

FAYETTEVILLE CITY COUNCIL  
AGENDA  
REGULAR MEETING  
JULY 20, 1992  
7:00 P.M.



*Robinson  
excused*

FAYETTEVILLE CITY COUNCIL  
AGENDA  
REGULAR MEETING  
JULY 20, 1992  
7:00 P.M.

INVOCATION - PLEDGE OF ALLEGIANCE

RECOGNITION: First Place Winners in 5th Grade Division at  
National Invitational Double Dutch Classic

ITEM 1. Approval of Agenda

ITEM 2. Consent:

A. Approve minutes of regular meeting of July 6, 1992.

B. Approve sale of property at 331 and 333 Hay Street  
to Inge Gaspar. *- spec bid - advertise*

C. Award contract for purchase of approximately  
1,320,000 Bill Processing Envelopes (one year's  
supply) to Tension Envelope Corporation, sole bidder  
meeting specifications. (PWC)

D. Adopt resolution declaring cost and ordering  
preparation of preliminary assessment roll and  
setting time and place for public hearing on  
preliminary assessment roll for installation of  
sanitary sewer collection system in: (Public Hearing  
date: August 17, 1992) (PWC)

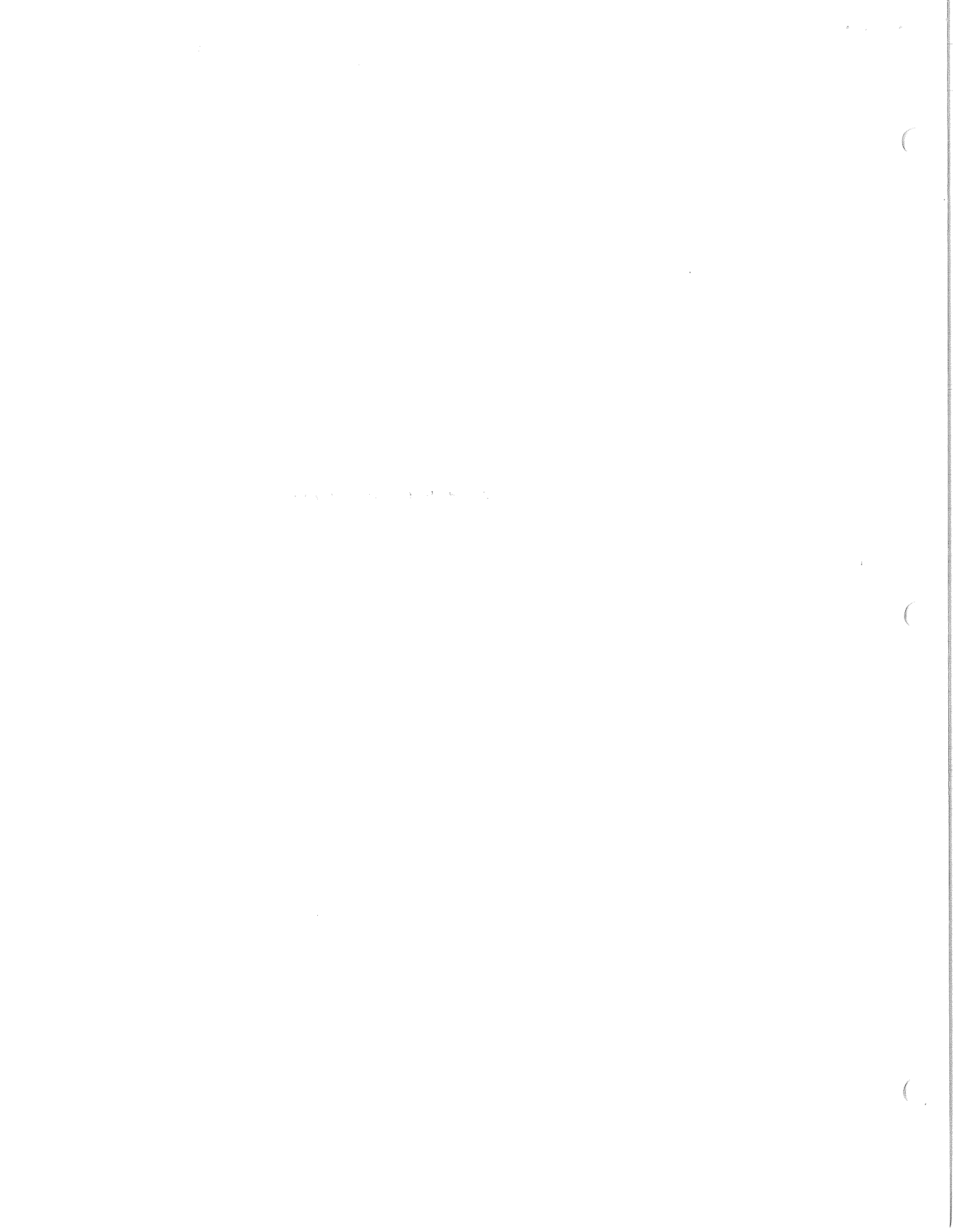
1. Hearthstone Drive
2. Onie Court
3. Morganton Road
4. Maywood Avenue
5. Old Gate Road
6. Docia Circle
7. Merritt Drive
8. Pamalee Drive

*A8/0* -E. Adopt Special Revenue Project Ordinance Amendment  
Number 92-5.

F. Adopt Capital Project Ordinance Amendment Change 93-  
1 (CAP 90-8).

G. Adopt ordinance amending Section 28-43(a), Taxicab  
Ordinance, in regard to maximum number of  
passengers.

*ADD but C & E  
8/10  
A8/0*



ITEM 3. Public Hearings:

- Deny 8/10*
- A. Consideration of rezoning from R10 Residential District to R5 Residential District or to a more restrictive zoning classification for an area located at 3000 Lake Club Drive. (P92-55)

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends denial

- All but Lynhurst 8/10*
- B. Consideration of adoption of resolutions confirming assessment rolls and levying assessments for installation of sanitary sewer collection system in the following streets:

1. U.S. 401 North/Ramsey Street
2. Amstead Avenue
3. Blairmore Place
4. Cliffdale Road
5. Lynhurst Drive
6. Windermere Drive

*A 7/11*

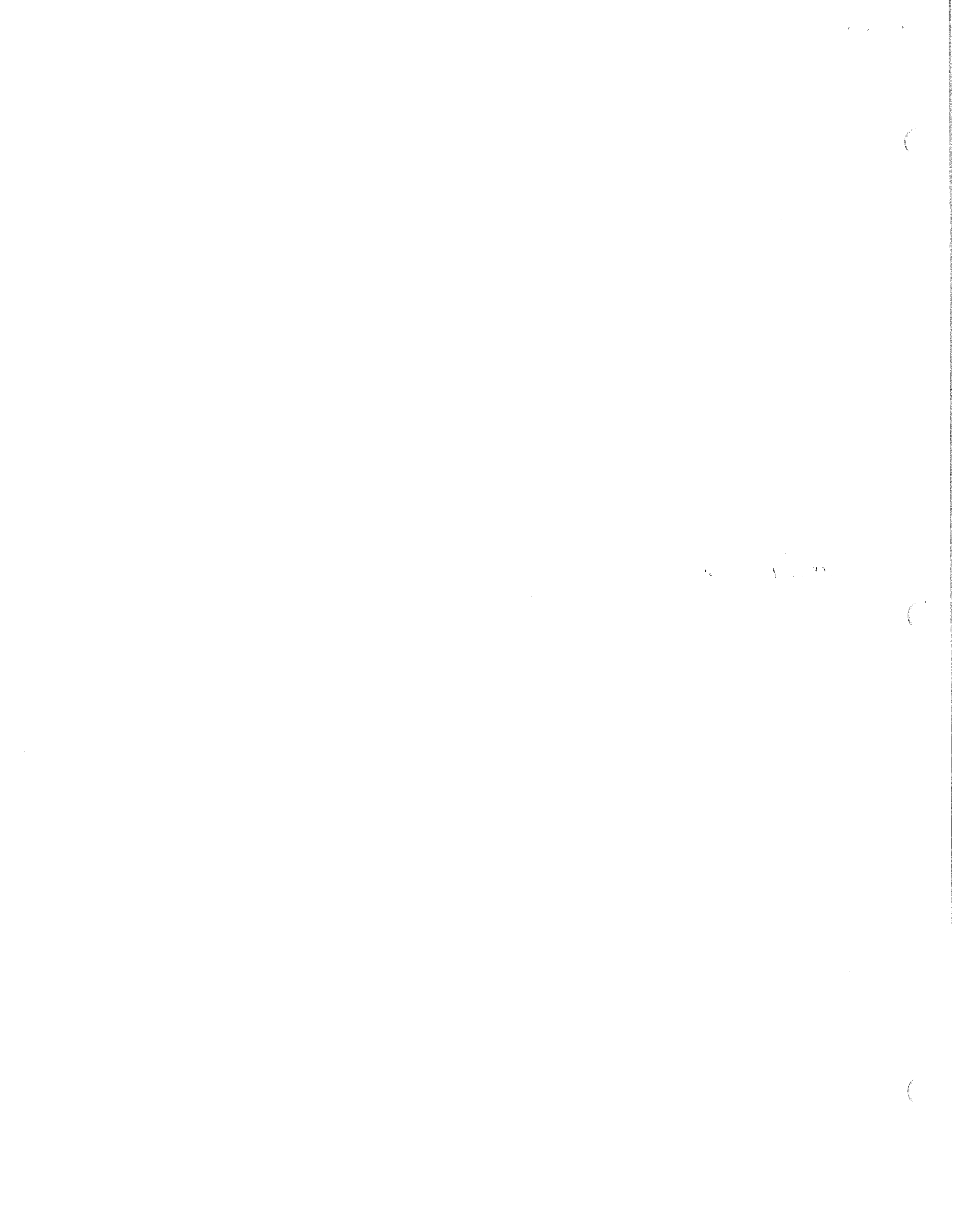
PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Adoption

- 7/11  
11-0  
6/11*
- A 8/10*
- C. Consideration of adoption of ordinance amending Chapter 20, Motor Vehicles and Traffic, to reduce speed limit to 25 miles per hour for Shannon Drive from a point 880 feet north of the north back of curb on Bragg Boulevard, north to its end.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption of ordinance



D. Consideration of adoption of Collector Street Plan.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption

~~A 8/10~~  
Refu to S&R

E. Consideration of adoption of ordinance amending Section 2-27, change in statutory reference regarding Historic Resources Commission.

PRESENTED BY: City Attorney

RECOMMENDED ACTION: Adoption

A 8/10

ITEM 4. Consideration of request from CONTRAVES USA, Inc., to waive the surety bond requirements for the propane computer technology contract for fire training facility.

PRESENTED BY: City Attorney

RECOMMENDED ACTION: Airport Commission recommends approval

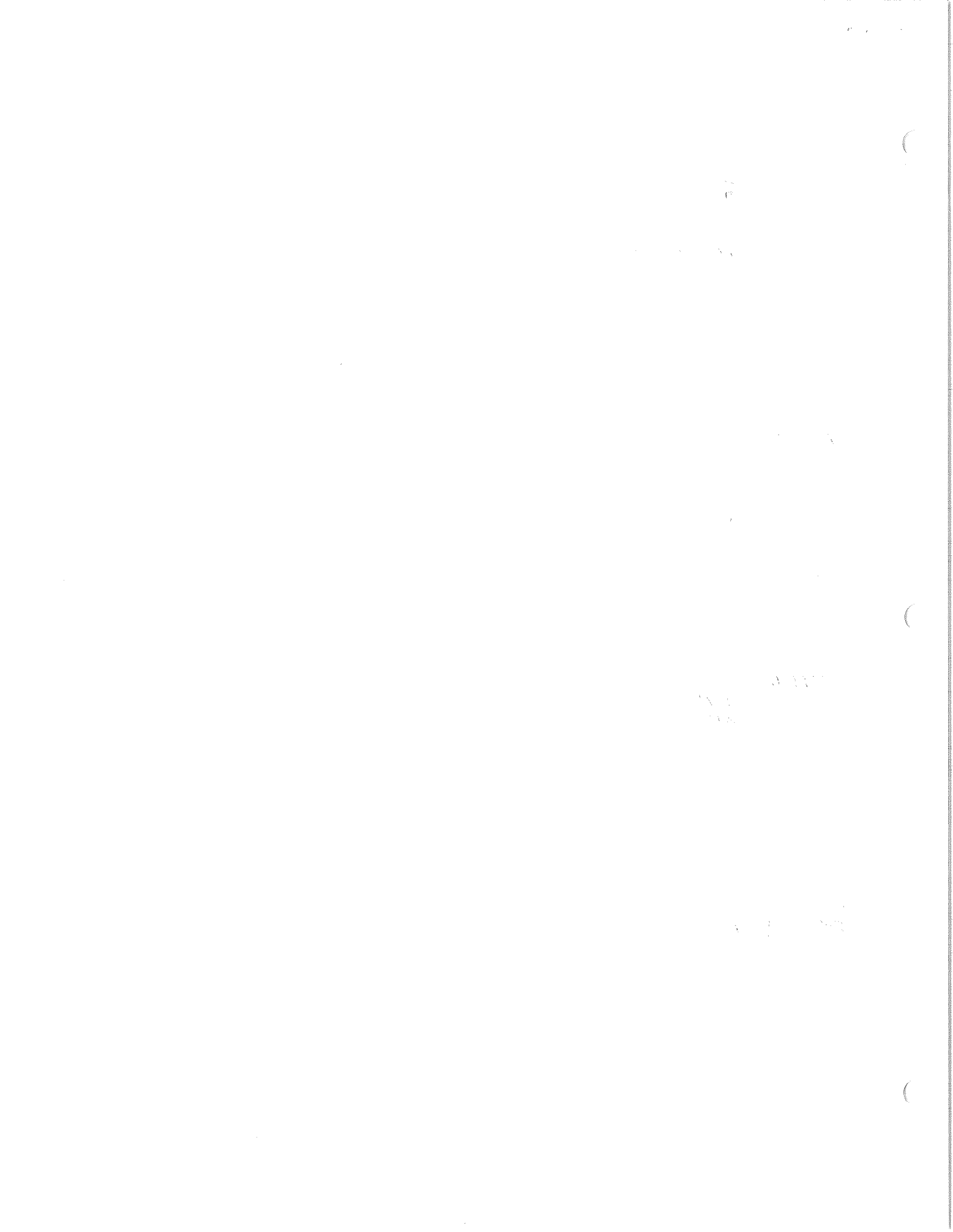
A  
6/11 (check)  
as amended

ITEM 5. Consideration of petition for maintenance of private streets, Stonebridge Section VII.

PRESENTED BY: City Manager

RECOMMENDED ACTION: See attached

~~See~~  
No action





ITEM 6. Consideration of acceptance of dedication of Briarwood Gardens' private streets known as:

- A. Hanbury Lane
- B. Fashion Lane
- C. Stride Lane

PRESENTED BY: City Attorney

RECOMMENDED ACTION: Previously authorized by City Council

A  
7/10

ITEM 7. Consideration of acceptance of Interlocal Agreement for purchase, utilization, and sharing of a Geographic Information System.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption

A  
7/10

ITEM 8. Consideration of adoption of ordinances regulating parking in the City Hall parking lot and the Amtrack/City Employee parking lot.

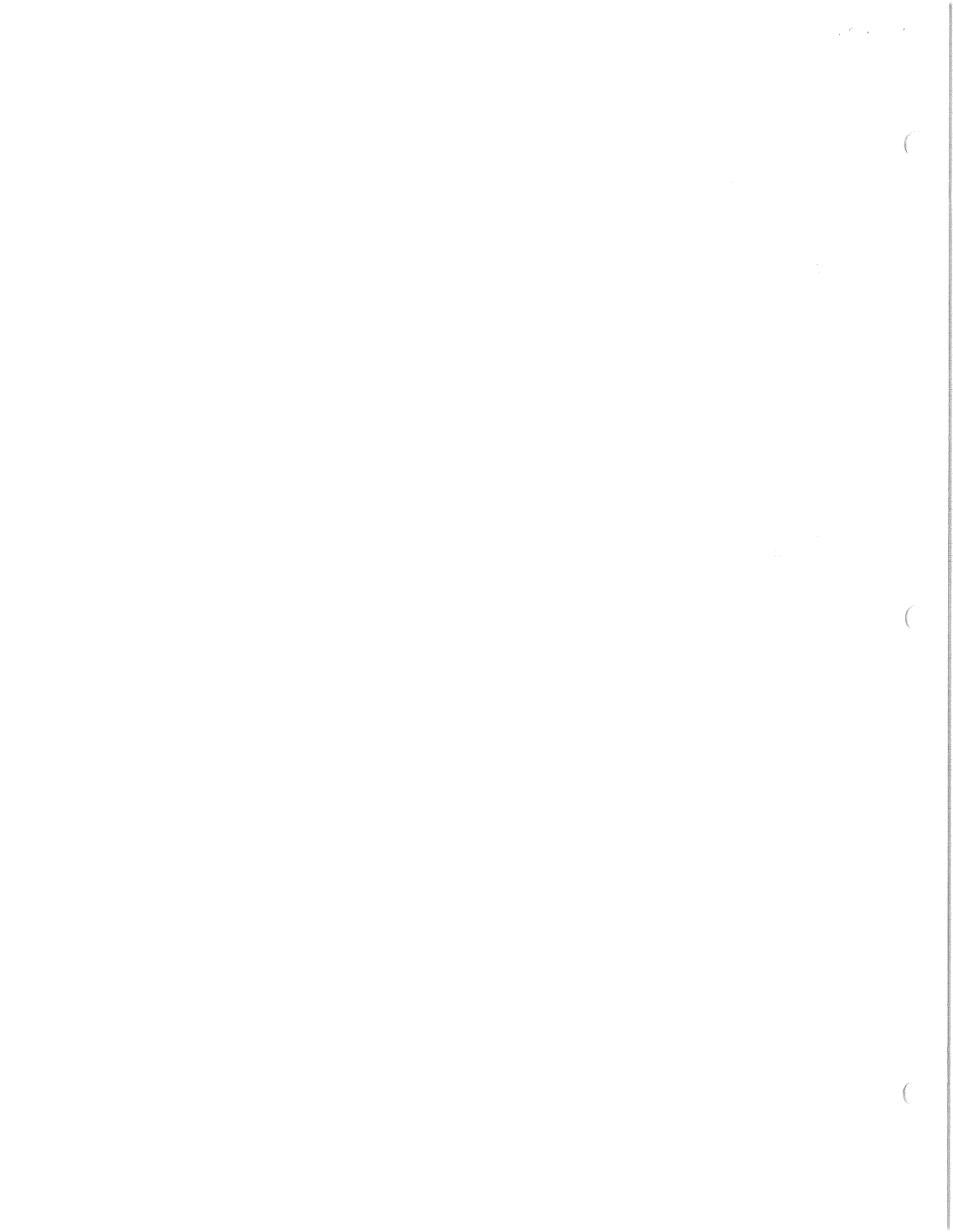
PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption

A  
7/10

ITEM 9. Appointments:

- A. Nominations to fill one vacancy on the Joint Planning Board.



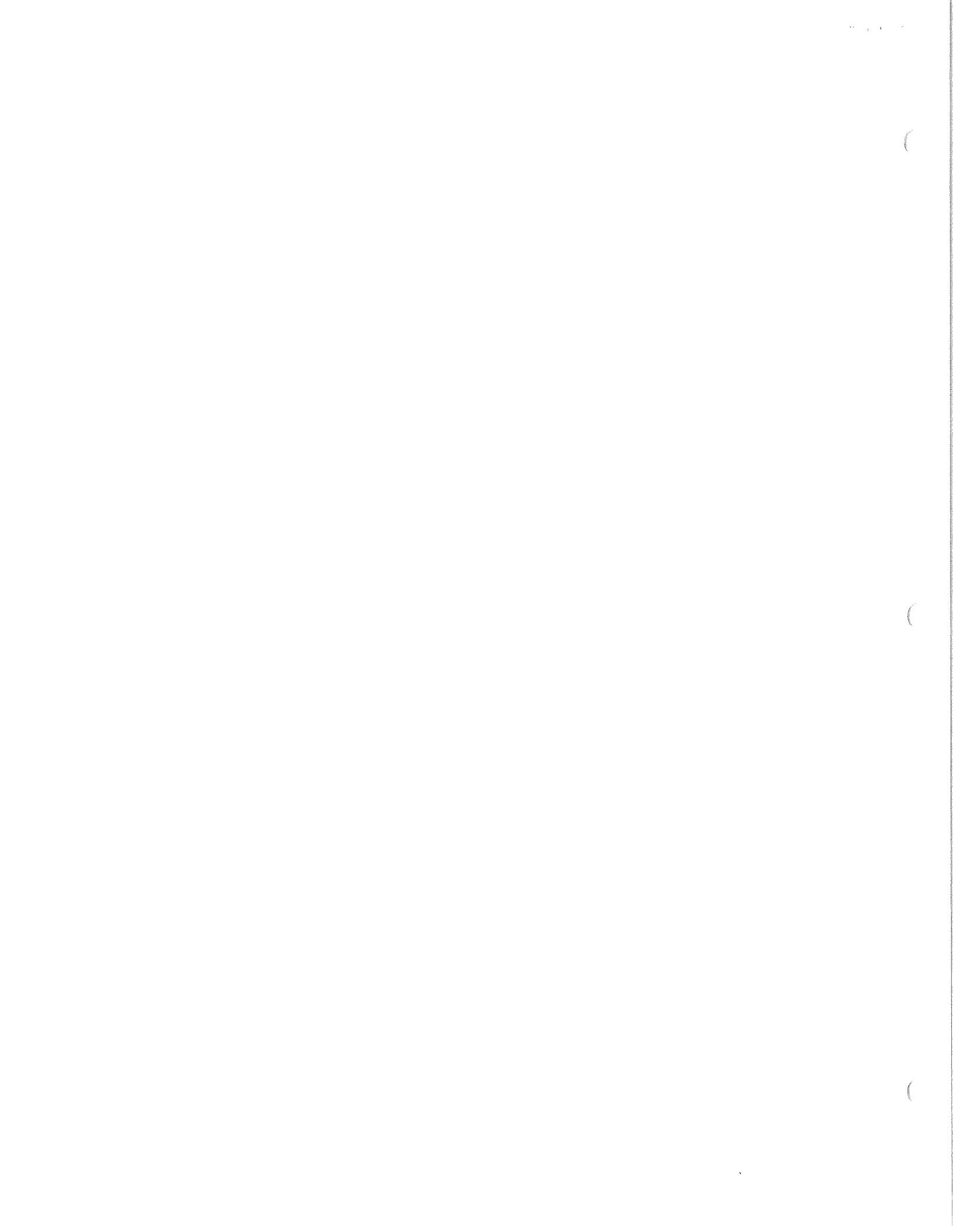
ITEM 10. Consideration of offer by Prince Charles Hotel to purchase adjacent City-owned property.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Advertise for upset bids

ITEM 11. Administrative Reports:

- A. Report on proposed renaming of Murchison Road.
- B. Report on disposal of surplus property of minimal value.
- C. Statement of taxes collected for the month of June 1992 from the Cumberland County Tax Collector.



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- C. Award contract for purchase of approximately 1,320,000 Bill Processing Envelopes (one year's supply) to Tension Envelope Corporation, sole bidder meeting specifications. (PWC)
- D. Adopt resolution declaring cost and ordering preparation of preliminary assessment roll and setting time and place for public hearing on preliminary assessment roll for installation of sanitary sewer collection system in: (Public Hearing date: August 17, 1992) (PWC)
  - 1. Hearthstone Drive
  - 2. Onie Court
  - 3. Morganton Road
  - 4. Maywood Avenue
  - 5. Old Gate Road
  - 6. Docia Circle
  - 7. Merritt Drive
  - 8. Pamalee Drive
- E. Adopt Special Revenue Project Ordinance Amendment Number 92-5.
- F. Adopt Capital Project Ordinance Amendment Change 93-1 (CAP 90-8).
- G. Adopt ordinance amending Section 28-43(a), Taxicab Ordinance, in regard to maximum number of passengers.

ITEM 3. Public Hearings:

- A. Consideration of rezoning from R10 Residential District to R5 Residential District or to a more restrictive zoning classification for an area located at 3000 Lake Club Drive. (P92-55)

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends denial

- B. Consideration of adoption of resolutions confirming assessment rolls and levying assessments for installation of sanitary sewer collection system in the following streets:

1. U.S. 401 North/Ramsey Street
2. Amstead Avenue
3. Blairmore Place
4. Cliffdale Road
5. Lynhurst Drive
6. Windermere Drive

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Adoption

- C. Consideration of adoption of ordinance amending Chapter 20, Motor Vehicles and Traffic, to reduce speed limit to 25 miles per hour for Shannon Drive from a point 880 feet north of the north back of curb on Bragg Boulevard, north to its end.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption of ordinance

- D. Consideration of adoption of Collector Street Plan.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption

- E. Consideration of adoption of ordinance amending Section 2-27, change in statutory reference regarding Historic Resources Commission.

PRESENTED BY: City Attorney

RECOMMENDED ACTION: Adoption

ITEM 4. Consideration of request from CONTRAVES USA, Inc., to waive the surety bond requirements for the propane computer technology contract for fire training facility.

PRESENTED BY: City Attorney

RECOMMENDED ACTION: Airport Commission recommends approval

ITEM 5. Consideration of petition for maintenance of private streets, Stonebridge Section VII.

PRESENTED BY: City Manager

RECOMMENDED ACTION: See attached

ITEM 6. Consideration of acceptance of dedication of Briarwood Gardens' private streets known as:

- A. Hanbury Lane
- B. Fashion Lane
- C. Stride Lane

PRESENTED BY: City Attorney

RECOMMENDED ACTION: Previously authorized by City Council

ITEM 7. Consideration of acceptance of Interlocal Agreement for purchase, utilization, and sharing of a Geographic Information System.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption

ITEM 8. Consideration of adoption of ordinances regulating parking in the City Hall parking lot and the Amtrack/City Employee parking lot.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption

ITEM 9. Appointments:

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ITEM 10. Consideration of offer by Prince Charles Hotel to purchase adjacent City-owned property.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Advertise for upset bids

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#### POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

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

#### POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in Room 217, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 and 7 p.m.

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

Individuals who have not made a written request to speak on a non-public hearing item may submit written materials to the City Council on the subject matter by providing fifteen (15) copies of the written materials to the Office of the City Manager before 5 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.



July 1, 1992

Brenda:

Information concerning Double Dutch team for Council Agenda, July 20, 1992:

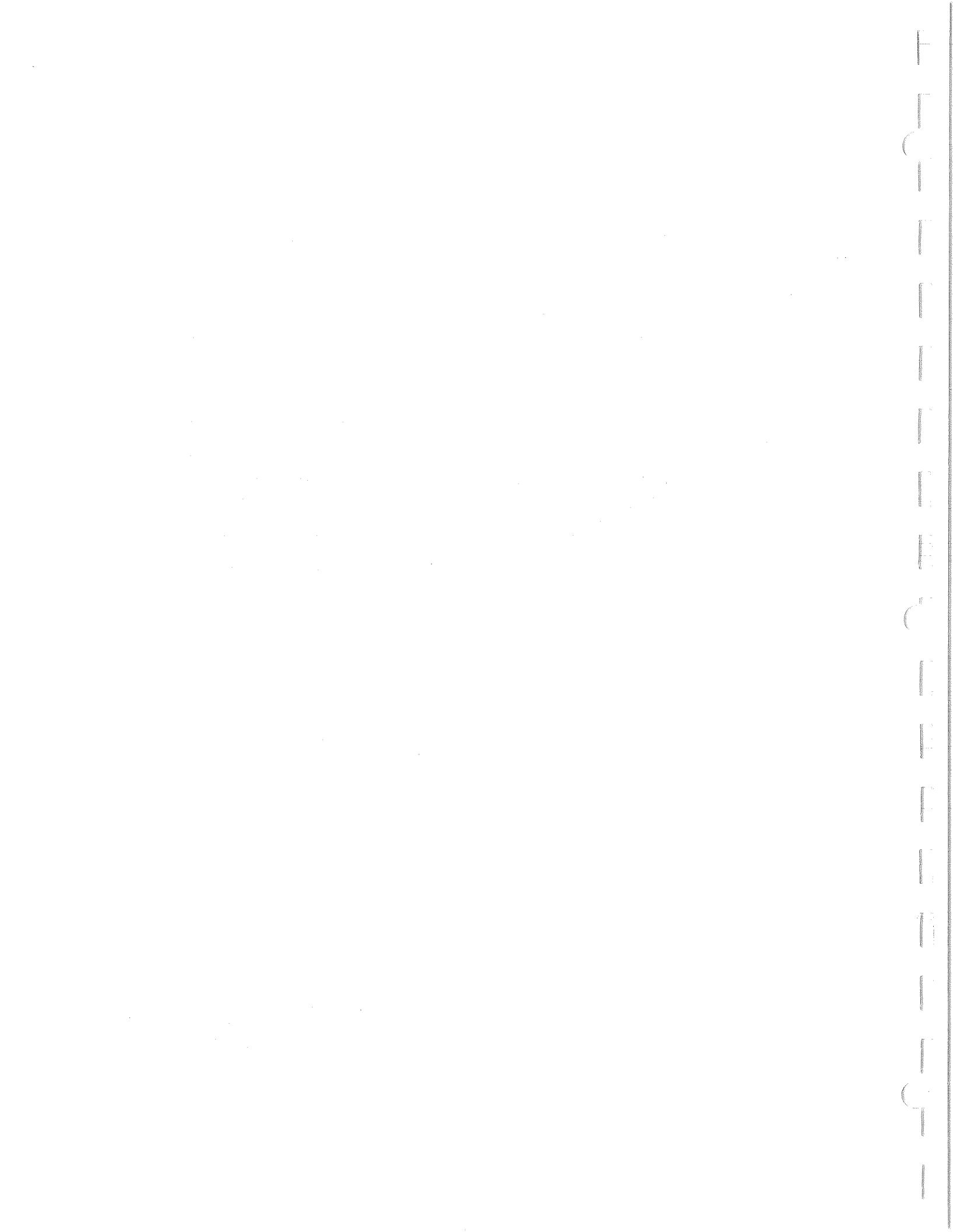
1st Place - Invitational Double Dutch Classic  
Winston Salem, NC  
June 26, 1992

Teams: 156  
13 states and foreign countries

1st in nation in 5th grade Division - Edgewood Recreation Center  
Team members: Tanilya Ferguson  
Tenisha McClain  
Tenisha Washington  
Twanna Autry

Information: Fayetteville had one team that finished second, one that finished third and one that finished fourth.

R E C O G N I T I O N



DRAFT

FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
CITY HALL COUNCIL CHAMBERS  
433 HAY STREET  
MONDAY, JULY 6, 1992  
7:00 P.M.

Present: Mayor J. L. Dawkins

Councilmembers Milo McBryde (at-large); Nat Robertson, Jr. (at-large); Tommy Bolton (District 1); Ida Ross (District 2); Thelbert Torrey (District 4); Suzan Cheek (District 5); and Mark Kendrick (District 6)

Absent: Mildred Evans (at-large) and Joseph Pillow (District 3) - excused

Others Present: Roger L. Stancil, Deputy City Manager  
John B. Brown, Jr., Assistant City Manager for  
Administration and Finance  
Jimmy Teal, Assistant City Manager for  
Planning and Development  
Robert C. Cogswell, Jr., City Attorney  
Jason Brady, Public Information Officer  
Mike Walker, City Engineer  
Peter Piner, Fire Chief  
Tim Wood, PWC Manager  
Tom McNeill, PWC Property Acquisition  
Supervisor  
Gerald Croll, Engineer II  
J. Breeden Blackwell, Councilmember elect  
Robert A. Massey, Jr., Councilmember elect  
Peter MacQueen, President of Humane Society  
Members of the Press

(Numbers at the beginning of each item correspond with the meeting agenda and are included for reference purposes.)

INVOCATION - PLEDGE OF ALLEGIANCE

Mayor Dawkins welcomed everyone to the last meeting of the present City Council and welcomed the City Clerk Bobbie Joyner back from a lengthy convalescence. He expressed appreciation to Janet Jones for serving as Deputy City Clerk and expressed appreciation to Brenda Barbour, Jason Brady and many others who have worked hard on this night and the activities that will follow the meeting. Mayor Dawkins then called on Reverend Dan Griffin, Snyder Memorial Baptist Church for the invocation, followed by the Mayor leading in the pledge of allegiance to the American flag. The Mayor then requested that the prayer be spread in the minutes and it is as follows:

"Loving God, who gave us the Ten Commandments to keep and sent Jesus to die when we couldn't, bless now these honorable folk elected to a holy trust who must enforce those same commandments. Work through them for the good and glory of the Fayetteville part of your Kingdom. Give them what we often call "old fashioned" values. Help them function with an excellent progressionism that proscribes ambition and self-aggrandizement.

Let them curb creeping bureaucracy and squeeze every tax dollar as if it were coming from their own pocket. Give them insight to see that they are our only defense against the chicanery that often lurks outside the doors of City Hall that we might enter a new era of peace, growth, and safety and become as a city a metaphor of municipal righteousness that baby boomers and senior citizens alike will support and embrace. In His name, Jesus, we pray, Amen."

At this time, Mayor Dawkins stated that Mayor Protem Evans and Councilmember Pillow had called requesting to be excused from tonight's meeting. The Mayor and Councilmembers have provided a nice plaque showing appreciation for the service of Ms. Evans and Mr. Pillow and a five-year pin for Mr. Pillow that will be delivered at a later date. Mr. Pillow has served for 6 years and Ms. Evans has served for 14 1/2 years.

Councilmember Robertson moved to excuse Ms. Evans and Mr. Pillow, seconded by Councilmember Kendrick and carried unanimously 7 to 0.

1. Approval of Agenda

At this time Mayor Dawkins recognized City Attorney Bob Cogswell who requested a brief executive session for a litigation following Item 3. Deputy City Manager Roger Stancil requested to have a correction made to Item 7a of the agenda. It should read "consideration of resolution confirming assessment role and levying assessments".

Councilmember Robertson moved to approve the agenda with the requested additions and changes. The motion was seconded by Councilmember Cheek and carried unanimously 7 to 0.

2. Consent:

Mayor Dawkins presented the consent agenda and asked if any items should be removed before calling for action. There being none, Councilmember McBryde moved to approve the consent agenda. After a second from Councilmember Bolton the consent agenda and following items were unanimously approved.

- A. Approve minutes of budget session of June 6, 1991.
- B. Approve minutes of budget session of June 10, 1991.
- C. Approve minutes of regular meeting of May 18, 1992.
- D. Approve minutes of regular meeting of June 1, 1992.
- E. Approve minutes of budget workshop of June 8, 1992.
- F. Approve minutes of budget session of June 10, 1992.
- G. Approve minutes of regular meeting of June 15, 1992.
- H. Approve tax refunds over \$100.

| <u>Taxpayer's Name</u>      | <u>Nature of Clerical Error</u>  | <u>Property Description</u> | <u>Amount</u> |
|-----------------------------|--|-----------------------------|---------------|
| Taylor, Fred P. & Bonnie B. | Illegal tax: taxpayer listed vehicles that are registered in other states. |                             | \$147.79      |

I. Approve the following budget matters for FY 91-92:

- 1. Budget Ordinance Amendment 92-13

This amendment is necessary to take the following actions:

General Fund-Executive - increase the appropriation by \$48,900 necessary due to an arrangement with HUD regarding Community Services Director's salary for the period ending 6-30-92. The salary expenses will be recovered from the Community Development Block Grant through indirect cost reimbursement.

Administrative Services - increase the appropriation for the department by \$40,000 to cover costs incurred for the removal of underground storage tanks in compliance with EPA regulations.

Environmental Services - reduce the appropriation by \$88,900 necessary to provide additional appropriations to the Executive and Administrative Services Department.

Traffic Services - increase the appropriation by \$20,000 to cover utility expenses for street lights. The additional utility expenses will be reimbursed by PWC.

Central Business Tax District Fund - increase the appropriation by \$1,300 for tax collection services provided by the County. Additional tax collections will fund the increased appropriation.

2. Capital Project Ordinance Amendment 92-13

This Ordinance recognizes the revenue and appropriates project expenditures from the 1989 and 1991 bond sale proceeds earned interest during the 1992 fiscal year, in the amounts of \$124,873 and \$53,565 respectively.

3. Capital Project Ordinance Closeout 92-18

4. Special Revenue Project Ordinance Amendment 92-4

These two ordinances are interrelated. CPOC 92-18 closes the Federal Forfeiture project and transfers a residual in the amount of \$15,273 to the State and Federal Special Revenue Fund. SRPOA 92-4 appropriates the residual from CPOC 92-18 to the Federal Forfeiture Project established in the State and Federal Special Revenue Fund. This action completes the reclassification of Federal Forfeiture activities from capital to non-capital.

3. Consideration of acceptance of certification of results of June 2, 1992, municipal election from the Cumberland County Board of Elections.

This item was presented by Deputy City Manager Roger L. Stancil with a recommendation to accept the election results. A copy of the results is attached to and made a part of these minutes.

Councilmember Bolton moved to accept the election results as recommended, seconded by Councilmember McBryde and carried unanimously 7 to 0.

Councilmember Kendrick moved to enter Executive session for litigation, seconded by Councilmember Bolton and carried unanimously 7 to 0 at 7:10 p.m.

Council reconvened into regular session at 7:13 p.m.

4. Seating of Mayor and New City Council

A. Oaths of Office to be administered to the City Council by the Honorable Sol Cherry, Chief District Court Judge.

Following the Oath of Office Councilmembers took their assigned seats to preside over the remaining items of business. The seating for the Council is as follows: Councilmembers J. Breeden Blackwell (at-large), Milo McBryde (at-large), Nat Robertson, Jr. (at-large), Tommy Bolton (District 1), Ida Ross (District 2), Robert A. Massey, Jr. (District 3), Thelbert Torrey (District 4), Suzan Cheek (District 5), and Mark Kendrick (District 6).

- B. Oath of Office to be administered to the Mayor by the Honorable Sol Cherry, Chief District Court Judge.

Following the oath by the Mayor, he and all the Councilmembers introduced their family and friends present in the audience.

5. Organization of the City Council - Election of Mayor Pro-Tempore.

Councilmember Ross moved to elect Councilmember Breeden Blackwell as Mayor Pro-Tem, seconded by Councilmember Torrey and carried unanimously 8 to 0.

At this time Mayor Dawkins recognized Mr. Sandy Saunders, Associate Pastor at Snyder Memorial Baptist Church and Chairman of the Parks and Recreation Advisory Commission present in the audience.

6. Consent:

Mayor Dawkins presented the Consent Agenda and asked if any items should be removed before calling for action. Councilmember Cheek requested to pull Items 6C and D for comment. Councilmember Bolton moved to approve the Consent Agenda Items A through J with the exception of C and D. After a second from Councilmember Robertson the Consent Agenda and following items were unanimously approved.

- A. Set public hearing for August 3, 1992, to consider rezoning from C1P Shopping Center District to C3 Heavy Commercial District or to a more restrictive zoning classification for an area located on the south side of Tamarack Drive, west of Rosehill Road (SR 1616) (P92-68).
- B. Adopt resolution declaring cost and ordering preparation of preliminary assessment roll and setting time and place for public hearing on preliminary assessment roll for installation of sanitary sewer collection system in US 401 North (west side) (PWC). (Set public hearing for July 20, 1992)

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING (JULY 20) ON PRELIMINARY ASSESSMENT ROLL FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (US 401 North) RESOLUTION NO. R1992-081.

A copy of the foregoing resolution is on file in the Clerk's office in Resolution book R1992.

- C. (Pulled for discussion)
- D. (Pulled for discussion)
- E. Approve bid award for Sanitary Sewer Rehabilitation Project to Video Pipe Service, Inc., low bidder (PWC) in the amount of \$166,519.25.

Bids received were as follows:

|                                     |              |
|-------------------------------------|--------------|
| Video Pipe Service Inc.             | \$166,519.25 |
| Precon Construction Company         | \$185,836.80 |
| Ocean Enterprises (Bryant Electric) | \$186,677.00 |

- F. Approve Estoppel and Modification Agreement and extension of loan to Berry and Byrd, Attorneys.
- G. Approve Municipal Maintenance Agreement for Fayetteville Urban Area Traffic Signal Systems.

WHEREAS, the North Carolina Department of Transportation and the City of Fayetteville had jointly undertaken the implementation of a centrally controlled, computerized signal system to control traffic signals within the Municipality; and,

WHEREAS, the construction of said computerized signal system is now complete; and,

WHEREAS, the Department and the Municipality proposed to enter into an Agreement for the maintenance of that portion of the project which is on the State Highway System; and,

WHEREAS, the Municipality has agreed to maintain and operate the computerized traffic signal system on the streets which are a part of the State Highway System within the Municipality, subject to reimbursement by the Department as set forth in this Agreement; and,

WHEREAS, this Agreement shall cover the maintenance and operation of this system for the period from January 1, 1992 through January 1, 1995 inclusive.

NOW, THEREFORE, BE IT RESOLVED, that this Agreement is hereby formally approved by the City Council of the Municipality of Fayetteville and that the City Manager and Clerk of this Municipality are hereby empowered to sign and execute the Agreement between the City of Fayetteville and the Department of Transportation.

- H. Set public hearing for July 20, 1992, to consider petition for 25 MPH speed zone - Shannon Drive.
- I. Set public hearing for July 20, 1992, to consider change in statutory references regarding Historic Resources Commission.
- J. Approve amendment to Adams Court contract.

Councilmember Cheek stated that Items 6.C. and D. are for utility assessments in newly annexed areas and requested staff to check carefully about any penalties and so forth and address some of the questions we had in other neighborhoods when this is brought to Council for the public hearing. Councilmember Cheek moved to adopt the following resolutions, seconded by Councilmember McBryde and carried unanimously.

- 6.C. Adopt resolution declaring cost and ordering preparation of preliminary assessment roll and setting time and place for public hearing on preliminary assessment roll for installation of sanitary sewer collection system in the following streets: Lynhurst Drive, Blairmore Place, Amstead Avenue, Cliffdale Road, Windermere Drive. (PWC) (Set public hearing for July, 20, 1992)

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING (JULY 20) ON PRELIMINARY ASSESSMENT ROLL FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM. RESOLUTION NO. R1992-082.

- 6.D. Adopt resolution declaring cost and ordering preparation of preliminary assessment roll and setting time and place for public hearing on preliminary assessment roll for installation of sanitary sewer collection system in the following streets: Lansdowne Road, Farmington Street, Elstree Place, Dahlgren Avenue, Cornish Street. (PWC) (Set public hearing for August 3, 1992)

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING (AUGUST 3, 1992) ON PRELIMINARY ASSESSMENT ROLL FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM. RESOLUTION NO. R1992-083.

Copies of the foregoing resolutions are on file in the Clerk's office in Resolution book R1992.

7. Public Hearings:

Mayor Dawkins read the policy for the time limit on speakers for public hearings and nonpublic hearings.

- A. Consideration of resolution confirming assessment roll and levying assessments for water and sanitary sewer utilities into the following streets:

1. Oakwood Street

This item was presented by Tom McNeill, PWC Property Acquisitions Supervisor, with a recommendation to adopt the resolution.

This public hearing was opened at 7:32 p.m. and there being none to speak in favor or opposition to this item the public hearing was closed.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF WATER DISTRIBUTION SYSTEM AND SANITARY SEWER COLLECTION SYSTEM. RESOLUTION R1992-084.

Councilmember Kendrick introduced the foregoing resolution and moved its adoption, seconded by Councilmember Bolton and carried unanimously at 7:32 p.m.

A copy of the foregoing resolution is on file in the Clerk's office in Resolution book R1992.

2. Kathy Street

This item was presented by Tom McNeill, PWC Property Acquisitions Supervisor, with a recommendation to adopt the resolution.

The public hearing was opened at 7:34 p.m. and speaking in opposition was Mildred Leslie, 4416 Karen Lake Drive, property owner on Kathy Street. She stated that PWC had dug a trench from their side on Karen Lakes to the adjoining property on Kathy Street. Mrs. Leslie stated they had been told that they were assessed the same amount as those on Oakwood Street, however, the people on Oakwood Street demanded sodding of centipede grass and her question was were the people on Kathy Street going to be paying for the sodding. Also for the sodding done to that street the second time. Mr. Henry Powers, PWC Water and Sewer Operations Superintendent, responded that the contractor has to control soil erosion and runoff and they sometimes prefer putting in a grass-sodded swell instead of riprap. He continues that the bids are a turnkey job and if the contractor had to redo anything it is out of the contractor's pocket and not added on to the assessment costs. Mayor Dawkins requested that Mr. Gerald Croll from the Engineering Department contact Mrs. Leslie at a later time to help answer her questions. There being none further to be heard on this matter the public hearing was closed at 7:38 p.m.



RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING  
ASSESSMENTS FOR INSTALLATION OF WATER DISTRIBUTION  
SYSTEM AND SANITARY SEWER COLLECTION SYSTEM.  
RESOLUTION NO. R1992-085.

Councilmember Bolton introduced the foregoing resolution and moved its adoption, seconded by Councilmember McBryde and carried unanimously at 7:38 p.m.

A copy of the foregoing resolution is on file in the Clerk's office in Resolution book R1992.

3. Blanton Road

This item was presented by Tom McNeill, PWC Property Acquisitions Supervisor, with a recommendation for the adoption of the resolution.

The public hearing was opened at 7:40 p.m. and speaking in opposition was Katie B. Bunce, 13 Fairforest Court, Columbia, SC, and Blanton Road property owner. She stated she had lived in Cumberland County for 47 years and shared some of her family history. She stated she felt that being on disability as well as her husband and both being on fixed incomes that \$26,600 assessment was too much for them to bear. She stated that her property was annexed by the City against her objections. She stated they were annexed because the City needed their property for the sewer system because of the lay of the land. She stated there was only one house on this property and they are not considering breaking up the land into lots and selling it or building a business or a trailer park.

At this time Mayor Dawkins asked Mr. Powers what percent the City taxpayers are having to pay to have this work done. Mr. Powers responded that the City is recouping 27% on the sanitary sewer and almost 50% on the water on this particular annexation. Mr. Powers stated that unfortunately Mrs. Bunce owns 1,330 feet.

Councilmember Blackwell asked Mrs. Bunce who lives in the house at this time. She responded that they are renting out the house for approximately \$400 a month.

There being none further to be heard on this matter the public hearing was closed at 7:46 p.m.

Councilmember Robertson stated he felt this might be a hardship case and deals with an excessive amount of front footage and asked if PWC might have some sort of guidelines for this type of situation. PWC Manager Wood responded that this would set a precedent. City Attorney Cogswell stated that this must be considered as an improvement and she could sell off the lots or put in apartments, however, she is choosing to remain a single owner. If, in the future, she decides to take this action, the water and sewer will already exist and the cost can be recouped by the sales or rentals. Councilmember Bolton asked if it had been explained to Mrs. Bunce that there is a payment policy and discount. Mr. Cogswell responded that this should have been in the letter she received.

Councilmember McBryde stated that he has requested City Manager Smith poll other cities of similar size to Fayetteville with a Public Works of similar size to see if front footage is used more or if its usage is used the most. Until we receive this information Mr. McBryde stated Council has no other choice but to recoup some of the costs through assessment.

Councilmember Blackwell asked Mrs. Bunce how long she had knowledge of this upcoming assessment and she responded "two weeks". He did inform her of the possibility of a pay schedule.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF WATER DISTRIBUTION SYSTEM AND SANITARY SEWER COLLECTION SYSTEM (BUNCE TRACT). RESOLUTION NO. R1992-086.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF WATER DISTRIBUTION SYSTEM (BACKER TRACT). RESOLUTION NO. R1992-087.

Councilmember Bolton introduced the foregoing resolutions and moved their adoption, seconded by Councilmember McBryde and carried 8 to 1 with Councilmember Robertson voting in opposition at 7:32 p.m.

Copies of the foregoing resolutions are on file in the Clerk's office in Resolution book R1992.

B. Consideration of paving Englewood Drive from Cedar Creek Road to Dead End.

This item was presented by Deputy City Manager Roger Stancil stating that this was originally a paving request by petition. However, the Engineering Department added a cul-de-sac for turnaround of vehicles mainly for City vehicles to service this area. If Council decides to pave the street, it is requested approval of acquisition of any rights-of-way needed to accommodate a 27 foot wide pavement within a 30 foot right-of-way and at the end of the street a circular cul-de-sac would be constructed.

Councilmember McBryde asked if the cul-de-sac was placed at the end of the street wouldn't the owner of all four plots have access. Mr. Stancil responded that one option would be that they could re-plat that property and the other option would be to acquire the right-of-way and carry the property line over so that everyone has access to the end of the street and stub it. Councilmember Kendrick questioned the possibility of having the capability of turnaround for fire-fighting equipment if the street was stubbed. Councilmember Cheek asked if there couldn't be provisions made another way for turnaround of the fire equipment. Mr. Stancil responded that they could check into this.

The public hearing was opened at 7:53 p.m. and speaking in favor of the paving was Mr. Norman Bass, 1706 Englewood Drive, Mr. Connie Eason, 1719 Englewood Drive and Mr. Dan Williams, 617 East Raynor Drive. They were in favor of the paving but asked that the cul-de-sac be located at the end of the street. City Engineer Mike Walker responded that the City's main concern was that if the cul-de-sac was placed at the end of the street and later the four tracks of land were sold off it would land-lock two of the tracks of land. Mr. Massey asked if there would be a problem with placing a cul-de-sac at the end of the existing street. Mr. Walker responded there would be a problem in that there is a residence on each side of the street that the cul-de-sac would infringe a great deal into the yards.

Mrs. Lula Jackson, 1701 Englewood Drive and owner of the property at the end of the street where the cul-de-sac was recommended, appeared in opposition stating that she too wanted the street paved, however, she feels that this is not the place for the cul-de-sac. It will also increase her assessment by about \$5,000.

Councilmember McBryde stated that all of the speakers had said that Mrs. Jackson was willing to re-plat her property and if Mrs. Jackson would tell Council she intends to do this he would make a motion to give her one month to re-plat her property and then they will put the cul-de-sac where she wants it. Following some discussion, Councilmember Cheek suggested

that Mrs. Jackson be given some time to make the decision on the property lines.

There being none further to be heard on this matter the public hearing was closed at 8:07 p.m.

Councilmember McBryde moved to delay this action until September 8, seconded by Councilmember Ross and carried unanimously.

8. Consideration of request to address City Council from Humane Society. (Appearing: Peter MacQueen, President)

Mr. MacQueen made a request that the proposal by Chief of Police regarding the possible killing of the police dogs whenever they cannot continue in service to the City, not be allowed to be made into an official policy of the City. He offered the Humane Society's assistance in placing any dogs that are retired as opposed to Chief Hansen's recommendation to kill the police dogs.

Mayor Dawkins stated that they had not received a request to change the current policy from the Chief of Police. Council took no action.

9. Consideration of adoption of resolution authorizing sale of City of Fayetteville property located at 331-333 Hay Street.

This item was presented by Deputy City Manager Roger Stancil. He stated they have received an upset bid which requires us to advertise this bid again.

Councilmember Bolton moved to authorize the staff to advertise this property for sale, seconded by Councilmember Kendrick and carried unanimously.

10. Consideration of readoption of resolution of intent to reimburse Public Works Commission from proceeds of tax exempt financing.

This item was presented by Deputy City Manager Roger Stancil with a recommendation to adopt a resolution.

RESOLUTION OF THE CITY DECLARING ITS INTENTION TO REIMBURSE THE PUBLIC WORKS COMMISSION FROM THE PROCEEDS OF A TAX-EXEMPT FINANCING FOR A CERTAIN EXPENDITURES TO BE MADE IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND/OR EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS. RESOLUTION NO. R1992-088.

Councilmember Bolton introduced the foregoing resolution and moved its adoption, seconded by Councilmember Cheek and carried unanimously.

A copy of the foregoing resolution is on file in the Clerk's office in Resolution book R1992.

11. Consideration of amendments to Chapter 4 of the Fayetteville City Code (Airport Commission):

- A. Increasing size of quorum (from 3 to 4).

AN ORDINANCE AMENDING SECTION 4-23. ORDINANCE NO. S1992-012.

- B. Clarification of increase in membership of Airport Commission (Travel Industry Representative).

AN ORDINANCE AMENDING SECTION 4-22 (Airport Commission Membership). ORDINANCE NO. S1992-013.

Councilmember Robertson moved to adopt Ordinances A and B as recommended, seconded by Councilmember Bolton and carried unanimously.

Copies of the foregoing ordinances are on file in the Clerk's office in Ordinance book S1992.

12. Consideration of contract for Occupational Health Care Services.

This item was presented by Deputy City Manager Roger L. Stancil requesting Council authorize the City Manager to negotiate the contract because we are changing the providers from the one we have had. Councilmember Robertson asked if this affected our insurance in any way or put us at additional liability. Mr. Stancil responded that this would not because they carry their own insurance.

Councilmember McBryde moved to authorize the City Manager to negotiate the contract as recommended, seconded by Councilmember Kendrick and carried unanimously.

13. Consideration of Lease Agreement with Olde Fayetteville Carriages for space in Cape Fear-Yadkin Valley Depot building.

This item was presented by Deputy City Manager Roger Stancil requesting the Council authorize City Manager to negotiate and execute a lease on a month-to-month basis.

Councilmember Cheek moved to follow the recommendation, seconded by Councilmember Ross and carried unanimously.

14. Consideration of resolutions directing the Clerk to investigate petitions for annexation received under G.S. 160A-31.

This item was presented by Deputy City Manager Roger Stancil with a recommendation for adoption of the resolutions. Councilmember Torrey asked if all these properties have sewer and water. Mr. Stancil responded that since these are resolutions to investigate petitions for annexation they probably do not have water and sewer. He stated there is the new policy by Public Works Commission to only participate in the cost of these facilities only if they are inside the City when they sign that contract.

A. McLean and Thompson Properties (western side of McArthur Road)

1. Property of McLean Development Corporation

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31. RESOLUTION NO. R1992-089.

2. Property of Paul Thompson Trust #1 and Trust #2

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31. RESOLUTION NO. R1992-090.

B. Perry Property (eastern side of Cedar Creek Road, south of Lock's Creek Subdivision) Property of Randy and Cynthia Perry)

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31. RESOLUTION NO. R1992-091.

- C. Country Club North, Section 6, Part A, Phase 3 (Hilliard Drive) (Property of March Development Corporation)

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31. RESOLUTION NO. R1992-092.

- D. Greystone Farms, Section 2 (eastern side of Ramsey Street) (Property of Broadwell Land Company)

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31. RESOLUTION NO. R1992-093.

- E. Country Club Hills, Remainder of Land (Site of former Green Valley Country Club) (Property of Broadwell Land Company)

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31. RESOLUTION NO. R1992-094.

- F. Southland Pines (southern side of Southland Drive)

1. Tract 1 - Property of Broadwell Land Company

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31. RESOLUTION NO. R1992-095.

2. Tract 2 - Property of Broadwell Land Company

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31. RESOLUTION NO. R1992-096.

Councilmember Kendrick introduced the foregoing resolutions A through F move their adoption, seconded by Councilmember McBryde and carried 7 to 2 with Councilmembers Torrey and Robertson voting in opposition.

Copies of the foregoing resolutions are on file in the Clerk's office in Resolution book R1992.

15. Consideration of setting of joint meeting with Public Works Commission. (Suggested date: July 27, 1992)

Councilmember McBryde moved to meet jointly with Public Works Commission July 27, 7:00 p.m. in Council Chambers, seconded by Councilmember Kendrick and carried unanimously.

16. Consideration of request from Councilmember Breeden Blackwell for workshop to consider City Council long range planning.

Councilmember Blackwell requested the City Manager to arrange a City Council planning retreat in the early Fall, 1992, at City Hall to begin process for setting goals and objectives for FY93-94 and beyond.

Councilmember Ross moved to follow the recommendation, seconded by Councilmember Massey and carried unanimously.

17. Appointments:

- A. Nominations to fill one vacancy on Joint Planning Board.

Nominations were made to fill the vacancy of Billy Maxwell, Sr. to June, 1996 as follows:

Mr. Karl Legatski, nominated by Councilmember Cheek, and Mr. Jonathan Charleston, nominated by Councilmember Blackwell

- B. Election of nominee to Public Works Commission Retirement Board.

Mr. Glenn B. Adams was nominated at the last meeting to a 5-year term in the attorney category by Councilmember Ross. Council unanimously elected Mr. Adams to this position.

- C. Election of nominees to Fayetteville Board of Adjustments.

Councilmember McBryde nominated Kenneth C. Lancaster, Jr. and D. Ralph Huff at the last Council meeting for reappointment to a second term. Upon motion by Councilmember Kendrick, seconded by Councilmember McBryde, Mr. Lancaster and Mr. Huff were unanimously elected for a second two-year term.

18. Administrative Reports:

- A. Tax refunds less than \$100.

| <u>Taxpayer's Name</u>          | <u>Nature of Clerical Error</u>  | <u>Property Description</u>                             | <u>Amount</u> |
|---------------------------------|--|---|---------------|
| Mangiboyant, Milagros           | Adjust assessment per amended statement.   |   | \$24.98       |
| Howell, Gertrude                | Amended statement received.  | Loc: 2004 Southern Avenue, 1991 Assessed Discovery.     | \$8.49        |
| Jurca, Cornel & Sandra Quitugua | Illegal tax. Military non-resident, MV 1/2 taxable.  | Personal property only.                                 | \$19.79       |
| Lea, Linda                      | Listed a 1984 Audi in error for tax year 1990.   | Business personal property 1984 AUDI WAUFB044X-EN109836 | \$26.84       |
| Matlack, Robert K.              | House burned Oct. 25, 1990, 80% of house damaged. May 6, 1991, house razed per City of Fayetteville. | 419, 423 & 427 Adams St., Imp. .55 acres                | \$31.20       |
| Parker, Tae Kyong               | Clerical error: 1989 Chevy Cavalier is correctly charged to LR #2155931: Biggs, Donald & wife.       | 1989 Chevy Cavalier                                     | \$42.56       |
| Ray, Hector N.                  | Adjust value of jet ski and trailer per bill of sale.  |   | \$4.33        |
| Webb, R. Kent & V. Lohavichan   | Adjust value per amended statement.  |   | \$99.48       |

B. Report on recycling and commercial garbage contracts.

This report is contained in the agenda packet.

There being no further business, the meeting was adjourned upon motion and seconded at 8:28 p.m.

Respectfully submitted,

---

Bobbie A. Joyner  
City Clerk

---

J.L. Dawkins, Mayor

BJ/bed

THE UNIVERSITY OF CHICAGO  
LIBRARY



75

RESOLUTION AUTHORIZING THE SALE OF  
CITY OF FAYETTEVILLE PROPERTY

9255  
467.75

WHEREAS, the City of Fayetteville owns certain real property more particularly described as follows:

BEGINNING at the intersection of the southern margin of Hay Street with the eastern margin of Ray Avenue Extension, and running thence with the southern margin of Hay Street 67 degrees 15 minutes East 31.09 feet to a point; thence South 21 degrees 15 minutes West 40.00 feet to a point; thence North 67 degrees 15 minutes West 31.09 feet to a point in the eastern margin of Ray Avenue Extension; thence with aforesaid eastern margin North 21 degrees 15 minutes East 40.00 feet to a point of BEGINNING . . . containing 1,243.00 square feet, more or less, along with a two-story 1,243.17 square foot commercial building identified as 331 and 333 Hay Street.

100  
487  
187.75  
11,500  
10,755  
745

AND WHEREAS Inge Gaspar has made an offer to the City of Fayetteville to purchase said property for the sum of \$10,755.00;

AND WHEREAS a summary of the terms of the offer to purchase to be satisfied by the purchaser are as follows:

1. This offer is subject to obtaining a loan within forty-five (45) days to purchase and renovate the property.
2. Buyers will be developing the building to be used as retail store, or offices.
3. Buyers will complete remodeling and repairs to the building no later than nine (9) months from the sale of building to Buyers, otherwise the ownership of the building will revert back to the Sellers.
4. All repairs and renovations will meet all code requirements for the proposed use as retail space.
5. All celetex tiles will be replaced.
6. Repairs will be made to damaged railings.

ITEM 2.B.

7. The stairway area will be repaired.
8. Dented painted areas will be smoothed out.
9. Bathrooms will be put in working order.
10. Interior walls will be painted and/or wallpapered.
11. The carpet in 331 Hay Street will be cleaned.
12. Carpet will be installed in 333 Hay Street
13. The exterior of the building will be repaired and painted in cooperation with The Fayetteville Historic Resources Commission.

AND WHEREAS said offer was duly advertised pursuant to N.C.G.S. Section 160A-269 and no upset bids were received;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville that said offer to purchase as set forth herein and more fully described in the written offer to purchase dated July 2, 1992, is hereby accepted and that said property shall be conveyed to Inge Gaspar for the sum of \$10,755.00.

ADOPTED this the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

CITY OF FAYETTEVILLE

By: J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk



ROBERT C. WILLIAMS, CHAIRMAN  
 W. LYNDO TIPPETT, VICE CHAIRMAN  
 WILLIAM H. OWEN, SECRETARY  
 ROBERT O. MCCOY, TREASURER  
 TIMOTHY WOOD, GENERAL MANAGER

**PUBLIC WORKS COMMISSION**  
 OF THE CITY OF FAYETTEVILLE

508 PERSON STREET  
 PO DRAWER 1089  
 FAYETTEVILLE, NORTH CAROLINA 28302-1089  
 TELEPHONE (AREA CODE 919) 483-1401  
 FAX (AREA CODE 919) 483-1429

**ELECTRIC & WATER UTILITIES**

July 13, 1992

MEMO TO: John P. Smith, City Manager

FROM: Tim Wood, General Manager

SUBJECT: PWC Items For City Council Agenda of July 20, 1992

2.C.

1. Approval of bid award in the amount of \$29,383.20, to Tension Envelope Corporation, sole bidder meeting specifications, for purchase of approximately 1,320,000 Bill Processing Envelopes (one year's supply). Bids were received June 30, 1992.

2.D.

2. Consideration of Resolution Declaring Cost and Ordering Preparation of Preliminary Assessment Roll and Setting Time and Place for Public Hearing on Preliminary Assessment Roll for Installation of Sanitary Sewer Collection System in:

- a) Hearthstone Drive
- b) Onie Court
- c) Morganton Road
- d) Maywood Avenue
- e) Old Gate Road
- f) Docia Circle
- g) Merritt Drive
- h) Pamalee Drive.

3. Public Hearings:

Consideration of Resolutions Confirming Assessment Rolls and Levying Assessments for Installation of Sanitary Sewer Collection System in the following streets:

- a) U.S. 401 North/Ramsey Street
- b) Amstead Avenue
- c) Blairmore Place
- d) Cliffdale Road
- e) Lynhurst Drive
- f) Windermere Drive

TW:gm  
 enclosures



ITEM 2.C.-D.

**RESOLUTION DECLARING COST  
AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL  
AND SETTING TIME AND PLACE FOR PUBLIC HEARING  
ON PRELIMINARY ASSESSMENT ROLL  
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the extension of the sanitary sewer collection system ordered by Resolution of the City Council and duly passed on November 20, 1989, has been completed in accordance therewith into **HEARTHSTONE DRIVE, ONIE COURT, MORGANTON ROAD, MAWOOD AVENUE, OLD GATE ROAD, DOCIA CIRCLE, MERRITT DRIVE, AND PAMALEE DRIVE;** and

WHEREAS, the cost of said improvements has been determined.

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

1. The property owner's share of the cost of the above described improvement has been computed and determined to be \$12.00 per front foot for sanitary sewer.

2. The Public Works Commission is hereby directed to prepare a preliminary assessment roll, in accordance with Chapter 160A, Section 227, of the General Statutes of North Carolina, showing the individual assessments upon properties benefitted by said improvements.

3. The City Clerk is hereby directed to make available during regular office hours, in his office, the said preliminary assessment roll for the purpose of inspection by the public from this day through the 17th day of August, 1992.

4. The Council will hold a public hearing in accordance with Chapter 160A Section 228 of the General Statutes of North Carolina, at 7:00 p.m., on the 17th day of August, 1992, at the Council Chamber in City Hall, Fayetteville, North Carolina, for the purpose of hearing all interested persons who appear.

5. The Public Works Commission is hereby directed to issue public notice of the above described public hearing, to be published on the 7th day of August, 1992, and to secure publisher's affidavit certifying the advertisement of said hearing.

6. The Public Works Commission is hereby directed no later than ten (10) days before the public hearing to mail by first class mail copies of the notice of hearing on the preliminary assessment roll to the owners of property listed thereon.

ADOPTED, this 20th day of July, 1992.

ATTEST:

\_\_\_\_\_  
J. L. Dawkins, Mayor

\_\_\_\_\_  
Bobbie Joyner, City Clerk

The following City Councilmembers voted for the passage of the above resolution:

\_\_\_\_\_  
\_\_\_\_\_

The following City Councilmembers voted against passage of the above resolution:

\_\_\_\_\_  
\_\_\_\_\_

PUBLISH: August 7, 1992

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July 14, 1992

MEMORANDUM

TO: John B. Brown, Assistance City Manager for  
Administration and Finance

THROUGH: Kai D. Nelson, Finance Director *KDN*

FROM: Paula C. Dunham, Financial Analyst *PCD*

SUBJECT: Special Revenue Project Ordinance Amendment  
Number 92-5

Attached is a copy of Special Revenue Project Ordinance Amendment (SRPOA) number 92-5. A synopsis of this amendment is as follows:

SRPOA # 92-5

The Police Department was originally awarded a State and Local Narcotics Control grant in the amount of \$110,268 that was adopted by City Council on June 15, 1992. Subsequently, the Police Department applied for a budget amendment that would increase the State grant by the amount of \$14,905 and increase the Local share by \$4,968 resulting in a total grant of \$130,141. The budget amendment was approved by the NC Department of Crime Control and Public Safety on June 30, 1992. The program is designed to provide a systematic approach to drug prevention and other criminal problem in neighborhoods.

It is respectfully recommended that Special Revenue Project Ordinance Amendment number 92-5 be submitted to the Council for favorable consideration.

ITEM 2.E.

SPECIAL REVENUE FUND PROJECT ORDINANCE AMENDMENT  
CHANGE 92-5 (ORD 92-5)

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

Section 1. The project change authorized is to ORD 92-5 adopted on June 15, 1992 for the Safe Street Now and Neighborhood Foot Patrol Program.

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

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

|  |               |
|--|---------------|
| NC Department of Crime Control & Public Safety | 14,905        |
| Local Match General Fund                       | <u>4,968</u>  |
|  | <u>19,873</u> |

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

|                      |               |
|----------------------|---------------|
| Project Expenditures | <u>19,873</u> |
|----------------------|---------------|

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

Adopted this 20th day of July, 1992.





STATE OF NORTH CAROLINA  
 DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY  
 DIVISION OF CRIME CONTROL  
 DOBBS BUILDING  
 430 North Salisbury Street  
 Raleigh North Carolina 27611

**SUBGRANT ADJUSTMENT NOTICE**

|   |   |
|---|---|
| <b>SUBGRANTEE:</b><br><br>City of Fayetteville<br>433 Hay Street<br>Fayetteville, NC 28301-5798 | PROJECT NO.: <u>26-192-E5-0014</u>  |
|   | ADJUSTMENT NO.: <u>1</u>  |
|   | DATE OF APPROVAL: <u>6/30/92</u>  |
|   | TITLE OF PROJECT: <u>Safe Streets Now! and Neighborhood Foot Patrol Program</u> |

**TO SUBGRANTEE:**

Pursuant to your conversation with Ken Overholt and Jay Watson  
 the following adjustment in the above grant project is approved, subject to such conditions or limitations as may be set forth below:

|  |           |       |        |   |  |
|--|-----------|-------|--------|---|--|
| <input checked="" type="checkbox"/> Total Project Adjustment |           |       |        | <input type="checkbox"/> Budget Revision - Approved |  |
| Previous Total Budget  | Federal   | State | Local  | Total   | <input type="checkbox"/> Revision Attached     |
| Adjustment   | \$ 82,701 |       | 27,567 | 110,268   | <input type="checkbox"/> Program Modification  |
| Revised Total Budget   | 14,905    |       | 4,968  | 19,873  | <input type="checkbox"/> New Project Personnel |
|  | 97,606    |       | 32,535 | 130,141   | <input type="checkbox"/> Other _____           |
| <input type="checkbox"/> Grant Period Revision               |           |       |        |   |  |
| Previous Grant Period  |           |       |        |   |  |
| Revised Grant Period   |           |       |        |   |  |

**SPECIAL CONDITIONS OR COMMENTS**

|              | Current Budget | Revisions | New Budget |
|--------------|----------------|-----------|------------|
| Personnel    | 57,868         | (6,193)   | 51,675     |
| Contractual  |                |           |            |
| Travel       | 6,000          |           | 6,000      |
| Supplies     | 12,900         |           | 12,900     |
| Equipment    | 33,500         | 26,066    | 59,566     |
| <b>Total</b> | 110,268        | 19,873    | 130,141    |

By [Signature] Title Grant Supervisor  
 DIVISION OF CRIME CONTROL

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July 15, 1992

MEMORANDUM

TO: John P. Smith, City Manager  
FROM: Kai D. Nelson, Finance Director *KDN*  
SUBJECT: Budget Amendment to AIP-12

City Council has previously appropriated \$4,087,222 in federal, state and local funds for Airport Improvement Project (AIP) Number 12 consisting of 5 major projects as follows: fire training facility, security, environmental assessment, truck rehabilitation and land. At their May 18, 1992, regular scheduled meeting, City Council authorized construction contracts for the fire training facility totalling \$3.2 million. FAA has indicated that it will participate in the amended project appropriations in an amount not to exceed 15% of the original grant in order to fund the fire training facility construction project.

With the construction contract authorized by City Council, the total AIP-12 project cost is now estimated at \$4,646,112. The original federal grant commitment was \$3,632,174. A 15% amendment in the grant will increase the federal commitment to \$4,177,000, with state and local contributions totalling \$232,056 and \$237,056, respectively.

Project elements and estimated costs are as follows:

|                          |                  |
|--------------------------|------------------|
| Security                 | \$874,718        |
| Environmental Assessment | 105,700          |
| Truck Rehabilitation     | 55,000           |
| Land                     | 88,000           |
| Fire Training Facility   | <u>3,522,694</u> |
| TOTAL                    | \$4,646,112      |

It is requested that City Council adopt Capital Project Ordinance Amendment Number 93-1 to reflect the construction obligations committed by the City Council.

cc: Tom Ray, Airport Manager  
Paula Dunham, Financial Analyst

ITEM 2.F.

CAPITAL PROJECT ORDINANCE AMENDMENT  
CHANGE 93-1 (CAP 90-8)

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

Section 1. The project change authorized is to CAP 90-8 adopted April 16, 1990, for the construction of a new aircraft firefighting training facility, rehabilitation of a firefighting and rescue vehicle, installation of a security system, land acquisition, and preparation of an environmental assessment at the Fayetteville Regional Airport.

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

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

|  |                  |
|--|------------------|
| Federal Grant - AIP 12, FAA 3-37-0021-12 | \$503,000        |
| State Grant - NCDOT Aviation Division    | 27,945           |
| Local Match - Airport Operating          | 27,945           |
|  | <u>\$558,890</u> |

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

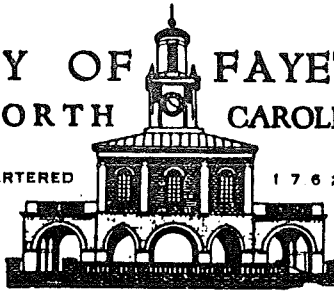
|                      |                  |
|----------------------|------------------|
| Project Expenditures | <u>\$558,890</u> |
|----------------------|------------------|

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

Adopted this 20th day of July, 1992.

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



CITY ATTORNEY  
P.O. BOX 1513  
FAYETTEVILLE, NC 28302-1513

ROOM 211, CITY HALL  
433 HAY STREET  
(919) 433-1985  
FAX # (919) 433-1980

July 10, 1992

MEMORANDUM

TO: The Mayor and Members of the City Council

FROM: Robert C. Cogswell, Jr. *RC*  
City Attorney

SUBJECT: Amendment of Taxicab Ordinance; Maximum Number of  
Passengers

The General Statutes define a taxicab as seating nine or fewer passengers. Currently, our City Code has a six-passenger limitation. I believe that this six-passenger limitation was written into the ordinance at a time when the statute reflected a maximum of six passengers. Since the statute now permits nine, the City Code needs to be changed. The change will allow for any increase or decrease made by the Legislature without having to come back and change the ordinance in the future. I recommend its adoption.

RCC/jkp

Attachment

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 2. G.

Ordinance No. S1992-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE  
AMENDING SECTION 28-43(a) OF THE CODE OF ORDINANCES  
OF THE CITY OF FAYETTEVILLE

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Section 28-43(a) is amended by deleting the phrase "be of not less than four- or more than six-passenger capacity" and substituting therefor the following phrase: not exceed the capacity for a taxicab as prescribed by G.S. Section 20-87.

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

CITY OF FAYETTEVILLE

By: J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

# PLANNING DEPARTMENT

Post Office Box 1829  
Fayetteville, NC 28302  
Telephone (919) 678-7600

## CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt  
CHAIRMAN

George Vaughan  
PLANNING DIRECTOR

July 14, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL  
FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD  
SUBJECT: PUBLIC HEARING ITEMS TO HEARD AT THE JULY 20, 1992 CITY  
COUNCIL MEETING

- A. CASE NO. P92-55. THE REZONING FROM R10 RESIDENTIAL DISTRICT TO R5  
RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICA-  
TION FOR AN AREA LOCATED AT 3000 LAKE CLUB DRIVE. (FAYETTEVILLE  
ORDINANCE)

PLANNING BOARD DATE:  
PLANNING BOARD ACTION:

MAY 19, 1992  
RECOMMENDED DENIAL

Attachments

:skc

ITEM 3.A.

# PLANNING DEPARTMENT

Post Office Box 1829  
Fayetteville, NC 28302  
Telephone (919) 678-7600

## CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt  
CHAIRMAN

George Vaughan  
PLANNING DIRECTOR

July 20, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-55. THE REZONING FROM R10 RESIDENTIAL DISTRICT TO R5 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT 3000 LAKE CLUB DRIVE. (FAYETTEVILLE ORDINANCE)

ACTION: THE TEN MEMBERS PRESENT AT THE MAY 19, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO DENY THE REQUESTED REZONING.

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area.

Mr. Lloyd stated that the Planning staff recommends denial of the requested rezoning to R5 Residential District based on the following:

1. This tract does not meet the criteria for high density residential district; and
2. The 1971 and proposed 2010 Land Use Plans call for low density residential development at this location.

The Planning staff finds that all or any portion of this site is not suitable for R6 or R5A Residential Districts.

Mr. Victor Hyatt, administrator of the Moose Lodge, appeared in favor of the requested rezoning. He stated that the rezoning is consistent with the 1971 Land Use Plan. He pointed out that the property is currently surrounded by properties zoned R10 Residential, R5A Residential and M1 Industrial Districts. He stated that the 600 members of the Moose Lodge presently go to the site at certain times and in groups, and if the area is used for residential uses, it will create less traffic problems. Mr. Hyatt stated that he would agree to something between the R5 and R10 Residential Districts, possibly R6 Residential District.

Mr. Glenn Jernigan appeared before the Board in opposition stating that he has resided in this area for more than twenty-five years. He feels that the 1971 Land Use Plan has served the area well, and there is no established need or transition which would justify rezoning. The resi-



dents take a great deal of pride in their ownership and want to continue to maintain their stable neighborhood and good quality of life. He stated that the residents are concerned about the flood plain, egress and ingress issues, some safety factors, decreasing property values and the adverse effect this rezoning could have on the quality of life. Mr. Jernigan asked that the residents opposed to the rezoning stand. Most of the audience and about thirty more individuals in the hall stood.

Mr. Ed Donaldson, resident of the area, presented a petition containing approximately 270 signatures of residents opposed to the rezoning. He also presented photographs of the area to the Board. He commented on the current land use of the area and said he has concerns about the crime rate, traffic flow increasing, dam needing repair and strain the rezoning would create on the schools in the area. He stated that the residents are willing to talk with the members of the Moose Lodge to try to help them work out their problems.

Mr. Hyatt preferred not to speak in rebuttal but stated that he would like to work with the residents to work the issues out.

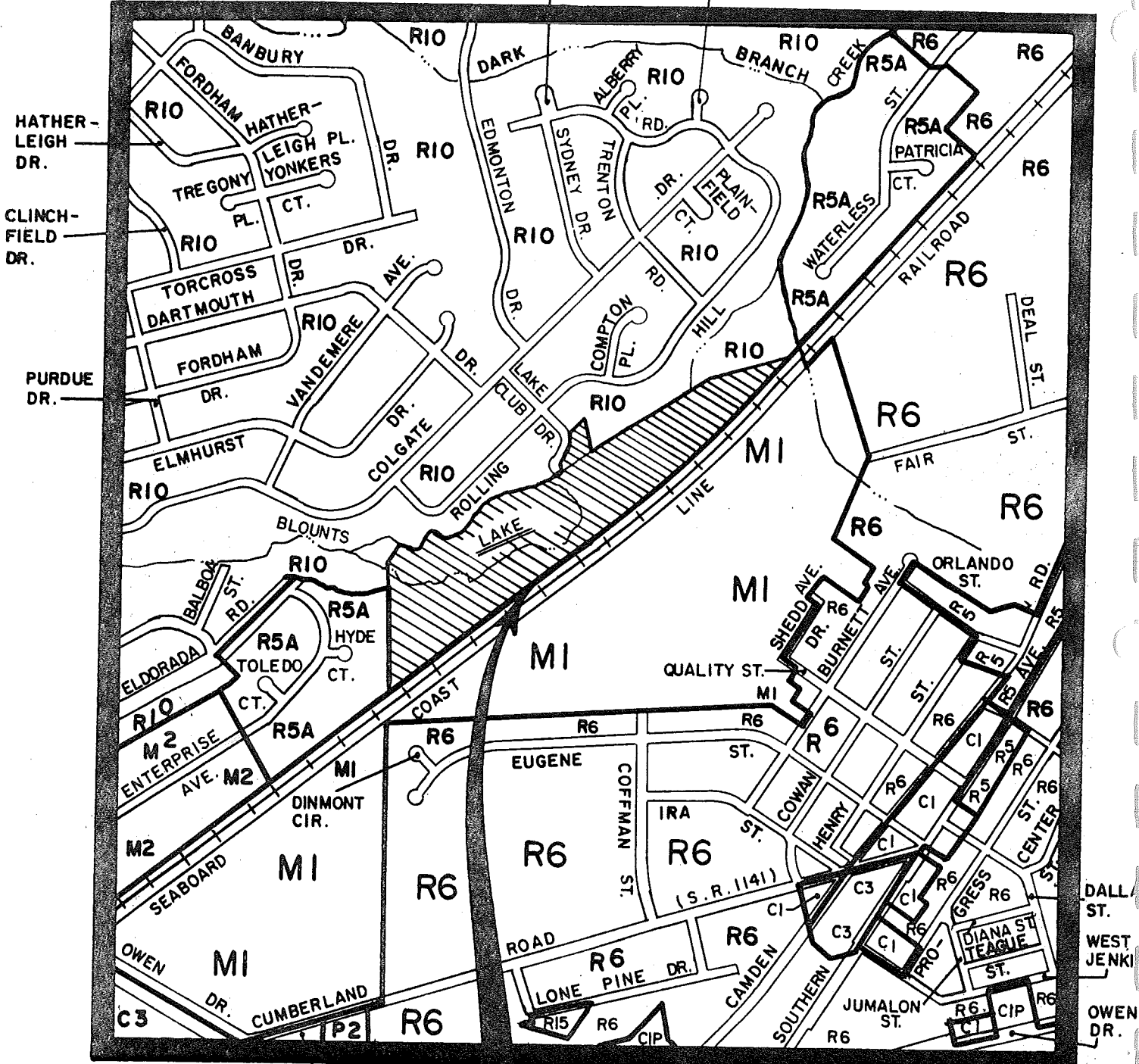
A motion was made by Mr. Schmidt and seconded by Mr. Hasan to deny the requested rezoning. The motion passed unanimously.

Attachment

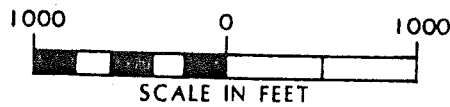
:skc

CRANTON CIR.

COTTINGHAM CT.



NORTH



SCALE IN FEET

## REQUESTED REZONING R10 TO R5

|                         |  |                    |        |
|-------------------------|--|--------------------|--------|
| ACREAGE: 37.2 AC. ±     |  | HEARING NO: P92-55 |        |
| ORDINANCE: FAYETTEVILLE |  | HEARING DATE       | ACTION |
| PLANNING BOARD          |  |                    |        |
| GOVERNING BOARD         |  |                    |        |

PUBLIC HEARING - SPEAKERS

OBJECT: REZONING 300 LAKE CLUB DR. - (CASE No P92-55)

DATE: July 20, 1992

*Valid Protest Petition*

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

- 1. VICTOR L. HYATT
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_

- 3000 Lake Club Dr
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

OPPONENT - (Against)

(Name - Print)

(Address - Print)

- 1. GLENN R. JERNIGAN (by letter)
- 2. Ed Donaldson
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_

- 2557 RAVENHILL DR. (Representing Briarwood Hills / Cranway Sub)
- 2415 Rolling Hill Rd
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

PUBLIC HEARING - SPEAKERS

SUBJECT: \_\_\_\_\_

DATE: \_\_\_\_\_

CITIZEN INPUT

(Name - Print)

(Address - Print)

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

7. \_\_\_\_\_

8. \_\_\_\_\_

9. \_\_\_\_\_

10. \_\_\_\_\_

**GLENN JERNIGAN & ASSOCIATES****GOVERNMENTAL AFFAIRS CONSULTANTS**

RAVENHILL EXECUTIVE PARK  
2557 RAVENHILL DRIVE  
P.O. Box 1863, FAYETTEVILLE, NC 28302  
(919) 323-0415 • FAX (919) 486-8631

July 9, 1992

Ms. Bobby Joyner  
City Clerk  
City of Fayetteville  
433 Hay Street  
Fayetteville, NC 28301

Re: Public hearing before Fayetteville City Council on July 20, 1992  
reference Case No. P92-55.

Dear Ms. Joyner:

I would like for this notice to serve as my official request to be heard on the above zoning matter as a spokesperson for Briarwood Hills/Clairway Subdivision homeowners opposing this zoning change.

Thank you so much for your assistance in this matter.

Sincerely,



Glenn R. Jernigan

GRJ:els

THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY  
5708 SOUTH CAMPUS DRIVE  
CHICAGO, ILLINOIS 60637

1964

RECEIVED  
JAN 15 1964

TO THE DIRECTOR OF THE UNIVERSITY OF CHICAGO

FROM

DR. ROBERT M. HAYES, JR.  
DEPARTMENT OF CHEMISTRY  
5708 SOUTH CAMPUS DRIVE  
CHICAGO, ILLINOIS 60637

RE: [Illegible]

[Illegible]

[Illegible]

[Illegible]

[Illegible]



ROBERT C. WILLIAMS, CHAIRMAN  
W. LYNDO TIPPETT, VICE CHAIRMAN  
WILLIAM H. OWEN, SECRETARY  
ROBERT O. McCOY, TREASURER  
TIMOTHY WOOD, GENERAL MANAGER

**PUBLIC WORKS COMMISSION**  
OF THE CITY OF FAYETTEVILLE

508 PERSON STREET  
PO DRAWER 1089  
FAYETTEVILLE, NORTH CAROLINA 28302 1089  
TELEPHONE (AREA CODE 919) 483-1401  
FAX (AREA CODE 919) 483-1429

**ELECTRIC & WATER UTILITIES**

July 13, 1992

MEMO TO: John P. Smith, City Manager

FROM: Tim Wood, General Manager

SUBJECT: PWC Items For City Council Agenda of July 20, 1992

1. Approval of bid award in the amount of \$29,383.20, to Tension Envelope Corporation, sole bidder meeting specifications, for purchase of approximately 1,320,000 Bill Processing Envelopes (one year's supply). Bids were received June 30, 1992.

2. Consideration of Resolution Declaring Cost and Ordering Preparation of Preliminary Assessment Roll and Setting Time and Place for Public Hearing on Preliminary Assessment Roll for Installation of Sanitary Sewer Collection System in:

- a) Hearthstone Drive
- b) Onie Court
- c) Morganton Road
- d) Maywood Avenue
- e) Old Gate Road
- f) Docia Circle
- g) Merritt Drive
- h) Pamalee Drive.

3. Public Hearings:

Consideration of Resolutions Confirming Assessment Rolls and Levying Assessments for Installation of Sanitary Sewer Collection System in the following streets:

3.B.

- a) U.S. 401 North/Ramsey Street
- b) Amstead Avenue
- c) Blairmore Place
- d) Cliffdale Road
- e) Lynhurst Drive
- f) Windermere Drive

TW:gm  
enclosures



ITEM 3.B.



ROBERT C. WILLIAMS, CHAIRMAN  
W. LYNDO TIPPETT, VICE CHAIRMAN  
WILLIAM H. OWEN, SECRETARY  
ROBERT O. McCOY, TREASURER  
TIMOTHY WOOD, GENERAL MANAGER

**PUBLIC WORKS COMMISSION**  
OF THE CITY OF FAYETTEVILLE

508 PERSON STREET  
PO DRAWER 1089  
FAYETTEVILLE, NORTH CAROLINA 28302-1089  
TELEPHONE (AREA CODE 919) 483-1401  
FAX (AREA CODE 919) 483-1429


**ELECTRIC & WATER UTILITIES**

**CERTIFICATE OF MAILING OF NOTICES OF PREPARATION OF PRELIMINARY  
ASSESSMENT ROLL AND PUBLIC HEARING TO PROPERTY OWNERS**

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

I, Timothy Wood, General Manager, do hereby certify that notices of preparation of the Preliminary Assessment Roll for sanitary sewer collection system in **AMSTEAD AVENUE, BLAIRMORE PLACE, CLIFFDALE ROAD, LYNHURST DRIVE, WINDERMERE DRIVE; AND RAMSEY STREET (U.S. 401 NORTH)**, and of the public hearing thereon, were mailed by first class mail on the 9th day of July, 1992, to all the owners of real property shown thereon, indicating to each such owner the amount of the assessment against his property.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 9th day of July, 1992.

 (SEAL)  
Timothy Wood, General Manager





**RESOLUTION CONFIRMING ASSESSMENT ROLLS  
AND LEVYING ASSESSMENTS  
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on July 20, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in U.S. 401 NORTH/RAMSEY STREET (west side, from the northeast corner of Lot 39, to the southeast corner of Lot 23); and

WHEREAS, the City Council has heard all those present who requested to be heard, and has found the said Assessment Rolls to be proper and correct.

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

1. The Assessment Rolls for the extension of sanitary sewer collection system in U. S. 401 North/Ramsey Street is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Rolls, attached hereto as Exhibit A and incorporated by reference a if fully set forth herein.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Rolls.
4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be

ITEM 3.B.1.

applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.

5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 19th day of August, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 20th day of July, 1992, at \_\_\_\_\_ p.m.

\_\_\_\_\_  
J. L. DAWKINS, MAYOR

ATTEST:

\_\_\_\_\_  
BOBBIE A. JOYNER, CITY CLERK

The following City Councilmembers voted for the passage of the above resolution:

\_\_\_\_\_  
\_\_\_\_\_

The following City Councilmembers voted against passage of the above resolution:

\_\_\_\_\_  
\_\_\_\_\_

07/11/92  
12:55:55

PUBLIC WORKS COMMISSION  
Assessment Roll For Water and Sewer  
RAMSEY STREET

In order by Street, Site Address

Project: AREA 2 KINWOOD ISLAND US 401 N/RAMSEY ST

Submitted to City Council: \_\_\_\_\_

Final Approval by City Council: \_\_\_\_\_

To City Clerk: 7-9-92

To City Finance Department: \_\_\_\_\_

| Property Owner  | Property Description   | Lot# | Book/Page | Frontage | Water | Sewer      | Total      |
|---|--|------|-----------|----------|-------|------------|------------|
| VIRGINIA W LITTLE<br>1325 WOODLAND DRIVE<br>Fayetteville NC 28305 | 0530-15-64-6417<br>RAMSEY STREET<br>KINWOOD ISLAND LT 28 P1 LT 27 P1 LT 78 | 28   | 973 215   | 86.25    | 0.00  | 1,035.00   | 1,035.00   |
| H L HARDEE<br>5607 RAMSEY STREET<br>Fayetteville NC 28311         | 0530-15-64-6666<br>RAMSEY STREET<br>KINWOOD ISLAND 31 & 32 & 100 FT LT 79  | 31   | 0 0       | 100.00   | 0.00  | 1,200.00   | 1,200.00   |
| RUTH M HARDEE<br>5607 RAMSEY STREET<br>Fayetteville NC 28311      | 0530-15-64-6782<br>RAMSEY STREET<br>KINWOOD ISLAND LT 33 & P1 LT 79        | 33   | 0 0       | 50.00    | 0.00  | 600.00     | 600.00     |
| JOHN P MCCORMICK<br>5603 RAMSEY STREET<br>Fayetteville NC 28311   | 0530-15-64-8478<br>RAMSEY STREET<br>KINWOOD ISLAND LT 29 & 30 AIRPORT PROP | 29   | 0 0       | 100.00   | 0.00  | 1,200.00   | 1,200.00   |
| ELON S LEWIS<br>5613 RAMSEY STREET<br>Fayetteville NC 28311       | 0530-15-64-9752<br>RAMSEY STREET<br>KINWOOD ISLAND LT 34 & 35 AIRPORT PROP | 34   | 0 0       | 100.00   | 0.00  | 1,200.00   | 1,200.00   |
| RONNIE R MILLIGAN<br>181 KINLAW ROAD<br>Fayetteville NC 28311     | 0530-15-64-9881<br>RAMSEY STREET<br>KINWOOD ISLAND LT 36 & 37 AIRPORT PROP | 36   | 2507 56   | 100.00   | 0.00  | 1,200.00   | 1,200.00   |
| RONNIE R MILLIGAN<br>5621 RAMSEY STREET<br>Fayetteville NC 28311  | 0530-15-74-0911<br>RAMSEY STREET<br>KINWOOD ISLAND LT 38 & 39 AIRPORT PROP | 38   | 0 0       | 100.00   | 0.00  | 1,200.00   | 1,200.00   |
| 7 Owners  |  |      |           |          | 4.00  | \$7,635.00 | \$7,635.00 |

Water main assessment equals: .00 per front footage of property abutting street.

Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.

Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable annually.



PUBLIC HEARING - SPEAKERS

SUBJECT: PRELIMINARY ASSESSMENT - SEWER - 45401 NORTH

DATE: July 20, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

- |    |       |       |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |
| 5. | _____ | _____ |
| 7. | _____ | _____ |

OPPONENT - (Against)

(Name - Print)

(Address - Print)

- |    |       |       |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |
| 6. | _____ | _____ |
| 7. | _____ | _____ |

PUBLIC HEARING - SPEAKERS

SUBJECT: \_\_\_\_\_

DATE: \_\_\_\_\_

CITIZEN INPUT

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_
- 8. \_\_\_\_\_
- 9. \_\_\_\_\_
- 10. \_\_\_\_\_

**RESOLUTION CONFIRMING ASSESSMENT ROLLS  
AND LEVYING ASSESSMENTS  
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on July 20, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in **AMSTEAD AVENUE (from Lansdowne Road to Lynhurst Drive)**; and

WHEREAS, the City Council has heard all those present who requested to be heard, and has found the said Assessment Rolls to be proper and correct.

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

1. The Assessment Rolls for the extension of sanitary sewer collection system in **AMSTEAD AVENUE** is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Rolls, attached hereto as Exhibit A and incorporated by reference a if fully set forth herein.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Rolls.
4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days

ITEM 3.B.2.

from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.

5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 19th day of August, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 20th day of July, 1992, at \_\_\_\_\_ p.m.

\_\_\_\_\_  
J. L. DAWKINS, MAYOR

ATTEST:

\_\_\_\_\_  
BOBBIE A. JOYNER, CITY CLERK

The following City Councilmembers voted for the passage of the above resolution:

\_\_\_\_\_

The following City Councilmembers voted against passage of the above resolution:

\_\_\_\_\_

PUBLISH: August 19, 1992



06/17/92

09:00:08

Public Works Commission  
 Assessment Roll For Water and Sewer  
 AMSTEAD AVENUE

Page: 1  
 arrriss

In order by Street, Site Address

Project: AREA 8C HERMITAGE PLACE

Submitted to City Council : \_\_\_\_\_

Final Approval by City Council: \_\_\_\_\_

To City Clerk: 2-9-92

To City Finance Department: \_\_\_\_\_

| Property Owner  | Property Description   | Lot# | Book/Page | Frontage | Water | Sewer    | Total    |
|---|--|------|-----------|----------|-------|----------|----------|
| KENNETH E MARTIN<br>442 LYNHURST DRIVE<br>Fayetteville NC 28314       | 0407-11-66-9998<br>442 LYNHURST DRIVE<br>HERMITAGE PT L1 11 ASMT AMSTEAD | 10   | 2389 204  | 150.00   | 0.00  | 1,800.00 | 1,800.00 |
| MICHAEL R HART<br>6005 AMSTEAD AVENUE<br>Fayetteville NC 28314        | 0407-11-66-8978<br>6005 AMSTEAD AVENUE<br>HERMITAGE BLK C SEC 5          | 9    | 3418 611  | 75.00    | 0.00  | 900.00   | 900.00   |
| ROY L EVERROAD<br>6006 AMSTEAD AVENUE<br>FAYETTEVILLE NC 28314        | 0407-11-67-8290<br>6006 AMSTEAD AVENUE<br>HERMITAGE SEC 4 BLK D          | 15   | 3632 220  | 75.00    | 0.00  | 900.00   | 900.00   |
| ROBERT TYSON C/O D L GODWIN<br>PO BOX 664<br>Fayetteville NC 28302    | 0407-11-66-8908<br>6009 AMSTEAD AVENUE<br>HERMITAGE BLK C SEC 5          | 8    | 0 0       | 75.00    | 0.00  | 900.00   | 900.00   |
| CAROL BURKE<br>7337 ROGERS DRIVE<br>FAYETTEVILLE NC 28303             | 0407-11-67-8220<br>6010 AMSTEAD AVENUE<br>HERMITAGE BLK D SEC 4          | 16   | 2789 97   | 75.00    | 0.00  | 900.00   | 900.00   |
| MARY M JETER<br>6014 AMSTEAD AVENUE<br>FAYETTEVILLE NC 28314          | 0407-11-67-7231<br>6014 AMSTEAD AVENUE<br>HERMITAGE SEC 4 BLK D          | 17   | 1007 420  | 81.15    | 0.00  | 973.80   | 973.80   |
| GLEN E BORG<br>6018 AMSTEAD AVENUE<br>FAYETTEVILLE NC 28314           | 0407-11-67-6241<br>6018 AMSTEAD AVENUE<br>HERMITAGE BLK D                | 18   | 2465 391  | 81.15    | 0.00  | 973.80   | 973.80   |
| MICHAEL PRICE<br>C CD 501ST SB<br>APO NY 09112                        | 0407-11-67-5159<br>6022 AMSTEAD AVENUE<br>HERMITAGE BLK D SEC 4          | 19   | 2813 725  | 80.61    | 0.00  | 967.32   | 967.32   |
| JERRY D MORGAN, HEIRS<br>6026 AMSTEAD AVENUE<br>Fayetteville NC 28314 | 0407-11-67-4177<br>6026 AMSTEAD AVENUE<br>HERMITAGE BLK D SEC 4          | 20   | 2050 85   | 81.15    | 0.00  | 973.80   | 973.80   |
| GLENN E BORG<br>6018 AMSTEAD AVENUE<br>FAYETTEVILLE NC 28314          | 0407-11-67-3194<br>6030 AMSTEAD AVENUE<br>HERMITAGE BLK D SEC 4          | 21   | 2616 707  | 81.15    | 0.00  | 973.80   | 973.80   |

Water main assessment equals: .00 per front footage of property abutting street.

Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.

Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable

Water main assessment equals: .00 per front footage of property abutting street.

Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.

Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable annually.

PUBLIC HEARING - SPEAKERS

SUBJECT: PRELIMINARY ASSESSMENT - SEWER - A PASTEAD AVE

DATE: July 20, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
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- 7. \_\_\_\_\_

OPPONENT - (Against)

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
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- 5. \_\_\_\_\_
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- 7. \_\_\_\_\_

PUBLIC HEARING - SPEAKERS

SUBJECT: \_\_\_\_\_

DATE: \_\_\_\_\_

CITIZEN INPUT

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
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**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS  
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on July 20, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in **BLAIRMORE PLACE (from Lansdowne Road to Lynhurst Drive)**; and,

WHEREAS, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct.

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

1. The Assessment Rolls for the extension of sanitary sewer collection system in **BLAIRMORE PLACE** is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll, attached hereto as Exhibit A and incorporated by reference a if fully set forth herein.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days

**ITEM** 3.B.3

from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.

5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 19th day of August, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 20th day of July, 1992, at \_\_\_\_\_ p.m.

\_\_\_\_\_  
J. L. DAWKINS, MAYOR

ATTEST:

\_\_\_\_\_  
BOBBIE A. JOYNER, CITY CLERK

The following City Councilmembers voted for the passage of the above resolution:

\_\_\_\_\_  
\_\_\_\_\_

The following City Councilmembers voted against passage of the above resolution:

\_\_\_\_\_  
\_\_\_\_\_

PUBLISH: August 19, 1992

06/1  
08:59:16

PUBLIC WORKS Commission  
Assessment Roll For Water and Sewer  
BLAIRMORE PLACE

Page: 1  
arriss

In order-by Street, Site Address

Project: AREA 8C HERMITAGE PLACE

Submitted to City Council : \_\_\_\_\_

Final Approval by City Council: \_\_\_\_\_

To City Clerk: 2-9-92

To City Finance Department: \_\_\_\_\_

| Property Owner   | Property Description   | Lot# | Book/Page | Frontage | Water | Sewer    | Total    |
|--|--|------|-----------|----------|-------|----------|----------|
| RANDY C LEWIS<br>433 LANSDDWNE ROAD<br>Fayetteville NC 28314           | 0407-11-67-1452<br>433 LANSDDWNE ROAD<br>HERMITAGE BLK E SEC 4 ASSM1 BLAIRMORE | 26   | 2618 868  | 122.32   | 0.00  | 1,467.84 | 1,467.84 |
| ROBERT L MOSES<br>6005 BLAIRMORE PLACE<br>FAYETTEVILLE NC 28314        | 0407-11-67-9305<br>6005 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BLK D               | 11   | 3555 631  | 75.00    | 0.00  | 900.00   | 900.00   |
| IRWING J TOTZAUER<br>6006 BLAIRMORE PLACE<br>Fayetteville NC 28314     | 0407-07-67-9515<br>6006 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BLK E               | 17   | 3581 555  | 75.00    | 0.00  | 900.00   | 900.00   |
| JESSE R ESPARZA<br>6009 BLAIRMORE PLACE<br>FAYETTEVILLE NC 28314       | 0407-11-67-8325<br>6009 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BLK D               | 10   | 3046 212  | 75.00    | 0.00  | 900.00   | 900.00   |
| GARY C GODFREY<br>6010 BLAIRMORE PLACE<br>Fayetteville NC 28314        | 0407-07-67-8546<br>6010 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BLK E               | 18   | 3082 501  | 75.00    | 0.00  | 900.00   | 900.00   |
| JANIE V KING<br>6337 BRAGG BOULEVARD<br>FAYETTEVILLE NC 28303          | 0407-11-67-7345<br>6013 BLAIRMORE PLACE<br>HERMITAGE BLK D SEC 1               | 9    | 3539 405  | 89.78    | 0.00  | 1,077.36 | 1,077.36 |
| BILLY R EVANS<br>6014 BLAIRMORE PLACE<br>Fayetteville NC 28314         | 0407-07-67-7557<br>6014 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BLK E               | 19   | 929 373   | 80.76    | 0.00  | 969.12   | 969.12   |
| MARIA PARSLEY<br>6017 BLAIRMORE PLACE<br>FAYETTEVILLE NC 28314         | 0407-11-67-6355<br>6017 BLAIRMORE PLACE<br>HERMITAGE BLK D SEC 1               | 8    | 953 46    | 89.78    | 0.00  | 1,077.36 | 1,077.36 |
| MARIA PARSLEY<br>6017 BLAIRMORE PLACE<br>Fayetteville NC 28314         | 0407-07-67-6576<br>6018 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BLK E               | 20   | 2067 41   | 82.47    | 0.00  | 989.64   | 989.64   |
| SEC OF VETERANS AFFAIRS<br>251 N MAIN STREET<br>WINSTON-SALEM NC 27155 | 0407-11-67-5374<br>6021 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BLK D               | 7    | 3730 629  | 90.14    | 0.00  | 1,081.68 | 1,081.68 |

Water main assessment equals: .00 per front footage of property abutting street.

Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.

Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable

BLAIRMORE PLACE

In order by Street, Site Address

Project: AREA 8C HERMITAGE PLACE

Submitted to City Council : \_\_\_\_\_

Final Approval by City Council: \_\_\_\_\_

To City Clerk: 7-9-92

To City Finance Department: \_\_\_\_\_

| Property Owner  | Property Description   | Lot# | Book/Page | Frontage | Water  | Sewer       | Total       |
|---|--|------|-----------|----------|--------|-------------|-------------|
| HUBERT WOOTEN<br>905 FULTON STREET<br>RAEFORD NC 28376              | 0407-07-67-5585<br>6022 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BLK E       | 21   | 2956 627  | 82.47    | 0.00   | 989.64      | 989.64      |
| JAMES T FITZGERALD<br>RT 2 BOX 177<br>RAEFORD NC 28376              | 0407-11-67-4393<br>6025 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BKL D       | 6    | 2371 21   | 90.14    | 0.00   | 1,081.68    | 1,081.68    |
| TOMMIE K WRIGHT<br>6026 BLAIRMORE PLACE<br>FAYETTEVILLE NC 28314    | 0407-07-67-5504<br>6026 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BLK E       | 22   | 2225 399  | 80.76    | 0.00   | 969.12      | 969.12      |
| JOY K TREDINNICK<br>6030 BLAIRMORE PLACE<br>FAYETTEVILLE NC 28314   | 0407-07-67-4513<br>6030 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BLK E       | 23   | 929 211   | 80.76    | 0.00   | 969.12      | 969.12      |
| INGRID BROOKS PAUL<br>6031 BLAIRMORE PLACE<br>Fayetteville NC 28314 | 0407-11-67-4311<br>6031 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BLK D       | 5    | 3122 842  | 89.78    | 0.00   | 1,077.36    | 1,077.36    |
| VAUGHN B AARON<br>6034 BLAIRMORE PLACE<br>FAYETTEVILLE NC 28314     | 0407-07-67-3532<br>6034 BLAIRMORE PLACE<br>HERMITAGE SEC 1 BLK E       | 24   | 1022 561  | 80.76    | 0.00   | 969.12      | 969.12      |
| WARREN L COPENHAVER<br>443 SOUTHWICK DRIVE<br>FAYETTEVILLE NC 28303 | 0407-07-67-2540<br>6038 BLAIRMORE PLACE<br>HERMITAGE PLACE SEC 1 BLK E | 25   | 3036 803  | 80.76    | 0.00   | 969.12      | 969.12      |
| INGRID BROOKS PAUL<br>6031 BLAIRMORE PLACE<br>FAYETTEVILLE NC 28314 | 0407-11-67-3238<br>BLAIRMORE PLACE<br>HERMITAGE BLK D SEC 1            | 4    | 3122 842  | 89.78    | 0.00   | 1,077.36    | 1,077.36    |
| 18 Owners   |  |      |           |          | \$ .00 | \$18,365.52 | \$18,365.52 |

Water main assessment equals: .00 per front footage of property abutting street.

Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.

Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable annually.



PUBLIC HEARING - SPEAKERS

SUBJECT: PRELIMINARY ASSESSMENT - SEWER - BLAIRMORE PL.

DATE: July 20, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
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- 7. \_\_\_\_\_

OPPONENT - (Against)

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
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PUBLIC HEARING - SPEAKERS

SUBJECT: \_\_\_\_\_

DATE: \_\_\_\_\_

CITIZEN INPUT

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
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**RESOLUTION CONFIRMING ASSESSMENT ROLLS  
AND LEVYING ASSESSMENTS  
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on July 20, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in **CLIFFDALE ROAD** (south side, beginning at the northwest corner of the Cecelia Godwin, et al, .85 acre tract to the northeast corner of the 1.8 acre M. Vaughn tract, and south side, from Skibo Road to the northwest corner of the 2.02 acre M. J. Leigh tract; and north side, from the eastern margin of Lansdowne Road to the southeast corner of Lot 1, Block B, Hermitage Place, Section 6); and

WHEREAS, the City Council has heard all those present who requested to be heard, and has found the said Assessment Rolls to be proper and correct.

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

1. The Assessment Rolls for the extension of sanitary sewer collection system in **CLIFFDALE ROAD** is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Rolls, attached hereto as Exhibit A and incorporated by reference a if fully set forth herein.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Rolls.

3.B.4.  
**ITEM** \_\_\_\_\_

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 19th day of August, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 20th day of July, 1992, at \_\_\_\_\_ p.m.

\_\_\_\_\_  
J. L. DAWKINS, MAYOR

ATTEST:

\_\_\_\_\_  
BOBBIE A. JOYNER, CITY CLERK

The following City Councilmembers voted for the passage of the above resolution:

\_\_\_\_\_  
\_\_\_\_\_

The following City Councilmembers voted against passage of the above resolution:

\_\_\_\_\_  
\_\_\_\_\_

PUBLISH: August 19, 1992

06/17/92  
09:00:48

Public Works Commission  
Assessment Roll For Water and Sewer  
CLIFFDALE ROAD

In order by Street, Site Address

Project: AREA 8C HERMITAGE PLACE

Submitted to City Council : \_\_\_\_\_

Final Approval by City Council: \_\_\_\_\_

To City Clerk: 2-9-92

To City Finance Department: \_\_\_\_\_

| Property Owner  | Property Description  | Lot# | Book/Page | Frontage | Water  | Sewer       | Total       |
|---|---|------|-----------|----------|--------|-------------|-------------|
| MAGDALENA I FISHER<br>PO BOX 41541<br>Fayetteville NC 28309         | 0407-11-66-8872<br>6012 CLIFFDALE ROAD<br>HERMITAGE LT 13 SEC 6               | 13   | 3723 805  | 75.00    | 0.00   | 900.00      | 900.00      |
| J C RAY<br>7006 MILL STONE LANE<br>FAYETTEVILLE NC 28306            | 0407-11-66-4564<br>CLIFFDALE ROAD<br>.55 AC MORGAN LD W/2 HOUSES              | UN   | 3589 773  | 195.14   | 0.00   | 2,341.68    | 2,341.68    |
| WILSON C JONES<br>PO BOX 35759<br>FAYETTEVILLE NC 28303             | 0407-11-66-4852<br>CLIFFDALE ROAD<br>.91 MORGAN LD CLIFFDALE RD/AMSTEAD AVE   | UN   | 3620 305  | 242.19   | 0.00   | 2,906.28    | 2,906.28    |
| MARIE CRUMMLER VAUGHN<br>906 CAIN ROAD<br>FAYETTEVILLE NC 28303     | 0407-11-66-5488<br>CLIFFDALE ROAD<br>1.64 AC CLIFFDALE RD W/3 HOUSES          | UN   | 3582 108  | 244.00   | 0.00   | 2,928.00    | 2,928.00    |
| PHYLLIS K HEMINGWAY<br>7016 CLIFFDALE ROAD<br>FAYETTEVILLE NC 28314 | 0407-11-66-6940<br>CLIFFDALE ROAD<br>1.68 CLIFFDALE RD ASMT CLIFFDALE/AMSTEAD | UN   | 3610 658  | 469.00   | 0.00   | 5,628.00    | 5,628.00    |
| PHYLLIS K HEMINGWAY<br>6016 CLIFFDALE ROAD<br>Fayetteville NC 28314 | 0407-11-66-7892<br>CLIFFDALE ROAD<br>HERMITAGE SW/COR LT 13 SEC 6             | 13   | 3610 658  | 85.00    | 0.00   | 1,020.00    | 1,020.00    |
| MICHAEL J LEITH<br>PO BOX 40110<br>RALEIGH NC 27629                 | 0407-12-86-2347<br>CLIFFDALE ROAD<br>THE SKIBO TRACT 1.76 AC                  | A    | 3575 1    | 438.30   | 0.00   | 5,259.60    | 5,259.60    |
| EXXON CORP<br>PO BOX 53<br>HOUSTON TX 77001                         | 0407-12-86-5351<br>CLIFFDALE ROAD<br>1.2AC CLIFFDALE /HWY 59                  | UN   | 2214 597  | 210.00   | 0.00   | 2,520.00    | 2,520.00    |
| CECELIA G GODWIN<br>363 EDINBURGH DRIVE<br>Fayetteville NC 28303    | 0407-11-66-3427<br>CLIFFDALE ROAD<br>.81 MORGAN LD                            | UN   | 3625 789  | 223.66   | 0.00   | 2,683.92    | 2,683.92    |
|   |   |      |           |          | \$ .00 | \$26,187.48 | \$26,187.48 |

9 Owners

Water main assessment equals: .00 per front footage of property abutting street.

Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.

Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable annually.



PUBLIC HEARING - SPEAKERS

SUBJECT: PRELIMINARY ASSESSMENT - SEWER - CLIFFDALE RD

DATE: July 20, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
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5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_

(Name - Print)

OPPONENT - (Against)

(Address - Print)

1. \_\_\_\_\_
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3. \_\_\_\_\_
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5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_

PUBLIC HEARING - SPEAKERS

SUBJECT: \_\_\_\_\_

DATE: \_\_\_\_\_

CITIZEN INPUT

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
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- 9. \_\_\_\_\_
- 10. \_\_\_\_\_



**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS  
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on July 20, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in **LYNHURST DRIVE (from Cliffdale Road to dead end)**; and,

WHEREAS, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct.

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

1. The Assessment Rolls for the extension of sanitary sewer collection system in **LYNHURST DRIVE** is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll, attached hereto as Exhibit A and incorporated by reference a if fully set forth herein.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days

**ITEM** 3.B.5

from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.

5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 19th day of August, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 20th day of July, 1992, at \_\_\_\_\_ p.m.

\_\_\_\_\_  
J. L. DAWKINS, MAYOR

ATTEST:

\_\_\_\_\_  
BOBBIE A. JOYNER, CITY CLERK

The following City Councilmembers voted for the passage of the above resolution:

\_\_\_\_\_  
\_\_\_\_\_

The following City Councilmembers voted against passage of the above resolution:

\_\_\_\_\_  
\_\_\_\_\_

PUBLISH: August 19, 1992

06/17/92  
09:39:45

Public Works Commission  
Assessment Roll For Water and Sewer  
LYNHURST DRIVE

Page: 1  
arriss

In order by Street, Site Address

Project: AREA 8C HERMITAGE PLACE

Submitted to City Council : \_\_\_\_\_

Final Approval by City Council: \_\_\_\_\_

To City Clerk: 7-9-92

To City Finance Department: \_\_\_\_\_

| Property Owner   | Property Description   | Lot# | Book/Page | Frontage | Water | Sewer    | Total    |
|--|--|------|-----------|----------|-------|----------|----------|
| LEWIS E LINI<br>108 MARTINSBOROUGH<br>GREENVILLE NC 27858          | 0407-07-78-0891<br>300 LYNHURST DRIVE<br>HERMITAGE BLK H SEC 3 | 12   | 2828 473  | 112.50   | 0.00  | 1,350.00 | 1,350.00 |
| WILLIAM K BAYER III<br>1721 WAUSAU LANE<br>GURNEE IL 60031         | 0407-07-79-3224<br>309 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 4 | 19   | 2797 170  | 75.00    | 0.00  | 900.00   | 900.00   |
| CLINTON B FORD<br>313 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314      | 0407-07-79-3126<br>313 LYNHURST DRIVE<br>HERMITAGE BLK J       | 18   | 3220 28   | 75.00    | 0.00  | 900.00   | 900.00   |
| MIKE K DUHANI<br>317 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314       | 0407-07-79-3029<br>317 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 3 | 17   | 2379 495  | 75.00    | 0.00  | 900.00   | 900.00   |
| THELMA T BRYANT<br>318 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314     | 0407-07-79-1018<br>318 LYNHURST DRIVE<br>HERMITAGE BLK I SEC 3 | 13   | 2447 225  | 80.00    | 0.00  | 960.00   | 960.00   |
| HAROLD A BISHTON JR<br>321 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314 | 0407-07-79-3011<br>321 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 3 | 16   | 2354 369  | 75.00    | 0.00  | 900.00   | 900.00   |
| JAMES N BRINK<br>509 HUSKE STREET<br>FAYETTEVILLE NC 28305         | 0407-07-78-1919<br>324 LYNHURST DRIVE<br>HERMITAGE BLK I SEC 3 | 14   | 2193 571  | 110.50   | 0.00  | 1,326.00 | 1,326.00 |
| THOMAS P MCCLIMON<br>1233 RUE CONTI DRIVE<br>DANVILLE IL 61832     | 0407-07-78-3914<br>325 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 3 | 15   | 3219 371  | 75.00    | 0.00  | 900.00   | 900.00   |
| B L BREWER<br>329 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314          | 0407-07-78-3816<br>329 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 3 | 14   | 973 210   | 75.00    | 0.00  | 900.00   | 900.00   |
| JAMES R BROOME<br>333 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314      | 0407-07-78-3709<br>333 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 3 | 13   | 1056 452  | 75.00    | 0.00  | 900.00   | 900.00   |

Water main assessment equals: .00 per front footage of property abutting street.

Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.

Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable

06/17/92  
09:39:45

Public Works Commission  
Assessment Roll For Water and Sewer  
LYNHURST DRIVE

Page: 2  
arriss

In order by Street, Site Address

Project: AREA 8C HERMITAGE PLACE

Submitted to City Council : \_\_\_\_\_

Final Approval by City Council: \_\_\_\_\_

To City Clerk: 7-9-92

To City Finance Department: \_\_\_\_\_

| Property Owner   | Property Description   | Lot# | Book/Page | Frontage | Water | Sewer    | Total    |
|--|--|------|-----------|----------|-------|----------|----------|
| AMACCHI U UMERAH<br>336 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314    | 0407-07-78-0792<br>336 LYNHURST DRIVE<br>HERMITAGE BLK H SEC 3 | 13   | 3418 427  | 75.00    | 0.00  | 900.00   | 900.00   |
| MILTON ZAYAS<br>8-G BROWNSWOODS APTS<br>BROWNS MILLS NJ 08015      | 0407-07-78-3701<br>337 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 3 | 12   | 3022 183  | 75.00    | 0.00  | 900.00   | 900.00   |
| SUE HUGHES LIFE EST<br>341 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314 | 0407-07-78-3604<br>341 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 2 | 11   | 2538 325  | 75.00    | 0.00  | 900.00   | 900.00   |
| ISAAC L WDMACK<br>4772 YADKIN ROAD<br>FAYETTEVILLE NC 28303        | 0407-07-78-0683<br>342 LYNHURST DRIVE<br>HERMITAGE BLK H SEC 2 | 14   | 2507 85   | 112.50   | 0.00  | 1,350.00 | 1,350.00 |
| ROBERT L HAYES<br>345 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314      | 0407-07-78-2597<br>345 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 2 | 10   | 3675 546  | 75.00    | 0.00  | 900.00   | 900.00   |
| JAMES M ZALASCEK<br>885 STONEYKIRK AVENUE<br>FAYETTEVILLE NC 28314 | 0407-07-78-2499<br>349 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 2 | 9    | 2676 3    | 75.00    | 0.00  | 900.00   | 900.00   |
| SHIRLEY BROOKS<br>350 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314      | 0407-07-78-0475<br>350 LYNHURST DRIVE<br>HERMITAGE BLK G SEC 2 | 13   | 2850 275  | 122.50   | 0.00  | 1,470.00 | 1,470.00 |
| THEODORE A SMITH<br>353 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314    | 0407-07-78-2481<br>353 LYNHURST DRIVE<br>HERMITAGE BLK J       | 8    | 2578 851  | 75.00    | 0.00  | 900.00   | 900.00   |
| HAZEL M ENGLISH<br>357 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314     | 0407-07-78-2384<br>357 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 2 | 7    | 2138 577  | 75.00    | 0.00  | 900.00   | 900.00   |
| DONALD C HEFFERMAN<br>358 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314  | 0407-07-78-0375<br>358 LYNHURST DRIVE<br>HERMITAGE BLK G SEC 2 | 14   | 1066 343  | 75.00    | 0.00  | 900.00   | 900.00   |

Water main assessment equals: .00 per front footage of property abutting street.

Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.

Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable

09:39:43

Assessment Roll For Water and Sewer  
LYNHURST DRIVE

arrniss

In order by Street, Site Address

Project: AREA 8C HERMITAGE PLACE

Submitted to City Council : \_\_\_\_\_

Final Approval by City Council: \_\_\_\_\_

To City Clerk: 2-9-92

To City Finance Department: \_\_\_\_\_

| Property Owner  | Property Description   | Lot# | Book/Page | Frontage | Water | Sewer    | Total    |
|---|--|------|-----------|----------|-------|----------|----------|
| JAMES A CURRIE<br>289 SAN HEAD ROAD<br>WEST MONROE LA 71292             | 0407-07-78-2276<br>361 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 2 | 6    | 1134 62   | 78.07    | 0.00  | 936.84   | 936.84   |
| BETTY JO B KNOX LIFE EST<br>365 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314 | 0407-07-78-2159<br>365 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 2 | 5    | 3713 198  | 86.60    | 0.00  | 1,039.20 | 1,039.20 |
| HAL S ROBINETTE<br>369 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314          | 0407-07-78-2161<br>369 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 2 | 4    | 3591 182  | 83.49    | 0.00  | 1,001.88 | 1,001.88 |
| ATAWAH S MCVINE<br>373 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314          | 0407-07-78-2073<br>373 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 2 | 3    | 2230 575  | 76.61    | 0.00  | 919.32   | 919.32   |
| WILLIAM T SHACKELFORD<br>376 LYNHURST DRIVE<br>Fayetteville NC 28314    | 0407-07-77-0957<br>376 LYNHURST DRIVE<br>HERMITAGE BLK F SEC 1 | 15   | 2365 551  | 75.00    | 0.00  | 900.00   | 900.00   |
| JOHN A OHALE<br>2717 HUNTINGTON ROAD<br>FAYETTEVILLE NC 28303           | 0407-07-77-2966<br>377 LYNHURST DRIVE<br>HERMITAGE BLK J SEC 1 | 2    | 3518 345  | 75.00    | 0.00  | 900.00   | 900.00   |
| KENNETH E TUCKER<br>PO BOX 42606<br>Fayetteville NC 28309               | 0407-07-77-0849<br>380 LYNHURST DRIVE<br>HERMITAGE BLK F SEC 1 | 16   | 2844 364  | 105.00   | 0.00  | 1,260.00 | 1,260.00 |
| PHILIP R BLACK<br>381 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314           | 0407-07-77-2857<br>381 LYNHURST DRIVE<br>HERMITAGE BLK J       | 1    | 2483 13   | 105.00   | 0.00  | 1,260.00 | 1,260.00 |
| ELLIS JOHNSON JR<br>401 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314         | 0407-07-77-2741<br>401 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 1 | 14   | 950 299   | 100.00   | 0.00  | 1,200.00 | 1,200.00 |
| MICHAEL L CAINS<br>402 LYNHURST DRIVE<br>Fayetteville NC 28314          | 0407-07-77-0751<br>402 LYNHURST DRIVE<br>HERMITAGE BLK E SEC 1 | 14   | 3259 434  | 115.00   | 0.00  | 1,380.00 | 1,380.00 |

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06/17/92  
09:39:45

Public Works Commission  
Assessment Roll For Water and Sewer  
LYNHURST DRIVE

Page: 4  
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In order by Street, Site Address

Project: AREA 8C HERMITAGE PLACE

Submitted to City Council : \_\_\_\_\_

Final Approval by City Council: \_\_\_\_\_

To City Clerk: 7-9-92

To City Finance Department: \_\_\_\_\_

| Property Owner   | Property Description   | Lot# | Book/Page | Frontage | Water | Sewer    | Total    |
|--|--|------|-----------|----------|-------|----------|----------|
| ROBERT F HELMS II<br>2 LAKEVIEW DRIVE<br>SANFORD NC 27330        | 0407-07-77-2642<br>405 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 1 | 13   | 2846 227  | 75.00    | 0.00  | 900.00   | 900.00   |
| JACKIE C MCARTHUR<br>408 LYNHURST DRIVE<br>Fayetteville NC 28314 | 0407-07-77-0632<br>408 LYNHURST DRIVE<br>HERMITAGE BLK E SEC 1 | 15   | 3635 251  | 75.00    | 0.00  | 900.00   | 900.00   |
| JUNE SWANSON<br>409 LYNHURST DRIVE<br>Fayetteville NC 28314      | 0407-07-77-2535<br>409 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 1 | 12   | 2985 481  | 75.00    | 0.00  | 900.00   | 900.00   |
| JAMES L DARNELL<br>412 LYNHURST DRIVE<br>Fayetteville NC 28314   | 0407-07-77-0523<br>412 LYNHURST DRIVE<br>HERMITAGE BLK E SEC 1 | 16   | 3462 678  | 110.00   | 0.00  | 1,320.00 | 1,320.00 |
| JAMES LEVAI<br>RT 4 BOX 324<br>DARLINGTON SC 29532               | 0407-11-77-2438<br>413 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 1 | 11   | 3006 621  | 75.00    | 0.00  | 900.00   | 900.00   |
| LLOYD S GODFREY<br>417 LYNHURST DRIVE<br>Fayetteville NC 28314   | 0407-11-77-2420<br>417 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 1 | 10   | 2276 563  | 75.00    | 0.00  | 900.00   | 900.00   |
| DAVID W COCHRAN<br>421 LYNHURST DRIVE<br>Fayetteville NC 28314   | 0407-11-77-2323<br>421 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 1 | 9    | 3521 94   | 75.00    | 0.00  | 900.00   | 900.00   |
| ANDREW J SEZAWICH<br>RD #1 BOX 293<br>PERYOPOLIS PA 15473        | 0407-11-77-0316<br>422 LYNHURST DRIVE<br>HERMITAGE BLK D SEC 1 | 12   | 2750 518  | 112.50   | 0.00  | 1,350.00 | 1,350.00 |
| DANA D SKAAR<br>425 LYNHURST DRIVE<br>Fayetteville NC 28314      | 0407-11-77-2225<br>425 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 1 | 8    | 3311 552  | 75.00    | 0.00  | 900.00   | 900.00   |
| INAD B ATASSI<br>101 ROBESON STREET 410<br>FAYETTEVILLE NC 28301 | 0407-11-77-2118<br>429 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 1 | 7    | 3036 769  | 75.00    | 0.00  | 900.00   | 900.00   |

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06/11/92  
09:39:45

PUBLIC WORKS COMMISSION  
Assessment Roll For Water and Sewer  
LYNHURST DRIVE

Page: 5  
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In order by Street, Site Address

Project: AREA 8C HERMITAGE PLACE

Submitted to City Council : \_\_\_\_\_

Final Approval by City Council: \_\_\_\_\_

To City Clerk: 7-9-92

To City Finance Department: \_\_\_\_\_

| Property Owner  | Property Description   | Lot# | Book/Page | Frontage | Water | Sewer    | Total    |
|---|--|------|-----------|----------|-------|----------|----------|
| JAMES T FITZGERALD<br>RT 2 BOX 177<br>RAEFORD NC 28376            | 0407-11-77-0206<br>430 LYNHURST DRIVE<br>HERMITAGE BLKD SEC 1              | 13   | 2358 430  | 75.00    | 0.00  | 900.00   | 900.00   |
| ARNALDO L RIVERA<br>433 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314   | 0407-11-77-2110<br>433 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 1             | 6    | 3624 466  | 75.00    | 0.00  | 900.00   | 900.00   |
| DENNIS JALLAH JR<br>434 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314   | 0407-11-77-0107<br>434 LYNHURST DRIVE<br>HERMITAGE BLK D SEC 1             | 14   | 3034 529  | 112.50   | 0.00  | 1,350.00 | 1,350.00 |
| WILLIE L ALLEN<br>437 LYNHURST DRIVE<br>FAYETTEVILLE NC 28314     | 0407-11-77-2013<br>437 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 1             | 5    | 3662 801  | 75.00    | 0.00  | 900.00   | 900.00   |
| MICHAEL STEPHENS<br>PO BOX 72601<br>FORT BRAGG NC 28307           | 0407-11-76-2906<br>441 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 1             | 4    | 2862 125  | 75.00    | 0.00  | 900.00   | 900.00   |
| DARREL E REED<br>445 LYNHURST DRIVE<br>Fayetteville NC 28314      | 0407-11-76-2808<br>445 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 1             | 3    | 2347 637  | 75.00    | 0.00  | 900.00   | 900.00   |
| JESSE J SHIFLET JR<br>416 LYNHURST DRIVE<br>Fayetteville NC 28314 | 0407-11-66-9895<br>416 LYNHURST DRIVE<br>HERMITAGE BLK C SEC 6             | 11   | 1094 30   | 80.00    | 0.00  | 960.00   | 960.00   |
| KENNIE W MAYNARD<br>449 LYNHURST DRIVE<br>Fayetteville NC 28314   | 0407-11-76-1890<br>449 LYNHURST DRIVE<br>HERMITAGE BLK B SEC 6             | 2    | 1174 479  | 75.00    | 0.00  | 900.00   | 900.00   |
| MYRLE B WEBSTER<br>452 LYNHURST DRIVE<br>Fayetteville NC 28314    | 0407-11-66-9786<br>452 LYNHURST DRIVE<br>HERMITAGE BLK C SEC 6             | 12   | 3594 92   | 121.99   | 0.00  | 1,463.88 | 1,463.88 |
| SHIRLEY A OKORO<br>453 LYNHURST DRIVE<br>Fayetteville NC 28314    | 0407-11-76-1792<br>453 LYNHURST DRIVE<br>HERMITAGE MAJ PT LT 1 SEC 6 .26AC | 1    | 3640 646  | 91.04    | 0.00  | 1,092.48 | 1,092.48 |

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PUBLIC HEARING - SPEAKERS

SUBJECT: PRELIMINARY ASSESSMENT - SEWER - LYNHURST DR., @ BROOME

DATE: July 20, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_

OPPONENT - (Against)

(Name - Print)

(Address - Print)

- 1. JAMES R. BROOME 333 LYNHURST DR.
- 2. Rosal Martin 362 Lynhurst Dr.
- 3. Mr. Jim Mulhall 429 Lansdowne Rd
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_

PUBLIC HEARING - SPEAKERS

SUBJECT: \_\_\_\_\_

DATE: \_\_\_\_\_

CITIZEN INPUT

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
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- 10. \_\_\_\_\_

**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS  
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on July 20, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in **WINDERMERE DRIVE** (west side, from the southeast corner of Lot 4 to the northeast corner of Lot 15, L.A. Fillyaw Subdivision, Section 2; east side, from the northwest corner of the 3.5 acre Ray Adkins Tract to the southwest corner of the John J. Landa Tract); and,

WHEREAS, the City Council has heard all those present who requested to be heard, and has found the said Assessment Roll to be proper and correct.

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

1. The Assessment Rolls for the extension of sanitary sewer collection system in **WINDERMERE DRIVE** is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll, attached hereto as Exhibit A and incorporated by reference a if fully set forth herein.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.

**ITEM**

3. B. 6



4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 19th day of August, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 20th day of July, 1992, at \_\_\_\_\_ p.m.

\_\_\_\_\_  
J. L. DAWKINS, MAYOR

ATTEST:

\_\_\_\_\_  
BOBBIE A. JOYNER, CITY CLERK

The following City Councilmembers voted for the passage of the above resolution:

\_\_\_\_\_  
\_\_\_\_\_

The following City Councilmembers voted against passage of the above resolution:

\_\_\_\_\_  
\_\_\_\_\_

PUBLISH: August 19, 1992

06/17/92  
09:01:13

Public Works Commission  
Assessment Roll For Water and Sewer  
WINDERMERE DRIVE

Page: 1  
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In order by Street, Site Address

Project: AREA 8C HERMITAGE PLACE

Submitted to City Council : \_\_\_\_\_

Final Approval by City Council: \_\_\_\_\_

To City Clerk: 7-9-92

To City Finance Department: \_\_\_\_\_

| Property Owner  | Property Description   | Lot# | Book/Page | Frontage | Water  | Sewer      | Total      |
|---|--|------|-----------|----------|--------|------------|------------|
| DAVID ANDRADE<br>372 WINDERMERE DRIVE<br>FAYETTEVILLE NC 28314      | 0407-07-78-4144<br>372 WINDERMERE DRIVE<br>FILLYAW SUB                       | 8    | 2809 555  | 88.50    | 0.00   | 1,062.00   | 1,062.00   |
| EDWARD E FAIRCLOTH<br>386 WINDERMERE DRIVE<br>FAYETTEVILLE NC 28314 | 0407-07-78-4045<br>386 WINDERMERE DRIVE<br>FILLYAW SUB SEC 2                 | 7    | 1176 108  | 89.00    | 0.00   | 1,068.00   | 1,068.00   |
| JAMES L DARNELL<br>406 WINDERMERE DRIVE<br>FAYETTEVILLE NC 28314    | 0407-07-77-4936<br>402 WINDERMERE DRIVE<br>FILLYAW SUB                       | 6    | 2051 139  | 89.90    | 0.00   | 1,078.80   | 1,078.80   |
| JAMES L DARNELL<br>406 WINDERMERE DRIVE<br>FAYETTEVILLE NC 28314    | 0407-07-77-4837<br>406 WINDERMERE DRIVE<br>FILLYAW SUB                       | 5    | 2371 343  | 110.16   | 0.00   | 1,321.92   | 1,321.92   |
| AARON M MASSENGILL<br>5997 CORNISH STREET<br>FAYETTEVILLE NC 28314  | 0407-07-77-4740<br>5997 CORNISH STREET<br>FILLYAW SUB ASSMT WINDERMERE DRIVE | 4    | 1191 461  | 91.96    | 0.00   | 1,103.52   | 1,103.52   |
| JOHN A LIVINGSTON<br>1413 SHAW ROAD<br>FAYETTEVILLE NC 28311        | 0407-07-78-4253<br>WINDERMERE DRIVE<br>FILLYAW SUB SEC 2                     | 9    | 3556 115  | 88.00    | 0.00   | 1,056.00   | 1,056.00   |
| LEON A FILLYAW JR<br>364 WINDERMERE DRIVE<br>FAYETTEVILLE NC 28314  | 0407-07-78-4361<br>WINDERMERE DRIVE<br>FILLYAW SUB SEC 2                     | 15   | 1196 569  | 75.00    | 0.00   | 900.00     | 900.00     |
|   |  |      |           |          | \$0.00 | \$7,590.24 | \$7,590.24 |

7 Owners

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Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.

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PUBLIC HEARING - SPEAKERS

SUBJECT: PRELIMINARY ASSESSMENT - SEWER - WINDEMERE DRIVE

DATE: July 20, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
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OPPONENT - (Against)

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
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PUBLIC HEARING - SPEAKERS

SUBJECT: \_\_\_\_\_

DATE: \_\_\_\_\_

CITIZEN INPUT

(Name - Print)

(Address - Print)

1. \_\_\_\_\_

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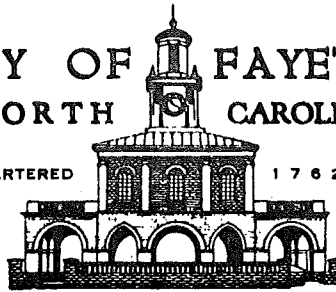
9. \_\_\_\_\_

10. \_\_\_\_\_



THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



TRAFFIC SERVICES DEPARTMENT  
433 HAY STREET  
FAYETTEVILLE, NC 28301-5797  
TEL. (919) 433-1660

SIGNS AND MARKINGS DIVISION 433-1795  
SIGNAL MANAGEMENT DIVISION 433-1796  
339 ALEXANDER STREET  
FAYETTEVILLE, NC 28301-5797

July 14, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Louis A. Chalmers, Jr., P.E., City Traffic Engineer

REFERENCE: Petition for 25 Miles Per Hour Speed Zone -  
Shannon Drive

We have received a petition signed by the majority of residents on Shannon Drive requesting a 25 Miles Per Hour Speed Zone on their street.

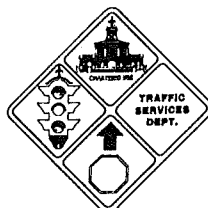
If, following the public hearing, City Council should agree with the proposed speed reduction; adoption of the attached ordinance will establish a 25 miles per hour speed limit on Shannon Drive in accordance with City Council Policy.

LAC/psc

Enclosures  
Petition  
Map, Ordinance

cc: Roger L. Stancil, Deputy City Manager  
Jimmy Teal, Assistant City Manager - Planning/Development  
William H. Melvin, Signs and Markings Supervisor

An Equal Opportunity

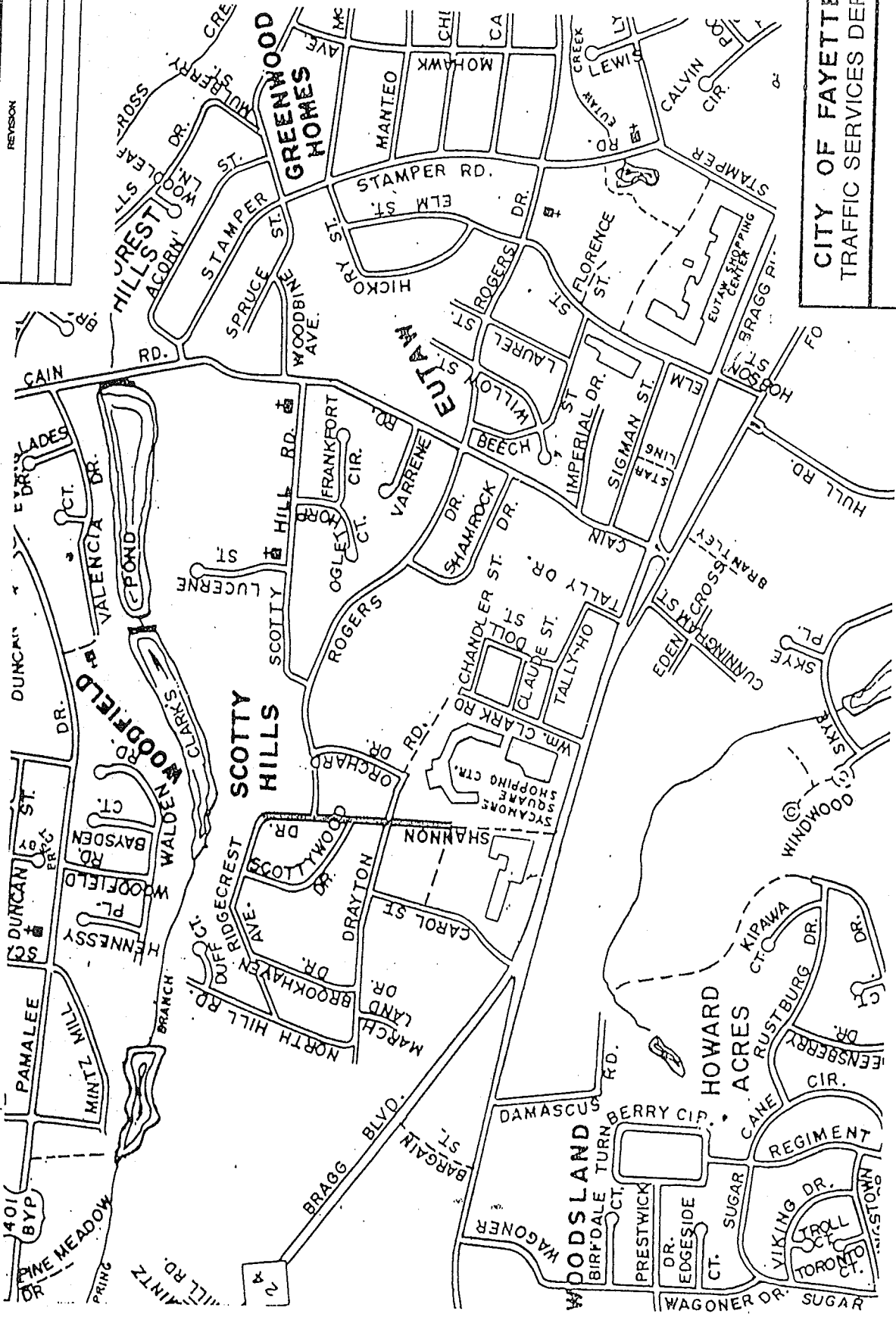
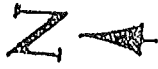


Affirmative Action Employer

ITEM 3.C.



|          |      |    |
|----------|------|----|
| REVISION | DATE | BY |
|          |      |    |
|          |      |    |
|          |      |    |



CITY OF FAYETTEVILLE  
TRAFFIC SERVICES DEPARTMENT

SHANNON DRIVE AREA MAP

|             |                       |                |         |
|-------------|-----------------------|----------------|---------|
| APPROVED    | CITY TRAFFIC ENGINEER | FIELD BOOK NO. | PC      |
| DESIGNED BY | KMF                   | DATE           | 6-30-92 |
| SCALE       | 1"=100'               | SHEET          | OF      |

AN ORDINANCE AMENDING CHAPTER 20, MOTOR VEHICLES AND TRAFFIC  
OF THE CITY OF FAYETTEVILLE CODE OF ORDINANCES

BE IT ORDAINED by the City Council of the City of Fayetteville,  
North Carolina that Chapter 20, "Motor Vehicles and Traffic", is  
hereby amended to read as follows:

Sec. 20-106. Traffic Schedule Number 8 - Speed Control

There is hereby added to said schedule the following:

25 Miles Per Hour Speed Limit

Shannon Drive - From a point 880 feet north of the  
north back of curb on Bragg Boulevard; north to its end.

This ordinance shall be in full force and effective July 31, 1992.

ADOPTED this the 20th day of July, 1992.

CITY OF FAYETTEVILLE

BY: \_\_\_\_\_  
J.L. Dawkins, Mayor

ATTEST:

\_\_\_\_\_  
Bobbie A. Joyner, City Clerk

PUBLIC HEARING - SPEAKERS

SUBJECT: SPEED ZONE - SHANNON DR.

DATE: July 20, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_

OPPONENT - (Against)

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
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- 5. \_\_\_\_\_
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PUBLIC HEARING - SPEAKERS

SUBJECT: \_\_\_\_\_

DATE: \_\_\_\_\_

CITIZEN INPUT

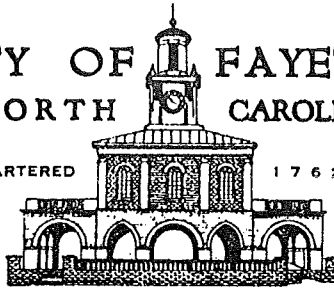
(Name - Print)

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- 9. \_\_\_\_\_
- 10. \_\_\_\_\_

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



TRAFFIC SERVICES DEPARTMENT  
433 HAY STREET  
FAYETTEVILLE, NC 28301-5797  
TEL. (919) 433-1660

SIGNS AND MARKINGS DIVISION 433-1795  
SIGNAL MANAGEMENT DIVISION 433-1796  
339 ALEXANDER STREET  
FAYETTEVILLE, NC 28301-5797

June 10, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Louis A. Chalmers, Jr., P.E., City Traffic Engineer

REFERENCE: Adoption of Collector Street Plan

The City adopted a Feeder Street Plan in 1968 to identify area streets which carry traffic from local streets to thoroughfares. These streets were designated with right-of-way and street widths to provide multi-lane approaches at intersections with thoroughfares.

The City's Feeder Street Plan was last updated in 1981. During the past 18 months, City staff has worked with Cumberland County Joint Planning Board staff to develop a county wide Collector Street Plan which would incorporate the City's Feeder Street Plan expanded into areas annexed since 1981.

The attached map and listing highlight streets proposed for additions to the City's 1981 Feeder Street Plan. We are requesting that City Council adopt this Collector Street Plan. Collector Street right-of-way, width and design standards are included in our Proposed Street Standards Policy. Adoption of this plan will identify those streets which will be developed to residential or collector street standards.

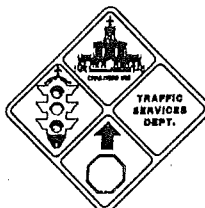
City Council may wish to hold a public hearing at their July 20, 1992 Council Meeting to receive public input on this Collector Street Plan.

LAC/psc

Enclosures  
Collector Street Listing  
Collector Street Plan

cc: Jimmy Teal, Assistant City Manager - Planning/Development  
Roger L. Stancil, Deputy City Manager

An Equal Opportunity



Affirmative Action Employer

ITEM

3.D.

PROPOSED COLLECTOR STREET LISTING  
 JUNE 10, 1992

| STREET              | FROM               | TO                   |
|---------------------|--------------------|----------------------|
| ABRAHAM AVENUE      | DEEP CREEK ROAD    | JACOB STREET         |
| ALLSBROOK DRIVE     | WALSTONE ROAD      | PROPOSED COCHRAN EXT |
| AMES STREET         | W. ROWAN STREET    | FILTER PLANT DRIVE   |
| ANDOVER ROAD        | RAMSEY STREET      | OATES DRIVE          |
| ANN STREET          | LAMON STREET       | end                  |
| B STREET            | GROVE STREET       | LAMON STREET         |
| BARRINGTON CROSS    | BRAGG BOULEVARD    | FORT BRAGG ROAD      |
| BENTON DRIVE        | TOKAY DRIVE        | GLENOLA STREET       |
| BLANTON ROAD        | PAMALEE DRIVE      | JOHNSON STREET       |
| BOROS DRIVE         | HELEN STREET       | MINTZ DRIVE          |
| * BRADFORD AVENUE   | HAY STREET         | ELLIS STREET         |
| BRECHIN ROAD        | MURRAY HILL ROAD   | FAIRFIELD ROAD       |
| BRENDA DRIVE        | MURCHISON ROAD     | COKER STREET         |
| BRIDGER STREET      | TORREY DRIVE       | PROP. LANGDON EXT.   |
| BROOKWOOD AVENUE    | NORTH STREET       | FAYETTE STREET       |
| BUCKINGHAM AVENUE   | RAMSEY STREET      | TAYLOR DRIVE         |
| * CAMP GROUND ROAD  | SKIBO ROAD         | RURITAN DRIVE        |
| CAPRI STREET        | PAMALEE DRIVE      | end                  |
| * CARLOS AVENUE     | BOONE TRAIL        | YALE STREET          |
| * CARVER FALLS ROAD | RALEIGH ROAD       | SR 1713              |
| CENTRAL DRIVE       | HILLSBORO STREET   | WEST DRIVE           |
| CHADWICK ROAD       | ROSEHILL ROAD      | CRANBROOK DRIVE      |
| * CHESAPEAKE ROAD   | McARTHUR ROAD      | McARTHUR ROAD        |
| CLEARWATER DRIVE    | COUNTRY CLUB DRIVE | TANGLEWOOD DRIVE     |
| COCHRAN AVENUE      | RAMSEY STREET      | PROP. EASTWOOD CONN. |
| * COLLINWOOD DRIVE  | KINGSFORD ROAD     | end                  |
| COLONIAL DRIVE      | RAMSEY STREET      | NORTH STREET         |
| CORRINA STREET      | STANBERRY DRIVE    | 2000 FT NORTH        |
| * COURTNEY STREET   | RAMSEY STREET      | ROSEHILL ROAD        |
| * CUDE STREET       | EASTERN BOULEVARD  | CAMDEN ROAD          |
| DEEP CREEK ROAD     | CLINTON ROAD       | CADE HILL AVENUE     |
| DEVANE STREET       | MORGANTON ROAD     | TWIN OAK DRIVE       |
| * DEVERS STREET     | FT. BRAGG ROAD     | SKYE DRIVE           |
| DRAKE STREET        | RAMSEY STREET      | NORTH STREET         |
| EASTWOOD AVENUE     | RAMSEY STREET      | RIVERCLIFF ROAD      |
| EASTWOOD CONNECTOR  | RAMSEY STREET      | EASTWOOD AVENUE      |
| ECCLES DRIVE        | LAKE AVENUE        | EGDAR STREET         |
| EICHELBERGER DRIVE  | HELEN STREET       | 900 FT SOUTH         |
| ELDORADO ROAD       | CORONADA PARKWAY   | POINCINANA LANE      |
| ELM STREET          | BRAGG BOULEVARD    | ROGERS DRIVE         |
| * ENGLEWOOD DRIVE   | CEDAR CREEK ROAD   | end                  |
| FAIRFIELD ROAD      | CLIFFDALE ROAD     | GLENBURNEY DRIVE     |
| FAIRFIELD ROAD      | RAEFORD ROAD       | NORTHVIEW (PROP.)    |
| * FARGO DRIVE       | VILLAGE DRIVE      | CARLOS AVENUE        |
| FAYETTE STREET      | COLONIAL DRIVE     | BROOKWOOD AVENUE     |
| * FERNCREEK DRIVE   | RAEFORD ROAD       | end                  |
| FILTER PLANT DRIVE  | BRAGG BOULEVARD    | MURCHISON ROAD       |
| FONTANTA STREET     | CUMBERLAND STREET  | DONOVAN STREET       |
| FORDHAM DRIVE       | VILLAGE DRIVE      | DARTMOUTH DRIVE      |
| FOSTER DRIVE        | ROSEHILL ROAD      | PROP. ROSEHILL EXT.  |
| GARDNER STREET      | PAMALEE DRIVE      | end                  |
| GIRARD AVENUE       | RAMSEY STREET      | CORONATION ROAD      |

\* Streets proposed in addition to 1981 Feeder Street Plan



PROPOSED COLLECTOR STREET LISTING (CONTINUED)

| STREET              | FROM                  | TO                   |
|---------------------|-----------------------|----------------------|
| GLENRIDGE ROAD      | IRELAND DRIVE         | VILLAGE DRIVE        |
| GLENVILLE AVENUE    | BRAGG BOULEVARD       | FORT BRAGG ROAD      |
| * GOINS DRIVE       | OWEN DRIVE            | end                  |
| * GRANVILLE DRIVE   | ST. MARY'S PARKWAY    | RIVENOAK DRIVE       |
| * GREEN VALLEY ROAD | COUNTRY CLUB DRIVE    | end                  |
| * HAMPTON ROAD      | SOUTHLAND DRIVE       | RODWELL ROAD         |
| * HEARTHSTONE DRIVE | MORGANTON ROAD        | OLD GATE ROAD        |
| HENDERSON AVENUE    | MURCHISON ROAD        | ELLIOTTE CIRCLE      |
| * HEWITT DRIVE      | STACY WEAVER DRIVE    | ROCKINGHAM COURT     |
| HIGHLAND AVENUE     | ARSENAL AVENUE        | BRANSON STREET       |
| * HILTON DRIVE      | ROSEHILL ROAD         | McCHOEN DRIVE        |
| HOBSON STREET       | BRAGG BOULEVARD       | FORT BRAGG ROAD      |
| HOFFER CONNECTOR    | EASTWOOD CONNECTOR    | HOFFER DRIVE         |
| HOGAN STREET        | MURCHISON ROAD        | end                  |
| HOWELL STREET       | LANGDON STREET        | end                  |
| IVY ROAD            | ROGERS DRIVE          | McKIMMON ROAD        |
| KATHY STREET        | PAMALEE DRIVE         | OAKWOOD STREET       |
| KENTRYE DRIVE       | McPHERSON CHURCH ROAD | RAVENHILL ROAD       |
| * KINLAW ROAD       | RAMSEY STREET         | DOBSON DRIVE         |
| * L.A. DUNHAN ROAD  | CEDAR CREEK ROAD      | end                  |
| LAKECREST DRIVE     | COUNTRY CLUB          | COUNTRY CLUB         |
| LAKESHORE DRIVE     | RAEFORD ROAD          | SYLVAN ROAD          |
| LAMON STREET        | ANN STREET            | BEVIL STREET         |
| LAW ROAD            | RAMSEY STREET         | RANDOLPH AVENUE      |
| LEGEND AVENUE       | SKIBO ROAD            | SYCAMORE DAIRY ROAD  |
| * LOFTON DRIVE      | RAMSEY STREET         | DOBSON DRIVE         |
| LONGVIEW DRIVE      | RAMSEY STREET         | DAYTONA ROAD         |
| * LYNHURST DRIVE    | CLIFFDALE ROAD        | LANSDOWNE ROAD       |
| LYON ROAD           | STAMPER ROAD          | EDENWOOD DRIVE       |
| MADISON AVENUE      | IRELAND DRIVE         | FARGO DRIVE          |
| * MAGELLAN DRIVE    | ROSEHILL ROAD         | KELBURN DRIVE        |
| MARITA DRIVE        | GLENOLA STREET        | LYNN AVENUE          |
| MARLBOROUGH ROAD    | RAEFORD ROAD          | VILLAGE DRIVE        |
| McBAIN DRIVE        | McPHEE DRIVE          | PINECREST DRIVE      |
| McCHOEN DRIVE       | COUNTRY CLUB DRIVE    | HILTON DRIVE         |
| McKIMMON ROAD       | IVY ROAD              | WINSTON AVENUE       |
| McLAMB DRIVE        | MURCHISON ROAD        | VESTAL AVENUE        |
| McPHEE DRIVE        | RAEFORD ROAD          | McBAIN DRIVE         |
| * McPHERSON AVENUE  | FORT BRAGG ROAD       | SHADOWLAWN DRIVE     |
| * MEHARRY DRIVE     | SHAW MILL ROAD        | end                  |
| MELBA DRIVE         | WISCONSIN DRIVE       | FLORIDA DRIVE        |
| * MELROSE ROAD      | OWEN DRIVE            | ROXIE AVENUE (PROP.) |
| MIRROR LAKE DRIVE   | NORTHVIEW DRIVE       | PINECREST DRIVE      |
| MURRAY HILL ROAD    | CLIFFDALE ROAD        | LEVENHALL COURT      |
| NICKY AVENUE        | PRINCE STREET         | JASPER STREET        |
| NORTH STREET        | LAMON STREET          | end                  |
| NORTH STREET        | RAMSEY STREET         | WALL STREET          |
| NORTHVIEW DRIVE     | MORGANTON ROAD        | FAIRFIELD (PROPOSED) |
| OAKRIDGE AVENUE     | HAY STREET            | WOODLAND DRIVE       |
| OATES DRIVE         | RAMSEY STREET         | ANDOVER ROAD         |
| OSCEOLA DRIVE       | ROSEHILL ROAD         | COURTNEY STREET      |
| PARKVIEW AVENUE     | PINECREST DRIVE       | CIRCLE DRIVE         |
| PEARL STREET        | BRAGG BOULEVARD       | FORT BRAGG ROAD      |
| PELT DRIVE          | MURCHISON ROAD        | PROP. LANGDON EXT.   |

\* Streets proposed in addition to 1981 Feeder Street Plan

PROPOSED COLLECTOR STREET LISTING (CONTINUED)

| STREET               | FROM                | TO                   |
|----------------------|---------------------|----------------------|
| PENNSYLVANIA AVENUE  | MURCHISON ROAD      | PROP. LANGDON EXT.   |
| * PETELAND DRIVE     | CEDAR CREEK ROAD    | TWIN PONDS DRIVE     |
| PHILLIES CIRCLE      | OWEN DRIVE          | NATO ROAD            |
| * PINECREST DRIVE    | MORGANTON ROAD      | McBAIN DRIVE         |
| PLANTATION ROAD      | RAMSEY STREET       | WEDGEWOOD DRIVE      |
| PLAYER AVENUE        | OWEN DRIVE          | MARLBOROUGH ROAD     |
| POINCIANA LANE       | OWEN DRIVE          | ELDORADO ROAD        |
| PRESTON AVENUE       | MURCHISON ROAD      | PROP. LANGDON EXT.   |
| PRINCE STREET        | EDGAR STREET        | NICKEY AVENUE        |
| PURDUE DRIVE         | RAEFORD ROAD        | ELMHURST DRIVE       |
| * PUTNAM DRIVE       | RALEIGH ROAD        | end                  |
| * RAVENHILL ROAD     | RAEFORD ROAD        | KENTRYE DRIVE (PROP. |
| * RIDGEWAY DRIVE     | RAMSEY STREET       | FALKLAND COURT       |
| RIVENOAK DRIVE       | SUMMERTIME DRIVE    | GRANVILLE DRIVE      |
| ROGERS DRIVE         | SHANNON DRIVE       | IVY ROAD             |
| * ROSEHILL ROAD      | ROSEHILL ROAD       | ROSEHILL ROAD        |
| ROSEWOOD AVENUE      | MURCHISON ROAD      | NEWARK AVENUE        |
| ROXIE AVENUE         | RAEFORD ROAD        | BOONE TRAIL          |
| * RURITAN DRIVE      | MORGANTON ROAD      | CAMP GROUND ROAD     |
| RUSH ROAD            | RAEFORD ROAD        | PINECREST DRIVE      |
| RUTH STREET          | MORGANTON ROAD      | RUSH ROAD            |
| RUTLEDGE DRIVE       | ROSEHILL ROAD       | THORNDIKE DRIVE      |
| SAPONA ROAD          | DEEP CREEK ROAD     | CEDAR CREEK ROAD     |
| SEABROOK ROAD        | TOPEKA STREET       | DRUM CIRCLE          |
| SHANNON DRIVE        | BRAGG BOULEVARD     | ROGERS DRIVE         |
| * SHAWCROFT ROAD     | RALEIGH ROAD        | end                  |
| SKYCREST DRIVE       | MARLBOROUGH ROAD    | TARWICK AVENUE       |
| SKYE DRIVE           | DEVERS STREET       | MORGANTON ROAD       |
| SKYE DRIVE           | SUMMERTIME ROAD     | SKYE DRIVE           |
| SLEEPY HOLLOW DRIVE  | MURCHISON ROAD      | 1100 FT WEST         |
| STAMPER ROAD         | FORT BRAGG ROAD     | CAIN ROAD            |
| * ST. MARY'S PARKWAY | MORGANTON ROAD      | end                  |
| SUMMERTIME ROAD      | SKYE DRIVE          | RIVENOAK DRIVE       |
| S. WINDSOR STREET    | HILLSBORO STREET    | N. WINDSOR STREET    |
| TANGLEWOOD DRIVE     | ROSEHILL ROAD       | CLEARWATER DRIVE     |
| TARWICK AVENUE       | TERRY CIRCLE        | SKYCREST DRIVE       |
| TAYLOR DRIVE         | BUCKINGHAM AVENUE   | BROOKWOOD AVENUE     |
| TERRY CIRCLE         | OWEN DRIVE          | TARWICK AVENUE       |
| * TRADEWINDS DRIVE   | CLIFFDALE ROAD      | BRITON CIRCLE        |
| * TREETOP DRIVE      | RAMSEY STREET       | end                  |
| TRINITY STREET       | LANGDON STREET      | end                  |
| * TROY DRIVE         | CEDAR CREEK ROAD    | LITTLE AVENUE        |
| * VALLEY ROAD        | RAEFORD ROAD        | VISTA DRIVE          |
| VAN BUREN AVENUE     | PAMALEE DRIVE       | TRYON DRIVE          |
| * VISTA DRIVE        | VALLEY ROAD         | FOREST LAKE DRIVE    |
| * WAGONER DRIVE      | SCYAMORE DAIRY ROAD | SUGAR CANE CIRCLE    |
| WALL STREET          | RAMSEY STREET       | NORTH STREET         |
| WEDGEWOOD DRIVE      | COUNTRY CLUB DRIVE  | GRAFTON AVENUE       |
| WESTMONT DRIVE       | BRAGG BOULEVARD     | BELVEDERE AVENUE     |
| * WEST ROWAN STREET  | HILLSBORO STREET    | OAKRIDGE AVENUE      |
| * WOODSIDE AVENUE    | HAY STREET          | W. ROWAN STREET      |
| * WOODSTREAM DRIVE   | CLIFFDALE ROAD      | end                  |
| YALE STREET          | CUMBERLAND ROAD     | CARLOS AVENUE        |

\* Streets proposed in addition to 1981 Feeder Street Plan

PUBLIC HEARING - SPEAKERS

SUBJECT: COLLECTOR STREET PLAN

DATE: July 20, 1992

CITIZEN INPUT

(Name - Print)

(Address - Print)

1. WALTER C. MOORMAN (by letter) Moorman & Kizer, Inc. Eng/Planner/Surveyor

2. DON BROADWELL (by letter) Broadwell Land Co.

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

6. \_\_\_\_\_

7. \_\_\_\_\_

8. \_\_\_\_\_

9. \_\_\_\_\_

10. \_\_\_\_\_

PUBLIC HEARING - SPEAKERS

SUBJECT: COLLECTOR STREET PLAN

DATE: July 20, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_

OPPONENT - (Against)

(Name - Print)

(Address - Print)

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_
- 6. \_\_\_\_\_
- 7. \_\_\_\_\_

BROADWELL LAND COMPANY  
PO BOX 53587  
FAYETTEVILLE, NC 28305  
(919) 484-5193  
FAX (919) 484-2036

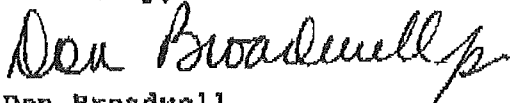
July 20, 1992

Ms. Bobby Joyner  
City Clerk  
City of Fayetteville  
Fax 433-1980

Dear Ms. Joyner:

Please accept this letter as a request to speak at the Public Herring meeting tonight in regard to Item 3-D. This time will be used as citizen input.

Sincerely,

  
Don Broadwell

Received of Mr. J. H. ...  
the sum of ...  
for ...

Witness my hand and seal this ... day of ... 1911

Attest:  
My hand and seal this ... day of ... 1911

Witness my hand and seal this ... day of ... 1911

I hereby certify that the above is a true and correct copy of the ...

Witness my hand and seal this ... day of ... 1911

**MOORMAN & KIZER, INC.**

*Engineers, Planners and Surveyors*

115 BROADFOOT AVENUE • POST OFFICE BOX 53774  
FAYETTEVILLE, NORTH CAROLINA 28305

TELEPHONE: (919) 484-6191

FAX: (919) 484-0388

July 20, 1992

Mrs. Bobbie Joyner  
City Clerk  
City of Fayetteville, N. C.

Dear Mrs. Joyner:

This is to request that I be allowed to speak at the City Council Meeting, July 20, 1992, at the Public Hearing for Item 3.D - Collector Street Plan.

I will be speaking as citizen input and asking questions.

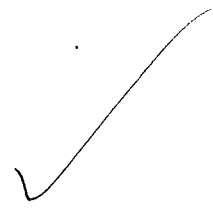
Thank you.

Yours truly,



Walter C. Moorman

WCM:pg



The first part of the document  
 discusses the importance of  
 maintaining accurate records  
 and the role of the  
 auditor in this process.  
 It also touches upon the  
 ethical considerations  
 that must be taken into  
 account.

The second part of the document  
 focuses on the practical aspects  
 of the audit process, including  
 the selection of samples and  
 the use of statistical methods.

The third part of the document  
 discusses the challenges  
 faced by auditors in the  
 current business environment  
 and offers suggestions for  
 overcoming these challenges.

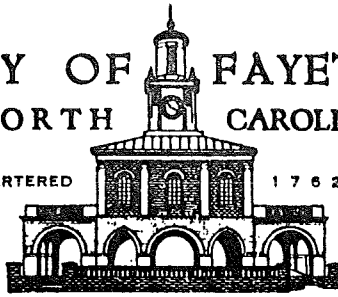
The fourth part of the document  
 provides a summary of the  
 key findings and conclusions  
 of the study.

The fifth part of the document  
 contains the references  
 used in the study.



THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



CITY ATTORNEY  
P.O. BOX 1513  
FAYETTEVILLE, NC 28302-1513

ROOM 211, CITY HALL  
433 HAY STREET  
(919) 433-1985  
FAX # (919) 433-1980

June 23, 1992

MEMORANDUM

TO: The Mayor and Members of the City Council

FROM: Robert C. Cogswell, Jr.  
City Attorney

SUBJECT: Historic Resources Commission; Change in Statutory  
References

The Legislature has revised the statutes dealing with Historic Resources Commissions, and therefore the references in the current provisions of Chapter 2 establishing the Historic Resources Commission are incorrect. The attached ordinance would correct those references.

Because of the general statutory requirements, this has to be done pursuant to a public hearing. Therefore, I recommend that you set a public hearing to consider these changes at your next regularly scheduled Council meeting on July 19, 1992.

RCC/jkp

Attachment

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 3.E.

Ordinance No. S1992-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE  
AMENDING SECTION 2-27 OF THE CODE OF ORDINANCES  
OF THE CITY OF FAYETTEVILLE

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Subsections (a) and (b) of Section 2-27, Fayetteville Historic Resources Commission, are hereby amended by deleting therefrom the words and figures, to wit: Parts 3A and 3B, and substituting therefor the following words and figures: Part 3C.

Section 2. Section 2-27(d) is amended by deleting the reference to Section 160A-399.5 and substituting therefor the references 160A-400.5 and 160A-400.6.

Section 3. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

CITY OF FAYETTEVILLE

By: J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

PUBLIC HEARING - SPEAKERS

SUBJECT: HISTORIC RESOURCES COMMISSION - STATUTORY REFERENCES

DATE: July 20, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

|    |       |       |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |
| 5. | _____ | _____ |
| 6. | _____ | _____ |
| 7. | _____ | _____ |

OPPONENT - (Against)

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

SUBJECT: \_\_\_\_\_

DATE: \_\_\_\_\_

CITIZEN INPUT

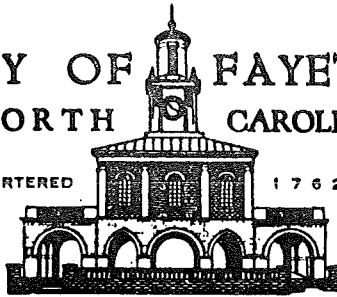
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THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



CITY ATTORNEY  
P.O. BOX 1513  
FAYETTEVILLE, NC 28302-1513

ROOM 211, CITY HALL  
433 HAY STREET  
(919) 433-1985  
FAX # (919) 433-1980

July 15, 1992

MEMORANDUM

TO: The Mayor and Members of the City Council

FROM: Robert C. Cogswell, Jr.  
City Attorney

SUBJECT: Request from CONTRAVES USA, Inc., to Waive Surety Bonds; Airport Contract for Fire Fighting Training Center

CONTRAVES USA, Inc., was the low bidder for that part of the firefighter training facility contract to provide a propane burner system. This is relatively new technology, and there are only two companies in the United States that do this type of work. Both of these companies bid on the project, and CONTRAVES USA, Inc., was the low bidder.

As with any publicly-bid contract, there is a requirement that the successful bidder provide a performance bond and a labor and materials bond. Both of these bonds are in the form of surety bonds, and guarantee the completion of the project by the successful bidder, as well as the payment of any labor and materials provided on the contract, if the contractor fails to pay for the same. Since the contract awarded to CONTRAVES USA, Inc., is in the nature of supplies, rather than construction, this bonding requirement can be waived under North Carolina law. However, when the bonding requirement is waived, the City becomes the surety, or for lack of a better expression the insurance company. Normally surety bonds are paid for by the contractor as you would pay for an insurance contract, and the rates are established as any other insurance contract. However, in this case, because of the new technology involved, CONTRAVES USA, Inc., has represented to the City and our consultant, Wilbur Smith Associates, Inc., that they will have to put up the full amount of the contract (\$1,878,000) in order to purchase a bond.

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 4.

The Mayor and Members of the City Council  
Page 2  
July 15, 1992

Because CONTRAVES USA, Inc., did not want to tie up that much of their assets, they have requested that the City of Fayetteville waive the bond requirement on this contract. If the City waives the bond requirements, then we become responsible if CONTRAVES USA, Inc., does not pay any suppliers of materials or labor, or if they fail to perform as required by the contract. We have been advised that the second low bidder would have the same problem, due to the newness of the technology.

In an effort to save the contract, negotiations were conducted between Mr. Ray, a representative of Wilbur Smith Associates, Inc. (our consultant on the contract), CONTRAVES USA, Inc., and the FAA. The result of that negotiation was the attached June 26, 1992, memo from Tom Ray. When I reviewed this with Mr. Reid (airport attorney), we both felt that there needed to be a guarantee of performance after the contract was complete. Under the normal situation where bonds are provided by the contractor, the state statutes require that the bonds guarantee performance for a period of one year after final completion. Accordingly, the second attachment hereto is the agreement that was reached between the parties. The basic concept is that as the contractor pays invoices, the City will deposit into an escrow account (called the depository account) the amount of money represented by the invoices. At the end of the contract, and upon final completion, the contractor will then provide to the City a bond, or some other form of security in the amount of \$1,878,000 to guarantee performance of the propane burner for a period of one year. In exchange for the security, the contractor then will receive all of the money in the escrow account. More specifically, the contract does the following:

1. In paragraph 1 the contractor upon approval of an invoice by the contractor and the City, has to pay the invoice within 30 days of approval and failure to pay within 30 days of approval on any three occasions during the period of the performance, will constitute a default under the terms of the contract and the City keeps the money in the depository account;
2. Upon satisfactory proof to the City that the invoices have been paid, the amount of money represented by the invoices will be placed into a depository account; the City will have absolute control over the disbursements of funds from the account, and the selection of the banking institution will be by the agreement of the City and the contractor;

The Mayor and Members of the City Council

Page 3

July 15, 1992

3. Paragraph 3 provides that after the final completion of the project, and tender to the City of a bond, letter of credit, deposit of money, certified check, or government security for the full amount of the contract (\$1,878,000) to secure and guarantee the material and workmanship for a period of a year, then the money in the depository account will be tendered to the contractor, plus any interest earned during the period of the contract;
4. In paragraph 4 the City may at any time reevaluate the situation and if it deems it in its best interest, may pay some of the money out of the depository account to the contractor, but there is no requirement that the City do this;
5. Paragraphs 5 and 6 are two items that were agreed upon ahead of time that would be paid up front; and
6. Paragraph 7 basically reaffirms the concept of retention of all monies until final completion of the project.

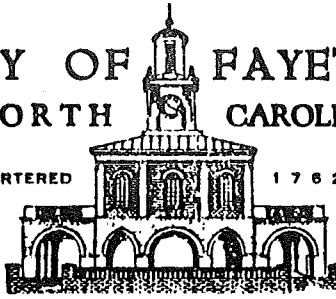
In summary, in exchange for waiving the bond requirement and becoming the surety, the City does not have to pay any monies to CONTRAVES USA, Inc., until final completion and acceptance of the project, and they have provided us sufficient security to guarantee performance for a period of one year. Based upon this, I can recommend that the surety requirement be waived.

RCC/jkp

Attachments

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1782



AIRPORT MANAGER  
(919) 483-4468

FAYETTEVILLE AIRPORT COMMISSION  
Post Office Box 64218  
Fayetteville, NC 28308

Phone: (919) 433-1621

June 26, 1992

MEMORANDUM

TO: AIRPORT COMMISSION MEMBERS

FROM: Ralph P. Hamilton, Assistant Airport Manager - *RPH*

SUBJECT: Fire Training Facility

Late last week, the airport management was contacted by Contraves, USA, Inc., the propane system contractor for the fire training facility, to state that they were having difficulty acquired the surety bond as required by the contract. Contraves requested the bond requirement be eliminated, since their part of the project was for the purchase of apparatus, supplies, material and installation, and the surety bond could be waived because they were a manufacturing company not a construction company.

The City Manager and City Attorney were contacted and it was determined that the city did have the authority to waive the bond requirement, but if they did, the city would then assume liability for that part of the project. (See State Code 143-129, Page 117) .

It was determined that the City could assume liability if the following conditions were met to by Contraves:

1. Contraves will reimburse the General Contractor up to \$30,000 to enlarge the pit size from 75' to 125' to allow for future expansion of the system at no additional cost to the city.
2. Contraves shall be liable to the City of Fayetteville for any damage resulting from Contraves' failure to complete the required work. This liability includes any increased cost incurred by Fayetteville to include reprocurement and completion costs.
3. Measurable milestones must be met by Contraves prior to receipt of any payment from Fayetteville. Requests for payment will only be based on direct cost paid to vendors, subcontractors and employees plus their standard overhead costs.

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods



Page 2 of 2  
Fire Training Facility  
June 26, 1992

4. Title of all material purchased will be transferred upon payment to the City of Fayetteville in accordance with Contraves approved property transfer procedure.
5. One hundred percent (100 %) of funds to be drawn down on the project, which includes a bid deposit of \$122,000 would be deposited in an interest bearing account (IBA) to be set up and controlled by the City of Fayetteville, Finance Director. Interest to go to Contraves at final acceptance of the project (to include punch list items being complete).

Payments to the IBA is to be paid by the city based on milestones or agreed on intervals for work.

Interest will be as paid by the investments to the fund. Interest rate will be as for other city investments in the city investment program.

6. Suppliers, subcontractors or other legitimate entities providing any type of suppliers or services will be paid by Contraves within 30 days of invoicing or the city will pay these invoices out of the IBA. Failure to pay within 30 days for three (3) separate incidences will be grounds, for termination of the contract between Contraves and the City of Fayetteville and for the City of Fayetteville to retain all funds in the IBA.

It was also determined that Contraves was to respond by 12:00 noon on June 26, 1992 in order to have adequate time to negotiate with the next low bidder.

Contraves did infact respond by 12:00 noon (copy attached) and agreed to those above conditions.

We recommend the Airport Commission's approval.

adf

Attachment

**NORTH CAROLINA  
CUMBERLAND COUNTY**

**AMENDMENT TO CONTRACT**

**THIS AMENDMENT** to contract made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 1992, by and between the CITY OF FAYETTEVILLE, FAYETTEVILLE, NORTH CAROLINA, hereinafter called the OWNER, and CONTRAVES USA, Inc., hereinafter called the CONTRACTOR.

**W I T N E S S E T H:**

**WHEREAS**, the OWNER and CONTRACTOR have previously entered into a contract of even date whereby the CONTRACTOR has agreed to furnish and deliver all materials and perform all work for the construction/installation of a Fire Fighting Training Center, said contract being referred to herein as the "construction contract"; and

**WHEREAS**, said construction contract provides that the CONTRACTOR will furnish to the OWNER performance and payment bonds in the penal sum of ONE MILLION EIGHT HUNDRED SEVENTY-EIGHT THOUSAND DOLLARS (\$1,878,000.00) by a qualified surety; and

**WHEREAS**, the CONTRACTOR has requested of the OWNER a waiver of the requirement for said performance and payment bonds by a surety and in lieu thereof that the OWNER establish a depository account as hereinafter provided; and

**WHEREAS**, the terms and conditions of a depository account have been agreed upon by the OWNER and the CONTRACTOR; and

**WHEREAS**, the GUARANTOR has agreed to guarantee performance of the contract by the CONTRACTOR and indemnify the OWNER against loss;

NOW, THEREFORE, the OWNER and CONTRACTOR do hereby contract and agree to amend the construction contract with respect to the requirement that the contractor furnish to the OWNER performance and payment bonds by a qualified surety, upon the following terms and conditions:

1. The contractor agrees to deliver all materials and perform all work in the manner as provided in the plans and specifications for the construction/installation of a Fire Fighting Training Center and upon receipt of invoices from material suppliers, sub-contractors, consultants, and labor that the CONTRACTOR will pay said invoices for all work performed and materials furnished from its own funds, within thirty (30) days of approval of said invoices by CONTRACTOR and OWNER. Failure on the part of the CONTRACTOR to pay within thirty (30) days of approval as aforesaid on any three (3) occasions during the period of performance, to and including the completion of punch list items, shall constitute an event of default under the terms of this agreement and the contract, and shall result in immediate termination of the Contract between CONTRACTOR and OWNER and in addition to any other remedies that may be available at law, OWNER shall retain all funds in the depository account as of the date of the default.

2. The contractor will furnish to the OWNER evidence sufficient to the OWNER of payment of all invoices for materials and services whereupon the owner will then deposit a sum of money equal to invoices and amounts paid by the CONTRACTOR on the contract into a depository account established by the OWNER at a

banking institution mutually satisfactory to the OWNER and the CONTRACTOR; said depository account shall be for the benefit of the CONTRACTOR with the OWNER retaining absolute control over the disbursement of funds from said depository account until final completion including punch list items of the project and acceptance thereof by the OWNER; said depository account will be an interest bearing account at a banking institution selected by mutual agreement of the OWNER and the CONTRACTOR with the view of selecting a banking institution insured by the Federal Deposit Insurance Corporation, wherein the highest rate of interest may be earned on all funds deposited into said depository account.

3. Upon (1) final completion including punch list items and acceptance of the work to be performed by the contractor under the construction contract, and (2) tender to the OWNER of a bond, letter of credit, deposit of money, certified check, or government security for the full amount of the contract (\$1,878,000.00) to secure and guarantee all material and workmanship for a period of one (1) year dating from the date of final acceptance, then all funds deposited into said depository account will be paid directly to the CONTRACTOR, including all interest earned on said depository account in full, final and complete payment of the construction contract between the OWNER and CONTRACTOR.

4. During the construction/installation of the Fire Fighting Training Center, upon attaining certain measurable performance milestones by the CONTRACTOR, the OWNER may re-evaluate the above-stated payment terms and give consideration

to making payments to the CONTRACTOR based upon attainment of certain measurable performance milestones by the CONTRACTOR; provided, however, that payment to the CONTRACTOR based on the CONTRACTOR having attained certain measurable performance milestone shall be in the sole discretion of the OWNER.

5. Notwithstanding the payment terms stated heretofore, the OWNER agrees to make payment to the CONTRACTOR for the satisfactory delivery, installation and acceptance of the propane tanks at the OWNER'S property.

6. In consideration of waiver of the performance and payment bonds by the OWNER, the CONTRACTOR agrees to pay directly to the OWNER'S General Construction Contractor up to THIRTY THOUSAND DOLLARS (\$30,000.00) for work performed by said General Construction Contractor to enlarge the pit size from seventy-five feet (75') to one hundred and twenty-five feet (125') to allow for further expansion of the Fire Fighting Center.

7. Except as amended herein, the Construction Contract between the OWNER and the CONTRACTOR remains in full force and effect. It is the intention of the parties upon the execution of this agreement that the Construction Contract between the OWNER and the CONTRACTOR is amended only insofar as to effect a waiver of the requirement that the CONTRACTOR furnish to the OWNER performance and payment bonds by a qualified surety and that in lieu of performance and payment bonds that the CONTRACTOR will not be paid for construction/installation of the Fire Fighting Training Center until final completion and acceptance of the Fire Fighting Training Center, and tender of satisfactory security as

required in paragraph 3 herein, with the exception that the CONTRACTOR will be paid upon installation and acceptance of propane tanks. Upon completion of construction/installation of the Fire Fighting Center and in the event said system does not function or operate in accordance with the specifications and contract documents, notwithstanding that title to all materials and equipment installed on the OWNER'S property by the CONTRACTOR have not been paid for by the OWNER, and the OWNER is required to contract with or obtain the services of other contractors to remedy any defects in the work performed by the CONTRACTOR, then it is agreed between the OWNER and the CONTRACTOR that title to materials and equipments furnished by the CONTRACTOR shall nevertheless be deemed to be owned by the OWNER up to an amount such that the OWNER does not incur any additional loss of damage in having said defects remedied, repaired or replaced by another contractor.

8. The parties agree that the Construction Contract and this amendment shall be governed by the law of The State of North Carolina; that in the event of any controversy, dispute or claim arising out of the interpretation of the Construction Contract and this amendment or any work performed thereunder, that any such claim or dispute shall be resolved by either arbitration or litigation in North Carolina and that the OWNER shall have the sole rights to chose between arbitration or litigation.

9. CONTRAVES USA, Inc., of Pittsburgh, Pennsylvania, with offices also in Tampa, Florida, executes this agreement and hereby contracts and agrees with the OWNER to guarantee the

performance of the Contract and further contracts and agrees to indemnify the OWNER for all losses, claims and damages arising out of the non performance of the Contract.

CITY OF FAYETTEVILLE

By: \_\_\_\_\_  
J. L. Dawkins, Mayor

ATTEST:

\_\_\_\_\_  
Bobbie A. Joyner, City Clerk

CONTRAVES USA, INC.

By: \_\_\_\_\_

ATTEST:

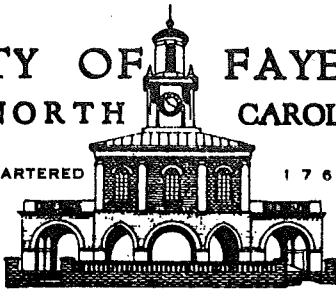
\_\_\_\_\_  
Secretary





THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

July 15, 1992

MEMORANDUM

TO: The Mayor and Members of City Council  
FROM: John P. Smith, City Manager *JPS*  
SUBJECT: Stonebridge Private Streets

Attached is a petition requesting City acceptance of the remaining private streets in Stonebridge. Most of the lots in this section have not been sold. One of the petitioners is the developer.

I cannot recommend the acceptance of any private streets until the Council has acted on the street standards and addressed the entire issue of private streets. City Council has previously approved three petitions, one of which is on this agenda for formal approval. However, these petitions had been pending for over a year and represented fully developed areas.

JPS/kbl

Attachment

An Equal Opportunity  
City of

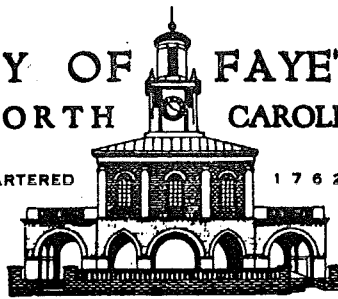


Affirmative Action Employer  
Dogwoods

ITEM 5

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



TRAFFIC SERVICES DEPARTMENT  
433 HAY STREET  
FAYETTEVILLE, NC 28301-5797  
TEL. (919) 433-1660

SIGNS AND MARKINGS DIVISION 433-1795  
SIGNAL MANAGEMENT DIVISION 433-1796  
339 ALEXANDER STREET  
FAYETTEVILLE, NC 28301-5797

July 14, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Louis A. Chalmers, Jr., P.E., City Traffic Engineer

REFERENCE: Stonebridge Section VII  
Petition for Maintenance of Private Streets

Attached is a petition from property owners in Stonebridge Section VII for maintenance of private streets in this development.

We would recommend that City Council consider these streets for public maintenance following:

1) A report from the City Engineer and Street Maintenance Superintendent reference the condition of streets and storm drainage in the area. This report should include an estimate of repairs required to these streets and storm drainage prior to City acceptance.

2) Dedication of right-of-way by the property owners as determined necessary by the City Engineer for maintenance of the streets and utilities.

City Council may wish to set a public hearing at their August 3, 1992 meeting to receive public input on accepting these private streets for maintenance.

LAC/psc

Enclosures  
Petition  
Area Map

cc: Roger L. Stancil, Deputy City Manager  
Jimmy Teal, Assistant City Manager - Planning/Development  
Michael L. Walker, P.E., City Engineer

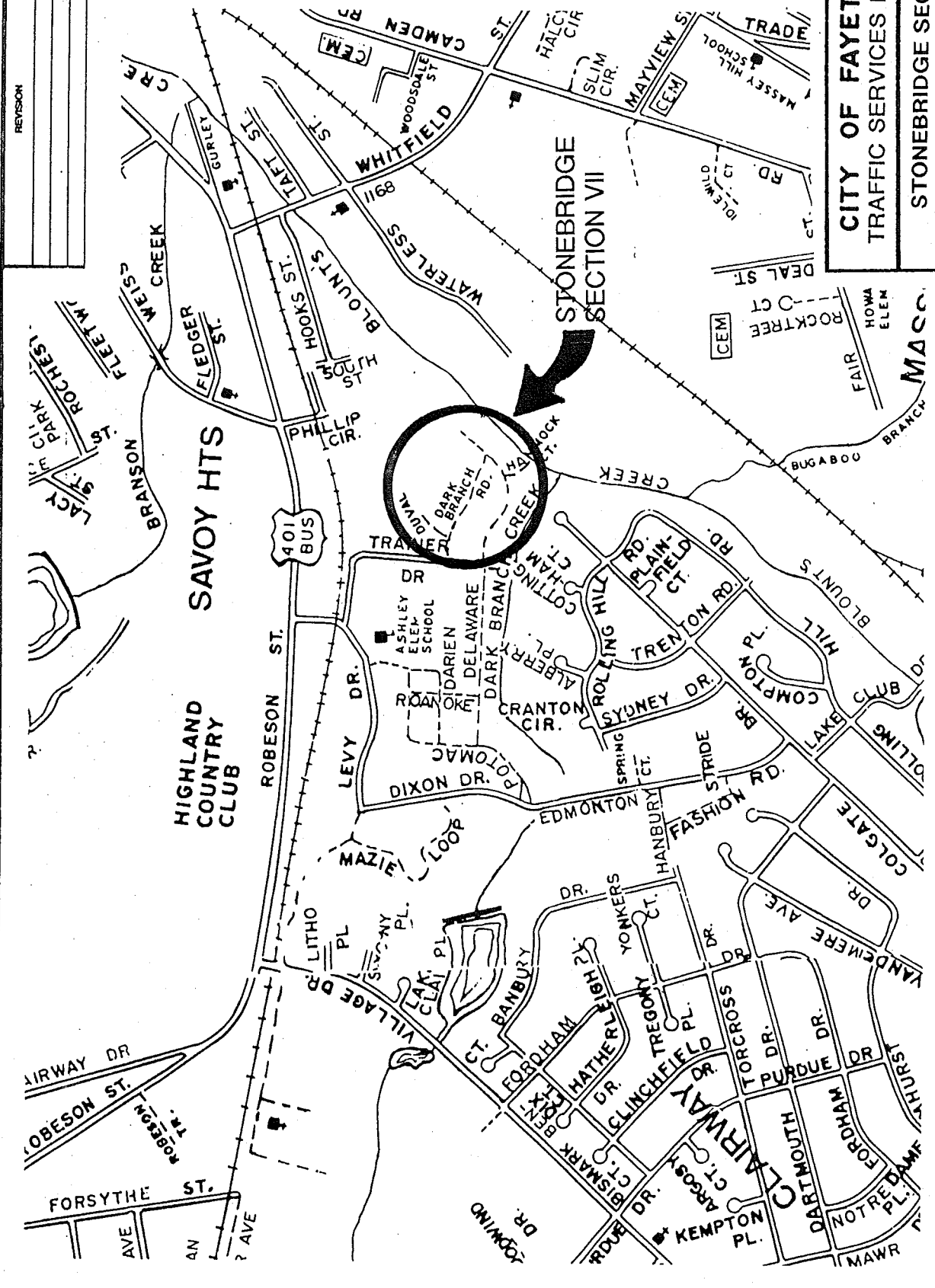
An Equal Opportunity



Affirmative Action Employer



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**CITY OF FAYETTEVILLE**  
**TRAFFIC SERVICES DEPARTMENT**

STONEBRIDGE SECTION VII  
 AREA MAP

APPROVED: CITY ENGINEER  
 DESIGNED BY: DRAWN BY: KMF  
 SCALE: 1"=1000' DATE: 6-30-92

FIELD BOOK NO. PE. SHEET OF

*MA*

LAW OFFICES OF  
McCOY, WEAVER, WIGGINS, CLEVELAND & RAPER

DONALD W. MCCOY  
L. STACY WEAVER, JR.  
RICHARD M. WIGGINS  
ALFRED E. CLEVELAND  
JOHN E. RAPER, JR.  
JEFFREY N. SURLS  
ANNE MAYO EVANS  
JEFF DUNHAM

222 MAIDEN LANE  
FAYETTEVILLE, NORTH CAROLINA 28302

ELMO R. ZUMWALT, III  
(1946-1988)  
MAILING ADDRESS  
P. O. Box 2129  
TELEPHONE 483-8104  
AREA CODE 919  
TELECOPIER 483-0094

July 13, 1992

Mr. Robert C. Cogswell, Jr.  
City Attorney  
Post Office Box 1513  
Fayetteville, N. C. 28302

Dear Bob,

I enclose herewith the original deed from the Briarwood Gardens Homeowners' Association to the City of Fayetteville. Please note that the acceptance of the dedication needs to be signed before the deed can be recorded. I enclose a copy of the recorded consent to dedication which shows that it is already of record.

If you would like me to record this, please return it to me after it is signed and notarized.

Sincerely,

MCCOY, WEAVER, WIGGINS,  
CLEVELAND & RAPER



L. Stacy Weaver, Jr.

LSW/am  
Enclosures  
cc: C. Carroll

ITEM 6.

PREPARED BY AND RETURN TO: L. STACY WEAVER, JR., P. O. BOX 2129  
FAYETTEVILLE, N. C. 28302

NORTH CAROLINA

DEED OF DEDICATION

CUMBERLAND COUNTY

THIS DEED made this 10th day of July, 1992 between BRIARWOOD GARDENS HOMEOWNERS ASSOCIATION, INC., a North Carolina corporation with its principal office in the City of Fayetteville, Cumberland County, North Carolina, herein called "Grantor"; and the CITY OF FAYETTEVILLE, a municipal corporation, herein called "Grantee".

W I T N E S S E T H: that

WHEREAS Grantor has requested of the Grantee that it be permitted to dedicate its formerly private streets to the Grantee, which will accept them and maintain them as public streets for use and benefit of the owners of the Briarwood Gardens subdivision and the public generally; and

WHEREAS consent and permission to this dedication has been given by all of the property owners in Briarwood Gardens subdivision, pursuant to the provisions of the recorded Declaration of Covenants, Conditions, and Restrictions, as contained in Book 2929, Page 83, Cumberland County Registry; and

WHEREAS said consent is recorded in said registry in Book 3816, Page 0235;

NOW, THEREFORE, in consideration of the premises, and acting under the authority granted to the Grantor by the homeowners, Grantor does hereby dedicate, release, remise, and quitclaim unto Grantee, its successors and assigns, as public streets, for the use and benefit of the residents in Briarwood Gardens subdivision and the public generally, all of that land described as follows:

In Cross Creek Township, Cumberland County, North Carolina:

Being all of the formerly private streets known as Hanbury Lane, Fashion Lane and Stride Lane as shown on a plat entitled "Briarwood Gardens" recorded in Plat Book 53, Page 77, Cumberland County Registry.

This property is conveyed subject to a certain water, sewer and electric easement to the Public Works Commission of the City of Fayetteville recorded in Book 2909, Page 775, and other easements of record or to be placed of record by the Grantor, for the purpose of providing drainage, natural gas, telephone, and cable television service to residents in and along said streets.

This property is also conveyed subject to the condition that if said property shall ever cease to be used by the public generally as a street, and/or maintained by the City of Fayetteville as such public streets, then the title to the same shall revert to the Grantor.

TO HAVE AND TO HOLD said property and rights to the Grantee and for the public use forever, subject to the restrictions and conditions hereinabove stated.

Grantee, by accepting this dedication, obligates itself to forever preserve and use the land described above for the purposes listed above and no other.

IN TESTIMONY WHEREOF, the Grantor has caused this instrument to be signed in its corporate name by its president attested by its secretary, with its common corporate seal affixed as of the day and year first above written.

BRIARWOOD GARDENS HOMEOWNERS  
ASSOCIATION

Paul Crough (SEAL)  
PRESIDENT

ATTEST:

Peggy J. Lancaster  
SECRETARY

(CORP. SEAL)

This dedication was accepted by the City of Fayetteville by action taken by its City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

CITY OF FAYETTEVILLE

By: \_\_\_\_\_  
J. L. DAWKINS, MAYOR

NORTH CAROLINA  
CUMBERLAND COUNTY

I, \_\_\_\_\_, a Notary Public of said County and State, do hereby certify that J. L. DAWKINS, MAYOR, appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this \_\_\_\_\_ day of May, 1992.

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

My Commission Expires:

\_\_\_\_\_

(N. P. SEAL)

NORTH CAROLINA  
CUMBERLAND COUNTY

I, Alice P. Micuda, Notary Public for said County and State, certify that Peggy J. Lancaster personally came before me this day and acknowledged that he/she is Secretary of Briarwood Gardens Homeowner's Association, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by him/herself as its Secretary.

Witness my hand and Notarial Seal, this 10<sup>th</sup> day of July 1992.

Alice P. Micuda  
Notary Public

My Commission Expires:

4-23-96  
(N. P. SEAL)

Prepared by and return to L. Stacy Weaver, Jr., P. O. Box 2129  
Fayetteville, N. C. 28302

29512

092458

RECEIVED

92 JUL -7 PM 2:40

NORTH CAROLINA  
CUMBERLAND COUNTY

CONSENT TO DEDICATION

GEORGE L. ...  
REGISTER OF DEEDS  
CUMBERLAND COUNTY, N.C.

WE, THE UNDERSIGNED, being 2/3 or more of all of the owners of the lots and properties contained within Briarwood Gardens Subdivision as described in a certain deed recorded in Deed Book 1080, Page 81, Cumberland County Registry, and acting under the authority of Section 2(b) of Article II of those certain Declaration of Covenants, Conditions, and Restrictions dated June 14, 1983 and recorded in the aforesaid registry in Book 2929, Page 83, do hereby consent and agree that the Briarwood Gardens Homeowners Association, Inc. may dedicate and transfer the private streets received by it pursuant to a certain deed dated June 16, 1983 and recorded in the aforesaid registry in Book 2929, Page 524, to the City of Fayetteville in an appropriate deed of dedication, said dedication to be subject to:

1. The City of Fayetteville's agreement to accept the dedication and to maintain and operate said streets as public streets for the use and benefit of the owners of the lots within said subdivision and the public generally;

2. The water and sewer easement heretofore conveyed to the Public Works Commission of the City of Fayetteville recorded in Book 2909, Page 775, and such other and further easements for electric, gas, drainage, telephone and cablevision lines, facilities and equipment as may have already been granted and installed in said streets, or as may hereafter be installed in said streets for the use and benefit of the property owners within the subdivision;

3. The further condition that if the property shall ever cease to be used as public streets for the use and benefit of the subdivision owners and the public generally, then the title to the same shall revert to the Briarwood Gardens Homeowners Association, Inc..

IN WITNESS WHEREOF, the undersigned property owners have signed and sealed this consent as of this 18<sup>th</sup> day of May, 1992.

*Nicholas Alexander Zaruk, Jr.* (SEAL)  
NICHOLAS ALEXANDER ZARUK, JR.

*Kathryn L. Walker* (SEAL)  
KATHRYN L. WALKER

*Thomas Edward Delaney* (SEAL)  
THOMAS EDWARD DELANEY

*Janice Stancil Delaney* (SEAL)  
JANICE STANCIL DELANEY

*Marcella R. Green* (SEAL)  
MARCELLA R. GREEN

*Patricia Hunt* (SEAL)  
PATRICIA HUNT

(182)  
P.



Paul Edward Crumpler (SEAL)  
PAUL EDWARD CRUMPLER

Douglas Russell Smith (SEAL)  
DOUGLAS RUSSELL SMITH

Richard R. Ott (SEAL)  
RICHARD R. OTT

Noemi L. Ott (SEAL)  
NOEMI L. OTT

Mary A. Crumpler (SEAL)  
MARY A. CRUMPLER

Betty S. Strickland (SEAL)  
BETTY S. STRICKLAND

Carl Clyde Engle, Jr. (SEAL)  
CARL CLYDE ENGLE, JR.

Christa Newton Engle (SEAL)  
CHRISTA NEWTON ENGLE

Peggy J. Lancaster (SEAL)  
PEGGY J. LANCASTER

Mark Barbee (SEAL)  
MARK BARBEE

Loretta K. Barbee (SEAL)  
LORETTA K. BARBEE

Rolf B. Wallin (SEAL)  
ROLF B. WALLIN

Joyce R. Sanderson (SEAL)  
JOYCE R. SANDERSON

Rowland D. Carroll, Jr. (SEAL)  
ROWLAND D. CARROLL, JR.

Cynthia T. Carroll (SEAL)  
CYNTHIA T. CARROLL

Malcolm O. McFarland (SEAL)  
MALCOLM O. MCFARLAND

Francis John Burnett (SEAL)  
FRANCIS JOHN BURNETT

NORTH CAROLINA  
CUMBERLAND COUNTY

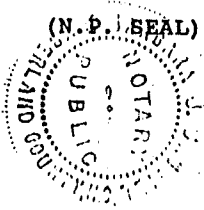
I, BARBARA J. CAUDILL a Notary Public for said County and State, do hereby certify that NICHOLAS ALEXANDER CZARUK, JR., KATHRYN L. WALKER, THOMAS EDWARD DELANEY, JANICE STANCIL DELANEY, MARCELLA R. GREEN, PATRICIA HUNT, PAUL EDWARD CRUMPLER, DOUGLAS RUSSELL SMITH, RICHARD R. OTT, NOEMI L. OTT, MARY A. CRUMPLER, BETTY S. STRICKLAND, CARL CLYDE ENGLE, JR., CHRISTA NEWTON ENGLE, PEGGY J. LANCASTER, MARK BARBEE, LORETTA K. BARBEE, ROLF B. WALLIN, JOYCE R. SANDERSON, ROWLAND D. CARROLL, JR., CYNTHIA T. CARROLL, MALCOLM O. McFARLAND and FRANCIS JOHN BURNETT, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this 18<sup>th</sup> day of May, 1992.

Barbara J. Caudill  
Notary Public

My commission expires:

March 31, 1997



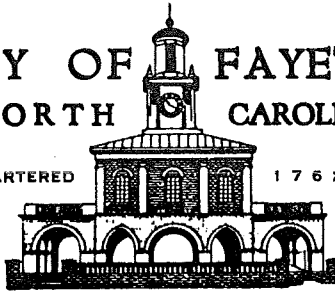
The foregoing Certificate(s) of Barbara J. Caudill

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

GEORGE E. TATUM REGISTER OF DEEDS FOR CUMBERLAND COUNTY,  
By Kelen V. Fisher Deputy/Assitant - Register of Deeds

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

July 15, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Jimmy Teal, Assistant City Manager, Planning & Development *JT*

SUBJECT: GIS Interlocal Agreement

The City of Fayetteville began a stormwater management study in October 1989. Included in this study was a needs analysis report on a geographic information system (GIS) for the City. The study proposed that GIS could provide a benefit not only in stormwater management, but in many other areas. GIS can be used as a tool in mapping and analysis for land use planning, transportation planning, parcel mapping, E-911 operations, emergency vehicle routing, utility design, utility routing and many other uses. Seeing the value of GIS as a computerized and digitized information system working in unlimited areas, the City began to involve both PWC and the County into the process.

The City began discussions with the County and PWC to develop a coordinated GIS system. The benefit for each organization is the sharing and availability of information. A GIS Committee composed of City, County and PWC employees was formed in January 1992 to establish a coordinated GIS system.

The GIS Committee, working through the City's Purchasing Division, developed and advertised a "Request For Proposals." A total of seven bids were received from GIS vendors. The Committee selected the best two for on-site demonstrations. After two days of extensive demonstrations, the Committee unanimously recommended Environmental Systems Research Institute (ESRI). Currently, negotiations are on-going with ESRI, and I anticipate the contract will be presented to City Council at their August 3rd meeting.

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 7.



John P. Smith  
Page 2  
July 15, 1992

The purpose of this Interlocal Agreement is to identify for the County that purchasing procedures were done as outlined under North Carolina General Statutes and to formalize the undertaking by the City, County and PWC to establish and develop a coordinated GIS system.

The cooperation among the Committee members has set the groundwork for what I see as a successful GIS system. I believe this system will improve productivity and enhance our ability to serve the public.

Should you have any questions, please let me know.

JT/kbl

NORTH CAROLINA  
CUMBERLAND COUNTY

CONTRACT FOR  
INTERLOCAL UNDERTAKING

THIS CONTRACT, made and entered into this 20th day of July, 1992, by and between CITY OF FAYETTEVILLE, a municipality duly incorporated under the laws of North Carolina, hereinafter referred to as the CITY, party of the first part, and CUMBERLAND COUNTY, a body politic and corporate of the State of North Carolina, hereinafter referred to as the COUNTY, party of the second part;

W I T N E S S T H

WHEREAS, the governing bodies of both parties have found and determined that it is in the public interest and for the public benefit to purchase, utilize and share a Geographic Information System, hereinafter referred to as GIS;

WHEREAS, the North Carolina General Statutes in Chapter 160A, Article 30, Part I, provide that units of local government may enter into a contract in order to execute an undertaking providing for the contractual exercise by one unit of any power, function and right of another unit; and

WHEREAS, the governing bodies of the COUNTY and the CITY have by resolution duly recorded in their minutes ratified provisions of this Contract;

WHEREAS, the CITY in joint cooperation with the COUNTY has developed, advertised, received, evaluated and chosen a proposal

from a GIS vendor under the purchasing laws as outlined under North Carolina General Statutes; and

WHEREAS, the CITY and the COUNTY have agreed to cooperate in the purchasing, developing and implementing of GIS.

NOW THEREFORE, for and in consideration of the mutual covenants herein contained and of the mutual benefits to result therefrom, the parties hereby agree as follows:

1. Purpose: The purpose of this Contract is to establish an interlocal undertaking, as provided in N.C.G.S. Chapter 160A, Article 20, Part I, whereby the CITY and COUNTY shall execute a contract with the GIS vendor.
2. Duration: This Contract shall endure until March 1, 1994, so long as the parties hereto exist and have the power to make and maintain such an agreement, unless this Contract is sooner terminated as hereinafter provided.
3. Finances:
  - (a) The CITY and COUNTY shall be responsible for payment of equipment, installation, maintenance, operating cost and associated expenses for their GIS operations. Each party shall determine their own purchases and associated agreements with the GIS vendor.
  - (b) Any discounts provided by the vendor shall be shared equally by each organization.

(c) Each organization will make payment to GIS vendor directly for any equipment, software, maintenance, training and associated costs involved with GIS.

4. Personnel: Each organization shall separately employ its own personnel necessary to the execution of this undertaking.
5. Ownership: Each organization shall separately own the GIS equipment and software purchased by each organization.
6. Amendment: This Contract may be amended at any time by the parties upon majority vote of each.
7. Termination: This Contract may be terminated by either party upon thirty days written notice duly authorized by its governing body of one party to the other.

THEREFORE, the parties hereunto have set their hands and seals the said year first above written.

ATTEST:

CITY OF FAYETTEVILLE

\_\_\_\_\_  
City Clerk

By \_\_\_\_\_  
Mayor

ATTEST:

CUMBERLAND COUNTY

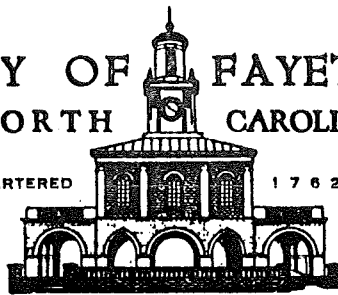
\_\_\_\_\_  
County Clerk

By \_\_\_\_\_  
Chairman, Board of Commissioners



THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



CITY ATTORNEY  
P.O. BOX 1513  
FAYETTEVILLE, NC 28302-1513

ROOM 211, CITY HALL  
433 HAY STREET  
(919) 433-1985  
FAX # (919) 433-1980

July 15, 1992

MEMORANDUM

TO: The Mayor and Members of the City Council

FROM: Robert C. Cogswell, Jr.  
City Attorney

SUBJECT: City Hall Parking Lot and Amtrak/City Hall Employee  
Parking Lot

The General Assembly enacted the local bill that we requested and therefore I have prepared for your consideration an ordinance to regulate the parking in both the City Hall parking lot and the Amtrak/City Hall Employee parking lot. The penalty for a violation will be \$5, and initially only cars blocking or impeding the flow of traffic or access to parking spaces will be towed. All others will receive a ticket.

RCC/jkp

Attachment

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 8

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1991  
RATIFIED BILL

CHAPTER 952  
HOUSE BILL 1676

AN ACT TO PROVIDE FOR ENFORCEMENT FOR PARKING VIOLATIONS  
ON PUBLICLY OWNED PARKING LOTS IN FAYETTEVILLE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-301(d) reads as rewritten:

"(d) The governing body of any city may, by ordinance, regulate the stopping, standing, or parking of vehicles in specified areas of any parking areas or driveways of a hospital, shopping center, apartment house, condominium complex, or commercial office complex, or government office complex, or any other publicly or privately owned public vehicular area, area as defined in G.S. 20-4.01(32), or prohibit such stopping, standing, or parking during any specified hours, provided the owner or person in general charge of the operation and control of that area requests in writing that such an ordinance be adopted. The owner of a vehicle parked in violation of an ordinance adopted pursuant to this subsection shall be deemed to have appointed any appropriate law-enforcement officer as his agent for the purpose of arranging for the transportation and safe storage of such vehicle."

Sec. 2. This act applies to the City of Fayetteville only.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 14th day of  
July, 1992.

**JAMES C. GARDNER**

---

James C. Gardner  
President of the Senate

**DANIEL BLUE, JR.**

---

Daniel Blue, Jr.  
Speaker of the House of Representatives

Ordinance No. S1992-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE  
CREATING NEW SECTIONS 20-67.2 and 20-67.3  
OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, pursuant to G.S. 160A-301(d) as amended by Chapter 952 of the 1991 Session Laws of the General Assembly of North Carolina:

Section 1. That a new Section 20-67.2 of the Code of Ordinances, City of Fayetteville, North Carolina, is hereby created to read as follows:

**Sec. 20-67.2. Parking in City Hall Parking Lot.**

(a) The parking lot located at the rear of City Hall, at the northeast corner of the intersections of Pittman Street and Franklin Street, is hereby designated as the City Hall parking lot.

(b) The City Manager shall have authority to designate certain parking spaces within the City Hall parking lot for official use only, including but not limited to parking for City-owned vehicles, and designated City employees and officials; any other parking space in the City Hall parking lot not so designated shall be used solely for individuals conducting business in City Hall at 433 Hay Street, Fayetteville, North Carolina, and for purposes of this ordinance shall be deemed public parking spaces.

(c) It shall be unlawful for anyone to park in any parking space designated by the City Manager for official use of an employee, official, or City-owned vehicle at any time unless authorized by the City Manager.

(d) It shall be unlawful for anyone to park in any public space in the City Hall parking lot in excess of two hours, between the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday.

(e) The City Manager is authorized to grant exemptions from the provisions of this ordinance to anyone who is conducting official business in City Hall.

Section 2. That a new Section 20-67.3 of the Code of Ordinances, City of Fayetteville, North Carolina, is hereby created to read as follows:

**Sec. 20-67.3. Amtrak/City Hall Employee parking lot.**

(a) That parking lot owned by the City of Fayetteville and bounded by Hay Street on the south, Amtrak Station and Seaboard Systems main track on the west, and the Maiden Lane extension on the north and east, shall be designated as the Amtrak/City Hall Employee parking lot.

(b) The City Manager shall have the authority to designate within the Amtrak/City Hall Employee parking lot spaces for parking of motor vehicles as follows:

- (i) Amtrak customers and employees only;
- (ii) City Hall business only; or
- (iii) City officials.

All other parking spaces within said lot not designated as set forth above shall be for the use of City Hall employees. Amtrak Station customers and employees shall only be authorized to park in those spaces designated for Amtrak Station customers and employees, and all other spaces not so designated in the Amtrak/City Hall Employee parking lot shall be for the use and benefit of City Hall employees, business or official use, as designated by the City Manager.

(c) It shall be unlawful for anyone except an Amtrak Station customer or employee, parked in a space designated for Amtrak customers or employees, or City Hall employees, business customers or officials parked in spaces so designated to park in the Amtrak/City Hall Employee parking lot.

(d) Any sworn law enforcement officer may direct that a motor vehicle be towed from the Amtrak/City Hall Employee parking lot, if in the opinion of said law enforcement officer, the motor vehicle is blocking or impeding the flow of vehicular traffic within said parking lot, or is blocking or impeding access to or

from a properly designated and/or marked parking space within said parking lot.

(e) The provisions of this ordinance as they would apply to the spaces designated for use by Amtrak employees and customers, shall apply 24 hours a day; the provisions of this ordinance as they would apply to any spaces designated for City Hall employees, business or official use, shall only apply between the hours of 7:00 a.m. and 5:30 p.m., Monday through Friday.

Section 3. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 1992.

CITY OF FAYETTEVILLE

By: J. L. Dawkins, Mayor

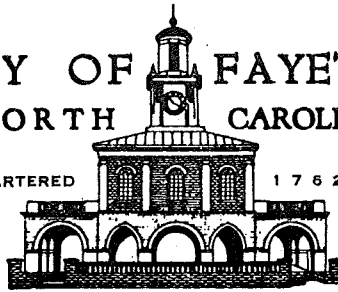
ATTEST:

Bobbie A. Joyner, City Clerk



THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



CITY CLERK  
433 HAY STREET

FAYETTEVILLE, NC 28301-5537

(919) 433-1989  
FAX (919) 433-1780

July 15, 1992

**MEMORANDUM**

TO: John P. Smith, City Manager  
FROM: Bobbie A. Joyner, City Clerk *BJ*  
SUBJECT: **AGENDA ITEM FOR JULY 20, 1992 CITY COUNCIL MEETING -  
NOMINATIONS TO BOARDS AND COMMISSIONS**

**A. JOINT PLANNING BOARD - 1 Vacancy**

Meets first and third Tuesday, 7:30 p.m., Old Courthouse.

Nominations are still open to fill the vacancy of Billy Maxwell, Sr., to June 1996. The following nominations were made at the last meeting:

Mr. Karl Legatski (W/M), was nominated by Councilmember Cheek

Mr. Jonathan Charleston (B/M) was nominated by Councilmember Blackwell

Information sheets are attached for the nominees. Blank Nomination Forms are also attached for your use.

Attachments

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

**ITEM** P. A.

NOMINATION FORM  
BOARDS, COMMITTEES AND COMMISSIONS  
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE Joint Planning Board  
BY COUNCILMEMBER Suzan Cheek DATE: 7.6.92

Mr./Mrs./Ms. Karl Legatski DOES LIVE IN CITY LIMITS AND IS  
NOT SERVING ON ANOTHER BOARD OR  
COMMISSION

ADDRESS 468 Kingsford Rd ZIP: \_\_\_\_\_  
(Street and/or P.O. Box)

TELEPHONE: HOME 867.8595 BUSINESS 867.8675

BUSINESS Celtech, Inc JOB TITLE: Owner

RACE W SEX M

ACTIVITIES: Active United Way volunteer  
President, Friends of the Parks Foundation

OTHER INFORMATION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Received by City Clerk sj 7-6-92  
(date)

Elected: YES \_\_\_\_\_ NO \_\_\_\_\_ Letter: \_\_\_\_\_

A.



**NOMINATION FORM**  
**BOARDS, COMMITTEES AND COMMISSIONS**  
**CITY OF FAYETTEVILLE**

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE JOINT PLANNING BOARD

BY COUNCILMEMBER Bleeden Blackwell DATE: 7-6-92

Mr./Mrs./Ms. JONATHAN CHARLESTON DOES LIVE IN CITY LIMITS AND IS NOT SERVING ON ANOTHER BOARD OR COMMISSION

ADDRESS 933 Creekside Avn ZIP: FAY. 28305  
(Street and/or P.O. Box)

TELEPHONE: HOME 433-2880 BUSINESS 323-5303

BUSINESS Shaw Food Services JOB TITLE: Attorney

RACE B SEX M

ACTIVITIES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OTHER INFORMATION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Received by City Clerk BJ 7-6-92  
(date)

Elected: YES \_\_\_ NO \_\_\_ Letter: \_\_\_\_\_



**NOMINATION FORM**  
**BOARDS, COMMITTEES AND COMMISSIONS**  
**CITY OF FAYETTEVILLE**

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE \_\_\_\_\_

BY COUNCILMEMBER \_\_\_\_\_ DATE: \_\_\_\_\_

Mr./Mrs./Ms. \_\_\_\_\_ DOES LIVE IN CITY LIMITS AND IS  
NOT SERVING ON ANOTHER BOARD OR  
COMMISSION

ADDRESS \_\_\_\_\_ ZIP: \_\_\_\_\_  
(Street and/or P.O. Box)

TELEPHONE: HOME \_\_\_\_\_ BUSINESS \_\_\_\_\_

BUSINESS \_\_\_\_\_ JOB TITLE: \_\_\_\_\_

RACE \_\_\_\_\_ SEX \_\_\_\_\_

ACTIVITIES: \_\_\_\_\_

OTHER INFORMATION: \_\_\_\_\_

Received by City Clerk \_\_\_\_\_ (date)

Elected: YES \_\_\_\_\_ NO \_\_\_\_\_ Letter: \_\_\_\_\_



**NOMINATION FORM**  
**BOARDS, COMMITTEES AND COMMISSIONS**  
**CITY OF FAYETTEVILLE**

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE \_\_\_\_\_

BY COUNCILMEMBER \_\_\_\_\_ DATE: \_\_\_\_\_

Mr./Mrs./Ms. \_\_\_\_\_ DOES LIVE IN CITY LIMITS AND IS  
NOT SERVING ON ANOTHER BOARD OR  
COMMISSION

ADDRESS \_\_\_\_\_ ZIP: \_\_\_\_\_  
(Street and/or P.O. Box)

TELEPHONE: HOME \_\_\_\_\_ BUSINESS \_\_\_\_\_

BUSINESS \_\_\_\_\_ JOB TITLE: \_\_\_\_\_

RACE \_\_\_\_\_ SEX \_\_\_\_\_

ACTIVITIES: \_\_\_\_\_

OTHER INFORMATION: \_\_\_\_\_

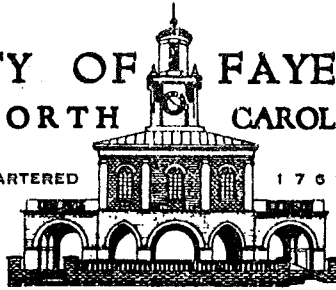
Received by City Clerk \_\_\_\_\_ (date)

Elected: YES \_\_\_\_\_ NO \_\_\_\_\_ Letter: \_\_\_\_\_



THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762




CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

June 16, 1992

**MEMORANDUM**

TO: The Mayor and Members of City Council  
FROM: John P. Smith, City Manager   
SUBJECT: Sale of Property to Prince Charles Hotel

The property adjacent to the Prince Charles Hotel was left out of the original sale because public improvements on public property were part of the grant agreement. Community Development Block Grant Funds were used for the fountain and landscape improvements.

The UDAG is now closed out and the grant requirements no longer apply. It would be in the city's interest as well as the hotel's for this property to be privately owned rather than publicly owned.

JPS/bpb

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

**ITEM 10.**

ROSE, RAY, WINFREY & O'CONNOR

A PROFESSIONAL ASSOCIATION

ATTORNEYS AT LAW

214 MASON STREET

FAYETTEVILLE, NORTH CAROLINA 28302-1239

July 15, 1992

CHAS. G. ROSE, JR.  
OF COUNSEL

ROBERT G. RAY  
RONALD E. WINFREY  
STEVEN J. O'CONNOR  
CLIFTON C. WEST  
BRIAN K. MANNING

P. O. BOX 1239  
TELEPHONE 919/483-2101  
TELECOPIER 919/483-8444

BY HAND

Mr. John Smith  
City Manager  
City of Fayetteville  
433 Hay Street  
Fayetteville, North Carolina 28301

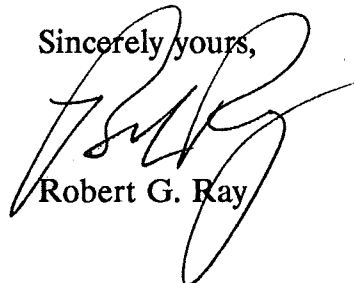
Dear John:

We are attorneys for Prince Charles Hotel Limited Partnership ["the Partnership]. Dr. Menno Pennink and Mr. Lewis Jourden have earlier discussed with you the interest of the Partnership in acquiring the property owned by the City of Fayetteville adjacent to the Prince Charles Hotel, including the hotel terrace and fountain property located on Hay Street. A drawing highlighting the property which the Partnership wishes to acquire from the City is enclosed.

The Partnership hereby offers to acquire the property described in the attached Exhibit "A" for \$5,000 cash. The Partnership hopes that these funds will be utilized in the first phase of development of the downtown linear park, although that will obviously be a decision of the Council.

We would very much appreciate your presenting the Partnership's offer to acquire this property for \$5,000 to the Fayetteville City Council. Should you have any questions or need anything further, please let me know.

Sincerely yours,



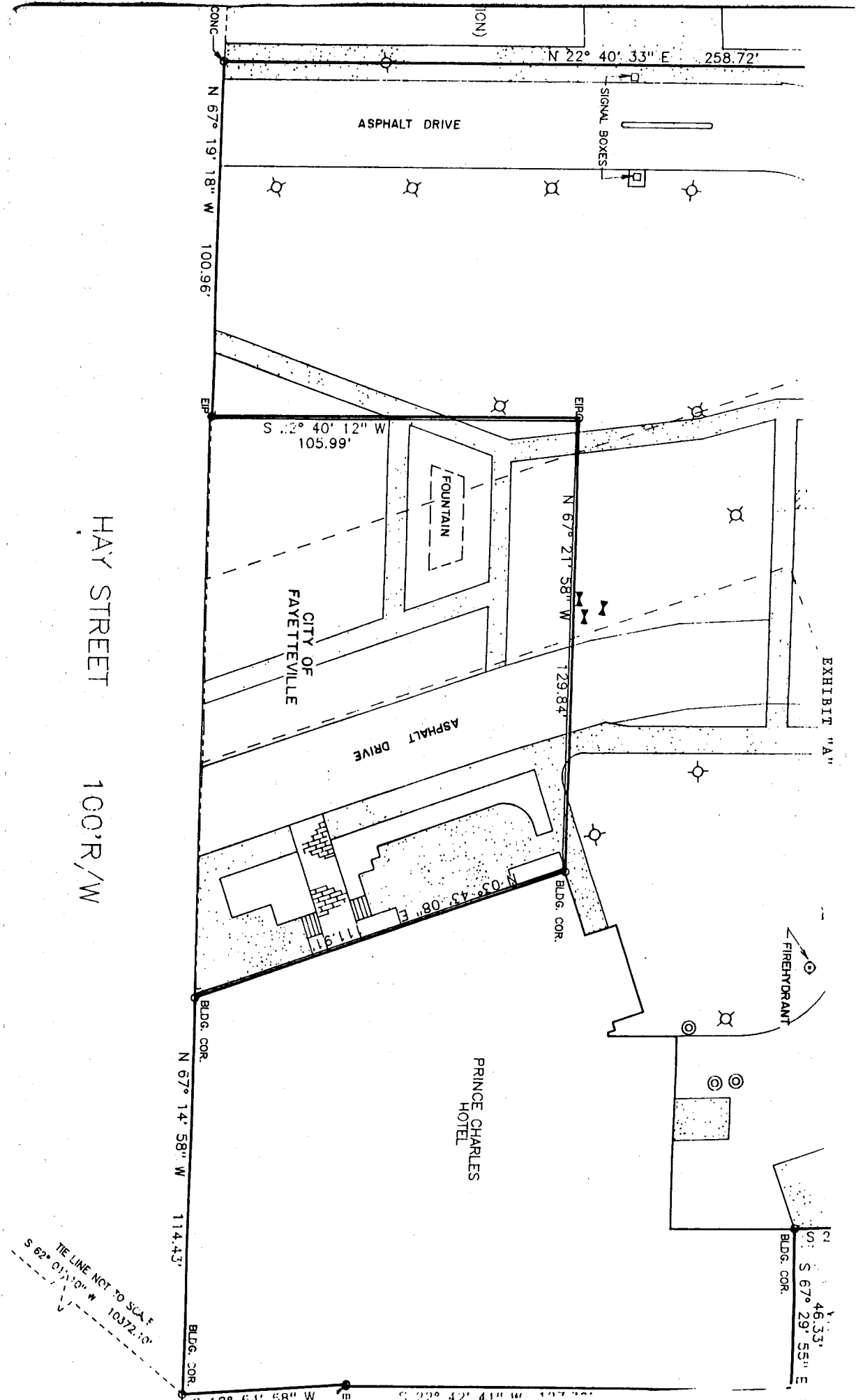
Robert G. Ray

RGR:gy

Enclosure

cc: Dr. Menno Pennink  
Mr. Lewis Jourden





HAY STREET 100'R/W

TIE LINE NOT TO SCALE  
 $S 62^{\circ} 01' 10'' W 10372.10'$

Faint, illegible text, possibly bleed-through from the reverse side of the page.





STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
P. O. BOX 25201  
RALEIGH 27611-5201

JAMES G. MARTIN  
GOVERNOR

June 29, 1992

THOMAS J. HARRELSON  
SECRETARY

Mr. John P. Smith  
City of Fayetteville  
433 Hays Street  
Fayetteville, North Carolina 28301

Dear Mr. Smith:

Thank you for your letter of June 18 requesting consideration for the renaming of Murchinson Road (NC 87-210) in honor of the late Martin Luther King, Jr.

According to the policies of the Board of Transportation, the Department of Transportation does not rename roads that have already been named in honor of an individual. Secondly, the Board does not resolve local disputes concerning road namings. The Department has received several copies of an opposing petition for action of the Fayetteville City Council. If the situation is resolved, the Board will consider your request.

Thank you for your interest in this matter. If additional information is required, please feel free to let me know.

Yours truly,

Handwritten signature of Thomas J. Harrelson in cursive script.  
Thomas J. Harrelson

TJH/cme

cc: S. Thomas Rhodes, Deputy Secretary



**DEPARTMENT OF THE ARMY**  
HEADQUARTERS, XVIII AIRBORNE CORPS AND FORT BRAGG  
FORT BRAGG, NORTH CAROLINA 28307-5000



REPLY TO  
ATTENTION OF:

July 2, 1992

Directorate of Engineering  
and Housing

Mr. John Smith  
City Manager  
433 Hay Street  
Fayetteville, North Carolina 28301-5537

Dear Mr. Smith:

This is in response to your letter regarding the possible name change of Murchison Road.

Our policy stipulates that when a primary state route bisects an Army installation, the road will retain its state designated name and route number. Since Murchison Road is a North Carolina primary route, Fort Bragg will comply with any name change that is authorized by the North Carolina Department of Transportation.

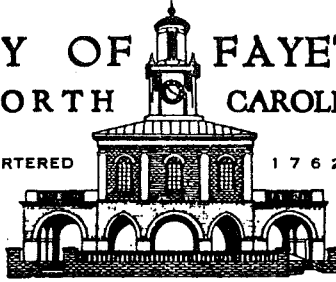
Thank you for keeping my office informed of issues that may affect Fort Bragg.

Sincerely,

William C. Pendleton  
Colonel, U.S. Army  
Garrison Commander

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762




ADMINISTRATIVE SERVICES  
PURCHASING  
MAINTENANCE & SUPPLY

280 LAMON STREET  
FAYETTEVILLE, NC 28301  
433-1785/1786/1787

July 10, 1992

MEMORANDUM

TO: Mayor and Members of City Council

FROM: William J.B. McGugan, Admin. Svcs. Director 

RE: Disposal of Surplus Property of Minimal Value

Under the terms of the Policy Statement adopted by the City Council on June 6, 1983, regarding the disposal of surplus property, the attached list of sold surplus property is submitted for your information.

The attached list of items were jointly inspected by the using department and the Administrative Services Department. It was declared that these items could not be reutilized in the operation of the City. Therefore, having no further use to the City, were disposed of under private negotiation and sale.

WJBMCG/gij

Attachment

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 11. B.

MEMORANDUM  
July 10, 1992  
Page 2

| <u>DATE</u> | <u>SURPLUS ITEMS SOLD</u> | <u>TO WHOM SOLD</u>   | <u>SALE PRICE</u> |
|-------------|---------------------------|-----------------------|-------------------|
| 01-06-92    | Salvage Bookshelf         | Catherine Elliott     | 5.00              |
| 01-15-92    | Salvage Tires             | Mullin Tire Barn      | 105.00            |
| 01-21-92    | ✓ Recycled Paper          | Paper Stock Dealers   | 1,307.55          |
| 01-21-92    | Salvage Batteries         | Beacon Auto Parts     | 60.00             |
| 01-21-92    | ✓ Scrap Metal             | Cohen & Green Salvage | 637.10            |
| 01-23-92    | Salvage Lawn Mower        | Wade & Sons           | 50.00             |
| 01-23-92    | Salvage Air Compressor    | Wade & Sons           | 65.00             |
| 01-21-92    | Scrap Metal               | Cohen & Green Salvage | 165.05            |
| 01-21-92    | Recycled Paper            | Paper Stock Dealers   | 312.90            |
| 03-03-92    | Salvage Tires             | Mullins Tire co.      | 50.00             |
| 03-03-92    | Recycled Paper            | Paper Stock Dealers   | 339.60            |
| 03-16-92    | ✓ Scrap Metal             | Cohen & Green Salvage | 635.51            |
| 04-08-92    | Scrap Metal               | Cohen & Green Salvage | 249.15            |
| 04-08-92    | ✓ Recycle Paper           | Paper Stock Dealers   | 668.96            |
| 04-29-92    | Salvage Batteries         | Beacon Auto Parts     | 40.00             |
| 04-29-92    | Salvage Tires             | Tire Barn             | 120.00            |
| 04-29-92    | Recycled Tires            | Paper Stock Dealers   | 392.33            |
| 05-13-92    | Scrap Metal               | Cohen & Green Salvage | 343.35            |
| 06-11-92    | Recycled Paper            | Paper Stock Dealers   | 195.30            |
| 06-17 92    | Scrap Metal               | Cohen & Green Salvage | 164.90            |
| 06-29-92    | Salvage Batteries         | Beacon Auto Parts     | 40.00             |



FAYE S. PARRISH  
TAX COLLECTOR

# COUNTY OF CUMBERLAND TAX COLLECTOR

P.O. Drawer 449  
Fayetteville, North Carolina 28302-0449  
Telephone: (919) 678-7700



E.T. SESSOMS  
ASSISTANT TAX COLLECTOR

JULY 1, 1992

MR. JOHN SMITH  
CITY MANAGER  
CITY OF FAYETTEVILLE  
DRAWER 1448  
FAYETTEVILLE, NORTH CAROLINA 28302

DEAR SIR,

THE FOLLOWING IS A STATEMENT OF TAXES COLLECTED FOR THE MONTH OF JUNE 1992. GENERAL STATUTES # 105-370 REQUIRES THAT THIS REPORT BE MADE TO THE CITY COUNCIL AT EACH REGULAR MEETING.

|                                       |            |
|---------------------------------------|------------|
| 1991 TAXES                            | 127,190.07 |
| FAY. VEHICLE TAX                      | 2,095.57   |
| 1990 TAXES                            | 13,834.62  |
| 1989 TAXES                            | 1,534.55   |
| 1988 & PRIOR REAL & PERSONAL TAXES    | 3,164.68   |
| TOTAL INTEREST                        | 11,133.18  |
| TAXES ON CITY OWNED PROPERTY DEDUCTED |            |
| TOTAL COLLECTIONS                     | 158,952.67 |

YOURS TRULY,

*Faye S. Parrish*

FAYE S. PARRISH  
TAX COLLECTOR

ABJ/BF

ITEM 11.C.





THE CITY OF FAYETTEVILLE  
NORTH CAROLINA



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

July 15, 1992

MEMORANDUM

TO: John P. Smith, City Manager  
FROM: Jimmy Teal, Assistant City Manager, Planning & Development  
SUBJECT: Special Assessments

Per your request, I have compiled information concerning special assessments. This memo includes the authority of assessments, basis for making assessments, methods used by other municipalities and their assessment rates.

North Carolina General Statute 160A-216 authorizes municipalities to make special assessments against benefited property within its corporate limits for:

1. Constructing, reconstructing, paving, widening, installing curbs and gutters and otherwise building and improving streets.
2. Constructing, reconstructing, paving, widening and otherwise building or improving sidewalks in any public street.
3. Constructing, reconstructing, extending and otherwise building or improving water systems.
4. Constructing, reconstructing, extending or otherwise building or improving sewage collection and disposal systems of all types, including septic tank systems or other on-site collection or disposal facilities or systems.
5. Constructing, reconstructing, extending and otherwise building or improving storm sewer and drainage systems.

Currently, the City assesses for each of these five types of improvements.

North Carolina General Statute 160A-218 authorizes the basis for making assessments. Assessments may be made on the basis of:

1. The frontage abutting on the project, at an equal rate per foot of frontage, or

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

**INFORMATION**

2. The area of land served, or subject to being served, by the project, at an equal rate per unit of area, or
3. The value added to the land served by the project, or subject to being served by it, being the difference between the appraised value of the land without improvements as shown on the tax records of the County and the appraised value of the land with improvements according to the appraisal standards and rules adopted by the County at its last revaluation, at an equal rate per dollar of value added, or
4. The number of lots served, or subject to being served, where the project involves extension of an existing system to a residential or commercial subdivision, at an equal rate per lot; or
5. A combination of two or more of these bases.

Currently, the City assesses using the frontage abutting on the project at an equal rate per foot. The rate established by the City is as follows:

- (a) Street Improvements - \$10.00 per foot
- (b) Water Improvements - \$8.00 per foot
- (c) Sewer Improvements - \$12.00 per foot

Listed are sampled cities comparing their methods and rates for special assessments.

1. High Point, North Carolina

Assessment based on the frontage abutting the project, at an equal rate per foot of frontage.

Street Improvements - \$24.00 per foot  
Water Improvements - \$8.50 per foot  
Sewer Improvements - \$12.00 per foot

2. Greensboro, North Carolina

Assessment based on the frontage abutting the project, at an equal rate per foot of frontage.

Street Improvements - \$17.50 per foot  
Water Improvements - \$8.00 per foot  
Sewer Improvements - \$9.00 per foot

3. Wilmington, North Carolina

Do not use assessments.

John P. Smith  
Page 3  
July 15, 1992

4. Raleigh, North Carolina

Assessment method varies. Sometimes use per foot method, sometimes per lot method and sometimes per acre or square footage method. Type of assessment is determined on a project-by-project basis.

Street Improvements - \$25.00 per foot  
Water Improvements - \$11.95 per foot  
Sewer Improvements - \$20.59 per foot

5. Columbia, South Carolina

Assessment based on the frontage abutting the project, at an equal rate per foot of frontage.

Street Improvements - \$0 per foot  
Water Improvements - \$6.00 per foot  
Sewer Improvements - \$9.00 per foot

6. Winston-Salem, North Carolina

Assessment based on the frontage abutting the project, at an equal rate per foot of frontage.

Street Improvements - \$20.00 per foot  
Water Improvements - \$10.00 per foot  
Sewer Improvements - \$17.00 per foot

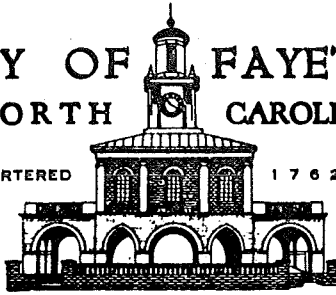
Should you have any questions or need additional information, please let me know.

JT/kbl



THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



TRAFFIC SERVICES DEPARTMENT

433 HAY STREET  
FAYETTEVILLE, NC 28301-5797  
TEL. (919) 433-1660

SIGNS AND MARKINGS DIVISION 433-1795  
SIGNAL MANAGEMENT DIVISION 433-1796  
339 ALEXANDER STREET  
FAYETTEVILLE, NC 28301-5797

July 14, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Louis A. Chalmers, Jr., P.E., City Traffic Engineer

REFERENCE: Sycamore Dairy Road and Wagoner Drive  
Traffic Signal Warrants Investigation

We have completed a traffic signal warrants investigation at this intersection in response to Councilmember McBryde's request. Our investigation has included traffic counts, an accident study, and a field review.

Traffic volumes at this intersection meet three of the eleven warrants of the Manual on Uniform Traffic Control Devices for installation of a traffic signal.

During the past 12 months, there have been 3 traffic accidents at this location; 2 rear end and 1 left turn. Only the left turn accident could be correctable by the installation of a traffic signal. Rear end accidents would be expected to increase at this location if a traffic signal is installed.

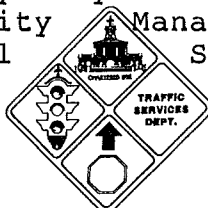
A field investigation reveals installation of a traffic signal may not be desirable at this intersection due to its proximity to the planned traffic signal at Bargin Street (500 feet east) plus poor visibility due to the sharp curve west of the intersection.

Since there currently is not an accident problem at this location, we would recommend that a traffic signal not be installed at this time. We would propose to continue monitoring this location following the installation of the traffic signal at Bargin Street.

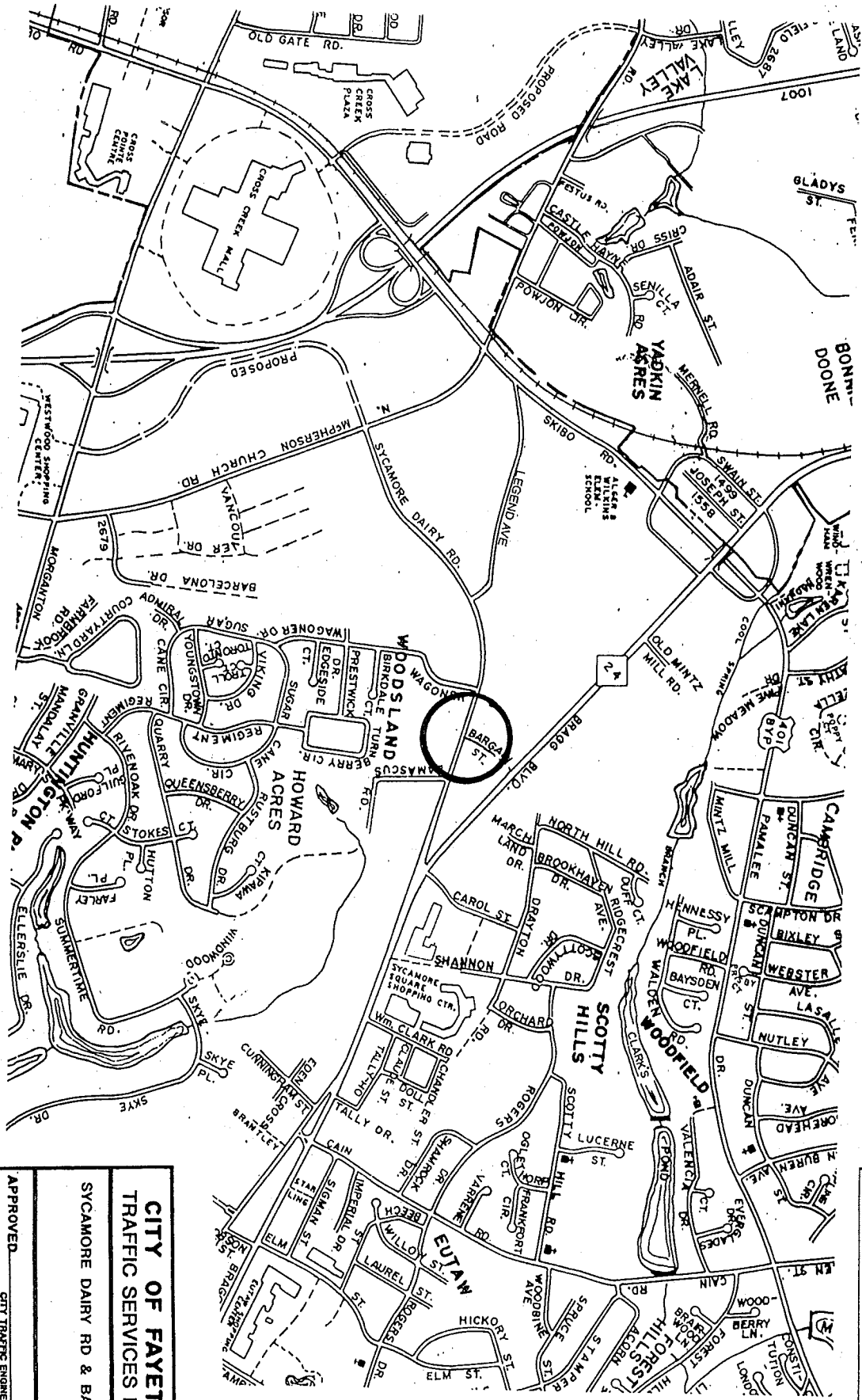
LAC/psc

Enclosure  
Area Map

cc: Roger L. Stancil, Deputy City Manager  
Jimmy Teal, Assistant City Manager, Planning/Development  
Thomas R. Hosack, Signal System Engineer  
Arbie E. Melvin, Jr., Traffic Signal Supervisor  
An Equal Opportunity Affirmative Action Employer



**INFORMATION**



**CITY OF FAYETTEVILLE**  
**TRAFFIC SERVICES DEPARTMENT**  
**SYCAMORE DAIRY RD & BARGAIN ST AREA**

APPROVED \_\_\_\_\_  
 CITY TRAFFIC ENGINEER

|             |          |            |       |            |
|-------------|----------|------------|-------|------------|
| DESIGNED BY | DRAWN BY | CHECKED BY | NO.   | FIELD BOOK |
| SCALE       | DATE     | JOB NO.    | SHEET | OF         |

| REVISION | DATE | BY |
|----------|------|----|
|          |      |    |
|          |      |    |
|          |      |    |

# PLANNING DEPARTMENT

Post Office Box 1829  
Fayetteville, NC 28302  
Telephone (919) 678-7600

## CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt  
CHAIRMAN

George Vaughan  
PLANNING DIRECTOR

July 20, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-55. THE REZONING FROM R10 RESIDENTIAL DISTRICT TO R5 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT 3000 LAKE CLUB DRIVE. (FAYETTEVILLE ORDINANCE)

ACTION: THE TEN MEMBERS PRESENT AT THE MAY 19, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO DENY THE REQUESTED REZONING.

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area.

Mr. Lloyd stated that the Planning staff recommends denial of the requested rezoning to R5 Residential District based on the following:

1. This tract does not meet the criteria for high density residential district; and
2. The 1971 and proposed 2010 Land Use Plans call for low density residential development at this location.

The Planning staff finds that all or any portion of this site is not suitable for R6 or R5A Residential Districts.

Mr. Victor Hyatt, administrator of the Moose Lodge, appeared in favor of the requested rezoning. He stated that the rezoning is consistent with the 1971 Land Use Plan. He pointed out that the property is currently surrounded by properties zoned R10 Residential, R5A Residential and M1 Industrial Districts. He stated that the 600 members of the Moose Lodge presently go to the site at certain times and in groups, and if the area is used for residential uses, it will create less traffic problems. Mr. Hyatt stated that he would agree to something between the R5 and R10 Residential Districts, possibly R6 Residential District.

Mr. Glenn Jernigan appeared before the Board in opposition stating that he has resided in this area for more than twenty-five years. He feels that the 1971 Land Use Plan has served the area well, and there is no established need or transition which would justify rezoning. The resi-

# PLANNING DEPARTMENT

Post Office Box 1829  
Fayetteville, NC 28302  
Telephone (919) 678-7600

## CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt  
CHAIRMAN

George Vaughan  
PLANNING DIRECTOR

July 14, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL  
FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD  
SUBJECT: PUBLIC HEARING ITEMS TO HEARD AT THE JULY 20, 1992 CITY  
COUNCIL MEETING

- A. CASE NO. P92-55. THE REZONING FROM R10 RESIDENTIAL DISTRICT TO R5  
RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICA-  
TION FOR AN AREA LOCATED AT 3000 LAKE CLUB DRIVE. (FAYETTEVILLE  
ORDINANCE)

PLANNING BOARD DATE:  
PLANNING BOARD ACTION:

MAY 19, 1992  
RECOMMENDED DENIAL

Attachments

:skc

**INFORMATION**



dents take a great deal of pride in their ownership and want to continue to maintain their stable neighborhood and good quality of life. He stated that the residents are concerned about the flood plain, egress and ingress issues, some safety factors, decreasing property values and the adverse effect this rezoning could have on the quality of life. Mr. Jernigan asked that the residents opposed to the rezoning stand. Most of the audience and about thirty more individuals in the hall stood.

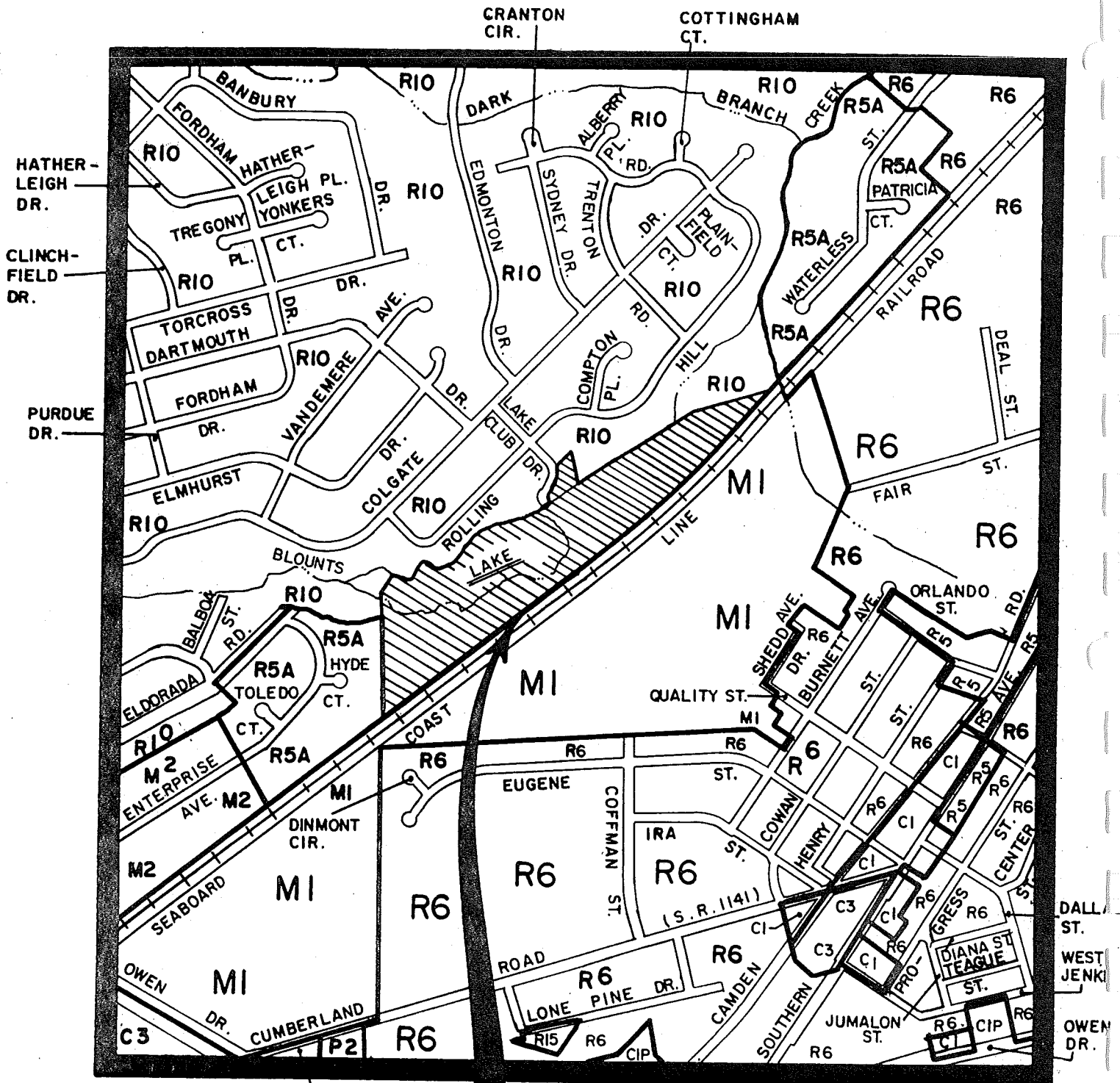
Mr. Ed Donaldson, resident of the area, presented a petition containing approximately 270 signatures of residents opposed to the rezoning. He also presented photographs of the area to the Board. He commented on the current land use of the area and said he has concerns about the crime rate, traffic flow increasing, dam needing repair and strain the rezoning would create on the schools in the area. He stated that the residents are willing to talk with the members of the Moose Lodge to try to help them work out their problems.

Mr. Hyatt preferred not to speak in rebuttal but stated that he would like to work with the residents to work the issues out.

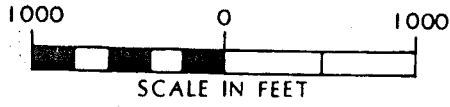
A motion was made by Mr. Schmidt and seconded by Mr. Hasan to deny the requested rezoning. The motion passed unanimously.

Attachment

:skc



NORTH



SCALE IN FEET

## REQUESTED REZONING R10 TO R5

|                         |                    |        |
|-------------------------|--------------------|--------|
| ACREAGE: 37.2 AC. ±     | HEARING NO: P92-55 |        |
| ORDINANCE: FAYETTEVILLE | HEARING DATE       | ACTION |
| PLANNING BOARD          |                    |        |
| GOVERNING BOARD         |                    |        |

• M I L D R E D      E V A N S •

July 8th

Dear J. L.,

I want to thank you and  
the Council for the lovely  
hibiscus and impressive plaque.  
The hibiscus sits happily on my  
front step and the plaque hangs in  
my den waiting for guests to  
notice it.      with gratitude and  
X      X + X

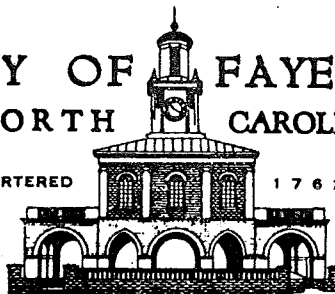
Waldie d



THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

*HEHONRA*

CHARTERED 1762



OFFICE OF THE CHIEF OF POLICE  
SUITE 124, 131 DICK STREET

FAYETTEVILLE, N. C. 28301-5798  
TELEPHONE: (919) 433-1819

14 July 1992

MISSION STATEMENT

PERFORM OUR DUTIES AND FULFILL OUR RESPONSIBILITIES OF ENFORCING THE LAW, MAINTAINING THE PEACE AND PROVIDING POLICE SERVICES TO THE PEOPLE OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. WE STRIVE TO PROVIDE THE QUALITY SERVICE AND PROTECTION IN OUR JURISDICTION OF RESIDENTS, BUSINESS AND MISSIONS OF THE CITY OF FAYETTEVILLE.

**MEMORANDUM**

**TO :** Roger Stancil, Assistant City Manager  
**FROM :** Ronald E. Hansen, Chief of Police *RA*  
**SUBJECT:** Monthly Report

Attached please find the monthly report for the Office of Professional Standards for the month of May, 1992.

**REH:lof**

**Attachment**

122nd NATIONALLY ACCREDITED



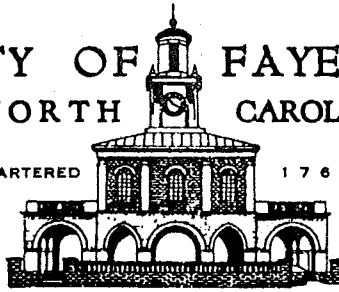
LAW ENFORCEMENT AGENCY

An Equal Opportunity Affirmative Action Employer

**INFORMATION**

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



OFFICE OF THE CHIEF OF POLICE  
SUITE 124, 131 DICK STREET

FAYETTEVILLE, N. C. 28301-5798  
TELEPHONE: (919) 433-1819

13 July 1992

ADMINISTRATIVE  
MEMORANDUM TO:

Ronald E. Hansen, Chief of Police

SUBJECT:

Office of Professional Standards & Inspections  
Monthly Report for May 1992

The monthly report from the Office of Professional Standards and Inspections for the month of May 1992 is submitted for your review.

A handwritten signature in cursive script that reads "Vera L. Bell".

VERA L. BELL, LIEUTENANT  
Office of Professional Standards  
and Inspections

VLB/llk

Attachments

122nd NATIONALLY ACCREDITED



LAW ENFORCEMENT AGENCY

An Equal Opportunity Affirmative Action Employer

**DEPARTMENTAL INVESTIGATIONS  
MAY 1992**

This Year, 1992, to date: 80  
Last Year, 1992, to date: 82

| <u>FILE NO.</u> | <u>COMPLAINT</u>     | <u>DISPOSITION</u> |
|-----------------|----------------------|--------------------|
| 92-071(D)       | Absent from PT Test  | Disc. Action       |
| 92-072(D)       | Unsatisfactory Perf. | Disc. Action       |
| 92-073(D)       | Vehicle Pursuit      | Exonerated         |
| 92-074(D)       | Vehicle Pursuit      | Exonerated         |
| 92-075(D)       | Unsatisfactory Perf. | Resigned           |
| 92-076(D)       | Vehicle Pursuit      | Exonerated         |
| 92-077(D)       | Unbecoming Conduct   | Disc. Action       |
| 92-078(D)       | Vehicle Pursuit      | Exonerated         |
| 92-079(D)       | Unsatisfactory Perf. | Exonerated         |
| 92-081(D)       | Reporting for Duty   | Disc. Action       |
| 92-082(D)       | Vehicle Pursuit      | Exonerated         |

|                                |  |
|--------------------------------|--|
| CASES PENDING FOR FEBRUARY = 2 | 92-032(D), 92-036(D)                         |
| CASES PENDING FOR MARCH = 3    | 92-043(D), 92-049(D),<br>92-055(D)           |
| CASES PENDING FOR APRIL = 1    | 92-065(D)                                    |
| CASES PENDING FOR MAY = 4      | 92-068(D), 92-069(D)<br>92-070(D), 92-080(D) |

**CARRY OVER CASES FROM APRIL 1992:**

|           |                    |              |
|-----------|--------------------|--------------|
| 92-066(D) | Transport Prisoner | Disc. Action |
|-----------|--------------------|--------------|

| <u>DISPOSITIONS</u> | <u>THIS MONTH</u> | <u>YEAR TO DATE</u> |           |
|---------------------|-------------------|---------------------|-----------|
| Exonerated          | 6                 | 25                  | 38%       |
| Disc. Action        | 5                 | 37                  | 57%       |
| Retired             | 0                 | 1                   | 2%        |
| Resigned            | <u>1</u>          | <u>2</u>            | <u>3%</u> |
|                     | 12                | 65                  | 100%      |

**CITIZEN COMPLAINTS  
MAY 1992**

This Year, 1992, to date: 25  
Last Year, 1991, to date: 16

| <u>FILE NUMBER</u> | <u>COMPLAINANT RACE &amp; SEX</u> | <u>NATURE OF COMPLAINT</u> | <u>DISPOSITION OF CASE</u> |
|--------------------|-----------------------------------|----------------------------|----------------------------|
| 92-023(C)          | W/M                               | Unsat. Performance         | Exonerated                 |
| 92-024(C)          | W/M                               | Courtesy                   | Exonerated                 |
| 92-025(C)          | B/M                               | Unsat. Performance         | Exonerated                 |

CASES PENDING FOR APRIL 1992 = 1      92-018(C)

| DISPOSITIONS | THIS MONTH | YEAR TO DATE |           |
|--------------|------------|--------------|-----------|
| Exonerated   | 3          | 17           | 71%       |
| Disc. Action | 0          | 6            | 25%       |
| Resigned     | <u>0</u>   | <u>1</u>     | <u>4%</u> |
|              | 3          | 24           | 100%      |



**USE OF FORCE  
MAY 1992**

This Year, 1992, to date: 21  
Last Year, 1991, to date: 41

| <u>FILE NUMBER</u> | <u>FORCE USED</u> | <u>INJURY</u> | <u>CHARGE(S)</u> | <u>DISPOSITION</u> |
|--------------------|-------------------|---------------|------------------|--------------------|
| 92-019(F)          | P-Mace            | Minor         | AOLEO            | Exonerated         |
| 92-020(F)          | Handgun           | None          | B&E&L            | Exonerated         |
| 92-021(F)          | P-Mace            | Minor         | Unauthorized     | Exonerated         |

CARRY OVER FROM APRIL 1992

|           |         |      |                    |              |
|-----------|---------|------|--------------------|--------------|
| 92-016(F) | Handgun | None | PWITS&D            | Disc. Action |
| 92-018(F) | Hands   | None | Disorderly Conduct | Exonerated   |

| DISPOSITION        | THIS MONTH | YEAR TO DATE |            |
|--------------------|------------|--------------|------------|
| No Excessive Force | 1          | 15           | 83%        |
| Excessive Force    | <u>1</u>   | <u>3</u>     | <u>17%</u> |
|                    | 2          | 18           | 100%       |

\*\*\*\*\*



# PLANNING DEPARTMENT

Post Office Box 1829  
Fayetteville, NC 28302  
Telephone (919) 678-7600

## CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt  
CHAIRMAN

George Vaughan  
PLANNING DIRECTOR

MINUTES  
CUMBERLAND COUNTY JOINT PLANNING BOARD  
JUNE 16, 1992  
7:30 P.M.

Members Present

Robert McNeill, Acting Chairman  
John Canady  
David Hasan  
W.A. Maxwell, Sr.  
Merrill McLaurin  
Ernest Morine  
Roland Schmidt  
Steven Shaw  
William E. Tew  
Peggy Vick

Members Absent

John Britt, Chairman  
John Davis, Vice-Chairman  
James Lucas

Staff Present

George Vaughan  
Thomas J. Lloyd  
Matt Rooney  
Shirelle Bennett  
Ed Byrne  
Sandi Culver  
Barbara Swilley

1. ROLL CALL AND APPROVAL OF THE MINUTES OF THE JUNE 2, 1992 REGULAR MEETING

Acting Chairman McNeill called the meeting to order at 7:30 p.m. in Public Hearing Room #3 of the Old County Courthouse. He asked if there were any corrections to the Minutes. A motion was made by Mr. Morine and seconded by Mr. Tew to approve the Minutes of June 2, 1992 with any necessary corrections. The motion passed unanimously.

2. REQUESTS FOR PUBLIC HEARING DEFERRALS

- A. CASE NO. P92-63. THE REZONING FROM R10 RESIDENTIAL DISTRICT TO R6 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT THE NORTHWEST CORNER OF CAIN ROAD AND VARRENE COURT. (FAYETTEVILLE ORDINANCE)

Mr. Lloyd stated that the legal description originally given the Planning Department contained part of the right-of-way which had been acquired by the City of Fayetteville for Cain road. He stated that the case needs to be readvertised for the next higher zoning classification in order to fulfill the applicant's purpose of making the number of apartments located on the property a conforming use.

Mr. Vaughan stated in order to avoid any possible technical violation of the Ordinance, the Planning Board should initiate this rezoning.

A motion was made by Mr. McLaurin and seconded by Mr. Shaw to initiate the rezoning case to the next higher zoning classification. The motion passed unanimously. Ms. Vick was not present for voting.

**INFORMATION**

3. ABSTENTIONS BY BOARD MEMBERS

Acting Chairman McNeill asked if any members wished to abstain from any item on the Agenda. Mr. McNeill stated that he would abstain from voting on Case No. P92-68.

4. READING OF POLICY STATEMENT REGARDING TIME LIMITS FOR PUBLIC HEARINGS

Mr. Lloyd read the Planning Board's policy on time limits for public hearings and the City of Fayetteville Appeals Procedure.

5. LAND USE PLAN - PUBLIC HEARING

A. CONSIDERATION OF CLIFFDALE ROAD LAND USE PLAN MAP

Mr. Matt Rooney appeared before the Board and reviewed the proposed 2010 Land Use Plan for the Cliffdale Road Area. He described the pattern of land use in the area and circulation.

Mr. Glen Prillaman appeared before the Board stating that the Army would like to have consideration of the Cliffdale Road Area Plan continued until the end of July so that the Army can receive and evaluate the noise data from Army Hygiene.

After discussion, a motion was made by Mr. Schmidt to defer consideration of the Cliffdale Road Area Plan until the end of July. The motion passed unanimously.

Mr. Vaughan informed the Board that the case would be calendared for the August 4, 1992 regular meeting.

6. PUBLIC HEARINGS

A. CASE NO. P92-59. THE REZONING FROM R10 RESIDENTIAL DISTRICT TO R6A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED SOUTH OF VEDA STREET BETWEEN CAMDEN ROAD (SR 1003) AND LEGION ROAD (SR 1132). (COUNTY ORDINANCE)

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area.

Mr. Lloyd stated that the Planning staff recommends approval of the requested rezoning to R6A Residential District based on the following:

1. The subject property meets the purpose and intent statement of the R6A Residential District in that the area is characterized by an inner mixture of mobile homes and conventional single-family dwellings.

The Planning staff finds that all or any portion of this tract is not suitable for the R6 Residential District.

No one appeared in favor of or in opposition to the requested rezoning.

After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a motion was made by Mr. Hasan and seconded by Mr. Maxwell to approve the requested rezoning. The motion passed unanimously.

B. CASE NO. P92-60. THE REZONING FROM R6 RESIDENTIAL DISTRICT TO R6A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE SOUTH SIDE OF GARNER STREET AT THE SOUTH END OF LOOK AVENUE, EAST OF MCARTHUR ROAD (SR 1600). (COUNTY ORDINANCE)

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area.

Mr. Lloyd stated that the Planning staff recommends denial of the requested rezoning to R6A Residential District based on the following:

1. The 1990 Land Use Plan calls for low density residential development in this area; and
2. The subject property is in the NAPAZ 5 zone from Simmons Army Air Field, and mobile homes are discouraged in NAPAZ 5 areas.

Ms. Mary Elliott appeared before the Board stating that she is the owner of the property and has someone who would like to purchase the lot and place a double wide manufactured home on the property. She stated that she would like to keep the residential character of the area.

Mr. Charles Shelly appeared before the Board stating that he is going to purchase the lot and would like to put a double wide manufactured home on the lot.

Ms. Mabel Williams appeared before the Board in opposition stating that she is not against progress. This was the first area zoned by Cumberland County, and they would like to keep additional mobile homes out of the area. She stated there has been recent construction in the area, and a used mobile home used to be located on the property and was improperly used as a dog pound.

Ms. Ileen Kenney, resident of Jacob Street, appeared before the Board in opposition. Ms. Kinney stated that when she built her home, she was told that mobile homes were not allowed in the area.

Mr. Cosmas Eaglin appeared before the Board in opposition.

Mr. Shelly appeared before the Board in rebuttal stating that the lot needs a home placed on it.

Mr. McLaurin asked if a modular home could be placed on the lot. Mr. Vaughan stated that a modular home can be placed on the lot, but it is more expensive than a manufactured home.

A motion was made by Ms. Vick and seconded by Mr. Morine to deny the requested rezoning. The motion passed unanimously.

C. CASE NO. P92-61. THE INITIAL ZONING TO R10 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT 3533 STURBRIDGE DRIVE. (HOPE MILLS ORDINANCE)

Mr. Lloyd displayed a map outlining existing zoning and land use in the area.

Mr. Lloyd stated that the Planning staff recommends approval of the initial zoning to R10 Residential District based on the following:

1. The proposed initial zoning is consistent with previous County zoning.

No one appeared in favor of or in opposition to the requested initial zoning.

After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a motion was made by Mr. Schmidt and seconded by Ms. Vick to approve the initial zoning. The motion passed unanimously.

D. CASE NO. P92-62. THE REZONING FROM C1 LOCAL BUSINESS DISTRICT TO R10 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE WEST SIDE OF CALICO STREET (SR 1127), SOUTH OF CAMERON ROAD (SR 1131). (COUNTY ORDINANCE)

Mr. Lloyd displayed a map outlining existing zoning and land use in the area.

Mr. Lloyd stated that the Planning staff recommends approval of the requested rezoning to R10 Residential District based on the following:

1. The Land Use Plan calls for low density residential development at this location.

The Planning staff finds that all or any portion of this tract is not suitable for the R6, R6A, R5A and R5 Residential Districts.

No one appeared in favor of or in opposition to the requested rezoning.

After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are

suitable for this property, a motion was made by Mr. Morine and seconded by Ms. Canady to approve the requested rezoning. The motion passed unanimously.

- E. CASE NO. P92-65. THE REZONING FROM PND PLANNED NEIGHBORHOOD DISTRICT TO R6A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT 583 MCARTHUR ROAD. (COUNTY ORDINANCE)

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area.

Mr. Lloyd stated that the Planning staff recommends denial of the requested rezoning to R6A Residential District based on the following:

1. The existing and proposed Land Use Plans call for low density residential development at this location; and
2. The subject property is in the NAPAZ 5 zone from Simmons Army Air Field, and mobile homes are discouraged in NAPAZ 5 areas.

The Planning staff finds that all or any portion of this tract is not suitable for the R5A or R5 Residential Districts.

Mr. Neil Yarborough appeared before the Board representing Mr. Gore, the owner. Mr. Yarborough displayed photos showing the existing status of the property. He stated that the property has been used as a mobile home park since 1968, and the original PND Planned Neighborhood District was adopted by the County as a holding pattern. He stated that the Health Department has approved the property for a mobile home park. He stated that Mr. Gore purchased the property in 1986, and approval of the requested rezoning would allow one additional mobile home to be placed on the property. He reminded the Board that the NAPAZ study has not been adopted and asked that the Board correct an error in zoning.

Ms. Janice Freimark appeared before the Board in opposition stating that this rezoning would cause a hardship on the residents of the area and asked that the Board maintain the current zoning.

Mr. Billy Byrd appeared before the Board in opposition stating that there had been a home located on the property which was moved and rehabilitated at another site, and it is a good home.

The Board discussed the distance between this case and the previous case considered on McArthur Road and the legal nonconforming status of the park.

A motion was made by Mr. Schmidt and seconded by Mr. Morine to deny the requested rezoning. The motion passed 8 to 2 with Messrs. McLaurin and Shaw voting in opposition.

- F. CASE NO. P92-66. THE REZONING FROM R10 RESIDENTIAL DISTRICT TO C3 HEAVY COMMERCIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE EAST SIDE OF SEVENTY-FIRST SCHOOL ROAD (SR 1409), BETWEEN BUNCE ROAD (SR 1410) AND U.S. HWY 401 SOUTH (RAEFORD ROAD). (COUNTY ORDINANCE)

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area and reviewed the zoning history with the Board.

Mr. Lloyd stated that the Planning staff recommends denial of the requested rezoning to C3 Heavy Commercial District based on the following:

1. This rezoning introduces commercial development into a single-family area;
2. All of the uses permitted in the C3 Heavy Commercial District are not appropriate for this location.

The Planning staff finds that all or any portion of this tract is suitable for the R6, R6A, R5A and R5 Residential Districts and not suitable for the O&I Office and Institutional, C1 Local Business or C(P) Planned Commercial Districts.

Mr. Joe Riddle appeared before the Board stating that this was originally part of the Curie property, and the frontage along U.S. Highway 401 had been zoned C(P) Planned Commercial District. He stated at the time of initial platting of the area, the Planning Department and Department of Transportation required an additional entrance on School Road which made the property undesirable for development as single-family residential. He also stated a concern about the R5 Residential District zoning above this tract. He stated that there is industrial zoning north of this area along School Road, and he didn't think the area could be characterized as a residential area.

Mr. Loyd Auman appeared before the Board in opposition stating that his 85-acre tract touches a corner of this property, and he has concerns about what could happen if the tract is zoned for commercial use. He cited a number of commercial uses which are available within the general area of the property.

Mr. Victor Skatoro appeared before the Board stating that he is opposed to the rezoning. He felt that approval of commercial for this area would devalue his residence.

Pastor Mark Shenig and Messrs. Huey Byrd and Billy VanMater appeared before the Board stating their opposition to the commercial rezoning.

Mr. Riddle appeared before the Board in rebuttal stating that they have a large investment in the area and do not desire to devalue the property. He



stated that he feels they need a transition from School Road which will become heavily traveled in the future into the subdivision.

Mr. Vaughan explained the Planning staff's reason for the request for a second entrance into the subdivision.

The Board discussed Specified Conditional Uses allowed in the R10 Residential District.

A motion was made by Ms. Vick and seconded by Mr. Canady to deny the requested rezoning. The motion passed unanimously.

G. CASE NO. P92-67. THE REZONING FROM CD CONSERVANCY DISTRICT AND RR RURAL RESIDENTIAL DISTRICT TO A1 AGRICULTURAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT THE SOUTH END OF WALDO'S ROAD (SR 1113) AND ON THE NORTH SHORE OF LAKE UPCHURCH. (COUNTY ORDINANCE)

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area.

Mr. Lloyd stated that the Planning staff recommends denial of the requested rezoning to A1 Agricultural District based on the following:

1. The proposed rezoning does not meet the minimum 25 acres required for an A1 Agricultural District.

Note: If the applicant wishes to change his application to another zoning district, the Planning staff can readvertise and hear this case at the July 7, 1992 Planning Board meeting.

The Planning staff finds that the portion of the tract outside the floodway fringe is suitable for the R40 and R40A Residential Districts.

Mr. Lloyd stated that the applicant desires a recreational vehicle park, and this is only allowed as a permitted use in the HS(P) Planned Highway Service and A1 Agricultural Districts. He stated that this property is not sufficient in size to be rezoned to the A1 Agricultural District.

Mr. Bill Anderson appeared before the Board representing Mr. and Mrs. Dean, the applicants. He stated that the applicants would like to submit an application for a Conditional Use Overlay District and requested that the case be continued for at least sixty days.

A motion was made by Mr. Schmidt and seconded by Mr. Morine to continue this case for at least sixty days. The motion passed unanimously.

H. CASE NO. P92-68. THE REZONING FROM C1P SHOPPING CENTER DISTRICT TO C3 HEAVY COMMERCIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE SOUTH SIDE OF TAMARACK DRIVE, WEST OF ROSEHILL ROAD (SR 1615). (FAYETTEVILLE ORDINANCE)

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area.

Mr. Lloyd stated that the Planning staff recommends denial of the requested rezoning to C3 Heavy Commercial District based on the following:

1. This location does not meet the purpose and intent statement of the C3 Heavy Commercial District; and
2. All of the uses permitted in the C3 Heavy Commercial District are not appropriate for this location.

The Planning staff finds that all or any portion of this tract is not suitable for any of the C2 Commercial Districts.

Mr. Lloyd stated that he had a letter of opposition from the owners of Lake in the Pines Apartments.

Mr. Billy Wellons, owner, appeared before the Board stating that the total property is seven acres. Originally he had owned fifty acres in the area. He stated that there are 1,000 apartment units within a mile of the subject property, and there is a heavy demand for mini-storage facilities by apartment dwellers. He stated that he owns a mini-storage facility in Spring Lake, and the traffic generation from the facility is not heavy. He stated that owners typically visit the storage facility once a month. In one case material had been stored for five years. He stated that his plans to develop the site for mini-warehouses would make the property appear better than the rear of Hillendale Plaza Shopping Center.

Mr. Dick Lewis appeared before the Board in opposition representing the owners of Lake in the Pines Apartments. He stated that Tamarack Drive had been splendidly planned, and to approve the C3 Heavy Commercial District would be a breach of faith due to the number of undesirable permitted uses of this district. He stated that open storage of boats and cars would not be desirable.

Ms. Gwendolyn Johnson appeared before the Board in opposition stating that she purchased a townhouse in the area and plans to retire there. She stated that she would be concerned about coming home late at night from her nursing duties if a mini-storage was operated there.

Mr. Donald Wagaman appeared before the Board in opposition stating that he lives next to the site and had concerns about future uses for the property if C3 Heavy Commercial District is approved.

Mr. Herb Thorp appeared before the Board in rebuttal stating that if the City had Conditional Use Overlay Districts, he felt this could be developed as a Conditional Use Overlay District and be complementary to 1,000 apartments in the area.

Mr. Wagaman appeared before the Board in rebuttal stating that his property value has increased in value by twenty-five percent in eight years, and he is concerned that the rezoning will devalue his property.

A motion was made by Mr. Maxwell and seconded by Mr. Shaw to approve the requested rezoning due to the City's not accommodating this use in its Zoning Ordinance and does not accommodate this use in any district more restrictive than C3 Heavy Commercial District.

A substitute motion was made by Mr. Schmidt and seconded by Mr. Morine to deny the requested rezoning. The motion passed 6 to 3 with Messrs. Canady, Maxwell and Shaw voting in opposition and Mr. McNeill abstaining.

- I. CASE NO. P92-69. THE ADDITION OF CONDITIONAL USE OVERLAY DISTRICT IN AN R15A RESIDENTIAL DISTRICT TO ALLOW THE OPERATION OF A PHOTOGRAPHY STUDIO FOR AN AREA LOCATED AT 308 BROOKS STREET IN THE TOWN OF FALCON. (FALCON ORDINANCE)

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area and reviewed the application with the Board.

Mr. Lloyd stated that the Planning staff recommends approval of the Conditional Use Overlay District with the following additions and modifications:

1. The proposed photography studio be located within the buildable envelope of the lot in accordance with the provisions of the R15 Residential District;
2. No on-street parking be permitted; and
3. The applicant comply with all conditions of the Conditional Use Overlay District upon occupancy of the building.

Mr. Mark Surles, petitioner, appeared before the Board stating that he would like to amend the site plan to reflect a fifteen foot setback from the rear yard, rather than twenty feet.

No one appeared in opposition to the Conditional Use Overlay District.

After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a motion was made by Mr. McLaurin and seconded by Morine to approve the requested Conditional Use Overlay District and the rear yard setback of fifteen rather than twenty feet. The motion passed unanimously.

- J. CASE NO. P92-70. THE REZONING FROM A1 AGRICULTURAL DISTRICT TO RR RURAL RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE WEST SIDE OF N.C. HWY 87, SOUTH OF SR 2237. (COUNTY ORDINANCE)

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area.

Mr. Lloyd stated that the Planning staff recommends approval of the requested rezoning to RR Rural Residential District based on the following:

1. The subject property is within the Urban Services Area, and the RR Rural Residential District is appropriate.

The Planning staff finds that all or any portion of this tract is also suitable for the R40 and R40A Residential Districts.

Mr. Anoni Kwiaton, owner, appeared before the Board to let the members know he was available for questions.

No one appeared in opposition to the requested rezoning.

After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a motion was made by Mr. Tew and seconded by Mr. Maxwell to approve the requested rezoning. The motion passed unanimously.

7. PLATS AND PLANS

- A. CASE NO. 92-209. THE CONSIDERATION OF THE QUINCY'S STEAK HOUSE PROPERTY IN A C1P SHOPPING CENTER DISTRICT FOR PRELIMINARY AND FINAL SITE PLAN REVIEW FOR AN AREA LOCATED ON THE SOUTH SIDE OF YADKIN ROAD, WEST OF U.S. HWY 401 BYPASS. (FAYETTEVILLE ORDINANCE)

Mr. Lloyd stated that the site plan was before the Board for approval of a variance.

A motion was made by Mr. Schmidt and seconded by Mr. Morine to approve the site plan subject to the conditions outlined in the packet. The motion passed unanimously.

8. DISCUSSION

- A. FINDING OF FACT ON CASE NO. P92-27. THE REZONING FROM RR RURAL RESIDENTIAL DISTRICT TO R10 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE WEST SIDE OF CLIFFDALE ROAD (SR 1400) NORTH OF RAEFORD ROAD (U.S. 401 SOUTH). (COUNTY ORDINANCE)

Messrs. Lloyd and Vaughan explained the reason that this Finding of Fact was before the Board.

Mr. Herb Thorp, representing the applicant, appeared before the Board and explained why the County Commissioners were requesting this finding of fact.

Ms. Juanita Gibbons, resident of Kings Mill, stated that she feels this type of development will hurt the value of her property.

A motion was made by Mr. Maxwell and seconded by Mr. Canady to find that the R15 Residential District is also a suitable zoning classification for this site. The motion passed unanimously.

- B. CORRECTIONS TO MINUTES OF APRIL 21, 1992

Mr. Vaughan stated that an error was found in the Minutes of April 21, 1992. On Case No. P92-37, the second was made by Mr. Schmidt and not Mr. Maxwell. A motion was made by Ms. Vick and seconded by Mr. McNeill to so amend the Minutes of April 21, 1992. The motion passed unanimously.

- C. PRESENTATION OF PLAQUE TO MR. MAXWELL

Mr. McNeill presented a plaque to Mr. Maxwell in appreciation of his four years of service on the Planning Board. Mr. Maxwell stated that he hoped in the future the Board would find more time to spend on planning and less time on zoning matters.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 9:55 p.m.

bs



# PLANNING DEPARTMENT

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Fayetteville, NC 28302  
Telephone (919) 678-7600

## CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt  
CHAIRMAN

MINUTES  
CUMBERLAND COUNTY JOINT PLANNING BOARD  
JULY 7, 1992  
7:30 P.M.

George Vaughan  
PLANNING DIRECTOR

### Members Present

John Britt, Chairman  
John Davis, Vice-Chairman  
John Canady  
David Hasan  
James Lucas  
Robert McNeill  
Ernest Morine  
Roland Schmidt  
William E. Tew  
Peggy Vick

### Members Absent

Merrill McLaurin  
Steven Shaw  
City Vacancy

### Staff Present

George Vaughan  
Barbara Swilley

1. ROLL CALL AND APPROVAL OF THE MINUTES OF THE JUNE 16, 1992 REGULAR MEETING

Chairman Britt called the meeting to order at 7:30 p.m. in Public Hearing Room #3 of the Old County Courthouse. He asked if there were any corrections to the Minutes. A motion was made by Vice-Chairman Davis and seconded by Mr. Hasan to approve the Minutes of June 16, 1992 with any necessary corrections. The motion passed unanimously.

2. REPORT FROM THE NOMINATIONS COMMITTEE AND ELECTION OF CHAIRMAN AND VICE-CHAIRMAN

Mr. Tew reported that the Nominations Committee recommends John Britt as Chairman and John Davis as Vice-Chairman for the next year. A motion was made by Mr. McNeill and seconded by Mr. Lucas to close nominations and elect Messrs Britt and Davis by acclamation. The motion passed unanimously.

3. REQUESTS FOR PUBLIC HEARING DEFERRALS

There were no requests for public hearing deferrals.

4. ABSTENTIONS BY BOARD MEMBERS

There were no abstentions by Board members.

5. READING OF POLICY STATEMENT REGARDING TIME LIMITS FOR PUBLIC HEARINGS

Mr. Vaughan read the Planning Board's policy on time limits for public hearings and the City of Fayetteville Appeals Procedure.

## INFORMATION

6. PUBLIC HEARINGS

- A. CASE NO. P92-63. THE REZONING FROM R10 RESIDENTIAL DISTRICT TO R5A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT THE NORTHWEST CORNER OF CAIN ROAD AND VARRENE COURT. (FAYETTEVILLE ORDINANCE)

Mr. Vaughan displayed a map outlining the existing zoning and land use in the area. He explained that the original request was for R6 Residential District.

Mr. Vaughan stated that the Planning staff recommends approval of the requested rezoning to R5A Residential District based on the following:

1. The site meets the location criteria for medium density residential development.

The Planning staff finds that all or any portion of the site is also suitable for the R6 Residential District.

Mr. Rudolph Singleton appeared before the Board representing Mr. W.C. Maxwell, the owner. Mr. Singleton stated that Mr. Maxwell owns twelve apartments at this location and has no plans to add more units. He stated that when Mr. Maxwell tried to renovate the site, he was unable to do so due to the fact that the site is nonconforming, and because of this if he were to lose fifty percent of the value of the apartments, he would not be allowed to rebuild. He stated the reason for the request is to enable the owner to repair and renovate the current units.

Mr. Bill Kelly appeared before the Board in opposition stating that when he called to inquire about the rezoning, he was told that more units were to be added to the site. He stated he has no problem with the renovation and repair work; however, he does not want to see more apartment units built at this site.

Mr. McNeill asked Mr. Vaughan if the R6 Residential District would also be suitable for the site. Mr. Vaughan stated that the R6 Residential will allow eleven and a fraction units on this site, and it may mean that the owner will lose a unit if the area is rezoned R6 Residential District and one of the buildings is destroyed.

Mr. McNeill asked if repairs could not be made under the current zoning. Mr. Vaughan stated that repairs could be made.

A motion was made by Mr. Davis to approve the R5A Residential District. The motion died for lack of a second.



After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a motion was made by Mr. McNeill and seconded by Ms. Vick to deny the requested R5A Residential District and approve the R6 Residential District. The motion passed 8 to 1 with Mr. Davis voting in opposition. Mr. Tew was not present for voting.

B. CASE NO. P92-74. THE INITIAL ZONING TO PND PLANNED NEIGHBORHOOD DISTRICT AND R6A RESIDENTIAL DISTRICT OR TO MORE RESTRICTIVE ZONING CLASSIFICATIONS FOR AN AREA LOCATED ON THE NORTHEAST SIDE OF ELK ROAD (SR 1363) SOUTH OF LEGION ROAD (SR 1132). (HOPE MILLS ORDINANCE)

Mr. Vaughan displayed a map outlining the existing zoning and land use in the area.

Mr. Vaughan stated that the Planning staff recommends approval of the requested initial zoning to PND Planned Neighborhood and R6A Residential Districts based on the following:

1. The proposed zoning is consistent with the previous County zoning.

The petitioner was not present.

Mr. Herbert Beckworth appeared before the Board in opposition stating that the initial zoning to PND Planned Neighborhood District and R6A Residential District is not cohesive with the R10 Residential District which is dominant in the area. Mr. Beckworth presented a petition with signatures of twenty residents of the Decker Heights Subdivision opposing the requested zoning.

Ms. Carolyn Thompkins, a resident of Decker Heights, appeared before the Board in opposition stating that she would like the area to be zoned R10 or R15 Residential District. She stated that she heard there is to be a cut through road from Legion Road to Elk Road, and this will create delays and increased traffic congestion in the area. She stated that she has been a resident of the area for fifteen years and would like to have the area remain as it is.

Chairman Britt explained that the request is due to the Town of Hope Mills annexation of this area, and it would keep the zoning consistent with the present County zoning.

Ms. Thompkins stated that the residents were aware of this and would like to voice their opposition and hope that the Board would consider zoning the area R10 or R15 Residential District.

Ms. Linda Mulhall, a resident of Decker Heights, appeared before the Board in opposition stating that she wanted to go on record as also being in opposition to the initial zoning.

After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a motion was made by Ms. Vick and seconded by Mr. Lucas to deny the PND Planned Neighborhood and R6A Residential Districts and approve R10 Residential District. The motion passed 7 to 2 with Chairman Britt and Vice-Chairman Davis voting in opposition. Mr. Tew was not present for voting.

7. ADJOURNMENT

There being no further business, the meeting adjourned at 8:01 p.m.

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