

requesting that all governing bodies in Region C submit a letter or Resolution requesting the Legislature to change the method of appointment of members to this Governors' Committee on Law and Order so that local government can have better representation on that committee. The City Council discussed the matter and it was agreed to personally contact representatives regarding this matter and to send information to several representatives requesting their support.

Traffic Hazard - Intersection of West Court and Carson Street: Upon a motion by Councilman James, seconded by Councilman Ledbetter, the City Council unanimously voted to adopt the following Resolution requesting the Department of Transportation and Safety to investigate the curve on West Court Street just west of the intersection of West Court and Carson Street.

There being no further business, the meeting was adjourned.

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

October 22nd, 1974

The City Council of the City of Marion met in a regularly scheduled meeting Tuesday night, October 22nd, 1974 at 7:30 P.M. in the City Council Chamber at City Hall.

Board Members Present: Mayor James H. Segars; Councilmen, R.L. James, Everette Clark, Oliver Cross, and Horace Wilkerson.

Others Present: Earl Daniels, City Manager; E.P. Dameron, City Attorney; and Ann Vess, News Reporter.

Guests: Paul Nunnally, Raymond Waycaster, Grover Taylor, James Hughes, James Shechan, and Dr. W.L. Bell.

Approval of the October 8th, 1974 Minutes: Upon a motion by Councilman Cross, seconded by Councilman James, The City Council unanimously voted to approve the Minutes of the October 8th, 1974 meeting.

Recreation Commission - Report from Chairman: Dr. W.L. Bell, Chairman of the Old Fort - Marion - McDowell County Recreation Commission appeared before the City Council to make an annual report on the activities of the Recreation Commission. Dr. Bell stated they were well pleased with the operation of the Recreation Department under the direction of Tom Alexander, Recreational Director. Dr. Bell advised the City Council that the roof of the Junior High School gymnasium was being repaired to prevent further damage of walls and floors. He stated that Mr. Alexander was working on a project under the Department of Housing and Urban Development which may provide 100% financing for raising the existing Junior High School Building and totally developing the Junior High School Property located on the Northwest corner of the intersection of Academy Street and West Court Street. The City Council praised Dr. Bell for the accomplishments of the Recreation Commission under Dr. Bell's leadership.

Taxi Operators' Complaints: All taxi firms operating in the city limits of Marion were present in the City Council meeting except one. Mr. Waycaster acted as spokesman for the taxi firms. He advised the City Council that most of the firms were small operations consisting of one to three cars and all of them have been furnished copies of the City Taxi Cab Ordinance. He advised the Council that they had been instructed to select a color scheme for their Taxi Cabs and advised by the Police Department that they would have to paint the taxis in accordance with the color schemes selected for identification purposes. He informed the City Council that the minimum cost of painting these vehicles in accordance with the request of the Police Department would be approximately \$150.00. He requested that the City Council give consideration to eliminating this portion of the ordinance. After a long discussion, Mayor Segars asked if the taxi firms would object to selecting a color scheme and as cars are replaced by the different firms, or additional cars purchased, that the new cars or replacement cars conform to the color scheme selected. All taxi firms present agreed with this procedure. This procedure was also agreeable to the City Council. Mr. Waycaster stated that the taxi firms wished to inform the City Council that one taxi firm is charging lower prices creating problems for the other firms. Mr. Waycaster was advised that the City Taxi Cab Ordinance established a maximum fee that could be charged, but did not set a minimum fee. After a long discussion, the City Manager was instructed to work with the taxi firms and that new taxi rate cards be printed at the expense of the City, with some official wording stating that the rates were authorized by the City Council and also bearing the signature of the inspector of Taxi Cabs. In addition, a statement to the effect that the taxi firm agreed to charge the posted rate as established by the Marion City Council and a place for the owner of the taxi firm to sign.

Christmas Float: The City Manager presented a request from the Marion-McDowell County Merchants Association that the City pay for the Santa Claus Christmas Float. The amount requested was \$210.00. Upon a motion by Councilman Cross, seconded by Councilman Clark, the City Council unanimously voted to donate \$105.00, which represents $\frac{1}{2}$ of the cost of the Santa Claus Christmas Float.

Drainage Problem - Crawford Terrace: The City Manager informed the City Council that he had received a request from Mr. John Wilson, of 207 Crawford Terrace that the City install a storm drain on Crawford Terrace. It was agreed by Council to table the matter due to the absence of Mayor Pro Tem Ledbetter. It was agreed that all members of the Street Committee should be present to discuss this matter before any formal action of the City Council.

Waterline Extension Request - Highway 70 East - Westbrook Mobile Home Park: The City Manager informed the City Council that Mr. Willard Brooks had submitted a request that the City Council install 200 - 500 feet of 6" Cement Asbestos waterline down Highway 70 East in order for Mr. Brooks to enlarge the Brookwood Mobile Home Park. The City Manager informed the Council that Mr. Brooks stated that he would purchase all pipe and materials necessary for the extension if City forces could be permitted to install the pipe. The City Council was informed that Public Works Director, Jack Brown and the City Manager both recommended that the City require Mr. Brooks to provide 6" Cast Iron Pipe as opposed to Cement Asbestos pipe. Upon a motion by Councilman Wilkerson, seconded by Councilman Clark, the City Council unanimously voted to authorize City employees to install a 6" Cast Iron Waterline along Highway 70 East in the vicinity of the Brookwood Mobile Home Park provided all materials be furnished by Mr. Brooks and further provided that the waterline would become the property of the City of Marion upon completion of construction. The City Council also agreed to install a fire hydrant at no cost to Mr. Brooks.

Annexation - Cross Mill School Property - Public Hearing: No citizens were present at the City Council meeting for the Public Hearing on annexation of the Cross Mill School property. Upon a motion by Councilman Cross, seconded by Councilman Clark, the City Council unanimously voted to adopt the following ordinance to extend the corporate limits of the City of Marion.

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

Whereas, the City Council has been petitioned under G.S. 160A-31, 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 8 o'clock P.M. on the 22nd day of October, 1974, after due notice by publication on the 9th day of October, 1974, and

Whereas, the City Council does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended; now therefore,

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

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory is hereby annexed and made part of the City of Marion as of the 23rd day of October, 1974.

(Metes and Bounds Description)

Beginning on a point in the Cross Mills addition line to the corporate limits of the town of Marion, N.C. the coordinate of said point is N 18126.78, E 16226.73 and runs thence N 60°-38'-20" W 182.91' to a stake, (N 18216.46, E 16067.32), thence N 26°-56'-55" E 245.83' to an iron pin (N 18435.59, E 16178.72), thence N 27°-54'-40" E 89.11' to an iron pin, (N 18514.34, E 16220.44), thence N 15°-27'-20" W 36.01' to a concrete monument, (N 18549.05 E 16210.84), thence N 79°-28'-48" W 150.08' to a stake, (N 18576.45 E 16063.28), thence S 8°-58'-36" W 69.99' to a stake, (N 18507.32 E 16052.36), thence S 5°-14'-52" W 39.73' to a stake (N 18467.76 E 16048.73), thence S 33°-24'-28" W 93.92' to a stake, (N 18389.35 E 15997.02), thence S 74°-36'-08" W 201.87' to a stake, (N 18335.75 E 15802.39), thence S 50°-03'-53" W 41.68' to a stake, (N 18309.00 E 15770.43), thence S 1°-22'-51" W 107.56' to a stake, (N 18201.47 E 15767.84), thence S 21°-58'-31" W 60.79' to a stake, (N 18145.10 E 15745.09), thence S 46°-47'-34" W 89.77' to a concrete monument, (N 18083.64 E 15679.66), thence S 68°-51'-20" E 116.31' to a concrete monument, (N 18041.68 E 15788.14), thence S 58°-39'-21" E 101.10' to a concrete monument, (N 17989.09 E 15874.49), thence N 45°-43'-49" E 100.06' to a concrete monument, (N 18058.94 E 15946.14), thence S 59°-14'-20" E 187.46' to a point in the Cross Mills addition line to the corporate limits of the town of Marion, N.C. The co-ordinate of said point being (N 17963.06 E 16107.22, containing 3.81 acres.

Section 2. Upon and after the 23rd day of October, 1974, 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, 1975.

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 22nd day of October, 1974.

Mayor

ATTEST:

City Clerk

Tax Reimbursement Request - R.F. Blanton: The City Manager presented a request from Mr. R.F. Blanton that he be reimbursed in the amount of \$98.79 for overpayment of taxes due to an error made by the person listing taxes. The City Manager stated that the value of Mr. Blanton's property was incorrectly listed higher through an error of the tax lister, which resulted in Mr. Blanton paying more taxes than actually due. Upon a motion by Councilman James, seconded by Councilman Wilkerson, the City Council unanimously voted to refund Mr. R.F. Blanton for tax overpayment in the amount of \$98.79.

Recreation Commission - Appointment of New Member: The City Council discussed the appointment of a new member to the Recreation Commission to replace Mrs. Kathleen Noyes whose term expired in October. Upon a motion by Councilman Clark, seconded by Councilman James, the City Council unanimously voted to appoint Melvin Rutherford as one of the City's representatives on the Recreation Commission for a term of 3 years. The City Council acknowledged the fact that Mr. Rutherford does not live within the Marion City limits, but agreed his appointment as one of the City's representatives on the Recreation Commission provides better representation for all members of the community.

No Parking Zone - Wayne Street - Report from Street Committee: Action on this matter was tabled by the City Council.

Region C Criminal Justice Planning Agency - Legal Advisor: After a long discussion the City Council agreed to table this matter.

Euclid Avenue - Drainage Problem: Councilman Everett Clark advised the City Council that he had received several complaints regarding a drainage problem on Euclid Avenue. After a short discussion, it was decided that the Street Committee would meet for an on site inspection of the problem.

Community Building - Request for Additional Tables: Councilman Cross informed the City Council that he had received a request from Mrs. Sue Allen that the City give consideration to the purchase of 12 additional tables for the Community Building. He informed the City Council that this request was made on behalf of the Hospital Auxiliary. After a short discussion, it was determined by the City Council that a sufficient number of tables were available for most activities.

Public Improvements Program - Capital Improvements Budget: The City Manager presented a proposed contract from the Department of Natural & Economic Resources to provide a Planning Study for a Public Improvements Program and a Capital Improvements Budget. The City Manager advised that the cost to the city for this service would be \$2,600.00. The City Manager requested that action on this matter be delayed and that consideration be given at a later date to enter into a contract for these services. It was decided by the City Council to table this matter as requested by the City Manager.

Annexation Study: The City Manager presented an Annexation Study prepared by the Marion Planning Board with technical assistance provided by the Department of Natural & Economic Resources, Division of Community Services. The City Council was advised that the City Manager would invite City Planner, Mike George to attend the next meeting of the Council and make a presentation of the study.

Southern Railway Company Request for Right of Way Agreement: A request from Southern Railway Company for the City to grant a Right of Way Agreement for an Industrial Lead Track for Henredon Furniture was presented to the City Council. The Right of Way Agreement was reviewed by the City Attorney, E. P. Dameron. Mr. Dameron informed the City Manager that the agreement was in order. Upon a motion by Councilman Cross, seconded by Councilman James, the City Council unanimously voted to adopt the attached Resolution, authorizing Mayor Segars to sign the Right of Way Agreement.

There being no further business, the meeting was adjourned.

Mayor

City Manager

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

November 5th, 1974

The City Council of the City of Marion met in a regularly scheduled meeting Tuesday night, November 5th, 1974 at 7:30 P.M. in the City Council Chamber at City Hall.

Board Members Present: Mayor James H. Segars; Councilmen, E. L. James, Everett Clark, Oliver Cross, Horace Wilkerson, and W. R. Ledbetter.

Others Present: Earl Daniels, City Manager; E. P. Dameron, City Attorney; and Dorothy Cable, News Reporter.

Guests: Raymond Waycaster, "Red Top Cabs".

Approval of the October 22nd, 1974 Minutes: Upon a motion by Councilman Ledbetter, seconded by Councilman James, The City Council unanimously voted to approve the minutes of the October 22nd, 1974 meeting.

RESOLUTION AUTHORIZING MAYOR JAMES H. SEGARS
TO EXECUTE AN EASEMENT OF RIGHT OF WAY
AGREEMENT WITH SOUTHERN
RAILWAY COMPANY

WHEREAS, SOUTHERN RAILWAY COMPANY, a Virginia corporation, has requested an easement or right of way over and upon certain properties belonging to the City of Marion; and

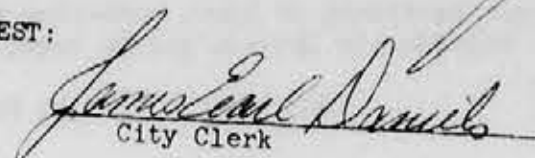
WHEREAS, the granting of said easement or right of way will allow construction of an industrial lead track to Marimont Furniture Company.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Marion that Mayor James H. Segars be and is hereby authorized to execute said document on behalf of the City of Marion.

Adopted this the 22nd day of October, 1974.


Mayor

ATTEST:


City Clerk

No Parking Zone - Wayne Street - Report from Street Committee: Action on this matter was tabled by the City Council.

Region C Criminal Justice Planning Agency - Legal Advisor: After a long discussion the City Council agreed to table this matter.

Euclid Avenue - Drainage Problem: Councilman Everett Clark advised the City Council that he had received several complaints regarding a drainage problem on Euclid Avenue. After a short discussion, it was decided that the Street Committee would meet for an on site inspection of the problem.

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Public Improvements Program - Capital Improvements Budget: The City Manager presented a proposed contract from the Department of Natural & Economic Resources to provide a Planning Study for a Public Improvements Program and a Capital Improvements Budget. The City Manager advised that the cost to the city for this service would be \$2,600.00. The City Manager requested that action on this matter be delayed and that consideration be given at a later date to enter into a contract for these services. It was decided by the City Council to table this matter as requested by the City Manager.

Annexation Study: The City Manager presented an Annexation Study prepared by the Marion Planning Board with technical assistance provided by the Department of Natural & Economic Resources, Division of Community Services. The City Council was advised that the City Manager would invite City Planner, Mike George to attend the next meeting of the Council and make a presentation of the study.

Southern Railway Company Request for Right of Way Agreement: A request from Southern Railway Company for the City to grant a Right of Way Agreement for an Industrial Lead Track for Henredon Furniture was presented to the City Council. The Right of Way Agreement was reviewed by the City Attorney, E. P. Dameron. Mr. Dameron informed the City Manager that the agreement was in order. Upon a motion by Councilman Cross, seconded by Councilman James, the City Council unanimously voted to adopt the attached Resolution, authorizing Mayor Segars to sign the Right of Way Agreement.

There being no further business, the meeting was adjourned.


Mayor


City Manager

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

November 5th, 1974

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Board Members Present: Mayor James H. Segars; Councilmen, R. L. James, Everett Clark, Oliver Cross, Horace Wilkerson, and W. R. Ledbetter.

Others Present: Earl Daniels, City Manager; E. P. Dameron, City Attorney; and Dorothy Cable, News Reporter.

Guests: Raymond Waycaster, "Red Top Cabs".

Approval of the October 22nd, 1974 Minutes: Upon a motion by Councilman Ledbetter, seconded by Councilman James, the City Council unanimously voted to approve the minutes of the October 22nd, 1974 meeting.

Taxi-Cab Rates: Mr. Raymond Waycaster appeared before the City Council and advised the Council that in the previous meeting of all Taxi firms it was agreed to request a rate of \$1.25 for pickup and delivery in the City limits, and \$1.25 plus 40¢ per mile for pickup and delivery outside the City limits. He stated by reviewing the rates more closely, it was determined that some citizens would be paying a higher fee than under the existing rate schedule. After a short discussion, it was decided to table the matter until the City Manager and Chief of Police could review the existing and proposed rates with all Taxi firms.

Police Regulations: The City Council decided to table the proposed amendments to the Police Regulations until after County elections are over.

Coats with City Emblem: Upon a motion by Councilman Wilkerson, seconded by Councilman James, the City Council unanimously voted to authorize the purchase of maroon blazers for certain key City personnel. The new City Emblem would be displayed on the blazers and the coats would be worn both at work and at special events. The blazers purchased would remain the property of the City of Marion.

Storm Drainage Pipe - Policy: Upon a motion by Councilman Cross, seconded by Councilman Ledbetter, the City Council unanimously voted to adopt the following policy regarding installation of storm drainage tile:

It shall be the policy of the City of Marion to install and backfill storm drainage tile in ditches which carry water run off from City streets provided the property owner or owners making such a request, furnish, at no cost to the City, the necessary pipe of a type and size required by the Public Works Director.

Bicycle Parking Racks - Downtown Area: The City Manager informed the City Council that he had received a request from a downtown merchant that the City Council give consideration to purchasing and installing bicycle racks on Main Street. After a short discussion the request was referred to the Street Committee and the City Manager was directed to request that the Police Department check the number of bicycles generally used in the downtown area, and the need for bicycle racks.

Parking Commission Parking Lots - Proposed Agreement: The City Manager presented a request that the City Council give consideration to sub-leasing all parking lots from the Marion Parking Commission in order for the Police Department to exercise control of parking regulations. Under the terms of the proposed agreement, the Parking Commission would be responsible for the lease payments, maintenance and repair, including signs and pavement markings and the City would only be responsible for enforcing parking regulations. City Attorney, E. P. Dameron stated that in his opinion, one document stipulating that the Marion Police Department be authorized to enforce parking regulations on the parking lots controlled by the Parking Commission would be sufficient. Upon a motion by Councilman Ledbetter, seconded by Councilman Cross, the City Council unanimously voted to execute an agreement whereby the City would assume control of the Parking lots for parking regulation enforcement only.

Water/Sewer Rate Study: The City Manager presented a letter from O'Brien & Gere stating that they could provide a Water/Sewer Rate Study for the City of Marion for approximately \$2,000.00. The following schedule was presented for consideration.

1. Undertake and complete a water and sewer rate study during the period January through May, 1975.
2. Contingent upon the results, initiate the "First Step" of changes in user charges on or about July 1st, of 1975.
3. Contingent upon timing of construction of the sewerage improvements, initiate the "Second Step" of changes for sewerage charges in late 1976 or early 1977.
4. Take the "Second Step" in adjusting water charges in 1977 or 1978.

After a short discussion, the City Manager was directed to contact O'Brien & Gere Engineering Firm and ascertain whether all or a part of the charges for such a Water and Sewer Rate Study could be included in the Waste Treatment Plant Project.

There being no further business, the meeting was adjourned.

James Earl Daniels
City Manager

James H. Segars
Mayor

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

November 19th, 1974

The City Council of the City of Marion met in a regularly scheduled meeting Tuesday night, November 19th, 1974 at 7:30 P.M. in the Police Fire Training Center adjacent to the Marion City Hall.

Board Members Present: Mayor James H. Segars; Councilmen, R. L. James, Everette Clark, Oliver Cross, Horace Wilkerson, and W. R. Ledbetter.

Others Present: Earl Daniels, City Manager; and Dorothy Cable, News Reporter.

Guests: Fred Withrow, P. O. Box 224-N, Old Fort; Bob Haney, P.O. Box 224-B, Old Fort; Myron Nelson, Marion; Charles Whitner, Marion; Mr. and Mrs. Jerry Hall, 502 5th St., Clinchfield; Hattie Cuthbertson, 504 5th St., Clinchfield; Martha Ramsey and Michael George, Dept. of Natural & Economic Resources, Asheville.

Approval of the November 5th, 1974 Minutes: Upon a motion by Councilman Ledbetter, seconded by Councilman Clark, the City Council unanimously voted to approve the minutes of the November 5th, 1974 meeting.

Sewerage Rate - Clinchfield Residents: Mayor James H. Segars extended a warm welcome to the visitors from the Clinchfield Community. He briefly outlined the events leading up to the request and donation of the Clinchfield Waste Treatment Plant to the City of Marion from Burlington Industries. Mayor Segars assured the visitors attending the meeting that the sewerage rates charged the residents living in the Clinchfield Community were the same as the rates being charged other residents outside the municipal limits. Mayor Segars stated that the revenues derived from the charges for sewer service to the Clinchfield residents had to be sufficient to cover the cost of operation of the Clinchfield Waste Treatment Plant. Mr. Jerry Hall of 502 5th Street in Clinchfield asked Mayor Segars why it was necessary to have a sewerage charge of 100% of the water bill. Mayor Segars stated that this was necessary in order to cover the entire cost of operation of the Clinchfield Plant, but that the City Manager would go into more detail and present figures of estimated expense, and anticipated revenues. The City Manager stated that at the present, City records indicate 233 active residential sewer accounts in the Clinchfield area; one school, two churches, one store, and Clinchfield Industry. He stated the annual income for sewerage service based on a 100% water charge would amount to an estimated \$15,540.00. He advised the Council that the approximate annual cost of operating the Waste Treatment Plant as provided by Burlington Industries showed an estimated budget of \$14,386.00. He informed the Council the budget as estimated by Burlington Industries did not reflect a Capital Reserve Fund to provide for replacement of equipment or enlargement of facilities. The City Manager stated that 32 outside residents other than Clinchfield residents pay 100% of their water bill for sewerage service. Mr. Hall asked how the City's rates compare with the rates paid by outside residents. The City Manager presented a chart showing the water and sewer rates for residents. The City Manager presented a chart showing the water and sewer rates for residents outside the municipal limits. He advised that the debts incurred by the City were approved in a referendum by residents of the City and that these debts were presently being paid out of the General Fund. The City Manager stated that he had been advised by a Clinchfield resident that persons in the Clinchfield area had to pay a garbage pickup charge of \$1.00 per week for garbage pickup service. Mrs. Jerry Hall informed the Manager that the rates of garbage pickup had been increased to \$5.00 a month. The City Manager stated that City taxes on property valued at \$10,000.00 amounted to a City tax of \$75.00 per year. He stated that for this amount, the City provided 2 garbage pickups, 1 trash pickup; police protection, fire protection, street maintenance, sidewalk installation and repair, and other City services. He compared these services with the cost of services outside the City limits. He presented the information by a table shown below:

Annual Expenses Based on \$10,000.00
Property Value for Tax Purposes

	Outside City	In City
City Taxes	\$ None	\$ 75.00 Based on \$10,000.00
Garbage Rate	52.00	None
Water (Min.)	27.00	18.00
Sewer (Min.)	27.00	1.30
Fire Ins.	50.00	35.00
	\$156.00	\$129.00

In completing his presentation, the City Manager stated that persons having property valued at \$10,000.00 living in the Clinchfield area could save approximately \$26.20 a year and receive more services than presently received if they were City residents. Mayor Segars thanked the visitors for attending the meeting and stated he wished more could have attended. He asked the visitors to inform their neighbors that should they desire another meeting or a day meeting, the City Council would be happy to meet and answer their questions. The City Manager stated that he would be happy to answer individual questions if persons would contact him at the City Hall.

Annexation Study - Presentation by Mike George: Mike George, Field Officer Chief of the Western Field Office of the Department of Natural & Economic Resources, Division of Community Services, presented a pamphlet to the City Council entitled "Annexation Study for Marion, N.C.". He advised the Council that this annexation study was prepared by the Marion Planning Board with technical assistance from the State of North Carolina Department of Natural & Economic Resources, Division of Community Services. The annexation study outlined six areas adjacent to the Marion City limits, which meet statutory requirements for properties which could be annexed by the City of Marion. Mr. George reviewed all of the six areas, giving information regarding number of persons living in the area, revenues which could be derived by annexing the areas, and the cost of providing services to the areas. Councilman James advised Mr. George that an error had been made in area five and area six on the map as related to the areas given in the study. He advised that the map should be changed to provide for area five being changed to six and area six being changed to five. The City Council asked several questions regarding the annexation study. Mr. George stated that the study was based on the proposed Waste Treatment Plant being located on the Catawba River above Lake James. He advised that should the Waste Treatment Plant site be changed to the Corpening Creek area, that this would affect some of the areas which were proposed to receive sewerage services from the plant proposed to be located on the Catawba River. He stated that other information regarding lot sizes, population, anticipated revenues, other than sewer revenues, would not be affected by the plant being located on the Corpening Creek site. A copy of the Annexation Study is on file in the City Clerk's office.

Taxi-Cab Rates: The City Manager recommended that Article III of the Ordinance entitled "An Ordinance to Regulate and Control the Operators and Operation of Taxi-Cabs in the City of Marion and Create an Office of Inspector of Taxi-Cabs" as adopted by the Marion City Council on January 8th, 1974, be deleted and a new Article III be adopted as follows:

Article III

Section 1. The rates of fare to be charged for taxi-cab service by any person owning, operating or controlling any motor vehicle operated as a taxi-cab within the City of Marion shall not be in excess of the following rates:

Rates	\$.45 plus \$.40 per mile
Minimum Fare	1.25
Return Trips	.50
All Stops	.25
Waiting Time	5.00 per hour
All Extra Pickups	.50

Several Council members stated that they had been approached by Taxi-Cab drivers who did not agree with the proposed rates as suggested by the City Manager. The City Manager stated that he and the Chief of Police had met with the Taxi-cab drivers for over three hours to reach an agreement regarding the rates and that in his opinion the rates as proposed are identical to rates presently charged, except the new rate schedule eliminated five zones. After a short discussion, the City Council unanimously agreed to suggestion by the Mayor that the Taxi firms be advised that they have two weeks to agree on proposed rates to be charged by the Taxi firms and to present a copy of the agreed rates to the City Council signed by all cab firms. Should this information not be presented to the City Council at their next meeting on December 3, 1974, the City Council will establish and vote on rates at that time.

City Audit Report: The City Manager presented each City Council member with a copy of the audited Financial Statements and other financial information for the year ended June 30th, 1974 as prepared by Calder, Crawley, and Company. The City Manager stated that Mr. Harry Stolte would be present at the next City Council meeting to explain the audit and answer any questions that the City Council members may have.

City Manager Report:

1. The City Manager advised the City Council that he had been working with Mr. Phipper at the Local Prison Camp regarding the use of prisoners under the work release program. He advised the Council that he informed Mr. Phipper the City would like to use prisoners for the installation of water lines and other City work, but wished to use them only for specific projects when weather was permitting. He advised the City Council that it was agreed that prisoners could be used for this work, without any obligation to work them full time. The City Manager stated that conditions of employment would be the same as for regular employees except the prisoners would only work part time, when needed. The Manager stated that should an opening occur, that prisoners would be given first priority on filling a full time position.

2. **Parking Meters - Covering for Christmas:** The City Manager recommended that Parking meters be covered from November 30th to January 6th, 1975. It was agreed by the City Council to cover the parking meters prior to the Christmas parade on November 30, 1974 with a two hour free parking limit and to place the meters back in service at 8:00 A.M. on January 6, 1975.

3. **Request for Reimbursement - Zoning Fee:** The City Manager informed the City Council that he had received a request from Mr. Alvin Parker that he be refunded the amount of \$15.00 previously paid by Mr. Parker for a Zoning Request. The City Manager stated that the fees had been filed with Fire Chief Arthur Edwards for a request for an appeal from the decision of the Building Inspector and that the fees paid were to cover administrative and advertising costs. The City Manager stated that Mr. Parker had sold the property after filing the request and now wished to have the \$15.00 refunded since he no longer wishes to request an appeal. After a short discussion, the City Council unanimously agreed not to refund the \$15.00 fees as this would set a precedence that would create additional work for City departments in processing applications and then having the applications cancelled prior to meetings.

There being no further business, the meeting was adjourned.

James Earl Daniel
City Manager

James H. Segars
Mayor

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
CITY OF MARION

December 3rd, 1974

The City Council of the City of Marion met in a regularly scheduled meeting Tuesday night, December 3rd, 1974 at 7:30 P.M. in the City Council Chamber at City Hall.

Board Members Present: Mayor James H. Segars; Councilmen R. L. James, Everette Clark, Oliver Cross, and W. R. Ledbetter; Councilman Horace Wilkerson arrived at 7:55 P.M.

Others Present: Earl Daniels, City Manager; E. P. Dameron, City Attorney; Harry Stolte, Accountant and, Ann Vess, News Reporter.

Approval of the November 19th, 1974 Minutes: Upon a motion by Councilman Ledbetter, seconded by Councilman James, the City Council unanimously voted to approve the Minutes of the November 19th, 1974 meeting.

1974 City Taxes - Incorrect Listing: The City Manager presented a letter from Mr. Robert L. Gordon requesting that 1974 City Taxes in the amount of \$18.38 on personal property be deleted from the Tax Books of the City of Marion, since Mr. Gordon did not live within the City limits of the City of Marion in January, 1974. The letter further stated the listing was picked up in error. Upon a motion by Councilman Clark, seconded by Councilman Cross, the City Council unanimously voted to delete from the tax books of the City of Marion the incorrect listing of the 1974 City Taxes in the amount of \$18.38, as per Mr. Gordon's request.

1974 City Taxes - Incorrect Listing: The City Manager informed the City Council that he had been advised by Mr. Jack Walker that through error the assets of Trussco, Inc., located at Clinchfield underpass, was picked up as taxable by the City of Marion. He stated that Trussco, Inc., had no interest within the City limits of Marion and requested that Trussco, Inc. be deleted from the tax books of the City of Marion. Upon a motion by Councilman Cross, seconded by Councilman James, the City Council unanimously voted to delete from the tax books of the City of Marion, 1974 City Taxes of Trussco, Inc. in the amount of \$28.88 which was placed on the City Tax Books in error.

Taxi Rates: The City Manager presented to the City Council a copy of the existing taxi rates charged by taxi firms in the City of Marion, agreed to and signed by all taxi firms. After a short discussion the City Council agreed to continue with the existing rates; however, the City Manager was directed to advise all taxi firms that should the City Council receive another complaint regarding fees being charged, the City Council would establish a rate more simplified, possibly based on another system in lieu of zones.

1973 - 74 Audit Report: Mr. Harry Stolte, Accountant, appeared before the City Council to review the 1973-74 Audited Financial Statements for the year ended June 30th, 1974. Mr. Stolte advised the City Council that the audit was performed by the firm of Calder, Crawley, and Company but that he wished to continue to provide auditing services to the City of Marion under the name of the new firm, Cherry, Beckeret, and Holland, Certified Public Accountants. Mr. Stolte advised the City Council that the Local Government Budget Fiscal Control Account required that incumbrances be incorporated into the Accounting System and recommend that the City Council give consideration to this requirement. He also advised the City Council that the Local Government Commission is recommending that depreciation be taken on all fixed assets which are a part of the Enterprise Fund. He recommended the City take steps toward accumulating the necessary detailed costs of all fixed assets of the Water and Sewer Funds so that depreciation may be reported on these assets during the fiscal year, ending June 30, 1975. He stated that he would be happy to assist in this project. He advised the City Council that the City has made progress in the past four to five years and that the City was in good financial condition. A copy of the audited financial statements and other financial information for the year ended June 30, 1974 is on file in the City Manager's office.

Water/Sewer Rate Study: The City Manager informed the City Council he had requested information from the League of Municipalities regarding the possibility of the League providing a Water and Sewer Rate Study. He stated the League had advised they would be unable to perform this service due to other commitments and suggested that the City contract with an engineering firm for this service. Upon a motion by Councilman Cross, seconded by Councilman Wilkerson, the City Council unanimously voted to request a formal contract proposal from the Engineering Firm of O'Brien & Gere, stipulating costs for providing a Water and Sewer Rate Study and that the cost of the Water and Sewer Rate Study be included in the Waste Treatment Plant Project if at all possible.

Codification of City Ordinances: The City Manager presented three contract proposals for codification of City Ordinances. Upon a motion by Councilman Wilkerson, seconded by Councilman James, the City Council unanimously voted to enter into a contract with the N.C. League of Municipalities wherein the League would provide a codification of Ordinances for the City of Marion under the terms of the attached agreement.

Parking Commission Agreement: The City Manager presented an agreement prepared by City Attorney, E. P. Dameron, between the Marion Parking Commission and the City of Marion in accordance with instructions of the City Council at their meeting of November 19th, 1974. Upon a motion by Councilman Clark, seconded by Councilman Cross, the City Council unanimously voted to approve the agreement as prepared by the City Attorney. (See inserted Ordinance)

Resolution - Declaration of Over-time Exemption of Fire and Police Personnel: The City Manager presented a Resolution entitled, "A Resolution Declaring the Intention of the City Council of the City of Marion, North Carolina to Claim Exemption of Section 7 (k) of the Fair Labor Standards Act, Relative to Over-time Wages of Public Safety Personnel". Upon a motion by Councilman James, seconded by Councilman Cross, the City Council unanimously voted to adopt the following resolution:

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL
OF THE CITY OF MARION, NORTH CAROLINA TO CLAIM EXEMPTION OF
SECTION 7 (k) OF THE FAIR LABOR STANDARDS ACT RELATIVE TO
OVERTIME WAGES FOR PUBLIC SAFETY PERSONNEL

WHEREAS, Section 7 (k) of the Fair Labor Standards Act of 1938, as amended, requires an affirmative declaration of the City Council to claim the exemption of said Section in order to make overtime wages applicable to public safety

personnel only for time worked in excess of the maximum hours permitted per designated work period in Section 7 (k) as implemented in 29 CFR 553.12; and,

WHEREAS, Section 7 (k) requires that such a work period for public safety employees shall be at least seven days, but not more than 28 days in length for the exemption to be valid; and

WHEREAS, the City Council has, after due consideration, determined that it is in the best interest of the City to claim said exemption;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marion that it is the intention of the City Council to claim, and the City Council hereby claims, the exemption of Section 7 (k) of the Fair Labor Standards Act of 1938, as amended, so as to make fire protection personnel eligible for overtime wages only for time worked in excess of the maximum total permitted per designated work period.

BE IT FURTHER RESOLVED that the fire protection employees of the City of Marion shall work on a work period of 28 days in length.

BE IT FURTHER RESOLVED by the City Council of the City of Marion that it is the intention of the City Council to claim, and the City Council hereby claims, the exemption of Section 7 (k) of the Fair Labor Standards Act of 1938, as amended, so as to make law enforcement personnel eligible for overtime wages only for time worked in excess of the maximum total permitted per designated work period.

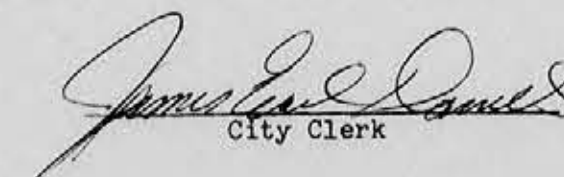
BE IT FURTHER RESOLVED that the law enforcement employees of the City of Marion shall work on a work period of 28 days in length.

BE IT FURTHER RESOLVED that this Resolution shall affect only those fire protection and law enforcement personnel who are eligible for the Section 7 (k) exemption, and that the Manager is directed to notify all affected employees of this action.

Adopted this 3rd day of December, 1974.

The undersigned duly qualified and acting City Clerk of the City of Marion does hereby certify that the above Resolution is a true and correct copy of the Resolution Declaring the Intention of the City Council of the City of Marion to claim the Exemption of Section 7 (k) of the Fair Labor Standards Act of 1938, as amended, as regularly adopted at a legally convened meeting of the City Council held on the 3rd day of December, 1974; and, further, that such Resolution has been duly recorded in the Journal of Proceedings of the City Council in the office of the undersigned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City, this 3rd day of December, 1974.


City Clerk

496

Billing Machine - Maintenance Contract - CBS: The City Manager presented a service maintenance annual agreement proposed by Customized Business Systems and Equipment of the Carolinas. In making the presentation, the City Manager compared a maintenance agreement with that of NCB. The City Manager stated that Customized Business Systems would provide four annual inspections as opposed to three annual inspections held by NCB. The City Manager informed the City Council that the annual rate for the year 1975 charged by Customized Business Systems is \$295.00, but that this rate would be increased the 2nd year. The annual rate for 1975 charged by NCB is \$452.40. Upon a motion by Councilman Ledbetter, seconded by Councilman James, the City Council unanimously voted to accept the maintenance contract proposal submitted by Customized Business Systems on the billing machine for the year 1975, at the annual cost of \$295.00.

No Parking Zone - Crawford Street: Upon a motion by Councilman Cross, seconded by Councilman Wilkerson, the City Council unanimously voted to establish a "No Parking Zone" on the south side of Crawford Street from South Main Street to Morgan Street.

No Parking Zones - Street Committee Investigation: Councilman Wilkerson suggested that the Street Committee investigate the need for a "No Parking Zone" on Spring Street between South Main Street and Garden Street. Mayor Segars suggested that the Parking Commission also investigate the need for a "No Parking Zone" on the west side of Morgan Street at its intersection with Crawford Street.


Newspaper Salesmen - Downtown Area: The City Council discussed at length the dangerous situation created by newspaper boys leaving the sidewalk in order to sale newspapers to motorists. In addition to being dangerous to the newspaper boys crossing lanes of traffic in order to sale papers to motorists, the City Council agreed that it was dangerous for motorists stopping, especially near intersections in the downtown area. The City Manager was instructed to request that the Police Department investigate the matter and recommend needed requirements to eliminate the hazard. The City Manager was instructed to advise the Police Department to check very closely the intersection of Logan and Fort Streets, the intersection of Main and Fort Streets, and the intersection of Garden and East Court Streets.

Recreation Commission - Request for Support: The City Manager presented a letter from Dr. W. L. Bell, the Chairman of the Recreation Commission informing the City Council that it may be possible for the Recreation Commission to obtain needed funds under the Housing and Community Development Act of 1974. The Chairman requested that all governing bodies in McDowell County support the Recreation Commission in trying to obtain these funds. Dr. Bell stated that 100% funding is available. After a short discussion, the City Manager was directed to send Dr. Bell a letter and inquire as to how the City may assist the Recreation Commission in this nature.

Revenue Sharing Funds - Wood Chipper Bids: The City Manager informed the City Council that bids had been requested by the City for the purchase of a wood chipper. He advised the Council that bids would be received at 2:00 P.M. on December 17th in the City Manager's office. The City Manager informed the Council that Revenue Sharing Funds would be used in purchasing the wood chipper unless directed otherwise by the City Council. The City Manager stated that approximately fifteen truck loads of limbs and bushes could be hauled in one truck load through the use of the Chipper. He continued by stating that it was his hope that the wood chipper could be received by the first of the year so that it could be used in collecting Christmas trees.

There being no further business, the meeting was adjourned.


Mayor


City Manager

497

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

December 17th, 1974

The City Council of the City of Marion met in a regularly scheduled meeting Tuesday night, December 17th, 1974 at 6:30 P.M. at the Cross Bow Inn - Lady Marion Shopping Center.

Board Members Present: Mayor James H. Segars; Councilmen, R. L. James, Everette Clark, Oliver Cross, Horace Wilkerson, and W. R. Ledbetter.

Others Present: Earl Daniels, City Manager; E. P. Dameron, City Attorney, and Dorothy Cable, News Reporter.

Guests: Mrs. James Segars, Mrs. R. L. James, Mrs. Everette Clark, Mrs. Oliver Cross, Mrs. Horace Wilkerson and Mrs. E. P. Dameron

Brush Chipper Bids: The City Council were informed that sealed bids were opened in the City Manager's office at 2:00 P.M., December 17, 1974 for the purchase of one new 12" Trailer Model Brush Chipper. The City Manager stated that Mr. Bill Renner, representing H & H Equipment Company; Jack Brown, Public Works Director; Burdette Carroll, Street Superintendent; and Kathy McIntire, Bookkeeper, were present for the bid opening. He presented the following bid proposals for consideration:

Company	Total Bid (including tax)	Delivery
H & H Equipment Co.	\$ 4,612.34	30 days
Interstate Equipment Co.	\$ 5,713.41	-
Safety Test & Equipment Co.	\$ 4,631.91	3 days

The City Manager recommended the low bid submitted by H & H Equipment Company be accepted and that the City Council authorize purchase of the Brush Chipper with Revenue Sharing Funds.

Upon a motion by Councilman Ledbetter, seconded by Councilman James, the City Council unanimously voted to accept the bid proposal submitted by H & H Equipment Company in the amount of \$4,612.34 and authorized the City Manager to purchase the Brush Chipper with Revenue Sharing Funds.

City Auto License Tags: Upon a motion by Councilman Cross, seconded by Councilman Wilkerson, the City Council unanimously voted to allow Charles Israel to sell City Auto License Tags for the City with Mr. Israel receiving a \$0.15 per tag commission.

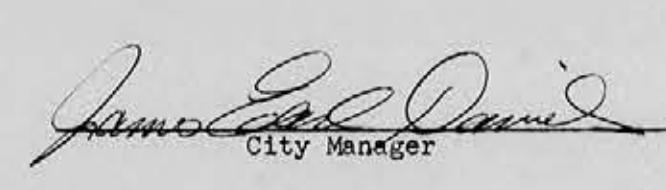
Employee Christmas Bonus: Upon a motion by Councilman Clark, seconded by Councilman Cross, the City Council unanimously voted to give all city employees a Christmas bonus based on the following table:

Employees working:	one year or less	\$ 25.00
	one to three	\$ 30.00
	over three	\$ 35.00

Christmas Holidays: The City Manager informed the City Council that the City Office and all City Departments, excluding police and fire, would close at 3:00 P.M., Monday, December 23, 1974 and remained closed until December 26, 1974 for Christmas Holidays as provided in the Personnel Ordinance. All Councilmen and their wives were invited to attend an employee Christmas party at the Fire - Police Training Center from 3:00 P.M. to 5:00 P.M., December 23, 1974.

There being no further business, the meeting was adjourned.


Mayor


City Manager

City Council Meeting

October 22nd, 1974 Meeting

Honorable Tom Tunstall - 308 Tennessee Avenue

Raymond Waymiller - Rt. #6, Box 139

Representative - 217 Hill Street

James H. Cross - Rt. #1, Marion

James H. Cross - Rt. #1, Marion

Mr. W. L. Bell - Recreation Commission

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

December 17th, 1974

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Others Present: Earl Daniels, City Manager; E. P. Dameron, City Attorney, and Dorothy Cable, News Reporter.

Guests: Mrs. James Segars, Mrs. R. L. James, Mrs. Everette Clark, Mrs. Oliver Cross, Mrs. Horace Wilkerson and Mrs. E. P. Dameron

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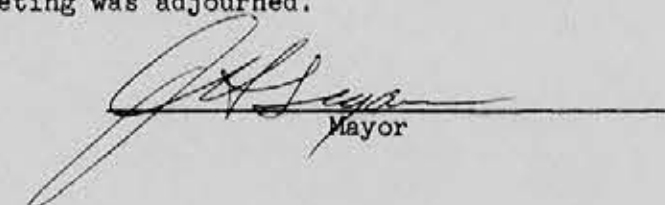
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There being no further business, the meeting was adjourned.


Mayor


City Manager

496

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31, 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 at Marion City Hall at 8 o'clock P.M. on the 22nd day of October, 1974.

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

(Metes and Bounds Description)

Beginning on a point in the Cross Mills addition line to the corporate limits of the town of Marion, N.C. the coordinate of said point is N 18126.78, E 16226.73 and runs thence N 60°-38'-20"W 182.91' to a stake, (N 18216.46, E 16067.32), thence N 26°-56'-55"E 245.83' to an iron pin (N18435.59, E16178.72), thence N 27°-54'-40"E 89.11' to an iron pin, (N18514.34, E16220.44), thence N 15°-27'-20"W 36.01' to a concrete monument, (N18549.05, E16210.84), thence N 79°-28'-42"W 150.08' to a stake, (N18576.45, E16063.28), thence S 8°-58'-36"W 69.99' to a stake, (N 18507.32, E 16052.36) thence S 5°-14'-52"W 39.73' to a stake (N 18467.76, E 16048.73), thence S 33°-24'-28"W 93.92' to a stake, (N18389.35, E 15997.02), thence S 74°-36'-08"W 201.87' to a stake, (N18335.75, E 15802.39), thence S 50°-03'-53"W 41.68' to a stake, (N 18309.00, E 15770.43), thence S 1°-22'-51"W 107.56' to a stake, (N18201.47, E 15767.84), thence S 21°-58'-31"W 60.79' to a stake, (N18145.10, E 15745.09), thence S 46°-47'-34"W 89.77' to a concrete monument, (N18083.64, E 15679.66), thence S 68°-51'-20"E 116.31' to a concrete monument, (N 18041.68, E 15788.14), thence S 58°-39'-21"E 101.10' to a concrete monument, (N 17989.09, E 15874.49), thence N 45°-43'-49"E 100.06' to a concrete monument, (N 18058.94, E 15946.14), thence S 59°-14'-20"E 187.46' to a point in the Cross Mills addition line to the corporate limits of the town of Marion, N.C. The co-ordinate of said point being (N 17963.06, E 16107.22, containing 3.81 acres.

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.

ATTEST:

James Earl Daniels
Clerk

James H. Segars
Mayor

497

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

December 17th, 1974

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Others Present: Earl Daniels, City Manager; E. P. Dameron, City Attorney, and Dorothy Cable, News Reporter.

Guests: Mrs. James Segars, Mrs. R. L. James, Mrs. Everette Clark, Mrs. Oliver Cross, Mrs. Horace Wilkerson and Mrs. E. P. Dameron

Brush Chipper Bids: The City Council were informed that sealed bids were opened in the City Manager's office at 2:00 P.M., December 17, 1974 for the purchase of one new 12" Trailer Model Brush Chipper. The City Manager stated that Mr. Bill Renner, representing H & H Equipment Company; Jack Brown, Public Works Director; Burdette Carroll, Street Superintendent; and Kathy McIntire, Bookkeeper, were present for the bid opening. He presented the following bid proposals for consideration:

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There being no further business, the meeting was adjourned.

James H. Segars
Mayor

James Earl Daniels
City Manager

PETITION REQUESTING ANNEXATION

Date: 4-2-74

To the City Council of the City of Marion, North Carolina.

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Marion.

2. The area to be annexed is contiguous to the City of Marion and the boundaries of such territory are as follows:

(Description of Boundaries)

Beginning on a point in the Cross Mills addition line to the corporate limits of the town of Marion, N.C. the coordinate of said point is N 18126.78, E 16226.73 and runs thence N 60°-38'-20"W 182.91' to a stake, (N 18216.46, E 16067.32), thence N 26°-56'-55"E 245.83' to an iron pin, (N 18435.59, E 16178.72), thence N 27°-54'-40"E 89.11' to an iron pin, (N 18514.34, E 16220.44), thence N 15°-27'-20"W 36.01' to a concrete monument, (N 18549.05, E 16210.84), thence N 79°-28'-42"W 150.08' to a stake, (N 18576.45, E 16063.28), thence S 8°-58'-36"W 69.99' to a stake, (N 18507.32, E 16052.36), thence S 59°-14'-52"W 39.73' to a stake, (N 18467.76, E 16048.73), thence S 33°-24'-28"W 93.92' to a stake, (N 18389.35, E 15997.02), thence S 74°-36'-08"W 201.87' to a stake, (N 18335.75, E 15802.39), thence S 50°-03'-53"W 41.68' to a stake, (N 18309.00, E 15770.43), thence S 1°-22'-51"W 107.56' to a stake, (N 18201.47, E 15767.84), thence S 21°-58'-31"W 60.79' to a stake, (N 18145.10, E 15745.09), thence S 46°-47'-34"W 89.77' to a concrete monument, (N 18083.64, E 15679.66), thence S 68°-51'-20"E 116.31' to a concrete monument, (N 18041.68, E 15788.14), thence S 58°-39'-21"E 101.10' to a concrete monument, (N 17989.09, E 15874.49), thence N 45°-43'-49"E 100.06' to a concrete monument, (N 18058.94, E 15946.14), thence S 59°-14'-20"E 187.46' to a point in the Cross Mills addition line to the corporate limits of the City of Marion, N.C. The co-ordinate of said point being (N 17963.06, E 16107.22, containing 3.81 acres.

NAME	ADDRESS
1. McDowell County Board of Education	Marion, North Carolina
2. Roger W. White, Chairman	Marion, North Carolina
3. James E. Johnson, Secretary	Marion, North Carolina

CERTIFICATE OF SUFFICIENCY

To the City Council of the City of Marion, North Carolina.

I, James Earl Daniels, City Clerk, do hereby certify that the petition attached hereto has been investigated by me and found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31, as amended.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Marion, this 8th day of October, 1974.

(SEAL)

James Earl Daniels
Town Clerk

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

December 17th, 1974

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There being no further business, the meeting was adjourned.

James Earl Daniels
City Manager

James H. Segars
Mayor

496

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

Whereas, the City Council has been petitioned under G.S. 160A-31, 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 8 o'clock P.M. on the 22nd day of October, 1974, after due notice by publication on the 9th day of October, 1974, and

Whereas, the City Council does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended; now therefore

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

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory is hereby annexed and made part of the City of Marion as of the 23rd day of October, 1974.

(Metes and Bounds Description)

Beginning on a point in the Cross Mills addition line to the corporate limits of the town of Marion, N.C. the coordinate of said point is N 19126.78, E 16226.73 and runs thence N 60°-38'-20" W 182.91' to a stake, (N 18216.46, E 16067.32), thence N 26°-56'-55" E 245.83' to an iron pin, (N 18435.59, E 16178.72), thence N 27°-54'-40" E 89.13' to an iron pin, (N 18514.31, E 16220.44), thence N 15°-27'-20" W 36.01' to a concrete monument, (N 18549.05 E 16210.84), thence N 79°-28'-42" W 150.08' to a stake, (N 18576.45 E 16063.28), thence S 8°-58'-36" W 69.99' to a stake, (N 18507.32 E 16052.36), thence S 5°-14'-52" W 39.73' to a stake (N 18467.76 E 16048.73), thence S 33°-24'-28" W 93.92' to a stake, (N 18389.35 E 15997.02), thence S 74°-36'-08" W 201.87' to a stake, (N 18335.75 E 15802.79), thence S 50°-03'-53" W 41.68' to a stake, (N 18309.00 E 15770.43), thence S 1°-22'-51" W 107.56' to a stake, (N 18201.47 E 15767.84), thence S 21°-58'-31" W 60.79 to a stake, (N 18145.10 E 15745.09), thence S 68°-51'-20" E to a concrete monument, (N 18083.64 E 15679.66), thence S 68°-51'-20" E 116.31' to a concrete monument, (N 18041.68 E 15788.14), thence S 58°-39'-21" E 101.10' to a concrete monument, (N 17989.09 E 15874.49), thence N 45°-43'-49" E 100.06' to a concrete monument, (N 18058.94 E 15946.14), thence S 59°-14'-20" E 187.46' to a point in the Cross Mills addition line to the corporate limits of the town of Marion, N.C. The co-ordinate of said point being (N 17963.06 E 16107.22, containing 3.81 acres.

Section 2. Upon and after the 23rd day of October, 1974, 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, 1975.

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 22nd day of October, 1974.

ATTEST

James Earl Daniels
Clerk

James H. Segars
Mayor

497

STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
CITY OF MARION

December 17th, 1974

The City Council of the City of Marion met in a regularly scheduled meeting Tuesday night, December 17th, 1974 at 6:30 P.M. at the Cross Bow Inn - Lady Marion Shopping Center.

Board Members Present: Mayor James H. Segars; Councilmen, R. L. James, Everette Clark, Oliver Cross, Horace Wilkerson, and W. R. Ledbetter.

Others Present: Earl Daniels, City Manager; E. P. Dameron, City Attorney, and Dorothy Cable, News Reporter.

Guests: Mrs. James Segars, Mrs. R. L. James, Mrs. Everette Clark, Mrs. Oliver Cross, Mrs. Horace Wilkerson and Mrs. E. P. Dameron

Brush Chipper Bids: The City Council were informed that sealed bids were opened in the City Manager's office at 2:00 P.M., December 17, 1974 for the purchase of one new 12" Trailer Model Brush Chipper. The City Manager stated that Mr. Bill Renner, representing H & H Equipment Company; Jack Brown, Public Works Director; Burdette Carroll, Street Superintendent; and Kathy McIntire, Bookkeeper, were present for the bid opening. He presented the following bid proposals for consideration:

Company	Total Bid (including tax)	Delivery
H & H Equipment Co.	\$ 4,612.34	30 days
Interstate Equipment Co.	\$ 5,713.41	-
Safety Test & Equipment Co.	\$ 4,631.91	3 days

The City Manager recommended the low bid submitted by H & H Equipment Company be accepted and that the City Council authorize purchase of the Brush Chipper with Revenue Sharing Funds.

Upon a motion by Councilman Ledbetter, seconded by Councilman James, the City Council unanimously voted to accept the bid proposal submitted by H & H Equipment Company in the amount of \$4,612.34 and authorized the City Manager to purchase the Brush Chipper with Revenue Sharing Funds.

City Auto License Tags: Upon a motion by Councilman Cross, seconded by Councilman Wilkerson, the City Council unanimously voted to allow Charles Israel to sell City Auto License Tags for the City with Mr. Israel receiving a \$0.15 per tag commission.

Employee Christmas Bonus: Upon a motion by Councilman Clark, seconded by Councilman Cross, the City Council unanimously voted to give all city employees a Christmas bonus based on the following table:

Employees working:	one year or less	\$ 25.00
	one to three	\$ 30.00
	over three	\$ 35.00

Christmas Holidays: The City Manager informed the City Council that the City Office and all City Departments, excluding police and fire, would close at 3:00 P.M., Monday, December 23, 1974 and remained closed until December 26, 1974 for Christmas Holidays as provided in the Personnel Ordinance. All Councilmen and their wives were invited to attend an employee Christmas party at the Fire - Police Training Center from 3:00 P.M. to 5:00 P.M., December 23, 1974.

There being no further business, the meeting was adjourned.

James H. Segars
Mayor

James Earl Daniels
City Manager

NOTICE OF PUBLIC HEARING ON
REQUEST FOR ANNEXATION

The public will take notice that the City Council of the City of Marion has called a public hearing at 8 o'clock P.M. on the 22nd day of October, 1974, at the Marion City Hall on the question of annexing the following described territory, requested by petition filed pursuant to G.S. 160-452, as amended: (G.S. 160-452 transferred to G.S. 160A-31)

(Metes and Bounds Description)

Beginning on a point in the Cross Mill addition line to the corporate limits of the town of Marion, N.C. the coordinate of said point is N 18126.78, E 16226.73 and runs thence N 60°-38'-20" W 182.91' to a stake, (N 18216.46, E 16067.32), thence N 26°-56'-55" E 245.83' to an iron pin (N 18435.59, E 16178.72), thence N 27°-54'-40" E 89.11' to an iron pin, (N 18514.34, E 16220.44), thence N 15°-27'-20" W 36.01' to a concrete monument, (N 18549.05, E 16210.84), thence N 79°-28'-42" W 150.08' to a stake, (N 18576.45, E 16063.28), thence S 8°-58'-36" W 69.99' to a stake, (N 18507.32, E 16052.36), thence S 5°-14'-52" W 39.73' to a stake (N 18467.76, E 16048.73), thence S 33°-24'-28" W 93.92' to a stake, (N 18389.35, E 15997.02), thence S 74°-36'-08" W 201.87' to a stake, (N 18335.75, E 15802.39), thence S 50°-03'-53" W 41.68' to a stake, (N 18309.00, E 15770.43), thence S 1°-22'-51" W 107.56' to a stake, (N 18201.47, E 15767.84), thence S 21°-58'-31" W 60.79' to a stake, (N 18145.10, E 15745.09), thence S 46°-47'-34" W 89.77' to a concrete monument, (N 18083.64, E 15679.66), thence S 68°-51'-20" E 116.31' to a concrete monument, (N 18041.68, E 15788.14), thence S 58°-39'-21" E 101.10' to a concrete monument (N 17989.09, E 15874.49), thence N 45°-43'-45" E 100.06' to a concrete monument, (N 18058.94, E 15946.14), thence S 59°-14'-20" E 187.46' to a point in the Cross Mills addition line to the corporate limits of the town of Marion, N.C. The co-ordinate of said point being (N 17963.06, E 16107.22, containing 3.81 acres.


City Clerk

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COUNTY OF MCDOWELL
CITY OF MARION

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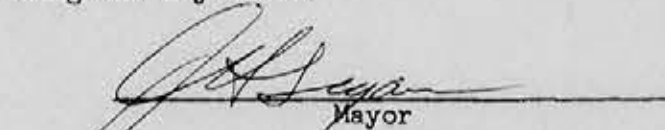
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City Clerk

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James H. Segars
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4

497

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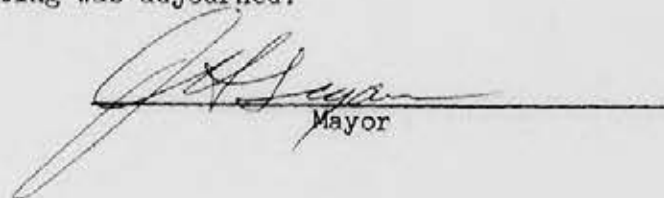
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Mayor


City Manager



DEPARTMENT OF CULTURAL RESOURCES
DIVISION OF ARCHIVES AND HISTORY
ARCHIVES AND RECORDS SECTION

CERTIFICATE OF AUTHENTICITY

This is to certify that the microphotographs appearing on this film are true and accurate reproductions of records originated during the normal course of business by the City of Marion

McDowell County

and consist of City Council Minutes

The records begin with Vol. 4

January 3, 1939

and end with Vol. 5

December 17, 1974

pg 497

It is further certified that the above records were microfilmed in conformity with the provisions of the *General Statutes of North Carolina*, chapter 8-45.1 and 8-45.4, "Uniform Photographic Copies of Business and Public Records as Evidence Act"; that the microphotographic processes accurately reproduce the records so microfilmed; that the film forms a durable medium for reproducing the original, if necessary; and that the film used conforms to American National Standards Institute, *Specifications for Safety Photographic Film*, ANSI PH 1.25-1976 and American National Standards Institute, *Specifications for Photographic Film for Archival Records, Silver-Gelatin on Cellulose Ester Base*, ANSI PH 1.28-1976.

This is further to certify that the microphotographic processes were accomplished by the undersigned on the date and at the reduction ratio indicated below.

Date Filming of this Reel Began September 30, 1987 Reduction Ratio 27X

Date Filming of this Reel Ended September 30, 1987

Linda DeWoody

Microfilm Camera Operator

END
OF REEL