

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
CITY HALL COUNCIL CHAMBER  
NOVEMBER 10, 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  
Scott Shuford, Development Services Director  
Harold Medlock, Police Chief  
Victor Sharpe, Community Development Director  
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 Marvin Price, Pastor of Common Ground Ministry.

#### **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 Colvin moved to approve the agenda, with the addition of one item; Police Department Updates**

**SECOND: Council Member Crisp**

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

#### **5.0 ANNOUNCEMENTS AND RECOGNITION**

Mayor Robertson announced the 225<sup>th</sup> Anniversary of North Carolina's Ratification of the U.S. Constitution in Fayetteville on November 21, 1789, and stated a ceremony to honor the anniversary will take place on Saturday, November 22, 2014 at the Transportation and Local History Museum.

#### **6.0 PUBLIC FORUM**

Mrs. Ann Mathis, 624 Platinum Street, Fayetteville, NC 2831; announced the Bicycle Man Program; a year round program that relies on donations.

Mr. Edward Banks, 4882 Hurley Drive, Fayetteville, NC 28304; announced the "Caring 7" charity event to feed the homeless.

Dr. Rakesh Gupta, 1880 Quiet Cove, Fayetteville, NC 28304; stated his opposition to Sanderson Farms potentially locating in Fayetteville.

Ms. Amy Jensen, 111 Burns Street, Fayetteville, NC 28301; requested assistance in locating approximately ten acres of land for her Special Needs School.

#### **6.0 STAFF REPORTS**

##### **6.1 Police Department Updates**

Harold Medlock, Police Chief provided an update on Police Department items, and stated the proposed Crime Lab should be operating in Fayetteville by the beginning of 2015. This endeavor is in partnership with Cumberland County Sherriff's Department. Currently the State crime lab is overwhelmed, and City and Sherriff's Departments have more than 1,300 drug and blood samples cases awaiting test results. The lab will be operated by Integrated Forensics

Laboratories Inc., (IFL), in a county owned building with the city and county dividing the cost. IFL staff has said they can clear our backlog in as little as 90 days. Chief Medlock also reported on crime statistics, police employee hires, and the "Next Door" program.

## **6.0 CONSENT**

**MOTION:** Council Member Mohn moved to approve the consent agenda.

**SECOND:** Council Member McDougald

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

### **6.1 Approval of Meeting Minutes:**

**August 20, 2014 - Special Meeting**

**August 25, 2014 - Discussion of Agenda Items**

**September 22, 2014 - Regular**

**October 6, 2014 - Work Session**

**October 20, 2014 - Special Meeting**

**October 22, 2014 - Agenda Briefing**

**6.2 P14-36F. The rezoning of property from SF-6 Single Family Residential and LC Limited Commercial to CC/CZ – Community Commercial Conditional Zoning District or to a more restrictive district, located at the Northwest corner of Santa Fe Drive and All American Expressway, and being the property of Woodruff Corporation.**

**6.3 Budget Ordinance Amendment 2015-4 (General Fund Appropriation for Call Center Consolidation)**

**6.4 Parks and Recreation - Proposed Smoking Ordinance**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING ARTICLE V, PUBLIC PROPERTY, OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO.S2014-019**

**6.5 Request for Legal Representation of City Employee**

Authorization from the City Council to provide legal representation for City employee Aaron Hunt in the matter of the Estate of Nijza L. Hagans v. Aaron Hunt and City of Fayetteville. Mr. Hunt was acting within the scope and course of his employment with the City when the alleged incident occurred.

## **9.0 OTHER ITEMS OF BUSINESS**

**7.1 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:

### **415 Cedric 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 July 9, 2014, in which the owner attended the hearing and indicated that all repairs would be completed. 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 July 10, 2014. To date there has been no repairs to the structure. There is no record of utilities connection for this structure. In the past 24 months there has been one call for 911 service to the property. There have been 5 code violations cases with no City assessments and \$570.54 in outstanding taxes. The low bid for demolition is \$2,945.00.

### **439 Cedric 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 July 9, 2014, in which the owner attended the hearing and indicated that all repairs would be completed. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owner on July 10, 2014. To date there has been no repairs to the structure. The utilities on this structure have been disconnected since September 12, 2007. In the past 24

months there have been 2 calls for 911 service to the property. There have been 7 code violations cases with no City assessments and \$675.11 in outstanding taxes. The low bid for demolition is \$3,745.00

**5111 Haddock 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 attended the hearing and indicated that all repairs would be completed. A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owner on June 19, 2014. To date there has been no repairs to the structure. There is no record of utilities connection for this structure. In the past 24 months there have been 3 calls for 911 service to the property. There have been 9 code violations cases with \$489.89 in City lot cleaning assessments, \$3,159.59 in PWC assessments, and \$646.30 in outstanding taxes. The low bid for demolition is \$2,250.00

**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 (415 Cedric Street, PIN # 0418-19-5016). ORDINANCE NO. NS2014-037**

**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 (439 Cedric Street, PIN # 0418-19-3051, PIN # 0418-19-3051) ORDINANCE NO. NS2014-038**

**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 (5111 Haddock Street, PIN # 0418-19-8084) ORDINANCE NO. S2014-039**

**12.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 8:00 p.m.