

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
JANUARY 23, 2012
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); Wade Fowler (District 8); James W. Arp, Jr. (District 9)

Others Present:

Dale E. Iman, City Manager
Kristoff Bauer, Assistant City Manager
Karen M. McDonald, City Attorney
Lisa Smith, Chief Financial Officer
Rusty Thompson, Engineering & Infrastructure Director
Victor Sharpe, Community Development Director
Bradley Whited, Airport Director
Scott Schuford, Development Services Director
Rebecca Carter-Rogers, Management Services Manager
Tom Bergamine, Police Chief
Patricia Bradley, Police Attorney
Bradley Chandler, Assistant Police Chief
Michael Gibson, Parks and Recreation Director
Jennifer Lowe, Public Information Officer
Karen Hilton, Planning and Zoning Division Manager
Craig Harmon, Planner II
Bart Swanson, Housing and Code Enforcement Division Manager
Dwight Miller, PWC Chief Finance Officer
Douglas Peters, Chamber of Commerce Economic Development President and CEO
Frank Lewis, Senior Code Enforcement Administrator
Pamela Megill, 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 Reverend Mark Rowden, Savannah Missionary Baptist Church.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Mayor Chavonne.

4.0 APPROVAL OF AGENDA

MOTION: Council Member Hurst moved to approve the agenda with moving Item 7.1 prior to Item 6.0.

SECOND: Council Member Bates

VOTE: UNANIMOUS (10-0)

5.0 CONSENT

MOTION: Council Member Haire moved to approve the consent agenda with the exception of Item 5.16 for discussion.

SECOND: Council Member Massey

VOTE: UNANIMOUS (10-0)

5.1 Addition of certain streets to the City of Fayetteville System of Streets.

Council was asked to officially accept the dedication of streets for maintenance and addition to the City of Fayetteville system of streets.

5.2 Resolution appointing a Deputy Tax Collector.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE APPOINTING A DEPUTY TAX COLLECTOR. RESOLUTION NO. R2012-001.

5.3 Resolution designating the Budget and Evaluation Manager as a Deputy Finance Officer.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE DESIGNATING THE BUDGET AND EVALUATION MANAGER AS A DEPUTY FINANCE OFFICER. RESOLUTION NO. R2012-002.

5.4 Community Development - Acquisition of a residential lot located at 1420 Rhone Street.

5.5 P11-63F. Initial zoning from Planned Neighborhood Development and R10 Residential Districts in Cumberland County's jurisdiction to SF-10 Single Family Residential District, or a more restrictive district, on property located at Meadowcroft Drive. Containing 28.25 acres more or less and being the property of The Methodist University, Inc.

5.6 P11-64F. Initial zoning from Planned Neighborhood Development District in Cumberland County's jurisdiction to SF-10 Single Family Residential District, or a more restrictive district, on property located at Longview Drive Ext. Containing 37.55 acres more or less and being the property of The Methodist University, Inc.

5.7 P11-65F. Initial zoning from Rural Residential District in Cumberland County's jurisdiction to SF-15 Single Family Residential District, or a more restrictive district, on property located on Baywood Road. Containing 16.7 acres more or less and being the property of Pierre Bellerice, Wanda Fernandez, Robert and Sarah Harris, Tiara Penebacker, Raymond and Wendy Morasse, Baywood Point LLC, and Savvy Homes LLC.

5.8 P11-66F. Initial zoning from RR Rural Residential District in Cumberland County's jurisdiction to AR Agricultural Residential District, or a more restrictive district, on property located at 468 N. Plymouth Street. Containing 16.77 acres more or less and being the property of The Household of Faith World Outreach Center, Inc.

5.9 P11-67F. Initial zoning from C(P) Commercial District in Cumberland County's jurisdiction to LC Limited Commercial District, or a more restrictive district, on property located at 2765 Gillespie Street. Containing 1.22 acres more or less and being the property of Manilal Patel and Manuben Patel.

5.10 P11-68F. Initial zoning from M(P) Industrial District in Cumberland County's jurisdiction to CC Community Commercial District, or a more restrictive district, on property located at 3130 Gillespie Street. Containing 13.3 acres more or less and being the property of Freedom Christian Academy, Inc.

5.11 Adopt a resolution declaring jointly-owned real property surplus and authorizing a quitclaim of the City's interest in order to expedite Cumberland County's sale of property. RESOLUTION DECLARING PROPERTY EXCESS TO CITY'S NEEDS AND QUITCLAIMING CITY TITLE IN THE PROPERTY TO CUMBERLAND COUNTY. RESOLUTION NO. R2012-003.

5.12 Finance - Special Revenue Fund Project Ordinance Closeouts 2012-2 through 2012-5 and Capital Project Fund Ordinance Closeouts 2012-1 through 2012-8.

Annually the City closes out several completed projects that are no longer active. The following projects were completed in a previous fiscal year and the revenues and expenditures related to the projects were audited: FY 08 State Homeland Security, 2010 Badges for Baseball, 2010-2011 Take Me Fishing, FY 2009 Assistance to Firefighters, AIP 31 Fire Training Facility Upgrade, Airport Storm Water Improvements, AIP 33 Airfield Lighting Vault Improvements, Airport Land Acquisition, Vegetation Management Project, Airport Fingerprint Machine Replacement, and Rehabilitate Visual Nav.

5.13 Bid recommendation to award contract for Annexation Phase V, Project IV, Area 10 West, Arran Hills/Arran Park, to Utilities Plus, Inc., Linden, NC, lowest responsive, responsible bidder in the amount of \$1,665,335.18.

Bids were received as follows:

Utilities Plus, Inc. (Linden, NC).....	\$1,665,335.18
R.H. Moore (Murrells Inlet, SC).....	\$1,813,329.70
Triangle Grading & Paving (Burlington, NC).....	\$1,880,458.88
Southern Asphalt (Conway, SC).....	\$1,926,537.59
State Utilities (Monroe, NC).....	\$2,101,950.95
ES&J Enterprises (Autryville, NC).....	\$2,110,157.95
Billy Bill Grading (Fayetteville, NC).....	\$2,371,148.90

5.14 Bid recommendation to award contract for Annexation Phase V, Project IV, Area 11 North, Arran Hills/Arran Park, to Southern Asphalt, Conway, SC, lowest responsive, responsible bidder in the amount of \$1,224,613.85.

Bids were received as follows:

Southern Asphalt (Conway, SC).....	\$1,224,613.85
Triangle Grading & Paving (Burlington, NC).....	\$1,266,112.00
R.H. Moore Company, Inc. (Murrells Inlet, SC)...	\$1,353,550.00
Colt Contracting Company (Clinton, NC).....	\$1,406,195.60
State Utility Contractors, Inc. (Monroe, NC).....	\$1,484,148.55
ES&J Enterprises (Autryville, NC).....	\$1,647,210.00

5.15 Bid recommendation to award bid for sale of real property located at 4907 Rosehill Road (Lot 63, Section 3, Rosewood Terrace) to Vernell C. Thomas, Fayetteville, NC, highest bidder in the amount of \$26,010.00.

Bids were received as follows:

Vernell C. Thomas (Fayetteville, NC).....	\$26,010.00
Cynthia Outen (Fayetteville, NC).....	\$25,101.00

5.16 Pulled for discussion by Council Member Haire.

5.17 Recommendation to approve a resolution accepting and endorsing the Cumberland County 2010 Ten-Year Comprehensive Solid Waste Management Plan.

RESOLUTION ACCEPTING AND ENDORSING THE CUMBERLAND COUNTY SOLID WASTE MANAGEMENT PLAN OF 2010. RESOLUTION NO. R2012-004.

5.16 PWC – Financing Team Resolution.

This item was pulled for discussion by Council Member Haire.

Mr. Dwight Miller, PWC Chief Finance Officer, stated the Public Works Commission adopted a resolution approving certain members of the Financing Team for a five-year term and were requesting that City Council adopt a similar resolution. He stated the Financing Team members included the Bond Counsel, Womble Carlyle Sandridge and Rice; the Trustee, The Bank of New York Mellon Trust Company, N.A.; and the Financial Advisor, Davenport and Company. He stated there were several bond issues being anticipated during the next five to seven years and selecting a Financing Team would provide stability, continuity, and progressive knowledge in the financing process and related matters that would be lost if team member changes were made with each bond issue or tax-exempt debt related matters. He stated a longer, stable term would provide economic advantages also.

A brief discussion period ensued.

MOTION: Council Member Massey moved to bring the item back for further information and discussion at the next available work session.

SECOND: Council Member Haire

VOTE: UNANIMOUS (10-0)

7.1 Consideration of moratorium on vehicular consent searches.

This item was moved before Item 6.0.

Mr. Dale Iman, City Manager, presented this item. He stated this item was presented at the January work session and Council at that time requested it be brought back tonight for consideration. He stated if the 120-day moratorium were adopted, it would be put in place, and during that time traffic stop consent searches would not be conducted in the City of Fayetteville. He provided a review of the following proposed steps that would be performed during the

moratorium:

1. Identify an organization external to the Police Department to review all traffic stop policies, procedures, and standards of conduct. Review the Police Department accreditation process to identify training areas. Review audit findings and determine if the issues identified were also identified in the audit for corrective action. Review and analyze all data collected to determine if biased-based policing has occurred and if so, determine if it is a departmental problem or the result of individual officers. Immediately implement acceptable CALEA Accreditation training standards and identify specific and measurable goals to ensure the conduct of traffic stops (self-assessment and external assessment) meet the standards.
2. Complete purchase and installation of cameras into patrol vehicles, collect audio and video data, and utilize that new technology to monitor the activities of all traffic stops and conduct additional assessment as necessary.
3. Develop a reliable and valid police-citizen contact data collection and reporting system method to collect and analyze data in a timely and cost effective fashion which would be minimally disruptive to the daily responsibilities of the officers.
4. Review, revise, and implement changes to the current citizen and employee complaint process that increases citizen and employee confidence in goals, objectives, policies, and practices of the Fayetteville Police Department. Ensure all complaints are investigated thoroughly and criticism is made an integral part of the Department's analysis of day-to-day services. Working with the external organization identified in Step 1, fully explore an external review process for citizen complaints.

Mr. Iman stated he reviewed the credentials for several agencies and was prepared to hire the firm of NOBLEE (National Organization of Black Law Enforcement Executives). He stated the lead consultant, Mr. Jimmy L. Wilson, Retired Chief of Police, Washington, D.C., Police Department, would be on site tomorrow. He stated assisting Mr. Wilson would be Assistant Chief Andrew Candidate, a 30-year law enforcement veteran retired from the City of Greensboro, North Carolina, and consultant David Scott, Deputy Chief of Police with 31 years as a law enforcement veteran. He stated it was estimated it would take the firm 45 days to complete the study and estimated to cost \$30,000.00.

Council Member Bates inquired of Mr. Iman as to what the consultants were going to do. Mr. Iman replied the study would focus on traffic stop policies and procedures, compliance with the accreditation process, training needs, compliance with CALEA mandates and corrective actions, all data collected to determine whether biased based policing occurred, whether patterns indicative of biased place practices were department wide or specific to individual officers as specified by Fayetteville at the time of the agreement. He stated there would also be public input and discussions.

Council Member Bates inquired if this was almost the same procedure the Police Department went through to be accredited. Mr. Iman responded in the affirmative.

Council Member Haire inquired of Mr. Iman as to which members of the public would be involved in the study. Mr. Iman responded it would be local leadership, the NAACP, community watch leaders, and other community leaders in general. He stated the consultants would make the personal contacts and conduct the interviews.

Council Member Fowler inquired of Mr. Iman if he knew how many police organizations the group had worked with. Mr. Iman responded the consulting group had been in operation since 1976 and had worked with a number of organizations.

Council Member Massey stated the in the process of dealing with public input, he wanted to make sure they get input from Fayetteville State University, Fayetteville Technical Community College, and Methodist College. He stated he wanted them to be included in the list, especially those with criminal justice programs and things of that nature.

Council Member Applewhite inquired if the moratorium would be for traffic stops only. Mr. Iman replied in the affirmative.

Council Member Applewhite inquired of Ms. Patricia Bradley, Police Attorney, as to whether or not in her opinion the City of Fayetteville could legally implement a moratorium on consent

searches. Ms. Bradley responded it was her opinion the Council could not implement a moratorium.

Council Member Applewhite inquired of Chief Bergamine if he could tell her that if they could not legally implement moratoriums, what would be the impact to the Police Department in terms of his personal certification and the certification of the police officers. Chief Bergamine responded it was his opinion that if it were deemed illegal by the courts, then he would lose his certification and those that would obey that order would probably lose theirs too.

Council Member Applewhite requested a legal opinion from Ms. Karen McDonald, City Attorney, on whether or not the City Council could legally implement a moratorium on consent searches. Ms. McDonald responded it was her legal opinion the Council could impose a moratorium. She further acknowledged that Council's action could lead to a lawsuit.

Council Member Crisp expressed his opinion that consent searches may be conducted but were not required.

Mayor Pro Tem Arp stated he was supporting the Police Department and thanked Chief Bergamine and his Department.

Mayor Chavonne stated he would argue the issue was about moratorium, it was about accountability and transparency.

MOTION: Mayor Pro Tem Arp moved to implement a moratorium effective February 1, 2012, or upon initiation of the site visit, on the use of consent searches for a period of 120 days or until completion of the identified and specific task, with a final presentation of the findings at a public meeting of the City Council, whichever occurred first.

SECOND: Council Member Haire

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

Mayor Chavonne called for a recess at 7:40 p.m. He reconvened the meeting at 7:55 p.m.

6.0 PUBLIC HEARINGS

6.1 P11-69F. The issuing of a Special Use Permit for Office Use within 100 feet of a residence, on property located at 3410 Village Drive. Containing 0.47 acres more or less and being the property of Michael Leke.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zoning, and 2010 Land Use Plan. He stated the property was recently annexed by petition and explained the City's policy was to initially zone newly annexed property to the closest equivalent zoning in the County. He stated since no straight PND equivalent existed in the UDO, the Zoning Commission and staff recommended approval of the initial zoning to SF-10.

This is the advertised public hearing set for this date and time. There was no one present to speak and the public hearing was opened and closed.

MOTION: Council Member Hurst moved to approve.

SECOND: Council Member Fowler

VOTE: UNANIMOUS (10-0)

6.2 P11-62F. Rezoning from SF-10 Single Family District to Neighborhood Commercial District, or a more restrictive district, on property located at 669 Country Club Drive. Containing 0.96 acres more or less and being the property of Beulah Quick and Paula Quick Hall.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. He stated the owner was requesting the rezoning to convert the property to commercial use. He stated while there was a Neighborhood Commercial district beside and across Country Club Drive from the property, the City's Land Use Plan was calling for the property to the west (the bank) to be the cutoff point for commercial development on the south side of Country Club Road. He stated traffic volume and turning moves on and off of Country Club would be chief concerns of City staff. He stated if Council rezoned the property, staff would suggest that an Office & Institutional (OI) district would be more appropriate than NC. He

stated the Zoning Commission recommended approval to a more restrictive OI district based on (1) there being access to a major thoroughfare, (2) the location being relative to existing commercial and office uses, and (3) OI being a good buffer between commercial and residential uses. He stated staff recommended denial of NC district based on (1) the Land Use Plan calling for residential and identifying a commercial boundary to discourage the "stripping" of a portion of the corridor, (2) the amount of commercial already in the area, (3) the property being bordered on two sides by residential, and (4) traffic volume and turning movements.

This is the advertised public hearing set for this date and time. The public hearing was opened. Ms. Paula Quick Hall, 3104 Bucking Road, Durham, NC, representing her mother, the property owner, appeared in favor and provided a power point presentation on the "Melcher-Quick Meeting House". She stated the property was used for renting rooms to various individuals and organizations to provide a meeting place for religious, spiritual, cultural, civic, and educational enrichment.

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

MOTION: Council Member Massey moved to approve the rezoning to a more restrictive OI district.

SECOND: Council Member Haire

VOTE: UNANIMOUS (10-0)

6.3 Community Development - Substantial amendment of the 2011-2012 Community Development Annual Action Plan for funding for the construction of a neighborhood resource center by Fayetteville Metropolitan Housing Authority in the HOPE VI Revitalization Project area.

Mr. Victor Sharpe, Community Development Director, presented this item and stated the City of Fayetteville committed \$937,500.00 of Community Development Block Grant (CDBG) funds to the Fayetteville Metropolitan Housing Authority (FMHA) over a five-year period as part of its commitment to the Old Wilmington Road HOPE VI Revitalization Project. He stated the funds were approved for the acquisition of land to construct single-family affordable housing. He stated FMHA determined that the entire amount allocated was not needed for land acquisition in meeting the five-year deadline for completing the project. He stated to date the City approved and budgeted \$749,000.00 as part of the funding for the acquisition of land for single-family housing development. He stated the remaining \$188,500.00 was scheduled to be budgeted for the 2012-2013 program year. He stated FMHA requested to use the current budgeted amount of \$749,000.00 for the construction of the neighborhood resource center that would be rebuilt on Old Wilmington Road. He stated the remaining amount of \$188,500.00 proposed for next year's budget would be used for acquisition of land to continue the construction of single-family affordable housing. He stated the Fayetteville Redevelopment Commission recommended approval of the amendment. He stated the budgeted CDBG funds needed to be expended as soon as possible to assure that they met the required time frame for expending the funds. He stated the amendment would allow a change in the use of CDBG funds committed to the Old Wilmington Road HOPE VI Revitalization Project.

A brief discussion period ensued.

This is the advertised public hearing set for this date and time. There was no one present to speak and the public hearing was opened and closed.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, APPROVING A SUBSTANTIAL AMENDMENT TO THE 2011-2012 COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN FOR FUNDING OF THE CONSTRUCTION OF A NEIGHBORHOOD RESOURCE CENTER BY FAYETTEVILLE METROPOLITAN HOUSING AUTHORITY IN THE HOPE VI PROJECT AREA. RESOLUTION NO. 2012-005.

MOTION: Council Member Davy moved to approve.

SECOND: Council Member Bates

VOTE: UNANIMOUS (10-0)

6.4 Consideration of UDO Text Amendment Set #4 regarding parking, glazing (window area)/door standards and density in the DT district; a new alternative signage plan

option; increased height for certain accessory structures; special standards for junk/salvage yards (reestablishing original standards); and other corrections and adjustments for internal consistency.

Ms. Karen Hilton, Planning and Zoning Division Manager, presented this item. She stated the fourth set of amendments would involve more substantive changes and provided an overview of the amendments. She stated the Planning Commission and staff recommended approval of all parts of the ordinance as recommended.

This is the advertised public hearing set for this date and time. There was no one present to speak and the public hearing was opened and closed.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO AMEND CHAPTER 30, UNIFIED DEVELOPMENT ORDINANCE, TO ADDRESS ERRORS AND CLARIFICATIONS AND TO (1) DELETE THE PARKING REQUIREMENT, REDUCE GLAZING/DOOR STANDARDS, AND REDUCE OR REMOVE THE LIMIT ON RESIDENTIAL DENSITY, ALL IN THE DOWNTOWN DISTRICT; (2) AMEND ARTICLE 5.L, SIGNAGE, TO ADD A SECTION FOR ALTERNATIVE SIGN PLANS FOR LARGER DEVELOPMENTS; AND (3) ALLOW INCREASED HEIGHT AND RELATED ADJUSTMENTS FOR CERTAIN ACCESSORY USES; AND MAKE OTHER MINOR ADJUSTMENTS, CROSS-REFERENCES, AND CORRECTIONS. ORDINANCE NO. S2012-001.

MOTION: Council Member Hurst moved to approve.

SECOND: Council Member Bates

VOTE: UNANIMOUS (10-0)

7.0 OTHER ITEMS OF BUSINESS

7.1 Consideration of moratorium on vehicular consent searches.

This item was moved before Item 6.0.

7.2

a) Fayetteville Cumberland County Chamber of Commerce Economic Development Report - 2nd Quarter Report.

Mr. Douglas Peters, Chamber of Commerce Economic Development President and CEO, presented this item and stated it had come as no surprise to residents of Fayetteville that their All-America City was proud to be a wonderful place for veterans and their families to live, but that had not meant it was not nice to hear confirmation of that from outside sources. He stated the website of Livability.com had named Fayetteville the No. 1 City in the country for military veterans to live. He stated given the fact that there was a very strong mutual respect between the community and the military in Fayetteville, this was not a surprise. He stated the community continued to thrive because of the relationship that existed, and the ranking helped confirm that the City had truly embraced the strong military connections. He stated coming on the heels of winning the 2011 All-America City honor, Fayetteville had embraced all of the factors that went into the recognition. He presented the Fayetteville Cumberland County Chamber of Commerce Economic Development Report for the second quarter with the aid of a power point presentation and provided handouts to the City Council members.

A brief question and answer period ensued.

b) FY 2012 Strategic Plan's Policy and Management Action Agenda 2nd Quarter Report.

Ms. Rebecca Rogers-Carter, Management Services Manager, presented this item with the aid of a power point presentation and provided the 2nd quarter Strategic Plan Progress Report for FY 2012. She stated the City of Fayetteville used a robust strategic planning process to identify and work on significant community issues. She stated the process involved both the City Council and staff and was updated annually to reflect the changing needs of the community. She stated Fayetteville's Strategic Plan had five main areas which were vision, mission, core values, five-year goals, and annual targets for action that direct the main work efforts of Council and staff. She stated the targets for action cover policy issues for the City Council to address and management issues for City staff. She stated the report provided an update on the activities and successes related to the policy and management targets for action.

A brief discussion period ensued.

MOTION: Mayor Pro Tem Arp moved to approve.

SECOND: Council Member Massey

VOTE: UNANIMOUS (10-0)

7.3 Uninhabitable structures demolition recommendations:

Mr. Bart Swanson, Housing and Code Enforcement Division Manager, presented this item with the aid of a power point presentation and multiple photographs of each of the properties listed. He stated staff was requesting demolition of six buildings determined to be dangerous or blight. He reviewed the following demolition recommendations:

865 Amye Street

Mr. Swanson stated the structure was a vacant residential home that was inspected and condemned as a blighted structure on September 21, 2011. He stated the owner did not attend the initial hearing and in a subsequent hearing an order to repair or demolish was issued. He stated to date there were no repairs and the utilities were disconnected in December 2002. He stated in the past 24 months there were two calls for 911 service. He stated there were two code violations with no pending assessments. He stated the low bid for demolition was \$1,340.00.

1780 Cardinal Circle

Mr. Swanson stated the structure was an unfinished residential home. He stated the structure was inspected and condemned as a dangerous structure on June 6, 2011. He stated the owner did not attend the initial hearing and in a subsequent hearing an order to repair or demolish was issued. He stated to date there were no repairs and the utilities were disconnected in April 2005. He stated in the past 24 months there were six calls for 911 service. He stated there were no code violations with no pending assessments. He stated the low bid for demolition was \$960.00.

205 Deep Creek Road

Mr. Swanson stated the structure was a vacant residential home. He stated the structure was inspected and condemned as a blighted structure on August 15, 2011. He stated the owner attended the initial hearing and in a subsequent hearing an order to repair or demolish was issued. He stated to date there were no repairs and the utilities were disconnected in September 2008. He stated in the past 24 months there were seven calls for 911 service. He stated there were two code violations with a pending assessment of \$196.55. He stated the low bid for demolition was \$1,300.00.

2683 Eldorado Road

Mr. Swanson stated the structure was an unfinished residential home. He stated the structure was inspected and condemned as a dangerous structure on June 29, 2011. He stated the owner attended the initial hearing and in a subsequent hearing an order to repair or demolish was issued. He stated to date there was little repair done and the utilities were disconnected in February 2008. He stated in the past 24 months there were no calls for 911 service. He stated there were three code violations with no pending assessments. He stated the low bid for demolition was \$679.00.

402 S. Plymouth Street

Mr. Swanson stated the structure was a vacant residential home. He stated the structure was inspected as a blighted structure on August 31, 2011. He stated the owner did not attend the initial hearing and in a subsequent hearing an order to repair or demolish was issued. He stated to date there were no repairs to the structure and the utilities were disconnected in January 2011. He stated in the past 24 months there was one call for 911 service. He stated there were two code violations with no pending assessments. He stated the low bid for demolition was \$1,400.00.

1431 Rhone Street

Mr. Swanson stated the structure was a vacant residential home. He stated the structure was inspected and condemned as a blighted structure on July 19, 2011. He stated the owners did not attend the initial hearing and in a subsequent hearing an order to repair or demolish was

issued. He stated to date there were no repairs and there was no record of utilities to the structure. He stated in the past 24 months there were no calls for 911 service. He stated there was one code violation with a pending assessment of \$723.16. He stated the low bid for demolition was \$1,379.00.

Mr. Swanson stated all the properties were sub-standard and detrimental to the surrounding neighborhood and promoted nuisances and blight. He stated the demolition of the structures would be \$7,118.00 and there would be additional costs for asbestos testing and abatement if needed.

A brief discussion period ensued.

Council Member Applewhite requested conducting research on the possibility of some of the structures cited for demolition being restored and rehabilitated.

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 (865 AMYE STREET). ORDINANCE NO. NS2012-001.

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 (1780 CARDINAL CIRCLE). ORDINANCE NO. NS2012-002.

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 (205 DEEP CREEK ROAD). ORDINANCE NO. NS2012-003.

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 (2683 ELDORADO ROAD). ORDINANCE NO. NS2012-004.

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 (402 S. PLYMOUTH STREET). ORDINANCE NO. NS2012-005.

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 (1431 RHONE STREET). ORDINANCE NO. NS2012-006.

MOTION: Council Member Bates moved to approve.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (10-0)

8.0 ADMINISTRATIVE REPORTS

8.1 Monthly statement of taxes for December 2011.

2011 Taxes.....	\$12,216,503.31
2011 Vehicle.....	369,524.55
2011 Taxes Revit.....	35,836.00
2011 Vehicle Revit.....	305.52
2011 FVT.....	44,372.88
2011 Transit.....	44,372.87
2011 Storm Water.....	406,365.68

2011 Fay Storm Water.....	812,731.26
2011 Fay Recycle Fee.....	304,254.34
2011 Annex.....	0.00
2010 Taxes.....	22,830.29
2010 Vehicle.....	48,969.42
2010 Taxes Revit.....	34.34
2010 Vehicle Revit.....	0.37
2010 FVT.....	7,409.11
2010 Transit.....	7,409.12
2010 Storm Water.....	561.23
2010 Fay Storm Water.....	1,122.49
2010 Fay Recycle Fee.....	1,373.92
2010 Annex.....	0.00
2009 Taxes.....	1,687.89
2009 Vehicle	1,725.11
2009 Taxes Revit.....	2.45
2009 Vehicle Revit.....	0.00
2009 FVT.....	415.58
2009 Transit.....	415.57
2009 Storm Water.....	73.09
2009 Fay Storm Water.....	146.19
2009 Fay Recycle Fee.....	269.46
2009 Annex.....	0.00
2008 Taxes.....	1,245.96
2008 Vehicle	774.67
2008 Taxes Revit.....	0.00
2008 Vehicle Revit.....	0.00
2008 FVT.....	148.66
2008 Transit.....	78.65
2008 Storm Water.....	61.15
2008 Fay Storm Water.....	48.00
2008 Fay Recycle.....	84.00
2008 Annex.....	0.00
2007 and Prior Taxes.....	680.20
2007 and Prior Vehicle.....	1,342.56
2007 and Prior Taxes Revit.....	0.00
2007 and Prior Vehicle Revit.....	0.00
2007 and Prior FVT.....	364.12
2007 and Prior Storm Water.....	24.12
2007 and Prior Fay Storm Water.....	0.00
2007 and Prior Annex.....	21.63
Interest.....	12,727.07
Revit Interest.....	7.69
Storm Water Interest.....	83.90
Fay Storm Water Interest.....	135.44
Annex Interest.....	66.40
Fay Recycle Interest.....	209.69
Fay Transit Interest.....	1,091.16
Total Tax and Interest.....	\$14,347,907.11

8.2 Revenue and expenditure report for annually budgeted funds for the three-month period ended September 30, 2011.

9.0 ADJOURNMENT

There being no further business, the meeting adjourned at 9:23 p.m.