

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
SEPTEMBER 22, 2014
7:00 P.M.**

Present: Mayor Nat Robertson

Council Members Kathy Jensen (District 1); Kady-Ann Davy (District 2); H. Mitchell Colvin, Jr. (District 3); Chalmers McDougald (District 4); Robert T. Hurst, Jr. (District 5); William J. L. Crisp (District 6); Lawrence O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp, Jr. (District 9)

Others Present:

Theodore Voorhees, City Manager
Rochelle Small-Toney, Deputy City Manager
Jay Reinstein, Assistant City Manager
Karen McDonald, City Attorney
Randy Hume, Transit Director
Scott Shuford, Development Services Director
Karen Hilton, Planning and Zoning Manager
Craig Harmon, Planner II
David Nash, Planner II
Greg Caison, Stormwater Manager
Gloria Wrench, PWC Purchasing Manager
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Robertson called the meeting to order.

2.0 INVOCATION

The invocation was offered by Reverend Dr. Thomas Greener, Pastor of Camp Ground United Methodist Church.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Mayor Robertson and City Council.

4.0 APPROVAL OF AGENDA

MOTION: Council Member Hurst moved to approve the agenda moving Item 8.06 before Item 8.01.

SECOND: Council Member Arp

VOTE: UNANIMOUS (10-0)

5.0 ANNOUNCEMENTS AND RECOGNITION

Council Member Hurst thanked all 70 volunteers that worked on the Cross Creek Clean-Up event and announced almost 4,000 pounds of debris was removed from the area.

Mayor Robertson presented a Certificate of Recognition to Ms. Alysia Faith Allen for co-writing a book about growing up to be anything you want to be.

6.0 REPORTS FROM BOARDS AND COMMISSIONS

6.1 Fayetteville Advisory Committee on Transit (FACT) Report

Mr. Jeff Thompson, FACT Chair, presented the FACT Annual Report to the City Council and provided an overview of the Transit Development Plan Update, Fare Change, Shelters and Benches, Security on Buses, New Routes, and Non-Tax Revenue Sources.

6.2 City of Fayetteville Stormwater Advisory Board - 2014 Annual Report

Mr. Evan Briscoe, Stormwater Advisory Board Chair, presented the Stormwater Advisory Board Annual Report and stated the Stormwater Management Program is a two-part program that handles both stormwater quality and quantity. The Stormwater Division, who oversees the Program, and the Engineering Division work closely together to deliver the Stormwater Management Program. Mr. Briscoe announced the current vacancies on the Board.

Mayor Pro Tem Davy asked if longer terms would be an improvement to serving on the Board.

Mayor Robertson asked Council Member Hurst, Appointment Committee Chair, to look into increasing the length of the term.

6.3 Taxicab Review Board Annual Report

Mr. Carl McCartney, Taxicab Review Board Chair, presented the Taxicab Review Board Annual Report and stated the Taxicab Review Board considers appeals of certain decisions by the Taxicab Inspector, primarily the suspension or revocation of the certificate of convenience issued to taxicab operators. The certificate is a requirement for operating a taxi in the City of Fayetteville. Certificates of convenience can be suspended or revoked for a variety of reasons including failure to maintain the taxi and associated equipment in good working order, failure to post or follow established fares, failure to maintain liability insurance, and failure to properly maintain the condition and appearance of the taxicab. The Board's purpose is to ensure an opportunity for review of such decisions by the Taxicab Inspector.

Council Member Hurst stated the Legal and Developmental Services Departments are in the process of updating the taxicab ordinance.

Mr. McCartney suggested taxicab riders be included in the make-up of the Board.

7.0 CONSENT

MOTION: Council Member Arp moved to approve the consent agenda with the exception of Item 7.10; removed for discussion at a work session meeting.

Second: Council Member McDougald

VOTE: UNANIMOUS(10-0)

7.1 Approval of Meeting Minutes:

August 11, 2014 - Regular Meeting

August 25, 2014 - Regular Meeting

September 8, 2014 - Regular Meeting

7.2 P14-24F. The initial zoning, of property to be annexed, to a LI - Light Industrial district for property located at 176 Airport Road, and being the property of Vance Johnson Plumbing, Inc.

7.3 P14-25F. The initial zoning, of property to be annexed, to a SF-10 - Single Family Residential district for property located in Stonegate Subdivision, and being the property of Carolyn R. Armstrong.

7.4 P14-26F. The rezoning of property from SF-10 Single Family Residential to SF-6/CZ Single Family Conditional Zoning District or to a more restrictive district, located at 7510 E. Netherland Drive, and being the property of 21st Century Rentals LLC.

7.5 P14-28F. Rezoning initiated by the City of Fayetteville from CC Community Commercial to SF-10 Single-Family Residential or to a more restrictive district, located at 6307 & 6309 Whitehall Drive, and being the property of Betty J Sheptak and Lendell D III White and wife Lashawn.

7.06P14-37F. The rezoning of property from LC - Limited Commercial and MR-5 - Mixed Residential to LC - Limited Commercial and MR-5 Mixed Residential district, located at 1111 and 1111 ½ Bragg Boulevard, and being the property of Saints Constantine and Helen Greek Orthodox Church, Inc.

7.07 Request for Legal Representation of City Employee

Police Officer Luther Huff is employed by the City of Fayetteville. Officer Huff has been named as a Defendant in a lawsuit by Lanita Ray as a result of alleged injuries she sustained from a vehicle accident involving a police vehicle driven by Officer Huff. Officer Huff was acting in the scope and course of his employment with the City when the accident occurred. Officer Huff has requested legal representation pursuant to N.C.G.S. § 160A-167, which provides for the defense of an employee based on acts done within the course and scope of employment.

7.08 Request for Legal Representation of City Employee

Robert Lee Brinkley is employed by the City of Fayetteville in the Environmental Services Department as an Equipment Services Operator, Level 2. Mr. Brinkley has been named as a

Defendant in a lawsuit by Tyrone McFadden as a result of alleged injuries he sustained from a vehicle accident involving a solid waste vehicle driven by Mr. Brinkley. Mr. Brinkley was acting within the scope and course of his employment with the City when the accident occurred. Mr. Brinkley has requested legal representation pursuant to N.C.G.S. § 160A-167, which provides for the defense of an employee based on acts done within the course and scope of employment.

7.09 City Council Policies Relating to PWC Economic Development & Community Support

The City Council adopted City Council Policy No. 115.16, City Council, Public Works Commission Sponsorship Policy, and City Council Policy No. 115.17, Economic Development and Community Support.

7.10 Parks and Recreation - Proposed Smoking Ordinance

This item was removed from the agenda for discussion at a future work session.

7.11 Capital Project Ordinance 2015-12 (2014 Edward Byrne Memorial Justice Assistance Grant Program)

As the fiscal agent for the grant, Cumberland County filed the application on behalf of the City and County. A grant totaling \$158,288.00 was awarded to the City and County. The Fayetteville Police Department and Cumberland County Sheriff's Office will receive \$108,261.00 and \$50,027.00, respectively. A local match is not required. The Police Department will use their portion of the grant to complete the base command center using current state of the art technology which will provide more efficient policing and improve crime investigation and prevention, and downtown monitoring.

7.12 Special Revenue Fund Project Ordinance 2015-5 (2014 City-Wide Gang Prevention Program)

The City has received a grant for the Gang Prevention Program. The program targets youth 10 to 14 years of age and will provide early gang and gun prevention. The \$51,276.00 grant is from the Federal Byrne Justice Assistance Grant Program, passed through the North Carolina Department of Public Safety - Governor's Crime Commission. The required local match of \$17,092.00 will be provided by the City's General Fund. The grant and local match funds will be used to fund salary, benefits, supplies, and a laptop for a licensed social worker who will implement, enhance, and coordinate intervention programs. It will also be used to fund a research partnership with the University of North Carolina and Greensboro who will monitor, evaluate, and provide a written strategic plan which will be shared with law enforcement agencies across North Carolina.

7.13 Bid Recommendation - ArcGIS and ArcFM Solution Upgrade awarded to SSP Innovations, Englewood, CO, the lowest responsive, responsible sole bidder in the amount of \$326,478.93.

7.14 Bid Recommendation - 54,000 lb. GVWR Cab and Chassis with 12 Cubic Yard Dump Body

Bid awarded for purchase of one 54,000 lb. GVWR Cab and Chassis with 12 Cubic Yard Dump Body to Smith International Truck Center, Fayetteville, NC, the lowest responsive, responsible bidder in the total amount of \$102,700.00.

Bids were received August 21, 2014 as follows:

Smith International Truck Center, Fayetteville, NC.....	\$102,700.00
Tri-Point Truck Center, Raleigh, NC.....	\$104,144.00
MHC Cooper Kenworth, Raleigh, NC.....	\$114,222.95

7.15 Bid Recommendation - Cab and Chassis with Service Body and PTO Mounted Compressor

Bid awarded for purchase of one Cab and Chassis with Service Body and PTO Mounted Compressor to Smith International Truck Center, Fayetteville, NC, the lowest responsive, responsible bidder in the total amount of \$107,555.00.

Bids were received August 21, 2014, as follows:

Smith International Truck Center, Fayetteville, NC.....	\$107,555.00
Piedmont Truck Center, Greensboro, NC.....	\$109,354.00

MHC Cooper Kenworth, Raleigh, NC..... \$109,513.97

7.16 Bid Recommendation - Lakeview Road Sewer and Water Main Replacement

Bid awarded for contract for Lakeview Road Sewer and Water Main Replacement to Sandy's Hauling and Backhoe Service, Inc., Roseboro, NC, the lowest responsive, responsible bidder in the total amount of \$1,048,854.00.

Bids were received August 21, 2014, as follows:

Sandy's Hauling and Backhoe Service, Inc., Roseboro, NC.....\$1,048,854.00
Step Construction, Inc., LaGrange, NC..... \$1,238,098.05

7.17 Award Contract for the Purchase of Three (3) Cab Tractors

Award of contract to Vause Equipment Company, Fayetteville, NC, the lowest responsive, responsible bidder, in the amount of \$110,040.00, for the purchase of three tractors.

Bids were received August 26, 2014 as follows:

Clinton Truck & Tractor, Clinton, NC..... \$102,731.85
Vause Equipment Company, Fayetteville, NC..... \$110,040.00
Atlantic & Southeast Equipment, LLC, Goldsboro, NC..... \$112,860.00

Upon evaluation by staff, the bid from Clinton Truck & Tractor was determined to be nonresponsive. Bidders were required to complete and submit, with their bid, a specification checklist indicating whether or not the bid did or did not meet each requirement of the specifications. The bid from Clinton Truck & Tractor did not include this checklist; therefore, staff could not determine whether the bid was compliant with the City's specifications.

7.18 Award Contract for the Purchase of Two (2) Wide Area Zero Turn Mowers to Southeast Farm Equipment in the amount of \$101,810.78

The City's FY 2015 budget includes funds to purchase two wide area zero turn mowers for the Parks and Recreation Department.

Formal bids for the purchase of these mowers were received August 21, 2014, as follows:

Quality Equipment, LLC, Clinton, NC..... \$101,806.90
Southeast Farm Equipment, Hope Mills, NC..... \$101,810.78

Upon evaluation by staff, the bid from Quality Equipment, LLC was determined to be nonresponsive. Bidders were required to complete and submit, with their bid, a specification checklist indicating whether or not the bid did or did not meet each requirement of the specifications. The bid from Quality Equipment included the checklist, however, it was not filled out; therefore, staff could not determine whether the bid was compliant with the City's specifications.

8.0 PUBLIC HEARINGS

8.6 Annexation of Part of One Parcel-Adjacent to Stonegate-Section 4

Mr. David Nash, Planner II, presented this item with the aid of a PowerPoint presentation and stated the Stonegate Subdivision is located on the northern side of the City, on the northern side of Andrews Road, across from Pine Forest Senior High School. Stonegate was annexed as a satellite in 2004. Stonegate is being developed in sections. Section 4 will be on the western side of the subdivision. According to the developer's engineer, construction has started on Section 4. The developer's engineer has recently realized that a small part of the land that will be developed as Section 4 is not yet inside the City. Therefore, the owners (Carolyn and George Armstrong) submitted an annexation petition on June 25, 2014. The petition form was for a contiguous area. Although the area requested for annexation is contiguous to the City, it is contiguous to a satellite area. Therefore, the City is treating this request as a noncontiguous (satellite) annexation. The area requested for annexation consists of around .68 acre; it is part of one adjacent tax parcel (PIN 0531-33-1295). This small area is basically the rear of five proposed lots in Section 4. On the Site Plan Map of Section 4, these lots are shown as Lot Numbers 288-292. However the area requested for annexation takes up at least half of the area of only two of the five lots. Therefore, it is assumed that only two housing units will be built in the area, when development occurs. According to the developer's engineer, it is expected that it will take approximately two and a half years for Section 4 to be built-out. It is assumed that the two housing units will be started on October 1, 2016, and completed by April 30, 2017. On August

12, 2014, the Zoning Commission held an initial zoning public hearing for this area. The City's Real Estate staff has found the petition to be sufficient. City operating divisions and PWC divisions have reviewed the proposed annexation and they should be able to serve the property. Departments note that they can absorb individual annexations with no costs. However, as annexations continue, the City must recognize that staffing recommendations may require adjustment based on not just one annexation but the impact of multiple annexations over a period of time.

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 TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA - Part of One Parcel Adjacent to Stonegate - Section 4, PIN 0531-33-1295. ANNEXATION ORDINANCE NO. 2014-09-558

MOTION: Council Member Jensen moved to adopt the ordinance annexing the area with an effective date of September 22, 2014, and establish the initial zoning consistent with the prior action on the zoning case.

Second: Council Member Arp

VOTE: UNANIMOUS (10-0)

8.1 P14-23F. The issuing of a Special Use Permit to allow a property located in a LC - Limited Commercial district to be used as a single family residence, located at 2242 Hope Mills Road, and being the property of Mark Warren.

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated this property is located along Hope Mills Road across from a mini-storage warehouse facility. This property is surrounded on three sides by residential zoning and uses. In 2002 the property was rezoned to a commercial district and was used as a daycare center for many years. In May of this year, Ms. Katrina Hurley moved into the house on this property and is currently using it as a residential unit. Shortly after moving into the home, Ms. Hurley was informed by the City Code Enforcement Division that single-family residences are not allowed in the LC (Limited Commercial) district without a Special Use Permit (SUP). The owner of this property would like to maintain the future ability to reuse this property for commercial purposes, which is why they did not apply for a rezoning. On August 12, 2014, the Zoning Commission held a public hearing on this case. There were no speakers present. The Commission voted 5 to 0 to recommend approval.

The Zoning Commission and City staff recommends approval of the proposed SUP based on:

- 1.The back and both sides of this property are zoned and used as residential units.
- 2.This lot is not deep enough to support a large or intense commercial use.
- 3.Retaining the LC zoning will allow this property to easily transition to a small commercial use, such as a daycare, when conditions warrant it.

Mr. Harmon stated the Special Use Permit must meet the following findings of fact:

- 1.The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards;
- 2.The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- 3.The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration;
- 4.The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands;
- 5.The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
- 6.The special use maintains safe ingress and egress onto the site and safe road conditions around the site;
- 7.The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and

8.The special use complies with all other relevant City, State, and Federal laws and regulations.

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.

Council Member Crisp stated he wished to clarify that approving this request provides the owner with additional options.

MOTION: Council Member Crisp moved to approve the Special Use Permit to allow a single-family residential use in a Limited Commercial Zoning District, as presented by staff, based on the findings of fact.

Second: Council Member Colvin

VOTE: UNANIMOUS (10-0)

8.2 P14-27F. The issuing of a Special Use Permit to allow for outdoor storage and sales in a CC - Community Commercial district, located at 511 Middle Road, and being the property of Wrathel Mitchell and Wife.

Mayor Pro Tem Davy asked to be recused from this item, stating she will be unable to reach an unbiased opinion.

MOTION: Council Member McDougald moved to recuse Mayor Pro Tem Davy from Item 8.2.

Second: Council Member Wright

VOTE: UNANIMOUS (9-0)

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated this property is located at the intersection of Middle and Dunn Roads. In the past this property has been used as a garage and parking area for large vehicles, mainly tractor trailers. Since the current tenants have started using the property, it has been cleaned up greatly. Currently there is a family counseling center on the property (in a renovated house) and an industrial size garage, currently used for storage. This is all located on a fairly large, 10 acre tract. This SUP would allow the owners to sell storage buildings on this property as well. These are buildings similar to what are found at home improvement stores such as Lowes or Home Depot. On August 12, 2014, the Zoning Commission held a public hearing on this case. There were no speakers in favor (the applicants arrived late) and one was in opposition. This speaker voiced concerns regarding the proximity of this use to her property and an increase in traffic that may occur on Middle Road. The Commission voted 5 to 0 to recommend approval.

Conditions of approval as suggested by the Zoning Commission:

- 1.All outdoor storage areas to be screened as required by a UDO Type D buffer.
- 2.No outdoor storage/sales areas shall be closer to the road right-of-way than the front facade of the auto repair garage.
- 3.No outdoor storage/sales areas shall be closer than 50 feet from the property's northernmost property line.
- 4.No construction of storage buildings on this site.
- 5.Operating hours of 9:00 a.m. to 6:00 p.m.
- 6.No more than 20 storage buildings on display at one time.

Subsequent to this meeting, the applicants met with the City staff to voice their concerns regarding some of the conditions that were recommended by the Zoning Commission, mainly conditions 1 and 2. In condition 1, a Type D buffer would prevent any visibility of the storage buildings from Middle Road, which would make them practically unsellable. Condition 2 above would place the sales area more than 300 feet from the road right-of-way. Since the Zoning Commission meeting staff has worked with the applicant to develop alternative conditions to numbers 1 and 2.

The following alternative conditions were recommended by staff:

- 1.A street yard buffer at least 25 feet wide would be placed along Middle Road. This street yard buffer would consist of a continuous evergreen hedge planted with a minimum 12 inch height above grade at the time of planting and canopy trees spaced 25-40 feet apart.
- 2.The sales area would be limited to the area shown in purple on the "SUP Conditions Map".

This area would be no closer to the right-of-way of Middle than the front façade of the existing

house (approximately 85 feet). To the property to the north, this area would be no closer than 300 feet and no closer than 30 feet from the property to the south.

The Zoning Commission and City staff recommends approval of the proposed SUP based on (1) this property is zoned for heavy commercial, (2) the City's Land Use Plan calls for Heavy Industrial uses to both the north and south, and (3) based on meeting the requirements of the City Ordinances and the conditions listed above.

Mr. Harmon stated the Special Use Permit must meet the following findings of fact:

- 1.The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards;
- 2.The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- 3.The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration;
- 4.The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands;
- 5.The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
- 6.The special use maintains safe ingress and egress onto the site and safe road conditions around the site;
- 7.The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and
- 8.The special use complies with all other relevant City, State, and Federal laws and regulations

This is the advertised public hearing set for this date and time. The public hearing was opened.

Ms. Joy Innis, 511 Middle Road, Fayetteville, NC 28312, appeared in favor and requested Council approve the request for a Special Use Permit. Ms. Innis provided a PowerPoint presentation pertaining to Johari Equipment and Sales.

Mr. Steven Van Hook, 511 Middle Road, Fayetteville, NC 28312, appeared in favor.

Mr. Bob Bennett, 202 Gillespie Street, Fayetteville, NC, appeared in favor and said he would like to get the site plan approved without delay, and stated he was on board to help Ms. Innis and Mr. Van Hook accomplish this and further stated he does not see any detrimental effect to any of the surrounding properties.

Mr. Joseph Howell, attorney, appeared in opposition on behalf of the property owner, Ms. Page Farrell and stated this project was originally presented as 18 models total, and now we hear it is 60 units and delivery on site, this will increase traffic significantly.

There being no further speakers, the public hearing was closed.

Council Member Crisp asked what the recommended number of models for the site is. Mr. Harmon stated the applicant has asked for 25, staff is recommending 20 units.

Council Member Colvin stated the applicant had said approximately 25 units.

Council Member Wright asked how the models were going to be set up. Mr. Van Hook stated the site plan will reflect the lay out; the regional manager for Johari Equipment and Sales will determine the positioning.

Council Member Jensen asked if 20 models would be sufficient. Ms. Innis responded it would.

Mayor Robertson clarified that the motion called for 25 models.

MOTION: Council Member Arp moved to approve the Special Use Permit to allow for outdoor storage and sales in a CC - Community Commercial district, with the six conditions listed, using alternatives 1 and 2, allowing for 25 models, as presented by staff and based on the findings of fact.

Second: Council Member Wright

VOTE: PASSED by a vote of 8 in favor to 1 in opposition (Council Member Crisp) (Mayor Pro Tem Davy abstaining)

8.3 P14-29F. The issuing of a Special Use Permit to allow for towing business in a CC - Community Commercial district, located between 508 & 514 S. Eastern Blvd, and being the property of Homer W. Walker.

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated this property is located along Eastern Boulevard between two existing businesses. The properties to the north and west are zoned and used for industrial purposes. The property to the south which is zoned CC has a chroming/metal restoration business on it. The only use around this property that is not heavy commercial or industrial in nature is a set of apartments connected to the Hope VI project. This property is in a Gateway Corridor for the City and any proposed signs will be of particular interest. A second issue is that this property has two street frontages.

Conditions of approval as suggested by staff:

- 1.All outdoor storage areas to be screened with a type D or similar screening, as defined in the UDO.
- 2.All outdoor storage/sales areas shall be in the rear of the property, as is the outdoor storage area for the adjacent welding company.
- 3.Attached site sketch.
- 4.Meeting all other development standards in the City Code Article 30.

On August 12, 2014, the Zoning Commission held a public hearing on this case. There was one speaker in favor and none in opposition. The Commission voted 5 to 0 to recommend approval of this case.

Mr. Harmon stated the Special Use Permit must meet the following findings of fact:

- 1.The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards;
- 2.The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- 3.The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration;
- 4.The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands;
- 5.The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
- 6.The special use maintains safe ingress and egress onto the site and safe road conditions around the site;
- 7.The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and
- 8.The special use complies with all other relevant City, State, and Federal laws and regulations.

This is the advertised public hearing set for this date and time. The public hearing was opened.

Mr. Homer Walker, P.O. Box 133, Fayetteville, NC 28302, appeared in favor and requested Council approve the request for a Special Use Permit.

Council Member Hurst asked how many vehicles are stored on the property. Mr. Walker responded they could store approximately 35 to 40 vehicles, but normally there are only 8 to 10 vehicles.

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

MOTION: Mayor Pro Tem Davy moved to approve the Special Use Permit to allow a towing business in a CC - Community Commercial district, with conditions, as presented by staff, based on the findings of fact.

Second: Council Member Colvin

VOTE: UNANIMOUS (10-0)

8.4 P14-19F. The rezoning of property from SF-15 Single Family Residential to MR-5/CZ Conditional Zoning District or to a more restrictive district, located at 7009-7015 Fillyaw Road, and being the property of Kenneth A. McKethan Jr.

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated the owner of this property has submitted a conditional rezoning request to build no more than 96 apartment units on these 14.92 acres, where 292 units would normally be allowed under the proposed MR-5 zoning district (47 units allowed under current zoning).

This property is surrounded by a mix of uses including SF-10 (Single Family), MR-5 (Designated open space for the apartments to the north east), and SF-6 (Apartments). The applicant has not submitted a proposed site plan, but they have submitted a list of conditions and a transportation Impact Analysis (TIA). The TIA calls for 100-foot tapered turn lanes coming from both directions. Additionally a minimum of 5.32 acres will be set aside as open space (1.49 acres are required). The applicant has also conditioned that the setback along the north and east edges of the property will be increased by 10 feet. Even with the TIA that has been submitted, traffic remains a major concern. In advance of the public hearing, some residents have also expressed concern about the density of this proposal. The latter concern could be reduced by more effective screening on perimeter to the Single Family and using plantings, fencing, and building orientation with the other building(s) at the front edge to minimize the sense of scale. Conditions offered by the applicant include (1) an attached landscaping plan along Fillyaw Road, (2) a reduction in allowed number of units to 96, (3) an increase on the east side setback by an additional 10 feet. On July 8, 2014, the Zoning Commission held a public hearing on this item. There were four speakers in favor and three in opposition of this case. The Zoning Commission denied this case with a vote of 3 to 2. Subsequently the applicant filed an appeal to this case, to send it to the City Council.

The Zoning Commission denied this proposed rezoning based on:

1. Scale and Location: The uses and zoning district to both sides and across Fillyaw Road are low-density single-family residential.
2. Land Use Plan calls for low-density residential development.
3. There is no substantial difference to the rezoning that was denied by the Zoning Commission and City Council in 2012.
4. Amount of new traffic at a blind spot on Fillyaw Road remains a problem.

Mr. Harmon stated a protest petition has been filed by surrounding property owners; it has been found to be sufficient and is valid, therefore a super majority vote would be required to approve this request for rezoning.

This is the advertised public hearing set for this date and time. The public hearing was opened.

Mr. Thomas Neville, 115 E. Russell Street, Fayetteville, NC, appeared in favor and stated he is the attorney representing the property owner.

Mr. Chris Pusey, 409 Chicago Drive, Fayetteville, NC, appeared in favor and stated he is the engineer for the proposed project.

Mr. Dan Cumbo, 220 Old Dairy Road, Wilmington, NC 28408, appeared in favor and stated he is a traffic engineer with Davenport Traffic Consulting; the company the property owners contracted to have a traffic study completed.

Mr. Emmett Dover, 6463 Freeport Road, Fayetteville, NC 28301, appeared in opposition and stated he is the neighborhood community watch commander for this neighborhood.

Ms. Jackie Tuckey, 7002 Marquis Place, Fayetteville, NC, appeared in opposition and stated she wanted to maintain the integrity of the neighborhood and requested Council deny the request for rezoning.

Mr. Irving Maxwell, 7113 Fillyaw Road, Fayetteville, NC, appeared in opposition and stated he and his wife strongly oppose the rezoning request for a 96-unit apartment complex.

Ms. Sara Williams, 7131 Fillyaw Road, Fayetteville, NC, appeared in opposition and stated currently it is virtually impossible to get in or out of driveways on Fillyaw Road, and asked Council to deny the request.

Mr. Chris North, 902 Penwalk Court, Fayetteville, NC 28303, appeared in opposition and stated he and his wife have been residents of the Summerhill neighborhood for almost 30 years and rezoning of the property to allow for an apartment complex would downplay the quality

of life.

Mr. Calvin Dalton, 623 Wakefield Drive, Fayetteville, NC, appeared in opposition and stated he and his wife have lived in the Summerhill neighborhood since 1981, and requested Council deny the request for rezoning.

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

MOTION: Council Member McDougald moved to deny the request for rezoning.

Second: Council Member Mohn

VOTE: UNANIMOUS (10-0)

Mayor Robertson called for a five-minute recess at 9:10 p.m. Mayor Robertson reconvened the meeting at 9:15 p.m.

8.5 P14-30F. The rezoning of property from SF-10 - Single Family Residential to LC - Limited Commercial district, located at 7501 Ascot Avenue and being the property of Sugin Kim Mendenhall. (by appeal)

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated this property is located at the southwest corner of Reilly Road and Ascot Avenue. The City's Land Use Plan calls for a split of residential and commercial zoning districts. The Plan calls for the commercial zoning to stop where it does currently. In 2006 this same owner applied to rezone the entire property to commercial. The City Council voted to split zone the property to the districts that are shown today. There has been no change to the surrounding neighborhood or City long-range plans that seems to change the same proposal that was denied in 2006. On August 12, 2014, the Zoning Commission held a public hearing regarding this case. There were two speakers in favor and two in opposition. The Commission voted 4 to 1 to deny this case. Subsequent to this hearing an appeal was filed by the applicant to send this case to the City Council.

The Zoning Commission and City staff recommends denial of the proposed rezoning based on:

1. There is no substantial difference to the rezoning that was denied by the City Council in 2006.
2. The Land Use Plan calls for a split of zoning districts between low density residential development on the west half and light commercial on the east half.
3. Extension of the commercial district would begin to encroach into the single family residential development to the west.

Council Member Colvin asked when the Land Use Plan was developed. Mr. Harmon responded it was in the late 1990s. Council Member Colvin stated that the demographics have changed significantly since that time. How do we know that this particular business has not grown along with the population and now needs additional space.

Council Member Arp stated he believed this zoning case had been denied about two years ago. Mr. Harmon stated he did not recall this case being presented to Council over that time frame.

Council Member Crisp stated he recalls discussion of this zoning request, but the owner may have withdrawn their request for the rezoning over the past two years. Mr. Harmon stated this request may have earlier been filed under Reilly Road rather than Ascot Avenue.

Council Member Hurst asked if the Zoning Commission decision to deny the rezoning was unanimous. Mr. Harmon responded it was not.

This is the advertised public hearing set for this date and time. The public hearing was opened.

Mr. George Rose, 1206 Longleaf Drive, Fayetteville, NC 28305, appeared in favor and stated he is the engineer for the proposed project and stated the request for rezoning is only one lot deep, and said the access onto Ascot Avenue will not be a significant change.

Council Member Crisp asked why they were asking for access on Ascot Avenue instead of off of Reilly Road and expressed concern regarding the encroachment of commercial traffic on residential streets. Mr. Rose responded NCDOT is trying to limit access onto Reilly Road as they prefer traffic go out onto Ascot Avenue. Council Member Crisp stated that 99 percent of customers utilizing the business are coming from Reilly Road, not Ascot Avenue.

Council Member McDougald stated there is already access from Ascot Avenue and residents are concerned about the high volume of traffic in this housing area especially during rush hour time frames.

Council Member Wright asked what type of business the property owner would want to place in the adjacent lot. Mr. Rose responded it would be to expand the current business.

Ms. Kathleen Tannehill, 7514 Ascot Avenue, Fayetteville, NC 28303, appeared in opposition and stated she has a small petition that she handed to the City Clerk. Ms. Tannehill stated she has lived in the neighborhood since 1981, and expressed concerns regarding potential increase in traffic.

Ms. Nancy Torres, 7584 Deerwood Drive, Fayetteville, NC 28303, appeared in opposition and stated she is the community watch president for this neighborhood and has been for the past 13 years. Ms. Torres stated the residents are concerned about increased traffic problems and encroachment of commercial properties into residential neighborhoods.

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

Mayor Pro Tem Davy stated the 2010 Land Use Plan is out of date and stated she believed the property owner just wants to make the access to the business safer.

Council Member Mohn asked Mr. Scott Shuford, Development Services Director, about the surplus of commercial properties that are currently underutilized that Mr. Shuford has presented a number of times. Council Member Mohn stated it seems there has been a policy of taking single-family zones and rezoning into commercial properties. Mr. Shuford cautioned rezoning these types of properties without providing restrictions of what types of businesses can operate in them. This type of rezoning would allow for fast food or convenience store businesses.

Council Member Crisp stated this is a case of encroachment into a residential neighborhood.

Mayor Pro Tem Davy asked Mr. Shuford if a different zoning from Limited Commercial (LC) would be more appropriate for this rezoning case. Mr. Shuford responded Council could table this item and ask the property owner to return with a revised rezoning request for a conditional zoning district.

MOTION: Council Member McDougald moved to deny the request for rezoning.

Second: Council Member Mohn

Mayor Pro Tem Davy asked if Council Member McDougald would consider amending his motion to allow for further discussion by tabling the item. Council Member McDougald responded the applicant has not requested as such, and the applicant is not in attendance. Council Member McDougald declined to amend the motion.

VOTE: PASSED by a vote of 6 in favor to 4 in opposition (Council Members Davy, Colvin, Hurst, and Wright)

8.7 Annexation of Vance Johnson Plumbing, Inc Property-176 Airport Road

Mr. David Nash, Planner II, presented this item with the aid of a PowerPoint presentation and stated the property requested for annexation is on the southern side of Airport Road, west of the Fayetteville Regional Airport. It is across the street from the Federal Express facility. It is about 400 feet west of the intersection of Aviation Parkway. The property, which is currently vacant, is owned by Vance Johnson Plumbing, Inc. Mr. Johnson plans to construct a new building on the property soon; he then plans to move his plumbing company from its current location into the new building. PWC water and sewer lines are available in front of the property. The property is in the Fayetteville MIA. Mr. Johnson submitted a petition requesting annexation on July 3, 2014. Mr. Johnson requested a satellite annexation, because the property is not contiguous to the City. However, the property can be made contiguous by adding a section of road right-of-way that separates the property from the City limits across the street. The request is being treated as a contiguous area. The property consists of one tax parcel; the calculated acreage of the parcel is 2.54 acres. The total size of the proposed annexation area is approximately 3.96 acres; this includes approximately 1.42 acres of road right-of-way to be added. On August 12, 2014, the Zoning Commission held its initial zoning public hearing on this area.

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 TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA Vance Johnson Plumbing, Inc. Property – 176 Airport Road 4 PIN: 0435-13-6863. ANNEXATION ORDINANCE NO. 2014-09-559

MOTION: Council Member McDougald moved to adopt the ordinance annexing the area effective September 22, 2014, and establish the initial zoning consistent with the prior action on the zoning case.

Second: Council Member Wright

VOTE: UNANIMOUS (10-0)

8.8 Adoption of a revised City of Fayetteville-Hope Mills Annexation Agreement that also adjusts the line where it splits a large parcel near Lakewood and Fisher Roads.

Mr. David Nash, Planner II, presented this item with the aid of a PowerPoint presentation and stated the original annexation agreement between the City of Fayetteville and Hope Mills was adopted by ordinance on August 23, 2010, by the City of Fayetteville and on October 4, 2010, by the Town of Hope Mills. This agreement designated a boundary line dictating the limits to which Fayetteville and Hope Mills could annex property. N.C.G.S. 160A-58.24(d) provides that an annexation agreement may be terminated or modified by a subsequent agreement entered into by all the participating cities to the agreement. The original annexation agreement provided for this as well. The purpose of the attached agreement is two-fold: (1) to modify for consistency with state law and all elements necessary for a valid annexation agreement and (2) to modify in one area, south of the intersection of Fisher Road and Lakewood Road, the existing annexation boundary line created by the original agreement. As approved in 2010, the current municipal agreement line bisects a large parcel that has recently been proposed for a new subdivision development. An annexation petition is pending submittal to Hope Mills since the bulk of the proposed development (over 250-260 lots of the proposed 320) is already within the Hope Mills annexation area. To change the line by more than 150 feet, the agreement must be amended following a public hearing and adoption of the amending ordinance by both municipalities. The adjustment moves the line westward, beginning at Fisher Road, to coincide with property lines between the large parcel and the existing neighborhood to the west, Birchcreek, thence south, across a stream and wetlands, to the northwest corner of another existing subdivision already in Hope Mills. The attached Agreement includes Attachment B, detailing this change; this change is also made to maps A5 and A6 attached to the Agreement. Splitting the subdivision with the existing line would create complex and inefficient delivery of services and taxation issues and contradict the intent of state annexation legislation to avoid splitting a subdivision. Site characteristics limit the development area on the very southern portion of this large parcel and help define that portion of an adjusted line. Alternative access points are available to this remaining southern portion below the Birch Creek neighborhood.

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 APPROVING AN ANNEXATION AGREEMENT (City of Fayetteville and Town of Hope Mills). ORDINANCE NO. NS2014-023

MOTION: Council Member Crisp moved to adopt the ordinance with an effective date of September 22, 2014.

Second: Council Member McDougald

VOTE: UNANIMOUS (10-0)

9.0 OTHER ITEMS OF BUSINESS

9.1 Uninhabitable Structures Demolition Recommendations

Mr. Scott Shuford, Development Services Director, presented this item with the aid of a PowerPoint presentation and multiple photographs of the properties. He stated staff recommends adoption of the ordinances authorizing the demolition of the structures. He reviewed the following demolition recommendations:

5106 Cannon Street

The structure is a vacant residential home that was inspected and condemned as a blighted structure on June 5, 2014. A hearing on the condition of the structure was conducted on June

18, 2014, in which the owner failed to attend. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on June 19, 2014. To date there has been no repairs to the structure. The utilities on this structure have been disconnected since May 14, 2009. In the past 24 months there have been no calls for 911 services to the property. There have been 6 code violations cases with \$625.49 in City lot cleaning assessments and \$1,954.68 in outstanding taxes. The low bid for demolition is \$6,445.00.

714 Deep Creek Road

The structure is a vacant fire damaged residential home that was inspected and condemned as a dangerous structure on March 11, 2014. A hearing on the condition of the structure was conducted on April 9, 2014, in which an owner heir attended. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on April 10, 2014. To date there has been no repairs to the structure. The utilities on this structure have been disconnected since February 11, 2014. In the past 24 months there have been 6 calls for 911 services to the property. There have been 3 code violations cases with no pending City assessments or outstanding taxes. The low bid for demolition is \$2,500.00.

1090 Essex Place

The structure is a vacant residential home that was inspected and condemned as a blighted structure on March 7, 2014. A hearing on the condition of the structure was conducted on March 19, 2014, in which the owner responded. A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owner on March 20, 2014. To date there have been no repairs to the structure. The utilities on this structure have been disconnected since January 17, 2013. In the past 24 months there have been no calls for 911 services to the property. There have been 2 code violations cases with no pending City assessments and \$1,271.29 in outstanding taxes. The low bid for demolition is \$2,900.00.

342 Harrison Street

The structure is a vacant residential home that was inspected and condemned as a blighted structure on May 1, 2014. A hearing on the condition of the structure was conducted on May 22, 2014, in which the owner failed to attend. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on March 23, 2014. To date there have been no repairs to the structure. The utilities on this structure have been disconnected since September 23, 2002. In the past 24 months there have been 8 calls for 911 services to the property. There have been no code violations cases with no pending City assessments and \$1,240.35 in outstanding taxes. The low bid for demolition is \$1,600.00.

344 Harrison Street

The structure is a vacant residential home that was inspected and condemned as a dangerous structure on May 1, 2014. The structure has a defective roof at the front of the building that is collapsing. A hearing on the condition of the structure was conducted on May 22, 2014, in which the owner failed to attend. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on March 23, 2014. To date there have been no repairs to the structure. The utilities on this structure have been disconnected since December 1, 2000. In the past 24 months there have been 8 calls for 911 services to the property. There have been no code violations cases with \$156.29 in pending City lot cleaning assessments and \$470.74 in outstanding taxes. The low bid for demolition is \$1,300.00.

704 Pritchett Road

The structure is a fire damaged vacant residential home that was inspected and condemned as a dangerous structure on February 20, 2014. A hearing on the condition of the structure was conducted on March 5, 2014, in which the owner failed to attend. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on March 6, 2014. To date there has been no repairs to the structure. The utilities on this structure have been disconnected since December 16, 2013. In the past 24 months there have been 7 calls for 911 services to the property. There have been 5 code violations cases with no City lot cleaning

assessments and no outstanding taxes. The low bid for demolition is \$3,000.00.

317 S. Racepath Street

The structure is a vacant residential home that was inspected and condemned as a blighted structure on April 3, 2014. A hearing on the condition of the structure was conducted on April 23, 2014, in which the owner had responded. A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owner on April 24, 2014. To date there have been no repairs to the structure. The utilities on this structure have been disconnected since January 25, 2010. In the past 24 months there has been one call for 911 services to the property. There have been 5 code violations cases with no pending City assessments and \$3,243.58 in outstanding taxes. The low bid for demolition is \$5,400.00.

2780 Rosehill Road

The structure is a vacant fire damaged residential home that was inspected and condemned as a dangerous structure on April 3, 2014. A hearing on the condition of the structure was conducted on April 23, 2014, in which an owner heir attended. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on April 24, 2014. To date there has been no repairs to the structure. The utilities on this structure have been disconnected since September 5, 2013. In the past 24 months there have been 7 calls for 911 services to the property. There have been 5 code violations cases with no pending City assessments or outstanding taxes. The low bid for demolition is \$3,000.00.

433 Squirrel Street

The structure is a vacant residential home that was inspected and condemned as a blighted structure on June 12, 2014. A hearing on the condition of the structure was conducted on June 25, 2014, in which the owner failed to attend. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on June 26, 2014. To date there have been no repairs to the structure. The utilities on this structure have been disconnected since May 15, 2013. In the past 24 months there have been 6 calls for 911 services to the property. There have been 3 code violations cases with no pending City lot cleaning assessments and no outstanding taxes. The low bid for demolition is \$1,300.00.

436 Squirrel Street

The structure is a vacant residential home that was inspected and condemned as a blighted structure on June 12, 2014. A hearing on the condition of the structure was conducted on June 25, 2014, in which the owner failed to attend. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on June 26, 2014. To date there have been no repairs to the structure. There is no record of utilities disconnection on this structure. In the past 24 months there have been 4 calls for 911 services to the property. There have been 4 code violations cases with no pending City lot cleaning assessments and no outstanding taxes. The low bid for demolition is \$1,200.00.

3612 Tindall Court

The structure is a vacant residential home that was inspected and condemned as a dangerous structure on February 3, 2014. The structure has a failing roof that is collapsing. A hearing on the condition of the structure was conducted on March 5, 2014, in which the owner failed to attend. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on March 6, 2014. To date there has been no repairs to the structure. The utilities on this structure have been disconnected since July 29, 2013. In the past 24 months there have been 3 calls for 911 services to the property. There has been one code violation case with no pending City assessments or outstanding taxes. The low bid for demolition is \$2,800.00.

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 (5106 Cannon

Street, PIN # 0419-40-6119. ORDINANCE NO. NS2014-024

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 (714 Deep Creek Road, PIN # 0446-37-2816). ORDINANCE NO. NS2014-025

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 (1090 Essex Place, PIN # 0428-93-4223) ORDINANCE NO. NS2014-026

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 (342 Harrison Street, PIN # 0437-81-6337). ORDINANCE NO. NS2014-027

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 (344 Harrison Street, PIN # 0437-81-6312). ORDINANCE NO. NS2014-028

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 (704 Pritchett Road, PIN # 0407-13-7642). ORDINANCE NO. NS2014-029

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 (317 S. Racepath Street, PIN # 0447-10-0734). ORDINANCE NO. NS2014-030

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 (2780 Rosehill Road, PIN # 0439-20-8014). ORDINANCE NO. NS2014-031

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 (433 Squirrel Street, PIN # 0418-18-4971). ORDINANCE NO. NS2014-032

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 (436 Squirrel Street, PIN # 0418-18-4740). ORDINANCE NO. NS2014-033

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 (3612 Tindall Court, PIN # 0429-63-5965). ORDINANCE NO. NS2014-034

MOTION: Council Member Wright moved to approve the demolition ordinances, with the exception for properties located at 316 Maloney Avenue and 5800 Pepperbrush Drive; as

alternate actions have taken place on these two properties.

Second: Council Member Mohn

VOTE: UNANIMOUS (10-0)

10.0 ADMINISTRATIVE REPORTS

10.1 Monthly Statement of Taxes - August 2014

2014 Taxes.....	\$2,473,796.60
2014 Vehicle.....	508.28
2014 Taxes Revit.....	2,211.81
2014 Vehicle Revit.....	00.00
2014 FVT.....	55.00
2014 FTT.....	55.00
2014 Storm Water.....	145,090.03
2014 Fay Storm Water.....	261,161.98
2014 Fay Solid Waste Fee.....	108,408.39
2014 Annex.....	0.00
2013 Taxes.....	67,728.64
2013 Vehicle.....	52,512.04
2013 Taxes Revit.....	153.13
2013 Vehicle Revit.....	1.12
2013 FVT.....	6,595.68
2013 FTT.....	6,595.63
2013 Storm Water.....	2,028.75
2013 Fay Storm Water.....	4,057.47
2013 Fay Recycle Fee.....	4,257.97
2013 Annex.....	0.00
2012 Taxes.....	10,154.53
2012 Vehicle.....	3,742.63
2012 Taxes Revit.....	0.00
2012 Vehicle Revit.....	0.00
2012 FVT.....	740.17
2012 FTT.....	740.17
2012 Storm Water.....	448.23
2012 Fay Storm Water.....	896.43
2012 Fay Recycle Fee.....	279.37
2012 Annex.....	0.00
2011 Taxes.....	1,474.53
2011 Vehicle.....	671.55
2011 Taxes Revit.....	0.00
2011 Vehicle Revit.....	0.00
2011 FVT.....	215.82
2011 FTT.....	215.84
2011 Storm Water.....	145.64
2011 Fay Storm Water.....	291.27
2011 Fay Recycle.....	114.00
2011 Annex.....	0.00
2010 and Prior Taxes.....	750.26
2010 and Prior Vehicle.....	1,668.28
2010 and Prior Taxes Revit.....	0.00
2010 and Prior Vehicle Revit.....	0.00
2010 and Prior FVT.....	384.59
2010 and Prior FTT.....	239.29
2010 and Prior Storm Water.....	39.61
2010 and Prior Fay Storm Water.....	67.06

2010 and Prior Fay Recycle Fee.....	106.18
2010 and Prior Annex.....	0.00
Interest.....	15,420.78
Revit Interest.....	2.06
Storm Water Interest.....	235.05
Fay Storm Water Interest.....	465.65
Annex Interest.....	0.00
Solid Waste Interest.....	390.06
Fay Transit Interest.....	1,029.96
Total Tax and Interest.....	\$3,176,146.53

11.0 ADJOURNMENT

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