St. (US 221-NC 226) to Crawford St.
35	17	N. Logan St. (SR 1207) from N. Main St. (US 70-US 221-NC 226) to Zion Hill St., thence along Zion Hill St. to the corporate limit.
20	2	W. Court St. (SR 1214) from Burgin St. to Main St. (US 221-NC 226), thence along E. Court St. (US 70E) to N. Garden St. (US 70W).

Declare The Following Speed Limits

Speed Limit	Location Number	Description
20	10	East Court Street (US 70E) from North Main Street (US 221-NC 226) to North Garden Street.
20	6	South Main Street (US 221-226) from Crawford Street to Court Street.
20	7	North Main Street (US 221-226) from Court Street (US 70E) to New Street.
20	11	North Logan Street (US 70E) from West Court Street (US 70E-SR 1214) to (US 70-US 221-226).
20	8	West Court Street (SR 1214) from Burgin Street to South Logan Street (US 70E).
20	9	West Court Street (US 70E) from North Logan Street (US 70E) to North Main Street (US 221-NC 226).

said ordinance to become effective upon adoption by the State Highway Commission of a concurring ordinance and the erection of signs giving notice of the authorized speed limit; that said ordinance is recorded in Minute Book 5 at page 183 and 184.

In witness whereof, I have hereunto set my hand and the seal of the _____ of _____, this _____ day of _____, 19____.

Victor H. Denton (Seal)
Clerk

LAIL STREET - PROPOSED NO PARKING ON ONE SIDE OF THE STREET: The City Manager stated that he has had a request from a resident in the Holly Hill Subdivision asking that parking be prohibited on one side of Lail Street between New West Henderson Street and Holly Hills Subdivision. The City Manager stated that the street committee looked at this problem area before the meeting and that it was their recommendation that parking should be removed on the south side of Lail Street from its intersection with New West Henderson Street east to a culvert over a small stream, provided that Mr. George Morgan concurred with this action. Incorporated with this proposal was the request that the City Manager discuss this matter with Mr. Morgan and also to determine what plans he has for off street parking. After some discussion and upon a motion by Council Segars, seconded by Councilman Laughridge, the Board unanimously voted to create a no parking zone on the south side of Lail Street from its intersection with New West Henderson east to a culvert over a small stream. This zone is to be created and properly signed and the curb painted yellow effective upon Mr. Morgan's acceptance. If this proposal action is not acceptable this matter is to be tabled until our next meeting.

HUDGINS STREET AND OLD WEST HENDERSON STREET - REQUEST FOR STREET LIGHTS: The City Manager stated he had received a request for a street light in front of Mr. Killough's house on Hudgins Street. He stated the street committee had looked at this area prior to the meeting and concluded the level of street lighting in the above area was above most other residential areas in Marion. Upon the City Manager's recommendation this request was denied.

BROYHILL FURNITURE - REQUEST FOR STREET LIGHTS: The City Manager stated that Mr. Dodson, Plant Manager of Broyhill Furniture has requested that the City put lights on all the utility poles around their parking lot. The City Manager stated that the street committee had looked at this area prior to the meeting and concluded that since a street light was already on at least every other pole (except in one location on Lail Street - mentioned below) and since it was the City's responsibility to provide lights along City streets and not in private parking areas, this request should be denied with the exception that a street light be added on Lail Street on a pole at the crest of the hill, approximately half way between Old West Henderson Street and New West Henderson Street. After further discussion it was decided to defer action on installing this light until a final decision is made regarding the widening of Lail Street.

* Plant Manager of G. B. M. Mill, located on Lail Street.

FILING FEE FOR CANDIDATES: The City Manager stated that on April 1, 1969 the Board discussed filing fees and it was decided at that time to table this matter for reconsideration later but in sufficient time for the next election. He continued by stating that if we plan to have filing fees for the May elections we should establish them preferably some time this month. After considerable discussion it was concluded that the filing fee for Councilmen should be ten dollars and for Mayor twenty-five dollars. As Mr. Dameron stated an ordinance should be adopted to implement this action, it was decided to table this matter until the next meeting. The City Manager was instructed to work with the City Attorney in preparing the necessary ordinance. (Ref. April 1, 1969 min. p. 79)

US 70 WATERLINE: The City Manager stated that he had met with Mr. Bradley and they mutually agreed on financial details of 1) salvaging the 2" water pipe and 2) how his proposed \$3000 contribution to the 10" line should be adjusted downward - an amount equal to the cost of the 2" pipe salvaged by the City. Copies of the following correspondence recently mailed to Mr. Bradley was given to each of the councilmen: (Ref. Aug. 29, 1967 min. p. 40)

December 15, 1970

Pierce Bradley, Jr.
Bradley Lumber Company
Marion, North Carolina 28752

Dear Mr. Bradley:

I want to thank you for your cooperation in "wrapping up" the 10" waterline project. In accordance with our discussion this morning we will credit \$882 to the \$3000 that you have offered to contribute on the 10" waterline project. The \$882 equals the cost of 1,764 feet of the 2" pipe (at 50¢ per foot) that we have salvaged from the line that originally served your properties on US 70 West.

To hopefully remove any further misunderstandings regarding this matter, there was originally approximately 2,320 feet of 2" pipe that extended from a short distance east of the Marion Machine Company, west in the stream bed to Ballew Motor Company. We have salvaged 1,764 feet of this pipe. Approximately 440 feet have been salvaged by Bill Smith for your use and the balance is in the stream bed embedded in concrete behind Concrete Products of Marion, Inc. As was discussed this morning, this pipe may be salvaged at some later date. If this is done it is understood that the City of Marion has no claim on this pipe.

I apologize for the legalness of this letter; however, it is done solely so that we may both have a record of our agreement. If you are not in accord with what has been stated here, please call me and I will try to reword it.

Very truly yours,

VICTOR H. DENTON
City Manager

VHD:we

LAW & ORDER - ANNUAL PAYMENT: The City Manager stated that he has held up on mailing the annual payment of \$218.60 to the Regional Office since he discovered some of the other governing bodies had not been billed. The City Manager asked for and was granted permission to defer payment until after the scheduled January 7 meeting called by the Regional Director to discuss the future of the Law & Order Program. (Ref. Dec. 8, 1970 min. p. 181)

LAW & ORDER - REPORT FROM MR. DAMERON: Mr. Dameron stated he had discussed this new program with two or three lawyers and other judicial people in the region and they all stated they knew very little about the regional program but felt it could be used in a very beneficial manner if it had proper direction. (Ref. Dec. 8, 1970 min. p. 181)

SNOW REMOVAL: Councilman Segars stated that when we have snows consideration should be given to removing snow from the south -- "shady" side of the downtown sidewalks and streets first as the snow in these areas often turn to ice. The City Manager stated he would follow through on this suggestion.

LOADING ZONE PARKING: Councilman Segars stated some local businesses are taking advantage of the loading zones and parking vehicles not in use in these areas. After some discussion it was decided that the downtown merchants should be requested by letter 1) to honor the loading zones for their intended purpose and 2) should be notified that parking in these areas will be limited to thirty minutes and 3) that this ordinance will be enforced after the time restriction signs are added to the loading zone signs.

WEST MARION WATERLINE PROJECT: The City Manager stated the pipe for this project arrived on December 23 and as soon as the fittings arrives work will begin on this project.

TURNER STREET PAVING PROJECT: The City Manager stated that Johnson Brothers Paving Company is preparing Turner Street for paving; however, with the advent of cold weather it may be necessary to wait until spring to complete this project. (Ref. Oct. 7, 1971 min. p. 113)

NEW FIRE TRUCK: The City Manager stated that bids for the new fire truck will be opened on Friday, January 8 and that all Board members are invited. (Ref. Nov. 11, 1971 min. p. 177)

CABLE TV: The City Manager stated that Mr. Harkey, Manager of the local Cable TV system, recently reported to him that the existing system is in need of much upgrading and most of the company's efforts since purchasing the system have been directed toward improving the existing service. He stated that after this initial work is completed the company plans to make a concentrated effort to obtain new subscriptions to the service. (Ref. July 7, 1971 min. p. 157)

BYPASS: The City Manager stated that since the last meeting he had written Mr. Kirksey 1) giving him the information on the Truck Traffic Volumes and 2) asking him for a progress report. He stated that he received the following reply: (Ref. Nov. 12, 1970 min. p. 181)

December 16, 1970

Mr. Victor H. Denton, City Manager
City of Marion
Post Office Box 536
Marion, North Carolina 28752

Dear Mr. Denton:

Thank you for your recent letter and traffic survey showing the number of trucks using Main Street in Marion. I have passed this survey along to Mr. Billy Rose, Assistant State Highway Administrator.

The only problem that we have encountered relative to the 221 By-Pass is that the Federal Highway Administration has questioned the justification of spending this amount of money for a by-pass that will accommodate only somewhere in the neighborhood of 2500 vehicles a day in the beginning. This projection has been made by building a by-pass in the vicinity of the Ashford Road interchange. Their contention is that, when we move the road this far from town, we are not relieving the traffic congestion to any great extent.

At any rate, our planning people are continuing their study of alternates so that, hopefully, something can be worked out with the Federal Highway Administration. I assure you that I am greatly interested in this by-pass and will do everything possible to speed the plans along.

As far as any objections to the by-pass, we have had absolutely none by either letter or telephone. There seems to be universal agreement that this is a most needed project.

Best regards,

Sincerely yours,

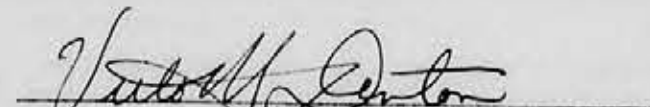
STATE HIGHWAY COMMISSION

Jack B. Kirksey

JBK:ccs

There being no further business the meeting adjourned.


Mayor


City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

January 19, 1971

The Marion City Council met in a regular Board meeting on Tuesday, January 19, 1971 at 7:30 p.m. in the Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Oliver R. Cross, William R. Ledbetter, Philip Laughridge, James H. Segars, and Horace Wilkerson. Also present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney, and Rosamond Braly, newspaper editor.

DYSART, HAROLD: Mr. Dameron, City Attorney, stated that shortly after the last Board meeting he sent the proposed water agreement to Mr. Dysart along with the letter requesting Mr. Dysart to look over the agreement and then get in touch with him. Mr. Dameron stated since Mr. Dysart had not gotten in touch with him he called him this evening and told him the Board was meeting tonight and that they were getting very impatient over his failure to sign, or even respond, to the proposed agreement. Mr. Dameron stated he informed Mr. Dysart that if it were necessary for him to report no progress on this matter to the Board this evening, it's very possible they would put this matter in the hands of the courts. Mr. Dameron stated that in the phone conversation this evening, he talked with Mr. & Mrs. Dysart (one was on a phone extension) and they indicated a desire to meet with Mr. Dameron in his office on Wednesday morning, January 20 at 10:00 a.m. to discuss this matter. After some discussion it was decided to take no action on this matter until Mr. Dameron reported back to the Board on his meeting with Mr. & Mrs. Dysart. Mr. Dameron was instructed to inform Mr. & Mrs. Dysart that since the proposal has been modified in the past to make it more acceptable with their desires and since they have been so unresponsive to our requests to discuss this matter, they should be informed that if they don't accept the proposal as it is, we will put this matter into the hands of the Courts. (Ref. Jan 5 min. p. 183)

NEW FIRE TRUCK: The City Manager stated that five bids have been received on the fire apparatus. The Companies and bid prices are listed below:

	John Beam	JACO	HOWE	Ward LaFrance	American LaFrance
Cash	24,492.40	22,715.00	23,718.93	24,059.82	24,020.00
5 yr lease	29,196.40	Bid for cash only.	29,312.45	27,171.70	28,487.80 (Bid proposal did not conform to our specifications)

After considerable discussion and upon a motion by Councilman Segars and seconded by Councilman Ledbetter, the Board unanimously voted to purchase the Ward-LaFrance fire apparatus in accordance with their bid proposal for \$27,171.70 on a lease purchase arrangement with payments spread over a five year period. The City Manager stated that the Ward LaFrance representative stated that the truck should be delivered within 8 to 10 months. (Ref. Jan 5 min. p. 186)

1946 MAXIM FIRE TRUCK: Upon a motion by Councilman Segars and seconded by Councilman Ledbetter the Board unanimously voted to authorize the City Manager to make necessary arrangements for trading in our 1946 - 500 gallon GPM Pumper Maxim fire truck to the Ward LaFrance Company. It is understood that the money received from the truck would be applied toward the purchase price of the new Ward LaFrance fire truck.

MAIN STREET AND COURT STREET - NO LEFT TURN ORDINANCE: Upon a motion by Councilman Laughridge and seconded by Councilman Ledbetter the Board unanimously voted to adopt the following ordinance:

AN ORDINANCE TO REGULATE TRAFFIC AT THE INTERSECTION
OF MAIN AND COURT STREETS

Be it ordained by the City Council of Marion, North Carolina:

- Section 1. It shall be unlawful for any person operating a motor vehicle or any other type vehicle in a southerly direction on Main Street to make a left turn into East Court Street.
- Section 2. It shall be unlawful for any person operating a motor vehicle or any other type vehicle in a northerly direction on Main Street to make a left turn into West Court Street.
- Section 3. Any person violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction, shall be punished by a fine of not more than \$50.00 or by imprisonment for not more than 30 days.
- Section 4. All Ordinances and Sections or Clauses of Ordinances in conflict with any of the provisions of this ordinance are hereby repealed.
- Section 5. This ordinance shall be in force and effect from and after its adoption.

Adopted: January 19, 1971.

ELECTION - CANDIDATE FILING FEE ORDINANCE: Upon a motion by Councilman Cross and seconded by Councilman Wilkerson the Board unanimously voted to adopt the following ordinance:

AN ORDINANCE TO FIX THE FILING FEES OF CANDIDATES FOR ELECTION

AS MAYOR AND CITY COUNCILMEN.

Be it ordained by the City Council of Marion, North Carolina:

Section 1. Any person who wishes to become a candidate for election as Mayor of the City of Marion shall file with the City Manager by 6 o'clock p.m. on or before the thirtieth (30) day preceding the day on which such election is to be held a notice of his or her candidacy in the following form:

I, _____, now residing at _____, Marion, N.C. hereby give notice of my intention to become a candidate for the office of Mayor of said City in the election to be held on Tuesday _____, 19__.

I hereby certify that I am an elector of the City of Marion, N.C.

Witness

Signature of Candidate

The notice of candidacy required by this section to be filed by a candidate must be signed personally by the candidate himself or herself in the presence of the City Manager or some person designated by him to witness such signature.

Section 2. At the time of filing such notice of candidacy, each candidate for Mayor shall pay to the City Manager a filing fee of \$25.00.

Section 3. Any person who wishes to become a candidate for election as City Councilman of the City of Marion shall file with the City Manager by 6 o'clock p.m. on or before the thirtieth (30) day preceding the day on which such election is to be held a notice of his or her candidacy in the following form:

I, _____, now residing at _____, Marion, N.C., hereby give notice of my intention to become a candidate for the office of City Councilman of said City in the election to be held on Tuesday _____, 19__.

I hereby certify that I am an elector of the City of Marion, N.C.

Witness

Signature of Candidate

The notice of candidacy required by this section to be filed by a candidate must be signed personally by the candidate himself or herself in the presence of the City Manager or some person designated by him to witness such signature.

Section 4. At the time of filing such notice of candidacy, each candidate for City Councilman shall pay to the City Manager a filing fee of \$10.00.

Section 5. No person may become a candidate for Mayor or City Councilman who has not filed the notice and paid the fee required by this Ordinance.

Section 6. All Ordinances and Sections or Clauses of Ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

Section 7. This ordinance shall be in force and effect from and after its adoption.

Adopted: January 19, 1971.

CITY - COUNTY FIRE SERVICE: The City Manager reported to the Board that a joint City-County meeting will be held Wednesday, January 27 at 7:30 p.m. in the McDowell County Library to discuss County fire service. The City Manager stated that Mr. Sherman Pickard, Field Consultant with the North Carolina League of Municipalities, will be in attendance at the meeting.

LAW & ORDER MEETING: The City Manager stated that there will be a City - County Law & Order meeting, Thursday, January 22 at 3:00 p.m. in the Court House. The governing boards of Marion, Old Fort, and the County have been invited.

MAIN STREET - ESTABLISHMENT OF A NO PARKING AREA IN FRONT OF JOHNSON'S BOOK STORE - (NE CORNER OF MAIN STREET AND EAST COURT STREET: Upon a motion by Councilman Cross and seconded by Councilman Ledbetter the Board unanimously voted to establish a no parking area in front of Johnson's Book Store. This no parking zone will extend from the cross walk on the NE corner of Main and East Court north along the east side of Main Street for a distance of 32 feet.

WASTE WATER TREATMENT: The City Manager stated that the North Carolina Department of Water and Air Resources has requested, by letter, that we develop a time schedule for upgrading our Waste Water treatment facilities. The City Manager stated that subsequent to receiving the letter from the State he has requested our Engineering Firm (O'Brien & Gere) to draft a proposed time schedule for making these improvements.

1971 CENSUS: The City Manager reported that a planner from the Division of Community Planning, Department of Local Affairs, Asheville, recently presented the following revised census figures to the County Planning Board: (Ref. Jul 21, 1970 min. p. 159)

Marion	3,335
McDowell County	30,648

The City Manager stated that these figures, if correct, represent a County population increase of 14% and a City decrease of 10 people over the last ten years.

FIRE DEPARTMENT-ANNUAL REPORT: The City Manager presented the following Annual Report to the Board:

MARION FIRE DEPARTMENT

Marion, North Carolina
1970 Fire Report

	No	Estimate Loss	No. Men Response	No. Men Hours
Inside House Fires	7	\$ 2,900.00	87	62 1/4
Outside House Fires	27	48,955.00	308	303 3/4
Inside Mfg. Fires	4	500,000.00	48	94
Outside Mfg. Fires	1		16	24
Inside Merc.	3	2,520.00	49	27
Outside Misc.	4	200.00	37	15 1/2
Inside Auto Fires	7	1,825.00	40	12 1/2
Outside Auto Fires	10	6,050.00	72	34 3/4
Inside Grass Fires	12		86	59 1/2
Outside Grass Fires	21		174	88 1/2
False Alarms Outside	6		55	26
	102	\$ 562,450.00	972	747 1/2

No. Fire Calls in City ----- 33
No. Fire Calls Outside City ----- 69

Estimate Loss Inside City ----- \$ 507,245.00
Estimate Loss Outside City ----- 55,205.00

City Dept. answered calls and turned in alarms for County Depts ----- 97 calls

Chief Marion Fire Department

Glenn Laughridge

LAIL STREET - NO PARKING AREA: The City Manager reported that Mr. G. L. Morgan, owner of G.B.M. Mills on Lail Street expressed no opposition to the proposed no parking area. The City Manager reported "No Parking" signs have been installed on the south side of Lail Street from New West Henderson Street to the entrance to the Holly Hills Subdivision. (Ref. Jan 5 min. P. 183)

POLICE DEPARTMENT: Councilman Wilkerson stated that Chief Wood has requested that money be appropriated in next year's budget for one additional policeman. (An increase from 15 to 16). After considerable discussion relating to police operations and the scheduling of police personnel, it was generally agreed by all Board members that there should be no increase in the number of Police Department personnel.

There being no further business the meeting adjourned.

Victor J. Kenton
City Manager

Glenn Laughridge
Mayor

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

February 2, 1971

The Marion City Council met in a regular Board meeting on February 2, 1971 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Pro Tem: James H. Segars, Councilmen: Oliver R. Cross, William R. Ledbetter, Philip Laughridge, and Horace Wilkerson. Board members absent: Mayor: Albert M. Neal. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney, Rosamond Braly, newspaper editor, Mr. R. E. Froneberger, and Mr. Rogers.

SPARTAN CONSTRUCTION COMPANY - US 70, 10" WATERLINE PROJECT: Mr. Froneberger, President of Spartan Construction Company and Mr. Rogers, of Rogers Construction Company appeared before the City Council to express annoyance that the City of Marion is withholding payment of the balance of their charge for installing the 10", US 70 waterline. Mr. Dameron stated that the City was withholding their payment because there is still an unresolved question as to whether Spartan Construction Company, in the process of installing the waterline, caused a delay to Mid-State Contractors in completing the US 70 road project. Mr. Dameron stated he did not feel that we could pay Spartan Construction Company the balance due at this time as Mid-State Contractors has stated that Spartan Construction Company was partially at fault for their failure to meet their road project deadline. It was pointed out that Mid-State Contractors has not submitted a claim to the Highway Commission indicating that the Spartan Construction Company delayed the road project; however, it was stated that Mid-State Contractors plan to fill such a claim if the Highway Commission penalizes them for overshooting the target date on the road project. After considerable discussion the City Manager was asked to talk with Mr. F. L. Hutchinson, North Carolina Highway Commission Division Engineer, to see 1) when the roadway project settlement will likely take place and 2) if Mid-State Contractors can be given a date after which no claim against the waterline contractor can be submitted. The City Manager stated he would discuss this matter with Mr. Hutchinson and report back to the City Council. After this discussion Mr. Froneberger and Mr. Rogers excused themselves from the meeting. It was then pointed out by the City Manager that this problem has developed primarily because Mr. Froneberger, President of Spartan Construction Company, told Mr. Vanderlinden, President of Mid-State Contractors, in a June 12, 1969 progress meeting at the Marion NCHC office with Mr. W. E. Latham, State Construction Engineer and others present that he (Mr. Froneberger) expected to have all the waterline completed in three and not over four weeks. Spartan Construction Company missed this date by several weeks and did not complete the waterline project until mid September 1969. (Ref. April 1, 1969 min. p. 79)

HAROLD DYSART: Mr. Dameron, City Attorney, stated that Mrs. Dysart called him this afternoon and indicated that she and Mr. Dysart would come in to his office later in the week to sign the proposed agreement. (Ref. Jan 19, 1971 min. p. 187)

BOY SCOUT PROCLAMATION: Upon a motion by Councilman Cross and seconded by Councilman Wilkerson the Board unanimously voted to adopt the following resolution:

RESOLUTION

Whereas, the month of February is designated as National Boy Scout month:

And Whereas, many boys and young men of Marion and McDowell County have been immeasurably benefited and enriched by the Scouting Program;

And Whereas, many of our citizens have given unselfishly of their time and talents in furthering the program of the Boy Scouts in our community to the great benefit of the boys and young men who have participated and are participating in this program;

Now, Therefore, the Mayor and the City Council of Marion, North Carolina, in a regular meeting assembled on February 2, 1971, for themselves, and in behalf of all of the citizens of the City of Marion, extend congratulations to all of the boys and young men now involved in the Scouting Program in our City and in McDowell County and express gratitude to the unselfish citizens of our City and County who have given so generously of their time and talents to this most worthwhile organization.

It is ordered that a copy of this resolution be forwarded to the Chairman of the Boy Scout Program in McDowell County and a copy delivered to the McDowell News.

Albert M. Neal
Mayor

LAW & ORDER: The City Manager stated he had received a letter from Mr. J. Don Shields, Planning Director of Region "C" Criminal Justice Planning Agency, requesting an immediate reply to a questionnaire asking us to list, according to priorities, twelve general subjects related to criminal justice. After discussing this matter the City Manager asked and was granted permission to write Mr. Shields informing him that our number one priority as stated to him previously is communications and that we are not in a position at this time to assign priorities to his twelve rather nebulous items listed in his memo dated Jan. 29, 1971.

RADIO PATROL - CITATION OF MERIT TO THE CITY: The City Manager stated that Mr. L. G. Collins stopped by his office this afternoon and presented a Citation of Merit to the City with the following wording on it:

NORTH CAROLINA RADIO
PATROL EMERGENCY SERVICE
& COMMUNITY WATCH, Inc.

CITATION OF MERIT

Awarded To

City of Marion

IN RECOGNITION OF

Appreciation

Date: Year 1970

Eddie L. Shell
Secretary

L. G. Collins
President

FLUORIDATION: After a short discussion of fluoridation this matter was tabled after the City Manager stated that he would possibly have further information on this subject from our Engineer to present at the next Board meeting.

NATURAL GAS - PUBLIC SERVICE COMPANY: The City Manager stated he received a copy of a letter dated January 26, 1971 from the Public Service Company of North Carolina addressed to the North Carolina Utilities Commission indicating that they plan to have natural gas extended into Marion sometime this year. (Ref. Nov. 20, 1970 min. p. 175)

FIRE TRUCK - 1946 MAXIM: The City Manager stated that two or three volunteer departments have expressed interest in the 1946 Maxim Fire Truck and that it's very possible that Mr. Burgess, Sales Representative for the Ward La-France Company, will be able to sell the truck within the next few weeks. (Ref. Jan. 19, 1971 min. p. 187)

WATER AND SEWER STUDY - PROGRESS REPORT: The City Manager stated that our engineers, O'Brien and Gere, are continuing to move forward on the Water and Sewer study and they hope to have the study completed sometime this summer. (Ref. July 21, 1970 min. p. 161)

WEST MARION WATERLINE: The City Manager stated that some of the pipe for the West Marion Waterline has been moved out to the project and as soon as weather improves work on the project will begin. (Ref. Nov. 20, 1970 min. p. 174)

CITY - COUNTY MANAGERS ASSOCIATION: The City Manager requested and was granted permission to attend a North Carolina City - County Manager's Seminar in Chapel Hill, Feb. 3-4-5.

There being no further business the meeting adjourned.

Albert M. Neal
Mayor

Victor H. Denton
City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

February 16, 1971

The Marion City Council met in a regular Board meeting on February 16, 1971 at 7:30 p.m. in the Council Chamber. Board members present: Mayor: Albert M. Neal, Councilmen: William R. Ledbetter, Philip Laughridge, James H. Segars, and Horace Wilkerson. Board member absent: Oliver R. Cross. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney, Rosamond Braly, newspaper editor, Tom Chapman, Tom Johnson, Roger White and James Phillips.

COUNCILMAN OLIVER CROSS - DEATH OF HIS MOTHER: The entire Board expressed condolences to Councilman Cross in the unexpected death of his mother shortly before the meeting and asked that the City Manager arrange to have flowers sent to the mortuary in tribute to her.

PLEASANT GARDENS FIRE DEPARTMENT: Tom Johnson, Chief, Roger White, and James Phillips, members of the Pleasant Garden's Fire Department, requested permission for the Pleasant Garden's Fire Department to tie into City fire hydrants when fighting fires in their fire district but in close proximity to City hydrants. After some discussion and upon a motion by Councilman Wilkerson, seconded by Councilman Laughridge, the Board unanimously voted to give the Pleasant Garden's Volunteer Fire Department permission to tie into City fire hydrants when they are fighting fires in their district but in reasonably close proximity to a fire hydrant on the City water system.

SPARTAN CONSTRUCTION COMPANY - U.S. 70, 10" WATERLINE: The City Manager reported that he had talked with Mr. Hutchison, Division Engineer and also his assistant regarding how long it will be until the roadway project is settled. The City Manager reported that he was told it may be up to 6 months before the Highway Commission makes a decision about the penalty that will be made against Mid-State for not completing the roadway project within the allotted time. The City Manager stated that the Highway Commission officials in Asheville implied that they already have a statement from Mid-State Contractors indicating that Spartan Construction Company delayed the roadway project. Upon a suggestion by Mr. Dameron, City Attorney, that we should hold up on paying Spartan Construction Company any more money until the matter is settled, the Board unanimously agreed that we should continue to defer the final payment to Spartan Construction Company until the roadway project is settled. (Ref. Feb. 2, 1971 min. p. 190)

LOADING ZONES: The City Manager reported he was having difficulty obtaining loading zone signs with a time restriction notation as such signs are not approved by the North Carolina Highway Commission. He stated the purpose of a loading zone is for loading and unloading merchandise from a vehicle. If there is no evidence of loading or unloading, the vehicle should be ticketed regardless of the duration of time it has been in the loading zone. After some discussion the City Manager was instructed to write a letter to the downtown merchants informing them that the City is beginning a more intensive enforcement program of loading zone regulations. (Ref. Jan 5, 1971 min. p. 185).

DYSART, HAROLD: Mr. Dameron reported to the Board that Mr. and Mrs. Dysart have signed the water agreement. The City Manager was asked to meet with Mr. Dysart to 1) arrange for a settlement of the delinquent water accounts and 2) to determine when and where he desires the requested water meters to be installed. (Ref. Feb. 2, 1971 min. p. 190)

FLUORIDATION: Mr. Tom Chapman, engineer with O'Brien & Gere, reported that he feels in-line strainers installed near the chlorinating stations would function in an acceptable manner even though the Regional Health Council's Consulting engineer, Mr. Troy Dobie, has stated he does not feel such strainers would work in an acceptable manner without a high level of maintenance. After some discussion it was decided that Mr. Chapman should obtain a list of municipalities using in-line strainers. After obtaining the list, he and the City Manager should check with the communities to see if they are having satisfactory results with them before making a determination as to how to improve the quality of water at our intakes. (Ref. Feb. 2, 1971 min. p. 191).

WATER AND SEWER STUDY: Mr. Chapman reported that his firm is moving forward with the water and sewer study and plan to have the preliminary draft completed in May and the final report in July. He stated that they are nearly completed with the survey work and will soon begin developing the water and sewer plan. In regards to the sewer plant upgrading time schedule requested by the North Carolina Department of Water and Air Resources, it was decided by the Board to defer action on approving a schedule until more information can be obtained by Mr. Chapman. (Ref. Feb. 2, 1971 min. p. 191)

SMITH, MILDRED: Mr. Dameron, City Attorney, reported that Attorney Tom White, representing Mrs. Mildred Smith, has reported that Mrs. Smith's claim against the City totals \$216.65. After some discussion and upon a motion by Councilman Segars, seconded by Councilman Wilkerson, the Board unanimously voted to pay Mrs. Smith's \$216.65 claim against the City provided she would sign a statement releasing the City from any further claims or liabilities relating to the above accident. (Ref. Nov. 18, 1969 min. p. 122)

ACCIDENT BETWEEN CITY OWNED TRACTOR AND AN AUTOMOBILE OWNED BY MR. MICHAEL LAMB: The City Manager reported that in December of 1970 Calvin Smith, a City employee, backed the City backhoe into a moving car operated by Michael Lamb. He stated the accident occurred on Maple Avenue while a City crew was in the process of installing a storm sewer catch basin. The City Manager stated that since we had no insurance on this piece of equipment, we should consider paying for the damages to Mr. Lamb's car which totals \$247.24. Upon a motion by Councilman Laughridge, seconded by Councilman Ledbetter, the Board voted to pay for the damages to Mr. Lamb's car provided he would sign a statement releasing the City from any further claims or liabilities relating to the above accident.

STREET NAME CHANGES: The City Manager stated that there are numerous streets in the Marion area with the same name or similar sounding names. He stated that on occasion this duplication of names causes confusion and delays in answering emergency calls. The City Manager requested and was granted permission to work with the County Manager and the Post Master in setting up a committee to consider correcting this undesirable situation.

CITY PLANNING PROGRAM: The City Manager requested and received permission to have the North Carolina Division of Community Planning develop a proposed planning program for presentation at the next Board meeting.

REPLACEMENT SCHEDULE FOR CITY VEHICLES AND MAJOR EQUIPMENT: The City Manager presented to the Board a replacement schedule that will be used as a guide for replacing City vehicles and major equipment for the next ten years. He stated that he has worked with the department heads in developing the schedule. He stated that no Board action is requested; however, he would welcome suggestions at any time for making the schedule more useful.

WATER CUT OFF - CUT ON FEE --- CLARIFICATION: Upon a motion by Councilman Segars, seconded by Councilman Ledbetter, the Board unanimously voted to permit the City Manager, at his discretion, to charge the established cut on - cut off fee for each additional trip the meterman must make to a meter service to cut off a delinquent water account if the customer turns the water back on and deliberately tries to get water by bypassing the meter.

WEST HENDERSON STREET: Councilman Laughridge stated that West Henderson Street needs to be remarked. The City Manager stated he would ask the State to mark this street as it is a State System Street.

WILLOW STREET: Councilman Wilkerson stated that some local residents have expressed concern to him about the interference of parked vehicles with safe movement of traffic at the crest of the hill on Willow Street. After some discussion regarding the merits of removing parking, Mr. Wilkerson asked that we defer action on this matter until he can obtain more information on this matter.

BURGIN STREET: Councilman Laughridge stated that there is a bad hole in Burgin Street near its intersection with West Court Street. The City Manager stated he would report this to this Director of Public Works.

TRAFFIC SIGNAL IMPROVEMENTS - LOGAN AND FORT STREETS: The City Manager reported that the Highway Commission has approved the continued use of a traffic signal at the intersection of Logan and Fort Street and that the Highway Commission plans to install new signals sometime this spring.

TRAFFIC SIGNAL IMPROVEMENTS - TATE AND CARSON STREETS: The City Manager reported that the Highway Commission has begun preliminary on-site work for installing a traffic signal at the intersection of Tate and Carson Streets. (Ref. Oct. 6, 1970 min. p. 169)

COMMUNITY BUILDING - DONATIONS OF PAINTINGS: The City Manager reported that Dr. Vilu Lind has been working with several of the local artists to obtain pictures for display in the Community Building. He stated that six paintings have been put up and she hopes to have a total of nine or ten. These pictures have been donated to the City and are to be considered property of the City.

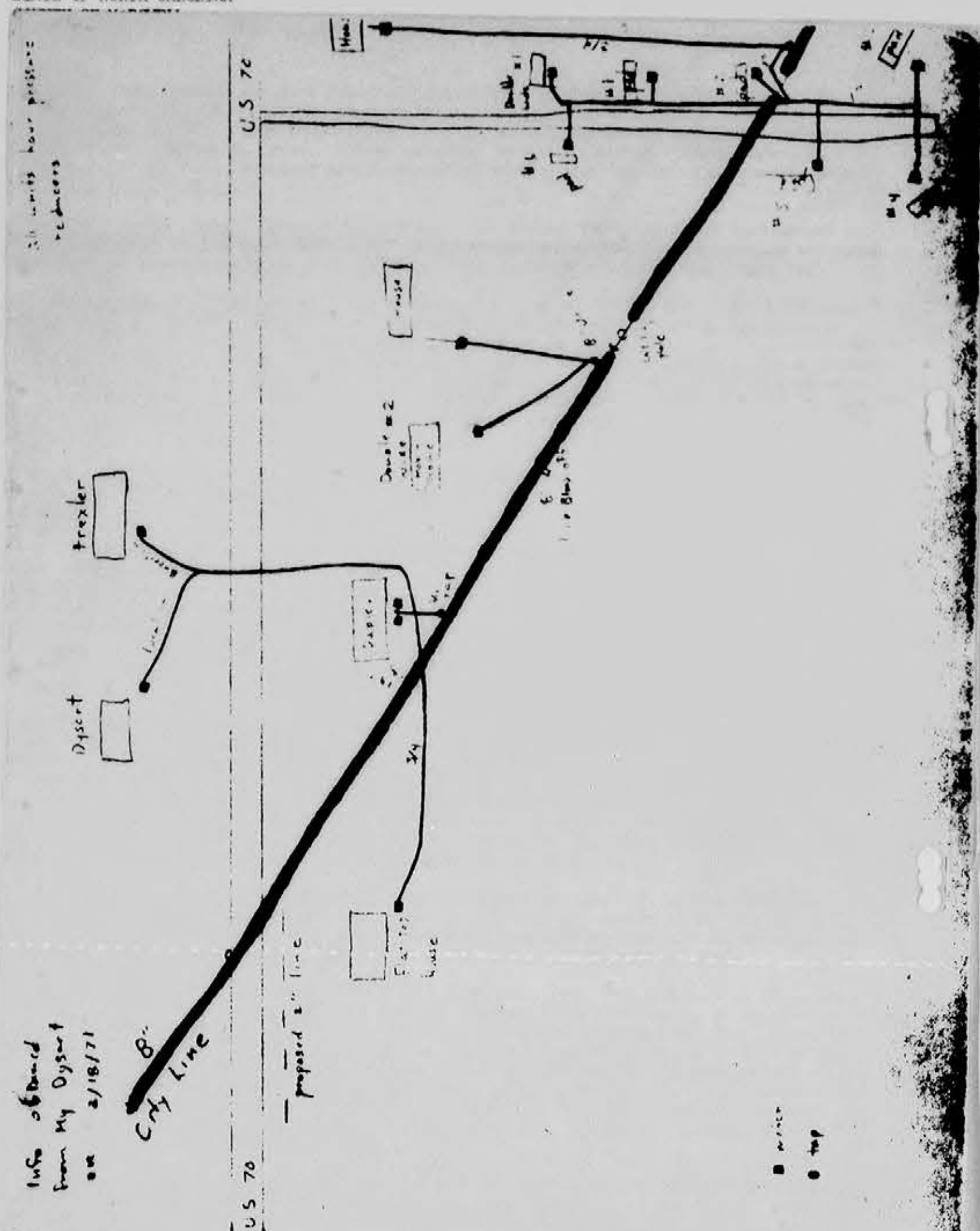
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SIDEWALK REPAIR: The City Manager reported that City crews have begun repairing sidewalks. Progress on this project will depend on the weather and the availability of a work crew.

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NORTH CAROLINA

McDOWELL COUNTY

AGREEMENT

THIS CONTRACT, made and entered into this 22 day of February, 1971, by and between the City of Marion, a municipal corporation of the State of North Carolina, party of the first part, and HAROLD E. DYSART and wife, MARY J. DYSART, of McDowell County, North Carolina, parties of the second part:

WITNESSETH:

For and in consideration of the sum of One Dollar each to the other in hand paid, the receipt of which is hereby acknowledged, and in further consideration of the agreements and covenants herein contained, the said parties hereby mutually agree as follows:

1. It is agreed that this contract and agreement shall apply only to property owned by the parties of the second part which is more fully described as follows:

That portion of the Mrs. M. M. Burgin property owned by the parties of the second part, or either of them. (Said Mrs. M.M. Burgin property originally consisted of approximately 200 acres and was bounded by Catawba River on the East, C. M. Tate on the West, Dr. J. B. Johnson on the South, and was known as the David W. Greenlee Tract.)

It is specifically understood and agreed that notwithstanding any other provision of this agreement, this agreement has no application to, and shall not affect, any part of the said Mrs. M.M. Burgin property not owned by the parties of the second part.

2. The parties of the second part are hereby granted the right and privilege of obtaining water from the City of Marion's water system. The water shall be obtained by a meter service tap onto the City of Marion's eight (8) inch water line located upon the premises described in Paragraph 1. The water obtained shall be used for the following purposes and subject to the following conditions:

(a) For the purpose of supplying the residence of the parties of the second part now situated upon the premises described in paragraph 1, as long as said residence is occupied by either of the parties of the second part or any one of their children.

the Board to defer action on approving a schedule until more information can be obtained by Mr. Chapman. (Ref. Feb. 2, 1971 min. p. 191)

SMITH, MILDRED: Mr. Dameron, City Attorney, reported that Attorney Tom White, representing Mrs. Mildred Smith, has reported that Mrs. Smith's claim against the City totals \$216.65. After some discussion and upon a motion by Councilman Segars, seconded by Councilman Wilkerson, the Board unanimously voted to pay Mrs. Smith's \$216.65 claim against the City provided she would sign a statement releasing the City from any further claims or liabilities relating to the above accident. (Ref. Nov. 18, 1969 min. p. 122)

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(b) For the purpose of supplying the residence or residences of the child or children of the parties of the second part situated upon the premises described in paragraph 1, which residence or residences are actually occupied by the living children of the parties of the second part.

(c) The water supplied in accordance with sub-paragraph (a) and (b) above shall be paid for by the said parties of the second part at the same prevailing rate paid or which may be paid hereafter by residents of the City of Marion, North Carolina.

(d) Water may also be obtained by said parties of the second part from said eight (8) inch City of Marion water line for the purpose of supplying other residences located or to be located upon the property described in paragraph 1 and subject to the further restrictions set out hereafter.

(e) Water obtained in accordance with sub-paragraph (d) above shall be paid for by said parties of the second part at the same prevailing rate paid or which may be paid hereafter by residents of the City of Marion.

3. Subject to the restriction hereinafter set out, the parties of the second part are hereby granted the right and privilege of thirty (30) meter service taps onto the City of Marion's water system in addition to those hereinafore provided for. It is understood and agreed that one (1) such tap shall be that of a distribution line onto the City of Marion's eight (8) inch trunk line located on the premises described in paragraph 1, such tap is to be made by the City of Marion, and the remaining meter service tap privileges shall extend from said distribution line. For each of the thirty (30) meter service taps the said parties of the second part shall pay to the City of Marion at the time of each tap is made the sum of Eighty (\$80.00) Dollars. It is agreed that the parties of the second part shall have ten (10)

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years from the date of this agreement within which to install the said thirty (30) additional meter service taps, but if at the end of ten (10) years there are less than 30 meter service taps fully installed and approved by the City of Marion and in use serving a bonafide water customer, it is agreed that the number of such taps so installed, approved and in use at the expiration of the ten (10) year period shall be the number to which the said parties of the second part are entitled at the rate fee of Eighty (\$80.00) Dollars each and no more. If the said parties of the second part wish to install meter service taps after the expiration of ten years from the date of this agreement or if said parties of the second part wish to install more than thirty (30) meter service taps, in addition to those provided for in 2(a) above, then for each such tap installed the parties of the second part shall pay to the City of Marion the same prevailing fee for each such meter service tap paid or which may be paid hereafter by those persons residing outside the corporate limits of the City of Marion.

4. In obtaining water from the City of Marion's water system under this contract, it shall be the responsibility of the parties of the second part to perform all necessary labor and to pay for and install all necessary water lines, air valves, or other equipment, other than water meters, necessary to obtain such water. All work performed by said parties of the second part or their agents shall be done in a workman-like manner and in accordance with good accepted plumbing practices. Installation by said parties of the second part or their agents of any water lines or meter service taps must be inspected and approved by officials of the City of Marion before such lines are covered. Further, it shall be the duty of the parties of the second part to install all necessary air valves and it is agreed that such valve or valves will be installed at such location or locations specified by the City of Marion's Director of Public Works. All meters installed under this contract shall be installed by the City of Marion and shall remain the property of the City of Marion.

5. By these presents and in consideration of the premises, stipulations and covenants herein contained, the parties of the second part do hereby convey unto the City of Marion a perpetual and unobstructed

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right and easement along the entire length of the City of Marion's Eight (8) inch water line situated upon the property described in paragraph 1 of this contract and for a distance of seven and one-half (7½) feet on both sides of said trunk line along its entire length. Further, in consideration of the premises, stipulations and covenants herein contained, the said parties of the second part do hereby convey to the City of Marion the aforementioned water distribution line installed or to be installed and any extension hereafter of said distribution line, said distribution line to be and remain the property of the City of Marion. Further, the parties of the second part in consideration of the premises, stipulations and covenants herein contained do hereby convey unto the City of Marion a perpetual and unobstructed right and easement along the entire length of the said water distribution line and any extension thereof, and for a distance of seven and one-half (7½) feet on both sides of the said distribution line as far as it may exist upon the above described premises. It is further agreed that all water meters shall be installed within the perpetual easements described in this paragraph.

6. The parties of the second part agree to provide reasonable assistance and cooperation in the preparation of a map of all of the water lines, valves, water service taps and meters located or to be located under this contract upon the property described in paragraph 1.

7. There are presently due from the parties of the second part to the City of Marion certain over-due water bills. Upon the execution of this agreement, the said over-due water bills shall be paid by the parties of the second part as follows:

(a) For existing metered water services, the parties of the second part shall pay the prevailing City water rates.

(b) For existing non-metered water services, the parties of the second part shall pay to the City of Marion \$2.25 for each month that such non-metered water services have been attached to the City of Marion's water system. Except as expressly provided for in this contract

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DATE OF SIGNATURE

W. J. Dygart (SEAL)
Mayor

Attest:

W. J. Dygart
City Manager

Harold E. Dygart (SEAL)
Harold E. Dygart

Mary J. Dygart (SEAL)
Mary J. Dygart

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STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

February 16, 1971

The Marion City Council met in a regular Board meeting on February 16, 1971 at 7:30 p.m. in the Council Chamber. Board members present: Mayor: Albert M. Neal, Councilmen: William R. Ledbetter, Philip Laughridge, James H. Segars, and Horace Wilkerson. Board

Agreement - Page 6

NORTH CAROLINA

McDOWELL COUNTY

I, Victor Denton, Notary Public, do hereby certify that before me this day personally appeared Victor Denton, who after being duly sworn, says:

That he is the City Manager of the City of Marion, North Carolina; that he is acquainted with Albert M. Neal, who is Mayor of the City; that he knows the Common Seal of the City of Marion and that he saw the said Mayor sign the foregoing instrument in the name of the City of Marion, North Carolina, and that he saw the said Mayor affix the Corporate Seal of the City thereto; that he, the said City Manager, signed his name in attestation of the execution thereof, all as ordered by the Mayor and the Board of Aldermen of said City.

Witness my hand and notarial seal, this 16 day of February, 1971

Victor Denton
Notary Public

My Commission Expires: 6-15-75

NORTH CAROLINA
McDOWELL COUNTY

I, Harold E. Dysart, Notary Public do hereby certify that Harold E. Dysart and wife, Mary J. Dysart, personally appeared before me this day and acknowledged the due execution of the foregoing

Witness my hand and notarial seal, this the 16 day of February, 1971.

Harold E. Dysart
Notary Public

My Commission Expires: 6-15-75

We release the City from any further claims or liabilities relating to the above accident. (Ref. Nov. 18, 1969 min. p. 122)

ACCIDENT BETWEEN CITY OWNED TRACTOR AND AN AUTOMOBILE OWNED BY MR. MICHAEL LAMB: The City Manager reported that in December of 1970 Calvin Smith, a City employee, backed the City backhoe into a moving car operated by Michael Lamb. He stated the accident occurred on Maple Avenue while a City crew was in the process of installing a storm sewer catch basin. The City Manager stated that since we had no insurance on this piece of equipment, we should consider paying for the damages to Mr. Lamb's car which totals \$247.24. Upon a motion by Councilman Laughridge, seconded by Councilman Ledbetter, the Board voted to pay for the damages to Mr. Lamb's car provided he would sign a statement releasing the City from any further claims or liabilities relating to the above accident.

STREET NAME CHANGES: The City Manager stated that there are numerous streets in the Marion area with the same name or similar sounding names. He stated that on occasion this duplication of names causes confusion and delays in answering emergency calls. The City Manager requested and was granted permission to work with the County Manager and the Post Master in setting up a committee to consider correcting this undesirable situation.

CITY PLANNING PROGRAM: The City Manager requested and received permission to have the North Carolina Division of Community Planning develop a proposed planning program for presentation at the next Board meeting.

REPLACEMENT SCHEDULE FOR CITY VEHICLES AND MAJOR EQUIPMENT: The City Manager presented to the Board a replacement schedule that will be used as a guide for replacing City vehicles and major equipment for the next ten years. He stated that he has worked with the department heads in developing the schedule. He stated that no Board action is requested; however, he would welcome suggestions at any time for making the schedule more useful.

WATER CUT OFF - CUT ON FEE --- CLARIFICATION: Upon a motion by Councilman Segars, seconded by Councilman Ledbetter, the Board unanimously voted to permit the City Manager, at his discretion, to charge the established cut on - cut off fee for each additional trip the meterman must make to a meter service to cut off a delinquent water account if the customer turns the water back on and deliberately tries to get water by bypassing the meter.

WEST HENDERSON STREET: Councilman Laughridge stated that West Henderson Street needs to be remarked. The City Manager stated he would ask the State to mark this street as it is a State System Street.

WILLOW STREET: Councilman Wilkerson stated that some local residents have expressed concern to him about the interference of parked vehicles with safe movement of traffic at the crest of the hill on Willow Street. After some discussion regarding the merits of removing parking, Mr. Wilkerson asked that we defer action on this matter until he can obtain more information on this matter.

BURGIN STREET: Councilman Laughridge stated that there is a bad hole in Burgin Street near its intersection with West Court Street. The City Manager stated he would report this to this Director of Public Works.

TRAFFIC SIGNAL IMPROVEMENTS - LOGAN AND FORT STREETS: The City Manager reported that the Highway Commission has approved the continued use of a traffic signal at the intersection of Logan and Fort Street and that the Highway Commission plans to install new signals sometime this spring.

TRAFFIC SIGNAL IMPROVEMENTS - TATE AND CARSON STREETS: The City Manager reported that the Highway Commission has begun preliminary on-site work for installing a traffic signal at the intersection of Tate and Carson Streets. (Ref. Oct. 6, 1970 min. p. 169)

COMMUNITY BUILDING - DONATIONS OF PAINTINGS: The City Manager reported that Dr. Vilu Lind has been working with several of the local artists to obtain pictures for display in the Community Building. He stated that six paintings have been put up and she hopes to have a total of nine or ten. These pictures have been donated to the City and are to be considered property of the City.

DOG CONTROL: The City Manager reported that the County Dog Warden reported 87 dogs disposed of during the month of January.

WEST MARION WATERLINE: The City Manager reported that on February 15 the City began installation of the West Marion Waterline. To date approximately 300 feet of pipe has been installed. (Ref. Feb. 2, 1971 min. p. 191)

FIRE DEPARTMENT - SALE OF THE 1946 MAXIM FIRE TRUCK: The City Manager reported that the 1946 Maxim has been sold to the Ward LaFrance Company. They in turn have sold it to a volunteer department near Boone, North Carolina. (Ref. Feb. 2, 1971 min. p. 191)

SIDEWALK REPAIR: The City Manager reported that City crews have begun repairing sidewalks. Progress on this project will depend on the weather and the availability of a work crew.

CCG002

INSURANCE: The City Manager reported that Mr. Neal, Jr. of McDowell Insurance Agency has requested that we revalue all of the City owned buildings, structures, and equipment (excluding moving vehicles and equipment) covered by his company. He stated that Mr. Neal expressed concern that the Community Building (presently valued at \$89,400) was valued too low; that it should be insured for \$125,000 - \$150,000. Likewise the City Hall (presently valued at \$59,000) was valued too low; that it should be insured for much more. After considerable discussion it was decided that no changes should be made on the coverage of the Community Building and the City Hall and that the City Manager should work with his appropriate department heads to determine the value and the amount of coverage on the other building, structures, etc. covered by his company.

There being no further business the meeting adjourned.

Albert M. Neal
Mayor

Victor H. Denton
City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

March 2, 1971

The Marion City Council met in a regular Board meeting on March 2, 1971 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor: Albert M. Neal, Councilmen: Oliver R. Cross, William Ledbetter, Philip Laughridge, James H. Segars, and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney, Rosamond Braly, newspaper editor, and Roger Briggs.

FEBRUARY 19 MINUTES: Minutes of the February 19, 1971 Board meeting were approved as presented.

CITY PLANNING: Roger Briggs, Regional Director of Planning, North Carolina Department of Local Affairs, advised the Board of the opportunity to enter into a planning program with the North Carolina Department of Local Affairs for the provision of planning services. The proposed initial one year program includes Base Mapping, Existing Land Use Map, Land Use Analysis, Land Development Plan, Zoning Ordinance, and Technical Assistance in Improving Housing Conditions. Under the terms of the proposed planning program, the City would pay a total of \$3250 as its share of the planning costs. The total amount being due in one payment August 1, 1971.

Upon a motion by Councilman Segars, seconded by Councilman Cross the following resolution was unanimously passed:

BE IT RESOLVED, by the City Council of the City of Marion

1. That the contract between the City of Marion and the North Carolina Department of Local Affairs be and the same is hereby approved.
2. That the Mayor and the City Clerk be and they are hereby authorized to sign and execute the said contract for and on behalf of the City of Marion and forward the same to the North Carolina Department of Local Affairs.
3. That upon final execution a copy of the said contract be filed with the minutes.

REQUEST FOR A POOL HALL PERMIT: The City Manager stated that a Mr. Nichols, operator of the old Streetman Drug Store, desires to open a pool hall on South Main Street adjacent to the Purple Cat Magic Shop. After some discussion the Board expressed the feeling that if he made application on the required form, conformed to the pool hall standards, and abided by the requirements spelled out in the pool hall ordinance, he should be permitted to operate the proposed business.

EAST COURT STREET - OLD HANEY CURB MARKET: The City Manager read a petition addressed to the City Council relating to health and safety hazards of the old dilapidated and vacant structure last used as the Haney Curb Market. The petition was signed by the following individuals, all residents living near the above structure: Mrs. Belle Almon, Charles Poteat, David Setzer, Bonnie Setzer, Mrs. Robert Wilson, Mrs. Charles Admire, Mr. Charles Admire, Evelyn Carowell, and Kate Z. Lindsay. After some discussion, Councilman Ledbetter stated he would share this concern with Robert Gorley, part owner of the building.

COMMUNITY BUILDING-USE OF BUILDING FOR DANCES: The City Manager requested and received permission to require at least two of the Community Building auditorium lights and the entrance hall light to be on during all dances.

GARBAGE AND TRASH CONTAINERIZATION FOR BUSINESSES: The City Manager requested and received permission to have a sales representative attend the March 16 Board meeting to give a brief presentation on garbage and trash containerization.

DYSART, HAROLD: The City Manager reported that he and the Director of Public Works met with Mr. Dysart to determine when and where he needed meter water services. He stated that a total of six meters have been installed for his mobile pads and permanently mounted double mobile homes.

LOADING ZONES: The City Manager reported that letters, regarding the enforcement of designated loading zones, have been sent to downtown merchants.

LAMB, MICHAEL - ACCIDENT: The City Manager reported that Mr. Lamb has been paid \$247.24 by a check from the City for the damages done to his car by the City back-hoe. He stated that Mr. Lamb signed a statement that the settlement was complete and final.

SMITH, MILDRED - ACCIDENT: The City Manager stated that Mrs. Smith has been paid \$216.65 by a check from the City for injuries from a fall on public right-of-way. He stated that the settlement was complete and final.

U.S. AND STATE FORESTRY SERVICES: The City Manager reported that a recent meeting was held with Mr. John Kennedy, U.S. Forestry Service, and Mr. M.U. Marlowe, State Forestry Service, regarding how the City could assist in fighting a forest fire in our watershed or a woods fire at our dump site.

LAW & ORDER: The City Manager distributed a Region C Law & Order "Five Year Plan" to the Board. He stated the plan has been submitted to the State as an "approved" plan; however, the executive board of Region C has not formally approved it. He stated that Don Shields, regional director, told him other participants from the region approved it at a recent meeting. He stated that Mr. Shields told him that no one from Marion, Old Fort, or McDowell County was invited to the meeting because we had not submitted any requests.

There being no further business the meeting adjourned.

Albert M. Neal
Mayor

Victor H. Denton
City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

March 16, 1971

The Marion City Council met in a regular Board meeting on March 16, 1971 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Oliver R. Cross, William R. Ledbetter, Philip Laughridge, James H. Segars, and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney, Rosamond Braly, newspaper editor, and Russell Barber.

GARBAGE AND TRASH CONTAINERIZATION FOR BUSINESSES: Mr. Russell Barber, Sales Representative for the Sanco Corporation, made a brief presentation and distributed literature on the Dempster Dumpster solid waste containerization system. He recommended that we consider purchasing a reconditioned hydraulic hoist and mount it on a new chassis. He stated such a hoist would cost approximately \$2500 and a new chassis approximately \$6500, for a total cost of approximately \$9000. After discussing containers it was concluded that we should take him up on his offer to come back to 1) survey our business area to determine how many containers we need and 2) make a suggestion as to whether the containers should be purchased by the City or by the merchants. (Ref. Mar. 2, 1971 min. p. 195)

FIRE SERVICE: The City Manager stated that the County Commissioners have tabled inviting Mr. Pickard of the North Carolina League of Municipalities to do a fire service study of the County. He stated the Commissioners, at their March 1 meeting, requested that the Marion City Council meet with them at their April 5 meeting to discuss fire service. After some discussion the Board instructed the City Manager to write Jack Harmon, County Manager, informing the County that we would like to see Mr. Pickard's recommendations regarding fire service areas before we make any commitments regarding changes in the Marion fire service area. In regards to the requested meeting, the City Manager was instructed to inform Mr. Harmon that our Board is willing to meet with the Commissioners to discuss this matter; however, our Board would like to do this at a special meeting - at some time other than a regular meeting of the Commissioners.

CCG002

1971 ELECTION RESOLUTION: Upon a motion by Councilman Wilkerson, seconded by Councilman Cross, the Board unanimously voted to adopt the following resolution and appoint the registrar and judges listed in the resolution:

MUNICIPAL ELECTION RESOLUTION

A RESOLUTION CALLING A REGULAR ELECTION FOR TWO (2) CITY COUNCILMEN OF THE CITY OF MARION.

BE IT RESOLVED by the Governing Body of the City of Marion that:

- (1) An election is hereby called for Tuesday, May 4, 1971, the date established by law, for the purpose of electing two (2) City Councilmen.
- (2) The polling place will be the Marion City Hall, and the polls will be open on election day from 6:30 A.M. until 6:30 P.M.
- (3) Julia M. Stanley, 300 Lincoln Avenue, is hereby appointed Registrar, and Glenn Laughridge, West Henderson Street and Mrs. C. R. Craig, 205 Park Avenue are hereby appointed Judges of said election.
- (4) The Registrar is hereby directed to open the registration books for the purpose of registering all qualified electors who request registration and who are not now registered to vote in municipal elections.
- (5) The registration period will be from Friday, April 16, 1971, through Friday, April 23, 1971, excluding Sunday, April 18, 1971. The registration books will be open for registration each day, excluding Sunday, during the registration period from 9:00 A.M. until 5:00 P.M. at City Hall, except that on Saturday, April 17, 1971, the books will be open from 9:00 A.M. until 9:00 P.M. at the polling place.
- (6) Challenge Day will be Saturday, April 24, 1971, and challenges may be entered on such day from 9:00 A.M. until 3:00 P.M. at the polling place.
- (7) The City Clerk shall, no later than Saturday, April 3, 1971 cause a copy of this resolution to be published in a newspaper having general circulation in the City, and to be posted at the City Hall.

Robert M. Neal
Mayor

ATTEST:

Vicki L. O'Brien
Clerk

CITY-COUNTY RECREATION - ANNUAL CONTRIBUTION: Upon a motion by Councilman Cross, seconded by Councilman Ledbetter, the Board unanimously voted to allocate \$3000 to the summer City-County recreational program.

INDUSTRY - PROSPECTIVE INDUSTRY'S REQUEST FOR WATER AND SEWER: The City Manager stated that Mr. J. F. Snipe called him last week and stated a double knit plant with a major dyeing operation was considering locating in his building on East Court Street that was formerly used by Harris Motor Company, if we could provide their water and sewer needs. He stated he asked Mr. Snipe what these needs were. Mr. Snipe, after calling the industry's representative, informed the City Manager that they would be doing the dyeing for two or three plants and would need 650,000 gallons of water per day when they reach full production. Mr. Snipe stated they desire to tie into a 12" water line and a 20-24" sewer line. The City Manager stated that we only have a 6" water line in East Court Street and this line serves the East Court Street area all the way to Lowes including Clinchfield mill and Village. He stated that his Director of Public Works tells him that we only have an 8" sewer serving this area and it normally flows at capacity. After some discussion and upon a motion by Councilman Wilkerson, seconded by Councilman Segars, the Board unanimously voted to furnish to the industry the available water and sewer if they locate in the above location.

WATER TAPS - QUESTION REGARDING SAM PHILLIPS CONTRIBUTION TO THE RESERVOIR ROAD LINE: The City Manager stated that Mr. Sam Phillips recently inquired about the number of taps he would be given for contributing to the Reservoir Road line. The City Manager stated that Mr. Phillips thought the Board, at the time he made his contribution, granted him fifty free water taps. After considerable discussion, it was generally concluded that he was given permission to add fifty services to this line; but he would be expected to pay the regular tap fees. It was decided that we should check with the individuals on the Board at the time this occurred and possibly talk with Mr. Phillips before making a decision on this matter.

PROPOSED WATER TAP POLICY: The City Manager suggested that consideration be given to adopting the following policy or some modification of it to reduce the possibility of future misunderstandings regarding water taps and water line extensions.

PROPOSAL

WATER LINE EXTENSION POLICY

(Unincorporated Area)

To lessen the financial burden of individuals desiring City water in the unincorporated area around Marion, the following policy has been adopted by the Marion City Council.

If an individual contributes to a City approved, 6" or larger water line project in the unincorporated area, the City will compensate this individual in the following manner:

1. Grant the contributor at no additional cost the number of water taps that could normally be purchased for the amount of the contribution (less cost of meters). All such taps must be used on the contributor's property.

If an individual's contribution exceeds \$1000 he may take the following option:

2. The City will pay to the contributor the tap fees (less the cost of the meters) for taps made on the line. Such payments are not to exceed the contributor's contribution.

This policy applies only to those water lines installed by City forces on approved water line 6" or larger that are installed by private contractors in accordance with procedures acceptable to the City. All of the above water lines must be conveyed to the City before they are placed in operation.

A tap for the purpose of this policy is considered a service connection into a 6" or larger water line and the installation of a meter in a meter box. The City will not install or bear the expense of installing a service line from the tap to the meter or from the meter to the service outlet.

It is understood that the conditions of this policy apply to any given water line contributor for five years from the date the line is placed in operation. Thereafter all taps must be purchased at the regular tap fee and all repayments under #2 will terminate.

After some discussion it was concluded that our present policy as approved on October 9, 1969, (page 114 in Minute Book 4) is adequate.

1969-1971 CITY PROJECTS: The City Manager briefly commented on the following information that was recently mailed to each of the Board members.

CITY OF MARION PROJECTS 1969-1971

Planned Projects	Projects Underway	Projects Completed
Pave Cemetery Drives	Eliminate Street Name Duplications	Upgrading Traffic Signals
Purchase and Install New Street Name Signs	Purchase New Trash Recepticals for Down-Town Area	Install Left Turn Lanes
Construct Bypass	Water & Sewer Planning	Install New City Limit Signs
Convert Dump to Land Fill	Comprehensive Planning for Marion Urban Area	Remodel Upstairs Room for Use as Council Chamber
Plant Flowering Trees Along Front of Cemetery	Purchase New Fire Truck	Develop and Adopt an Employee Personnel Plan
Improve Appearance of Community Building by Replacing Sign, Installing Window Shutters (in front) and Possibly Sand Blasting Front Wall.	McDowell Street Project (Between State and East Court Streets)	Install U.S. 70 West 10" Waterline

Planned Projects	Projects Underway	Projects Completed
Off-Street Parking: Leasing Blanton Lot for Off-Street Parking When the Dept. of Social Services vacates house on Henderson Street.	Install New West Marion Waterline.	Blue Ridge Street Project
Loose-leaf voter registration	Develop and Adopt an Employee Pay Plan	Install New Play Equipment at Community Building Grounds
Community Building Grounds: Construct 30'x30' hard surface play area.	Revise Marion Fire Department's Service Area	Improve and Enlarge Logan Street Parking Lot
	Sidewalk Maintenance Program.	West Henderson Street Project
	Natural Gas Service to Marion Area	Perform Structure Maintenance to Clear Creek and Mackey Creek Intakes.
		Adopt Water & Sewer Utility Extension Policy.
		Upgrade Downtown Parking Lots to Make More Efficient Use of Land and the Addition of Wheel Stops
		Garbage Pick-Up : Change From One to Two Pick-Ups per Week
		Up-grade Cable TV Service

JOINT CITY-COUNTY
PROJECTS OR PROGRAMS

Dog Control
Building Inspection
Fire Radio Communications
City-County Dump
Fire Service
Recreation
Waterline Extensions
Jail
Radio Transmitter Equipment and Maintenance

Major Regional

Projects or Programs in Which Marion Is a Participating Member

Isothermal Development Commission - (Grants can be obtained through this agency. Our main interest at this time is for a water and sewer grant.)

Region C Law & Order - (Grants can be obtained through this agency for up-grading law enforcement.)

Regional Health Council of Eastern Appalachian - (Solid Waste Program) (Hospital)

There being no further business the meeting adjourned.

Albert M. Neal
Mayor

Victor H. Denton
City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

April 6, 1971

The Marion City Council met in a regular scheduled meeting on April 6, 1971 at 7:30 p.m. in the Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Oliver R. Cross, Philip Laughridge, James H. Segars, and Horace Wilkerson. Councilman absent: William R. Ledbetter. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney, Rosamond Braly, newspaper editor, Gilbert Hollifield, Sr., J. T. Chiott, M. Allen, Paul Hughes, Boydston Frisby, and Jack Brown.

LUCKEY STREET - REQUEST FOR WATER SERVICE FROM GILBERT HOLLIFIELD, SR.: Gilbert Hollifield stated to the Board that several years ago he got permission from the Town Manager and Ray Simmons, Councilman at the time, to tie into a private 1 1/2" waterline on Old No. 10 and install a 1" line down Luckey Street for approximately 700'. He stated that this was done with the understanding on the part of those giving the permission to make the connection that his seven lots could be served off this line. He stated that the line terminates at his property corner nearest old No. 10. He continued by stating that he desires to deed the Luckey Street line to Heritage Homes (home builders) and they in turn will deed the line to the City if seven new meter services can be added to this waterline. The City Manager pointed out that city crews had checked the Luckey Street line and found it to be a 3/4" waterline rather than a 1" line. He also stated that several homes along old No. 10 presently do not have water at certain times during the day because 1) the small distribution lines in the area and 2) the large number of customers on the lines. After more discussion Mayor Neal informed the above gentlemen that consideration would be given to their request and that the City Manager would be in touch with Mr. Hollifield sometime tomorrow.

ISOTHERMAL ECONOMIC DEVELOPMENT COMMISSION: Mr. Boydston Frisby, Chairman, and Mr. Paul Hughes, Executive Director of the Isothermal Economic Development Commission, briefly summarized the purpose and objectives of the Commission. They stated that the Commission is being reorganized and that in the future they would like to have representatives from each governing body in Region C. Mr. Hughes asked that the City consider becoming a participating member by 1) paying a share (based on population) of the Region budget and 2) by appointing a City representative to serve on the Commission. After some discussion and upon a motion by Councilman Cross and seconded by Councilman Segars, the Board unanimously voted to become a participating member in the Isothermal Economic Development Commission, and contribute, on a per capita basis, toward the budget of the Isothermal Economic Development Commission in an amount not to exceed \$635 for fiscal year 1971-1972. Upon a motion by Councilman Laughridge and seconded by Councilman Wilkerson, the Board unanimously voted to appoint Victor H. Denton, City Manager, to serve as the municipal representative on the Isothermal Economic Development Commission.

WASTE WATER TREATMENT - TIME SCHEDULE FOR UPGRADING FACILITIES: Upon a motion by Councilman Cross and seconded by Councilman Laughridge the Board unanimously voted to adopt the following time schedule: (Ref. Jan 19, 1971 min. p. 189)

1. Receive the Reports from O'Brien & Gere, Inc. in July, 1971.
2. Initiate planning for the financing of necessary improvements, including scheduling a Bond Referendum, filing Application for P. L. 660 Grant funds, and other available funding programs, all to be completed by January, 1972.
3. Authorize preparation of final construction Plans and Specifications for the necessary improvements in January, 1972 requiring their completion by July, 1972.
4. Contingent upon the successful passage of the probable Bond Referendum and upon receipt of an offer of Federal Grant from P. L. 660 and other available funds, receive bids for the construction of the necessary improvements in September, 1972, calling for completion of construction by June, 1974.

MUNICIPAL ELECTION - APPOINTMENT OF A JUDGE TO REPLACE MRS. CRAIG: The City Manager stated that Mrs. Craig is not presently living in the Marion area and will probably not be available to serve as an election judge. Upon a motion by Councilman Laughridge and seconded by Councilman Wilkerson the Board unanimously voted to appoint Mr. Ernest Black as a municipal election judge to replace Mrs. Craig. (Ref. Mar. 16, 1971 min. p. 196)

STREET MARKINGS: The City Manager stated that he would like to have permission from the Board to purchase a painting striping machine to paint center lines and other street markings. He stated that the total cost would be approximately \$1000. He stated that by modifying our maintenance agreement with the Highway Commission the City can get reimbursed for maintaining the street markings. He stated that the reimbursement would exceed the cost of materials to a point where the reimbursement should cover the cost of the machine within 12 to 18 months. He continued by stating that the Highway Commission has difficulty maintaining the line markings in an acceptable manner in municipalities where the lines quickly wear off. He stated that by owning a striping machine we could paint the lines as needed. After some discussion and upon a motion by Councilman Cross and seconded by Councilman Segars, the Board unanimously voted to grant the City Manager permission to purchase a painting striping machine at a cost of approximately \$1000. It was decided to defer any action on changing the maintenance agreement until the State completes their resurfacing program and adds markings to the new pavement.

ACADEMY STREET PARKING LOT: The City Manager stated that he received a request to patch or resurface the entrance driveway to the Academy Street Parking lot. After some discussion the City Manager was authorized to add gravel to the entrance driveway to fill the existing holes. (Ref. Feb. 5, 1958 min. p. 542. Minute Book No. 4)

STREET LIGHTS: Upon a motion by Councilman Segars and seconded by Councilman Laughridge, the Board unanimously voted to 1) install a street light on the south side of Oak Street at a point where it turns to the north and becomes Virginia Road and to 2) relocate a 20,000 lumen light on East Court Street from its existing location on the west side of Park Avenue to a new pole to be set on the east side of Park Avenue near an existing fire hydrant at the intersection of Park, Maple, and East Court Street Streets.

COUNTY RECREATION COMMISSION: Upon a motion by Councilman Wilkerson and seconded by Councilman Segars, the Board unanimously voted to recommend to the County Commissioners that Cecil Kaylor be appointed to the County Recreation Commission as a City of Marion representative on the Commission.

INSURANCE COVERAGE: The City Manager requested and was granted permission to not renew 1) the insurance coverage on the City walkie talkies and 2) the bond on the Policemen that collect money from the parking meters.

PAT DAVIS: Upon a motion by Councilman Cross and seconded by Councilman Laughridge, the Board unanimously voted to adopt the following resolution:

The Marion City Council by resolution on this date unanimously voiced their appreciation to Pat Davis for serving over the past years as a City Representative and Chairman of the County Recreation Commission and the County Planning Board.

CRAWFORD STREET PARKING RESTRICTION: Upon a motion by Councilman Segars and seconded by Councilman Laughridge, the Board unanimously voted to establish a 2 hour parking limit on the north side of Crawford Street between Crawford Terrace and the Westmoreland Hawkins Parking lot on Crawford Street.

FLUORIDATION: The City Manager stated that he is working with our engineers and the Regional Health Council on clarifying the engineering and financing details related to this project. He stated that when this is completed he will give a detailed report to the Board.

OLD NO. 10 AND LUCKEY STREET WATERLINES: After considerable discussion relating to the unsatisfactory water service to the Old No. 10 area and to ways of improving the water distribution system in this area, the Board authorized the City Manager to proceed with plans to install a 10" waterline down Old No. 10 from its intersection with Greenlee and Conley Road (location of 12" waterline from filter plant to reservoir) to the intersection of Old No. 10 and Tate Street (approximately 3000') if Cross Mills are willing to dedicate to the City a 6" waterline owned by Cross Cotton Mills that extends down Tate Street from a point in Tate Street near Cross Street to a point where it terminates near the intersection of Old No. 10 and Tate Street. The first phase of this project will consist of installing a 10" waterline approximately 1000' along Old No. 10 from the Cross Mills line to a point in Old No. 10 where the 10" line can be tied into a private line in Old No. 10 in the vicinity of Hilltop Drive. Phase two will consist of extending this line on down Old No. 10 approximately 1000' in the direction of the 12" City owned trunk line. Phase three will consist of extending the 10" line the final 1000' down Old No. 10 to a point where it can be tied into the 12" trunk line.

FIRE SERVICE: The City Manager reported that the County Commissioners in their last regular meeting agreed to authorize the League of Municipalities to proceed with the fire study. (Ref. Mar. 16, 1971 min. p. 195)

RECREATION COMMISSION: The City Manager read a letter from Marshall Dark thanking the Board for their "generous" financial contribution to the summer recreation program. (Ref. Mar. 16, 1971 min. p. 196)

POWELL BILL: The City Manager reported that a bill currently in the General Assembly -- and backed by most of the legislators -- would approximately double the annual Powell Bill funds allocated to Marion.

TRAFFIC SIGNAL IMPROVEMENTS - TATE AND CARSON STREETS: The City Manager reported that the traffic signal at the above intersection has been installed by the North Carolina Highway Commission at no cost to the City. (Ref. Oct. 7, 1969 min. p. 114 and Oct. 6, 1970 min. p. 169)

FIRE TRUCK: The City Manager stated that Ford Motor Company has agreed to modify the truck chassis to conform to our specifications.

POLICE DEPARTMENT - APPOINTMENT OF A TRAINING OFFICER: The City Manager stated that he has appointed Captain Beck as Police Training Officer.

WEST MARION WATERLINE: The City Manager stated that the West Marion waterline is a little over half completed. (Ref. Feb. 16, 1971 min. p. 193)

There being no further business the meeting adjourned.

Albert M. Neal
Mayor

Victor H. Denton
City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

April 20, 1971

The Marion City Council met in a regular scheduled meeting on April 20, 1971 at 7:30 p.m. in the Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Oliver R. Cross, William R. Ledbetter, Philip Laughridge, James H. Segars, and Horace Wilkerson. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney, Rosamond Braly, newspaper editor, Robert James, Jim Brown, Dr. B. A. Dickson, Keith A. Pooser, and Roy Davis.

FLUORIDATION: Dr. B. A. Dickson, Roy Davis, Robert James, Keith A. Pooser, and Jim Brown appeared before the Board to present a petition which read as follows: "We the undersigned residents of the City of Marion, North Carolina, are opposed to fluoridating the public water system and do hereby respectfully request the Mayor and members of the City Council to reverse the action heretofore taken on this matter, or to call a referendum and let the citizens decide by ballot." Mr. Roy Davis, spokesman for the group, stated that 958 City of Marion adults have already signed the petition. He stated that four more local streets still were to be canvassed. He stated that the main reason for the petition was to show the City Council that the majority of the local residents are opposed to fluoridation. Mr. Davis and others of the group concluded their remarks by stating that they were asking for no action on the petition tonight; however, they would like to have a response from the Board by the end of April. After the above group left, the subject of adding fluoride to the municipal water supply was discussed at length. Upon a motion by Councilman Cross, the Board voted to delay action on fluoridation until we can look into this matter in more detail. (Ref. Nov. 17, 1970 min. p. 176)

MINUTES OF APRIL 6, 1971 MEETING: Upon a motion by Councilman Laughridge, seconded by Councilman Cross, the Board unanimously approved the April 6 minutes.

OLD # 10 WATER PROJECT: The City Manager read the following letter from Cross Cotton Mills:

April 15, 1971

Mr. Victor Denton
City Manager
City of Marion
Marion, North Carolina 28752

Dear Mr. Denton:

In line with our conversation this morning and your letter of April 14, Cross Cotton Mills Company will convey to the City of Marion a 6" waterline which extends along Tate Street approximately 1,400 ft. to connect with a 6" line from the City Reservoir to Cross Cotton Mills.

We understand that you will have the City Attorney draw up a Deed of Conveyance setting forth the details of this arrangement which we will sign when presented.

Yours truly,

CROSS COTTON MILLS CO.

C. F. Goldsmith, Sec.

CFG:ew

CCG002

Upon a motion by Councilman Laughridge, seconded by Councilman Wilkerson, the Board authorized the City Manager to 1) work with the City Attorney in drawing up an appropriate conveyance agreement and 2) sign the agreement for the City. (Ref. Apr. 6, 1971 min. p. 199 and 200)

LUCKEY STREET WATERLINE PROJECT: The City Manager requested and received permission to install, if it seemed feasible, a 4" plastic waterline down Luckey Street rather than a 2" galvanized line. (Ref. April 6, 1971 min. p. 199 and 200)

COUNTY PLANNING BOARD: Upon a motion by Councilman Wilkerson, the Board agreed to recommend to the County Commissioners that Mickey Potest be appointed to the County Planning Board as a City representative to replace Pat Davis.

WATER BILLING: The City Manager submitted the following recommendation to the City Council prior to the Board meeting:

TO: City Council

From: City Manager

SUBJECT: Water Billing

I would like to suggest that we consider billing water customers every other month. One half the customers would be billed every month - except for the large water users which would still be billed every month. By doing this we will: 1) reduce the number of meter readers from two to one. (One is quitting this week. If we read meters bi-monthly, we will not replace him.) and 2) reduce the time consuming office work related to water billing by about one-third.

We presently do not require a water deposit for home owners. I would suggest this be continued. For rental units we require a water customer to deposit \$5.00 if he lives in the City, \$7.50 if he lives outside. This is not high enough as rental customers often run up a high water bill in anticipation of moving - then move without paying. (In December we lost \$160.34 in revenue by customers moving out of the area with unpaid water bills.) I would suggest we increase the deposit to \$15.00 in town and \$30.00 in the unincorporated area.

We now cut services off if they are delinquent three months and ten days. By billing every other month this would be increased to four months and fifteen days.

I would suggest that water customers with monthly bills averaging over \$20.00 be billed monthly. All others every other month.

The Board agreed to permit the Manager to convert to bi-monthly water billing for customers with average water bills of less than twenty dollars, effective the 1st of May, 1971.

WATER DEPOSITS: Upon a motion by Councilman Laughridge, seconded by Councilman Cross, the Board unanimously voted to increase the water deposit for water customers in rental units from \$5.00 for the incorporated area and \$7.50 for the unincorporated area to \$15.00 for the incorporated area and \$30.00 for the unincorporated area.

JAMES BURGIN SUBDIVISION: The City Manager stated that James Burgin recently stopped in his office and requested permission to install a 2" or 3" waterline in his subdivision rather than a 6" line. The City Manager stated that Mr. Burgin expressed the feeling that he would not ask for any more concessions under the old M.M. Burgin agreement if his request for a smaller line were honored. After discussing this matter it was concluded that the City Manager and the City Attorney should discuss this matter with James Burgin and preferably enter into a new agreement voiding the unclear M. M. Burgin agreement. (Ref. July 8, 1969 min. p. 92)

MAY 4 COUNCIL MEETING: As the regular meeting date for the first Board meeting in May falls on election night, it was unanimously agreed to postpone this meeting until a time to be set at a later date.

CRAWFORD STREET: The City Manager stated that a two hour parking sign was not installed on Crawford Street as the resident owning the property on which the sign would have to be placed objected. After some discussion the Board unanimously approved a motion by Councilman Segars to paint the curb yellow on the west side of Crawford Street between Crawford Terrace and the Westmoreland Hawkins parking lot. (Ref. Apr. 6, 1971 min. p. 200)

WEST MARION WATERLINE: The City Manager reported that as soon as the remaining 400 feet of pipe is laid, the line will be put into service. He stated it will take approximately two days to complete the waterline and several more to connect the customers in the area onto the new line. (Ref. Apr. 6, 1971 min. p. 201)

POLICE WALKIE TALKIES: The City Manager demonstrated a walkie talkie that was recently purchased through the Region "C" Criminal Justice Planning Program. He stated that this particular walkie talkie has a channel for police frequency and a channel for the fire frequency. He stated that this is a reserve piece of communication equipment that will normally be available for police personnel; however, there is an understanding with the Police Chief that this walkie talkie will be made available to the Fire Chief if needed in a fire emergency. (Ref. Dec. 8, 1970 min. p. 180)

SOUTH MAIN STREET LOT: The City Manager reported that the J.C.'s and local garden clubs are planning to clear off the state owned lot at the intersection of Morgan Street and South Main Street this Saturday. He stated that these two organizations have requested that the City provide a truck and driver to haul the waste to the dump. This permission was granted to the Board.

RECREATION COMMISSION - CECIL KAYLOR: The City Manager reported that Cecil Kaylor has agreed to serve on the County Recreation Commission if appointed by the County Commissioners. (Ref. Apr. 6, 1971 min. p. 200)

There being no further business the meeting adjourned.

Albert M. Neal
Mayor

Walter H. Morgan
City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

May 24, 1971

The Marion City Council met in a special meeting May 24, 1971 in the City Council Chamber -- this being the third Monday after the May 4 municipal election. Board members present: Mayor Albert M. Neal; Councilmen: Oliver R. Cross, William R. Ledbetter, James Segars, and Horace Wilkerson. Others present: Robert E. James, newly elected Councilman, Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Rosamond Braly, newspaper editor, District Judge Everette C. Carnes, Walter Morgan, and Robert Hunter.

ELECTION; MUNICIPAL: The Board acknowledged the certified results of the municipal election held on May 4 and instructed the City Manager to record the results of the election in the minutes of this meeting:

We, the undersigned Registrar and Judges of election for the City of Marion, regular municipal election, May 4, 1971, do hereby certify that the following is a true and accurate count of the ballots cast in said election:

FOR COUNCILMAN

Philip Laughridge received	177	votes
Horace Wilkerson received	340	votes
Robert E. James received	219	votes
Robert Burgin received	1	votes
James Johnson received	1	votes
Dr. George Rowe received	1	votes

We, therefore certify that pursuant to such tabulation we have judicially determined that:

Horace Wilkerson having received 340 votes, and
Robert E. James having received 219 votes for

Councilman have been duly elected members of the City Council of the City of Marion, pursuant to law, for a term of four years.

Julia M. Stanley
Registrar
May 4, 1971

J. E. Black
Glenn Laughridge
Judges

ADMINISTRATION OF THE OATH OF OFFICE TO HORACE WILKERSON AND ROBERT E. JAMES: Everette C. Carnes, Judge, 29 Judicial District, administered the following oaths of office:

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

May 24, 1971

We, Robert E. James and Horace Wilkerson, do solemnly swear (or affirm) that we will support the constitution of the United States; so help us, God.

Robert E. James
ROBERT E. JAMES
Horace Wilkerson
HORACE WILKERSON

We, Robert E. James and Horace Wilkerson, do solemnly swear (or affirm) that we will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that we will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help us, God.

Robert E. James
ROBERT E. JAMES
Horace Wilkerson
HORACE WILKERSON

We, Robert E. James and Horace Wilkerson, do swear (or affirm) that we will well and truly execute the duties of the office of Councilmen of the City of Marion according to the best of our skill and ability, according to law, so help us, God.

Robert E. James
ROBERT E. JAMES
Horace Wilkerson
HORACE WILKERSON

SWORN TO AND SUBSCRIBED BEFORE ME, THIS THE 24th DAY OF MAY, 1971.

Everette C. Carnes
District Judge
29th Judicial District

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

May 24, 1971

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Glenn Laughridge
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Robert E. James

Horace Wilkerson

We, Robert E. James and Horace Wilkerson, do solemnly swear (or affirm) that we will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that we will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help us, God.

Robert E. James

Horace Wilkerson

We, Robert E. James and Horace Wilkerson, do swear (or affirm) that we will well and truly execute the duties of the office of Councilmen of the City of Marion according to the best of our skill and ability, according to law, so help us, God.

Robert E. James

Horace Wilkerson

Sworn to and subscribed before me, this the 24th day of May, 1971.

EVERETTE C. CARNES
District Judge
29th Judicial District

CCG002

MINUTES OF THE APRIL 20, 1971 MEETING: Upon a motion by Councilman Ledbetter, seconded by Councilman Segars, the Board unanimously voted to approve the April 20 minutes.

COMMUNITY BUILDING - LOG CABIN: Walter Morgan requested permission to use the log cabin on the Community Building grounds for a non-denominational "Life Mission" that is sponsored by a group of local men. Upon a motion by Councilman Cross, seconded by Councilman Wilkerson, the Board unanimously voted to permit the cabin to be used for the Life Mission.

FLUORIDATION: Robert Hunter stated that a State Board of Health specialist in fluoridation will give a presentation on the benefits of adding fluorides to the municipal water supply at a Jaycee meeting scheduled for Thursday evening, May 27. He extended an invitation, on behalf of the Jaycee's, to all the Board members to attend this meeting.

1970-71 AUDIT: Upon a motion by Councilman Ledbetter, seconded by Councilman Cross, the Board unanimously voted to award the auditing contract for fiscal year 1970-71 to the firm of Calder, Crawley and Company.

MERCHANTS ASSOCIATION SIDEWALK SALE: Upon a motion by Councilman Wilkerson, seconded by Councilman Cross, the Board unanimously voted to permit the local merchants to conduct a sidewalk sale, tentatively scheduled for the first weekend in August.

FIRE ALARM SYSTEM: The City Manager reported that Etta Paper Box Company is negotiating with a firm that sells fire alarm systems. The system under consideration would activate an alarm in the fire department if a sprinkler begins to discharge water. The City Manager stated that it is his understanding that the installation in the fire department would not cost the City anything and that six or eight additional industries or businesses could tie into the system. After some discussion the Board authorized the City Manager to grant the company involved permission to install the alarm system in the fire department if one or more of the local industries or businesses decide to use this type of system.

PETROLEUM -- ADVERTISING FOR BIDS: The City Manager requested and received permission to advertise for bids for petroleum products for fiscal year 1971-72.

TAX LIEN SALES ADVERTISEMENT: Upon a motion by Councilman Segars, seconded by Councilman Cross, the Board unanimously voted to authorize the City Manager to follow the steps required by state law to advertise the sale of tax liens.

NEIGHBORHOOD YOUTH CORP: The City Manager requested and received permission to use two or three Neighborhood Youth Corp teenagers for summer work with the City -- with the understanding that participation in this program will not necessitate the expenditure of City funds.

STREET LIGHT REQUEST -- ALABAMA AVENUE BETWEEN MILLER AVENUE AND THE RAILROAD: After discussing this request it was decided to table the request until it can be investigated by the Street Committee.

SIDEWALK -- WEST COURT STREET: Councilman Segars stated that he noted that the sidewalk on West Court Street next to the West Court Food Store has never been uncovered as requested. The City Manager stated he would again bring this to the attention of the property owner.

POSTAL DROP BOX -- GARDEN STREET: The City Manager stated that the local Postmaster has indicated some interest in installing one or two drop boxes on Garden Street behind the Post Office. The City Manager requested and received permission to work with the Postmaster in selecting a site for the boxes if this project is carried out.

POST OFFICE DRIVEWAY: Upon a motion by Councilman Segars, seconded by Councilman Cross, the Board unanimously voted to instruct the City Manager to write the Postal Service asking that they consider installing a driveway or street along side the post office building.

1972 CITY TAGS: The Board granted the City Manager permission to order 1972 City Tags and instructed the City Manager to see if Mr. Isreal (local state license bureau representative) might be interested in selling our City Tags next year for a share in the revenue from the tags.

WRITE-OFF OF OLD WATER DEPOSITS: This matter was tabled at the suggestion of the City Manager as the listing was not completed in time for the Board meeting.

MERCHANTS ASSOCIATION -- USE OF ROOMS IN CITY HALL: The City Manager requested and received permission to permit the Merchants Association to abandon their existing office and use two of the upstairs rooms fronting on Logan Street.

TILING HALL -- UPSTAIRS IN CITY HALL: The City Manager stated that the Merchants Association and the Chamber of Commerce have expressed a willingness to contribute \$50.00 each toward the cost of tiling the upstairs hall. The City Manager was granted permission to accept these contributions and tile the upstairs hall.

COUNTY CLEAN-UP PROJECT -- JUNE 5: The City Manager requested and received permission to use a city crew and truck to aid in the county wide clean-up project scheduled for June 5.

RAT NUISANCE: Councilman Cross stated that he has received some complaints about the large rats that plague the neighbors that live across from the vacant lot at the corner of North Garden and Fleming Avenue. The City Manager stated that the City has some rat poison and will treat this area.

SALES TAX: The City Manager reported that the County Commissioners adopted the 4% sales tax ordinance. He stated that it is estimated that the City will receive approximately \$29,000.00 in revenue from this new tax. The manager stated that before this additional revenue should be considered in the budget, it needs to be determined if there is any likely way that the opposition forces can force the tax to be discontinued in less than one year.

NATURAL GAS -- PUBLIC SERVICE COMPANY: A copy of the following letter was given to each Board member prior to the meeting: (Ref. Feb. 2, 1971 min. p. 191)

May 18, 1971

Mr. H. T. Westcott, Chairman
North Carolina Utilities Commission
Raleigh, North Carolina 27602

RE: Marion and Old Fort Pipe Line

Dear Mr. Westcott:

Since our Company has been unable to resolve the problem of crossing the water sheds belonging to Black Mountain and Christmont, the Company is attempting to relocate its proposed pipeline through this area. Although the North Carolina Health Department has presented our Company with a set of rules by which this construction can be accomplished, we are concerned that the final inspection of these water sheds after construction might be as arbitrary as the rules established. If we should end up with this result, the Company may be placed in the position of providing water to these communities on a long-term basis.

The only feasible alternate route located to date is apparently in conflict with the State Highway Commission's acquisition of right of way for their proposed I-40 and results in our passing through a portion of the Pisgah National Forest. The Company is currently negotiating with the State Highway Commission to avoid a conflict of major proportions. Public hearings on this project have not as yet been held. Company representatives will be in touch with the Forest Service in an attempt to determine their policy toward allowing encroachments of this nature.

We will attempt to keep the Commission informed as to our program as you have requested.

Respectfully yours,

PUBLIC SERVICE COMPANY OF N.C., INC.

J.F. NOON
Vice President and Chief Engineer

JFN/mc

CC: Mr. A.C. Hogan
Mr. Victor Denton
Mr. G. K. Miller
Mr. Jack Harmon

BURGIN SUBDIVISION: The City Manager reported that a water rights agreement has been reached with Mr. James Burgin and Lillian Allison, heirs of the M.M. Burgin estate. (Ref. April 20, 1971 min. p. 202)

U.S. 70 WATERLINE: The City Manager reported that Mr. Bradley has paid his pledged contribution to the U.S. 70 waterline project. (Ref. Jan 5, 1971 min. p. 185)

SCHOOL FOR NEWLY ELECTED OFFICIALS: The City Manager reported that the Institute of Government is sponsoring a three day school for newly elected officials. He stated that he would give Mr. Wilkerson and Mr. James some further information on this school.

TRAFFIC SIGNALS: The City Manager reported that the State has installed overhead turn signs above the traffic signals at the intersections of North Logan and Main Street and South Garden Street and State Street. He stated that they are now requesting that we replace the green arrows in the signal lights with solid green lens.

PARKING TICKET ORDINANCE -- ENFORCEMENT: The City Manager stated that he is working with the Police Chief in developing a more effective enforcement procedure for handling parking tickets.

WEST COURT STREET -- EXTENSION OF A NO PARKING AREA: Upon a motion by Councilman Segars, seconded by Councilman Ledbetter, the Board unanimously voted to extend the no parking zone on West Court Street across from the West Court Food Store east to the first driveway east of a fire hydrant.

WEST MARION WATERLINE: Upon a motion by Councilman Segars, seconded by Councilman Ledbetter, the Board unanimously voted to 1) require all water customers in West Marion to replace their plastic lines on the town side of their meters within thirty days, and 2) to enforce our ordinance requiring only one service per meter. In situations where more than one dwelling or business is receiving water through a meter, the individual in whose name the water account is listed is to be given thirty days to disconnect the additional services. The penalty for not complying with #1 and #2 will be the discontinuing of water service thirty days after the notice is mailed. For individuals now receiving water through a meter that serves more than one dwelling, they are to open a separate water account with the City by paying a meter service fee. For individuals that have been on a multi-service for several years, the service fee is \$50.00 -- the estimated cost of the meter and materials. Individuals that have connected to another meter within the last eighteen months must pay the current meter service fee of \$200.00.

LAW ENFORCEMENT AND TRAINING: The City Manager requested and received permission to invite Mr. Netherton from Piedmont Community College in Morganton to meet with the Board at the next regular meeting.

CROSS COTTON MILLS WATERLINE CONVEYANCE: The City Manager stated that Cross Cotton Mills has conveyed a 6" waterline on Tate Street to the City. He stated that the conveyance agreement has been recorded by the Register of Deeds in the Court House. (Ref. Apr. 6, 1971 min. p. 200)

GOVERNOR'S REGIONAL MEETING: The City Manager stated that there will be a Governor's meeting on regionalization, Tuesday, May 25, at 3:00 p.m. at the Isothermal Community College.

FIRE TRUCK: Prior to the meeting the City Manager gave each Board member a copy of the following telegram: (Ref. Sept. 8, 1970 min. p. 165)

852A EDT MAY 22 71 CTA038 SPUL70 SSA691

CT RGA440 (SY LRB281) PA PDF TDSY ELMIRA HEIGHTS NY 21 445P

EDT

CITY OF MARION CITY CLERKS OFFICE

CITY HALL MARION NCAR

PLEASE BE ADVISED THAT FORD MOTOR COMPANY CHASSIS NUMBER D804VL34856 FOR WARD LAFRANCE SPECIFICATION NUMBER 73-564-C RECEIVED AND FOUND IN ACCORDANCE WITH SPECIFICATIONS MINOR ITEMS ON PAINT FINISHED AND BODY WORK NOW ACCEPTABLE LETTER WILL FOLLOW WARD LAFRANCE TRUCK CORP THOMAS R. NIST ASSISTANT SALES MGR

D804VL34856 73-564-C.

CITY COUNTY LANDFILL: The City Manager stated that the loader and crawler tractor has been delivered and that work should begin in the near future to convert the dump to a landfill. (Ref. Oct. 6, 1970 min. p. 170)

NEXT SCHEDULED BOARD MEETING: The City Manager reported that our first meeting of the month is scheduled to fall on the first Tuesday after the first Monday of the month. This will make our next regularly scheduled meeting on Tuesday, June 8.

There being no further business the meeting adjourned.

Robert E. James
Mayor

Victor H. Denton
City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

June 8, 1971

The Marion City Council met in a regular scheduled meeting on June 8, 1971 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Pro Tem, James H. Segars, Councilmen: Robert E. James, William R. Ledbetter, and Horace Wilkerson. Board members absent: Mayor Albert M. Neal, Councilman Oliver R. Cross. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney, and Mr. Donald Hayman.

MINUTES OF THE MAY 18, 1971 MEETING: Upon a motion by Councilman Ledbetter, seconded by Councilman Wilkerson, the Board unanimously voted to approve the May 18, 1971 minutes.

PERSONNEL CLASSIFICATION - PAY PLAN: Mr. Donald Hayman, Assistant Director of the Institute of Government in Chapel Hill, presented the Personnel Classification - Pay Plan that he has prepared for the City of Marion. After a lengthy presentation, he answered several questions from the Board and then excused himself from the meeting. No action was requested and none was taken on the proposed plan.

HAROLD DYSART - REQUEST FOR ADDITIONAL WATER SERVICE: The City Manager stated that Harold Dysart is interested in obtaining additional municipal water from the City for a warehouse that he will soon be constructing on his property across from his residence on U.S. 70 West. (The proposed structure will not be located on any portion of the old M.M. Burgin estate.) The City Manager stated that Mr. Dysart desires a 2" waterline to the proposed building, primarily for a sprinkler system. The City Manager stated that Mr. Dysart indicated that the firm interested in this property may decide to build a substantially larger warehouse than the one they have already contracted for. If they decide on the larger structure Mr. Dysart stated he may need a 4" or a 6" waterline for the sprinkler system. The City Manager stated that Mr. Dysart told him that the normal water consumption for either of the buildings will amount to only domestic water for commodes and laboratories. The City Council authorized the City Manager to work with Mr. Dameron, City Attorney, in drawing up a proposed agreement to be entered into between the City and Mr. Dysart. The proposed agreement is to be presented to the Council for review before any action is taken on it.

STREET LIGHT REQUESTS - ALABAMA AVENUE AND MAPLE AVENUE: Upon a motion by Councilman Wilkerson and seconded by Councilman Ledbetter, the Board unanimously voted to install a street light 1) on Alabama Avenue near the intersection of Alabama Avenue and Miller Avenue and 2) on Maple Avenue across from Condrey's Plumbing, and 3) remove one street light from Pulliam Street.

CITY - COUNTY FIRE SERVICE: The City Manager stated that the County Commissioners requested that he attend a Commissioners meeting on Thursday, June 3, to discuss fire service. He stated that the Commissioners are interested in working out an agreement so that the City will continue to serve the unincorporated area around Marion. After considerable discussion, and upon a motion by Councilman Ledbetter, seconded by Councilman Wilkerson, the Board unanimously voted to authorize the City Manager to write the County Commissioners stating that for this coming fiscal year the City is willing to serve the area around Marion we are presently serving if the County will substantially increase the City's contribution for fire protection. It is to be understood that this would be a temporary arrangement that would apply only until a more equitable plan can be implemented. In regards to the new consolidated school which is outside the Marion service area, the City will give the Commissioners a letter stating that we will answer fire calls at the new school.

STREET RESURFACING: Upon a motion by Councilman Wilkerson and seconded by Councilman Ledbetter the Board unanimously granted the City Manager permission to advertise for bids for street resurfacing.

OFF-STREET PARKING - TANTER PROPERTY: The City Manager stated that Mr. Dan T. Bryson who is in charge of the Tainter Estate on West Henderson Street has indicated that he is interested in selling the Tainter property which fronts approximately 127 feet on West Henderson Street. The City Manager stated that Mr. Bryson is asking \$50,000 for the Tainter property.

OFF STREET PARKING - CORBETT PROPERTY: The Board unanimously agreed to take no action on renting, leasing or purchasing the Corbett property on South Main Street next to Duke Power for an off-street parking lot.

OFF-STREET PARKING - RAILROAD STREET PARKING LOT: The City Manager stated that Mr. Carl Hall has requested that the City grant him permission to cross municipal parking lot # 5 to enter and leave a vacant lot that he is leasing adjacent to his feed and seed store warehouse. After some discussion the Board authorized the City Manager to draw up an agreement between Mr. Hall and the City regarding this entrance way. The agreement is to include the provision that 1) Mr. Hall will be responsible for damages done to the City parking lot by any heavy delivery vehicles that might cross the City parking lot to get to his vacant lot and 2) that he will gravel his vacant lot and permit the general public to park on this lot.

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OFF-STREET PARKING - INSTALLATION OF PARKING METERS: This item was tabled until the Chairman of the Parking Committee of the Merchants Association can meet with the Board.

THE APPOINTMENT OF STANDING COMMITTEES: As Mayor Neal was absent this item was tabled until the next Board meeting.

1971 - 72 BUDGET: The City Manager stated that there is a need to have a special meeting preferably next week to consider this coming year's budget. After some discussion it was decided to have a dinner meeting at the Pilot House on Tuesday, June 15.

POST OFFICE: Mr. James stated that the Marion Postmaster, Robert Rowe, told him that the Regional Office of the Post Office is handling no requests at this time as they are reorganizing the Post Office Department. After some discussion the City Manager was instructed to write a letter to the Post Office Department expressing the Board's concern about the traffic congestion around the local Post Office.

RAILROAD STREET - SIMMONS TIRE AND RECAPPING ESTABLISHMENT: Mr. Wilkerson stated that he has received some complaints from some residents living in the vicinity of Mr. Simmons Tire and Recapping establishment. He stated that the complaints center around the rubber dust that comes from this establishment. Some of the other Board members stated that they too had received complaints about the dust from this establishment. The City Manager stated that he had discussed this situation with Mr. Simmons. He stated that Mr. Simmons told him that he had ordered some equipment to take care of this problem; however, Mr. Simmons thought it would be several weeks before the equipment would be delivered.

1972 CITY VEHICLE TAGS: The City Manager stated that Mr. Isreal, local representative for the Department of Motor Vehicles, is willing to sell City vehicle tags for \$1.00 with the provision that the City will pay him 15¢ per tag for selling them. The Board authorized the City Manager to let Mr. Isreal sell the 1972 City Tags for \$1.00 with the provision that the City will pay him 15¢ per tag for each tag he sells.

FLUORIDATION: The City Manager reported that the Jaycees have invited the opponents of fluoridation to make a presentation at their June 24 meeting. The City Manager stated that he has been asked to invite all of the City Council members to this meeting.

SANITARY LANDFILL: The City Manager reported that work is underway at the City-County dump to convert it to a sanitary landfill. He stated that the regional director told him that he hopes to have all the old trash buried within the next ten days. Thereafter all refuse will be buried daily.

STREET NAME SIGNS: The City Manager stated that street name signs for approximately 15 blocks along Main Street have been ordered.

CITY HALL PARKING LOT: The City Manager stated that the parking lot behind the City Hall is going to be reworked within the next few days. He stated that the City plans to regrade, gravel, and install new markers between parking spaces.

COMMUNITY BUILDING - CONCRETE SLAB FOR BASKETBALL: The City Manager stated that the concrete slab for the basketball court at the Community Building has been poured.

SCHOOL FOR ELECTED OFFICIALS: The City Manager stated that the Institute of Government will be holding a school for newly elected council members on Monday, June 21 and Tuesday, June 22. He stated that all Board members are invited to this school.

LAW AND ORDER MEETING: The City Manager stated that Mr. Netherton of Western Piedmont Community College in Morganton has been asked to meet with the Board at the next meeting to discuss civil disorders.

There being no further business the meeting adjourned.

Albert M. Neal
Mayor

Victor H. D...
City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

June 22, 1971

The Marion City Council met in a regularly scheduled meeting on June 22, 1971 at 7:30 p.m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilmen: Robert E. James, William R. Ledbetter, James H. Segars, and Horace Wilkerson. Councilman absent: Oliver R. Cross. Others present: Victor H. Denton, City Manager, E.P. Dameron, City Attorney, Rosamond Braly, newspaper editor, George Verbruggen, and Robert Netherton.

CHAMBER OF COMMERCE REPORT ON THE MARION MUNICIPAL WATER SYSTEM: Mr. George Verbruggen, Executive Director of the Chamber of Commerce, presented the following report to the City Council. He stated that the report is from the Anti-Pollution Committee of the Chamber of Commerce; the chairman of the committee is Dr. Harry Lind.

REPORT ON FINDINGS ON MARION WATER SUPPLY

The North Carolina State Board of Health has established guidelines, regulations and laws which spell out minimum requirements for gathering and processing water for human consumption.

Let us examine some of these requirements. Marion's municipal water is derived from three sources -- Mackey Creek, Clear Creek and Buck Creek. The watersheds for the Mackey Creek and the Clear Creek sources lie in the Pisgah National Forest. The overflow at Lake Tahoma is the immediate source of the Buck Creek inlet. The Buck Creek inlet is located approximately five miles from the Lake Tahoma dam.

The North Carolina State Board of Health Regulations specify the following for a potable water source when filtration will be accomplished:

1. Parks or other places of resort for the use and entertainment of the public, which may be established and maintained on a watershed, must be established and maintained on a watershed, must be provided with adequate sanitary facilities for the collection of garbage and sewage. Such facilities must meet the requirements of, and be approved by, the State Board of Health and persons in charge of such facilities must maintain strict compliance with the State Board of Health's sanitation requirements at all times in order to prevent the unnecessary pollution of the water supply.
2. In order to afford adequate protection for sources of public water supply, reasonable precautions shall be taken on the watershed in the vicinity of Class I and Class II reservoirs and water intakes located on unimpounded streams to control the drainage of wastes from domestic animal and poultry pens or lots, into such sources.
3. No domestic sewage or industrial wastes or treatment plant effluent shall be discharged into any:
 - (1) Public water supply reservoir
 - (2) Streams classified as A-II

until approval has been secured from the State Board of Health.

4. In accordance with G.S. 130-160, any residence, place of business or public assembly, located on a watershed shall be provided with a sanitary means of sewage disposal.

5. It shall be prohibited for a person to dispose of any substance on a watershed of a public water supply that may, in the opinion of the State Board of Health, have a deleterious effect on the quality of the raw water.

The North Carolina State Board of Health Regulations specify the following for a drinking water source when filtration is not accomplished:

1. No dwelling house, pasture, hog lot, cattle or horse barn, or other area where domestic animals are confined or permitted, and no parks, camping grounds or other places of public assembly shall be permitted within the watershed area of an unfiltered public water supply.
2. No persons, other than a duly authorized representative of the person or company supplying the water from an unfiltered public water supply, or of the local health department, State Board of Health, or a game warden, forester or law enforcement officer, shall be permitted within the area of the watershed of an unfiltered public water supply at any time and for any purpose except as may be allowed under special permit issued by the person or company supplying the water or by the State Board of Health.

3. The carcass of any dead animal found within the watershed area of an unfiltered public water supply shall be buried by the owner or person in charge of the animal and/or the person owning or in charge of the land upon which the animal dies with a covering of at least three (3') feet of earth, burned, or removed from the watershed and buried as required by S.S. 106-403. In no case shall dead animals be placed in the reservoir or its tributaries of an unfiltered public water supply.

CCG002

4. No timbering, lumbering, construction, or reforestation operations shall be established or carried on in the watershed of an unfiltered public water supply, except by the special permission of the State Board of Health. Written application for such permission shall be made by the owner of the water supply to the State Health Director. If approved, special rules and regulations governing the conduct of such work in order to provide for the sanitary protection of the water supply during such operations will be prescribed.
5. The person or company supplying water from the watershed of an unfiltered source shall employ an adequate number of responsible inspectors and cause satisfactory inspection of the watershed to be made at regular quarterly intervals to assure that the drainage area is at all times maintained in a manner that will promote and insure the safety of the supply. A copy of the watershed inspection report shall be submitted to the State Board of Health within ten (10) days after completion of the inspection.
6. Signs advising the public of the watershed boundaries and prohibiting trespassing by all unauthorized persons shall be posted throughout the watershed area of an unfiltered public water supply. It shall be the duty of the watershed inspectors and other water supply officials to see that these signs shall be replaced and renewed when necessary.
7. Continuous chlorine disinfection of water from an unfiltered public water supply is required.

In the case of Marion's filtered supply, along Buck Creek there are instances where cattle are allowed to wallow in and drink the water within a very short distance of the water supply inlet. Feedlots and pastures adjacent to the creek allow runoff into the public water supply.

The water sources of the unfiltered water is in the Pisgah National Forest. This area is open to the public. The area is not under control of the water supplier consequently does not comply with the law. The Forest Service policy maintains that National Forest Lands are for public use, and that further use permits of the runoff water for drinking purposes will require filtration.

The filtered and the unfiltered water are mixed together and the combined water becomes the Marion Water Supply. Since the major portion of the water is unfiltered, the question arises: Is the system completely reliable and is the water always potable?

Dr. Harry Line (Chairman Anti Pollution Committee Chamber of Commerce)

The major portion of Marion's domestic water supply comes from Mackey and Clear Creek drainages. Both these drainages are National Forest land. The Forest Service issued a special use permit to the City in 1931 to build and maintain pipelines, etc. necessary to insure a water supply from Mackey and Clear Creeks. The water from these drainages is not filtered. State law states that activities involving people (hunting and fishing for example) are not permitted in watersheds where the water is not filtered. There is a conflict here, because the National Forests are administered, under Acts of Congress, to make public lands available for these types of activities. The only way to resolve this situation is for the City of Marion to filter the water. The Forest Service would welcome this and has requested this action in the past. Water permits will probably be amended in the future to require filtration.

John Kennedy (District Ranger, U. S. Forest Service)
5/25/71

Some of the Board members pointed out to Mr. Verbruggen that the City Council is very much aware of most of the things that were set forth in the report. It was stated that the City, over a year ago, engaged an engineering consultant for the very purpose of developing a plan for upgrading our water system. It was also pointed out that we have three certified operators at our municipal filter plant that daily make chemical and bacterial analysis of the water in our municipal system. Also it was stated that monthly we send water samples to the North Carolina State Board of Health for analysis. The City Manager stated that the City has received two letters from Mr. T. R. Croom, Regional Engineer of the North Carolina State Board of Health in recent months - one in September of 1970 and one in February of 1971. The City Manager read these letters to the City Council. He stated that "recommendations" were made in both these letters. The City Manager stated that some of the recommendations have already been implemented. He pointed out that in regards to the recommendations for installing standby chlorinators, this item was placed in the 1971-72 budget and these standby chlorinators will probably be installed within the next few months. The City Manager pointed out that some of the recommendations set forth in the above mentioned letters from the State Board of Health do not seem to be very practical -- one of these being that the City construct a road to the intakes at Mackey Creek and Clear Creek. The City Manager stated that this would only be inviting the general public to our municipal watersheds. Several of the Board members indicated that they felt it was very unfortunate that the Anti-Pollution Committee elected to compile and release a report that is so critical of our municipal water system at a point in time only a few weeks before our consulting engineer will present a comprehensive report on our water system.

The City Manager stated that he had checked with eight Western North Carolina communities on this day and found that several of the communities are getting water from "unprotected" watersheds in Pisgah National Forest. The City Manager stated that he felt the report from the Anti-Pollution Committee of the Chamber of Commerce perhaps set forth an ideal that we should strive for; however, because we have not achieved this ideal he did not feel that our water system was inadequate. The City Manager pointed out to Mr. Verbruggen that the City was very much aware that there was pollution in the Buck Creek watershed. This was the very reason that the City spent two or three hundred thousand dollars fifteen or twenty years ago to build a filter plant to filter the water from Buck Creek. He also pointed out that the City Council is very much aware of the condition of the water in Pleasant Gardens. He stated that our water system was not designed for water services on the intake side of the City reservoir. It was pointed out that the City, out of courtesy to the people in the Pleasant Gardens area, permitted people to tap onto the system with the understanding that there is very little we are prepared to do to upgrade the water system in that area. After further discussion of the Committee's report Mr. Verbruggen excused himself from the meeting.

LAW ENFORCEMENT TRAINING AND CIVIL DISORDERS: Mr. Robert Netherton, Area Law Enforcement Consultant with the North Carolina Department of Community Colleges, met with the Board to discuss law enforcement training and civil disorders. Mr. Netherton stated that numerous training programs are available for law enforcement officers. He stated that he was pleased that Captain Beck has been designated as training officer and that he is working with Captain Beck to develop a training program for our Police Department personnel. Mr. Netherton stated that in preparation for civil disorders it's very important that the governing officials have some training so that the City Council, City Manager, Police Department and other involved departments can expedite their duties in an unified manner. He stated he would welcome the opportunity to have Major Surratt, Police Officer with the Winston Salem Police Department, -- a man he considers to be very knowledgeable in civil disorders -- meet with the City Council to offer some guidance and direction. He stated that such a meeting could take place in this building or at McDowell Technical Institute. After Mr. Netherton made his presentation and answered several questions from the City Councilmen, he excused himself from the meeting. (Ref. June 8, 1971 min. p. 210)

MINUTES OF THE JUNE 8, 1971 MEETING: Upon a motion by Councilman Wilkerson, seconded by Councilman Ledbetter the Board unanimously voted to approve the June 8, 1971 minutes.

PETROLEUM BIDS: The City Manager stated that one bid was submitted for petroleum products, this being from BP Oil Corporation. He stated that the bid is for the same discount as last year and that it would be his recommendation that the City Council accept the bid from BP Oil Company. Upon a motion by Councilman Ledbetter and seconded by Councilman Segars, the Board unanimously voted to award the petroleum contract to BP Oil Company for fiscal year 1971-72. (Ref. May 24, 1971 min. p. 206)

STREET RESURFACING BIDS: The City Manager reported that he had received the following bids for street resurfacing:

Name of Company	Type I-2 Plant-Mix Asphalt Price Per Ton
A. R. Thompson Contractors	\$ 9.70
R. L. Johnson & Son	10.75
Midstate Contractors, Inc.	11.48
Asheville Paving Company	12.33
Warren Brothers Company	12.95

After some discussion and upon a motion by Councilman Ledbetter and seconded by Councilman Segars, the Board unanimously voted to award the street resurfacing contract to A. R. Thompson Contractors, Inc., Rutherfordton, North Carolina for \$9.70 per ton for Type I-2 Plant Mix Asphalt. (Ref. June 8, 1971 min. p. 209)

POSITION CLASSIFICATION - PAY PLAN: Upon a motion by Councilman James and seconded by Councilman Ledbetter the Board unanimously voted to adopt the Position Classification, Pay Plan in the form presented by Mr. Hayman at the June 8 Board meeting. (Ref. June 8, 1971 min. p. 201)

CITY MANAGER; APPOINTMENT OF: Upon a motion by Councilman Segars and seconded by Councilman Ledbetter, the Board unanimously voted to reappoint Victor H. Denton as City Manager with duties to include City Clerk, City Treasurer, and City Tax Collector for fiscal year 1971-72.

PRIVILEGE LICENSE ORDINANCE: Upon a motion by Councilman Wilkerson and seconded by Councilman Segars the Board unanimously voted to adopt the 1949 Business Privilege License as amended through June 22, 1971.

INTERIM APPROPRIATION ORDINANCE: The City Manager stated that since the 1971-72 budget would not be adopted by July 1, an Interim Appropriation Ordinance should be adopted. After some discussion and upon a motion by Councilman Segars and seconded by Councilman Ledbetter, the Board unanimously voted to adopt the following Interim Appropriation Ordinance:

INTERIM APPROPRIATIONS ORDINANCE

In order to operate the municipality from July 1, 1971 to the date of a adoption of the Appropriations Ordinance, funds will be appropriated to pay salaries, principal and interest on indebtedness and ordinary expenses at the same rate of expenditure as provided for in the 1970-1971 Appropriations Ordinance. This Ordinance shall cease to be effective from and after the adoption of the 1971-1972 Appropriations Ordinance and all expenditures made in accordance with the Ordinance shall be chargeable to appropriations made in the 1971-1972 Appropriations Ordinance.

Mayor

City Manager

TAINTER'S PROPERTY: This item was tabled as Mr. Griffith, Chairman of the Parking Committee of the Chamber of Commerce, is out of town.

OFF STREET PARKING LOTS - METERING OF LOTS: This item was tabled until Mr. Griffith can meet with the City Council.

MARION AREA FIRE SERVICE: The following letters were shared with the Board members prior to the Board meeting:

McDowell County
Marion, N.C. 28752
Telephone: 697-6201
June 11, 1971

Mr. Victor Denton, City Manager
City of Marion
Marion, N.C. 28752

Dear Victor:

The McDowell County Board of Commissioners in formal session on June 10 discussed at length your letter of June 9 regarding the Council's views concerning fire protection outside the corporate limits of Marion by the Marion Fire Department.

The Board of Commissioners offer the following proposal for the Council's consideration:

1. The Board will appropriate \$40,000 for fire protection in McDowell County.
2. That provided the Marion Fire Department will serve the district as proposed by Mr. Pickard, Marion will receive a percentage of this money based on the percentage of the total population of McDowell County served by the Marion Department within the district.

As an example if 40% of the population of McDowell County lay in this district, the Marion Department would receive \$16,000; if 50%, they would receive \$20,000.

The Board of Commissioners would appreciate a reply at your earliest convenience.

Very truly,

JACK H. HARMON
County Manager

NORTH CAROLINA LEAGUE OF MUNICIPALITIES

June 18, 1971

Mr. Victor Denton
City Manager
Municipal Building
Marion, N.C.

Dear Vic:

According to the records of the North Carolina Fire Insurance Rating Bureau, your fire department is now staffed with three paid personnel. In addition, there are twenty-one volunteers.

In order to gear up the department to meet the minimum requirements for the proposed fire insurance district surrounding the City of Marion, it will not be necessary to buy any more pumps, since the 1955 Dodge which is owned by the County will serve the purpose. It will be necessary for a tanker with a capacity of approximately 1,000 gallons of water, be provided. The tanker can be mounted on a used chassis, or it could be a converted oil tanker if the mechanical conversion is properly done. The additional apparatus, therefore, will consist of a new or used tanker.

It will be necessary to recruit eighteen additional volunteers. The rating bureau suggests if one of the three paid men responds in the district, an off-duty paid man should report to the fire station for stand-by purposes. This requirement is in order to maintain your Class 6 fire insurance status.

Your fire alarm signal should be coded in order to designate by sound whether the fire is in the City or outside. This can easily be done when an air horn is used for alarm purposes, or it can be easily done if a siren is used. This does not mean that any additional alarm equipment has to be purchased. It only means that some type of coding arrangement should be provided.

These are the only requirements for beefing up the department from the standpoint of apparatus and manpower.

If I can assist further, please let me know.

Kind personal regards,

Sherman Pickard
Director of Services

SP:ck

The City Manager stated that he has looked over the 1970 census information for McDowell County and has attempted to count the number of dwellings in the proposed Marion Service area that was recently delineated by Sherman Pickard of the North Carolina League of Municipalities. He stated that he estimates that there are 13,000 people living in the Marion fire service area. The City Manager stated that he had discussed this matter with Jack Harmon, County Manager, and Mr. Harmon expressed the opinion that he felt that if the County allocated \$40,000 to fire protection for the County the City should receive \$16,960 as 13,000 represents 42.4% of the county population and \$16,960 represents 42.4% of \$40,000. The \$16,960 equals an increase of \$13,060 over the \$3900 that the County presently gives to the City for serving the outside area. After considerable discussion the Board members present indicated that they favored the County Commissioner's proposal - that being to accept our portion of the \$40,000 based upon the percentage of the County population living in the proposed fire service area. The Board stated that they felt the City and County should have a written agreement regarding fire service protection and that this agreement should set forth among other things, the following: that the 1955 Dodge Truck be conveyed over to the City; that the Marion Fire Department at all times would remain under the jurisdiction of the Marion City Council. The City Manager was asked to work with Mr. Dameron in drafting a proposed agreement. This agreement is to be presented back to the Board for consideration before it is presented to the County Commissioners. Mayor Neal stated that he would like to see the arrangement being considered explained to the Marion volunteer firemen. He suggested that this be done by having Chief Laughridge appoint one or two volunteers to meet with the City Manager and the Chief to go over the proposed agreement. (Ref. June 8, 1971, p. 209)

*13,000 people was a reasonable estimate. The City Manager stated that

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INTERIM APPROPRIATION ORDINANCE: The City Manager stated that since the 1971-72 budget would not be adopted by July 1, an Interim Appropriation Ordinance should be adopted. After some discussion and upon a motion by Councilman Segars and seconded by Councilman Ledbetter, the Board unanimously voted to adopt the following Interim Appropriation Ordinance:

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Robert M. Seal
Mayor

Victor Denton
City Manager

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The Board of Commissioners would appreciate a reply at your earliest convenience.

Very truly,

JACK H. HARMON
County Manager

NORTH CAROLINA LEAGUE OF MUNICIPALITIES

June 18, 1971

DEPT SERVICE DISBURSEMENTS

1501	Bond Principal	30,000.00
1502	Bond Interest	5,000.00
1503	Coupon Expense	50.00
	Total	35,050.00
	 Contingencies	 <u>11,114.00</u>
	Grand Total	\$667,552.00

the Marion volunteer firemen. He suggested that this be done by having Chief Laughridge appoint one or two volunteers to meet with the City Manager and the Chief to go over the proposed agreement. (Ref. June 8, 1971, p. 209)

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NORTH CAROLINA LEAGUE OF MUNICIPALITIES

June 18, 1971

1971-1972 Appropriations Ordinance

Be it ordained by the City Council of the City of Marion, North Carolina:

Section 1. APPROPRIATIONS: The amounts set forth in the adopted budget are hereby appropriated for the operation of the City Government and its activities for the fiscal year beginning July 1, 1971 and ending June 30, 1972.

Section 2. ESTIMATED REVENUES: It is estimated that the revenue set forth in the adopted budget will be available during the fiscal year beginning July 1, 1971, and ending June 30, 1972, to meet the adopted budget appropriations.

Section 3. TAXES LEVIED: There is hereby levied the following rates of tax on each one hundred dollars (100) valuation of taxable property, as listed for taxes as of January 1, 1971 for the purpose of raising the revenue from current year's Property Tax in the amount set for in the adopted budget.

GENERAL FUND (for the general expenses incident to the proper government of the City)\$1.32

DEBT SERVICE FUND (for the payment of interest and principal on outstanding debt)18

TOTAL RATE per \$100 of valuation of taxable property\$1.50

Such rates of tax are based on an estimated total assessed valuation of property for purpose of taxation of \$18,267,091.00 and an estimated rate of collection of 96%.

Section 4. POLL TAX: There is hereby levied a Poll Tax of \$1.00 on all male persons between the ages of 21 and 50, unless exempt as provided by law, for the purpose of raising the revenue from current year's Poll Tax, as set forth in the following estimates of revenue, and in order to finance the following appropriations.

Section 5. DISBURSEMENT OF FUNDS: Funds shall generally be disbursed in accordance with the allocations set forth in the adopted budget:

Adopted this 20th day of July 1971.

MAYOR, CITY OF MARION

ATTEST:

CLERK, CITY OF MARION

the Marion volunteer firemen. He suggested that this be done by having Chief Laughridge appoint one or two volunteers to meet with the City Manager and the Chief to go over the proposed agreement. (Ref. June 8, 1971, p. 209)

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Victor Denton
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Very truly,

JACK H. HARMON
County Manager

NORTH CAROLINA LEAGUE OF MUNICIPALITIES

June 18, 1971

1971-1972 BUDGET

CODE NO.	GENERAL FUND REVENUE	ESTIMATED FOR 1971-72
145	Ad Valorem tax @ \$1.32 (Est. 96% Collection)	231,481.00
154,209,210	Prior Year Taxes	5,950.00
207	Interest and Penalties on Delinquent Taxes	500.00
154,209,210	Business License	4,400.00
251	Intangible Tax (85%)	8,527.00
253	Franchise Tax	22,680.00
212	Auto Tags	400.00
217	Court Revenue	300.00
15,205,247	Paving Assessments & Interest	0
219,230	Cemetery Lots & Grave Openings	3,700.00
220	Rent-Community Building	1,600.00
248	Fire Service-County Contribution	3,900.00
225	Parking Meter Revenue	10,000.00
227	Parking Violations-Fines	3,000.00
257	Powell Bill Revenue	17,123.00
254	Gasoline Tax Refund	3,200.00
245,246	Miscellaneous Revenue	2,200.00
213	Cable TV	1,200.00
250	Interest	1,200.00
270	State Contribution to the Operation & Maintenance of Traffic Control Devices	2,000.00
254	Sales Tax Revenue	29,000.00
	Surplus from 1970-71	25,500.00
	Total	\$377,931.00
	<u>WATER AND SEWER FUND REVENUE</u>	
233	Water Sales	190,000.00
235	Water taps, Meters, Meter Boxes & Penalties	7,500.00
231,232	Sewer Rent & Taps	55,000.00
261-266	New Waterlines-Customer Participation in Cost	3,000.00
	Total	255,500.00
	<u>DEBT SERVICE FUND REVENUE</u>	
145A	Ad Valorem Tax @ .18 (Est. 96% Collection)	31,566.00
251A	Intangible Tax (1%)	1,505.00
10A,12A	Prior Year Taxes	1,050.00
	Total	34,121.00
	Grand Total	\$667,552.00

Mayor Neal stated that he would like to see the arrangement being considered explained to the Marion volunteer firemen. He suggested that this be done by having Chief Laughridge appoint one or two volunteers to meet with the City Manager and the Chief to go over the proposed agreement. (Ref. June 8, 1971, p. 209)

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Victor H. Denton
Mayor

Victor H. Denton
City Manager

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OFF STREET PARKING LOTS - METERING OF LOTS: This item was tabled until Mr. Griffith can meet with the City Council.

MARION AREA FIRE SERVICE: The following letters were shared with the Board members prior to the Board meeting:

McDowell County
Marion, N.C. 28752
Telephone: 697-6201
June 11, 1971

Mr. Victor Denton, City Manager
City of Marion
Marion, N.C. 28752

Dear Victor:

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The Board of Commissioners offer the following proposal for the Council's consideration:

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Very truly,

JACK H. HARMON
County Manager

NORTH CAROLINA LEAGUE OF MUNICIPALITIES

June 18, 1971

Mr. Victor Denton

GENERAL FUND DISBURSEMENTS

General Government

301	Mayor & Council	34,484.00
302	City Manager	
303	Bookkeeper	
303	Secretary-Office Assistant	
303	Tax Listing & Election Personnel	
311	Janitor ($\frac{1}{2}$ Salary)	
309	City Attorney-Retainer	
306	Retirement	2,959.00
307	Social Security	1,134.00
309	Hospitalization Insurance	645.00
314	Marion Hospital Contribution	600.00
315	Office Supplies & Postage	1,600.00
316	Telephone	700.00
317	Printing & Advertising	1,300.00
319	Auditing	1,800.00
320	Electrical Power-City Hall	1,000.00
322	Maintenance of City Hall	700.00
326	Memberships & Subscriptions	600.00
327	Travel Expenses	500.00
328	Janitorial Supplies for City Hall	400.00
331	Fuel for City Hall	1,000.00
332	Motor Vehicle Expense	200.00
333	Office Equip. Service & Maintenance	400.00
334	Miscellaneous	800.00
337	Capital Expense	0
326	Isothermal Dev. Commission (Membership Fee)	626.00
342	City Planning (For Consulting Services)	3,250.00
	Total	\$ 54,698.00

The Marion volunteer firemen, he suggested that this be done by having Chief Laughridge appoint one or two volunteers to meet with the City Manager and the Chief to go over the proposed agreement. (Ref. June 8, 1971, p. 209)

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Victor Denton
City Manager

Edmund M. June
Mayor

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Very truly,

JACK H. HARMON
County Manager

NORTH CAROLINA LEAGUE OF MUNICIPALITIES

June 18, 1971

POLICE DISBURSEMENTS

401	Chief	93,386.00
402	Captain	
402	Sergeant	
402	Sergeant	
402	Sergeant	
402	Patrolman	
402	Patrolman	
402	Patrolman	
402	Patrolman	
402	Patrolman	
402	Patrolman	
402	Patrolman	
403	Desk Operator-Radio Dispatcher	
403	Desk Operator-Radio Dispatcher	
403	Desk Operator-Radio Dispatcher	
406-406A	Retirement	5,061.00
407	Social Security	4,653.00
409	Hospitalization Insurance	1,116.00
415	Office Supplies	200.00
416	Telephone	580.00
417	Printing	250.00
427	Travel Expenses	300.00
432	Motor Vehicle Expense	3,000.00
433	Radio Maintenance	1,140.00
434	Miscellaneous	300.00
435	Uniforms	2,000.00
437	Capital Expense	4,000.00
438	Arsenal Supplies	400.00
439	Region "C" Criminal Justice Program	5,000.00
	Total	\$121,386.00

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Ed. J. M. Jones
Mayor

Victor Denton
City Manager

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County Manager

NORTH CAROLINA LEAGUE OF MUNICIPALITIES

June 18, 1971

Mr. Victor Denton
City Manager
Municipal Building
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Dear Vic:

According to the records of the North Carolina Fire Insurance Rating Bureau, your fire department is now staffed with three paid personnel. In addition, there are twenty-one volunteers.

FIRE DISBURSEMENTS

501	Chief	21,536.00
502	Assistant Chief	
502	Fireman	
506	Retirement	1,819.00
507	Social Security	1,080.00
509	Hospitalization Insurance	225.00
514	Pension Fund	1,700.00
516	Telephone	700.00
527	Contribution to Volunteer Firemen's Assoc.	1,000.00
532	Motor Vehicle Expense	600.00
535	Uniforms	1,200.00
534	Miscellaneous	100.00
538	Supplies	500.00
538A	Radio Maintenance	100.00
527A	Civil Defense	100.00
	<u>Capital Expense</u>	
537A	Fire Truck	5,985.00
	Total	\$36,645.00

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NORTH CAROLINA LEAGUE OF MUNICIPALITIES

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In order to

SANITATION DISBURSEMENTS

702	Laborer	34,374.00
702	Laborer	
702	Laborer	
702	Laborer	
702	Laborer	
702	Laborer	
702	Laborer	
706	Retirement	3,650.00
707	Social Security	1,850.00
709	Hospitalization Insurance	550.00
732	Motor Vehicle Expense	2,500.00
733	Maintenance of Dozer	1,000.00
734	Miscellaneous	50.00
738	Supplies & Materials	600.00
739	Dog Control (Contribution to County)	700.00
737A	Capital Expense	400.00
737B	Trash Receptacles	13,000.00
737C	Garbage Truck (Replacement)	19,000.00
	Garbage Truck for Containers (Replacement)	
	Total	77,674.00

CEMETERY DISBURSEMENTS

802	Laborer	6,420.00
802	Laborer	
806	Retirement	107.00
807	Social Security	621.00
809	Hospitalization Insurance	100.00
833	Equipment Maintenance	100.00
834	Miscellaneous	200.00
838	Supplies & Materials	100.00
837A	Capital Expense	200.00
837B	Edger (Replacement)	7,000.00
	Paving of Driveways	
	Total	14,848.00

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NORTH CAROLINA LEAGUE OF MUNICIPALITIES

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STREET DISBURSEMENTS

601	Supt. of Streets	32,856.00
602	Laborer	
602	Laborer	
602	Laborer	
602	Laborer	
602	Laborer	
606	Retirement	3,424.00
607	Social Security	1,944.00
609	Hospitalization Insurance	500.00
	<u>Street & Sidewalk Maintenance</u>	
612A	Contractual (Streets)	17,000.00
612B	City Forces (Streets)	2,000.00
612D	Street Paving(Gravel to Hard Surface-Matching Funds)	1,000.00
612E	Sidewalk Construction & Maintenance	1,500.00
	<u>Municipal Parking Lots</u>	
612F	Parking Lot Improvements	2,000.00
612G	Parking Lot Rent	3,600.00
	<u>Right-of-Way Acquisition</u>	
612I	Blue Ridge & Henderson Streets (Pmt to NCHC)	10,731.00
	<u>Electrical Power</u>	
620A	Street Lights	15,000.00
620B	Traffic Signals	1,300.00
627	Travel & Schooling	100.00
632	Motor Vehicle Expense	1,300.00
633	Equipment Maintenance	800.00
638A	Supplies & Materials	2,000.00
638B	Street Marking Paint	600.00
634	Miscellaneous	100.00
629	Chemicals (Weed & Insect Control)	400.00
629A	Sand, Salt & Chemicals (For Snow & Ice Control)	200.00
639	Christmas Street Decorations (Contribution to Merchants Association)	750.00
642	Powell Bill Engineering	250.00
	<u>Capital Expense</u>	
637A	Street Signs	1,200.00
637C	Paint Striping Machine	1,350.00
637B	Parking Meters (Replacements)	1,500.00
	Total	103,405.00

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NORTH CAROLINA LEAGUE OF MUNICIPALITIES

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Municipal Building
Marion, N.C.

Dear Vic:

According to the records of the North Carolina Fire Insurance Rating Bureau, your fire department is now staffed with three paid personnel. In addition, there are twenty-one volunteers.

In order to keep up the fire department

WATER & SEWER OPERATIONS DISBURSEMENTS

901	Director of Public Works	66,500.00
901	Office Water Clerk	
901	Superintendent-Water & Sewer	
902	Laborer	
902	Laborer	
902	Laborer	
902	Laborer	
902	Laborer	
902	Laborer	
902	Laborer	
902	Laborer	
906	Retirement	4,066.00
907	Social Security	3,000.00
909	Hospitalization Insurance	900.00
916	Telephone-Shop	180.00
920	Electrical Power-Shop	300.00
931	Fuel-Shop	600.00
927	Travel & Schooling	100.00
932	Motor Vehicle Expense	2,000.00
938	Supplies & Materials	8,500.00
940	Printing & Postage	2,200.00
939	Water Analysis Fee	64.00
929	Chemicals-Sewer Cleaner	300.00
934	Miscellaneous	0
942	Water & Sewer Study (Final pmt (1/2) to O'Brien & Gere)	6,850.00
933A	Equipment Maintenance	
933B	Water Meter Repairs	1,200.00
933C	Back Hoe	1,000.00
	Other	500.00
937A	Capital Expense	
937B	New Waterlines	14,000.00
937D	Water Meters	4,734.00
937C	Sewer Lines	500.00
	Other	1,000.00
	Total	118,494.00

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Marion, N.C.

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According to the records of the North Carolina Fire Insurance Rating Bureau, your fire department is now staffed with three paid personnel. In addition, there are two volunteers.

WATER FILTER PLANT DISBURSEMENTS

(Includes Buck Creek Pumping Station, Reservoir, Intakes & Chlorination Stations)

1002	Chemist ($\frac{1}{2}$ Salary)	16,741.00
1002	Plant Operator	
1002	Plant Operator	
1006	Retirement	2,310.00
1007	Social Security	932.00
1009	Hospitalization Insurance	225.00
1016	Telephone	400.00
1020	Electrical Power-Filter Plant Buck Creek	7,000.00
Chlorination Stations		
1022	Maintenance of Structures, Buildings & Grounds	1,000.00
1029	Chemicals	5,000.00
1033	Equipment Maintenance	1,200.00
1034	Miscellaneous	100.00
1027	Travel & Schooling	200.00
1038	Supplies & Materials	200.00
1031	Fuel	350.00
1020A	Lake Tahoma Water; Purchase of	100.00
Capital Expense		
1037A	Reservoir Fence	1,800.00
1037B	Resurface Filter Plant Drive	1,100.00
1037C	Two Standby Chlorinators	2,000.00
1037D	Window Air Conditioners for Filter Plant	350.00
1037E	Laboratory Equipment	200.00
Total		41,208.00

WASTE TREATMENT PLANT DISBURSEMENTS

(Includes Two Pump Stations)

1102	Chemist ($\frac{1}{2}$ Salary)	9,500.00
1102	Plant Operator	
1106	Retirement	1,070.00
1107	Social Security	432.00
1109	Hospitalization Insurance	74.00
1116	Telephone	300.00
1120	Electrical Power Waste Treatment Plant Pump Stations	7,000.00
1122	Maintenance of Structures, Buildings & Grounds	100.00
1129	Chemicals	0
1133	Equipment Maintenance	3,000.00
1134	Miscellaneous	0

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Edmund M. Denton
Mayor

Victor Denton
City Manager

TAINTER'S PROPERTY: This item was tabled as Mr. Griffith, Chairman of the Parking Committee of the Chamber of Commerce, is out of town.

OFF STREET PARKING LOTS - METERING OF LOTS: This item was tabled until Mr. Griffith can meet with the City Council.

MARION AREA FIRE SERVICE: The following letters were shared with the Board members prior to the Board meeting:

McDowell County
Marion, N.C. 28752
Telephone: 697-6201
June 11, 1971

Mr. Victor Denton, City Manager
City of Marion
Marion, N.C. 28752

Dear Victor:

The McDowell County Board of Commissioners in formal session on June 10 discussed at length your letter of June 9 regarding the Council's views concerning fire protection outside the corporate limits of Marion by the Marion Fire Department.

The Board of Commissioners offer the following proposal for the Council's consideration:

1. The Board will appropriate \$40,000 for fire protection in McDowell County.
2. That provided the Marion Fire Department will serve the district as proposed by Mr. Pickard, Marion will receive a percentage of this money based on the percentage of the total population of McDowell County served by the Marion Department within the district.

As an example if 40% of the population of McDowell County lay in this district, the Marion Department would receive \$16,000; if 50%, they would receive \$20,000.

The Board of Commissioners would appreciate a reply at your earliest convenience.

Very truly,

JACK H. HARMON
County Manager

NORTH CAROLINA LEAGUE OF MUNICIPALITIES

June 18, 1971

Mr. Victor Denton
City Manager
Municipal Building
Marion, N.C.

Dear Vic:

According to the records of the North Carolina Fire Insurance Rating Bureau, your fire department is now staffed with three paid personnel. In addition,

WASTE TREATMENT PLANT DISBURSEMENTS CONT'D

1138	Supplies & Materials	150.00
1131	Fuel (Heat & Foam Control)	500.00
1132	Motor Vehicle Expense (#9001)	150.00
1127	Travel & Schooling	100.00
	Total	22,376.00

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NORTH CAROLINA LEAGUE OF MUNICIPALITIES

June 18, 1971

Mr. Victor Denton
City Manager
Municipal Building
Marion, N.C.

Dear Vic:

According to the records of the North Carolina Fire Insurance Rating Bureau, your fire department is now staffed with three paid personnel. In addition, there are twenty-one volunteers.

In order to keep up the department to meet the needs of the community, we have not

RECREATION PROGRAM & COMMUNITY BUILDING DISBURSEMENTS

1203	Janitor ($\frac{1}{2}$ Salary)	2,247.00
1206	Retirement	270.00
1207	Social Security	138.00
1220	Electrical Power	600.00
1216	Telephone	175.00
1231	Fuel	750.00
1222	Maintenance Building & Grounds	500.00
1238	Supplies & Materials	400.00
<u>Capital Expense</u>		
1237B	Sign & Other Improvements To Front of Building	700.00
1234	Miscellaneous	100.00
1208	Recreation Program	3,000.00
Total		8,880.00

PETROLEUM DISBURSEMENTS

1301	Gasoline	10,000.00
1302	Oil & Grease	400.00
Total		10,400.00

INSURANCE DISBURSEMENTS

1401	Fleet Policy	3,000.00
1402	Fire Insurance	750.00
1404	Bonds	500.00
1405	Office & Safe Robbery	40.00
1407	Volunteer Firemen's Group Life	1,000.00
1408	Volunteer Firemen's Disability	84.00
1409	Employee Life	2,000.00
1403	Workmen's Comprehensive	4,000.00
Total		11,374.00

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Mayor

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Very truly,

JACK H. HARMON
County Manager

NORTH CAROLINA LEAGUE OF MUNICIPALITIES

June 18, 1971

Mr. Victor Denton
City Manager
Municipal Building
Marion, N.C.

Dear Vic:

According to the records of the North Carolina Fire Insurance Rating Bureau, your fire department is now staffed with three paid personnel. In addition, there are twenty-one volunteers.

In order to gear up the department to meet the minimum requirements for the proposed fire insurance district surrounding the City of Marion, it will not be necessary to buy any more pumps, since the 1955 Dodge which is owned by the County will serve the purpose. It will be necessary for a tanker with a capacity of approximately 1,000 gallons of water, be provided. The tanker can be mounted on a used chassis, or it could be a converted oil tanker if the mechanical conversion is properly done. The additional apparatus, therefore, will consist of a new or used tanker.

It will be necessary to recruit eighteen additional volunteers. The rating bureau suggests if one of the three paid men responds in the district, an off-duty paid man should report to the fire station for stand-by purposes. This requirement is in order to maintain your Class 6 fire insurance status.

Your fire alarm signal should be coded in order to designate by sound whether the fire is in the City or outside. This can easily be done when an air horn is used for alarm purposes, or it can be easily done if a siren is used. This does not mean that any additional alarm equipment has to be purchased. It only means that some type of coding arrangement should be provided.

These are the only requirements for beefing up the department from the standpoint of apparatus and manpower.

If I can assist further, please let me know.

Kind personal regards,

Sherman Pickard
Director of Services

SP:ck

The City Manager stated that he has looked over the 1970 census information for McDowell County and has attempted to count the number of dwellings in the proposed Marion Service area that was recently delineated by Sherman Pickard of the North Carolina League of Municipalities. He stated that he estimates that there are 13,000 people living in the Marion fire service area. The City Manager stated that he had discussed this matter with Jack Harmon, County Manager, and Mr. Harmon expressed the opinion that he felt that if the County allocated \$40,000 to fire protection for the County the City should receive \$16,960 as 13,000 represents 42.4% of the county population and \$16,960 represents 42.4% of \$40,000. The \$16,960 equals an increase of \$13,060 over the \$3900 that the County presently gives to the City for serving the outside area. After considerable discussion the Board members present indicated that they favored the County Commissioner's proposal - that being to accept our portion of the \$40,000 based upon the percentage of the County population living in the proposed fire service area. The Board stated that they felt the City and County should have a written agreement regarding fire service protection and that this agreement should set forth among other things, the following: that the 1955 Dodge Truck be conveyed over to the City; that the Marion Fire Department at all times would remain under the jurisdiction of the Marion City Council. The City Manager was asked to work with Mr. Dameron in drafting a proposed agreement. This agreement is to be presented back to the Board for consideration before it is presented to the County Commissioners. Mayor Neal stated that he would like to see the arrangement being considered explained to the Marion volunteer firemen. He suggested that this be done by having Chief Laughridge appoint one or two volunteers to meet with the City Manager and the Chief to go over the proposed agreement. (Ref. June 8, 1971, p. 209)

*13,000 people was a reasonable estimate. The City Manager stated that

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CONLEY SEWER SERVICE: The City Manager stated that R. L. Conley desires to connect his laundermat, located in the vicinity of the intersection of Baldwin Avenue and East Court Street, to the municipal water system. The City Manager read the following letter to the Board:

BENNETT, KELLY & LONG
Cennett Building
Asheville, N.C. 28807

June 17, 1971

Mr. E. P. Dameron
Attorney at Law
14 West Court Street
Marion, N. C. 28752

Dear Sandy:

I have been consulted by Mr. Frank D. Conley and Mr. H. R. Phillips, who are the owner and tenant respectively of a building located on the J. R. Conley home place, presently owned by Mr. Frank C. Conley. This building is located on the "First Tract" as described in a contract of easement from Frank D. Conley to the Town of Marion, dated in April, 1957, and last acknowledged on April 20, 1957.

According to this instrument, Mr. Conley granted to the Town of Marion an easement for the purpose of laying a sewer line which has been constructed. As part of the consideration of the conveyance the Town of Marion agreed that certain taps would be made by the Town at no expense to Mr. Conley, to connect with certain of his property described in the instrument.

Mr. Conley has appeared before the Council and has requested that these taps be made, but as yet the Town has refused to take any action.

Mr. Phillips who, as the tenant of Mr. Conley, owns and operates a coin-operated laundry on the old J.R. Conley home place, has been notified by the Health Inspector for the State of North Carolina that he and Mr. Conley will be prosecuted for discharging laundry water into a creek running through the property if such condition persists after July 1, 1971.

I have advised Mr. Conley and Mr. Phillips that, in my opinion, they can maintain an action for a mandatory injunction against the Town of Marion to compel it to comply with its agreement. However, it would seem much simpler if the Town would voluntarily comply with its contract rather than force a suit. Knowing that you are Town Attorney, I have told my clients I feel you will endeavor to obtain compliance from the Town.

For your information, Mr. Conley and Mr. Phillips have authorized me to institute action unless the Town is willing to do so voluntarily. I hope you, as Attorney for the Town, will help to avoid such litigation.

With kindest regards, I am

Very truly yours,

HAROLD K. BENNETT

HKB:T

The City Manager stated that he had discussed this matter with Jack Brown, Director of Public Works, and that there appears to be no problems in tying Mr. Conley's laundermat into the municipal sewer system. He stated that although the laundermat would add considerable additional waste to the sewer system he felt that the pump station located across the street from the laundermat could adequately handle the additional waste. After further discussion and upon a motion by Councilman James and seconded by Councilman Wilkerson the Board instructed the City Manager to permit Mr. Conley to tie into the municipal sewer system in accordance with the April 1957 agreement (on file in the safe in the City Hall). A question was raised as to how the City would charge Mr. Conley for sewer service as some of the Board members thought he was on a well. It was concluded that we should give Mr. Conley the choice of buying a meter from the City to meter his well water or base his sewer charge on the average water consumption for other laundermats in the area. The Board also instructed the City Manager to work with Mr. Dameron in drafting a new agreement that would clarify the additional sewer taps that are to be granted to Mr. Conley -- the clarification being that any further taps due him as spelled out in the April 1957 agreement would be only for residential services. The sewer tap for the laundermat is to be granted to Mr. Conley only if he agrees to the above.

CITY PLANNING BOARD; APPOINTMENT OF: The City Manager stated that he has received a letter from the City's planning consultant asking that a planning board be appointed. After some discussion, Councilman Ledbetter suggested that the Mayor appoint a committee from the City Council to compile a listing of nominations for the planning board. The other Board members concurred with this suggestion. Mayor Neal stated that he was going out of town tomorrow but he would make these appointments on Monday. (Ref. Mar 2, 1971 min. p. 194)

CITY OWNED HOUSE ACROSS FROM WATER FILTER PLANT: The City Manager stated that the City owned house across Old #10 from the water filter plant is vacant and in such deteriorated condition that he would recommend that we not rent the house. The City Manager stated that it would be his recommendation that we permit City employees to remove any lumber or fixtures from the house that they care to and then after a month or two turn the house over to the fire department to burn down, possibly as a fire training drill. After viewing several pictures of the exterior and interior of the house and upon a motion by Councilman James and seconded by Councilman Wilkerson, the Board unanimously voted to authorize the City Manager to demolish the house.

STANDING COMMITTEES; APPOINTMENT OF: Mayor Neal stated that he would make the appointment of standing committees next week after returning from his out of town trip.

AIR PREHEATER: The City Manager stated that Mr. Norwood of Air Preheater has requested permission to install an in-line strainer on their water line before it gets to their meter. The City Manager stated that normally such a request should be denied; however, since there was so much trash and sediment going to the line, often clogging the meter, it would be his recommendation that we permit Air Preheater to install an in-line strainer on their waterline on the town side of the meter. The City Manager stated that officials of Air Preheater are drawing up an agreement that will include provisions that Air Preheater maintain the in-line strainer in a reasonable state of repair at all times. The City Manager stated that it would be his recommendation to the Board that we permit Air Preheater to make this installation. The Board expressed approval to the City Manager's recommendation.

CALIFORNIA AVENUE WATERLINE: The City Manager stated that several Negro families living on California Avenue are interested in contributing money to the City for the installation of a waterline down California Avenue. He stated that he had discussed this possible project with our City engineer and our engineer favored the project. The City Manager stated that it would be his recommendation that we accept the money from the Negroes and add any additional money that is necessary to install a 6" cement asbestos waterline down California Avenue. The line would be to the City's advantage as we would be extending the West Marion 6" line back in the direction of the City's system - and possibly at some later date the line on California Avenue could be tied into a line either in the Kent Subdivision or the Carnes Subdivision thus looping the system in that area.

WATER CONNECTION FEE: The City Manager recommended that the City set a fee of \$25.00 that will be charged to water customers that will have their service changed from private lines to municipal lines. This charge would apply only to customers along new lines installed by the City at no expense to the people that would benefit from them. The City Manager gave the example of the soon to be installed 10" line along Old # 10 highway, from Tate Street to Conley Road. He stated that the City is bearing the total cost of installing this line and he felt a small charge should be levied against customers that will benefit from this line. After some discussion and upon a motion by Councilman Segars and seconded by Councilman Ledbetter the Board unanimously voted to set a fee of \$25 for tying water customers now on private lines into new water lines installed by the City. This charge is to be levied only on existing water customers that have not contributed to a new line that they will be connected into.

KNIVES; CARRYING OF: The City Manager stated that one of the Board members expressed concern to him about some of the young people around town that are carrying knives on their belts. Mr. Dameron, City Attorney, stated that it was his understanding that it was a constitutional right for an individual to carry a knife or any type of weapon as long as it was not concealed. The City Manager asked if this applied to all ages or if an age limit could be set on this provision. Mr. Dameron stated that to his knowledge it applied to all ages. After considerable discussion the City Manager stated that he was going to visit the League of Municipalities in Raleigh the following day and that he would discuss this matter with the League's legal consultant.

ORIGIN AND DESTINATION TRAFFIC STUDY: The City Manager stated that the North Carolina Highway Commission has started an Origin and destination study in the Marion area. He stated that it was his understanding that cars would be stopped and several travel related questions would be asked of the operators. He stated that it would take several days to complete the study.

OFF STREET PARKING- RAILROAD STREET PARKING LOT: The City Manager stated that Carl Hall has entered into an agreement with the City regarding an entrance to his vacant lot across City of Marion parking lot # 5. (This agreement is filed in the safe in the City Hall.) (Ref. Jun 8, 1971 min. p. 209)

NATURAL GAS: The City Manager stated that the North Carolina Utilities Commission will be holding a public hearing in Raleigh within the next few weeks to determine why there is a holdup of an extension of gas lines into the Marion area. (Ref. May 24, 1971 min. p. 207.)

POST OFFICE: The City Manager stated that he has written the Post Master General regarding the traffic congestion problem in the vicinity of the Post Office. He stated he has received a reply stating that they would have one of their engineers investigate the traffic problem around our Post Office. (Ref. Jun. 8, 1971 min. p. 210.)

COUNTY DOG WARDEN REPORT: The City Manager reported that the County Dog Warden disposed of 87 dogs in March, 152 dogs in April, and 135 dogs in May.

NEIGHBORHOOD YOUTH CORP: The City Manager stated that he can use five Neighborhood Youth Corp applicants for various jobs around the City. The Board granted the City Manager permission to use five of the Neighborhood Youth Corp workers for the summer provided that this could be done at no expense to the City of Marion. (Ref. May 24, 1971 min. p. 206.)

LUCKEY STREET WATERLINE: The City Manager reported that crews have begun installing a PVC (plastic) 4" waterline on Luckey Street. This waterline will extend down Luckey street from Old # 10 for approximately 1600 feet. (Ref. April 20, 1971 min. p. 202.)

MARCEL DYSART: REQUEST FOR ADDITIONAL WATER SERVICE: The City Manager stated that Mr. Dysart has not been back in touch with him on the request that was made at the June 8 Board meeting; therefore he has nothing more to report on this matter. (Ref. June 8, 1971 min. p. 209.)

SIDEWALK--WEST COURT STREET: The City Manager reported that as of this date he has not been able to get in touch with the property owner that has covered the sidewalk on West Court Street. (Ref. May 24, 1971 min. p. 206.)

INSURANCE; CITY COVERAGE: Councilman James stated that he feels the city could save a considerable amount of money on our medical and life coverage if we would compare our existing rates with rates from the companies. No action was taken on this matter.

There being no further business the meeting adjourned.


City Manager


Mayor

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

July 20, 1971

The Marion City Council met in a regularly scheduled meeting on July 20, 1971 at 7:30 p. m. in the City Council Chamber. Board members present: Mayor Albert M. Neal. Councilmen: Robert E. James, William R. Ledbetter, James H. Segars, and Oliver R. Cross. Councilman absent: Horace Wilkerson. Others present: Victor H. Denton, City Manager, Bill Griffith, Dr. Robert Keenan, and Rosamond Braly.

Parking - Downtown Area: Mr. Bill Griffith, Chairman of the Chamber of Commerce Parking Committee, stated that he attended a meeting of several downtown merchants this morning. He stated the meeting was called to discuss parking in the downtown area. Mr. Griffith stated that the merchants in attendance opposed the installation of parking meters on off-street parking lots. He stated that the merchants would like to see the City increase the parking violation fine from 25¢ to 50¢ or \$1.00. Mr. Griffith stated that for several months he has been working with the merchants to get a financial commitment from them for starting a fund to procure and develop additional off-street parking lots. He stated that he felt that money for such projects should be derived from the merchants, the property owners, the City of Marion.

Mayor Neal stated that several months ago the merchants expressed interest in having off-street parking lots metered. He stated that he thought that the City was following through with their request. He stated that consideration would be given to their change of attitude regarding the metering of off-street parking lots. Mr. Griffith stated that an effort was being made to get downtown employees to park in all-day parking lots rather than in the two-hour parking lots. The City Manager stated that the City has several all-day parking lots for employees, however, they are seldom utilized to any great extent by the downtown employees. After considerable discussion regarding downtown parking, Mayor Neal requested that Mr. Griffith make a survey of the needs for off-street parking for employees and that he encourage the merchants to make a greater effort to get their employees to park in all-day parking lots. The City Manager stated that he would compile a map of the all-day parking lots and have it duplicated so copies could be given to merchants for distribution to their employees.

Following the above discussion Mr. Griffith excused himself from the meeting. (Ref. June 8, 1971. Min. p. 210.)

Fluoridation: Dr. Robert Keenan stated that he would like to see the Board take some action on fluoridation in the near future so that the proponents of fluoridation will have the opportunity to solicit public support if the Board decides to have a referendum on fluoridation. After some discussion of this matter Dr. Keenan excused himself from the meeting. The subject was further discussed but no action was taken. (Ref. June 8, 1971 Min. p. 210)

Minutes of the June 22, 1971 Meeting: Upon a motion by Councilman Ledbetter, seconded by Councilman Cross, the Board unanimously voted to approve the June 22 minutes.

Adoption of the 1971-72 Budget: Upon a motion by Councilman Cross, seconded by Councilman Segars, the Board unanimously voted to adopt the following appropriation ordinance.

1971-72 Appropriations Ordinance

Be it ordained by the City Council of the City of Marion, North Carolina:

Section 1. APPROPRIATIONS: The amounts set forth in the adopted budget are hereby appropriated for the operation of the City Government and its activities for the fiscal year beginning July 1, 1971 and ending June 30, 1972.

Section 2. ESTIMATED REVENUES: It is estimated that the revenue set forth in the adopted budget will be available during the fiscal year beginning July 1, 1971, and ending June 30, 1972, to meet the adopted budget appropriations.

Section 3. TAXES LEVIED: There is hereby levied the following rates of tax on each one hundred dollars (100) valuation of taxable property, as listed for taxes as of January 1, 1971 for the purpose of raising the revenue from current year's Property Tax in the amount set for in the adopted budget.

GENERAL FUND (for the general expenses incident to the proper government of the City).....

DEBT SERVICE FUND (for the payment of interest and principal on outstanding debt).....

TOTAL RATE per \$100 of valuation of taxable property..... 1.50

Such rates of tax are based on an estimated total assessed valuation of property for purpose of taxation of \$18,267,091 and an estimated rate of collection of 96%.

Section 4. POLL TAX: There is hereby levied a Poll Tax of \$1.00 on all male persons between the ages of 21 and 50, unless exempt as provided by law, for the purpose of raising the revenue from current year's Poll Tax, as set forth in the following estimates of revenue, and in order to finance the following appropriations.

Section 5. DISBURSEMENT OF FUNDS: Funds shall generally be disbursed in accordance with the allocations set forth in the adopted budget:

Adopted this 20 day of July 1971.

Petroleum Bids: The City Manager stated that due to an over sight on his part he failed to mention at the last Board meeting that the City also received a petroleum bid from Marion Oil Co. He stated that since their bid is higher than BP Oil Company's bid it would be his recommendation that we buy our petroleum products from BP Oil Company for this coming fiscal year. He stated that action was taken to this affect at the last Board meeting and that it would be his recommendation that we let this action stand as BP Oil Company's bid is lower than Marion Oil Company's. The Board concurred with the Manager's recommendation on this matter. (Ref. June 22, 1971 min. p. 213.)

Appointments to Standing Committees: Mayor Neal announced the following appointments to the Board's standing committees. (See attachment) (Ref. June 22, 1971 Min. p. 217)

Appointment of Planning Board: The City Manager stated that our planning consultant is requesting that we appoint a planning Board so that he can move forward with our planning program. After some discussion, it was decided that each board member should prepare a list of at least five names by the next Board meeting. At that time an attempt is to be made to appoint a Planning Board from the names recommended. (Ref. June 22, 1971 min. p. 217.)

City - County Fire Service Agreement: Upon a motion by Councilman Segars, seconded by Councilman James, the Board unanimously adopted the attached fire agreement and instructed the City Manager to present the agreement to the County Manager. (Ref. June 22, 1971 min. p. 214.)

California Avenue - Purposed 6" Water Line: The City Manager stated that the Negroes living along California Avenue have failed to raise sufficient money to install a 6" water line down this street. He stated that Mr. Frank Hall and his brother Will Hall are building four houses on this street and that they are willing to pay for the necessary 6" cement asbestos pipe to run a line from Sugar Hill Road approximately 1100 feet down the north side of California Avenue to the Hall's property if the City will install the line.

The City Manager stated that under our present policy the City will give consideration to installing a 6" or larger line outside the Corporate limits but within one-half mile of the limits if the petitioner will pay for the pipe. The City Manager stated that since Mr. Hall is willing to meet the requirements of this policy and since the proposed line is within one-half mile of the Corporate limits, it would be his recommendation that we install the proposed line.

He continued by stating that it will be necessary to extend the above line under Sugar Hill Road by boring, which will cost three hundred to five hundred dollars. He stated that he recommends that the City pay for the boring as it will later benefit other existing and future customers in the area. The Board authorized the City Manager to implement this project if Mr. Hall will pay for the 6" pipe for this project. (Ref. June 22, 1971 min. p. 217.)

Parking; Off - Street Parking Behind Service Pharmacy: The City Manager stated that Mr. Ernie House and Mr. David Blanton, members of the Chamber of Commerce Parking Committee, have requested that the City pave the vacant lot adjoining the municipal parking lot on Railroad Street. The City Manager stated that he has observed that the paved off-street City parking lot is presently not being used to capacity and that he would therefore question the expenditure of municipal funds for paving this lot. He stated that it would be his recommendation that we let Mr. Hall gravel the lot in accordance with our agreement dated June 14, 1971 and at a later date consider paving the lot only if it is being used to any appreciable amount for off-street parking. (Ref. June 8, 1971 min. p. 209.)

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Appointments to Standing Committees: Mayor Neal announced the following appointments to the Board's standing committees. (See attachment) (Ref. June 22, 1971 Min. p. 217)

Appointment of Planning Board: The City Manager stated that our planning consultant is requesting that we appoint a planning Board so that he can move forward with our planning program. After some discussion, it was decided that each board member should prepare a list of at least five names by the next Board meeting. At that time an attempt is to be made to appoint a Planning Board from the names recommended. (Ref. June 22, 1971 min. p. 217.)

City - County Fire Service Agreement: Upon a motion by Councilman Segars, seconded by Councilman James, the Board unanimously adopted the attached fire agreement and instructed the City Manager to present the agreement to the County Manager. (Ref. June 22, 1971 min. p. 214.)

California Avenue - Purposed 6" Water Line: The City Manager stated that the Negroes living along California Avenue have failed to raise sufficient money to install a 6" water line down this street. He stated that Mr. Frank Hall and his brother Will Hall are building four houses on this street and that they are willing to pay for the necessary 6" cement asbestos pipe to run a line from Sugar Hill Road approximately 1100 feet down the north side of California Avenue to the Hall's property if the City will install the line.

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In response to a question from the City Manager, the Board stated that the provision regarding lights in the building, set forth in the minutes of a Board meeting on March 2, 1971, is to apply to this dance.

Street Resurfacing: Councilman Segars stated that Councilman Wilkerson asked him, before he left on vacation, to mention that he would like for consideration to be given to resurfacing (1) Logan Street between West Court and West Henderson and (2) Morgan Street. The City Manager stated that he would present a resurfacing plan to the Board before the resurfacing project is under taken. (Ref. June 8, 1971, min. p. 209.)

Railroad Street - Simmons Tire and Recapping Establishment: Councilman James and Councilman Segars stated that they are continuing to receive complaints about dust from the residents living in the vicinity of the above establishment. After considerable discussion the City Manager stated that he would inform Mr. Simmons that we are continuing to receive complaints and that we would like for him to try to get his new dust removal equipment as soon as possible.

Public Housing: The City Manager distributed the following letter to the Board prior to the meeting.

THE MCDOWELL COUNTY HOUSING AUTHORITY
McDowell County Courthouse
Marion, N. C. 28752

July 17, 1971

The Honorable Albert M. Neal, Mayor
City of Marion, North Carolina
Marion, N. C. 28752

Dear Sir:

The McDowell County Housing Authority has been organized for just more than a year. During this time an application has been made to the Department of Housing and Urban Development for assistance in building public housing units in McDowell County. At this time our application is pending.

It is felt that it might be of interest to you and your board of Aldermen to have one or more of the members of the McDowell County Housing Authority to attend one of your meetings to help keep you informed on the progress of public housing in McDowell County. By a call we can arrange a date agreeable to both groups, depending on your interest and schedule.

Recently, the County Commissioners adapted an Agreement of Cooperation with the McDowell County Authority. This agreement establishes a means by which the McDowell County Housing Authority will make payments to the County of McDowell as a Taxing Body.

It is possible, that after your group understands the work already done by the McDowell County Housing Authority, and because of the limited population of your county, that you too would like to enter into an agreement with the Authority relative to public housing in the City of Marion. In any event it will be a pleasure to meet with your group to bring you up to date on the activity of the McDowell County Housing Authority.

Sincerely,

Michael A. McCall, M. D. Chairman
The McDowell County Housing Authority

MAMCD/bhb

Brady H. Brooks, Secretary

After discussing the above letter the City Manager was instructed to invite Mr. McCall or one of his representatives to a Board meeting to make a presentation on public housing.

Police Vehicle: The City Manager stated that the City has been notified by the director of Region C Criminal Justice Planning Agency that a four-wheel drive jeep costing approximately \$3500.00 can be acquired by the City for approximately \$1500.00. The City Manager stated that even though this was a considerable saving over the regular cost of this vehicle, it would be his recommendation that we do not invest in such a vehicle at this time. The Board concurred with the City Manager's recommendation.

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CITY OF MARION

P. O. BOX 536

MARION, NORTH CAROLINA 28752

OFFICE OF CITY MANAGER

Standing Committees

1971 - 73

Street

James Segars
William Ledbetter
Oliver Cross

Cemetery

Horace Wilkerson
Robert James

Recreation

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Oliver Cross
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Firemen's Relief

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NORTH CAROLINA

McDOWELL COUNTY

CONTRACT AND AGREEMENT

This Contract and Agreement, made and entered into this ____ day of _____, 1971, by and between the City of Marion, a municipal corporation organized and existing under and by virtue of the laws of the State of North Carolina, party of the first part, and County of McDowell, a body politic, party of the second part:

WITNESSETH:

That Whereas, the parties hereto are desirous of entering into an agreement whereby the party of the first part will furnish fire protection for a portion of McDowell County outside the city limits of Marion, North Carolina, for a period of one year, from July 1, 1971, until and including June 30, 1972;

Now, Therefore, for and in consideration of the sum of Ten Dollars and other good and valuable considerations, each to the other party paid, the receipt of which is hereby acknowledged, and in further consideration of the agreements and covenants herein contained, the said parties do hereby agree with each other as follows:

1. The party of the first part agrees that its Fire Department shall answer calls to fight fires within the area designated as the Marion Fire District as shown on the map entitled Marion Fire District, 1971. It is understood and agreed that the boundaries of said district shall not be changed without the consent and approval of the Marion City Council.

2. The party of the first part agrees that its volunteer fire department will exert its best efforts, under the circumstances existing at the time of any fire in said fire district in combatting fires anywhere in said district, provided, however, neither the Marion Fire Department nor the City of Marion shall be liable for failure or lack of success in the prevention of damage to property or persons.

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MARION, NORTH CAROLINA 28752

OFFICE OF CITY MANAGER

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1971 - 73

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Contract - Page 2

3. The City of Marion is to be the exclusive owner of all fire fighting equipment acquired to serve the City of Marion and the Marion Fire District, including the 1955 Dodge Fire Truck presently housed in the Marion Fire Department.

4. The volunteer firemen of the Marion Fire Department and the equipment in said department are to be under the exclusive supervision of the Marion City Council or such person or persons as it may designate from time to time.

5. The Marion Fire Department is to be in no way answerable to the ~~City~~ ^{County} Fire Commission.

6. The party of the second part will allocate a prescribed amount of money to fire protection in McDowell County each fiscal year and the party of the first part will receive an amount of the total of such allocation equal to the ratio which the percentage of the number of persons residing in the Marion Fire District bears to the total population of McDowell County.

7. It is understood and agreed that the party of the first part does not by this agreement obligate itself to provide fire service or protection beyond the boundaries of the Marion Fire District; provided, however, that this agreement does not abrogate or impair any other agreement, written or verbal, with respect to mutual assistance in fighting fires in other areas of McDowell County outside the Marion Fire District.

8. This contract is to be re-negotiated for each fiscal year in June of each year and it is understood and agreed that in no event will the party of the second part allocate less than \$16,960.00 to the City of Marion for providing fire protection to the Marion Fire District. The sum to be paid to the party of the first part, by the party of the second part, pursuant to the provisions of this contract,

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Contract - Page 3

shall be paid as follows: One-half on or before July 30, 1971, and the remaining One-half on or before September 30, 1971. If this contract and agreement is extended by mutual consent of the parties hereto, the sum to be paid by the party of the second part to the party of the first part each fiscal year, pursuant to the provisions of this agreement, shall be paid one-half on or before July 30 of such year and the remaining one-half on or before September 30 of such fiscal year.

9. Nothing contained in this contract or agreement shall be construed to require the party of the first part to install or maintain water lines, fire hydrants, or other facilities, which it is not otherwise obligated to install or maintain, outside the corporate limits of the City of Marion.

10. The party of the first part shall not be liable for any failure to furnish fire fighting equipment or personnel or for the lack of sufficient water or water pressure or for the manner in which any fire is combatted.

11. Either party to the contract may terminate this contract and agreement by giving the other party thirty days notice in writing of its intention to do so.

IN TESTIMONY WHEREOF, the parties to this agreement have executed the same in duplicate originals, one of which is retained by each of the parties and the party of the first part has caused this agreement to be signed in its corporate name by its Mayor and attested by its City Clerk and has caused its corporate seal to be hereunto affixed and the party of the second part has caused this agreement to be executed in its corporate name by its Chairman of its Board of Commissioners and attested by the Clerk to the Board, and has caused

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1. A 40 foot right-of-way be dedicated to the City and that this right-of-way extend from Miller Avenue west approximately 550 feet then south approximately 400 feet to a point where it intersects with Ridgecrest Avenue;

2. That the right-of-way for the entire distance be graded and compacted reasonably level for it's full width of 40 feet;

3. That road-base stone, compacted to a depth of at least 6 inches and 25 feet in width, be placed in the center of the right-of-way for the full distance;

4. That the portion of the street extending approximately 550 feet west off of Miller Avenue be paved for a width of at least 25 feet and that curbs be installed. The City is to pay for one-half the cost of the paving and curbing. Mr. House is to pay for the remaining one-half;

5. That the City install a 6 inch water line down the street to be paved and install the necessary sanitary sewers to serve the property to be developed. The City is to pay for one-half the cost of the materials and install the line. Mr. House is to pay one-half the cost of the materials.

Garden Street - Prohibition of Truck Traffic: The City Manager stated that Mr. Ernie House would like for the Board to consider prohibiting truck traffic on Garden Street between Rutherfordton Road and State Street. After some discussion, the Mayor stated that he would talk with Mr. House to determine if his request was to prohibit all trucks or just through truck traffic.

Community Building - Purposed Dance Sponsored by Recreation Commission: The City Manager stated that Marshal Dark, a member of the Recreation Commission, has requested that the Board grant permission to the Recreation Commission to use the Community Building on Friday, July 23, 1971, free-of-charge for a dance. After some discussion and upon a motion by Councilman James, seconded by Councilman Cross, the Board voted to grant permission to the Commission to use the building, free-of-charge for a dance, the night of Friday, July 23.

CITY OF MARION

P. O. BOX 536

MARION, NORTH CAROLINA 28752

OFFICE OF CITY MANAGER

Standing Committees

1971 - 73

Street

James Segars
William Ledbetter
Oliver Cross

Cemetery

Horace Wilkerson
Robert James

Recreation

James Segars
Oliver Cross
Robert James

Firemen's Relief

Horace Wilkerson
William Ledbetter

Board's

Meeting

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Contract - Page 4

its seal to be hereunto affixed on the day and year first above written.

CITY OF MARION

Robert M. Neal
Mayor

Attest:

Paul H. Denton
City Clerk & Manager

(Corporate Seal)

COUNTY OF McDOWELL

By _____
Chairman of the Board

Attest:

Clerk to the Board

(Corporate Seal)

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Petroleum Bids: The City Manager stated that due to an oversight on his part he failed to mention at the last Board meeting that the City also received a petroleum bid from Marion Oil Co. He stated that since their bid is higher than BP Oil Company's bid it would be his recommendation that we buy our petroleum products from BP Oil Company for this coming fiscal year. He stated that action was taken to this effect at the last Board meeting and that it would be his recommendation to the Board.

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Contract - Page 5

NORTH CAROLINA

McDOWELL COUNTY

This is to certify that on the 23rd day of July, 1971, before me personally came Albert M. Neal, Mayor of the City of Marion, with whom I am personally acquainted, who being by me duly sworn says that he is the Mayor of the City of Marion, and Victor H. Denton is the City Clerk and manager of the City of Marion, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of said corporation; that the seal affixed to the foregoing instrument is said corporate seal, and the name of the corporation was subscribed thereto by the said Mayor, and that said Mayor and City Manager subscribed their names thereto, and said corporate seal was affixed, all by order of the City Council of said corporation, and that the said instrument is the act and deed of said corporation.

Witness my hand and official seal, this the 23rd day of July, 1971.

Mary Klutts Sullivan
Notary Public

My Commission Expires:

January 8, 1976

NORTH CAROLINA
McDOWELL COUNTY

This is to certify that on the day of , 1971, before me personally came Paul Richardson, Chairman of the Board of County Commissioners of McDowell County, with whom I am personally acquainted, who, being by me duly sworn says that he is the Chairman of the Board of County Commissioners for McDowell County, and Billy R. Truett is the Clerk of the Board of Commissioners of McDowell County, the Board described in and which executed the foregoing instrument; that he knows the seal of said County; that the seal affixed to the foregoing instrument is the said seal of the County, and the name of the County was subscribed thereon by the said Chairman and that said Chairman and Clerk of the Board of Commissioners subscribed their names thereto, all by order of the Board of Commissioners of said County, and that the said instrument is the act and deed of said County.

Witness my hand and official seal, this the day of , 1971.

Notary Public

My Commission Expires:

City Owned Bulldozer: The City Manager stated that since the City-County dump has been converted over to a Regional Sanitary Land-Fill the City no longer has a need for the City owned bulldozer at the dump. He stated that the director of the Solid Waste Commission has requested that the City consider donating the dozer to the Commission as they frequently need a dozer at the McDowell County Sanitary Land-Fill site. The City Manager stated that it would be his recommendation that we consider leasing the dozer to the Commission for use only at McDowell County site for perhaps a dollar a year, provided the Commission maintains the dozer in a good state of repair. After some discussion the Board concurred with the City Manager's recommendation provided the City could use the dozer for short durations on City related projects if needed. The City Manager stated that he would discuss this matter further with the Regional Director and report back to the Board at the August 3 meeting.

Sanitary Land-Fill: Some of the Board Members stated that they have heard some annoyance expressed over the limited hours that the Sanitary Land-Fill is open. The City Manager stated that he would express this concern to the Regional Director and report back to the Board at the August 3 meeting.

Fleming Avenue and Fern Avenue: Councilman Cross and other Board Members stated that they have received complaints about the weeds and shrubbery growing up around a vacant house located at the intersection of the above mentioned streets. The City Manager stated that he would write a letter regarding this matter to the property owner.

Winn-Dixie Store: Councilman James stated that frequently white ashes are ejected from the Winn-Dixie incinerator. He stated that this ash is of considerable nuisance to the residences living behind Winn-Dixie Store. The City Manager stated that this nuisance could be reported to the state Department of Water and Air Resources and they in turn would probably get in touch with the store. The City Manager also stated that the problem would be corrected later this fall when the City initiates its containerization project. No further action was taken on this matter.

Off-Street Parking-Tainter Property: The City Manager asked if the Board wanted to request the downtown merchants and land owners to participate financially with the City in the purchase of the Tainter property on West Henderson Street. After considerable discussion the Mayor stated he would talk with Mr. Dameron, Attorney for the Tainter estate and with Mr. Bill Griffith about the possible purchase of this property.

Garden Street Railroad Crossing: The City Manager reported that the Southern Railroad officials recently informed him that they will act favorable on our request to improve the Garden Street crossing. He stated that the Railroad plans to fill the holes in the crossing within the next few days and as soon as the project can be scheduled, they will install timbers along the rails of the side crossing. The City Manager stated that he would write North Carolina League of Municipalities requesting information on how we could go about getting a crossing signal installed on Garden Street.

McDowell Street: Councilman James stated that he has received some complaints regarding (1) the lack of line markings on McDowell Street and the lack of a traffic signal at the intersection of McDowell and East Court Street. The City Manager stated that it was his understanding that the street would be marked within the next few days and that the Highway Commission is presently investigating the need for a traffic signal at the above intersection. Council James also stated that some local people have suggested to him that the City Council meet with Mr. Kirsey, North Carolina Highway Commissioner, at perhaps a dinner meeting, to reiterate our need for a by-pass. The Mayor and others indicated that they felt it would be desirable to try to set up such a meeting. Councilman James stated that he would be glad to make the necessary arrangements for the meeting.

Natural Gas: The City Manager stated that Jack Harmon, County Manager, Jack Piercy, Old Fort Alderman and himself attended a public hearing called by the North Carolina Utilities Commission to determine why there have been so many delays in extending natural gas in this area. The City Manager stated that the Public Service Co. of North Carolina reported at the hearing that the delays were caused primarily by the shortage of natural gas and that they felt it would be four or five years before they would have sufficient quantities of gas to supply this area. (Ref. June 22, 1971 min. p. 218.)

Tax Lien Sale: The City Manager stated that the Tax Lien Sale was held at 12:00 noon Monday, July 12, 1971. He stated that no one was present for the sale and no sale was made.

One Cent Sales Tax-Petition to Repeal: The City Manager distributed prior to the meeting the attached letter. No action was taken on this matter.

U. S. Corp of Engineers Flood Plain Study: The City Manager reported that the U. S. Corp of Engineers will present a recently completed flood plain study at a meeting scheduled at 10:00 a. m. Friday, July 23. (Ref. April 1, 1969 min. p. 78.)

Isothermal Development and Planning Commission: The City Manager reported that he recently attended a meeting of the Commission and that it now appears that Spindale will have top priority for a Appalachia Grant this year. This is primarily because they will soon be having a body referendum for upgrading their water and sewer facilities. He stated that if we continue to move forward with our plans for upgrading our water and sewer facilities we should have a high priority next year for a Appalachia Grant. (Ref. April 6, 1971 min. p. 199.)

Ellis Street - Water Service to Hensley Mosley Mill: The City Manager stated that a 2" water line has been extended to Ellis Street from a 6" line on Hillcrest Drive. He stated that this project should improve Mr. Hensley's water pressure, however, he stated that he has not talked with Mr. Hensley about his pressure since the above improvement was made. He stated that if Mr. Hensley is still having water problems it will be necessary to extend a 6" water line from Hillcrest Drive down to his mill on Ellis Street.

Conley Sewer Agreement: The City Manager stated that Mr. James Conley desires some changes in the wording of an agreement recently drawn up by our City Attorney. He stated that the agreement was generally acceptable to Mr. Conley. However, he wanted some changes made in the wording of the agreement before signing it. (Ref. June 22, 1971 min. p. 21.)

Police Department Training: The City Manager stated that Capitan Beck, recently designated training officer, will be attending a school in Burlington for police instructors. He stated that there will be no cost to the City except for transportation to and from Burlington.

Tax Seminar: The City Manager stated that he is planning a trip to Chapel Hill July 21 to attend a seminar on new tax laws recently enacted by the North Carolina General Assembly.

Water and Sewer Study: The City Manager stated that our engineers would like to meet with the Board within the next few weeks to present their water and sewer plans for Marion. After some discussion, it was decided that the August 17 regular meeting date should be reserved exclusively for the presentation of this report to the Board.

City Manager's Request for Annual Leave: The Board granted the City Manager five days of annual leave extending from July 26 to 30.

There being no further business the meeting adjourned.

Mayor

Clerk

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

August 3, 1971

The Marion City Council met in a regularly scheduled meeting on August 3, 1971 at 7:30 p.m. in the City Council Chamber. Board members present Mayor, Albert M. Neal, Councilman: Oliver R. Cross, Robert E. James, William R. Ledbetter, James Segars and Horace Wilkerson. Others present; Victor H. Denton, City Manager, L. D. Gouge, Jr., Dean Wall, Donald Howell and Gade Pelley.

RESCUE SQUAD: Rescue Squad representatives L. D. Gouge, Jr., Dean Wall, and Donald Howell stated to the Board that the Rescue Squad is purchasing a Chevrolet van truck to replace an old vehicle. They stated that they are in need of approximately \$2500.00 to make up the difference between what they have in the bank and the cost of the new truck and the equipment for it. They stated that it would be greatly appreciated if the City Council would make a contribution toward the purchase of this truck. Mayor Neal stated to the members present that the Board recently adopted a new budget for this fiscal year and no money was set aside for such an unanticipated request; However, consideration certainly would be given to their request. Several of the Board members stated that they continually hear good reports about the squad and they greatly appreciate the services the Squad is rendering. Prior to leaving Mr. Gouge and Mr. Wall thanked the Board for listening to their request.

APPOINTMENT OF A CITY PLANNING BOARD: Upon a motion by Councilman Segars, seconded by Councilman James, the Board unanimously voted to appoint the following members to the Marion Planning Board: James Hollifield, Dean Wall, Dula Hawkins, Ray Cline, John Cross, Mrs. David Setzer, Mrs. John Allen, and Mrs. Lloyd Miller. (Ref. March 2, 1971 min. p. 194)

STREET RESURFACING: The City Manager requested and received permission to resurface the following streets, Morgan Terrace, Wayne Street, Carroll Street, Ann Street, Gay Street, Greenlee Street, Logan Street - between West Court Street, West Henderson Street, Lail Street - east of New West Henderson Street, the lower end of Viewpoint Drive beginning

across from the Community Building and extending up the hill to a point where it intersects with Crecent Avenue, Hillcrest Drive and Morgan Street. He stated that the resurfacing project would continue till the budgeted funds are expended. It may be possible to resurface a few additional streets or it may be necessary to defer resurfacing some of the above streets until next year. (Ref. June 22, 1971 min. p. 221)

✓ AN ORDINANCE PROHIBITING THE CARRYING OF KNIVES, DIRKS, DAGGERS, BOWIE KNIVES, WITH A BLADE OVER THREE INCHES IN LENGTH, BY ANYONE INSIDE THE COOPERATE LIMITS OF THE CITY OF MARION: Upon a motion by Councilman Cross, seconded by Councilman Segars the Board unanimously voted to adopt the attached ordinance effective August 3, 1971.

GARDEN STREET RAILROAD CROSSING: The City Manager stated that he checked with the North Carolina League of Municipalities and a couple other communities in the area and has found that there seems to be no set formula for the sharing the cost of installing railroad crossing signals. He stated that the North Carolina General Assembly this past session has enacted a law effective January 1, 1972, making it possible for a City to require a railroad to install signals, under certain conditions, with the city bearing 90% of the cost and the railroad 10% of the cost. The maintenance of the signals under the new law is to be performed by the railroad company with the City paying 50% of the maintenance cost. After considerable discussion regarding the possible location of the signals - as to whether they should be located near the tracks, up the hill, or suspended above the tracks - and after discussing possible problems relating to the signals being activated by switching activity in the vicinity of the railroad station, it was decided to postpone action on this matter. (Ref. June 22, 1971, min. p.222)

GARDEN STREET, PROHIBITION OF TRUCK TRAFFIC: After discussing Mr. Ernie House's request to prohibit truck traffic on Garden Street, it was decided to take no action on this matter at this time as it was the general feeling that there is very little through truck traffic on this street. (Ref. July 20, 1971, min. p. 220)

GARDEN STREET - LANE MARKING IN FRONT OF HOUSE THEATRE: The City Manager reported that it might be possible to install a left turn lane on Garden Street between the House Theatre and the Courthouse without removing parking on the east side of Garden Street. After some discussion, it was decided to table action on this matter until an investigation can be made as to the width of the street and to whether there is any need to remove parking on the east side of Garden Street to install the left turn lane. The City Manager stated that he would make a further investigation on this matter and report back to the Board at the next meeting.

HAROLD DYSART - WATER SERVICE TO A WAREHOUSE UNDER CONSTRUCTION ON HIS PROPERTY: The City Manager stated that Mr. Dysart is interested in getting water from the City to supply a warehouse that is being constructed on his property on U. S. 70 West. He stated that the water for the warehouse would come from a 2" line that is to be installed to his mobile home court. The City Manager stated that service to the warehouse would not come under the M. M. Burgin or Dysart Agreements, as the warehouse is not being built on the old M. M. Burgin estate. The City Manager stated that the City presently has a meter-service charge of \$600.00 for a two-inch meter. The City Manager stated that he would suggest that we reduce the fee for Mr. Dysart from \$600.00 to \$375.00 and that we install the meter and the meter bypass and that Mr. Dysart be required to install the meter box. The City Manager stated that normally the meter service fee would include the cost of the box, however because of the size of the meter he would recommend that we reduce the connection fee in order to get out from under the responsibility of having to build a sizable meter box. The City Manager also recommended that we charge, on top of the regular monthly water charge, a monthly sprinkler head fee similar to what is being charged to Air Preheater. After some discussion and upon a motion by Councilman Segar, seconded by Councilman Ledbetter, the Board unanimously voted to charge Mr. Dysart \$375.00 for a 2" meter service and that the monthly billing include an additional sprinkler head charge. The fee per sprinkler head is to be the same as charged to Air Preheater.

REAR GARBAGE PACKER TRUCK, FRONT GARBAGE PACKER TRUCK, AND POLICE CAR; ADVERTISING FOR BIDS: The City Manager requested and received permission to advertise for bids for a rear garbage packer truck, a front garbage packer truck and a police car.

ROSAMOND BRALY - RECOGNIZATION: Upon a motion by Councilman Cross, seconded by Councilman Ledbetter, the Board unanimously voted to adopt the following resolution.

Whereas Rosamond Braly has for a number of years attended meetings of the Marion City Council as editor of the McDowell News and has been most helpful to the Council in keeping the public advised of it's actions and deliberations, and whereas Mrs. Braly has recently resigned as editor of the McDowell News to enter the teaching profession, now therefore be it resolved by the City Council of Marion, North Carolina, that the Council expresses its gratitude to Mrs. Braly for the outstanding news coverage which she has given to it's action and wishes her much success in her new undertaking.

CITY-COUNTY FIRE AGREEMENT: The City Manager stated that the County Commissioners reviewed our proposed fire agreement and generally concurred with it except for a few changes that they would like to see made in the agreement before adopting it. After some discussion the Board upon a motion by Councilman Cross, seconded by Councilman Ledbetter unanimously voted to modify the earlier proposed agreement and submit the attached agreement to the Commissions for their consideration. (Ref. June 20, 1971 min. p. 220)

DAVID RAMSEY; LETTER FROM: The City Manager reported that recently he has received two letters from David E. Ramsey, Marion High School teacher, regarding the installation of signs at the City Limits. The City Manager read a letter addressed to the Council from Mr. Ramsey setting forth this request. The City Manager stated that since the initial request was made, Mr. Ramsey has decided to work with the Chamber of Commerce on this project.

CABLE T. V.: Councilman Segars and City Attorney E. P. Dameron stated that Bill Harkey, local manager of Suburban Cable Television, has requested that the Board amend their franchise, to grant them permission to charge an installation fee of \$9.95. After considerable discussion, the Board unanimously voted to amend the existing franchise agreement to permit the charge of \$9.95. The City Manager was instructed to ask Mr. Harkey to have Suburban Cable Television's attorney draw up an amendment to the existing franchise agreement.

RESCUE SQUAD: After some discussion the Board unanimously voted to contribute \$500.00 to the Rescue Squad. This money to be applied toward the purchase of a van truck.

POST OFFICE, TRAFFIC CIRCULATION: Councilman Segars stated that he recently talked with a Post Office Engineer and with Robert Rowe, local Post Master and that they both implied that they would recommend to the Postal Service that a street along the side of the Post Office not be constructed from Main Street to Garden Street. After considerable discussion and upon a request from Councilman Segars, the City Manager was asked to write or talk with Congressman Taylor's representative Tom Meloney when he comes to Marion, emphasizing the need for a street alongside the Post office. It was also stated that consideration should be given to inviting Mr. Meloney to a meeting (other than a City Council meeting) to discuss this matter. (Ref. June 8, 1971, min. p. 210.)

A A ACTIVITIES IN THE AREA: Councilman James stated that an attempt is being made to establish an A A Council on Alcoholism and Drugs in Marion, and that in the near future this group will be having an open house meeting. Councilman James stated that he wants to extend an invitation to all the Board members to attend this meeting - the date and time will soon be announced.

MCDOWELL STREET PROJECT: Councilman Cross stated that he has received several comments from individuals regarding the need for a traffic signal at the intersection at McDowell and East Court Street. The City Manager stated that Highway Commission has been making a study of this intersection, however he would write the Commission reemphasizing the need for a signal.

MCDOWELL NEWS REPORTER: Mayor Neal extended a welcome to Gade Pelley, new editor for the McDowell News.

AUGUST 17, BOARD MEETING: City Manager stated that the August 17, Board meeting will be reserved for a presentation of the water and sewer report by our engineers.

THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES; OCTOBER 10, 11, and 12 MEETING: The City Manager stated that the North Carolina League of Municipalities annual convention will be held in Durham on October 10, 11, and 12. He stated that if any of the Board members are interested in attending, he should be notified so that reservations can be made at the convention hotel.

There being no further business the meeting adjourned.

Victor H. Denton
City Manager

Albert M. Neal
Mayor

August 17, 1971

The Marion City Council met in a regular Board meeting on August 17, 1971 at 7:30 p. m. in the City Council Chamber. Board members present: Mayor Albert M. Neal, Councilman Oliver R. Cross, William R. Ledbetter, Robert E. James, Horace Wilkerson, James Segars. Others present: Victor H. Denton, City Manager, E. P. Dameron, City Attorney, Tom Chapman, Charles Willis, Jack Brown, Carroll Moore, and Don Dillingham, McDowell News reporter.

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ROSAMOND BRALY - RECOGNIZATION: Upon a motion by Councilman Cross, seconded by Councilman Ledbetter, the Board unanimously voted to adopt the following resolution.

Whereas Rosamond Braly has for a number of years attended meetings of the Marion City Council as editor of the McDowell News and has been most helpful to the Council in keeping the public advised of it's actions and deliberations, and whereas Mrs. Braly has recently resigned as editor of the McDowell News to enter the teaching profession, now therefore be it resolved by the City Council of Marion, North Carolina, that the Council expresses its gratitude to Mrs. Braly for the outstanding news coverage which she has given to it's action and wishes her much success in her new undertaking.

CITY-COUNTY FIRE AGREEMENT: The City Manager stated that the County Commissioners reviewed our proposed fire agreement and generally concurred with it except for a few changes that they would like to see made in the agreement before adopting it. After some discussion the Board upon a motion by Councilman Cross, seconded by Councilman Ledbetter unanimously voted to modify the earlier proposed agreement and submit the attached agreement to the Commissions for their consideration. (Ref. June 20, 1971 min. p. 220)

DAVID RAMSEY; LETTER FROM: The City Manager reported that recently he has received two letters from David E. Ramsey, Marion High School teacher, regarding the installation of signs at the City Limits. The City Manager read a letter addressed to the Council from Mr. Ramsey setting forth this request. The City Manager stated that since the initial request was made, Mr. Ramsey has decided to work with the Chamber of Commerce on this project.

CABLE T. V.: Councilman Segars and City Attorney E. P. Dameron stated that Bill Harkey,

AN ORDINANCE PROHIBITING THE CARRYING OF KNIVES,
DIRKS, DAGGERS, BOWIE KNIVES, WITH A BLADE OF OVER
3" IN LENGTH, BY ANYONE INSIDE THE CORPORATE LIMITS
OF THE CITY OF MARION.

BE IT ORDAINED by the governing body of the City of Marion:

Section 1. It shall be unlawful for any person to have in his possession, except when on his own premises, or carry or use, any bowie knife, dirk, dagger, razor or knife, with a blade of over 3" of length, anywhere within the corporate limits of the City of Marion.

Section 2. Section 1 of this ordinance shall not apply to the following persons: officers and enlisted personnel of the Armed Forces of the United States when in discharge of their official duties as such and acting under orders requiring them to carry arms or weapons, civil officers of the United States while in the discharge of their official duties, officers and soldiers of the militia and the State guard when called into actual service, officers of the State or of any county, city, or town, charged with the execution of the laws of the State, when acting in the discharge of their official duties.

Section 3. Any person found guilty of violating this ordinance shall be guilty of a misdemeanor, punishable upon conviction by fine not exceeding \$50 or imprisonment not exceeding 30 days, as provided by G. S. 14-4.

Section 4. This ordinance shall become effective upon its adoption.

ATTEST:

Victoria Kenton
Town Clerk

Robert M. Deal
Mayor

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