

**FAYETTEVILLE CITY COUNCIL
AGENDA
REGULAR MEETING
SEPTEMBER 13, 2010
7:00 P.M.**

VISION STATEMENT

**The City of Fayetteville
is a GREAT PLACE TO LIVE with
a choice of DESIRABLE NEIGHBORHOODS,
LEISURE OPPORTUNITIES FOR ALL,
and BEAUTY BY DESIGN.**

**Our City has a VIBRANT DOWNTOWN,
the CAPE FEAR RIVER to ENJOY, and
a STRONG LOCAL ECONOMY.**

**Our City is a PARTNERSHIP of CITIZENS
with a DIVERSE CULTURE and RICH HERITAGE,
creating a SUSTAINABLE COMMUNITY.**



FAYETTEVILLE CITY COUNCIL
AGENDA
SEPTEMBER 13, 2010
7:00 P.M.
City Hall Council Chamber

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 APPROVAL OF AGENDA

5.0 ANNOUNCEMENTS AND RECOGNITIONS

6.0 PUBLIC FORUM

The public forum is designed to invite citizen input and discussion. The public forum is held on the second Monday of every month and shall be the first item of business after the Approval of the Agenda. The public forum shall last no longer than 15 minutes. The Mayor shall have the discretion to extend the public forum up to 30 minutes. Each speaker shall have up to two (2) minutes to speak. Anyone desiring to speak may sign up in advance with the City Clerk located on the Second Floor, City Hall, 433 Hay Street, Fayetteville, N.C., by FAX at (910) 433-1980, or by e-mail at cityclerk@ci.fay.nc.us. If speakers provide the subject matter ahead of the meeting, the City staff can ensure that appropriate information is available at the meeting. This information, however, is not required.

7.0 CONSENT

7.1 Approve of Minutes

- June 21, 2010 – Special Meeting
- June 23, 2010 - Agenda Briefing Meeting
- June 28, 2010 – Regular Meeting
- July 12, 2010 – Regular Meeting
- July 21, 2010 - Agenda Briefing Meeting
- July 26, 2010 – Dinner and Discussion Meeting
- July 26, 2010 – Regular Meeting
- July 29, 2010 – Special Meeting

7.2 Consider adoption of amendments to Policy # 125.1 "Drainage Revolving Loan Fund"

7.3 Capital Project Ordinance 2011-5 (FY2011 New Freedom Grant for Pedestrian Walkways)

7.4 Tax Refunds of Greater Than \$100

7.5 Approve "Sole Source" purchase for Bus Shelters and associated Solar Security Lighting and Benches

8.0 PUBLIC HEARING

8.1 Public Hearing to Consider Economic Development Incentives for Five Points Hospitality, Inc. to construct an Embassy Suites Hotel and Conference Center

Presenters: Dale Iman, City Manager
Doug Peters, Fayetteville Cumberland County Chamber of Commerce

9.0 OTHER ITEMS OF BUSINESS

9.1 Request for Non-Compliant Speed Hump Installation on Pettigrew Street

Presenter: Rusty Thompson, PE, City Traffic Engineer

10.0 ADMINISTRATION

10.1 Monthly Statement of Taxes for August 2010

10.2 Revenue and Expenditure Report for Annually Budgeted Funds for the Month Ended July 31, 2010

11.0 ADJOURNMENT

CLOSING REMARKS

POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

Anyone desiring to address the Council on an item that is not a public hearing must present a written request to the City Manager by 10:00 a.m. on the Wednesday preceding the Monday meeting date.

POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in the Executive Offices, Second Floor, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 p.m. and 7:00 p.m.

POLICY REGARDING CITY COUNCIL MEETING PROCEDURES SPEAKING ON A PUBLIC AND NON-PUBLIC HEARING ITEM

Individuals who have not made a written request to speak on a nonpublic hearing item may submit written materials to the City Council on the subject matter by providing twenty (20) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

**COUNCIL MEETING WILL BE AIRED
SEPTEMBER 13, 2010 - 7:00 PM
COMMUNITY CHANNEL 7**

**COUNCIL MEETING WILL BE RE-AIRED
SEPTEMBER 15, 2010 - 10:00 PM
COMMUNITY CHANNEL 7**

Notice Under the Americans with Disabilities Act (ADA): *The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Any person who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in any City program, service, or activity, should contact the office of Ron McElrath, ADA Coordinator, at rmcelrath@ci.fay.nc.us, 910-433-1696, or the office of Rita Perry, City Clerk at cityclerk@ci.fay.nc.us, 910-433-1989, as soon as possible but no later than 72 hours before the scheduled event.*

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Rita Perry, City Clerk
DATE: September 13, 2010
RE: **Approve Minutes :**
- June 21, 2010 – Special Meeting
- June 23, 2010 – Agenda Briefing Meeting
- June 28, 2010 – Regular Meeting
- July 12, 2010 – Regular Meeting
- July 21, 2010 – Agenda Briefing Meeting
- July 26, 2010 – Dinner and Discussion Meeting
- July 26, 2010 – Regular Meeting
- July 29, 2010 – Special Meeting

THE QUESTION:

Should City Council approve the draft minutes as the official record of the proceedings and actions of the associated meetings?

RELATIONSHIP TO STRATEGIC PLAN:

Greater Community Unity - Pride in Fayetteville; Objective 2: Goal 5: Better informed citizenry about the City and City government.

BACKGROUND:

The Fayetteville City Council conducted meeting(s) on the referenced date(s) during which they considered items of business as presented in the draft minutes.

ISSUES:

N/A

OPTIONS:

1. Approve the draft minutes as presented
2. Revise the draft minutes and approve the draft minutes as revised
3. Do not approve the draft minutes and provide direction to Staff

RECOMMENDED ACTION:

Approve the draft minutes as presented

ATTACHMENTS:

June 21, 2010 – Special Meeting Minutes
June 23, 2010 – Agenda Briefing Meeting Minutes
June 28, 2010 - Regular Meeting Minutes
July 12, 2010 - Regular Meeting Minutes
July 21, 2010 - Agenda Briefing Minutes
July 26, 2010 - Dinner & Discussion Meeting Minutes
July 26, 2010 - Regular Meeting Minutes
July 29, 2010 -Special Meeting Minutes

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FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
COUNCIL CHAMBER
JUNE 21, 2010
5:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Others Present: Dale E. Iman, City Manager
Doug Hewett, Assistant City Manager
Kristoff Bauer, Assistant City Manager
Karen M. McDonald, City Attorney
Lisa Smith, Chief Financial Officer
Ron Macaluso, Transit Director
Rita Perry, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Mayor Pro Tem Haire.

3.0 FAST PRESENTATION

Mr. Doug Hewett, Assistant City Manager, presented this item as follows:

Focal Areas

- City Council's April 2008 goal to reach average of "local funds per capita" within three years of peer cities in North Carolina
- \$519,000.00 in unspent funds for FY 2010
- Farebox recovery and fare adjustments proposed in FY 2011

Local Funds Per Capita (LFPC)

- Data comes from National Transportation Database (NTD)
- Local funds per capita is derived by dividing "local funds expended by service area population"
- Local funds projected to be expended includes the City's GF contributions of \$2,150,364.00 and \$5.00 vehicle license tax of \$587,681.00

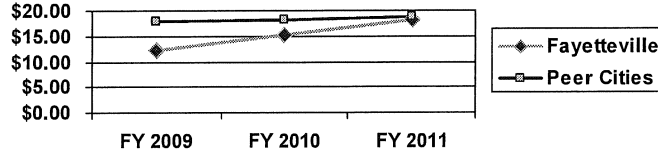
LFPC Comparisons

- Comparisons are made with North Carolina cities with transit system budget less than \$10 million:
 - Fayetteville
 - Asheville
 - High Point
 - Cary
 - Winston-Salem, budget \$10 M+ for the 2008 NTD
- Assuming 3 percent growth from FY 2008-FY 2011, the FY 2008 per capita of \$17.26 would be projected to have increased to \$18.86 for our peer group.

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Local Funds Per Capita

- In FY 2009, our LFPC was \$12.33
- In FY 2010, our projected LFPC is \$15.09
- In FY 2011, our projected LFPC will be \$18.29, in the recommended budget



FAST FY10 Work Plan

- Implement evening service on routes 6, 12, and 14
- Implement new connector route 9 with evening service
- Replace transfer center on Old Wilmington Road
- Complete renovations to Grove Street facility
- Support City/County transportation study
- Move forward with Multi-Modal Center efforts, including \$500,000.00 from Fund Balance for property acquisition
- Market services, improve customer service, and continue efforts to decrease accidents
- Implemented all programs, on-time and within budget
- Due to one-time projected savings of \$519,000.00 for FY 2010, it is recommended that the City Council appropriate unspent funds to be used for one-time expenses for further FAST enhancements.

Recommended Uses of the \$519,000.00

- Installation of up to 22 shelters
- Installation of up to 45 benches
- Installation of necessary sidewalks and curbs, as needed to place the benches and shelters within 12 months
- Purchase of hybrid light transit vehicle for use on Route 3
- Marketing campaign for FAST to increase ridership and share the environmental and sustainable benefits of transit

Proposed Farebox

- Fare/Pass Increases
 - Discount Bus Fare (E&D) from \$0.35 to \$0.50
 - Discount 10-ride Pass (E&D) from \$3.40 to \$5.00
 - Discount 30 day Pass (E&D) from \$11.70 to \$15.00
 - FASTTRAC! (Demand Response) Fare from \$1.50 to \$2.00
 - FASTTRAC! 10-ride Pass from \$13.50 to \$20.00
 - FASTTRAC! 20-ride Pass from \$27.00 to \$40.00
- Eliminate "Free Ride" Thursdays

Farebox Revenue

- Increase for FASTTRAC!: (40K riders @ \$.50/ride increase)
= \$20,000 Increase in Farebox Revenue
- Increase for fixed route riders : (10% E&D @ \$.15/ride increase)
= \$15,000 Increase in Farebox Revenue
- Increase for "Free" Thursday riders : (10% E&D @ \$.50/ride increase)

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= \$ 8,528	Increase in Farebox Revenue
\$20,000	Total <i>FASTTRAC!</i> increase
15,000	Total E&D increase
8,528	Total Thursday increase
<u>\$43,528</u>	Total Estimated revenue increase

Farebox Comparison

NC Agency	Fixed Route	E & D	Para-Transit
Asheville	\$1.00	\$0.50	\$1.25 -shared service rail
Charlotte	\$1.50	\$0.75	\$2.40
Durham	\$1.00 - DATA \$2.00 - TTA	\$0.50 - DATA \$1.00 - TTA	\$2.00 - DATA \$4.00 - TTA
Greensboro	\$1.30	\$0.65	\$1.30
High Point	\$1.00	\$0.50	\$2.00
Raleigh	\$2.00	\$1.00	\$2.00
Wilmington	\$1.50	\$0.75	\$3.00
Fayetteville	\$1.00	\$0.35	\$1.50

Overall Recommendations

- Provide direction on one-time uses for \$519,000.00 in FY 2010 funds:
 - Installation of up to 45 benches/22 shelters and necessary improvements
 - Hybrid LTV for Route 3
 - Marketing campaign for FAST with goal of increased ridership and sustainability
- Provide direction on Fares for FY 2011 budget, and direct staff to make policy recommendations to City Council by September 30 on a FAST Fare Policy
- Direct staff to make necessary adjustments to the FY 2011 proposed budget as necessary.

Mr. Hewett responded to questions regarding the per capita spending calculations, shelters and benches locations, and per capita spending ratio.

Mr. Dale Iman, City Manager, addressed inquiries relating to one-time expenditures for enhancements/improvements and reviewed the transit yearly fund budget.

Mr. Hewett answered questions concerning the reinstatement of the Enterprise Street route and the addition of future routes. He stated there were possibilities of additional routes, which would be recurring costs.

Mr. Iman responded to an inquiry regarding a proposed plan to address areas where services are not provided. He further clarified the sources of the \$519,000.00 unspent funds for FY 2010, the operating expenditures comparisons, and confirmed that periodic updates would be provided to Council regarding the expenditure of the \$519,000.00.

Ms. Lisa Smith, Chief Financial Officer, explained the events which generated the differences of the present Transit Fund projection in comparison to that previously presented to Council.

Mr. Hewett provided a summation of the marketing plan objectives and potential partnerships.

Mayor Chavonne stated the partnership aspect was an interest of Council and requested presentation at a future work session regarding the partnership progress.

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3.0 ADDITIONAL BUDGET ISSUES

Discussion ensued regarding nonprofit organizations funding and FAST fares/policy.

Per staff recommendation, the below motion was made to designate excess funds for Transit.

MOTION: Mayor Chavonne moved to direct staff to designate in the General Fund fund balance the difference between the FY 2010 original General Fund transfer to the Transit Operating Fund and the FY 2010 actual General Fund transfer to the Transit Operating Fund for future one-time Transit enhancements.

VOTE: UNANIMOUS (10-0)

Further discussion ensued regarding police substations and the proposed \$50,000.00 expenditure for a consultant, stormwater fund, nonprofit organization funding reduction, and electronic gaming operations and devices fees.

Budget Ordinance Amendment 2010-07 (General Fund, Stormwater Management Fund and Emergency Telephone System Fund)

Ms. Lisa Smith, Chief Financial Officer, provided a brief summary of this item.

MOTION: Council Member Crisp moved to approve.

SECOND: Council Member Bates

VOTE: UNANIMOUS (10-0)

4.0 ADJOURNMENT

There being no further business, the meeting adjourned at 6:40 p.m.

Respectfully submitted,

RITA PERRY
City Clerk

ANTHONY G. CHAVONNE
Mayor

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FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MINUTES
LAFAYETTE ROOM
JUNE 23, 2010
4:00 P.M.

Present: Mayor Anthony G. Chavonne (departed at 4:50 p.m.)

Council Members Keith A. Bates, Sr. (District 1); Kady-Ann Davy (District 2) (arrived at 4:20 p.m.); Darrell J. Haire (District 4) (departed at 4:55 p.m.); Bobby Hurst (District 5) (arrived at 4:15 p.m.); William J. L. Crisp (District 6)

Absent: Council Members Robert A. Massey, Jr. (District 3); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Others Present: Dale Iman, City Manager
Kristoff Bauer, Assistant City Manager
Doug Hewett, Assistant City Manager
Karen M. McDonald, City Attorney
Janet Smith, Assistant City Attorney
Rob Anderson, Development Services Director
Karen Hilton, Planning Division Manager
Craig Harmon, Planner II
Charles Lewis, Senior Code Enforcement Administrator
Press

City staff presented the following items scheduled for the Fayetteville City Council's June 28, 2010, agenda:

CONSENT ITEMS:

Case No. P10-16F. The rezoning of property located at 9271 Cliffdale Road from AR and R15 Residential Districts to R10 Residential District. Virginia Newton Barefoot, owner.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. He stated the property was surrounded by R15, AR Residential, and R10 zoning. He stated the existing subdivisions zoned R15 were built prior to the extension of public water and sewer to the area. He stated the Zoning Commission and Planning staff would recommend approval of the rezoning based on the following: (1) the 2010 Land Use Plan called for low-density residential for the property and R10 was one of the City's low-density districts; (2) the public utilities would be available to the development; and (3) Cliffdale Road was a major thoroughfare which would be appropriate for reasonable access.

Case No. P10-17F. The rezoning of the property located at 4456 Carula Lane from AR Residential District to R10 Residential District. Richard V. West, owner.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. He stated the R10 property to the east of the rezoning had an approved subdivision (Summer Grove) with 60 new lots planned. He stated an additional 14 acres adjacent to the rezoning had recently been rezoned to R10 for single-family housing. He stated that since this was not a conditional rezoning, access to the site would still be in question. He stated the Zoning Commission and Planning staff would recommend approval of the rezoning based on the following: (1) the 2010 Land Use Plan called for low-density residential and R10 was one of the City's low-density districts; (2) the property abutted an already approved subdivision zoned R10; and (3) the 2030 Growth Vision Plan stated that development should occur at densities appropriate for

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the site. He stated the recommended zoning would be appropriate for the level of service and compatible with the proposed/existing homes in the area.

Case No. P10-19F. The rezoning of the property located at 1140 Mintz Mill Road from R10 Residential District to C1P Commercial District. J. B. Rouse, III, and wife, Virginia, owners.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. He stated the property was located on a major thoroughfare with commercial zoning on two sides and multi-family in the rear. He stated the area was annexed into the City in 1988 and at that time the two adjacent properties were already zoned commercial by the County. He stated the two zoning districts were converted to the City equivalent district when the area was annexed. He stated the Zoning Commission and Planning staff would recommend approval of the rezoning based on the following: (1) although the 2010 Land Use Plan called for low-density residential, the property was between two commercially zoned properties; (2) the property was located along a major thoroughfare, but with commercial on both sides was not well positioned for stable residential development; and (3) the nearest single-family residential district was across Pamalee Drive, a five-lane thoroughfare.

Case No. P10-20F. The rezoning of the property located at 6452 Raeford Road from R10 Residential and PND Planned Neighborhood Development Districts to R6/CZ Residential Conditional Zoning District. Wayne S. West, Vincent J. West, Joseph P. Riddle, III, Carolyn R. Armstrong, and Sharlene R. Williams, owners.

Mr. Craig Harmon, Planner II, presented this item and stated the Planning staff requested this item be deferred to a future City Council meeting. He stated the meeting date would be contingent upon the completion, receipt, and review of the Traffic Impact Analysis.

PUBLIC HEARING ITEMS:

Case No. P10-15F. Appeal of a Zoning Commission recommendation to rezone the property located at 1506 Mazie Loop from R10 Residential District to P2 Professional District. Applicants Matthew and Catherine Levy requested C1P.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. He stated the applicants' stated purpose for rezoning the property was for medical offices/facilities. He stated the property was surrounded by a mix of uses and there were commercial zoning districts adjacent to the property. He stated the C1P to the north was mainly developed as professional offices and the C3 was currently part of an apartment/condominium complex (tennis courts). He stated road access was a concern for the property as there was no clear public access, although the applicant stated that access would be provided through the adjoining commercial/professional development to the east. He stated there was no enforceable site plan that was part of the application, as this was not a conditional rezoning. He stated Mazie Loop was a dirt drive and was not appropriate for commercial/professional access to the property. He stated a change in use as proposed would require a driveway permit from the City Traffic Engineer. He stated the Planning staff was recommending that no access be provided through the residential neighborhood for any nonresidential development. He stated currently the property has been cited for a violation of the City Code for property maintenance. He stated the Zoning Commission and Planning staff would recommend approval of the rezoning to a P2 District, not C1P as requested by the applicants, based on the following: (1) although the 2010 Land Use Plan called for low-density residential, the property should serve as

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a buffer between commercial and residential properties (P2 zoning would allow either office or residential uses); (2) C1P Commercial was usually not an appropriate district when abutting residential, especially with the parcel location, the property was mostly surrounded by established residential areas; (3) the 2030 Growth Vision Plan called for professional districts to be used as transition areas.

Case No. P10-18F. Special Use Permit to allow the location of a wireless telecommunications tower on property located at 4308 Rosehill Road containing 2.0 acres. Fayetteville Christian Church, Inc., owner.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. He stated this would be a quasi-judicial hearing that would require the City Council to make its decision based on specific findings. He stated since this was a Special Use Permit, the City Council could require conditions necessary to meet the specific details and other findings necessary for approval. He stated the Planning staff recommended the following conditions for approval in addition to the site plan dated February 3, 2010:

1. Prior to issuing a building permit, there would be written confirmation that there was an agreement with one or more providers to use the tower once built.
2. The Special Use Permit would become null and void if a building permit were not issued after two years from the date of approval of the request.
3. See City Code Section 30-107(17) for specific details on the approval of communication towers.
4. An 11 x 17 inch hard copy of the site plan would be provided to the City Council for consideration and approval.

He stated the Zoning Commission and staff would recommend approval of the Special Use Permit based upon the finding that the request would fit with the character of the area in which it was to be located and that it would not be detrimental to the surrounding neighborhood based upon the submitted site plan and documentation and recommended conditions.

Ms. Janet Smith, Assistant city Attorney, explained the process for the Special Use Permit hearing.

DEMOLITION ITEMS

Mr. Charles Lewis, Sr., Code Enforcement Administrator, reviewed the following demolition cases:

- 134 Swain Street
- 5507 Hendrick Drive

OTHER ITEMS OF BUSINESS:

Mr. Dale Iman, City Manager, explained the following budget items:

Budget Ordinance Amendment 2010-8 (Transit) and Capital Project Ordinance 2010-24 (Transit Capital Improvements and Enhancements).

Fiscal Year 2010-2011 Budget Ordinance, Fee Schedule, Fiscal Year 2011-2015 Capital Improvement Plan, Capital Project Ordinance 2011-1, and Capital Project Amendments 2011-1 through 2011-7.

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There being no further business, the meeting adjourned at
5:05 p.m.

Respectfully submitted,

KAREN M. MCDONALD
City Attorney

ANTHONY G. CHAVONNE
Mayor

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FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
JUNE 28, 2010
7:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4) (arrived at 7:32 p.m.); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Others Present: Dale E. Iman, City Manager
Doug Hewett, Assistant City Manager
Kristoff Bauer, Assistant City Manager
Karen M. McDonald, City Attorney
Janet Smith, Assistant City Attorney
Craig Harmon, Planner II
Jeffery Brown, Engineering & Infrastructure Director
Lisa Smith, Chief Financial Officer
Jackie Tuckey, Public Information Officer
Rita Perry, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order at 7:00 p.m.

2.0 INVOCATION

The invocation was offered by Council Member Meredith.

3.0 PLEDGE OF ALLEGIANCE

Following the invocation, the audience was led in the Pledge of Allegiance to the American Flag.

4.0 APPROVAL OF AGENDA

MOTION: Council Member Crisp moved to approve the agenda with the addition of Item 7.3, closed session to discuss a personnel matter.

SECOND: Council Member Meredith

VOTE: UNANIMOUS (9-0)

5.0 CONSENT

MOTION: Council Member Applewhite moved to approve the consent agenda with the exception of Item 5.4.

SECOND: Council Member Bates

VOTE: UNANIMOUS (9-0)

5.1 Approve Minutes:

- May 3, 2010 - Work Session Meeting
- May 10, 2010 - Regular Meeting
- May 24, 2010 - Dinner and Discussion Meeting
- May 24, 2010 - Regular Meeting
- June 1, 2010 - Council/Planning Commission Special Joint Meeting
- June 7, 2010 - Regular Meeting
- June 14, 2010 - Dinner and Discussion Meeting

5.2 Authorization to acquire the lot at 108 Deep Creek Road for the construction of a community entrance sign.

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- 5.3 Resolution authorizing the transfer of real property to Fayetteville Area Operation Inasmuch for the benefit of housing for the homeless.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE APPROVING CONVEYANCE OF PROPERTY PURSUANT TO G.S. § 160A-279. RESOLUTION NO. R2010-057.

- 5.4 Pulled at the request of Council Member Applewhite.
- 5.5 Case No. P10-17F. The rezoning of the property located at 4456 Carula Lane from AR Residential District to R10 Residential District. Richard V. West, owner.
- 5.6 Case No. P10-19F. The rezoning of the property located at 1140 Mintz Mill Road from R10 Residential District to C1P Commercial District. JB Rouse, III, and wife, Virginia, owners.
- 5.7 Condemnation for demolition of 134 Swain Street, PIN 0418-46-0350.

AN ORDINANCE OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY. ORDINANCE NO. NS2010-007.

- 5.8 Condemnation for demolition of 5507 Hedrick Drive, PIN 0409-51-4704.

AN ORDINANCE OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY. ORDINANCE NO. NS2010-008.

- 5.9 Addition of streets to the City of Fayetteville's System of Streets.
- 5.10 Consider bid award for the purchase of one (1) 50' hybrid bucket truck.

Formal bids were received June 10, 2010. A total of eight bids were received. Upon review and evaluation it was determined that five bids were non-responsive because they were incomplete and did not contain all the required information. The three bids received were as follows:

Peterbilt of Dunn (Dunn, NC)	\$172,566.00
Altec Industries (Birmingham, AL)	\$184,049.00
Terex Utilities (Glen Allen, VA)	\$191,485.00

The bids received from Peterbilt and Altec Industries were found to be non-compliant to the specifications. The aerial device submitted by Peterbilt did not meet the required specifications. The cab and chassis submitted by Altec was not a true hybrid system as required by the specifications and the granting authority. Therefore, the recommendation of staff was that a contract be awarded to the most responsive bidder, Terex Utilities, Glen Allen, VA.

- 5.11 Special Revenue Fund Project Ordinance Closeouts 2010-1 through 2010-8 (Various Police Projects).
- 5.12 Special Revenue Fund Project Ordinances 2011-1 and 2011-2 (FY 2010-2011 HOME and CDBG Program Budgets).
- 5.13 Capital Project Ordinance 2010-23 (Clean Cities FY09 Petroleum Reduction Technology Project).

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- 5.4 Case No. P10-16F. The rezoning of property located at 9271 Cliffdale Road from AR and R15 to R10. Virginia Newton Barefoot, owner.

This item was pulled by Council Member Applewhite.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. He stated this property was surrounded by R15 and AR Residential; R10 zoning was also near the property and the existing subdivisions zoned R15 were built prior to the extension of public water and sewer to the area. Mr. Harmon stated the Zoning Commission and staff recommended approval of the rezoning based on: (1) the 2010 Land Use Plan called for low-density residential for the property, R10 was one of the City's low-density districts; (2) the public utilities were available to the development; and (3) Cliffdale Road was a major thoroughfare, appropriate for reasonable access.

Council Member Applewhite questioned how many units were allowed as presently zoned and whether a community meeting was required. Mr. Harmon clarified that 70 units were allowed in AR, 104 units in R15, and 208 units in R10 and answered in the negative regarding the requirement for a community meeting.

Mr. Harmon responded to questions regarding the Traffic Impact Analysis (TIA) and public hearing notification requirements. He explained that NCDOT would make the determination regarding a TIA and clarified the radius requirement for public hearing notification was 500 feet.

MOTION: Council Member Applewhite moved to set a public hearing for the July 4, 2010.
SECOND: Council Member Crisp
VOTE: UNANIMOUS (9-0)

6.0 PUBLIC HEARINGS

- 6.1 Case No. P10-15F. Appeal of a Zoning Commission recommendation to rezone the property located at 1506 Mazie Loop from R10 to P2. Applicants Matthew and Catherine Levy requested C1P.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. He stated the applicant's purpose for rezoning the property was for medical offices/facilities. He stated the property was surrounded by a mix of uses. He stated the City Code Enforcement Division had cited the property for a violation of the City Code for property maintenance. He stated the Zoning Commission and staff recommended approval of the rezoning to a P2 District (not C1P) based on: (1) although the 2010 Land Use Plan called for low-density residential, the property should serve as a buffer between commercial and residential properties (P2 zoning would allow either office or residential uses; and (2) C1P Commercial was usually not an appropriate district when abutting residential, especially with the parcel location, the property was mostly surrounded by established residential areas; and (3) the 2030 Growth Vision Plan called for professional districts to be used as transition areas.

Council Member Hurst inquired whether a community meeting was required and questioned whether the property owners were amenable to the P2 rezoning recommendation. Mr. Harmon replied in the affirmative to both questions.

This is the advertised public hearing set for this date and time. The public hearing opened at 7:22 p.m.

DRAFT

Mr. Andy Privette, 2545 E. Edgewater Drive, Fayetteville, NC 28303, appeared in favor and reviewed the proposed parking and stated the development would generate employment in the City.

Mrs. Joan Nelson, 812-1 Sage Creek Lane, Fayetteville, NC 28305, appeared in opposition and expressed safety and traffic concerns.

Mrs. Sharon Drake, 1335 Levy Drive, Fayetteville, NC 28304, appeared in opposition and expressed safety and traffic concerns.

There being no one further to speak, the public hearing closed at 7:40 p.m.

MOTION: Council Member Hurst moved to approve the rezoning of the property located at 1506 Mazie Loop from R10 to P2.

SECOND: Council Member Bates

VOTE: UNANIMOUS (10-0)

6.2 Case No. P10-18F. Special Use Permit to allow the location of a wireless telecommunications tower on the property located at 4308 Rosehill Road, containing 2.0 acres. Fayetteville Christian Church, Inc., owner.

All speakers and staff were administered the oath.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. Mr. Harmon presented the following conditions for approval: (1) comply with the site plan dated February 3, 2010; (2) written agreement confirmation of one or more providers to use the tower once built (prior to the issuance of a building permit); (3) Special Use Permit becomes null and void if a building permit was not issued after two years from the date of the request approval; and (4) comply with all communication tower requirements as stated in the City Code. Mr. Harmon stated the Zoning Commission and staff recommended approval based upon the finding that the proposed location was in harmony with the area and would not be detrimental to the surrounding neighborhood based upon the submitted site plan, documentation, and recommended conditions.

This is the advertised public hearing set for this date and time. The public hearing opened at 7:52 p.m. The following speakers appeared in favor:

NAME/ADDRESS	COMMENT SUMMARY
Tom Johnson 201 Shannon Oaks Circle; Suite 100 Cary, NC	Appeared in favor and stated the church was in support of the tower. He reviewed the site plan and stated T-Mobile and AT&T have committed to use the proposed tower.
Graham Herring 8052 Grey Oak Drive Raleigh, NC	Appeared in favor and stated he evaluated the site and found there would be no impact to surrounding areas.
Dave La Cava AT&T Representative Raleigh, NC	Wireless carrier to use the proposed tower
Kevin Jackson T-Mobile Representative Charlotte, NC	Wireless carrier to use the proposed tower

There were no speakers in opposition.

There being no one further to speak, the public hearing closed at 8:00 p.m.

Mr. Herring responded to questions regarding the process utilized to determine the effect on the surrounding properties' values.

DRAFT

MOTION: Council Member Massey moved to approve based upon the finding that the request was in harmony with the character of the area and would not be detrimental to the surrounding neighborhood based upon the submitted site plan, documentation, and staff recommended conditions and the conditions required under Section 30-107(17).

SECOND: Council Member Bates

VOTE: UNANIMOUS (10-0)

6.3 Public hearing for assessment rolls on soil streets that have been paved.

Mr. Jeffery Brown, Engineering & Infrastructure Director, presented this item. He stated streets authorized for paving by Council had been paved and tonight's hearing was to receive comments from affected property owners concerning the preliminary assessment rolls. Mr. Brown explained the assessment fees.

This is the advertised public hearing set for this date and time. The public hearing opened at 7:22 p.m.

Mr. Joe Riddle, 125 Great Oak Drive, Fayetteville, NC 28305, appeared in opposition and expressed legality and traffic concerns.

There being no one further to speak, the public hearing closed at 7:32 p.m.

MOTION: Council Member Bates moved to approve and adopt the resolutions confirming assessment rolls.

SECOND: Council Member Massey

VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Council Member Mohn)

6.4 Public hearing on a proposed installment financing agreement in a principal amount not to exceed \$5,950,000.00 for the purpose of financing the construction of a parking deck.

The following actions were recommended:

- (1) Adopt the resolution accepting the proposal of Branch Banking & Trust Company (BB&T) in connection with an installment financing for a parking deck and related improvements for the City of Fayetteville, North Carolina.
- (2) Adopt the resolution making certain findings and determinations regarding the financing of a parking deck and related improvements for the City of Fayetteville, North Carolina pursuant to an installment financing agreement and requesting the Local Government Commission to approve the financing arrangement.

Mrs. Lisa Smith, Chief Financial Officer, presented this item.

This is the advertised public hearing set for this date and time. There was no one present to speak and the public hearing opened and closed at 8:32 p.m.

MOTION: Council Member Meredith moved to adopt the two resolutions.

SECOND: Council Member Bates

VOTE: PASSED by a vote of 7 in favor to 3 in opposition (Council Members Applewhite, Crisp, and Mohn)

7.0 OTHER ITEMS OF BUSINESS

7.1 Budget Ordinance Amendment 2010-8 (Transit) and Capital Project Ordinance 2010-24 (Transit Capital Improvements and Enhancements)

DRAFT

Mr. Dale Iman, City Manager, provided an overview regarding the proposed expenditure of the unspent transit funds of \$519,000.00 as follows:

- Budget Ordinance Amendment 2010-8 would reduce the General Fund transfer to the Transit Operating Fund by \$459,000.00 and the approved Capital Project Ordinance 2010-24 would appropriate the budget for various Transit capital improvements and enhancements, including, but not limited to, the purchase of a Light Transit Vehicle (LTV), bus shelters, benches and other necessary improvements.
- \$60,000.00 would be designated for business development and marketing initiatives for Transit.

A brief discussion ensued regarding the replacement of the transit vehicle.

MOTION: Council Member Meredith moved to approve and adopt Budget Ordinance Amendment 2010-8 and Capital Project Ordinance 2010-24.

SECOND: Council Member Bates

VOTE: UNANIMOUS (10-0)

7.2 Fiscal Year 2010-2011 Budget Ordinance, Fee Schedule, Fiscal Year 2011-2015 Capital Improvement Plan, Capital Project Ordinance 2011-1, and Capital Project Amendments 2011-1 through 2011-7.

Mr. Dale Iman, City Manager, presented the information for this item as follows:

Annual Budget Process

- Recommended FY2010-2011 Budget presented on May 10, 2010
- Budget work sessions and public hearing conducted
- Council provided direction on desired changes to the recommended General Fund budget

Changes to Recommended General Fund Budget

Expenditures

Original Recommended Budget	\$133,908,042
Fund Police Step Plan (5% cap)	298,181
Fund Police Upper Ranks Perf. Pay	37,856
Fund Planner Position (9 months)	56,676
Increase in Sales Tax Reimb.	24,293
Eliminate Goodyear Payment	(100,000)
Defer Murchison Rd Consulting	(40,000)
Reduce Kaleidoscope (1/2 shows)	(25,800)
Fund Police Services Study	50,000
Total Expenditures	\$134,209,248

Revenues

Original Recommended Budget	\$133,908,042
Sales Tax Adjustments	96,997
Fund balance appropriations:	
Lighting at Tokay Football Fields	90,000
Walking Trails	64,000
Police Services Study	50,000
Miscellaneous to Balance	209
Total Revenue Changes	\$134,209,248

Changes to the Recommended Fee Schedule

Transit Fare Increases

- Proposed increases for elderly and disabled riders eliminated
- Free-Ride Thursdays retained

DRAFT

- Anticipate achieving projected fare revenues with current fees based upon recent months' receipts

Police alarms fees

- False alarms fees revised to the Greenville model
- Annual alarm registration fees eliminated

Privilege license fees for electronic gaming operations (internet sweepstakes cafes)

- Add fee of \$2,000 per location plus \$2,500 per computer terminal

FY2010/2011 Budget Ordinance

- Revised General Fund Budget - \$134,209,248
 - 1.8% reduction from FY2009/2010 Original Budget
- Establishes tax rates and adopts fee schedule
 - General Tax Rate - 45.6 cents
 - CBTD Tax Rate - 10.0 cents
- No changes to recommended budgets for other funds
- Total Annual Budget Ordinance - \$421,094,835

Recommended FY2011-2015 CIP

- Funding plan for major capital improvements through fiscal year 2015
- No changes to recommended CIP as presented to Council on May 12, 2010
- Summary lists of recommended projects
- Project funding by fiscal year
- Project funding by source of funds

Recommended FY2011-2015 CIP

Funding Source	Project Funding to Date	General Fund	Debt Financing Proceeds	Grants/Other Sources
Economic Development	6,874,761	2,751,067	11,286,050	3,431,000
Facilities & Equipment	1,418,091	2,518,118	5,000,000	1,764,914
Infrastructure	30,116,270	26,567,111	400,000	1,305,472
Parks & Rec	25,177,000	476,834	0	2,209,620
Public Safety	1,591,217	20,000	14,659,913	1,129,766
Transit	2,736,065	1,814,618	0	17,424,062
Airport	14,589,854	0	0	22,755,501
Proposed Bond Refer.	0	0	15,000,000	0
Total	82,503,258	34,147,748	46,345,963	50,020,335

Mr. Iman stated the recommendation was for Council to adopt the FY 2010-2011 Budget Ordinance and Fee Schedule, to adopt the FY 2011-2015 Capital Improvement Plan, and to adopt Capital Project Ordinance 2011-1 and Capital Project Amendments 2011-1 through 2011-7.

MOTION: Council Member Meredith moved to approve.
SECOND: Council Member Haire

SUBSTITUTE MOTION:
 Council Member Hurst moved to approve with an Elderly and Disable Transit Fare increase to 50 percent of the Adult Fare effective January 3, 2011.

SECOND: Council Member Bates

A discussion ensued regarding the necessity to raise fares and Council's commitment to involve the Transit System.

SUBSTITUTE MOTION VOTE:
FAILED by a vote of 8 in opposition to 2 in favor (Council Members Bates and Hurst)

DRAFT

Council Member Crisp proposed a friendly amendment to remove the \$50,000.00 consultant fee from the budget.

Mayor Chavonne explained Council would address the present motion.

Council Member Meredith restated his original motion.

ORIGINAL MOTION VOTE:

PASSED by a vote of 7 in favor to 3 in opposition (Council Members Davy, Crisp, and Mohn)

Council Member Crisp questioned why he was not allowed to make a substitute motion. Ms. Karen McDonald, City Attorney, explained the original motion was moved and seconded followed by a substitute motion which failed; therefore, the vote reverted back to the original motion, which was restated for clarification. Council Member Crisp requested to go on the record that "he found the proceedings highly irregular".

7.3 Closed session to discuss a personnel matter.

MOTION: Council Member Meredith moved to go into closed session for personnel matter.
SECOND: Mayor Pro Tem Haire
VOTE: UNANIMOUS (10-0)

The regular session recessed at 9:05 p.m. The regular session reconvened at 9:35 p.m.

MOTION: Council Member Meredith moved to go into open session.
SECOND: Council Member Hurst
VOTE: UNANIMOUS (10-0)

MOTION: Council Member Applewhite made the following motion regarding the City Attorney's compensation:

- (1) She receive 2 percent salary adjustment granted to all other City employees who meet or exceed expectations on their annual performance review;
- (2) Make a contribution to her 401K of \$2,000.00; and
- (3) Move her annual review date from April to September of each year, with the next evaluation being September 2011.

SECOND: Mayor Pro Tem Haire
VOTE: PASSED by a vote of 8 in favor to 2 in opposition (Council Members Meredith and Bates)

8.0 ADJOURNMENT

There being no further business, the meeting adjourned at 9:35 p.m.

Respectfully submitted,

RITA PERRY
City Clerk

ANTHONY G. CHAVONNE
Mayor

062810

DRAFT

FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
JULY 12, 2010
7:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Others Present: Dale E. Iman, City Manager
Doug Hewett, Assistant City Manager
Karen M. McDonald, City Attorney
Stanley Victrum, Chief Information Officer
Craig Hampton, Special Projects Director
Ron Macaluso, Transit Director
Craig Harmon, Planner II
Marcus Townsend, City Webmaster
Rebecca Rogers-Carter, Management Services Manager
Jackie Tuckey, Public Information Officer
Rita Perry, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order at 7:00 p.m.

2.0 INVOCATION

The invocation was offered by Imam Abdul Haneef of Masjid Omar Ibn Sayyid.

3.0 PLEDGE OF ALLEGIANCE

Following the invocation, the Pledge of Allegiance to the American Flag was led by the audience.

4.0 APPROVAL OF AGENDA

MOTION: Council Member Davy moved to approve the agenda with the addition of Item 9.4, Transit update presentation.

SECOND: Mayor Pro Tem Haire

VOTE: UNANIMOUS (10-0)

5.0 ANNOUNCEMENTS AND RECOGNITION

Mayor Chavonne and Council Member Bates, on behalf of the City Council and City of Fayetteville, presented a proclamation commemorating July 26, 2010, as the 20th Anniversary of the Americans with Disabilities Act and applauded the many contributions people with disabilities have made and continue to make throughout the City and renew our commitment to upholding the fundamental principles of the Americans with Disabilities Act. Comments followed.

6.0 PUBLIC FORUM

NAME/ADDRESS	SUBJECT/CONCERN
Raymond Wright P.O. Box 1475 Fayetteville, NC 28302	Police Department service of summons process
Stephen Wheeler 2509 S. Edgewater Drive Fayetteville, NC 28303	False alarm fee schedule

DRAFT

NAME/ADDRESS	SUBJECT/CONCERN
Gwen York 5703 Cypress Road Fayetteville, NC 28304	Domestic violence
Moses Best 1824 Broadell Drive Fayetteville, NC 28301	Murchison Road Police Substation
Freddie Robertson 2335 Rosehill Road Fayetteville, NC 28301	Masonic Community Picnic, 7/31/10, North Street Park
Sidney Irvin James, Sr. 319 Neal Street Fayetteville, NC 28312	Transit

7.0 CONSENT

MOTION: Mayor Pro Tem Haire moved to approve the consent agenda with the exception of Items 7.2, 7.3, 7.4, and 7.5.
SECOND: Council Member Meredith
VOTE: UNANIMOUS (10-0)

7.1 Adopt a resolution declaring real property surplus.

RESOLUTION DECLARING PROPERTY EXCESS TO CITY'S NEEDS AND
 QUITCLAIMING CITY TITLE IN THE PROPERTY TO CUMBERLAND COUNTY.
 RESOLUTION NO. R2010-065.

7.2 Pulled at the request of Council Member Hurst.

7.3 Pulled at the request of Council Member Bates.

7.4 Pulled at the request of Council Member Mohn.

7.5 Pulled at the request of Mayor Pro Tem Haire.

7.2 Special Sign Permit request for temporary event signs for the SwampDogs Baseball Team.

This item was pulled by Council Member Hurst.

The City Council routinely approved similar requests for other events in recent years. Those requests were always for a limited consecutive day period (usually two weeks or less). Staff has been working to remove temporary signs from the City's streetscape. Staff regularly recommended authorizing fewer signs than requested for a shorter period of time than requested. The SwampDogs would like to use these signs throughout their three-month summer season.

MOTION: Council Member Hurst moved to approve Option 2 (Grant the special sign permit for 30 signs within 24 hours of game days as described above as requested by applicant, locations and size to be negotiated by staff).
SECOND: Council Member Bates
VOTE: UNANIMOUS (10-0)

7.3 Amendment to Chapter 15, Licenses, of the City of Fayetteville Code of Ordinances in accordance with the FY 2010-2011 Schedule of Fees.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING
 CHAPTER 15, LICENSES, OF THE CODE OF ORDINANCES OF THE CITY OF
 FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2010-008.

This item was pulled by Council Member Bates.

The ordinance amended Chapter 15, Licenses, of the City of Fayetteville Code of Ordinances for electronic gaming operation annual privilege license tax in accordance with the FY 2010-2011 Schedule of Fees.

DRAFT

Council Member Bates questioned the affect the General Assembly's passage of a ban on internet sweepstakes cafés would have on the amendment. Ms. Karen McDonald, City Attorney, clarified the fee schedule was approved as part of the FY 2011 budget with an effective date of June 30, 2010, and the effective date of the proposed ban was December 2010.

Mayor Pro Tem Haire inquired whether raising the fees was an option and were the fees governed by the State. Ms. McDonald replied in the negative. She stated the proposed fee schedule was modeled after that of the Town of Hope Mills.

Council Member Bates requested the time frame for owners to comply. Ms. Karen McDonald, City Attorney, stated the Finance Department would conduct collections in conjunction with the Inspections Department assessment. She stated the owner would have 30 days to comply and would be delinquent as of September 1, 2010.

Council Member Bates requested clarification that this proposed revenue was not budgeted into the FY 2011 budget. Mr. Dale Iman, City Manager, answered in the affirmative.

Council Member Mohn questioned the expenditure of this money. Mayor Chavonne stated this was addressed during the budget meetings.

Mayor Pro Tem Haire asked Mr. Phil Cannady, Assistant Police Chief, to explain the negative factors as it related to internet café businesses. Ms. McDonald requested clarification of the question. Mayor Pro Tem Haire requested clarification of the Police Department concerns. Assistant Police Chief Cannady stated any games of chance bring a certain element of the population which adds a greater demand on law enforcement.

Mayor Chavonne questioned whether legally a municipality had the right to ban internet cafés. Ms. McDonald stated the City only had the authority to regulate.

MOTION: Council Member Bates moved to approve the amendment to Chapter 15, Licenses, of the City of Fayetteville Code of Ordinances.

SECOND: Council Member Crisp

VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Mayor Pro Tem Haire)

7.4 Approval to award contract for the purchase of police cars.

This item was pulled by Council Member Mohn for clarification.

The Police Department needed to purchase 34 new police cars. Formal bids for the purchase of police cars were received February 16, 2010. The bid documents allowed for the purchase of additional units at the same price within a one-year period, upon the agreement of both parties. The low bidder, Ilderton Dodge Chrysler Jeep, High Point, NC, agreed to extend the February bid price for the purchase of 34 additional 2010 Dodge Charger Police Cars. The contract would consist of the purchase of 10 unmarked cars at a cost of \$26,836.00 each and 24 marked cars at a cost of \$28,361.00 each. The total contract amount for the purchase of the additional 34 cars was \$949,024.00. The cars are budgeted in the FY 2011 budget. The total budgeted amount is \$1,206,000.00.

Council Member Mohn questioned the change from previous amounts as it related to the February cost. Mr. Dale Iman, City Manager, stated the proposal was initially generated in February. He explained that it was determined the Police Department would be better served with six additional marked units instead of SUVs.

MOTION: Council Member Bates moved to approve the contract award.

SECOND: Council Member Massey

DRAFT

VOTE: UNANIMOUS (10-0)

7.5 Consider amendments to Alarm Systems Regulations Ordinance.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SECTIONS OF CHAPTER 4, ALARM SYSTEMS REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2010-009.

This item was pulled by Council Member Bates.

Council Member Haire inquired whether there was stakeholder involvement. Mr. Charles Hunter, Police Captain, stated at the June 7, 2010, work session, Council direction was to forego the permitting process and to mirror Greenville. He stated staff sent out notices which informed citizens of the adopted fee schedules.

Council questioned why stakeholders were not involved. Captain Hunter stated the fee schedule had already been adopted and the amendment was necessary to enforce the adopted fee schedule. Mr. Dale Iman, City Manager, further stated the alarm fee was driven by the PERF study which determined that 66 percent of police time was spent on calls for service. Mr. Iman explained that a contributing factor was that the false alarms were very high.

A discussion period ensued regarding false alarm responses, the appeal process, residents and businesses impacted, and public awareness/notification.

MOTION: Council Member Bates moved to approve the amendment to the Alarm System Regulation Ordinance.

SECOND: Council Member Applewhite

VOTE: PASSED by a vote of 7 in favor to 3 in opposition (Council Members Davy, Haire, and Massey)

8.0 PUBLIC HEARING

8.1 Case No. P10-20F. The rezoning of property located at 6452 Raeford Road from R10 Residential and PND Planned Neighborhood Development Districts to R6/CZ Residential Conditional Zoning District. Wayne S. West, Vincent J. West, Joseph P Riddle, III, Carolyn R. Armstrong and Sharlene R. Williams, owners.

Mr. Craig Harmon, Planner II, presented this item. He showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. Mr. Harmon stated the Zoning Commission and staff recommended approval of the rezoning based on the following: (1) although the 2010 Land Use Plan called for low-density residential, it was staff's opinion that medium-density residential was also appropriate, provided that a stronger buffer be placed between the development and the single-family residential development to the east; (2) the property was located along a major thoroughfare; and (3) an apartment complex would be compatible with the character and development pattern of Raeford Road.

Council Member Applewhite requested affirmation that 156 units were permitted in R10 and 252 units in PND. Mr. Harmon concurred. He explained the occurrences at the community meeting. Council Member Applewhite questioned whether traffic was a topic of conversation and requested a narrative of community meetings. Mr. Harmon stated the developer could provide that information.

Council Member Meredith questioned who or what determines when a gate could be constructed. Mr. Harmon stated typically apartment complexes do not allow gates. Council Member Meredith asked what the protocol was for a gate and lockbox. Mr. Harmon stated there was no protocol for apartment complexes.

DRAFT

This is the advertised public hearing set for this date and time. The public hearing opened at 8:25 p.m.

Mr. Jonathan Charleston, 201 Hay Street; Suite 2000, Fayetteville, NC 28301, appeared in favor on behalf of the petitioner. He stated the current zoning would permit the development of apartments and the only concern at the community meeting was the traffic impact. Mr. Charleston clarified there would be no access to the gated community except for emergency services and all conditions had been accepted by the developer.

Mr. Jimmy Kizer, Jr., 115 Broadfoot Avenue, Fayetteville, NC 28305, appeared in favor and elaborated on the conditions. He stated the minutes from the community meeting would be available.

Mr. Brantley White, 718 Dover Road, Greensboro, NC 27408, and Mr. Rick Hopkins, 1833-B9 Banking Street, Greensboro, NC 27408, declined to speak.

There were no speakers in opposition.

There being no one further to speak, the public hearing closed at 8:35 p.m.

Council Member Bates questioned the request for an emergency access. Mr. Kizer stated this was the desire of the developer.

Council Member Applewhite questioned whether this could be developed without the emergency entrance. Mr. Kizer answered in the affirmative and stated the police, fire, and EMS would appreciate the flexibility of having an alternate entrance.

Council Member Applewhite questioned whether there was any consideration to build a project of lower density. Mr. Kizer stated the desire was for a higher density.

Council Member Applewhite requested clarification regarding staff's decision to recommend the high density in reference to the 2010 plan and questioned the permitting of approximately 100 extra units because of a larger buffer. Mr. Harmon stated it would lessen the affect. Council Member Applewhite questioned the proposed 656 parking spaces for 292 units. Mr. Kizer explained the applicant wished to provide two parking spaces per unit. Council Member Applewhite questioned whether the complex would have garages and storage units. Mr. Kizer answered in the affirmative and stated the garages and storage units were included in the calculations.

Council Member Meredith requested staff to be more consistent in regards to the recommendations.

MOTION: Council Member Applewhite moved to deny the rezoning to R6/CZ.

The motion died due to lack of a second.

MOTION: Council Member Bates moved to approve the rezoning to R6/CZ.

SECOND: Council Member Meredith

Council Member Mohn requested limitations for the use and maintenance of the back entrance during the construction phase. Council Member Bates explained the City's ordinance addresses those regulations.

VOTE: UNANIMOUS (10-0)

DRAFT

9.0 OTHER ITEMS OF BUSINESS

9.1 Preview of the City's new website redesign.

Mr. Marcus Townsend, City's Webmaster, presented the components of the City's new website design.

A brief question and answer period ensued regarding the contents of the website.

MOTION: Council Member Hurst moved for the website to proceed with the launch of the new redesign of the City's main website.
SECOND: Council Member Massey
VOTE: UNANIMOUS (10-0)

9.2 FY 2010-11 Strategic Plan adoption.

Ms. Rebecca Rogers-Carter, Management Services Manager, reviewed the components of the strategic plan to include the vision statement, mission statement, and core values and spoke to modifications made by Council in the FY 2010-2011 Strategic Plan. She provided a recap of the 2010-2011 policy and management agenda targets for action and noted top priority and high priority items would receive equal attention and effort.

MOTION: Council Member Davy moved to adopt the FY 2010-2011 Strategic Plan.
SECOND: Council Member Bates
VOTE: UNANIMOUS (10-0)

9.3 Award of construction contract for Visitor Center for Veterans Park.

Mr. Craig Hampton, Special Projects Director, summarized the budget for this item. He informed Council that LeChase Construction Services, Inc., Durham, NC, the same company that had been awarded the main park contract, had been determined to be the lowest responsible and responsive bidder. He stated that (1) LeChase exceeded the 10 percent minority business goal of this project by 7 percent, all other bidders failed to meet the goal; (2) LeChase would be the on-site contractor for both the main park and visitor center; (3) approximately 30 percent of the contract would be performed by local contractors and 20 percent of materials would be purchased from local businesses; and (4) additional savings by changes in plans or specifications would be analyzed and applied with assurance there would be no compromise in quality or performance of the finished product. Weekly project reports would outline future project savings.

Mayor Pro Tem Haire requested a list of the minority contractors.

Council Member Bates requested confirmation of bonding requirements. Mr. Hampton clarified that performance and payment bonds would be required.

MOTION: Council Member Bates moved to approve the award of the construction contract for the Visitor Center for Veterans Park.
SECOND: Council Member Crisp

Council Member Massey requested that the list of the minority participation included the category.

VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Council Member Meredith)

Mr. Hampton informed Council that General Shelton's statute was positioned at the Airborne and Special Operations Museum.

DRAFT

9.4 Transit update regarding shelters and benches.

Council Member Davy briefed Council regarding the previous presentation of this item to the Transit Advisory Committee in May 2010.

Mr. Dale Iman, City Manager, stated the presentation was generated to address a citizen letter received by Council Member Mohn. He stated the issues were as follows:

- Help identifying the total number of FAST bus stops to include all FAST bus stops even if they are not technically in the City Limit.
- How many of these bus stops are simply a sign on a pole. We are interested in there being at least a:
 - Bench at each bus stop, and hopefully eventually; and
 - A weather covering.
- How many total bus stops are there?
- How many bus stops currently have a bench?
- How many bus stops currently have a weather covering?
- Is there a plan to place benches and weather coverings at all bus stops?
 - If so, what is the time table to complete this project?
 - If not, we would appreciate a documented excuse as to why not.

Mr. Iman explained on August 10, 2009, Council received a Transit Development Plan (TDP) from the KFH Group, Inc, providing suggestions to improve the City's transit system, which staff implemented. He stated staff audited the bus stops to accumulate the necessary data for the decision-making and evaluation purposes. He presented the results as follows:

	Shelter ? # yes/total stops	Sidewalk ? # yes / total stops	Bench ? # yes / total stops	Trash Can? # yes / total stops	ADA Compliant # yes / total stops
ROUTE 3	1/39 = 2%	14/39 = 35%	2/39 = 5%	2/39 = 5%	0/39 = 0%
ROUTE 4	6/57 = 10%	41/57 = 71%	7/57 = 12%	7/57 = 12%	4/57 = 7%
ROUTE 5	4/59 = 6%	44/59 = 74%	4/59 = 6%	4/59 = 6%	3/59 = 5%
ROUTE 6	2/33 = 6%	4/33 = 12%	5/33 = 15%	2/33 = 6%	2/33 = 6%
ROUTE 7	4/59 = 6%	32/59 = 54%	5/59 = 8%	4/59 = 6%	0/59 = 0%
ROUTE 8	2/55 = 3%	26/55 = 47%	3/55 = 5%	4/55 = 7%	0/55 = 0%
ROUTE 12	7/64 = 10%	38/64 = 59%	7/64 = 10%	9/64 = 14%	1/64 = 1%
ROUTE 14	9/64 = 14%	56/64 = 87%	11/64 = 17%	11/64 = 17%	2/64 = 3%
ROUTE 15	2/98 = 2%	39/98 = 39%	3/98 = 3%	3/98 = 3%	0/98 = 0%
ROUTE 16	0/28 = 0%	3/28 = 10%	0/28 = 0%	0/28 = 0%	0/28 = 0%
ROUTE 17	0/20 = 0%	8/20 = 40%	0/20 = 0%	0/20 = 0%	0/20 = 0%
	37/576 = 6%	305/576 = 52%	47/576 = 8%	47/576 = 8%	12/576 = 2%

Mr. Iman then provided the following results from the Rider Count Study initiated from a citizen request regarding a bus shelter on Turnpike Road (Route 7, which had three main stop areas - Turnpike Road, Commerce Street, and Weiss Avenue):

- Turnpike Road - Total of 121 riders; averaged 14 per day
- Commerce Street - Total of 120 riders; averaged 14 per day
- Weiss Avenue - Total of 97 riders; averaged 11 per day

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Mr. Iman informed Council the service standard for a bus shelter was 25 or more boardings per day at a stop; therefore, based on the TDP criteria, a shelter on Turnpike Road was not warranted. Mr. Iman reviewed the Bus Shelters and Benches Policy and presented photographs which depicted existing bus stops and shelters and provided the following cost analysis:

Standalone Bench/Back, Pad and Install	\$1,185
Shelter and Bench	\$5,900
Pad for Shelter & Bench & Installation	1,375
Solar Light Package	1,225
Install of Solar Light Package	225
Trash Receptacle	500
Total Cost to Install a Complete Shelter Package	<u>\$9,225</u>

Mr. Iman further explained that to install shelter packages at the remaining 496 stops, if all conditions were present, would cost \$4,575,600.00 and to install bench packages at the remaining 488 stops, if all conditions were present, would cost \$578,280.00.

Mr. Iman fielded questions pertaining to Department of Transportation regulations, federal funding, factors utilized to establish benches and shelters locations, and the possible acquisition of additional right-of-way.

There being no further business, the meeting adjourned at 10:10 p.m.

Respectfully submitted,

RITA PERRY
City Clerk

ANTHONY G. CHAVONNE
Mayor

071210

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FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MINUTES
LAFAYETTE ROOM
JULY 21, 2010
4:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith A. Bates, Sr. (District 1); Kady-Ann Davy (District 2); Bobby Hurst (District 5); Valencia A. Applewhite (District 7); Wesley A. Meredith (District 9) (via telephone)

Absent: Council Members Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); William J. L. Crisp (District 6); Theodore W. Mohn (District 8)

Others Present: Dale Iman, City Manager
Kristoff Bauer, Assistant City Manager
Doug Hewett, Assistant City Manager
Karen M. McDonald, City Attorney
Janet Smith, Assistant City Attorney
Patricia Bradley, Assistant City Attorney
Rob Anderson, Development Services Director
Rusty Thompson, City Traffic Engineer
Karen Hilton, Planning Division Manager
Kecia Parker, Senior Paralegal
Press

City staff presented the following items scheduled for the Fayetteville City Council's July 26, 2010, agenda:

CONSENT ITEMS:

Case No. P10-21F. The rezoning of 0.13 acres more or less at 2212 Murchison Road from R5A Residential District to C1 Commercial District or to a more restrictive zoning classification (C1A recommended). Adrienne D Thorpe, owner.

Ms. Karen Hilton, Planning Division Manager, presented this item. Ms. Hilton showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. She explained the site was small with very narrow limited parking and the building was small in scale and more a part of the neighborhood area with access to pedestrian-oriented uses. She stated a more appropriate zoning code should be explored based on the proposed use of a beauty shop and office space. She stated the property was located in the Murchison Road Corridor and would provide area residents with needed service and the proposed widening of Murchison Road would not impact the property. She stated the Zoning Commission and staff recommended approval of the rezoning to C1A (not C1), which would be acceptable to the applicant, based on the following: (1) the 2010 Land Use Plan called for commercial for the property, C1A was one of the City's Neighborhood Commercial Districts; (2) the public utilities would be available to the development; (3) Murchison Road was a major thoroughfare which would be appropriate for reasonable access; and (4) the Murchison Road Corridor Plan designated property to be zoned mixed. She stated staff had noted the use would continue to be conforming in the NC Neighborhood Commercial District under the Unified Development Ordinance and would continue to allow the mix of residential as well as a limited number of small scale business uses serving the adjacent neighborhoods.

Case No. P10-22F. The rezoning of 3.62 acres at 719 Murchison Road from R5 Residential District to P2 Professional District. United Gospel Fellowship Covenant Ministries, owner.

Ms. Karen Hilton, Planning Division Manager, presented this item. Ms. Hilton showed vicinity maps and gave overviews of the current land

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uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. She explained the property was formerly an assisted living facility and United Gospel Fellowship Covenant Ministries currently owned it. She stated the Ministry would like to use the property for a community resource center, leased office space, fitness center, professional office space, education, assembly, and a café. She stated the Zoning Commission and staff would recommend approval of the rezoning to P2 based on the following: (1) the 2010 Land Use Plan called for downtown uses for the property and P2 allowed for a mix of uses similar to what was looked for in the Downtown District; (2) the property was currently institutional and vacant; and (3) the P2 Zoning District would allow for either office or residential uses, which would serve as a buffer between the commercial districts and university to the north.

Case No. P10-24F. The rezoning of 0.44 acres at 8118 Cliffdale Road from C1P Commercial District to C1 Commercial District. Norris Asset Management Trust, owner.

Ms. Karen Hilton, Planning Division Manager, presented this item. Ms. Hilton showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. She explained the purpose for rezoning was to reduce the side yard setback requirements. She stated the C1P District required a minimum 30-foot side yard setback and the C1 District allowed building to the property line with a firewall or a 3-foot setback without one. She stated that because of the width (approximately 100 feet) of the lot, C1P would limit what could be built on it. She stated the Zoning Commission and staff would recommend approval of the rezoning to C1 based on the following: (1) the 2010 Land Use Plan called for heavy commercial for the property; (2) the property was currently zoned commercial; and (3) the C1 zoning district was less restrictive than the C1P in its setback standards.

Case No. P10-25F. The initial zoning of 0.97 acres of recently annexed property at 1500 Jossie Street to R6 Residential District. Eureka Chapel Missionary Baptist Church, owner.

Ms. Karen Hilton, Planning Division Manager, presented this item. Ms. Hilton showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. She explained the City received a petition requesting voluntary contiguous annexation and the property was annexed into the City in May of 2010. She stated there was currently a church and single-family home on the property. She stated the Zoning Commission and staff would recommend approval of the R6 zoning district based on the City's policy for initial zonings of annexed areas. She stated the recommended zoning would be consistent with the adopted Land Use Plan and the recommendation would follow the City's policy of zoning to the closest zone the City has to what the property was zoned by the County. She stated in this case the City's R6 Residential was the equivalent of the County's R6A district.

PUBLIC HEARING ITEMS:

Case No. P10-16F. The rezoning of property located at 9271 Cliffdale Road from AR and R15 to R10. Virginia Newton Barefoot, owner.

Ms. Karen Hilton, Planning Division Manager, presented this item. Ms. Hilton showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. She explained the existing subdivisions zoned R15 were built prior to the extension of public water and sewer to the area. She stated the Zoning Commission and staff would recommend approval of the rezoning based on the following: (1) the 2010 Land Use Plan called for low-density residential for the property with R10 being one of the City's low-density districts; (2) the public utilities would be available to the development; and (3) Cliffdale Road was a major thoroughfare which would be appropriate for reasonable access.

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Case No. P10-23F. Appeal of a Zoning Commission denial. The rezoning of 2.04 acres of property at 6016 Cliffdale Road to C1P/CZ Commercial Conditional Zoning District. Phyllis K. Hemingway, owner.

Ms. Karen Hilton, Planning Division Manager, presented this item. Ms. Hilton showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. She explained the area surrounding the property was almost completely residential and a P2 Professional District touched one corner of the property with a separate P2 district and a C1P Commercial District to the east of the property. She stated that both P2 districts were houses that were converted to office space and the C1P was the site of the Old de Lafayette restaurant. She stated all of the other surrounding uses were either single-family or multi-family residential. She stated the following conditions of approval were offered by the applicant: (1) hours of operation for the operation office would be 7:00 a.m. to 8:00 p.m.; (2) the district would be conditioned down to only a hotel; (3) the hotel would be limited to 50 rooms; (4) conditioned to the features and locations as shown on the site plan; (5) shielded lighting to prevent light trespass; and (6) increased buffering in areas adjacent to residential development. She stated the Zoning Commission and staff would recommend denial of the rezoning based on the following: (1) the 2010 Land Use Plan called for low-density residential and the 2030 Vision Plan supported retaining the residential character; (2) the property and most of its surrounding properties were already zoned and developed for low- to moderate-density residential uses; (3) the few properties not zoned for low-density residential were residential in form and used residentially or for small business use within the residential structure; (4) although the C1P Commercial District was being conditioned down to a singular use, it was staff's opinion that a hotel was not an appropriate use for this part of Cliffdale Road; it would introduce an entirely different pattern of development with negative impacts on the neighborhood immediately behind it.

OTHER ITEMS OF BUSINESS:

Consider adoption of resolution authorizing condemnation to acquire right-of-way for the Ramsey Street Project.

Mr. Doug Hewett, Assistant City Manager, presented this item and provided a brief history of the project. Mr. Hewett stated Council had adopted a resolution on May 14, 2007, endorsing the design and construction for safety improvements for Ramsey Street and had approved a municipal agreement on July 27, 2009, which made the City responsible for right-of-way acquisitions and utility adjustments necessary to construct the project. He stated the project also included the construction of traffic signals at the intersections of Ramsey Street and Shawcroft Road. He stated City staff was having difficulty acquiring the needed right-of-way for the project. He stated the North Carolina Department of Transportation had bid the project and sent the Notification of Award letter to Highland Paving Company (a local contractor) on June 28, 2010. He stated the project would be delayed if the necessary right-of-way was not acquired. He stated staff would recommend adoption of the resolution authorizing acquisition of the necessary right-of-way for the project through condemnation in order to prevent construction delays.

Ms. Karen McDonald, City Attorney, explained the condemnation process and responded to questions about the process.

Mr. Hewett responded to questions regarding the project and the right-of-way that was needed.

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Resolution authorizing the execution and delivery of a financing agreement and deed of trust and related documents in connection with the financing of a new parking deck and related improvements for the City of Fayetteville, North Carolina.

Mr. Dale Iman, City Manager, presented this item and provided a brief history. He stated the financing application was submitted to the Local Government Commission on July 2, 2010, and the parking deck's probable cost would be provided by the consultant on July 23, 2010. He provided the current funding details for the parking deck and the funding for the debt service for the loan. He advised the financing agreement must be executed by August 13, 2010, to use the City's ARRA economic development bond allocation. He stated consistent with past practice, the financing agreement and other documents referenced in the resolution would be available in the City Clerk's office for Council's review. He stated if Council wished to proceed with financing for the parking deck, staff would recommend adoption of the resolution.

Closed session for consultation with the attorney regarding an attorney-client privilege matter.

MOTION: Council Member Hurst moved to go into closed session for consultation with the attorney regarding an attorney-client privilege matter.
SECOND: Council Member Bates
VOTE: UNANIMOUS (6-0)

The regular session recessed at 5:17 p.m. The regular session reconvened at 5:55 p.m.

MOTION: Council Member Bates moved to go into open session.
SECOND: Council Member Hurst
VOTE: UNANIMOUS (6-0)

There being no further business, the meeting adjourned at 5:55 p.m.

Respectfully submitted,

KAREN M. MCDONALD
City Attorney

ANTHONY G. CHAVONNE
Mayor

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**FAYETTEVILLE CITY COUNCIL
DINNER AND DISCUSSION MEETING MINUTES
EXECUTIVE CONFERENCE ROOM
JULY 26, 2010
6:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Absent: Council Member William J. L. Crisp (District 6)

Others Present: Dale E. Iman, City Manager
Doug Hewett, Assistant City Manager
Karen M. McDonald, City Attorney
Janet Smith, Assistant City Attorney

Mayor Chavonne called the meeting to order at 6:20 p.m. and reviewed the items on the agenda.

Council members advised of questions on the consent agenda items.

Mayor Chavonne then inquired of questions on the following public hearing items.

6.2 Case No. P10-23F. Appeal of a Zoning Commission denial. The rezoning of 2.04 acres of property located at 6016 Cliffdale Road to C1P/CZ Commercial Conditional Zoning District. Phyllis K. Hemingway, owner.

Council Member Meredith advised of a telephone call from property owner stating he did not receive letter. He advised this may be an issue.

6.3 Case No. P09-39F. Special Use Permit. To allow the location of a wireless telecommunications tower on the property located at 2610 Dundle Road containing 0.584 acres. L. J. Bruton Living Trust, owner.

Ms. Karen McDonald, City Attorney, reviewed the procedures for the Special Use Permit.

There being no further business, the meeting adjourned.

Respectfully submitted,

KAREN M. MCDONALD
City Attorney

ANTHONY G. CHAVONNE
Mayor

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FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
JULY 26, 2010
7:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4) (arrived at 7:32 p.m.); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Others Present: Dale E. Iman, City Manager
Doug Hewett, Assistant City Manager
Kristoff Bauer, Assistant City Manager
Karen M. McDonald, City Attorney
Janet Smith, Assistant City Attorney
Craig Harmon, Planner II
Jeffery Brown, Engineering & Infrastructure Director
Lisa Smith, Chief Financial Officer
Jackie Tuckey, Public Information Officer
Rita Perry, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order at 7:00 p.m.

2.0 INVOCATION

The invocation was offered by Mayor Pro Tem Haire.

3.0 PLEDGE OF ALLEGIANCE

Following the invocation, the audience was led in the Pledge of Allegiance to the American Flag.

4.0 APPROVAL OF AGENDA

MOTION: Council Member Meredith moved to approve the agenda.
SECOND: Council Member Bates
VOTE: UNANIMOUS (10-0)

5.0 CONSENT

MOTION: Council Member Mohn moved to approve the consent agenda with the exception of Items 5.3, 5.4, and 5.8.
SECOND: Council Member Massey
VOTE: UNANIMOUS (10-0)

5.1 Approve CenturyLink five-year lease with option for five-year extension.

The lease was approved pursuant to N.C.G.S. § 160A-272 which authorized the City Manager to enter into a five-year lease with an option for a five-year extension with CenturyLink beginning on October 1, 2010, with an annual rental rate of \$1,404.00, and further authorized him to do any and all things necessary to implement the lease consistent with the City Council's authorization.

5.2 Resolution to set a public hearing for September 13, 2010, to consider the Hope Mills Annexation Agreement.

A RESOLUTION SETTING A PUBLIC HEARING DATE REGARDING THE FAYETTEVILLE-HOPE MILLS ANNEXATION AGREEMENT (PURSUANT TO N.C.G.S. § 160A-58.2). RESOLUTION NO. R2010-066.

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- 5.3 Pulled at the request of Mayor Pro Tem Haire.
- 5.4 Pulled at the request of Mayor Pro Tem Haire.
- 5.5 Case No. P10-24F. The rezoning of 0.44 acres at 8118 Cliffdale Road from C1P Commercial District to C1 Commercial District. Norris Asset Management Trust, owner.
- 5.6 Case No. P10-25F. The initial zoning of 0.97 acres of recently annexed property at 1500 Jossie Street to R6 Residential District. Eureka Chapel Missionary Baptist Church, owner.
- 5.7 Condemnation for demolition of 1460 North Street, Pi-Marc Corporation.

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA, REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY. ORDINANCE NO. NS2010-009.

- 5.8 Pulled at the request of Council Member Mohn.
- 5.9 Resolution to accept the State Grant and Capital Project Ordinance 2011-2 (Tree Clearing for Runways 10 and 4).

RESOLUTION. RESOLUTION NO. R2010-068A.

The resolution was adopted to accept the state grant and project ordinance to appropriate \$250,000.00 for the Tree Clearing at Runways 10 and 4 Project at the Airport.

- 5.10 Special Revenue Fund Project Ordinance 2011-3 (2010-2011 Take Me Fishing Program).

The special revenue fund project ordinance appropriated \$5,000.00 for the 2010-2011 Take Me Fishing program at Parks and Recreation.

- 5.11 Budget Ordinance Amendment 2011-1 and Capital Project Ordinance 2011-3 for Reid Ross track facility improvements.

Capital Project Ordinance 2011-3 and associated Budget Ordinance Amendment 2011-1 appropriated funding for improvements at the Reid Ross track facility. The \$176,404.00 improvement project would be jointly funded by Cumberland County Schools (\$88,202.00), the City (\$44,101.00), and the County Parks and Recreation District (\$44,101.00).

- 5.12 Tax refunds of greater than \$100.00.

<u>Name</u>	<u>Year</u>	<u>Basis</u>	<u>City Refund</u>
Murphy, Saludy (Payable to Vera Winn)	2004-2008	Duplicate Listing	\$504.75
Total			<u>\$504.75</u>

- 5.13 Bid Recommendation - Water Meters.

On July 14, 2010, the Public Works Commission approved the following bid recommendations for one-year contracts, with an option to extend the contract for additional one-year periods upon agreement of both parties, for the purchase of water meters. Bids were received June 29, 2010, as follows:

1. Miller Supply, Laurinburg, NC, low bidder, meeting specifications in the amount of \$412,360.00 for the purchase of approximately 6,500 5/8" x 3/4" water meters. Bids were solicited from four vendors with all four vendors responding. The bid received from Mainline Supply Company

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did not meet PWC specifications, therefore, the lowest bid meeting specifications was recommended.

<u>Bidders</u>	<u>Unit Cost</u>	<u>Total Cost</u>
Miller Supply (Laurinburg, NC).....	\$63.44	\$412,360.00
HD Supply Waterworks (Fayetteville, NC)....	\$73.53	\$477,945.00
Ferguson Waterworks (Raleigh, NC).....	\$92.77	\$603,005.00

2. Miller Supply, Laurinburg, NC, low bidder in the amount of \$94,724.00, for purchase of approximately 850 1" x 1" water meters. Bids were solicited from four vendors with all four vendors responding as follows:

<u>Bidders</u>	<u>Unit Cost</u>	<u>Total Cost</u>
Miller Supply (Laurinburg, NC).....	\$111.44	\$94,724.00
Mainline Supply (Fayetteville, NC).....	\$112.65	\$95,752.50
HD Supply Waterworks (Fayetteville, NC)...	\$127.11	\$108,043.50
Ferguson Waterworks (Raleigh, NC).....	\$140.40	\$119,340.00

5.14 Verizon Wireless First Amendment to License Agreement and Memorandum of First Amendment to License Agreement for the Cliffdale Road and Wilson Street sites.

The Public Works Commission entered into a License Agreement with Alltel Communications, LLC, d/b/a Verizon Wireless, for antenna attachments on the Cliffdale Road and Wilson Street water tanks. The amendments were necessary to replace the exhibits of the current agreements to reflect a new location of an expanded equipment shelter.

5.15 Budget Amendment #3 - Annexation Phase V - Project 1 Capital Project Fund for Fiscal Years 2007-2011; and Budget Amendment #2 - Fort Bragg Interim Water Service Project Fund for Fiscal Years 2007-2011 (PWC Financial Matters).

On July 14, 2010, the Public Works Commission approved the following financial matters relating to the PWC Budget:

1. Amendment #3 - Annexation Phase V - Project 1 Capital Project Fund for Fiscal Years 2007-2011. The budget amendment reduced the utility installation cost by \$2 million and transferred it equally to the City and PWC General Fund Accounts. Interest income was also adjusted to the expected earnings.
 2. Amendment #2 - Fort Bragg Interim Water Service Project Fund for Fiscal Years 2007-2011. The budget amendment reflected CLIN and pricing changes. The proposed amendment more closely reflected the expected outcome of the fund.
- 5.3 Case No. P10-21F. The rezoning of 0.13 acres more or less at 2212 Murchison Road from R5A Residential District to C1 Commercial District or to a more restrictive zoning classification (C1A recommended). Adrienne D Thorpe, owner.**

This item was pulled by Mayor Pro Tem Haire.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. He stated the Zoning Commission recommended approval of rezoning to C1A, which was a neighborhood commercial district.

MOTION: Mayor Pro Tem Haire moved to approve C1A rezoning.
SECOND: Council Member Meredith
VOTE: UNANIMOUS (10-0)

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- 5.4 Case No. P10-22F. The rezoning of 3.62 acres at 719 Murchison Road from R5 Residential District to P2 Professional District. United Gospel Fellowship Covenant Ministries, owner.

This item was pulled by Mayor Pro Tem Haire.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. He stated the Zoning Commission recommended approval of rezoning to P2.

MOTION: Council Member Davy moved to approve rezoning from R5 Residential District to P2 Professional District.
SECOND: Council Member Bates
VOTE: UNANIMOUS (10-0)

- 5.8 Resolution authorizing the execution and delivery of a financing agreement and deed of trust and related documents in connection with the financing of a new parking deck and related improvements for the City of Fayetteville, North Carolina.

This item was pulled by Council Member Mohn.

Mr. Dale Iman, City Manager, presented this item and provided background information. He stated the estimated number of parking spaces in the Franklin Street Parking Deck would be 299. He stated PWC would contribute \$1,500,000.00 as a cash contribution toward the design and construction of the deck and the City would borrow the remaining \$5,950,000.00 through an ARRA Recovery Zone Economic Development Bonds (RZEDB) financing. He stated that based on Federal tax regulations for this type of financing, the City could only dedicate up to 10 percent of the financed parking spaces for "private use". He stated "cash funded" parking deck spaces would not be subject to the limitation. Mr. Iman stated as a result of the RZEDB financing regulations, the estimated number of parking deck spaces that could be dedicated to the R. C. Williams Building was formulated as follows:

- Based on \$1,500,000.00 cash contribution, 20.13% of the 299 spaces = 60.2 spaces
- In addition, based on RZEDB financed portion of the parking deck, 79.87% x 10% limitation x 299 spaces = 23.9 spaces
- Total estimated number of spaces that could be dedicated to the R. C. Williams Building was 60.2 spaces + 23.9 spaces = 84.1 spaces

Mr. Iman stated it was important to note that the number was subject to change. He stated the final number of spaces would depend on the final cost of the parking deck, actual number of parking spaces constructed, and amount borrowed through the RZEDB financing.

Council Member Meredith inquired whether store fronts on the bottom floor of the parking deck were still a possibility. Mr. Iman responded this option would require further research.

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A FINANCING AGREEMENT AND DEED OF TRUST AND RELATED DOCUMENTS IN CONNECTION WITH THE FINANCING OF A NEW PARKING DECK AND RELATED IMPROVEMENTS FOR THE CITY OF FAYETTEVILLE, NORTH CAROLINA. RESOLUTION NO. R2010-068.

MOTION: Council Member Bates moved to adopt the resolution.
SECOND: Council Member Hurst
VOTE: PASSED by a vote of 7 in favor to 3 in opposition (Council Members Applewhite, Crisp, and Mohn)

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6.0 PUBLIC HEARINGS

6.1 Case No. P10-16F. The rezoning of property located at 9271 Cliffdale Road from AR and R15 to R10. Virginia Newton Barefoot, owner.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. Mr. Harmon stated the property was surrounded by R15 and AR Residential, R10 zoning was also near the property, and the existing subdivisions zoned R15 were built prior to the extension of public water and sewer to the area. He stated the Zoning Commission and staff recommended approval of the rezoning based on the following: (1) the 2010 Land Use Plan called for low-density residential for the property, R10 was one of the City's low-density districts; (2) the public utilities were available to the development; and (3) Cliffdale Road was a major thoroughfare, appropriate for reasonable access.

This is the advertised public hearing set for this date and time. The public hearing opened at 7:29 p.m.

Mr. Tim Evans, property owner representative, 2256 Cypress Lake Road, Hope Mills, NC 28348, appeared in favor and stated the applicant had addressed concerns from the resident located to the left of the subject property. He stated the developer had offered to donate the wetland areas.

Mr. Scott Brown, 409 Chicago Drive, Fayetteville, NC 28306, appeared in favor.

There were no speakers in opposition.

There being no one further to speak, the public hearing closed at 7:32 p.m.

Council Member Bates questioned whether a written agreement existed regarding the dedication of the wetlands. Mr. Harmon stated there were no restrictions and no determinations as to whether the area qualified as wetlands. Mr. Brown further stated the development would be required to meet the City storm water ordinance regulations.

MOTION: Council Member Applewhite moved to approve the rezoning.
SECOND: Council Member Meredith
VOTE: UNANIMOUS (10-0)

6.2 Case No. P10-23F. Appeal of a Zoning Commission denial. The rezoning of 2.04 acres of property at 6016 Cliffdale Road to C1P/CZ Commercial Conditional Zoning District. Phyllis K. Hemingway, owner.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. He stated the area surrounding the property was almost completely residential. Mr. Harmon stated the Zoning Commission and staff recommend denial of the rezoning based on the following: (1) the 2010 Land Use Plan called for low-density residential for the property, and the 2030 Vision plan supported retaining the residential character; (2) the property and most of the surrounding properties were already zoned and developed for low- to moderate-density residential uses; (3) the few properties not zoned for low-density residential were residential in form and used residentially or for small business use within the residential structure; and (4) although the C1P Commercial District was being conditioned down to a singular use, it was staff's opinion that a hotel was not an appropriate use for that part of Cliffdale Road; it would introduce an entirely different pattern of development with negative impacts on the

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neighborhood immediately behind the subject property. Mr. Harmon submitted a preliminary plat (Exhibit 6.2 Item A) and aerial photography (Exhibit 6.2 Item A), provided by the applicant, into the record (Hereby incorporated by reference and made part of these minutes as Exhibit 6.2 Item A and Exhibit 6.2 Item B).

This is the advertised public hearing set for this date and time. The public hearing opened at 7:48 p.m.

The following speakers appeared in favor:

NAME/ADDRESS	COMMENT SUMMARY
Tony Free, Developer 515 Waterview Drive New Bern, NC 28560	Stated he wanted to construct an extended stay facility.
Larry King 1333 Morganton Road Fayetteville, NC 28305	Addressed traffic concerns.
Keith Allison Fort Bragg Road Fayetteville, NC	Stated this area needed development, houses in the area were deteriorated and the area was a low-rent district.
Amy Cannon, Daughter of Property Owner 1611 Bluffside Drive Fayetteville, NC 28312	Stated the property was no longer suitable for residential zoning and addressed traffic concerns.

The following speakers appeared in opposition.

NAME/ADDRESS	COMMENT SUMMARY
Ralph Reagan 6006 Blatmore Place Fayetteville, NC 28314	Stated there was no reason to overturn the Zoning Commission's decision to deny the rezoning.
Glen E. Borg 6018 Amstead Avenue Fayetteville, NC 28314	Stated he was the owner of properties located at 1614 and 1618 Cliffdale Road and expressed his opposition.
Marion Cains 402 Lynnhurst Drive Fayetteville, NC 28314	Expressed concerns about traffic as the basis for his opposition.
James Clifton 6005 Cornish Street Fayetteville, NC 28314	Stated he was against the rezoning request.

There being no one further to speak, the public hearing closed at 8:12 p.m.

Mr. Tony Free, the developer, fielded questions regarding whether there would be a restaurant, bar, or lounge in the facility and questions regarding balconies, buffering, clientele, and rates. Mr. Free clarified that neither a restaurant, bar, lounge, nor balconies were not proposed and explained the buffering would be a six foot privacy fence lined by trees on the outer view. He stated there was a strong demand for this type of facility due to BRAC contracting, however, the facility would not be exclusive. He stated the average government per diem rate was \$65.00 nightly.

Council Member Applewhite requested those at the meeting in support of the rezoning who reside in the neighborhood to stand. Four individuals stood in response to the request.

MOTION: Council Member Meredith moved to send the case back to the Zoning Commission following an update of the tax records.

The motion died due to lack of a second.

Council Member Meredith questioned whether the notice requirements were met. Ms. Karen McDonald, City Attorney, explained the notice requirements and stated there was no evidence to substantiate that the requirements had not been met.

DRAFT

MOTION: Council Member Bates moved to deny the rezoning.
SECOND: Council Member Mohn
VOTE: FAILED by a vote of 5 in favor (Council Members Applewhite, Bates, Crisp, Haire, and Mohn) to 5 in opposition (Council Members Chavonne, Davy, Massey, Hurst, and Meredith)

MOTION: Council Member Meredith moved to approve C1P/CZ with conditions 1 through 6.
SECOND: Council Member Hurst

Council Member Mohn stated the facility was not exclusively for DOT contractors' use.

Council Member Applewhite stated this facility was in direct contrast to the harmony of the neighborhood and trees and a fence were an insufficient buffer to adjacent properties.

VOTE: FAILED by a vote of 5 in favor (Council Members Chavonne, Davy, Hurst, Massey, and Meredith) to 5 in opposition (Council Members Applewhite, Bates, Crisp, Haire, and Mohn)

6.3 Case No. P09-39F. Special Use Permit to allow the location of a wireless telecommunications tower on the property located at 2610 Dundle Road. Containing 0.584 acres. L.J. Bruton Living Trust, owner.

Mayor Chavonne explained this item was a "limited public hearing" and a quasi-judicial matter which would require the speakers to be sworn in. He stated this was a public hearing limited for the purpose of considering the application and the packet materials, as well as the Zoning Commission and Appearance Commission's recommendations for approval. Mayor Chavonne clarified there would not be any further presentation by the applicant; however, members of Council were permitted to ask questions of the applicant and applicant's counsel. He stated the record and public hearing were not to be otherwise reopened.

All speakers and staff were administered the oath.

Ms. Janet Smith, Assistant City Attorney, presented this item and provided an overview. She stated the applicant, American Tower, filed a Petition for the decision to be reviewed by a Superior Court judge. She further stated the judge reviewed the certified record of the Council proceedings and the briefs of both parties, and heard oral arguments by counsel for the City and American Tower. She stated the Court ordered that the case be remanded back to the City Council with specific instructions that the Council review and consider the application for the Special Use Permit and related documents as evidenced in the record. She stated the Court's order further specified that no additional evidence in opposition to the application would be heard. Finally, she stated Council could ask the applicant and applicant's counsel questions.

This is the advertised public hearing set for this date and time. The public hearing opened. The following speakers appeared in favor:

NAME/ADDRESS	COMMENT SUMMARY
Tom Johnson 201 Shannon Oaks Circle; Suite 100 Cary, NC	Appeared in favor and provided a summary of the request.
Graham Herring 8052 Grey Oak Drive Raleigh, NC	Appeared in favor and stated he evaluated the site regarding the impact to surrounding areas.
Dave La Cava AT&T Representative Raleigh, NC	Wireless carrier to use the proposed tower.

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NAME/ADDRESS	COMMENT SUMMARY
Kevin Jackson T-Mobile Representative Charlotte, NC	Wireless carrier to use the proposed tower

There were no speakers in opposition.

There being no one further to speak, the public hearing closed.

A question and answer period ensued regarding the determination of an adverse affect to a neighborhood process and the future look of the community as it related to additional towers.

MOTION: Council Member Crisp moved to approve with additional conditions 1 and 2 as stated in City Code Section 30-107(17). (1) prior to issuing a building permit, there be written confirmation, acceptable to the City, that there is an agreement that one or more providers will use the tower once built; and (2) the Special Use Permit becomes null and void if a building permit is not issued after two years from the date of approval of the request.

SECOND: Council Member Bates

VOTE: PASSED by a vote of 8 in favor to 2 in opposition (Council Members Haire and Meredith)

7.0 OTHER ITEMS OF BUSINESS

7.1 Consider adoption of resolution authorizing condemnation to acquire right-of-way for the Ramsey Street Project.

Mr. Doug Hewett, Assistant City Manager, presented this item. He provided background information and briefed Council regarding the difficulties in acquiring the needed right-of-way for the project. He explained that NCDOT had bid the project and Highland Paving Company (a local contractor) was sent the notification of award letter by NCDOT on June 28, 2010; therefore, the project would be delayed should the necessary right-of-way not be acquired.

**A RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY.
RESOLUTION NO. R2010-067.**

MOTION: Council Member Bates moved to adopt the resolution as presented in the packet.

SECOND: Council Member Massey

VOTE: PASSED by a vote of 8 in favor to 2 in opposition (Council Members Haire and Meredith)

8.0 ADMINISTRATIVE REPORTS

8.1 Tax refunds of less than \$100.00.

<u>Name</u>	<u>Year</u>	<u>Basis</u>	<u>City Refund</u>
Daniels, Waverly	2007-2008	Illegal Tax	\$28.03
Total			\$28.03

8.2 City Clerk - Monthly statement of taxes for June 2010 from the Cumberland County Tax Administrator.

2009 Taxes	\$213,384.82
2009 Vehicle Taxes	371,802.25
2009 Revit	652.87
2009 Vehicle Revit	367.65
2009 FVT	46,752.56
2009 Transit Tax	46,747.57
2009 Storm Water	6,083.51
2009 Fay Storm Water...	12,167.05
2009 Recycle Fee	12,835.37
2009 Annex	35.84

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2008 Taxes	2,040.65
2008 Vehicle	9,109.80
2008 Revit	1.92
2008 Vehicle Revit	0.00
2008 FVT	1,582.84
2008 Transit Tax	1,297.16
2008 Storm Water	206.32
2008 Recycle	101.43
2008 Fay Storm Water	81.96
2008 Annex.....	0.00
2007 Taxes	1,465.72
2007 Vehicle	2,208.85
2007 Revit	0.00
2007 Vehicle Revit	0.00
2007 FVT	563.59
2007 Storm Water	72.08
2007 Fay Storm Water	48.00
2007 Annex.....	0.00
2006 Taxes	559.45
2006 Vehicle Taxes	1,464.19
2006 Revit	0.00
2006 Vehicle Revit.....	0.00
2006 FVT	253.75
2006 Storm Water	29.08
2006 Annex.....	59.70
2005 and Prior Taxes	426.54
2005 and Prior Vehicle	2,117.04
2005 and Prior Revit	0.00
2005 and Prior Vehicle Revit	0.00
2005 and Prior FVT	494.77
2005 and Prior Storm Water	84.00
Interest	24,071.57
Revit Interest	32.50
Storm Water Interest	437.90
Fay Storm Water Interest	713.35
Annex Interest	19.84
Fay Recycle Interest	746.39
Total Tax and Interest	\$761,119.88

9.0 ADJOURNMENT

There being no further business, the meeting adjourned at 9:00 p.m.

Respectfully submitted,

RITA PERRY
City Clerk

ANTHONY G. CHAVONNE
Mayor

072610

DRAFT

**FAYETTEVILLE CITY COUNCIL
SPECIAL MEETING
LAFAYETTE ROOM
JULY 29, 2010
5:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Others Present: Dale E. Iman, City Manager

Mayor Chavonne called the meeting to order at 5:00 p.m.

Closed session for evaluation of the City Manager.

MOTION: Council Member Meredith moved to go into closed session for evaluation of the City Manager.
SECOND: Council Member Bates
VOTE: UNANIMOUS (10-0)

The regular session recessed at 5:01 p.m. The regular session reconvened at 8:25 p.m.

MOTION: Council Member Massey moved to go into open session.
SECOND: Council Member Davy
VOTE: UNANIMOUS (10-0)

There being no further business, the meeting adjourned at 8:25 p.m.

Respectfully submitted,

DALE E. IMAN
City Manager

ANTHONY G. CHAVONNE
Mayor

072910

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Dale Iman, City Manager
DATE: September 13, 2010
RE: **Consider adoption of amendments to Policy # 125.1 "Drainage Revolving Loan Fund"**

THE QUESTION:

Does the City Council want to adopt the proposed revisions to Policy #125.1 - Drainage Revolving Loan Fund?

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2 - Growing City, Livable Neighborhoods - A Great Place to Live
Objective 4 - Manage the City's future growth and development with quality development and redevelopment reflecting plans, policies and standards.

BACKGROUND:

On Monday, August 23, 2010 the City Council received a briefing on the proposed economic development incentives for the Embassy Suites Hotel and Conference Center project. One of the proposed incentives includes providing a \$500,000 revolving loan to the development team to be used to address wetland mitigation at the site. It is recommended that the revolving loan, use as a source of funding, the existing "Drainage Revolving Loan Fund". The existing policy restricts the use of the "Drainage Revolving Loan Fund" to loans for the improvement of public lakes. This proposed revised Policy #125.1 will expand the eligibility criteria of the "Drainage Revolving Loan Fund" to permit the fund to be used for wetland mitigation projects in addition to the repair of privately-owned dams supporting City streets.

The proposed revised policy was presented to City Council at the September 7, 2010 Work Session and the consensus was for staff to bring this item back to Council for action.

ISSUES:

Expand the eligibility criteria of the Revolving Loan Fund to include wetland projects and wetland mitigation activities.

OPTIONS:

Adopt the revised Policy #125.1.
Do not adopt the revised Policy #125.1
Propose and discuss additional revisions to Policy #125.1 for consideration and adoption.

RECOMMENDED ACTION:

Adopt the revised Policy #125.1

ATTACHMENTS:

Revised Policy #125.1

SUBJECT - DRAINAGE <u>Revolving Loan Fund Private Lakes</u>	Number 125.1	Revised 5-7-90	Effective Date 5-12-80	Page 1 of 2
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In the case of ~~privately owned lakes, wetlands,~~ and dams within the City of Fayetteville, it shall be the policy of the City Council that City involvement in the maintenance, repair, mitigation, and upgrade of ~~the lakes, wetlands, dams-embankment,~~ and associated infrastructure shall include the following:

I. Privately Owned Lakes Body:

All improvements to privately-owned lake bodies including, but not limited to, the construction and maintenance of sedimentation catch basins and the dredging of said lakes shall be performed through private contract and funded entirely by the owners of the lake.

II. Dams with Private Streets, NCDOT Roadways, or No Street Over Them:

All improvements to the dam including, but not limited to, the embankment, pipes and other drainage structures, and any State or private roadway over the dam, shall be performed and funded entirely by the owners of the lake and/or the owner of the roadway over the dam. The City of Fayetteville shall not be involved in the improvements to these facilities nor shall the provisions of Section III of this policy apply.

III. Privately-Owned Dams Supporting City Streets:

Recognizing the public safety value in having a policy to ensure that dams that support City streets are designed, constructed, and maintained properly; and recognizing that the existence of a public street over a dam may impact the classification of a dam; the City Council agrees to participate in the repair of and improvements to privately-owned dams when a City street is supported by the dam as outlined herein:

a) If the lake is permanently drained, the City shall bear the cost to repair, replace, or maintain the storm drain facilities necessary to safely maintain the embankment to support the public street.

b) If the North Carolina Department of Environment and Natural Resources (NCDENR) or other applicable State agency determines that major repairs are required for the dam to continue to impound water and the affected property owners desire to repair the dam, the City shall contribute an amount equal to 110 percent of the expense necessary to preserve the structural integrity of the street including repairs to the pavement, curbs, guardrail, other facilities on top of the dam from shoulder point to shoulder point, street drainage facilities, and the drain pipe beneath the embankment; but not including emergency spillway facilities. The remaining cost of necessary improvements may be funded through the Revolving Loan Fund (RLF).

SUBJECT - DRAINAGE <u>Revolving Loan Fund</u> Private Lakes	Number 125.1	Revised 5-7-90	Effective Date 5-12-80	Page 2 of 2
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c) The City of Fayetteville will provide project management and other in-kind assistance such as surveying and roadway design to the extent of expertise and availability of City staff.

IV. Wetland Mitigation:

As part of an economic development incentive package, approved consistent with state and local statute, the City may participate in the cost of wetland mitigation permitted by NCDENR and other relevant agencies. The City's support shall be through the RLF under the terms set out herein.

V. Revolving Loan Fund:

ea) The City of Fayetteville shall designate \$1 million toward the establishment of a "Dam Repair Revolving Loan Fund" or RLF.

~~eb) Funds from the Dam Repair-RLF will be made available for projects consistent with the terms of this Policy under the repair of eligible dams (as identified above) which have been determined by NCDENR or other applicable State agency to be in need of repair;~~ the following terms and conditions shall apply for the use of these funds:

1. A minimum of 51 percent of the affected property owners must petition the City Council for the creation of a Municipal Service District (MSD) or Special Assessment District (Assessment) to finance the repayment of the project cost (less the ~~aforementioned any~~ City contribution) using the RLF;

2. The City shall calculate the repayment to the RLF at a rate equal to the daily compound effective yield for investments held in the North Carolina Capital Management Trust Cash Portfolio Fund 047 determined on the date a petition is circulated to create the Municipal Service District or in place at the time the Assessment is authorized by Council. The repayment period shall not exceed 15 years and shall be in accordance with applicable North Carolina laws;

3. The affected property owner(s) shall be responsible for ~~organizing the affected property owners and~~ submitting a proposed MSD or Assessment plan, and a properly signed petition, all in accordance with items 1 and 2 above and any applicable laws (City staff will assist ~~by providing the organizing parties with~~ the proper forms on which to make submittals and will provide lists of property owners for the petition or petitions);

4. Each MSD or Assessment proposal must be approved by the City Council;

5. The maximum amount of funds from the ~~Dam Repair-RLF~~ that may be used for any one project is \$500,000.00 or the balance available in the RLF, whichever is smaller; and

SUBJECT - DRAINAGE <u>Revolving Loan Fund</u> Private Lakes	Number 125.1	Revised 5-7-90	Effective Date 5-12-80	Page 3 of 2
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6. All revenues (principle and interest) received through the MSD or Assessment shall revolve back into the ~~Dam Repair~~ RLF to replenish the fund and provide a source of funding for other eligible ~~dam repair~~ projects, which may occur in the future.

SUBJECT - DRAINAGE <u>Revolving Loan Fund</u> Private Lakes	Number 125.1	Revised 5-7-90	Effective Date 5-12-80	Page 4 of 2
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~~e) The City of Fayetteville will provide project management and other in-kind assistance such as surveying and roadway design to the extent of the expertise and availability of City staff.~~

IV. City Owned Dams:

In cases where the City owns in fee-simple the complete dam structure:

a) The City of Fayetteville shall provide routine maintenance and repairs to the dam and associated facilities; and

b) If a Notice of Deficiency is received from NCDENR or the City Council otherwise determines that upgrades are required to the dam and associated facilities and it is the desire of the City Council and the affected property owners that the dam continue to impound water, all or part of the upgrade improvements shall be accomplished as outlined in Section III above.

SUBJECT - DRAINAGE <u>Revolving Loan Fund</u> Private Lakes	Number 125.1	Revised 5-7-90	Effective Date 5-12-80	Page 5 of 2
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RECEIVED: _____

PETITION FOR THE FORMATION OF A MUNICIPAL SERVICES DISTRICT FOR A REVOLVING LOAN FUND REPAIR OF PRIVATE LAKE or DAM

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

Pursuant to and in accordance with the City of Fayetteville Policy on ~~Repair/~~Drainage ~~of~~ Revolving Loan Fund~~of Private Lakes~~ (Policy 125.1), the undersigned property owners having interest in repairs to _____ Private Lake/ Dam located at _____, do hereby petition the Honorable Mayor and City Council to contract for and carry out a ~~private lake/ dam repair~~ project to include, but not limited to, _____ of the above described facility~~private lake/dam~~. The undersigned agree that when the improvement project is completed, the repayment of the cost of the project, less the agreed upon City contribution will be levied against the property owners having interest in said facility~~private lake/ dam~~ as stated in Policy 125.1.

It is further understood by each of the undersigned property owners that no improvement project shall be initiated by the Fayetteville City Council unless the following conditions are met:

1. A minimum of fifty-one percent (51%) of the affected property owners must petition the City Council for the creation of a Municipal Service District(s) (hereafter, "MSD" or multiple MSDs) to finance the repayment of the project cost (less the aforementioned City contribution) using the Revolving Loan Fund (hereafter "RLF");
2. The City shall calculate the repayment to the RLF as outlined in Policy 125.1. The repayment period shall be _____ years (not to exceed 15 years) and in accordance with applicable North Carolina laws;
3. The affected property owners shall be responsible for organizing the affected property owners and submitting a proposed MSD plan and properly signed petition, all in accordance with items 1 and 2 above and any applicable laws;
4. Each MSD proposal must be approved by the City Council;
5. The maximum amount of funds from the ~~Dam Repair~~ RLF that may be used for any one project is \$500,000.

The City of Fayetteville will provide project management and other in-kind assistance such as

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: September 13, 2010
RE: **Capital Project Ordinance 2011-5 (FY2011 New Freedom Grant for Pedestrian Walkways)**

THE QUESTION:

Capital Project Ordinance 2011-5 will appropriate the budget for the FY2011 New Freedom Grant for the construction of ADA accessible pedestrian walkways.

RELATIONSHIP TO STRATEGIC PLAN:

Principle A: Great Place to Live – Accessible and efficient transit throughout the City.

Value – Stewardship – Looking for ways to leverage city resources and to expand revenues.

BACKGROUND:

- Transit has received a federal grant to administer the construction of ADA accessible pedestrian walkways on Sycamore Dairy Road and Ramsey Street.
- The Federal Transit Administration (FTA) will fund 80% of the expenditures and the City will provide a local match of 20%.
- The proposed funding sources for the \$200,000 ordinance are:
 - FTA (\$160,000)
 - Local Match- Transportation Fund Transfer - In Lieu of Sidewalk Funds (\$40,000)

ISSUES:

None

OPTIONS:

- 1) Adopt Capital Project Ordinance 2011-5.
- 2) Do not adopt Capital Project Ordinance 2011-5.

RECOMMENDED ACTION:

Adopt Capital Project Ordinance 2011-5.

ATTACHMENTS:

CPO 2011-5

CAPITAL PROJECT ORDINANCE
ORD 2011-5

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1. The authorized project is for the funding of the FY2011 New Freedom grant, which includes funds for the construction of ADA accessible pedestrian walkways.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

Federal Transit Administration	\$ 160,000
Local Match - Transportation Fund Transfer (In-Lieu of Sidewalk Funds)	<u>40,000</u>
	<u>\$ 200,000</u>

Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 200,000</u>
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Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 13th day of September, 2010.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: September 13, 2010
RE: **Tax Refunds of Greater Than \$100**

THE QUESTION:

City Council approval is required to issue tax refund checks for \$100 or greater.

RELATIONSHIP TO STRATEGIC PLAN:

Not applicable.

BACKGROUND:

Approved by the Cumberland County Special Board of Equalization for the month of August, 2010.

ISSUES:

None

OPTIONS:

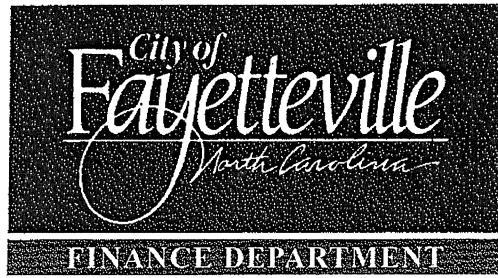
Approve the refund.

RECOMMENDED ACTION:

Approval

ATTACHMENTS:

Tax Refunds Of Greater Than \$100



September 13, 2010

MEMORANDUM

TO: Lisa Smith, Chief Financial Officer *LS*

FROM: Nancy Peters, Accounts Payable *NP*

RE: Tax Refunds of Greater Than \$100

The tax refunds listed below for greater than \$100 were approved by the Cumberland County Special Board of Equalization for the month of August, 2010.

NAME	BILL NO.	YEAR	BASIS	CITY REFUND
Willie King	7571351	2008	Corrected Assessment	100.41
TOTAL				\$100.41

CITY COUNCIL ACTION MEMO

TO: Mayor and Member of City Council

FROM: Gloria Wrench, Purchasing Manager

DATE: September 13, 2010

RE: Approve "Sole Source" purchase for Bus Shelters and associated Solar Security Lighting and Benches

THE QUESTION:

Staff requests approval to issue a purchase order in the amount of \$134,030 to Tolar Manufacturing Co., Inc., Williamsville, NY, for the purchase of eight (8) bus shelters, twenty-five (25) solar security lighting kits and twenty-eight (28) benches with backs, in accordance with N.C.G.S. 143-129(e)(6).

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2- Growing City, Livable Neighborhoods - A Great Place to Live

BACKGROUND:

N.C.G.S. 143-129(e)(6) allows an exception to the bidding requirements for the purchase of apparatus, supplies, materials or equipment when (i) performance or price competition for a product are not available; (ii) a needed product is available from only one source of supply; or (iii) when standardization or compatibility is the overriding consideration.

The City currently has the need to purchase eight (8) bus shelters, twenty-five (25) solar security lighting kits and (28) benches with backs. Since 2006, the City has purchased Tolar Manufacturing's Sierra style bus shelters and the associated solar lighting kits and benches. This type shelter has been used to replace older, glass type shelters. Tolar Manufacturing is the sole source provider of the Sierra style shelter.

Currently, there are thirty-six (36) shelters of this type installed throughout the City and twelve (12) additional shelters in stock. For uniformity and compatibility, Transit staff would like to purchase the same style shelter and associated lighting and benches for upcoming installations. The existing shelters have proven to be reliable and of good structural construction. Additionally, this particular shelter design meets the City of Fayetteville appearance ordinance.

The cost breakdown for the purchase of this equipment is as follows:

(8) Shelters at \$6,790 each for a total of \$54,320
(25) Solar Lighting Kits at \$1,740 each for a total of \$43,500
(28) Benches with Backs at \$1,070 each for a total of \$29,960
Shipping Cost at \$6250

The total cost of the equipment to be purchased, including shipping, is \$134,030.

ISSUES:

None

OPTIONS:

- (1) Approve staff recommendation to purchase equipment pursuant to the "sole source" bidding exception.
- (2) Reject staff recommendation.

RECOMMENDED ACTION:

Approve purchase of bus shelters, lighting and benches in the amount of \$134,030 from Tolar Manufacturing Co., Inc., Williamsville, NY, pursuant to N.C.G.S. 143-129(e)(6) "sole source" exception.

CITY COUNCIL ACTION MEMO

TO: Mayor and Member of City Council

FROM: Dale Iman, City Manager

DATE: September 13, 2010

RE: Public Hearing to Consider Economic Development Incentives for Five Points Hospitality, Inc. to construct an Embassy Suites Hotel and Conference Center.

THE QUESTION:

Does the City Council wish to proceed with approving the proposed economic incentives for this project?

RELATIONSHIP TO STRATEGIC PLAN:

Goal 1 - Greater Tax Base Diversity - Strong Local Economy

BACKGROUND:

- The BRAC RTF study identified as a high priority the development of a 4-star hotel with conference center to meet the anticipated demand generated by the relocation of FORCECOM and USARC to Fort Bragg.
- Five Points Hospitality, Inc. has proposed the development of an Embassy Suites Hotel and Conference Center to be located on Lake Valley Drive.
- An upscale Hotel and Conference Center will allow Fayetteville to compete with other large markets in North Carolina as well as offer opportunities to partner with the Crown Center and other hotels and businesses to attract major business meetings and conferences.
- The Embassy Suites Hotel and Conference Center will feature:
 - 167 two-room suites
 - Full service restaurant and lounge
 - 18,000 SF of prime meeting space
 - Banquet accommodations for 500
 - Meeting space for 1,000
 - Trade show accommodations
- The total project is projected to cost \$30 million.
- At the August 23, 2010 meeting, Council adopted a resolution setting this public hearing to receive public comments and to consider a proposed economic development incentive package to support this important project.

ISSUES:

A Public Hearing to receive public comments and to consider the proposed economic incentive package for this project is required.

OPTIONS:

- Approve the proposed economic incentives
- Do not approve the proposed economic incentives
- Propose revised economic incentives for the consideration and approval

RECOMMENDED ACTION:

Approve the proposed economic incentives

ATTACHMENTS:

Public Hearing Notice

FAYETTEVILLE CITY COUNCIL WILL HOLD A PUBLIC HEARING FOR THE FOLLOWING
ECONOMIC DEVELOPMENT ITEM:

PROJECT: Embassy Suites Hotel and Conference Center

OWNER: Five Points Hospitality, Inc.

DATE, TIME AND LOCATION OF PUBLIC HEARING

Monday, September 13, 2010, 7:00 PM in the Council Chamber, 1st Floor, City Hall, 433 Hay Street, Fayetteville, NC

PURPOSE: The Fayetteville City Council proposes to appropriate and expend funds for the following economic development project pursuant to North Carolina General Statute 158-7.1. The City of Fayetteville City Council intends to consider entering into an economic development incentives contract with Five Points Hospitality, Inc. for the construction of an Embassy Suites Hotel and Conference Center to be located on Lake Valley Drive. Under the Contract, the City will offer the following incentives:

- Property tax grant back under the Joint City/County Economic Development Incentive Program as administered by the Fayetteville Cumberland County Chamber of Commerce for 5 years at the rates of 60% for first two years, 55% for next two years, and 50% for the last year.
- Abate 50% of all development permit fees required by the City of Fayetteville.
- City will provide a low interest loan for wetland mitigation site improvements. Amount and terms of loan not to exceed \$500,000 ten (10) year term. City will collect payment as a special assessment against the real property.
- City will provide at no cost to the developer a new bus stop with shelter to promote LEED certification.

The City Council believes this project will stimulate and stabilize the local economy and result in the creation of a substantial number of new, permanent jobs in the City of Fayetteville.

The Fayetteville City Council will hold a public hearing on the City's proposed appropriation and expenditure of funds for this project at 7:00p.m. in the Council Chamber, 1st Floor, City Hall, 433 Hay Street, Fayetteville, NC on Monday, September 13, 2010. The Council invites all interested parties to attend and present their views.

PUBLIC HEARING POLICY:

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in the Executive Offices, Second Floor, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 p.m. and 7:00 p.m.



CITY COUNCIL ACTION MEMO

TO: Mayor and Members of Council
FROM: Rusty Thompson, PE, City Traffic Engineer
DATE: September 13, 2010
RE: Request for Non-Compliant Speed Hump Installation on Pettigrew Street

THE QUESTION:

Wayne Knox, a resident on Pettigrew Drive, still requests that speed humps be installed on this street even though Staff has evaluated the request and informed him that speed humps are not warranted as outlined in the Residential Traffic Management Program adopted by Council.

RELATIONSHIP TO STRATEGIC PLAN:

Growing City, Livable Neighborhoods - A Great Place To Live

BACKGROUND:

- Minimum requirements were not met based on a June 28th study. The study revealed an average daily count of 393 vehicles per day with an average speed of 26 mph and the 85% percentile was 33 mph.
- According to the Residential Traffic Management Program, speed humps will be considered for installation when the posted speed is 25 mph and speeds are at least 9 mph above the posted speed limit by at least 85% of those vehicles using the street. The street must also have approximately 1000 vehicles per day to be considered as well.
- As outlined in the Residential Traffic Management Program, Staff provided Mr. Knox a letter and petition if he wanted to proceed with a non-compliant procedure. The petition has now been completed with a 76% signature rate (75% minimum required).

ISSUES:

- This option allows council to approve speed hump locations that do not meet minimum criteria but have followed a petition process.
- There are no funds budgeted for speed humps for this fiscal year.

OPTIONS:

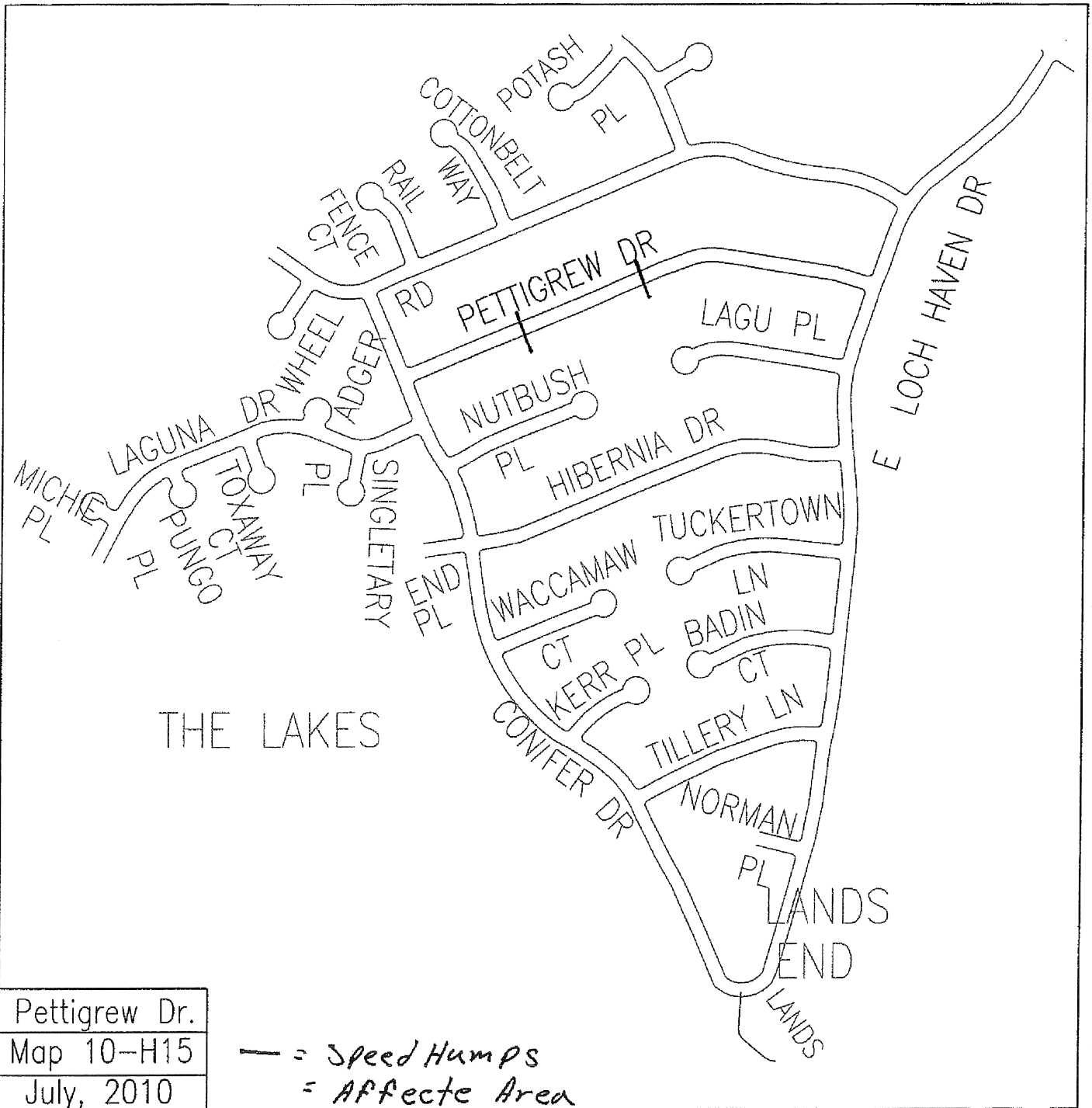
- Approve the speed humps request and identify \$ 7,000 funding to pay for the installation of 2 speed humps.
- Deny the request based on low traffic volumes and speed.
- Approve the locations and allow the neighborhood to install at their cost.

RECOMMENDED ACTION:

Deny the request based on low traffic volumes and speed.

ATTACHMENTS:

Map and petition
Residential Traffic Management Program Guidelines
Response Letter



Pettigrew Dr.
Map 10-H15
July, 2010

DATE: July 2, 2010

Traffic Services Department does not recommend the installation of Speed Humps.

This is a **non-compliant** installation petition to confirm that the majority (75%) of property owners/residents are in agreement to have Speed Humps on Pettigrew Drive to effectively reduce speeding in your area and that it is agreed 100% by property owners/residents that are located adjacent to proposed location. Please sign and provide response (yes or no) to show agreement.

Printed Name	Address	Phone #	Signature	Yes/No
<u>DANIEL POWERS</u>	<u>5800</u>	<u>867-3855</u>	<u>Daniel Powers</u>	<u>YES</u>
<u>Christian Rivera</u>	<u>5801</u>	<u>910-527-9606</u>	<u>Christian Rivera</u>	<u>Yes</u>
	<u>5804</u>			
<u>Holly McDanel</u>	<u>5805</u>	<u>717-0093</u>	<u>Holly McDanel</u>	<u>Yes</u>
<u>Jason Capitain</u>	<u>5808</u>	<u>910-988-3004</u>	<u>Jason Capitain</u>	<u>yes</u>
<u>March Smith</u>	<u>5809</u>	<u>568-7781</u>	<u>March Smith</u>	<u>YES</u>
<u>CHARLES CROWDER</u>	<u>5812</u>	<u>809-6822</u>	<u>Charles Crowder</u>	<u>YES</u>
<u>Robert L Smith</u>	<u>5813</u>	<u>910-868-4055</u>	<u>Robert L Smith</u>	<u>yes</u>
<u>KELI ALLARD</u> <u>ALLEN ALLARD</u>	<u>5814</u>	<u>910-867-7514</u>	<u>Allen Allard</u>	<u>YES</u>
	<u>5816</u>			
<u>Robert Kelly</u>	<u>5817</u>	<u>919-797-8494</u> <u>cell 964-1179</u>	<u>Robert Kelly</u>	<u>yes</u>
<u>RANDALL L Matthews</u>	<u>5820</u>	<u>864-8584</u>	<u>Randall L Matthews</u>	<u>yes</u>
<u>BANK REPO</u>	<u>5821</u>	<u>BANK REPO</u>		

Upon acquiring signatures please return to:

City of Fayetteville, City Hall

ATTN: City Council

Note: **One signature per property** any questions call 433-1660.

DATE: July 2, 2010

Traffic Services Department does not recommend the installation of Speed Humps.

This is a **non-compliant** installation petition to confirm that the majority (75%) of property owners/residents are in agreement to have Speed Humps on Pettigrew Drive to effectively reduce speeding in your area and that it is agreed 100% by property owners/residents that are located adjacent to proposed location. Please sign and provide response (yes or no) to show agreement.

Printed Name	Address	Phone #	Signature	Yes/No
<u>Michele Taylor</u>	<u>5824</u>	<u>433-1695</u>	<u>Michele Taylor</u>	<u>Yes</u>
<u>NELLIE SMITH</u>	<u>5828</u>	<u>864-0932</u>	<u>Nellie Smith</u>	<u>Yes</u>
<u>Soner Wittse</u>	<u>5825</u>	<u>(337) 353-9775</u> <u>339-7823</u>	<u>Soner Wittse</u>	<u>Yes</u>
<u>Anthony Mullins</u>	<u>5829</u>	<u>867-8544</u>	<u>Anthony Mullins</u>	<u>Yes</u>
	<u>5830</u>			
<u>EARL BALL</u>	<u>5831</u>	<u>864-0806</u>	<u>Earl Ball</u>	<u>Yes</u>
<u>Levita Wimberson</u>	<u>5834</u>	<u>322-0560</u>	<u>Levita Wimberson</u>	<u>Yes</u>
<u>Dineen Morton</u>	<u>5835</u>	<u>778-9107</u>	<u>Dineen Morton</u>	<u>Yes</u>
<u>FOR SAME</u>	<u>5838</u>	<u>FOR SAME</u>		
<u>Robert D. Harts</u>	<u>5839</u>	<u>319-660-052</u>	<u>Robert D. Harts</u>	<u>Yes</u>
<u>WAYNE S. KNOX</u>	<u>5842 Pettigrew</u>	<u>868-4857</u>	<u>Wayne S. Knox</u>	<u>Yes</u>
<u>Airolga Sanchez</u>	<u>5843</u>	<u>910-401-2927</u>	<u>Airolga Sanchez</u>	<u>Yes</u>
<u>Shirley J. Gooch</u>	<u>5846</u>	<u>910-709-9943</u>	<u>Shirley J. Gooch</u>	<u>Yes</u>
<u>Malissie Cantelmo</u>	<u>5847</u>	<u>910-527-4141</u>	<u>Malissie Cantelmo</u>	<u>Yes</u>

Upon acquiring signatures please return to:

City of Fayetteville, City Hall

ATTN. City Council

Note: **One signature per property** any questions call 433-1660.

DATE: July 2, 2010

Traffic Services Department does not recommend the installation of Speed Humps.

This is a **non-compliant** installation petition to confirm that the majority (75%) of property owners/residents are in agreement to have Speed Humps on Pettigrew Drive to effectively reduce speeding in your area and that it is agreed 100% by property owners/residents that are located adjacent to proposed location. Please sign and provide response (yes or no) to show agreement.

Printed Name	Address	Phone #	Signature	Yes/No
<u>Luis A. Felix</u>	<u>5850</u>	<u>(910) 261-1675</u>	<u>Luis Felix</u>	<u>yes</u>
<u>Maribel Ashton</u>	<u>5851</u>	<u>910-229-3733</u>	<u>Maribel Ashton</u>	<u>yes</u>
<u>FOR SALE</u>	<u>5854</u>	<u>FOR SALE</u>		
<u>Chris Rodriguez</u>	<u>5855</u>	<u>910 578 7177</u>	<u>Chris Rodriguez</u>	<u>yes</u>
<u>Telisa GARRISON</u>	<u>5858</u>	<u>910-860-1806</u>	<u>Telisa Garrison</u>	<u>yes</u>
<u>Troy Stockman</u>	<u>5859</u>	<u>219-331-6389</u>	<u>Troy Stockman</u>	<u>YES</u>
	<u>5862</u>			
<u>Gloria McGhee</u>	<u>5863</u>	<u>(910) 273-7159</u>	<u>Gloria McGhee</u>	<u>yes</u>
<u>Adlin Isom</u>	<u>5866</u>	<u>(702) 606-4411</u>	<u>Adlin Isom</u>	<u>yes</u>
<u>Danya McCain</u>	<u>5867</u>	<u>910-978-9594</u>	<u>Danya McCain</u>	<u>yes</u>
<u>Desirae Shorter</u>	<u>5870</u>	<u>(505) 620-8882</u>	<u>Desirae Shorter</u>	<u>yes</u>
<u>Edith Jankevics</u>	<u>5871</u>	<u>910-868-5259</u>	<u>Edith Jankevics</u>	<u>yes</u>

Upon acquiring signatures please return to:
City of Fayetteville, City Hall
ATTN: City Council

Note: **One signature per property** any questions call 433-1660.

List of Addresses Pettigrew Dr.	
5800	Y
5801	Y
5804	
5805	Y
5808	Y
5809	Y
5812	Y
5813	Y
5814	Y
5816	
5817	Y
5820	Y
5821	B
5824	Y
5825	Y
5828	Y
5829	Y
5830	
5831	Y
5834	Y
5835	Y
5838	FS
5839	Y
5842	Y
5843	X
5847	Y
5850	Y
5851	Y
5854	FS
5855	Y
5858	Y
5859	Y
5862	
5863	Y
5866	Y
5867	Y
5870	Y
5871	Y
38	

5846 Y

Address in RED have to sign 100%
~~38~~ Signatures required that is 75% of ~~28~~

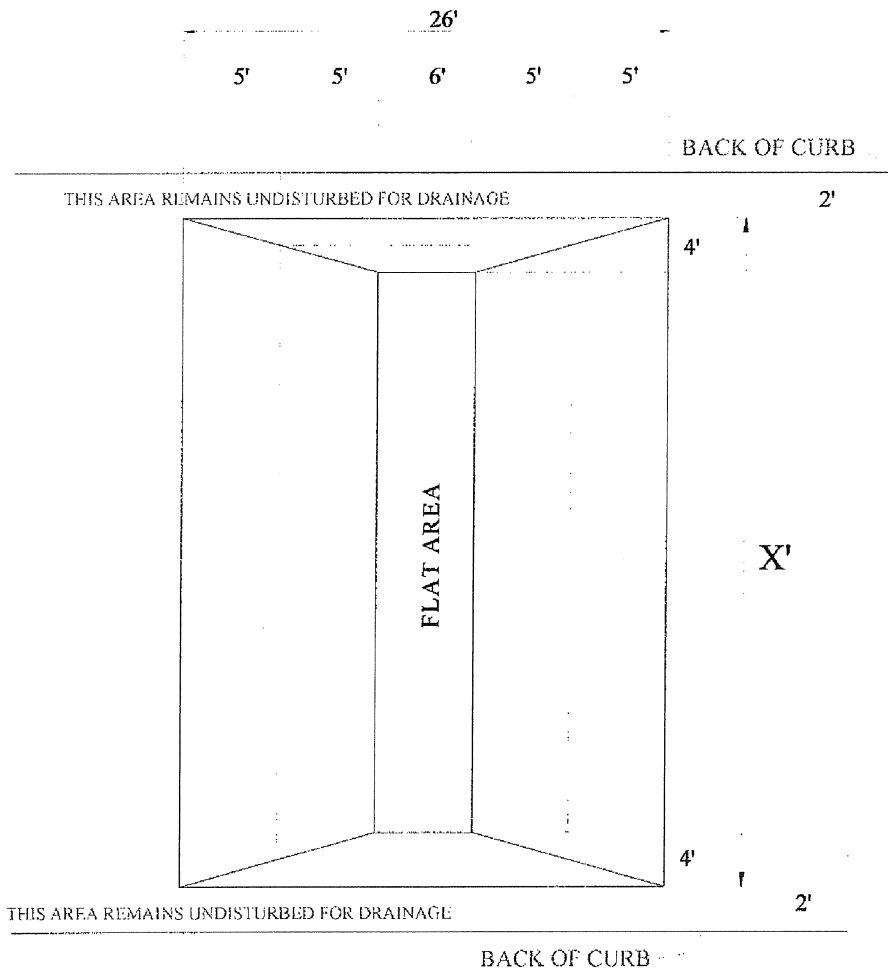
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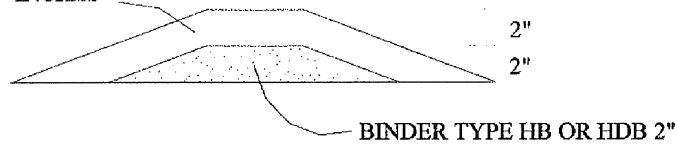
30 PK @

SPEED HUMP

- NOTES 1 CONTRACTOR RESPONSIBLE FOR ASPHALT WORK ONLY
- 2 CITY WILL PROVIDE PERMENANT SIGNAGE AND MARKING
- 3 CITY TRAFFIC ENGINEER WILL PROVIDE EXACT LOCATION OF SPEED HUMPS



I-2 SURFACE COURSE 2" INCHES





RESIDENTIAL TRAFFIC MANAGEMENT PROGRAM

GUIDELINES TO MANAGE RESIDENTIAL TRAFFIC

GOALS

1. Improve residential livability by encouraging adherence to the speed limit.
2. Maintain access, safety and comfort for alternative transportation users on residential streets.
3. Encourage citizen involvement in solutions to residential traffic problems.
4. Appropriately channel public resources by prioritizing traffic mitigation requests according to documented criteria.
5. Effectively address the frequently conflicting, public safety interests of traffic mitigation and emergency response.

POLICIES

A request to consider modification of traffic flow on public streets shall meet all of the following criteria:

- The street must be classified as a two lane, local street and be primarily residential in nature.
- Traffic volumes must equal or exceed the threshold volumes as indicated by the specific treatment criteria.
- Police and Fire Departments review and approve for satisfactory emergency service access.
- A traffic engineering safety study has determined that the proposed traffic flow modifications will not create undue traffic congestion on the subject street or on streets, which may be impacted by diverted traffic.
- **The Citizens Association or the Neighborhood must designate a contact person(s) who will be the primary contact in the neighborhood for answering residents' questions.**

PETITION ACCEPTANCE & SUPPORT REQUIREMENTS

The City Traffic Services Division determines the boundary of the “affected area” to be included in the petition directly and indirectly affected areas. The petition requesting traffic flow modifications must be supported by 75 percent of the total number of households directly affected by the proposed changes; one household, one signature minimum, 85 percent of all affected households that may need to use the street(s) on a daily basis must be contacted for petition to be accepted by the City. Persons submitting a petition must attempt to contact all affected parties. The households immediately adjacent to the proposed improvement must accept the proposal 100%.

An eligible household is a single residential or commercial unit and shall include property owners, tenants, businesses and long-term tenants such as mobile park residents within the “affected area”. In case of conflict between property owner and tenant, the property owner’s vote takes precedence over the tenant.

SPEED HUMP APPLICATION POLICY

STAFF EVALUATION – An engineering and safety evaluation for any speed hump request will be made to determine if guidelines listed below are met. Speed humps can have a wide ranging impact not only on the vehicles, but also on the residents living on the immediate and nearby streets. Therefore their installation will be evaluated within an overall residential management study. **The Citizens Association or the Neighborhood must designate a contact person(s) who will be the primary contact in the neighborhood for answering residents’ questions concerning speed humps.**

Speed hump applications will be handled in the order in which they were received. The city will fund only locations based on the annual funding provided they meet all criteria.

STREETS – Speed humps will be considered for installation only on residential, local streets. A local street is defined as one whose abutting land use is at least 85% residential when considered in segments of one thousand feet in length or more. The minimum length of the street or street segment under consideration for speed humps shall not be less than 1000 feet.

SPEED - Speed humps will be considered on local streets where the posted speed is 25 mph and speeds are at **least 9 miles per hour** or more above the posted speed limit by at least 85% of those vehicles using the street.

If the speed requirements are not met at the time of the initial study, a second study can be obtained six months afterward to determine if the street meets this qualification.

Traffic Volumes – Each individual street location should be evaluated to justify installing speed humps. Street(s) must have a peak hour traffic volume of **at least 100 vehicles** (equivalent to approximately 1000 vehicles per day). Street(s) with average daily traffic volumes exceeding 3000 vehicles per day may require a special evaluation and justification for approval, giving full consideration to other alternative measures, where appropriate.

Residential Surveys – City staff will determine a petition area and coordinate petition circulation in order to determine a location for speed hump installation. The concurrence of not less than 75 % (one signature per household), either single family or multi family, whose livability is directly affected by the traffic conditions along the street(s) or street section(s) being considered for speed hump installation. This typically means direct road frontage of a residence but can also include adjoining side streets or cul-de-sacs.

Where the proposed speed hump locations are determined, 100 % of the signatures of the adjacent properties are required.

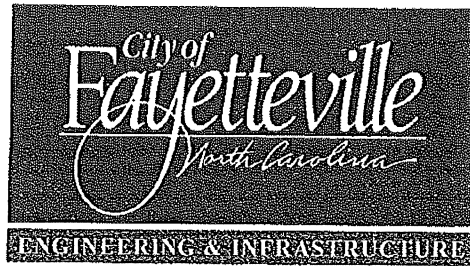
Non – Compliant Installation – If it is determined that a street does not meet the speed and volume requirements for speed humps and a residential area still desires speed humps, there are several options:

1. The residents could pay for the cost of the speed hump(s) and the city will provide the labor for a one-time installation.
2. The residents could pursue a Local Improvement District designation.
3. The neighborhood can provide a petition with the needed signatures to city council and the council can direct staff to proceed with installing the speed humps.

Speed Hump Installation – After obtaining all studies, approvals, and the appropriate residential surveys the city will install or have a contractor install the speed hump(s). Residents are to be reminded that mandatory signage and pavement markings accompany speed humps. There will be a minimum of two warnings signs per approach per speed hump, one placed on the right hand side of the road and another placed at or near the speed hump, within the city right of way.

Speed Hump Removal – Once the speed hump(s) has been in place for two years, a neighborhood can revisit their decision to use speed hump(s). If the residential survey reveals a 75 % support from the residents to remove the speed humps, they will be removed.

If the neighborhood requests removal before the two year period they will be responsible for 50% of the removal cost.



July 8, 2010

Mr. Wayne Knox
5842 Pettigrew Dr.
Fayetteville, NC 28314

Dear Mr. Knox:

This letter is in reference to your request for speed humps on Pettigrew Drive and to notify you that the Traffic Services Division has determined that the installation of speed humps are not recommended due to the traffic low volume and speed.

However, as outlined in the Residential Traffic Management Program for speed humps, you have the right to pursue a non-compliant installation request by providing a petition package with the needed signatures to the city council. The council can direct to the Traffic Services staff to proceed with the installation of the speed humps.

Please find enclosed with this letter: a copy of the Residential Traffic Management Program for speed humps, a map identifying the proposed locations with the impacted area highlighted, a list of addresses within the impacted area, and a petition form.

The City of Fayetteville requires that 75% of the address listed be in agreement with the installation of the speed humps, and 100% of the addresses adjacent to the locations be in agreement. Please note that only one signature per address is counted.

The results of the study revealed that there is a low volume of vehicles on the roadway with an average daily count of 393 vehicles per day. The average speed for this roadway was 26 miles per hour and the 85th percentile was 33 miles per hour.

Speed humps are considered on local streets where the posted speed is 25 miles per hour and the 85% percentile is at least 9 miles per hour over the posted speed limit and a minimum peak hour traffic volume of 100 vehicles (equivalent to 1000 vehicles per day). This roadway does not meet the city's volume and/or speed guidelines.

339 ALEXANDER STREET
FAYETTEVILLE, NC 28301-5797
(910) 433-1660/1661 • FAX (910) 433-1647
www.cityoffayetteville.org
An Equal Opportunity Employer

If you have any questions regarding the information included with this letter or the petition process, please feel free to contact us at 433-1660. Once again, thank you for expressing your concerns and assisting us in keeping Fayetteville's roadways safe.

Respectfully,

Ramon Melendez

Ramon Melendez
Traffic Technician

Cc: Jeffery Brown, PE, Director of Engineering and Infrastructure
Rusty Thompson, PE, PTOE, City Traffic Engineer
Neil Perry, PE, PTOE, Asst. City Traffic Engineer
File

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Rita Perry, City Clerk
DATE: September 13, 2010
RE: **Monthly Statement of Taxes for August 2010**

THE QUESTION:
For information only.

RELATIONSHIP TO STRATEGIC PLAN:
Greater Tax Base Diversity - Strong Local Economy

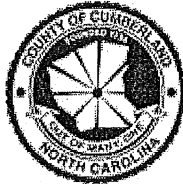
BACKGROUND:
Attached is the report that has been furnished to the Mayor and City Council by the Cumberland County Tax Administrator for the month of August 2010.

ISSUES:
N/A

OPTIONS:
N/A

RECOMMENDED ACTION:
For information only.

ATTACHMENTS:
Monthly Statement of Taxes for August 2010



OFFICE OF THE TAX ADMINISTRATOR

117 Dick Street, 5th Floor, New Courthouse • PO Box 449 • Fayetteville, North Carolina • 28302
Phone: 910-678-7507 • Fax: 910-678-7582 • www.co.cumberland.nc.us

MEMORANDUM

TO: Rita Perry, Fayetteville City Clerk
FROM: Aaron Donaldson, Tax Administrator *AD*
DATE: September 1, 2010
RE: MONTHLY STATEMENT OF TAXES

Attached hereto is the report that has been furnished to the Mayor and governing body of your municipality for the month of August 2010. This report separates the distribution of real property and personal property from motor vehicle property taxes, and provides detail for the current and delinquent years.

Should you have any questions regarding this report, please contact me at 678-7587.

AD/sn
Attachments

Celebrating Our Past...Embracing Our Future

EASTOVER - FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE

FAYETTEVILLE MACC LEDGER
2000-2010

AUGUST 2010

DATE	REPORT #	REMITTED TO FINANCE	2010 CC	2010 VEHICLE	2010 CC REVIT	2010 VEHICLE REVIT	2010 FVT	2010 TRANSIT	2010 STORM WATER	2010 FAY STORM WATER
08/02/10	2010-023	65,429.91	9,233.80	30,026.82	141.50	61.68	2,774.89	2,774.90	174.84	349.68
08/03/10	2010-024	23,560.75	1,932.22	7,566.40	0.00	20.66	1,080.52	1,080.51	61.98	123.97
08/04/10	2010-025	47,013.69	9,035.47	22,013.01	0.00	0.00	3,120.63	3,120.65	151.79	303.56
08/05/10	2010-026	33,268.77	4,231.16	16,186.79	0.00	0.00	2,575.00	2,575.00	96.00	192.00
08/06/10	2010-027	31,318.01	5,544.34	12,901.59	0.00	0.00	1,805.00	1,805.00	48.65	97.30
08/09/10	2010-028	37,760.66	7,334.70	14,842.95	0.00	18.09	1,886.76	1,886.76	128.06	256.13
08/10/10	2010-029	30,343.60	7,571.49	9,165.83	0.00	24.37	1,375.00	1,375.00	217.81	435.63
08/11/10	2010-030	30,415.14	8,371.37	10,821.90	0.00	26.98	1,465.52	1,465.51	146.30	292.61
08/12/10	2010-031	39,875.69	16,758.50	8,423.55	0.00	0.00	1,225.76	1,225.77	734.36	1,468.72
08/13/10	2010-032	35,692.66	10,290.87	7,922.51	0.00	22.35	1,065.00	1,065.00	211.43	422.87
08/16/10	2010-033	58,829.71	20,325.16	15,925.39	0.00	0.00	1,966.11	1,966.11	895.10	1,790.20
08/17/10	2010-034	46,017.74	23,817.78	7,495.30	0.00	29.29	782.44	782.44	519.74	1,039.47
08/18/10	2010-035	58,534.24	29,856.77	13,473.34	0.00	12.02	1,280.00	1,280.00	828.00	1,656.00
08/19/10	2010-036	60,406.08	38,337.84	8,388.08	0.00	1.92	930.00	930.00	943.68	1,887.34
08/20/10	2010-037	328,966.76	268,712.03	6,318.34	241.93	10.06	827.13	827.13	8,422.91	16,845.83
08/23/10	2010-038	375,245.88	304,860.03	11,614.99	7.85	0.21	1,293.91	1,293.91	10,820.02	21,640.04
08/24/10	2010-039	294,450.50	244,575.36	9,397.35	406.28	3.71	1,095.00	1,095.00	7,050.98	14,101.95
08/25/10	2010-040	258,471.32	203,710.14	8,963.53	91.18	10.56	1,100.00	1,100.00	8,866.51	17,733.03
08/26/10	2010-041	151,018.55	111,366.81	8,441.62	24.32	0.00	1,090.00	1,090.00	4,723.33	9,446.66
08/27/10	2010-042	319,083.00	252,123.12	11,540.18	788.42	0.00	1,422.41	1,422.42	10,546.60	21,093.15
08/30/10	2010-043	487,563.91	380,718.95	22,169.27	749.90	0.00	2,745.00	2,745.00	17,633.02	35,266.01
08/31/10	2010-044	435,526.71	304,623.81	19,421.83	734.07	32.86	2,250.00	2,250.00	27,908.24	55,816.47
TOTALS		3,248,793.28	2,263,331.72	283,020.57	3,185.45	274.76	35,156.08	35,156.11	101,129.35	202,258.62

TRUE

MACC: MONTHLY ACCOUNTING (TOTALS COLLECTED FOR MONTH)
CC: INCLUDES REAL & PERSONAL, LATE LIST, & PUBLIC SERVICE

FVT: FAYETTEVILLE VEHICLE TAX (\$5.00)

FAYETTEVILLE MACC LEDGER

AUGUST 2010

2000-2010

2010 FAY RECYCLE FEE	2010 ANNEX	2009 CC	2009 VEHICLE	2009 CC REVIT	2009 VEH REVIT	2009 FVT	2009 TRANSIT	2009 STORM WATER	2009 FAY STORM WATER	2009 FAY RECYCLE FEE	2009 ANNEX
588.95	0.00	6,982.94	7,070.26	0.00	0.00	907.84	907.85	123.33	246.64	390.52	0.00
44.28	0.00	5,622.08	3,404.99	0.00	10.54	520.00	520.00	66.39	132.77	58.22	0.00
386.23	0.00	1,573.15	4,531.48	0.00	0.00	673.53	673.53	31.01	62.02	98.20	0.00
304.00	0.00	875.94	3,706.62	0.00	0.00	535.00	535.00	24.76	49.53	116.42	0.00
152.69	0.00	1,924.49	4,312.47	77.29	0.32	588.52	588.51	16.18	32.36	51.24	0.00
367.54	0.00	1,791.16	5,507.06	0.00	(35.99)	843.35	843.35	77.53	155.06	169.52	0.00
613.75	0.00	902.48	5,194.05	0.00	6.00	925.89	925.91	30.81	61.60	97.54	0.00
425.30	0.00	1,014.74	3,504.22	0.00	0.00	665.00	665.00	79.63	159.26	100.16	0.00
881.47	0.00	376.28	5,971.64	0.00	0.00	820.18	820.19	0.00	0.00	0.00	0.00
669.54	0.00	848.55	8,560.40	0.00	0.59	1,273.60	1,273.61	22.85	45.70	72.36	0.00
698.04	0.00	1,719.94	8,648.45	0.00	0.00	1,390.33	1,390.32	88.26	176.53	165.51	0.00
1,645.85	0.00	3,273.62	3,765.99	8.66	8.41	625.00	625.00	24.00	48.00	38.00	0.00
2,698.00	0.00	997.37	3,586.40	0.00	0.80	512.77	512.76	12.00	24.00	38.00	0.00
2,494.30	0.00	923.48	3,246.77	0.00	0.00	543.96	543.95	48.00	96.00	114.00	0.00
16,184.56	0.00	3,105.75	4,223.37	0.00	0.00	696.40	696.39	60.00	120.00	342.00	0.00
13,933.38	0.00	1,585.50	5,401.11	0.00	0.00	730.01	730.01	43.82	87.64	100.76	0.00
10,986.36	0.00	1,047.52	2,650.09	0.00	0.00	470.00	470.00	14.52	29.05	46.00	0.00
9,951.30	0.00	636.47	3,532.37	0.00	0.00	571.86	571.84	38.58	77.16	122.18	0.00
6,825.21	0.00	1,348.18	3,201.70	0.00	0.00	380.00	380.00	276.00	552.00	38.00	0.00
11,813.50	0.00	2,589.64	3,492.99	0.00	0.00	541.68	541.69	40.94	81.89	114.00	0.00
14,341.87	20.73	3,694.20	4,500.02	0.00	0.00	645.91	645.91	36.00	72.00	114.00	0.00
11,329.82	0.00	1,244.14	5,044.61	0.00	0.00	752.33	752.34	94.74	189.47	337.98	0.00
107,335.94	20.73	44,077.62	103,057.06	85.95	(9.33)	15,613.16	15,613.16	1,249.35	2,498.68	2,724.61	0.00

FAYETTEVILLE MACC LEDGER

2000-2010

AUGUST 2010

2008 CC	2008 VEHICLE	2008 CC REVIT	2008 VEHICLE REVIT	2008 FVT	2008 TRANSIT	2008 STORM WATER	2008 FAY STORM WATER	2008 FAY RECYCLE FEE	2008 ANNEX	2007 CC	2007 VEHICLE	2007 CC REVIT
169.28	645.71	0.00	0.00	80.00	60.00	0.00	0.00	0.00	0.00	2.73	133.68	0.00
82.97	128.98	0.00	0.00	31.42	30.00	14.57	17.13	29.98	0.00	0.00	76.12	0.00
7.27	296.81	0.00	0.00	90.00	55.00	24.00	0.00	0.00	0.00	0.00	5.98	0.00
92.88	394.16	0.00	0.00	57.69	54.85	0.00	0.00	0.00	0.00	15.63	29.71	0.00
0.00	290.01	0.00	0.00	45.00	45.00	6.14	0.00	0.00	0.00	0.00	60.48	0.00
355.39	69.54	0.00	0.00	5.00	15.00	0.00	0.00	0.00	0.00	145.47	15.18	0.00
132.86	216.16	0.00	0.00	50.00	25.00	0.00	0.00	0.00	0.00	0.00	34.89	0.00
18.64	260.57	0.00	0.00	60.00	35.00	0.00	0.00	0.00	0.00	14.32	24.63	0.00
130.61	66.39	0.00	0.00	15.00	10.00	24.00	24.00	42.00	0.00	0.00	66.62	0.00
53.34	440.10	0.00	0.00	90.00	70.00	0.00	0.00	0.00	0.00	0.00	147.04	0.00
218.72	6.50	0.00	0.00	28.96	33.95	0.00	0.00	0.00	0.00	49.03	74.44	0.00
46.61	152.61	0.00	0.00	30.00	30.00	48.00	0.00	0.00	0.00	4.24	35.19	0.00
218.36	101.57	0.00	0.00	19.54	15.15	24.00	24.00	42.00	0.00	218.36	11.79	0.00
0.00	82.38	0.00	0.00	16.20	10.47	0.00	0.00	0.00	0.00	0.00	46.38	0.00
29.16	118.63	0.00	0.00	43.87	43.87	0.00	0.00	0.00	0.00	0.00	178.95	0.00
8.39	165.09	0.00	0.00	27.88	10.00	35.72	5.37	9.39	0.00	0.00	135.51	0.00
9.62	149.22	0.00	0.00	25.00	20.00	0.00	0.00	0.00	0.00	0.00	103.85	0.00
47.80	410.09	0.00	0.00	53.42	38.42	24.00	0.00	0.00	0.00	68.11	15.68	0.00
333.26	391.08	0.00	0.00	39.75	29.75	12.00	0.00	0.00	0.00	0.00	35.17	0.00
30.78	130.05	0.00	0.00	48.70	38.71	3.36	0.00	0.00	0.00	0.00	42.46	0.00
4.85	430.51	0.00	0.00	48.56	33.57	0.00	0.00	0.00	0.00	0.00	10.82	0.00
109.14	373.08	0.00	0.00	72.50	52.50	18.71	3.13	5.48	0.00	178.89	216.63	0.00
2,099.93	5,319.24	0.00	0.00	978.49	756.24	234.50	73.63	128.85	0.00	696.78	1,501.20	0.00

FAYETTEVILLE MACC LEDGER
2000-2010

AUGUST 2010

2007 VEH REVIT	2007 FVT	2007 STORM WATER	2007 FAY STORM WATER	2007 ANNEX	2006 & PRIOR CC	2006 & PRIOR VEH	2006 & PRIOR CC REVIT	2006 & PRIOR VEH REVIT	2006 & PRIOR FVT	2006 & PRIOR STORM WATER	2006 ANNEX
0.00	30.00	12.00	0.00	0.00	46.31	129.83	0.00	0.00	30.00	0.00	0.00
0.00	10.00	0.00	0.00	0.00	33.31	21.51	0.00	0.00	20.00	0.00	0.00
0.00	5.44	0.00	0.00	0.00	19.02	110.67	0.00	0.00	25.00	0.00	0.00
0.00	5.00	0.00	0.00	0.00	0.00	71.69	0.00	0.00	10.00	0.00	0.00
0.00	11.08	0.00	0.00	0.00	14.45	251.37	0.00	0.00	25.00	12.00	0.00
0.00	10.00	0.00	0.00	0.00	126.70	78.94	0.00	0.00	15.00	0.00	0.00
0.00	15.00	0.00	0.00	0.00	36.31	152.75	0.00	0.00	45.00	0.00	0.00
0.00	10.00	0.00	0.00	0.00	0.00	173.84	0.00	0.00	45.00	0.00	0.00
0.00	15.00	0.00	0.00	0.00	11.30	65.03	0.00	0.00	35.00	0.00	0.00
0.00	24.02	0.00	0.00	0.00	0.00	131.67	0.00	0.00	30.00	0.00	0.00
0.00	25.00	0.00	0.00	0.00	181.27	(7.63)	0.00	0.00	10.00	0.00	0.00
0.00	6.06	36.00	0.00	0.00	1.59	173.42	0.00	0.00	36.47	60.00	0.00
0.00	5.00	24.00	24.00	0.00	218.36	129.48	0.00	0.00	20.00	24.00	0.00
0.00	15.00	0.00	0.00	0.00	34.73	166.58	0.00	0.00	41.35	0.00	0.00
0.00	5.00	0.00	0.00	0.00	3.05	72.61	0.00	0.00	48.60	0.00	0.00
0.00	25.00	12.00	0.00	0.00	0.00	31.80	0.00	0.00	5.00	0.00	0.00
0.00	20.00	0.00	0.00	0.00	0.00	162.46	0.00	0.00	25.00	0.00	0.00
0.00	5.00	24.00	0.00	0.00	62.96	54.93	0.00	0.00	5.00	24.00	0.00
0.00	15.00	12.00	0.00	0.00	0.00	267.57	0.00	0.00	25.00	12.00	0.00
0.00	5.00	0.00	0.00	0.00	13.96	36.30	0.00	0.00	15.00	6.37	0.00
0.00	5.68	0.00	0.00	0.00	6.90	223.86	0.00	0.00	40.00	0.00	0.00
0.00	20.00	22.62	21.24	0.00	207.17	263.93	0.00	0.00	55.00	12.00	73.60
0.00	287.28	142.62	45.24	0.00	1,017.39	2,762.61	0.00	0.00	606.42	150.37	73.60

FAYETTEVILLE MACC LEDGER
2000-2010

AUGUST 2010

INTEREST	REVIT INTEREST	STORM WATER INTEREST	FAY STORM WATER INTEREST	ANNEX INTEREST	FAY RECYCLE INTEREST	TOTAL TAX & INTEREST
1,280.16	0.00	11.17	16.50	0.00	26.10	65,429.91
790.57	0.71	6.50	12.05	0.00	9.40	23,560.75
581.18	0.00	6.39	4.91	0.00	7.76	47,013.69
524.46	0.00	1.08	2.16	0.00	6.24	33,268.77
588.16	2.99	11.76	3.34	0.00	5.28	31,318.01
821.97	0.00	5.83	11.66	0.00	12.95	37,760.66
696.33	0.00	2.62	5.23	0.00	8.29	30,343.60
541.67	0.00	9.94	11.25	0.00	6.78	30,415.14
658.75	0.00	2.52	1.11	0.00	1.94	39,875.69
933.34	0.03	0.95	1.91	0.00	3.03	35,692.66
1,033.26	0.00	6.33	12.65	0.00	11.78	58,829.71
779.85	0.84	41.62	3.49	0.00	2.76	46,017.74
605.80	0.27	19.05	11.70	0.00	9.58	58,534.24
544.68	0.04	3.52	7.05	0.00	8.38	60,406.08
750.89	0.21	4.38	8.75	0.00	24.96	328,966.76
605.33	0.00	11.20	6.80	0.00	8.21	375,245.88
485.36	0.00	1.76	3.50	0.00	5.56	294,450.50
530.68	0.00	21.28	3.57	0.00	5.67	258,471.32
589.90	0.00	29.40	40.07	0.00	2.77	151,018.55
540.21	0.00	5.71	5.42	0.00	8.34	319,083.00
644.41	0.00	2.75	5.50	0.00	8.71	487,563.91
971.59	0.00	17.23	18.87	0.86	29.83	435,526.71
15,498.55	5.09	222.99	197.49	0.86	214.32	3,248,793.28

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CITY COUNCIL ACTION MEMO

TO: Mayor and Member of City Council

FROM: Lisa Smith, Chief Financial Officer

DATE: September 13, 2010

RE: Revenue and Expenditure Report for Annually Budgeted Funds for the Month Ended July 31, 2010

THE QUESTION:

Does the format of this report meet Council's interest for monthly financial information for annually budgeted funds?

RELATIONSHIP TO STRATEGIC PLAN:

Core Value: Stewardship

BACKGROUND:

- The purpose of this report is to provide monthly revenue and expenditure information for the City's annually budgeted funds.
- The report consists of two main sections: 1) revenues by major category by fund and 2) expenditures by major category by fund. The expenditure section of the report also provides expenditure data by department for the General Fund.
- The report includes revenue and expenditure data for the current fiscal year (column labeled "FY2011 Actual thru July"), with comparison columns for the current year's budget (column labeled "FY2011 Budget as of July") and revenue and expenditure data through the same period in last fiscal year (column labeled "FY2010 Actual thru July"). The expenditure section of the report also includes a column for "Encumbrances" which represents commitments by the City to obtain items or services or other expenditures for which payments have not yet been made.
- The report also includes % columns that state the percentage of the budget that has been obtained in the revenues section and the percentage of the budget that has been spent in the expenditures section.
- An "Actual % Change over Last Year" column is also provided that shows the percentage change in current fiscal year actual revenues and expenditures when compared to prior year revenues and expenditures through the same period (July 2010 compared to July 2009).
- Please note that revenues and expenditures are generally recorded on a cash basis throughout the year and accounting adjustments are made at year-end to account for revenues and expenditures that need to be recorded back to the fiscal year before it is formally closed.
- Also, since monthly sales taxes and quarterly utility taxes are received from the State approximately 75 days after the period to which they apply sales tax revenues will not initially appear until the October 31, 2010 report and utility taxes will not appear until the December 31, 2010 report. For comparison purposes, we will also not show prior year actuals for these revenues until the revenue data for the current fiscal year is also available for the same period.

ISSUES:

None

OPTIONS:

Not applicable.

RECOMMENDED ACTION:

No action required. For information only

ATTACHMENTS:

Revenue and Expenditure Report for the Period Ended July 31, 2010

**General Fund Revenue Report
For the Period Ended
July 31, 2010**

Description	FY2010 Actual thru July	FY2011 Annual Budget As Of July	FY2011 Actual thru July	FY2011 % of Budget Obtained	Actual % Change Over Last Year
Ad Valorem Taxes					
Current Year Taxes	287,286.31	57,288,982.00	343,942.93	0.60%	19.72%
Prior Year Taxes	216,952.58	1,026,000.00	213,048.12	20.76%	-1.80%
Penalties & Interest	15,542.12	318,000.00	14,827.85	4.66%	-4.60%
Other Taxes					
Vehicle License Tax	47,978.62	619,500.00	47,867.86	7.73%	-0.23%
Privilege License Tax	773,131.00	1,066,450.00	811,362.85	76.08%	4.95%
Franchise Fees	-	323,817.00	-	0.00%	N/A
Vehicle Gross Receipts	-	464,000.00	-	0.00%	N/A
Intergovernmental Revenues					
Federal	2,304.52	694,953.00	2,054.07	0.30%	-10.87%
State					
Sales Taxes	-	30,754,690.00	-	0.00%	N/A
Utility Taxes	-	9,850,241.00	-	0.00%	N/A
Other	2,500.00	6,133,351.00	-	0.00%	-100.00%
Local	32,524.46	4,053,757.00	3,946.80	0.10%	-87.87%
Functional Revenues					
Permits and Fees	142,537.48	1,918,200.00	224,434.85	11.70%	57.46%
Property Leases	18,190.24	582,414.00	16,929.60	2.91%	-6.93%
Engineering/Planning Services	6,200.00	373,050.00	4,375.00	1.17%	-29.44%
Public Safety Services	70,417.42	1,204,574.00	35,352.13	2.93%	-49.80%
Environmental Services	1,161.00	73,293.00	447.00	0.61%	-61.50%
Parks & Recreation Fees	101,995.93	1,094,800.00	106,633.85	9.74%	4.55%
Other Fees and Services	1,458.06	90,221.00	1,690.55	1.87%	15.95%
Other Revenues					
Refunds and Sundry	49,212.66	632,156.00	67,644.88	10.70%	37.45%
Indirect Cost Allocation	90,246.26	1,157,958.00	82,836.23	7.15%	-8.21%
Special Use Assessment	16,799.09	170,000.00	12,663.75	7.45%	-24.62%
Sale of Assets & Materials	-	180,500.00	-	0.00%	N/A
Investment Income	1,589.43	750,000.00	1,185.63	0.16%	-25.41%
Other Financing Sources					
Proceeds from Bonds	-	-	-	N/A	N/A
Proceeds from Loans	-	-	-	N/A	N/A
Interfund Transfers	724,038.50	10,479,372.00	1,785,804.74	17.04%	146.64%
Capital Leases	-	-	-	N/A	N/A
Fund Balance Appropriation	-	2,953,070.00	-	0.00%	N/A
TOTAL	<u>2,602,065.66</u>	<u>134,253,349.00</u>	<u>3,777,048.69</u>	<u>2.81%</u>	<u>45.16%</u>

**Operating Funds Revenue Report
For the Period Ended
July 31, 2010**

Description	FY2010 Actual thru July	FY2011 Annual Budget As Of July	FY2011 Actual thru July	FY2011 % of Budget Obtained	Actual % Change Over Last Year
Parking Fund					
Functional Revenues	31,463.77	329,185.00	31,180.60	9.47%	-0.90%
Other Revenues	-	-	-	N/A	N/A
Investment Income	-	3,000.00	-	0.00%	N/A
Total	31,463.77	332,185.00	31,180.60	9.39%	-0.90%
Central Business Tax District Fund					
Ad Valorem Taxes	608.64	131,287.00	1,371.02	1.04%	125.26%
Investment Income	-	840.00	-	0.00%	N/A
Fund Balance	-	74,091.00	-	0.00%	N/A
Total	608.64	206,218.00	1,371.02	0.66%	125.26%
Stormwater Fund					
Stormwater Fees	8,846.36	5,099,839.00	18,294.15	0.36%	106.80%
Other Revenues	-	-	-	N/A	N/A
Investment Income	-	66,007.00	-	0.00%	N/A
Fund Balance	-	1,025,366.00	-	0.00%	N/A
Total	8,846.36	6,191,232.00	18,294.15	0.30%	106.80%
Emergency Telephone System Fund					
Intergovernmental	-	1,060,306.00	-	0.00%	N/A
Subscriber Fees	-	-	-	N/A	N/A
Investment Income	-	10,500.00	-	0.00%	N/A
Interfund Transfers	5,998.48	-	-	N/A	-100.00%
Total	5,998.48	1,070,806.00	-	0.00%	-100.00%
Risk Management Funds					
Interfund Charges	950,851.59	14,022,088.00	1,010,840.67	7.21%	6.31%
Other Revenues					
Employee Contributions	216,427.78	3,304,633.00	225,758.66	6.83%	4.31%
Refunds and Sundry	32,782.85	71,417.00	9,150.89	12.81%	-72.09%
Investment Income	-	309,000.00	-	0.00%	N/A
Fund Balance	-	19,409.00	-	0.00%	N/A
Total	1,200,062.22	17,726,547.00	1,245,750.22	7.03%	3.81%
Transit Fund					
Other Taxes	42,927.25	608,300.00	47,030.42	7.73%	9.56%
Federal Operating Grant	-	1,153,128.00	-	0.00%	N/A
State Operating Grant	-	533,998.00	-	0.00%	N/A
Bus Fares	46,398.07	679,241.00	66,250.55	9.75%	42.79%
Contract Transportation	13,838.24	-	-	N/A	-100.00%
Other Revenue	874.00	20,643.00	666.00	3.23%	-23.80%
Interfund Transfers	222,500.33	2,710,048.00	225,837.33	8.33%	1.50%
Total	326,537.89	5,705,358.00	339,784.30	5.96%	4.06%
Airport Fund					
Intergovernmental Revenues	12,455.55	145,995.00	18,862.10	12.92%	51.44%
Property Leases	66,637.29	2,010,100.00	59,224.89	2.95%	-11.12%
Franchise Fees	12,786.65	998,322.00	38,993.71	3.91%	204.96%
Landing Fees	32,294.39	397,685.00	35,602.80	8.95%	10.24%
Training Facility Fees	5,000.00	19,850.00	5,000.00	25.19%	0.00%
Other Revenues	11,996.19	178,489.00	13,483.96	7.55%	12.40%
Public Safety Reimbursements	7,024.75	84,297.00	7,024.75	8.33%	0.00%
Investment Income	-	67,000.00	-	0.00%	N/A
Fund Balance	-	-	-	N/A	N/A
Total	148,194.82	3,901,738.00	178,192.21	4.57%	20.24%
Recycling Fund					
Recycling Fees	6,429.95	2,253,910.00	15,650.73	0.69%	143.40%
Intergovernmental	-	296,130.00	-	0.00%	N/A
Other Revenues	2,103.81	1,400.00	77.25	5.52%	-96.33%
Investment Income	-	19,000.00	-	0.00%	N/A
Interfund Transfers	-	-	-	N/A	N/A
Total	8,533.76	2,570,440.00	15,727.98	0.61%	84.30%

**Operating Funds Revenue Report
For the Period Ended
July 31, 2010**

Description	FY2010 Actual thru July	FY2011 Annual Budget As Of July	FY2011 Actual thru July	FY2011 % of Budget Obtained	Actual % Change Over Last Year
LEOSSA Fund					
Interfund Charges	35,964.91	499,573.00	39,270.34	7.86%	9.19%
Investment Income	-	42,000.00	-	0.00%	N/A
Fund Balance	-	12,537.00	-	0.00%	N/A
Total	<u>35,964.91</u>	<u>554,110.00</u>	<u>39,270.34</u>	<u>7.09%</u>	<u>9.19%</u>
City of Fayetteville Finance Corporation					
Investment Income	-	-	-	N/A	N/A
Property Leases	245,625.00	1,449,475.00	163,125.00	11.25%	-33.59%
Total	<u>245,625.00</u>	<u>1,449,475.00</u>	<u>163,125.00</u>	<u>11.25%</u>	<u>-33.59%</u>

**General Fund Expenditure Report
For the Period Ended
July 31, 2010**

Description	FY2010 Actual thru July	FY2011 Annual Budget As Of July	FY2011 Actual thru July	FY2011 Encumbrances thru July	FY2011 % of Budget Expended	Actual % Change Over Last Year
City Attorney						
Personnel	34,314.32	785,934.00	36,115.14	-	4.60%	5.25%
Operating / Contract Services	114,387.95	345,730.00	9,797.33	-	2.83%	-91.43%
Capital	-	-	-	-	N/A	N/A
Other	10.07	300.00	10.07	-	3.36%	0.00%
Total	148,712.34	1,131,964.00	45,922.54	-	4.08%	-69.12%
City Manager						
Personnel	35,990.96	844,942.00	41,469.10	-	4.91%	15.22%
Operating / Contract Services	3,677.20	36,082.00	6,045.93	-	16.76%	64.42%
Capital	-	-	-	-	N/A	N/A
Other	477.75	2,500.00	-	-	0.00%	-100.00%
Total	40,145.91	883,524.00	47,515.03	-	5.38%	18.36%
Community Development						
Personnel	7,779.30	143,368.00	7,000.56	-	4.88%	-10.01%
Operating / Contract Services	37,547.17	777,587.00	65,733.14	759,684.00	8.45%	75.07%
Capital	-	-	-	-	N/A	N/A
Other	181,698.00	148,641.00	-	-	0.00%	-100.00%
Total	227,024.47	1,069,596.00	72,733.70	759,684.00	6.80%	-67.96%
Development Services						
Personnel	146,793.72	2,844,708.00	129,268.87	-	4.54%	-11.94%
Operating / Contract Services	55,682.75	918,782.00	43,601.49	1,100.00	4.75%	-20.84%
Capital	-	6,000.00	1,206.28	5,670.00	20.10%	100.00%
Other	3,357.40	5,000.00	-	-	0.00%	-100.00%
Total	205,233.87	3,774,490.00	174,076.64	6,770.00	4.61%	-15.18%
Engineering & Infrastructure						
Personnel	191,072.03	4,040,549.00	177,695.74	-	4.40%	-7.00%
Operating / Contract Services	129,652.24	2,163,657.00	176,681.40	17,875.00	8.17%	36.27%
Capital	2,042.00	401,300.00	-	-	0.00%	-100.00%
Other	3,703,310.55	3,823,429.00	3,500,407.39	-	91.55%	-5.48%
Total	4,026,076.82	10,428,935.00	3,854,784.53	17,875.00	36.96%	-4.25%
Environmental Services						
Personnel	239,348.86	4,543,210.00	214,709.39	-	4.73%	-10.29%
Operating / Contract Services	161,379.67	1,963,919.00	182,006.11	28,326.50	9.27%	12.78%
Capital	356,396.00	1,250,000.00	1,110.00	-	0.09%	-99.69%
Other	52,382.91	485,677.00	69,486.12	-	14.31%	32.65%
Total	809,507.44	8,242,806.00	467,311.62	28,326.50	5.67%	-42.27%
Finance						
Personnel	63,452.60	1,294,284.00	61,312.58	-	4.74%	-3.37%
Operating / Contract Services	36,319.18	1,225,104.00	32,006.65	-	2.61%	-11.87%
Capital	11,080.00	-	-	-	N/A	-100.00%
Other	-	-	-	-	N/A	N/A
Total	110,851.78	2,519,388.00	93,319.23	-	3.70%	-15.82%
Fire & Emergency Management						
Personnel	958,049.93	19,023,244.00	922,139.66	-	4.85%	-3.75%
Operating / Contract Services	205,561.44	2,391,904.00	123,795.10	-	5.18%	-39.78%
Capital	1,000.00	1,481,660.00	-	-	0.00%	-100.00%
Other	47,828.66	144,678.00	19,940.63	-	13.78%	-58.31%
Total	1,212,440.03	23,041,486.00	1,065,875.39	-	4.63%	-12.09%
Human Relations						
Personnel	10,883.74	217,439.00	10,448.26	-	4.81%	-4.00%
Operating / Contract Services	507.02	32,090.00	363.57	-	1.13%	-28.29%
Capital	-	-	-	-	N/A	N/A
Other	-	5,000.00	-	-	0.00%	0.00%
Total	11,390.76	254,529.00	10,811.83	-	4.25%	-5.08%

**General Fund Expenditure Report
For the Period Ended
July 31, 2010**

Description	FY2010 Actual thru July	FY2011 Annual Budget As Of July	FY2011 Actual thru July	FY2011 Encumbrances thru July	FY2011 % of Budget Expended	Actual % Change Over Last Year
Human Resource Development						
Personnel	47,270.67	972,069.00	41,323.55	-	4.25%	-12.58%
Operating / Contract Services	28,286.56	227,935.00	28,105.10	26,447.93	12.33%	-0.64%
Capital	-	-	-	-	N/A	N/A
Other	123.05	750.00	69.46	-	9.26%	-43.55%
Total	75,680.28	1,200,754.00	69,498.11	26,447.93	5.79%	-8.17%
Information Technology						
Personnel	58,251.03	1,361,435.00	60,149.87	-	4.42%	3.26%
Operating / Contract Services	180,493.75	1,387,230.00	43,298.83	-	3.12%	-76.01%
Capital	50,660.00	183,121.00	43,534.08	-	23.77%	-14.07%
Other	288,662.00	283,500.00	283,500.00	-	100.00%	-1.79%
Total	578,066.78	3,215,286.00	430,482.78	-	13.39%	-25.53%
Management Services						
Personnel	25,680.90	594,164.00	24,949.66	-	4.20%	-2.85%
Operating / Contract Services	19,380.15	185,141.00	12,715.12	11,200.00	6.87%	-34.39%
Capital	-	-	-	-	N/A	N/A
Other	(12,276.42)	(37,500.00)	(9,841.36)	17,302.30	26.24%	-19.84%
Total	32,784.63	741,805.00	27,823.42	28,502.30	3.75%	-15.13%
Mayor & Council						
Personnel	13,906.50	320,633.00	12,364.63	-	3.86%	-11.09%
Operating / Contract Services	88,792.94	215,084.00	79,878.83	-	37.14%	-10.04%
Capital	-	-	-	-	N/A	N/A
Other	89.00	2,600.00	200.00	-	7.69%	124.72%
Total	102,788.44	538,317.00	92,443.46	-	17.17%	-10.06%
Other Appropriations						
Personnel	1,088.16	32,368.00	1,059.64	-	3.27%	-2.62%
Operating / Contract Services	22,689.57	10,223,932.00	200,210.81	-	1.96%	782.39%
Capital	-	-	-	-	N/A	N/A
Other	827,921.46	9,761,287.00	1,013,597.46	96,093.75	10.38%	22.43%
Total	851,699.19	20,017,567.00	1,214,867.91	96,093.75	6.07%	42.64%
Parks, Recreation & Maintenance						
Personnel	498,300.89	9,021,262.00	468,650.85	17,467.52	5.19%	-5.95%
Operating / Contract Services	503,228.99	5,072,526.00	462,180.84	289,495.12	9.11%	-8.16%
Capital	-	334,506.00	11,355.00	-	3.39%	100.00%
Other	282,897.18	846,456.00	303,962.26	-	35.91%	7.45%
Total	1,284,427.04	15,274,750.00	1,246,148.95	306,962.64	8.16%	-2.98%
Police						
Personnel	1,732,865.71	35,676,467.00	1,578,872.22	-	4.43%	-8.89%
Operating / Contract Services	536,133.86	4,582,701.00	569,482.71	151,959.48	12.43%	6.22%
Capital	520,128.30	1,440,859.00	20,193.47	1,004,718.72	1.40%	-96.12%
Other	95,763.79	218,125.00	20,000.00	-	9.17%	-79.12%
Total	2,884,891.66	41,918,152.00	2,188,548.40	1,156,678.20	5.22%	-24.14%
Total General Fund						
Personnel	4,065,049.32	81,716,076.00	3,787,529.72	17,467.52	4.63%	-6.83%
Operating / Contract Services	2,123,120.44	31,749,404.00	2,035,902.96	1,286,088.03	6.41%	-4.11%
Capital	941,306.30	5,097,446.00	77,398.83	1,010,388.72	1.52%	-91.78%
Other	5,472,245.38	15,690,423.00	5,201,332.03	113,396.05	33.15%	-4.95%
Total	12,601,721.44	134,253,349.00	11,102,163.54	2,427,340.32	8.27%	-11.90%

**Operating Funds Expenditure Report
For the Period Ended
July 31, 2010**

Description	FY2010 Actual thru July	FY2011 Annual Budget As Of July	FY2011 Actual thru July	FY2011 Encumbrances thru July	FY2011 % of Budget Expended	Actual % Change Over Last Year
Parking Fund						
Personnel	-	-	-	-	N/A	N/A
Operating / Contract Services	80,424.62	314,929.00	86,014.24	180,932.29	27.31%	6.95%
Capital	-	-	-	-	N/A	N/A
Other	-	17,256.00	-	-	0.00%	N/A
Total	80,424.62	332,185.00	86,014.24	180,932.29	25.89%	6.95%
Central Business Tax District Fund						
Personnel	-	-	-	-	N/A	N/A
Operating / Contract Services	19,304.69	67,384.00	20,103.57	-	29.83%	4.14%
Capital	-	58,740.00	-	-	0.00%	N/A
Other	50,000.00	80,094.00	50,000.00	-	62.43%	0.00%
Total	69,304.69	206,218.00	70,103.57	-	33.99%	1.15%
Stormwater Fund						
Personnel	81,638.54	1,487,735.00	67,412.62	-	4.53%	-17.43%
Operating / Contract Services	68,039.84	1,298,728.00	137,038.91	159,357.20	10.55%	101.41%
Capital	89,052.35	3,105,500.00	18,042.00	88,198.00	0.58%	-79.74%
Other	82,141.88	299,269.00	10,187.33	-	3.40%	-87.60%
Total	320,872.61	6,191,232.00	232,680.86	247,555.20	3.76%	-27.48%
Emergency Telephone System Fund						
Personnel	2,728.78	54,964.00	2,665.87	-	4.85%	-2.31%
Operating / Contract Services	58,251.77	632,240.00	42,056.47	-	6.65%	-27.80%
Capital	-	297,691.00	-	253.79	0.00%	N/A
Other	-	85,911.00	-	-	0.00%	N/A
Total	60,980.55	1,070,806.00	44,722.34	253.79	4.18%	-26.66%
Risk Management Funds						
Personnel	21,802.95	384,989.00	18,383.89	-	4.78%	-15.68%
Operating / Contract Services	1,454,915.94	17,329,621.00	1,236,730.86	1,405,032.32	7.14%	-15.00%
Capital	-	8,000.00	-	-	0.00%	N/A
Other	92.80	3,997.00	-	-	0.00%	-100.00%
Total	1,476,811.69	17,726,547.00	1,255,114.75	1,405,032.32	7.08%	-15.01%
Transit Fund						
Personnel	152,924.14	3,663,180.00	168,367.11	-	4.60%	10.10%
Operating / Contract Services	92,402.36	1,526,771.00	62,441.60	206,063.29	4.09%	-32.42%
Capital	-	-	-	-	N/A	N/A
Other	36,518.37	515,407.00	50,078.63	-	9.72%	37.13%
Total	281,844.87	5,705,358.00	280,887.34	206,063.29	4.92%	-0.34%
Airport Fund						
Personnel	62,013.26	1,296,137.00	54,990.75	-	4.24%	-11.32%
Operating / Contract Services	68,271.19	1,423,358.00	73,323.50	49,523.46	5.15%	7.40%
Capital	21,500.00	108,000.00	-	63,000.00	0.00%	-100.00%
Other	189,400.22	1,074,245.00	41,247.13	-	3.84%	-78.22%
Total	341,184.67	3,901,738.00	169,561.38	112,523.46	4.35%	-50.30%
Recycling Fund						
Personnel	-	-	-	-	N/A	N/A
Operating / Contract Services	156,120.96	1,988,810.00	-	-	0.00%	-100.00%
Capital	-	55,000.00	-	-	0.00%	N/A
Other	-	526,630.00	35,603.74	-	6.76%	100.00%
Total	156,120.96	2,570,440.00	35,603.74	-	1.39%	-77.19%
LEOSSA Fund						
Personnel	22,368.58	554,110.00	24,123.43	-	4.35%	7.85%
Operating / Contract Services	-	-	-	-	N/A	N/A
Capital	-	-	-	-	N/A	N/A
Other	-	-	-	-	N/A	N/A
Total	22,368.58	554,110.00	24,123.43	-	4.35%	7.85%
City of Fayetteville Finance Corporation						
Personnel	-	-	-	-	N/A	N/A
Operating / Contract Services	-	-	-	-	N/A	N/A
Capital	-	-	-	-	N/A	N/A
Other	245,625.00	1,449,475.00	163,125.00	-	11.25%	-33.59%
Total	245,625.00	1,449,475.00	163,125.00	-	11.25%	-33.59%