

**FAYETTEVILLE CITY COUNCIL  
AGENDA  
REGULAR MEETING  
JUNE 28, 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  
JUNE 28, 2010  
7:00 P.M.  
City Hall Council Chamber

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**1.0 CALL TO ORDER**

**2.0 INVOCATION**

**3.0 PLEDGE OF ALLEGIANCE**

**4.0 APPROVAL OF AGENDA**

**5.0 CONSENT**

- 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.
- 5.3 Resolution authorizing the transfer of real property to Fayetteville Area Operation Inasmuch for the benefit of housing for the homeless.
- 5.4 Case No. P10-16F. The rezoning of property located at 9271 Cliffdale Road from AR & R15 to R10. Virginia Newton Barefoot owner.
- 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 owner.
- 5.7 Condemnation for Demolition 134 Swain Street.
- 5.8 Condemnation for Demolition 5507 Hendrick Drive.

- 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
- 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 (FY2010-2011 HOME and CDBG Program Budgets)
- 5.13 Capital Project Ordinance 2010-23 (Clean Cities FY09 Petroleum Reduction Technology Project)

## **6.0 PUBLIC HEARINGS**

*For certain issues, the Fayetteville City Council may sit as a quasi-judicial body that has powers resembling those of a court of law or judge. The Council will hold hearings, investigate facts, weigh evidence and draw conclusions which serve as a basis for its decisions. All persons wishing to appear before the Council should be prepared to give sworn testimony on relevant facts.*

- 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. Applicant Matthew & Catherine Levy requested C1P.

Presenter: Craig Harmon, Planner II

- 6.2 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.

Presenter: Craig Harmon, Planner II

- 6.3 Public Hearing for Assessment Rolls on Soil Streets That Have Been Paved

Presenter: Jeffery P. Brown, PE, Engineering & Infrastructure Director

6.4 Public Hearing on a Proposed Installment Financing Agreement in a Principal Amount Not to Exceed \$5,950,000 for the Purpose of Financing the Construction of a Parking Deck

Recommendations:

1) Adopt resolution accepting the proposal of (bank name to be provided) in connection with an installment financing for a parking deck and related improvements for the City of Fayetteville, North Carolina

2) Adopt 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

Presenter: Lisa Smith, Chief Financial Officer

**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)

Presenter: Dale Iman, City Manager

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

Presenter: Dale Iman, City Manager

**8.0 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  
JUNE 28, 2010 - 7:00 PM  
COMMUNITY CHANNEL 7**

**COUNCIL MEETING WILL BE RE-AIRED  
JUNE 30, 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](mailto:rmcelrath@ci.fay.nc.us), 910-433-1696, or the office of Rita Perry, City Clerk at [cityclerk@ci.fay.nc.us](mailto: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:** June 28, 2010  
**RE:** **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**

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**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:**

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

# DRAFT

FAYETTEVILLE CITY COUNCIL  
WORK SESSION MINUTES  
LAFAYETTE ROOM  
MAY 3, 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 - arrived at 5:07 p.m.); 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  
Dawn Driggers, Executive Director, Fayetteville Metropolitan Housing Authority  
Douglas S. Faust, Senior Vice President/Chief Operating Officer, Boulevard Group, Inc.  
Murray Duggins, President, United Companies  
Steven K. Blanchard, PWC CEO/General 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.

## 2.0 INVOCATION

The invocation was offered by Mayor Pro Tem Haire.

## 3.0 APPROVAL OF AGENDA

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

## 4.0 OTHER ITEMS OF BUSINESS

### 4.1 Community Development - Update on Old Wilmington Road Hope VI Revitalization Project.

Ms. Dawn Driggers, Executive Director for Fayetteville Metropolitan Housing Authority, introduced Mr. Douglas S. Faust, Senior Vice President/Chief Operating Officer of Boulevard Group, Inc., and Mr. Murray Duggins, President of United Companies.

Mr. Faust provided an update on the Old Wilmington Road Hope VI revitalization project as follows:

#### Developing a Collective Vision

To create a mixed-income community where diversity is an asset, opportunities are bountiful, and self sufficiency is attainable.

#### Relocation Updates

- 249 occupied units at Delona (55) and Campbell Terrace (194)
- Relocations from April through August 2009

#### Demolition Update

- WECC, a local firm, selected for demolition project.
- Substantial salvage efforts with the Re-Store Warehouse

# DRAFT

## Demolition Status

- Campbell Terrace is fully demolished and cleared.
- Delona Gardens planned completion for June 30, 2010.

## Development Update

- Planned investment of \$113 million in Fayetteville over five years
- 747 new units of housing being developed in Fayetteville
- Phase 1 - Bunce Road - Concepts
- Curtis Lane Groundbreaking April 12, 2010
- New Homeownership Concept Designs
- HOPE VI Phasing

## Community and Supportive Services (CSS)

### FMHA's "CSS" Program

- Case Management by four professional FMHA staff
  - With 2 additional FSU interns
- Two dozen local Service Providers providing a range of services to Residents

### CSS Results - Fall of 2008 to Today

- 26 Employment Trainings
- 19 Job Skills Trainings
- 27 Child Care Assists
- 39 Transportation Assists
- 9 Counseling Assists
- 56 New Job Placements
- 7 Families in Entrepreneurship Training
- 4 Families completed Entrepreneurship Training
- 4 Families in Homeownership Training
- 2 Families Completed Homeownership Training
- 4 Families purchased Homes

### Extraordinary City of Fayetteville Support for HOPE VI

- Commitments for Development
  - Transfer 34.35 acres of City land to FMHA
  - CDBG/HOME Funding - \$2,687,500 over 5 years
  - Waive filing and permit fees - \$574,200 value
  - Infrastructure \$4,276,000
- Commitments for Collateral Development
  - \$250,000 greenway funding
  - \$1 million residential acquisitions (infill housing)
  - \$1 million commercial acquisitions (business park)

### Extraordinary Support for HOPE VI

- Cumberland County
  - Commitments for Development
    - \$4 million for community infrastructure
- PWC
  - Commitments for Development
    - \$800,000 in physical development funds for infrastructure
    - \$1,905,000 in labor and material for underground electric and street lighting
    - \$171,550 in waivers of facility investment fees
- Extraordinary Partnerships Create Major Investments in Fayetteville
  - 747 new units of housing
    - 105 new affordable homeownership units
    - 632 new affordable rental units
  - Unit Distribution
    - 72 units at Bunce Road
    - 675 in the Old Wilmington Road neighborhood
  - Extensive supportive services, programs and facilities for families



## DRAFT

- o Business investments along Russell Street
- o Planned investment of \$113 million in Fayetteville

### 4.2 PWC - FY 2011 Budget Presentation

Mr. Steven K. Blanchard, PWC CEO/General Manager, provided an overview of the PWC FY 2011 budget as follows:

- Six-Year Capital Improvement Program
- CIP Budget \$40,040,200 + Bond Funded and Other Projects
- Rate Stabilization Funds
- Economic Development Direct Funding
- Personnel Costs
- Rate Changes
- Commitment to City of Fayetteville
  - o \$9,002,500 transfer from Electric Fund to City
  - o \$450,000 included for Parking Deck
  - o \$1,226,000 for City of Fayetteville Storm Drainage Issues
  - o \$490,000 included for Street Lighting Upgrades
  - o \$3,600,000 budgeted for Downtown Streetscape, Veterans Park and Bragg Blvd. Gateway Improvements
- City Funding Original Plan

|                               |                    |
|-------------------------------|--------------------|
| Cash to General Fund          | \$7,375,242        |
| City Share Phase V Annexation | 1,221,125          |
| Adjustments per Agreements    | 406,133            |
| Total                         | <u>\$9,002,500</u> |
- City Funding With Amendment to Phase V Funding Agreement

|                               |                    |
|-------------------------------|--------------------|
| Cash to General Fund          | \$8,375,242        |
| City Share Phase V Annexation | 221,125            |
| Adjustments per Agreements    | 406,133            |
| Total                         | <u>\$9,002,500</u> |
- FY 2010-2011 Recommended Budget

|                         |                      |
|-------------------------|----------------------|
| Electric Fund           | \$189,254,525        |
| Water & Wastewater Fund | 75,649,500           |
| FMISF                   | 6,577,000            |
| Total 2010-2011 Budget  | <u>\$271,481,025</u> |

Mr. Blanchard responded to questions regarding street lighting funds, rate stabilization funds and fleet reduction.

### 4.3 City Manager's Office - Overview of General Fund Budget for FY 2010-2011.

Mr. Dale Iman, City Manager, provided a synopsis of events and presented the following information:

#### FY 2011 Budget Development

- At the April 21 work session, three budget scenarios representing three different levels of service were presented.
- Option #2 was selected as the model for further budget development, which included a \$3.6 million gap between revenue and expenditures.

#### Closing the \$3.6 Million Gap

- Started by reviewing Option #2 and reducing expenses and adjusting revenues based on Council's expressed interest from previous discussions

## DRAFT

- Items reduced or adjusted include:
    - Eliminated food budget \$ 32,444
    - Duplicate alarm service 2,900
    - Fire dress uniforms 10,000
    - Clean agent suppression system 25,000
    - Eliminated fitness equipment 15,000
    - Eliminated printed agendas 3,154
    - Reduce # of uniforms provided by 1 50,000
    - Further reduction in travel & training 12,850
    - Laserfiche workflow solution 36,285
    - Miscellaneous 93,861
- \$281,494

### Additional Cuts to Balance Option #2 Proposed Budget

- Street resurfacing reduced by \$219,739. Recommended resurfacing budget = \$3,280,261
- Non-profit funding cut of 25% or \$76,625. Recommended non-profit budget = \$229,875
- Street sweeping cut of \$38,515 - NCDOT highways/provide service consistent with contract - 4 times per year
- Right-of-way maintenance cut of \$44,228 - NCDOT highway/provide service consistent with contract - 6 times per year

### Additional Adjustments to Personnel Costs Option #2

- Capture Police vacancy lag to fund balance = \$1,171,289.  
Note: Budget already includes impact of Communication Division shift adjustment resulting in overtime savings = \$274,000
- Increased Police and Fire overtime by \$275,000
- No longer allow the use of vacancy lag for overtime
- Refined/adjusted cost of wage increases = \$56,814
- Funds 10 Police Officer overhires throughout the fiscal year

### Additional Revenue Adjustments to Balance Option #2

- Appropriated over-funding captured from Phase V sewer projects = \$1 million
- Restructured the Annexation/Transfer Agreement with PWC = \$1 million
- Total reductions and additional revenues: \$3.6 million

Mr. Ben Nichols, Fire Chief, responded to questions regarding fitness equipment and uniforms.

Mr. Iman answered questions relating to personnel cost, possible use of contractors, outsourcing services, police overtime, police step plan and Planning Division personnel needs.

#### **4.4 City Manager's Office - Hope Mills Annexation Agreement**

Mr. Kristoff Bauer, Assistant City Manager, presented this item and provided the following Council target for action:

### Purpose of Effort

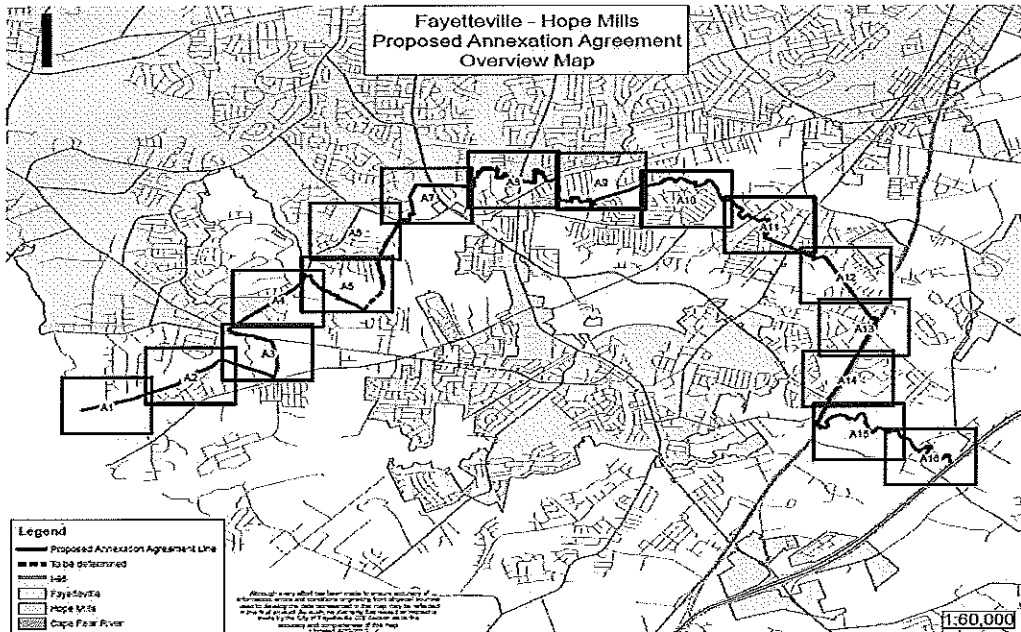
- MIA is Not an Annexation Agreement
- Hope Mills Needs Annexation Agreement to Allow Voluntary Satellite Annexation
- Fayetteville
  - Certainty for ROC
  - Improved Operational Boundaries

# DRAFT

## Boundary Guiding Principles

- Start With Existing MIA
- Service Delivery
  - Transportation Access
- Keeping Neighborhoods together
- Logical Boundary Lines
  - Back Lots (not streets)
  - Natural Boundaries (streams)
  - Follow Existing Property Lines

## Proposed Boundary



## Draft Annexation Agreement

- Public Hearing Required
- Ordinance
- Mutual Notice Future Annexation Actions
- Twenty Year Term
  - Can be terminated on five years notice

## Next Steps

- Resolve Remaining Boundary Issue
- Revise ROC Based On New Boundary
- Public Hearing
- Adopt Ordinance
- Request MIA Revision

Following discussion and a question and answer period, the consensus of Council was to bring this item back to a future Council meeting for action.

### **4.5 City Manager's Office - Election Process Options**

Mr. Kristoff Bauer, Assistant City Manager, presented this item and provided an overview of the following:

# DRAFT

## Council Action Request

- Explore Revisions to Process
  - Increase Voter Participation
  - Reduce the Cost of the Process
- Options Discussed
  - Changing or Eliminating Primary
  - Increasing Terms to Four Years
  - Changing Composition of Council
    - District vs. At Large

## Process

- All Changes Reviewed
- Interest Groups Would Have Forum
- Opposition Increases Likelihood of Invalidation
- Inclusion of Interested Parties Up Front Reduces Risk of Invalidation

## Voting Rights Act

- Changes Less Likely to be Challenged
  - Changing Term Length
  - Staggering Terms
  - Replacing Primaries with Run-Off Elections
- Options Challenged Successfully In Past
  - Larger Districts & At-Large Members
  - Ranked Voting Methods
- Voting Methods Ordered By Courts
  - Cumulative Voting
    - Spend Votes
  - Limited Voting
    - Single Vote
  - Need For Special Bill
  - Use For At-Large Positions
  - Can Be Mixed With Districts
  - Would Eliminate Re-Districting Challenge
  - Easy Options
  - Challenging Options
  - New Methods

## Council Purpose

- Reducing Cost
  - Going to Run-Off
  - Lengthening Terms
  - Use of At-Large with New Methods
- Improving Turnout
  - Use of At-Large with New Methods

Following discussion, the consensus of Council was for staff to move forward with researching the 50 percent plus one during the primary method.

### **4.6 City Manager's Office - Joint City/County Economic Development Program**

Mr. Kristoff Bauer, Assistant City Manager, presented this item and provided the following overview of the Joint City/County Economic Development Program:

## Feedback

- Council: Incorporate Chatham County Program Ideas
- County: Unified Program Including Chatham County Program Elements

## DRAFT

- FCCCC: Unified Program Easier to Administer - Demonstrates Cooperation Attractive to Clients

### Key Program Elements

- Tax Grantback Program
- Tax Increment Funded Public Infrastructure
- Property Price Reduction

### Next Steps

- Adjustments Based Upon Council Feedback
- County Review and Feedback
- Consideration on May 24 Council Agenda
- County Formal Consideration

Following discussion, the consensus of Council was to proceed with the Joint City/County Economic Development Program.

#### 4.7 City Manager's Office- FY 2010 Strategic Plan 3rd Quarter Report

Mr. Doug Peters, President of the Fayetteville-Cumberland County Chamber of Commerce Economic Development Group (EDG), presented the 3rd Quarterly Dashboard Report Fiscal Year 2009-2010 as follows:

### Retention Visits

The EDG Dashboard mandates that an annual total of 75 retention visits be made for the fiscal year. In order to meet the annual goal, a minimum of 18.75 visits is required each quarter.

| Quarter                 | Quarterly Goal | Total Completed | % of Quarterly Goal Met | % of Annual Goal Met |
|-------------------------|----------------|-----------------|-------------------------|----------------------|
| 1 <sup>st</sup> Quarter | 18.75          | 10              | 53.3%                   | 13.3%                |
| 2 <sup>nd</sup> Quarter | 18.75          | 17              | 90.6%                   | 22.6%                |
| 3 <sup>rd</sup> Quarter | 18.75          | 30              | 160.0%                  | 40.0%                |
| 4 <sup>th</sup> Quarter | 18.75          |                 |                         |                      |
| FYTD Total              |                | 57              |                         | 76.0%                |

### Client Contacts

The EDG Dashboard mandates that an annual total of 150 client contacts be made for the fiscal year. In order to meet the annual goal, a minimum of 37.5 contacts is required each quarter.

| Quarter                 | Quarterly Goal | Total Contacts Made | % of Quarterly Goal Met | % of Annual Goal Met |
|-------------------------|----------------|---------------------|-------------------------|----------------------|
| 1 <sup>st</sup> Quarter | 37.5           | 63                  | 168.0%                  | 42.0%                |
| 2 <sup>nd</sup> Quarter | 37.5           | 27                  | 72.0%                   | 18.0%                |
| 3 <sup>rd</sup> Quarter | 37.5           | 28                  | 74.6%                   | 18.6%                |
| 4 <sup>th</sup> Quarter | 37.5           |                     |                         |                      |
| FYTD Total              |                | 118                 |                         | 78.6%                |

## DRAFT

### New Investments

The EDG Dashboard mandates that an annual total of \$60,000,000 in new investments be received for the fiscal year. In order to meet the annual goal, a minimum of \$15,000,000 in new investments is required each quarter.

| Quarter                 | Quarterly Goal | Total Received       | % of Quarterly Goal Met | % of Annual Goal Met |
|-------------------------|----------------|----------------------|-------------------------|----------------------|
| 1 <sup>st</sup> Quarter | \$15,000,000   | \$60,450,000         | 403.0%                  | 100.8%               |
| 2 <sup>nd</sup> Quarter | \$15,000,000   | \$5,417,480          | 36.1%                   | 9.0%                 |
| 3 <sup>rd</sup> Quarter | \$15,000,000   | \$39,127,218         | 260.8%                  | 65.2%                |
| 4 <sup>th</sup> Quarter | \$15,000,000   |                      |                         |                      |
| <b>FYTD Total</b>       |                | <b>\$104,994,698</b> |                         | <b>175.0%</b>        |

### Job Growth

The EDG Dashboard mandates that an annual total of 500 new jobs be created within the community as a direct impact result of recruiting new industry for the fiscal year. In order to meet the annual goal, a minimum of 125 newly created jobs is required each quarter.

| Quarter                 | Quarterly Goal | Total Created | % of Quarterly Goal Met | % of Annual Goal Met |
|-------------------------|----------------|---------------|-------------------------|----------------------|
| 1 <sup>st</sup> Quarter | 125            | 26            | 20.8%                   | 5.2%                 |
| 2 <sup>nd</sup> Quarter | 125            | 54            | 43.2%                   | 10.8%                |
| 3 <sup>rd</sup> Quarter | 125            | 308           | 246.4%                  | 61.6%                |
| 4 <sup>th</sup> Quarter | 125            |               |                         |                      |
| <b>FYTD Total</b>       |                | <b>388</b>    |                         | <b>77.6%</b>         |

### National Marketing Placements

National Marketing Placements: The EDG Dashboard mandates that an annual total of 25 national marketing placements be made for the fiscal year. In order to meet the annual goal, a minimum of 6.25 placements is required each quarter.

| Quarter                 | Quarterly Goal | Total Placements | % of Quarterly Goal Met | % of Annual Goal Met |
|-------------------------|----------------|------------------|-------------------------|----------------------|
| 1 <sup>st</sup> Quarter | 6.25           | 4                | 64.0%                   | 16.0%                |
| 2 <sup>nd</sup> Quarter | 6.25           | 7                | 112.0%                  | 28.0%                |
| 3 <sup>rd</sup> Quarter | 6.25           | 5                | 80.0%                   | 20.0%                |
| 4 <sup>th</sup> Quarter | 6.25           |                  |                         |                      |
| <b>FYTD Total</b>       |                | <b>16</b>        |                         | <b>64.0%</b>         |

### Initiated Out-Reach Contacts

The EDG has implemented the initiating of contact for specified industry. The annual goal for initiated contacts is 150 for the fiscal year. This will require a total of 37.5 contacts made each quarter.

| Quarter                 | Quarterly Goal | Total Contacts Made | % of Quarterly Goal Met | % of Annual Goal Met |
|-------------------------|----------------|---------------------|-------------------------|----------------------|
| 1 <sup>st</sup> Quarter | 37.5           | 82                  | 218.6%                  | 54.6%                |
| 2 <sup>nd</sup> Quarter | 37.5           | 45                  | 120.0%                  | 30.0%                |
| 3 <sup>rd</sup> Quarter | 37.5           | 35                  | 93.3%                   | 23.3%                |
| 4 <sup>th</sup> Quarter | 37.5           |                     |                         |                      |
| <b>FYTD Total</b>       |                | <b>162</b>          |                         | <b>107.9%</b>        |

## **DRAFT**

Mr. Doug Hewett, Assistant City Manager, presented the FY 2010 Strategic Plan 3rd Quarter Report as follows:

### **UDO**

- Evaluating impact of new code & working with development community
- Developing administrative procedure manual.

### **Annexation Policy**

- Continued research & mapping legal limitations on authority
- Annexation negotiations with Hope Mills; Update Council in May
- Annexation policy information presented to Council in March.

### **County Jail Capacity**

- Support Jail Health Program
- New initiative to streamline the process of trials for repeat offenders.

### **Crime Reduction Strategy**

- April 2010 marks the one year anniversary of the Community Wellness Plan (CWP)
- Continued work toward reaching the goals and update to Council.

### **Reclaiming Neighborhood Strategy**

- Preparation for Bonnie Doone reclamation project kickoff
- Bonnie Doone community meeting March 25th: Approximately 50 attendees: Business leaders, City departments and officials.

### **Police Staffing**

- New strategies yield sworn police staffed at 94% at quarter end.

### **Murchison Road Redevelopment**

- Completed draft of the Murchison Road Redevelopment Plan
- Completed draft of application for the Section 108 Loan Guarantee
- Provided update to City Council on March 1, 2010.

### **Workforce Development**

- Partnership with Community Development programs, Chamber, Women's Center and County Workforce Development.

### **Air Quality Non- Attainment**

- Support for Combined Air Team and programs including: Transit Connection, 'No Idle' in school districts, Green Business
- DOE Stimulus Grant Award.

### **Economic Development**

- Economic development update presented to Council in March, which included an update on a hospitality incentive program and ARRA bond program.

### **Non-Stop Air Service to Washington, D.C.**

- InterVISTA compiled results of individual and corporate survey and completed analysis of market demand

## **DRAFT**

- InterVISTA briefed Airport Commission and City Council on the survey and market demand.

### **Commercial and Multifamily Recycling\***

- Collaborate with stakeholders and Sustainable Sandhills
- Worked to ensure that the local materials facility has capacity for the additional material once we begin the program.

### **Building Demolition**

- Use CDBG funds to demolish residential structures when available
- Asbestos testing and training
- Continue to monitor property maintenance problem cases throughout the community and prioritize candidates for demolition.

### **Tree Preservation**

- Draft standards in module 3 of the UDO: Review and evaluation.

### **Emergency Medical Transport**

- 50% reduction in average response times for emergency calls
- Public Safety Task Force presented findings and recommendations to elected officials
- New OSSI CAD implemented in City and County Communications Centers
- Communications: Emergency Medical Dispatch training
- CCEMS has installed Automatic Vehicle Locators on medic units to facilitate "closest unit dispatch".

### **Property Tax Revaluation and Tax Rate**

- Council adopted the FY2010 budget June 22, 2009 with a revenue neutral rate of 45.6 cents: No further action is required.

### **FAST Improvements**

- ADA Sidewalk enhancement portion of the ARRA grant was executed in March: Coordinating with E & I department staff to begin project
- The annual FTA grant was awarded and executed
- Renovation at the Grove Street facility is complete.

### **Community Watch**

- CW Groups are evaluated. Inactive groups contacted to rekindle interest through letters, cards, e-mails and telephone calls
- New groups this quarter: Buckhead, Cambridge, Cape Fear Crossing, Clairway/Briarwood, Waters Edge, and Wood Chase
- Supported 66 CW meetings, 4 safety presentations, 2 walk downs, distributed over 2300 crime prevention packets, presented crime prevention module for the Basic Law Enforcement training
- Operation ID continues to be successful.

### **Citizen Report Card**

- Council discussion at the strategic planning retreat
- Project was eliminated as a target for action in the strategic plan.

### **Telling the City's Positive Story**

- Up & Coming City page has been developed and branded as Focus on Fayetteville. Public feedback has been very positive
- Groundbreaking ceremony for NC Veterans Park



## DRAFT

- A newly designed website is in the final approval stages. Department web stewards are reviewing their website files from the old website and working with the Web staff on what they want on their pages
- Communications Team met about the new website
- Budget Chronicles webpage was developed and launched.

### Northwest Gateway

- No third quarter update.

A brief question and answer period ensued.

#### **4.8 City Manager's Office- FY 2011 State Legislative Agenda**

Mr. Doug Hewett, Assistant City Manager, presented this item and provided the following needs and interest for FY 2010 that had been identified:

- Parity of fines for speeding convictions in school zones and construction zones.
- Advocate for local authority to boot vehicles for unpaid parking fine.
- Support legislation to appropriate additional funds to the State Fire Protection Grant Fund to provide additional compensation to local fire districts and municipalities for providing local fire protection to state-owned buildings.
- Support legislation that would provide additional funding for local transit systems.
- Support legislation that would provide additional funding that address local transportation infrastructure needs.
- Oppose any efforts to balance the State budget using any state collected local government revenues.
- Advocate for legislation supporting local ABC commission.
- Oppose legislation which creates unfunded mandates for local governments.
- Support the legislation revising the nuisance abatement law.
- Oppose legislation that would impose a moratorium on local governments providing broadband services to the general public in their community.
- Advocate for funding of local projects that prepare the City to meet the needs of its citizens and growing City.

Council Member Bates requested that I-295 be listed separate or as one of the bullets.

Mayor Chavonne requested the Safe Light Program be added to advocate monies for the schools.

#### **4.9 Council Member Request: (In order of receipt date)**

##### **A. Mayor Pro Tem Haire - Lets Help Local Business Owners**

Mayor Pro Tem Haire requested this item to support the City's local business and service owners and to help the City's small businesses to procure Fayetteville's local contracts. He suggested the 2010 strategic goals be modified to include this issue and to use City resources to help promote local businesses.

## DRAFT

Following a discussion period, consensus of Council was to include "help to local business owners" on the 2010 strategic goals and for staff to research options to use City resources to assist in the achievement of this goal.

### **B. Council Member Mohn - NC Delegation Support for Boeing Airlines**

Council Member Mohn requested that Council consider a resolution or other appropriate document requesting the NC delegation support Boeing Airlines and their ongoing competition for the Air Force's KC-X aerial refueling contract.

Following a discussion, the consensus of Council was not to take action regarding contacting NC delegation.

### **5.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 8:35 p.m.

Respectfully submitted,

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RITA PERRY  
City Clerk

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ANTHONY G. CHAVONNE  
Mayor

050310

# DRAFT

FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
CITY HALL COUNCIL CHAMBER  
MAY 10, 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  
Rob Anderson, Development Services 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 7:10 p.m.

## 2.0 INVOCATION

The invocation was offered by Reverend Pete Wong of Filipino American Church.

## 3.0 PLEDGE OF ALLEGIANCE

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

## 3.0 ANNOUNCEMENTS AND RECOGNITION

- ❖ Recognition of Miss Fayetteville's Outstanding Teen 2010 Mary Warren and Miss Fayetteville 2010 Kinsey Elizabeth Boarts.
- ❖ Proclamation presentation on behalf of the City of Fayetteville to John T. Bigger, Administrator of Mental Health Continuing Education, and Robert L. Wilson, Jr., Director of Mental Health Continuing Education, proclaiming May 2010 Mental Health Month.
- ❖ Proclamation presentation on behalf of the City of Fayetteville to Sue Byrd, Executive Director of Fayetteville Area Operation Inasmuch, proclaiming May 20, 2010, Project Homeless Connect Day.
- ❖ Recognition of visiting Saint Avold students and staff.

## 5.0 APPROVAL OF AGENDA

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

**DRAFT**

**6.0 PUBLIC FORUM**

| NAME/ADDRESS   | SUBJECT/CONCERN  |
|--|--|
| Christopher Mitchell, Joint Appearance Commission Chair<br>7257 Beaver Run Drive<br>Fayetteville, NC 28314 | Community Appreciation Award Program   |
| Levi Underwood<br>1876 Heritage Lane<br>Fayetteville, NC 28312   | Regarding the award of 85 percent of the Hope VI contracts to out-of-state contractors |
| Nero B. Coleman<br>227 George Owen Road<br>Fayetteville, NC 28306  | Fee requirements for the use of MLK Jr. Park and lack of restroom facilities           |

**7.0 CONSENT**

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

**7.1 City Attorney - Consider adoption of resolution authorizing an Interlocal Agreement and transfer of surplus property to Cumberland County to acquire the Texfi property.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AUTHORIZING AN INTERLOCAL AGREEMENT FOR THE TRANSFER OF SURPLUS PROPERTY TO CUMBERLAND COUNTY IN EXCHANGE FOR A TAX GRANT BACK FOR THE PURCHASE OF THE TEXFI PROPERTY. RESOLUTION NO. R2010-029.

**7.2 City Manager's Office - FY 2011 State Legislative Agenda.**

**7.3 Development Services (Planning & Zoning Division) - Adopt a resolution pursuant to N.C.G.S. §§ 160A-31 and 160A-58.7 stating the intent of the City to annex property owned by the City that is contiguous and noncontiguous to the existing City limits of the Fayetteville Regional Airport and setting May 24, 2010, as a date for a public hearing (Airport Properties Areas 1 through 11).**

A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO N.C.G.S. 160A-31 (AIRPORT PROPERTY - AREA 1 - LOCATED ON THE EASTERN AND WESTERN SIDES OF PINEHAVEN DRIVE). RESOLUTION NO. R2010-030.

A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO N.C.G.S. 160A-31 (AIRPORT PROPERTY - AREA 2 - LOCATED SOUTH OF THE EASTERN END OF WOLFBERRY DRIVE). RESOLUTION NO. R2010-031.

A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO N.C.G.S. 160A-31 (AIRPORT PROPERTY - AREA 3 - LOCATED SOUTH OF EAST MOUNTAIN DRIVE AND NORTH OF MT. HAVEN LAKE ROAD). RESOLUTION NO. R2010-032.

A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO N.C.G.S. 160A-31 (AIRPORT PROPERTY - AREA 4 - LOCATED ON THE WESTERN SIDE OF NC HWY 87). RESOLUTION NO. R2010-033.

## DRAFT

A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO N.C.G.S. 160A-31 (AIRPORT PROPERTY - AREA 5 (LOCATED ON THE NORTHERN SIDE OF DOC BENNETT ROAD). RESOLUTION NO. R2010-034.

A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO N.C.G.S. 160A-31 (AIRPORT PROPERTY - AREA 6 - LOCATED ON THE SOUTHERN SIDE OF DOC BENNETT ROAD, EAST OF CLAUDE LEE ROAD). RESOLUTION NO. R2010-035.

A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS NOT CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO N.C.G.S. 160A-58.7 (AIRPORT PROPERTY - AREA 7 - LOCATED ON THE EASTERN SIDE OF CLAUDE LEE ROAD, NORTHEAST OF LAZY ACRES STREET). RESOLUTION NO. R2010-036.

A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO N.C.G.S. 160A-31 (AIRPORT PROPERTY - AREA 8 - LOCATED ON THE EASTERN SIDE OF CLAUDE LEE ROAD, NORTHEAST OF LAZY ACRES STREET). RESOLUTION NO. R2010-037.

A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO N.C.G.S. 160A-31 (AIRPORT PROPERTY - AREA 9 - LOCATED ON THE EASTERN SIDE OF CLAUDE LEE ROAD, NORTHEAST OF LAZY ACRES STREET). RESOLUTION NO. R2010-038.

A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO N.C.G.S. 160A-31 (AIRPORT PROPERTY - AREA 10 - LOCATED ON THE EASTERN SIDE OF CLAUDE LEE ROAD). RESOLUTION NO. R2010-039.

A RESOLUTION STATING THE INTENT OF THE CITY OF FAYETTEVILLE TO ANNEX PROPERTY OWNED BY THE CITY OF FAYETTEVILLE WHICH IS CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES PURSUANT TO N.C.G.S. 160A-31 (AIRPORT PROPERTY - AREA 11 - LOCATED ON THE NORTHERN SIDE OF DOC BENNETT ROAD). RESOLUTION NO. R2010-040.

- 7.4 Development Services (Planning & Zoning Division) - Adopt a resolution pursuant to N.C.G.S § 160A-58.2 setting May 24, 2010, as the date for a public hearing for a petition-initiated noncontiguous annexation area (Eureka Chapel Missionary Baptist Church - Located on the NE corner of Jossie Street and McArthur Road).

A RESOLUTION FIXING A DATE FOR A PUBLIC HEARING FOR A PETITION-INITIATED NONCONTIGUOUS ANNEXATION AREA PURSUANT TO N.C.G.S. 160A-58.2 (EUREKA CHAPEL MISSIONARY BAPTIST CHURCH - LOCATED ON THE NORTHEAST CORNER OF JOSSIE STREET AND MCARTHUR ROAD). RESOLUTION NO. R2010-041.

- 7.5 Development Services (Planning & Zoning Division) - Special Sign Permit request for up to 20 temporary event signs for the Cumberland CommuniCare Barbecue Event on May 21, 2010. Signs would be put out on May 17, 2010.

**DRAFT**

**7.6 Engineering & Infrastructure - Recommendation of Bid Award for 2010 Street Resurfacing.**

Formal bids were received April 22, 2010, for the project entitled "Resurface Various Streets - 2010". Bids were received as follows:

Barnhill Contracting Company (Fayetteville, NC) .. \$2,591,752.96  
Highland Paving Co. (Fayetteville, NC) ..... \$2,717,881.05

Barnhill Contracting Company will utilize HUB certified DBE subcontractors for approximately 10.2 percent of the work on this project.

**7.7 Finance - Approve the Redemption of the Outstanding Municipal Building Projects, Series 1996 Bonds, and adopt Budget Ordinance Amendment 2010-6 (City of Fayetteville Finance Corporation - Bond Redemption).**

**7.8 Finance - Capital Project Ordinance 2010-18 and resolution authorizing grant (FY 2010 Transit Capital Grant).**

RESOLUTION AUTHORIZING CITY OF FAYETTEVILLE TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION. RESOLUTION NO. R2010-042.

**7.9 Finance - Capital Project Ordinance Amendment 2010-30 (Texfi Property Acquisition).**

**7.10 Finance - Capital Project Ordinance Closeout 2010-15 (Demolition of City-Owned Buildings).**

**7.11 Finance - Special Revenue Fund Project Ordinance 2010-17 and Resolution Authorizing the Grant (FY 2010 Transit Planning Grant 464).**

RESOLUTION AUTHORIZING CITY OF FAYETTEVILLE TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION. RESOLUTION NO. R2010-043.

**7.12 Finance - Special Revenue Fund Project Ordinance 2010-18 (2010 Badges for Baseball Program).**

**7.13 Finance - Special Revenue Fund Project Ordinance 2010-19 (FY 2010 Cultural Arts Program).**

**7.14 Finance - Special Revenue Fund Project Ordinance Amendment 2010-6 (Energy Efficiency and Conservation Block Grant).**

**7.15 PWC - Financial Matters: Capital Project Fund Resolution and Initial Budget; Budget Amendment #1 - Annexation Phase V Reserve Fund for FY 2010; and Budget Amendment #5 - Water and Wastewater Utility Systems Rate Stabilization.**

Council adopted the recommended financial matters.

RESOLUTION OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, ESTABLISHING AN ANNEXATION PHASE V - AREAS 8 THROUGH 13 CAPITAL PROJECT FUND. RESOLUTION NO. R2010-044.

**7.16 PWC - Consider adoption of resolution and order to file and publish a preliminary assessment resolution for the extension of the sanitary sewer collection system within Areas 8 and 9 of the Phase 5 Annexation.**

Council approved the resolution and to hold the public hearing on May 24, 2010.

## DRAFT

RESOLUTION AND ORDER TO FILE AND PUBLISH A PRELIMINARY ASSESSMENT RESOLUTION FOR THE EXTENSION OF THE SANITARY SEWER COLLECTION SYSTEM IN ALL OR A PORTION OF THE STREETS WITHIN AREAS 8 AND 9 OF THE PHASE 5 ANNEXATION LISTED ON EXHIBIT "A". RESOLUTION NO. R2010-045

- 7.17 Special Projects - Cape Fear River Trail - Phase 2 - Land conveyance to Clean Water Trust Fund to obtain funding to build trail.

The City received a \$1.3 million grant from the Clean Water Management Trust Fund to assist with the building of Phase 2 of the Cape Fear River Trail. The grant required that the City convey land in perpetuity to the Clean Water Management Trust Fund as a land conservation easement that would restrict any future development or disturbance. Council previously conveyed all City-owned land into the Clean Water Management Trust Fund. The land was a portion of the Botanical Gardens area where the trail ended for this phase. This action completed the conveyance to the fund allowing the City to request the funds. Portions of the trail should be under construction in late summer 2010 with completion dependent upon approval of designs to cross under the mainline CSX track. Council approved and adopted the resolution.

A RESOLUTION AUTHORIZING THE CONSERVATION EASEMENT CONVEYED BY THE CAPE FEAR BOTANICAL GARDENS TO THE CITY OF FAYETTEVILLE TO BE CONVEYED INTO THE NORTH CAROLINA CLEAN WATER MANAGEMENT TRUST FUND CONSERVATION EASEMENT PROGRAM. RESOLUTION NO. R2010-046.

- 7.18 Transit - Set a public hearing regarding the Transit Farebox Recovery.

### 8.0 PUBLIC HEARING

- 8.1 An amendment to City Code Chapter 30, Zoning, to allow fencing in certain side yard areas subject to allowed materials and height standards.

Mr. Rob Anderson, Development Services Director, requested Council to take citizen input and send the item back to staff for further review.

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 7:32 p.m.

There was no action taken.

### 9.0 OTHER ITEMS OF BUSINESS

- 9.1 Fiscal Year 2010-2011 Recommended Budget.

Mr. Dale Iman, City Manager, read the Budget Message and presented the FY 2010-2011 General Fund Recommended Budget information, which would be posted on the City website under "Budget Chronicles" as follows:

#### The Past

- Inconsistent funding for equipment and infrastructure:
  - o Street resurfacing
  - o Emergency vehicles and fleet
  - o Outdated computers and equipment
  - o Facility maintenance - deferred indefinitely
  - o Sidewalks, playgrounds, parking lots
- No plan in place to address basic needs

# DRAFT

## Tools Used to Help in the Budget Planning Process

- Annual Strategic Plan
- Capital Improvement Plan
- Fleet and Technology Replacement Schedules
- Annual Report of City Activities
- Five-Year Financial Forecast
- State and National Economic Data

## Planning for Today and Tomorrow

- Economic challenges - Recession - "Living within our means"
- This proposed budget addresses the needs of our citizens today while preparing for their future

## Budget Goals

- Do not abandon the plan
- Reduce, don't eliminate, good plan
- Continue to provide quality municipal services using the most efficient means possible
- Maintain police, fire, and transit system service enhancements made in 2009 consistent with Council's vision and community expectations
- Provide competitive compensation to all employees
- Any cuts in service will have minimal impact in non-core areas
- Provide a balanced budget with no property tax increase

## Budget Process

- Prepared five-year financial forecast and identified potential funding gap for FY 2011 and beyond
  - Presented information to Council and SMT
  - Reviewed potential efficiency opportunities, service reductions and revenue enhancements
- Continued a soft hiring freeze
- Developed three budget options for City Council consideration:
  - Sustainable City Budget - Option #1
  - Status Quo Budget - Option #2
  - Service Reduction Budget - Option #3
- Developed recommended budget generally based on Option #2
- Adds 10 Police Officers (overhires) which will stabilize the strength of the department
- Includes only the most critical capital improvement projects in the CIP
- Operating budget cuts are targeted
- Pursued efficiency opportunities, developed service reduction and revenue enhancement options
- Reduces overtime expenses
- Reduces travel and training expenses by 7%
- Efficiencies and right-sizing the organization
  - Eliminated mounted patrol and reduces staffing by 1 position
    - Reassigned Officers to Patrol
  - Efficiency measures resulted in the elimination of 19 positions
  - Reduced overtime funding for communications due to schedule adjustments and new technology



## DRAFT

- o Eliminated 17 vehicles from fleet and continue review of vehicles to further right-size the fleet

### Budget Overview

- Generally maintains current level of service without increasing the tax rate
  - o Keeps tax rate at 45.6 cents per \$100 assessed valuation
  - o Maintains service enhancements made in 2009 in police, fire and transit
  - o Includes efficiency improvements and limited service reductions
- To balance this budget a total of \$8,952,568 was trimmed from the original Department Head requests
- Steps taken to balance budget
  - o Captures salary lag in Police department and appropriates the funding
  - o Includes \$1 million captured from over-funding Phase V sewer projects
  - o Added \$1 million from restructured Annexation/ Transfer Agreement with PWC
- Limited service reductions
  - o Eliminates 1 round of loose leaf collection - Reduces funding for temporary employees
  - o Reduces frequency of right-of-way mowing to 6 times per year = to State contract - Reduces staffing by 1 position and funding for temporary employees
  - o Reduces frequency of thoroughfare street sweeping to 4 times per year = to State contract - Reduces staffing by 1 position
- Requires employees to contribute an additional \$283,000 for health insurance
- Includes 2% pay increases for all employees
- Nonprofit agency funding reflects 25% reduction from prior year
- Includes \$100,000 for Goodyear incentive
- \$40,000 included for Murchison Rd project
- Capital outlay includes:
  - o \$3.3 million for street resurfacing
  - o \$4.6 million for 60 replacement and 3 additional vehicles:
    - 36 police vehicles
    - 5 garbage trucks
    - 2 fire trucks
    - 2 fire search and rescue vehicles
    - 18 other vehicles and pieces of equipment
  - o \$688,000 for computer replacement program and other computer hardware and software
  - o \$248,000 to complete Green Street project
  - o \$310,000 in parks improvements:
    - Lighting at football fields
    - 2 walking trails
    - Playground improvements
  - o \$154,000 for new sidewalk construction
  - o \$104,000 for parking lot and building maintenance projects
  - o \$50,000 wayfinding signage project

## DRAFT

- General Fund Budget
  - o Total recommended budget - \$133.9 million
  - o 2.0% decrease from the original budget for fiscal year 2010
- Budget for All Annual Funds
  - o Total recommended budget - \$173.6 million
  - o 1.0% decrease from original budget for fiscal year 2010

### Future Challenges and Issues

- Identifying sustainable funding to:
  - o Maintain service levels expected by citizens
  - o Assume full funding for 41 grant-funded police and fire positions
  - o Implement pay for performance, resume step plan and achieve market competitive pay for all employees
  - o Adequately fund capital improvement needs
  - o Fund vehicle and technology replacements

Mr. Iman responded to questions related to the tax base projection, real property data, staff reduction, evaluations and pay increases and reduction of mowing cycles.

There being no further business, the meeting adjourned at 8:54 p.m.

Respectfully submitted,

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RITA PERRY  
City Clerk

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ANTHONY G. CHAVONNE  
Mayor

051010

# DRAFT

FAYETTEVILLE CITY COUNCIL  
DINNER AND DISCUSSION MEETING MINUTES  
LAFAYETTE ROOM  
MAY 24, 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); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7) (arrived at 6:14 p.m.); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

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

Mayor Chavonne called the meeting to order.

Closed session for consultation with the attorney.

MOTION: Council Member Meredith moved to go into closed session for consultation with the attorney.  
SECOND: Council Member Bates  
VOTE: UNANIMOUS (10-0)

The regular session recessed at 6:20 p.m. The regular session reconvened at 6:40 p.m.

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

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

Respectfully submitted,

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KAREN M. MCDONALD  
City Attorney

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ANTHONY G. CHAVONNE  
Mayor

052410

# DRAFT

FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
CITY HALL COUNCIL CHAMBER  
MAY 24, 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  
Kristoff Bauer, Assistant City Manager  
Karen M. McDonald, City Attorney  
Janet Smith, Assistant City Attorney  
Craig Hampton, Special Projects Director  
Rob Anderson, Development Services Director  
Karen Hilton, Planning & Zoning Division Manager  
Craig Harmon, Planner II  
Marsha Bryant, Planner II  
Joe Glass, PWC Engineering Manager  
J. D. Pone, Fayetteville-Cumberland Parks and Recreation Advisory Commission Chairperson  
Ron Macaluso, Transit Director  
Jeffery Brown, Engineering & Infrastructure Director  
Rusty Thompson, City Traffic Engineer  
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 Reverend Corey D. Little, Pastor of the Evans Metropolitan AME Zion Church.

## 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 Massey  
VOTE: UNANIMOUS (10-0)

## 5.0 CONSENT

MOTION: Council Member Bates moved to approve the consent agenda with the exception of Item 5.5.  
SECOND: Council Member Meredith  
VOTE: UNANIMOUS (10-0)

### 5.1 Approve Minutes:

- March 22, 2010 - Strategic Planning Meeting
- March 22, 2010 - Regular Meeting

5.2 Development Services (Planning & Zoning Division) - Case No. P10-12F. The initial zoning of 1.7 acres of recently annexed

## DRAFT

property at 3261 Doc Bennett Road to C1P Commercial Zoning District. Steve and Julie Stefanovich, owners.

- 5.3 Development Services (Planning & Zoning Division) - Special Sign Permit request for temporary event signs for the 19th annual UMOJA (African American Family and Cultural) Festival on August 28, 2010. Signs would be put out 3 1/2 weeks prior to event and removed by Monday, August 30, 2010.

Special sign permit was granted with the stipulation that the signs be removed by the end of the day on August 30, 2010, and the number of signs be limited to ten.

- 5.4 Engineering & Infrastructure - Adopt a resolution setting a public hearing to consider the paving assessments of five City streets.

The resolutions set a public hearing for June 28, 2010, to consider the assessments of the following streets: Williston Drive, McIver Street, Silk Lane, Stella Street, and South Kenleigh Drive. The paving of these streets were completed and the assessment of the streets will complete the process.

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL FOR WILLISTON DRIVE (FROM RAMSEY STREET TO NORTH STREET). RESOLUTION NO. R2010-047.

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL FOR MCIVER STREET (FROM ITALY STREET TO SILK LANE). RESOLUTION NO. R2010-048.

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL FOR SILK LANE (FROM MCIVER STREET TO NORTHWESTERN LINE OF PIN #437-22-0285 AND 18' NORTHWEST OF THE COMMON LINE OF PIN #0437-22-2411 AND #0437-22-1464). RESOLUTION NO. R2010-049.

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL FOR STELLA STREET (FROM WEISIGER STREET TO DEAD END). RESOLUTION NO. R2010-050.

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL FOR SOUTH KENLEIGH DRIVE (FROM RAEFORD ROAD TO END OF STREET). RESOLUTION NO. R2010-051.

- 5.5 Pulled at the request of Council Member Bates.

- 5.6 Engineering & Infrastructure - Revisions to Chapter 16 - Article X, Parking.

Council adopted the proposed revisions to Chapter 16, Sec. 16-327, to coincide with the existing Wheel Lock Special Legislation that the City was currently seeking which would give the City the authority to immobilize and impound certain vehicles as outlined in the ordinance. Changes were being made to Sec. 16-331 for clarity.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 16, MOTOR VEHICLES AND TRAFFIC, ARTICLE X, PARKING, SEC. 16-327, IMMOBILIZATION AND IMPOUNDMENT OF CERTAIN VEHICLES AND SEC. 16-331, APPEAL OF IMMOBILIZATION. ORDINANCE NO. S2010-006.

**DRAFT**

**5.7 Finance - Special Revenue Project Ordinance 2010-20 (FY 09 State Homeland Security Grant).**

This ordinance established the budget for the FY 09 State Homeland Security Grant awarded to the Fire Department by the North Carolina Department of Crime Control and Public Safety Division of Emergency Management with the total project budget of \$135,714.00.

**5.8 Finance - Reimbursement resolution for Police and Environmental Services vehicles.**

This reimbursement resolution allowed the City to reimburse itself from the financing proceeds for any of the vehicle and equipment expenditures paid prior to the acquisition of the financing. The total amount expected to be financed for the Police and Environmental Services vehicles and equipment would not exceed \$1,200,000.00.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, DECLARING THE INTENTION OF SAID CITY TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND TO BE MADE IN CONNECTION WITH THE PURCHASE OF POLICE AND ENVIRONMENTAL SERVICES VEHICLES AND EQUIPMENT. RESOLUTION NO. R2010-053.

**5.9 Finance - Resolution approving the financing of \$6,649,000.00 for 800 MHz Radios, Police and Environmental Services Vehicles, and Equipment and Public Safety Hardware and Software.**

| Financial Institution | Tax Exempt  |             | Taxable     |             | Rates after Rebate - Taxable Debt** |             | Prepayment Premium Terms                                     |
|-----------------------|-------------|-------------|-------------|-------------|-------------------------------------|-------------|--|
|                       | 48 Mths     | 59 Mths     | 48 Mths     | 59 Mths     | 48 Mths                             | 59 Mths     |  |
| BB&T                  | 2.3900      | 2.5600      | 3.6300      | 3.9000      | 2.3595                              | 2.5350      | 1%   |
| BofA                  | 1.8101      | 2.0616      | 2.6528      | 2.9923      | 1.7243                              | 1.9450      | 2%   |
| RBC                   | Not offered | Not offered | Not offered | 3.090       | Not offered                         | 2.0085      | Variable with 0.5% Minimum                                   |
| SunTrust              | 2.226       | 2.398       | Not offered | Not offered | Not offered                         | Not offered | 3%   |
| SunTrust              | 2.426       | 2.598       | Not offered | Not offered | Not offered                         | Not offered | None   |
| Wells Fargo           | 1.850       | 2.400       | Not offered | Not offered | Not offered                         | Not offered | 1%   |
| Chase*                | 2.140       | 2.360       | Not offered | Not offered | Not offered                         | Not offered | No prepayment permitted for 24 months, no premium thereafter |

\*Chase's rate is subject to change and cannot be locked in until 3 days prior to closing.  
 \*\*Under the Build America Bonds Program, the City could receive a semi-annual rebate from the Federal Government in an amount equal to 35% of the interest paid on taxable financing agreements.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, APPROVING AN INSTALLMENT FINANCING CONTRACT PURSUANT TO NCGS 160A-20 WITH BANC OF AMERICA PUBLIC CAPITAL CORP FOR THE FINANCING OF 800 MHZ RADIOS, POLICE AND ENVIRONMENTAL SERVICES VEHICLES AND EQUIPMENT, AND PUBLIC SAFETY COMPUTER TECHNOLOGY IMPROVEMENTS. RESOLUTION NO. R2010-054.

**5.10 Parks & Recreation - Consider bid award for the purchase of one (handicap bus and two (2) passenger buses).**

The Parks and Recreation Department had the need for one (1) handicap bus and two (2) passenger buses. Formal bids were received April 22, 2010, as follows:

One (1) Handicap Bus

|  |             |
|--|-------------|
| National Bus Sales (Charlotte, NC)                   | \$51,290.00 |
| Interstate Transportation Equipment (High Point, NC) | \$54,377.00 |
| Carolina Thomas (Greensboro, NC)                     | \$55,012.00 |

The budgeted amount for the purchase of the handicap bus was \$65,000.00.

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**Two (2) Passenger Buses**

National Bus Sales (Charlotte, NC).....\$98,966.00  
Interstate Transportation Equipment (High Point, NC).....\$104,078.00  
Carolina Thomas (Greensboro, NC).....\$107,232.00

The budgeted amount for the purchase of the two passenger buses was \$119,142.00.

**5.11 PWC - Amendments to agreements between the City of Fayetteville and Public Works Commission.**

Council approved Amendment #2 to "Agreement Between the City of Fayetteville and the Public Works Commission of the City of Fayetteville Establishing a Formal Agreement to Fund the Construction of Water and Sanitary Sewer Systems in the Annexed Area Referred to as Phase V" and Amendment #1 to "Agreement Between the City of Fayetteville and the Public Works Commission of the City of Fayetteville Establishing a Formal Operating Transfer".

**5.12 PWC - Ordinance revisions to Water Shortage Response Ordinance.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING ARTICLE V, WATER SHORTAGE RESPONSE, OF CHAPTER 28 OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. ORDINANCE NO. S2010-007.**

**5.13 PWC - Bid Recommendation - Relay control and SCADA switchboards.**

The Public Works Commission approved award of bid for purchase of relay control and SCADA switchboards for the Arran Park and Crystal Springs 69 to 15x25kV Substations to Birmingham Control Systems, Birmingham, AL, in the total amount of \$137,445.00 and forwarded to City Council for approval. This was a budgeted item (EL-20 and EL-33 for a total budgeted amount of \$120,000.00). Funds needed to cover the difference between the budgeted amount and the actual cost would be transferred from the POD 1 Relay Upgrade Project (EL 17) which was delayed. Bids were received April 8, 2010, as follows:

| <u>Bidders</u>                                       | <u>Total Cost</u> |
|--|-------------------|
| Birmingham Control Systems (Birmingham, AL) .....    | \$137,445.00      |
| Electrical Power Products (Des Moines, IA) .....     | \$138,631.00      |
| Kemco Industries (Sanford, FL) .....                 | \$149,346.00      |
| Schweitzer Engineering Laboratories (Pullman, WA) .. | \$162,048.00      |

Bids were solicited from seven vendors with four vendors responding. Birmingham Control Systems was not classified as a DEB, minority or woman-owned business.

**5.5 Engineering & Infrastructure (via PWC) - Consider resolution of award for Reilly Road, Cliffdale Road, and Ramsey Street Concrete Sidewalk Project.**

This item was pulled by Council Member Bates.

The City received funding from the North Carolina Department of Transportation (NCDOT) for construction of the project. NCDOT required that Council adopt a Resolution of Award as part of the funding agreement. Bids were received April 22, 2010, as follows:

|  |              |
|--|--------------|
| Billy Bill Grading (Fayetteville, NC) .....          | \$253,945.00 |
| Construction Supervision Svcs., Inc. (Raleigh, NC) . | \$265,550.00 |
| Sandhills Contractors, Inc. (Sanford, NC) .....      | \$300,780.80 |
| Lanier Construction Co., Inc. (Snow Hill, NC) .....  | \$307,380.00 |
| Browe Construction Co., Inc. (Clayton, NC) .....     | \$330,239.00 |

Mr. Jeffery Brown, Engineering & Infrastructure Director, presented a brief overview.

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Council Member Mohn requested an update regarding Hoke Loop Road be presented at a future work session meeting.

### RESOLUTION OF AWARD OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. RESOLUTION NO. R2010-052.

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

#### 6.0 PUBLIC HEARINGS

##### 6.1 PWC - Public hearing for Phase 5 Annexation Areas 8 and 9 Sewer Project.

Mr. Joe Glass, PWC Engineering Manager, provided a project overview of the Phase V Annexation Construction for Areas 8 and 9 as follows:

#### Events To Date

- September 29, 2009 - Survey and Appraisal Notification Letters Mailed to Property Owners
- May 10, 2010 - Council Adopted the Preliminary Assessment Resolution
- May 13, 2010 - Copies of Resolution Mailed to Property Owners

#### Proposed Project Schedule

- Advertise and Award Construction Bids - June/July 2010
- Begin Construction - November 2010
- Construction Complete - July 2011
- Preliminary Assessment Roll - September 2011
- Confirm Assessments - October 2011

#### Cost to Property Owners

- Residential: Typical single-family residential lot:  
\$5,000.00
- Non-Residential: For all other properties, a per front foot rate of \$55.56 with a 90' minimum plus the average lateral charge
- No payment due until construction is complete and assessment roll adopted
- Cost does not include plumber's charge
- Cost does not include facility investment fee
- Financial assistance available for those that qualify

#### Payment Options

- Pre Pay
- In Full (No interest within 30 days from notice)
- Financing
  - o 10-year term at a proposed 8% interest rate
  - o Annual or monthly installments  
Example: \$65.00 per month based on 10 years at 8%

#### Summary

- There will be no assessment to properties that currently have sewer service available
- No change in the electric provider



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- There will be no water main extension projects within this area
- PWC has a Web Search

Council Member Mohn questioned whether the financing options were presented to the property owners. Mr. Glass replied in the affirmative.

Mayor Pro Tem Haire requested clarification regarding financial support for residents. Mr. Victor Sharpe stated financial support was available and the information was included with the property owners' letters.

This is the advertised public hearing set for this date and time. There being no one in favor or in opposition, the public hearing opened and closed at 7:20 p.m.

This item was for public input only.

### **6.2 Development Services (Planning & Zoning Division) - Public hearing for a petition-initiated noncontiguous annexation area (Eureka Chapel Missionary Baptist Church - Located on the NE corner of Jossie Street and McArthur Road).**

Ms. Marsha Bryant, Planner II, presented this item. She stated the property consisted of three parcels for a total of .97 acres. She stated a church had been constructed and that a residential home was located on the property. She explained that the church parking area had been completed as well as a sidewalk along McArthur Road, some landscaping, and a drainage area. She clarified that the property was located within the City's MIA area and, since PWC water service was requested, an Annexation Petition was submitted.

This is the advertised public hearing set for this date and time. There being no one in favor or in opposition, the public hearing opened and closed at 7:23 p.m.

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA (EUREKA CHAPEL MISSIONARY BAPTIST CHURCH (LOCATED ON THE NORTHEAST CORNER OF JOSSIE STREET AND MCARTHUR ROAD). ANNEXATION ORDINANCE NO. 2010-05-516.**

**MOTION:** Council Member Meredith moved to approve the requested annexation with the effective date of May 24, 2010.  
**SECOND:** Council Member Bates  
**VOTE:** UNANIMOUS (10-0)

### **6.3 Development Services (Planning & Zoning Division) - Annexation of City-owned properties - Airport Areas 1 through 11 - Located within the area of the Fayetteville Regional Airport.**

Ms. Marsha Bryant, Planner II, presented this item. She stated the 11 areas consisted of 34 parcels owned by the City. She stated ten of the areas were contiguous to the City limit line of the Fayetteville Regional Airport and one area was noncontiguous. She stated there were five houses located within these areas (1 vacant and 4 rented). She explained there were portions of right-of-way included within these areas and some of the right-of-way was paved and some was not constructed. She clarified the total acres within these areas, to include parcels and right-of-way, were 178.63 (parcels - 174.34, right-of-way - 4.29). She stated the property was owned by the City and was contiguous to the City limits (with 1 exception) but was currently located outside the corporate limits.

This is the advertised public hearing set for this date and time. There being no one in favor or in opposition, the public hearing opened and closed at 7:30 p.m.

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MOTION: Council Member Meredith moved to approve the requested annexation with the effective date of May 24, 2010.  
SECOND: Council Member Bates  
VOTE: UNANIMOUS (10-0)

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA (AIRPORT PROPERTY - AREA 1 - LOCATED ON THE EASTERN AND WESTERN SIDES OF PINEHAVEN DRIVE). ANNEXATION ORDINANCE NO. 2010-05-517.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA (AIRPORT PROPERTY - AREA 2 - LOCATED SOUTH OF THE EASTERN END OF WOLFBERRY DRIVE). ANNEXATION ORDINANCE NO. 2010-05-518.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA (AIRPORT PROPERTY - AREA 3 - LOCATED SOUTH OF EAST MOUNTAIN DRIVE AND NORTH OF MT. HAVEN LAKE ROAD). ANNEXATION ORDINANCE NO. 2010-05-519.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA (AIRPORT PROPERTY - AREA 4 - LOCATED ON THE WESTERN SIDE OF NC HWY 87). ANNEXATION ORDINANCE NO. 2010-05-520.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA (AIRPORT PROPERTY - AREA 5 - LOCATED ON THE NORTHERN SIDE OF DOC BENNETT ROAD). ANNEXATION ORDINANCE NO. 2010-05-521.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA (AIRPORT PROPERTY - AREA 6 - LOCATED ON THE SOUTHERN SIDE OF DOC BENNETT ROAD, EAST OF CLAUDE LEE ROAD). ANNEXATION ORDINANCE NO. 2010-05-522.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA (AIRPORT PROPERTY - AREA 7 - LOCATED ON THE EASTERN SIDE OF CLAUDE LEE ROAD, NORTHEAST OF LAZY ACRES STREET). ANNEXATION ORDINANCE NO. 2010-05-523.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA (AIRPORT PROPERTY - AREA 8 - LOCATED ON THE EASTERN SIDE OF CLAUDE LEE ROAD, NORTHEAST OF LAZY ACRES STREET). ANNEXATION ORDINANCE NO. 2010-05-524.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA (AIRPORT PROPERTY - AREA 9 - LOCATED ON THE EASTERN SIDE OF CLAUDE LEE ROAD, NORTH OF LAZY ACRES STREET). ANNEXATION ORDINANCE NO. 2010-05-525.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA (AIRPORT PROPERTY - AREA 10 - LOCATED ON THE EASTERN SIDE OF CLAUDE LEE ROAD). ANNEXATION ORDINANCE NO. 2010-05-526.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA (AIRPORT PROPERTY - AREA 11 - LOCATED ON THE NORTHERN SIDE OF DOC BENNETT ROAD). ANNEXATION ORDINANCE NO. 2010-05-527.

6.4 Development Services (Planning & Zoning) - Case No. P10-13F. The initial zoning of 0.66 acres of recently annexed property at 1645 McArthur Road to C1 Commercial Zoning District. Franklin and Carol Watkins, owners.

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 explained the City received a petition requesting voluntary

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contiguous annexation. He stated the property was annexed in April of 2010 and there was currently a car repair and service center in operation on the property. He stated this was coming to Council as an appeal of the Zoning Commission's recommendation by the adjoining property owners on two sides of the property because they were in opposition to the current use. He explained that after communication with the business owner and a site visit by City Code Enforcement Officer, it had not appeared that the business was in violation of the current County zoning or the future City zoning requirements once zoned by the City. He stated the property would have to adhere to the requirements of the new zoning district. He stated the Zoning Commission and staff recommended approval of the C1 zoning district based on the City's policy of zoning to the closest zone the City had to what the property was zoned by the County. He stated in this case C1 Commercial was equivalent to the County's C1(P) district.

This is the advertised public hearing set for this date and time. The public hearing opened at 7:34 p.m.

There were no speakers in favor.

Mr. Ernest J. Darden, 1643 McArthur Road, Fayetteville, NC 28311, appeared in opposition and questioned why no business sign was presented at the property. He expressed concerns regarding an alleged body shop operation which would result in excessive vehicles parking in the rear of the lot and fluids going into the drainage and ground.

There being no one further to speak, the public hearing closed at 7:38 p.m.

Council Member Bates inquired whether the City Inspector would regulate any illegal uses should the property be annexed. Mr. Harmon responded in the affirmative. He clarified that Code Enforcement were investigating.

Council Member Bates inquired on the scenario should the zoning be denied. Mr. Harmon stated the City had 60 days after annexation to zone the property and should the time expire, it would render the property without zoning, at which time uses would not be limited.

Council Member Crisp inquired how quickly Code Enforcement would ensure the property was in conformity should the zoning be approved. Mr. Harmon stated as soon as possible.

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

### 6.5 Parks and Recreation - Public hearing to name the Festival Park Bridge in honor of Carmen "Renee" Burks.

Mr. J. D. Pone, Fayetteville-Cumberland Parks and Recreation Advisory Commission Chairperson, presented this request. He stated the Fayetteville-Cumberland Parks and Recreation Advisory Commission recommended the naming of Festival Park Bridge after former employee Carmen Renee Burks who was a dedicated employee of the City for nearly 18 years and was very instrumental in the development and success of the Park until she passed away on March 4, 2010.

This is the advertised public hearing set for this date and time. The public hearing opened at 7:43 p.m.

The following individuals spoke in favor.

| NAME         | ADDRESS   |
|--------------|---|
| Fred Clark   | 5207 Longbranch Drive<br>Fayetteville, NC 28303 |
| Sharon Moyer | 323 Circle Drive<br>Fayetteville, NC 28305      |

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| NAME            | ADDRESS                                      |
|-----------------|--|
| Rene Bahrenfuss | 5548 Faith Drive<br>Fayetteville, NC 28314   |
| Deborah Mintz   | 610 Westmont Drive<br>Fayetteville, NC 28305 |

There were no speakers in opposition.

There being no one further to speak, the public hearing closed at 7:52 p.m.

**MOTION:** Mayor Pro Tem Haire moved to approve the name of Festival Park Bridge in honor of Carmen "Renee" Burks.  
**SECOND:** Council Member Crisp  
**VOTE:** UNANIMOUS (10-0)

### 6.6 Transit -- Setting Transit Fees and Farebox Recovery.

Mr. Ron Macaluso summarized the history of the elderly and disabled transit fees and "free ride" Thursday. He provided a fee comparison study to other North Carolina municipalities and presented the recommended fee increases as follows:

|   | Increase in<br>Farebox Revenue |
|---|--------------------------------|
| Increase for FASTTRAC! (Based on estimate 40K riders @ \$.50/ride increase)   | \$20,000.00                    |
| Increase for fixed route riders (Based on estimate of 10% E&D @ \$.15/ride increase)  | 15,000.00                      |
| Increase for "Free" Thursday riders (Based on estimate of 10% E&D @ \$.50/ride increase) = \$8,416.00 Increase in Farebox Revenue | 8,416.00                       |
| <b>TOTAL</b>  | <b>\$43,416.00</b>             |

Mayor Pro Tem Haire inquired whether a rider survey or questionnaire process was completed to ensure citizens were informed. Mr. Macaluso stated KFH & Associates performed a survey which was included in the Transportation Development Plan Council adopted in 2009.

Council Member Davy conveyed citizens' concerns regarding the proposed elimination of "free ride" Thursday.

Council Member Massey stated the City had accomplished the goal to improve the transit system by applying taxpayers' dollars without raising fares for retired and disabled and questioned where this money would be used. Mr. Macaluso stated this would offset the money provided from the general fund.

Council Member Massey inquired regarding the abuse of "free ride" Thursday. Mr. Doug Hewett, Assistant City Manager, clarified "free ride" Thursday was established in 2002 to increase ridership and the interest was for riders to offset the City's contribution from the general fund. He stated the objective was to not raise fares until services were improved, which was accomplished.

Council Member Massey questioned whether "free ride" Thursday was being eliminated due to abuse. Mr. Hewett replied in the negative and explained the service was implemented to spur ridership.

Council Member Bates questioned the procedure used to monitor eligibility for "free ride" Thursday. Mr. Macaluso stated the riders had identification cards or documentation to verify eligibility. Council Member Bates confirmed that should the monitoring system be properly implemented this would eliminate the abuse of the service.

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Council Member Applewhite stated all departments were requested to reduce their operating budgets by 5 percent and questioned the reduced amount for the Transit Department. Mr. Dale Iman, City Manager, explained the 5 percent reduction request was for priority purposes. He stated Council enhanced the Transit Department from the general fund; therefore, its budget was not reduced.

This is the advertised public hearing set for this date and time. There being no one in favor or in opposition, the public hearing opened and closed at 8:27 p.m.

Council Member Massey questioned the scenario should Council take no action. Mr. Iman stated the recommendation would be submitted with the budget for Council action.

**MOTION:** Council Member Bates moved to approve fee recommendations 1 through 6 and to continue "free ride" Thursday.  
**SECOND:** Council Member Crisp

Council Member Crisp questioned the outcome should the motion be approved. Mr. Iman clarified the result would be an off balance of \$8,416.00.

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

**MOTION:** Council Member Mohn moved for status quo.  
**SECOND:** Mayor Pro Tem Haire

Council Member Davy questioned what would be accomplished by postponement of the increase. Council Member Mohn stated the City had not met their goal.

Council Member Meredith stated that ridership had improved and there were no citizens to speak in opposition.

**VOTE:** FAILED by a vote of 4 in favor (Council Members Davy, Haire, Massey, and Mohn) to 6 in opposition (Council Members Chavonne, Applewhite, Bates, Crisp, Hurst, and Meredith)

### 6.7 City Manager's Office - Consider public input on the Fiscal Year 2010-2011 Recommended Budget.

Mr. Dale Iman, City Manager, provided an overview of the FY 2011 Recommended Budget as follows:

#### Tools Used to Help in the Budget Planning Process

- Annual Strategic Plan
- Capital Improvement Plan
- Fleet and Technology Replacement Schedules
- Annual Report of City Activities
- Five-Year Financial Forecast
- State and National Economic Data

#### Planning for Today & Tomorrow

- Economic challenges - Recession - "Living within our means"
  - Do not abandon the plan
  - Defer, reduce due to recession
- Proposed budget addresses the needs of our citizens today while preparing for their future

#### General Fund Budget Overview

- Generally maintains current level of service without increasing the tax rate

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- o Keeps tax rate at 45.6 cents per \$100 assessed valuation
- o Maintains service enhancements in police, fire and transit that were made in 2009
- o Includes efficiency improvements and limited service reductions
- o Includes fee increases and added fees
- \$9 million was trimmed from the department directors' original requests to balance the recommended budget
- Limited service reductions
  - o Eliminates 1 round of loose leaf collection
  - o Reduces frequency of right-of-way mowing to 6 times per year
  - o Reduces frequency of thoroughfare street sweeping to 4 times per year
- Revised recommended budget funds:
  - o Step increases up to 5% for Police Officers
  - o Performance pay increases of 2% - 4% for police upper ranks
  - o Performance pay increases of 2% for all other employees
- Requires employees to contribute an additional \$283,000 for health insurance
- Nonprofit agency funding reduced 25% from prior year
- General Fund Budget Overview
- Capital outlay includes:
  - o \$3.3 million for street resurfacing
  - o \$4.6 million for 60 replacement and 3 additional vehicles
  - o \$688,000 for computer replacements and other hardware and software
  - o \$248,000 to complete Green Street project
  - o \$310,000 in parks improvements
  - o \$154,000 for new sidewalk construction
  - o \$104,000 for parking lot and building maintenance projects
  - o \$50,000 wayfinding signage project

### Proposed Changes to Recommended Budget

- Expenditures

|                                     |                         |
|-------------------------------------|-------------------------|
| o Fund Police Step Plan (5% cap)    | \$298,181               |
| o Fund Police Upper Ranks Perf. Pay | 37,856                  |
| o Fund Planner Position (9 months)  | 56,676                  |
| o Increase in Sales Tax Reimb.      | 24,293                  |
| o Eliminate Goodyear Payment        | ( 100,000)              |
| o Defer Murchison Rd Consulting     | ( 40,000)               |
| o Reduce Kaleidoscope (1/2 shows)   | ( 25,800)               |
| o Fund Police Services Study        | 50,000                  |
| <b>Total Expenditure Changes</b>    | <b><u>\$301,206</u></b> |

- Revenues

|                                     |                         |
|-------------------------------------|-------------------------|
| o Sales Tax Adjustments             | \$96,997                |
| o Fund balance appropriations       |                         |
| ▪ Lighting at Tokay Football Fields | 90,000                  |
| ▪ Walking Trails                    | 64,000                  |
| ▪ Police Services Study             | 50,000                  |
| ▪ Miscellaneous to Balance          | 209                     |
| <b>Total Revenue Changes</b>        | <b><u>\$301,206</u></b> |

### Future Challenges and Issues

- Identifying sustainable funding to address the structural deficit

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- o Our ongoing revenues are less than our ongoing expenses
- o Challenge to maintain service levels expected by citizens
- o We must assume full funding for 41 grant-funded police and fire positions
- Diversification of the tax base

### Ad Valorem Tax Comparisons

Property Tax Revenues Per Capita, FY 2008

|               | <u>Amount</u> | <u>Rank</u> |
|---------------|---------------|-------------|
| High Point    | \$570         | 1           |
| Greensboro    | \$522         | 2           |
| Durham        | \$491         | 3           |
| Charlotte     | \$490         | 4           |
| Winston-Salem | \$446         | 5           |
| Cary          | \$436         | 6           |
| Raleigh       | \$412         | 7           |
| Wilmington    | \$412         | 7           |
| Fayetteville  | \$301         | 9           |

### General Fund Revenues by Type

FY 2011 Revised Recommended Budget

|                     |       |
|---------------------|-------|
| Other Taxes         | 1.8%  |
| Other Revenues      | 2.1%  |
| Fund Balance        | 2.2%  |
| Functional Revenues | 4.0%  |
| Transfers           | 7.8%  |
| Intergovernmental   | 38.4% |
| Ad Valorem Taxes    | 43.7% |

### General Fund Expenditures by Function

FY 2011 Revised Recommended Budget

|                            |       |
|----------------------------|-------|
| Public Safety              | 50.5% |
| Transportation             | 7.9%  |
| Administration             | 9.3%  |
| Economic & Physical Devel. | 1.5%  |
| Environmental Protection   | 6.7%  |
| Other Appropriations       | 14.9% |
| Parks & Recreation         | 9.2%  |

### Budget Overview

- **General Fund Budget**
  - o Original recommended budget - \$133.9 million
  - o Revised recommended budget - \$134.2 million
- **Budget for All Annual Funds (excl. PWC)**
  - o Original recommended budget - \$173.6 million
  - o Revised recommended budget - \$173.9 million
- **PWC Recommended Budget - \$217.5 million**

Council Member Crisp requested clarification of the 2 to 4 percent pay increase for the upper ranks of the Police Department. Ms. Lisa Smith, Chief Financial Officer, stated this was to ensure balance between officers and the upper ranks.

Council Member Mohn proposed a delay of wayfinding and to utilize the funds to delay the increase in transit fees. Mr. Iman stated that would not be a good fiscal policy.

This is the advertised public hearing set for this date and time. The public hearing opened at 9:04 p.m.

The following individuals spoke in favor.

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| NAME/ADDRESS   | COMMENTS   |
|--|--|
| John Malzone<br>3305 Hutton Place<br>Fayetteville, NC 28303  | Supported the budgeting of the downtown issues.  |
| Henry E. Parfitt<br>112 Great Oaks<br>Fayetteville, NC 28303 | Commended Council on balancing the budget without raising taxes. Concern over City continuing the funding for a Downtown Manager and of the inclusion of the downtown parking deck and bus transfer station in the budget. |
| Molly Arnold<br>1908 Queen Street<br>Fayetteville, NC 28303  | Conveyed appreciation to Council for continuing to invest in downtown development.   |
| Larry Clubine<br>1718 McGougan<br>Fayetteville, NC 28303     | Encouraged Council to continue budgeting for investment in downtown development.   |

The following individuals spoke in opposition.

| NAME/ADDRESS  | COMMENTS   |
|---|--|
| Julie S. Larson<br>5810 Arbutus Trail<br>Fayetteville, NC 28311 | Requested Council to continue funding for the Fascinate-U Museum.                      |
| Sylvia Ray<br>204 Hillside Avenue<br>Fayetteville, NC 28301     | Requested Council to continue funding for the Women's Center of Fayetteville.          |
| Deborah Mintz<br>610 Westmont Drive<br>Fayetteville, NC 28305   | Requested restoration of the 25 percent arts allocation in the City budget.            |
| Sheila O'Kelly<br>2325 Greygoose Loop<br>Fayetteville, NC 28306 | Conveyed opposition to the elimination of funds to the Women's Center of Fayetteville. |

There being no one further to speak, the public hearing closed at 9:26 p.m.

### 7.0 OTHER ITEMS OF BUSINESS

#### 7.1 Engineering & Infrastructure - Award contract for parking deck design and the associated Capital Project Ordinance 2010-19.

Mr. Dale Iman, City Manager, provided an overview of the project. He stated the construction of the proposed parking deck would be funded by the City, the County, and PWC. He informed Council that staff was working on drafting and executing a three-party agreement that would state the financial amount that each organization would contribute to the project; therefore, he stated he would not execute the design contract until the three-party agreement had been executed by all parties involved. He stated the City had been awarded Recovery Zone Bond Capacity through the American Recovery and Reinvestment Act (ARRA) in the amount of \$8,631,000.00 to construct the parking deck and in order for the City to take advantage of these bonds, the financing must be approved and finalized by the Local Government Commission (LGC) within 90 days from May 27, 2010. Mr. Iman explained this project was not currently budgeted for that reason and that Capital Project Ordinance 2010-19 must be adopted to authorize the creation of a project fund to support the costs of the proposed design contract. He clarified that the source of funds to support the expenditure would be reimbursement from PWC in accordance with the



## DRAFT

three-party interlocal agreement under development and upon which the contract would be conditioned; hence, should the three-party agreement not be signed, the proposed contract for services would be null and void. Mr. Iman explained Council would be asked to review and approve a financing application to the LGC and selection of a financial institution to provide financing for construction of the parking deck at a later date should Council approve the recommended action. He emphasized this would be the first parking deck in Fayetteville and with the objective being to construct a safe, well-lighted, attractive structure which would be compatible with existing surrounding architectural designs. Mr. Iman provided the following timeline of events:

- May 18, 2010 - The Department of Treasury approved a 90-day extension.
- July 27, 2010 - Kimley-Horn & Associates design deadline.
- August 3, 2010 - Engineering cost estimates.
- Contingent upon a three-party agreement before June 7, 2010.

Mr. Rusty Thompson, City Traffic Engineer, provided an outline of the selection process for A/E work along with construction management services as follows:

- April 19, 2010 - Issued a request for qualifications with a due date of April 30, 2010 (received 13 submittals).
- May 7, 2010 - Reviewed submittal with PWC and the Downtown Alliance, Cumberland County was not present (compiled a short list of four teams).
- May 13, 2010 - Interviewed candidates (one hour each).
- Kimley-Horn & Associates was selected for A/E Services (will utilize local firms).

Council Member Meredith requested the interlocal agreement be brought back to Council prior to any commitments and questioned whether approval of this item gave the City Manager the authority to enter into an agreement. Mr. Iman stated staff was ready to proceed with negotiation should Council approve the three-party agreement.

Council Member Mohn questioned the scenario should the LGC not approve the City's funding. Mr. Iman stated should the City be making progress on this project but not get the funding within the 90-day period, it could apply for another 90-day extension. However, he stated there were more projects than monies to allocate and, therefore, there were no guarantees due to the fact that competing projects may be more prepared for implementation.

Council Member Applewhite requested clarification that this provided the City Manager the authorization to negotiate and execute a contract with Kimley-Horn contingent upon the approval of the three-party agreement and suggested Council review the spacing issue prior to the agreement approval. Mr. Iman concurred and stated Kimley-Horn could provide an update of the schematic design at the June 7, 2010, Council work session meeting. He stated PWC would pay their construction cost commitment in cash eliminating the finance charges and PWC spaces would only be designated during business hours.

**MOTION:** Council Member Bates moved to approve the authorization for the City Manager to negotiate and execute a contract for A/E work along with construction management services from Kimley-Horn and Associates, Inc., for an amount not to exceed \$450,000.00 contingent upon the execution of the

## DRAFT

three-party agreement and approve Capital Project Ordinance 2010-19 providing budget authority for that action.

**SECOND:** Mayor Pro Tem Haire

Council Member Meredith expressed concerns of approval to disperse funds prior to an agreement. Mr. Kristoff Bauer, Assistant City Manager, clarified this was contingent upon the execution of the interlocal agreement by all parties.

Mayor Pro Tem Haire made an inquiry regarding the status of the County. Mr. Iman stated the County was invited to participate in the selection process and they were participating in the conditions/proposal process.

Mr. Bauer explained the County had approved a draft of the three-party agreement. He stated the challenges were how to get a County commitment as it pertained to rural water and meetings were held between the County and PWC.

**VOTE:** PASSED by a vote of 8 in favor to 2 in opposition (Council Members Crisp and Mohn)

### 7.2 City Manager's Office - Joint City/County Economic Development Program

Mr. Kristoff Bauer, Assistant City Manager, briefed Council regarding the recommended action, key program elements, key changes and future resources. He stated the County requested Council to adopt the agreement contingent upon their adoption at the June 7, 2010, County Commissioners meeting.

Council Member Applewhite questioned the outcome should the County not approve. Mr. Bauer stated any County requested changes would be brought to Council; however, the City could proceed on its own accord.

Council Member Crisp inquired whether action on this item could wait until the Council's June 14, 2010, meeting, which would be after the Commissioners' June 7, 2010, meeting. Mr. Bauer answered in the affirmative.

Council Member Mohn requested affirmation that this information would be available on the Fayetteville-Cumberland County Chamber of Commerce (FCCCC) website. Mr. Bauer confirmed and stated assistance would be offered through Community Development.

Mayor Chavonne requested a system be implemented to track the results. Mr. Bauer stated monitoring results would be included in the FCCCC Quarterly Dashboard Report.

Mayor Chavonne questioned whether the City could terminate the agreement should it be deemed non-conductive. Mr. Bauer replied in the affirmative.

**RESOLUTION OF THE FAYETTEVILLE, NORTH CAROLINA, CITY COUNCIL TO REMOVE THE PREVIOUSLY ADOPTED ECONOMIC DEVELOPMENT PROGRAM; ADOPT THE NEW ECONOMIC DEVELOPMENT PROGRAM, AND IDENTIFYING THE "REVITALIZATION ZONE". RESOLUTION NO. R2010-055.**

**MOTION:** Council Member Meredith to approve the proposed resolution enacting the new joint economic development program and the associated revitalization area contingent upon approval by the County Commissioners on June 7, 2010.

**SECOND:** Council Member Bates

**VOTE:** UNANIMOUS (10-0)

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**8.0 ADMINISTRATIVE REPORTS**

**8.1 City Clerk - Monthly statement of taxes for April 2010 from Cumberland County Tax Administrator.**

|                                    |                |
|------------------------------------|----------------|
| 2009 Taxes .....                   | \$1,016,325.99 |
| 2009 Vehicle Taxes .....           | 337,733.67     |
| 2009 Revit .....                   | 696.61         |
| 2009 Vehicle Revit .....           | 387.37         |
| 2009 FVT .....                     | 43,107.73      |
| 2009 Transit Tax .....             | 73,107.75      |
| 2009 Storm Water .....             | 11,362.27      |
| 2009 Fay Storm Water...            | 22,724.56      |
| 2009 Recycle Fee .....             | 23,638.80      |
| 2008 Annex... ..                   | 44.66          |
|                                    |                |
| 2008 Taxes .....                   | 4,214.11       |
| 2008 Vehicle .....                 | 18,205.13      |
| 2008 Revit .....                   | 3.70           |
| 2008 Vehicle Revit .....           | 0.00           |
| 2008 FVT .....                     | 2,817.30       |
| 2008 Transit Tax .....             | 2,410.37       |
| 2008 Storm Water .....             | 202.83         |
| 2008 Recycle .....                 | 345.55         |
| 2008 Fay Storm Water .....         | 245.45         |
| 2008 Annex... ..                   | 0.00           |
|                                    |                |
| 2007 Taxes .....                   | 1,469.27       |
| 2007 Vehicle .....                 | 2,107.69       |
| 2007 Revit .....                   | 4.51           |
| 2007 Vehicle Revit .....           | 0.00           |
| 2007 FVT .....                     | 541.49         |
| 2007 Storm Water .....             | 37.65          |
| 2007 Fay Storm Water .....         | 24.00          |
| 2007 Annex... ..                   | 0.00           |
|                                    |                |
| 2006 Taxes .....                   | 470.87         |
| 2006 Vehicle Taxes .....           | 1,723.76       |
| 2006 Revit .....                   | 0.00           |
| 2006 Vehicle Revit.. ..            | 0.00           |
| 2006 FVT .....                     | 336.97         |
| 2006 Storm Water .....             | 24.00          |
| 2006 Annex .....                   | 84.18          |
|                                    |                |
| 2005 and Prior Taxes .....         | 818.20         |
| 2005 Vehicle and Prior .....       | 2,352.84       |
| 2005 Revit and Prior .....         | 0.00           |
| 2005 Vehicle Revit and Prior ..... | 0.00           |
| 2005 FVT and Prior .....           | 511.62         |
| 2005 and Prior Storm Water .....   | 12.00          |
|                                    |                |
| Interest .....                     | 33,564.81      |
| Revit Interest .....               | 40.36          |
| Storm Water Interest .....         | 533.26         |
| Fay Storm Water Interest .....     | 986.35         |
| Annex Interest .....               | 18.89          |
| Fay Recycling Interest .....       | 1,055.45       |
|                                    |                |
| Total Tax & Interest .....         | 1,016,325.99   |

**8.2 Finance - General Fund Revenue and Expenditure Reports for the nine-month period ended March 31, 2010.**

**8.3 Finance - Tax refunds of less than \$100.00.**

| <u>Name</u>          | <u>Year</u> | <u>Basis</u>   | <u>City Refund</u> |
|----------------------|-------------|----------------|--------------------|
| Wallace, Will Junior | 2005-2008   | Clerical Error | <u>\$17.00</u>     |
| Junior               |             |                |                    |
| TOTAL                |             |                | <u>\$17.00</u>     |

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**10.0 ADJOURNMENT**

There being no further business, the meeting adjourned at  
9:09 p.m.

Respectfully submitted,

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RITA PERRY  
City Clerk

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ANTHONY G. CHAVONNE  
Mayor

052410

# DRAFT

FAYETTEVILLE CITY COUNCIL/FAYETTEVILLE PLANNING COMMISSION  
SPECIAL JOINT MEETING  
CITY HALL COUNCIL CHAMBER  
JUNE 1, 2010  
7:00 P.M.

Present: Mayor Pro Tem Darrell J. Haire (District 4)

Council Members Keith A. Bates, Sr. (District 1); 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)

Planning Commission Members James M. Smith, Chair; Mark A. Ledger, Vice Chair; Charles H. Astrike; Sarah Bialeschki; Cleatus Cox; Ronald Michael; Thomas S. Speight, Jr.; Bill J. Snuggs, Alternate

Absent: Council Members Anthony G. Chavonne; Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3)

Planning Commission Members Larry Boney; Mary Ellen Lavoie; Willis M. Watt, Alternate

Others Present: Dale E. Iman, City Manager  
Kristoff Bauer, Assistant City Manager  
Karen M. McDonald, City Attorney  
Janet Smith, Assistant City Attorney  
Rob Anderson, Development Services Director  
Karen Hilton, Planning & Zoning Division Manager  
Craig Richardson, Vice President, Clarion Associates  
Chad Meadows, Senior Associate, Clarion  
Jackie Tuckey, Public Information Officer  
Rita Perry, City Clerk  
Members of the Press

Mayor Pro Tem Darrell J. Haire and Mr. James M. Smith, Chair of the Fayetteville Planning Commission, called the meeting to order.

Council Member Bobby Hurst offered the invocation, which was followed by the Pledge of Allegiance to the American Flag.

Mr. Rob Anderson, Development Services Director, provided a history of the development of the Unified Development Ordinance (UDO) process and a proposed schedule. He introduced Mr. Craig Richardson and Mr. Chad Meadows consultants from Clarion Associates.

Mr. Craig Richardson, Vice President of Clarion Associates, presented the following information:

## Overview of Schedule

|                          |                                       |
|--------------------------|---------------------------------------|
| January 2008             | Kick-Off                              |
| April 2008               | Diagnosis/Annotated Outline           |
| July 2008-September 2009 | Drafting of UDO                       |
| May 2009-May 2010        | Additional Modifications to Draft UDO |
| June 2010                | Adoption of Process Begins            |

## Goals for Update

- Increase User-Friendliness
- Streamline Procedural Efficiency
- Modernize Zoning Districts and Uses
- Improve Development Quality
- Establish a New Downtown District
- Incorporate Sustainable Development Practices

# DRAFT

## New Zoning Ordinance Structure

- General Provisions
- Administration
- Zoning Districts
- Use Standards

Mr. Chad Meadows, Senior Associate of Clarion, continued presenting the following information on the new zoning ordinance structure:

- 30-5 - Development Standards
- 30-6 - Subdivisions
- 30-7 - Nonconformities
- 30-8 - Enforcement
- 30-9 - Definitions

Mr. Richardson and Mr. Meadows responded to questions regarding performance based landscaping, vested rights certificate, vehicle size limitations in residential districts, architectural standards, nonresidential lighting, street design, transportation impact analysis, and procedures utilized to research the future development impact on schools.

Mr. Anderson responded to questions regarding the process used to ensure Clarion's awareness of stakeholders' issues, additional stakeholder input prior to public hearings and the Administrative Manual.

Stakeholders who participated were requested to stand (approximately 30 individuals were acknowledged).

Mr. Richardson and Mr. Meadows fielded additional questions related to expected solution objectives, testing phase, residential and commercial parking plans, specimen tree regulations, strip planting, cost effect on single-family homes, buffering, effect on existing neighborhoods adjacent to commercial developments, prevention of clear cutting, open space, park land and methods to monitor compliance.

Mayor Pro Tem Haire clarified future meeting dates as follows:

| Date/Time                  | Location                               | Meeting Type/Purpose                      |
|----------------------------|--|---|
| June 8, 2010<br>5:00 p.m.  | Lafayette Room<br>433 Hay Street       | Stakeholders                              |
| June 15, 2010<br>7:00 p.m. | City Council Chamber<br>433 Hay Street | Public Hearing #1 - Public input/comments |
| June 24, 2010              | City Council Chamber<br>433 Hay Street | Public Hearing #2 - Public input/comments |

There being no further business, the meeting adjourned at 9:24 p.m.

Respectfully submitted,

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RITA PERRY  
City Clerk

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DARRELL J. HAIRE  
Mayor Pro Tem

060110

# DRAFT

FAYETTEVILLE CITY COUNCIL  
WORK SESSION MINUTES  
LAFAYETTE ROOM  
JUNE 7, 2010  
5:00 P.M.

Present: Mayor Anthony G. Chavonne (via conference phone)

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3) (arrived at 5:09 p.m.); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7) (arrived at 5:07 p.m. and departed at 6:34 p.m.); 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  
Jeffery Brown, Engineering & Infrastructure Director  
Dean Penny, Kimley-Horn & Associates, Inc.  
Jason Manners, PE, Kimley-Horn & Associates, Inc.  
Eric Lindstrom, SFL+a Architects, P.A.  
Captain Charles Hunter, Police Service Bureau  
Sherry Couey, Technical Services Division  
Craig Hampton, Special Projects Director  
Jackie Tuckey, Public Information Officer  
Rita Perry, City Clerk  
Members of the Press

## 1.0 CALL TO ORDER

Mayor Pro Tem Haire called the meeting to order.

## 2.0 INVOCATION

The invocation was offered by Council Member Meredith.

## 3.0 APPROVAL OF AGENDA

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

## 4.0 PRESENTATION ITEM:

### 4.1 Franklin Street Parking Garage Schematic Design

Mr. Dale Iman, City Manager, presented this item and summarized the history of the project. He introduced Mr. Dean Penny, Vice President, Kimley-Horn & Associates, Inc.

Mr. Penny, along with Mr. Jason Manners, PE, Associate, Kimley-Horn and Associates, Inc., and Mr. Eric Lindstrom, AIA Design Director, SFL+a Architects, P.A., provided an overview of the proposed site plan. He explained the schematic design and structural elements.

Project Schedule

| Description                   | Start Date    | End Date      |
|-------------------------------|---------------|---------------|
| Approval of Funding Agreement | June 7, 2010  | June 7, 2010  |
| Final Design                  | June 7, 2010  | Oct. 26, 2010 |
| Bidding                       | Oct. 26, 2010 | Nov. 23, 2010 |
| Construction                  | Jan. 10, 2011 | Nov. 6, 2011  |

Mr. Iman and Mr. Penny addressed questions regarding the project schedule, affect on street parking during construction, proposed marquee and solar panels, retail space, and handicap accessibility.

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### 5.0 ACTION ITEMS

#### 5.1 Interlocal agreement between the City of Fayetteville, Cumberland County, and Fayetteville Public Works Commission related to the funding and development of the Franklin Street Parking Garage.

Mr. Kristoff Bauer, Assistant City Manager, presented this item and informed Council that the Cumberland County Board of Commissioners approved the agreement on June 7, 2010. He presented the following information:

#### Council Target for Action

Goal 6 "Revitalized Downtown - A Community Focal Point"

- Obj. #1 "Adequate Parking and Access"
  - Downtown Parking Structure: Direction, County Participation and Funding

#### Funding Plan Changes

- Participation
  - PWC - \$2 Million
  - Municipal Service District - \$375,000 + Growth
  - City & County Property Tax Growth in MSD Until Paid Off
- PWC Contribution Structure
  - \$1.5 Million cash - schematic design, design, and initial construction
  - \$.5 Million initial debt payments
- Result
  - Decreases total debt and interest cost
  - 10% non-public purpose restriction applies to debt funded portion of project only
  - Allows for reservation of around 100 spaces

#### County Water

- Section 2
  - PWC shall not incur any obligation to share in any portion of the costs of developing the County Water System.
  - 20 year agreement

#### Next Steps

- Execute Design contract
- Subdivide property (parcel with lien/ other without a lien)
- Incur debt by second week in August
- Let construction contract prior to year end

Mr. Bauer provided a memorandum and checklist to address a request by Mayor Pro Tem Haire regarding the selection process (Item 5.1 Exhibit A) and evaluation checklist (Item 5.1 Exhibit B).

Mr. Dale Iman, City Manager, responded to questions relating to the estimated cost, financing, and entities with vested interest.

Ms. Karen McDonald, City Attorney, responded to a question posed by Council Member Meredith regarding a future Council's ability to repeal the agreement. She answered in the affirmative and informed Council this was a binding legal agreement.

Mayor Chavonne raised questions regarding any insight obtained from the hospital deck project. Mr. Iman requested Mr. Penny to



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elaborate on proposed solution measures. Mr. Penny described the proposed entrance, bay width, and construction materials.

Further discussion ensued concerning elected officials participating in the selection process and a standard form to assist contractors. Ms. McDonald recommended Council not be involved with the selection process to avoid a conflict of interest. She stated a standard form would not be feasible since the criteria would be different based on the project and required qualifications.

Council Member Meredith inquired whether Council had the option to select an alternative team. Ms. McDonald clarified the selection approval would be presented to Council for approval; however, should the team selection not be consistent with the criteria, it would be subject to challenges; therefore, Counsel would not recommend selection of a team different from staff's recommendation.

**MOTION:** Council Member Bates moved to approve as presented.  
**SECOND:** Council Member Massey  
**VOTE:** PASSED by a vote of 7 in favor (Council Members Chavonne, Bates, Davy, Haire, Hurst, Massey, and Meredith) to 3 in opposition (Council Members Applewhite, Crisp, and Mohn)

### 5.2 Approve Minutes

April 26, 2010 - Multi-Modal Transportation Center Environmental Assessment Report Public Hearing

**MOTION:** Council Member Massey moved to approve the minutes.  
**SECOND:** Council Member Mohn  
**VOTE:** UNANIMOUS (10-0)

### 6.0 OTHER ITEMS OF BUSINESS

#### 6.1 Consider Amendments to Alarm Systems Regulations Ordinance

Captain Charles Hunter, Police Service Bureau, presented this item. He provided a brief history, the statistics of alarm activations, and the costs to the City. He stated the proposed changes/additions were based on recommendations from the PERF Study and the False Alarm Reduction Association. He explained the revised ordinance would (1) require all alarm location sites to acquire permits, and regulations and rules were updated to ensure compliance and enforcement; (2) remove the specific number of free false alarm responses and add fines/penalties for failure to obtain permits, both of which were addressed in the separate proposed fee schedule; and (3) update the definitions/terminology to match proposed ordinance changes.

#### FY 2011 Proposed Fee Schedule

|   |                  |
|---|------------------|
| 1st False Alarm Response                      | \$0.00           |
| 2nd False Alarm Response                      | \$0.00           |
| 3rd - 5th False Alarm Responses               | \$25.00 each     |
| 6th - 10th False Alarm Responses              | \$50.00 each     |
| 11th - 14th False Alarm Responses             | \$100.00 each    |
| In excess of 14 False Alarm Responses         | \$200.00 each    |
| Residential Alarm Registration Permit         | \$15.00 annually |
| Business/Commercial Alarm Registration Permit | \$25.00 annually |

Captain Hunter stated the implementation of alarm permits and stricter guidelines would provide the City the opportunity to educate the alarm user before they incur false alarms and would allow the Police Department to use resources and time in a more productive and cost effective manner.

Following a discussion regarding the proposed alarm registration permit fee, the consensus of Council was for the FY 2011 proposed Fee Schedule be revised to reflect the fee schedule used by the City of

## DRAFT

Greenville and for staff to further research the proposed alarm registration permit fee.

| GREENVILLE      |                                   |
|-----------------|-----------------------------------|
| PERMITS REQ/AMT | YES-\$15                          |
| CIVIL PENALTIES | \$200-FAILURE TO PAY OR NO PERMIT |
| FEE SCHEDULE    | YR TO YR PERMIT RENEWAL           |
| ALARM 1         | NO CHARGE                         |
| ALARM 2         | \$25.00                           |
| ALARM 3         | \$50.00                           |
| ALARM 4         | \$50.00                           |
| ALARM 5         | \$100.00                          |
| ALARM 6         | \$100.00                          |
| ALARM 7         | \$200.00                          |
| ALARM 8         | \$200.00                          |
| ALARM 9         | \$400 & FOR EACH AFTER 9          |

### 6.2 Update on Process - Veterans Park Contracts - Bid Process and Award Dates

Mr. Craig Hampton, Special Projects Director, briefed Council regarding the bid process as follows:

#### Trail & Campus Connector (currently under contract)

- Bid without pre-qualifications of the bidders and received 3 bids. None were from local firms.

#### Main Park (currently in the bid process stage)

- Issued a request for qualifications to pre-qualify the bidders. Notices were sent to a broad ranges of sources and distribution points related to construction work and the process was open for more than one month.
- Received 5 packages for the main park and 5 for the visitor center. No submittals from firms within Fayetteville or Cumberland County.
- All firms submitting were deemed to be qualified to bid the work.
- Bids for the park were received on May 25 and will be before Council for consideration of award on June 14, 2010

#### Visitor Center (currently in the bid process stage)

- Bids due June 17, 2010 and will be before Council for consideration of award on June 28, 2010.
- Bid package contains multiple opportunities for subcontract bids and for supplying materials.

#### Exhibits and Displays (currently in design phase)

- Bid in late fall 2010).

A discussion ensued regarding the dissemination of bid requests information.

### 7.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:20 p.m.

Respectfully submitted,

\_\_\_\_\_  
RITA PERRY  
City Clerk

\_\_\_\_\_  
ANTHONY G. CHAVONNE  
Mayor

060710

# DRAFT

Item 5.1 Exhibit A



## MEMORANDUM

**TO:** Dale Iman, City Manager  
**THRU:** Jeffery Brown, PE, Engineering & Infrastructure Director  
**FROM:** Rusty Thompson, PE, City Traffic Engineer  
**DATE:** June 7, 2010  
**SUBJECT:** Franklin Street Parking Deck

---

The purpose of this memo is to give you an update and brief overview as to what actions have taken place to date concerning the proposed parking deck on Franklin Street. The following events have taken place thus far:

- A request for qualifications was sent out to the AGC, AIA, ACEC and the Parking Research Company on April 19th.
- We received 13 diverse proposals on April 30<sup>th</sup>.
- On May 7th the selection team consisting of PWC (Steve West, Laurie Shrauger) Downtown Alliance (President Larry Clubine), City (Dale Iman, Doug Hewett, Jeffery Brown, Rusty Thompson, Neil Perry) reviewed and selected four firms to interview.
- The county could not participate due to scheduling conflicts but were provided all submittals.
- The firms scheduled to interview on May 13<sup>th</sup> in no particular order were:

AECOM, Raleigh, NC  
Fleming and Assoc.'s, Fayetteville, NC  
Kinley-Horn and Assoc.'s, Raleigh, NC  
Stewart Engineering, Raleigh, NC

- These firms were selected due to their ARRA experience and documentation that comes with those funds; if they have previously worked together for the design and construction management of other parking decks, whether previous projects were completed on time and on budget, and have worked with diverse groups designing similar parking decks.
- Two of the selected firms have representation from local companies:
  - Fleming and Associates which is local also has MKR, Inc, and Dettler & Associates on its project team.
  - Kinley-Horn has SFL+a and Black River Design (Gordon Rose) on its project team. SFL+a is the architectural firm used for the design of the RCW building.

If you need additional information concerning this subject, please do not hesitate to contact me.

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Franklin Street Parking Deck Selection Matrix

Weighted percentage

| Firm   | 30.00%  | 20.00%                                      | 10.00%                                      | 10.00%                                      | 10.00%   | 10.00%                                | 10.00%                 | Total Weighted Score |
|--|---|---|---|---|--|---------------------------------------|------------------------|----------------------|
|  | Prior Experience and knowledge to meet objectives | Past demonstration of parking deck projects | Sufficient Staff, individual qualifications | Ability to deliver ontime and within budget | Record of completed projects without major legal or technical problems | Proposed Time schedule and completion | Other relevant factors |                      |
| Morris Berg Architects/Northeast Engineering/Professional Eng. Assoc.        | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |
| Fleming & Associates/Kuensel Architecture/MKR/Little Architecture/Dettler    | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |
| Hoger/Smith Design/Rickher   | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |
| Player/RJ/Batson-Cook  | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |
| Falcon/Walker/Frosen   | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |
| The LSV Partnership/Walker Fleming/Dettler                                   | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |
| AECOM/ Capstone Civil Susan Hatchell LA                                      | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |
| Wagner-Murray Arch/King Guinn Assoc./Haas&Kennedy Eng./SEPI Eng./REFRESC     | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |
| Harrell, Satriot&Hopper/Cavenper/ Landworks/Rickher                          | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |
| LSP assoc/Gordon-Johnson/Crawford Design/Carl Walker/ JESG/ Harris and Assoc | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |
| Kimley-Horn/URG/SFL+3  | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |
| Steward/Walker/Raton/MAB   | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |
| Neighboring Concepts/AME engineers/Carl Walker                               | 0.0   | 0.0   | 0.0   | 0.0   | 0.0  | 0.0                                   | 0.0                    | 0.0                  |

Scoring is 1 to 10, with 10 ranking as the highest

Item 5.1 Exhibit B

# DRAFT

FAYETTEVILLE CITY COUNCIL  
DINNER AND DISCUSSION MEETING MINUTES  
LAFAYETTE ROOM  
JUNE 14, 2010  
6:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); 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) (arrived at 6:10 p.m.); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Absent: Council Member Kady-Ann Davy (District 2)

Others Present: Dale E. Iman, City Manager  
Kristoff Bauer, Assistant City Manager  
Doug Hewett, Assistant City Manager  
Karen M. McDonald, City Attorney  
Victor Sharpe, Community Development Director  
Tracey Broyles, Budget and Evaluation Manager

Mayor Chavonne called the meeting to order.

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

MOTION: Mayor Pro Tem Haire moved to go into closed session for consultation with the attorney regarding attorney-client privilege matters.

SECOND: Council Member Meredith

VOTE: UNANIMOUS (10-0)

The regular session recessed at 6:02 p.m. The regular session reconvened at 6:20 p.m.

MOTION: Council Member Hurst moved to go into open session.

SECOND: Council Member Meredith

VOTE: UNANIMOUS (10-0)

There being no further business, the meeting adjourned at 6:20 p.m.

Respectfully submitted,

---

KAREN M. MCDONALD  
City Attorney

---

ANTHONY G. CHAVONNE  
Mayor

061410

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Victor D. Sharpe, Community Development Director  
**DATE:** June 28, 2010  
**RE:** Authorization to acquire the lot at 108 Deep Creek Road for the construction of a community entrance sign.

---

### THE QUESTION:

Is the acquisition of the lot at 108 Deep Creek Road consistent with the approved Community Development Action Plan?

### RELATIONSHIP TO STRATEGIC PLAN:

More Attractive City - Clean and Beautiful and Growing City, Liveable Neighborhoods - A Great Place to Live

### BACKGROUND:

- The Deep Creek Road Redevelopment Plan identifies entry way signs for the Deep Creek Road Community.
- The proposed location is consistent with the Deep Creek Road Redevelopment Plan.
- The proposed project was approved in the Community Development 2008-2009 and 2009-2010 Annual Action Plans. The project includes the acquisition of the lot and installation of signage and landscaping.
- The Fayetteville Redevelopment Commission recommends approval of the acquisition.

### ISSUES:

- The proposed lot is 269 feet by 204 feet and is 1.45 acres, while fairly large, it is mostly located in the flood way.
- The property is zoned M2 - Manufacturing.
- The buildable area is very small and has been determined not be suitable for residential or commercial building purposes.
- Locks Creek runs through half of the property and it is very steep from the location of any buildable land to the river.
- The Community Development Department is working with the Parks and Recreation Department for the design and installation of the sign and landscaping.
- Meetings have been held with the residents of the Deep Creek Road community regarding updates on the project.

### OPTIONS:

- Approve acquisition of property at 108 Deep Creek Road.
- Do not approve the acquisition of 108 Deep Creek Road.
- Provide additional direction to staff.

**RECOMMENDED ACTION:**

Staff recommends that Council move to authorize the City Manager to execute documents necessary to acquire the lot at 108 Deep Creek Road (PIN 0447-31-3840) for \$7,500.

**ATTACHMENTS:**

Map for 108 Deep Creek Road

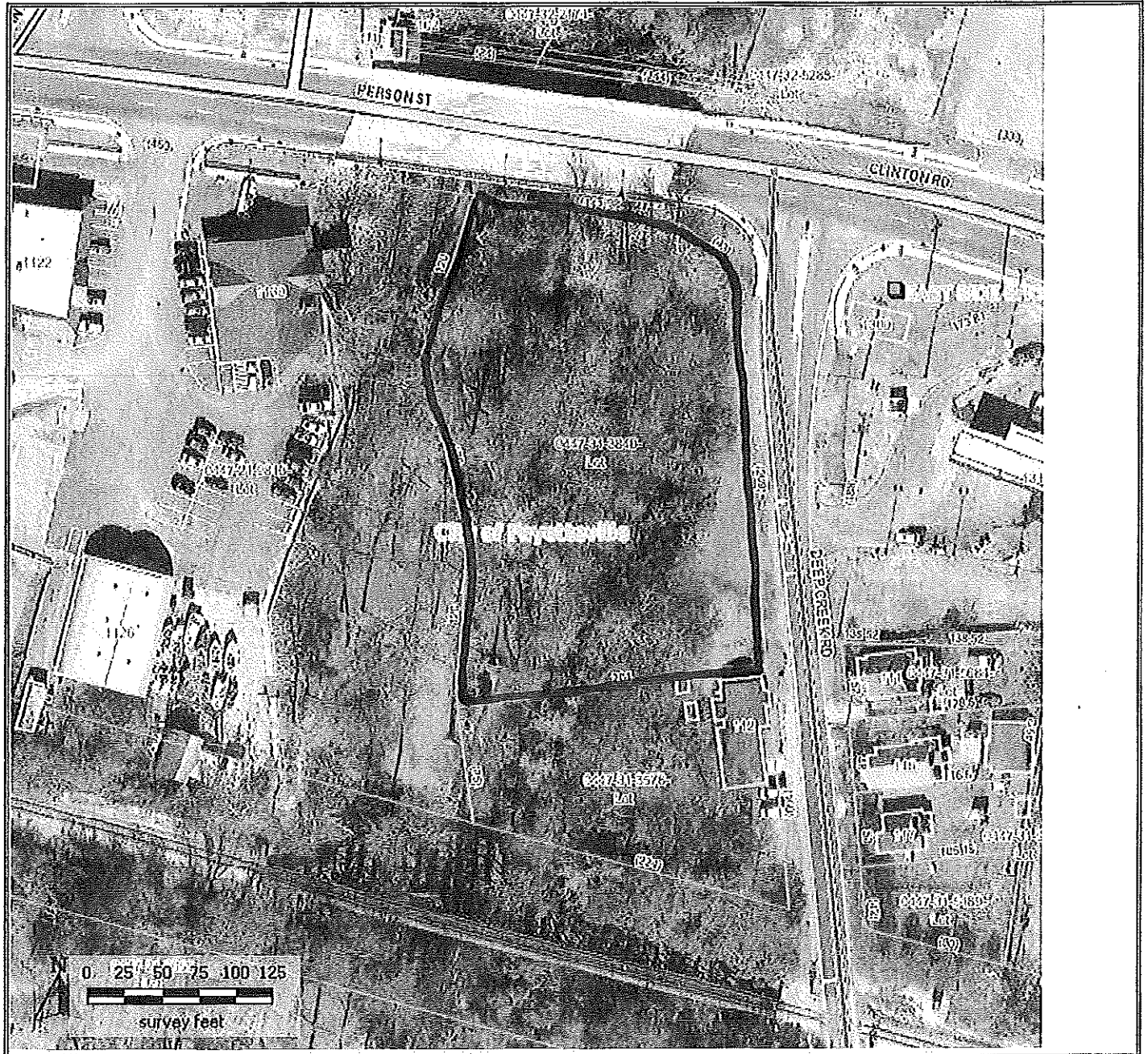


# Cumberland County Planning Department

Fayetteville, North Carolina



Created by Public on Friday, 8 January 2010



Map Zoom: 695.4 survey ft

Map Scale: 1:1,187

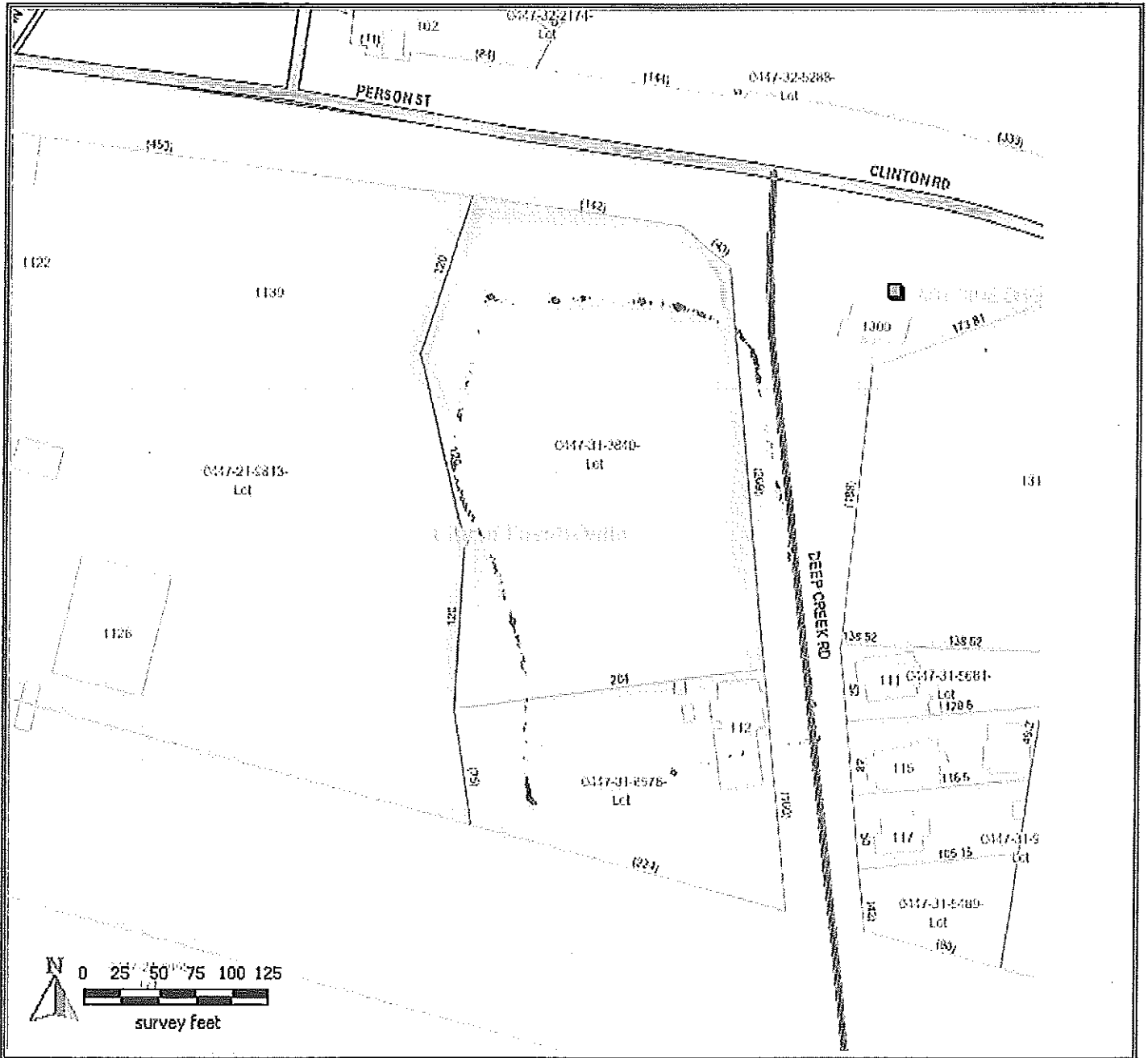




Cumberland County Planning Department  
Fayetteville, North Carolina



Created by Public on Friday, 8 January 2010



Map Zoom: 695.4 survey ft

Map Scale: 1:1,187

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Victor D. Sharpe, Community Development Director  
**DATE:** June 28, 2010  
**RE:** **Resolution authorizing the transfer of real property to Fayetteville Area Operation Inasmuch for the benefit of housing for the homeless.**

---

**THE QUESTION:**

Does City Council desire to convey the property at 601 Frink Street to Fayetteville Area Operation Inasmuch?

**RELATIONSHIP TO STRATEGIC PLAN:**

Growing City, Liveable Neighborhoods, A Great Place to Live

**BACKGROUND:**

- The City owns land with a vacant house at 601 Frink Street.
- Fayetteville Area Operation Inasmuch desires to acquire the land to renovate the building in order to provide housing for the homeless.
- The transfer of title shall be in fee simple determinable with a reversionary clause if at any time during the next 25 years the property ceases to be used as housing for the homeless.

**ISSUES:**

- The house at 601 Frink Street is currently vacant and is in need of renovations. City staff has inspected the property and determined that is salvageable. FAOIAM has also inspected the property to determine their interest and ability to repair the property.
- FAOIAM has received a donation in the amount of \$10,000 towards its renovations.
- The City has no current need for the property.
- FAOIAM will renovate and rehabilitate the property in such a manner that will allow the property to be used to house homeless individuals, meeting all appropriate state and local codes.
- The proposed use of the property as housing for homeless individuals meets City codes as a residence that could have up to 5 unrelated persons living in the same dwelling unit.
- It is our understanding that the residents will have a source of income (employment, SSI, etc.) and be required to pay a small amount of rent for living in the house.

**OPTIONS:**

- Adopt the resolution authorizing the transfer of title to Fayetteville Area Operation Inasmuch for the purposes of housing for the homeless.
- Do not adopt the resolution authorizing the transfer of title to Fayetteville Area Operation Inasmuch for the purposes of housing for the homeless.
- Provide additional direction to staff.

**RECOMMENDED ACTION:**

Staff recommends that Council move to adopt the proposed resolution authorizing the transfer of real property to Fayetteville Area Operation Inasmuch for the benefit of housing for the homeless.

**ATTACHMENTS:**

Letter from Operation Inasmuch

NC General Warranty Deed

Resolution

Picture of 601 Frink Street

FAYETTEVILLE AREA  
**OPERATION  
 INASMUCH**   
 Matthew 25:40

*"Truly I say to you, inasmuch as you have done it to one of the least of these my brethren, you have done it to me."*

531 Hillsboro St. • Fayetteville, North Carolina 28301-4634  
 910-433-2161 • fax 910-433-2170 • sue@faoiam.org  
 www.faoiam.org

Mr. Victor Sharpe  
 Community Development  
 433 Hay Street  
 Fayetteville, NC 28301

Dear Mr. Sharpe,

Thank you for discussing the possibility of donating the property at 601 Frink St. to Fayetteville Area Operation Inasmuch. We have looked at the house and believe it is structurally sound and could be a vital part of our ministry to the homeless.

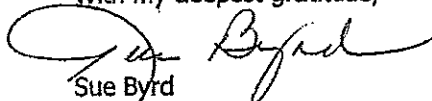
According to City code, five unrelated persons could live in the house. Our only dilemma would be choosing five of those who come to Inasmuch each day for breakfast and skills training. It breaks our heart every day to see men and women sleeping in abandoned cars and houses, under bridges...places no one should have to lay their head at night. For those who will live in the house, there will be expectations of employment or job training. But most of all each one residing there must model a life of integrity and honor.

The house is in need of repair but we have the volunteer labor needed and have been given a \$10,000 gift to purchase materials.

We realize this is only a "small dent" in the problem of homelessness, but to those five who will have a home to shelter them, it will be life changing. And for us it's only the beginning...because housing for our Inasmuch family is a priority!

Therefore, we would like to request the property at 601 Frink St. be deeded to Fayetteville Area Operation Inasmuch for the purpose of providing housing,

With my deepest gratitude,

  
 Sue Byrd

**Board of Directors**

Ad Winters - President  
 Susie Reeder - Secretary  
 Larry Bass - Treasurer  
 Marion Arrington  
 Vicki Champion  
 Mike Karaman  
 Janet Montgomery  
 Eddie Waren  
 Tryphinia Wiseman

**Executive Director**

Sue Parker Byrd

**Operations Administrator**

Lisbeth Anne Marin

**Office Administrator**

Cheri Smith

**Construction Supervisor**

Burton Lawson

**Advisory Board**

Ray Andrade  
 William Brooks  
 Joanne Copeland  
 Bob Ervin  
 Greg Hathaway  
 Curtis Pittman  
 Gordon Rose  
 Larry Sessoms  
 J.P. Smith  
 John Welch

**NORTH CAROLINA GENERAL WARRANTY DEED**

|                   |                               |
|-------------------|-------------------------------|
| Excise Tax \$0.00 | Recording Time, Book and Page |
|-------------------|-------------------------------|

Tax Lot No. \_\_\_\_\_ Parcel Identifier No. 0437-58-0149

Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 2010 by \_\_\_\_\_

Prepared by/Mail after recording to: Patricia C. Bradley, Assistant City Attorney, City of Fayetteville, 433 Hay Street, Fayetteville NC 28301

Short Description for the Index:

|                         |
|-------------------------|
| <b>601 Frink Street</b> |
|-------------------------|

**THIS DEED** made this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by and between:

| <b>GRANTOR</b>   | <b>GRANTEE</b>  |
|--|---|
| <p><b>CITY OF FAYETTEVILLE</b>, a North Carolina Municipal Corporation</p> <p>Mailing Address:<br/>433 Hay Street<br/>Fayetteville NC 28301-5537</p> | <p><b>FAYETTEVILLE AREA OPERATION INASMUCH</b></p> <p>531 Hillsboro Street<br/>Fayetteville North Carolina<br/>28301-4634</p> |

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

**WITNESSETH:**

That the Grantors, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, have and by these presents do grant, bargain, sell and convey unto the Grantee in fee simple defeasible that certain lot or parcel of land situated in the City of Fayetteville, Cross Creek Township, Cumberland County, State of North Carolina, and more particularly described as follows:

BEGINNING at a concrete monument at the intersection of Frink Street with the north margin of Chance Street; thence North 82 degrees 16 minutes West 100

feet to an iron stake; thence North 8 degrees 34 minutes East 83 feet to an iron stake; Thence South 82 degrees 15 minutes East 100 feet to an iron stake in the western right of way margin of Frink Street, said iron stake being 20 feet from the center line of Frink Street; thence along the Western right of way margin of Frink Street, South 8 degrees 34 minutes West 83 feet to the BEGINNING.

For further history of the property see Deed Book.08218 Page 0246, Deed Book 6823 Page 246, Deed Book 5017 Page 346, and Deed Book 3813 Page 116; all Cumberland County Registry.

The aforesaid property interests are conveyed so long as the following conditions are met:

The subject property shall be operated by the Grantee in support of the homeless population of Fayetteville as a non-profit entity in compliance with federal, state, and city regulations for a period of 25 years.

IN THE EVENT THAT GRANTOR, IN ITS SOLE DISCRETION, DEEMS THAT THE FOREGOING CONDITIONS ARE NOT BEING MET, THEN THE TITLE TO THE PROPERTY IS AUTOMATICALLY DIVESTED FROM GRANTEE AND REVERTS TO GRANTOR... THIS REVERSIONARY INTEREST SHALL AUTOMATICALLY AND WITHOUT EXECUTION OF ANY DEED OR OTHER DOCUMENT EVIDENCING TRANSFER OF OWNERSHIP, REVERT TO GRANTOR. THIS REVERSIONARY INTEREST SHALL VEST IMMEDIATELY IN THE GRANTOR AND SHALL BE BINDING ON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS. NOTWITHSTANDING ANYTHING ELSE HEREIN TO THE CONTRARY, GRANTEE HEREBY AGREES TO EXECUTE ANY AND ALL DOCUMENTS REQUIRED BY GRANTOR TO EFFECTUATE THE REVERSIONARY INTEREST IF NECESSARY.

These conveyances made subject to easements covenants and restrictions of record.

**TO HAVE AND TO HOLD** the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the party of the second part, its successors and assigns, in fee simple defeasible, forever...

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to utility easements of record.

**IN WITNESS WHEREOF**, Grantor has set his hand and seal, the day and year first above written.

**CITY OF FAYETTEVILLE**

By: \_\_\_\_\_  
DALE E. IMAN, City Manager

ATTESTED:

\_\_\_\_\_  
RITE PERRY, City Clerk

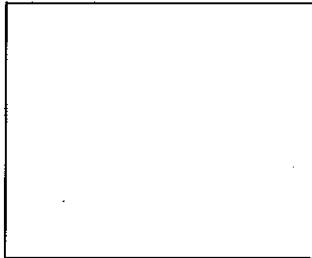
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**STATE OF NORTH CAROLINA  
COUNTY OF CUMBERLAND**

I, \_\_\_\_\_, a Notary Public for said County and State, certify that **Rita Perry** personally came before me this day and acknowledged that she is the **City Clerk of City of Fayetteville**, a North Carolina Municipal Corporation, and that by authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name by its Manager, sealed with its corporate seal and attested by herself as its **City Clerk**.

Witness my hand and notarial seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Place notary public seal here.↓



\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
FAYETTEVILLE APPROVING CONVEYANCE OF PROPERTY  
PURSUANT TO G.S. § 160A-279**

WHEREAS, the City of Fayetteville owns a tract of land with a vacant building on the land located at 601 Frink Street; and

WHEREAS, North Carolina General Statute § 160A-279 authorizes a city to convey real property by private sale to a nonprofit corporation, if the city is authorized by law to appropriate money to the corporation; and

WHEREAS, the City of Fayetteville has negotiated with the Fayetteville Area Operation Inasmuch (hereafter "Inasmuch") to convey the Frink Street property described above to Inasmuch in order that Inasmuch may improve the building and provide housing for the homeless in the building; and

WHEREAS, additional housing for the homeless will assist the City in meeting the needs of its homeless population.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville that:

1. The City Manager of the City of Fayetteville is authorized to execute all documents necessary to convey fee simple defeasible title to the City-owned property at 601 Frink Street, more particularly described as follows:

BEGINNING at a concrete monument at the intersection of Frink Street with the north margin of Chance Street; thence north 82 degrees 16 minutes West 100 feet to an iron stake; thence North 8 degrees 34 minutes East 83 feet to an iron stake; Thence South 82 degrees 15 minutes East 100 feet to an iron stake in the west5rn right of way margin of Frink Street, said iron stake being 20 feet from the center line of FRINK Street; Thence along the Western right of way margin of Frink Street, South 8 degrees 34 minutes West 83 feet to the beginning.

2. The consideration for the conveyance is the following set of conditions, covenants, and restrictions which shall be incorporated in the deed given by the City to the Inasmuch:

a. Inasmuch will renovate, rehabilitate, and improve the property in such manner that will allow operation of the property as housing for the homeless, meeting all appropriate state and local codes.



- b. Inasmuch shall provide housing for the homeless (as a non-profit organization) on the conveyed property for a period of 25 years.
- c. Inasmuch shall submit an annual report to the City summarizing the use of the property.

3. The deed given by the City to the above described parcel shall convey a title in fee simple determinable. The fee simple interest of the Inasmuch in the property shall terminate if at any time during the next 25 years Inasmuch shall cease to use the property to provide housing for the homeless.

4. The City Clerk shall publish a notice summarizing the contents of this resolution, and the property may be sold at any time after ten working days after publication of the notice.

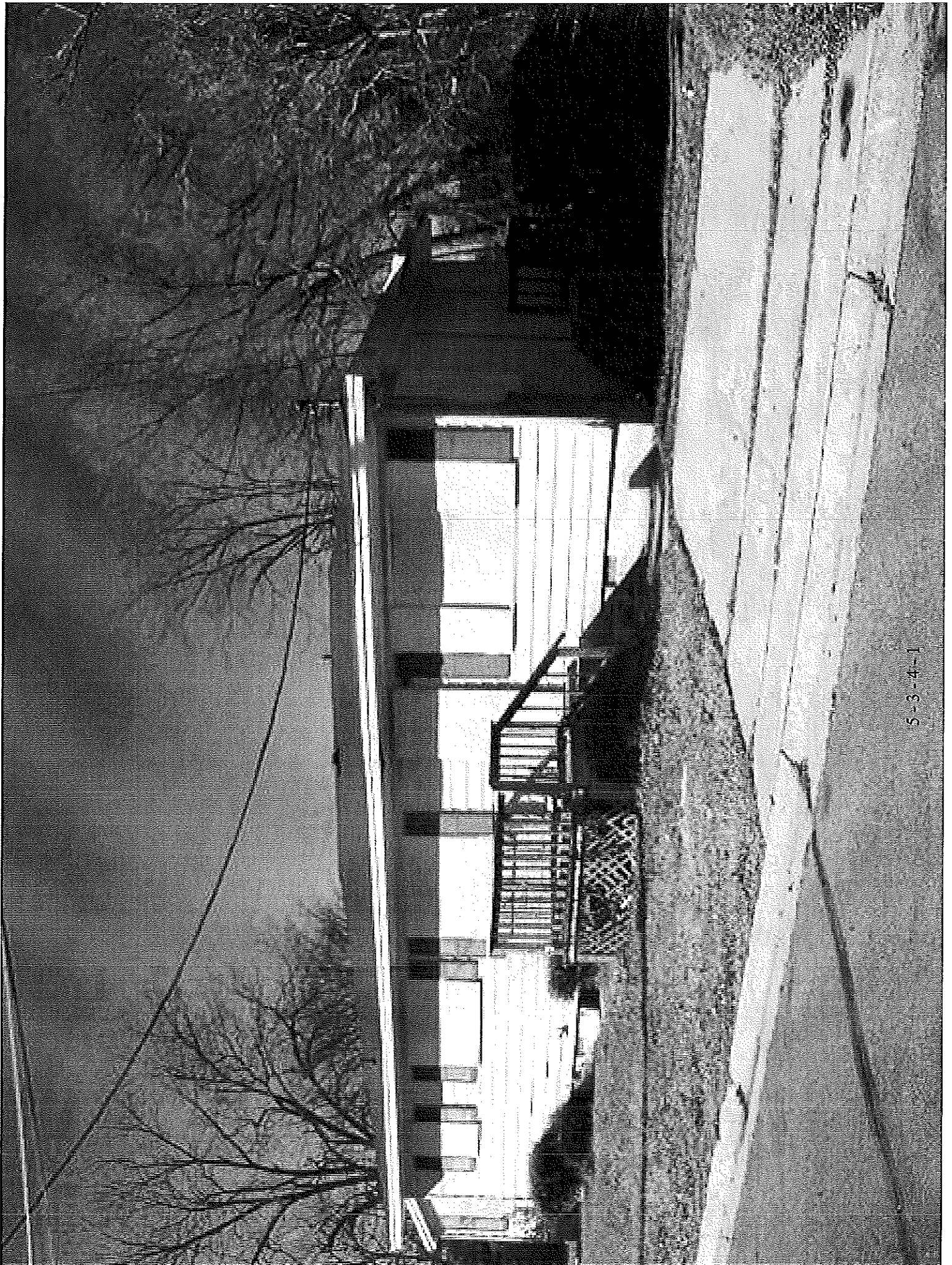
ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

CITY OF FAYETTEVILLE

By: \_\_\_\_\_  
ANTHONY G. CHAVONNE, Mayor

ATTEST:

\_\_\_\_\_  
RITA PERRY, City Clerk



5-3-4-1

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Craig Harmon, Planner II  
**DATE:** June 28, 2010  
**RE:** **Case No. P10-16F. The rezoning of property located at 9271 Cliffdale Road from AR & R15 to R10. Virginia Newton Barefoot owner.**

---

**THE QUESTION:**

Consider rezoning a vacant 36.3 acre parcel to allow for uses similar to those surrounding it.

**RELATIONSHIP TO STRATEGIC PLAN:**

Growth and Development

**BACKGROUND:**

Owner: Virginia Newton Barefoot

Applicant: Mike Harrell

Requested Action: AR & R15 to R10

Property Address: 9271 Cliffdale Rd.

City Council District: 7 (Applewhite)

Status of Property:

Size: 36.3 +/- acres

Existing Land Use: 1 Single Family Residential structure and Vacant

Adjoining Land Use & Zoning: North - R15 - Single Family Residential / South - R5 & R10 - Single Family Residential / East - AR & R15 - Single Family Residential / West - AR & R15 - Single Family Residential

2010 Land Use Plan: Low Density Residential

Letters Mailed: 141

Transportation: Cliffdale Road is a Major Thoroughfare. It has an average daily traffic count of 13,000 vehicles.

AR - This district is designed for rural use to include agricultural use and low-density residential use. (78 units would be allowed)

R15 - Primarily a single family residential district with adequate lot areas required but including occasional two-family and multifamily structures on larger lots. (104 units would be allowed)

R10 - Primarily a single-family residential district with smaller lot areas required but including occasional two-family and multifamily structures on larger lots. (208 units would be allowed)

**ISSUES:**

This property is surrounded by R15 and AR Residential, R10 zoning is also near the property. The existing subdivisions zoned R15 were built prior to the extension of public water and sewer to the area.

Zoning Commission and Staff recommend Approval of the rezoning based on:

1. The 2010 Land Use Plan calls for Low Density Residential for this property, R10 is one of the City's Low Density Districts.
2. Public utilities are available to this development.
3. Cliffdale Road is a Major Thoroughfare, appropriate for reasonable access.

**OPTIONS:**

Rezoning the property to R10 Residential (recommendation);

Rezone the property to a less restrictive district;  
Deny the rezoning of this property.

**RECOMMENDED ACTION:**

Zoning Commission and Staff recommend that the City Council move to APPROVE the rezoning from AR & R10 Residential Districts to R10 Residential District based on the reasons provided above (in issues).

**ATTACHMENTS:**

Zoning Map

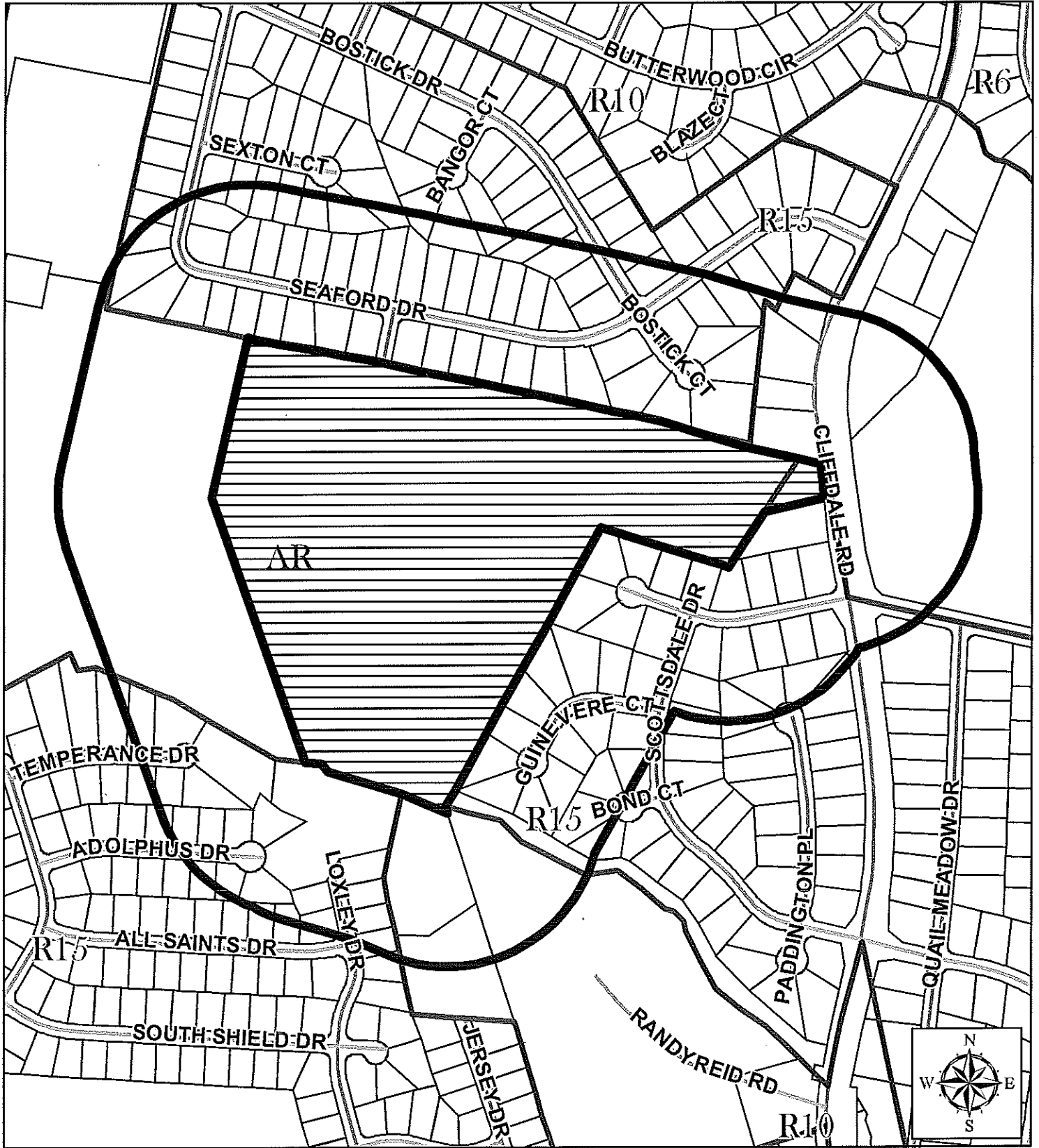
Current Landuse

2010 Plan

Ortho Photo

Zoning Commission Minutes

**ZONING COMMISSION  
CASE NO. P10-16F**



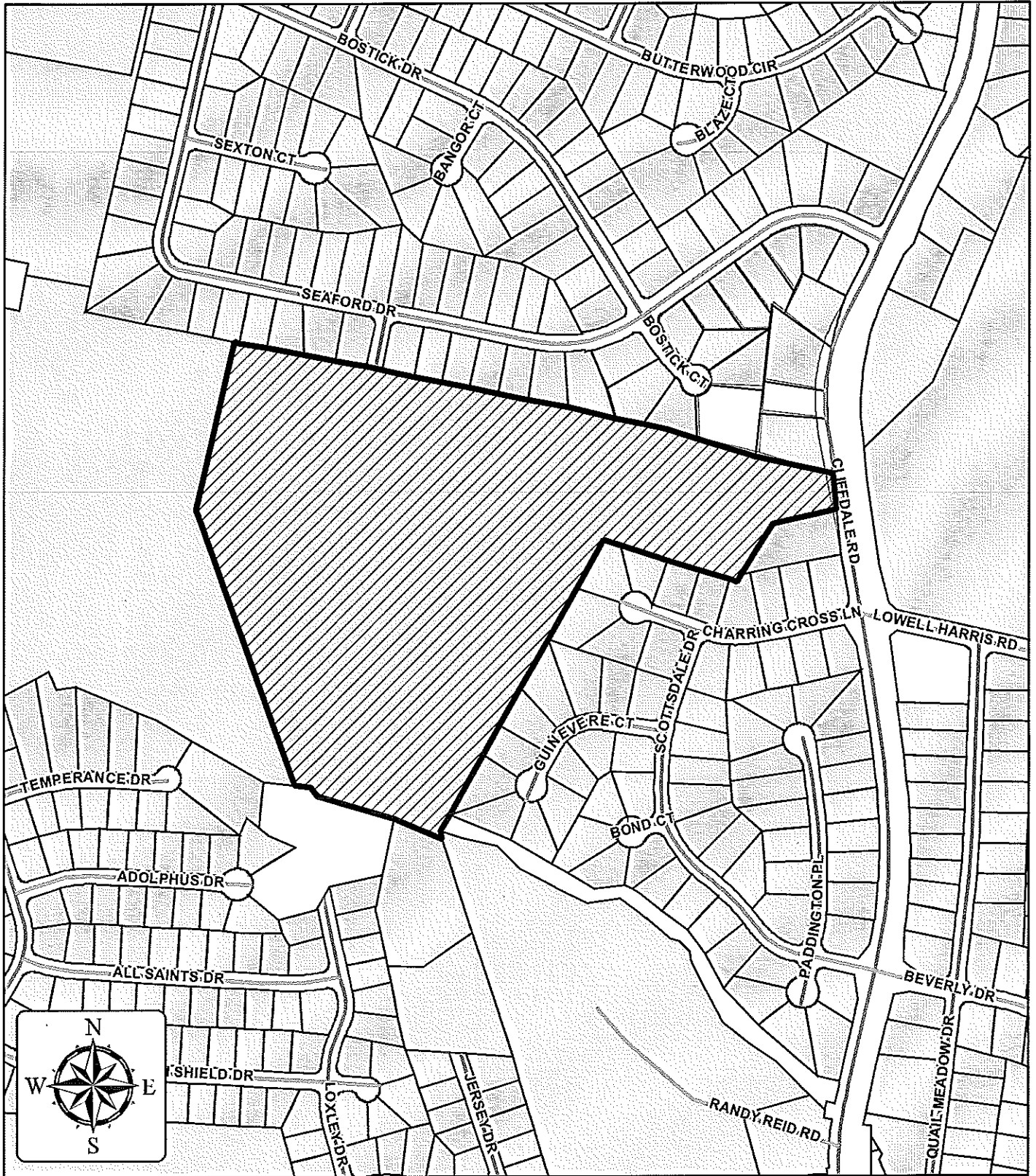
**Request:** AR & R15 to R10  
**Location:** 9271 Cliffdale Rd  
**Acree:** +/- 36.3

**Zoning Commission:** 5/11/2010  
**City Council:** \_\_\_\_\_  
**Pin:** 9477-91-3673

**Recommendation:** \_\_\_\_\_  
**Final Action:** \_\_\_\_\_

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

Current Land Use  
P10-16F

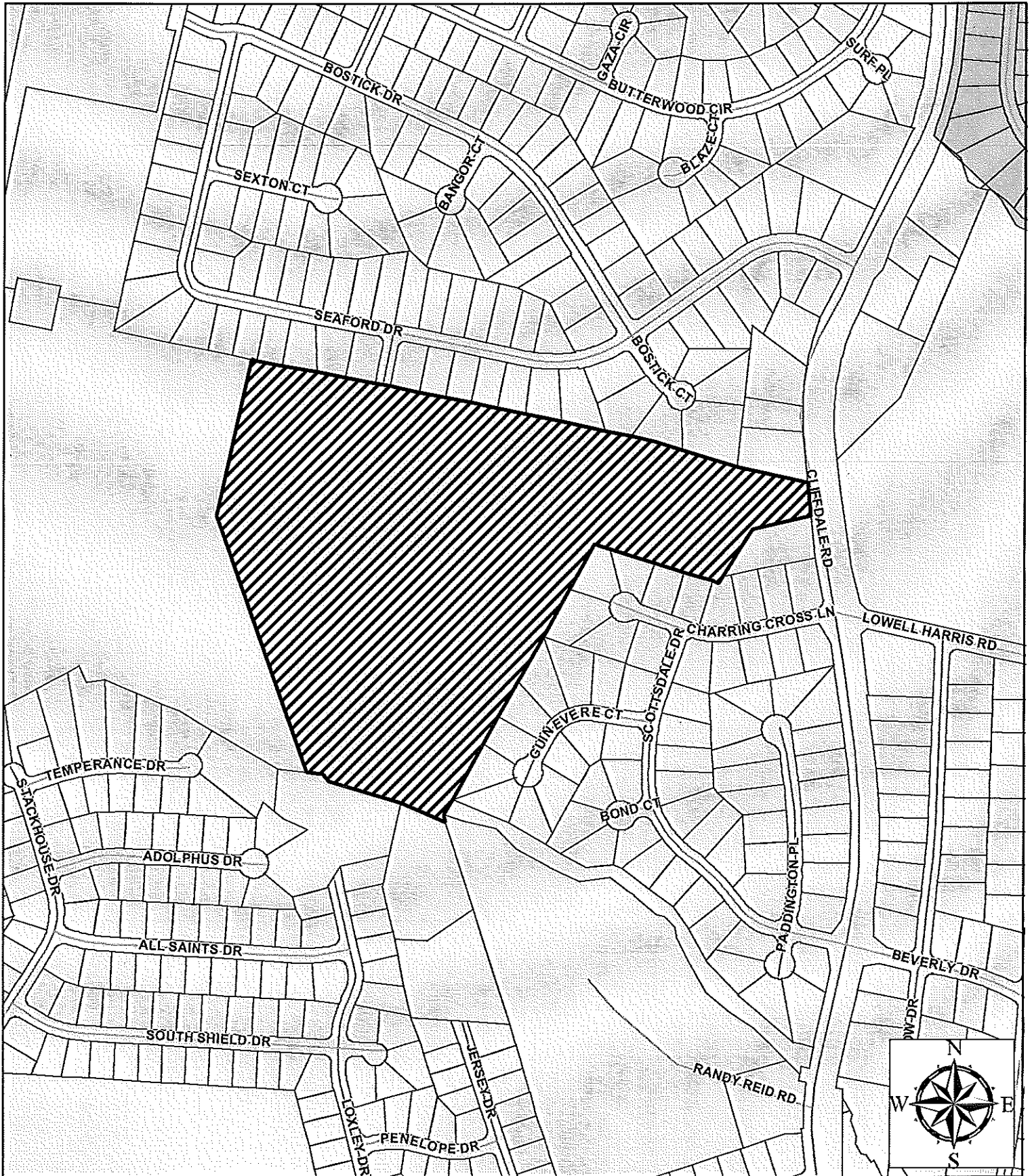


Legend







|                        |             |                   |               |                  |                      |                          |                   |
|------------------------|-------------|-------------------|---------------|------------------|----------------------|--------------------------|-------------------|
| Existing Landuse       | Common Area | Group Quarters    | Industrial    | Multi-Family     | Open Space           | Communications-Utilities | Vacant Commercial |
| Single Family Detached | Commercial  | Golf Course       | Institutional | Mobile Home      | Parking              | Under Construction       | Not Verified      |
| Single Family Attached | Cemetery    | Government Office | Lake          | Mobile Home Park | Predominantly Vacant | Vacant Land              | Null PIN          |

# 2010 Land Use Plan

## Case No. P10-16F



### Legend

- |  |  |   |
|--|--|---|
|  Medium Density Residential |  Office / Institutional |  Governmental            |
|  Light Commercial           |  Heavy Commercial       |  Low Density Residential |

5 4 3 -1

ZONING COMMISSION  
CASE NO. P10-16F





**MINUTES  
CITY OF FAYETTEVILLE  
ZONING COMMISSION  
CITY COUNCIL CHAMBER  
1ST FLOOR, CITY HALL  
MAY 11, 2010 @ 7:00 P.M.**

**MEMBERS PRESENT**

Pete Paoni  
Richard West  
John Crawley  
Lockett Tally  
Marshall Isler  
Richard West

**MEMBERS ABSENT**

Steve Mannell  
Martin J. Hendrix

**OTHERS PRESENT**

Karen Hilton, Planning Manager  
Craig Harmon, Planner  
Janet Smith, Asst. City Atty  
David Steinmetz, Inspections

The meeting was called to order at 7:00pm.

**I. APPROVAL OF AGENDA**

Mr. West made a motion to approve the agenda for April 13, 2010. Mr. Tally seconded the motion. A vote was taken and passed unanimously.

**II. APPROVAL OF THE MINUTES FROM THE APRIL 9, 2010 MEETING**

Mr. Paoni requested that the minutes be amended to reflect April 13, 2010 as opposed to April 9, 2010 as it currently reflects. Mr. West made a motion to approve the amended minutes from the April 13, 2010 meeting. The motion was seconded by Mr. Tally. A vote was taken and passed unanimously.

Mr. Paoni explained the Commission members' job was to conduct public hearings, listening carefully to the testimony from both sides to make recommendations that would be forwarded to City Council for final action. Each side will be given fifteen (15) minutes, collectively, to speak and must be signed up prior to the meeting. Request for Special Use Permits are quasi-judicial and speakers must be sworn in before speaking. Any aggrieved party has ten (10) days from today's meeting to file an appeal with the City Clerk's Office, located on the second floor of City Hall.

**III. PUBLIC HEARINGS**

- C. Case No. P10-16F.** The rezoning from AR Residential & PND Planned Neighborhood Development District to R10 Residential District or to a more restrictive zoning classification for property located at 9271 Cliffdale Road. Containing 36.3 acres more or less and being the property of Virginia Newton Barefoot.

Mr. Harmon presented the case. He gave an overview of the case. Mr. Harmon explained the current land use for the property and the surrounding areas. He stated that the 2010 land use plan called for low density residential. Mr. Harmon explained that this property is surrounded by R15 and AR Residential, R10 zoning

is also near the property. He stated that the existing subdivisions zoned R15 were built prior to the extension of public water and sewer to the area. Mr. Harmon explained that staff recommends approval of the rezoning based on:

1. The 2010 Land Use Plan calls for Low Density Residential for this property, R10 is one of the City's Low Density Districts.
2. Public utilities are available to this development.

The public hearing was opened.

Mr. Evans appeared in favor of the request. He explained that the owners of the property which they inherited have decided it is time to sell the land.

Mr. Scott Brown appeared in favor of the request. Mr. Brown explained that the parcel is surrounded by residential and it is conforming to the land use plan.

Ms. Carol Shackelford was called to speak in opposition but she wasn't present.

The public hearing was closed.

Mr. West made the motion to approve the request to rezone the property. The motion was seconded by Mr. Tally. A vote was taken and passed unanimously.

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Craig M. Harmon, Planner II  
**DATE:** June 28, 2010  
**RE:** 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.

---

**THE QUESTION:**

What is the appropriate zoning district for property currently surrounded by existing and approved low density single family residential.

**RELATIONSHIP TO STRATEGIC PLAN:**

Growth and Development  
Livable Neighborhoods

**BACKGROUND:**

Owner: Richard V. West  
Applicant: Michael Harrell  
Requested Action: AR to R10  
Property Address: 4456 Carula Ln.  
City Council District: 6 (Crisp)  
Status of Property: 1 single family dwelling on the property  
Size: 15.6 +/- acres  
Existing Land Use: Residential  
Adjoining Land Use & Zoning: North - R10 (residential) / South - AR & R10 (residential & forest) / East - R10 (single family subdivision to be built) / West -R10 (residential)  
2010 Land Use Plan: Low Density Residential  
Letters Mailed: 120  
Transportation: Carula Lane is a private street. Fisher Road is the closest public street. It has an average daily traffic count of 7900 vehicles.

AR - This district is designed for rural use to include agricultural use and low-density residential use. This district would allow for a maximum of 32 units.

R10 - Primarily a single-family residential district with smaller lot areas required but including occasional two-family and multifamily structures on larger lots. This district would allow for a maximum of 86 units.

**ISSUES:**

The R10 property to the east of this application has an approved subdivision (Summer Grove) with 60 new lots planned. An additional 14 acres adjacent to this property has recently been rezoned to R10 for single family housing. Since this is not a conditional rezoning, access to this site is still in question.

Zoning Commission and Staff recommend Approval of the rezoning based on:

1. The 2010 Land Use Plan calls for low density residential. R10 is one of the city's low density districts.
2. This property abuts an already approved subdivision zoned R10.
3. The 2030 Growth Vision Plan states that development should occur at densities appropriate for the site. The recommended zoning would be appropriate for the level of service and compatible with the proposed/existing homes in this area.

**OPTIONS:**

Zone the property to R10 Residential Zoning District (recommended);  
Zone to a more restrictive Zoning District;  
Deny the rezoning of this property.

**RECOMMENDED ACTION:**

The Zoning Commission and Staff recommend that the City Council move to approve the rezoning from AR Agricultural Residential District to R10 Residential District based on the reasons provided in the ISSUES Section above.

**ATTACHMENTS:**

Zoning Map

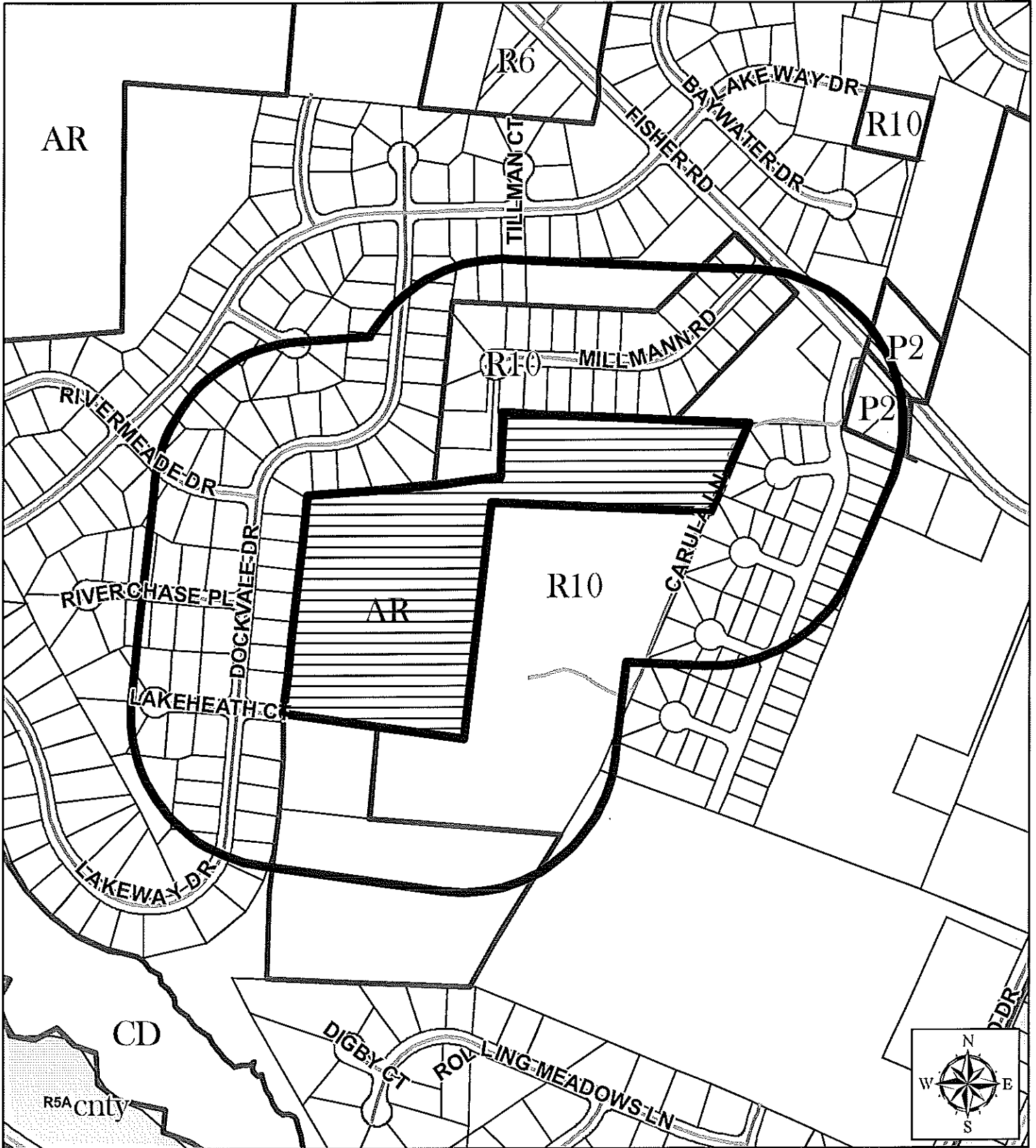
Current Landuse

2010 Plan

Ortho Photo

Zoning Commission Minutes

**ZONING COMMISSION  
CASE NO. P10-17F**



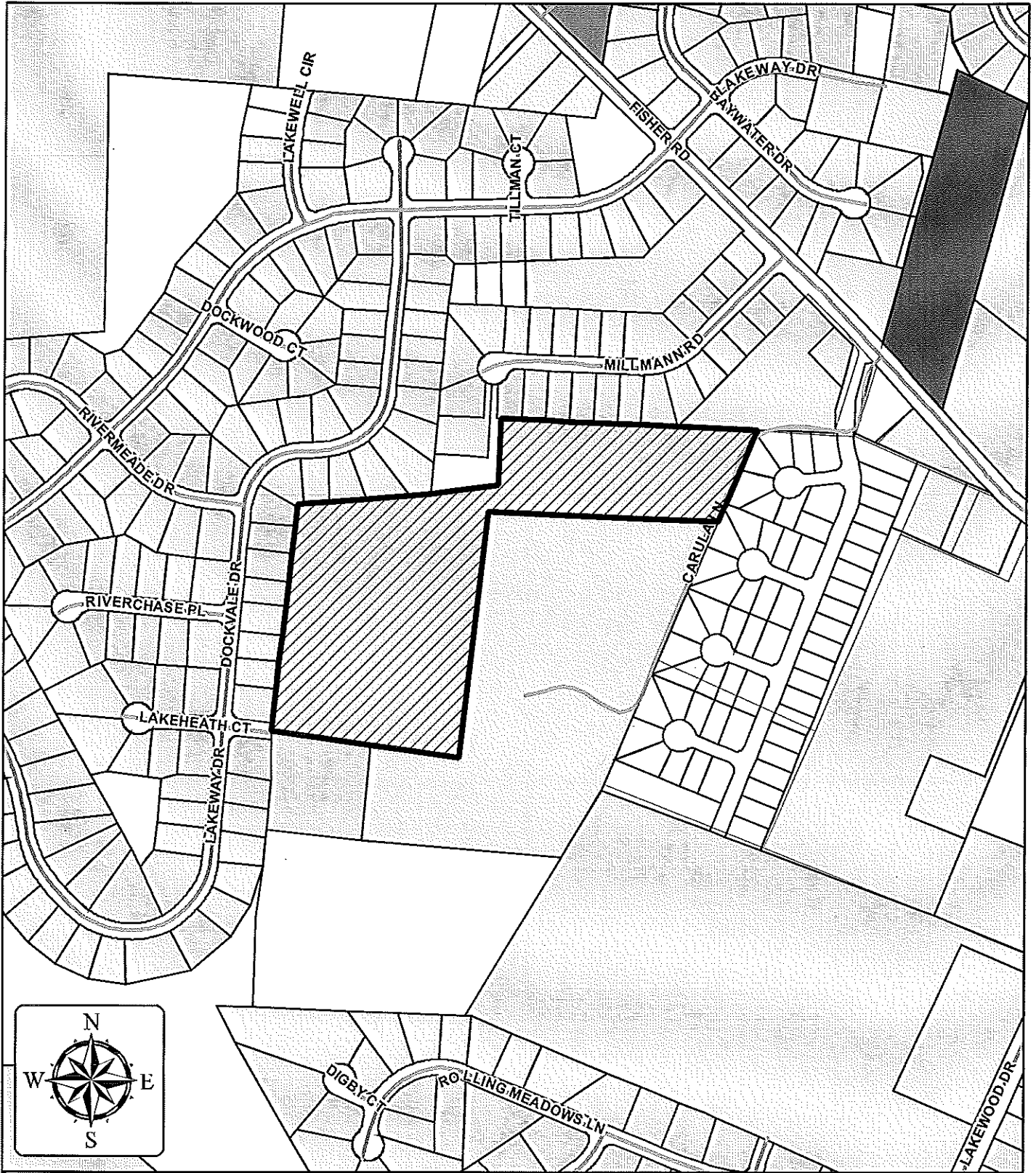
**Request:** AR to R10  
**Location:** 4456 Carula Ln  
**Acreage:** +/- 15.6

**Zoning Commission:** 5/11/2010  
**City Council:** \_\_\_\_\_  
**Pin:** 9495-96-4204

**Recommendation:** \_\_\_\_\_  
**Final Action:** \_\_\_\_\_

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

Current Land Use  
P10-17F

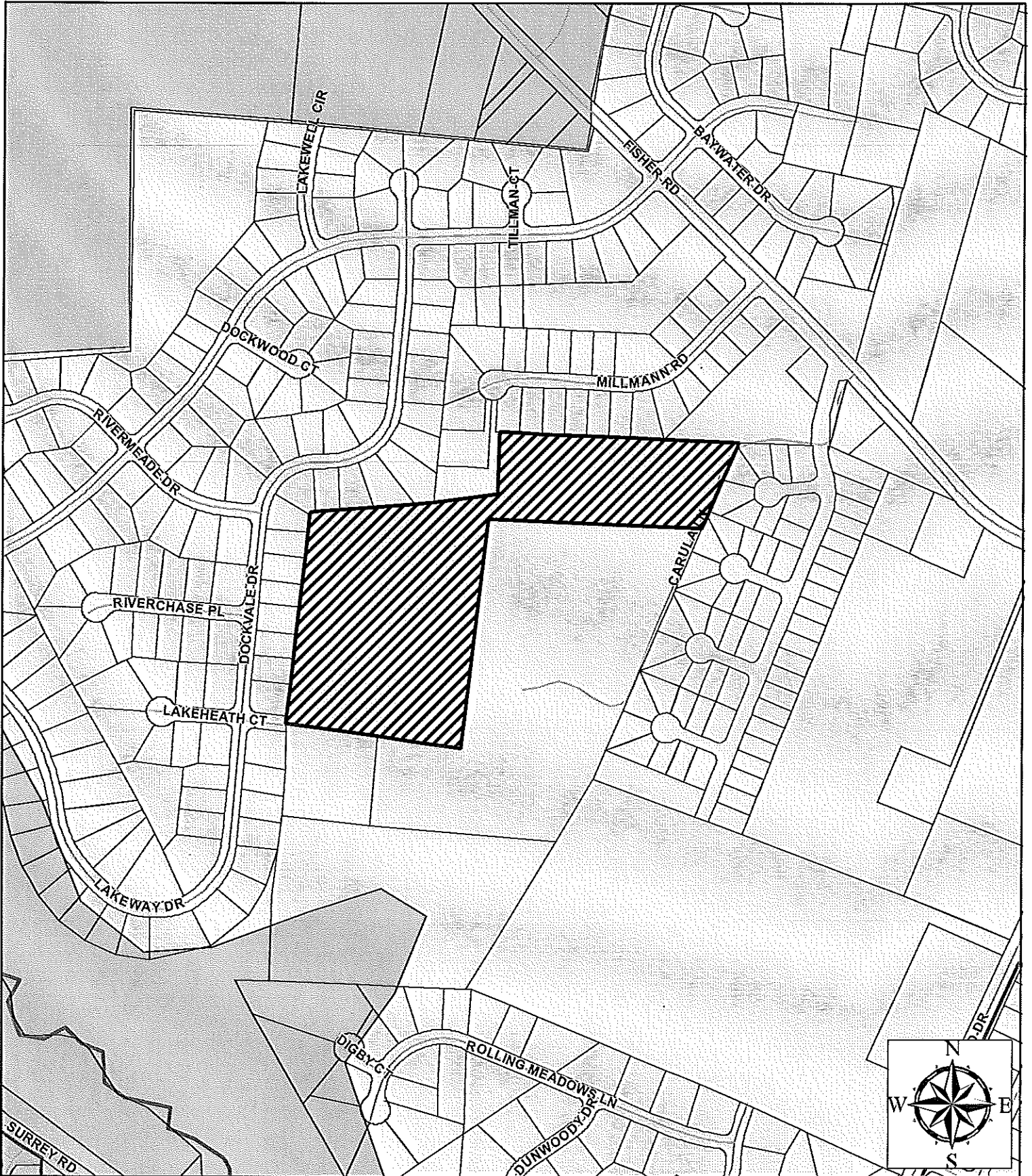


Legend







|                        |             |                   |               |                  |                      |                          |                   |
|------------------------|-------------|-------------------|---------------|------------------|----------------------|--------------------------|-------------------|
| Existing Landuse       | Common Area | Group Quarters    | Industrial    | Multi-Family     | Open Space           | Communications-Utilities | Vacant Commercial |
| Single Family Detached | Commercial  | Golf Course       | Institutional | Mobile Home      | Parking              | Under Construction       | Not Verified      |
| Single Family Attached | Cemetery    | Government Office | Lake          | Mobile Home Park | Predominantly Vacant | Vacant Land              | Null PIN          |

# 2010 Land Use Plan

## Case No. P10-17F

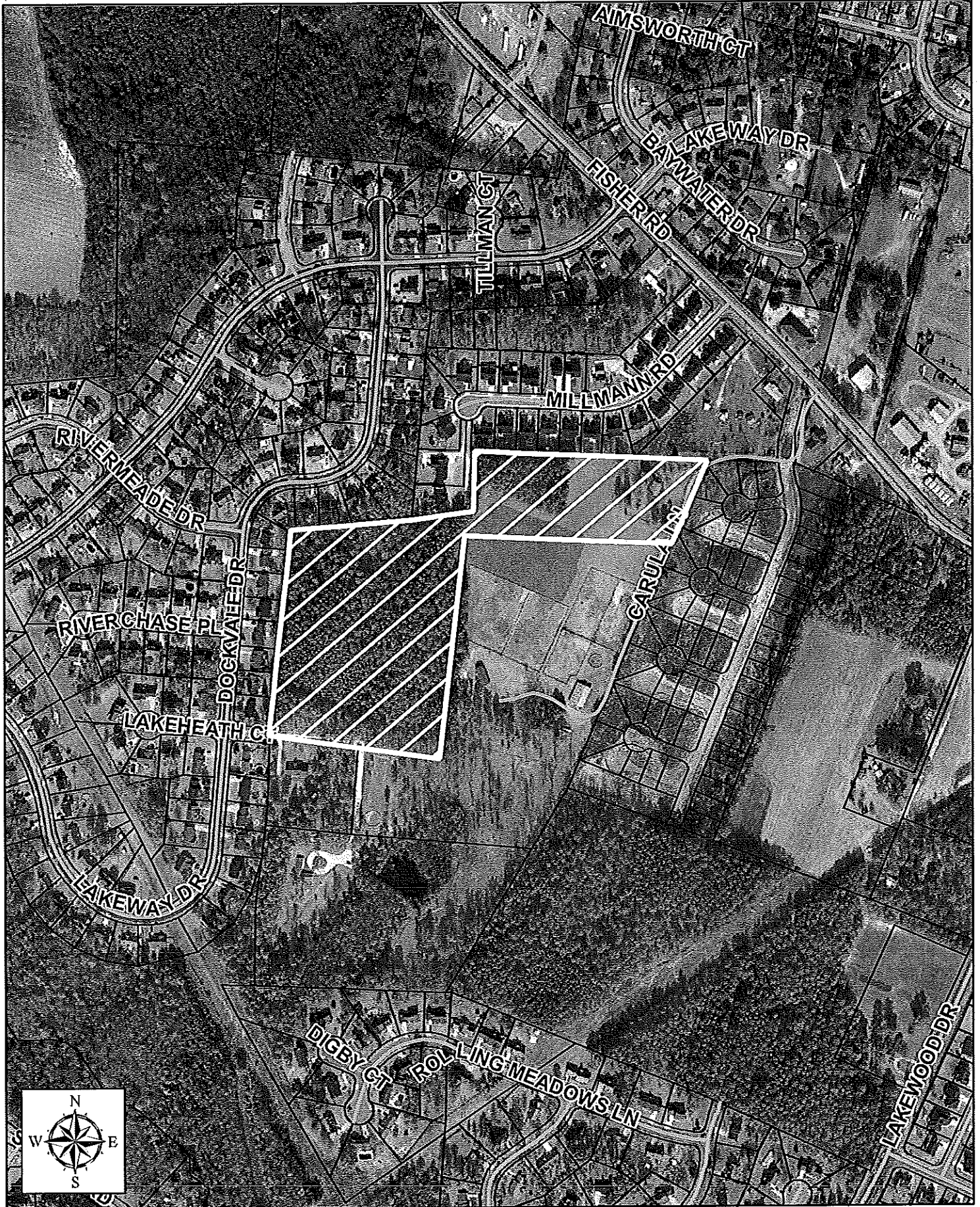


### Legend

- |  |  |   |
|--|--|---|
|  Medium Density Residential |  Office / Institutional |  Governmental            |
|  Light Commercial           |  Heavy Commercial       |  Low Density Residential |

5 5 3-1

ZONING COMMISSION  
CASE NO. P10-17F





**MINUTES  
CITY OF FAYETTEVILLE  
ZONING COMMISSION  
CITY COUNCIL CHAMBER  
1ST FLOOR, CITY HALL  
MAY 11, 2010 @ 7:00 P.M.**

**MEMBERS PRESENT**

Pete Paoni  
Richard West  
John Crawley  
Lockett Tally  
Marshall Isler  
Richard West

**MEMBERS ABSENT**

Steve Mannell  
Martin J. Hendrix

**OTHERS PRESENT**

Karen Hilton, Planning Manager  
Craig Harmon, Planner  
Janet Smith, Asst. City Atty  
David Steinmetz, Inspections

The meeting was called to order at 7:00pm.

**I. APPROVAL OF AGENDA**

Mr. West made a motion to approve the agenda for April 13, 2010. Mr. Tally seconded the motion. A vote was taken and passed unanimously.

**II. APPROVAL OF THE MINUTES FROM THE APRIL 9, 2010 MEETING**

Mr. Paoni requested that the minutes be amended to reflect April 13, 2010 as opposed to April 9, 2010 as it currently reflects. Mr. West made a motion to approve the amended minutes from the April 13, 2010 meeting. The motion was seconded by Mr. Tally. A vote was taken and passed unanimously.

Mr. Paoni explained the Commission members' job was to conduct public hearings, listening carefully to the testimony from both sides to make recommendations that would be forwarded to City Council for final action. Each side will be given fifteen (15) minutes, collectively, to speak and must be signed up prior to the meeting. Request for Special Use Permits are quasi-judicial and speakers must be sworn in before speaking. Any aggrieved party has ten (10) days from today's meeting to file an appeal with the City Clerk's Office, located on the second floor of City Hall.

**III. PUBLIC HEARINGS**

- D. Case No. P10-17F.** The rezoning from AR Residential to R10 Residential District or to a more restrictive zoning classification for property located at 4456 Carula Lane. Containing 15.6 acres more or less and being the property of Richard V. West.

Mr. Paoni made a motion to recuse Mr. Richard West from the hearing. Mr. Crawly seconded the motion. A vote was taken and passed unanimously.

Mr. Tally made a motion to sit Mr. Mannell on the Zoning Commission. Mr. Crawley seconded the motion. A vote was taken and passed unanimously.

Mr. Harmon presented the case. Mr. Harmon explained the surrounding areas and that the 2010 land use plan calls for low density residential. Mr. Harmon explained that the R10 property to the east of this application has an approved subdivision (Summer Grove) with 60 new lots planned and that an additional 14 acres adjacent to this property has recently been rezoned to R10 for single family housing.

Mr. Harmon stated that the planning staff recommends approval of the rezoning based on:

1. The 2010 Land Use Plan calls for low density residential. R10 is one of the city's low density districts.
2. This property abuts an already approved subdivision zoned R10.
3. The 2030 Growth Vision Plan states that development should occur at densities appropriate for the site. The recommended zoning would be appropriate for the level of service and compatible with the proposed/existing homes in this area.

The public hearing was opened.

Mr. Scott Brown appeared in favor of the request. Mr. Brown stated that he represents the potential buyer of the property. He stated that the rezoning conforms with the 2030 land use plan.

Mr. Evans appeared in favor of the request. Mr. Evans explained the ingress and egress into the development.

Ms. Loretta Gunn appeared in opposition of the request. She stated that she has questions about the property and is concerned the apartments may be allowed on the property. She stated that she is concerned about the increase in traffic.

The public hearing was closed.

Mr. Harmon explained the R10 residential classification and zoning description.

Mr. Paoni made a motion to approve the request to rezone the property. The motion was seconded by Mr. Crawley. A vote was taken and passed unanimously.

A motion was made to remove Mr. Mannell from the Zoning Commission by Mr. Isler. Mr. Crawley seconded the motion. A vote was taken and passed unanimously.

A motion was made to reseat Mr. West to the Zoning Commission by Mr. Isler. Mr. Crawley seconded the motion. A vote was taken and passed unanimously.

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Craig M. Harmon, Planner II  
**DATE:** June 28, 2010  
**RE:** **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 owner.**

---

### THE QUESTION:

What is the appropriate zoning district for property with commercial zoning on two sides and multifamily behind it.

### RELATIONSHIP TO STRATEGIC PLAN:

Growth and Development  
Livable Neighborhoods  
Strong Local Economy/Livable Communities

### BACKGROUND:

Owner: JB Rouse III and wife Virginia  
Applicant: Richard Rabon  
Requested Action: R10 to C1P  
Property Address: 1140 Mintz Mill Road  
City Council District: 4 (Haire)  
Status of Property: Vacant  
Size: 1.44 +/- acres  
Existing Land Use: Residential Adjoining Land Use & Zoning: North - C1 (commercial) & R10 (single family residential) / South - R5 (residential/apartments) / East - C1P (commercial) / West - C1 (commercial)  
2010 Land Use Plan: Low Density Residential  
Letters Mailed: 139  
Transportation: Pamalee Drive is a Major Thoroughfare with an average daily traffic count of 34,000 vehicles.  
2030 Growth Vision Plan: Cautions against rezoning properties to commercial just because they front along a major thoroughfare.

R10 - Primarily a single-family residential district with smaller lot areas required but including occasional two-family and multi-family structures on larger lots. This district would allow for a maximum of 8 units.

C1P - Shopping Center District - Identical to the C1 local business district except that plans as required by the subdivision chapter must be submitted to the planning agency for approval prior to development; and, mixed residential use is permitted with special limitations.

### ISSUES:

This property is located on a major thoroughfare with commercial zoning on two sides and multi family in the rear. This area was annexed into the City in 1988. At that time the two adjacent properties were already zoned commercial by the County. Those zoning districts were converted to the City equivalent district when the area was annexed.

Zoning Commission and Staff recommend Approval of the rezoning based on:

1. Although the 2010 Land Use Plan calls for low density residential, this property is between two commercially zoned properties.

2. The property is located along a major thoroughfare, but with commercial on both sides, is not well positioned for stable residential development.
3. The nearest single family residential district is across Pamalee Drive, a five lane thoroughfare.

**OPTIONS:**

Zone the property to C1P Commercial Zoning District (recommended);  
Zone to a more restrictive Zoning District;  
Deny the rezoning of this property.

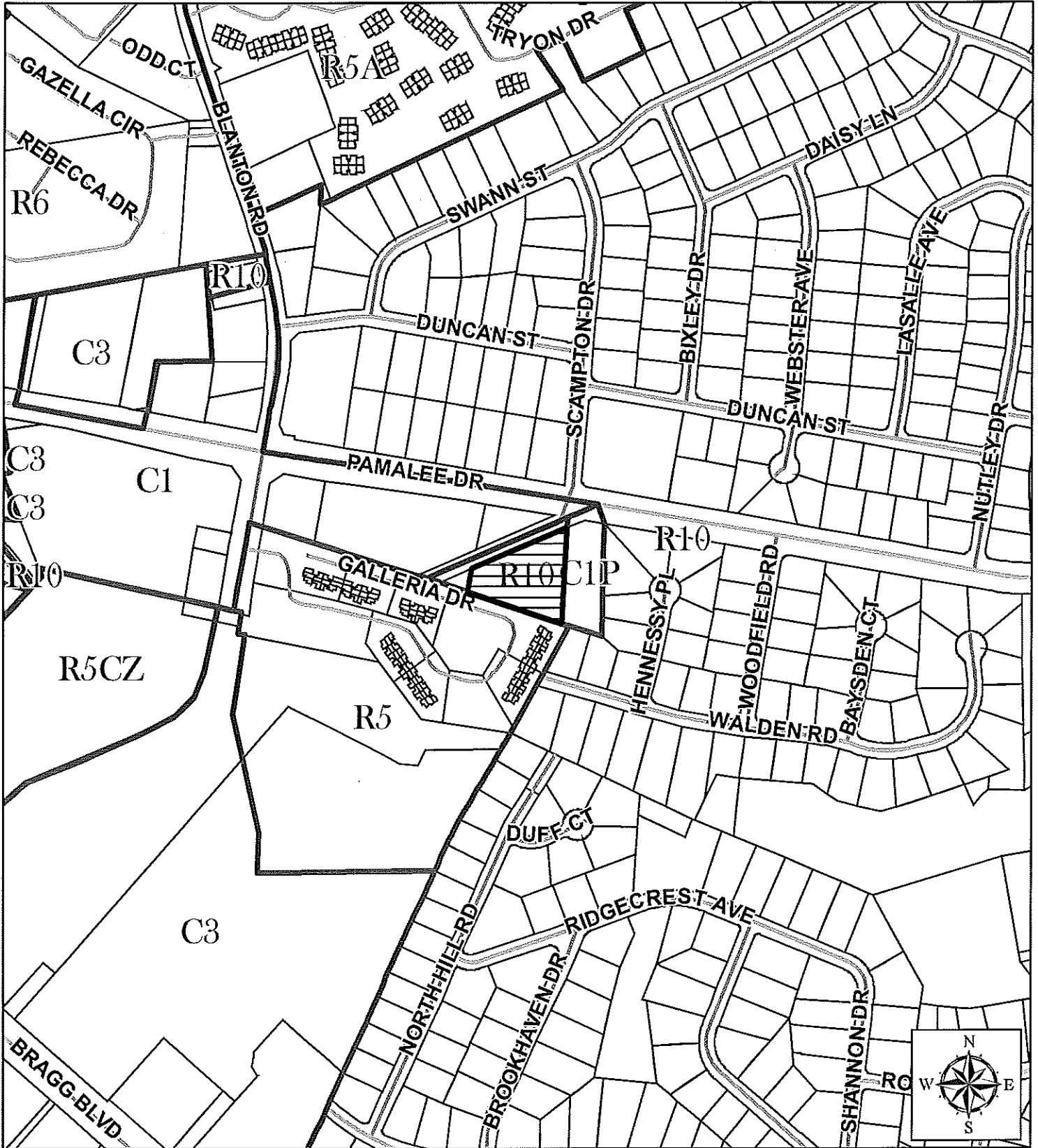
**RECOMMENDED ACTION:**

The Zoning Commission and Staff recommend that the City Council move to approve the rezoning from R10 Residential District to C1P Commercial District based on the reasons provided in the ISSUES Section above.

**ATTACHMENTS:**

Zoning Map  
2010 Plan  
Ortho Photo  
Zoning Commission Minutes

ZONING COMMISSION  
CASE NO. P10-19F



Request: R10 to C1P  
Location: 1140 Mintz Mill Rd  
Acreage: +/- 1.44

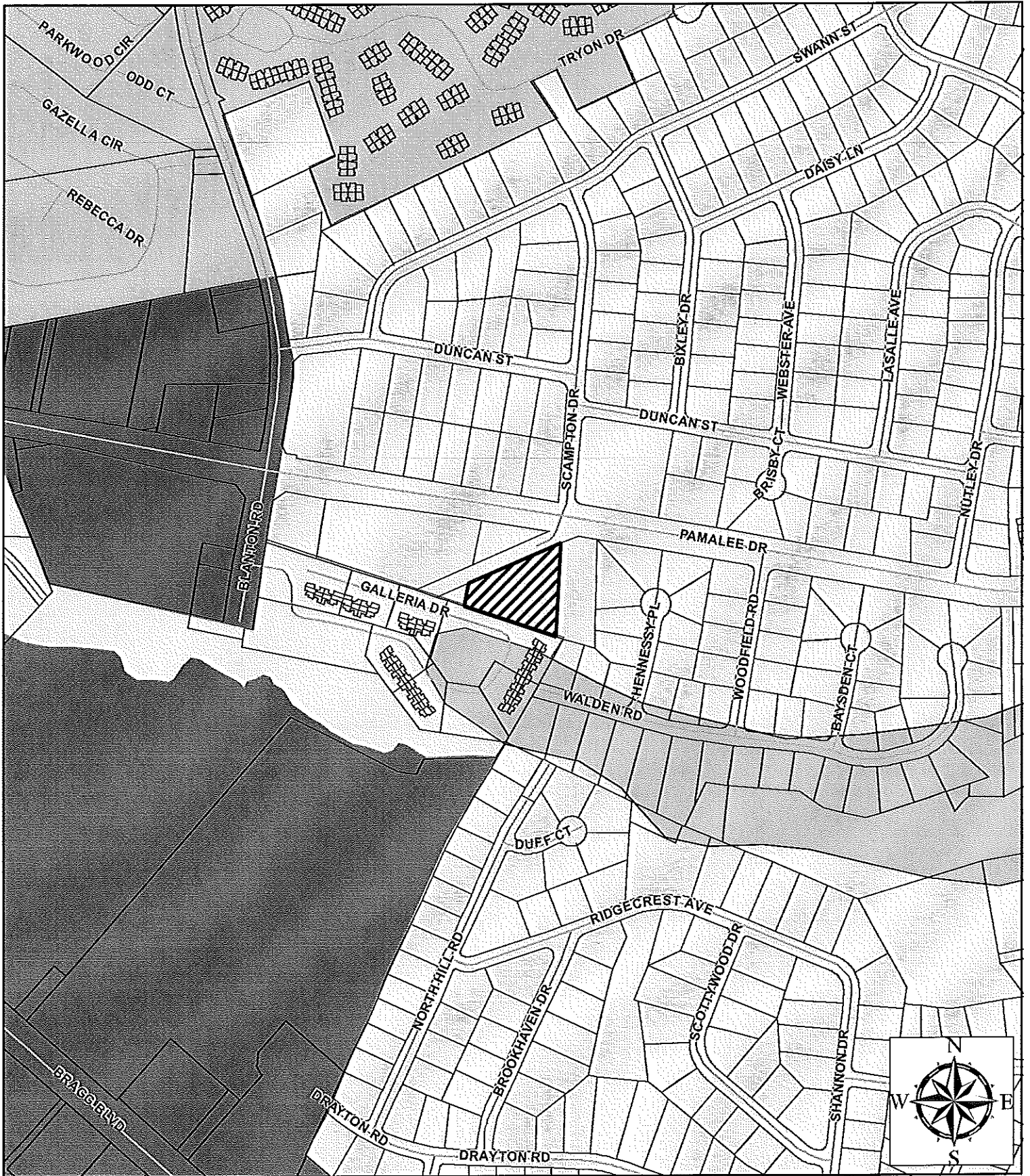
Zoning Commission: 5/11/2010  
City Council: \_\_\_\_\_  
Pin: 0418-86-1373

Recommendation: \_\_\_\_\_  
Final Action: \_\_\_\_\_







Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

# 2010 Land Use Plan

Case No. P10-19F

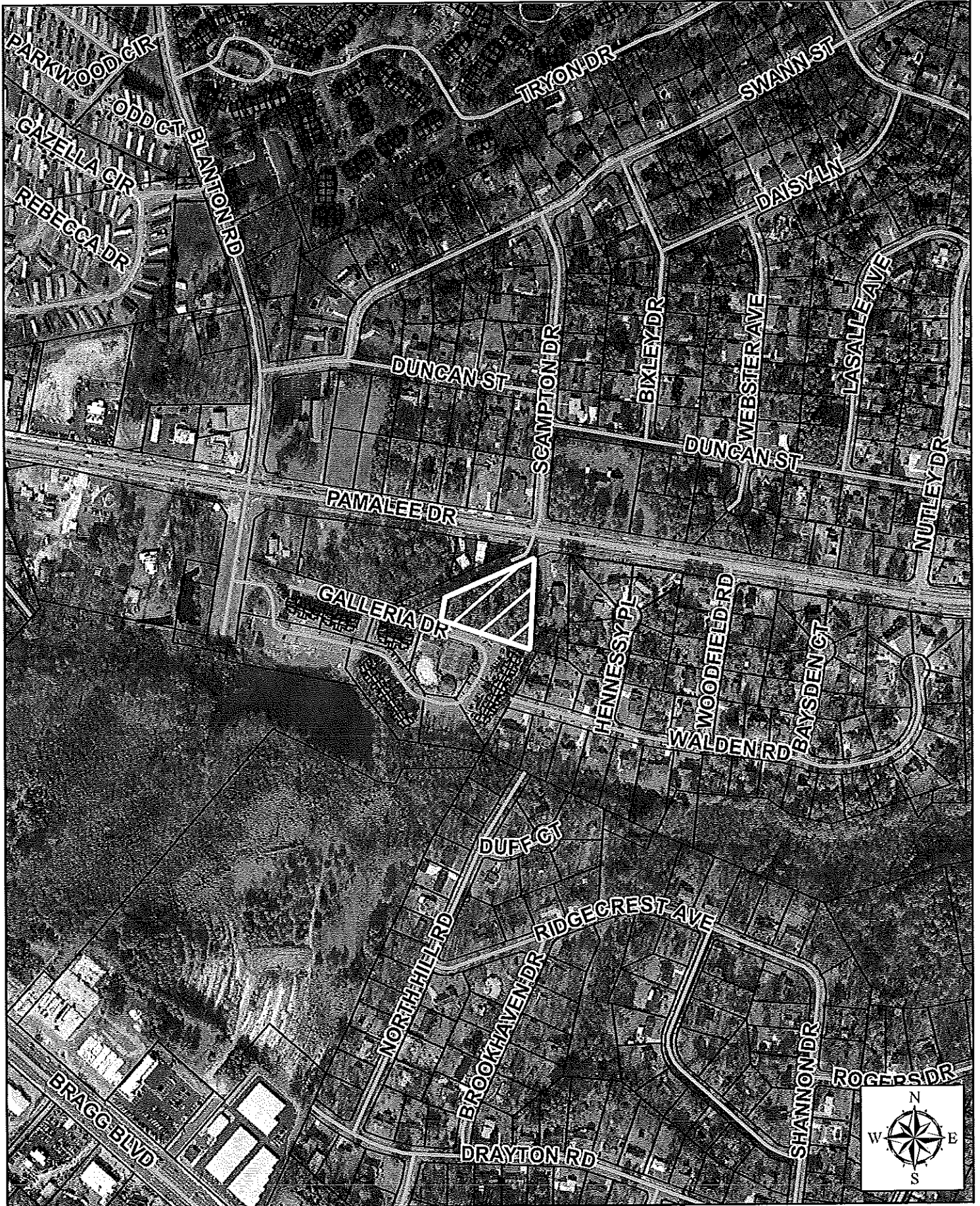


## Legend

- |  |  |   |
|--|--|---|
|  Medium Density Residential |  Office / Institutional |  Governmental            |
|  Light Commercial           |  Heavy Commercial       |  Low Density Residential |

5-6-2-1

ZONING COMMISSION  
CASE NO. P10-19F



**MINUTES  
CITY OF FAYETTEVILLE  
ZONING COMMISSION  
CITY COUNCIL CHAMBER  
1ST FLOOR, CITY HALL  
MAY 11, 2010 @ 7:00 P.M.**

**MEMBERS PRESENT**

Pete Paoni  
Richard West  
John Crawley  
Lockett Tally  
Marshall Isler  
Richard West

**MEMBERS ABSENT**

Steve Mannell  
Martin J. Hendrix

**OTHERS PRESENT**

Karen Hilton, Planning Manager  
Craig Harmon, Planner  
Janet Smith, Asst. City Atty  
David Steinmetz, Inspections

The meeting was called to order at 7:00pm.

**I. APPROVAL OF AGENDA**

Mr. West made a motion to approve the agenda for April 13, 2010. Mr. Tally seconded the motion. A vote was taken and passed unanimously.

**II. APPROVAL OF THE MINUTES FROM THE APRIL 9, 2010 MEETING**

Mr. Paoni requested that the minutes be amended to reflect April 13, 2010 as opposed to April 9, 2010 as it currently reflects. Mr. West made a motion to approve the amended minutes from the April 13, 2010 meeting. The motion was seconded by Mr. Tally. A vote was taken and passed unanimously.

Mr. Paoni explained the Commission members' job was to conduct public hearings, listening carefully to the testimony from both sides to make recommendations that would be forwarded to City Council for final action. Each side will be given fifteen (15) minutes, collectively, to speak and must be signed up prior to the meeting. Request for Special Use Permits are quasi-judicial and speakers must be sworn in before speaking. Any aggrieved party has ten (10) days from today's meeting to file an appeal with the City Clerk's Office, located on the second floor of City Hall.

**III. PUBLIC HEARINGS**

- F. **Case No. P10-19F.** The rezoning from R10 Residential District to C1P Commercial District or to a more restrictive zoning classification for property located at 1140 Mintz Mill Road. Containing 1.44 acres more or less and being the property of J.B. Rouse III and Wife Virginia.

Mr. Harmon presented the case. He explained the surrounding areas and stated that the 2010 land use plan calls for low density residential. Mr. Harmon explained that the property is located on a major thoroughfare with commercial zoning on two sides and multi family in the rear. He stated that this area was annexed into the City in 1988 and that at that time the two adjacent properties were already zoned



commercial by the County. He explained that those zoning districts were converted to the City equivalent district when the area was annexed.

Mr. Harmon stated that the planning staff recommends approval of the rezoning based on:

1. Although the 2010 Land Use Plan calls for low density residential this property is between two commercial districts.
2. The property is located along a major thoroughfare.
3. The nearest single family residential district is across Pamalee Drive, a five lane thoroughfare.

The public hearing was opened.

Mr. Richard Robin appeared in favor of the request but deferred his time to the other speakers.

Mr. JB Rouse, III appeared in favor of the request. He stated that he was the owner of the property. He stated that he feels that isn't higher or practical use then what is being proposed for the property.

Mr. George Tuner appeared in favor of the request. Mr. Tuner explained to the Commission the road in the area that is currently no longer in use.

Mr. Scott Brown appeared in favor of the request. He stated that he has nothing else addition to add but supported the requested use of property.

There was no one in opposition of the request.

The public hearing was closed

Mr. Crawley made a motion to approve the request as submitted. Ms. Isler seconded the motion. A vote was taken and passed unanimously.

The Commission took a five minute recess.

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Robert Anderson, Chief Development Officer  
**DATE:** June 28, 2010  
**RE:** **Condemnation for Demolition 134 Swain Street.**

---

**THE QUESTION:**

Should the structure at 134 Swain Street be demolished?

**RELATIONSHIP TO STRATEGIC PLAN:**

Goal 2: More Attractive City- Clean and Beautiful; Goal 3: Growing City, Livable Neighborhoods- A Great Place To Live

**BACKGROUND:**

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. This structure was inspected and condemned on July 22, 2009, as a dangerous or vacant/abandoned structure. A hearing was held, which the owner(s) did not attend.

**ISSUES:**

This structure has had several owners, none of whom have done any significant repairs. Removal of this structure would improve the appearance of the area and possibly encourage new commercial development.

**OPTIONS:**

**RECOMMENDED ACTION:**

Staff recommend that Council move to adopt the ordinance ordering demolition of the structure.

**ATTACHMENTS:**

134 Swain St-Docket  
134 Swain St-Ordinance  
Picture 134 Swain Street

TO: Mayor  
 City Council Members  
 City Manager  
 City Attorney

Under provisions of Chapter 14, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, the Inspection Department is requesting the docket of the owner who has failed to comply with this Code, be presented to the City Council for action. All proceedings that are required by the Code, Section 14-61, have been complied with. We request the Council take action under the provisions of Chapter 14 of the Code and applicable NC General Statutes.

|  |   |
|--|---|
| <b>Location</b>                              | 134 Swain Street  |
| <b>Property Owner(s)</b>                     | Unknown Heirs of Lewis W. Walker, Kelly & Kelly Investments                   |
| <b>Date of Inspection</b>                    | 7/22/2009   |
| <b>Date of Hearing</b>                       | October 1, 2009   |
| <b>Finding/Facts of Scheduled Hearing</b>    | Notice to repair/demolish the structure within 60 days mailed October 5, 2009 |
| <b>Owner's Response</b>                      | None  |
| <b>Appeal Taken (Board of Appeals)</b>       | No  |
| <b>Other</b>                                 | No record of utilities.   |
|  | Hearing was advertised in the Fayetteville Observer September 2009.           |
|  |   |
| <b>Police Calls for Service (past 2 yrs)</b> | 1   |

The Housing Inspector dispatched a letter to the owner(s) with information that the docket would be presented to the City Council for necessary action.

This is the 28th day of June, 2010.

*Frank Lewis, Jr.*

Sr. Code Enforcement Administrator (Housing)

**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**

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

134 Swain Street  
PIN 0418-46-0350

Beginning at the southwest corner of the one acre corner tract sold by J.R. Brown to Miriam R. Quillin by deed dated November 16, 1935, and recorded in Book 386, Page 158, in the office of the Register of Deeds for Cumberland County, N.C. and runs thence with the southern line of said one acre tract South 47 degrees East 96.30 feet to the western margin of Skibo Road; thence with the western margin of Skibo Road South 40 degrees 57 minutes West 91 feet to a stake; thence North 47 degrees West parallel with the first line 96.30 feet to a stake; thence North 40 degrees 57 minutes East with the old line and parallel with said western margin of Skibo Road 91 feet to the beginning.

The owner(s) of and parties in interest in said property are:

Unknown Heirs of Lewis W. Walker  
Kelly & Kelly Investments  
PO Box 35619  
Fayetteville, NC 28303

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before December 1, 2009.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(5), when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.

- (4) The City Council has fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None.

- (5) That pursuant to NC General Statute 160A-443(6), the cost of \$1,900.00 shall be a lien against the real property upon which the cost was incurred.

Whereupon, it is ordained that:

SECTION 1

The Building Inspector is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Inspections Director as set forth fully above, except as modified in the following particulars:

This property is to be demolished and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by NC General Statute 160A-443(6) shall be effective from and after the date the work is completed, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

This ordinance shall be in full force and effect from and after its adoption.

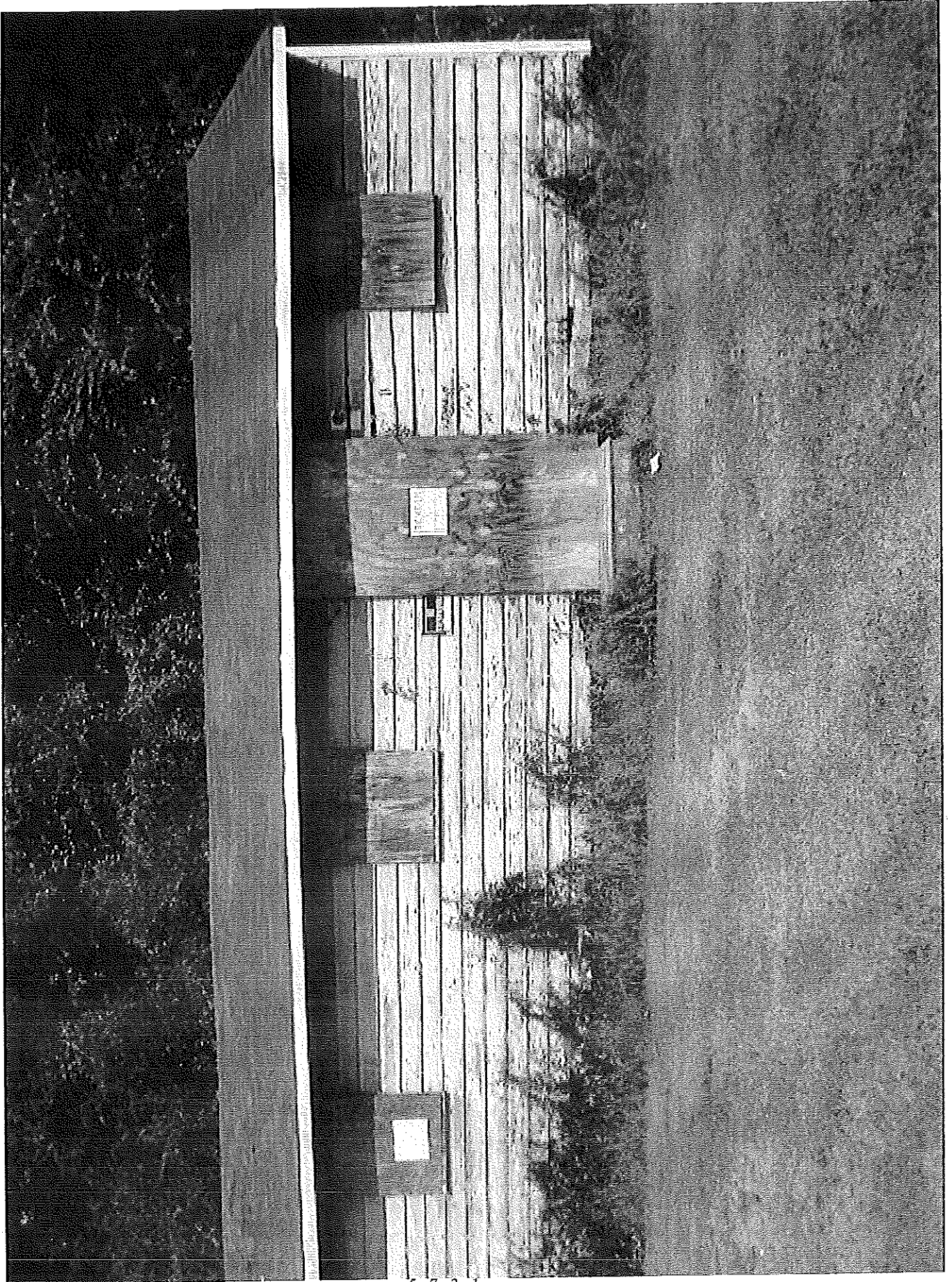
Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

CITY OF FAYETTEVILLE

BY: \_\_\_\_\_  
Anthony Chavonne, Mayor

ATTEST:

\_\_\_\_\_  
Rita Perry, City Clerk



5-7-3-I

**CITY COUNCIL ACTION MEMO**

**TO:** Mayor and Members of City Council  
**FROM:** Robert Anderson, Chief Development Officer  
**DATE:** June 28, 2010  
**RE:** **Condemnation for Demolition 5507 Hendrick Drive.**

---

**THE QUESTION:**

Whether or not to demolish the structure at 5507 Hendrick Drive.

**RELATIONSHIP TO STRATEGIC PLAN:**

Goal 2: More Attractive City- Clean and Beautiful; Goal 3: Growing City, Livable Neighborhoods- A Great Place To Live

**BACKGROUND:**

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. This structure was inspected and condemned on August 23, 2007, as a dangerous or vacant/abandoned structure. A hearing was held, which the owner did not attend. The owner has made no attempts to repair the structure.

**ISSUES:**

The owner of this property has been given ample time to repair or demolish the structure. Attempts to sell the property have not been successful; the owner was also given the opportunity to have the structure demolished through the Community Development Demolition Program.

**OPTIONS:**

- 1) Adopt the ordinance and demolish the structure as recommended.
- 2) Choose not to demolish the structure and allow current conditions to exist.
- 3) Provide guidance to staff for further investigation.

**RECOMMENDED ACTION:**

Staff recommends the City Council move to adopt the ordinance ordering the demolition of the structure.

**ATTACHMENTS:**

5507 Hedrick Dr-Docket  
5507 Hedrick Dr-Ordinance  
Picture 5507 Hedrick Drive

TO: Mayor  
 City Council Members  
 City Manager  
 City Attorney

Under provisions of Chapter 14, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, the Inspection Department is requesting the docket of the owner who has failed to comply with this Code, be presented to the City Council for action. All proceedings that are required by the Code, Section 14-61, have been complied with. We request the Council take action under the provisions of Chapter 14 of the Code and applicable NC General Statutes.

|  |   |
|--|---|
| <b>Location</b>                              | <b>5507 Hedrick Drive</b>   |
| <b>Property Owner(s)</b>                     | The Ophelia Holmes Living Trust, Duane Holmes, Deidre Beck Fayetteville, NC   |
| <b>Date of Inspection</b>                    | 8/23/2007   |
| <b>Date of Hearing</b>                       | March 25, 2009  |
| <b>Finding/Facts of Scheduled Hearing</b>    | Notice to repair/demolish the structure within 60 days mailed March 25, 2009. |
| <b>Owner's Response</b>                      | None  |
| <b>Appeal Taken (Board of Appeals)</b>       | No  |
| <b>Other</b>                                 | No record of utilities found.   |
|  | Hearing was advertised in the Fayetteville Observer March 2009.               |
|  |   |
| <b>Police Calls for Service (past 2 yrs)</b> | 2   |

The Housing Inspector dispatched a letter to the owner(s) with information that the docket would be presented to the City Council for necessary action.

This is the 28th day of June, 2010.

*Frank Lewis, Jr.*

Sr. Code Enforcement Administrator (Housing)



**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**

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

5507 Hedrick Drive  
PIN 0409-51-4704

Being all of Lot Number 8, Block " Y", in a subdivision known as COTTONADE, SECTION 12, PART 2, according to a plat of same duly recorded in Book of Plats 40, Page 33, Cumberland County Registry, North Carolina; and being the same property as conveyed to Grantor by deed recorded in Book 2654, Page 834, aforesaid Registry.

The owner(s) of and parties in interest in said property are:  
The Ophelia Holmes Living Trust  
Duane Holmes  
Deidre Beck  
PO Box 597  
Fayetteville, NC 28302-0597

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before May 25, 2009.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(5), when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.
- (4) The City Council has fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None.

- (5) That pursuant to NC General Statute 160A-443(6), the cost of \$3,900.00 shall be a lien against the real property upon which the cost was incurred.

Whereupon, it is ordained that:

SECTION 1

The Building Inspector is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Inspections Director as set forth fully above, except as modified in the following particulars:

This property is to be demolished and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by NC General Statute 160A-443(6) shall be effective from and after the date the work is completed, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

This ordinance shall be in full force and effect from and after its adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

CITY OF FAYETTEVILLE

BY: \_\_\_\_\_  
Anthony Chavonne, Mayor

ATTEST:

\_\_\_\_\_  
Rita Perry, City Clerk



5-8-3-1

**CITY COUNCIL ACTION MEMO**

**TO:** Mayor and Members of City Council  
**FROM:** Jeffery P. Brown, PE, Engineering & Infrastructure Director  
**DATE:** June 28, 2010  
**RE:** **Addition of Streets to the City of Fayetteville's System of Streets**

---

**THE QUESTION:**

Council is being asked to accept the dedication of the attached list of streets for maintenance and addition to the City of Fayetteville system of streets.

**RELATIONSHIP TO STRATEGIC PLAN:**

Growing City, Livable Neighborhoods, A Great Place to Live

**BACKGROUND:**

- Staff has identified several subdivision streets throughout the City that are now acceptable for addition to the City of Fayetteville system of streets.
- These streets are subdivision streets that have been constructed over the last year.

**ISSUES:**

These streets need to be officially accepted and added to City of Fayetteville system of streets for us to begin providing maintenance services on them and for them to be included in our 2010 Powell Bill appropriation.

**OPTIONS:**

- Approve the attached list for inclusion in the City of Fayetteville system of streets.
- Modify the list, then approve.
- Do not accept these streets for maintenance.

**RECOMMENDED ACTION:**

Approve the attached list of subdivision streets for inclusion in the City's system of streets.

**ATTACHMENTS:**

List of New Streets for Acceptance

**NEW STREETS FOR  
COUNCIL APPROVAL  
JUNE 2010**

| <b>STREET NAME</b> | <b>FROM</b>        | <b>TO</b>        | <b>LENGTH TO<br/>BE ACCEPTED</b> |
|--------------------|--------------------|------------------|----------------------------------|
| BONE CREEK RD      | END MAINT          | CUL-DE-SAC       | 0.01                             |
| GREEN CREEK RD     | END MAINT          | CUL-DE-SAC       | 0.01                             |
| BIRCHMERE WAY      | RIVER RD           | NW CORNER LOT 66 | 0.47                             |
| VANDENBERG DR      | NE CORNER LOT 71   | NW CORNER LOT 43 | 0.27                             |
| LEEWRIGHT CT       | VANDENBERG DR      | CUL-DE-SAC       | 0.03                             |
| VALMEAD CT         | BELLINGHAM WAY     | CUL-DE-SAC       | 0.11                             |
| BELLINGHAM WAY     | END MAINT          | CUL-DE-SAC       | 0.19                             |
| BLACKWATER CT      | BLOCKADE RUNNER DR | CUL-DE-SAC       | 0.04                             |
| SCHONNER CT        | BLOCKADE RUNNER DR | CUL-DE-SAC       | 0.04                             |
| SEAWATER CT        | BLOCKADE RUNNER DR | CUL-DE-SAC       | 0.04                             |
| SOUTH BANK CT      | BLOCKADE RUNNER DR | CUL-DE-SAC       | 0.04                             |
| BLOCKADE RUNNER DR | FISHER RD          | SW CORNER LOT 21 | 0.31                             |
| COMMONWEALTH AVE   | END MAINT          | END PVMT         | 0.10                             |
|                    |                    |                  |                                  |
|                    |                    |                  |                                  |
|                    |                    |                  |                                  |
| <b>TOTALS</b>      |                    |                  | <b>1.66</b>                      |

**CITY COUNCIL ACTION MEMO**

**TO:** Mayor & Members of City Council  
**FROM:** Gloria Wrench, Purchasing Manager  
**DATE:** June 28, 2010  
**RE:** Consider Bid Award for the Purchase of One (1) 50' Hybrid Bucket Truck

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**THE QUESTION:**

Staff requests approval to award a contract for the purchase of one (1) 50' Hybrid Bucket Truck for use by Traffic Services.

**RELATIONSHIP TO STRATEGIC PLAN:**

More Efficient City Government - Cost-Effective Service Delivery

**BACKGROUND:**

Currently Traffic Services has the need for one (1) 50' Bucket Truck. The City will receive grant funding through the Triangle J Council of Governments' "Carolina Blue Skies and Green Jobs Initiative" to fund the difference in the cost of the hybrid unit and a standard unit.

Formal bids were received June 10, 2010. A total of eight (8) bids were received. Upon review and evaluation it was determined that five (5) bids were non-responsive because they were incomplete and did not contain all the required information.

The three (3) responsive bids received are 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 of Dunn and Altec Industries were found to be non-compliant to the specifications. The aerial device submitted by Peterbilt of Dunn did not meet the required specifications. The cab and chassis submitted by Altec is not a true hybrid system as required by the specifications and the granting authority. Therefore, it is the recommendation of staff that a contract be awarded to the most responsive bidder, Terex Utilities, Glen Allen, VA.

\*A complete evaluation sheet is attached.

**ISSUES:**

None

**OPTIONS:**

(1) Award bid as recommended. (2) Not award bid.

**RECOMMENDED ACTION:**

Award contract to the most responsive bidder, Terex Utilities, Glen Allen, VA, in the amount of \$191,485, for the purchase of one (1) 50' Hybrid Bucket Truck.

**ATTACHMENTS:**

Evaluation Sheet

**CITY OF FAYETTEVILLE**  
**BID FOR ONE (1) 50' HYBRID BUCKET TRUCK**  
**BID DATE: JUNE 10, 2010; 3:00 P.M.**

| BIDDERS                                  | UNIT PRICE | COMMENTS   |
|--|------------|--|
| COOPER KENWORTH<br>(ALTERNATE BID)       | \$171,238  | Bid determined to be non-responsive. Bidder did not submit a completely filled out specification sheet. Bidder also did not fill out Buy America or Debarment Certification as required by granting agency   |
| PETERBILT OF DUNN                        | \$172,566  | Responsive bid, however, aerial device quoted does not met specifications.   |
| ALTEC INDUSTRIES (FORD F-750)            | \$184,049  | Responsive bid, however, "Hybrid" system quoted does not meet the definition of a true hybrid for the Clean Cities & Green Jobs Grant  |
| ALTEC INDUSTRIES<br>(INTERNATIONAL 4400) | \$184,608  | Bid determined to be non-responsive. Bidder did not submit a specification check-off sheet for this bid.   |
| ALTEC INDUSTRIES<br>(FREIGHTLINER)       | \$190,175  | Bid determined to be non-responsive. Bidder did not submit a specification check-off sheet for this bid. Bidder also did not include the cost difference in the hybrid versus the standard cab and chassis, which is a requirement of the bid and the grant. |
| TEREX UTILITIES                          | \$191,485  | Responsive bid   |
| MAP ENTERPRISES                          | \$196,133  | Bid determined to be non-responsive because it did not include the cost difference in the hybrid versus the standard cab and chassis, which is a requirement of the bid and the grant.   |
| ALTEC INDUSTRIES<br>(ALTERNATE BID)      | \$205,000  | Bid determined to be non-responsive. Bidder did not submit a specification check-off sheet for this bid. Bidder also did not include the cost difference in the hybrid versus the standard cab and chassis, which is a requirement of the bid and the grant. |

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Lisa Smith, Chief Financial Officer  
**DATE:** June 28, 2010  
**RE:** **Special Revenue Fund Project Ordinance Closeouts 2010-1 through 2010-8  
(Various Police Projects)**

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### THE QUESTION:

Staff requests Council to closeout eight Special Revenue Fund Project Ordinances as follows:

- Special Revenue Fund Project Ordinance Closeout 2010-1 (FY2007 Operation Ceasefire)
- Special Revenue Fund Project Ordinance Closeout 2010-2 (FY2005 Justice Assistance Grant)
- Special Revenue Fund Project Ordinance Closeout 2010-3 (Gang Prevention Funds for Law Enforcement Agencies)
- Special Revenue Fund Project Ordinance Closeout 2010-4 (Cumberland Gang Prevention Partnership Program)
- Special Revenue Fund Project Ordinance Closeout 2010-5 (2009 Juvenile Restitution Program)
- Special Revenue Fund Project Ordinance Closeout 2010-6 (2008 Gangs Across the Carolinas Training Conference)
- Special Revenue Fund Project Ordinance Closeout 2010-7 (2007 Juvenile Restitution Program)
- Special Revenue Fund Project Ordinance Closeout 2010-8 (2008 Juvenile Restitution Program)

### RELATIONSHIP TO STRATEGIC PLAN:

Goal 1: Growing City, Livable Neighborhoods - A Great Place to Live  
Objective 1: Low crime rate and reputation as a safe community

### BACKGROUND:

- Annually, the City closes out several projects that have been completed in previous fiscal years and that are no longer active.
- The projects referenced above have been completed in a previous fiscal year and the revenues and expenditures related to the projects have been audited.
- The attached ordinance closeouts detail the budget and actual revenues and expenditures for the projects.

### ISSUES:

None

### OPTIONS:

- 1) Adopt Special Revenue Fund Project Ordinance Closeouts
- 2) Do not adopt Special Revenue Fund Project Ordinance Closeouts

### RECOMMENDED ACTION:

Adopt Special Revenue Fund Project Ordinance Closeouts 2010-1 through 2010-8



**ATTACHMENTS:**

CLO2010-1 through 2010-8

SPECIAL REVENUE FUND PROJECT ORDINANCE CLOSEOUT  
CLO 2010-1 (SRO 2007-6)

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 special revenue project ordinance is hereby closed:

Section 1. The project closing authorized is to Special Revenue Project Ordinance 2007-6, adopted August 28, 2006, for the funding of the Project Safe Neighborhood, Anti-Gang; Operation Ceasefire Grant awarded by the North Carolina Department of Crime Control and Public Safety, Division of Governor's Crime Commission.

Section 2. The project director is hereby directed to proceed with the necessary closing entries and collection of any and all grant and loan agreements outstanding.

Section 3. The following revenues were made available to the City for the project:

|                                  | <u>Budget</u>    | <u>Actual</u>    |
|----------------------------------|------------------|------------------|
| N.C. Governor's Crime Commission | <u>\$ 59,238</u> | <u>\$ 56,625</u> |

Section 4. The following amounts were appropriated and expended for the project:

|                      | <u>Budget</u>    | <u>Actual</u>    |
|----------------------|------------------|------------------|
| Project Expenditures | <u>\$ 59,238</u> | <u>\$ 56,625</u> |

Section 5. Copies of this special revenue project ordinance closeout shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of June, 2010.

SPECIAL REVENUE FUND PROJECT ORDINANCE CLOSEOUT  
CLO 2010-2 (SRO 2006-4)

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 special revenue project ordinance is hereby closed:

Section 1. The project closing authorized is to Special Revenue Project Ordinance 2006-4, adopted September 12, 2005, for the funding of the FY2005 Justice Assistance Grant awarded by the U.S. Department of Justice for Evacuation Center for Communications and to purchase miscellaneous equipment.

Section 2. The project director is hereby directed to proceed with the necessary closing entries and collection of any and all grant and loan agreements outstanding.

Section 3. The following revenues were made available to the City for the project:

|                            | <u>Budget</u>     | <u>Actual</u>     |
|----------------------------|-------------------|-------------------|
| U.S. Department of Justice | <u>\$ 119,094</u> | <u>\$ 114,141</u> |

Section 4. The following amounts were appropriated and expended for the project:

|                      | <u>Budget</u>     | <u>Actual</u>     |
|----------------------|-------------------|-------------------|
| Project Expenditures | <u>\$ 119,094</u> | <u>\$ 114,141</u> |

Section 5. Copies of this special revenue project ordinance closeout shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of June, 2010.

SPECIAL REVENUE FUND PROJECT ORDINANCE CLOSEOUT  
CLO 2010-3 (SRO 2006-6)

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 special revenue project ordinance is hereby closed:

Section 1. The project closing authorized is to Special Revenue Project Ordinance 2006-6, adopted November 28, 2005, for the funding of the 2005 North Carolina General Assembly appropriation of Gang Prevention Funds for Law Enforcement Agencies appropriated through the Department of Juvenile Justice and Delinquency Prevention.

Section 2. The project director is hereby directed to proceed with the necessary closing entries and collection of any and all grant and loan agreements outstanding.

Section 3. The following revenues were made available to the City for the project:

|  | <u>Budget</u>    | <u>Actual</u>    |
|--|------------------|------------------|
| Gang Prevention Funds for Law Enforcement Agencies | <u>\$ 11,000</u> | <u>\$ 10,120</u> |

Section 4. The following amounts were appropriated and expended for the project:

|                      | <u>Budget</u>    | <u>Actual</u>    |
|----------------------|------------------|------------------|
| Project Expenditures | <u>\$ 11,000</u> | <u>\$ 10,120</u> |

Section 5. Copies of this special revenue project ordinance closeout shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of June, 2010.

SPECIAL REVENUE FUND PROJECT ORDINANCE CLOSEOUT  
CLO 2010-4 (SRO 2007-9)

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 special revenue project ordinance is hereby closed:

Section 1. The amended project closing authorized is to Special Revenue Project Ordinance 2007-9, adopted November 27, 2006, and initially closed on November 26, 2007 for the funding of the Cumberland Gang Prevention Partnership Program awarded by the Department of Juvenile Justice and Delinquency Prevention. This amended ordinance closing will authorize the closure of the remaining project revenue and expenditures.

Section 2. The project director is hereby directed to proceed with the necessary closing entries and collection of any and all grant and loan agreements outstanding.

Section 3. The following revenues were made available to the City for the project:

|   | Project<br>Budget Closed<br>11/26/2007 | Project Actual<br>Closed<br>11/26/2007 | Project<br>Actual Closed<br>6/28/2010 |
|---|--|--|---------------------------------------|
| N.C. Department of Juvenile Justice<br>and Delinquency Prevention | \$ 23,000                              | \$ 15,177                              | \$ -                                  |
| Local Match-General Fund  | 5,750                                  | 4,036                                  | 1,023                                 |
|   | <u>\$ 28,750</u>                       | <u>\$ 19,213</u>                       | <u>\$ 1,023</u>                       |

Section 4. The following amounts were appropriated and expended for the project:

|                      | Project<br>Budget Closed<br>11/26/2007 | Project Actual<br>Closed<br>11/26/2007 | Project<br>Actual Closed<br>6/28/2010 |
|----------------------|--|--|---------------------------------------|
| Project Expenditures | <u>\$ 28,750</u>                       | <u>\$ 19,213</u>                       | <u>\$ 1,023</u>                       |

Section 5. Copies of this special revenue project ordinance closeout shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of June, 2010.

SPECIAL REVENUE FUND PROJECT ORDINANCE CLOSEOUT  
CLO 2010-5 (SRO 2009-9)

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 special revenue project ordinance is hereby closed:

Section 1. The project closing authorized is to Special Revenue Project Ordinance 2009-9, adopted March 23, 2009, for the funding of the 2009 Fayetteville-Cumberland Juvenile Restitution Program awarded by the N.C. Department of Juvenile Justice and Delinquency Prevention.

Section 2. The project director is hereby directed to proceed with the necessary closing entries and collection of any and all grant and loan agreements outstanding.

Section 3. The following revenues were made available to the City for the project:

|  | Budget     | Actual    |
|--|------------|-----------|
| N.C. Department of Juvenile Justice and Delinquency Prevention | 84,251     | 35,732    |
| Local Match - Cumberland County                                | 12,152     | 9,812     |
| Local Match - City of Fayetteville                             | 12,151     | 9,812     |
| Local In-Kind Match - City of Fayetteville                     | 26,390     | 23,925    |
|  | \$ 134,944 | \$ 79,281 |

Section 4. The following amounts were appropriated and expended for the project:

|                      | Budget     | Actual    |
|----------------------|------------|-----------|
| Project Expenditures | \$ 134,944 | \$ 79,281 |

Section 5. Copies of this special revenue project ordinance closeout shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of June, 2010.

SPECIAL REVENUE FUND PROJECT ORDINANCE CLOSEOUT  
CLO 2010-6 (SRO 2009-1)

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 special revenue project ordinance is hereby closed:

Section 1. The project closing authorized is to Special Revenue Project Ordinance 2009-1, adopted July 28, 2008, for the funding of the 2008 Gangs Across the Carolinas Training Conference, awarded by the N.C. Governor's Crime Commission.

Section 2. The project director is hereby directed to proceed with the necessary closing entries and collection of any and all grant and loan agreements outstanding.

Section 3. The following revenues were made available to the City for the project:

|  | <u>Budget</u>    | <u>Actual</u>    |
|--|------------------|------------------|
| N.C. Governor's Crime Commission Grant             | 69,541           | 69,541           |
| Local Match - N.C. Gang Investigator's Association | 23,181           | 23,180           |
|  | <u>\$ 92,722</u> | <u>\$ 92,721</u> |

Section 4. The following amounts were appropriated and expended for the project:

|                      | <u>Budget</u>    | <u>Actual</u>    |
|----------------------|------------------|------------------|
| Project Expenditures | <u>\$ 92,722</u> | <u>\$ 92,721</u> |

Section 5. Copies of this special revenue project ordinance closeout shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of June, 2010.

SPECIAL REVENUE FUND PROJECT ORDINANCE CLOSEOUT  
CLO 2010-7 (SRO 2007-2)

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 special revenue project ordinance is hereby closed:

Section 1. The project closing authorized is to Special Revenue Project Ordinance 2007-2, adopted August 14, 2006, as amended, for the funding of the Fayetteville-Cumberland County Juvenile Restitution Program awarded by the N.C. Department of Juvenile Justice and Delinquency Prevention for FY2006-2007.

Section 2. The project director is hereby directed to proceed with the necessary closing entries and collection of any and all grant and loan agreements outstanding.

Section 3. The following revenues were made available to the City for the project:

|  | <u>Budget</u>     | <u>Actual</u>     |
|--|-------------------|-------------------|
| N.C. Department of Juvenile Justice and Delinquency Prevention | 92,997            | 93,047            |
| Local Match - Cumberland County                                | 13,386            | 13,121            |
| Local In-Kind Match - City of Fayetteville                     | 9,500             | 9,500             |
|  | <u>\$ 115,883</u> | <u>\$ 115,668</u> |

Section 4. The following amounts were appropriated and expended for the project:

|                      | <u>Budget</u>     | <u>Actual</u>     |
|----------------------|-------------------|-------------------|
| Project Expenditures | <u>\$ 115,883</u> | <u>\$ 115,668</u> |

Section 5. Copies of this special revenue project ordinance closeout shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of June, 2010.



SPECIAL REVENUE FUND PROJECT ORDINANCE CLOSEOUT  
CLO 2010-8 (SRO 2008-8)

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 special revenue project ordinance is hereby closed:

Section 1. The project closing authorized is to Special Revenue Project Ordinance 2008-8, adopted December 17, 2007, as amended, for the funding of the Fayetteville-Cumberland County Juvenile Restitution Program awarded by the N.C. Department of Juvenile Justice and Delinquency Prevention for FY2007-2008.

Section 2. The project director is hereby directed to proceed with the necessary closing entries and collection of any and all grant and loan agreements outstanding.

Section 3. The following revenues were made available to the City for the project:

|  | Budget     | Actual     |
|--|------------|------------|
| N.C. Department of Juvenile Justice and Delinquency Prevention | 95,751     | 89,146     |
| Local Match - Cumberland County                                | 12,152     | 11,314     |
| Local In-Kind Match - City of Fayetteville                     | 12,151     | 11,312     |
|  | \$ 120,054 | \$ 111,772 |

Section 4. The following amounts were appropriated and expended for the project:

|                      | Budget     | Actual     |
|----------------------|------------|------------|
| Project Expenditures | \$ 120,054 | \$ 111,772 |

Section 5. Copies of this special revenue project ordinance closeout shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of June, 2010.

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Lisa Smith, Chief Financial Officer  
**DATE:** June 28, 2010  
**RE:** **Special Revenue Fund Project Ordinances 2011-1 and 2011-2 (FY2010-2011 HOME and CDBG Program Budgets)**

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**THE QUESTION:**

The ordinances appropriate \$1,360,868 for the FY2010-2011 HOME Investment Partnership Program and \$2,066,803 for the FY2010-2011 Community Development Block Grant Program.

**RELATIONSHIP TO STRATEGIC PLAN:**

Goal 1: Growing City, Livable Neighborhoods - A Great Place to Live  
Objective 1: Low crime rate and reputation as a safe community

**BACKGROUND:**

- Provides FY2010-2011 funding for the HOME Investment Partnership Program and the Community Development Block Grant Program.
- The U.S. Department of Housing and Urban Development is expected to provide federal grants of \$893,673 for the HOME program and \$1,568,083 for the CDBG program.
- The City of Fayetteville will provide a local match of \$178,735 for the HOME program. A local match is not required for the CDBG program.
- HOME and CDBG program income of \$288,460 and \$498,720, respectively, will also be appropriated in combination with the grants and local match.
- All projects, activities and funding sources were included in the FY2010-2011 Annual Action Plan, which was approved by City Council on April 26, 2010.

**ISSUES:**

None

**OPTIONS:**

- 1) Adopt the ordinances for the projects to continue
- 2) Do not adopt the ordinances

**RECOMMENDED ACTION:**

Adopt the project ordinances

**ATTACHMENTS:**

SRFPO2011-1 and 2011-2

SPECIAL REVENUE FUND PROJECT ORDINANCE  
ORD 2011-1

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 special revenue project ordinance is hereby adopted effective July 1, 2010:

Section 1. The project authorized is for the funding of the FY2010-2011 appropriation for the HOME Investment Partnership Program awarded by the U.S. Department of Housing and Urban Development.

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

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

|   |                     |
|---|---------------------|
| HUD-HOME Investment Partnership Program | \$ 893,673          |
| Local Match-General Fund                | 178,735             |
| Program Income                          | 288,460             |
|   | <u>\$ 1,360,868</u> |

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

|                      |                     |
|----------------------|---------------------|
| Project Expenditures | <u>\$ 1,360,868</u> |
|----------------------|---------------------|

Section 5. Copies of this special revenue project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of June, 2010.

SPECIAL REVENUE FUND PROJECT ORDINANCE  
ORD 2011-2

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 special revenue project ordinance is hereby adopted effective July 1, 2010:

Section 1. The project authorized is for the funding of the FY2010-2011 appropriation for various Community Development Block Grant Programs awarded by the U.S. Department of Housing and Urban Development.

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

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

|                |                     |
|----------------|---------------------|
| CDBG - HUD     | \$ 1,568,083        |
| Program Income | 498,720             |
|                | <u>\$ 2,066,803</u> |

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

|                      |                     |
|----------------------|---------------------|
| Project Expenditures | <u>\$ 2,066,803</u> |
|----------------------|---------------------|

Section 5. Copies of this special revenue project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of June, 2010.

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Lisa Smith, Chief Financial Officer  
**DATE:** June 28, 2010  
**RE:** **Capital Project Ordinance 2010-23 (Clean Cities FY09 Petroleum Reduction Technology Project)**

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**THE QUESTION:**

Staff requests adoption of Capital Project Ordinance 2010-23 (Clean Cities FY09 Petroleum Reduction Technology Project) to appropriate the City's portion of this grant.

**RELATIONSHIP TO STRATEGIC PLAN:**

Goal 4 - More Efficient City Government - Cost Effective Service Delivery, Investing in the City's future infrastructure, facilities and equipment.

**BACKGROUND:**

- The City has been granted up to \$134,000 from the U.S. Department of Energy (US DOE) through the National Energy Technology Laboratory Clean Cities FY09 Petroleum Reduction Technology Project. These funds will be passed through the Triangle J Council of Governments' Carolina Blue Skies & Green Jobs Initiative for the purchase of hybrid vehicles by the City of Fayetteville and PWC.
- The total project budget for the City's vehicles is \$385,491, with \$63,500 funded by a grant from the US DOE and \$321,991 funded by a General Fund Transfer. The General Fund transfer will be covered by funds included in the FY2010 and FY2011 budget.
- The City will use these funds to purchase seven vehicles (six 2009 light-duty hybrid vehicles and a 2009 heavy-duty hybrid vehicle).
- PWC will use up to \$62,000 in grant funds to assist with the purchase of a 2009 heavy-duty hybrid truck and a 2009 neighborhood electric vehicle for its operations.

**ISSUES:**

None

**OPTIONS:**

1. Adopt Capital Project Ordinance 2010-23.
2. Do not adopt Capital Project Ordinance 2010-23.

**RECOMMENDED ACTION:**

Adopt Capital Project Ordinance (CPO) 2010-23.

**ATTACHMENTS:**

CPO 2010-23 Clean Cities FY09 Petroleum Reduction Technology Project

CAPITAL PROJECT ORDINANCE  
ORD 2010-23

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 Clean Cities FY09 Petroleum Reduction Technology Project.

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 Grant (Passed through Triangle J Council of Government) | \$ 63,500         |
| Local Match - General Fund Transfer                             | <u>321,991</u>    |
|   | <u>\$ 385,491</u> |

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

|                      |                   |
|----------------------|-------------------|
| Project Expenditures | <u>\$ 385,491</u> |
|----------------------|-------------------|

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 28th day of June, 2010.

**CITY COUNCIL ACTION MEMO**

**TO:** Mayor and Members of City Council  
**FROM:** Craig Harmon, Planner II  
**DATE:** June 28, 2010  
**RE:** **Case No. P10-15F. Appeal of a Zoning Commission Recommendation to rezone the property located at 1506 Mazie Loop from R10 to P2. Applicant Matthew & Catherine Levy requested C1P.**

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**THE QUESTION:**

Consider rezoning a 2.6 acre parcel currently serving as a buffer between residential and commercial properties.

**RELATIONSHIP TO STRATEGIC PLAN:**

Growth and Development  
Livable Neighborhoods

**BACKGROUND:**

Owner: Matthew & Catherine Levy  
Applicant: Tony Martyn  
Requested Action: R10 to C1P  
Property Address: 1506 Mazie Loop.  
City Council District: 5 (Hurst)  
Status of Property: 1 abandoned home.  
Size: 2.6 +/- acres  
Existing Land Use: single family residential  
Adjoining Land Use & Zoning: North - C3 & C1P Office & Commercial / South - R10 Single Family Residential / East - R10 Single Family Residential / West - P2 - Professional & R5 - Multi Family Residential  
2010 Land Use Plan: Low Density Residential & Conservation  
Letters Mailed: 80  
Transportation: Mazie Loop is a small private dirt drive.

R10 - Primarily a single-family residential district with smaller lot areas required but including occasional two-family and multifamily structures on larger lots (Approximately 14 units could currently be built on this property).

C1P - Identical to the C1 local business district except that plans as required by the subdivision chapter must be submitted to the planning agency for approval prior to development; and, mixed residential use is permitted with special limitations.

P2 - Primarily for general office uses compatible with an area that is predominantly residential in character. The district is intended to provide a transition from high intensity use areas to residential districts. Development allowed in this district could include offices with mixed residential use and, with special use approval, a retail specialty shop area. If built as residential, P2 follows the requirements for the residential district closest to it. In this case it would be the same as the R10 as defined above.

**ISSUES:**

The applicant's stated purpose for rezoning this property is for medical offices/facilities. This property is surrounded by a mix of uses. There are commercial zoning districts adjacent to this property. The C1P to the north is mainly developed as professional offices and the C3 is currently part of an apartment/condominium complex (tennis courts). Road access is a concern for this

property. There is no clear public access, although the applicant has stated that access will be provided through the adjoining commercial/professional development to the east. There is no enforceable site plan that is part of this application, as this is not a conditional rezoning. Mazie Loop is a dirt drive and is not appropriate for commercial/professional access to the property. A change in use as proposed would require a driveway permit from the City Traffic Engineer. Planning staff will recommend that no access be provide through the residential neighborhood for any non-residential development.

Currently the City's Code Enforcement Division has cited this property for a violation of the City Code for property maintenance.

Zoning Commission and Staff recommend Approval of the rezoning to a P2 District (not C1P) based on:

1. Although the 2010 Land Use Plan calls for low density residential, this property should serve as a buffer between commercial and residential properties (P2 zoning would allow either office or residential uses).
2. C1P Commercial is usually not an appropriate district when abutting residential, especially with this parcel location. The property is mostly surrounded by established residential areas.
3. 2030 Growth Vision Plan calls for Professional districts to be use as transition areas.

**OPTIONS:**

Rezone the property to P2 Professional, a less restrictive district than that applied for.

(Recommended);

Rezone the property to C1P Professional;

Deny the rezoning of this property.

**RECOMMENDED ACTION:**

Zoning Commission and Staff recommend that the City Council move to APPROVE the rezoning from R10 Residential District to P2 Professional District based on the reasons provided above (in issues).

**ATTACHMENTS:**

Zoning Map

Current Landuse

2010 Plan

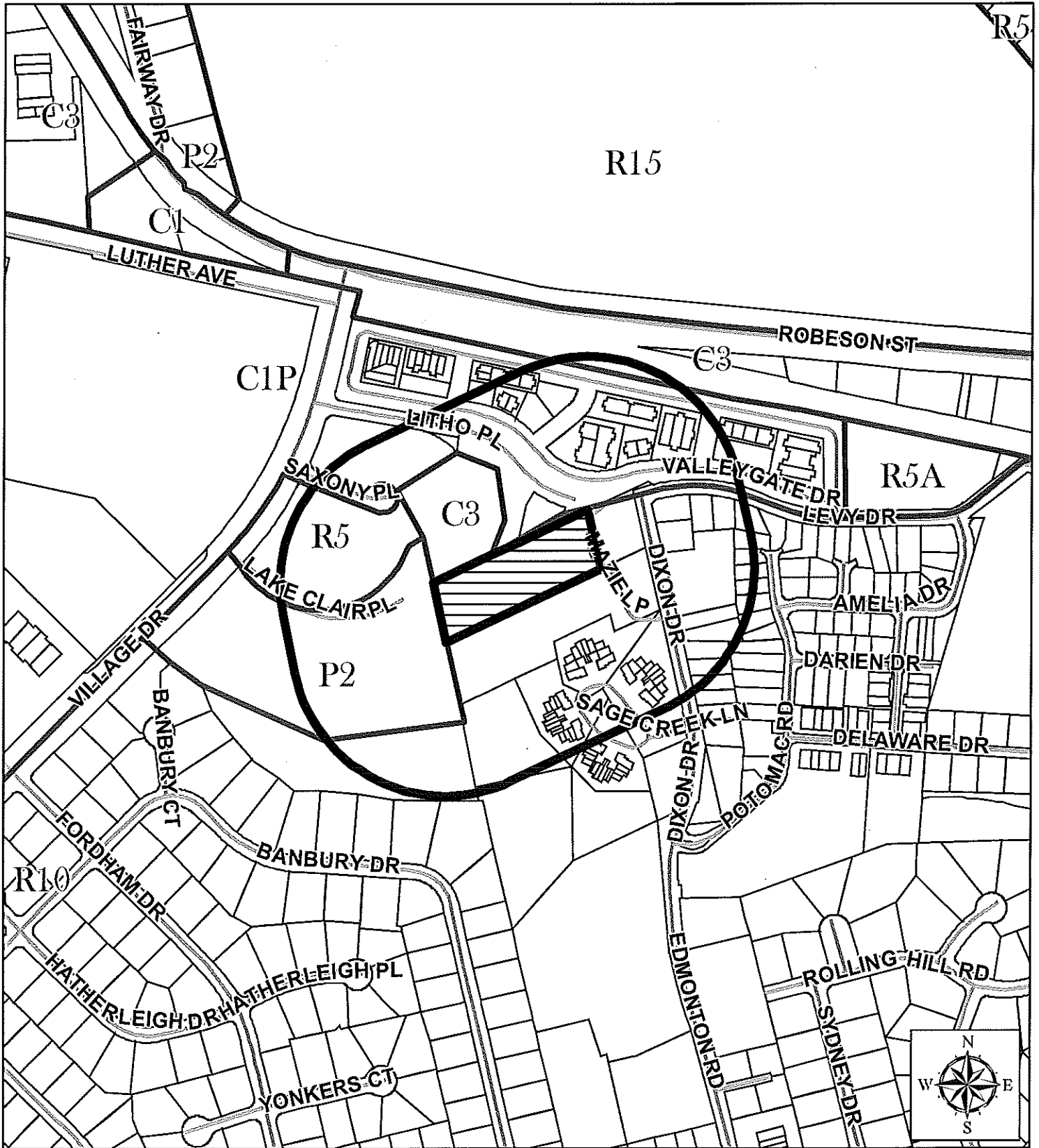
Ortho Photo

Pictures

Zoning Commission Minutes



ZONING COMMISSION  
CASE NO. P10-15F



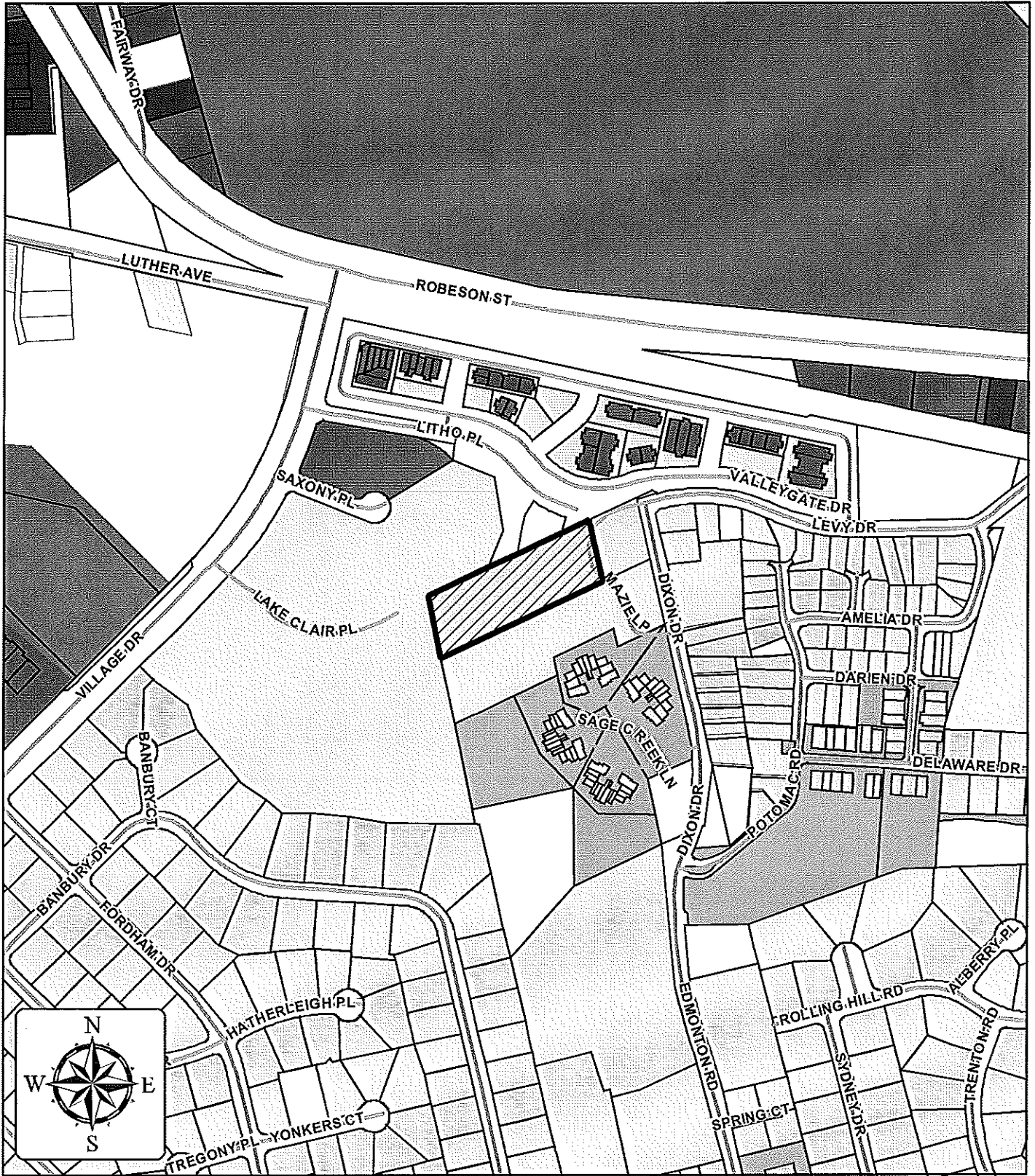
Request: R10 to C1P  
Location: 1506 Mazie Loop  
Acreage: +/- 2.6

Zoning Commission: 5/11/2010  
City Council: \_\_\_\_\_  
Pin: 0426-68-2905

Recommendation: \_\_\_\_\_  
Final Action: \_\_\_\_\_

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

Current Land Use  
P10-15F

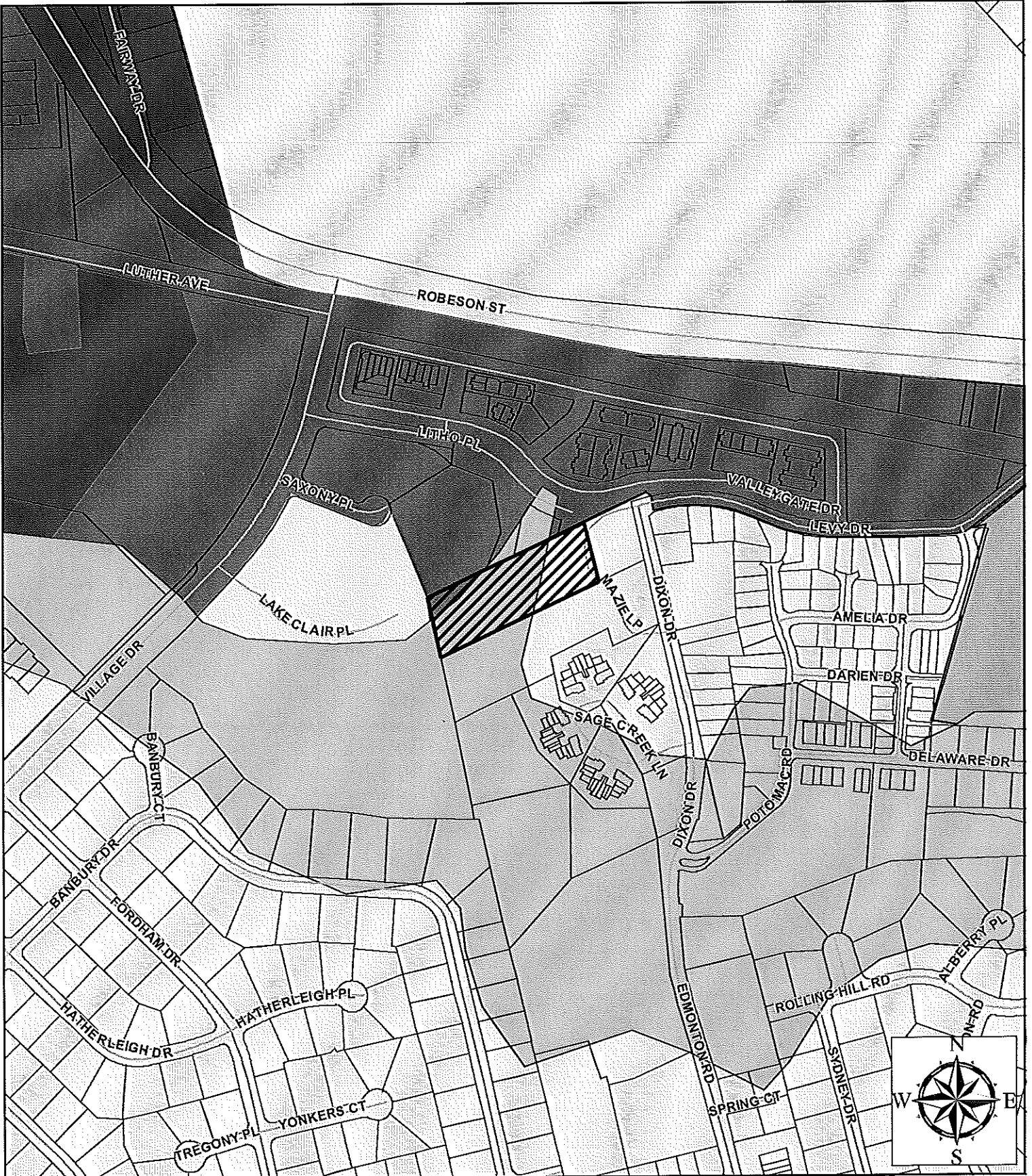


Legend







|                        |             |                   |               |                  |                      |                          |                   |
|------------------------|-------------|-------------------|---------------|------------------|----------------------|--------------------------|-------------------|
| Existing Landuse       | Common Area | Group Quarters    | Industrial    | Multi-Family     | Open Space           | Communications-Utilities | Vacant Commercial |
| Single Family Detached | Commercial  | Golf Course       | Institutional | Mobile Home      | Parking              | Under Construction       | Not Verified      |
| Single Family Attached | Cemetery    | Government Office | Lake          | Mobile Home Park | Predominantly Vacant | Vacant Land              | Null PIN          |

# 2010 Land Use Plan

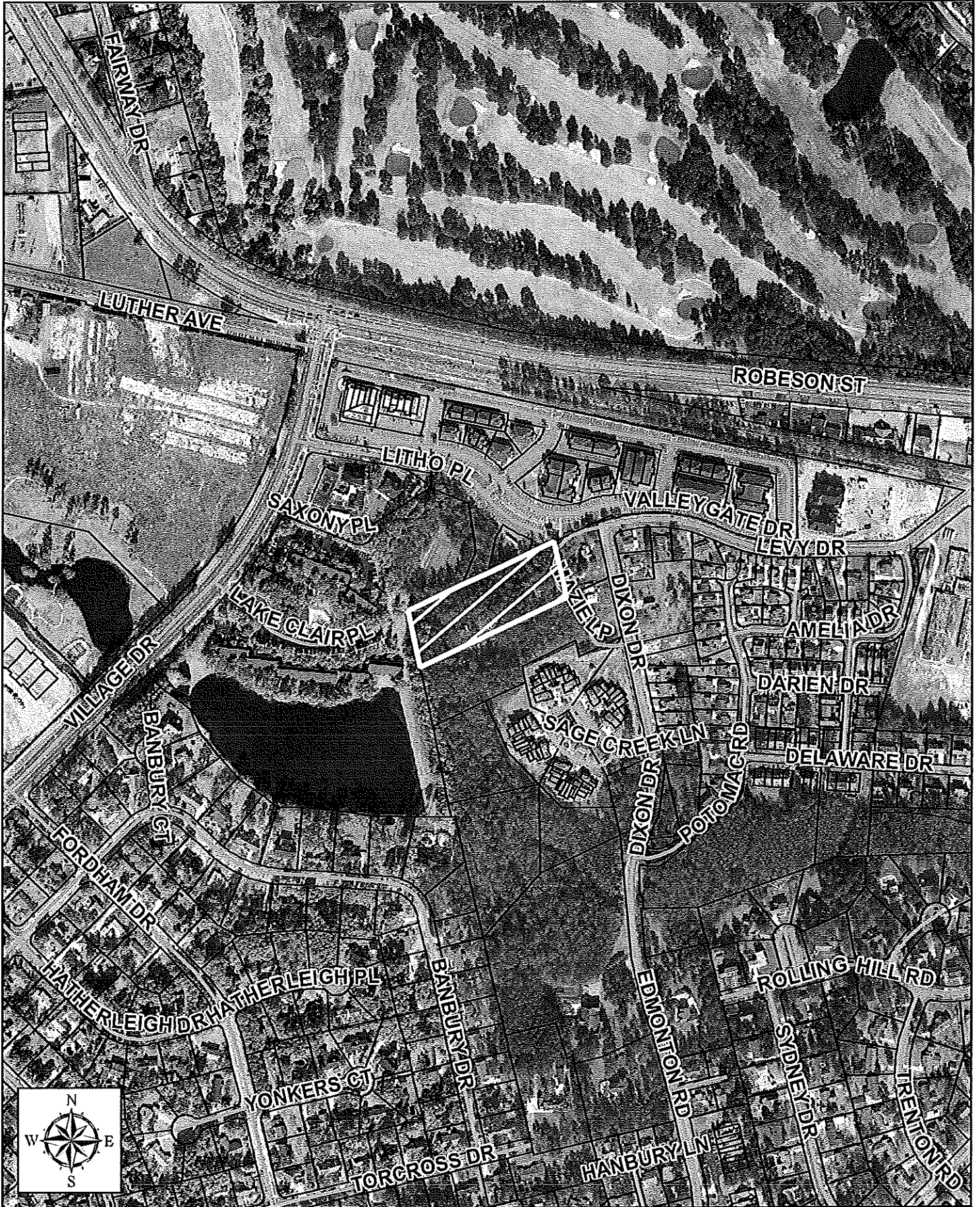
## Case No. P10-15F

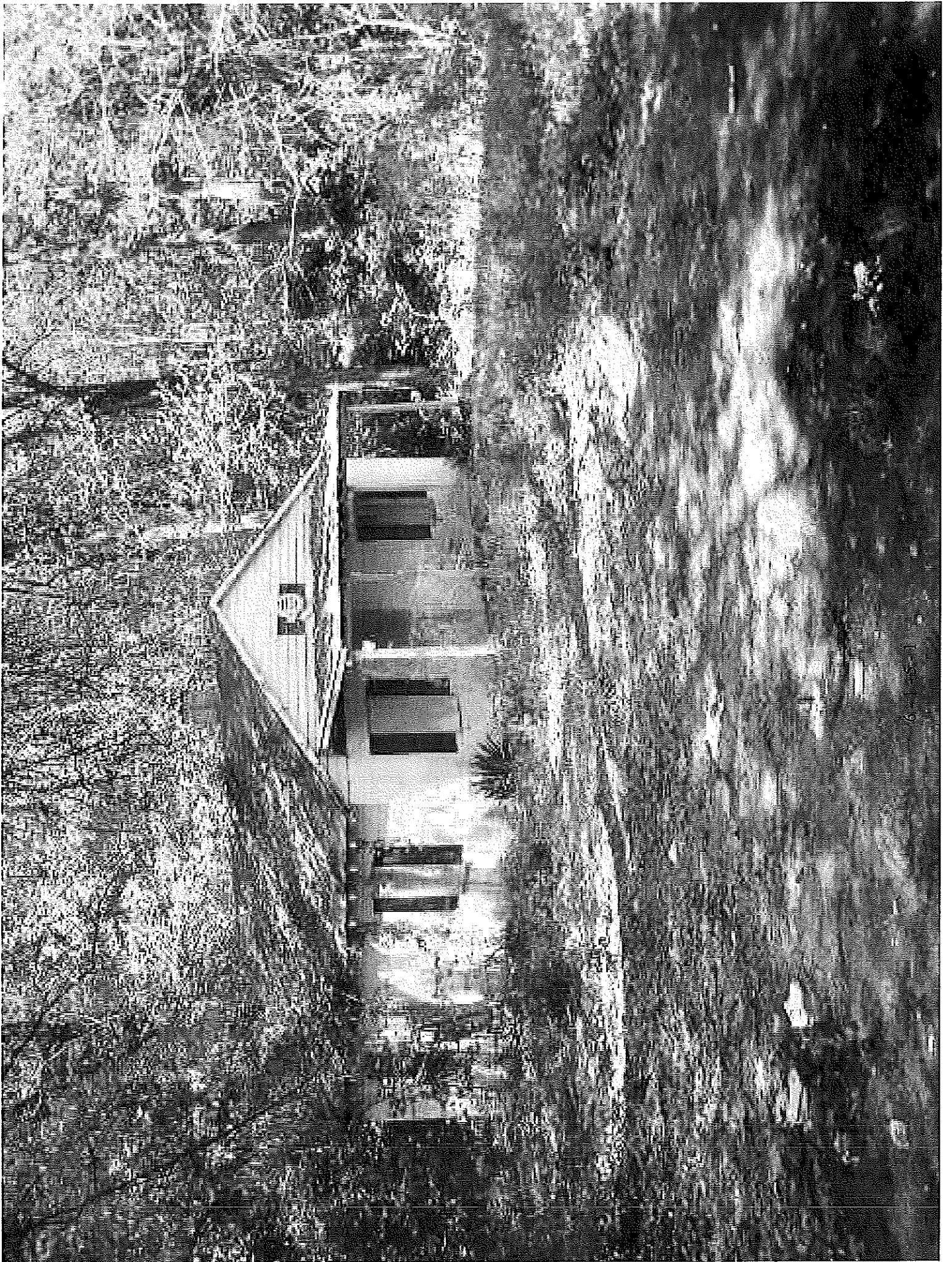


### Legend

- |   |                            |   |                        |   |                         |
|---|----------------------------|---|------------------------|---|-------------------------|
|  | Medium Density Residential |  | Office / Institutional |  | Governmental            |
|  | Light Commercial           |  | Heavy Commercial       |  | Low Density Residential |

ZONING COMMISSION  
CASE NO. P10-15F





**MINUTES  
CITY OF FAYETTEVILLE  
ZONING COMMISSION  
CITY COUNCIL CHAMBER  
1ST FLOOR, CITY HALL  
MAY 11, 2010 @ 7:00 P.M.**

**MEMBERS PRESENT**

Pete Paoni  
Richard West  
John Crawley  
Lockett Tally  
Marshall Isler  
Richard West

**MEMBERS ABSENT**

Steve Mannell  
Martin J. Hendrix

**OTHERS PRESENT**

Karen Hilton, Planning Manager  
Craig Harmon, Planner  
Janet Smith, Asst. City Atty  
David Steinmetz, Inspections

The meeting was called to order at 7:00pm.

**I. APPROVAL OF AGENDA**

Mr. West made a motion to approve the agenda for April 13, 2010. Mr. Tally seconded the motion. A vote was taken and passed unanimously.

**II. APPROVAL OF THE MINUTES FROM THE APRIL 9, 2010 MEETING**

Mr. Paoni requested that the minutes be amended to reflect April 13, 2010 as opposed to April 9, 2010 as it currently reflects. Mr. West made a motion to approve the amended minutes from the April 13, 2010 meeting. The motion was seconded by Mr. Tally. A vote was taken and passed unanimously.

Mr. Paoni explained the Commission members' job was to conduct public hearings, listening carefully to the testimony from both sides to make recommendations that would be forwarded to City Council for final action. Each side will be given fifteen (15) minutes, collectively, to speak and must be signed up prior to the meeting. Request for Special Use Permits are quasi-judicial and speakers must be sworn in before speaking. Any aggrieved party has ten (10) days from today's meeting to file an appeal with the City Clerk's Office, located on the second floor of City Hall.

**III. PUBLIC HEARINGS**

- B. Case No. P10-15F.** The rezoning from R10 Residential District to C1P Commercial District or to a more restrictive zoning classification for property located at 1506 Mazie Loop. Containing 2.6 acres more or less and being the property of Matthew & Catherine Levy.

Mr. Harmon presented the case. He gave an overview of the case. Mr. Harmon explained the current land use for the property and the surrounding areas. He stated that the 2010 land use plan called for low density residential and conservational. Mr. Harmon showed pictures to explain current land use of the property. Mr. Harmon explained that the applicant's stated purpose for rezoning this property is for medical offices/facilities. He stated that the property is surrounded by a mix of uses and that there are commercial

zoning districts adjacent to this property. Mr. Harmon explained that the C1P to the north is mainly developed as professional offices and the C3 is currently part of an apartment/condominium complex (tennis courts).

Mr. Harmon stated that road access is a concern for this property and that there is no clear public access. Mr. Harmon expressed that Mazie Loop is a dirt drive and is not appropriate for commercial/professional access to the property. Mr. Harmon stated that currently the City's Code Enforcement Division is citing this property for a violation of the City Code for property maintenance.

Mr. Harmon stated that the Planning Staff recommends approval of the rezoning to P2 Professional District based on:

1. Although the 2010 Land Use Plan calls for low density residential, this property should serve as a buffer between commercial and residential properties (P2 zoning would allow either office or residential uses).
2. C1P Commercial is usually not an appropriate district when abutting residential, especially with this parcel location. The property is mostly surrounded by established residential areas.
3. 2030 Growth Vision Plan calls for Professional districts to be use as transition areas.

The public hearing was opened.

Mr. Andrew Privette appeared in favor of the request. Mr. Privette asked that Mr. Kizer be allowed to speak first.

Mr. Jimmy Kizer appeared in favor of the request. Mr. Kizer stated that that they are looking to add additional medical offices on the site. He said that would be a nice compliment to the One Village Plaza and an annexation of that complex. Mr. Kizer asked if there were any questions of the Commission.

Mr. Paoni asked about the flood plane. Mr. Kizer stated that almost all of the flood plane in inclusive of the wetlands on the property.

Mr. Paoni asked about road access. Mr. Kizer stated that there would be access made through the parking lot from One Village Plaza. Mr. Kizer stated that the private road would not be used as an access to the property.

Mr. West asked about the use of the private road. Mr. Kizer explained that the road is not the only access to the house that is located on the in the rear of the parcel adjoining the property with the request. He explained that they would not eliminate anyone's access to the property.

Mr. Isler asked about requesting a C1P Commercial District as opposed to requesting a P2 Professional District. Mr. Kizer explained that it was an attempt to keep everything cohesive with One Village Plaza.

Mr. Knowles appeared in favor of the request. He explained that he was one of the owner's of the undeveloped parcels. He explained that he has received permission from One Village Plaza Homeowners Association has agreed to annexation to development. Mr. Knowles stated that they are hoping to obtain additional parking spaces for the complex in the middle.

Mr. Andrew Privette appeared in favor of the request. Mr. Privette explained that the P2 Zoning uses would suffice for the businesses they are expecting. Mr. Privette discussed the additional parking and its benefits. Mr. Privette addressed the typography of the parcel and the plans for the new building.

Mr. Paoni asked about the use of the office space and parking spaces required. Mr. Privette stated that there would be approximately 125 spaces.

Ms. Sharon Drake appeared in opposition of the request. Ms. Drake explained that she is very familiar with the area. She stated that her mother's house is across from Valley Gate. She explained that she is concerned

about the increase in traffic and the residence of the area. Ms. Drake addressed her fear of the lost of history and the integrity of the neighborhood.

Rudolph Monroe was called but did not answer.

The public hearing was closed.

Mr. West asked Ms. Smith, Assistant City attorney about the private road. Ms. Smith explained that access and use of the road is not a city issue and rezoning the property would not affect it the property. She explained that if the property owner currently wanted to cut off access to the road they have the right to it.

Mr. Isler asked about the increase in traffic. Mr. Harmon explained that access would not involve Levy Drive.

Mr. Harmon stated that if it affected the dirt road, no one would lose access to their property. Mr. Crawley made a motion to approve the rezoning of the property to P2 Professional. Mr. West seconded the motion. A vote was taken and passed unanimously.

Mr. Harmon explained that the case would go to City Council on June 28, 2010.



**CITY COUNCIL ACTION MEMO**

**TO:** Mayor and Members of City Council  
**FROM:** Craig Harmon, Planner II  
**DATE:** June 28, 2010  
**RE:** **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.**

---

**THE QUESTION:**

Whether or not to approve a Special Use Permit for a telecommunication tower.

**RELATIONSHIP TO STRATEGIC PLAN:**

Strong Local Economy/Livable Communities

**BACKGROUND:**

Owner: Fayetteville Christian Church, Inc.  
Applicant: Thomas H. Johnson  
Requested Action: Special Use Permit - Telecommunications Tower  
Property Address: 4308 Rosehill Rd  
City Council District: 3 (Massey)  
Size: 2 acres  
Existing Land Use: Church  
Adjoining Land Use & Zoning: North - R6 Single Family Residential / South - R10 Single Family Residential / East - R6 Single Family Residential / West - R10 Single Family Residential  
2010 Land Use Plan: Low Density Residential  
Letters Mailed: 69

**ISSUES:**

This is a quasi-judicial hearing that requires the City Council to make its decision based on specific findings. Since this is a Special Use Permit, the City Council can require conditions necessary to meet these specific details and other findings necessary for approval.

Staff recommends the following conditions for approval in addition to the site plan dated February 3, 2010:

- Prior to issuing a building permit, there be written confirmation that there is an agreement with one or more providers to use the tower once built;
- 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;
- Please see City Code [30-107 (17)] for specific details on the approval of Communication Towers (attached); and
- An 11x17 inch hard copy of the site plan will also be provided to the Council for consideration and approval.

**OPTIONS:**

1. Approve the SUP with the conditions listed above in addition to what is found in Section 30-107 (17); (Recommended)
2. Approve the SUP conditioned only as required under Section 30-107(17);
3. Deny the request - Council must identify specific findings of fact to support denial. It may, for example, find that the requested SUP, if approved, would not fit into the character of the area in which it is to be located, and would be detrimental to the surrounding neighborhood based upon specific and credible evidence provided on the record and at the hearing, and identified in the motion.

**RECOMMENDED ACTION:**

Zoning Commission and Staff recommend that the City Council move to Approve the requested Special Use Permit based upon the finding that the request fits with the character of the area in which it is to be located and that it will not be detrimental to the surrounding neighborhood based upon the submitted site plan and documentation and recommended conditions.

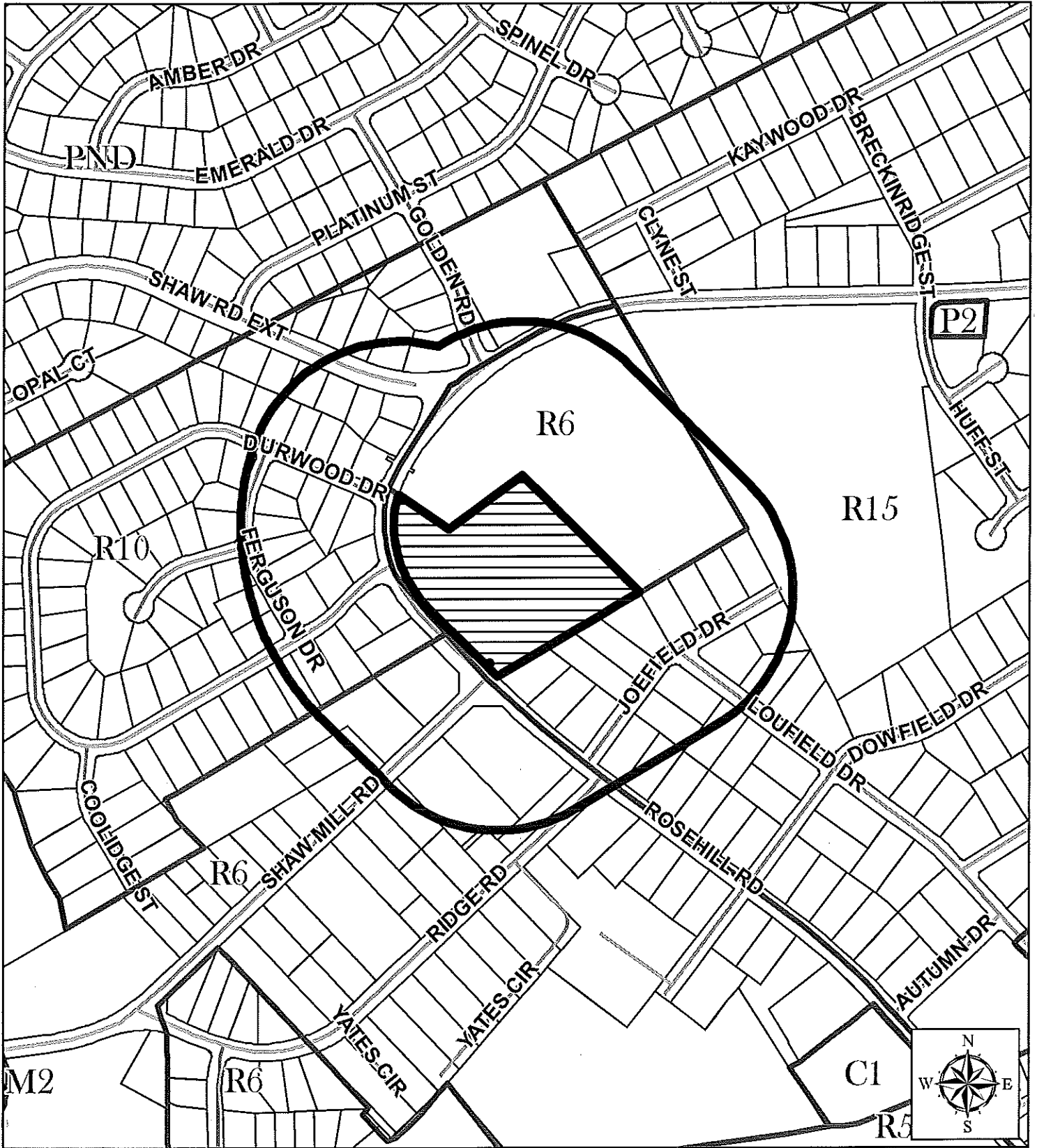
**ATTACHMENTS:**

Zoning Map

Ortho Photo

Cell Tower Requirements

ZONING COMMISSION  
CASE NO. P10-18F



Request: SUP Cell Tower  
Location: 4308 Rosehill Rd  
Acreage: +/- 2.0

Zoning Commission: 5/11/2010 Recommendation: \_\_\_\_\_  
City Council: \_\_\_\_\_ Final Action: \_\_\_\_\_  
Pin: 0429-68-1350

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

ZONING COMMISSION  
CASE NO. P10-18F



**30-107 (17) 30-107 (17)** Towers upon and after obtaining a special use permit to be issued by the city council upon recommendation of the zoning agency after public hearings as required for amendment to this chapter. Such special use permits shall be issued only after a finding is made that such use shall fit in with the character of the area in which such use is to be located and such use is not detrimental to the surrounding neighborhood, including, but not limited to, subsections (17)a. through y., of this section. All applications for a special use permit shall be accompanied by an appropriate plot plan detailing such pertinent data as may be required by the zoning agency staff and this Code. The city appearance commission shall review and approve the site plan concurrently with the zoning agency prior to city council review. The plot plan and application shall indicate that the following minimum conditions can be met:

a. Setbacks:

1. *Residential/professional zoned area:* When a tower is constructed and its height is less than 300 feet, it shall be set back from all adjacent property lines a distance equal to the height of the tower. When the tower exceeds 300 feet, it shall be set back, measured from its base, from property/lease lines a distance equal to the height of the tower.

2. *Commercial/industrial zoned area:* When a tower is constructed and its height is less than 300 feet, it shall be set back, measured from its base, from adjacent property lines a distance equal to one foot for every two feet of height, but never less than 50 feet. When a tower exceeds 300 feet in height, it shall be set back, measured from its base, from property/lease lines a distance equal to one foot for every two feet of height, but never less than 50 feet.

b. That the tower base be enclosed in a chainlink fence with a minimum height of ten feet and such fence be a minimum of ten feet from the base of the tower.

c. That a buffer area 25 feet wide be provided around the perimeter of the tower compound to shield all structures, including guyed wires or anchors. Such buffer area shall be planted with evergreen trees that will attain a minimum height of 25 feet. Such trees shall have a minimum caliper of three inches upon planting. Such trees to be on a maximum 20-foot spacing. The inner fringe of such buffer area shall have an initial height of at least three feet and be planted with an evergreen hedge that will attain a minimum height of six feet. Such hedge shall be opaque in effect and completely shield any object behind it from view.

d. Certification by applicant that the proposed tower will be constructed and operated in accordance with all applicable local, state, and federal laws and ordinances, including, but not limited to, all Federal Communications Commission and Federal Aviation Administration rules and guidelines.

e. Prior to obtaining a building permit, applicant must submit engineering drawings for the tower, sealed by a licensed engineer, which state that the tower will meet all applicable local, state and federal building codes and structural standards.

f. Radio or television or similar reception for adjoining residentially zoned properties will not be disturbed or diminished.

g. The height of the tower does not exceed 450 feet. Where towers are located on buildings/structures, the height of the tower and building/structure combined shall not exceed 450 feet.

- h. The exterior appearance of all building structures located in a residential zoning district look like a residential dwelling including, without limitation, pitched roof and frame or brick veneer construction.
- i. Associated building structures located in residential zoning districts may not be used as an employment center for any worker. This provision does not prohibit periodic maintenance, inspection and periodic monitoring of equipment and instruments or renovation of the facility.
- j. The use will not be detrimental to the surrounding neighborhood.
- k. That no tower outside a tower overlay district, or tower overlay district may be constructed closer than 1,500 feet to any other tower or tower overlay district. No separation is required within a tower overlay district. Concealed towers defined in section 30-62 are exempt from separation requirements.
- l. In order to protect the public from unnecessary exposure to electromagnetic radiation, the tower owner shall provide documentation indicating that the power density levels do not exceed federally approved levels or American National Standards Institute standards, whichever provides the stricter requirements.
- m. Lighting shall meet or exceed the Federal Aviation Administration standards if lighting is required by the Federal Aviation Administration. To the extent allowed by the Federal Aviation Administration, strobes shall not be used for night time lighting. The lights shall be oriented so as not to project directly onto surrounding residential property, consistent with Federal Aviation Administration requirements. Prior to issuance of a building permit, the applicant shall be required to submit documentation from the Federal Aviation Administration that the lighting is the minimum lighting required by the Federal Aviation Administration.
- n. That towers which are not used for a period of six months or more shall be removed by the owner within 90 days of notification to the owner from the department of inspections. To assure the removal of towers which do not meet requirements for use or maintenance, a statement of financial responsibility to the city inspections department shall be submitted for each tower over 75 feet. Removal costs shall be charged to the tower owner.
- o. The entity/owner seeking approval of the special use permit shall submit every two years a statement signed and sealed by the applicant's engineer and from an outside independent registered and licensed engineer on the sixth year as to the structural soundness of the tower. If a tower is determined not to be structurally sound, the entity receiving approval shall have the burden of any repairs and such repairs must be completed within 60 days.
- p. That the applicant show willingness to camouflage the tower with the surrounding area, e.g., paint, incorporation into architectural design/structure, or other means.
- q. That no outside storage be allowed on-site.
- r. That in the C2, C2P, C2S districts towers are only allowed on buildings/structures and will be subject to approval by the city historic resources commission.
- s. In addition to the foregoing, all applications shall provide documentation to show compliance with the following conditions:
1. Identification of the intended users of the tower.
  2. Collocation on existing towers is required where available, before additional ground-build towers can be constructed. The applicant shall provide documentation that no

suitable existing structures or facilities within the coverage area are available for collocation. Documentation may include maps, letters from nearby tower owners, or calculations. Facilities include other towers or other buildings or structures.

3. All the requirements of this chapter and chapter 25 must be met.

t. The following shall be exempt from the provisions of this section: Telecommunication facilities are allowed with inspection department approval on existing towers and on other existing buildings or structures whose height exceeds 50 feet; provided that on such other existing buildings or structures the telecommunication facility may not extend above 20 percent of the height of the existing buildings or structure. Towers located within a tower overlay district do not require a special use permit. Towers within a tower overlay district require a site plan review to include items from this subsection (17) to be submitted for staff review prior to obtaining a building permit.

u. Photo imagery to superimpose the facility onto the existing site of the proposed tower site shall be submitted with application and/or site plan.

v. All towers shall be monopole in construction, except TV, radio, or those so designated by city council. Documentation shall be provided by a registered engineer that the tower has sufficient structural integrity to accommodate three times the capacity (carriers) of intended use in order that secondary users could lease the balance of the tower capacity. Applicants cannot be denied space on a tower unless mechanical, structural or regulatory factors prevent sharing, or the applicant refuses to pay a fair market rental as determined by the industry as of the date of the application. In determining the fair market rental, the owner of the tower proposed for collocation shall not be required to take into consideration rent being paid by a current collocator under a swapping arrangement. The tower shall be galvanized or painted.

w. To reduce the need for additional towers, existing towers may be replaced with a tower that increases its present number of collocators, but shall not exceed 199 feet or 115 percent of the height of the old tower, whichever is less, with site plan approval. Replacement of nonconforming towers shall require only site plan approval if the new tower will be within 100 feet of the tower to be replaced, and meets conditions of this subsection (17).

x. Upon submission of an application for a special use permit, a map, preferably in digital format, shall be supplied to the planning department indicating all existing and proposed tower and collocation sites to include the current and potential number of collocations, number of transmitters/receivers located and collocated on the tower, height of the tower, owner's names and collocator company names.

y. Concealed towers require a special use permit and may be subject to all of the conditions in this subsection (17). Some conditions may not be required for concealed towers at the discretion of city council.

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Jeffery P. Brown, PE, Engineering & Infrastructure Director  
**DATE:** undefined undefined, undefined  
**RE:** **Public Hearing for Assessment Rolls on Soil Streets That Have Been Paved**

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### THE QUESTION:

- Council is scheduled to conduct a public hearing to hear comments concerning the assessment for curb & gutter and paving of the following streets: **Williston Drive** (from Ramsey St to North St), **Mclver Street** (from Italy St to Silk Ln), **Silk Lane**(from Mclver Street to the northwestern line of pin # 0437-22-0285 & 18' northwest of the common line of pin #'s 0437-22-2411 & 0437-22-1464), **Stella Street** (from Weisiger St to dead end), **South Kenleigh Drive** (from Raeford Road to the common line of pin #'s 0417-20-5006 & 0412-29-5008 and the common line of pin #'s 0417-20-1264 & 0416-29-1776), and for the construction of concrete curb & gutter for **South Kenleigh Drive** (from the common line of pin #'s 0417-20-5006 & 0412-29-5008 and the common line of pin #'s 0417-20-1264 & 0416-29-1776 to end of street).
- Following the public hearing, Council is asked to take action confirming the assessment rolls.

### RELATIONSHIP TO STRATEGIC PLAN:

Paving of soil streets

### BACKGROUND:

- Paving of these streets as authorized by Council on November 24, 2008 is now complete.
- At its meeting on May 24, 2010, Council set June 28, 2010 as the date for the required public hearing to receive comments from property owners along these streets concerning the preliminary assessment rolls.
- Property owners have been duly notified of the pending assessments and their opportunity to speak at the public hearing.

### ISSUES:

- Chapter 160A, Article 10 of the North Carolina General Statute outlines the procedure for special assessments for street paving.
- These procedures require a preliminary assessment roll be completed and a public hearing held.
- The current assessment rate as outlined in Council Policy 160.1 is not to exceed \$15.00 per linear foot for the construction of concrete curb & gutter and \$25.00 per linear foot for pavement with concrete curb and gutter for each side of the street.

### OPTIONS:

After conducting the public hearing:

- Adopt resolutions confirming assessment rolls as presented.
- Consider other funding options or assessment rates.

### RECOMMENDED ACTION:



Adopt the attached resolutions confirming assessment rolls for these streets.

**ATTACHMENTS:**

Williston Drive Resolution

Silk Lane Resolution

McIver Street Resolution

Stella Street Resolution

South Kenleigh Dr Resolution

**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS**

**WHEREAS**, the City Council of City of Fayetteville has on June 28, 2010, held a public hearing after due notice as required by law, on the Assessment Roll for the improvement of Williston Drive (from Ramsey Street to North Street) for paving;

**WHEREAS**, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct;

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Fayetteville that:

1. The Assessment Roll for the improvement of Williston Drive (from Ramsey Street to North Street) for paving in the City of Fayetteville, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statues of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll. A copy of the Assessment Roll is on file in the City Finance Department and the City Attorney's office.
3. The City Attorney is hereby directed to deliver to the Deputy Tax Collector the said Assessment Roll.
4. The Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Section 232 and 233, of the General Statues of North Carolina.
5. The Deputy Tax Collector is hereby further directed to publish once on the 19th day of July, 2010, the notice required by Chapter 160A, Section 229, of the General Statues of North Carolina.

**ADOPTED** this the 28th day of June, 2010.

**CITY OF FAYETTEVILLE**

BY: \_\_\_\_\_  
ANTHONY G.CHAVONNE, Mayor

ATTEST:

\_\_\_\_\_  
Rita Perry, City Clerk

**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS**

**WHEREAS**, the City Council of City of Fayetteville has on June 28, 2010, held a public hearing after due notice as required by law, on the Assessment Roll for the improvement of Silk Lane (from McIver Street to Northwestern Line of PIN #0437-22-0285 and 18' Northwest of the Common Line of Pin #'s 0437-22-2411 & 0437-22-1464) for paving;

**WHEREAS**, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct;

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Fayetteville that:

1. The Assessment Roll for the improvement of Silk Lane (from McIver Street to Northwestern Line of PIN #0437-22-0285 and 18' Northwest of the Common Line of Pin #'s 0437-22-2411 & 0437-22-1464) for paving in the City of Fayetteville, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
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**ADOPTED** this the 28th day of June, 2010.

**CITY OF FAYETTEVILLE**

BY: \_\_\_\_\_  
ANTHONY G.CHAVONNE, Mayor

ATTEST:

\_\_\_\_\_  
Rita Perry, City Clerk

**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS**

**WHEREAS**, the City Council of City of Fayetteville has on June 28, 2010, held a public hearing after due notice as required by law, on the Assessment Roll for the improvement of McIver Street (from Italy Street to Silk Lane) for paving;

**WHEREAS**, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct;

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Fayetteville that:

1. The Assessment Roll for the improvement of McIver Street (from Italy Street to Silk Lane) for paving in the City of Fayetteville, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
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**ADOPTED** this the 28th day of June, 2010.

**CITY OF FAYETTEVILLE**

BY: \_\_\_\_\_  
ANTHONY G. CHAVONNE, Mayor

ATTEST:

\_\_\_\_\_  
Rita Perry, City Clerk

**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS**

**WHEREAS**, the City Council of City of Fayetteville has on June 28, 2010, held a public hearing after due notice as required by law, on the Assessment Roll for the improvement of Stella Street (from Weisiger Street to Dead End) for paving;

**WHEREAS**, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct;

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Fayetteville that:

1. The Assessment Roll for the improvement of Stella Street (from Weisiger Street to Dead End) for paving in the City of Fayetteville, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statues of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll. A copy of the Assessment Roll is on file in the City Finance Department and the City Attorney's office.
3. The City Attorney is hereby directed to deliver to the Deputy Tax Collector the said Assessment Roll.
4. The Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Section 232 and 233, of the General Statues of North Carolina.
5. The Deputy Tax Collector is hereby further directed to publish once on the 19th day of July, 2010, the notice required by Chapter 160A, Section 229, of the General Statues of North Carolina.

**ADOPTED** this the 28th day of June, 2010.

**CITY OF FAYETTEVILLE**

BY: \_\_\_\_\_  
ANTHONY G.CHAVONNE, Mayor

ATTEST:

\_\_\_\_\_  
Rita Perry, City Clerk

**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS**

**WHEREAS**, the City Council of City of Fayetteville has on June 28, 2010, held a public hearing after due notice as required by law, on the Assessment Roll for the improvement of South Kenleigh Drive (from Raeford Road to End of Street) for paving;

**WHEREAS**, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct;

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Fayetteville that:

1. The Assessment Roll for the improvement of South Kenleigh Drive (from Raeford Road to End of Street) for paving in the City of Fayetteville, North Carolina, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll. A copy of the Assessment Roll is on file in the City Finance Department and the City Attorney's office.
3. The City Attorney is hereby directed to deliver to the Deputy Tax Collector the said Assessment Roll.
4. The Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Section 232 and 233, of the General Statutes of North Carolina.
5. The Deputy Tax Collector is hereby further directed to publish once on the 19th day of July, 2010, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

**ADOPTED** this the 28th day of June, 2010.

**CITY OF FAYETTEVILLE**

BY: \_\_\_\_\_  
ANTHONY G. CHAVONNE, Mayor

ATTEST:

\_\_\_\_\_  
Rita Perry, City Clerk

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Lisa Smith, Chief Financial Officer  
**DATE:** June 28, 2010  
**RE:** **Public Hearing on a Proposed Installment Financing Agreement in a Principal Amount Not to Exceed \$5,950,000 for the Purpose of Financing the Construction of a Parking Deck**

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### THE QUESTION:

Staff requests Council to hold the public hearing on the proposed financing and, if they wish to move forward with the financing of the parking deck, adopt the two resolutions accepting the winning bank proposal, making certain findings and determinations regarding the financing of a parking deck and requesting the Local Government Commission (LGC) to approve the financing agreement.

### RELATIONSHIP TO STRATEGIC PLAN:

Principle E: Vibrant Downtown - Means easy access and convenient parking

### BACKGROUND:

- On May 24, 2010 Council authorized the award of a design contract for the downtown parking deck, subject to the approval of a funding agreement.
- The next step in the process is to obtain financing to fund the construction of the parking deck.
- To date, the City has issued a request for financing proposals and expects to receive responses on June 24. In addition, City Council set the public hearing for the proposed financing for June 28 and a public notice of the hearing was published in the newspaper on June 16.
- Since the RFP responses are scheduled to be received on June 24, staff will be required to circulate updated copies of the resolutions naming the recommended bank for the financing. The updated resolutions will be circulated by Friday, June 25.
- If Council wishes to proceed with the financing at the conclusion of the public hearing, Council will be asked to adopt two resolutions awarding the financing to the bank, making certain findings regarding the financing and requesting the LGC to approve the financing arrangement.
- Staff will request the LGC to place the financing on the August 3 agenda and plans to close the financing by August 13.

### ISSUES:

If Council wishes to use its ARRA economic development bond allocation to finance the parking deck, the proposed financing must be included in the LGC's August agenda and the financing must be closed by August 15, 2010.

### OPTIONS:

- Conduct the public hearing and adopt the two resolutions.
- Conduct the public hearing and do not adopt the two resolutions.

**RECOMMENDED ACTION:**

If Council wishes to proceed with the development of the parking deck, Staff recommends adopting the two resolutions:

- 1) Resolution accepting the proposal of (bank name to be provided) in connection with an installment financing for a parking deck and related improvements for the City of Fayetteville, North Carolina
- 2) 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

**ATTACHMENTS:**

Two Parking Deck Resolutions



The City Council of the City of Fayetteville, North Carolina held a regular meeting in the City Council Chambers at City Hall located at 433 Hay Street in Fayetteville, North Carolina, the regular place of meeting, at 7:00 p.m. on June 28, 2010.

Present: Mayor Anthony G. Chavonne, presiding, and Council Members

Absent: Council Members

Also present: \_\_\_\_\_

\* \* \* \* \*

The \_\_\_\_\_ announced that this was the hour and day of the public hearing on a proposed installment financing agreement to be entered into by the City of Fayetteville (the "City") pursuant to Section 160A-20 of the General Statutes of North Carolina, as amended (the "Act"), in a principal amount not to exceed \$5,950,000 for the purpose of financing the construction of an approximately 300-space parking deck for the City, including, but not limited to, certain walkways, building connections and related site and access improvements (the "Project"). Such financing would be secured by a deed of trust on the site of the Project, together with all improvements and fixtures located or to be located thereon.

The \_\_\_\_\_ acknowledged due publication of the notice of public hearing in a newspaper with a general circulation in said City as required by Section 160A-20(g) of the Act and directed the City Clerk to attach the affidavit showing publication in said paper on a date at least ten days prior to the date hereof as Exhibit A hereto.

The Mayor then announced that the City Council would immediately hear anyone who might wish to be heard on the advisability of the proposed Project or financing as so described.

A list of any persons making comments and a summary of such comments are attached as Exhibit B hereto.

All statements and comments were duly considered by the Council Members.

Thereupon, \_\_\_\_\_ introduced the following resolution the title of which was read and copies of which had been distributed to each Council Member:

**RESOLUTION ACCEPTING THE PROPOSAL OF \_\_\_\_\_ IN CONNECTION WITH AN INSTALLMENT FINANCING FOR A PARKING DECK AND RELATED IMPROVEMENTS FOR THE CITY OF FAYETTEVILLE, NORTH CAROLINA**

WHEREAS, the City of Fayetteville, North Carolina (the "City") intends to enter into an installment financing agreement pursuant to Section 160A-20 of the General Statutes of North Carolina for the purpose of paying the costs of the construction of an approximately 300-space parking deck for the City, including, but not limited to, certain walkways, building connections and related site and access improvements (the "Project");

WHEREAS, the City has solicited proposals from banks to provide the financing for the Project; and

WHEREAS, upon careful review and consideration of the proposals submitted by banks to provide such financing, the City desires to accept the proposal of \_\_\_\_\_ (the "Bank");

NOW, THEREFORE, BE IT RESOLVED by the City Council (the "City Council") of the City as follows:

1. The proposal of the Bank to provide financing through an installment financing agreement in the principal amount not to exceed of \$5,950,000 for the purpose of providing

funds, together with any other available funds, to pay the costs of the Project is hereby accepted, subject to further approval of the particular documentation related thereto by the City Council.

2. The City Manager and the Chief Financial Officer of the City are each hereby authorized and directed to execute and deliver such documentation as may be necessary to accept the proposal of the Bank.

3. This resolution shall take effect immediately upon its passage.

Upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the foregoing resolution was adopted by the following vote:

Ayes: \_\_\_\_\_

\_\_\_\_\_

Noes: \_\_\_\_\_

\_\_\_\_\_

Thereupon, \_\_\_\_\_ introduced the following resolution the title of which was read and copies of which had been distributed to each Council Member:

**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**

BE IT RESOLVED by the City Council (the "City Council") of the City of Fayetteville, North Carolina (the "City") as follows:

Section 1. The City Council does hereby find and determine as follows:

(a) There exists in the City a need to construct an approximately 300-space parking deck for the City, including, but not limited to, certain walkways, building connections and related site and access improvements (the "Project").

(b) After due consideration, the City has determined to enter into an installment financing agreement (the "Agreement") in an aggregate principal amount not to exceed \$5,950,000 to pay, together with any other available funds, the costs of the Project.

(c) The City will enter into the Agreement with \_\_\_\_\_ (the "Bank"), pursuant to which Agreement the Bank will advance to the City amounts sufficient to pay the cost of financing the Project, and the City will repay the advancement in installments, with interest (the "Installment Payments").

(d) In order to secure its obligations under the Agreement, the City will execute and deliver a deed of trust (the "Deed of Trust"), granting a lien on the site of the Project, together with all improvements and fixtures located or to be located thereon.

(e) It is in the best interest of the City to enter into the Agreement and the Deed of Trust in that such transaction will result in providing financing for the Project in an efficient and cost effective manner.

(f) Entering into the Agreement is preferable to a general obligation bond and revenue bond issue in that (i) the City does not have the constitutional authority to issue non-voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution because the City has not retired a sufficient amount of debt in the preceding fiscal year to issue a sufficient amount of general obligation bonds for the Project without an election; (ii) the size of the financing does not allow for the issuance of revenue bonds in as economical a manner as entering into the Agreement; (iii) the cost of the Project exceeds the amount to be prudently provided from currently available appropriations and unappropriated fund balances; (iv) the circumstances existing require that funds be available to commence construction of the Project as soon as practicable and the time required for holding an election for the issuance of voted general

obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution and the Local Government Bond Act will delay the commencement of construction of the Project by several months; and (v) there can be no assurances that the Project will be approved by the voters and the necessity of such Project dictates that the Project be financed by a method that assures that such Project will be constructed in an expedient manner.

(g) It has been determined by the City Council that the cost of financing the Project through an installment financing agreement is reasonably comparable to the costs of issuing general obligation bonds or notes or other available methods of financing and is acceptable to the City Council.

(h) Counsel to the City will render an opinion to the effect that the proposed undertaking as described above is authorized by law and is a purpose for which public funds may be expanded pursuant to the Constitution and laws of the State of North Carolina.

(i) The debt management policies of the City have been carried out in strict compliance with law, and the City is not in default under any obligation for repayment of borrowed money.

(j) No tax rate increase is expected to be necessary to pay the Installment Payments due under the Agreement.

Section 2. The City Council hereby ratifies, authorizes and approves the filing of an application with the Local Government Commission for approval of the Agreement and requests the Local Government Commission to approve of the Agreement and the proposed financing in connection therewith.

Section 3. This resolution shall take effect immediately upon its passage.

Upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, the foregoing resolution was adopted by the following vote:

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

\* \* \* \* \*

I, Rita Perry, City Clerk of the City of Fayetteville, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the City Council of said City at a regular meeting held on June 28, 2010, as it relates in any way to the holding of a public hearing and the passage of the foregoing resolutions relating to an installment financing agreement by said City and that said proceedings are recorded in the minutes of said City Council.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and official seal of said City this 28<sup>th</sup> day of June, 2010.

\_\_\_\_\_  
City Clerk

[SEAL]

**EXHIBIT A**

[Attach publisher's affidavit evidencing publication of Notice of Public Hearing]

**EXHIBIT B**

[A list of any persons making comments and a summary of such comments to be attached. If no comments are made, please insert "None".]



## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Lisa Smith, Chief Financial Officer  
**DATE:** June 28, 2010  
**RE:** **Budget Ordinance Amendment 2010-8 (Transit) and Capital Project Ordinance 2010-24 (Transit Capital Improvements and Enhancements)**

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**THE QUESTION:**

At the June 21, 2010 City Council worksession, the City Council approved a motion to designate use of excess budgeted General Fund transfer for the Transit operating budget for various one-time Transit capital improvements and enhancements. Council is asked to approve Budget Ordinance Amendment 2010-8 which will reduce the General Fund transfer to the Transit Operating Fund by \$459,000 and approve Capital Project Ordinance 2010-24 which will 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 will be designated for business development and marketing initiatives for Transit.

**RELATIONSHIP TO STRATEGIC PLAN:**

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

**BACKGROUND:**

- There is an estimated excess of \$519,000 budgeted for the General Fund contribution for the FY10 Transit operating budget. This Budget Ordinance Amendment and Capital Project Ordinance will allow staff to proceed with use of \$459,000 of these funds for various one-time Transit capital improvements and enhancements as approved by Council on June 21, 2010.
- Upon the closeout of the FY10 financials, the variance between the actual General Fund contribution required for the Transit Operating Fund and the original General Fund budgeted transfer will be determined and any necessary funding revisions for the Capital Project will be brought for Council consideration.

**ISSUES:**

None.

**OPTIONS:**

- 1) Adopt Budget Ordinance Amendment 2010-8 and Capital Project Ordinance 2010-24.
- 2) Do not adopt Budget Ordinance Amendment 2010-8 and Capital Project Ordinance 2010-24.

**RECOMMENDED ACTION:**

Adopt Budget Ordinance Amendment 2010-8 and Capital Project Ordinance 2010-24.

**ATTACHMENTS:**

BOA 2010-8  
CPO 2010-24

2009-2010 BUDGET ORDINANCE AMENDMENT  
CHANGE 2010-8

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

That the City of Fayetteville Budget Ordinance adopted June 22, 2009 is hereby amended as follows:

Section 1. It is estimated that the following revenues and other financing sources will be available during the fiscal year beginning July 1, and ending June 30, 2010, to meet the appropriations listed in Section 2.

| <u>Item</u>   | <u>Listed As</u>    | <u>Revision</u>     | <u>Revised Amount</u> |
|---|---------------------|---------------------|-----------------------|
| <u>Schedule F: Transit Fund</u>                                 |                     |                     |                       |
| Interfund Transfer  | \$ 2,676,949        | \$ (459,000)        | \$ 2,217,949          |
| All Other Transit Fund Revenues and OFS                         | 3,421,346           | -                   | 3,421,346             |
| Total Estimated Transit Revenues<br>and Other Financing Sources | <u>\$ 6,098,295</u> | <u>\$ (459,000)</u> | <u>\$ 5,639,295</u>   |

Section 2. The following amounts are hereby appropriated for the operations of the City Government and its activities for the fiscal year beginning July 1, 2009, and ending June 30, 2010, according to the following schedules:

| <u>Item</u>                               | <u>Listed As</u>    | <u>Revision</u>     | <u>Revised Amount</u> |
|---|---------------------|---------------------|-----------------------|
| <u>Schedule F: Transit Fund</u>           |                     |                     |                       |
| Total Estimated Transit Fund Expenditures | <u>\$ 6,098,295</u> | <u>\$ (459,000)</u> | <u>\$ 5,639,295</u>   |

Adopted this 28th day of June, 2010.

CAPITAL PROJECT ORDINANCE  
ORD 2010-24

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 various Transit capital improvements and enhancements.

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:

|                       |                          |
|-----------------------|--------------------------|
| General Fund Transfer | <u>\$ 459,000</u>        |
|                       | <u><u>\$ 459,000</u></u> |

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

|                      |                          |
|----------------------|--------------------------|
| Project Expenditures | <u><u>\$ 459,000</u></u> |
|----------------------|--------------------------|

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 28th day of June, 2010.

**CITY COUNCIL ACTION MEMO**

**TO:** Mayor and Members of City Council  
**FROM:** Dale Iman, City Manager  
**DATE:** June 28, 2010  
**RE:** 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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**THE QUESTION:**

Council is asked to adopt the Fiscal Year 2010-2011 Budget Ordinance which incorporates revisions requested by City Council to the recommended budget presented on May 10, 2010. The changes detailed below increase the General Fund budget by \$301,206. In addition to setting the general ad valorem tax rate at 45.6 cents, and the Central Business Tax District ad valorem tax rate at 10 cents, the ordinance also levies the two Stormwater fees (\$3 per month) and the residential recycling fee (\$38 per year) and adopts the fee schedule presented. Council is also asked to approve the Fiscal Year 2011-2015 Capital Improvement Plan and related capital project ordinance and capital project amendments to appropriate fund transfers included in the fiscal year 2010-2011 annual budget and establish project budgets.

**RELATIONSHIP TO STRATEGIC PLAN:**

Mission Principles 1 and 2: The City government is FINANCIALLY SOUND and provides a FULL-RANGE OF QUALITY MUNICIPAL SERVICES.

**BACKGROUND:**

The net expenditure increase in the General Fund budget reflects the following changes:

|  |           |
|--|-----------|
| - 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 Reimbursements | 24,293    |
| - Eliminate Goodyear Payment           | (100,000) |
| - Defer Murchison Road Consulting      | (40,000)  |
| - Reduce Kaleidoscope (1/2 shows)      | (25,800)  |
| - Fund Police Services Study           | 50,000    |
| Total Expenditure Changes              | \$301,206 |

The corresponding increase in General Fund revenues reflects the following changes:

|                                   |           |
|-----------------------------------|-----------|
| - 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             | \$301,206 |

The fee schedule attached eliminates the proposed Transit fare increases for the elderly and disabled. There are no changes required for the Transit budget resulting from the elimination of the proposed fare increases as a review of recent fare revenue receipts indicates that the budgeted total fare revenues can be achieved based upon current fares. The fee schedule also reflects changes directed by Council on June 7, 2010 regarding the police alarm fees. The fees for false alarms have been revised consistent with the Greenville model and annual registration fees have been eliminated. The projected revenues under the revised alarm fee model are substantially equivalent to previous estimates for fiscal year 2010-2011. Additionally, the fee schedule sets privilege license fees for electronic gaming operations (e.g. internet sweepstakes

cafes) of \$2,000 per location plus \$2,500 per computer terminal for which ordinance changes will be brought to Council at an upcoming meeting.

The recommended Fiscal Year 2011-2015 Capital Improvement Plan is summarized in two documents attached. The first project list reflects project funding by fiscal year (yellow header) and the second project list reflects proposed sources of funding for each of the projects (green header). These documents reflect the Capital Improvement Plan as last presented to Council on May 12, 2010.

The capital project ordinances and amendments establish or amend project budgets for the following projects:

- Fiscal Year 2011 Street Resurfacing
- Computer Replacements
- Downtown Streetscape Improvements
- Downtown Brick Sidewalk Improvements
- Parking Lot Improvements
- Playground Improvements
- Building Maintenance Projects

**ISSUES:**

None

**OPTIONS:**

1. Adopt the proposed budget ordinance, fee schedule, capital improvement plan, capital project ordinance and capital project ordinance amendments.
2. Amend the proposed budget ordinance, fee schedule, capital improvement plan, capital project ordinances or capital project ordinance amendments and adopt as amended.

**RECOMMENDED ACTION:**

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

**ATTACHMENTS:**

Fiscal Year 2010-2011 Budget Ordinance  
Fiscal Year 2010-2011 Fee Schedule  
FY2011-2015 Capital Improvement Plan by Fiscal Year  
FY2011-2015 Capital Improvement Plan by Source of Funds  
CPO 2011-1  
CPOA 2011-1 through 2011-7

# 2010-11 Budget Ordinance (2011-1)

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BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

Section 1. It is estimated that the following revenues and other financing sources will be available during the fiscal year beginning July 1, 2010, and ending June 30, 2011, to meet the appropriations listed in Section 2.

Schedule A: General Fund

|  |                    |
|--|--------------------|
| Ad Valorem Taxes                             | \$ 58,632,982      |
| Other Taxes                                  | 2,473,767          |
| Intergovernmental Revenues                   | 51,486,992         |
| Functional Revenues                          | 5,336,552          |
| Other Revenues                               | 2,140,614          |
| Investment Earnings                          | 750,000            |
| Interfund Transfer                           | 10,479,372         |
| Fund Balance Appropriation                   | 2,908,969          |
| <b>Total Estimated General Fund Revenues</b> | <b>134,209,248</b> |

Schedule B: Parking Fund

|  |                |
|--|----------------|
| Functional Revenues                          | 329,185        |
| Investment Earnings                          | 3,000          |
| <b>Total Estimated Parking Fund Revenues</b> | <b>332,185</b> |

Schedule C: Central Business Tax District Fund

|   |                |
|---|----------------|
| Ad Valorem Taxes  | 131,287        |
| Investment Earnings   | 840            |
| Fund Balance Appropriation                                    | 74,091         |
| <b>Total Estimated Central Business Tax District Revenues</b> | <b>206,218</b> |

Schedule D: Stormwater Management Funds

|   |                  |
|---|------------------|
| Stormwater Fees                                       | 5,099,839        |
| Investment Earnings                                   | 66,007           |
| Fund Balance Appropriation                            | 1,025,386        |
| <b>Total Estimated Stormwater Management Revenues</b> | <b>6,191,232</b> |

Schedule E: Emergency Telephone System Fund

|   |                  |
|---|------------------|
| Intergovernmental Revenues                                      | 1,060,306        |
| Investment Earnings   | 10,500           |
| <b>Total Estimated Emergency Telephone System Fund Revenues</b> | <b>1,070,806</b> |

Schedule F: Transit Fund

|  |                  |
|--|------------------|
| Other Taxes                                  | 608,300          |
| Fees - Bus Fares                             | 679,241          |
| Fees - Other                                 | 20,643           |
| Intergovernmental Revenues                   | 1,687,126        |
| Interfund Transfer                           | 2,710,048        |
| <b>Total Estimated Transit Fund Revenues</b> | <b>5,705,358</b> |

# 2010-11 Budget Ordinance (2011-1)

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BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

## Schedule G: Airport Fund

|  |                  |
|--|------------------|
| Airport Fund Revenues                        | \$ 3,688,743     |
| Intergovernmental Revenues                   | 145,995          |
| Investment Earnings                          | 67,000           |
| <b>Total Estimated Airport Fund Revenues</b> | <b>3,901,738</b> |

## Schedule H: Recycling Fund

|  |                  |
|--|------------------|
| Recycling Fees                                 | 2,253,910        |
| Intergovernmental Revenues                     | 296,130          |
| Other Revenues                                 | 1,400            |
| Investment Earnings                            | 19,000           |
| <b>Total Estimated Recycling Fund Revenues</b> | <b>2,570,440</b> |

## Schedule I: Law Enforcement Officers' Special Separation Allowance Fund

|   |                |
|---|----------------|
| Interfund Charges   | 499,573        |
| Investment Earnings   | 42,000         |
| Fund Balance Appropriation  | 12,537         |
| <b>Total Estimated Law Enforcement Officers'<br/>Special Separation Allowance Fund Revenues</b> | <b>554,110</b> |

## Schedule J: City of Fayetteville Finance Corporation

|  |                  |
|--|------------------|
| Lease Revenues   | 1,449,475        |
| <b>Total Estimated City of Fayetteville Finance Corporation Revenues</b> | <b>1,449,475</b> |

## Schedule K: Public Works Commission

|   |                    |
|---|--------------------|
| Electric Fund   |                    |
| Operating and Other Revenues                              | 187,337,800        |
| Customer Contributions                                    | 1,450,000          |
| Interfund Transfer  | 20,900             |
| Net Assets Appropriation                                  | 445,825            |
| <b>Total Estimated Electric Fund Revenues</b>             | <b>189,254,525</b> |
| Water and Wastewater Fund                                 |                    |
| Operating and Other Revenues                              | 66,630,700         |
| Customer Contributions                                    | 6,178,200          |
| Interfund Transfer  | 385,200            |
| Net Assets Appropriation                                  | 2,455,400          |
| <b>Total Estimated Water and Wastewater Fund Revenues</b> | <b>75,649,500</b>  |
| <b>Total Estimated Public Works Commission Revenues</b>   | <b>264,904,025</b> |

**Grand Total** \$ **421,094,835**

# **2010-11 Budget Ordinance (2011-1)**

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

**Section 2.** The following amounts are hereby appropriated for the operations of the City Government and its activities for the fiscal year beginning July 1, 2010, and ending June 30, 2011, according to the following schedules:

## **Schedule A: General Fund**

|  |                    |
|--|--------------------|
| City Attorney's Office                           | \$ 1,131,964       |
| City Manager's Office                            | 883,524            |
| Community Development                            | 1,069,596          |
| Development Services                             | 3,774,490          |
| Engineering & Infrastructure                     | 10,428,935         |
| Environmental Services                           | 8,242,806          |
| Finance  | 2,519,388          |
| Fire & Emergency Management                      | 23,041,486         |
| Human Relations                                  | 254,529            |
| Human Resources Development                      | 1,200,754          |
| Information Technology                           | 3,215,286          |
| Management Services                              | 741,805            |
| Mayor & Council                                  | 538,317            |
| Other Appropriations                             | 20,017,567         |
| Parks, Recreation & Maintenance                  | 15,230,649         |
| Police   | 41,918,152         |
| <b>Total Estimated General Fund Expenditures</b> | <b>134,209,248</b> |

## **Schedule B: Parking Fund**

|  |                |
|--|----------------|
| <b>Total Estimated Parking Fund Expenditures</b> | <b>332,185</b> |
|--|----------------|

## **Schedule C: Central Business Tax District Fund**

|  |                |
|--|----------------|
| <b>Total Estimated Central Business Tax District Fund Expenditures</b> | <b>206,218</b> |
|--|----------------|

## **Schedule D: Stormwater Management Funds**

|   |                  |
|---|------------------|
| <b>Total Estimated Stormwater Management Funds Expenditures</b> | <b>6,191,232</b> |
|---|------------------|

## **Schedule E: Emergency Telephone System Fund**

|   |                  |
|---|------------------|
| <b>Total Estimated Emergency Telephone System Fund Expenditures</b> | <b>1,070,806</b> |
|---|------------------|

## **Schedule F: Transit Fund**

|  |                  |
|--|------------------|
| <b>Total Estimated Transit Fund Expenditures</b> | <b>5,705,358</b> |
|--|------------------|

## **Schedule G: Airport Fund**

|  |                  |
|--|------------------|
| <b>Total Estimated Airport Fund Expenditures</b> | <b>3,901,738</b> |
|--|------------------|



# **2010-11 Budget Ordinance (2011-1)**

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BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

Schedule H: Recycling Fund

**Total Estimated Recycling Fund Expenditures** \$ **2,570,440**

Schedule I: Law Enforcement Officers' Special Separation Allowance Fund

**Total Estimated Law Enforcement Officers' Special Separation Allowance Fund Expenditures** **554,110**

Schedule J: City of Fayetteville Finance Corporation

**Total Estimated City of Fayetteville Finance Corporation Expenditures** **1,449,475**

Schedule K: Public Works Commission

Electric Fund

Operating Expenditures 138,841,825  
Operating Capital 25,610,200  
Transfers  
    General Fund 9,002,500  
    Appropriation to Rate Stabilization Fund 15,800,000

**Total Estimated Electric Fund Expenditures** **189,254,525**

Water and Wastewater Fund

Operating Expenditures 59,174,500  
Operating Capital 14,430,000  
Transfers  
    Appropriation to Rate Stabilization Fund 500,000  
    Appropriation to Annexation Fund 1,545,000

**Total Estimated Water and Wastewater Fund Expenditures** **75,649,500**

**Total Estimated Public Works Commission Expenditures** **264,904,025**

**Grand Total** \$ **421,094,835**

## **2010-11 Budget Ordinance (2011-1)**

---

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA, THAT PURSUANT TO SECTION 13.1 OF CHAPTER 159, OF THE GENERAL STATUTES OF NORTH CAROLINA, THE FOLLOWING FINANCIAL PLAN IS HEREBY ADOPTED:

Section 3. It is estimated that the following revenues and other financing sources will be available through the Budget Ordinance Appropriation and other revenues during the fiscal year beginning July 1, 2010, and ending June 30, 2011, to meet the appropriation listed in Section 4.

Schedule A: Internal Service Fund - Risk Management

|  |                      |
|--|----------------------|
| <b>Total Estimated Redistribution to Risk Management Fund<br/>and Other Revenues and Financing Sources</b> | <b>\$ 17,726,547</b> |
|--|----------------------|

Section 4. The following amounts are hereby appropriated for the operation of the Risk Management Fund and its activities for the fiscal year beginning July 1, 2010, and ending June 30, 2011, according to the following schedule.

Schedule A: Internal Service Fund - Risk Management

|  |                      |
|--|----------------------|
| <b>Total Estimated Risk Management Fund<br/>Expenditures</b> | <b>\$ 17,726,547</b> |
|--|----------------------|

## **2010-11 Budget Ordinance (2011-1)**

---

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA,  
THAT PURSUANT TO SECTION 13.1 OF CHAPTER 159, OF THE GENERAL STATUTES  
OF NORTH CAROLINA, THE FOLLOWING FINANCIAL PLAN IS HEREBY ADOPTED:

Section 5. It is estimated that the following revenues and other financing sources will be available through the Budget Ordinance Appropriation and other revenues during the fiscal year beginning July 1, 2010, and ending June 30, 2011, to meet the appropriation listed in Section 6.

Schedule A: Internal Service Fund - Public Works Commission Fleet Maintenance

|  |           |                  |
|--|-----------|------------------|
| <b>Total Estimated Redistribution to Public Works Commission Fleet Maintenance Fund and Other Revenues and Financing Sources</b> | <b>\$</b> | <b>6,577,000</b> |
|--|-----------|------------------|

Section 6. The following amounts are hereby appropriated for the operation of the Public Works Commission Fleet Maintenance Fund and its activities for the fiscal year beginning July 1, 2010, and ending June 30, 2011, according to the following schedule.

Schedule A: Internal Service Fund - Public Works Commission Fleet Maintenance

|  |           |                  |
|--|-----------|------------------|
| <b>Total Estimated Public Works Commission Fleet Maintenance Fund Expenditures</b> | <b>\$</b> | <b>6,577,000</b> |
|--|-----------|------------------|

# **2010-11 Budget Ordinance (2011-1)**

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BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

Section 7. There is hereby levied the following rates of tax on each one hundred dollars (\$100) valuation of taxable property as listed for taxes as of January 1, 2010, for the purpose of raising the revenue from current year property tax as set forth in foregoing estimates of revenue and in order to finance the foregoing appropriations:

General Rate (for the general expenses incident to the proper government of the City):

45.6 Cents

Such a rate of tax is based upon an estimated total valuation of property for the purpose of taxation of \$12,831,233,808, and estimated collection rates of 99.46% for real and personal property and 80.63% for motor vehicles.

Central Business Tax District Rate

10.0 Cents

Such a rate of tax is based upon an estimated total valuation of property for the purpose of taxation of \$131,173,568, and estimated collection rates 99.7% for real and personal property and 87.68% for motor vehicles.

Section 8. The following fee is hereby levied in accordance with the Stormwater Management Ordinance, Chapter 23 of the Fayetteville City Code to fund the City's comprehensive stormwater management program:

\$3 per month per Equivalent Service Unit

Section 9. The following fee is hereby levied to fund curbside residential recycling:

\$38 per year per Single-Family Household or Residential Unit in a Multi-Family Property of Seven Units or Less

Section 10. The fee schedule attached hereto is adopted effective July 1, 2010.

Section 11. Funds encumbered, funds reserved for donations, and funds designated for a specific purpose in the City's financial audit report as of June 30, 2010, are hereby reappropriated, subject to availability of departmental funds, to this budget.

Section 12. Funds included in the General Fund departmental budgets for the vehicle replacement program are authorized to be redistributed among the benefiting departments and functions.

Section 13. Compensation of each council member and the mayor is increased by 2%.

# **2010-11 Budget Ordinance (2011-1)**

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BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

ADOPTED THIS 28th DAY OF JUNE, 2010

CITY OF FAYETTEVILLE

\_\_\_\_\_  
Anthony G. Chavonne, Mayor

ATTEST:

\_\_\_\_\_  
Rita Perry, City Clerk

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description  | Current Fee   | Established<br>or Last<br>Changed |
|--|---|-----------------------------------|
| <b>All Functions</b>   |   |                                   |
| <i>Default Civil Penalty for Code Violation</i><br>Applies to any violation for which a penalty is not elsewhere | \$100 per violation per day   | 2007                              |
| <b>Airport</b>   |   |                                   |
| <i>Landing Fee (Signatory Airline)</i>   | \$1.23 per 1,000 pounds   | 2004                              |
| <i>Landing Fee (Non-signatory Airline)</i>   | \$1.39 per 1,000 pounds   | 2004                              |
| <i>Terminal Leases and Fees</i>  |   |                                   |
| Airline Counter Space (exclusive)  | \$33.79 per square foot per year  | 1986                              |
| Airline Bag Makeup Space (exclusive)   | \$3.79 per square foot per year   | 1986                              |
| Airline Administrative Space (exclusive)   | \$12.90 per square foot per year  | 1986                              |
| Operation and Maintenance Charge   | \$10.00 per square foot of exclusive airline space  | 1995                              |
| Airline Space (nonexclusive)   | \$10.00 per square foot per year  | 1986                              |
| <i>Fuel Flowage Fee</i>  | \$0.05 per gallon of non-airline fuel   | 1997                              |
| <i>Airline Uplift Charge</i>   | \$0.18 per gallon, \$18.00 minimum or \$18.00 no-fuel fee   | 1997                              |
| <i>Fuel Pricing</i>  | Will not exceed 106% of retail price at comparable airports with based tenants afforded a \$0.20 discount | 1997                              |
| <i>Property Leases</i>   |   |                                   |
| Tie-Down Fee   | \$45.00 per month   | 2003                              |
| Old T-Hangar Rental  | \$180.00 per month  | 2003                              |
| New T-Hangar Rental  | \$210.00 per month  | 2003                              |
| Ground Lease   | \$0.20 per square foot per year   | 2003                              |
| Corporate Office Space   | \$5.00 per square foot per year plus utilities  | 2004                              |
| Corporate Hangar Space   | \$2.00 per square foot per year plus utilities  | 2004                              |
| FBO Office Space   | \$4.50 per square foot per year plus utilities  | 2003                              |
| FBO Hangar Space   | \$1.75 per square foot per year plus utilities  | 2004                              |
| <i>Rental Cars</i>   |   |                                   |
| Rental Car Agency Fee  | \$15.00 per parking space per month plus 10% of gross revenues  | 1986                              |
| Rental Car Booth Space   | \$253.52 per month  | 2009                              |
| <i>Terminal Leases and Fees</i>  |   |                                   |
| Short Term Parking (1-30 minutes)  | \$1.00  | 2002                              |
| Short Term Parking (each additional 30 minutes)  | \$1.00  | 2002                              |
| Short Term Parking (maximum 24 hours)  | \$10.00   | 2008                              |
| Long Term Parking (0-1 hour)   | \$1.00  | 2002                              |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description   | Current Fee  | Established<br>or Last<br>Changed |
|---|--|-----------------------------------|
| Long Term Parking (each additional hour)                  | \$1.00   | 2002                              |
| Long Term Parking (maximum 24 hours)                      | \$8.00   | 2008                              |
| <i>Public Safety Airline Charge</i>                       | Cost charged to airlines based on prorata share of emplanements less security reimbursement from TSA | 1991                              |
| <i>Advertising Space</i>                                  | \$883.33 plus commissions  | 1998                              |
| <i>Exhibition Flight Permit</i>                           | \$5.00 per flight, or \$25.00 per six-month period   | N/A                               |
| <b>Development Services</b>                               |  |                                   |
| <b><u>Building, Plan Review and Inspections Fees:</u></b> |  |                                   |
| <i>Privilege Licenses</i>                                 |  |                                   |
| Brick/Cement Block Manufacturer                           | \$35.00  | 2002 or prior                     |
| Demolition Contractor                                     | \$37.50  | 2002 or prior                     |
| Electrical Contractor                                     | \$50.00  | Set by State                      |
| Fire Sprinkler Contractor                                 | \$50.00  | 2002 or prior                     |
| General Contractor  | \$10.00  | Set by State                      |
| Insulation Contractor                                     | \$50.00  | 2002 or prior                     |
| Maintenance of Heat/AC                                    | \$7.50   | 2002 or prior                     |
| Mechanical Contractor                                     | \$50.00  | Set by State                      |
| Moving Contractor   | \$10.00  | 2002 or prior                     |
| Plumbing Contractor                                       | \$50.00  | Set by State                      |
| Refrigeration Contractor                                  | \$17.50  | 2002 or prior                     |
| Roofing Contractor  | \$25.00  | 2002 or prior                     |
| Sand and Gravel Dealer                                    | \$15.00  | 2002 or prior                     |
| Sanding/Refinishing of Floors                             | \$10.00  | 2002 or prior                     |
| Sheet Metal Contractor                                    | \$15.00  | 2002 or prior                     |
| Sign Contractor   | \$35.00  | 2002 or prior                     |
| Taxicab   | \$15.00  | 2002 or prior                     |
| Tile Setter/Dealer  | \$15.00  | 2002 or prior                     |
| <i>Building Plan Review</i>                               |  |                                   |
| Up to 5,000 sq ft   | \$140.00   | 2010                              |
| 5,001 to 10,000 sq ft                                     | \$280.00   | 2010                              |
| 10,001 to 15,000 sq ft                                    | \$420.00   | 2010                              |
| 15,001 to 25,000 sq ft                                    | \$560.00   | 2010                              |
| 25,001 to 40,000 sq ft                                    | \$840.00   | 2010                              |
| Greater than 40,000 sq ft                                 | \$980.00   | 2010                              |
| Re-Review Fee (applies after first re-review)             | 1/2 of original fee  | 2010                              |
| <i>Building Permits</i>                                   |  |                                   |
| Building Value: \$0.00-1,000.00                           | \$21.00  | 2008                              |
| Building Value: \$1,001.00-2,500.00                       | \$42.00  | 2008                              |
| Building Value: \$2,501.00-5,000.00                       | \$52.50  | 2008                              |
| Building Value: \$5,001.00-10,000.00                      | \$63.00  | 2008                              |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description   | Current Fee   | Established<br>or Last<br>Changed |
|---|---|-----------------------------------|
| Building Value: \$10,001.00-15,000.00   | \$78.75   | 2008                              |
| Building Value: \$15,001.00-20,000.00   | \$94.50   | 2008                              |
| Building Value: \$20,001.00-25,000.00   | \$110.25  | 2008                              |
| Building Value: \$25,001.00-30,000.00   | \$126.00  | 2008                              |
| Building Value: \$30,001.00-35,000.00   | \$141.75  | 2008                              |
| Building Value: \$35,001.00-40,000.00   | \$157.50  | 2008                              |
| Building Value: \$40,001.00-45,000.00   | \$173.25  | 2008                              |
| Building Value: \$45,001.00-50,000.00   | \$189.00  | 2008                              |
| Building Value: \$50,001 and above  | \$4.20 per \$1,000  | 2008                              |
| Extra Inspections   | \$50.00   | 2008                              |
| <b><i>Electrical Permits</i></b>  |   |                                   |
| Residential thru 200A   | \$21.00   | 2008                              |
| Residential over 200A   | \$26.25   | 2008                              |
| Commercial thru 800A  | \$52.50   | 2008                              |
| Commercial over 800A  | \$78.75   | 2008                              |
| Separately Derived Systems  | \$31.50   | 2008                              |
| Mobile Home Services or Feeders   | \$26.25   | 2008                              |
| New or Replacement Pedestal   | \$26.25   | 2008                              |
| Outlet Installation   | \$0.42 per outlet   | 2008                              |
| Temporary Pole  | \$26.25   | 2008                              |
| Furnace, Condensing Units, Air Handlers, etc., Baseboard,<br>Appliances                   | \$8.40  | 2008                              |
| Motor (1HP-5HP)   | \$8.40  | 2008                              |
| Motor (5HP-25HP)  | \$10.50   | 2008                              |
| Motor (25HP-50HP)   | \$12.60   | 2008                              |
| Motor (50 or more HP)   | \$21.00   | 2008                              |
| Commercial Motor Control Units thru 800A  | \$42.00   | 2008                              |
| Commercial Motor Control Units over 800A  | \$63.00   | 2008                              |
| Electric Sign Connection  | \$26.25   | 2008                              |
| Electric Sign (circuit only)  | \$6.30  | 2008                              |
| Fire Alarm System (low voltage)   | \$31.50   | 2008                              |
| Other Low Voltage Systems   | \$31.50   | 2008                              |
| Gasoline/LP Dispenser   | \$12.60   | 2008                              |
| Inspection for Power Reconnection (When disconnected in<br>Outside Commercial Pole Lights | \$21.00   | 2008                              |
| Swimming Pool Bonding and Grounding   | \$4.20 each   | 2008                              |
| Swimming Pool Equipment   | \$21.00   | 2008                              |
| (motors, heaters, covers)   | \$8.40  | 2008                              |
| Minimum Fee   | \$21.00   | 2008                              |
| Extra Inspections   | \$50.00   | 2008                              |
| <b><i>Mechanical Permits</i></b>  |   |                                   |
| Residential Heat or AC  | \$47.25 for the first unit, \$26.25 for each<br>additional unit plus total BTU listing<br>multiplied by .0001 | 2008                              |
| Commercial Heat or AC   | \$52.50 for the first unit, \$36.75 for each<br>additional unit plus total BTU listing<br>multiplied by .0002 | 2008                              |
| Commercial Hood/Canopy over Cooking Equipment   | \$52.50   | 2008                              |



**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description   | Current Fee   | Established<br>or Last<br>Changed |
|---|---|-----------------------------------|
| Floor Furnaces, Unit Heaters, etc.                        | \$26.25   | 2008                              |
| Commercial Refrigeration                                  | \$52.50 for the first unit, \$36.75 for each additional unit plus total BTU listing multiplied by .0002 | 2008                              |
| Gas Piping  | \$21.00   | 2008                              |
| Each Additional Unit                                      | \$5.25  | 2008                              |
| Each LP Tank and Piping                                   | \$21.00   | 2008                              |
| Duct Extensions and Alterations                           | \$21.00   | 2008                              |
| Commercial Exhaust and Duct System                        | \$5.25  | 2008                              |
| Minimum Fee   | \$21.00   | 2008                              |
| Extra Inspections   | \$50.00   | 2008                              |
| <br><i>Plumbing Permits</i>                               |   |                                   |
| Trapped Fixtures, Water Heaters, etc.                     | \$6.30  | 2008                              |
| Sewer Connection  | \$21.00 each building sewer or sewer tap  | 2008                              |
| Water Piping  | \$21.00 each water service line, irrigation, and fire sprinkler main                                    | 2008                              |
| Minimum Fee   | \$21.00   | 2008                              |
| Extra Inspections   | \$50.00   | 2008                              |
| <br><i>Miscellaneous Inspections</i>                      |   |                                   |
| Demolition Permit   | Same fee structure as Building Permits  | 2008                              |
| Asbestos Removal  | Same fee structure as Building Permits  | 2008                              |
| Sign Placement  | \$50.00 plus same fee structure as Building Permits   | 2010                              |
| Insulation  | Same fee structure as Building Permits  | 2008                              |
| Flood Plain and Zoning Inspections                        | \$26.25   | 2008                              |
| Mobile Home Placements                                    | \$52.50   | 2008                              |
| Processing Fee for Permit Fee Refunds                     | \$21.00   | 2008                              |
| <br><i>Homeowner Recovery Fee</i>                         | <br>\$10.00   | <br>2003                          |
| <br><i>Watershed Protection Inspection Fee and Permit</i> |   |                                   |
| Inspection Fee for Required Improvement                   | \$20.00 per inspection  | 1996                              |
| Low Density Development Permit                            | \$20.00 per project   | 1996                              |
| High Density Development Permits                          |   |                                   |
| R15, R10, R6, R5A, R5, PND, MHO                           | \$130 (less than 5 acres), \$260 (5 to 50 acres), \$300 (50 to 100 acres), \$400 (more than 100 acres)  | 1996                              |
| P1, P2, C1A, C1, C1P, C2, C2S, C2P, C3, M1, M2, HD        | \$260 (less than 5 acres), \$260 (5 to 50 acres), \$300 (50 to 100 acres), \$400 (more than 100 acres)  | 1996                              |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description  | Current Fee                                       | Established<br>or Last<br>Changed |
|--|---|-----------------------------------|
| <b><u>Code Enforcement Fees:</u></b>                 |   |                                   |
| <i>Citations</i>                                     |   |                                   |
| Abandoned Vehicle Violation                          | \$250.00 per day                                  | 2002 or prior                     |
| Solid Waste Violation (Trash or overgrown lot)       | \$100.00 per day                                  | 1995                              |
| Taxicab Violation                                    | \$250.00 per day                                  | 2002 or prior                     |
| Trailer/Mobile Home Violation                        | \$50.00 per day                                   | 2002 or prior                     |
| Substandard Housing Violation                        | \$50.00 per day                                   | 2002 or prior                     |
| Animal and Fowl Violation                            | \$100, \$200, or \$300 per day                    | 2002 or prior                     |
| Zoning Violation                                     | \$100.00 per day                                  | 2002 or prior                     |
| Landscape Standard Violation                         | \$50.00 per day                                   | 2002 or prior                     |
| Water Supply Violation                               | \$500.00 per day                                  | 2002 or prior                     |
| Advertising Violation                                | \$500.00 per day                                  | 2002 or prior                     |
| <i>Administrative Fee (Abatement Actions)</i>        | \$100.00  | 2008                              |
| <i>Daycare Inspections</i>                           | \$105.00  | 2008                              |
| <i>Lot Cleaning</i>                                  | Based on contract                                 | 2002                              |
| <i>Taxicab Permits</i>                               |   |                                   |
| Taxi Driver Permit Application Fee                   | \$10.00   |                                   |
| Taxi Driver Permit (new, renewal or expired)         | \$15.00   | 2002                              |
| Lost Drivers Permit                                  | \$15.00   | 2002                              |
| Change of Company                                    | \$15.00   | 2002                              |
| Change of Address                                    | \$5.00  | 2002                              |
| Change of Vehicle                                    | \$5.00  | 2002                              |
| Franchise Application                                | \$25.00   | 2002                              |
| Annual Franchise Fee                                 | \$15.00 per vehicle                               | 2002                              |
| Quarterly Inspection                                 | \$50.00 per vehicle                               | 2002                              |
| Sign Fee (advertising other than taxicab business)   | \$10.00 per sign                                  | 2002                              |
| <i>Yard Sale Permits</i>                             | \$10.00   | 2006                              |
| <b><u>Planning &amp; Zoning Fees:</u></b>            |   |                                   |
| <i>Board of Adjustment Hearing Fee</i>               | \$500.00  | 2007                              |
| <i>Rezoning Fees</i>                                 | \$700.00  | 2008                              |
| Conditional Zoning                                   | \$700.00 plus site plan review fee                | 2010                              |
| Planned Development                                  | \$700.00 plus site plan review fee                | 2010                              |
| <i>Special Use Permit</i>                            |   |                                   |
| Residential, Professional, Commercial and Industrial | \$700.00 plus site plan review fee                | 2010                              |
| <i>Site Plan Review</i>                              |   |                                   |
| Non-Residential                                      | \$500.00 plus \$20.00 per 1,000 sq ft of building | 2010                              |
| Residential  | \$500.00 plus \$20.00 per unit or lot             | 2010                              |
| Revisions or rereviews beyond first review           | 1/2 of original fee                               | 2010                              |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description   | Current Fee                                   | Established<br>or Last<br>Changed |
|---|---|-----------------------------------|
| <b><i>Subdivision Fee</i></b>   |   |                                   |
| Subdivision Reviews   | \$400.00 plus \$20.00 per lot                 | 2010                              |
| Revisions or rereviews beyond first review  | 1/2 of original fee                           | 2010                              |
| Final Plats   | \$50.00                                       | 2007                              |
| <b><i>Zoning and Subdivision Ordinance Book Fee</i></b>   |   |                                   |
|   | Cost of reproduction                          | 2010                              |
| <b><i>Open Space Fee</i></b>  |   |                                   |
|   | Variable                                      | 1996                              |
| <b><i>Payment in lieu of Sidewalk Construction</i></b>  |   |                                   |
|   | \$26.99 per linear foot for 4' wide sidewalk* | 2010                              |
| *Price per foot to be adjusted each Jan 1st based on Construction Cost Index. (2010 adjustment -0.6.3%) | \$31.31 per linear foot for 5' wide sidewalk* | 2010                              |
|   | \$35.62 per linear foot for 6' wide sidewalk* | 2010                              |
| <b><i>Tax Grantback Application Fee</i></b>   |   |                                   |
|   | \$250.00                                      | 2010                              |
| <b><i>Zoning Permits</i></b>  |   |                                   |
| Pushcarts (Downtown Core Only)  | \$25.00 per year                              | 2005                              |
| Outdoor Dining and Merchandising (Downtown Core Only)   | \$25.00 per year                              | 2005                              |
| Sidewalk Entertainment (Downtown Core Only)   | \$25.00 per year                              | 2005                              |
| Delivery Services (Downtown Core Only)  | \$25.00 per year                              | 2007                              |
| <b>Engineering &amp; Infrastructure</b>   |   |                                   |
| <b><i>Map Sales</i></b>   |   |                                   |
| <b>Aerial Photographs</b>   |   |                                   |
| Prints (8 1/2" x 11")   | \$10.00                                       | 2010                              |
| Prints (8 1/2" x 14")   | \$12.00                                       | 2010                              |
| Prints (11" x 17")  | \$15.00                                       | 2010                              |
| Prints (18" x 24")  | \$20.00                                       | 2010                              |
| Prints (24" x 36")  | \$30.00                                       | 2010                              |
| Prints (36" x 48")  | \$50.00                                       | 2010                              |
| District Map  | \$15.00                                       | 2010                              |
| Large City Map with street index booklet  | \$35.00                                       | 2008                              |
| Medium City Map   | \$25.00                                       | 2010                              |
| Precinct Map  | \$15.00                                       | 2010                              |
| Topographic Map   | \$15.00                                       | 2008                              |
| <b><i>Copy Sales</i></b>  |   |                                   |
| Prints (11" x 17")  | \$2.00  | 2010                              |
| Prints (8 1/2" x 11")   | \$1.00  | 2010                              |
| Prints (8 1/2" x 14")   | \$2.00  | 2010                              |
| Prints (18" x 24")  | \$5.00  | 2010                              |
| Prints (24" x 36")  | \$6.00  | 2010                              |
| Prints (36" x 48")  | \$7.00  | 2010                              |
| <b><i>Development Plan Reviews</i></b>  |   |                                   |
| Commercial Developments, one acre or less   | \$200.00                                      | 2010                              |
| Commercial Developments, between one and ten acres  | \$350.00                                      | 2010                              |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description   | Current Fee  | Established<br>or Last<br>Changed |
|---|--|-----------------------------------|
| Commercial Developments, in excess of ten acres                 | \$650.00   | 2010                              |
| Residential Subdivisions, 50 lots or less                       | \$350.00   | 2010                              |
| Residential Subdivisions, 51 to 100 lots                        | \$500.00   | 2010                              |
| Residential Subdivisions, in excess of 100 lots                 | \$650.00   | 2010                              |
| Resubmittal Fee, commercial or residential, per submittal       | \$150.00   | 2010                              |
| <b><i>Driveway Permits</i></b>                                  |  |                                   |
| Driveway Permit (Commercial) ≤ 75,000 sq. ft.                   | \$200.00 plus \$50.00 per hour for traffic impact analysis and traffic signal modifications as applicable      | 2010                              |
| Driveway Permit (Commercial) > 75,000 sq. ft.                   | \$400.00 plus \$50.00 per hour for traffic impact analysis and traffic signal modifications as applicable      | 2010                              |
| Driveway Permit (Residential)                                   | \$50.00  | 2004                              |
| <b><i>Infrastructure Inspection Fees</i></b>                    |  |                                   |
| Roadway Inspection Fee  | \$0.50 per linear ft.  | 2010                              |
| Storm Drainage Pipe Inspection                                  | \$0.30 per linear ft.  | 2010                              |
| <b><i>Drainage Excavation Permit</i></b>                        | \$100.00   | 2008                              |
| <b><i>Utility Excavation Permit</i></b>                         | \$75.00  | 2008                              |
| <b><i>Resurfacing Permit</i></b>                                | \$30.00  |                                   |
| <b><i>Sidewalk Permit</i></b>                                   | \$30.00  |                                   |
| <b><i>House Moving Fee</i></b>                                  | \$1,500 Bond, \$25 administrative fee, \$25 per hour police escort fee and \$37 per hour signal technician fee | 1987                              |
| <b><i>Degradation Fee</i></b>                                   | \$8 per sq. yd. of encroachment  | 2008                              |
| <b><i>Right of Way Registration Fee</i></b>                     | \$200.00   | 2002 or prior                     |
| <b><i>Street Closing Fee</i></b>                                | \$1,100.00   | 2010                              |
| <b><i>Street Paving Assessments</i></b>                         |  |                                   |
| To improve a soil street to a strip paved street                | \$10.00 per front foot   | 2007                              |
| To install concrete curb and gutter on a strip paved street     | \$15.00 per front foot   | 2007                              |
| To pave and install concrete curb and gutter on a soil street   | \$25.00 per front foot   | 2007                              |
| <b><i>Petitioned Sidewalk Assessment</i></b>                    | \$10.00 per front foot   |                                   |
| <b><i>Temporary Right of Way Encroachment Fee</i></b>           |  |                                   |
| 30 day permit for items (construction dumpsters, etc) placed on | \$50.00 per 30 days  | 2008                              |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description  | Current Fee   | Established<br>or Last<br>Changed |
|--|---|-----------------------------------|
| <b>Environmental Services</b>                        |   |                                   |
| <i><b>Bulky Yard Waste Pickup</b></i>                |   |                                   |
| Full truckload pickups (approx. 20 cubic yards)      | \$357.00 per truckload  | 2007                              |
| Less than full truck load pickups                    | Free  |                                   |
| <i><b>Backdoor Pickup Fee</b></i>                    |   |                                   |
| Handicap Backdoor Pickup                             | Free  | 2002 or prior                     |
| <i><b>Administrative Fee</b></i> (Abatement Actions) | \$100.00  | 2008                              |
| <i><b>Rollout Carts</b></i>                          |   |                                   |
| Cart Purchase  | Variable based upon actual City purchase price  | 2007                              |
| Delivery Fee   | \$11.25   | 2007                              |
| <i><b>Solid Waste Fines</b></i>                      |   |                                   |
| Failure to remove container from curb                | First violation, written warning; second and subsequent violations, \$100.00  |                                   |
| <b>Finance</b>                                       |   |                                   |
| <i><b>Privilege Licenses</b></i>                     |   |                                   |
| Standard Rate  | \$50 plus \$0.10 per \$1,000 of gross receipts over \$500,000 and equal to or less than \$1,000,000, and \$0.20 per \$1,000 of gross receipts over \$1,000,000 and equal to or less than \$5,000,000, and \$0.30 per \$1,000 of gross receipts over \$5,000,000 | 2000                              |
| Nonstandard Rates:                                   |   |                                   |
| Amusement (Rides, courses, etc.)                     | \$25.00   | Set by State                      |
| Amusement (Circuses, etc.)                           | \$25.00 per day   | Set by State                      |
| Amusement (Movie Theatres)                           | \$200.00 per screen   | Set by State                      |
| Amusement (Outdoor Movie Theatres)                   | \$100.00 per screen   | Set by State                      |
| Automobile Dealers                                   | \$25.00   | Set by State                      |
| Automobile Accessories (Wholesale)                   | \$37.50   | Set by State                      |
| Bankrupt or Fire Sales                               | \$100 for the week, \$10 each succeeding day  | prior to 2000                     |
| Barber/Beauty Shops                                  | \$2.50 each operator  | Set by State                      |
| Beer Dealers (Wholesale)                             | \$37.50   | Set by State                      |
| Wine Dealers (Wholesale)                             | \$37.50   | Set by State                      |
| Beer and Wine Dealers (Wholesale)                    | \$62.50   | Set by State                      |
| Beer Dealers (Retail, on premises)                   | \$15.00   | Set by State                      |
| Beer Dealers (Retail, off premises)                  | \$5.00  | Set by State                      |
| Wine Dealers (Retail, on premises)                   | \$15.00   | Set by State                      |
| Wine Dealers (Retail, off premises)                  | \$10.00   | Set by State                      |
| Bicycle Sales, Supplies or Accessories               | \$25.00   | Set by State                      |
| Billiard and Pool Tables                             | \$25.00 per location  | Set by State                      |
| Boarding House                                       | \$25.00 minimum, \$1 per room   | prior to 2000                     |

**City of Fayetteville**  
**Fee Schedule**  
**FY2010/2011**

| Description  | Current Fee   | Established<br>or Last<br>Changed |
|--|---|-----------------------------------|
| Bowling Alley  | \$10.00 each alley  | Set by State                      |
| Branch or Chain Stores   | \$50.00   | Set by State                      |
| Campgrounds and Trailer Parks  | \$12.50   | Set by State                      |
| Catering Trucks (Includes pushcarts not in downtown core)                        | \$50.00 per truck   | 2000                              |
| Collecting Agencies  | \$50.00   | Set by State                      |
| Dancing Schools (Less than 3 instructors)  | \$10.00   | 2000                              |
| Dancing Schools (More than 3 instructors)  | \$50.00   | 2000                              |
| Delivery Services via Scooter, Bicycle, Skate or Skateboard (Downtown Core Only) | \$25.00   | 2007                              |
| Dry Cleaners   | \$50.00   | Set by State                      |
| Electric Power Companies   | \$2,000.00  | 2000                              |
| Electronic Gaming Operations (e.g. Internet Sweepstakes Cafes)                   | \$2,000.00 per location plus \$2,500.00 per computer terminal   | 2010                              |
| Electronic Video Games   | \$5.00 per machine  | Set by State                      |
| Elevators and Automatic Sprinkler Systems  | \$100.00  | Set by State                      |
| Employment Agencies  | \$100.00  | Set by State                      |
| Escort or Dating Service   | \$100.00  | Prior to 2000                     |
| Firearms Dealers (Guns)  | \$50.00   | Set by State                      |
| Firearms Dealers (Bowie Knives, daggers, etc.)                                   | \$200.00  | Set by State                      |
| Fortune Tellers, Palmists, etc.  | \$1,000.00  | Prior to 2000                     |
| Frozen Meat Trucks   | \$25.00   | Set by State                      |
| Funeral Homes  | \$50.00   | Set by State                      |
| Gas Manufacturer and Distributors  | \$1,000.00  | 2000                              |
| Gasoline, Oil, etc (Wholesale for Domestic Use)                                  | \$50.00   | Set by State                      |
| Hotels, Motels, etc.   | \$25.00 minimum, \$1.00 per room  | Set by State                      |
| Ice Cream (Manufacturing or Wholesale)   | \$12.50 minimum per freezer   | Set by State                      |
| Ice Cream (Retail or Distributor)  | \$2.50  | Set by State                      |
| Laundries  | \$50.00   | Set by State                      |
| Laundries (Persons soliciting business to be performed outside of city)          | \$12.50   | Set by State                      |
| Linen Supply Companies   | \$50.00   | Set by State                      |
| Loan Agencies or Brokers   | \$100.00  | Set by State                      |
| Manufacturers (Bagging, burlap, etc.)  | \$25.00   | Prior to 2000                     |
| Manufacturers (Candy)  | \$25.00   | Prior to 2000                     |
| Manufacturers (Medicine)   | \$50.00   | Prior to 2000                     |
| Manufacturers (Mattresses with 5 or less employees)                              | \$25.00   | Prior to 2000                     |
| Manufacturers (Mattresses with 5 or more employees)                              | \$50.00   | Prior to 2000                     |
| Manufacturers (Welding Machines)   | \$25.00   | Prior to 2000                     |
| Manufacturers (Window Shades)  | \$25.00   | Prior to 2000                     |
| Manufacturers (Miscellaneous, 5 or less employees)                               | \$25.00   | Prior to 2000                     |
| Manufacturers (Miscellaneous, 5 or more employees)                               | \$50.00   | Prior to 2000                     |
| Miscellaneous  | \$150.00 (1-5 employees),<br>\$300.00 (6-10 employees),<br>\$450.00 (11-15 employees),<br>\$600.00 (16-20 employees),<br>\$750.00 (21-25 employees),<br>\$900.00 (26-30 employees),<br>\$1050.00 (31-35 employees),<br>\$1200.00 (36 or more employees) | 2000                              |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description  | Current Fee   | Established<br>or Last<br>Changed |
|--|---|-----------------------------------|
| Mobile Home Sales  | \$25.00   | Set by State                      |
| Motor Vehicle License Tax (See additional motor vehicle license tax with Transit fees) | \$5.00  | Set by State                      |
| Motor Vehicle License Penalty for Failure to Pay Tax                                   | \$15.00   |                                   |
| Motorcycle Dealers   | \$12.50   | Set by State                      |
| Music Machines   | \$5.00 per machine                                    | Set by State                      |
| Packing Houses   | \$100.00  | Set by State                      |
| Pawnbrokers  | \$275.00  | Set by State                      |
| Outdoor Seasonal Sales   | \$100.00 per 30 consecutive day period                | 2008                              |
| Peddlers (Farm products)   | \$25.00   | Set by State                      |
| Peddlers on Foot   | \$10.00   | Set by State                      |
| Peddler with Vehicle   | \$25.00   | Set by State                      |
| Piano and Organ Sale, Repair, Maintenance  | \$5.00  | Set by State                      |
| Precious Metal Dealer  | \$25.00, plus \$10.00 regulatory fee                  | prior to 2000                     |
| Pushcarts - Downtown Core (See Catering Trucks for Pushcarts outside of downtown core) | \$150.00  | 2005                              |
| Radio and TV Retail, Repair, Accessories   | \$5.00  | Set by State                      |
| Regulatory Fee (Precious Metal Dealer)   | \$10.00   | prior to 2000                     |
| Restaurants (Seating for fewer than 5)   | \$25.00   | Set by State                      |
| Restaurants (Seating for 5 or more)  | \$42.50   | Set by State                      |
| Security Dealers/Brokers   | \$50.00   | Set by State                      |
| Service Station  | \$12.50   | Set by State                      |
| Special Events License   | \$10.00 per vendor                                    | prior to 2001                     |
| Specialty Market Operator  | \$200.00  | Set by State                      |
| Specialty Market Vendor  | \$10.00 per 30 consecutive day period                 | 2008                              |
| Sundries   | \$4.00  | Set by State                      |
| Tattooing  | \$1,000.00  | prior to 2000                     |
| Telegraph Companies  | \$50.00   | Set by State                      |
| Tobacco Warehouses   | \$50.00   | Set by State                      |
| Topless/Adult Live Entertainment   | \$100.00  | prior to 2000                     |
| Trailer Dealer   | \$25.00   | Set by State                      |
| Undertaker/Coffin Retailer   | \$50.00   | Set by State                      |
| Visual Shows   | \$25.00 per machine                                   | 1984                              |
| Video Stores   | \$25.00   | Set by State                      |
| Duplicate Copy (Lost or Stolen License)  | \$5.00  | N/A                               |
| Replacement License due to Change of Location  | \$5.00  | N/A                               |
| <b>Solicitor Permit</b>  |   |                                   |
| Application Fee  | \$25.00   | 2004                              |
| Three-Month Renewal  | \$5.00  | 2004                              |
| <b>Regulatory License</b>  |   |                                   |
| Adult Bookstore, Adult Motion Picture Theater, Adult Motel or Hotel                    | \$250.00 initial application, \$100.00 annual renewal | N/A                               |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description  | Current Fee   | Established<br>or Last<br>Changed                    |
|--|---|--|
| <b>Fire &amp; Emergency Management</b>                           |   |  |
| <i>False Alarms</i>  | No charge for the 1st and 2nd false alarm,<br>\$500.00 for each subsequent false alarm<br>per calendar year   | 2010   |
| <i>Fines</i>   |   |  |
| Exit Violation   | \$500.00 for the first offense, \$1,000 for<br>each subsequent offense in the period of a<br>year   | 1995   |
| Code Violation   | \$100.00 for the first offense, \$250.00 for<br>the second offense, \$500.00 for each<br>subsequent offense in the period of a year   | 1995   |
| Overcrowding Violation   | \$100.00 per person over the posted<br>number allowed   | 2010   |
| Occupying a building without a Certificate of Occupancy          | \$500.00 per offense  | 2010   |
| Installation of life safety equipment or underground tank piping | \$500.00 per offense  | 2010   |
| <i>Fire Inspection Fees</i>                                      |   |  |
| <u>Annual Inspections:</u>                                       |   |  |
| Assembly (A-1, A-2, A-3, A-4, A-5)                               | Up to 2,500 sq. ft. \$75<br>2,501 - 10,000 sq. ft. \$100<br>10,001 - 50,000 sq. ft. \$150<br>50,001 - 100,000 sq. ft. \$200<br>100,001 - 150,000 sq. ft. \$250<br>150,001 - 200,000 sq. ft. \$300<br>Over 200,000 sq. ft. \$350 | 2008<br>2008<br>2008<br>2008<br>2008<br>2008<br>2008 |
| Factory/Industrial:  | Up to 2,500 sq. ft. \$75<br>2,501 - 10,000 sq. ft. \$100<br>10,001 - 50,000 sq. ft. \$150<br>50,001 - 100,000 sq. ft. \$200<br>100,001 - 150,000 sq. ft. \$250<br>150,001 - 200,000 sq. ft. \$300<br>Over 200,000 sq. ft. \$350 | 2008<br>2008<br>2008<br>2008<br>2008<br>2008<br>2008 |
| Educational:   |   |  |
| Day Cares (Not in residential home)                              | Up to 2,500 sq. ft. \$75  | 2008   |
| Public and Private Schools (Inspected every 6 months)            | 2,501 - 10,000 sq. ft. \$100<br>10,001 - 50,000 sq. ft. \$150<br>50,001 - 100,000 sq. ft. \$200<br>100,001 - 150,000 sq. ft. \$250<br>150,001 - 200,000 sq. ft. \$300<br>Over 200,000 sq. ft. \$350                             | 2008<br>2008<br>2008<br>2008<br>2008<br>2008         |
| Hazardous:   | Up to 2,500 sq. ft. \$75<br>2,501 - 10,000 sq. ft. \$100<br>10,001 - 50,000 sq. ft. \$150<br>50,001 - 100,000 sq. ft. \$200   | 2008<br>2008<br>2008<br>2008                         |



**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description   | Current Fee                     | Established<br>or Last<br>Changed |
|---|---------------------------------|-----------------------------------|
|   | 100,001 - 150,000 sq. ft. \$250 | 2008                              |
|   | 150,001 - 200,000 sq. ft. \$300 | 2008                              |
|   | Over 200,000 sq. ft. \$350      | 2008                              |
| <b>Institutional:</b>   |                                 |                                   |
| Nursing Home, Hospital, Mental Health Facility,<br>Jail or Detox Center     | Up to 2,500 sq. ft. \$75        | 2008                              |
|   | 2,501 - 10,000 sq. ft. \$100    | 2008                              |
|   | 10,001 - 50,000 sq. ft. \$150   | 2008                              |
|   | 50,001 - 100,000 sq. ft. \$200  | 2008                              |
|   | 100,001 - 150,000 sq. ft. \$250 | 2008                              |
|   | 150,001 - 200,000 sq. ft. \$300 | 2008                              |
|   | Over 200,000 sq. ft. \$350      | 2008                              |
| <b>High-Rise</b>  |                                 |                                   |
|   | Up to 2,500 sq. ft. \$75        | 2008                              |
|   | 2,501 - 10,000 sq. ft. \$100    | 2008                              |
|   | 10,001 - 50,000 sq. ft. \$150   | 2008                              |
|   | 50,001 - 100,000 sq. ft. \$200  | 2008                              |
|   | 100,001 - 150,000 sq. ft. \$250 | 2008                              |
|   | 150,001 - 200,000 sq. ft. \$300 | 2008                              |
|   | Over 200,000 sq. ft. \$350      | 2008                              |
| <b>Residential:</b>   |                                 |                                   |
| Group home  | \$75 per visit                  | 2008                              |
| Day Care (in a residence)   | \$75 per visit                  | 2008                              |
| Apartments, Hotels, Dorms   | 1-10 units \$75                 | 2008                              |
|   | 11-20 units \$100               | 2008                              |
|   | 21-40 units \$125               | 2008                              |
|   | 41-100 units \$150              | 2008                              |
|   | 101-200 units \$200             | 2008                              |
|   | 201-300 units \$250             | 2008                              |
|   | 301-400 units \$300             | 2008                              |
|   | 401-500 units \$350             | 2008                              |
|   | Over 500 units \$400            | 2008                              |
| <b><u>3-Year Inspection Fee:</u></b>  |                                 |                                   |
| Business, Mercantile, Storage, Church/Synagogue,<br>Miscellaneous (Group U) | Up to 2,500 sq. ft. \$75        | 2008                              |
|   | 2,501 - 10,000 sq. ft. \$100    | 2008                              |
|   | 10,001 - 50,000 sq. ft. \$150   | 2008                              |
|   | 50,001 - 100,000 sq. ft. \$200  | 2008                              |
|   | 100,001 - 150,000 sq. ft. \$250 | 2008                              |
|   | 150,001 - 200,000 sq. ft. \$300 | 2008                              |
|   | Over 200,000 sq. ft. \$350      | 2008                              |
| <b><u>Permits:</u></b>  |                                 |                                   |
| Fire Sprinkler Permit   |                                 |                                   |
| Fixtures, each sprinkler head   | \$1.05                          | 2008                              |
| Tap Connection  | \$21.00                         | 2008                              |
| Flammable or combustible liquids:   |                                 |                                   |
| Install or remove an abandoned tank (per tank)                              | \$52.50 per tank                | 2008                              |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description  | Current Fee  | Established<br>or Last<br>Changed |
|--|--|-----------------------------------|
| Fireworks/Explosives Permit  | \$250.00 per event   | 2004                              |
| Hood Suppression System  | \$52.50  | 2008                              |
| Private fire hydrants/valves   | \$52.50  | 2008                              |
| Tent Permit  | \$75 per visit   | 2008                              |
| <u>Additional Inspections:</u>   |  |                                   |
| Reinspection fee   | \$50 per visit   | 2004                              |
| A.L.E.   | \$75 per visit   | 2008                              |
| Amusement Buildings  | \$75 per visit   | 2008                              |
| Carnival and fair  | \$75 per visit   | 2008                              |
| Circus tent  | \$250.00   | 2004                              |
| Courtesy/Requested Inspections   | \$75 per visit   | 2008                              |
| Covered mall bldg. Displays  | \$75 per visit   | 2008                              |
| Equipment Testing (alarm, sprinkler, hood suppression and flammable or combustible liquid systems) | \$125.00 per visit plus \$50.00 per additional hour for weekend or after hours request | 2010                              |
| Exhibits/trade show  | \$75 per visit   | 2008                              |
| Foster Home  | \$75 per visit   | 2008                              |
| LP or gas equip. in assemble   | \$75 per visit   | 2008                              |
| <b><i>Training Facility Fees</i></b>   |  |                                   |
| FAR-1 One-Day Training   | \$250.00 per person  | 2010                              |
| Recurrent Three-Day Training   | \$425.00 per person  | 2010                              |
| Out of State Training Registration Fee   | \$60.00 per person   | 2010                              |
| Refueling Course   | \$65.00 per person   | 1993                              |
| Industry   | \$175.00 per burn  | 2010                              |
| <b><i>Hazardous Material Protection Fee</i></b>  |  |                                   |
| Haz-Mat Unit Response  | \$555.00 per hour  | 2010                              |
| Haz-Mat Battalion Commander Response   | \$60.00 per hour   | 2010                              |
| Engine Company Response  | \$205.00 per hour  | 2010                              |
| Truck Company Response   | \$205.00 per hour  | 2010                              |
| Rescue Company   | \$175.00 per hour  | 2010                              |
| Fire Suppression Battalion Commander Response  | \$60.00 per hour   | 2010                              |
| Material, Equipment, and Long Distance Recalled Personnel  | Replacement Cost<br>Time and half of the hourly salary of recalled personnel           | 1992<br>1992                      |
| Air Monitoring   | \$170.00   | 2010                              |
| Environmental Research Immediate Area - 1 year   | \$20.00  | 2010                              |
| Environmental Research Immediate Area - 5 year   | \$115.00   | 2010                              |
| Environmental Research Half Mile Radius - 1 year   | \$60.00  | 2010                              |
| Environmental Research Half Mile Radius - 5 year   | \$190.00   | 2010                              |
| Environmental Research One Mile Radius - 1 year  | \$80.00  | 2010                              |
| Environmental Research One Mile Radius - 5 year  | \$230.00   | 2010                              |
| <b>Management Services</b>   |  |                                   |
| <i>City Song and Music Video DVDs</i>  | \$10.00 each   | 2007                              |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description   | Current Fee  | Established<br>or Last<br>Changed |
|---|--|-----------------------------------|
| <b>Police</b>   |  |                                   |
| <i>Code Violations</i>  |  |                                   |
| Residential Noise Violation   | \$200.00   | 2008                              |
| Barking Dog Violation   | \$200 for the 1st violation, \$250 for subsequent violations within a 12 month period  | 2009                              |
| Noise from Radios, Loudspeakers, etc. Violation   | \$200.00   | 2008                              |
| Street Numbering Violation  | \$50.00  | 1990                              |
| <i>Police False Alarm Fee</i>   |  |                                   |
| 1st false alarm per calendar year   | No Charge  | 2010                              |
| 2nd false alarm per calendar year   | \$25.00 each   | 2010                              |
| 3rd and 4th false alarm per calendar year   | \$50.00 each   | 2010                              |
| 5th and 6th false alarm per calendar year   | \$100.00 each  | 2010                              |
| 7th and 8th false alarm per calendar year   | \$200.00 each  | 2010                              |
| In excess of 8th false alarm per calendar year  | \$400.00 each  | 2010                              |
| Continuous alarm  | \$10.00 for each 60-minute interval beginning 60 minutes after notification, not to exceed \$100.00 in a 24-hour period                                  | 2010                              |
| <i>IDB Photo Reports</i>  | \$0.35 for 4"x 6", \$5.00 for 8"x 10", \$5.00 for Contact Sheet  | 2008                              |
| <i>Photographic CD</i>  | \$35.00 per CD   | 2008                              |
| <i>Wrecker Fees</i>   |  |                                   |
| Annual Wrecker Inspection Fee   | \$100 per truck  | 2008                              |
| Wrecker Rotation Fee  | \$15.00 per tow  | 2008                              |
| <i>Officer Fees</i>   | Variable   | 2002                              |
| <i>Range Fee</i>  | \$200.00 per day   | 2010                              |
| <b>Parks, Recreation &amp; Maintenance</b>  |  |                                   |
| <i>Special Event Permits</i>  |  |                                   |
| Special Event Permits for Mazarick Building, Cross Creek Park Fountain, Mazarick Park Shelters, Core Downtown Area, Festival Park | Up to 500 attendees: \$75.00 with \$100.00 deposit; 501-2500 attendees: \$150 with \$200.00 deposit; Over 2500 attendees: \$300.00 with \$500.00 deposit | 1999                              |
| <i>Recreation Center Rentals</i>  |  |                                   |
| Program Room Rental (nonprofit organizations)   | \$200 deposit & \$65.00 for 1 to 4 hours, plus \$25.00 each additional hour up to 8 hours maximum.   | 2007                              |
| Multipurpose Room Rental (nonprofit organizations)  | \$200 deposit & \$130.00 for 1 to 4 hours, plus \$25.00 each additional hour up to 8 hour maximum  | 2007                              |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description  | Current Fee  | Established<br>or Last<br>Changed |
|--|--|-----------------------------------|
| Gym Rental (nonprofit organizations)   | \$200 deposit & \$200.00 up to 4 hours,<br>\$50.00 each additional hour; if event<br>requires floor covering \$300 up to 4 hours,<br>\$50 each additional hour   | 1999                              |
| Kitchen Rental (non-profit organizations)  | \$200 deposit & \$50.00 up to 4 hrs plus<br>\$25.00 each additional hr up to 8 hrs max.  | 1999 or prior                     |
| After-Hour Fee (non-profit organizations)  | \$25.00 additional per hour for rentals after<br>center closings, maximum 2 hours  | 2007                              |
| Sunday or Legal Holiday use (nonprofit organizations)  | \$100.00 for 1 to 4 hours maximum plus<br>deposit and rental fee   | 2007                              |
| Program Room Rental (for profit organizations)   | \$200 deposit & \$130 per hour for 1 to 4<br>hours, plus \$50 each additional hour up to<br>8 hours maximum  | 2007                              |
| Multipurpose Room Rental (for profit organizations)  | \$200 deposit & \$260.00 for 1 to 4 hours,<br>plus \$50.00 each additional hour up to 8<br>hour maximum  | 2007                              |
| Gym Rental (for profit organizations)  | \$200 deposit & \$400.00 up to 4 hours,<br>\$100.00 each additional hour. If event<br>requires floor covering \$600 up to 4 hours,<br>\$100 each additional hour | 2007                              |
| Kitchen Rental (for profit organizations)  | \$200 deposit & \$100.00 up to 4 hrs plus<br>\$50.00 each additional hr up to 8 hrs<br>maximum   | 2007                              |
| After-Hour Fee (for profit organizations)  | \$50.00 additional per hour for rentals after<br>center closings   | 2010                              |
| Custodial Setup/Breakdown/Clean-Up   | \$25.00 per hour   | 1999                              |
| Sunday or Legal Holiday use (for profit organizations)   | \$200.00 for 1 to 4 hours maximum plus<br>deposit and rental fee   | 2007                              |
| <b><i>Park Rental Fees</i></b>   |  |                                   |
| Ball Field Rental  | \$250.00 deposit plus \$175.00 per day or<br>\$250.00 deposit plus \$35.00 up to four<br>hours, \$50.00 over four hours  | 1999                              |
| Outdoor Basketball Court   | \$100 deposit plus \$35.00 (up to four<br>hours); \$50.00 (over four hours)  | 2010                              |
| Cross Creek Park Rental  | \$100.00 (1-4 hours), \$25.00 each<br>additional hour  | 1999                              |
| <b>Festival Park</b>   |  |                                   |
| Category 1 - Dogwood Festival, International Folk<br>Festival, 2 uses per year (1 per six months) by<br>Cumberland County Schools, 4 uses per year (1 per 3<br>months) by Art Agencies as coordinated through Arts<br>Council Executive Director | Free   | 2007                              |
| Category 2 - Non-profit event sponsored by a 501(c)<br>organization.   | \$250 deposit plus \$500 per calendar day  | 2007                              |
| Category 3 - Community event open to the public when<br>no admission is charged, sponsored by any entity other<br>than a non-profit.   | \$375 deposit plus \$750 per calendar day  | 2007                              |
| Category 4 - Commercial ticketed events - concerts, paid<br>admission shows  | \$500 deposit plus \$1,000 per calendar day<br>plus 15% of gross ticket sales, unless event<br>is being sponsored as a part of Category 1<br>event               | 2007                              |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description  | Current Fee   | Established<br>or Last<br>Changed |
|--|---|-----------------------------------|
| Category 5 - Park rental open to the public (eg. Family reunions, weddings, company picnics, etc.) | \$125 deposit plus \$250 per calendar day                             | 2007                              |
| Sunday or Legal Holiday use  | \$150 plus deposit and rental fee                                     | 2007                              |
| Lamon Street Park Complex  | \$500.00 per day plus \$250.00 deposit                                | 2007                              |
| Martin Luther King Park  | \$40.00 (1-4 hours), \$70.00 over four hours                          | 1999                              |
| Mazarick Building  | \$50.00 (1-4 hours), 15.00 each additional hour plus \$150.00 deposit | 1999                              |
| Reid Ross Track  | \$500.00 per day plus \$250 deposit                                   | 2007                              |
| Shelter - Small  | \$40.00 (1-4 hours), \$70.00 over four hours                          | 2008                              |
| Shelter - Large  | \$60.00 (1-4 hours), \$110.00 over four hours                         | 2008                              |
| Tokay Park Complex   | \$500.00 per day plus \$250.00 deposit                                | 2010                              |
| Boating  | \$2.00 per hour, \$5.00 per half day, \$10.00 per day                 | 1998                              |
| Camping Fees (organized groups)  | \$1.00 per person per night, \$25.00 minimum                          | 1995 or prior                     |
| Family Campsite  | \$10.00 per night   | 1995 or prior                     |
| Mobile Stage - Large (nonprofit organizations)   | \$500.00 per calendar day, plus \$500.00 deposit                      | 2008                              |
| Mobile Stage - Small (nonprofit organizations)   | \$400.00 per calendar day, plus \$500.00 deposit                      | 2008                              |
| Mobile Bleachers (nonprofit organizations)   | \$400.00 per calendar day, plus \$500.00 deposit                      | 2007                              |
| Mobile Stage - Large (for profit organizations)  | \$1,000.00 per calendar day, plus \$500.00 deposit                    | 2008                              |
| Mobile Stage - Small (for profit organizations)  | \$800.00 per calendar day, plus \$500.00 deposit                      | 2008                              |
| Mobile Bleachers ( for profit organizations)   | \$800.00 per calendar day, plus \$500.00 deposit                      | 2007                              |
| <b><i>Mini-Bus Rental for Partnering Agencies</i></b>  | 100% recovery of direct costs   |                                   |
| <b><i>Athletic Programs</i></b>  |   |                                   |
| Adult Open Play Athletics  | \$2.00  | 2004                              |
| Adult Softball Team Fee (Fall League - 1 night per week)   | \$475.00  | 100% Cost Recovery                |
| Adult Softball Team Fee (Fall League - 2 nights per week)  | \$575.00  | 100% Cost Recovery                |
| Adult Softball Team Fee (Spring league - 1 night per week)   | \$575.00  | 100% Cost Recovery                |
| Adult Softball Team Fee (Spring league - 2 nights per week)  | \$675.00  | 100% Cost Recovery                |
| Adult Basketball Team Fee (1 night per week)   | \$400.00  | 100% Cost Recovery                |
| Adult Basketball Team Fee ( 2 nights per week)   | \$500.00  | 100% Cost Recovery                |
| Golf Lessons   | Variable  |                                   |
| Youth Athletics not otherwise listed   | \$20.00   | 1999                              |
| Youth Cheerleading   | \$20.00   | 2009                              |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description  | Current Fee  | Established<br>or Last<br>Changed |
|--|--|-----------------------------------|
| Youth Football                                       | \$25.00  | 1999                              |
| Late Registration for Youth Sports Programs          | \$5.00   | 2001                              |
| <b><i>Swimming Pool Fees</i></b>                     |  |                                   |
| Swimming Lessons                                     | \$30.00  | 2009                              |
| Pool Entry Fee                                       | \$2.00 for adults, \$1.00 for children   | 1995 or prior                     |
| Pool Rental  | \$175.00 plus current rate of payment for lifeguards   | 1999                              |
| <b><i>Tennis Fees</i></b>                            |  |                                   |
| Tennis Lessons                                       | Variable   | 1995 or prior                     |
| Courts   | \$150 refundable deposit; rental fee of \$35 (up to four hours); \$50 (over four hours); \$175 additional charge for use of lights | 2010                              |
| <b><i>Senior Programs / Leisure Activities</i></b>   |  |                                   |
| Leisure Activities                                   | Variable   | 1995 or prior                     |
| <b><i>After-School Program</i></b>                   |  |                                   |
| Program Fee  | \$70.00 per month  | 2008                              |
| Early/Late Fee                                       | \$5.00 per 5 minute period   | 2008                              |
| <b><i>Summer Camp/Playground</i></b>                 |  |                                   |
| Summer Day Camp                                      | \$50.00 per week   | 2009                              |
| Summer Playground                                    | \$20.00 per week   | 2009                              |
| Late Pickup Fee                                      | \$5.00 per 5 minute period   | 2009                              |
| <b><i>Athletic Protest Fee</i></b>                   | \$25.00  | 2002                              |
| <b><i>Community Garden</i></b>                       | \$25.00 refundable deposit   | 2009                              |
| <b><i>Concessions</i></b>                            | Variable   | 2002 or prior                     |
| <b><i>Cemetery:</i></b>                              |  |                                   |
| <b><i>Burial Plots</i></b>                           |  |                                   |
| Pre-Need Cemetery Fee                                | \$400.00   | 2004                              |
| At-Need Cemetery Fee (Adult)                         | \$475.00   | 2004                              |
| At-Need Cemetery Fee (Infant)                        | \$350.00   | 2004                              |
| At Need Cemetery Fee (Pauper)                        | \$250.00   | 2002 or prior                     |
| <b><i>Monument Administration/Interment Fees</i></b> |  |                                   |
| Monument Administration/Interment Fees               | \$25.00  | 2002 or prior                     |
| After Hours Cemetery Fee                             | \$75.00  | 2002 or prior                     |
| <b>Parking</b>                                       |  |                                   |
| <b><i>Parking Fines</i></b>                          |  |                                   |
| Amtrak Lot Violation                                 | \$10.00  | 2007                              |
| Backed to Curb Violation                             | \$10.00  | 2007                              |
| City Hall Lot Violation                              | \$10.00  | 2007                              |
| Curb to Sidewalk Violation                           | \$25.00  | 1986 or prior                     |

**City of Fayetteville  
Fee Schedule  
FY2010/2011**

| Description   | Current Fee  | Established<br>or Last<br>Changed |
|---|--|-----------------------------------|
| Fire Hydrant Violation  | \$25.00  | 1986 or prior                     |
| Fire Lane Violation   | \$100.00   | 1986 or prior                     |
| Handicapped Violation   | \$250.00   | 2000                              |
| Judgment Fees   | \$50.00  | 2002 or prior                     |
| Late Payment Penalty  | \$25.00  | 1999                              |
| Left to Curb Violation  | \$25.00  | 1986 or prior                     |
| Loading Zone Violation  | \$25.00  | 1986 or prior                     |
| No Parking Zone Violation   | \$25.00  | 1986 or prior                     |
| Overtime Violation (Lots)   | \$10.00  | 2007                              |
| Overtime Violation (Street)   | \$10.00  | 2007                              |
| Prohibited Parking Violation  | \$25.00  | 1986 or prior                     |
| Repeat Overtime Violation   | \$5.00   | 2007                              |
| Traffic Obstruction Violation   | \$25.00  | 1986 or prior                     |
| Within Lines Violation  | \$10.00  | 2007                              |
| <br><b><i>Immobilization Fee</i></b>  |  |                                   |
| Fee per wheel lock removal, in addition to outstanding parking                          | \$50.00  | 2009                              |
| <br><b><i>Leased Parking Spaces</i></b>   |  |                                   |
| Franklin Common Parking Lot   | \$50.00 per month  | 2007                              |
| All Other Lots  | \$45.00 per month  | 2010                              |
| <br><b><i>Hourly Paid Parking</i></b>   |  |                                   |
| Parking lots (where applicable)   | \$0.50 per hour, or \$4.00 per day   | 2009                              |
| On Street (where applicable)  | \$0.75 per hour  | 2009                              |
| <br><b><i>Contractor Parking Permit</i></b>   |  |                                   |
|   | \$5.00/day, \$15.00/wk   | 2008                              |
| <br><b><i>Annual Contractor Parking Permit</i></b>                                      |  |                                   |
|   | \$1,000.00 per year  | 2010                              |
| <br><b><i>Residential Parking Permit</i></b>  |  |                                   |
|   | \$100.00 per year  | 2010                              |
| <br><b>Recycling</b>  |  |                                   |
| <br><b><i>Curbside Residential Recycling Fee</i></b>                                    |  |                                   |
| Single-family homes and residential units in multi-family properties of 7 units or less | \$38.00 per year   | 2009                              |
| <br><b>Stormwater</b>   |  |                                   |
| <br><b><i>Stormwater Fee (Quality &amp; Improvements)</i></b>                           |  |                                   |
| Single Family   | \$3.00 per month per ERU   | 2009                              |
| Non-Single Family   | \$3.00 per month per 2,266 square feet of impervious surface                 | 2009                              |
| <br><b><i>Illicit Connection and Improper Disposal Civil Penalties</i></b>              |  |                                   |
| Category I Violation  | \$1,000.00 per day, plus investigation, restoration and administrative costs | 2009                              |
| Category II Violation   | \$500.00 per day, plus investigation, restoration and administrative costs   | 2009                              |

City of Fayetteville  
 Fee Schedule  
 FY2010/2011

| Description   | Current Fee   | Established<br>or Last<br>Changed |
|---|---|-----------------------------------|
| Category III Violation                              | \$100.00 per day, plus investigation,<br>restoration and administrative costs | 2009                              |
| <b>Transit</b>                                      |   |                                   |
| <i>Motor Vehicle License Tax for Transit</i>        | \$5.00 per year   | 2008                              |
| <i>Bus</i>  |   |                                   |
| Adult Bus Fare                                      | \$1.00  | 2007                              |
| Adult 10-ride Pass                                  | \$10.00   | 2007                              |
| Discount Bus Fare (Elderly and Disabled)            | \$0.35  | 1994                              |
| Discount 10-ride Pass (Elderly and Disabled)        | \$3.40  | 1994                              |
| One Day Pass  | \$3.00  | 2003 or prior                     |
| Rolling 30 Day Pass                                 | \$30.00   | 2007                              |
| Discount Rolling 30 Day Pass (Elderly and Disabled) | \$11.70   | 2003 or prior                     |
| Student Rolling 30 Day Pass                         | \$25.00   | 2007                              |
| ADA Demand Response Fare                            | \$1.50  | 1994                              |
| ADA 20 Ride Pass                                    | \$27.00   | 2003 or prior                     |
| ADA 10 Ride pass                                    | \$13.50   | 2003 or prior                     |
| <i>Advertising Space</i>                            |   |                                   |
| King Sign (bus exterior)                            | \$175.00 per month  | 2007                              |
| Queen Sign (bus exterior)                           | \$160.00 per month  | 2007                              |
| Rear Sign   | \$150.00 per month  | 2007                              |
| Rear Quarter Sign                                   | \$150.00 per month  | 2007                              |
| Interior Banner                                     | \$30.00 per month   | 2007                              |



**City of Fayetteville Recommended Capital Improvement Plan  
Fiscal Years 2011 - 2015**

| Project  | Project Funding By Fiscal Year                        |                   |                  |                  |                  |                  |                | Total Project Funding |                   |
|--|---|-------------------|------------------|------------------|------------------|------------------|----------------|-----------------------|-------------------|
|  | Prior Fiscal Yrs                                      | Current Fiscal Yr | FY2011           | FY2012           | FY2013           | FY2014           | FY2015         |                       |                   |
| <b>Economic Development Projects</b>               |   |                   |                  |                  |                  |                  |                |                       |                   |
| 1  | 300 Block of Hay Street Redevelopment                 | 1,823,728         | 33,747           | -                | -                | -                | -              | -                     | 1,857,475         |
| 2  | Downtown Parking Deck                                 | -                 | -                | 2,312,000        | 3,973,000        | -                | -              | -                     | 6,285,000         |
| 3  | Hope VI (City Share)                                  | 198,553           | 2,730,832        | 2,151,069        | 638,373          | 807,173          | -              | -                     | 6,526,000         |
| 4  | Military Business Park                                | -                 | 215,190          | 451,560          | -                | -                | -              | -                     | 666,750           |
| 5  | Murchison Road Redevelopment                          | -                 | -                | 2,750,000        | -                | 180,000          | 180,000        | 4,847,067             | 7,957,067         |
| 6  | Wayfinding Signage                                    | 12,470            | 388,116          | 130,000          | 130,000          | 130,000          | 130,000        | 130,000               | 1,050,586         |
| <b>Total - Economic Development Projects</b>       |   | <b>2,034,751</b>  | <b>3,367,885</b> | <b>7,794,629</b> | <b>4,741,373</b> | <b>1,117,173</b> | <b>310,000</b> | <b>4,977,067</b>      | <b>24,342,878</b> |
| <b>Facilities &amp; Equipment Projects</b>         |   |                   |                  |                  |                  |                  |                |                       |                   |
| 7  | Avaya Phone System Upgrade                            | -                 | 96,000           | -                | -                | -                | -              | -                     | 96,000            |
| 8  | Backup System Upgrade                                 | 20,189            | 53,994           | -                | -                | -                | -              | -                     | 74,183            |
| 9  | Building Maintenance Projects                         | 48,055            | 35,356           | 95,000           | 52,000           | 60,000           | 60,000         | 70,364                | 420,775           |
| 10   | Computer Replacement Plan (Virtualization)            | -                 | 320,162          | 527,130          | 298,530          | 298,530          | 298,530        | 298,530               | 2,041,412         |
| 11   | Council Chamber Technology Improvements               | 162,747           | 79,328           | -                | -                | -                | -              | -                     | 242,075           |
| 12   | Customer Service and Work Order Management System     | -                 | -                | -                | -                | -                | -              | 1,000,000             | 1,000,000         |
| 13   | Data Center A/C System Replacements                   | -                 | 65,000           | -                | -                | -                | -              | -                     | 65,000            |
| 14   | EECBG Formula Grant Projects                          | -                 | -                | 662,633          | 360,133          | 360,134          | -              | -                     | 1,382,900         |
| 15   | Grove Street Facility Exterior Renovations (GF Share) | -                 | 71,000           | -                | -                | -                | -              | -                     | 71,000            |
| 16   | Grove Street Facility Roof Replacement (GF Share)     | -                 | 60,500           | -                | -                | -                | -              | -                     | 60,500            |
| 17   | HRIS-Financial System Replacement                     | -                 | -                | -                | -                | -                | -              | 4,000,000             | 4,000,000         |
| 18   | Integrated Cashiering and Payment System              | 86,224            | 141,976          | -                | -                | -                | -              | -                     | 228,200           |
| 19   | Magnet System Modules                                 | -                 | -                | 51,700           | -                | -                | -              | -                     | 51,700            |
| 20   | Network Survivability/Redundancy Router               | -                 | -                | 93,000           | -                | -                | -              | -                     | 93,000            |
| 21   | Parking Lot Resurfacing                               | 41,793            | 59,207           | 52,000           | 53,000           | 54,000           | 57,000         | 58,000                | 375,000           |
| 22   | Textil Site Acquisition                               | 22,512            | 426,866          | 50,000           | -                | -                | -              | -                     | 499,378           |
| <b>Total - Facilities &amp; Equipment Projects</b> |   | <b>381,520</b>    | <b>1,409,389</b> | <b>1,531,463</b> | <b>763,663</b>   | <b>772,664</b>   | <b>415,530</b> | <b>5,426,894</b>      | <b>10,701,123</b> |
| <b>Infrastructure Projects</b>                     |   |                   |                  |                  |                  |                  |                |                       |                   |
| 23   | ARRA Drainage Projects                                | -                 | 1,348,920        | -                | -                | -                | -              | -                     | 1,348,920         |
| 24   | City-wide Sidewalk Plan                               | 22,820            | 882,235          | 165,995          | 156,000          | 158,000          | 160,000        | 162,000               | 1,707,050         |
| 25   | Downtown Brick Sidewalk Repair                        | -                 | 66,850           | 133,150          | 50,000           | 50,000           | 50,000         | 50,000                | 400,000           |
| 26   | Downtown Streetscape                                  | 196,145           | 921,170          | 271,000          | -                | -                | -              | 400,000               | 1,788,315         |
| 27   | Fort Bragg Railway Connector                          | -                 | 250,000          | 580,000          | 700,000          | 2,417,500        | 2,657,500      | 2,855,000             | 9,460,000         |
| 28   | Louise Street Bridge                                  | -                 | -                | 250,000          | 500,000          | -                | -              | -                     | 750,000           |
| 29   | Person Street Streetscape                             | 177,863           | 103,263          | -                | -                | -                | -              | -                     | 281,126           |
| 30   | Phase V Sewer Contributions                           | 4,822,890         | 656,978          | 221,125          | 608,682          | 2,018,213        | 2,450,839      | 2,720,156             | 13,498,883        |

**City of Fayetteville Recommended Capital Improvement Plan  
Fiscal Years 2011 - 2015**

| Project  | Project Funding By Fiscal Year |                   |                   |                  |                  |                  |                  | Total Project Funding |
|--|--------------------------------|-------------------|-------------------|------------------|------------------|------------------|------------------|-----------------------|
|  | Prior Fiscal Yrs               | Current Fiscal Yr | FY2011            | FY2012           | FY2013           | FY2014           | FY2015           |                       |
| 31 Ramsey St. Transportation Project                                     | -                              | 350,000           | -                 | -                | -                | -                | -                | 350,000               |
| 32 Russell Street Sidewalk   | -                              | 470,000           | -                 | -                | -                | -                | -                | 470,000               |
| 33 Soil Street Construction  | 528,754                        | 683,016           | -                 | -                | -                | -                | -                | 1,211,770             |
| 34 Street Resurfacing  | 4,470,241                      | 4,843,239         | 3,500,000         | 3,500,000        | 3,500,000        | 3,500,000        | 3,570,000        | 26,883,480            |
| 35 Transportation Improvements Projects (NCDOT Municipal Agreements)     | -                              | 239,309           | -                 | -                | -                | -                | -                | 239,309               |
| <b>Total - Infrastructure Projects</b>                                   | <b>10,218,713</b>              | <b>10,814,980</b> | <b>5,121,270</b>  | <b>5,514,682</b> | <b>8,143,713</b> | <b>8,818,339</b> | <b>9,757,156</b> | <b>58,388,853</b>     |
| <b>Parks &amp; Recreation Projects</b>                                   |                                |                   |                   |                  |                  |                  |                  |                       |
| 36 Cape Fear River Trail, Phase II                                       | 18,450                         | 39,281            | 2,587,769         | -                | -                | -                | -                | 2,645,500             |
| 37 Freedom Park  | 471,626                        | 1,444             | 48,977            | 30,000           | -                | -                | -                | 552,047               |
| 38 Lighting at Tokay Football Fields                                     | -                              | -                 | 90,000            | -                | -                | -                | -                | 90,000                |
| 39 Linear Park   | 1,378,705                      | 82,367            | 186,341           | 186,341          | 186,341          | 186,341          | 754,318          | 2,960,754             |
| 40 Martin Luther King Park   | -                              | -                 | -                 | -                | -                | -                | 500,000          | 500,000               |
| 41 NC State Veterans Park (Parts 1 & 2)                                  | 2,574,175                      | 1,729,089         | 8,457,781         | -                | -                | 3,450,000        | -                | 16,211,045            |
| 42 Playground Improvements   | 113,834                        | 149,000           | 140,000           | 157,000          | 130,000          | -                | -                | 689,834               |
| 43 Transportation Museum   | 3,143,983                      | 270,291           | -                 | -                | -                | -                | -                | 3,414,274             |
| 44 Western Area Neighborhood Park  | -                              | -                 | -                 | -                | 550,000          | 250,000          | -                | 800,000               |
| <b>Total - Parks &amp; Recreation Projects</b>                           | <b>7,700,773</b>               | <b>2,271,472</b>  | <b>11,510,868</b> | <b>373,341</b>   | <b>866,341</b>   | <b>3,886,341</b> | <b>1,254,318</b> | <b>27,863,454</b>     |
| <b>Public Safety Projects</b>  |                                |                   |                   |                  |                  |                  |                  |                       |
| 45 800 MHz Radio System Digital Upgrade (P-25 Interoperability / Viper)  | -                              | -                 | -                 | 5,526,671        | -                | -                | -                | 5,526,671             |
| 46 Computer-Aided Dispatch, Police and Fire Records Management Systems   | 1,155,122                      | 2,842,812         | -                 | -                | -                | -                | -                | 3,997,934             |
| 47 Digital Radio Upgrades (Police, Fire and Non-Public Safety Radios)    | -                              | 3,600,000         | -                 | -                | -                | -                | -                | 3,600,000             |
| 48 Fire Station 12 - Land for Future Station Relocation                  | -                              | -                 | 125,000           | -                | -                | -                | -                | 125,000               |
| 49 Fire Station 19 - North Farmer's Road Area                            | 21,624                         | 213,376           | 2,910,600         | -                | -                | -                | -                | 3,145,600             |
| 50 Fire Tower Replacement  | -                              | 500,000           | -                 | -                | -                | -                | -                | 500,000               |
| 51 Positron Phone System Upgrade   | -                              | -                 | 297,691           | -                | -                | -                | -                | 297,691               |
| 52 Police Server Upgrades  | 75,118                         | 104,882           | 28,000            | -                | -                | -                | -                | 208,000               |
| <b>Total - Public Safety Projects</b>                                    | <b>1,251,864</b>               | <b>7,261,070</b>  | <b>3,361,291</b>  | <b>5,526,671</b> | <b>-</b>         | <b>-</b>         | <b>-</b>         | <b>17,400,896</b>     |
| <b>Transit Projects</b>  |                                |                   |                   |                  |                  |                  |                  |                       |
| 53 Transit Automatic Passenger Counter & Enunciator Systems              | -                              | 301,887           | -                 | -                | -                | -                | -                | 301,887               |
| 54 Transit Automatic Vehicle Locator Systems - Demand Response           | -                              | 120,000           | -                 | -                | -                | -                | -                | 120,000               |
| 55 Transit Automatic Vehicle Locator Systems - Fixed Route               | -                              | 419,012           | -                 | -                | -                | -                | -                | 419,012               |
| 56 Transit Bus Shelters & Benches  | 378,714                        | 5,286             | 50,000            | 50,000           | 50,000           | 50,000           | 50,000           | 634,000               |
| 57 Transit Administrative and Maintenance Facility Renovations - Phase 1 | 15,030                         | 354,970           | -                 | -                | -                | -                | -                | 370,000               |
| 58 Transit Administrative and Maintenance Facility Renovations - Phase 2 | -                              | 316,793           | -                 | -                | -                | -                | -                | 316,793               |
| 59 Transit Multimodal Center   | 184,648                        | 619,102           | 1,958,750         | -                | -                | 16,487,500       | -                | 19,250,000            |

**City of Fayetteville Recommended Capital Improvement Plan  
Fiscal Years 2011 - 2015**

| Project  | Project Funding By Fiscal Year |                   |                   |                   |                   |                   |                   | Total Project Funding |
|--|--------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-----------------------|
|  | Prior Fiscal Yrs               | Current Fiscal Yr | FY2011            | FY2012            | FY2013            | FY2014            | FY2015            |                       |
| 60 Transit Parking Lot Resurfacing                       | -                              | -                 | 200,000           | -                 | -                 | -                 | -                 | 200,000               |
| 61 Transit Pass Vending Automation                       | -                              | -                 | -                 | -                 | 100,000           | -                 | -                 | 100,000               |
| 62 Transit Refueling Station Renovations                 | -                              | -                 | -                 | 120,000           | -                 | -                 | -                 | 120,000               |
| 63 Transit Signage Updates                               | 24,126                         | 58,927            | -                 | -                 | -                 | -                 | -                 | 83,053                |
| 64 Transit Surveillance & Security Equipment             | 26,183                         | 33,817            | -                 | -                 | -                 | -                 | -                 | 60,000                |
| <b>Total - Transit Projects</b>                          | <b>628,701</b>                 | <b>2,229,794</b>  | <b>2,208,750</b>  | <b>170,000</b>    | <b>150,000</b>    | <b>16,537,500</b> | <b>50,000</b>     | <b>21,974,745</b>     |
| <b>Airport Projects</b>                                  |                                |                   |                   |                   |                   |                   |                   |                       |
| 65 Air Carrier Asphalt Mill & Overlay                    | -                              | 120,000           | 1,400,000         | -                 | -                 | -                 | -                 | 1,520,000             |
| 66 Airline Concrete Slabs & Joints                       | -                              | -                 | 120,000           | 2,600,000         | -                 | -                 | -                 | 2,720,000             |
| 67 Airport Improvement Projects-AIP 32                   | 516,564                        | 192,356           | -                 | -                 | -                 | -                 | -                 | 708,920               |
| 68 Airport Perimeter Fencing                             | -                              | -                 | -                 | -                 | -                 | 100,000           | 1,400,000         | 1,500,000             |
| 69 ARFF Rehabilitation                                   | -                              | 1,736,467         | -                 | -                 | -                 | -                 | -                 | 1,736,467             |
| 70 Jet Bridge to Replace Fixed Bridge at Gate B4         | -                              | -                 | 475,000           | -                 | -                 | -                 | -                 | 475,000               |
| 71 Land Purchase in Runway 4 Protection Zone             | -                              | -                 | -                 | -                 | 1,684,211         | -                 | -                 | 1,684,211             |
| 72 North General Aviation Auto Parking                   | -                              | 150,000           | -                 | -                 | -                 | -                 | -                 | 150,000               |
| 73 Paid Parking Lot Rehabilitation                       | -                              | 1,542,969         | -                 | -                 | -                 | -                 | -                 | 1,542,969             |
| 74 Perimeter Road Rehabilitation                         | -                              | -                 | -                 | -                 | -                 | 140,000           | 1,700,000         | 1,840,000             |
| 75 Runway 10/28 Improvements                             | -                              | -                 | 1,200,000         | -                 | -                 | -                 | -                 | 1,200,000             |
| 76 Runway 4/22 Paved Shoulders                           | -                              | -                 | -                 | 150,000           | 2,500,000         | -                 | -                 | 2,650,000             |
| 77 Runway 4/22 Rehabilitation                            | 4,582,879                      | 2,588,654         | -                 | -                 | -                 | -                 | -                 | 7,171,533             |
| 78 Runway Protection Zone Tree Clearing Project          | -                              | -                 | 200,000           | -                 | -                 | -                 | -                 | 200,000               |
| 79 Storm Water Improvement Project                       | 227,920                        | 133,194           | -                 | -                 | -                 | -                 | -                 | 361,114               |
| 80 Taxiway A Extension                                   | -                              | 100,000           | 850,000           | -                 | -                 | -                 | -                 | 950,000               |
| 81 Taxiway A Overlay, Shoulders & Lights                 | -                              | 206,710           | 4,093,290         | -                 | -                 | -                 | -                 | 4,300,000             |
| 82 Taxiway F & G Rehabilitation                          | -                              | -                 | -                 | -                 | -                 | -                 | 1,320,000         | 1,320,000             |
| 83 Terminal Renovation Phase IV                          | -                              | -                 | -                 | 223,000           | 2,230,000         | -                 | -                 | 2,453,000             |
| 84 Upgrade Electrical Vault/Emergency Generator - AIP 33 | 1,728,272                      | 461,592           | -                 | -                 | -                 | -                 | -                 | 2,189,864             |
| 85 West General Aviation Ramp Rehabilitation             | 52,188                         | 620,089           | -                 | -                 | -                 | -                 | -                 | 672,277               |
| <b>Total - Airport Projects</b>                          | <b>7,107,823</b>               | <b>7,852,031</b>  | <b>8,338,290</b>  | <b>2,973,000</b>  | <b>6,414,211</b>  | <b>240,000</b>    | <b>4,420,000</b>  | <b>37,345,355</b>     |
| <b>Proposed Bond Referendum</b>                          | -                              | -                 | -                 | -                 | -                 | -                 | <b>15,000,000</b> | <b>15,000,000</b>     |
| <b>Grand Total - Funded Projects</b>                     | <b>29,324,145</b>              | <b>35,206,621</b> | <b>39,866,561</b> | <b>20,062,730</b> | <b>17,464,102</b> | <b>30,207,710</b> | <b>40,885,435</b> | <b>213,017,304</b>    |

**City of Fayetteville Recommended Capital Improvement Plan  
Fiscal Years 2011-2015**

|  |   | Project Funding By Source of Funds |                         |                            |                       |                             |   |  |
|--|---|------------------------------------|-------------------------|----------------------------|-----------------------|-----------------------------|---|--|
| Project  | Project Funding To Date                               | General Fund Taxes/ Revenues       | Debt Financing Proceeds | Non-GF Funding for Project | Total Project Funding | Additional Request Unfunded | Funding Source Comments   |  |
| <b>Economic Development Projects</b>               |   |                                    |                         |                            |                       |                             |   |  |
| 1  | 300 Block of Hay Street Redevelopment                 | 1,857,475                          | -                       | -                          | 1,857,475             | -                           |   |  |
| 2  | Downtown Parking Deck                                 | -                                  | -                       | 5,960,000                  | 325,000               | 6,285,000                   | \$325,000 from PWC for design. Debt service over 15 yrs funded by PWC (\$1.675M) and Incremental City, MSD and County tax revenue growth. |  |
| 3  | Hope VI (City Share)                                  | 3,949,950                          | -                       | 2,576,050                  | 6,526,000             | -                           | Project cost does not include expenditures funded through CDBG/HOME, or land donations or fee waivers.                                    |  |
| 4  | Military Business Park                                | 666,750                            | -                       | -                          | 666,750               | -                           | 100% Federal funding.   |  |
| 5  | Murchison Road Redevelopment                          | -                                  | 2,501,067               | 2,750,000                  | 2,706,000             | 7,957,067                   | Proposed \$2.75M HUD Section 108 loan and \$2.256M HOME funding.  |  |
| 6  | Wayfinding Signage                                    | 400,586                            | 250,000                 | -                          | 400,000               | 1,050,586                   | 175,000 \$400,000 In anticipated future grants.   |  |
| <b>Total - Economic Development Projects</b>       |   | <b>6,874,761</b>                   | <b>2,751,067</b>        | <b>11,286,050</b>          | <b>3,431,000</b>      | <b>24,342,878</b>           | <b>175,000</b>  |  |
| <b>Facilities &amp; Equipment Projects</b>         |   |                                    |                         |                            |                       |                             |   |  |
| 7  | Avaya Phone System Upgrade                            | -                                  | 96,000                  | -                          | -                     | 96,000                      | -   |  |
| 8  | Backup System Upgrade                                 | 74,183                             | -                       | -                          | -                     | 74,183                      | -   |  |
| 9  | Building Maintenance Projects                         | 150,775                            | 270,000                 | -                          | -                     | 420,775                     | 413,535 Annual General Fund operating budget.   |  |
| 10   | Computer Replacement Plan (Virtualization)            | 320,162                            | 1,646,100               | -                          | 75,150                | 2,041,412                   | Annual General Fund and Other Funds operating budgets, plus one-time funding in FY11 for transition to virtualization                     |  |
| 11   | Council Chamber Technology Improvements               | 242,075                            | -                       | -                          | -                     | 242,075                     | -   |  |
| 12   | Customer Service and Work Order Management System     | -                                  | -                       | 1,000,000                  | -                     | 1,000,000                   | -   |  |
| 13   | Data Center A/C System Replacements                   | 65,000                             | -                       | -                          | -                     | 65,000                      | -   |  |
| 14   | EECBG Formula Grant Projects                          | -                                  | -                       | -                          | 1,382,900             | 1,382,900                   | - Federal ARRA stimulus grant.  |  |
| 15   | Grove Street Facility Exterior Renovations (GF Share) | 71,000                             | -                       | -                          | -                     | 71,000                      | - Transit Fund includes balance of this project.  |  |
| 16   | Grove Street Facility Roof Replacement (GF Share)     | 60,500                             | -                       | -                          | -                     | 60,500                      | -   |  |
| 17   | HRIS-Financial System Replacement                     | -                                  | -                       | 4,000,000                  | -                     | 4,000,000                   | -   |  |
| 18   | Integrated Cashiering and Payment System              | 224,020                            | 4,160                   | -                          | -                     | 228,200                     | -   |  |
| 19   | Magnet System Modules                                 | -                                  | -                       | -                          | 51,700                | 51,700                      | - Funded from remaining capital project funding.  |  |
| 20   | Network Survivability/Redundancy Router               | -                                  | 93,000                  | -                          | -                     | 93,000                      | -   |  |
| 21   | Parking Lot Resurfacing                               | 101,000                            | 274,000                 | -                          | -                     | 375,000                     | 475,042 Annual General Fund operating budget.   |  |
| 22   | Textil Site Acquisition                               | 109,376                            | 134,838                 | -                          | 255,164               | 499,378                     | 190,000 Other funding includes grant-back of County taxes to be paid.   |  |
| <b>Total - Facilities &amp; Equipment Projects</b> |   | <b>1,418,091</b>                   | <b>2,518,118</b>        | <b>5,000,000</b>           | <b>1,764,914</b>      | <b>10,701,123</b>           | <b>1,078,577</b>  |  |
| <b>Infrastructure Projects</b>                     |   |                                    |                         |                            |                       |                             |   |  |
| 23   | ARRA Drainage Projects                                | 1,348,920                          | -                       | -                          | -                     | 1,348,920                   | \$1,157,000 from Clean Water State Revolving Loan Fund and \$191,920 from Stormwater Fund   |  |
| 24   | City-wide Sidewalk Plan                               | 917,050                            | 790,000                 | -                          | -                     | 1,707,050                   | 2,845,852 Annual General Fund operating budget, plus \$250,000 from fund balance.   |  |
| 25   | Downtown Brick Sidewalk Repair                        | 150,000                            | -                       | -                          | 250,000               | 400,000                     | 416,850 Annual MSD operating budget.  |  |
| 26   | Downtown Streetscape                                  | 695,008                            | 237,835                 | 400,000                    | 455,472               | 1,788,315                   | Funded from remaining capital project funding, designated General Fund fund balance and \$400K to be financed in FY15.                    |  |
| 27   | Fort Bragg Railway Connector                          | 9,460,000                          | -                       | -                          | -                     | 9,460,000                   | - SAFETEA Grant \$7,568,000, \$1,892,000 General Fund match.  |  |
| 28   | Louise Street Bridge                                  | -                                  | 150,000                 | -                          | 600,000               | 750,000                     | - General Fund fund balance designated for local match.   |  |
| 29   | Person Street Streetscape                             | 281,126                            | -                       | -                          | -                     | 281,126                     | -   |  |
| 30   | Phase V Sewer Contributions                           | 5,479,868                          | 8,019,015               | -                          | -                     | 13,498,883                  | - General Fund contribution as specified in PWC transfer agreement.   |  |

**City of Fayetteville Recommended Capital Improvement Plan  
Fiscal Years 2011-2015**

| Project Funding By Source of Funds                                       |                         |                              |                         |                            |                       |                             |   |
|--|-------------------------|------------------------------|-------------------------|----------------------------|-----------------------|-----------------------------|---|
| Project  | Project Funding To Date | General Fund Taxes/ Revenues | Debt Financing Proceeds | Non-GF Funding for Project | Total Project Funding | Additional Request Unfunded | Funding Source Comments   |
| 31 Ramsey St. Transportation Project                                     | 350,000                 | -                            | -                       | -                          | 350,000               | -                           |   |
| 32 Russell Street Sidewalk   | 470,000                 | -                            | -                       | -                          | 470,000               | -                           |   |
| 33 Soil Street Construction  | 1,211,770               | -                            | -                       | -                          | 1,211,770             | -                           | Available capital project funding used to fund completion of the 3-year paving list.  |
| 34 Street Resurfacing  | 9,533,219               | 17,350,261                   | -                       | -                          | 26,883,480            | -                           | General Fund contributions (Powell Bill), plus available capital project funding. Funds \$3.5M annually through FY14, and \$3.57M for FY15. |
| 35 Transportation Improvements Projects (NCDOT Municipal Agreements)     | 219,309                 | 20,000                       | -                       | -                          | 239,309               | -                           | Designated General Fund fund balance.   |
| <b>Total - Infrastructure Projects</b>                                   | <b>30,116,270</b>       | <b>26,567,111</b>            | <b>400,000</b>          | <b>1,305,472</b>           | <b>58,388,853</b>     | <b>3,262,702</b>            |   |
| <b>Parks &amp; Recreation Projects</b>                                   |                         |                              |                         |                            |                       |                             |   |
| 36 Cape Fear River Trail, Phase II                                       | 2,645,500               | -                            | -                       | -                          | 2,645,500             | 500,000                     | Pursuing additional grant funding for \$500,000 not covered   |
| 37 Freedom Park  | 482,175                 | -                            | -                       | 69,872                     | 552,047               | -                           | Private Donations   |
| 38 Lighting at Tokay Football Fields                                     | -                       | 90,000                       | -                       | -                          | 90,000                | -                           |   |
| 39 Linear Park   | 1,582,051               | -                            | -                       | 1,378,703                  | 2,960,754             | -                           | Private Donations   |
| 40 Martin Luther King Park   | -                       | -                            | -                       | 500,000                    | 500,000               | -                           | Private Donations   |
| 41 NC State Veterans Park (Parts 1 & 2)                                  | 15,950,000              | -                            | -                       | 261,045                    | 16,211,045            | 788,955                     | Pursuing options to fund remaining balance, including sale of hotel property and additional state funding.                                  |
| 42 Playground Improvements   | 303,000                 | 388,834                      | -                       | -                          | 691,834               | -                           | Annual General Fund operating budget.   |
| 43 Transportation Museum   | 3,414,274               | -                            | -                       | -                          | 3,414,274             | -                           |   |
| 44 Western Area Neighborhood Park  | 800,000                 | -                            | -                       | -                          | 800,000               | -                           |   |
| <b>Total - Parks &amp; Recreation Projects</b>                           | <b>25,177,000</b>       | <b>476,834</b>               | <b>-</b>                | <b>2,209,620</b>           | <b>27,863,454</b>     | <b>1,288,955</b>            |   |
| <b>Public Safety Projects</b>  |                         |                              |                         |                            |                       |                             |   |
| 45 800 MHz Radio System Digital Upgrade (P-25 Interoperability / Viper)  | -                       | -                            | 4,727,237               | 799,434                    | 5,526,671             | -                           | Loan proceeds and PWC funding for share of upgrade costs.   |
| 46 Computer-Aided Dispatch, Police and Fire Records Management Systems   | 778,217                 | -                            | 3,219,717               | -                          | 3,997,934             | -                           | Loan proceeds and E911 funding.   |
| 47 Digital Radio Upgrades (Police, Fire and Non-Public Safety Radios)    | -                       | -                            | 3,587,359               | 32,641                     | 3,600,000             | -                           | Loan proceeds and Airport funding.  |
| 48 Fire Station 12 - Land for Future Station Relocation                  | 125,000                 | -                            | -                       | -                          | 125,000               | -                           |   |
| 49 Fire Station 19 - North Farmer's Road Area                            | -                       | -                            | 3,145,600               | -                          | 3,145,600             | -                           | Loan proceeds.  |
| 50 Fire Tower Replacement  | 500,000                 | -                            | -                       | -                          | 500,000               | -                           |   |
| 51 Positron Phone System Upgrade   | -                       | -                            | -                       | 297,691                    | 297,691               | -                           |   |
| 52 Police Server Upgrades  | 188,000                 | 20,000                       | -                       | -                          | 208,000               | -                           | Designated General Fund fund balance.   |
| <b>Total - Public Safety Projects</b>                                    | <b>1,591,217</b>        | <b>20,000</b>                | <b>14,659,913</b>       | <b>1,129,766</b>           | <b>17,400,896</b>     | <b>-</b>                    |   |
| <b>Transit Projects</b>  |                         |                              |                         |                            |                       |                             |   |
| 53 Transit Automatic Passenger Counter & Annunciator Systems             | -                       | 30,189                       | -                       | 271,698                    | 301,887               | -                           | FTA/State grants with 10% local match.  |
| 54 Transit Automatic Vehicle Locator Systems - Demand Response           | 120,000                 | -                            | -                       | -                          | 120,000               | -                           | FTA/State grants with 10% local match.  |
| 55 Transit Automatic Vehicle Locator Systems - Fixed Route               | 419,012                 | -                            | -                       | -                          | 419,012               | -                           | State grants with 10% local match.  |
| 56 Transit Bus Shelters & Benches  | 384,000                 | 50,000                       | -                       | 200,000                    | 634,000               | -                           | FTA grants with 20% local match.  |
| 57 Transit Administrative and Maintenance Facility Renovations - Phase 1 | 370,000                 | -                            | -                       | -                          | 370,000               | -                           | FTA grants with 20% local match.  |
| 58 Transit Administrative and Maintenance Facility Renovations - Phase 2 | -                       | 31,679                       | -                       | 285,114                    | 316,793               | -                           | FTA/State grants with 10% local match.  |
| 59 Transit Multimodal Center   | 1,300,000               | 1,648,750                    | -                       | 16,301,250                 | 19,250,000            | -                           | FTA/State grants with 10% local match plus additional General Fund contribution for land.   |
| 60 Transit Parking Lot Resurfacing                                       | -                       | 20,000                       | -                       | 180,000                    | 200,000               | -                           | FTA/State grants with 10% local match.  |
| 61 Transit Pass Vending Automation                                       | -                       | 10,000                       | -                       | 90,000                     | 100,000               | -                           | FTA/State grants with 10% local match.  |

**City of Fayetteville Recommended Capital Improvement Plan  
Fiscal Years 2011-2015**

| <b>Project Funding By Source of Funds</b>                |                                |                                     |                                |                                   |                              |                                    |                                     |
|--|--------------------------------|-------------------------------------|--------------------------------|-----------------------------------|------------------------------|------------------------------------|-------------------------------------|
| <b>Project</b>   | <b>Project Funding To Date</b> | <b>General Fund Taxes/ Revenues</b> | <b>Debt Financing Proceeds</b> | <b>Non-GF Funding for Project</b> | <b>Total Project Funding</b> | <b>Additional Request Unfunded</b> | <b>Funding Source Comments</b>      |
| 62 Transit Refueling Station Renovations                 | -                              | 24,000                              | -                              | 96,000                            | 120,000                      | -                                  | - FTA grants with 20% local match.  |
| 63 Transit Signage Updates                               | 83,053                         | -                                   | -                              | -                                 | 83,053                       | -                                  | - FTA grants with 20% local match.  |
| 64 Transit Surveillance & Security Equipment             | 60,000                         | -                                   | -                              | -                                 | 60,000                       | -                                  | - FTA grants with 20% local match.  |
| <b>Total - Transit Projects</b>                          | <b>2,736,065</b>               | <b>1,814,618</b>                    | <b>-</b>                       | <b>17,424,062</b>                 | <b>21,974,745</b>            | <b>-</b>                           |                                     |
| <b>Airport Projects</b>                                  |                                |                                     |                                |                                   |                              |                                    |                                     |
| 65 Air Carrier Asphalt Mill & Overlay                    | -                              | -                                   | -                              | 1,520,000                         | 1,520,000                    | -                                  | - Airport, Federal and State funds. |
| 66 Airline Concrete Slabs & Joints                       | -                              | -                                   | -                              | 2,720,000                         | 2,720,000                    | -                                  | - Airport, Federal and State funds. |
| 67 Airport Improvement Projects-AIP 32                   | 708,920                        | -                                   | -                              | -                                 | 708,920                      | -                                  | - Airport, Federal and State funds. |
| 68 Airport Perimeter Fencing                             | -                              | -                                   | -                              | 1,500,000                         | 1,500,000                    | -                                  | - Airport, Federal and State funds. |
| 69 ARFF Rehabilitation                                   | 1,736,467                      | -                                   | -                              | -                                 | 1,736,467                    | -                                  | - Airport, Federal and State funds. |
| 70 Jet Bridge to Replace Fixed Bridge at Gate B4         | -                              | -                                   | -                              | 475,000                           | 475,000                      | -                                  | - Airport, Federal and State funds. |
| 71 Land Purchase in Runway 4 Protection Zone             | -                              | -                                   | -                              | 1,684,211                         | 1,684,211                    | -                                  | - Airport, Federal and State funds. |
| 72 North General Aviation Auto Parking                   | -                              | -                                   | -                              | 150,000                           | 150,000                      | -                                  | - Airport, Federal and State funds. |
| 73 Paved Parking Lot Rehabilitation                      | 1,542,969                      | -                                   | -                              | -                                 | 1,542,969                    | -                                  | - Airport Funds.                    |
| 74 Perimeter Road Rehabilitation                         | -                              | -                                   | -                              | 1,840,000                         | 1,840,000                    | -                                  | - Airport, Federal and State funds. |
| 75 Runway 10/28 Improvements                             | -                              | -                                   | -                              | 1,200,000                         | 1,200,000                    | -                                  | - Airport, Federal and State funds. |
| 76 Runway 4/22 Paved Shoulders                           | -                              | -                                   | -                              | 2,650,000                         | 2,650,000                    | -                                  | - Airport, Federal and State funds. |
| 77 Runway 4/22 Rehabilitation                            | 7,171,533                      | -                                   | -                              | -                                 | 7,171,533                    | -                                  | - Airport, Federal and State funds. |
| 78 Runway Protection Zone Tree Clearing Project          | -                              | -                                   | -                              | 200,000                           | 200,000                      | -                                  | - Airport, Federal and State funds. |
| 79 Storm Water Improvement Project                       | 361,114                        | -                                   | -                              | -                                 | 361,114                      | -                                  | - Airport, Federal and State funds. |
| 80 Taxiway A Extension                                   | -                              | -                                   | -                              | 950,000                           | 950,000                      | -                                  | - Airport, Federal and State funds. |
| 81 Taxiway A Overlay, Shoulders & Lights                 | 206,710                        | -                                   | -                              | 4,093,290                         | 4,300,000                    | -                                  | - Airport, Federal and State funds. |
| 82 Taxiway F & G Rehabilitation                          | -                              | -                                   | -                              | 1,320,000                         | 1,320,000                    | -                                  | - Airport, Federal and State funds. |
| 83 Terminal Renovation Phase IV                          | -                              | -                                   | -                              | 2,453,000                         | 2,453,000                    | -                                  | - Airport, Federal and State funds. |
| 84 Upgrade Electrical Vault/Emergency Generator - AIP 33 | 2,189,864                      | -                                   | -                              | -                                 | 2,189,864                    | -                                  | - Airport, Federal and State funds. |
| 85 West General Aviation Ramp Rehabilitation             | 672,277                        | -                                   | -                              | -                                 | 672,277                      | -                                  | - Airport, Federal and State funds. |
| <b>Total - Airport Projects</b>                          | <b>14,589,854</b>              | <b>-</b>                            | <b>-</b>                       | <b>22,755,501</b>                 | <b>37,345,355</b>            | <b>-</b>                           |                                     |
| <b>Proposed Bond Referendum</b>                          | <b>-</b>                       | <b>-</b>                            | <b>15,000,000</b>              | <b>-</b>                          | <b>15,000,000</b>            | <b>-</b>                           |                                     |
| <b>Grand Total - Funded Projects</b>                     | <b>82,503,258</b>              | <b>34,147,748</b>                   | <b>46,345,963</b>              | <b>50,020,335</b>                 | <b>213,017,304</b>           | <b>5,605,234</b>                   |                                     |

\*Total General Fund contribution includes \$17,350,261 for street resurfacing funded by Powell Bill proceeds.

CAPITAL PROJECT ORDINANCE  
ORD 2011-1

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 effective July 1, 2010:

Section 1. The authorized project is the FY2011 street resurfacing project and miscellaneous street improvements.

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:

|                       |                     |
|-----------------------|---------------------|
| General Fund Transfer | <u>\$ 3,280,261</u> |
|-----------------------|---------------------|

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

|                      |                     |
|----------------------|---------------------|
| Project Expenditures | <u>\$ 3,280,261</u> |
|----------------------|---------------------|

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 the project.

Adopted this 28th day of June, 2010.

CITY OF FAYETTEVILLE

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 ordinances are hereby amended effective July 1, 2010:

**CAPITAL PROJECT ORDINANCE AMENDMENT  
CHANGE 2011-1 (CPO 2010-2)**

Section 1. The project change authorized is to Capital Project Ordinance 2010-2, adopted June 22, 2009, as amended, for the funding of computer replacements.

Section 2. The following revenues are anticipated to be available to the City to complete the project:

|                       | Listed As  | Amendment  | Revised    |
|-----------------------|------------|------------|------------|
| General Fund Transfer | \$ 320,162 | \$ 512,100 | \$ 832,262 |

Section 3. The following amounts are appropriated for the project:

|                      |            |            |            |
|----------------------|------------|------------|------------|
| Project Expenditures | \$ 320,162 | \$ 512,100 | \$ 832,262 |
|----------------------|------------|------------|------------|

**CAPITAL PROJECT ORDINANCE AMENDMENT  
CHANGE 2011-2 (CPO 2008-2)**

Section 1. The project change authorized is to Capital Project Ordinance 2008-2, adopted July 23, 2007, as amended, for the funding of various downtown streetscape projects including, but not limited to, Ray, Franklin, Maxwell, Green, and Donaldson Streets.

Section 2. The following revenues are anticipated to be available to the City to complete the project:

|   | Listed As  | Amendment  | Revised    |
|---|------------|------------|------------|
| Central Business Tax District Fund Transfer | \$ 58,299  | \$ 248,000 | \$ 306,299 |
| General Fund Transfer                       | 598,621    | -          | 598,621    |
| Recreation & Cultural Fund Transfer         | 3,300      | -          | 3,300      |
| Investment Income                           | 4,413      | -          | 4,413      |
| Miscellaneous Income                        | 5,000      | -          | 5,000      |
|   | \$ 669,633 | \$ 248,000 | \$ 917,633 |

Section 3. The following amounts are appropriated for the project:

|                      |            |            |            |
|----------------------|------------|------------|------------|
| Project Expenditures | \$ 669,633 | \$ 248,000 | \$ 917,633 |
|----------------------|------------|------------|------------|



**CAPITAL PROJECT ORDINANCE AMENDMENT  
CHANGE 2011-3 (CPO 2001-8)**

Section 1. The project change authorized is to Capital Project Ordinance 2001-8, adopted May 7, 2001, as amended, for sidewalks and related improvements.

Section 2. The following revenues are anticipated to be available to the City to complete the project:

|                       | <u>Listed As</u>  | <u>Amendment</u>  | <u>Revised</u>    |
|-----------------------|-------------------|-------------------|-------------------|
| General Fund Transfer | \$ 230,166        | \$ 154,000        | \$ 384,166        |
| Developer's Fees      | 48,775            | -                 | 48,775            |
| Miscellaneous Income  | 10,204            | -                 | 10,204            |
|                       | <u>\$ 289,145</u> | <u>\$ 154,000</u> | <u>\$ 443,145</u> |

Section 3. The following amounts are appropriated for the project:

|                      |                   |                   |                   |
|----------------------|-------------------|-------------------|-------------------|
| Project Expenditures | <u>\$ 289,145</u> | <u>\$ 154,000</u> | <u>\$ 443,145</u> |
|----------------------|-------------------|-------------------|-------------------|

**CAPITAL PROJECT ORDINANCE AMENDMENT  
CHANGE 2011-4 (CPO 2009-10)**

Section 1. The project change authorized is to Capital Project Ordinance 2009-10, adopted June 9, 2008, as amended, for the funding of Central Business District brick paver and sidewalk maintenance and repairs.

Section 2. The following revenues are anticipated to be available to the City to complete the project:

|   | <u>Listed As</u> | <u>Amendment</u> | <u>Revised</u> |
|---|------------------|------------------|----------------|
| Central Business District Fund Transfer | \$ 150,000       | \$ 50,000        | \$ 200,000     |

Section 3. The following amounts are appropriated for the project:

|                      |                   |                  |                   |
|----------------------|-------------------|------------------|-------------------|
| Project Expenditures | <u>\$ 150,000</u> | <u>\$ 50,000</u> | <u>\$ 200,000</u> |
|----------------------|-------------------|------------------|-------------------|

**CAPITAL PROJECT ORDINANCE AMENDMENT  
CHANGE 2011-5 (CPO 2009-2)**

Section 1. The project change authorized is to Capital Project Ordinance 2009-2, adopted June 9, 2008, as amended, for the funding of miscellaneous parking lot maintenance projects.

Section 2. The following revenues are anticipated to be available to the City to complete the project:

|                       | <u>Listed As</u> | <u>Amendment</u> | <u>Revised</u> |
|-----------------------|------------------|------------------|----------------|
| General Fund Transfer | \$ 101,000       | \$ 52,000        | \$ 153,000     |

Section 3. The following amounts are appropriated for the project:

|                      |                   |                  |                   |
|----------------------|-------------------|------------------|-------------------|
| Project Expenditures | <u>\$ 101,000</u> | <u>\$ 52,000</u> | <u>\$ 153,000</u> |
|----------------------|-------------------|------------------|-------------------|

**CAPITAL PROJECT ORDINANCE AMENDMENT  
CHANGE 2011-6 (CPO 2009-7)**

Section 1. The project change authorized is to Capital Project Ordinance 2009-7, adopted June 9, 2008, as amended, for the funding of playground equipment and improvements.

Section 2. The following revenues are anticipated to be available to the City to complete the project:

|                       | <u>Listed As</u> | <u>Amendment</u> | <u>Revised</u> |
|-----------------------|------------------|------------------|----------------|
| General Fund Transfer | \$ 303,000       | \$ 156,000       | \$ 459,000     |

Section 3. The following amounts are appropriated for the project:

|                      |                   |                   |                   |
|----------------------|-------------------|-------------------|-------------------|
| Project Expenditures | <u>\$ 303,000</u> | <u>\$ 156,000</u> | <u>\$ 459,000</u> |
|----------------------|-------------------|-------------------|-------------------|

**CAPITAL PROJECT ORDINANCE AMENDMENT  
CHANGE 2011-7 (CPO 2009-3)**

Section 1. The project change authorized is to Capital Project Ordinance 2009-3, adopted June 9, 2008, as amended, for the funding of miscellaneous building maintenance projects.

Section 2. The following revenues are anticipated to be available to the City to complete the project:

|                             | <u>Listed As</u>  | <u>Amendment</u> | <u>Revised</u>    |
|-----------------------------|-------------------|------------------|-------------------|
| General Fund Transfer       | \$ 101,000        | \$ 52,000        | \$ 153,000        |
| Public Safety Fund Transfer | 49,775            | -                | 49,775            |
|                             | <u>\$ 150,775</u> | <u>\$ 52,000</u> | <u>\$ 202,775</u> |

Section 3. The following amounts are appropriated for the project:

|                      |                   |                  |                   |
|----------------------|-------------------|------------------|-------------------|
| Project Expenditures | <u>\$ 150,775</u> | <u>\$ 52,000</u> | <u>\$ 202,775</u> |
|----------------------|-------------------|------------------|-------------------|

The project directors are hereby directed to proceed with the projects within the terms of the various agreements executed and within the funds appropriated herein.

Copies of the capital project ordinance amendments shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

Adopted this 28th day of June, 2010.