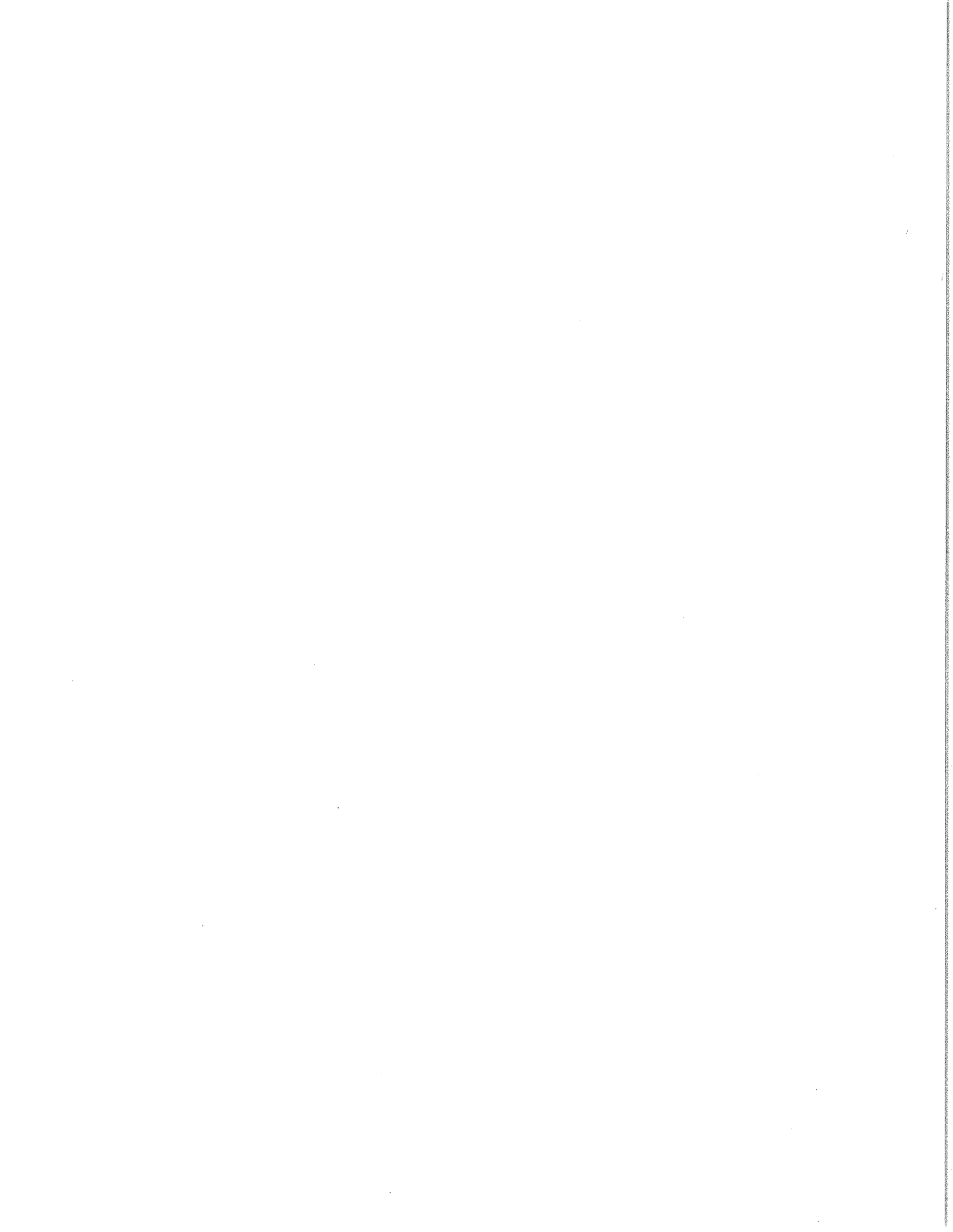


FAYETTEVILLE CITY COUNCIL
AGENDA
REGULAR MEETING
NOVEMBER 16, 1992
7:00 P.M.



*Boys absent at
Start*

FAYETTEVILLE CITY COUNCIL
AGENDA
REGULAR MEETING
NOVEMBER 16, 1992
7:00 P.M.

INVOCATION - PLEDGE OF ALLEGIANCE

RECOGNITION:

A 8/0

ITEM 1. Approval of Agenda

ITEM 2. Consent:

A. Approve minutes of regular meeting of October 19, 1992.

*All Got
B, C, D, F & G
9/0*

A 9/0 **B.**

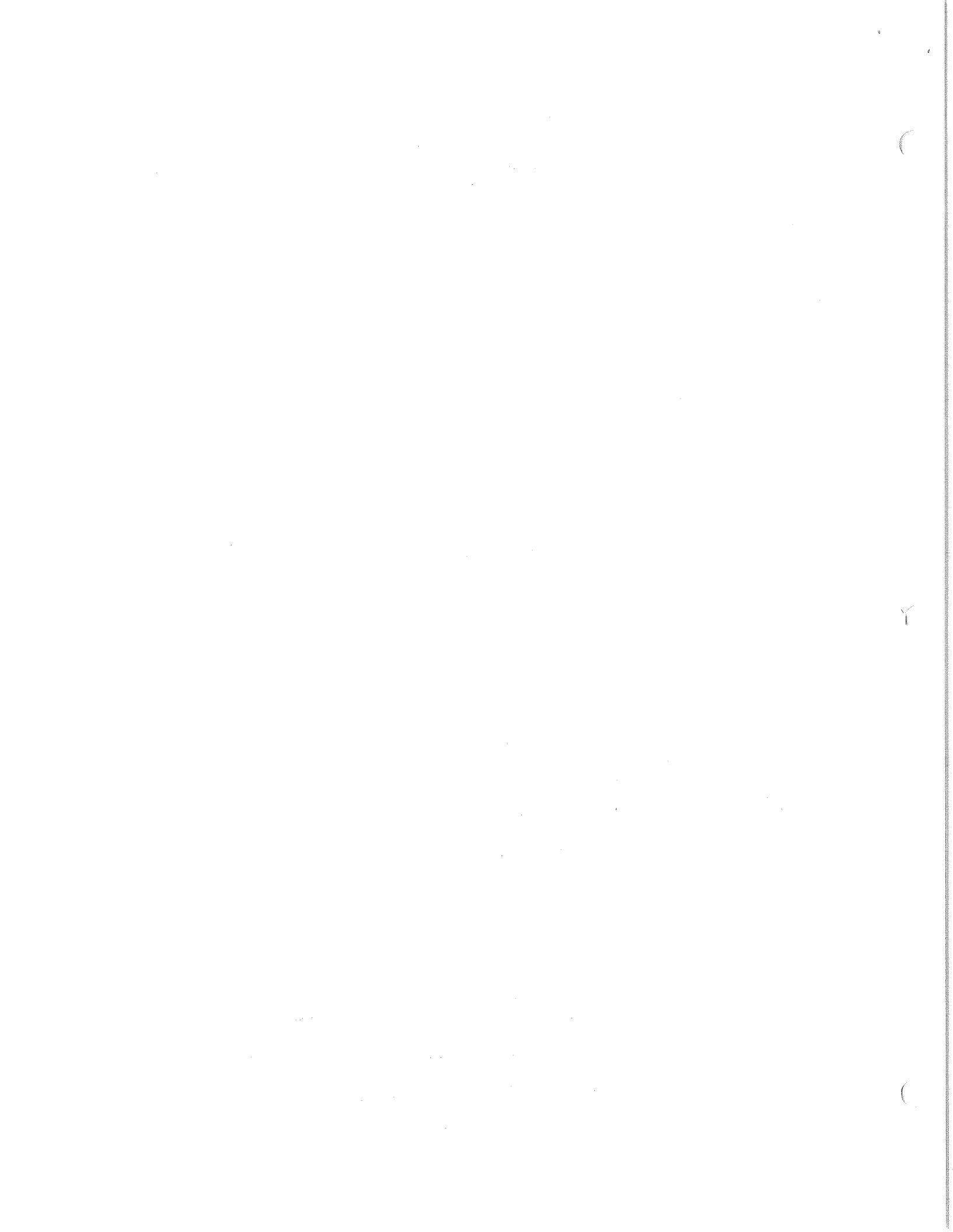
Adopt demolition ordinance for property located at 5318 Murchison Road (Owners: Joseph C. Furin, Anna Furin Reynolds, Doris Furin Kester)

A 9/0 **C.**

Approve the rezoning from C2P Central Business District to M2 Industrial District or to a more restrictive zoning classification for an area located at the southwest corner of the intersection of Lee Street and Racepath Street. (P92-126)

9/0 A **D.**

Approve the rezoning from C3 Heavy Commercial District to P2 Professional District or to a more restrictive zoning classification for an area located at 429 Gillespie street. (P92-129)



E. Adopt Capital Project Ordinance Closeout 93-1.

A 9/10 (F.)

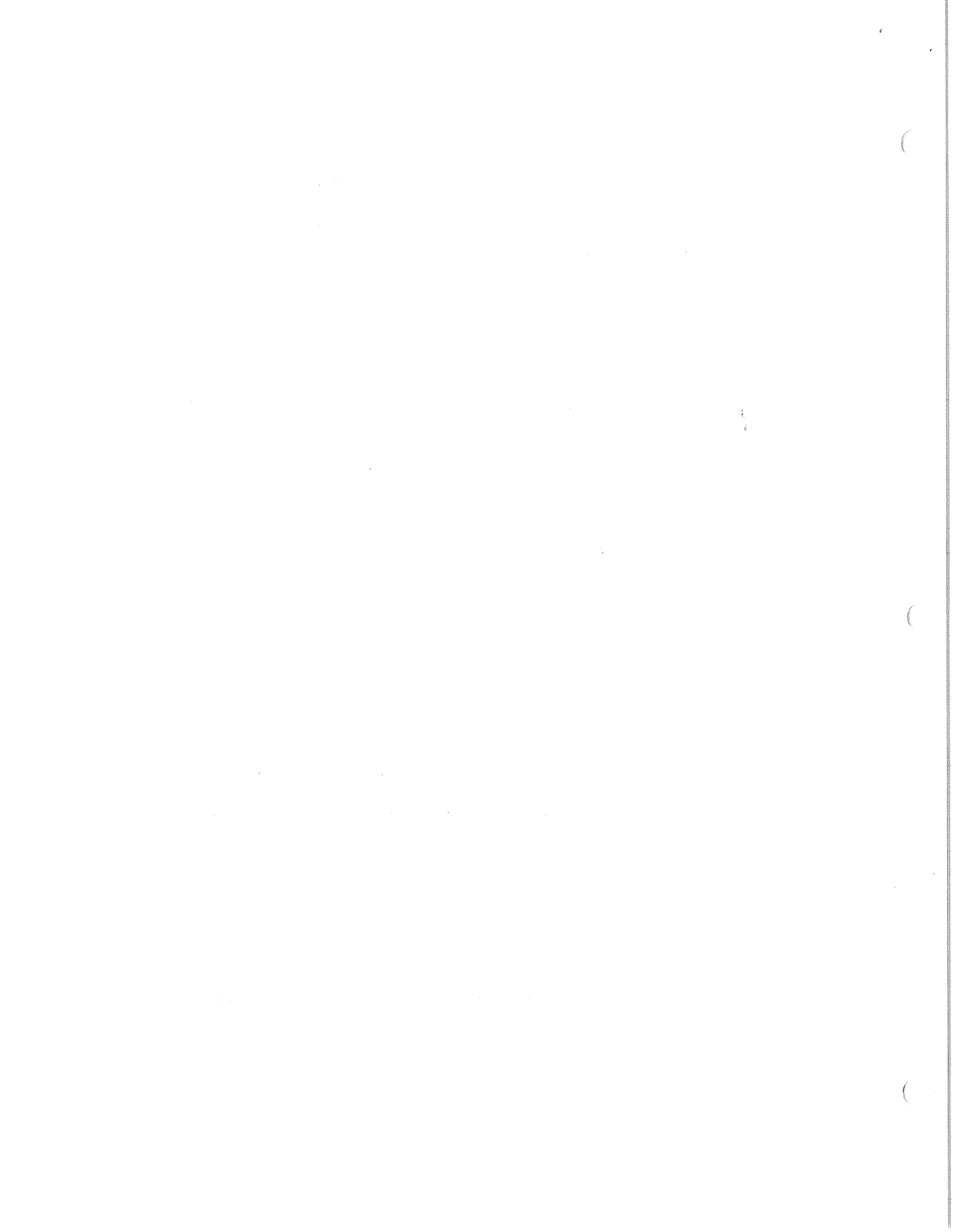
Adopt Special Revenue Project Ordinance Amendment 93-1.

A 9/10 (G.)

Adopt Budget Ordinance Amendment 93-6.

H. Adopt resolution declaring cost and ordering preparation of preliminary assessment roll and setting time and place for public hearing on preliminary assessment roll for Pate Drive (from Morganton Road to Fort Bragg Road)(Public Hearing Date: December 7, 1992)

I. Adopt ordinance amending Section 22 of the Fayetteville City Code.



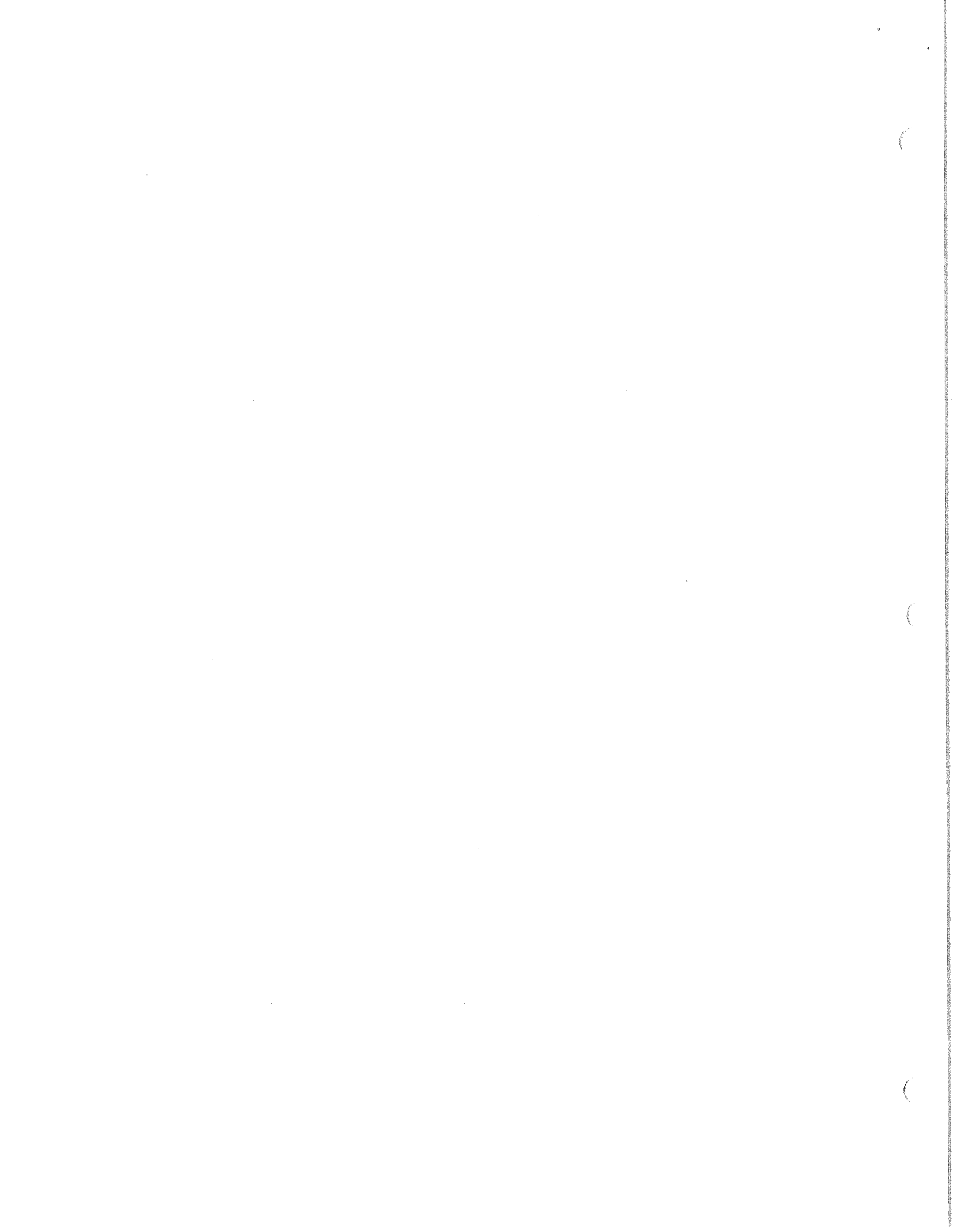
- J. Refer list of streets proposed for resurfacing for fiscal year 92-93 to Streets, Roads and Sidewalks Committee.**

- K. Award of contract for purchase of one Cab and Chassis with Aerial Lift and Line Service Body to LaFayette Ford and Altec Industries, low bidders. (PWC)**

- L. Award of contract for purchase of fifty (50) 50 KVA CSP Transformers to National Transformer Sales, low bidder. (PWC)**

- M. Award of contract for purchase of fifty (50) 75 KVA Padmounted Transformers to Eastern Electric, low bidder. (PWC)**

- N. Award of contract for purchase of two (2) Trenchers with Back-fill Blade and Backhoe to Ditch Witch of NC, low bidder. (PWC)**



O. Award of contract for construction of thirty-inch (30") ductile iron water main from Clinton Road (water tank) to Cedar Creek (I-95 at NC-53) to Dellinger, Inc., low bidder. (PWC)

P. Award of contracts for construction of PWC Apparatus Repair Shop to low bidders. (See attached bid list)(PWC)

Q. Report on life of Joe Pillow

ITEM 3. Public Hearings:

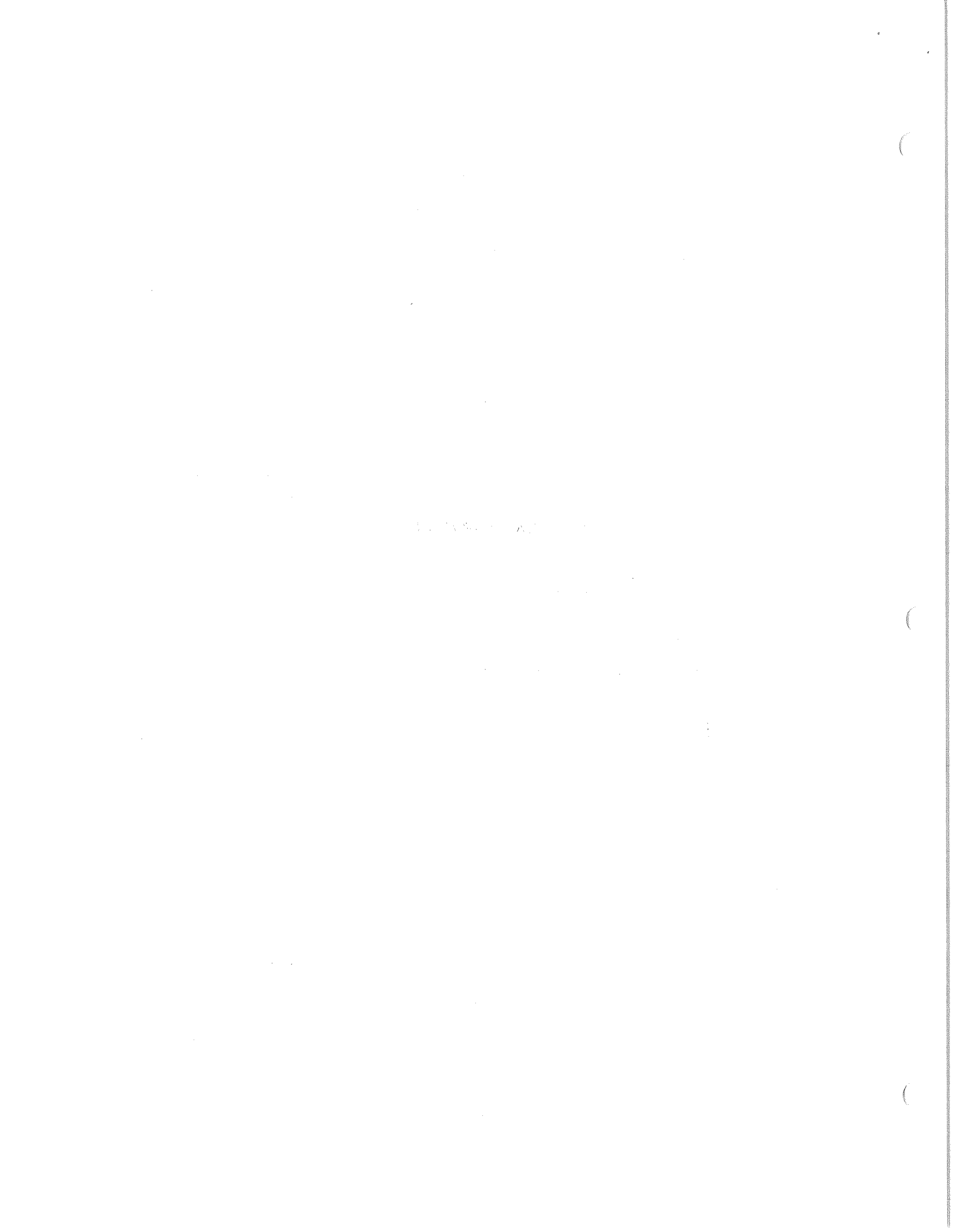


A 9/10

Consideration of adoption of ordinance amending Chapter 20, Motor Vehicles and Traffic, to reduce speed limit to 25 Miles Per Hour Speed Zone for Millbrook Road from Edgewater Drive to Thorncliff Drive.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption



~~Pub.~~ Exec. Session

ITEM 4. Planning Board Matters:

- A. Consideration of the addition of an MH(O) Manufactured Home Overlay District in an R6 Residential District to allow Class A Manufactured Homes on residential lots for an area bounded by the exterior perimeter of lots (with the exception of Lots 18 through 22 along the southern margin of Cardinal Circle) along Cardinal Circle and all interior lots between Cardinal Circle where it intersects in both places with the western margin of Plymouth Street. (P92-120)

A 9/10

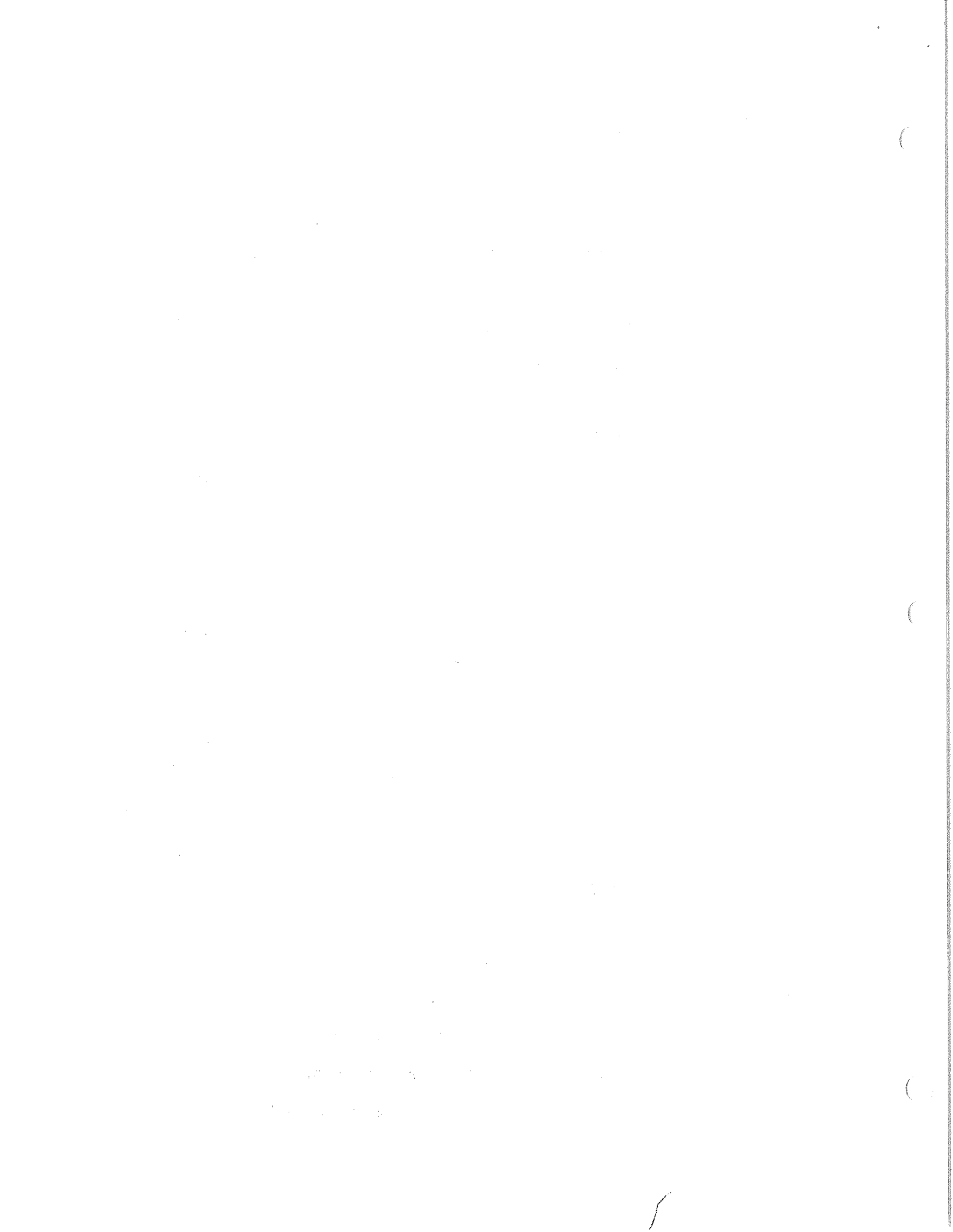
PRESENTED BY: Planning Board Staff

**RECOMMENDED ACTION: Planning Board recommends
approval**

ITEM 5. PWC Matters:

Do not
Abstain

- A. Consideration of adoption of Bond Order authorizing and approving the issuance and sale under the provisions of the State and Local Government Revenue Bond Act, as amended, of not exceeding \$15,000,000 aggregate principal amount of the City of Fayetteville, North Carolina, Public Works Commission



A 9/10

Revenue Bonds, Series 1992A to provide funds for financing the completion of the 1990 Project (as defined in the Bond Order adopted by the City Council on November 5, 1990) and directing the authentication and delivery of the Series 1992A Bonds to the underwriters.

PRESENTED BY: Public Works Commission Staff

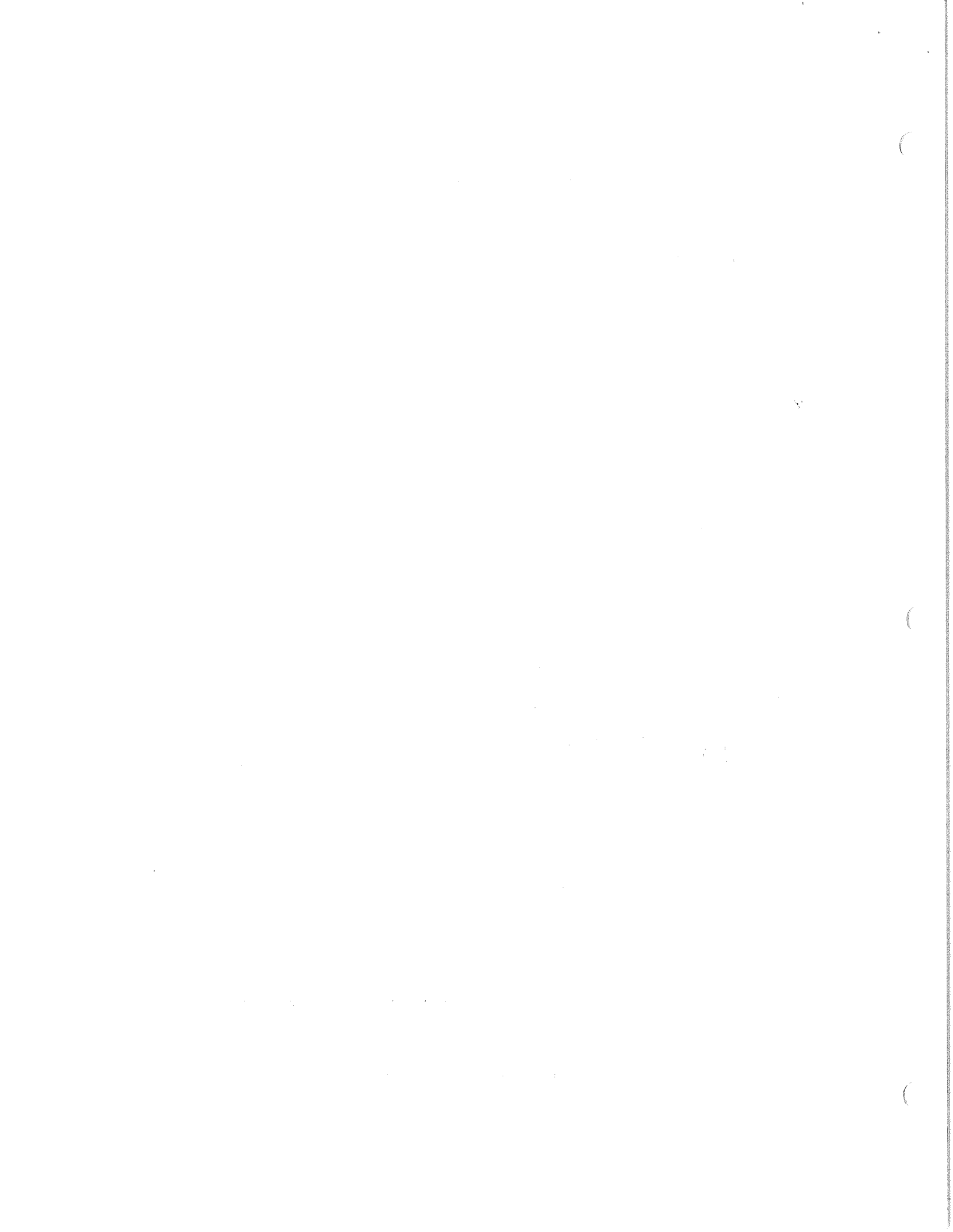
RECOMMENDED ACTION: Approval

A 9/10

- B. Consideration of adoption of Bond Order authorizing and approving the issuance and sale under the provisions of the State and Local Government Revenue Bond Act, as amended, of not exceeding \$17,000,000 aggregate principal amount of the City of Fayetteville, North Carolina, Public Works Commission Revenue Bonds, Series 1992B to provide funds for financing the construction of a Thermal Energy Storage System and directing the authentication and delivery of the Series 1992B Bonds to the underwriters.

PRESENTED BY: Public Works Commission Staff

RECOMMENDED ACTION: Approval



A 7/2 (Bo. MrB)
Have it
appraised
by pul
A
A
A

ITEM 6. Consideration of adoption of resolution confirming assessment roll and levying assessments for installation of sanitary sewer collection system in University Estates for Shaw Mill Road. (Continued from September 21, 1992)

PRESENTED BY: City Manager

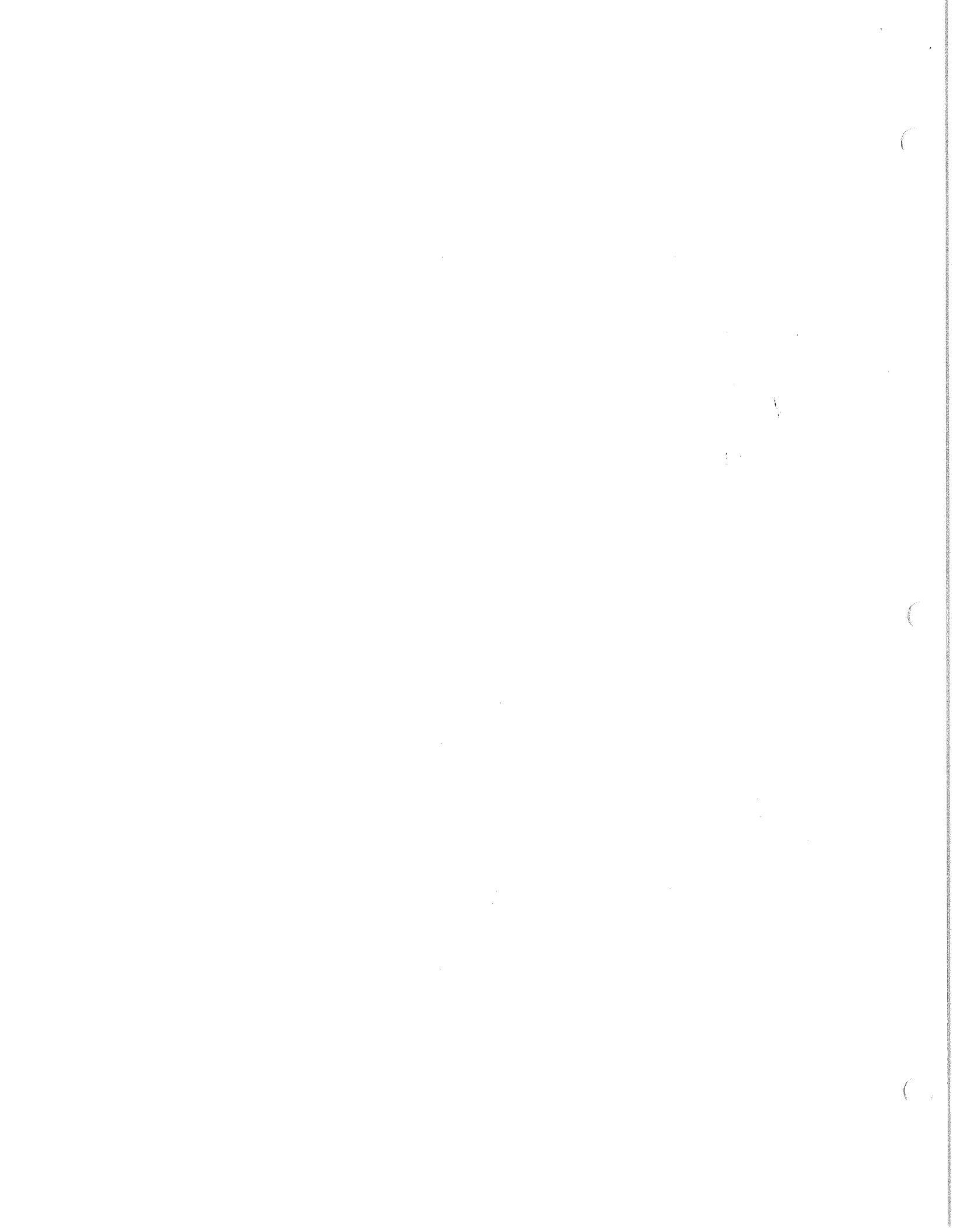
RECOMMENDED ACTION: See attached_

ITEM 7. Consideration of adoption of resolution reaffirming the City of Fayetteville Employees' Dependent Care Reimbursement Plan and Pre-Tax Premium Plan; and establishing a Medical Reimbursement Spending Account Plan.

A 9/10

PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption



*6/3 (Cross
Maxwell
Trwy)*

ITEM 8. Consideration of two resolutions fixing dates of public hearings on questions of annexation pursuant to G.S. 160A-31 (Petition-initiated contiguous annexation areas) (Suggested Public Hearing Dates: December 7, 1992)

*A
c*

A. Southland Pines - Tract 1 (Located south of Southland Drive)

B. Southland Pines - Tract 2 (Located south of Southland Drive)

PRESENTED BY: Deputy City Manager

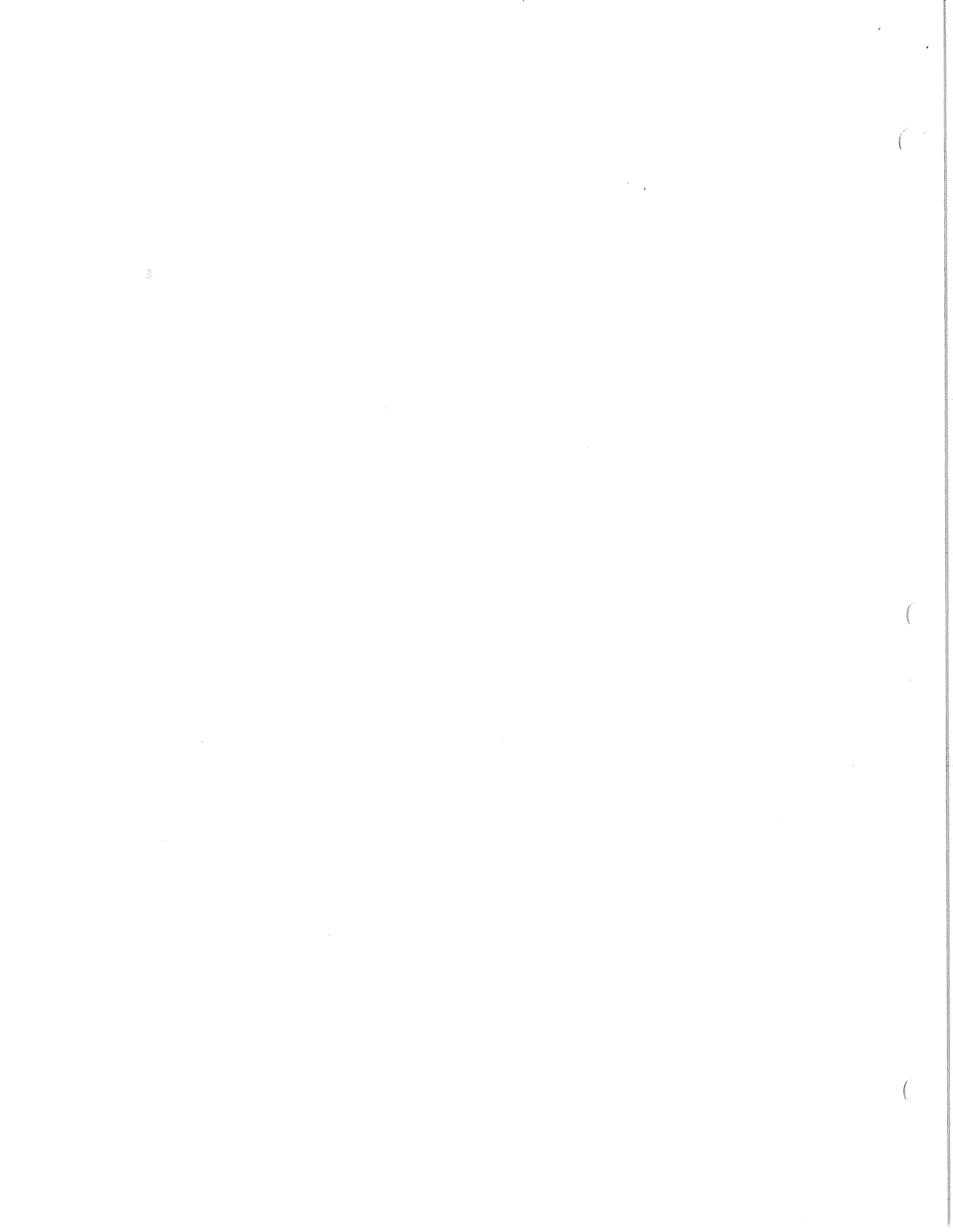
RECOMMENDED ACTION: Adoption

ITEM 9. Consideration of offer to purchase property located at 159 Maxwell Street.

*A 9/10
City mgr
to agree
to time
schedule*

PRESENTED BY: City Manager

RECOMMENDED ACTION: Advertise for upset bids.



ITEM 10. Report from Streets, Roads and Sidewalks Committee.

A 7/2
(check
root)

A. Consideration of Collector Street Plan.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption

ITEM 11. Report from Policy Committee



A. Review of Chapter 7 of the Fayetteville City Code.

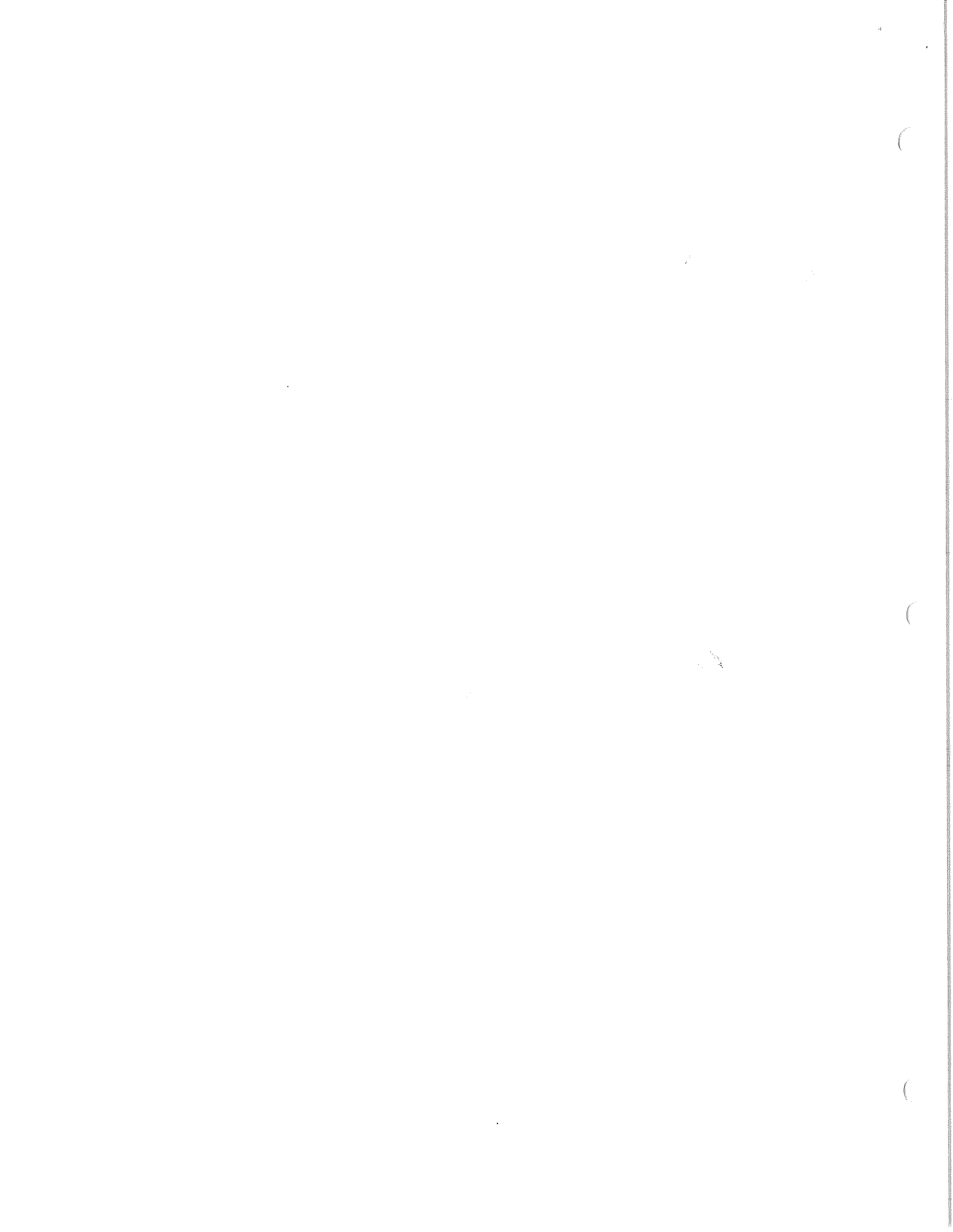
not approve amend. 1/1/8

B. Review of interest charged and discount allowed on assessment payments.

C. Review of terms for Board and Commissions.

PRESENTED BY: City Manager

RECOMMENDED ACTION: See attached



ITEM 12. Appointments:

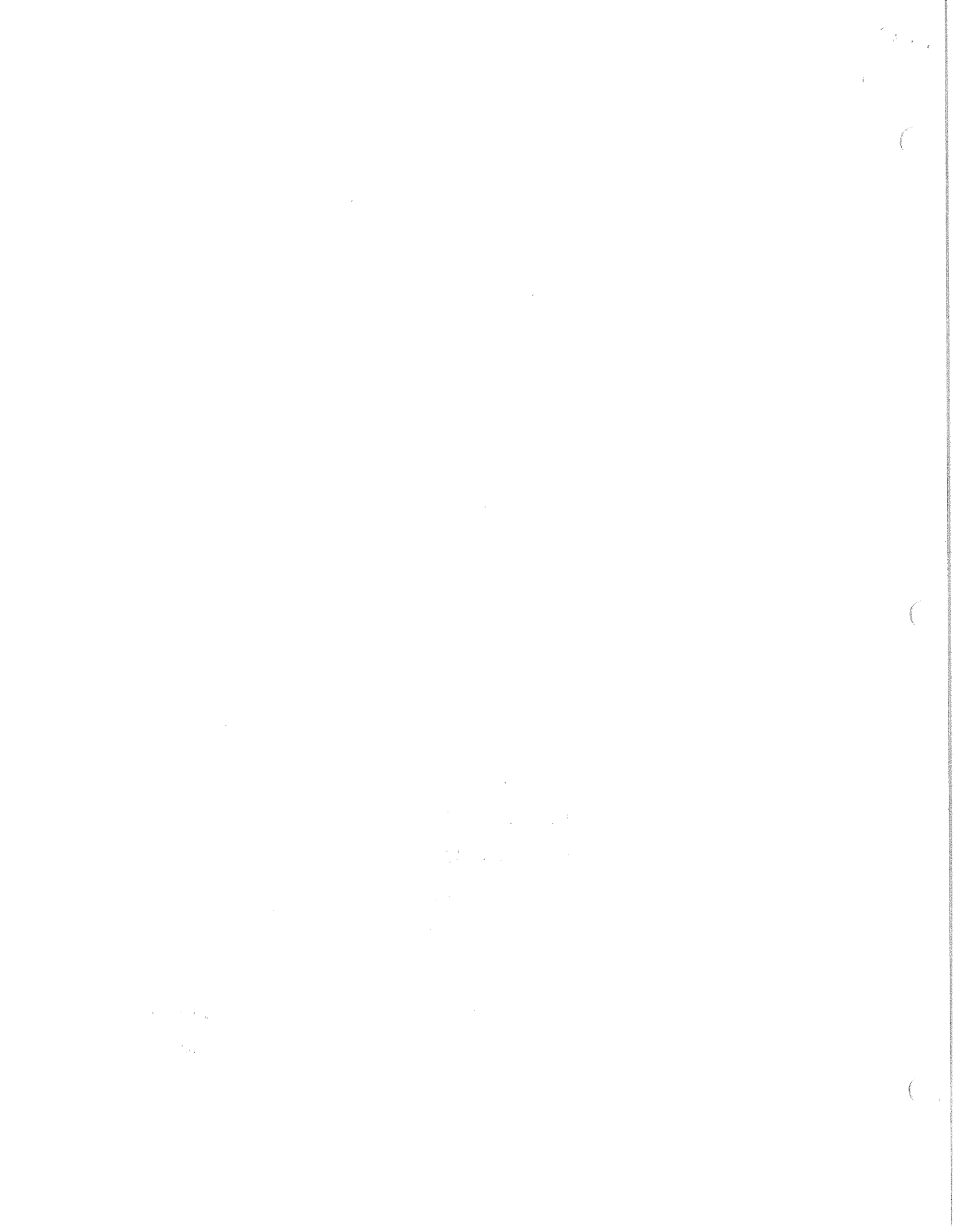
- A. Nominations to fill one vacancy on Joint Senior Citizens Advisory Commission.**

- B. Nominations to fill two vacancies on Fair Housing Hearing Board.**

- C. Nominations to fill one vacancy on Parks and Recreation Advisory Commission.**

ITEM 13. Administrative Reports

- A. Statement of taxes collected for the month of October, 1992, from the Cumberland County Tax Collector.**



**FAYETTEVILLE CITY COUNCIL
AGENDA
REGULAR MEETING
NOVEMBER 16, 1992
7:00 P.M.**

INVOCATION - PLEDGE OF ALLEGIANCE

RECOGNITION:

ITEM 1. Approval of Agenda

ITEM 2. Consent:

- A. Approve minutes of regular meeting of October 19, 1992.**
- B. Adopt demolition ordinance for property located at 5318 Murchison Road (Owners: Joseph C. Furin, Anna Furin Reynolds, Doris Furin Kester)**
- C. Approve the rezoning from C2P Central Business District to M2 Industrial District or to a more restrictive zoning classification for an area located at the southwest corner of the intersection of Lee Street and Racepath Street. (P92-126)**
- D. Approve the rezoning from C3 Heavy Commercial District to P2 Professional District or to a more restrictive zoning classification for an area located at 429 Gillespie street. (P92-129)**
- E. Adopt Capital Project Ordinance Closeout 93-1.**
- F. Adopt Special Revenue Project Ordinance Amendment 93-1.**
- G. Adopt Budget Ordinance Amendment 93-6.**
- H. Adopt resolution declaring cost and ordering preparation of preliminary assessment role and setting time and place for public hearing on preliminary assessment roll for Pate Drive (from Morganton Road to Fort Bragg Road)(Public Hearing Date: December 7, 1992)**
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- J. Refer list of streets proposed for resurfacing for fiscal year 92-93 to Streets, Roads and Sidewalks Committee.**
- K. Award of contract for purchase of one Cab and Chassis with Aerial Lift and Line Service Body to LaFayette Ford and Altec Industries, low bidders. (PWC)**
- L. Award of contract for purchase of fifty (50) 50 KVA CSP Transformers to National Transformer Sales, low bidder. (PWC)**
- M. Award of contract for purchase of fifty (50) 75 KVA Padmounted Transformers to Eastern Electric, low bidder. (PWC)**
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- P. Award of contracts for construction of PWC Apparatus Repair Shop to low bidders. (See attached bid list)(PWC)

ITEM 3. Public Hearings:

- A. Consideration of adoption of ordinance amending Chapter 20, Motor Vehicles and Traffic, to reduce speed limit to 25 Miles Per Hour Speed Zone for Millbrook Road from Edgewater Drive to Thorncliff Drive.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption

ITEM 4. Planning Board Matters:

- A. Consideration of the addition of an MH(O) Manufactured Home Overlay District in an R6 Residential District to allow Class A Manufactured Homes on residential lots for an area bounded by the exterior perimeter of lots (with the exception of Lots 18 through 22 along the southern margin of Cardinal Circle) along Cardinal Circle and all interior lots between Cardinal Circle where it intersects in both places with the western margin of Plymouth Street. (P92-120)

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends approval

ITEM 5. PWC Matters:

- A. Consideration of adoption of Bond Order authorizing and approving the issuance and sale under the provisions of the State and Local Government Revenue Bond Act, as amended, of not exceeding \$15,000,000 aggregate principal amount of the City of Fayetteville, North Carolina, Public Works Commission Revenue Bonds, Series 1992A to provide funds for financing the completion of the 1990 Project (as defined in the Bond Order adopted by the City Council on November 5, 1990) and directing the authentication and delivery of the Series 1992A Bonds to the underwriters.

PRESENTED BY: Public Works Commission Staff

RECOMMENDED ACTION: Approval

- B. Consideration of adoption of Bond Order authorizing and approving the issuance and sale under the provisions of the State and Local Government Revenue Bond Act, as amended, of not exceeding \$17,000,000 aggregate principal amount of the City of Fayetteville, North Carolina, Public Works Commission Revenue Bonds, Series 1992B to provide funds for financing the construction of a Thermal Energy Storage System and directing the authentication and delivery of the Series 1992B Bonds to the underwriters.

PRESENTED BY: Public Works Commission Staff

RECOMMENDED ACTION: Approval

- ITEM 6. Consideration of adoption of resolution confirming assessment roll and levying assessments for installation of sanitary sewer collection system in University Estates for Shaw Mill Road. (Continued from September 21, 1992)

PRESENTED BY: City Manager

RECOMMENDED ACTION: See attached

- ITEM 7. Consideration of adoption of resolution reaffirming the City of Fayetteville Employees' Dependent Care Reimbursement Plan and Pre-Tax Premium Plan; and establishing a Medical Reimbursement Spending Account Plan.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption

- ITEM 8. Consideration of two resolutions fixing dates of public hearings on questions of annexation pursuant to G.S. 160A-31 (Petition-initiated contiguous annexation areas) (Suggested Public Hearing Dates: December 7, 1992)

A. Southland Pines - Tract 1 (Located south of Southland Drive)

B. Southland Pines - Tract 2 (Located south of Southland Drive)

PRESENTED BY: Deputy City Manager

RECOMMENDED ACTION: Adoption

- ITEM 9. Consideration of offer to purchase property located at 159 Maxwell Street.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Advertise for upset bids.

- ITEM 10. Report from Streets, Roads and Sidewalks Committee.

A. Consideration of Collector Street Plan.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption

ITEM 11. Report from Policy Committee

- A. Review of Chapter 7 of the Fayetteville City Code.**
- B. Review of interest charged and discount allowed on assessment payments.**
- C. Review of terms for Board and Commissions.**

PRESENTED BY: City Manager

RECOMMENDED ACTION: See attached

ITEM 12. Appointments:

- A. Nominations to fill one vacancy on Joint Senior Citizens Advisory Commission.**
- B. Nominations to fill two vacancies on Fair Housing Hearing Board.**
- C. Nominations to fill one vacancy on Parks and Recreation Advisory Commission.**

ITEM 13. Administrative Reports

- A. Statement of taxes collected for the month of October, 1992, from the Cumberland County Tax Collector.**

DRAFT

FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBERS
433 HAY STREET
MONDAY, OCTOBER 19, 1992
7:00

Present: Mayor J. L. Dawkins

Councilmembers J. Breeden Blackwell (at-large); Milo McBryde (at-large); Nat Robertson, Jr. (at-large); Tommy Bolton (District 1); Ida Ross (District 2) (arrived at 7:28 p.m.); Robert A. Massey, Jr. (District 3); Thelbert Torrey (District 4); Suzan Cheek (District 5); and Mark Kendrick (District 6)

Others Present: Roger L. Stancil, Deputy City Manager
John B. Brown, Jr., Assistant City Manager for Administration and Finance
Robert C. Cogswell, Jr., City Attorney
Jason Brady, Public Information Officer
Mike Walker, City Engineer
Louis Chalmers, Traffic Services Director
Gerald Cross, Engineer II
Janice Gerald, Assistant Community Services Director
Al Mitchell, Planning Deputy Director
Al McKenzie, Personnel Director
Craig Hampton, Purchasing Agent
Tom McNeill, PWC Property Acquisition Supervisor
Henry Powers, PWC Water/Sewer Operations Superintendent
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

The invocation was offered by Mayor Pro-Tem Breeden Blackwell followed by the Mayor leading in the Pledge of Allegiance to the American Flag.

RECOGNITION:

Presentation of Certificate of Appreciation to Highsmith Rainey Memorial Hospital for donation to Fascinate-U Children's Museum - Mayor Dawkins presented the certificate to Bill Adams, representing the hospital, for improving the quality of life in the City of Fayetteville through the donation of \$10,000 to the Fascinate-U Children's Museum project.

Presentation of City of Fayetteville Employee of the Year for 1992 - Mayor Dawkins recognized Arch Cox, Firefighter, who had received a \$400 savings bond and a plaque for being the "Employee of the Year" for the City of Fayetteville at the employee picnic recently.

At this time Councilmember Breeden Blackwell requested to recognize some future citizens of Fayetteville. There were approximately 75 students, teachers, and parents from the College Lakes Elementary School present at the Council meeting as part of the Fayetteville Pride Celebration. Dr. Blackwell introduced Mrs. Lewis, Mrs. Dorman, Mrs. Springthorpe, and Mrs. DeJesus with their fifth graders and Mrs. Kendall and her sixth graders.

At this time Mayor Dawkins stated that Councilmember Ross would be late to the meeting and needed to be excused until her

arrival. Councilmember Robertson moved to excuse Mrs. Ross until her arrival, seconded by Councilmember Torrey and carried unanimously 8 to 0.

1. Approval of Agenda

In the absence of City Manager John Smith due to illness, Deputy City Manager Roger Stancil requested to add item 2F for the cancellation of the information meeting on October 26, due to most Councilmembers being out of town and to add item 2G - to appoint a voting representative and an alternate to the League of Municipality meeting. Council appointed Mayor Dawkins as the voting delegate and Councilmember Massey as the alternate.

Councilmember Bolton moved to approve the agenda with the additions, seconded by Councilmember Torrey and carried unanimously 8 to 0.

2. Consent:

Mayor Dawkins presented the consent agenda and asked if any items should be removed before calling for action. Councilmember Blackwell requested to pull item E. Councilmember Bolton moved to approve the agenda with the deletion of item E. After a second by Councilmember Kendrick the consent agenda and following items were unanimously approved.

- A. Approve minutes of information meeting of September 28, 1992.
- B. Approve minutes of regular meeting of October 5, 1992.
- C. Approve minutes of joint meeting with Public Works Commission of October 12, 1992.
- D. Award of contract for Village Drive Street Widening Project to Barnhill Contracting Co., Inc., low bidder in the amount of \$294,829.65.

Bids received were as follows:

Barnhill Contracting Co., Inc.	\$294,829.65
McDonald Grading Co., Inc.	\$390,177.25
Crowell Constructors, Inc.	\$404,877.50
City Estimate	\$326,484.85

- E. Adopt resolution authorizing cooperative purchasing between City of Fayetteville and the Town of Spring Lake.

Councilmember Blackwell asked if cooperative purchasing has been extended to other municipalities in the past. Assistant City Manager Ben Brown responded that other municipalities have not responded to our invitations.

A RESOLUTION AUTHORIZING COOPERATIVE PURCHASING BETWEEN THE CITY OF FAYETTEVILLE AND THE TOWN OF SPRING LAKE. RESOLUTION NO. R1992-167.

Councilmember McBryde introduced the foregoing resolution and moved its adoption, seconded by Councilmember Bolton and carried unanimously 8 to 0.

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

At this time Mayor Dawkins inquired about item 2D concerning some possible typographical mistakes in the memo concerning the Village Drive Street Widening project. Deputy City Manager Roger Stancil responded that there were two

mistakes on this memo. One was on the first page, last sentence concerning the completion within 100 days from January 4, 1992, which should read 1993. The other mistake is on the second page, last paragraph showing a Christmas 1993 holiday restriction. This should be Christmas 1992.

3. Public Hearings:

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

Tom McNeill, PWC staff, stated that items 3A 7 and 8 were deleted from the agenda at the special meeting with PWC and City Council on October 12, 1992. There were minor property changes on the Assessment Rolls for Elba Street, Staley Drive, and Oxford Street.

A. Consideration of adoption of resolutions confirming assessment rolls and levying assessments for installation of water and sanitary/sewer utilities in the following streets: (PWC) This is the advertised public hearing for this date and hour.

1. Oxford Street

The public hearing was opened at 7:25 p.m. There was none to speak in favor. Speaking in opposition was Cam H. Easton, 425 Brightwood, owner of lots 17 and 18 on Oxford Street. He stated he feels the assessments are excessive for the value of his properties and the lots cannot be sold with this added assessment. Mr. Eason stated he feels the water and sewer should be included in what is furnished by the City along with fire and police protection. Roger D. Yarbrough, 803 Oxford Street, appeared in opposition stating the same reason. Mayor Dawkins asked Henry Powers to give a figure on the entire cost of the project and he reported that it was more than three times what is being assessed to the property owners.

2. Oxford/Griffin Street

The public hearing was opened at 7:31 p.m. and there being none to speak in favor or opposition the public hearing was closed.

3. Elba Street

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

4. Staley Drive

The public hearing was opened at 7:32 p.m. and speaking in opposition was Albert King, Sr., of Staley Drive, lots 113, 114, and 115. He stated that this property is on a short dirt street and he can't use the property. He feels the assessments are too high for the value of that property. There being none further to be heard the public hearing was closed at 7:35 p.m.

5. Eleanor Avenue

6. Cedar Street

7. Pasture Lane (pull from agenda)

8. Coldwater Drive (pull from agenda)

9. L.A. Dunham Road (State Road 2005)

The public hearings for items 5 through 9 were opened at 7:35 p.m. and there being none to be heard on these items the public hearings were closed.

At this time Mayor Dawkins opened the items for discussion by Council. Councilmember McBryde referred to the complaint of

Mr. Easton that the property is not valued at the assessment cost and asked the City Attorney to respond to this. The City Attorney recommended that Council have the property appraised to see if it had been benefitted. Councilmember Cheek asked the City Attorney if the law states that the property must be benefitted by the amount of the assessment. He responded that it does not, it only has to be "benefitted". Councilmember Kendrick questioned the City paying for the assessment. Councilmember Torrey moved to adopt the assessments at \$9 per front foot for sewer and \$8 front foot for water. The motion died for lack of a second.

Councilmember Blackwell stated he had voted in the past to adopt all assessment rolls at the recommended front footage dollar amount and moved to adopt assessment rolls 1 through 9 at \$12 per foot on sewer and \$8 per foot on water. The motion was seconded by Councilmember Kendrick. Councilmember Bolton stated he would not be able to vote in favor of this because he feels the property owners should be able to get an appraisal to see if they had received a benefit to their property from this project. Councilmember McBryde also stated he felt that the property owners who had complained should be able to have their property assessed before adopting the resolutions. Mayor Dawkins called for a vote and the motion carried 6 to 3 with Councilmembers McBryde, Bolton, and Torrey voting in opposition. The resolutions were adopted at 7:55 p.m. and are as follows:

A RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES (OXFORD STREET AND OXFORD/GRIFFIN STREET). RESOLUTION NO. R1992-168.

A RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES (ELBA STREET). RESOLUTION NO. R1992-169.

A RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES (STALEY DRIVE). RESOLUTION NO. R1992-170.

A RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES (ELEANOR AVENUE). RESOLUTION NO. R1992-171.

A RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES (CEDAR STREET). RESOLUTION NO. R1992-172.

A RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES (PASTURE LANE). RESOLUTION NO. R1992-173.

A RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES (COLDWATER DRIVE). RESOLUTION NO. R1992-174.

A RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES (L.A. DUNHAM ROAD). RESOLUTION NO. R1992-175.

A copy of the foregoing resolutions are on file in the Clerk's office in Resolutions Book R1992.

- B. Consideration of adoption of resolution to close Brechin Road, pursuant to petition, from Fairfield Road, easterly to the eastern edge of Murray Hill, Section II, as recorded in Plat Book 17, Page 53, Cumberland County Registry.

This item was presented by Deputy City Manager Roger Stancil with the recommendation to adopt the resolution. This is the advertised public hearing for this date and hour.

The public hearing was opened at 8:06 p.m. and there being none to speak in favor or opposition, the public hearing was closed.

RESOLUTION AND ORDER CLOSING A PORTION OF BRECHIN ROAD. RESOLUTION NO. R1992-174.

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

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

- C. Consideration of adoption of ordinance amending Chapter 20, Motor Vehicles and Traffic, to reduce speed limit to 25 miles per hour on Brenda Drive, from Murchison Road to its end.

This item was presented by Traffic Engineer Louis Chalmers stating this request is by petition signed by a majority of the residents on Brenda Drive. This is the advertised public hearing for this date and hour for citizen input.

The public hearing was opened at 8:07 p.m. and there was none to speak in favor or opposition to this matter. Councilmember Cheek asked Mrs. John Averitt if she had a comment to make concerning this item. Mrs. Averitt stated she had lived there since 1970 and there had been several accidents because of the speed. Also, the children had no other place to play and they are in danger on this street with the traffic. She is requesting the speed be reduced for these reasons. Councilmember Ross asked Ms. Averitt about how many children were in this neighborhood and she responded there was about 100 children.

AN ORDINANCE AMENDING SECTION 20-106, MOTOR VEHICLES AND TRAFFIC (TRAFFIC SCHEDULE NO. 8-SPEED CONTROL). ORDINANCE NO. NS1992-034.

Councilmember Cheek introduced the foregoing ordinance and moved its adoption, seconded by Councilmember Ross and carried unanimously.

A copy of the foregoing ordinance is on file in the Clerk's office in Ordinance Book NS1992.

- D. Consideration of Comprehensive Housing Affordability Strategy (CHAS).

This item was presented by Janice Gerald, Director of Community Development. She stated that public comment on this item is for a 30-day period and will run from October 26 to November 24, 1992. This is the advertised public hearing for this date and hour for citizen input. Councilmember Cheek asked if she is still working with the low/moderate income task force, since it was not mentioned in her presentation. Ms. Gerald responded that the task force report is still in the preparation stage. Councilmember Blackwell asked about the homeless having a low priority ranking for funds and she responded that this is because there are programs to assist the homeless at this time. Councilmember Torrey asked what program

built the new home for the handicapped lady in the North Street extension area. Ms. Gerald responded that the existing house could not be repaired for the amount of money they could extend, but with the family arranging to have the prefab-type house erected, this program could assist in the completion under the Deferred Payment Loan program. Councilmember Ross asked what the possibility of Reverend Montgomery's renovation of the old bus station could get involved in that program. Ms. Gerald answered that they could get some Stewart B. McKinney Homeless Assistance Funds. She will be working soon with that board to try and get them some help.

The public hearing was opened at 8:19 p.m. and there being none to speak in favor or opposition, the public hearing was closed. Councilmember Torrey moved to approve CHAS as requested. The motion was seconded by Councilmember Bolton and carried unanimously.

- E. Consideration of resolution to establish a verifiable percentage goal for participation by minority business in the awarding of building construction contracts awarded pursuant to N.C.G.S. 143-128.

This item was presented by Assistant City Manager for Administration and Finance Ben Brown with a recommendation for adoption of the resolution. This is the advertised public hearing for this date and hour for citizen input.

The public hearing was opened at 8:21 p.m. and there being none to speak in favor or opposition to this matter the public hearing was closed.

RESOLUTION TO ESTABLISH A VERIFIABLE PERCENTAGE GOAL FOR PARTICIPATION BY MINORITY BUSINESS IN THE AWARDING OF BUILDING CONSTRUCTION CONTRACTS AWARDED PURSUANT TO N.C.G.S. 143-128. RESOLUTION NO. R1992-175.

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

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

4. Planning Board Matters:

- A. Consideration of the rezoning from R6 Residential District to P2 Professional District or to a more restrictive zoning classification for an area located on the southeast corner of the intersection of Barrington Cross and Bragg Boulevard. (P92-95) (Second Reading)

Councilmember McBryde moved to rezone the area located on the southeast corner of the intersection of Barrington Cross and Bragg Boulevard for a second reading. The motion was seconded by Councilmember Bolton and carried 5 to 4 with Councilmembers Torrey, Kendrick, Cheek, and Ross voting in opposition.

5. PWC Matters:

- A. Consideration of bid award for purchase of four (4) 500 KVA padmount transformers to Tennessee Valley Electric, low evaluated bidder in the amount of \$30,560.

This item was presented by Tim Wood with a recommendation for the low evaluated bidder. The bids received were as follows:

Tennessee Valley Electric	\$30,560
Power Supply	\$31,600
HESCO, Inc.	\$28,024
Eastern Electric	\$28,692
Rigby Electric	\$30,796
Westinghouse Electric	\$29,856

Councilmember Bolton moved to award the contract to the low evaluated bidder as recommended, seconded by Councilmember Robertson and carried unanimously.

- B. Consideration of bid award for construction of five (5) accessory buildings at Butler-Warner Generation Plant (electrical & mechanical maintenance shops; shelter over fuel unloading area; storage building for flammables; and assembly area for contract workers).

This item was presented by PWC Manager Tim Wood recommending the bid award to the following low bidders:

General: Hatcher Construction Co.	\$241,915
Plumbing: Coffman Plumbing Co.	\$ 28,513
Mechanical: Bass Heating & Air	\$ 20,000
Electrical: M-R Electric	\$ 28,600

Bids received were as follows:

<u>General Construction:</u>	<u>Base Bid</u>	<u>Alt. #1</u>	<u>Alt. #2</u>
Chase Contractors	\$278,000	+\$2,700	-\$ 4,500
Ellis-Walker Builders	\$263,900	-\$5,334	-\$10,398
D. S. Simmons	\$262,090	-\$4,985	-\$ 8,100
Hargis Construction	\$260,000	-\$5,600	-\$ 8,000
Ratley Construction	\$240,319	-\$4,985	-\$ 2,300
Jordan Construction	\$276,900	+\$5,660	-\$ 9,900
Hatcher Construction	\$252,900	-\$4,985	-\$ 6,000
Peden General Contractors	\$283,497	-\$4,100	-\$ 8,900

Plumbing Contractor:

Coffman Plumbing	\$28,513
Town & Country Plumbing	\$31,600
Haire Plumbing	\$42,272

Mechanical Contractor:

Bass Heating & Air	\$20,000
R. L. Blanton Company	\$28,800

Electrical Contractor:

M-R Electric	\$28,600
H & L Electrical	\$30,988
M. R. Jones Electrical	\$31,000
P. R. Faulk Electric	\$33,263
Watson Electrical	\$34,500

Councilmember McBryde moved to award the contracts as recommended, seconded by Councilmember Kendrick and carried unanimously.

6. Consideration of a resolution directing the Clerk to investigate a petition received under G.S. 160A-31 (Petition-Initiated Contiguous Area) (Pizza Hut and Taco Bell Properties - Ramsey Street)

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

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER G.S. 160A-31. RESOLUTION NO. R1992-176.

Councilmember Robertson moved to adopt the foregoing resolution, 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.

7. Consideration of acceptance/purchase of approximately 183 acres of property along the Cape Fear River for recreational use.

This item was presented by Chairman of the Parks and Recreation Advisory Commission Sandy Saunders. He stated that Pri-Mark had intended to harvest timber on the site of the property on the Cape Fear River just north of Clark Park and south of Methodist College prior to donating the property. The Parks and Recreation Commission suggested that instead of clearing the property that a price for the timber rights could be negotiated. Pri-Mark agreed to accept \$80,000. They currently have an offer of \$100,000 for timber rights. Deputy City Manager Roger Stancil recommended Council authorize the City Manager to negotiate this and return for final approval.

Following some discussion, Councilmember McBryde moved to authorize the City Manager to negotiate and return to City Council for final approval. The motion was seconded by Councilmember Robertson and carried unanimously.

8. Appointments:

- A. Nominations to fill two vacancies on Joint Senior Citizens Advisory Commission.

Council elected Ted Kinney to serve a two-year term to September, 1994, for the vacancy of Joseph Covington. There were no nominations to fill the vacancy of Margaret Shive to September, 1994.

- B. Nominations to fill three vacancies on Historic Resources Commission.

Council elected the following members to serve a second two-year term to October, 1994, as follows: Ruby Murchison, at-large category; Randy Nimocks, realtor category; and Arnetha Robinson, district property owner category.

- C. Nominations to fill three vacancies on Parks and Recreation Advisory Commission.

Landon R. Hadley was elected for a two-year term to October, 1994, to fill the vacancy of John D. Marshall. Gregory Edge was elected for a second term.

At this time Mayor Dawkins announced the upcoming Policy Committee meeting of the City Council scheduled for Wednesday, October 21, 7:00 p.m. in the first floor multipurpose room.

9. Administrative Reports:

- A. Presentation of 1992 Affirmative Action Plan.

This item was presented in the agenda packet.

- B. Proposed Reconstruction of Ray Avenue from Mason Street to Rowan Street.

This item was presented in the agenda packet.

- C. Discussion of policy for posting land proposed for rezoning.

Planning Deputy Director Al Mitchell displayed one of the signs that is posted by the Planning Board on the land proposed for rezoning.

Councilmember Cheek moved to have staff work on a suggested policy amendment to have the signs made larger, have the signs state that the public hearing is for a rezoning and that the sign should be reposted or remain through the City Council meetings. The motion was seconded by Councilmember Massey and following discussion the vote was unanimous.

D. Status of report on using unified Fayetteville logo.

This item was presented in the agenda packet.

E. Report on Greenways proposal.

This item was presented in the agenda packet.

F. Statement of taxes collected for the month of September, 1992, from the Cumberland County Tax Collector.

Council accepted the statement of taxes collected for the month of September, 1992 from the tax collector in the amount of \$1,327,989.74.

At this time Councilmember Blackwell complimented the Personnel Director Al McKenzie for the work his department had done on the Affirmative Action Plan.

Councilmember Blackwell requested to be excused from the next regular meeting on November 2. Councilmember Robertson moved to excuse Mr. Blackwell, seconded by Councilmember Torrey and carried unanimously.

There being no further business, the meeting was adjourned at 8:50 p.m. upon motion and second.

Respectfully submitted,

Bobbie A. Joyner
City Clerk

J. L. Dawkins
Mayor

BAJ/bes



**TO: Mayor
City Manager
City Attorney
City Council Members**

Under provisions of Chapter 16, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, request the docket of the owner who has failed to comply with this Code, be presented to the City Council for action. All proceedings that are required by the Code, Article 3, Section 16-46 and Section 16-47, have been complied with by the Inspections Department.

Request the Council take action under the provisions of Section 16-48 and 16-49 of the Code.

Information pertaining to this docket is as follows:

- a. Docket number: N/A**
- b. Location of property: 5318 Murchison Road (0429-09-15-7391)**
- c. Name and address of owner: Joseph C. Furin, 423 Saddle Ridge Road, Fayetteville, NC 28301**
- d. Date of inspection: July 23, 1992**
- e. Date of informal complaint: July 23, 1992**
- f. Date of formal complaint: July 27, 1992**
- g. Date of hearing: August 10, 1992**
- h. Finding and Facts of the scheduled hearing: Owner Failed to attend hearing. Superintendent granted thirty (30) days to repair or demolish and as of November 9, 1992, no work had been done.**
- i. Owner's response: None**
- j. The Housing Inspector dispatched a letter that was received by the owner with information that the docket would be presented to the City Council for necessary action on November 9, 1992.**

This is the 10th day of November, 1992.

rja


Housing Inspector

insp-202

ITEM 2.B.

**TO: Mayor
City Manager
City Attorney
City Council Members**

Under provisions of Chapter 16, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, request the docket of the owner who has failed to comply with this Code, be presented to the City Council for action. All proceedings that are required by the Code, Article 3, Section 16-46 and Section 16-47, have been complied with by the Inspections Department.

Request the Council take action under the provisions of Section 16-48 and 16-49 of the Code.

Information pertaining to this docket is as follows:

- a. Docket number: N/A**
- b. Location of property: 5318 Murchison Road (0429-09-15-7391)**
- c. Name and address of owner: Anna Furin Reynolds, 102 Commons Way,
Goose Creek, SC 29445-5405**
- d. Date of inspection: July 23, 1992**
- e. Date of informal complaint: July 23, 1992**
- f. Date of formal complaint: July 27, 1992**
- g. Date of hearing: August 10, 1992**
- h. Finding and Facts of the scheduled hearing: Owner Failed to attend hearing. Superintendent granted thirty (30) days to repair or demolish and as of November 9, 1992, no work had been done.**
- i. Owner's response: None**
- j. The Housing Inspector dispatched a letter that was received by the owner with information that the docket would be presented to the City Council for necessary action on November 9, 1992.**

This is the 10th day of November, 1992.


Housing Inspector

rja

insp-202

**TO: Mayor
City Manager
City Attorney
City Council Members**

Under provisions of Chapter 16, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, request the docket of the owner who has failed to comply with this Code, be presented to the City Council for action. All proceedings that are required by the Code, Article 3, Section 16-46 and Section 16-47, have been complied with by the Inspections Department.

Request the Council take action under the provisions of Section 16-48 and 16-49 of the Code.

Information pertaining to this docket is as follows:

- a. Docket number: N/A**
- b. Location of property: 5318 Murchison Road (0429-09-15-7391)**
- c. Name and address of owner: Doris Furin Kester, 188 Larkspur Road,
San Rafael, CA 94901**
- d. Date of inspection: July 23, 1992**
- e. Date of informal complaint: July 23, 1992**
- f. Date of formal complaint: July 27, 1992**
- g. Date of hearing: August 10, 1992**
- h. Finding and Facts of the scheduled hearing: Owner Failed to attend hearing. Superintendent granted thirty (30) days to repair or demolish and as of November 9, 1992, no work had been done.**
- i. Owner's response: None**
- j. The Housing Inspector dispatched a letter that was received by the owner with information that the docket would be presented to the City Council for necessary action on November 9, 1992.**

This is the 10th day of November, 1992.


Housing Inspector

rja

insp-202

November 10, 1992

Mrs. Anna Furin Reynolds
102 Commons Way
Goose Creek, SC 29445-5405

Re: 5318 Murchison Road (0429-0915-7391)

Dear Mrs. Reynolds:

I am writing in reference to the property located at 5318 Murchison Road, Fayetteville, North Carolina, and the letter from the Inspections Director, Subject: Findings of Facts and Order, dispatched to you on August 17, 1992.

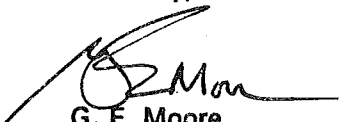
Mrs. Reynolds, as you are aware, no action has taken place as ordered by the Inspections Director.

The state of repairs of this property makes it necessary to take some corrective action.

Therefore, you are hereby notified that the docket pertaining to your property will be presented to the City Council for action on Monday, November 16, 1992, at 7:00 p.m. in the Council Chambers, City Hall.

If I can be of any further assistance to you in this matter, please do not hesitate to call upon me.

Sincerely,



G. E. Moore
Housing Inspector

GEM/rjb

November 10, 1992

Mr. Joseph C. Furin
423 Saddle Ridge Road
Fayetteville, NC 28301

Re: 5318 Murchison Road (0429-0915-7391)

Dear Mr. Furin:

I am writing in reference to the property located at 5318 Murchison Road, Fayetteville, North Carolina, and the letter from the Inspections Director, Subject: Findings of Facts and Order, dispatched to you on August 17, 1992.


Mr. Furin, as you are aware, no action has taken place as ordered by the Inspections Director.

The state of repairs of this property makes it necessary to take some corrective action.

Therefore, you are hereby notified that the docket pertaining to your property will be presented to the City Council for action on Monday, November 16, 1992, at 7:00 p.m. in the Council Chambers, City Hall.

If I can be of any further assistance to you in this matter, please do not hesitate to call upon me.

Sincerely,


G. F. Moore
Housing Inspector

GEM/rjb

November 10, 1992

Mrs. Doris Furin Kester
188 Larkspur Road
San Rafael, CA 94901

Re: 5318 Murchison Road (0429-0915-7391)

Dear Mrs. Kester:

I am writing in reference to the property located at 5318 Murchison Road, Fayetteville, North Carolina, and the letter from the Inspections Director, Subject: Findings of Facts and Order, dispatched to you on August 17, 1992.

Mrs. Kester, as you are aware, no action has taken place as ordered by the Inspections Director.

The state of repairs of this property makes it necessary to take some corrective action.

Therefore, you are hereby notified that the docket pertaining to your property will be presented to the City Council for action on Monday, November 16, 1992, at 7:00 p.m. in the Council Chambers, City Hall.

If I can be of any further assistance to you in this matter, please do not hesitate to call upon me.

Sincerely,



G. E. Moore

Housing Inspector

GEM/rjb

AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA

Requiring the City Buildings Inspector
to correct conditions with respect to
or to demolish and remove the structure(s)
pursuant to the
Dwellings and Buildings Minimum Standards
Code of the City

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

The City Council finds the following facts:

- (1) With respect to Chapter 16 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

5318 Murchison Road (0429-09-15-7391)

Beginning at an iron pipe in the South edge of the Atlantic & Yadkin Railroad right-of-way, said pipe being the Northwest corner of the tract of which this is a part, and runs thence with the original line and the said right-of-way South 38 degrees East 18.47 chains to an iron pipe thence South 33 degrees East 30 minutes West 3.39 chains to an iron pipe in the Northern margin of the Murchison Road; thence with said margin of the Murchison Road North 34 degrees 20 minutes West 19.10 chains to an iron pipe; thence North 41 degrees East 2.10 chains to the beginning, containing 5-1/10 acres, more or less being part of the land conveyed to W. N. Tillinghast by J. G. Shaw, his wife, by deed dated 1st, day of October 1919, registered in Book 3253, Page 258, in Cumberland County Registry.

The owners of and parties in interest in said property are:

Mr. Joseph C. Furin
423 Saddleridge Road
Fayetteville, NC 28301

Mrs. Doris F. Kester
188 Larkspur Road
San Rafael, CA 94901

Mrs. Anna F. Reynolds
102 Commons Way
Goose Creek, SC 29445-5405

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: Repair or demolish the house on or before October 29, 1992.

- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.
- (4) The City Council has held a full hearing upon this matter and has fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None

Whereupon, it is ordained that:

SECTION 1

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

The structure(s) is to be demolished and all debris removed from the premises.

SECTION 2

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

Adopted this 16th day of November, 1992.

CITY OF FAYETTEVILLE

BY: _____
J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

fja
insp-208

INSPECTIONS DEPARTMENT
POST OFFICE BOX 1846
FAYETTEVILLE, NC 28302-1846

1ST FLOOR, CITY HALL
433 HAY STREET
(919) 433-1707/433-1714

July 27, 1992

Joseph C. Furin
423 Saddle Ridge Road
Fayetteville, NC 28301

LETTER OF CONDEMNATION

Re: 5318 Murchison Road
(0429-09-15-7391)

Dear Mr. Furin:

The property(s) in reference was determined unfit for human habitation. As in accordance with Chapter 16, of the City of Fayetteville's Code governing standards of buildings and dwellings, this property is condemned effective immediately due to the following violation(s):

1. Floor framing and flooring need repair.
2. Ceiling and ceiling joists need repair.
3. Interior and exterior walls need repair.
4. Interior and exterior doors and frame need repair.
5. Electrical wall outlets, ceiling light, switches and fuse box need repair.
6. Hot and cold water distribution system needs repair.
7. Roofing material, flashing and trim/fascia need repair.
8. Roof rafters and sheathing need repair.

Please be advised that the dwelling(s) must remain vacant and demolition must be commenced within 30 days from receipt of this letter.

If the violation(s) is not abated within 30 days, we will begin demolition proceedings.

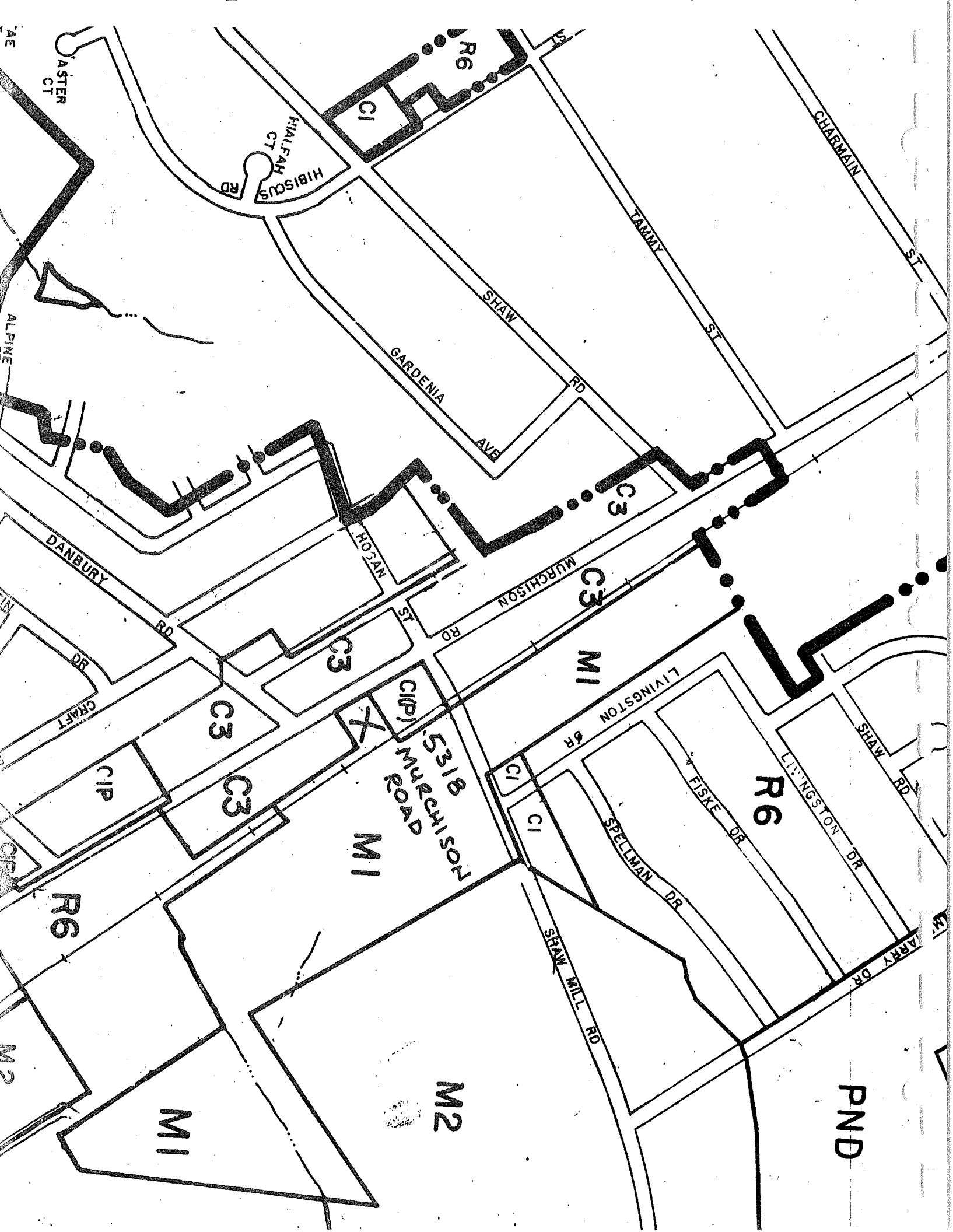
You have the right to a hearing with the Inspections Superintendent in City Hall on August 10, 1992, at 1:00 p.m.

If you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

G. E. Moore
Housing Inspector

GEM/bm



PND

R6

M1

C3

C3

C3

C3

C3

M1

M2

M1

R6

5318 MURCHISON ROAD
CIP

CHARMAIN ST

TAMMY ST

SHAW RD

GARDENA AVE

HIBISCUS RD
HIALFAH CT

MASTER CT

ALPINE

DANBURY RD

HOSAN ST

MURCHISON RD

DR

CRAFT

CIP

LIVINGSTON DR

FISKE DR

SPELLMAN DR

LIVINGSTON DR

SHAW RD

SHAW MILL RD

MARRY DR

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

November 16, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-126. THE REZONING FROM C2P CENTRAL BUSINESS DISTRICT TO M2 INDUSTRIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF LEE STREET AND RACEPATH STREET. (FAYETTEVILLE ORDINANCE)

ACTION: THE NINE MEMBERS PRESENT AT THE OCTOBER 20, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO APPROVE THE REQUESTED REZONING. MR. HASAN WAS NOT PRESENT FOR VOTING.

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 M2 Industrial District based on the following:

1. The 1980 Eastern Boulevard/301 Plan calls for industrial uses at this location.

The Planning staff finds that all or any portion of this site is also suitable for the C3 Heavy Commercial and M1 Industrial Districts.

Note: The 2010 Land Use Plan calls for commercial uses at this location.

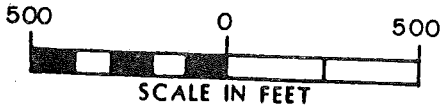
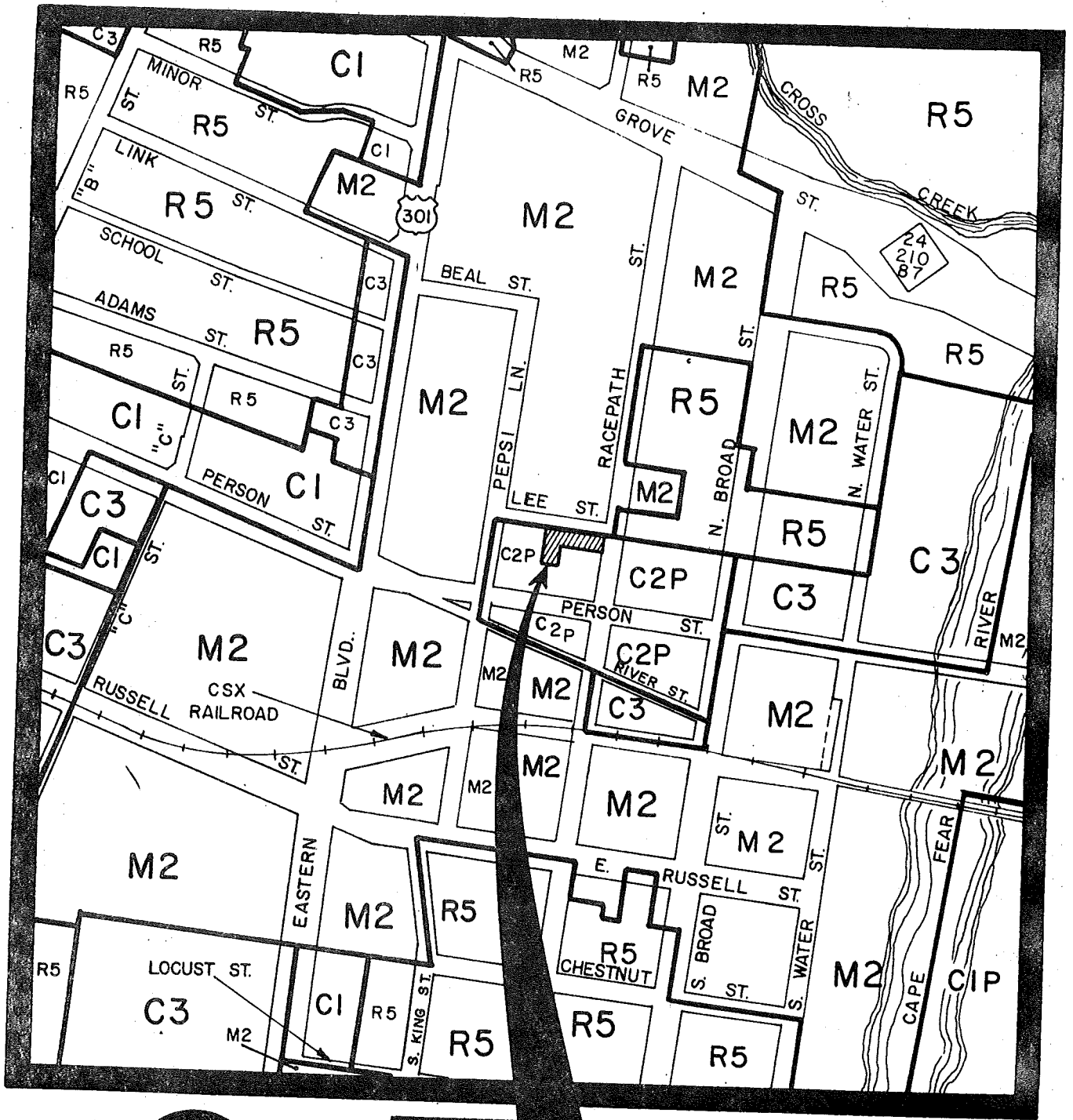
No one appeared in favor of or in opposition to the requested rezoning.

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. Schmidt and seconded by Mr. Morine to follow the staff recommendations. The motion passed unanimously. Mr. Hasan was not present for voting.

:skc

Attachment

ITEM 2.C.



REQUESTED REZONING		
C2P TO M2		
ACREAGE: 0.316 AC. ±	HEARING NO: P92-126	
ORDINANCE: FAYETTEVILLE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

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

November 16, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-129. THE REZONING FROM C3 HEAVY COMMERCIAL DISTRICT TO P2 PROFESSIONAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT 429 GILLESPIE STREET. (FAYETTEVILLE ORDINANCE)

ACTION: THE NINE MEMBERS PRESENT AT THE OCTOBER 20, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO APPROVE THE REQUESTED REZONING. MR. HASAN WAS NOT PRESENT FOR VOTING.

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 P2 Professional District based on the following:

1. The 1980 Eastern Boulevard/301 Corridor Plan calls for medium-density residential development at this location, and the P2 Professional District is more in keeping with that Plan designation since it allows residential development.

The Planning staff finds that all or any portion of this tract is also suitable for the C1A Commercial, C1 Local Business and C1P Shopping Center Districts. The staff further finds that all or any portion of this tract is not suitable for any of the C2 Central Business Districts.

Note: The 2010 Land Use Plan calls for commercial development at this location.

Ms. Dorothy Kitchen, owner in the area, appeared before the Board and asked why the whole block couldn't just be rezoned and get it over with.

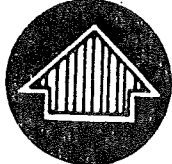
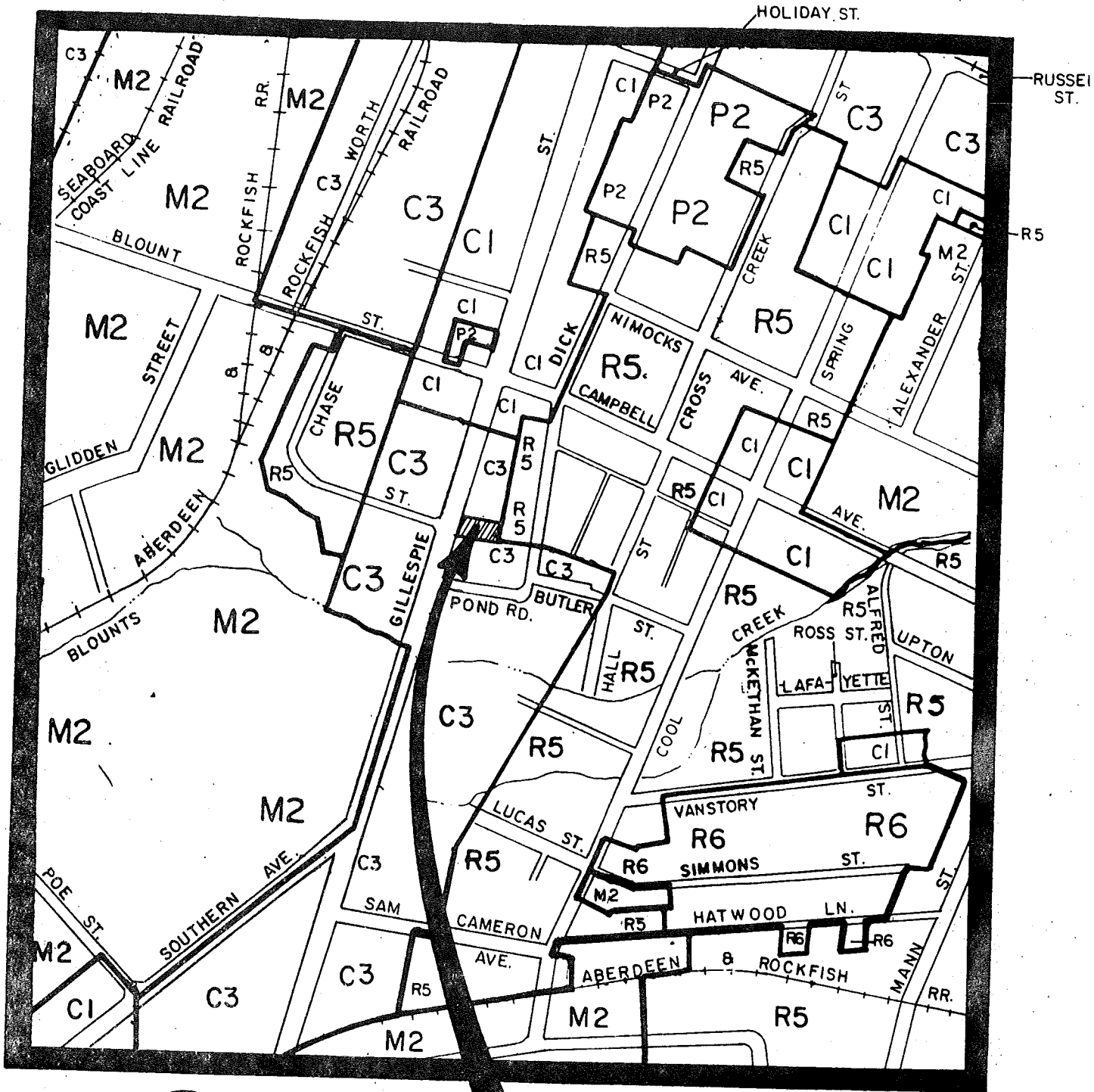
No one appeared in opposition to the requested rezoning.

ITEM 2.D.

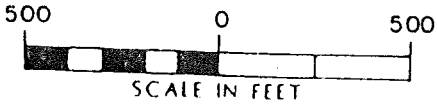
After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a motion was made by Ms. Vick and seconded by Mr. Schmidt to follow the staff recommendations. The motion passed unanimously. Mr. Hasan was not present for voting.

:skc

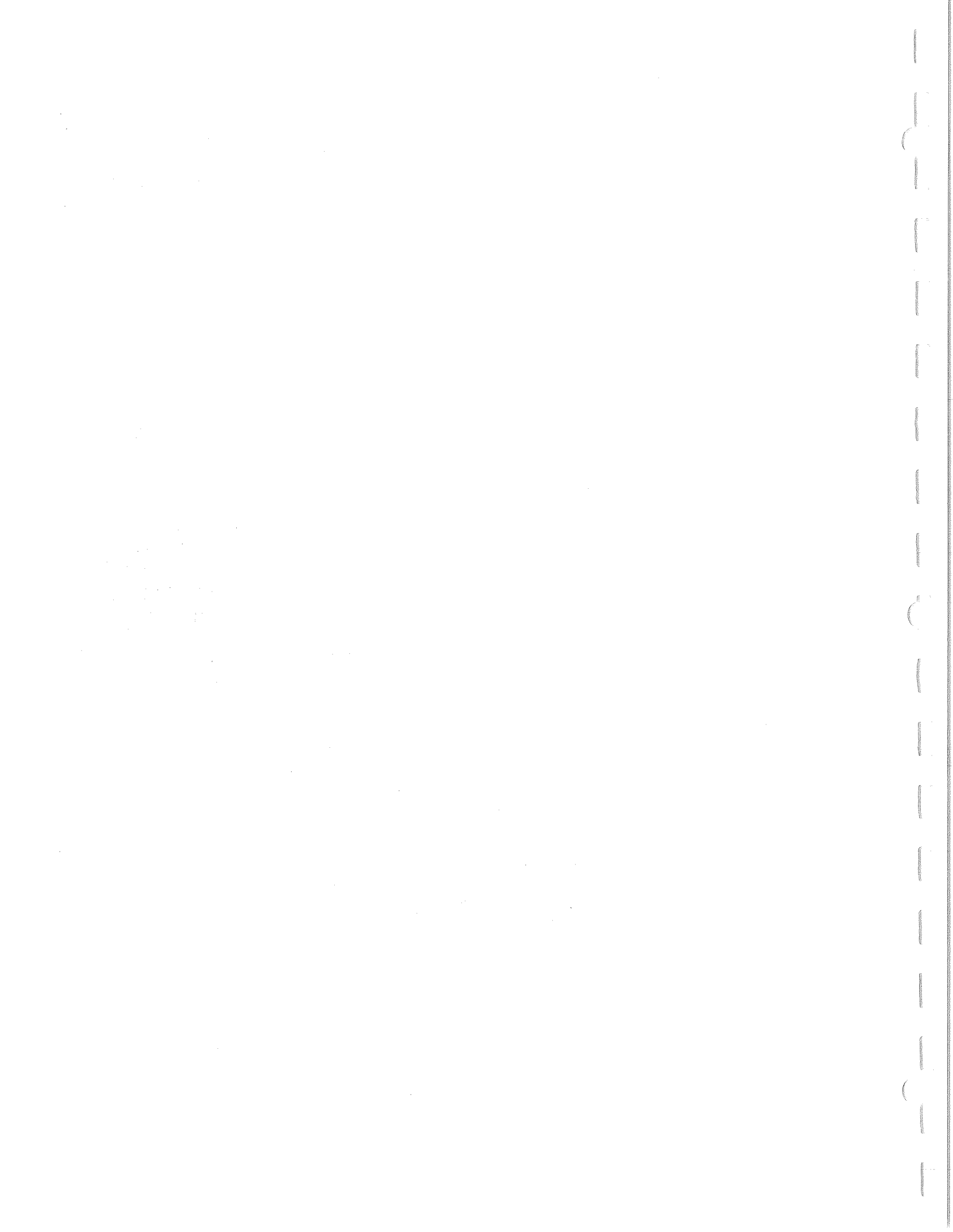
Attachment



NORTH

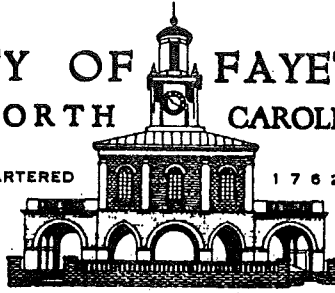


<h2 style="margin: 0;">REQUESTED REZONING</h2> <h3 style="margin: 0;">C3 TO P2</h3>		
ACREAGE: 0.19 AC. ±	HEARING NO: P92-129	
ORDINANCE: FAYETTEVILLE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



FINANCE DEPARTMENT
2ND FLOOR, CITY HALL

433 HAY STREET
P.O. DRAWER D

FAYETTEVILLE, NC 28302-1746

MEMORANDUM

November 10, 1992

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

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

FROM: Michael E. McNair, Management Analyst *MEC*

SUBJECT: Capital Project Ordinance Partial Closeouts #93-1

RE: Proceeds from the 1987 and 1988 Bond Sales

Please find an enclosed copy of Capital Project Ordinance Partial Closeout #93-1. The purpose of this partial closeout is to remove obsolete records which represent the completion of various phases of the 1987 and 1988 bond sale projects. The budget and financial activity to be removed represent the total expenditures as of June 30, 1992 as audited by the City's independent auditors, Cherry, Bekaert & Holland. Total proceeds were \$4,300,000 from the 1987 and \$4,200,000 from the 1988 sales for a total of \$8,500,000. Interest and premiums earned on the proceeds were \$489,337 for the 1987 sale and \$312,365 for the 1988 sale for a total of \$801,702 in interest and premium earned. Total revenues received for both sales were \$9,301,702. All of these funds have been exhausted. The following table summarizes expenditures from the 1988 and 1987 bond sales.

Description	1987 Sale	1988 Sale	Total
Bond Administration	36,469	29,888	66,357
Arbitrage Rebates	110,028	54,117	164,145
Fire Station #7	304,969	0	304,969
Street Improvements	3,056,124	3,511,027	6,567,151
SideWalks	275,906	447,175	723,081
Drainage	1,005,841	470,158	1,475,999
	\$4,789,337	\$4,512,365	\$9,301,702

Notes:

Bond Administration reflects costs such as legal fees, contract services and advertising.
 Arbitrage Rebates reflect charges for interest earned at rates in excess of the bond yield.
 Fire Station #7 was built entirely from 1987 proceeds.
 Street Improvements refers to various projects such as the reconstruction of Cain Road, Purdue Cheselka and Cool Spring Street (which were completed) and various on going projects such as Right of Way Protection and Street Resurfacing.

It is respectfully recommended that and Capital Project Ordinance Partial Closeouts 93-1 be submitted to the Council for favorable consideration.

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2.F.

**CAPITAL PROJECT ORDINANCE PARTIAL CLOSEOUT
CLO 93-1 (Cap 88834, 87885, 87888, 87890, 87891, 87894, 87896)**

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

Section 1. The project closing authorized is to Cap 88834, 87885, 87888, 87890, 87891, 87894, 87896, 87896, adopted January 20, 1987 for all except 88834 and July 20, 1987 for Cap 88834 for Street, Sidewalk and Drainage Improvements and for Bond Administration. This project closeout will affect part of Cap 88834, 87885, 87888, 87890, 87891, 87894 and 87896.

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

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

	Available	Used
Bond Interest - 1987 Sale	489,128	489,128
Bond Interest - 1988 Sale	312,158	312,177
Rebates and Premiums on Bonds - 1987 Sale	209	209
Rebates and Premiums on Bonds - 1988 Sale	188	188
Bond Proceeds - 1987 Sale	4,300,000	4,300,000
Bond Proceeds - 1988 Sale	4,200,000	4,200,000
	<u>9,301,683</u>	<u>9,301,702</u>

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

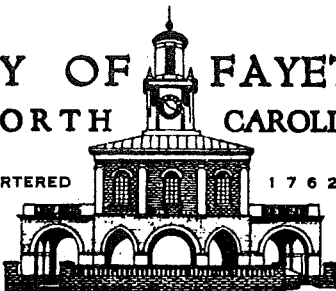
	Estimated	Actual
Project Expenditures	<u>9,301,683</u>	<u>9,301,702</u>

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

Adopted this 16th day of November, 1992.

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



FINANCE DEPARTMENT
2ND FLOOR, CITY HALL

433 HAY STREET
P.O. DRAWER D

FAYETTEVILLE, NC 28302-1748

November 10, 1992

MEMORANDUM

TO: Kai D. Nelson, Finance Director *kan*

FROM: Lisa T. Smith, Financial Planning & Reports Manager *LTS*

SUBJECT: Special Revenue Project Ordinance Amendment 93-1

Please find an attached copy of Special Revenue Project Ordinance Admendment 93-1. This amendment appropriates proceeds from the North Carolina Controlled Substance Tax in the amount of \$74,590. The proceeds represent the distribution for the period January through June, 1992.

As you are aware, Controlled Substance Tax revenues are disbursed with the following stipulations:

1. Funds may only be utilized for legitimate law enforcement purposes.
2. Controlled Substance Tax revenue must be in effect and reality, available to law enforcement over and above the regular appropriated budget.
3. The distribution of controlled substance tax proceeds can not be used in any way to decrease current or future budget appropriations.
4. Failure to comply will result in an audit with the automatic denial of future distributions if we are found to be out of compliance therein.

The current procedure for the City has been to require a recommendation of the Chief of Police and Approval of the City Manager prior to any expenditure of these funds.

Please submit Special Revenue Project Ordinance Amendment 93-1 for Council consideration.

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2.F.

SPECIAL REVENUE FUND PROJECT ORDINANCE AMENDMENT
CHANGE 93-1 (ORD 92-1)

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

Section 1. The project change authorized is to amend Special Revenue Project Ordinance 92-1 adopted on January 21, 1992, as amended, for the Fayetteville Police Department utilizing Federal Forfeiture Funds and Controlled Substance Tax Revenue from the State.

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:

Controlled Substance Tax Revenue \$74,590

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

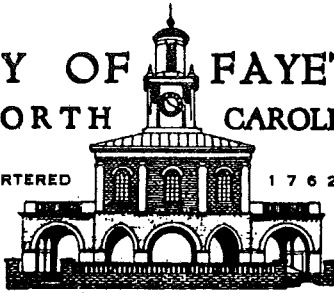
Project Expenditures \$74,590

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 16th day of November, 1992.

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



FINANCE DEPARTMENT
2ND FLOOR, CITY HALL

433 HAY STREET
P.O. DRAWER D

FAYETTEVILLE, NC 28302-1746

November 10, 1992

MEMORANDUM

TO: Kai D. Nelson, Finance Director /*UDN*

FROM: Lisa T. Smith, Financial Planning & Reports Manager *LS*

SUBJECT: Budget Ordinance Amendment 93-6

The attached budget ordinance amendment will appropriate \$5,382 in donations for the Police Department. The funds will be used to purchase supplies for the DARE T-Shirt Program.

Please submit Budget Ordinance Amendment 93-6 for Council consideration.

An Equal Opportunity
City of



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ITEM 2. G.

1992-1993 BUDGET ORDINANCE AMENDMENT
CHANGE 93-6

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

That the City of Fayetteville Budget Ordinance adopted June 15, 1992, as amended, is hereby amended as follows:

Section 1. it is estimated that the following revised anticipated revenues will be available during the fiscal year beginning July 1, 1992, and ending June 30, 1993 to meet the appropriations listed in Section 2.

ITEM	LISTED AS	REVISION	REVISED AMOUNT
Schedule A: General Fund			
Other Revenues	\$512,650	\$5,382	\$518,032
All Other General Fund Revenues	<u>39,738,406</u>	<u>0</u>	<u>39,738,406</u>
	<u>\$40,251,056</u>	<u>\$5,382</u>	<u>\$40,256,438</u>

1992-1993 BUDGET ORDINANCE AMENDMENT
CHANGE 93-6

Section 2. The following revised amounts are hereby appropriated for the operations of the City Government and its activities for the fiscal year beginning July 1, 1992, and ending June 30, 1993, according to the following schedules:

ITEM	LISTED AS	REVISION	REVISED AMOUNT
Schedule A:			
General Fund			
Police	\$11,645,606	\$5,382	\$11,650,988
All Other General Fund Expenditures	<u>28,605,450</u>	<u>0</u>	<u>28,605,450</u>
	<u>\$40,251,056</u>	<u>\$5,382</u>	<u>\$40,256,438</u>



RESOLUTION DECLARING COST
AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL
AND SETTING TIME AND PLACE FOR PUBLIC HEARING
ON PRELIMINARY ASSESSMENT ROLL
FOR PAVING PATE DRIVE
(FROM MORGANTON ROAD TO FORT BRAGG ROAD)

WHEREAS, the paving was ordered by Resolution of the City Council duly passed on the 4th day of May, 1987, and has been completed in accordance therewith; and

WHEREAS, the cost of said improvements have been determined;

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

1. That the cost of the above-described improvement has been computed and determined.
2. That the City Attorney 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 benefited by said improvement.
3. That the City Clerk is hereby directed to make available during regular office hours, in her office, the said preliminary assessment roll for the purpose of inspection by the public from this day through the 7th day of December, 1992.
4. That this City Council will hold a public hearing in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina, beginning at 7:00 p.m., on the 7th day of December, 1992, at the City Hall Council Chamber, 433 Hay Street, Fayetteville, North Carolina, for the purpose of hearing all interested persons who appear.
5. That the City Attorney is hereby directed to issue public notice of the above-described public hearing, to be published on the 23rd day of November, 1992, and to secure publisher's affidavit certifying the advertisement of said hearing.
6. If confirmed, any assessment paid before the expiration of thirty (30) days from the date notice is published of the confirmation of the assessment roll pursuant to North Carolina General Statutes Section 160A-229, will receive a thirty percent (30%) discount.

7. That the City Attorney is hereby directed no later than ten (10) days before the public hearing to mail copies of the notice of hearing on the preliminary assessment roll to the owners of property listed thereon.

This the 16th day of November, 1992.

J. L. DAWKINS, MAYOR

ATTEST:

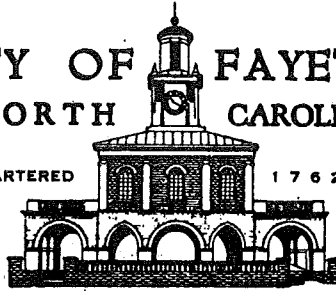
BOBBIE A. JOYNER, CITY CLERK

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

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

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



PERSONNEL DEPARTMENT
(919) 433-1635

CITY HALL
433 HAY STREET

FAYETTEVILLE, NC 28301-5537

November 9, 1992

MEMORANDUM

TO: John P. Smith, City Manager
FROM: Al McKenzie, Personnel Director
SUBJECT: Proposed Amendment to the Personnel Ordinance

The attached ordinance amendment corrects a typographical error in a reference which appears in the critical section of the post-termination appeals process that deals with the scope and presentation of evidence.

cc: Roger L. Stancil, Deputy City Manager
Ben Brown, Assistant City Manager
Jimmy Teal, Assistant City Manager
Robert C. Cogswell, Jr., City Attorney
File

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City of



Affirmative Action Employer
Dogwoods

ITEM 2.I.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE AMENDING ORDINANCE NO. S1985-11 OF THE CODE OF
ORDINANCES OF THE CITY OF FAYETTEVILLE

BE IT ORDAINED by the City Council of the City of Fayetteville that Ordinance No. S1985-11 of the Code of Ordinances of the City of Fayetteville, North Carolina, is hereby amended:

Section 1. By deleting all references within Section 22-21(b)(7)(i) to "section 22-24(e)" therein and substituting therefor "section 22-21(e)."

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 a part of the Code of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be re-numbered to accomplish such intention.

Adopted this _____ day of _____, 1992.

CITY OF FAYETTEVILLE

BY:

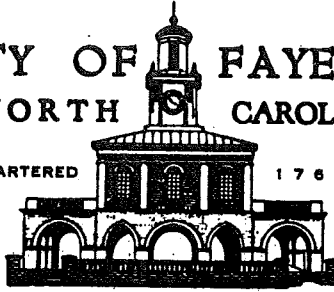
J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1782



ENGINEERING DEPARTMENT
433 HAY STREET

FAYETTEVILLE, NC 28301-5537
(919) 433-1656

November 10, 1992

MEMORANDUM

TO: Mr. John P. Smith, City Manager

THROUGH: Jimmy Teal, Assistant City Manager
Planning & Development

FROM: Michael L. Walker, P.E., City Engineer *MLW*

SUBJECT: Proposed Street Resurfacing --- 1992-93 Budget Year

Attached is a list of streets which we propose for resurfacing, using current budget funds. The streets have been selected primarily from a condition survey by the Institute for Transportation Research and Education (ITRE) and updated by our own recent field observation of each street. We believe this list is the highest priority of resurfacing needs.

There are many other streets that warrant resurfacing and they will be considered for the next budget year. As noted on the attached list, some of the streets are also recommended for milling because of existing irregular surface and prior build-up of asphalt adjacent to the gutter line. The milling prior to resurfacing will also provide for a higher strength surface course.

We feel that all of the streets listed in Part A and Part B may be resurfaced using the funding provided in FY 92-93. The streets listed in Part C of the attached list would only be resurfaced if funds are available.

As soon as the list is approved, we will be prepared to begin the bid advertisement process.

MLW/mak

Enclosures: Proposed Street Resurfacing List

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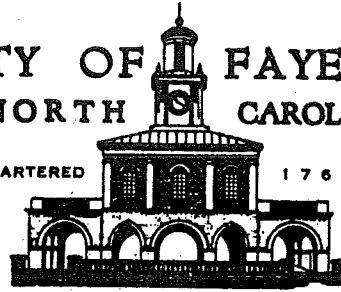


Affirmative Action Employer
Dogwoods

ITEM 2.J.

THE CITY OF FAYETTEVILLE NORTH CAROLINA

CHARTERED 1762



**ENGINEERING DEPARTMENT
433 HAY STREET**

**FAYETTEVILLE, NC 28301-5537
(919) 433-1656**

PROPOSED RESURFACING LIST NOVEMBER 3, 1992

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>WIDTH</u>
PART A - RESURFACING AND MILLING				
1A Barrington Cross	Ft. Bragg Road	Bragg Blvd.	675'	32'
2A Edinburg Drive	Colinwood Drive	Dwirewood Dr.	1138'	32'
3A Skye Drive	Morganton Road	End Div. Sec.	800'	32'
4A Donaldson St.	Hay Street	Russell Street	775'	35'
5A Havilah Road	Pearl Street	Anarine Road	1275'	32'
6A Meadow Wood Rd.	Mirror Lake Dr.	Westview Drive	915'	32'
7A Devane Street	Raeford Road	Morganton Rd.	1540'	32'
8A Torrey Drive	Stout Street	Bridger Street	<u>850'</u>	32'
			TOTAL LF	7,968
			TOTAL MILES	1.51
PART B - RESURFACING ONLY				
1B N. Broad Street	Grove Street	Person Street	900'	22'
2B Davie Street	Bragg Boulevard	Hillsboro St.	490'	29'
3B Cashwell Street	Bragg Boulevard	Hillsboro St.	540'	32'
4B Rankin Street	Winslow Street	Williams Street	625'	32'
5B Blount Street	Winslow Street	Robeson Street	445'	32'
6B W. Russell St.	Robeson Street	McIver Street	340'	32'
7B Davis Street	Hay Street	Branson Street	1320'	20'
8B Bryan Street	Branson Street	Turnpike Road	750'	25'
9B Vista Drive	Valley Road	Cul-De-Sac	1770'	32'
10B Valley Road	Branson Street	Vista Drive	900'	32'
11B Douglas Street	Openview Drive	Breece Street	415'	18'
12B Orange Street	Cumberland St.	W. Orange St.	335'	25'
13B Tallywood Drive	Fairfield Road	End	1515'	32'
14B Sugar Cane Cr.	Regiment Drive	Youngstown Dr.	1080'	25'
15B Youngstown Dr.	Regiment Drive	Sugar Cane Cr.	935'	25'
16B Granville Drive	Morganton Road	St. Mary's Pky.	865'	32'
17B Dundee Road	Morganton Road	Skye Drive	671'	32'
18B White Oak Court	Huntington Road	Cul-De-Sac	570'	32'
19B Barkley Drive	Huntington Road	Bennington Rd.	450'	32'
20B W. Dobbin Ave.	Ft. Bragg Road	Morganton Rd.	620'	32'
21B E. Dobbin Ave.	Ft. Bragg Road	Morganton Rd.	600'	32'

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City of



Affirmative Action Employer
Dogwoods

PROPOSED RESURFACING LIST

PAGE TWO

NOVEMBER 3, 1992

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>WIDTH</u>
PART B - RESURFACING ONLY (CONTINUED)				
22B Millbrook Road	Northview Drive	S. Edgewater Dr	1145'	32'
23B Circle Drive	Rush Road	Parkview Avenue	995'	32'
24B Sylvan Road	Raeford Road	Lakeshore Drive	790'	32'
25B Martine Road	Woodlawn Drive	General Lee Av.	1225'	32'
26B Monticello Ave.	W. Rowan Street	End Pvmt.	340'	32'
27B Goodview Drive	Oakridge Avenue	Park Avenue	735'	32'
28B Point Place	Chestnut Street	Cul-De-Sac	410'	25'
29B Princeton St.	Southern Avenue	End	323'	25'
30B Deep Creek Rd.	Clinton Road	Sapona Road	1466'	21'
31B Harper Street	Sapona Road	S. Plymouth St.	1100'	19'
32B Marsh Street	Gray Street	Irene Street	1080'	32'
33B Wiley Street	Ramsey Street	W. Orange St.	560'	22'
34B Lake Bend Dr.	Country Club Dr.	Cul-De-Sac	986'	32'
35B Granby Court	Hogan Street	Cul-De-Sac	225'	22'
36B Alpine Street	Danbury Drive	Madonna Drive	435'	25'
37B Edmonton Road	Colgate Drive	Chng. Pvmt.	450'	32'
38B Armstrong St.	Hood Street	Bain Drive	795'	32'
39B State Avenue	Murchison Road	Newark Avenue	345'	22'
40B Spaulding St.	Seabrook Road	Edgecomb Ave.	1200'	32'
41B Gola Drive	Broadell Drive	Olympia Avenue	2600'	32'
42B Cochran Avenue	Corrinna Street	End Pvmt.	500'	44'
43B Lake Avenue	Eccles Drive	Shambrey St.	460'	32'
44B Rustland Drive	End Maint.	Cul-De-Sac	1750'	25'
45B Briarcliff Dr.	Westmont Drive	End	530'	32'
46B Lyon Road	Stamper Road	Ivy Road	1250'	32'
47B Don Place	McKimmon Road	Chester Circle	355'	25'
48B Woodberry Lane	Forest Hills Dr.	Cul-De-Sac	335'	32'
49B Rudolph Street	Albany Street	Minurva Street	800'	32'
50B Queen Street	Glenville Avenue	150' East	150'	22'
51B Elvira Street	Glenville Avenue	Pilot Avenue	450'	22'
52B Compton Place	Rolling Hill Rd.	Cul-De-Sac	490'	25'
53B Fairway Drive	Robeson Street	Chng. Pvmt.	1000'	36'
54B Dunn Road	Grove Street	Person Street	1425'	20'
55B N. Kennedy St.	Person Street	Adams Street	390'	32'
56B Valley Road	Raeford Road	Branson Street	825'	32'
57B Briar Circle	Owen Drive	Owen Drive	1290'	32'
58B Comfey Court	Oakcrest Drive	Cul-De-Sac	120'	23'
59B Bethune Street	Morganton Road	Ft. Bragg Rd.	1150'	11'
60B John Street	Morganton Road	Rush Road	1275'	32'
61B S. Edgewater Dr.	Millbrook Road	Westchester Dr.	360'	32'
62B Northview Drive	Millbrook Road	S. Edgewater Dr	1690'	32'
63B Devane Street	Raeford Road	Dead End	1760'	32'
64B Summit Avenue	Westmont Drive	Park Street	1950'	32'
65B Blackwell St.	Sloan Avenue	S. Plymouth St.	1015'	20'

**PROPOSED RESURFACING LIST
PAGE THREE
NOVEMBER 3, 1992**

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>WIDTH</u>
PART B - RESURFACING ONLY (CONTINUED)				
66B Gray Street	Ann Street	Chng. Pvmt.	765'	32'
67B Rowland Circle	Northwest Ave.	Northwest Ave.	920'	32'
68B Woodcliff Drive	Ashboro Street	Florida Drive	1750'	32'
69B Gables Drive	Country Club Dr.	Gables Court	835'	32'
70B Southport Road	Waterbury Drive	End	1290'	32'
71B Rosewood Avenue	Murchison Road	Newark Ave.	<u>680'</u>	22'
			TOTAL LF	60,901
			TOTAL MILES	11.53

**PART C - PRE-APPROVED STREETS FOR RESURFACING ONLY
(IF FUNDS ARE AVAILABLE)**

1C Varsity Drive	Eccles Drive	Vestal Avenue	1070'	32'
2C Eccles Drive	Varsity Drive	Vestal Avenue	800'	32'
3C Ridgecrest Ave.	Brookhaven Drive	Scottywood Dr.	615'	32'
4C Van Buren Ave.	Duncan Street	Tryon Drive	885'	32'
5C Minurva Drive	Rudolph Street	Seabrook Road	780'	32'
6C Edgar Street	Jasper Street	Prince Street	1270'	25'
7C Brenda Drive	Murchison Road	Onslow Drive	660'	25'
8C Onslow Drive	Brenda Drive	Austin Drive	640'	25'
9C Frankfort Cr.	Oglethorp Court	Cul-De-Sac	425'	25'
10C Anarine Road	Winston Avenue	Havilah Road	<u>800'</u>	32'
			TOTAL LF	7,945
			TOTAL MILES	1.51

TOTAL LF - PART A	7,968	TOTAL MILES	1.51
TOTAL LF - PART B	60,901	TOTAL MILES	11.53
TOTAL LF - PART C	<u>7,945</u>	TOTAL MILES	<u>1.51</u>
TOTAL LF - PARTS A, B & C	<u>76,814</u>	TOTAL MILES	<u>14.55</u>



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
 P.O. DRAWER 1089
 FAYETTEVILLE, NORTH CAROLINA 28302-1089
 TELEPHONE (AREA CODE 919) 483-1401
 FAX (AREA CODE 919) 483-1429

ELECTRIC & WATER UTILITIES

November 10, 1992

MEMO TO: John P. Smith, City Manager
 FROM: Tim Wood, General Manager *Tim Wood*
 SUBJECT: PWC Items For Council Agenda - November 16, 1992

2.K. Approval of bid award to LaFayette Ford in the amount of \$31,237.00, and Altec Industries in the amount of \$43,204.00, for purchase of one Cab and Chassis with Aerial Lift and Line Service Body. Bids were received October 20, 1992, as follows:

<u>Bidder</u>	<u>Cab & Chassis</u>	<u>Aerial Lift/ Service Body</u>
LaFayette Ford (Fayetteville, NC)	\$31,237.00	
Sir Walter Chevrolet (Raleigh, NC)	\$31,812.71	
Altec Industries (Birmingham, AL)	\$31,493.00	\$43,204.00
Reach Equipment (Charlotte, NC)	\$31,733.00	\$53,077.00
Baker Equipment (Richmond, VA)	\$32,210.00	\$45,066.00

2.L. Approval of bid award to National Transformer Sales in the amount of \$39,100.00, for purchase of fifty (50) 50 KVA CSP transformers. Bids were received October 20, 1992, as follows:

National Transformer Sales (Wake Forest, NC)	\$39,100.00
Power & Telephone (Nashville, TN)	\$42,850.00
Tennessee Valley (Charlotte, NC)	\$43,500.00
HESCO, Inc. (Smithfield, NC)	\$43,950.00
WESCO (Raleigh, NC)	\$44,800.00
Eastern Electric (Raleigh, NC)	\$45,150.00
Power Supply (Matthews, NC)	\$55,600.00
Rigby Electric (Rocky Mount, NC)	\$55,900.00



November 10, 1992

Page 2

Re: Council Agenda Items

2.M. Approval of bid award in the amount of \$71,550.00 to Eastern Electric for purchase of fifty (50) 75 KVA Padmounted Transformers. Bids were received October 20, 1992, as follows:

Eastern Electric (Raleigh, NC)	\$71,550.00
National Transformer Sales (Wake Forest, NC)	\$72,000.00
HESCO, Inc. (Smithfield, NC)	\$78,700.00
Rigby Electric (Rocky Mount, NC)	\$88,500.00
WESCO (Raleigh, NC)	\$89,550.00
Power Supply (Matthews, NC)	\$93,100.00

2.N. Approval of bid award in the amount of \$42,850.30 to Ditch Witch of NC, for purchase of two (2) Trenchers with Back-fill Blade and Backhoe. Bids were received October 27, 1992, as follows:

Ditch Witch of NC (Raleigh, NC)	\$42,850.30
Southland Rental & Supply (Fayetteville, NC)	\$43,847.20
Prime Equipment Co. (Durham, NC)	\$44,928.00
Vermeer Carolinas, Inc. (Garner, NC)	\$53,242.46

2.O. Approval of bid award to Dellinger, Inc., in the amount of \$888,485.60 for construction of thirty-inch (30") ductile iron water main from Clinton Road (water tank) to Cedar Creek (I-95 at NC-53). Bids were received October 20, 1992, as follows:

Dellinger, Inc. (Monroe, NC)	\$ 888,485.60
Bryant Electric (High Point, NC)	\$ 897,802.60
Wright & Lopez, Inc. (Greensboro, NC)	\$ 917,753.00
Mark H. Johnson (Newton Grove, NC)	\$ 941,709.20
T. A. Loving Co. (Goldsboro, NC)	\$ 959,110.00
McClam & Assoc. (Little Mountain, NC)	\$ 968,947.50
Billings & Garrett (Raleigh, NC)	\$ 071,815.30
J. F. Wilkerson (Morrisville, NC)	\$ 996,043.06
State Utility Contr. (Monroe, NC)	\$1,017,713.00
T. J. & L. Constr (Henderson, TN)	\$1,041,199.00
W. M. Paris (Charlotte, NC)	\$1,053,968.00
Blue Construction (Sanford, NC)	\$1,061,485.00
Nortec Constr. (Fayetteville, NC)	\$1,371,614.56

2.P. Approval of bid awards for construction of the PWC Apparatus Repair Shop (see bid tabulations attached):

A. General Construction:	Ace Construction Company, Inc.	\$688,111.00
B. Plumbing:	J.J. Barnes, Inc.	\$123,788.00
C. Mechanical	J.J. Barnes, Inc.	\$244,933.00
D. Electrical	Billy's Electric	\$ 88,700.00

W/gm
enclosures

The LSV Partnership
Architects/Planners • AIA

October 15, 1992

Public Works Commission
Attn: Mr. James Rose
P.O. Drawer 1089
Fayetteville, NC 28302

Re: PWC Apparatus Repair Shop

Dear James:

Based upon the bids received, we are recommending
the following:

General Construction:

Ace Construction Company, Inc.
P.O. Box 766
Spring Lake, NC 28390

Base Bid	\$ 625,511.00
Alternate 1 (Terrazzo)	2,200.00
Alternate 2 (Vapor Phase Chamber)	41,900.00
Alternate 6 (Skylight)	18,500.00
Total	\$ 688,111.00

Plumbing:

J.J. Barnes, Inc.
Drawer B
118 Drake Street
Fayetteville, NC 28302

Base Bid	\$ 123,788.00
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Mechanical:

J.J. Barnes, Inc.

Base Bid	\$ 244,933.00
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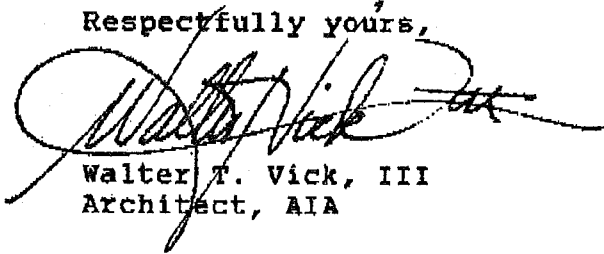
Electrical:

Billy's Electric
P.O. Box 1547
Lumberton, NC 28359

Base Bid	\$ 88,700.00
GRAND TOTAL	\$1,145,532.00

If you have questions or desire additional information, please let me know. I remain

Respectfully yours,



Walter T. Vick, III
Architect, AIA

wtv/dad
Encl: Bid Tabs

PROJECT

PMC Apparatus Repair Shop
Fayetteville, NC

ARCHITECT

The LSV Partnership
Architects/Planners, AIA
209 Fairway Drive
P.O. Box 53713
Fayetteville, NC 28306

BID DATE

DATE: September 29, 1992
TIME: 2:00 P.M.
PLACE: PMC Conference Room
508 Person Street
Fayetteville, NC

General Contractor	SINGLE	License Number	Bid Bond	Base Bid	Alter No. 1	Alter No. 2	Alter No. 3	Alter No. 4	Alter No. 5	Alter No. 6	Alter No. 7	Alter No. 8
Ellis-Balkers Builders Fayetteville, NC		10909	yes	\$ 678,000.	3,600.	5,000.	33,200.	47,000.		7,600.		
Player, Inc. Fayetteville, NC		1487	yes	703,600.	3,900.	7,500.	33,800.	47,800.		9,600.		
Hatcher Construction Fayetteville, NC		5470	yes	676,890.	3,500.	8,400.	32,400.	46,300.		9,400.		
C.S. Simmons Salisbury, NC		No Bid.										
Signs Construction Fayetteville, NC		17443	yes	889,000.	4,000.	7,600.	32,000.	46,000.		12,000.		
Ace Construction Spring Lake, NC		15216	yes	625,511.	2,200.	7,500.	32,800.	41,900.		18,500.		
Freedom Constructors Dunn, NC		11590	yes	889,000.	575.	6,890.	35,000.	44,000.		- 0 -		

EXPLANATION OF ALTERNATES

- NO. 1 - PROVIDE A PRICE TO PROVIDE TERRAZZO IN LIEU OF VINYL COMPOSITION TILE IN CORRIDORS 1, AND 2 AND VESTIBULES 1 AND 2.
- NO. 2 - SUBSTITUTE R=30.0 ROOF INSULATION FOR BASED BID R=16.7 SPECIFIED.
- NO. 3 - PROVIDE TWO 15 TON CRANES, IN LIEU OF ONE 15 TON CRANE.
- NO. 4 - PROVIDE VAPOR PHASE CHAMBER.
- NO. 5 - ADD "PK" FIXTURES IN SHOP AREA AS INDICATED ON DRAWINGS.
- NO. 6 - ADD KALWALL SKYLIGHT IN LIEU OF PLEXI-GLASS SKYLIGHT.

CERTIFIED:

THE LSV PARTNERSHIP
ARCHITECTS/PLANNERS, AIA

PROJECT ARCHITECT

PWC Apparatus Repair Shop
Fayetteville, NC

The LSV Partnership
Architects/Planners, AIA
209 Fairway Drive
P.O. Box 53713
Fayetteville, NC 28306

BID DATE

DATE: October 13, 1992
TIME: 3:00 P.M.
PLACE: PWC Conference Room
508 Person Street
Fayetteville, NC

Plumbing Contractor	License Number	Bid Bond	Base Bid	Alter No. 1	Alter No. 2	Alter No. 3	Alter No. 4	Alter No. 5	Alter No. 6	Alter No. 7	Alter No. 8
Haire Plumbing Fayetteville, NC	798	Yes	136,862.								
Town & Country Plumbing Fayetteville, NC	2066	Yes	145,000.								
RJW Construction Burgaw, NC	No Bid										
JJ Barnes Fayetteville, NC	1127	Yes	123,788.								
Coffman Plumbing Hope Hills, NC	6631	Yes	148,400.								

EXPLANATION OF ALTERNATES

- NO. 1 - PROVIDE A PRICE TO PROVIDE TERRAZZO IN LIEU OF VINYL COMPOSITION TILE IN CORRIDORS 1, AND 2 AND VESTIBULES 1 AND 2.
- NO. 2 - SUBSTITUTE R=30.0 ROOF INSULATION FOR BASED BID R=16.7 SPECIFIED.
- NO. 3 - PROVIDE TWO 15 TON CRANES, IN LIEU OF ONE 15 TON CRANE.
- NO. 4 - PROVIDE VAPOR PHASE CHAMBER.
- NO. 5 - ADD "R" FIXTURES IN SHOP AREA AS INDICATED ON DRAWINGS.
- NO. 6 - ADD KALWALL SKYLIGHT IN LIEU OF PLEXI-GLASS SKYLIGHT.

CERTIFIED:

THE LSV PARTNERSHIP
ARCHITECTS/PLANNERS, AIA

PROJECT

PHC Apparatus Repair Shop
Fayetteville, NC

ARCHITECT

The LSV Partnership
Architects/Planners, AIA
209 Fairway Drive
P.O. Box 53713
Fayetteville, NC 28306

BID DATE

DATE: October 13, 1992
TIME: 3:00 P.M.
PLACE: PHC Conference Room
508 Person Street
Fayetteville, NC

Mechanical Contractor	License Number	Bid Bond	Base Bid	Alter No. 1	Alter No. 2	Alter No. 3	Alter No. 4	Alter No. 5	Alter No. 5	Alter No. 7	Alter No. 8
Refrigeration & Heating Fayetteville, NC	10151	Yes	260,539.								
Humphrey Mechanical Jacksonville, NC	No Bid										
T.R. Driscoll Lumberton, NC	No Bid										
J.J. Barnes Fayetteville, NC	1127	Yes	244,935.								
Bass Air Conditioning Fayetteville, NC	9387	Yes	296,000.								

EXPLANATION OF ALTERNATES

- NO. 1 - PROVIDE A PRICE TO PROVIDE TERAZZO IN LIEU OF VINYL COMPOSITION TILE IN CORRIDORS 1, AND 2 AND VESTIBULE 1 AND 2.
- NO. 2 - SUBSTITUTE R=30.0 ROOF INSULATION FOR BASED BID R=16.7 SPECIFIED.
- NO. 3 - PROVIDE TWO 15 TON CRANES, IN LIEU OF ONE 15 TON CRANE.
- NO. 4 - PROVIDE VAPOR PHASE CHASER.
- NO. 5 - ADD "K" FIXTURES IN SHOP AREA AS INDICATED ON DRAWINGS.
- NO. 6 - ADD WALLMOUNT SKYLIGHT IN LIEU OF PLEXI-GLASS SKYLIGHT.

CERTIFIED:

THE LSV PARTNERSHIP
ARCHITECTS/PLANNERS, AIA

PROJECT

PMC Apparatus Repair Shop
Fayetteville, NC

ARCHITECT

The LSV Partnership
Architects/Planners, AIA
209 Fairway Drive
P.O. Box 53713
Fayetteville, NC 28306

BID DATE

DATE: September 29, 1992
TIME: 2:00 P.M.
PLACE: PMC Conference Room
508 Person Street
Fayetteville, NC

Electrical Contractor	License Number	Bid Bond	Base Bid	Alter No. 1	Alter No. 2	Alter No. 3	Alter No. 4	Alter No. 5	Alter No. 6	Alter No. 7	Alter No. 8
P.R. Faulk Sanford, NC	11335-U	yes	\$ 99,000.					3,600.			
Watson Electrical Wilson, NC	213-U	yes	90,500.					3,300.			
M.R. Jones Electrical Wilson, NC	9615-U	yes	89,000.					5,500.			
Billy's Electric Lumberton, NC	8604-U	yes	88,700.					3,000.			
H & L Electrical Wagram, NC	11709-U	yes	93,287.					4,554.			
King Electric Fayetteville, NC	3764-U	yes	105,550.					4,000.			

EXPLANATION OF ALTERNATES

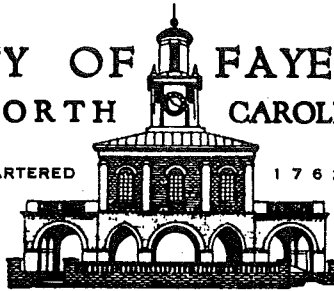
- NO. 1 - PROVIDE A PRICE TO PROVIDE TERRAZZO IN LIEU OF VINYL COMPOSITION TILE IN CORRIDORS 1, AND 2 AND VESTIBULES 1 AND 2.
- NO. 2 - SUBSTITUTE R=30.0 ROOF INSULATION FOR BASED BID R=16.7 SPECIFIED.
- NO. 3 - PROVIDE TWO 15 TON CRANES, IN LIEU OF ONE 15 TON CRANE.
- NO. 4 - PROVIDE VAPOR PHASE CHAMBER.
- NO. 5 - ADD "R" FIXTURES IN SHOP AREA AS INDICATED ON DRAWINGS.
- NO. 6 - ADD KALKWALL SKYLIGHT IN LIEU OF PLEXI-GLASS SKYLIGHT.

CERTIFIED:

THE LSV PARTNERSHIP
ARCHITECTS/PLANNERS, AIA

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

November 10, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

REFERENCE: Petition for 25 Miles Per Hour Speed Zone -
Millbrook Road

We have received a petition signed by a majority of the residents on Millbrook Road 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 Millbrook Road in accordance with City Council Policy.

LAC/psc

Enclosures
Petition
Area Map
Ordinance

cc: William H. Melvin, Signs and Markings Supervisor

An Equal Opportunity



Affirmative Action Employer

ITEM 3.A.

Oct. 16, 1992

DATE

We, the undersigned residents of Millbrook Rd
from Edgewater Drive to Thorncliff Drive

do hereby petition the City Council to reduce the speed limit on our street to 25 Miles Per

Hour: 2705 - 2743

PRINTED NAME

ADDRESS

TELEPHONE #

SIGNATURE

PRINTED NAME	ADDRESS	TELEPHONE #	SIGNATURE
Lois Tsenberg	2729 Millbrook	484-7429	Lois Tsenberg
MIKE MORKETER	2713 Millbrook	485-7228	Mike MorKeter
XXXXXX	2705		
✓ ROBERT RICHMOND	2710 MILLBROOK	323-0864	Robert Richmond
✓ Sarah Campbell	2714	323-5083	Sarah Campbell
✓ Will Wharton	2718	323-5868	Will Wharton
✓ Jack McGinley	2722	323-1979	Jack McGinley
Jim & Pat Lothspiech	2721 Millbrook	484-7342	Pat Lothspiech
Carol Corey	2725	678-8939	Carol Corey
✓ SARAH Geddie	2731	484-4718	Sarah Geddie
✓ JAMES E. EDDY James E. Eddy	2735 Millbrook	484 4889	James E. Eddy
	2739		
Welle H. Reaves	2743	484 6511	Welle H. Reaves
✓ JESSA SPARKS	2736	484 5631	Jessa Sparks
✓ GEORGE BENDER	2726	485-4867	George Bender
NANCY BYRD Nancy Byrd	2706	484-4011	Nancy Byrd

9/16

2801 - 2826

Page Two

Petition for 25 MPH Speed Limit on millbrook

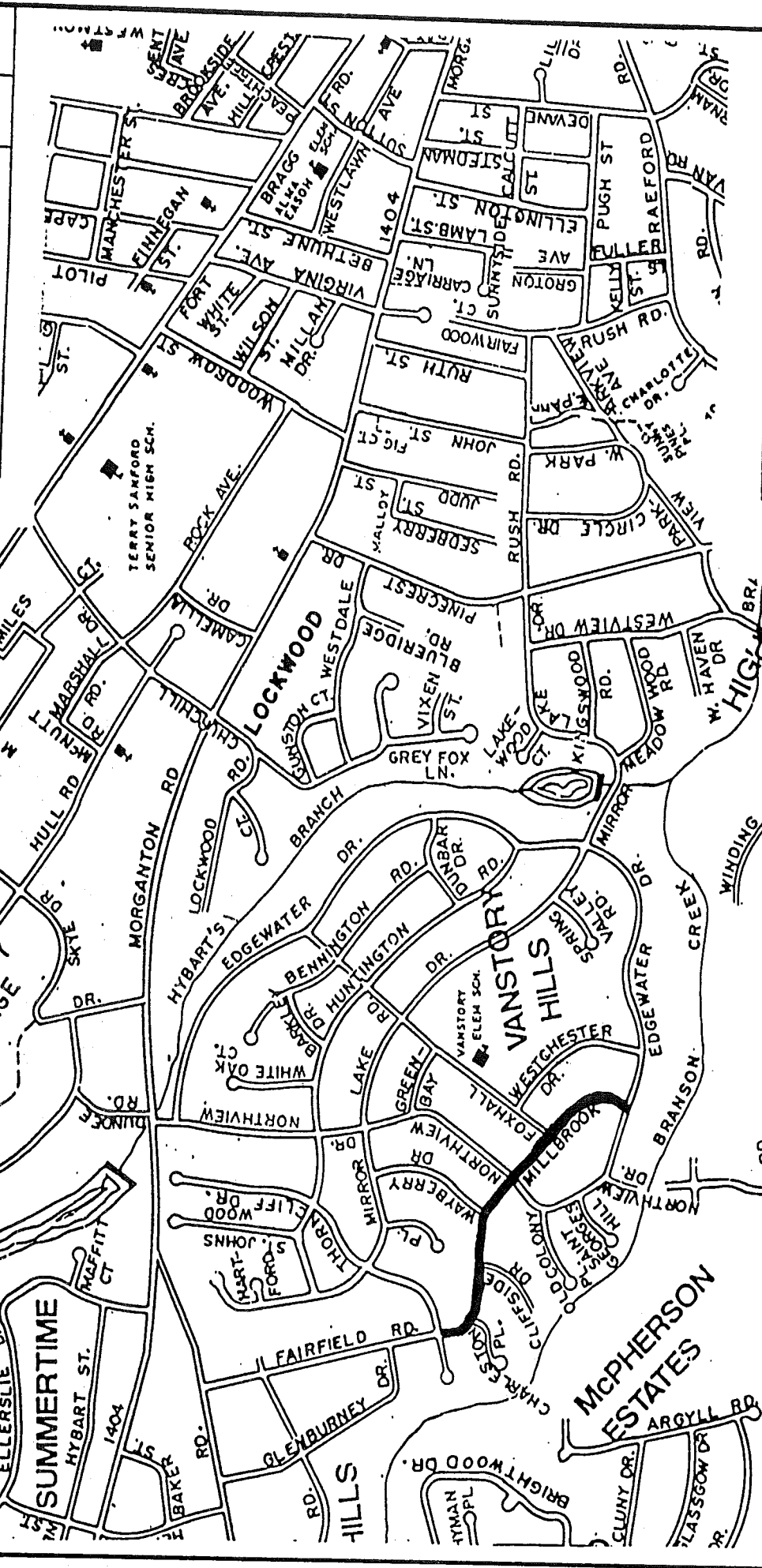
Date _____

Oct. 16, 1992

PRINTED NAME	ADDRESS	TELEPHONE #	SIGNATURE
S. H. MEAKES	2801 Millbrook	485-6508	<i>S. H. Meakes</i>
✓ JAMES CARMACK	2805 2803	484-7272	<i>James Carmack</i>
✓ Merle Modlin	2811	485-5262	<i>Merle Modlin</i>
William A. McKethan	2813 2821	486-0195	<i>William A. McKethan</i>
James S. W.	_____	_____	_____
✓ Gaye S. Willbanks	2821	485-2357	<i>Gaye S. Willbanks</i>
✓ Guillermina Haas-Weston	2823	485-2936	<i>Guillermina Haas-Weston</i>
Timothy F. Fitzpatrick	2826 MILLBROOK	486-8721	<i>Timothy F. Fitzpatrick</i>
Karen Fitzpatrick	2826 Millbrook	" "	<i>Karen Fitzpatrick</i>
MARIO GONZALEZ	2822 millbrook 2818	497-1110	<i>Mario Gonzalez</i>
✓ JOEL BRADSHAW	2816	485-7556	<i>Joel Bradshaw</i>
✓ Bruce Cotton	2814	484-7774	<i>Bruce Cotton</i>
✓ Hooper Hall	2812	483-9529	<i>Hooper Hall</i>
✓ LYNN J. LONG, JR	2802	485-7279	<i>Lynn J. Long, Jr.</i>
Jack Clark	507 Cliffside Dr. 28303	485-7438	<i>Jack Clark</i>

7/14

REVISION	DATE	BY



CITY OF FAYETTEVILLE
TRAFFIC SERVICES DEPARTMENT
MILLBROOK ROAD AREA MAP
25 MPH SPEED ZONE REQUEST

APPROVED _____ CITY TRAFFIC ENGINEER
DESIGNED BY _____ DRAWN BY KMF
SCALE 1"=500' DATE 10-27-92
NO. _____ FIELD BOOK PE _____
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

Millbrook Road - From Edgewater Drive to Thorncliff Drive

This ordinance shall be in full force and effective November 27, 1992.

ADOPTED this the 16th day of November, 1992.

CITY OF FAYETTEVILLE

BY: _____
J.L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk



PUBLIC HEARING - SPEAKERS

SUBJECT: SPEED ZONE - MILLBROOK RD.

DATE: November 16, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

- 1. ERIC DOHRMANN 417 WAYBERRY DR
- 2. William W. Wharton MD 2718 Millbrook Rd Fayetteville
- 3. CARTER M. McKAUGHAN 435 Northwest Dr
- 4. _____
- 5. _____
- 6. _____
- 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. | _____ | _____ |

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

November 16, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-120. THE ADDITION OF AN MH(O) MANUFACTURED HOME OVERLAY DISTRICT IN AN R6 RESIDENTIAL DISTRICT TO ALLOW CLASS A MANUFACTURED HOMES IN AN AREA NOT OTHERWISE DESIGNATED BY ZONING TO ALLOW MANUFACTURED HOMES ON RESIDENTIAL LOTS FOR AN AREA BOUNDED BY THE EXTERIOR PERIMETER OF LOTS (WITH THE EXCEPTION OF LOTS 18 THROUGH 22 ALONG THE SOUTHERN MARGIN OF CARDINAL CIRCLE) ALONG CARDINAL CIRCLE AND ALL INTERIOR LOTS BETWEEN CARDINAL CIRCLE WHERE IT INTERSECTS IN BOTH PLACES WITH THE WESTERN MARGIN OF PLYMOUTH STREET. (FAYETTEVILLE ORDINANCE)

ACTION: THE TEN MEMBERS PRESENT AT THE OCTOBER 20, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO APPROVE THE REQUESTED ADDITION OF AN MH(O) MANUFACTURED HOME OVERLAY DISTRICT.

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area and explained the proposed Manufactured Home Overlay District.

Mr. Lloyd stated that the Planning staff recommends approval of the MH(O) Manufactured Home Overlay District based on the following:

1. The area meets the purpose and intent statement of the district.

Mr. Gary Jackson, Jr. appeared before the Board stating that he and other residents of the area cannot afford to build homes, and they would like to be able to live in mobile homes.

Mr. Jim Alexander, Zoning Administrator for the City of Fayetteville, appeared before the Board stating that after annexation in 1987, several permits for mobile homes were requested, and they could only be issued for mobile home parks of three acres or more. He stated that this is a good area for a Manufactured Home Overlay District.

Mr. H.B. Hobert appeared before the Board asking that his lots also be included in the request. The Board said they would have to be considered at another time.

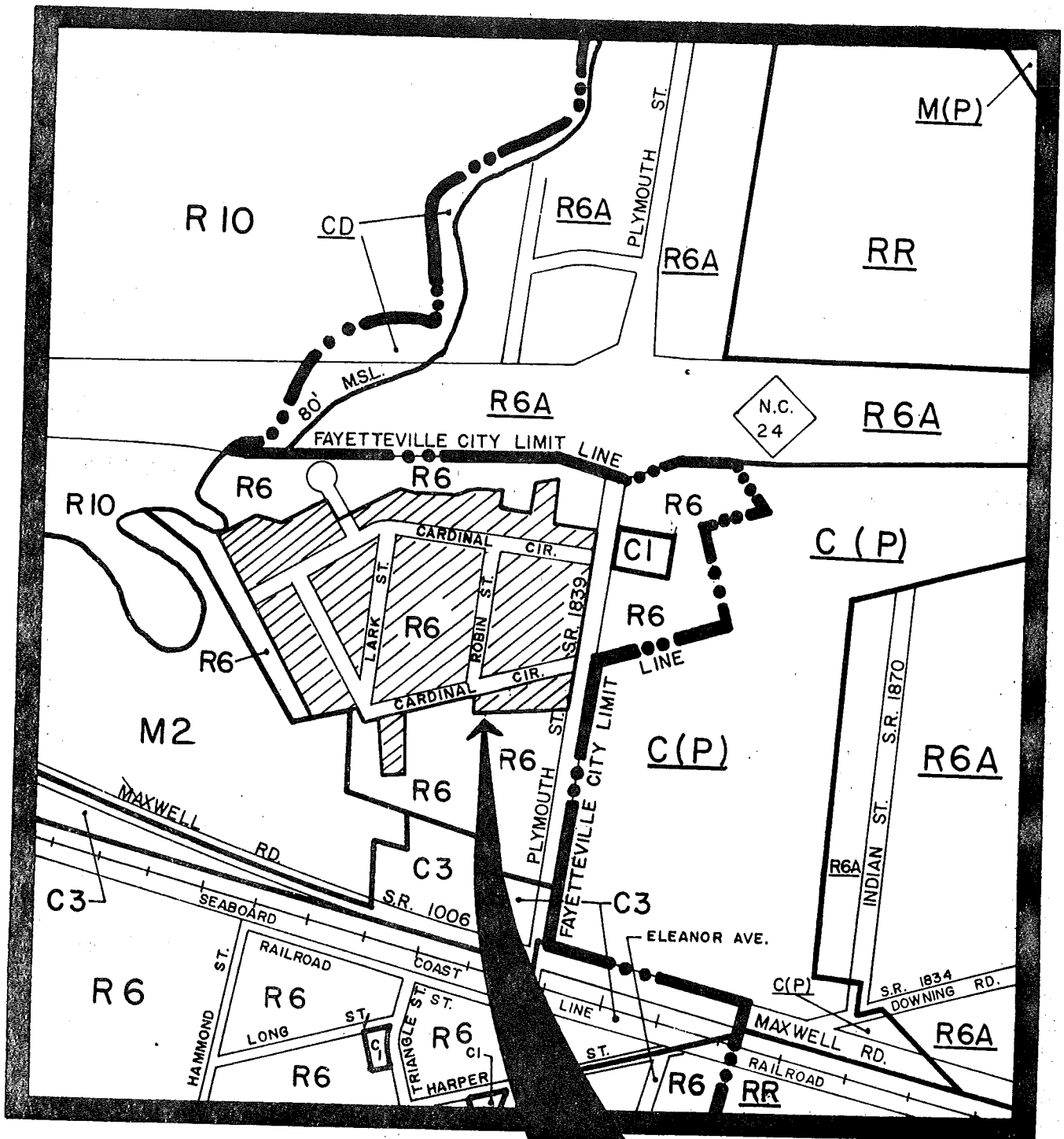
Mr. Gary Jackson, Sr. appeared before the Board in opposition stating that he owns single-wide homes and doesn't feel the District should only allow double-wide homes. He said he's not allowed to add any more single-wide mobile homes to his lots and is still being highly taxed.

ITEM 4.A.

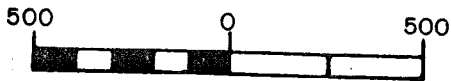
After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a motion was made by Mr. Schmidt and seconded by Mr. Lucas to follow the staff recommendations. The motion passed unanimously.

:skc

Attachment



NORTH



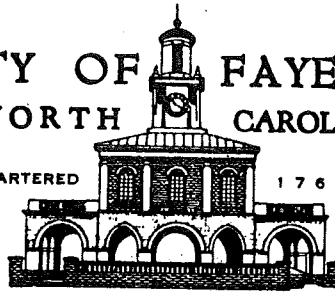
MANUFACTURED HOME OVERLAY DISTRICT REQUEST

ACREAGE: 12.85 AC. ±	HEARING NO: P92-120	
ORDINANCE: FAYETTEVILLE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

NOVEMBER 12, 1992

MEMORANDUM

TO: The Mayor and Members of City Council
FROM: John P. Smith, City Manager *JPS*
SUBJECT: Assessment for Barnhill Contracting

Attached are copies of opinions of Mr. Tom J. Keith, MAI, regarding the Barnhill properties. Evidence of "no added value" is justification for not assessing a parcel. Without our own appraisals, I cannot dispute these opinions.

JPS:ssm

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 6





November 10, 1992

Mr. Roger Stancil
Assistance City Manager
433 Hay Street
Fayetteville, North Carolina
28301

RE: Next City Council Agenda

Dear Mr. Stancil:

I am requesting a slot on the agenda of the next city council meeting. I wish to appear in order to again address the issue of assessments on the company property.

Thank you in advance for your help on this matter.

Best Regards,



Jean P. Berry
Vice-President

JPB/wp





**Tom Keith
& Associates, Inc.**
REAL ESTATE APPRAISERS & CONSULTANTS

121 S. Cool Spring Street
Fayetteville, NC 28301
(819) 323-3222
Fax (819) 323-1180

Tom J. Keith, MAI

John H. Flooger
D. Keith McDonald
J. Larry Hogan, Ph. D.
Derrick E. Pool
J. Clayton Mauldin
D. Jeff Allen

Fred R. Keith, LLD 1970-1988

October 15, 1992

Mr. Gene Berry
Barnhill Contracting Co
P. O. Box 35376
Fayetteville, NC 28303

RE: PWC Sewer Assessment for Tax Parcel 0429.10-36-0630

Dear Mr. Berry:

After inspecting the above referred to property on October 15, 1992, considering your present and planned future uses of the property, the M2 (Industrial) zoning of the property, and your satisfactory use of previously installed septic tanks serving 4 toilets on the property, I find no added value to your property for the PWC Sewer line which now serves your property.

If I can furnish additional details about the matter, please advice.

Sincerely,

Tom J. Keith & Associates, Inc.

By: Tom J. Keith, MAI

Post-It™ brand fax transmittal memo 7671		# of pages	2
To	ROGER STANICH	From	J.P. BERRY
Co.		Co.	
Dept.		Phone #	
Fax #	433-1948	Fax #	



**Tom Keith
& Associates, Inc.**
REAL ESTATE APPRAISERS & CONSULTANTS

121 S. Cool Spring Street
Fayetteville, NC 28301
(919) 323-3222
Fax (919) 323-1180

Tom J. Keith, MAI

John H. Ploeger
D. Keith McDonald
J. Larry Hogan, Ph. D.
Dorrick B. Pool
J. Clayton Mauldin
D. Jeff Allen

Fred R. Keith, LLD 1970-1988

October 15, 1992

Mr. Gene Berry
Barnhill Contracting Co
P. O. Box 35376
Fayetteville, NC 28303

RE: PWC Sewer Assessment for Tax Parcel 0429.10-26-8309

Dear Mr. Berry:

After inspecting the above referred to property on October 15, 1992, considering your present and planned future uses of the property, the M2 (Industrial) zoning of the property, and your satisfactory use of previously installed septic tanks serving 4 toilets on the property, I find no added value to your property for the PWC Sewer line which now serves your property. *now*

If I can furnish additional details about the matter, please advise.

Sincerely,

Tom J. Keith & Associates, Inc.

By: Tom J. Keith, MAI



**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 September 21, 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:

SHAW MILL ROAD, north side, from southwest corner of Allan tract to Meharry 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 water and sanitary sewer utilities in **SHAW MILL 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 Roll, attached hereto as Exhibit A and incorporated by reference as 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 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 16th day of December, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the ____ day of _____, 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: December 16, 1993

11:02:47

Assessment Roll For Water and Sewer
SHAW MILL ROAD

arrrlss

In order by Street, Site Address

Project: AREA 32/3 UNIVERSITY ESTATES

Submitted to City Council : 9-21-92

Final Approval by City Council:

To City Clerk: 9-9-92

To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
BARNHILL CONTRACTING CO PO BOX 35376 Fayetteville NC 28303	0429-10-26-8309 SHAW MILL ROAD 4.20ACS	UN	1173 573	1,031.93	0.00	12,383.16	12,383.16
MARVIN H ALLAN JR 236 SHAW MILL ROAD Fayetteville NC 28311	0429-09-25-0992 SHAW MILL ROAD UNIVERSITY ESTS	UN	3475 300	117.00	0.00	1,404.00	1,404.00
					\$.00	\$ 13,787.16	\$ 13,787.16
2 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.

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

November 10, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: John B. (Ben) Brown, Jr., Assistant City Manager, Administration & Finance *JBB*

SUBJECT: Proposed Resolution Regarding the City Employees' Cafeteria Plans

As you know, in November 1990, Council adopted a resolution establishing the City's pre-tax premium plan; last year we added the dependent care reimbursement plan. We propose to add a medical reimbursement spending account beginning next calendar year. These plans enhance the City's benefit package by allowing employees more flexibility in individualizing the benefits package to meet their specific needs, and in many instances with pre-taxed dollars; the City benefits from the reduced FICA liability.

The attached resolution reaffirms the two current plans and establishes the medical reimbursement plan with an effective date of January 1, 1993. The City Attorney has reviewed the resolution for legal correctness.

Recommend Council adopt resolution.

JBB/kbl

cc: Al McKenzie, Personnel Director
Robert C. Cogswell, Jr., City Attorney
Kai Nelson, Finance Director
George McCarthy, Risk Manager

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 7

**RESOLUTION REAFFIRMING THE CITY OF FAYETTEVILLE EMPLOYEES'
DEPENDENT CARE REIMBURSEMENT PLAN AND
PRE-TAX PREMIUM PLAN; AND
ESTABLISHING A MEDICAL REIMBURSEMENT SPENDING ACCOUNT PLAN**

WHEREAS, the City of Fayetteville (hereinafter referred to as the "City") wishes to continue to provide to employees a dependent care reimbursement plan known as the City of Fayetteville Dependent Care Reimbursement Plan adopted by this Council with an effective date of January 1, 1991; and

WHEREAS, the City wishes to continue to provide to employees a pre-tax premium plan known as the City of Fayetteville Pre-Tax Premium Plan adopted by this Council with an effective date of January 1, 1991; and

WHEREAS, the City wishes to establish for employees a medical reimbursement spending account plan to be known as the City of Fayetteville Medical Reimbursement Spending Account Plan to be effective January 1, 1993; and

WHEREAS, the Federal and State Tax Codes provide for such employee benefit plans;

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

That the City provide and/or establish, either separately or as a single, consolidated plan, the City of Fayetteville Dependent Care Reimbursement Plan, the City of Fayetteville Pre-Tax Premium Plan, and the City of Fayetteville Medical Reimbursement Spending Account Plan for the benefit of its employees, effective January 1, 1993.

That the appropriate officials of the City be and they are hereby authorized and directed to execute such documents as are necessary to implement the foregoing resolution.

ADOPTED this _____ day of _____, 1992.

CITY OF FAYETTEVILLE

J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

THE CITY OF FAYETTEVILLE
NORTH CAROLINA



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

November 12, 1992

MEMORANDUM

TO: Roger L. Stancil, Deputy City Manager

THROUGH: Jimmy Teal, Assistant City Manager, Planning & Development

FROM: David Nash, Annexation Studies Coordinator *DN*

SUBJECT: Agenda Item - Two Annexation Petitions - (Tract 1 and Tract 2 of Southland Pines) -
Certificates of Sufficiency and Resolutions Fixing Date of Public Hearings

On November 2, 1992, the City Council received two new annexation petitions. The petitions requested that Tract 1 and Tract 2 of Southland Pines be annexed. (See Map #1 - Vicinity Map, Map #2, and Map #3.)

On November 2, 1992, the City Council adopted a resolution for each tract, directing the City Clerk to investigate the sufficiency of each petition. (To investigate the sufficiency means to verify that the person or persons signing the petition actually own the petition, and to verify that the petition contains the signature of all the property owners.)

The purposes of this memo are to present findings regarding whether the two petitions are sufficient, to describe the next steps in the annexation petition process, and to recommend to the City Council that a public hearing for each tract be set. However, before these topics are discussed, the memo provides background information about the two tracts. The memo concludes by discussing the issue of the gap between Tract 1 and Tract 2.

Background - Southland Pines is a proposed residential area located on the southern edge of College Lakes, south of Southland Drive. (See Map #1, Vicinity Map, Map #2, and Map #3.) The area is being developed by the Broadwell Land Company.

The proposed Southland Pines development is made up of two separate tracts of land. Although the two tracts of land are both contiguous to the City, the two tracts of land are not contiguous to each other. Since the two tracts of Southland Pines are not contiguous to each other, the Broadwell Land Company has submitted two separate annexation petitions, one for each tract of land. The two tracts of land can be referred to as Tract 1 and Tract 2 of Southland Pines.

Basic information about each tract is shown below. It should be noted that the acreage figures were calculated by City staff; the figures for Tract 1 differ somewhat from the acreage information submitted by the petitioners. Both tracts are proposed for residential development; site preparation work is underway. Map #2 and Map #3 show the portions of the projects already inside the City.

annex89

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 8

<u>Tract 1</u>	<u># Acres</u>	<u># Lots</u>
Total of Project	37.11	124
Portion of Project Already Inside City	11.80	48
Portion of Project Within Proposed Annex Area	25.31	76

<u>Tract 2</u>	<u># Acres</u>	<u># Lots</u>
Total of Project	5.36	18
Portion of Project Already Inside City	1.06	1
Portion of Project Within Proposed Annex Area	4.30	17

Petitions for Tracts 1 and 2 were first presented to the City Council on July 6, 1992. On August 3, 1992, the City staff reported to City Council that the two petitions were not sufficient (i.e., the Broadwell Land Company did not yet own the land).

After a deed was recorded, conveying title from prior owners to Broadwell Land Company, the Broadwell Land Company submitted two new petitions for Tract 1 and Tract 2. The City staff received the two new petitions on October 21, 1992. The two petitions were presented to City Council on November 2, and on that same date the Council adopted resolutions directing that the sufficiency of each petition be investigated.

Findings Regarding Whether The Petitions Are Sufficient

The staff of the City's Real Estate Division has investigated the sufficiency of each petition by checking land ownership records in the Register of Deeds Office. The Real Estate staff has confirmed that a deed was recorded on October 12, 1992, which transferred ownership of these tracts from the various prior owners to Broadwell Land Company. (See copy of deed, attached.) As of November 9, 1992, Broadwell Land Company has not conveyed any land out of these two tracts. Therefore, as of November 9, the two petitions are sufficient. The Real Estate Division staff will attempt to update the investigation on Monday, November 16. So long as no changes in ownership occur between November 9 and November 16, the City staff feels confident in reporting that the two petitions will be sufficient as of November 16. Therefore, a Certificate of Sufficiency for each tract is attached.

Next Steps In The Annexation Petition Process

Pursuant to State Statute, the next step in the annexation process is for the City Council to consider the adoption of a resolution fixing a date for public hearing for each tract. Notice of the public hearings must then be advertised. The City Council can then hold a public hearing for each tract. After holding a public hearing for each tract, the Council will have the authority to adopt an ordinance annexing each tract. The City Council will have the authority to make the ordinances effective immediately or on any specified date within six months from the date of passage of each ordinance.

Roger L. Stancil
Page 3
November 12, 1992

Staff Recommendations

The City staff recommends that the City Council adopt the attached two resolutions fixing a date for a public hearing for each tract. The recommended public hearing date is December 7, 1992.

Issue of the Gap Between Tract 1 and Tract 2

As shown on Map #1 and Map #3, there is a gap between Tract 1 and Tract 2. The reason for the gap is that the Broadwell Land Company, the petitioner for Tract 1 and Tract 2, does not own the land between Tract 1 and Tract 2. According to recent County tax maps, Tract 1 and Tract 2 are separated from each other by two parcels of land.

As shown on Map #3, one parcel is owned by Trinity Baptist Church. This parcel, which is located south of the recently constructed church sanctuary building, is primarily vacant. However, a CP&L electrical transmission line dissects the parcel. It is likely that a recently constructed storage building for the church is located on the northern part of this parcel. According to a church official, the church might use this parcel in the future for a parking lot or for an additional building.

As shown on Map #3, the second parcel separating Tract 1 and Tract 2 is a very small triangular parcel. This parcel, which is vacant, is owned by the City.

There are several ways to eliminate this gap between Tract 1 and Tract 2. The City could annex its parcel by using the procedure for annexing City-owned property. The church parcel could be annexed either by petition or by the City-initiated method. I have contacted an official of the church about the possibility of the church submitting a petition. However, I do not know yet whether the church will be willing to submit a petition.

The following materials are submitted for the November 16, 1992, City Council meeting:

- Map #1 - Vicinity Map
- Copy of Deed (Recorded on 10-12-92)

Southland Pines - Tract 1

1. Certificate of Sufficiency
2. Copy of Annexation Petition
3. Copy of cover letter submitted with petition. (Map submitted with petition was too large to reproduce for agenda packet.)
4. Resolution Fixing Date of Public Hearing. (The legal description written by the staff of the City Engineering Department is contained within the resolution.)
5. Map #2 - Legal Description Map

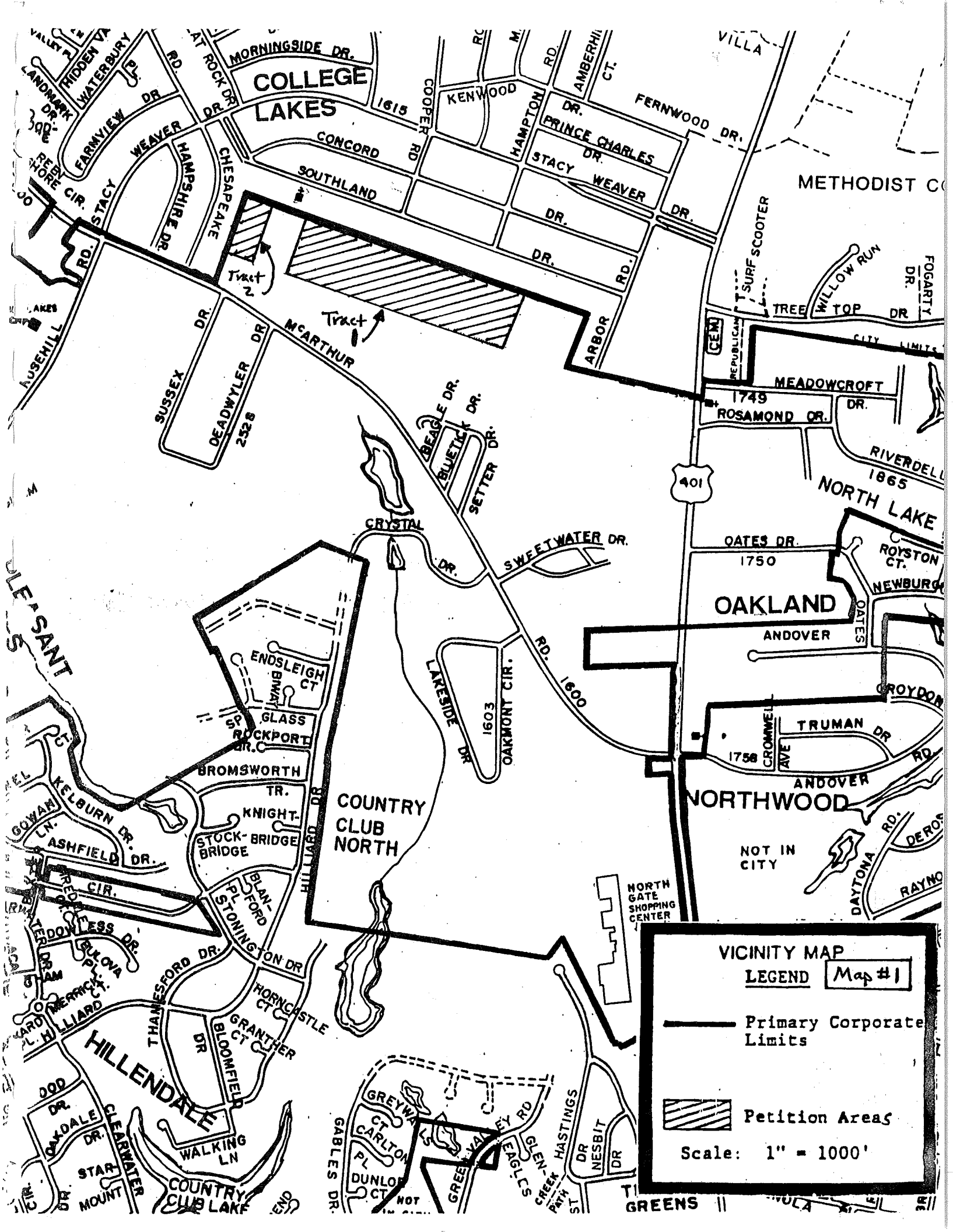
Roger L. Stancil
Page 4
November 12, 1992

Southland Pines - Tract 2

1. Certificate of Sufficiency
2. Copy of Annexation Petition
3. Copy of cover letter submitted with petition. (Map submitted with petition was too large to reproduce for agenda packet.)
4. Resolution Fixing Date of Public Hearing. (The legal description written by the staff of the City Engineering Department is contained within the resolution.)
5. Map #3 - Legal Description Map

DN/kbl

Attachments



COLLEGE LAKES

COUNTRY CLUB NORTH

OAKLAND

NORTHWOOD

VICINITY MAP
LEGEND Map #1

— Primary Corporate Limits

Petition Areas

Scale: 1" = 1000'

Tract 2

Tract

401

1750

1603

1758

NOT IN CITY

NORTH GATE SHOPPING CENTER

CRYSTAL

METHODIST C

MEADOWCROFT

1749 ROSAMOND DR.

1865 RIVERDELL

NORTH LAKE

ROYSTON CT.

NEWBURGH

ROYDON

TRUMAN DR

ANDOVER

DAYTONA RD.

RAYNO

VALLEY PL
 LANDMARK DR
 HIDDEN VA
 WATERBURY DR
 FARMVIEW DR
 WEAVER DR
 HAMPSHIRE DR
 CHEAPEAKE DR
 SOUTHLAND DR
 CONCORD DR
 MORNINGSIDE DR
 AT ROCK DR
 REBEY CIR
 STACY DR
 FARMVIEW DR
 HAMPSHIRE DR
 CHEAPEAKE DR
 SOUTHLAND DR
 CONCORD DR
 MORNINGSIDE DR
 AT ROCK DR
 REBEY CIR
 STACY DR

PLEASANT

ASHFIELD DR

HILLENDALE

COUNTRY CLUB LAKE

SUSSEX DR
 DEADWYLER DR
 2528

ENDSLEIGH BWAY CT
 GLASS ROCKPORT DR
 BROMSWORTH TR.
 KNIGHT-STOCK-BRIDGE

THAMESFORD DR
 HORNCASTLE CT
 GRANATHER DR
 BOONFIELD DR
 WALKING LN
 COUNTRY CLUB LAKE

GREY CT
 CARLTON PL
 DUNLOP CT
 GABLES DR
 GREEN VALLEY RD
 EAGLES CREEK PATH
 HASTINGS DR
 NESBIT DR

TREE TOP
 WILLOW RUN
 FOGARTY DR
 CITY LIMITS

MEADOWCROFT
 1749 ROSAMOND DR.
 RIVERDELL 1865

OAKLAND
 ANDOVER
 OATES

NORTHWOOD
 ANDOVER
 TRUMAN DR
 CROWELL AVE
 1758

NOT IN CITY
 DAYTONA RD.
 DEROSS

NORTH GATE SHOPPING CENTER

GREENS

STATE OF NORTH CAROLINA
 Real Estate Excise Tax
 OCT 17 '92
 828.00
 45755

BK3858PG0359

108395

RECEIVED
 92 OCT 12 PM 2:36
 GEORGE E. TATUM
 REGISTER OF DEEDS
 CUMBERLAND CO., N.C.

Excise Tax \$828.00

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No.
 Verified by County on the day of, 19.....
 by

Mail after recording to J. Duane Gilliam, Attorney at Law, P. O. Box 629, Fayetteville, NC 28302.

This instrument was prepared by J. Duane Gilliam, Attorney at Law

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 15th day of June, 1992, by and between

GRANTOR
 CHARLES E. PRICE and wife, SARAH P. PRICE;
 DIGNOR G. PINER and wife, HELEN K. PINER;
 THOMAS M. PINER and wife, VIOLET PINER;
 SAMUEL G. PINER and wife, FRANCES L. PINER;
 MARJORIE S. PINER JENNINGS and husband,
 HAROLD JENNINGS;
 BENJAMIN PINER, Single;
 LISA P. BROWN and husband, ROBERT BROWN; and
 PEGGY P. THURMAN and husband, DANNY THURMAN

GRANTEE
 BROADWELL LAND COMPANY,
 a North Carolina corporation
 P. O. Box 53587
 Fayetteville, NC 28305

Enter in appropriate block for each party; name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

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

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Fayetteville, Carvers Creek and Cross Creek Townships CUMBERLAND County, North Carolina and more particularly described as follows:

- | | | | |
|--------------|---------------|---------------|---------------|
| PIN Numbers: | 0530-41-3757- | 0530-32-2205- | 0530-22-6094- |
| | 0530-41-3615- | 0530-22-8308- | 0530-12-9387 |
| | 0530-41-2572- | 0530-22-4511- | 0530-22-0604- |
| | 0530-41-2430- | 0530-31-8671- | 0530-22-3246- |
| | 0530-41-1298- | 0530-31-4775- | |
| | 0530-31-9996- | 0530-31-0889- | |
| | 0530-32-5191- | | |

FIRST TRACT:
 BEING that 30.64 acres, more or less, tract of land more particularly described on EXHIBIT "A" attached hereto and made a part hereof.

SECOND TRACT:
 BEING that 5.36 acres, more or less, tract of land more particularly described on EXHIBIT "B" attached hereto and made a part hereof.

174
 1400

**SOUTHLAND PINES - TRACT 1
(BROADWELL LAND COMPANY)**

CERTIFICATE OF SUFFICIENCY

To the City Council of the City of Fayetteville, North Carolina.

I, Bobbie A. Joyner, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31, as amended.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Fayetteville, this 16th day of November, 1992.

(SEAL)

Bobbie A. Joyner, City Clerk

Southland Pines-
Tract 1

PETITION REQUESTING ANNEXATION
(CONTIGUOUS AREA)

Received 10-21-92

Date October 15, 1992

To the Mayor and City Council of the City of Fayetteville, North Carolina.

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Fayetteville, North Carolina.

2. The area to be annexed is contiguous to the City of Fayetteville, and the boundaries of such territory are as follows:

(Insert Metes and Bounds Description of Boundaries)

SEE ATTACHED DESCRIPTION
30.64 acre tract off Southland Drive

Southland Pines- Tract 1

3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City of Fayetteville.

<u>NAME</u>	<u>ADDRESS</u>
1. BROADWELL LAND COMPANY	903 HAY STREET, PO BOX 53587
2. Don B. Broadwell, President	Fayetteville, NC 28305
3. Don B. Broadwell	
4.	
5.	
6.	
7.	

*Southland Pines -
Tract 1*

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

October 16, 1992

Received 10-21-92

Mr. David Nash
City of Fayetteville
Annexation Coordinator
433 Hay Street
Fayetteville, NC 28301

HAND DELIVERY

RE: Southland Pines Subdivision
Tract 1

Dear Mr. Nash:

Enclosed you will find a Petition Requesting Annexation for a 30.64 acre tract of land off Southland Drive. This tract is directly behind a 6.47 acre tract that is currently in the City and a part of this Subdivision.

Along with the petition, we are including a copy of the preliminary subdivision plan and a copy of our deed.

If you should need any further assistance or information please contact our office at (919) 484-5193.

Sincerely,

BROADWELL LAND COMPANY

BLC/pr

Enclosure

SOUTHLAND PINES - TRACT 1
(BROADWELL LAND COMPANY)

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31, AS AMENDED

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

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

Section 1. That a public hearing on the question of annexation of the area described herein will be held at City Hall Council Chamber at 7 o'clock p.m. on the 7th day of December, 1992.

Section 2. The area proposed for annexation is described as follows:

Beginning at a point in the city limit line established by Annexation 84-7-290 dated July 21, 1984 with an effective date of August 31, 1984, said point being located North 67 degrees 15 minutes West about 546 feet from the western line of lot 75 of College Lakes, Section one Subdivision recorded in Plat Book 20, Page 58, Cumberland County Registry, and running thence South 19 degrees 43 minutes 50 seconds West 512.90 feet to a point; thence North 71 degrees 04 minutes 45 seconds West 2081.81 feet to a point; thence North 19 degrees 07 minutes 19 seconds East 544.88 feet to a point in the existing city limit line established by the afore cited Annexation; thence with the city limit line South 67 degrees 15 minutes East (Petitioned bearing of South 70 degrees 12 minutes East) 2087.40 feet to the beginning... Contains 25.31 acres more or less.

Section 3. Notice of said public hearing shall be published in the Fayetteville Observer-Times, a newspaper having general circulation in the City of Fayetteville, at least ten (10) days prior to the date of said public hearing.

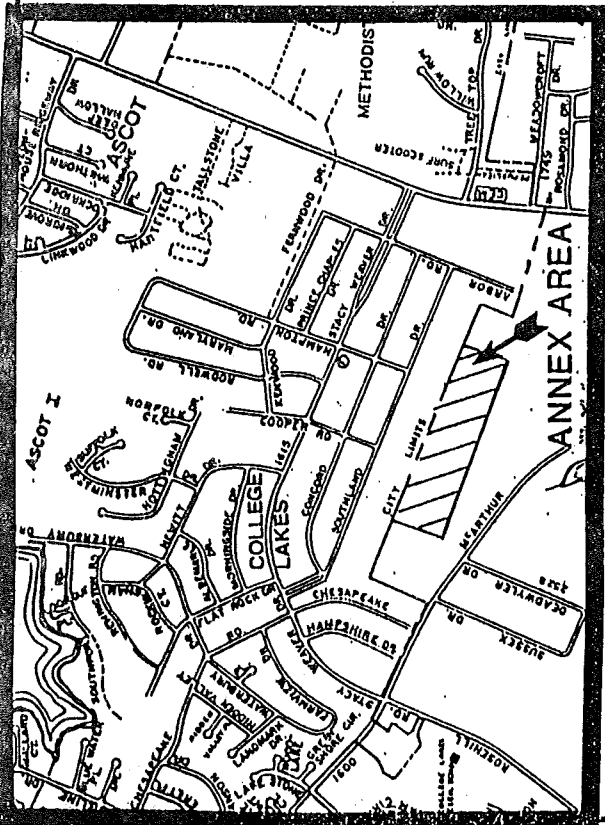
Adopted this the 16th day of November, 1992.

CITY OF FAYETTEVILLE

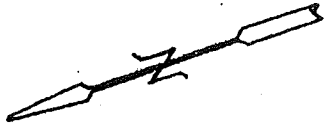
BY: _____
J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk



MAP # 2



HAMPTON ROAD

CONCORD DRIVE

SOUTHLAND DRIVE

COOPER ROAD

Trinity Baptist Church

CITY LIMIT LINE

Projects of Trinity Baptist Church
N 19° 07' 18" E → 544.88'

ANNEXATION 84-7-290 (7-21-84)

S 67° 15' E → 2087.40'

(S 70° 12' E → Petitioned) LARCHMONT ROAD

43' 50" W → 512.90'

← about 546 ft. →

CITY LIMIT LINE

PB 20 Pg 68

ARBOR ROAD

DEER LAKES ROAD

SILVER OAKS DRIVE

← N 71° 04' 45" W 2081.81'

Portion of Tract 1 Project
Already Inside City

Streets Under construction in November 1992

CITY OF FAYETTEVILLE
ENGINEERING DEPARTMENT

PROPOSED ANNEXATION.
Southland Pines Tract 1
(Broadwell Land Company)

25.31 Acres

DATE _____ DRAWN BY _____
SCALE 1" = 300' CK'D BY A.P.B.

REVISION _____
DATE _____

FIELD BK: _____

Map # 2

**SOUTHLAND PINES - TRACT 2
(BROADWELL LAND COMPANY)**

CERTIFICATE OF SUFFICIENCY

To the City Council of the City of Fayetteville, North Carolina.

I, Bobbie A. Joyner, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31, as amended.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Fayetteville, this 16th day of November, 1992.

(SEAL)

Bobbie A. Joyner, City Clerk

Southland Pines -
Tract 2

Received 10-21-92

PETITION REQUESTING ANNEXATION
(CONTIGUOUS AREA)

Date October 15, 1992

To the Mayor and City Council of the City of Fayetteville, North Carolina.

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Fayetteville, North Carolina.

2. The area to be annexed is contiguous to the City of Fayetteville, and the boundaries of such territory are as follows:

(Insert Metes and Bounds Description of Boundaries)

SEE ATTACHED DESCRIPTION
4.30 acre tract off Southland Drive

Southland Pines - Tract 2

3. A map is attached showing the area proposed for annexation in relation to the primary corporate limits of the City of Fayetteville.

<u>NAME</u>	<u>ADDRESS</u>
1. BROADWELL LAND COMPANY	903 HAY STREET, PO BOX 53587
2. Don B. Broadwell, President	Fayetteville, NC 28305
3. Don B. Broadwell	
4.	
5.	
6.	
7.	

*Southland Pines-
Tract 2*

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

October 16, 1992

Received 10-21-92

Mr. David Nash
City of Fayetteville
Annexation Coordinator
433 Hay Street
Fayetteville, NC 28301

HAND DELIVERY

RE: Southland Pines Subdivision
Tract 2

Dear Mr. Nash:

Enclosed you will find a Petition Requesting Annexation for a 4.30 acre tract of land off Southland Drive. This tract is part of the Second Tract on Deed 3858, Page 359. The front 1.06 acre portion of the 5.36 acre tract is currently in the City. The description enclosed is for the 4.30 acres only.

Along with the petition, we are including a copy of the preliminary subdivision plan and a copy of our deed.

If you should need any further assistance or information please contact our office at (919) 484-5193.

Sincerely,

BROADWELL LAND COMPANY

BLC/pr

Enclosure

SOUTHLAND PINES - TRACT 2
(BROADWELL LAND COMPANY)

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31, AS AMENDED

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

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

Section 1. That a public hearing on the question of annexation of the area described herein will be held at City Hall Council Chamber at 7 o'clock p.m. on the 7th day of December, 1992.

Section 2. The area proposed for annexation is described as follows:

Beginning at a point in the city limit line established by Annexation 84-7-290 dated July 21, 1984 with an effective date of August 31, 1984; said point being located North 24 degrees 42 minutes East about 20 feet from the southeast corner of lot 14 of College Lakes, Section 5, part "C" subdivision recorded in Plat Book 33, Page 41, Cumberland Country Registry and running thence with the existing city limit line North 24 degrees 42 minutes East (Petitioned bearing of 21 degrees 43 minutes 50 seconds East) 557.65 feet to a point; thence continuing with the city limit line South 67 degrees 15 minutes (Petitioned bearing South 70 degrees 12 minutes East) 327.78 feet to a point; thence leaving the city limit line and running South 19 degrees 38 minutes 15 seconds West 550.68 feet to a point; thence North 71 degrees 17 minutes 43 seconds West 348.19 feet to the beginning...Contains 4.30 acres more or less.

Section 3. Notice of said public hearing shall be published in the Fayetteville Observer-Times, a newspaper having general circulation in the City of Fayetteville, at least ten (10) days prior to the date of said public hearing.

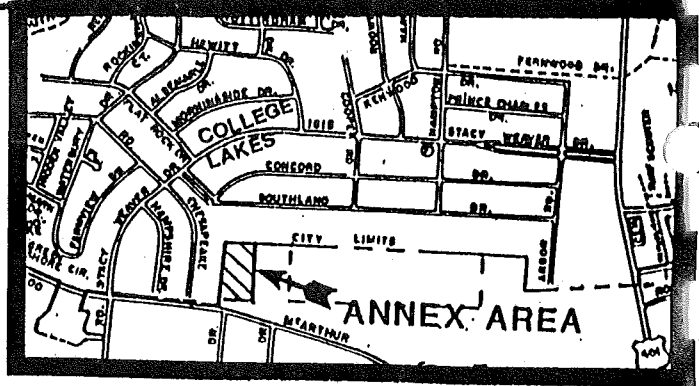
Adopted this the 16th day of November, 1992.

CITY OF FAYETTEVILLE

BY: _____
J. L. Dawkins, Mayor

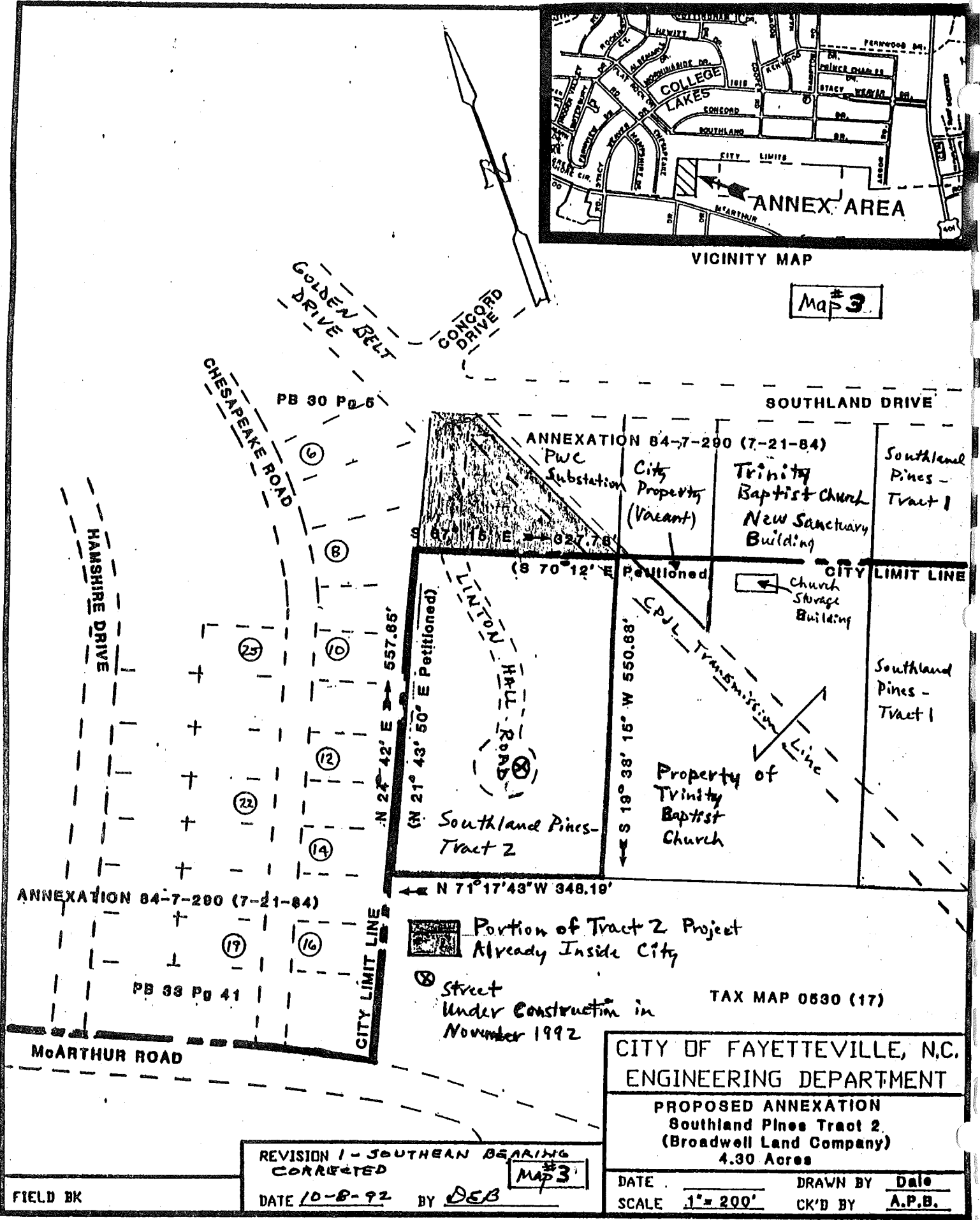
ATTEST:

Bobbie A. Joyner, City Clerk



VICINITY MAP

Map #3



ANNEXATION 84-7-290 (7-21-84)

ANNEXATION 84-7-290 (7-21-84)

PB 38 PG 41

PB 30 PG 6

N 21° 43' 50" E Petitioned

N 24° 42' E 557.85'

(S 70° 12' E Petitioned)

S 18° 38' 15" W 550.88'

N 71° 17' 43" W 348.19'



Portion of Tract 2 Project Already Inside City



Street Under Construction in November 1992

TAX MAP 0630 (17)

CITY OF FAYETTEVILLE, N.C.
ENGINEERING DEPARTMENT

PROPOSED ANNEXATION
Southland Pine Tract 2,
(Broadwell Land Company)
4.30 Acres

DATE _____ DRAWN BY Dale
SCALE 1" = 200' CK'D BY A.P.B.

REVISION 1 - SOUTHERN BEARING CORRECTED

Map #3

DATE 10-8-92 BY DEB

FIELD BK

CELTECH, INC.

468 Kingsford Road, Fayetteville, NC 28314-2619, Ph (919) 867-8675

November 11, 1992

Mr. Roger Stancil
Assistant City Manager
City of Fayetteville
433 Hay Street
Fayetteville, NC 28301

Dear Mr. Stancil:

The tenants of the building at 159 Maxwell Street (corner of Maxwell and Russell) are in the midst of forming a partnership and negotiating to purchase the property at that address. I am one of the five tenants and serve as spokesman for the partnership group.

Our interest in the purchase of the property is to renovate it and bring it up to Code so that we can continue the present use of the building. The matter has some urgency because condemnation of the building is imminent.

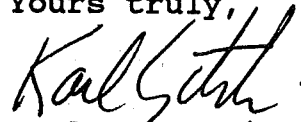
While it is our intention to continue the present use of the property for the foreseeable future, the feasibility of investing in this renovation is greatly affected by the eventual resale value of the property. We would therefore like to acquire the adjacent parking lot, which is owned by the City. The 159 Maxwell property has no parking. Also, we need to build a dock and lumber storage enclosure on the North side of the building, and this will be difficult to accomplish without encroaching on the parking lot.

The partners have limited financial resources, essentially all of which need to be invested in the renovation. We estimate that we will have to spend \$30,000 to \$40,000, mostly within the first few months after purchase, in order to save the building from condemnation, repair the roof, install new doors and windows, etc. We are therefore not in a position to offer more than the nominal price of \$1,000 for the parking lot. However, we can guarantee that we will invest more than the value of the parking lot ($5,950 \text{ ft}^2 \times \$3.80/\text{ft}^2 = \$22,610$) in the building renovation within the first year.

I understand that this offer will require that the property be advertised and the sale will have to be approved by the City Council. We would appreciate your prompt assistance in responding

to this offer as we wish to close on the purchase of the property
and begin renovations before the end of the year.

Yours truly,

A handwritten signature in cursive script, appearing to read "Karl Legatski".

Karl Legatski
\bldg2

MINUTES
STREETS, ROADS AND SIDEWALKS COMMITTEE
CITY HALL MULTIPURPOSE ROOM
NOVEMBER 2, 1992
1:00 P.M.

Committee Members Present: Chairman Mark Kendrick and Thelbert Torrey

Committee Members Absent: Breeden Blackwell

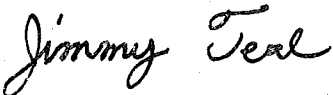
Staff Present: John P. Smith, Jimmy Teal, Mike Walker, Louis Chalmers and Jerry Croll

The first item of business was a presentation of the Collector Street Plan by Louis Chalmers, City Traffic Engineer. The initial plan presented in late August contained approximately 100 streets designated as Collector Streets. The Street Committee had expressed concern over the number of streets and requested the staff to re-examine the plan. The revised plan included 19 streets designated as Collector Streets and another 79 intersections designated as Collector Intersections. Mr. Chalmers stated the purpose of the Collector Street and Intersection Plan is to allow the City to acquire right-of-way for street improvements through the City's subdivision process when it is necessary due to anticipated development. The plan targeted entire streets where traffic flow warranted and intersections where traffic flow was not quite as heavy. Both members of the Committee expressed approval of the plan.

The second item for discussion was a review of the current projects. Mike Walker, City Engineer, reviewed ten planned or on-going projects. The projects included Morganton/McPherson Church Road, Village Drive, Langdon/Edgecombe Intersection, Damascus Road, Sycamore Dairy Road Extension, Ray Avenue, Raeford Road/McPherson Church Road, Ames Street, Englewood Drive and the 1993 Street Resurfacing List. Mr. Walker stated the 1993 Resurfacing List would be on the next City Council Agenda.

There being no further business, the meeting was adjourned at 1:35 p.m.

Respectfully submitted,



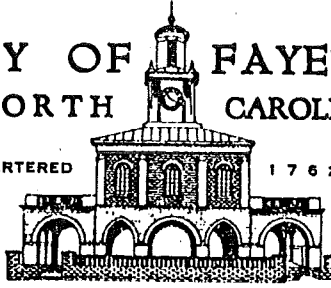
Jimmy Teal
Assistant City Manager,
Planning & Development

JT/kbl

ITEM 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

October 13, 1992

MEMORANDUM

TO: John P. Smith, City Manager
FROM: Louis A. Chalmers, Jr., P.E., City Traffic Engineer *WAC*
REFERENCE: Collector Street Plan

We have revised the proposed Collector Street Plan in response to comments at the Streets and Roads Committee Meeting on August 31, 1992 to include proposed collector streets and collector intersections.

The proposed collector streets include streets that:

- 1) Connect two thoroughfares.
- 2) Serve an area of 200 to 300 residences.
- 3) Have an average daily traffic of 2,000 to 3,000 vehicles per day.

The list of 19 proposed collector streets include 8 streets with widths of 37 feet (three lane approach including curb and gutter) which could be widened to a 65 foot street width if future traffic conditions warrant widening to a 5 lane approach.

The proposed collector intersections include streets that:

- 1) Intersect thoroughfares.
- 2) Serve an existing or anticipated 200 to 300 residences.
- 3) Have an existing or anticipated average daily traffic of 2,000 to 3,000 vehicles per day.

The list of 79 proposed collector intersections include 48 streets with widths of at least 37 feet (including curb and gutter) which would accommodate a 3 lane approach if traffic conditions warrant.

An Equal Opportunity



Affirmative Action Employer

John P. Smith
Page two
October 13, 1992

The Collector Street Plan can be used during site plan review to acquire right-of-way for street improvements necessitated by anticipated development. We would recommend that a 60 foot right-of-way be acquired along collector streets during site plan review. At collector intersections, we would recommend a 90 foot right-of-way within 200 feet of thoroughfares with a 275 foot taper to a 60 foot right-of-way. Acquisition of right-of-way during site plan review would avoid public investment for right-of-way to construct council approved street improvement projects.

LAC/psc

Enclosures

Collector Street Plan

Collector Street and Intersection Listing

Figure 4 - Typical Collector Street Intersection

cc: Jimmy Teal, Assistant City Manager - Planning/Development
Kathleen M. Feeney, Transportation Planner

10-13-92

PROPOSED COLLECTOR STREETS

STREET	FROM	TO	STREET WIDTH
CAMP GROUND ROAD	SKIBO ROAD	RURITAN DRIVE	25' - 60'
CHESAPEAKE ROAD	MCCARTHUR ROAD	MCCARTHUR ROAD	37'
COURTNEY STREET	RAMSEY STREET	ROSEHILL ROAD	27' - 37'
CUDE STREET	EASTERN BOULEVARD	CAMDEN ROAD	29'
DEVANE STREET	MORGANTON ROAD	RAEFORD ROAD	37'
FILTER PLANT DRIVE	BRAGG BOULEVARD	MURCHISON ROAD	37'
GLENRIDGE ROAD	IRELAND DRIVE	VILLAGE DRIVE	29' - 37'
GLENVILLE AVENUE	BRAGG BOULEVARD	FORT BRAGG ROAD	26'
LEGEND AVENUE	SYCAMORE DAIRY ROAD	SKIBO ROAD	22'
MEHARRY DRIVE	SHAW MILL ROAD	SHAW ROAD	37'
MELROSE ROAD	OWEN DRIVE	ROXIE AVENUE	37'
MURRAY HILL ROAD	CLIFFDALE ROAD	MCPHERSON CHURCH ROAD	37'
NORTH STREET	RAMSEY STREET	WALL STREET	29' - 37'
PEARL STREET	BRAGG BOULEVARD	FORT BRAGG ROAD	26'
PURDUE DRIVE	RAEFORD ROAD	VILLAGE DRIVE	37' - 60'
ROXIE AVENUE	BOONE TRAIL	VILLAGE DRIVE	29' - 37'
RURITAN DRIVE	CAMPGROUND ROAD	MORGANTON ROAD	27'
SEABROOK ROAD	TOPEKA STREET	LANGDON STREET	37'
STAMPER ROAD	FORT BRAGG ROAD	CAIN ROAD	26'

PROPOSED COLLECTOR INTERSECTIONS

10-13-92

STREET INTERSECTION	AT	STREET WIDTH
AMES STREET	BRAGG BOULEVARD	37'
B STREET	GROVE STREET	37'
BLANTON ROAD	PAMALEE DRIVE	37'
BOROS DRIVE	HELEN STREET	29'
BRADFORD AVENUE	MCGILVARY STREET	40'
BRENDA DRIVE	MURCHISON ROAD	21'
CARVER FALLS ROAD	RAMSEY STREET	NA
CENTRAL DRIVE	HILLSBORO STREET	37'
CHADWICK ROAD	ROSEHILL ROAD	44'
CLEARWATER DRIVE	COUNTRY CLUB DRIVE	29'
CLIFFDALE ROAD	LYNHURST DRIVE	32'
COCHRAN AVENUE	RAMSEY STREET	37'
COLONIAL DRIVE/ LANGDON STREET	RAMSEY STREET	29'
DEEP CREEK ROAD	CLINTON ROAD	21'
DEVERS STREET/ BARRINGTON CIRCLE CROSS	FORT BRAGG ROAD	40'
DRAKE STREET	RAMSEY STREET	38'
EASTWOOD AVENUE	RAMSEY STREET	46'
EICHELBERGER DRIVE	HELEN STREET	29'
ENGLEWOOD DRIVE	CEDAR CREEK DRIVE	UNPAVED
FAIRFIELD ROAD	RAEFORD ROAD	44'
FARGO DRIVE	VILLAGE DRIVE	37'
FARGO DRIVE	BOONE TRAIL	21' - 25'
FERNCREEK DRIVE/ ROXIE AVENUE	RAEFORD ROAD	48'
FONTANA STREET	CUMBERLAND STREET	37'
FORDHAM DRIVE	VILLAGE DRIVE	37'
GIRARD AVENUE	RAMSEY STREET	40'
GOINS DRIVE/ ELDORADO ROAD	OWEN DRIVE	37'
GREEN VALLEY ROAD	COUNTRY CLUB DRIVE	29'
HAMPTON ROAD	STACY WEAVER DRIVE	31'
HENDERSON AVENUE	MURCHISON ROAD	37'
HEWITT DRIVE	STACY WEAVER DRIVE	32'
KENTYRE DRIVE	MCPHERSON CHURCH ROAD	26'
KINLAW ROAD	RAMSEY STREET	37'
L.A. DUNHAN DRIVE	CEDAR CREEK ROAD	NA
LAKECREST DRIVE	COUNTRY CLUB DRIVE	29'
LAW ROAD	RAMSEY STREET	20'
LOFTON DRIVE	RAMSEY ROAD	29'
LYNHURST DRIVE/ WOODSTREAM TRAIL	CLIFFDALE ROAD	32'
MAGELLAN DRIVE	ROSEHILL ROAD	29'
MARITA DRIVE	TOKAY DRIVE	37'

PROPOSED COLLECTOR INTERSECTIONS

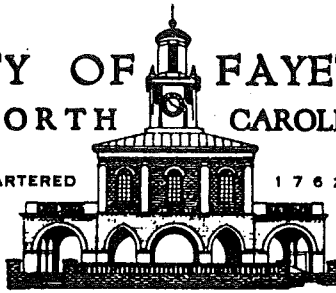
10-13-92

STREET INTERSECTION	AT	STREET WIDTH
MARLBOROUGH ROAD	RAEFORD ROAD	37'
MARLBOROUGH ROAD	VILLAGE DRIVE	37'
MCCHOEN DRIVE	VILLAGE DRIVE	37'
MCLAMB DRIVE	MURCHISON ROAD	37'
MCPHEE DRIVE	RAEFORD ROAD	37'
MCPHERSON AVENUE	BRAGG BOULEVARD	37'
NICKEY AVENUE	JASPER STREET	29'
NORTH STREET	LAMON STREET	37'
NORTHVIEW DRIVE	MORGANTON ROAD	37'
NUTLEY DRIVE	PAMALEE DRIVE	37'
OAKRIDGE AVENUE	HAY STREET	24'
OSCEOLA DRIVE	ROSEHILL ROAD	37'
PELT DRIVE	MURCHISON ROAD	37'
PENNSYLVANIA AVENUE/ JASPER STREET	MURCHISON ROAD	37'
PINECREST DRIVE	MORGANTON ROAD	37'
PLANTATION ROAD	RAMSEY STREET	37'
PLAYER AVENUE	OWEN DRIVE	37'
PRESTON AVENUE	MURCHISON ROAD	37'
RAVENHILL DRIVE	RAEFORD ROAD	41'
RIDGEWAY DRIVE	RAMSEY STREET	26'
ROGERS DRIVE	CAIN ROAD	37'
ROSEWOOD AVENUE	MURCHISON ROAD	26'
RUTLEDGE DRIVE	ROSEHILL ROAD	40'
S. WINDSOR DRIVE	HILLSBORO STREET	37'
SAPONA ROAD	CEDAR CREEK ROAD	20'
SHANNON DRIVE	BRAGG BOULEVARD	37'
SHAWCROFT ROAD	RAMSEY STREET	29'
SLEEPY HOLLOW DRIVE	MURCHISON ROAD	NA
SAINT MARY'S PARKWAY	MORGANTON ROAD	24'
TANGLEWOOD DRIVE/ HILTON DRIVE	ROSEHILL ROAD	27'
TERRY CIRCLE	OWEN DRIVE	37'
TRADEWINDS DRIVE	CLIFFDALE ROAD	37'
TREE TOP DRIVE	RAMSEY STREET	52'
TROY DRIVE	CEDAR CREEK ROAD	20'
VALLEY ROAD	RAEFORD ROAD	26'
W. ROWAN STREET	BRAGG BOULEVARD	37' - 65'
WAGONER DRIVE	SYCAMORE DAIRY ROAD	37'
WEDGEWOOD DRIVE	COUNTRY CLUB DRIVE	37'
WOODSIDE AVENUE/ BRADFORD AVENUE	HAY STREET	37'



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

NOVEMBER 12, 1992

MEMORANDUM

TO: The Mayor and Members of City Council
FROM: John P. Smith, City Manager *JPS*
SUBJECT: Policy Committee Items

- A. Chapter 7, City Code - The Policy Committee is making no recommendation. The staff recommendation is to leave the ordinance as is. However, we have prepared a draft ordinance if City Council wishes to consider allowing pigs in the City.
- B. Assessment interest and discounts - The Committee recommends elimination of the discount and the setting of interest rates on a case by case basis.
- C. Terms for Boards and Commissions. The Committee was unable to reach a consensus on this item.

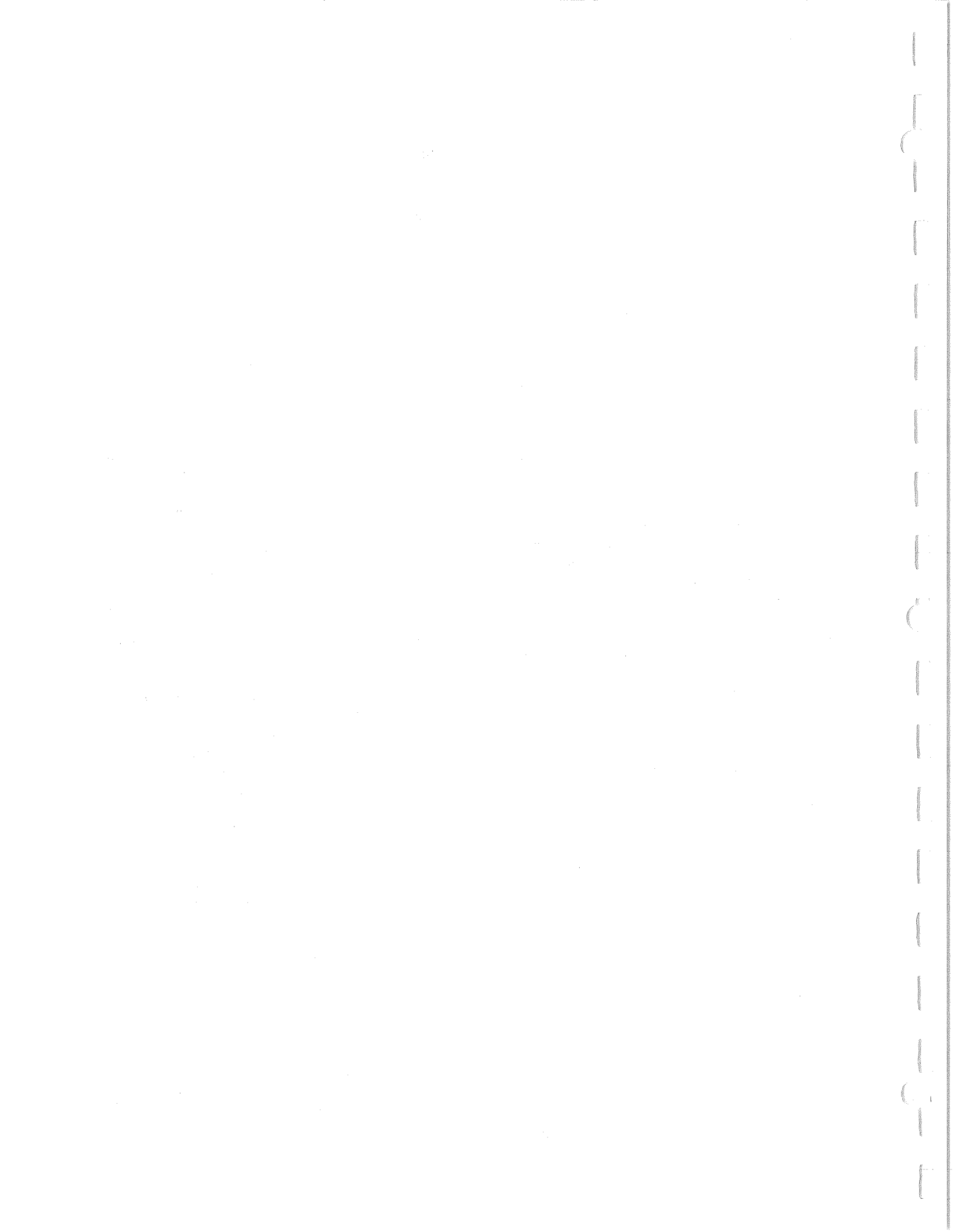
JPS:ssm

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 11



MINUTES
POLICY COMMITTEE
CITY HALL MULTIPURPOSE ROOM
OCTOBER 21, 1992
7:00 P.M.

Committee Members Present: Chairman Milo McBryde and Robert Massey

Committee Members Absent: Tommy Bolton

Other Councilmembers Present: Suzan Cheek

Staff Present:: John P. Smith, Robert Cogswell, Jimmy Teal, Frank Simpson, Mike Walker and Louis Chalmers

Chairman McBryde called the meeting to order at 7:00 p.m. The first item for consideration was the review of Chapter 7 of the Fayetteville City Code, which contains the regulation of animals and fowl. This issue evolved from Ms. Rhonda Carson's request to house a Vietnamese pot-bellied pig as a pet. Chapter 7, Section 7-4, of the Fayetteville City Code states "it shall be unlawful to keep hogs within the corporate limits." Chairman McBryde called on Frank Simpson, City Inspections Director, to report his findings on Vietnamese pot-bellied pigs. Mr. Simpson stated he talked with six veterinarians and the normal Vietnamese pot-bellied pig is approximately 18 inches high and 95 pounds, however, some of these pigs have grown to sizes of 300 pounds. Mr. Simpson also stated that five of the six veterinarians had recommended the ordinance regulating pigs not be changed. John P. Smith, City Manager, stated that the staff concurred with the recommendation of the five veterinarians. After further discussions by the Committee and a request by Ms. Carson to keep her pig, the Committee felt the City Council should have the opportunity to review all the facts in this case. No recommendation was made by the Policy Committee.

The second item for consideration was the review of interest charged and the discount allowed on assessment payments. Mr. Smith and Robert Cogswell, City Attorney, reported that on an average approximately 60 percent of the residents took advantage of the 30 percent discount. They also reported no other large city in North Carolina offered a discount on assessments except for Fayetteville. The Committee then discussed the different options associated with discounts, interest rates and payment terms. Upon motion by Councilmember Massey, seconded by Chairman McBryde, the Committee voted unanimously to recommend the elimination of the discount; the interest rate to be set at each assessment by the City Council with the maximum being 8 percent and the payment period to be extended from the current five years to ten years. Chairman McBryde then recognized Ms. Pamela Elkins who discussed the method for assessments, and in particular, an assessment in question on Shaw Mill Road. Chairman McBryde reported the property owner had requested and the City Council had granted a delay on the final disposition of that assessment to the November 16th City Council Meeting.

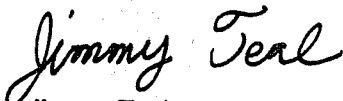
The third item for consideration was the review of terms for Boards and Commissions. The current policy reads "it shall be the policy of the City Council of the City of Fayetteville that unless regulated by a general statute, ordinance, interlocal agreement, or other enabling legislation or charter, no appointment of the City Council to any Board or Commission shall be for a period greater than two (2) years, and no appointee shall be permitted to serve more than two (2) consecutive full terms without an interval of one (1) year between appointments." Chairman McBryde recognized Al Mitchell, staff member for the Board of Adjustment, who discussed the duties of this Board. Mr. Mitchell explained the technical nature of the work associated with hearing zoning appeals or request for variances in regard to the enforcement of any zoning ordinance. It sometimes takes several years to grasp the full

knowledge involved in decisions regarding zoning cases. Mr. Mitchell requested the limits on the terms for the Board of Adjustment be reviewed and possibly either be lifted or extended. Mr. Walter Moorman, Chairman of the Board of Adjustment agreed with the comments made by Mr. Mitchell. Reverend Sandy Saunders, Chairman of the Parks and Recreation Advisory Board, commented that with the 4 million dollar Parks Improvement Program the continuity of the Parks and Recreation Advisory Board is important. The development and fruition of this program could be enhanced over the next two to four years with the members remaining constant rather than a large turnover of membership. The Committee discussed the pros and cons of these proposals but could not reach a consensus. No recommendation was approved on this item.

The last item for consideration was a review of the proposed street standards. Mr. Smith stated the City staff, in particular Mr. Louis Chalmers, Traffic Engineer, had worked very closely with representatives from the development community to put this draft together. Chairman McBryde asked if everyone felt comfortable with the draft. Mr. Walter Moorman, representing the development community, stated that all points had been agreed upon, however he wanted a clarification on Section III. This section deals with design standards for street improvements identifying desired and minimum standards. There was a discussion of the interpretation of the differing standards and under what conditions they would be approved. The Committee recommended this section be reviewed by City staff and representatives of the development community to resolve this issue before any action is taken by the Policy Committee.

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

Respectfully submitted,



Jimmy Teal
Assistant City Manager

pcmin

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
AMENDING SECTION 7-4 OF THE CODE OF ORDINANCES
OF THE CITY OF FAYETTEVILLE

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

Section 1. That Section 7-4, Keeping hogs within corporate limits prohibited, of the Code of the City of Fayetteville, North Carolina, is amended by deleting the same in its entirety and substituting the following therefor:

Sec. 7-4. Keeping hogs within corporate limits prohibited; exception.

(a) It shall be unlawful to keep hogs within the corporate limits of the City.

(b) Notwithstanding subsection (a) above, the having or keeping of swine, commonly referred to as miniature Vietnamese, Chinese, or Oriental potbellied pigs (*sus scrofa dittatus*) is allowed, subject to the following:

- (1) Pig or swine, as permitted under this subsection (b), shall be considered to fall within this exception if their maximum height is no greater than eighteen inches (18") at the shoulder and it weighs no more than ninety-five (95) pounds;
- (2) That no more than one pig, as defined in this subsection (b), shall be kept at any one address; and
- (3) Male pigs falling within the exception defined in this subsection (b) shall be neutered when they reach the age of four (4) weeks.

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

SUBJECT	Number	Revised	Effective Date	Page 1 of 1
Assessment Payments	105.6			

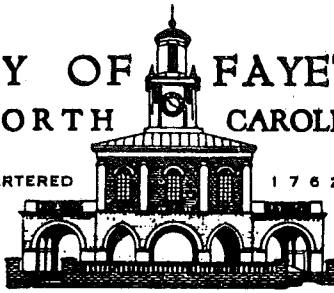
POLICY OF THE CITY COUNCIL REGARDING
PAYMENT OF ASSESSMENTS

Owners of assessed property shall have the option, within 30 days after the publication of the notice that the assessment roll has been confirmed, of paying the assessment either in cash or in ten annual installments with the first installment due and payable 60 days after the date that the assessment roll was confirmed, and one subsequent installment and interest shall be due and payable on the same day of the month in each successive year until the assessment is paid in full. The interest rate on the unpaid installments shall be proposed as 8 percent in the preliminary resolution, but ~~in the Council's discretion, the rate shall~~ may be adjusted downward depending upon economic conditions at the time of the confirmation of the assessment roll after the project is completed.

*to equal the prime rate as published
in the Wall Street Journal, not to exceed 8%*

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY CLERK
433 HAY STREET

(919) 433-1889
FAX (919) 433-1780

FAYETTEVILLE, NC 28301-5537

November 10, 1992

MEMORANDUM

TO: John P. Smith, City Manager
FROM: Bobbie A. Joyner, City Clerk *BJ*
SUBJECT: **AGENDA ITEM FOR NOVEMBER 16, 1992 CITY COUNCIL MEETING -
NOMINATIONS TO BOARDS AND COMMISSIONS**

A. JOINT SENIOR CITIZENS ADVISORY COMMISSION - 1 Vacancy

Meets second Tuesday, 2:00 p.m., Senior Citizens Service Center, 739 Blue Street.

Nominations are still open to fill the following vacancy:

Vacancy of Margaret Shive (W/F) for a 2-yr term to September 1994

B. FAIR HOUSING HEARING BOARD - 2 Vacancies

Meets when needed

Nominations are still open for the following vacancies:

- (1) William T. Pratt (B/M), at large category - nominated for a second term by Councilmember Kendrick.
- (2) Sylvia X. Allen (B/F), at large category - served two terms

Terms expire November 1994.

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 12

John P. Smith
November 10, 1992
Page 2

C. PARKS & RECREATION ADVISORY COMMISSION - 1 Vacancy

Meets fourth Monday, 5:30 p.m., City Hall, first floor Multipurpose Room.

Nominations are still open to fill the vacancy of Beatrice Matthews (W/F) - served two terms. Sylvia R. Allen (W/F) was nominated at the last meeting by Councilmember Bolton. Two-year term to October 1994.

Blank Nomination Forms are attached for your use.

Attachments

NOMINATION FORM
BOARDS, COMMITTEES AND COMMISSIONS
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE PARKS & RECREATION ADVISORY

BY COUNCILMEMBER BOLTON DATE: 11-2-92

Mr. (Mrs.) Ms. SYLVIA R. ALLEN DOES LIVE IN CITY LIMITS AND IS
(Joel) NOT SERVING ON ANOTHER BOARD OR COMMISSION

ADDRESS 398 Hilliard ZIP: 28311
(Street and/or P.O. Box)

TELEPHONE: HOME 488-9104 BUSINESS _____

BUSINESS County Bureau of Narcotics JOB TITLE: _____

RACE W SEX F

ACTIVITIES: Many Community activities

OTHER INFORMATION: Support person on Mayor's Drug Task Force

Received by City Clerk BJ 11-2-92
(date)

Elected: YES _____ NO _____ Letter: _____





COUNTY OF CUMBERLAND TAX COLLECTOR



FAYE S. PARRISH
TAX COLLECTOR

P.O. Drawer 449
Fayetteville, North Carolina 28302-0449
Telephone: (919) 678-7700

E.T. SESSOMS
ASSISTANT TAX COLLECTOR

NOVEMBER 2, 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 OCTOBER 1992. GENERAL STATUTES # 105-370 REQUIRES
THAT THIS REPORT BE MADE TO THE CITY COUNCIL AT EACH REGULAR
MEETING.

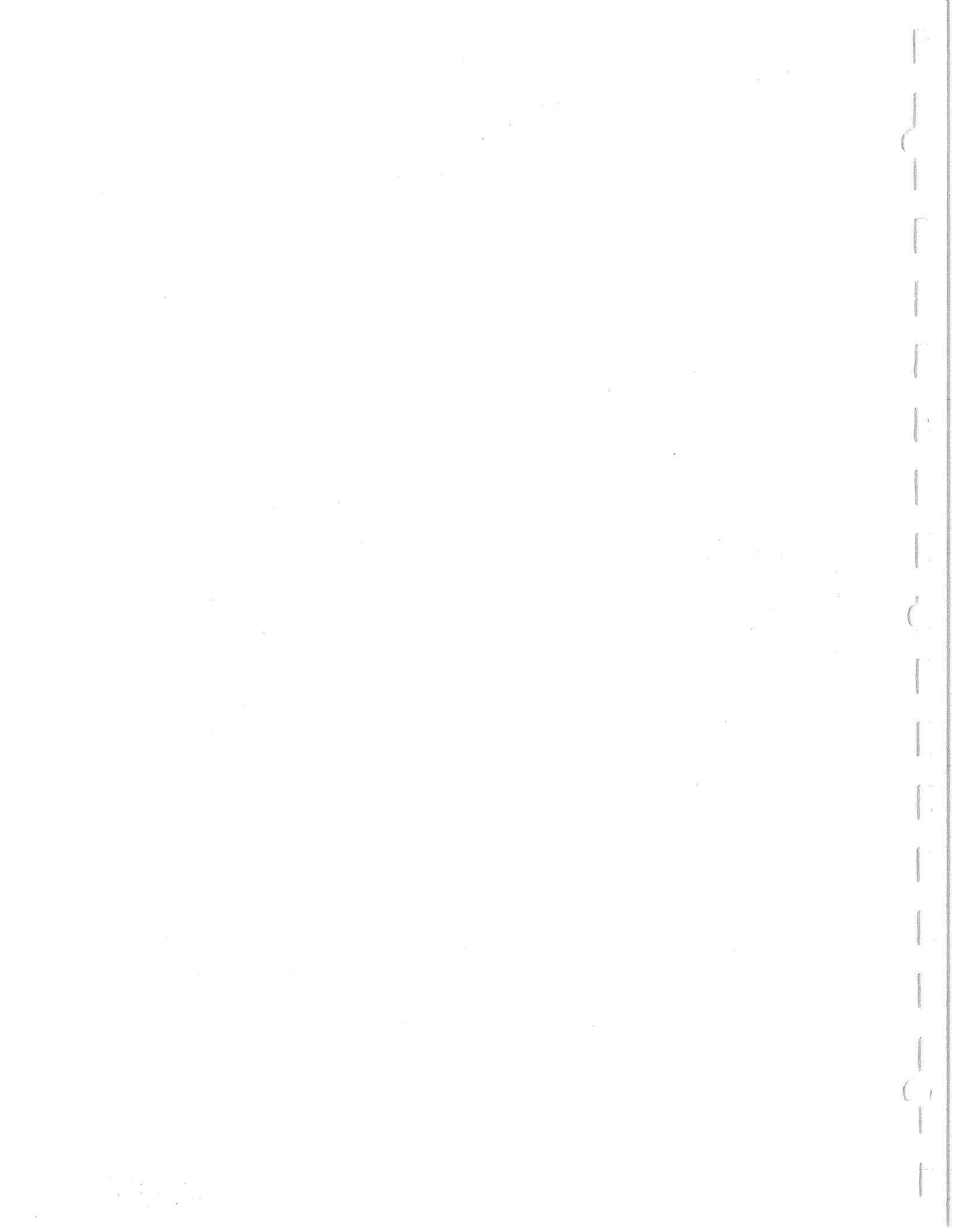
1992 TAXES	1,673,181.58
1992 FAY. VEHICLE TAX	25,483.95
1991 TAXES	74,700.18
1991 VEH. TAX	565.14
1990 TAXES	20,876.00
1989 & PRIOR REAL & PERSONAL TAXES	1,249.17
TOTAL INTEREST	9,891.79
TOTAL COLLECTIONS	1,805,947.81

YOURS TRULY,

FAYE S. PARRISH
TAX COLLECTOR

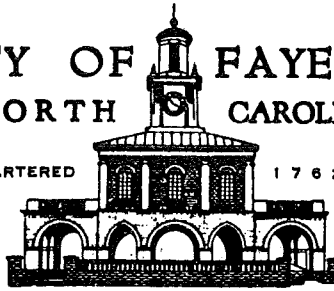
FSP/SP

ITEM 13.A.



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

November 10, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

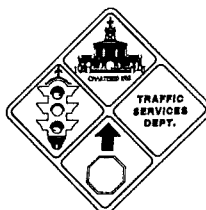
REFERENCE: Computerized Signal System Operational Improvements

On October 21, 1992 we completed our first year's operation of our Computerized Signal System. During the past year our staff has been utilizing our Computerized Signal System to monitor and control traffic operations throughout the City. This system is able to monitor traffic conditions seven (7) days per week and select signal timing plans which best suit current traffic patterns. We have completed signal timing reviews of ten arterial subsystems throughout the City which include 62 of the 125 intersections currently under control of our Computerized Signal System.

We are currently developing new timing plans for the Cross Creek Mall Area in response to a request from the Chamber of Commerce Transportation Committee. Recent traffic counts show a 40% increase in Morganton Road traffic since last year. This can be attributed to both new area commercial development and traffic shifting to Morganton Road while Cliffdale Road is under construction. We will be re-phasing 5 intersections and installing new timing plans on Skibo Road and Morganton Road during the next two weeks in an effort to improve traffic flow.

Our ability to move traffic in the Cross Creek Mall Area is restricted by the number of traffic lanes on both Morganton Road and Skibo Road. Current traffic volumes exceed roadway capacity by 30 percent on both of these facilities during peak periods. Holiday shopping traffic increases this excess in roadway capacity by an additional 25 percent. The North Carolina Department of Transportation is planning to re-stripe Skibo Road in Spring 1993 to add an additional thru lane in both directions.

An Equal Opportunity



Affirmative Action Employer

INFORMATION

Mr. John P. Smith
Page two
November 10, 1992

The completion of Cliffdale Road construction by Fall 1993 should reduce traffic demand on Morganton Road. Long range improvements of traffic operations in the Cross Creek Mall Area must include public transportation, park and ride lots, ridesharing, and varying hours of operation for area businesses.

LAC/psc

cc: Roger L. Stancil, Deputy City Manager
Jimmy Teal, Assistant City Manager - Planning/Development
Kathleen M. Feeney, Transportation Planner
Thomas R. Hosack, Signal System Engineer
Brenda Barbour, Secretary III

TRANSPORTATION TECHNICAL COORDINATING COMMITTEE
FAYETTEVILLE URBANIZED AREA

George Vaughan III
CO-CHAIRMAN

Ray Goff
CO-CHAIRMAN

POST OFFICE BOX 1829 FAYETTEVILLE, NORTH CAROLINA 28302
(919) 483-8131 Ext. 263

October 23, 1992

MEMORANDUM

TO: TAC MEMBERS

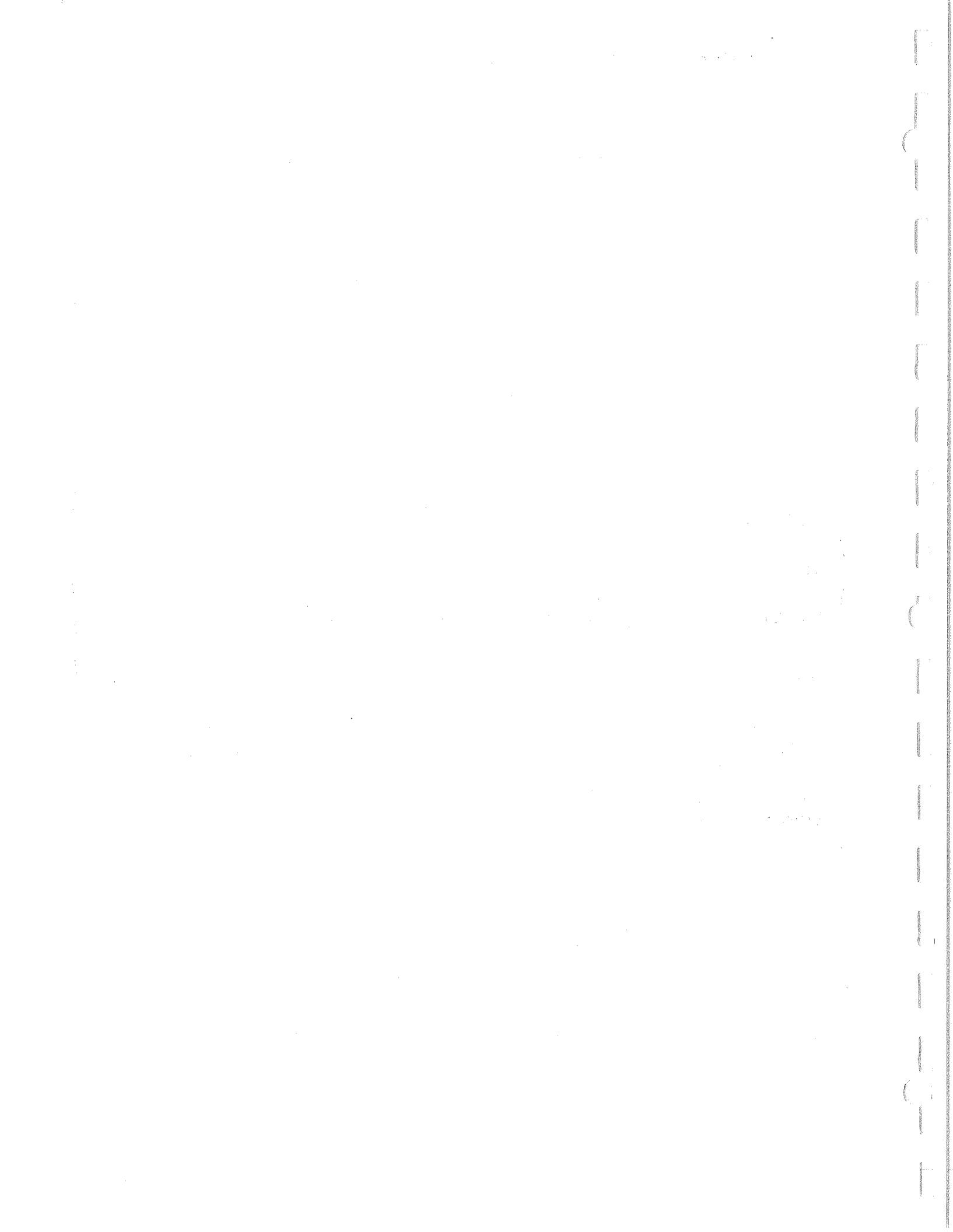
FROM: GEORGE VAUGHAN, TCC CO-CHAIRMAN *Geo*

SUBJECT: TCC HIGHWAY RECOMMENDATIONS

Enclosed is a recommended list of highway projects and their priorities that were approved by the TCC on October 22, 1992. This list covers additions to the current DOT TIP and acceleration of some of our current projects. It is not intended to replace our current projects. The TCC continues to support those projects already approved.

CONTINUING - COMPREHENSIVE - COOPERATIVE
PLANNING

INFORMATION



TIP NUMBER	DESCRIPTION	REQUEST	PRIORITY
	Build new interchange at SR 1007 AAF) at SR 1400 (Cliffdale Road) A. Build interchange ramps and revise bridge. B. Widen SR 1400 from AAF new Interchange to SR 1404 to five lanes.	ADD FUND & PROGRAM P-93 D-93/94 R-95 C-95/96	1
U-2520	SR 1400 (Cliffdale Road), SR 1403 (Reilly Road) to US 401. Widen to a five lane curb and gutter facility. (some relocation)	ACCELERATE FROM TO P-94 P-93 D-95-PY D-93-94 R-97-99 R-94/95 C-PY C-95/96	2
U-2911	SR 2685 Extension (Lake Valley Drive), Yadkin Road to US 401 Bypass. Construct 7 lane project. (401 C-97)	FUND & PROGRAM P-93 D-94 R-94 C-95	3
U-2812	SR 1007 (Owen Drive), Village Drive to CSX Railroad. Construct additional lanes.	ACCELERATE FROM TO C-96 C-94	4
	SR 1344 (Natal/Mid Pine Dr./Black & Decker) From SR 1141 (Cumberland Road) to I-95 Bus/US 301, widen to 64' F-F C 5 lanes curb and gutter. (2.4 miles)	FUND & PROGRAM P-93 D-94 R-96 C-97	5
U-2304	The portion of U2304 from the termination of Project B-2534 to Owen Dr. SR 1007 be accelerated. The remainder of U2304 should remain as scheduled.	ACCELERATE D-93 R-93 C-94	6A
U-2304	SR 1141 (Cumberland Road), NC 59 (Hope Mills Rd.) to Bridge Project B2534. Widen roadway to a five-lane curb & gutter facility.	P-94/95 (as scheduled) D-95/PY R-97/PY C-PY	6B
U-2810	SR 1003 (Camden Road), From SR 1007. Widen roadway to Fayetteville Outer Loop to a five lane facility.	FUND & PROGRAM P-94 D-95/96 R-97/98 C-99	7
U-2809	SR 1132 (Legion Road), SR 1007 to SR 1131. Widen roadway to a 5 lane facility.	FUND & PROGRAM P-95 D-96/97 R-97 C-98	8

TIP NUMBER	DESCRIPTION	REQUEST	PRIORITY
U-2811	SR 1219 (Ireland Drive), US 401 to SR 1141. Widen roadway to a 5 lane facility.	FUND & PROGRAM P-97 D-98/99 R-PY C-PY	9
	Extend Glensford Rd. from SR 1400 (Cliffdale Road) to SR 1404 (Morganton Road). Construct a 7 lane road on new alignment.	FEASIBILITY STUDY	10
	Sycamore Road Connector between US 401 Bypass at Blanton Road to Sycamore Dairy Road. Construct a five lane roadway.	FEASIBILITY STUDY	11
	SR 1141 (Bunce Road) between SR 1400 and US 401 - widen for five lanes.	FEASIBILITY STUDY	12
	SR 1107 (Fisher Road) between SR 1104 and SR 1141 - widen for five lanes.	FEASIBILITY STUDY	13
	SR 1104 (Strickland Bridge Road) between US 401 and Century Circle - widen for five lanes.	FEASIBILITY STUDY	14
	SR 1437 (Shaw Road) between NC 87-210 (Murchison Road) and NC 24 (Bragg Blvd.) - Widen for five lanes.	FEASIBILITY STUDY	15
	SR 1102 - SR 1402 (Rim Road) between US 401 Project and SR 1400 - Widen for five lanes.	FEASIBILITY STUDY	16
	SR 1600 (McArthur Road) between US 401 Bypass to SR 1611 (Andrews Road) - Widen for five lanes.	FEASIBILITY STUDY	17
	SR 1409 (School Road) between US 401 and SR 1400 - Widen for five lanes.	FEASIBILITY STUDY	18
	SR 1141 (Bingham Drive) from US 401 (Raeford Road) to NC 59 (Hope Mills Road) - Widen for five lanes.	FEASIBILITY STUDY	19
	SR 1121 (Ray Rd., Harnett Co.) from SR 1120 to NC 210 - widen to 5 lanes	FEASIBILITY STUDY	20