

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

FAYETTEVILLE CITY COUNCIL
AGENDA
REGULAR MEETING
CITY HALL COUNCIL CHAMBER
MARCH 16, 1992
7:00 P.M.

INVOCATION - PLEDGE OF ALLEGIANCE

RECOGNITION:

ITEM 1. Approval of Agenda

ITEM 2. Consent:

- A. Set public hearing for April 6, 1992, to consider allocation of Community Development Block Grant funding for fiscal year 1992-93.
- B. Set public hearing for April 20, 1992, to consider the rezoning from R6 Residential District to C3 Heavy Commercial District or to a more restrictive zoning classification for an area located on the east side of Distribution Drive (SR 2414), north of Country Club Drive (US 401 Bypass). (P92-16)
- C. Set public hearing for April 20, 1992, to consider the rezoning from R10 Residential District to R5 Residential District or to a more restrictive zoning classification for an area located on the east side of Cain Road, between Woodbine Avenue and Rogers Drive. (P92-17)
- D. Adopt resolution declaring cost and ordering preparation of preliminary assessment roll and setting time and place for public hearing on preliminary assessment roll for sidewalk patching on the following streets:
- Person Street (North side)
Hay Street (South side)
East Rowan Street (South side)
Pittman Street
East Rowan Street (North side)
- E. Approve request for legal representation. *- by City Atty.*
- F. Adopt ordinance revising Section 20-106, Traffic Schedule Number 11 - Parking Prohibited.
- G. Award contract to Crowell Constructors, Inc., low bidder, for Bond Funded Drainage Project - Elm Street (Phase II).

ITEM 3. Public Hearings:

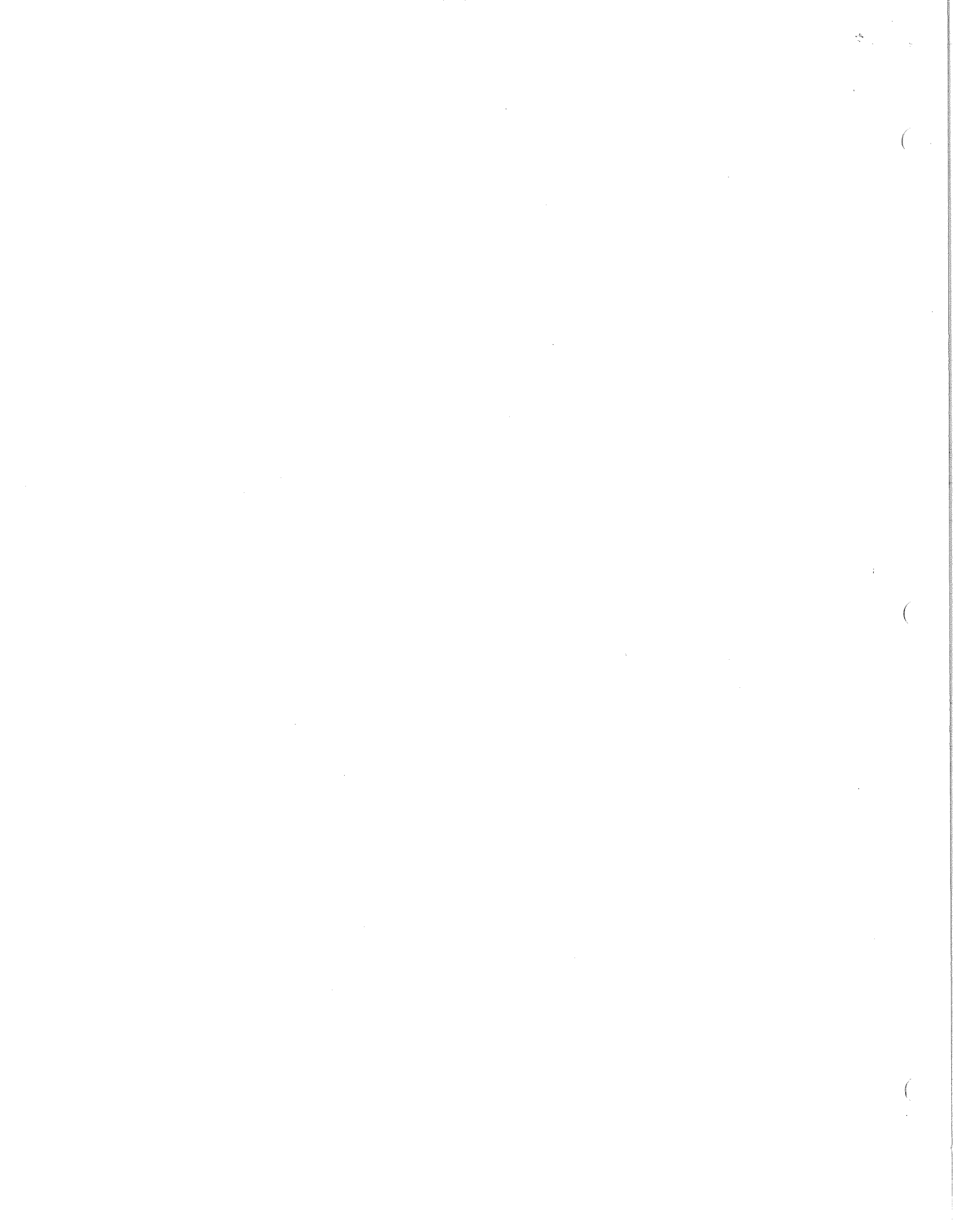
- A. Consideration of annexation ordinance extending the corporate limits of the City of Fayetteville, NC (Skibo Square).

PRESENTED BY: Assistant City Manager for Operations

RECOMMENDED ACTION: See attached memorandum

A
9/10

A
8/11 (Cross)



ITEM 4. Consideration of adoption of a resolution affirming the need to protect our youth from exposure to the idolization of violent criminals.

A
9/10

PRESENTED BY: City Attorney

RECOMMENDED ACTION: Adoption

ITEM 5. Consideration of request from Jim Konneker, Chairman of the Metro Visions Committee, to address City Council regarding Metro Vision Leadership Summit.

ITEM 6. Consideration of lease of Airport property.

PRESENTED BY: City Manager

A
9/10

RECOMMENDED ACTION: Authorize City to execute lease with SPCA

Need resolution

ITEM 7. Consideration of amendment of Rollout Disposal Fee.

PRESENTED BY: City Manager

A
9/10

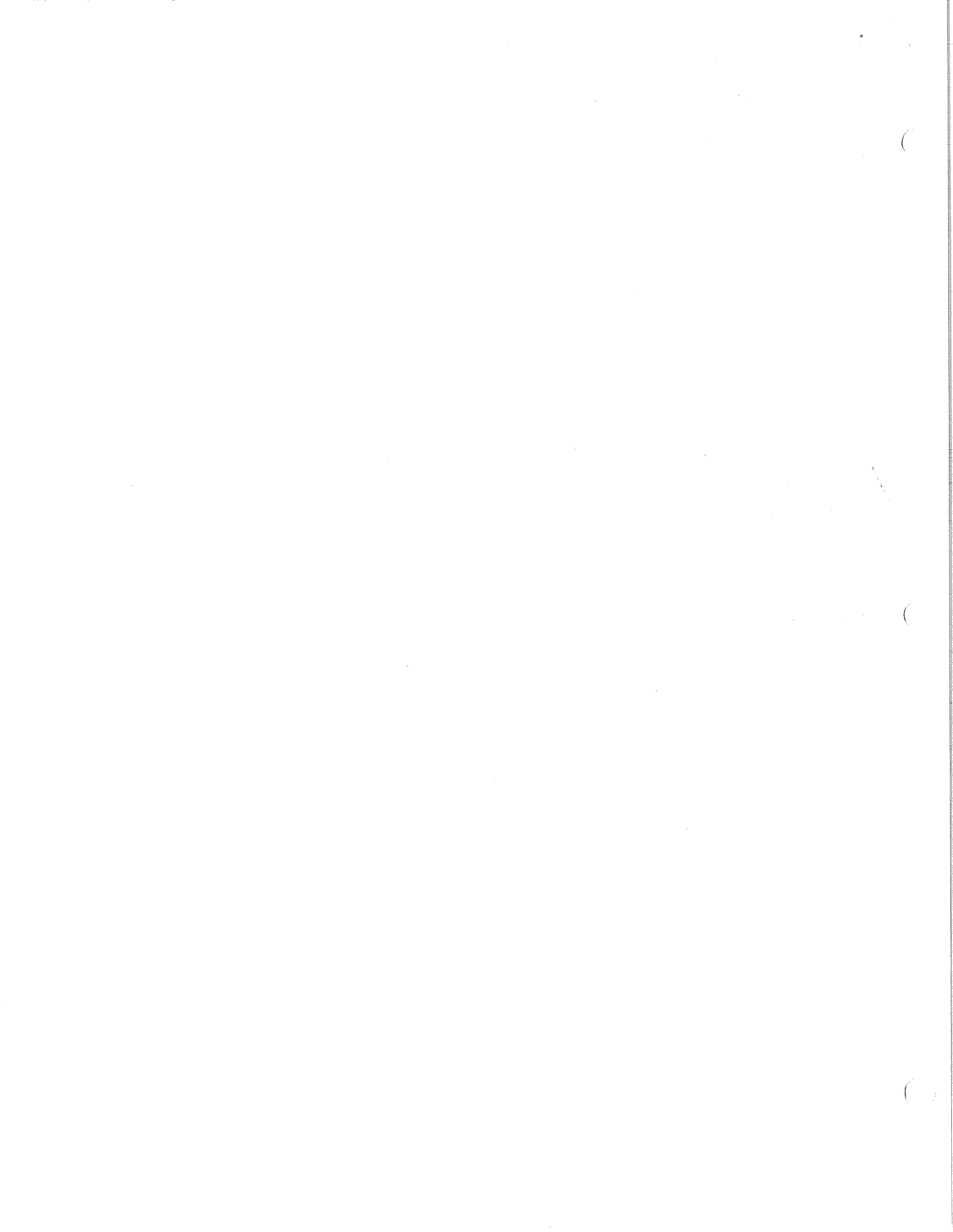
RECOMMENDED ACTION: Reduce residential fee from \$50 to \$25

ITEM 8. Consideration of amendment to Section 21-30.9(6) of the Fayetteville City Code regarding noise.

PRESENTED BY: City Attorney

A
9/10

RECOMMENDED ACTION: Approval

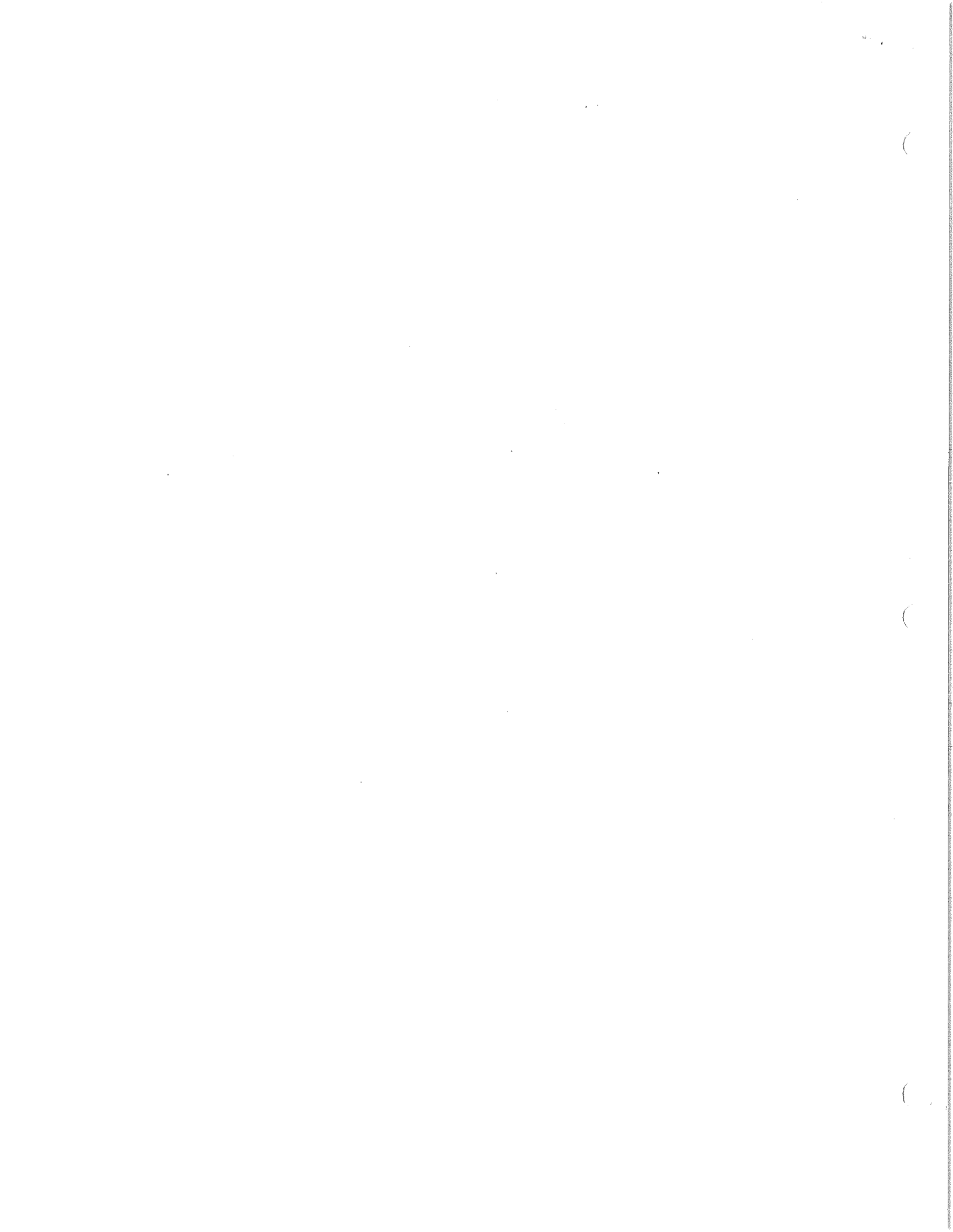


ITEM 9. Appointments:

- A. Nominations to fill two vacancies on the Appearance Commission.
- B. *1990 Jim Kizer*
Nominations to fill seven vacancies on the Human Relations Commission.

ITEM 10. Administrative Reports:

- A. Statement of taxes collected for the month of February, 1992, from the Cumberland County Tax Collector.
- B. Report on Raeford Road and Executive Place traffic signal request.
- C. Report on Owen Drive and All American Expressway traffic operations.
- D. Report on Commercial Solid Waste Collection Services.



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 - East Rowan Street (South side)
 - Pittman Street
 - East Rowan Street (North side)
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- F. Adopt ordinance revising Section 20-106, Traffic Schedule Number 11 - Parking Prohibited.
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ITEM 3. Public Hearings:

- A. Consideration of annexation ordinance extending the corporate limits of the City of Fayetteville, NC (Skibo Square).

PRESENTED BY: Assistant City Manager for Operations

RECOMMENDED ACTION: See attached memorandum

- ITEM 4. Consideration of adoption of a resolution affirming the need to protect our youth from exposure to the idolization of violent criminals.
- PRESENTED BY: City Attorney
- RECOMMENDED ACTION: Adoption
- ITEM 5. Consideration of request from Jim Konneker, Chairman of the Metro Visions Committee, to address City Council regarding Metro Vision Leadership Summit.
- ITEM 6. Consideration of lease of Airport property.
- PRESENTED BY: City Manager
- RECOMMENDED ACTION: Authorize City to execute lease with SPCA
- ITEM 7. Consideration of amendment of Rollout Disposal Fee.
- PRESENTED BY: City Manager
- RECOMMENDED ACTION: Reduce residential fee from \$50 to \$25
- ITEM 8. Consideration of amendment to Section 21-30.9(6) of the Fayetteville City Code regarding noise.
- PRESENTED BY: City Attorney
- RECOMMENDED ACTION: Approval
- ITEM 9. Appointments:
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 - B. Nominations to fill seven vacancies on the Human Relations Commission.
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 - B. Report on Raeford Road and Executive Place traffic signal request.
 - C. Report on Owen Drive and All American Expressway traffic operations.
 - D. Report on Commercial Solid Waste Collection Services.

POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

Anyone desiring to address the Council on an item that is not a public hearing must present a written request to the City Manager by 10:00 a.m. on the Wednesday preceding the Monday meeting date.

POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in Room 217, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 and 7:00 p.m.

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

Individuals who have not made a written request to speak on a non-public hearing item may submit written materials to the City Council on the subject matter by providing fifteen (15) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

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METROVISIONS

LEADERSHIP SUMMIT

PURPOSE:

Bring together Community Leaders to:

1. Renew the Visioning and initiative development process.
2. Evaluate where we are and where we need to go.
3. Refocus our efforts and build the community consensus necessary to move the process forward.

EXPECTED OUTCOMES:

1. Provide a forum for the leaders in the Fayetteville metropolitan area to meet and discuss our future.
2. Review and modify Metrovision's 23 initiatives as required.
3. Build a consensus among those attending on the leading initiatives for immediate focus.
4. Identify leaders for those initiatives.

WHO IS INVITED?

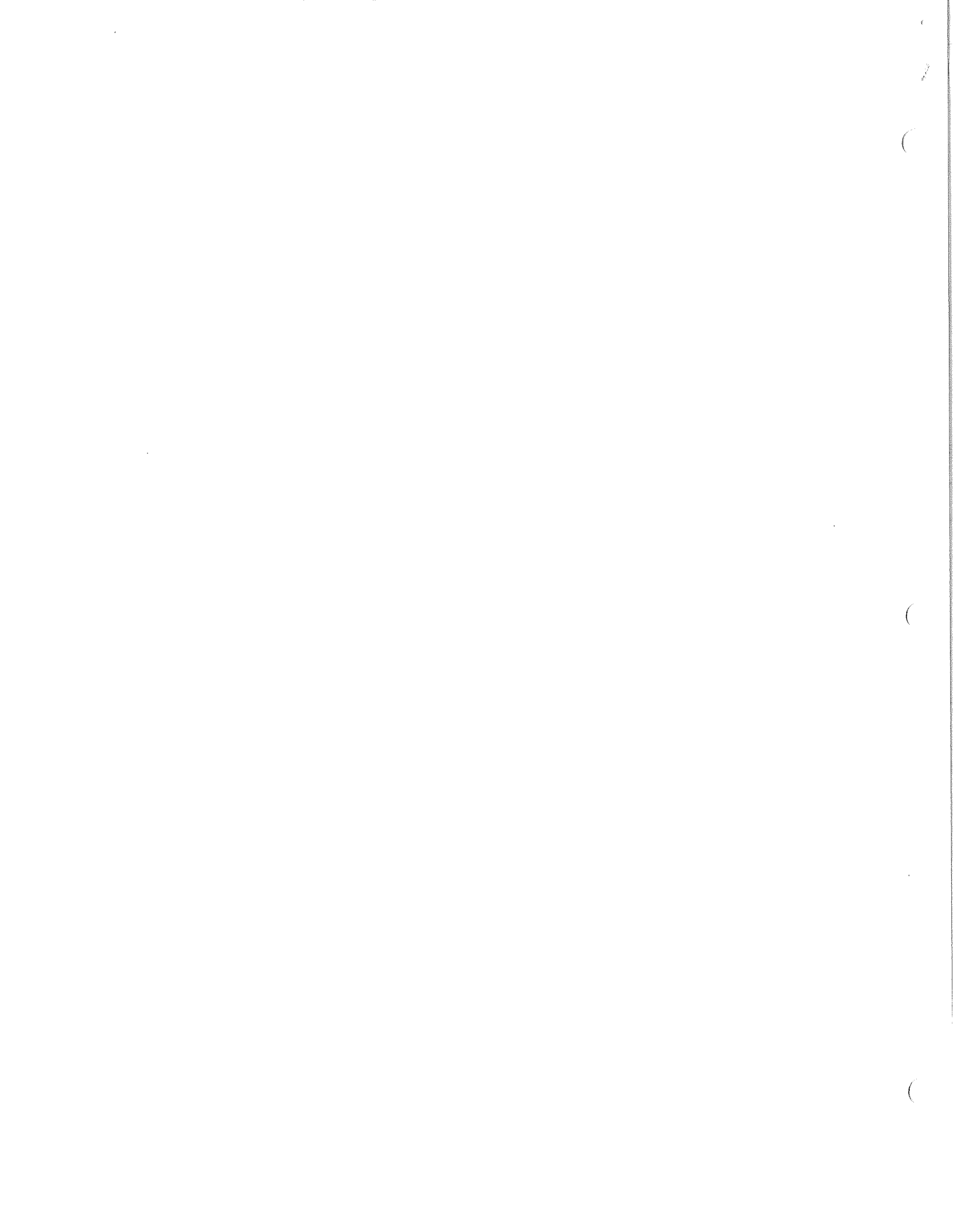
1. Any resident of Cumberland County who views themselves as a leader.

COST: \$50.00 per person

WHEN:

Thursday, May 14th	-	5:30 PM	-	9:00 PM
Friday, May 15th	-	8:30 AM	-	4:00 PM
Saturday, May 16th	-	8:30 AM	-	11:30 AM

WHERE: Fayetteville State University





METRO VISIONS INITIATIVES

1. To establish inter-agency coordination for more efficient and effective delivery of human services, public and private, through a common, computerized data-base, consistent with client confidentiality regulations and agency constitutional requirements.

REPORT:

2. Support the formation of an affordable housing coalition of public agencies and private enterprises for the purpose of preserving and producing a sufficient stock of adequate and affordable housing for residents with low and moderate income.

REPORT:

3. To develop a comprehensive strategy for creating a climate of community security.

REPORT:

4. To encourage the public and private beautification of Fayetteville's corridors and gateways, with strong emphasis on the planting and maintenance of dogwood trees.

REPORT:

5. Urge the adoption and implementation of cost-efficient city and county landscape ordinances acceptable to both planners and developers.

STATUS: Proposed legislation approved by the planning board and adopted by City Council.

6. Improve road, rail and air transportation to include assuring the earliest possible completion of the 4-lane, inter-city roads scheduled to be built to serve the Fayetteville Metro area, to continue efforts to alleviate cross-town congestion, and to work toward obtaining more air arrivals and departures and one-plane service to major air terminals.

STATUS: The Chamber Transportation Committee working with the Airport Authority and NC DOT.

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Initiative 6 (continued)

More service added to the airport - Tourism.

Outer loop understudy. (Charlie Rose trying for special Federal Funding.)

Transportation Plan for improved East-West highways.

The Chamber Transportation Committee met 10-30-91 with the heads of the three railroads. The three railroads have agreed to meet and come up with a recommendation for the rail situation.

7. To develop a county-wide water and sewer system to meet current needs and anticipated growth.

STATUS: PWC and the county have done their part. They have formed a committee of County Commissioners, PWC Commissioners, and Tim Wood to serve existing areas. The county is now working on how to pay for it. (General Obligation Bonds). Available funds to solve problems in advance. The city will go along with the county.

8. To promote effective litter control and efficient trash and garbage pick-up.

STATUS: The Chambers Planning and Community Development Committee has conducted a survey on recycling.

9. To form a coalition of citizens to define what are the essential elements of an excellent education, to determine what those elements will cost and to develop the financial resources required to provide an excellent education.

10. To form a coalition of representative citizens of the county to develop and foster a "Crusade for Excellence" in education and schedule periodic meetings of all education systems representatives to discuss means of improving education.

11. To form meaningful partnerships among community, schools, colleges and business.

REPORT:

12. To invest in a shell building and other improvements in the Cumberland Industrial Center.

STATUS: FAEDC pursuing - Funding is the problem. We need to be committed to the industrial property. A scheme to pay for this with everyone involved.

13. To create a coalition to strengthen the linkage between education and industry at all educational levels.

STATUS: The Fayetteville Chamber of Commerce has formed a standing committee on Education to be chaired by Tom Gill (Dupont). Coordinating with the Plant Manager's Association and Cumberland County School System.

14. Develop the downtown linear park.

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STATUS: No action.

15. Develop an annual major event or attraction at the Cape Fear River.

STATUS: No action. (Fayetteville Area Convention and Visitors Bureau?) Cape Fear Regional Theatre is planning to expand the River Shows to be a larger event.

16. Maintain and expand the existing strong arts and cultural environment and facilities.

STATUS: Uncertain. Update from John Duvall, Curator of the Airborne and Special Forces Museum.

17. Create more parks and access to natural and scenic areas in our metro area.

STATUS: Parks issue rejected by voters.

18. Urge governing bodies to provide funds for initiatives to achieve excellent education and assure adequate human services, housing and law enforcement.

STATUS: Should be folded into other initiatives.

19. Insure a fair return of our tax dollars from Raleigh & Washington.

STATUS: Methodist College student attempted to determine the proportion of local taxes paid to "return" on tax dollars, but the topic is too broad and complex for him to have completed any meaningful analysis.

20. Form a program that will educate citizenry on investing for a better quality of life.

STATUS: Unknown

21. Create a program to recruit and develop local leaders.

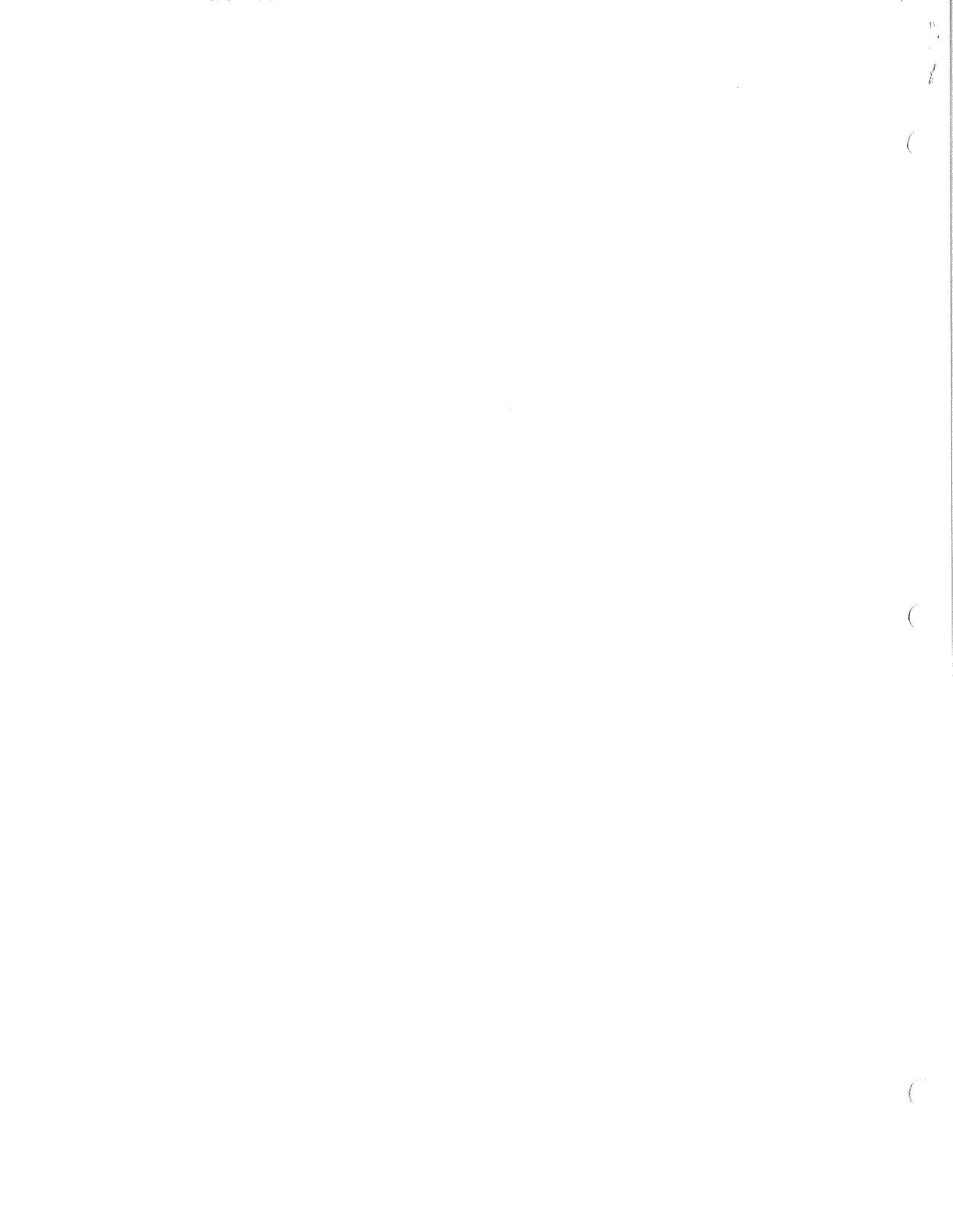
STATUS: Fayetteville Chamber of Commerce has a Leadership Awareness Institute formed in 1982.

22. Request local government entities to formulate strategic plans.

STATUS: County, City, Hope Mills and Spring Lake committed to process. Current status unknown. A couple of meetings were held with City/County Managers under the guidance of Al Mitchell. Strategic Planning Booklet?

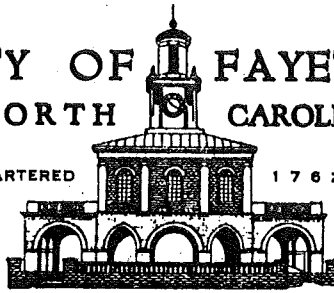
23. Continue Metro Visions-sponsored forums, with cooperation and participation from the Governmental Association.

REPORT:



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



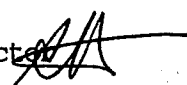
COMMUNITY DEVELOPMENT DEPARTMENT
FAYETTEVILLE REDEVELOPMENT COMMISSION
CITY HALL, 433 HAY STREET, ROOM 320
TELEPHONE (919) 433-1590

POST OFFICE BOX 835
FAYETTEVILLE, NORTH CAROLINA
28302

March 11, 1992

MEMORANDUM

TO: Mr. John P. Smith, City Manager

FROM: Richard Herrera, Community Services Director 

SUBJECT: Public Hearing for Community Development Block Grant
Funding 1992-1993 Fiscal Year

I respectfully request that at its March 16, 1992, meeting the City Council call for a public hearing to be held on April 6, 1992, for allocation of Community Development Block Grant funding for fiscal year 1992-1993.

RH:lcy

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2.A.



PLANNING DEPARTMENT

Post Office Box 1829
Fayetteville, NC 28302
Telephone (919) 483-8131

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

March 11, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL
FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD
SUBJECT: PUBLIC HEARING ITEMS TO BE SET AT THE
MARCH 16, 1992 CITY COUNCIL MEETING

B. CASE NO. P92-16. THE REZONING FROM R6 RESIDENTIAL DISTRICT TO C3 HEAVY COMMERCIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE EAST SIDE OF DISTRIBUTION DRIVE (SR 2414), NORTH OF COUNTRY CLUB DRIVE (U.S. 401 BYPASS). (FAYETTEVILLE ORDINANCE)

PLANNING BOARD MEETING DATE: FEBRUARY 18, 1992
PLANNING BOARD ACTION: RECOMMENDED APPROVAL OF C3 FOR THE FIRST 500 FEET ALONG DISTRIBUTION DRIVE ONLY

CITY COUNCIL MEETING DATE SUGGESTED: APRIL 20, 1992

C. CASE NO. P92-17. THE REZONING FROM R10 RESIDENTIAL DISTRICT TO R5 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE EAST SIDE OF CAIN ROAD, BETWEEN WOODBINE AVENUE AND ROGERS DRIVE. (FAYETTEVILLE ORDINANCE)

PLANNING BOARD MEETING DATE: FEBRUARY 18, 1992
PLANNING BOARD ACTION: RECOMMENDED DENIAL OF R5 AND APPROVAL OF R6

CITY COUNCIL MEETING DATE SUGGESTED: APRIL 20, 1992

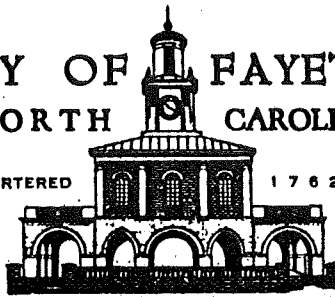
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ITEM 2.B.-2.C.



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



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

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

March 9, 1992

MEMORANDUM

TO: John P. Smith
City Manager

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

SUBJECT: Sidewalk Patching Assessment Projects

The following sidewalk patching projects have been completed and should be set for public hearings on April 6, 1992.

1. Person Street (North Side)
2. Hay Street (South Side)
3. East Rowan Street (South Side)
4. Pittman Street
5. East Rowan Street (North Side)

Please place the attached resolutions on the agenda for the March 16, 1992, meeting.

RCC/jkp

Attachments

3

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2.D.

RESOLUTION DECLARING COST
AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL
AND SETTING TIME AND PLACE FOR PUBLIC HEARING
ON PRELIMINARY ASSESSMENT ROLL
FOR PERSON STREET (NORTH SIDE)

WHEREAS, the sidewalk patching of Person Street (North Side) was ordered by Resolution of the City Council duly passed on the 15th day of April, 1991, 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 6th day of April, 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 6th day of April, 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 27th day of March, 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 _____ day of March, 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:

RDC.10

RESOLUTION DECLARING COST
AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL
AND SETTING TIME AND PLACE FOR PUBLIC HEARING
ON PRELIMINARY ASSESSMENT ROLL
FOR HAY STREET (SOUTH SIDE)

WHEREAS, the sidewalk patching of Hay Street (South Side) was ordered by Resolution of the City Council duly passed on the 15th day of April, 1991, 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.
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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 _____ day of March, 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:

RDC.12

RESOLUTION DECLARING COST
AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL
AND SETTING TIME AND PLACE FOR PUBLIC HEARING
ON PRELIMINARY ASSESSMENT ROLL
FOR EAST ROWAN STREET (SOUTH SIDE)

WHEREAS, the sidewalk patching of East Rowan Street (South Side) was ordered by Resolution of the City Council duly passed on the 15th day of April, 1991, 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.
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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 _____ day of March, 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:

RDC.14

RESOLUTION DECLARING COST
AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL
AND SETTING TIME AND PLACE FOR PUBLIC HEARING
ON PRELIMINARY ASSESSMENT ROLL
FOR PITTMAN STREET

WHEREAS, the sidewalk patching of Pittman Street was ordered by Resolution of the City Council duly passed on the 15th day of April, 1991, 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.
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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 _____ day of March, 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:

RDC.16

RESOLUTION DECLARING COST
AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL
AND SETTING TIME AND PLACE FOR PUBLIC HEARING
ON PRELIMINARY ASSESSMENT ROLL
FOR EAST ROWAN STREET (NORTH SIDE)

WHEREAS, the sidewalk patching of East Rowan Street (North Side) was ordered by Resolution of the City Council duly passed on the 15th day of April, 1991, and has been completed in accordance therewith; and

WHEREAS, the cost of said improvements have been determined;

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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 6th day of April, 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 6th day of April, 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 27th day of March, 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 _____ day of March, 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:

RDC.18

NOTICE OF COMPLETION OF PRELIMINARY ASSESSMENT ROLLS
AND OF PUBLIC HEARINGS THEREON

The public will take notice that the preliminary Assessment Rolls have been completed for the following improvement projects:

SIDEWALK PATCHING

<u>Street</u>	<u>Approved</u>
Person Street (North Side)	4/15/91
Hay Street (South Side)	4/15/91
East Rowan Street (South Side)	4/15/91
Pittman Street	4/15/91
East Rowan Street (North Side)	4/15/91

The preliminary Assessment Rolls for the foregoing will be available for public inspection in the Office of the City Clerk, located at 433 Hay Street, until the date set for the public hearing on the preliminary Assessment Roll. The City Council will hold a public hearing beginning at 7:00 p.m., in the City Hall Council Chamber in Fayetteville, North Carolina, on the 6th day of April, 1992, for the purpose of hearing objections to the preliminary Assessment Roll from all interested persons who appear.

As to each Assessment Roll 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.

INDIVIDUALS DESIRING TO SPEAK AT A PUBLIC HEARING SHALL SIGN UP WITH THE CITY CLERK, LOCATED AT 433 HAY STREET, BY NAME AND HOME ADDRESS BEFORE 7:00 P.M. ON THE SCHEDULED PUBLIC HEARING DATE.

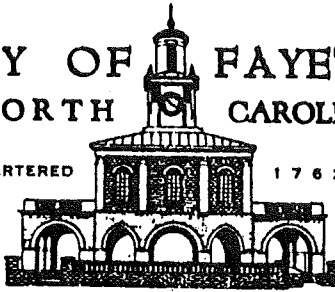
ROBERT C. COGSWELL, JR., CITY ATTORNEY

PUBLISH: March 27, 1992

NOTICE2.4

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



OFFICE OF THE CHIEF OF POLICE
SUITE 124, 131 DICK STREET

FAYETTEVILLE, N. C. 28301-5798
TELEPHONE: (919) 433-1819

9 March 1992

RECEIVED
CITY OF FAYETTEVILLE
MARCH 11 1992

City of Fayetteville
ATTN: City Council
City Hall
Fayetteville, NC 28301

RE: Ather Bridges v. City of Fayetteville
(Officer Cris Kania)

Dear Members of City Council:

I have been sued by Ather Bridges, Jr. in 92 CVS 133 as a result of performing my duties as a police officer for the police department of the City of Fayetteville. Pursuant to N.C.G.S. 160A-167, I am requesting that the City Council provide for the defense of this case and authorize the hiring of an attorney on my behalf.

Thank you for your consideration. I am

Sincerely,

A handwritten signature in black ink, appearing to read "Cris A. Kania". The signature is written in a cursive, somewhat stylized font.

CRIS A. KANIA
Police Officer

BEW/klg

122nd NATIONALLY ACCREDITED



LAW ENFORCEMENT AGENCY

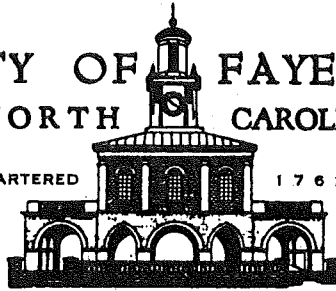
An Equal Opportunity Affirmative Action Employer

ITEM 2.E.

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THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



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

SIGNS AND MARKINGS DIVISION 433-1785
SIGNALS DIVISION 433-1796
339 ALEXANDER STREET
FAYETTEVILLE, NC 28301-5797

February 25, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Louis A. Chalmers, Jr., P.E.,
Director, Traffic Services Department *LAC*

REFERENCE: Request for No Parking - Hull Road

We received a request from Sanford C. Cain, Director of Facility Services, Fayetteville Technical Community College to establish no parking on Hull Road within 150 feet on both sides of the parking lot located in front of the New Advanced Technology Building.

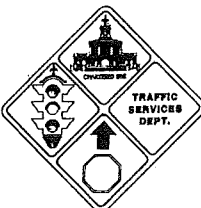
We recommend adoption of the attached ordinance to allow traffic to flow safely to and from the parking lot.

LAC/psc

Enclosures
Letter
Ordinance

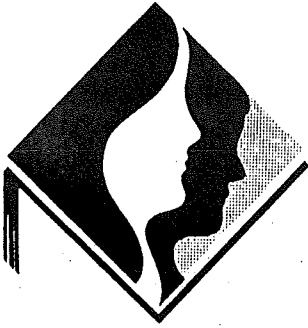
cc: Roger L. Stancil, Assistant City Manager - Operations
William H. Melvin, Signs and Markings Supervisor

An Equal Opportunity



Affirmative Action Employer

ITEM 2.F.



Fayetteville Technical Community College

P.O. Box 35236
Fayetteville, NC 28303
(919) 323-1961
(919) 484-6600 FAX

President
Dr. Craig Allen

Board of Trustees
Harry F. Shaw, *Chairman*
Howard L. Hall, *Vice-Chairman*
Steve R. Satsky, *Secretary*
L. Stacy Weaver, Jr., *Board Attorney*

Members
Artheus Dew
William C. Dukes
Mrs. Tommie B. Evans
Jimmy Harvey
Robert C. Lewis, Jr.
Tom R. McLean
Thornton W. Rose
Mrs. Lura S. Tally
Wayne T. Williams

March 10, 1992

Louis Chalmers
Traffic Services Department
339 Alexander Street
Fayetteville, NC 28301

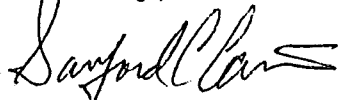
Dear Mr. Chalmers:

As we discussed earlier today, I formally request "No Parking" be established approximately 150 feet on both sides of the entrance to the parking lot off Hull Road in front of The New Advanced Technology Building. (Drawing Attached).

Currently, the parallel parking on the northbound lane of Hull Road restricts the view of vehicles trying to enter the traffic flow. Accidents as a result of this condition will be inevitable.

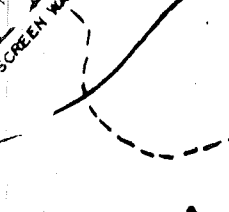
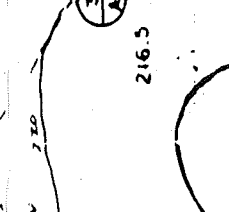
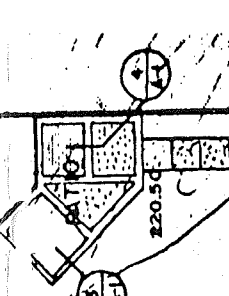
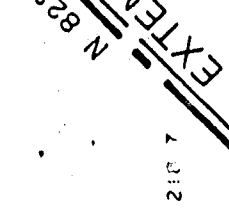
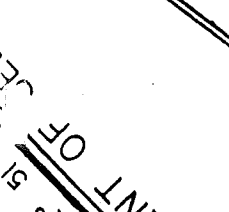
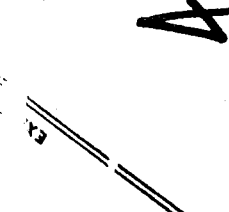
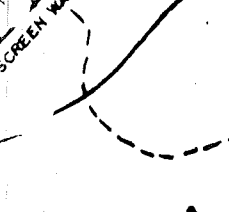
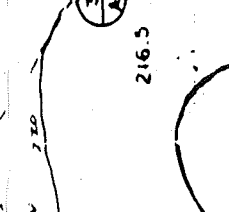
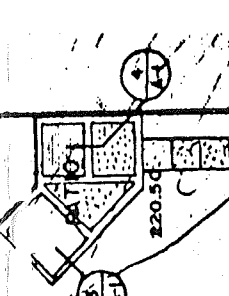
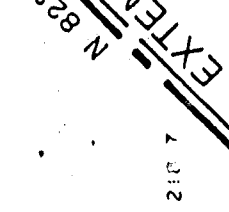
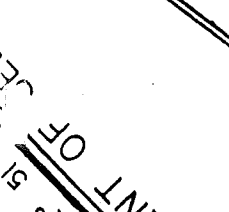
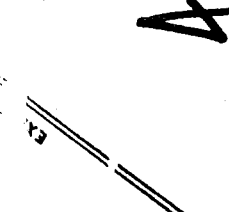
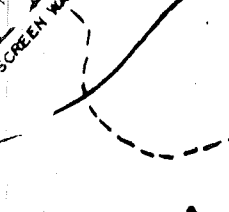
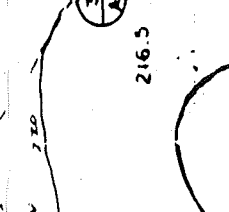
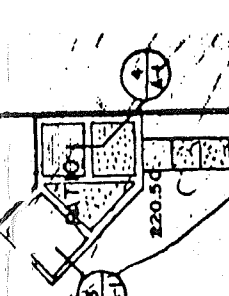
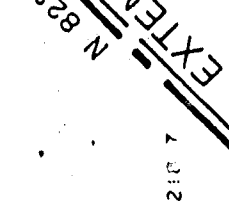
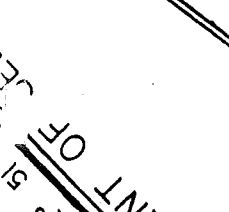
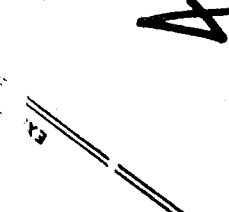
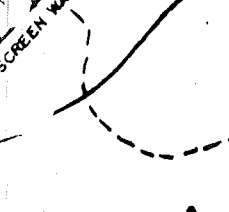
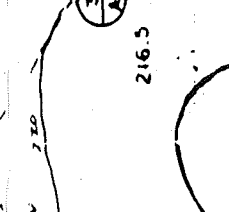
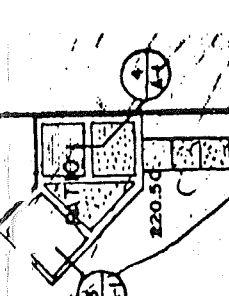
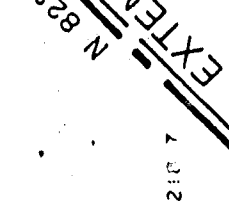
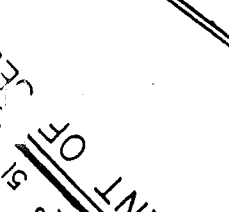
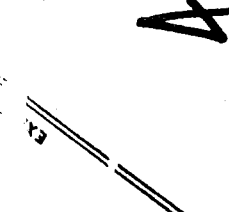
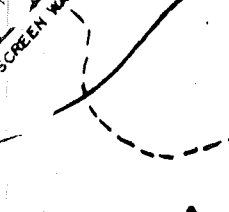
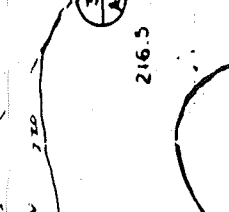
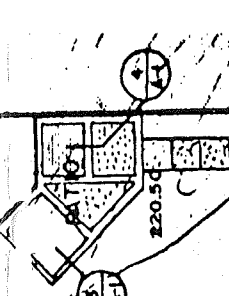
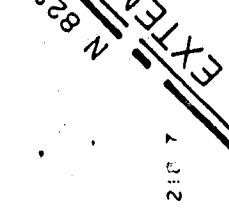
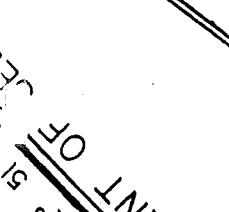
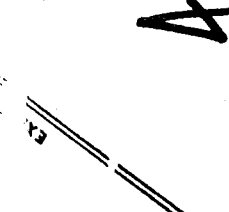
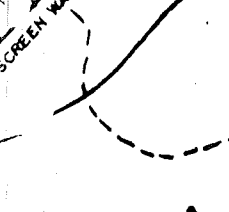
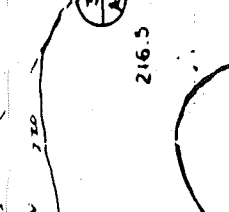
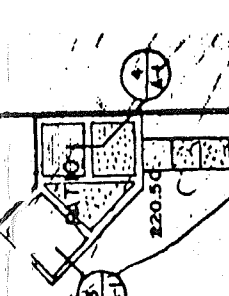
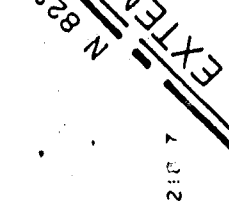
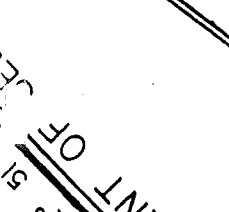
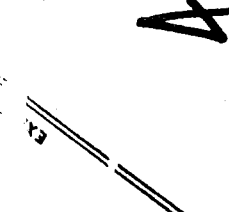
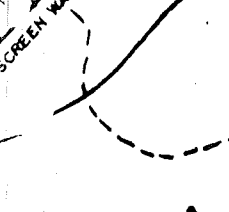
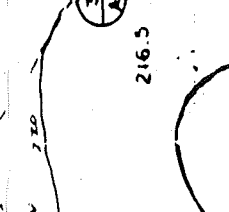
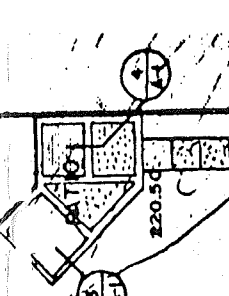
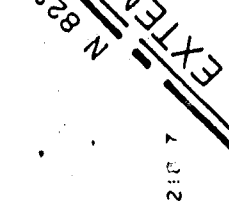
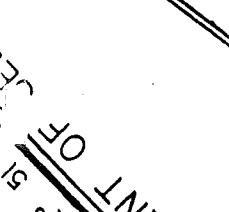
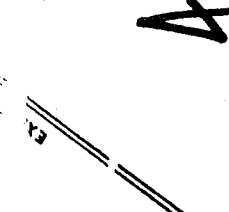
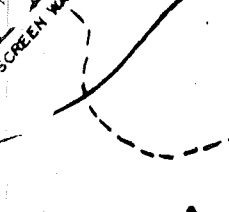
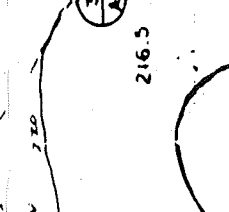
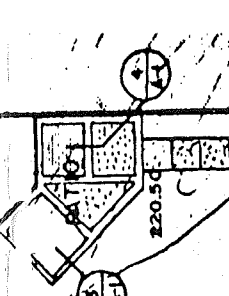
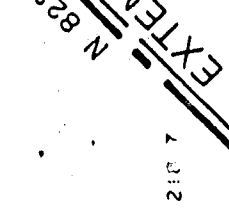
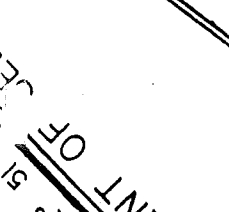
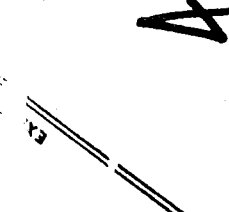
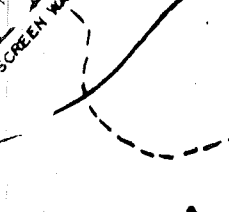
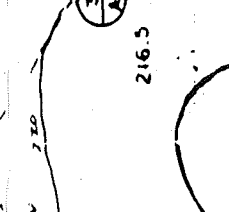
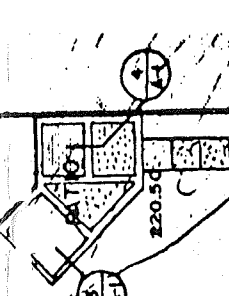
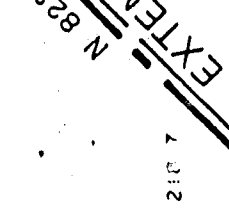
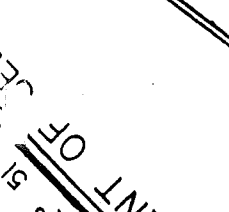
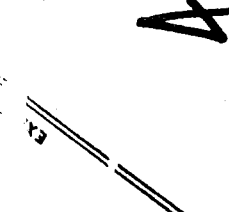
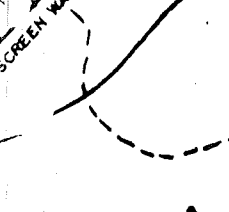
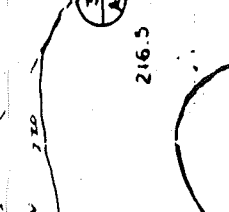
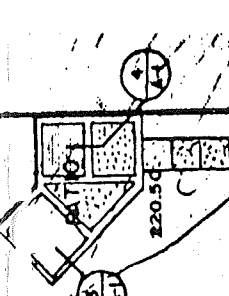
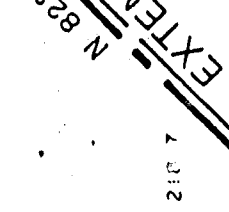
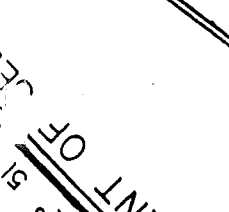
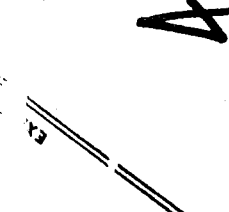
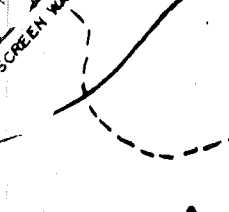
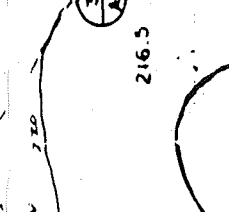
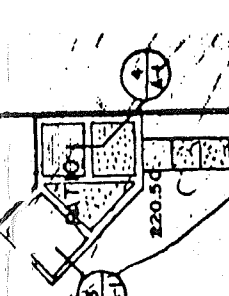
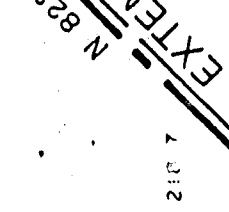
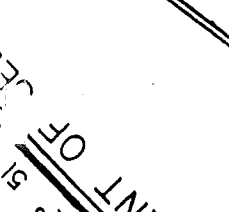
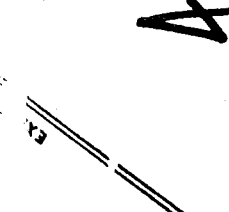
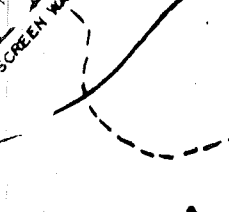
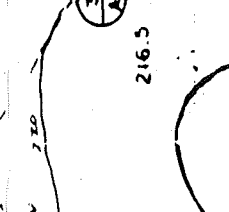
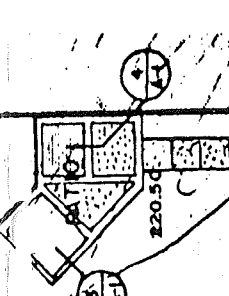
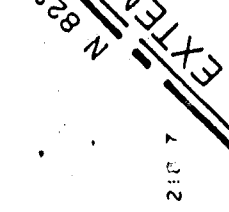
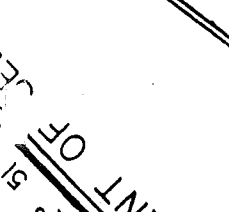
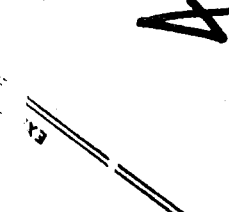
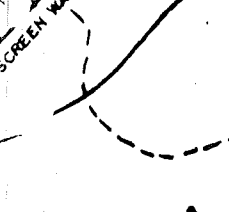
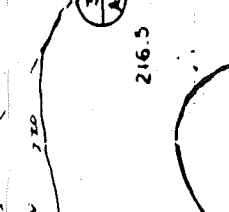
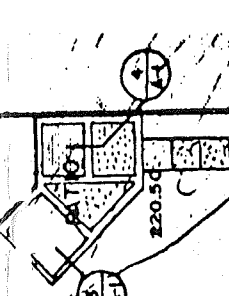
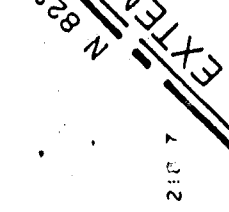
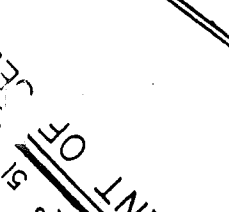
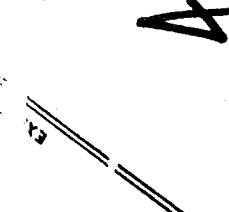
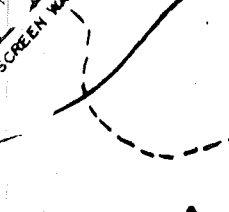
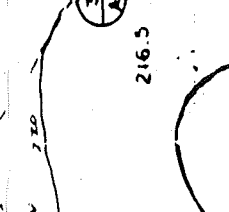
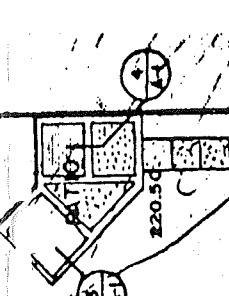
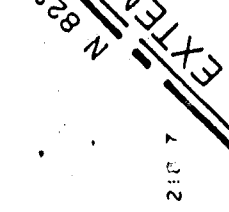
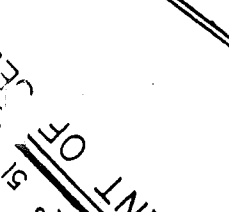
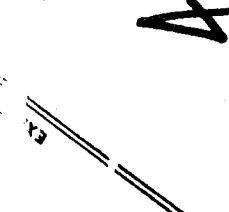
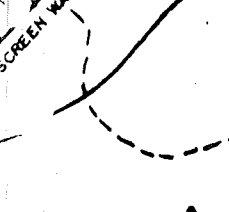
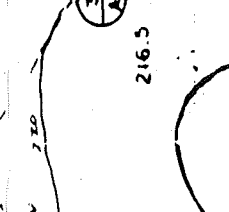
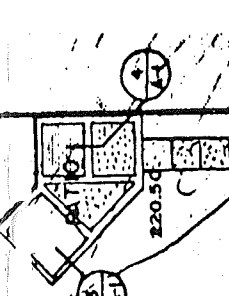
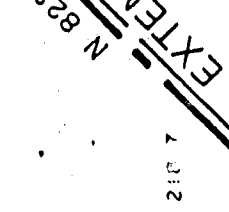
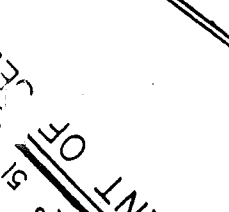
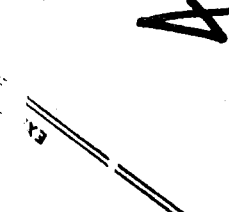
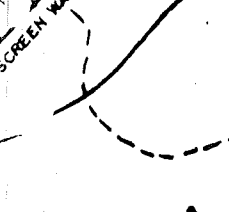
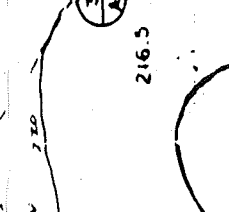
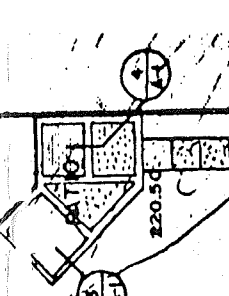
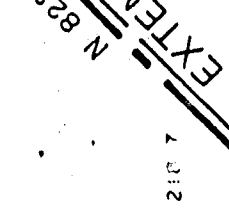
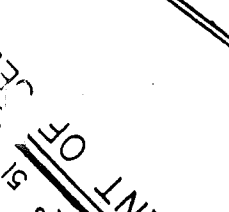
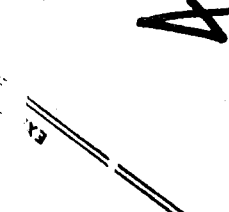
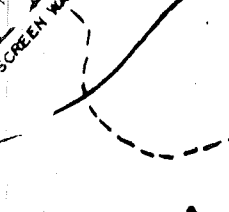
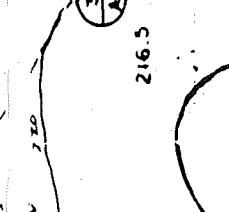
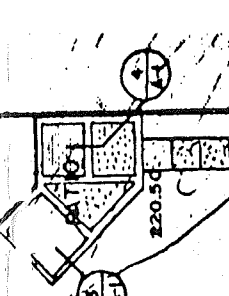
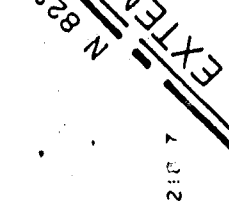
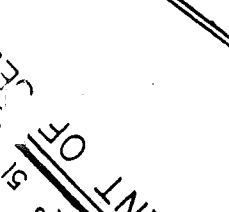
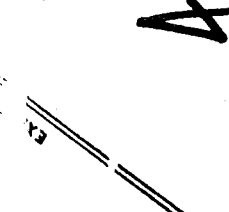
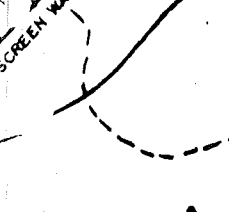
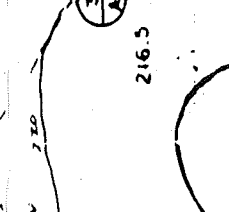
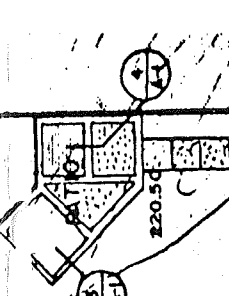
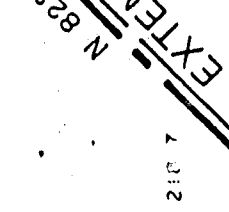
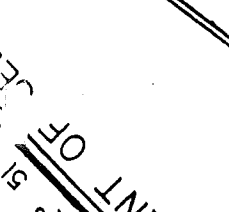
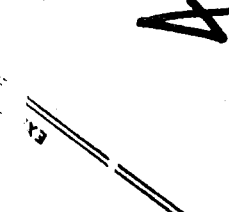
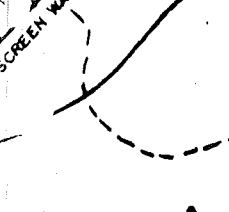
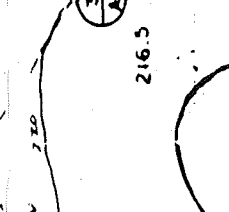
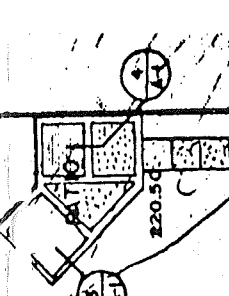
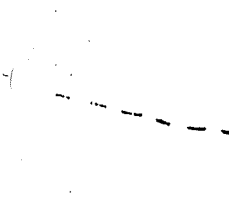
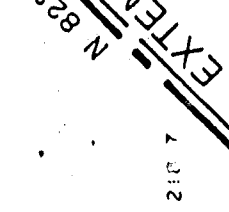
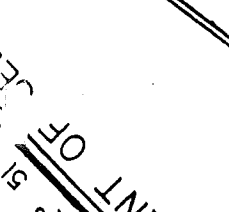
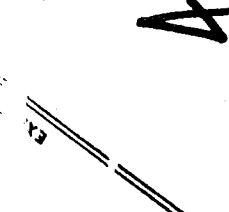
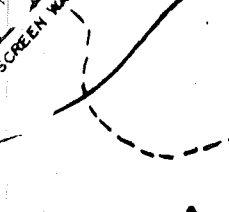
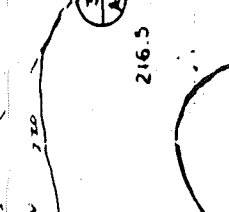
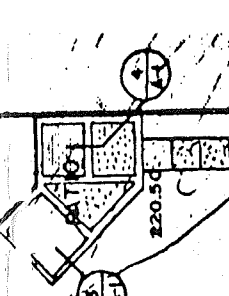
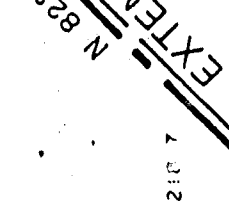
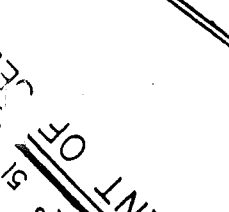
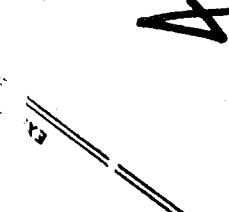
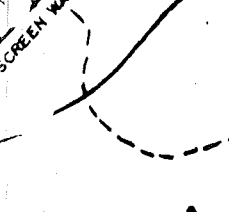
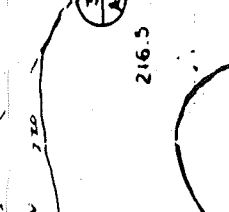
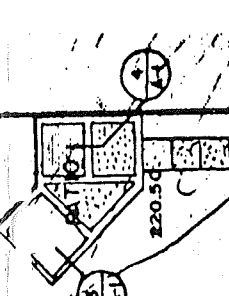
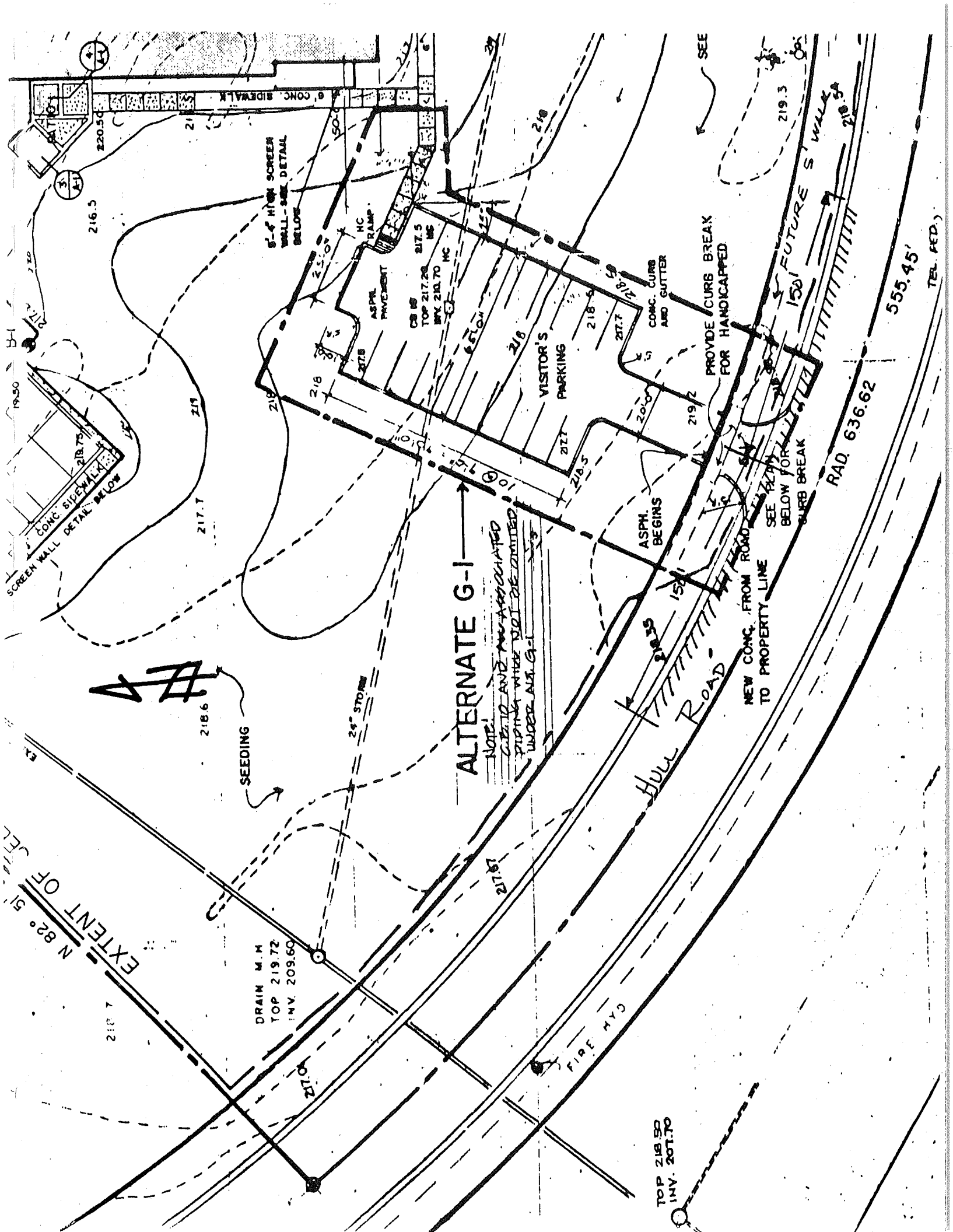
Thank you for your guidance and consideration in this matter.

Sincerely,


Sanford C. Cain
Director of Facility Services

SCC/ct

cc: Dr. Powell
Dr. Norris



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 11 - Parking Prohibited

There is hereby added to said schedule the following:

PARKING PROHIBITED AT ALL TIMES

Hull Road - North side - Beginning 1600 feet west of
west back of curb Devers Street, thence
300 feet westwardly.

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

ADOPTED this the 16th day of March, 1992.

CITY OF FAYETTEVILLE

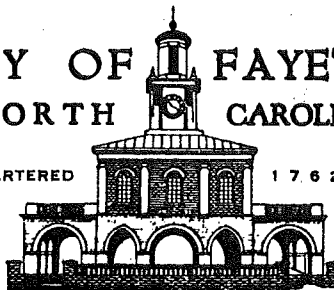
BY: _____
J.L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



ENGINEERING DEPARTMENT
433 HAY STREET

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

March 10, 1992

MEMORANDUM

TO: Mr. John P. Smith, City Manager
THROUGH: Roger L. Stancil, Assistant City Manager
FROM: Michael L. Walker, P.E., Acting City Engineer *MLW*
SUBJECT: Bond Funded Drainage Project - Elm Street (Phase II) -
Engineering Project No. B05-403-91

Bids were received for this project on March 5, 1992. This project will relieve flooding on Elm Street near Eutaw Shopping Center, Fort Bragg Road and the property between Bragg Boulevard and Fort Bragg Road, west of Hobson Street.

A total of seven (7) bids were received. The three low bids are tabulated below:

Crowell Constructors, Inc.	\$228,444.75
Nortec Construction Services, Inc.	\$238,306.28
Barnhill Contracting Company	\$245,196.31
City Estimate	\$214,113.38

We recommend adoption of the attached resolution awarding the contract to the low bidder, Crowell Constructors, Inc., based on the contract unit prices as submitted in their above referenced bid. This project is to be completed by June 1, 1992 and the liquidated damages are as follows:

- (a) Fifty cents (\$.50) per day per \$1,000 of the bid amount for each day of overrun.
- (b) Five hundred dollars (\$500.00) per day for each day Elm Street is closed in excess of 21 days.

This contract contains incentive clauses equal to the liquidated damages.

MLW/mak

Enclosures: Bid Tabulation
Resolution

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2.6

AWARD OF CONTRACT
EXERPT OF MEETING OF THE CITY COUNCIL
CITY OF FAYETTEVILLE, NORTH CAROLINA

At a regular meeting of the Mayor and City Council of the City of Fayetteville, North Carolina, duly held on the 16th day of March, 1992, in City Hall, pursuant to due and lawful notice, the following action was taken:

The acceptance of proposals and the award of a contract incorporated in the INVITATION FOR BIDS, PROPOSAL, ETC., contained in the CONTRACT DOCUMENTS FOR "Elm Street Drainage, Phase II, Engineering Project #B05-403-91"

The bids on the aforementioned work, having been received and opened in public, were recorded in the minutes of the City Council of the City of Fayetteville; thereupon, after consideration of the bids by the City Council in consultation with the Engineer and/or the City Manager, it was determined that the acceptance of the proposal and bid of Crowell Constructors, Inc. (hereinafter CONTRACTOR) would be in the best interest of the City of Fayetteville, and consequent upon which the following action was proposed by _____ and seconded by _____.

All of the bids duly and regularly made on the parts of several works specifically referred to in the Proposal were duly opened, read, tabulated and canvassed, and after due consideration, it was determined that the acceptance of the Bid of CONTRACTOR would best conserve the interests of the City of Fayetteville. Therefore, be it known that the City of Fayetteville does award the Contract for all of said parts of said work to said CONTRACTOR at and for the rates and prices set out in said Proposal, said award being subject to all conditions and stipulations set out in the Contract Documents above mentioned and the Mayor and City Clerk are hereby authorized and directed to execute said contract on behalf of the City of Fayetteville.

Council Persons voting aye, _____

Council Persons voting no, _____

Council Persons absent or abstaining _____

CITY CLERK

MAYOR

Approved as to form and legal sufficiency:

CITY ATTORNEY

ELM STREET DRAINAGE (PH II)

CITY ENGINEERING DEPARTMENT, FAYETTEVILLE, NORTH CAROLINA
 ENGR PROJ #805-403-91
 BID OPENING 2:PM MARCH 5, 1992

DRAINAGE - ELM STREET (PH II)

CONTRACT PRICES

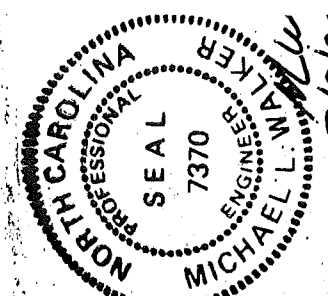
ITEM #	DESCRIPTION	CITY'S ESTIMATE		CROWELL CONSTRUCTORS, INC		BARNHILL CONTRACTING CO		
		QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1	MOBILIZATION	1	LS	\$1,048.78	\$10,195.88	\$5,000.00	\$8,077.11	\$19,341.00
2	TRAFFIC CONTROL	1	LS	\$8,000.00	\$8,000.00	\$2,000.00	\$10,719.11	\$5,850.00
3	EROSION CONTROL	1	LS	\$2,000.00	\$1,500.00	\$1,500.00	\$1,012.05	\$4,100.00
4	R&D PAVEMENT	2110	SY	\$145.00	\$29,495.00	\$4,220.00	\$8,440.00	\$2,110.00
5	RCEP 43"x68" (0-6)	140	LF	\$145.00	\$20,300.00	\$200.00	\$164.19	\$151.05
6	RCEP 43"x68" (6-8)	90	LF	\$185.00	\$16,650.00	\$218.00	\$168.68	\$159.10
7	RCEP 43"x68" (8-10)	48	LF	\$185.00	\$8,880.00	\$218.00	\$168.68	\$147.00
8	RCP 48" (8-10)	123	LF	\$62.50	\$7,687.50	\$95.00	\$11,720.32	\$8,436.00
9	SPARE	0					\$10,766.19	\$87.30
10	RCP 36" (0-6)	194	LF	\$45.00	\$8,730.00	\$60.00	\$11,640.00	\$0.00
11	RCP 36" (6-8)	128	LF	\$52.00	\$6,656.00	\$65.00	\$8,320.00	\$9,923.10
12	RCP 30" (0-6)	98	LF	\$42.50	\$4,165.00	\$52.00	\$5,096.00	\$7,321.60
13	RCEP 29"x45" (0-6)	62	LF	\$85.00	\$5,270.00	\$105.00	\$6,510.00	\$4,395.30
14	R&D 24" RCP	128	LF	\$3.00	\$384.00	\$10.00	\$1,280.00	\$144.60
15	R&D 36" RCP	318	LF	\$4.00	\$1,272.00	\$12.00	\$3,816.00	\$768.00
16	R&D CURB&GUTTER	110	LF	\$330.00	\$36,300.00	\$66.00	\$7,260.00	\$2,226.00
17	30" CONC CURB	110	LF	\$14.50	\$1,595.00	\$15.00	\$1,650.00	\$385.00
18	R&D S/W	45	SY	\$4.50	\$202.50	\$7.75	\$348.75	\$1,340.00
19	7" THICK S/W	45	SY	\$27.00	\$1,215.00	\$27.48	\$1,236.60	\$225.00
20	SPARE	0					\$1,236.60	\$30.00
21	STONE BEDDING PIPE	693	TN	\$14.50	\$10,048.50	\$16.00	\$11,088.00	\$0.00
22	SELECT FILL PIPE	1300	EY	\$5.50	\$7,150.00	\$5.75	\$7,475.00	\$9.75
23	R&D JBS, R/Hs, C&S, etc	5	EA	\$450.00	\$2,250.00	\$100.00	\$500.00	\$6,756.66
24	JB 6A	25	JB 20	\$3,500.00	\$87,500.00	\$5,600.00	\$142,311.00	\$6,756.66
25	JB 20	1	EA	\$1,200.00	\$1,200.00	\$1,625.00	\$1,625.00	\$4.30
26	JB 6B	1	EA	\$3,200.00	\$3,200.00	\$6,600.00	\$6,600.00	\$1,500.00
27	JB 7A	1	EA	\$1,800.00	\$1,800.00	\$2,100.00	\$2,100.00	\$5,080.00
28	JB 7B	1	EA	\$1,800.00	\$1,800.00	\$2,100.00	\$2,100.00	\$3,475.00
29	JB 10	1	EA	\$1,800.00	\$1,800.00	\$2,400.00	\$2,400.00	\$6,180.00
30	SPARE	0					\$2,993.82	\$4,495.00
31	DI	1	EA	\$3,750.00	\$3,750.00	\$5,600.00	\$5,600.00	\$4,495.00
32	DI 9	1	EA	\$1,300.00	\$1,300.00	\$2,100.00	\$2,100.00	\$3,800.00
33	JB 11	1	EA	\$2,100.00	\$2,100.00	\$2,550.00	\$2,550.00	\$3,800.00
34	JB 17	1	EA	\$1,500.00	\$1,500.00	\$2,100.00	\$2,100.00	\$4,500.00
35	JB 12	1	EA	\$1,500.00	\$1,500.00	\$2,350.00	\$2,350.36	\$3,560.00
36	ADD ON JB-01	1	EA	\$1,500.00	\$1,500.00	\$2,200.00	\$1,835.08	\$4,175.00
37	JB 14	1	EA	\$1,000.00	\$1,000.00	\$1,700.00	\$1,835.08	\$4,175.00
38	CB 15	1	EA	\$2,700.00	\$2,700.00	\$2,000.00	\$2,122.35	\$2,655.00
39	JB 16	1	EA	\$1,500.00	\$1,500.00	\$2,000.00	\$2,615.47	\$2,550.00
40	SPARE	0					\$1,332.45	\$3,300.00
41	BOULEVARD SIGN	1	LS	\$1,500.00	\$1,500.00	\$2,000.00	\$1,944.57	\$4,080.00
42	BRASS ROAD SIGN	1	LS	\$2,500.00	\$2,500.00	\$1,700.00	\$1,944.57	\$4,080.00
43	FENCE	1	LS	\$2,400.00	\$2,400.00	\$1,700.00	\$1,421.17	\$1,000.00
44	PIPE PLUG	3	EA	\$600.00	\$1,800.00	\$450.00	\$1,350.00	\$500.00
45	PLANT BEDS	1	LS	\$225.00	\$225.00	\$350.00	\$73.86	\$160.00
46	4 SEMER LINE	1	EA	\$3,500.00	\$3,500.00	\$1,200.00	\$419.40	\$480.00
47	6" WATER LINE	1	EA	\$900.00	\$900.00	\$450.00	\$457.83	\$1,200.00
48	WATER SERVICE	1	LS	\$1,200.00	\$1,200.00	\$1,200.00	\$2,439.88	\$2,150.00
49	REPAIR MH	1	LS	\$900.00	\$900.00	\$600.00	\$331.33	\$500.00
50	REPLACE WALL	1	LS	\$950.00	\$950.00	\$500.00	\$1,410.96	\$1,800.00
51	BIT SURF (1-2)	210	TN	\$1,500.00	\$315,000.00	\$500.00	\$272.77	\$500.00
52	BINDER (H)	350	TN	\$30.00	\$10,500.00	\$30.00	\$10,500.00	\$6,484.80
53	BASE (HB)	288	TN	\$30.00	\$8,640.00	\$28.50	\$8,208.00	\$8,375.50
54	STONE ABC	636	TN	\$14.50	\$9,222.00	\$12.75	\$8,109.00	\$7,175.80
55	ASPHALT PATCH	35	TN	\$100.00	\$3,500.00	\$55.00	\$1,925.00	\$10,093.30
56	SPARE	0					\$1,475.95	\$3,500.00
57	SPARE	0					\$0.00	\$0.00
58	SPARE	0					\$0.00	\$0.00
59	SPARE	0					\$0.00	\$0.00
60	SPARE	0					\$0.00	\$0.00

\$245,196.31

\$258,306.28

\$228,444.75

\$214,113.38



3/9/92

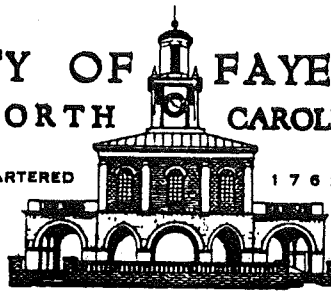
The above tabulation is an accurate listing of the three low bids received.

Michael L. Walker
 Michael L. Walker, P.E.
 Acting City Engineer

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THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

March 12, 1992

MEMORANDUM

TO: Roger L. Stancil, Assistant City Manager for Operations
FROM: David M. Nash, Annexation Studies Coordinator *DMN*
SUBJECT: Agenda Item - Public Hearing - Annexation of Skibo Square
(Petition-Initiated Contiguous Area)

A public hearing has been scheduled for March 16, 1992, concerning the proposed petition-initiated annexation of Skibo Square. (See Map A and Map B attached.) The Notice of Public Hearing was published in the March 6, 1992, edition of The Fayetteville Observer-Times.

After holding the public hearing, the City Council has the authority to adopt an ordinance annexing the area. The City Council has the authority to make the ordinance effective immediately or on any specified date within six months from the date of passage of the ordinance.

In deciding on whether to annex or not to annex this area, the City Councilmembers might want to consider a variety of information. The overall purpose of this memo is to present this information to the City Council.

The memo is organized as follows:

- Section A provides basic information about the area proposed for annexation.
- Section B evaluates the area in terms of several criteria.
- Section C provides a summary, conclusions, and recommendations.

Two maps are attached to the memo, along with a proposed ordinance.

DN/kblb

Attachments

ANNEX-661

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 3.A.

SECTION A

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION

1. NAME OF AREA: Skibo Square
2. TYPE OF PROPOSED ANNEXATION: Petition Initiated (Contiguous Area)
3. CONTEXT/BACKGROUND: On February 5, 1992, the City received an annexation petition, requesting annexation of property to be developed as a new commercial area to be known as Skibo Square. A new K-MART and Lowe's will be built on the site.

The petition was signed by the following seven (7) individuals: J.P. Riddle; March F. Riddle; Carolyn R. Armstrong; George Armstrong; Sharlene R. Williams; Robert J. Williams, IV; and Joseph P. Riddle, III. In addition, the petition was signed by officers of Skibo Square, Inc. (Joseph P. Riddle, III, President, and Sharlene R. Williams, Secretary).

The petition was presented to the City Council on February 18. On March 2, the City Council set a public hearing date for March 16.

4. LOCATION: The proposed annexation area is located on the eastern side of Skibo Road (U.S. 401 Bypass), south of Campground Road and north of the Colonial Storage Center. (See Map A and Map B.) The proposed area is contiguous to the City.
5. REASON FOR THE PETITION: Water and/or sewer main extensions will be needed to serve the proposed development. Therefore, the developer has requested that PWC utility extensions be made.

There is a policy which states that property owners/developers requesting water and sanitary sewer extensions to areas immediately adjacent or contiguous to the City must file a petition for annexation as a prerequisite to utility extensions. The City Council has the freedom to approve or reject the petition. The purpose of the policy is to enable the City to enforce City development standards on developing property contiguous to the City. Pursuant to this policy, the owners have submitted a petition for annexation.

6. IS AREA CONTIGUOUS? Yes
7. NUMBER OF ACRES IN PETITION AREA: 29.63 acres

8. PRESENT CONDITIONS:

Number of Acres

a. Present Use of Land

<u>Land Use Type</u>	<u>By Development Status</u>	<u>By Category</u>
<u>Developed Land</u>	.37	
Street (Campground Road Stub)		.37
<u>Land Currently Being Developed</u>	29.26	
As commercial (4 parcels)		26.67
As streets (Extension of Campground Rd.)		2.24
Remainder		.35
<u>Undeveloped Land</u>	0	
<u>TOTAL</u>	29.63	

b. Present Number of Housing Units - 0

<u>Present Demographics</u>	<u>Total</u>	<u>White</u>	<u>Other</u>	<u>Black</u>
1) <u>Total Population</u>	0	0	0	0
2) <u>Voting Age Population</u>	0	0	0	0
3) <u>Registered Voters</u>	0	0	0	0

d. Present Streets - One new street (an extension of Campground Road) is now under construction.

e. Present Utilities - Being extended/installed.

f. Present Ad Valorem Tax Value - The present ad valorem tax value of the area (before revaluation) is estimated as \$19,277. Ad valorem tax revenues for the remainder of FY 91-92 would be based on this value. The components of this value are shown below.

Real Property Value

Land	\$19,277
Buildings	0
Improvements	0
Total Real	\$19,277

Assumptions

Area is made up of one complete tax parcel (valued at \$8,462) and parts of two other parcels (which are both in the "present use program" and which therefore have lower than normal land values).

Personal Property Value

None	0
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Total Value - Real and Personal

Total	\$19,277
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9. FACTORS AFFECTING EXPECTED FUTURE CONDITIONS:

a. Plans of Owners - The owner/developer (Skibo Square, Inc.) plans to develop the property as commercial.

b. Development Controls

(1) Zoning

(a) Current Zoning in County - C(P) on northern four-fifths of property; M(P) on southern one-fifth.

Timing Issue: The developer has already started construction on the Lowe's building on the northern side of the property. The developer has not yet started construction on the K-MART building, which is proposed for the southern side of the property. The southern side of the property is zoned both C(P) and M(P) in the County. In order for construction to begin on the K-MART in the County, the M(P) portion needs to be rezoned to C(P). The developer has indicated that this "zoning problem" has slowed down the beginning of construction of the K-MART.

(b) Likely Future Zoning After Annexation - After annexation, it is anticipated that the entire property could be initially zoned as C1(P) in the City. The portion currently zoned as M(P) in the County could be initially zoned as C1(P), since the City's zoning districts are cumulative and since C1(P) is "more restrictive than" the City's industrial zoning districts.

Timing Issue: On March 2, the Planning Board staff provided a calendar of events which was designed to initially zone the Skibo Square property as quickly as possible. According to this calendar, there would be a Planning Board public hearing on April 7 and a City Council public hearing on April 20.

(2) Site Plan Approval Process

(a) County Process - The Skibo Square project has already received preliminary site plan approval under the County process, according to the Planning Board staff. This raises the question of whether the developer has vested rights to proceed.

(b) City Process - Because it is possible that the area will be annexed as soon as March 16 and because the developer has expressed a desire to start the K-MART building as soon as possible after annexation, the City staff has encouraged the developer to submit to the Planning Board staff a request for site plan approval under the City process. As of March 6, the developer had not submitted such a request.

(3) Land Use Plans

- (a) Current Plan (1971) - Medium density residential and industrial

10. EXPECTED FUTURE CONDITIONS:

a. Future Use of Land

(1) Residential - None

- (2) Non-residential - Commercial. The proposed annexation area is currently divided into four parcels. Each is discussed below. (See Map B for location of parcels.)

Parcel 1 - (10.91 acres) A Lowe's store is proposed for this parcel. According to the developer's staff, the Lowe's building will be 102,000 square feet in size, it will be one story high, it will be unprotected-sprinklered, and steel frame and masonry will be used in its construction. The developer has already received a building permit from the County for the Lowe's building. Construction is already underway. It is expected that Lowe's will open on November 1.

Parcel 2 - (11.83 acres) A K-MART is proposed for this parcel. According to the developer's staff, this building will be about 112,000 square feet in size, it will be one story high, it will be unprotected-sprinklered, and steel frame and masonry will be used in its construction. The builder has not yet received a building permit from the County for K-MART building. Construction is not yet underway. The developer hopes that the K-MART will open by November 1.

Parcel 3 - (1.79 acres) The future use of this commercial out-parcel is not known at this time.

Parcel 4 - (2.14 acres) The future use of this commercial out-parcel is not known at this time.

b. Future Number of Housing Units - 0

c. Future Demographics - No population.

d. Future Streets - One new street (an extension of Campground Road) is now under construction and is expected to be completed by October 1, 1992. The approximate length of this street is 900 feet. The developer has submitted street and drainage plans for the street to the City staff, even though the street is not yet in the City. The street is being built to NCDOT Thoroughfare Standards, which exceed the City's standards for this type of street. The street will be eight lanes wide at its entrance with Skibo Road, and five lanes wide beyond the entrance. It is likely that the street will be accepted by the City for maintenance effective 7-1-93.

e. Future Utilities - When development is completed, this area will have the full range of PWC utilities (sewer, water, fire hydrants, electricity, street lights).

- f. Future Ad Valorem Tax Value - When the Lowe's and K-MART stores are completed, it can be projected that the future total ad valorem tax value will be at least \$8,935,545. (This will increase when information about the value of business equipment and fixtures becomes available.) It is expected that these values will be in effect by 1-1-93, so the FY 93-94 ad valorem tax revenues will be based on these values. Subsequent fiscal year revenues would also be based on these values. (If the two out-parcels are developed, the values would increase accordingly.) The combined components of the projected values for Lowe's and K-MART are shown below.

<u>Real Property Value</u>		<u>Assumptions</u>
Land	\$4,119,465	1,176,990 sq. ft. at \$3.50 per sq. ft.
Buildings		
K-MART	3,024,000	112,000 sq. ft. at \$27.00 per sq. ft.
Lowe's	1,632,000	102,000 sq. ft. at \$16.00 per sq. ft.
Improvements	160,080	533,600 sq. ft. of asphalt parking area at \$.30 per sq. ft.
Total Real	8,935,545	

<u>Personal Property Value</u>		
Business Equipment, Fixtures		
K-MART	?	Information not yet available.
Lowe's	?	Information not yet available.

<u>Total Value - Real and Personal</u>	
Total	\$8,935,545

SECTION B

EVALUATION OF THE AREA PROPOSED FOR ANNEXATION

Through a staff review process, the City staff and the PWC staff have analyzed the proposed annexation in terms of the following criteria:

1. Compliance With Statutory Standards
2. Ability of City Operating Departments and PWC to Provide Services
3. Fiscal Impact (A Comparison of the Projected Costs of Providing Services With the Project Revenues)
4. Impact at Time of Annexation on Minority Population Percentages (In Overall City and in Adjacent City Council Districts)
5. Other Impacts/Problems Identified in Staff Reviews
6. Other Issues Raised in Staff Review

Information about each of these criteria is presented below.

1. COMPLIANCE WITH STATUTORY STANDARDS

G.S. 160A-31 sets forth one standard which an area must meet when it is annexed by petition. The one standard is that the area must be contiguous to the municipal boundary. The proposed annexation area is contiguous to the municipal boundary.

2. ABILITY OF CITY OPERATING DEPARTMENTS AND PWC TO PROVIDE SERVICES

- a. Methodology - The head of each City operating department and the PWC Manager were asked to review the proposed area in terms of how their departments would serve this area.
- b. Findings - Based on responses received from the City operating departments and from PWC, all operating departments and PWC appear capable of serving the area, if it is annexed.

3. FISCAL IMPACT

Fiscal impact analysis involves comparing the projected costs of providing services with the projected revenues. This technique is useful in evaluating proposed annexations. The results of the analysis for the Skibo Square property are presented below. The City and PWC are treated separately.

a. City - Fiscal Impact

- (1) Procedure - Several steps were involved in analyzing the fiscal impact of the proposed annexation on the City.

- (a) Revenues - First, annual operating revenues were projected. Since this area involves no population, revenues were projected for only ad valorem taxes and Powell Bill. (See Worksheet, Appendix A.) Some of the major assumptions were: that the annexation would be effective 3-16-92, leaving only three months in FY 91-92; that the ad valorem land values will lose their eligibility for the "present use program" effective 1-1-92; that the two stores will be completed and open for business by 1-1-93; that 1992 revaluation values can be used for FY 92-93 and subsequent fiscal years; that the City tax rate will remain the same; and that there will be no inflation.

- (b) Costs - Next, annual costs were projected based on the costs specified by department heads in the review process. The only cost reported was for street maintenance. Street maintenance costs will be about \$403 per year, beginning in FY 93-94 (.17 mile of Campground Road times \$2,370 per mile). The Engineering Department pointed out that Campground Road might need to be resurfaced in about 10 to 15 years. However, it is not possible to specify these costs at this time. Although there will be annual costs for providing fire protection, police protection, engineering review and permit services, inspection services, and traffic services, these departments did not specify these costs. (In most cases, the departments stated that they could absorb the area with no cost.) It should be noted that there will be no costs for rural fire department debt assumption, because the Bonnie Doone Fire Department has stated that it is not interested in receiving any reimbursements for this area, if it is annexed.

- (c) Results - The results are shown in the table below for five fiscal years. The results should be used with some caution because the operating departments did not quantify all of their costs (e.g., fuel costs). Also, the ad valorem revenues are based on the assumption that the City tax rate will remain the same each year.

<u>Fiscal Year</u>	<u>Annual Operating Revenue</u>	<u>Annual Operating Costs</u>	<u>Annual Surplus (Deficit)</u>
91-92	26	0	26
92-93	24,531	0	24,531
93-94	49,208	403	48,805
94-95	49,208	403	48,805
95-96	49,208	403	48,805
5 Year	172,181	1,209	170,972

b. PWC - Fiscal Impact

- (1) Procedure - Several steps were involved in analyzing the fiscal impacts of the proposed annexation on PWC.
- (a) Revenues - First, revenues to PWC were considered. It is not anticipated that PWC will receive any additional revenues as a direct result of annexing the area. Although PWC will gain at least two fairly large utility customers (Lowe's and K-MART) as this area develops, this gain in customers cannot be attributed to annexation.
- (b) Costs - Next, costs to PWC were projected. In FY 91-92, PWC would incur a cost in the form of a refund to the developer (assuming an effective date of annexation of 3-16-92). This refund would be based on one-third of the cost to the developer of extending water and sewer lines. According to PWC, the refund would be \$30,233.15. It is assumed that PWC's cost of providing water and treating sewer will be offset by rates received. Another cost for PWC which can be attributed to annexation is the cost of street lights. (Street lights would not be installed if the area were not annexed.) According to PWC, 14 street lights will be needed, at a cost of \$5,000. The PWC Electrical Division is currently designing electrical facilities to serve the area; these will be installed in the near future. Also, an overhead circuit will be relocated due to the construction of a turning lane. However, the cost of these activities should not be attributed to annexation. Since there are no active accounts in the area, there would be no "costs" to PWC in terms of reduction in water rates or elimination of street light surcharges.
- (2) Results - Revenues and costs were discussed above. It is not necessary to present these revenues and costs in a table (as was done for the City fiscal impact analysis).

4. IMPACT AT TIME OF ANNEXATION ON MINORITY POPULATION PERCENTAGES (IN OVERALL CITY AND IN ADJACENT DISTRICTS)

As shown in Section A of this memo (Item 8 - Present Conditions), this area presently has zero housing units and zero population. It is assumed that these conditions will not change between now and the assumed effective date of annexation (3-16-92). Therefore, there will be no impact at the time of annexation on minority population percentages, either at the overall City level or at the district level. (This area is adjacent to City Council Election District #5 - Old District #5 and new District #5.)

5. OTHER IMPACTS/PROBLEMS IDENTIFIED IN STAFF REVIEW

a. Methodology - During staff review, the head of each City operating department and the PWC Manager were asked to identify any additional impacts/problems, if the area were annexed. It was suggested that the cumulative impact of other annexations enacted during the previous two fiscal years be considered.

b. Findings

(1) PWC - Impacts/Problems - None identified.

(2) City Operating Departments - Impacts/Problems:

(a) Engineering Department - The Acting City Engineer pointed out that the proposed street and parking lot of this development will cause an increase in the amount of stormwater runoff into the downstream area beyond the limits of this development. Therefore, Buckhead Creek should probably be monitored to determine if any erosion or other problems have occurred after heavy storms.

6. OTHER ISSUES RAISED IN STAFF REVIEW

a. Methodology - During staff review, the head of each City operating department and the PWC Manager were asked whether the consideration of this proposed annexation raised any other issues which need to be addressed.

b. Findings

(1) PWC - Other Issues Raised - None raised.

(2) City Operating Departments - Other Issues Raised:

(a) Traffic Services - The City Traffic Engineer has projected that this project will generate 18,000 trips per day. (About 60 percent of these trips will be "new trips"; the remaining 40 percent of trips will be pass-by trips from existing traffic.) The additional traffic will contribute to more congestion in the area. In order to manage this traffic congestion, the developer should be encouraged to extend the proposed extension of Campground Road further, so

that it connects with an existing stub-out on Morganton Road beside Bullard Furniture. Also, development plans need to respect the corridor for a proposed thoroughfare which is expected to be built between Cliffdale Road and Morganton Road.

SECTION C

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

In summary, this memo has analyzed the proposed petition-initiated annexation of Skibo Square. The memo has provided basic information about the area, with a focus on present conditions and expected future conditions. The memo has also evaluated the area in terms of several criteria.

The basic conclusions are as follows:

- The area does comply with statutory standards, since the area is contiguous.
- The City operating departments and PWC appear to be able to provide services to the area.
- The fiscal impact of annexing the area appears to be very positive for the City. However, City departments did not quantify all of their costs. The fiscal impact analysis for PWC needs to be refined before conclusions can be drawn.
- If the area is annexed effective 3-16-92, there will be no impact on minority population percentages.

Based on these conclusions, the City staff recommends that the City Council annex the area. The City staff also recommends that the annexation be made effective on the date of adoption of the ordinance (e.g., March 16, 1992). By making the ordinance effective March 16, the City (rather than the County) might be able to issue the building permit for the K-MART building. If the City issues the building permit, there would be additional revenues to the City.

In addition to these recommendations concerning annexation, the City staff also offers the following recommendations:

- Potential stormwater runoff needs to be monitored.
- The proposed development will contribute to additional traffic congestion in the area. Therefore, the developer should be encouraged to extend Campground Road to Morganton Road and to protect the proposed thoroughfare corridor which is located to the rear of the annexation area.

APPENDIX A
ANNEXATION REVENUE PROJECTION WORK SHEET

AREA #: _____ AREA NAME: SKIBO SQUARE
ASSUMED EFFECTIVE DATE: 3-16-92

PETITION-INITIATED
 CITY-INITIATED

DATE PROJECTION PREPARED: 3-6-92 DATE REVISED: 3-11-92

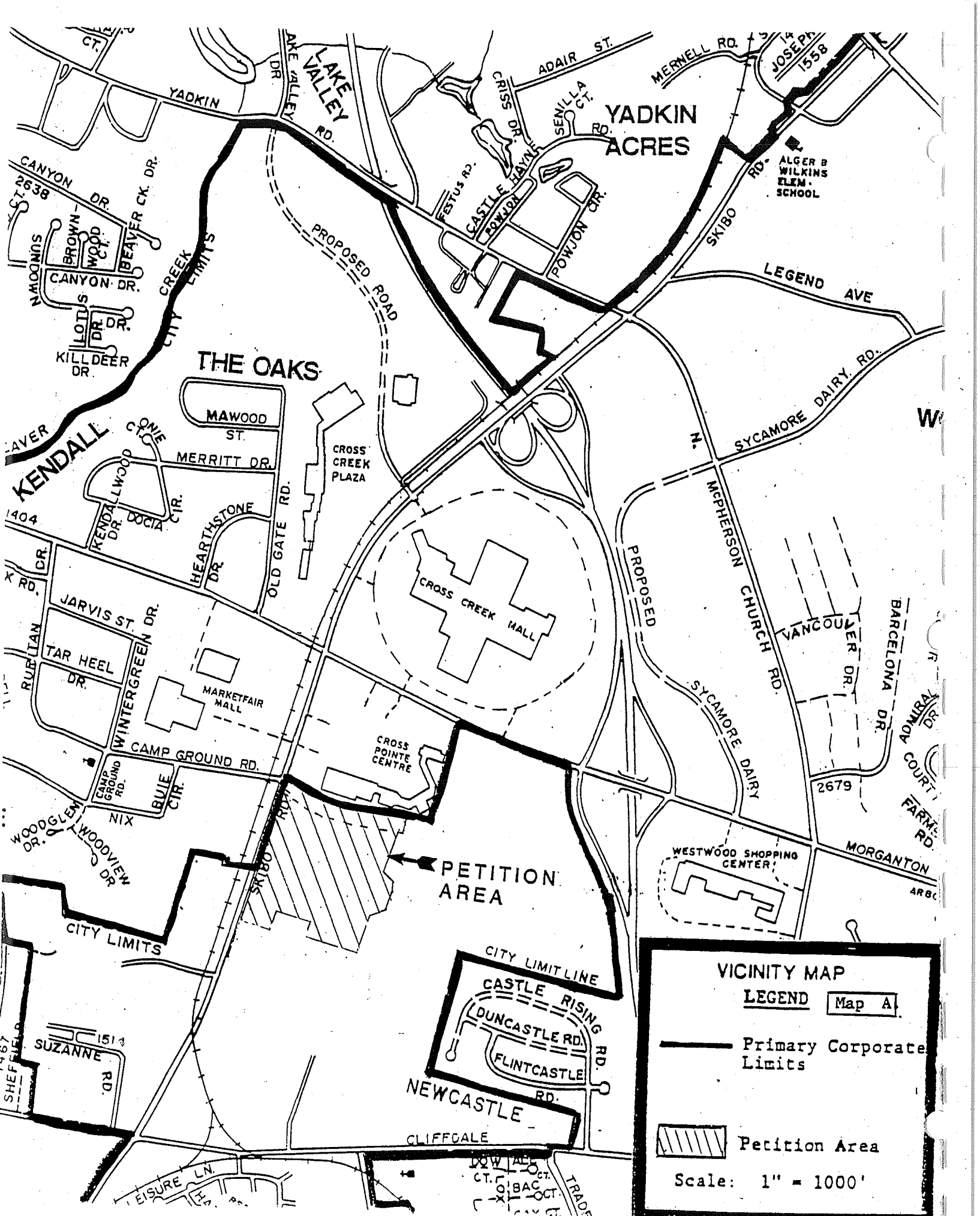
I. CITY-GENERAL FUND	FISCAL YEARS					TOTAL
	91-92	92-93	93-94	94-95	95-96	
A. REVENUES						
1. Ad Valorem Tax						
a. Real Property - Taxable Value						
Land ¹	19,277	4475482	4119465	4119465	4119465	
Buildings ¹	0	0	4656000	4656000	4656000	
Improvements ¹	0	0	160,080	160,080	160,080	
Gross Total	19,277	4475482	8935545	8935545	8935545	
Market Index Adjustment	0	0	0	0	0	
Adjusted Total Real Property	19,277	4475482	8935545	8935545	8935545	
b. Personal Prop. - Taxable Val.						
Automobiles ¹	0	0	0	0	0	
Business Equip., Fixtures ¹	0	0	?	?	?	
Mobile Homes ¹	0	0	0	0	0	
Other ¹	0	0	0	0	0	
Total Personal Property	0	0	?	0	0	
c. Total Val. - Real and Pers.	19,277	4475482	8935545	8935545	8935545	
d. Tax Rate (Per \$100 Value)	.577	.577	.577	.577	.577	
e. Gross A. V. Revenue	111	25,823	51,558	51,558	51,558	
f. Deduction for Prorating	-83	-0	-0	-0	-0	
g. Adjusted A. V. Revenue	28	25,823	51,558	51,558	51,558	
h. Collection Rate	.95	.95	.95	.95	.95	
i. Final Adjusted A. V. Revenue	26	24,531	48,980	48,980	48,980	171497
2. Sales Tax						
a. Projected Population ²	0	0	0	0	0	
b. Per Capita Distribution	59	59	59	59	59	
c. Sales Tax Revenue	0	0	0	0	0	
3. Beer and Wine Tax						
a. Projected Population ²	0	0	0	0	0	
b. Per Capita Distribution	4	4	4	4	4	
c. Beer and Wine Tax Revenue	0	0	0	0	0	
4. Powell Bill						
a. Projected Population ²	0	0	0	0	0	
b. Per Capita Distribution	19.61	19.61	19.61	19.61	19.61	
c. Revenue from Pop.	0	0	0	0	0	
d. # Miles Streets to be Accept ²	0	0	.17	.17	.17	
e. Per Mile Distribution	1345.47	1345.47	1345.47	1345.47	1345.47	
f. Revenue from Street Miles	0	0	228	228	228	
g. Powell Bill Revenue (c + f)	0	0	228	228	228	684
5. Total Revenue (1i+2c+3c+4g)	26	24,531	49,208	49,208	49,208	172181

NOTES:

¹As of the January 1 immediately preceding the beginning of the fiscal year.

²As of the first day of the fiscal year (July 1).

ASSUMPTIONS: See text.



VICINITY MAP
LEGEND Map A

— Primary Corporate Limits

▨ Petition Area

Scale: 1" = 1000'

SKIBO SQUARE
(EASTERN SIDE OF SKIBO ROAD
BETWEEN CAMPGROUND ROAD
AND COLONIAL STORAGE CENTER)

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF FAYETTEVILLE, NORTH CAROLINA

WHEREAS, the City Council has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall Council Chambers at 7 o'clock, p.m., on the 16th day of March, 1992, after due notice by publication on the 6th day of March, 1992; and

WHEREAS, the City Council does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory, is hereby annexed and made part of the City of Fayetteville as of the 16th day of March, 1992.

BEGINNING at a point in the City Limit Line, established by Annexation 86-7-297, dated July 21, 1986, said point being the intersection of the eastern right-of-way margin of U.S. 401 Bypass (Skibo Road) and the northern tangent line of a curve to the left on to Campground Road, shown in Plat Book 59, Page 119, Cumberland County Registry, and running thence with the City Limit Line for the following listed calls: South 74 degrees 05 minutes 45 seconds East 75.0 feet; a curve to the right in a southeast direction with a radius of 263.91 feet and an arc distance of 144.56 feet to a point in said margin; South 74 degrees 05 minutes 40 seconds East 362.50 feet; South 82 degrees 28 minutes 43 seconds East 491.16 feet; thence leaving the City Limit Line and running South 07 degrees 23 minutes 38 seconds West about 90.5 feet to an iron stake in the southern right-of-way margin of Campground Road as drawn on a survey of Skibo Square and recorded in Plat Book 78, Page 74, Cumberland County Registry; thence with the southern right-of-way margin of said street South 78

degrees 08 minutes 11 seconds West 34.88 feet to a point; thence leaving the street margin and running South 15 degrees 45 minutes 15 seconds West 390.00 feet to a point; thence South 49 degrees 33 minutes 21 seconds East 123.87 feet to a point; thence South 03 degrees 28 minutes 50 seconds East 90.00 feet to a point; thence South 15 degrees 45 minutes 15 seconds West 167.86 feet to a point; thence South 62 degrees 25 minutes 47 seconds West 166.15 feet to a point; thence South 15 degrees 45 minutes 15 seconds West 354.33 feet to the southeast corner of a Survey Plat of Skibo Square as shown in Plat Book 78, Page 74, Cumberland County Registry; thence North 74 degrees 14 minutes 45 seconds West 484.46 feet to a point in the eastern property line of Colonial Storage Centers, I, Inc.; thence running along the eastern property line of said property North 15 degrees 51 minutes 52 seconds East 139.95 feet to a point; thence North 74 degrees 05 minutes 08 seconds West 313.34 feet to a point; thence South 15 degrees 50 minutes 38 seconds West 175.08 feet to a point; thence North 74 degrees 09 minutes 24 seconds West 268.51 feet to a point in the eastern right-of-way margin of U.S. 401 Bypass (Skibo Road); thence running along the new right-of-way margin of Skibo Road North 19 degrees 34 minutes 13 seconds East 180.00 feet to a point; thence North 15 degrees 45 minutes 15 seconds East about 183 feet to a point; thence North 74 degrees 03 minutes 36 seconds West 12.0 feet to the old right-of-way margin of Skibo Road and southeast corner of the existing City Limit Line, established by Annexation 90-11-337, dated November 19, 1990; thence with the City Limit Line North 15 degrees 56 minutes 24 seconds East 205.0 feet to a corner of the existing City Limit Line established by Annexation 85-2-293, dated February 4, 1985; thence with said eastern line North 15 degrees 56 minutes 24 seconds East 662.76 feet to a point; thence northeastward about 105.6 feet to the BEGINNING . . . containing 29.63 acres, more or less.

Section 2. Upon and after the 16th day of March, 1992, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Fayetteville and shall be entitled to the same privileges and benefits as other parts of the City of Fayetteville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Fayetteville shall cause to be recorded in the Office of the Register of Deeds of Cumberland County, and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly

certified copy of this ordinance. The Mayor of the City of Fayetteville shall also cause such map and ordinance to be filed with the County Board of Elections of Cumberland County.

Adopted this 16th day of March, 1992.

J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

kblb

PUBLIC HEARING
SPEAKERS

SUBJECT: ANNEXING SKIBO SQUARE

DATE: March 16, 1992

(Name)	<u>PROPONENT</u> (In Favor)	(Address)
1.	<u>R.A. Rumbough</u>	<u>2507 Spring Valley Rd.</u>
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

	<u>OPPONENT</u> (Against)	
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

PUBLIC HEARING

CITIZEN INPUT

RE: _____

Date: _____

S P E A K E R S:

(Name)

(Address)

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
AFFIRMING THE NEED TO PROTECT OUR YOUTH FROM
EXPOSURE TO THE IDOLIZATION OF VIOLENT CRIMINALS

WHEREAS, the youth of today are our leaders of tomorrow;
and

WHEREAS, the citizens of the City of Fayetteville care
about their youth and want to provide them with compassion,
love, and guidance; and

WHEREAS, the citizens of the City of Fayetteville want to
shield their youth from potentially dangerous influences; and

WHEREAS, there are many copycat or serial murderers who
are featured as heroes and that perhaps because of the
idolization of copycat or serial murderers, some youth may
aspire to reach comparable fame through imitation;

THEREFORE BE IT RESOLVED by the City Council of the City
of Fayetteville that the idolization of copycat or serial
murderers or featuring them as heroes is condemned and that we
affirm the need to protect our youth from exposure to such
activities.

Adopted this _____ day of _____, 1992.

CITY OF FAYETTEVILLE

BY: _____
J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

0026

ITEM 4





March 9, 1992

Mr. John Smith
City Manager
433 Hay Street
Fayetteville, N.C. 28301

Dear Mr. Smith:

Mr. Jim Konneker, Chairman of the Metro Visions committee, requests to be placed on the agenda for the March 16, 1992, meeting of the Fayetteville City Council. His purpose is to extend an invitation to the Council to participate in the Leadership Summit, scheduled for May 14, 15 and 16. This summit is being sponsored by Metro Visions, a Chamber of Commerce committee.

Thank you for your consideration and I look forward to your response to our request.

Sincerely,

A handwritten signature in cursive script that reads "Glenda Margerum".

Glenda Margerum
Community Development Specialist

519 RAMSEY STREET

P.O. DRAWER 9

FAYETTEVILLE, NC 28302

(919) 483-8133

FAX (919) 483-0263

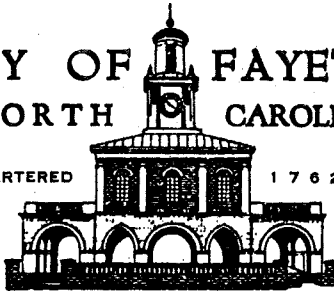
North Carolina's 4th Largest Metro

ITEM 5



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



AIRPORT MANAGER
(919) 483-4468

FAYETTEVILLE AIRPORT COMMISSION
Post Office Box 64218
Fayetteville, NC 28306

Phone: (919) 433-1621

March 10, 1992

MEMORANDUM:

TO: John Smith, City Manager
THROUGH: Roger Stancil, Assistant City Manager
FROM: Tom Ray, Airport Manager *WR*
SUBJECT: Proposed Temporary Lease of Space to the SPCA

Request permission to lease the Weinstein house and about 1.6 acres off Doc Bennett Road to the SPCA for up to one year to allow them time to find a permanent place to operate. This area is fenced off from the rest of the airport and could operate totally separate from the other airport functions.

I have discussed this telephonically with four of the six Airport Commission members, and all four support the idea. The SPCA must be out of their facilities within a week or so, and they are attempting to find a place now. They are looking at two or three places, and will make a decision this week, hopefully.

The facility on airport property has been available for approximately five (5) years, and has been used only sparingly. We feel that this is a good purpose for temporary use of this property; and if this request is approved, a lease will be drawn.

emn

cc: Mr. Al Rummans, Chairman
Airport Commission

An Equal Opportunity
City of



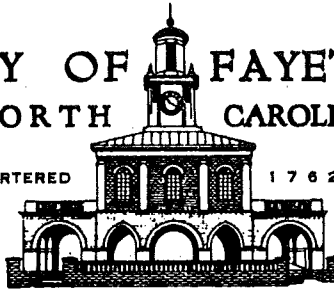
Affirmative Action Employer
Dogwoods

ITEM 6



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

March 10, 1992

MEMORANDUM

TO: John P. Smith, City Manager
FROM: Jimmy Teal, Assistant to the City Manager *JT*
SUBJECT: Rollout Disposal Fee

The City Council at its October 7, 1991, meeting established the rate of \$50.00 per rollout to recoup the disposal fee charged by the County on those rollouts not covered on their individual property tax bill. The purpose of the fee is to have these customers pay for their disposal cost just as all other customers within the City pay for their disposal cost.

Since October the City has been reviewing the amount of disposal cost charged by the County, the number of rollouts used by businesses, the number of rollouts used by mobile home parks and apartments, the weight of the garbage and the \$25.00 fee charged by the County for households. Considering all those issues, along with the equity and fairness of the fee, I suggest the disposal fee for apartments and mobile homes be reduced from \$50.00 to \$25.00. My recommendation is based on the following:

Estimated 1,700 rollouts utilized by apartments and mobile home parks	
1,700 rollouts x \$25.00 fee	= \$42,500
Estimated 700 rollouts utilized by businesses	
700 rollouts x \$50.00 fee	= <u>35,000</u>
	\$77,500
Estimated annual cost for disposal	\$77,000
NET	\$ 500

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 7



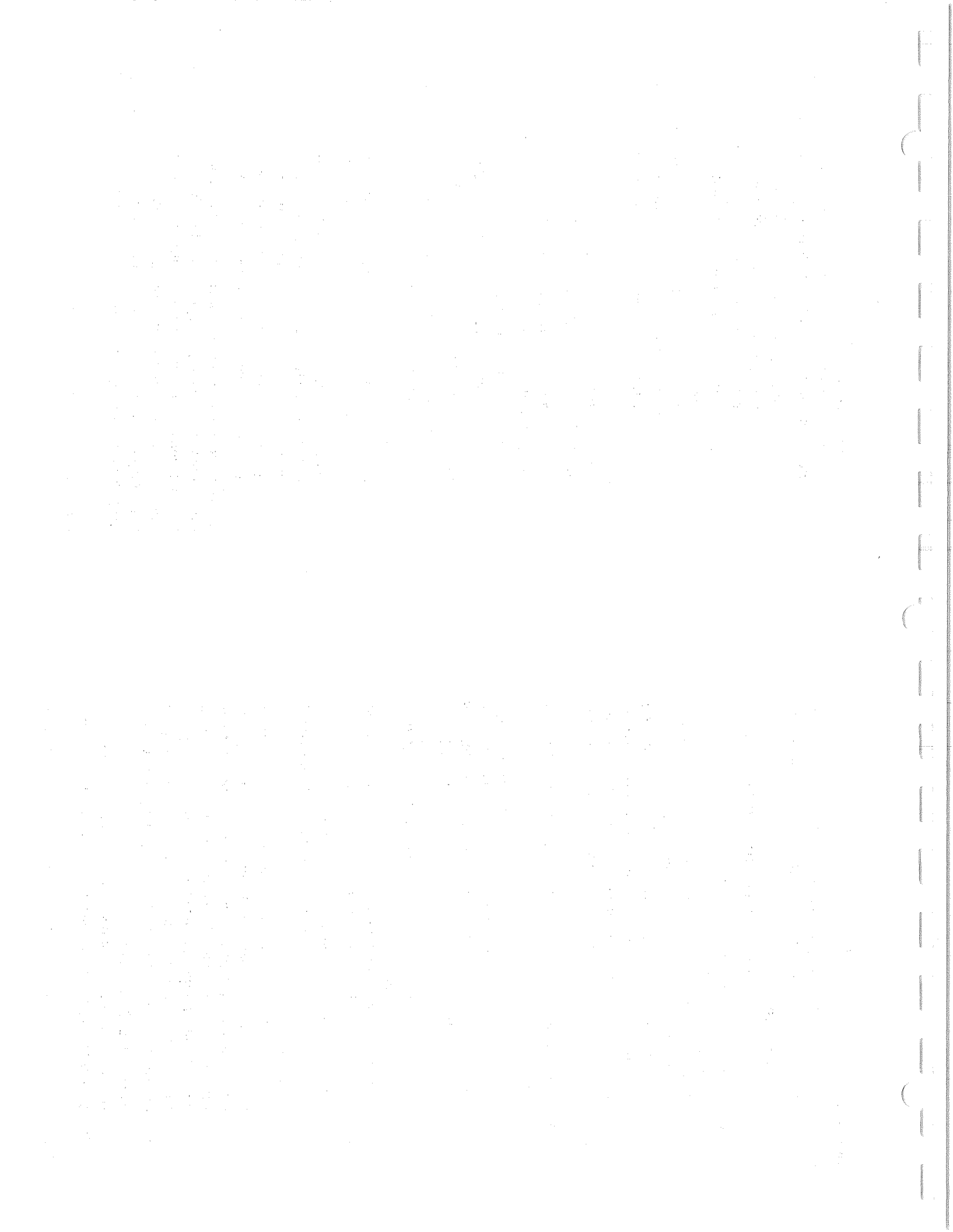
John P. Smith
Page 2
March 10, 1992

Another consideration, in addition to the proposed fee, is to waive the disposal fee for FY 1991-92 in exchange for all customers switching to dumpsters effective July 1, 1992, and returning all rollout carts to the City. This would be a fair trade-off since the City could reduce the number of rollout carts purchased for FY 1992-93.

If you have any questions, please let me know.

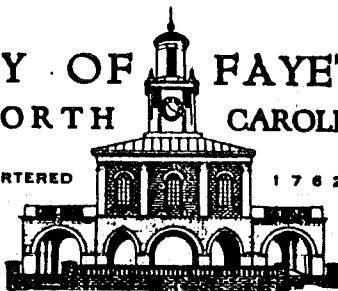
JT/kbla

cc: Roger L. Stancil, Assistant City Manager for Operations
Clark Dill, Environmental Services Director
Kai Nelson, Finance Director



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



25 February 1992

OFFICE OF THE CHIEF OF POLICE
SUITE 124, 131 DICK STREET

FAYETTEVILLE, N. C. 28301-5798
TELEPHONE: (919) 433-1819

MISSION STATEMENT

PERFORM OUR DUTIES AND FULFILL OUR RESPONSIBILITIES OF ENFORCING THE LAW, PRESERVING THE PEACE AND PROVIDING POLICE SERVICES SO THAT WE IMPROVE THE QUALITY OF LIFE FOR ALL CITIZENS WITHIN OUR JURISDICTION CONSISTENT WITH THE GOALS AND MISSIONS OF THE CITY OF FAYETTEVILLE.

MEMORANDUM

TO : Robert Cogswell, City Attorney
THROUGH: Roger Stancil, Assistant City Manager
FROM : Ronald E. Hansen, Chief of Police *REH*
SUBJECT: Sound Level Permit--Summerfest '92

Section 21-30.9 (6) 3 seems to indicate that the Chief of Police can grant relief from the allowable noise level for a period of four hours. Generally events such as Summerfest require more time to be a success. I believe that the ordinance should be amended to allow appropriate discretion.

REH:lof

cc: Robert Barefoot
Robbi Salak
Major Cannady

122nd NATIONALLY ACCREDITED



LAW ENFORCEMENT AGENCY

An Equal Opportunity Affirmative Action Employer

ITEM 8

- (b) Nonamplified crowd noises resulting from the activities such as those planned by student, governmental or community groups;
- (c) Construction operations for which building permits have been issued or construction operations not requiring permits due to ownership of the project by an agency of government; providing all equipment is operated in accord with the manufacturers' specifications and with all standard equipment manufacturers' mufflers and noise reducing equipment in use and in proper operating condition;
- (d) Noises of safety signals, warning devices, emergency pressure relief valves and bells and chimes of churches;
- (e) Noises resulting from any authorized emergency vehicle when responding to an emergency call or acting in time of emergency;
- (f) Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefor has been granted by the City of Fayetteville in accordance with the above. Regulation of noises emanating from operations under permit shall be according to the conditions and limits stated on the permit and contained above;
- (g) Noises made by persons having obtained a permit to use the streets;
- (h) All noises coming from the normal operations of aircraft (not including scale model aircraft) and all noises emanating from the Fayetteville Municipal Airport property within the NEF (Noise Exposure Forecast) zones as established by a survey dated April, 1977, and maintained in the office of the airport manager. (Ord. No. 1980-12, 10-13-80)

Note—See the editor's note following § 21-30.

Sec. 21-30.6. Special permits re relief from allowable noise level limits.

Applications for a permit for relief from the maximum allowable noise level limits designated in sections 21-30 through

21-30.9 may be made in writing to the chief of police or his duly authorized representative. Any permit granted by the chief of police hereunder must be in writing and shall contain all conditions upon which said permit shall be effective. The chief of police or his duly authorized representative may grant the relief as applied for under the following conditions:

- (a) The chief of police may prescribe any reasonable conditions or requirements he deems necessary to minimize adverse effects upon the community or the surrounding neighborhood, including use of mufflers, screens or other sound attenuating devices.
- (b) *Permits for entertainment.* Permits may be granted for the purpose of entertainment under the following conditions:
 - (1) The function must be open to the public (admission may be charged).
 - (2) The function must take place on public property.
 - (3) The permit will be given for only four (4) hours in one twenty-four-hour day.
 - (4) The function must be staged between the hours of 9:00 a.m. and 12:00 midnight.
- (c) *Other.* Special permits for nonentertainment special purposes may be issued under the following conditions:
 - (1) a. If the special purpose relates to the operation of a trade or business, that the special purpose not be in the ordinary course of that trade or business; or
 - b. If the special purpose does not relate to the operation of a trade or business, that the special purpose not be an ordinary event in the affairs of the applicant; and
- (2) If the special purpose be a recurring purpose, that it not recur more often than four (4) times each calendar year; and

the chief of police to issue the permit to the applicant. If the city council determines that the issuance of the permit would be detrimental to the public health, safety and welfare of the community, the city council shall so notify the applicant, and the chief of police shall not issue the permit. (Ord. No. 1980-12, 10-13-80)

Note—See the editor's note following § 21-30.

Sec. 21-30.7. Motor vehicle noise.

(a) No person shall drive or move or cause or knowingly permit to be driven or moved a motor vehicle or combination of vehicles at any time in such a manner as to exceed the following noise limits for the category or motor vehicle shown below. Noise shall be measured at a distance of at least twenty-five (25) feet (7.5 meters) from the near side of the nearest lane(s) being monitored and at a height of at least four (4) feet above the immediate surrounding surface.

SOUND PRESSURE LEVEL, dB(A)

*Speed limit Speed limit
35 mph or less over 35 mph*

Motor vehicles with a manufacturer's gross vehicle weight rating (GVW) or gross combination weight rating (GCWR) of 10,000 pounds or more, or any combination of vehicles towed by such motor vehicle, except those operated by an interstate motor carrier.

Such vehicles operated by interstate motor carriers (measured at least 35 feet from the centerline of the traveled lane).	91
Any other motor vehicle or any combination of vehicles towed by any motor vehicle.	80

Supp. No. 80

342.9

(3) a. That the special purpose be absolutely necessary to the operation of the applicant's trade or business; or,

b. If the special purpose does not relate to the operation of the trade or business, that the special purpose be compatible with the ordinary activities of the neighborhood in which the special purpose is to occur; and

(4) Except in emergency situations, as determined by the chief of police, the special permit may be issued only for four (4) hours between 7:00 a.m. and 12:00 p.m. on weekdays; and

(5) Special permits may be issued for no longer than fifteen (15) consecutive days, renewable by further application to the chief of police.

(d) *Exterior loudspeaker not permitted.* No permit may be issued to permit the use of any loudspeaker or sound amplifying device on the exterior of any building which at any time exceeds the sound level limits in Table 1 except those used for emergency warnings.

(e) *Appeal.* Anyone aggrieved by the provisions of this section shall have the right to appeal the decision of the chief of police to the city council. The appeal shall be in writing and filed with the city clerk within ten (10) days after the decision of the chief of police. Upon receipt of a notice of appeal, the city council shall grant a hearing to the appellant at the next city council meeting, provided, said notice of appeal is received by 5:00 p.m. of the Friday before said council meeting.

(f) At the hearing before the city council pursuant to an appeal as requested herein, the city council shall hold a public hearing to determine whether issuance of the permit would be detrimental to the public health, safety and welfare of the community. If the city council determines that the issuance of the permit would not be detrimental to the public health, safety and welfare, the city council shall specifically authorize

Supp. No. 60

342.8

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
AMENDING SECTION 21-30.6 OF THE CODE OF ORDINANCES
OF THE CITY OF FAYETTEVILLE

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that Section 21-30.6, special permits regarding relief from allowable noise level limits, of the Code of Ordinances of the City of Fayetteville, North Carolina, is amended as follows:

Section 1. Subsection (b)(3) is deleted.

Section 2. In Subsection (c)(4), in the third line thereof, the words and figures "for four (4) hours" are deleted.

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

Adopted this _____ day of _____, 1992.

CITY OF FAYETTEVILLE

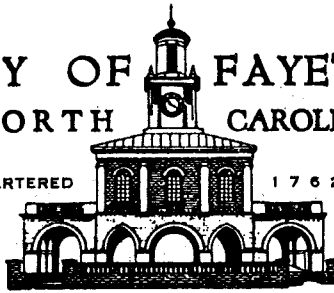
By: _____
J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY CLERK
433 HAY STREET

FAYETTEVILLE, NC 28301-5537

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

March 11, 1992

MEMORANDUM

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

A. APPEARANCE COMMISSION - 2 Vacancies

Meets 4th Tuesday, 7:00 p.m., City Hall

Nominations are still open to fill the following:

- Charter Judge*
1. Unexpired term of Lonnie M. Player (W/M), at large category, term to December 1993. ~~Douglas Russell Smith~~ was nominated at the last meeting by Councilmember Robertson.
 2. Unexpired term to December 1992 of Gordon Rose (W/M) - Engineer Category. Jim Kizer, Jr. was nominated at the last meeting by Councilmember Cheek. (Information sheet attached)

NOTE: Attached is a recommendation for a nomination from the Appearance Commission Chairman for the at large category.

B. HUMAN RELATIONS COMMISSION - 7 Vacancies

Meets 2nd Thursday, 7:00 p.m., City Hall Council Chambers

Nominations are still open to fill the following:

- (1) - (5)
A9/0
- (1) Colon Oliver (B/M) - Leslie Kiewra was nominated at the last meeting by Councilmember Ross. (Information Sheet attached)
 - (2) Harry Rulnick (W/M) - Dr. Emma Green was nominated by Councilmember Ross. (Information Sheet attached)

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 9

Memo to John P. Smith
March 11, 1992
Page 2

- (3) Bruce Pulliam (W/M) - nominated for a second term by Councilmember McBryde
- (4) Judy Lowe (W/F) - nominated for a second term by Councilmember Kendrick
- (5) Carrie Malveau (B/F) - nominated for a second term by Councilmember Ross

(6) Col. Barker (7) Alphonse McLean

No nominations were made for the following:

- (6) R.H. Beatty (B/M) - Not eligible - served two terms
- (7) Mettarene McLean (B/F) - Unable to serve a second term

The attendance roster is attached.

Nomination Forms are also attached for your use.

Attachments



Fayetteville Appearance Commission

of the City of Fayetteville

433 Hay Street * Fayetteville, NC 28301 * (919) 433-1656

March 10, 1992

M E M O R A N D U M

TO: Mr. John P. Smith, City Manager

FROM: Judy Masters, Chairperson
Fayetteville Appearance Commission JM

RE: Membership Appointment

I would like to recommend the consideration of Mr. Charlie Singer for the at-large vacancy on the Appearance Commission. Mr. Singer is a Master Planner at Fort Bragg. He has experience in planning including environmental planning; and he helped to establish park systems in the San Francisco Bay area. Mr. Singer's personal data is:

Address: 3911 Eastdale Drive,
Fayetteville, NC 28311
Home Telephone: (919) 488-8665
Work Telephone: (919) 396-2736

As a resident of Fayetteville for one and one-half years, Mr. Singer has expressed his eagerness to join the Fayetteville Appearance Commission.

JM/sc

Item A

NOMINATION FORM
BOARDS, COMMITTEES AND COMMISSIONS
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE Appearance Commission

BY COUNCILMEMBER Chack DATE: 3.2.92

Mr./Mrs./Ms. Jim Kizer Jr DOES LIVE IN CITY LIMITS AND IS NOT SERVING ON ANOTHER BOARD OR COMMISSION

ADDRESS 2613 N. Edgewater, Fayetteville NC ZIP: 28303
(Street and/or P.O. Box)

TELEPHONE: HOME 484-0508 BUSINESS 484-5191

* BUSINESS Moorman & Kizer Engineers P.O. Box 53774 JOB TITLE: Junior Engineer

RACE W

SEX M

ACTIVITIES: _____

OTHER INFORMATION: Degree in Civil Engineering from Clemson U.

* Send correspondence to business address

Received by City Clerk bj 3-2-92
(date)

Elected: YES _____ NO _____ Letter: _____

A

NOMINATION FORM
BOARDS, COMMITTEES AND COMMISSIONS
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE HUMAN RELATIONS Commission

BY COUNCILMEMBER ROSS DATE: 3-2-92

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

ADDRESS 316 McALLISTER ST. ZIP: 28305
(Street and/or P.O. Box)

TELEPHONE: HOME 485-2780 BUSINESS _____

BUSINESS _____ JOB TITLE: _____

RACE B

SEX F

ACTIVITIES: _____

OTHER INFORMATION: Past member and Chairman of HRC

Received by City Clerk Bj _____ (date)

Elected: YES _____ NO _____ Letter: _____

NOMINATION FORM
BOARDS, COMMITTEES AND COMMISSIONS
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE HUMAN RELATIONS COMMISSION

BY COUNCILMEMBER 1 Ross DATE: 2

Mr./Mrs./Ms. Dr. Emma Greene DOES LIVE IN CITY LIMITS AND IS NOT SERVING ON ANOTHER BOARD OR COMMISSION

ADDRESS 1808 Edgecomb Ave. ZIP: 28301
(Street and/or P.O. Box)

TELEPHONE: HOME 488-0969 BUSINESS 424-2312

BUSINESS Cumberland County School JOB TITLE: Coordinator of South View
Cashwell Elementary School Attendance Area
RACE B SEX F

ACTIVITIES: Past member of Democratic Women

OTHER INFORMATION: Doctor of Education, Administration and Supervision

Received by City Clerk Bg 3-2-92
(date)

Elected: YES NO Letter:

B

NOMINATION FORM
BOARDS, COMMITTEES AND COMMISSIONS
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE _____

BY COUNCILMEMBER _____ DATE: _____

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

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

TELEPHONE: HOME _____ BUSINESS _____

BUSINESS _____ JOB TITLE: _____

RACE _____ SEX _____

ACTIVITIES: _____

OTHER INFORMATION: _____

Received by City Clerk _____ (date)

Elected: YES _____ NO _____ Letter: _____



NOMINATION FORM
BOARDS, COMMITTEES AND COMMISSIONS
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE _____

BY COUNCILMEMBER _____ DATE: _____

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

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

TELEPHONE: HOME _____ BUSINESS _____

BUSINESS _____ JOB TITLE: _____

RACE _____ SEX _____

ACTIVITIES: _____

OTHER INFORMATION: _____

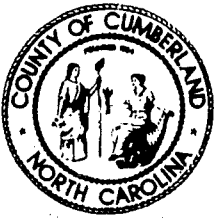
Received by City Clerk _____ (date)

Elected: YES _____ NO _____ Letter: _____

1911

1912





FAYE S. PARRISH
TAX COLLECTOR

COUNTY OF CUMBERLAND TAX COLLECTOR

P.O. Drawer 449
Fayetteville, North Carolina 28302-0449
Telephone: (919) 483-8131



MARCH 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 FEBRUARY 1992. GENERAL STATUTES # 105-370 REQUIRES THAT THIS REPORT BE MADE TO THE CITY COUNCIL AT EACH REGULAR MEETING.

1991 TAXES	416,775.27
FAY. VEHICLE TAX	11,964.39
1990 TAXES	13,568.48
1989 TAXES	2,312.39
1988 & PRIOR REAL & PERSONAL TAXES	1,913.67
TOTAL INTEREST	14,308.72
TAXES ON CITY OWNED PROPERTY DEDUCTED	
 TOTAL COLLECTIONS	 460,842.92

YOURS TRULY,

Faye S. Parrish

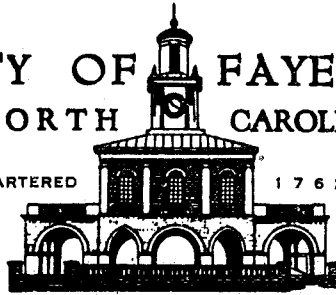
FAYE S. PARRISH
TAX COLLECTOR

ABJ/BF

ITEM 10.A.

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



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

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

March 10, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Louis A. Chalmers, Jr., P.E.,
Director, Traffic Services Department *LAC*

REFERENCE: Raeford Road and Executive Place
Traffic Signal Request

Councilmember Robertson has inquired reference status of traffic signal request at Raeford Road and Executive Place.

We advised NCDOT in March 1990 of our traffic signal investigation and City Council's request that NCDOT consider installing a traffic signal at this intersection.

North Carolina Department of Transportation replied in June 1990 that although traffic conditions meet several of the Manual on Traffic Control Devices warrants for a traffic signal, they could not recommend a signal because Executive Place is located between traffic signals at Purdue Street and McPhee Drive which should afford adequate gaps in Raeford Road traffic for egress from Executive Place. In addition, traffic on Executive Place can detour via McGill Drive to the signalized intersection at McPhee Drive and Raeford Road.

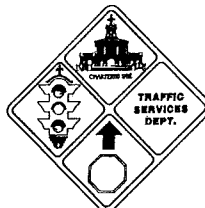
We are enclosing a copy of NCDOT's reply for your information.

LAC/psc

cc: Roger L. Stancil, Assistant City Manager - Operations

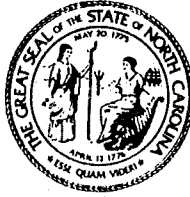
Enclosure
NCDOT Letter

An Equal Opportunity



Affirmative Action Employer

ITEM 10.B.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

Fayetteville, North Carolina 28302
June 11, 1990

JAMES G. MARTIN
GOVERNOR

DIVISION OF HIGHWAYS

THOMAS J. HARRELSON
SECRETARY

GEORGE E. WELLS, P.E.
STATE HIGHWAY ADMINISTRATOR

Ref: Fayetteville
Cumberland Co.

Mr. Louis A. Chalmers, Jr., P.E.
City Traffic Engineer
339 Alexander Street
Fayetteville, NC 28302-5797

Dear Mr. Chalmers:

File
This is in further regard to your request that we conduct a traffic signal warrant study at the intersection of US 401 Bus. (Raeferd Road) and Executive Place. Our staff has recently completed a traffic engineering investigation at this location.

Justification for signals is based on warrants contained in the Manual on Uniform Traffic Control Devices (MUTCD) published by the Federal Highway Administration. These warrants are based on traffic volume, correctable accident experience and physical characteristics of the intersection. Conditions at the subject intersection were compared against these warrants.

An analysis of the traffic counts taken at this intersection on 4/3/90 indicated that several volume warrants have been met (# 2, 9, and 11). However, we do not feel that a traffic signal should be installed at this intersection for the following reasons:

1. US 401 Bus. is a major arterial serving over 25,000 vehicles daily. With the main street traffic volume this high, there are probably many other side streets similar to Executive Place with an entering traffic volume high enough to meet one or more of the volume warrants. It would not be practical to install a signal at each of these locations.

CF. RLS

2. Executive Place is located about midway between two signalized intersections, US 401 Bus. at Purdue Street and US 401 Bus. at McPhee Street. The spacing of these signals should provide adequate gaps for motorists to egress safely onto US 401 Bus.

3. A couple of years ago, the island on US 401 Bus. was removed and the six existing lanes were narrowed up to provide a shared left turn lane. The center turn lane provides safe storage for vehicles waiting to turn off US 401 Bus. onto the side streets. This treatment has reduced the accident frequency.

4. Adequate sight distance exists at the intersection to provide safe ingress and egress onto US 401 Bus., if motorists practice safe driving habits.

5. A review of the accident history from 12/31/86 through 1/1/90 indicated that eight (8) accidents had occurred at this intersection. Only four (4) of these may be considered correctable by a traffic signal. This falls far below the fifteen (15) correctable accidents required by the MUTCD. Also, compared with accident histories at other intersections along Raeford Road, this is a very low accident frequency.

6. Contrary to popular belief, a traffic signal does not always decrease the accident problems at an intersection. Certain types of accidents may be reduced by installing a traffic signal but other types may be increased. Very often the installation of a signal results in the rear-end and sideswipe accident rate increase because more motorists are required to stop at an intersection. Because of this, we feel that installing a traffic signal at an intersection with such a low frequency would only increase the accident potential. Therefore, we do not recommend that a signal be installed at this time.

Mr. Louis A. Chalmers, Jr., P.E.
June 11, 1990
Page 3

A field investigation was made to see if any geometric or traffic control modifications could be made to improve driving conditions at the subject intersection. US 401 Bus. westbound has an exclusive right turn lane and short taper. The existing through-right combination arrow painted in this lane should be revised to an exclusive right turn arrow to discourage motorists from using it as a through lane. We will have this work completed as soon as our schedule permits.

US 401 Bus. was recently restriped and the pavement marking arrows repainted. All other signing and traffic control devices are in good condition.

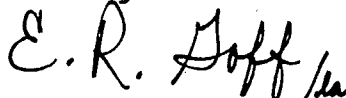
Executive Place is striped with an exclusive right turn lane and a 175 foot full left turn lane. This allows right turning motorists to egress more readily and reduces congestion at the intersection.

While making the investigation, we discovered that McGil Drive is a connector between Executive Place and McPhee Street. This provides direct access to the intersection of US 401 Bus. and McPhee Street, which has traffic signal protection. Motorists should be encouraged to use this route to access onto US 401.

Considering the above facts, we do not recommend that a traffic signal be installed at this intersection at this time. If we may be of any further assistance in this or any other traffic related matter, please advise.

Yours very truly,

D. R. Dupree
Acting Division Engineer



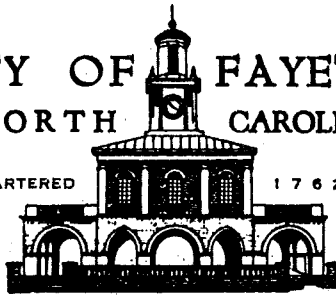
By: E. R. Goff
Division Traffic Engineer

DRD:ERG:la

cc: Mr. T. A. Harris
Mr. B. B. Isom
Mr. Roger L. Stancil
Mr. L. K. Langdon

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



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

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

March 10, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Louis A. Chalmers, Jr., P.E.,
Director, Traffic Services Department

Handwritten initials 'LC' in black ink, positioned to the right of the 'FROM' line.

REFERENCE: Owen Drive and All American Expressway
Traffic Operations

Councilmember Kendricks has requested a review of accident experience at Owen Drive and the All American Expressway, especially in regard to nighttime accidents and the need for roadway lighting improvements.

A review of our 1990 Accident Investigation Listing reveals that this intersection has both an average accident frequency and severity index - indicating that based on traffic volumes and accident experience throughout the city, accidents are at an expected frequency. Nighttime conditions account for 23% of the accidents at this location between 1988 and 1991. The nighttime accident rate at this intersection is below the average of our 1990 Accident Investigation Listing.

Our proposed 1992 - 1993 Street Lighting Improvement Program includes areas in need of both crime and nighttime accident reduction. Of the 12 locations on this program, Bragg Boulevard and Hay Street is the ONLY intersection related improvement. The nighttime accident rate at Bragg Boulevard and Hay Street is 5 times greater than that at Owen Drive and the All American Expressway. Since the nighttime accident experience at Owen Drive and All American Expressway is below the citywide average, it could be many years before an intersection lighting improvement could advance on a priority listing.

An Equal Opportunity



Affirmative Action Employer

ITEM 10.C.

John P. Smith
Page two
March 10, 1992

A review of area street lighting does raise a policy issue that City Council may wish to raise with the Public Works Commission. That issue being the lack of roadway lighting on freeways within the city. Neither the All American Expressway nor the CBD Loop have roadway lighting. The lack of roadway lighting on Owen Drive may contribute to nighttime vehicle accidents as motorists travel from Owen Drive with roadway lighting to the unlighted All American Expressway. These freeways would both be good candidates for high mast roadway lighting in conformance with Illumination Engineering Society Standards adopted by Public Works Commission and the City Council.

LAC/psc

cc: Roger L. Stancil, Assistant City Manager - Operations



american refuse systems, inc.

post office box 3455 (28564)
705 airport road
new bern, nc 28560

phone: (919) 633-6330
fax: (919) 633-9707

March 10, 1992

Mr John P. Smith
City Manager
CITY OF FAYETTEVILLE
234 Green Street
Fayetteville, NC 28301

SUBJECT: City of Fayetteville Bid
for Commercial Solid Waste
Collection Services

Dear Mr. Smith:

We are very grateful and appreciative of the opportunity of meeting with Roger Stancil and Jimmy Teal this past Friday and discussing in some detail the results of the various **Proposals** received by the City for the collection, transportation and disposal of commercial solid waste. We genuinely regret you were unable to join us in our discussions of the practicality of making an award to ARS inasmuch as we provided the lowest and best bid meeting 100% of your requirements. I honestly believe all of us involved in the discussions are sensitive to and cognizant of the concerns of the solid waste commercial user's committee, the commercial taxpayers in general and most assuredly, the Council members of the City of Fayetteville.

Through our individual discussions and review with City leaders over the past several weeks, we are sincerely convinced that ARS can offer the City of Fayetteville the most competitive pricing and superior service for the entire commercial constituency while allowing the city the options of (1) subsidizing collection services; (2) having individual commercial users being responsible for their own payment for services directly; and (3) providing for future pricing competitiveness inasmuch as all qualified and interested solid waste service firms will be encouraged to bid for the entire service area at the expiration of the Contract term.

The recent Proposal (RFP) received by the City of Fayetteville granted all of the solid waste management firms the same opportunity to provide their best pricing, their best alternatives, the proof of their experience and expertise and other advantages. As we are confident you are aware, ARS did not take this opportunity lightly. We most assuredly put everything we had into our Proposal and we feel comfortable that while our pricing structure absolutely was the best provided, the balance of our



Proposal also indicated ARS submitted the superior service level, backup support and alternate considerations and other benefits in the total evaluation of the other firms submitting Proposals for consideration by the City.

During our discussions this past Friday, we outlined why we believe each of the City's goals can best be achieved by allowing one vendor to provide the solid waste collection services outlined in the City's RFP. The City can discontinue the subsidy of the commercial collection costs and ARS will do the invoicing and collection for the services provided. Under either scenario, the commercial establishment is guaranteed the pricing benefits that were provided in the RFP due to the "economy of scale pricing" by ARS as the firm which provided the significantly lowest price. The City of Fayetteville will still maintain "control" and will have an experienced and proven quality-oriented local firm to provide a consistent and uninterrupted level of solid waste management service. Perhaps more importantly, your City's elected leaders and staff will have guaranteed all of your commercial businesses the lowest available prices for services by marketing the bulk volume of commercial solid waste as a negotiable commodity.

In the absence of the total volume of solid waste anticipated, the pricing benefits offered to the City's commercial accounts within the RFP will surely be lost. When the volume of business is low, regardless of the operator, the price is higher and certainly this would be the case in Fayetteville with small haulers skipping from customer to customer as history has certainly shown. The solid waste industry is, as are many public enterprise operations, volume-based and priced accordingly as our RFP pricing results indicated.

What best meets the needs and requirements of the City's commercial taxpayers and solid waste generators can certainly be argued to be awarding a Contract, based upon your recent RFP, which assures the maximum financial benefit to the commercial customer and allows the City the flexibility to receive a billing and collection mechanism from the private sector that has been proven successful in the past. Future competitive bidding for the entire commercial sector certainly assures the City of Fayetteville and its commercial customers will have the lowest pricing possible from experienced and qualified solid waste management firms in the future.

Please know that we genuinely appreciate your time in reviewing this correspondence and having the discussions we feel comfortable you will have in meeting with Roger and Jimmy. We would appreciate the opportunity of meeting with you personally and have you consider the possibility of our making a formal presentation to your City Council either in a workshop or in a formal Council meeting.



We assure you we exhausted our best effort in the submission of our Proposal (RFP) to the City. Not only was our pricing indicative of our desire, but in review, we believe you will find every facet indicated our strongest desire to succeed in securing the award. We are active corporate citizens of Fayetteville and we certainly consider our operations there to be our "service headquarters" for the four states in which we operate. No firm can parallel the benefits offered in our Proposal and we want the privilege of serving the commercial customers of Fayetteville which will certainly be to their financial benefit. Please do not hesitate to call me or any of our people at ARS if we can answer any questions or be of help in any way.

Respectfully yours,

American Refuse Systems, Inc.

A handwritten signature in black ink, appearing to read 'Gregory A. Peverall', written over a horizontal line.

Gregory A. Peverall
Vice President

GAP:clr

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to support informed decision-making.

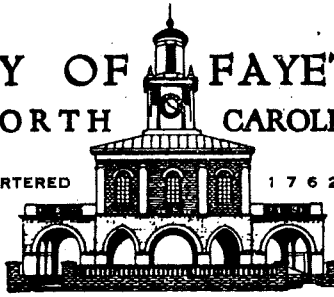
3. The third part of the document focuses on the role of technology in modern data management. It discusses how advanced software solutions can streamline data collection, storage, and analysis, leading to more efficient and accurate results.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and privacy. It provides strategies to mitigate these risks and ensure that data is used responsibly and ethically.

5. The fifth part of the document concludes by summarizing the key findings and recommendations. It stresses the importance of ongoing monitoring and evaluation to ensure that data management practices remain effective and up-to-date.

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



PARKS AND RECREATION

433 HAY STREET

FAYETTEVILLE, NC 28301-5537
(919) 433-1547

February 21, 1992

MEMORANDUM

TO: Sharon Molina, City Council
FROM: Judi Nicholson, Youth Coordinator *JMN*
SUBJECT: YOUTH IN GOVERNMENT DAY

Spring is approaching and with it comes Youth in Government Day. To try and alleviate some of the confusion, I wanted to give you advance notice of the dates and activities we have planned. I would appreciate you notifying the city employees who will be involved, a list is provided.

Monday, May 4 - Continental Breakfast Buffet, 7:30

Dorothy D. Gilmore Youth Center

The adults will meet their youth counterparts at the Youth Center and will be seated with them. The youth will accompany the adults to their offices to spend the day. The teens need to be back at the Youth Center at 3:00 p.m.

Wednesday, May 6 - Awards Banquet, 6:30 p.m.

Dorothy D. Gilmore Youth Center

All adults and youth participants are invited to attend. More information will be provided in April.

We appreciate all of the city and county employees participating in this hands on learning experience for our area high school students. Each year the youth participants say that the best part of Youth Week is the time they spend learning about the day to day operations of city and county governments. I will be contacting you soon for a list of the employees who will be participating. Thank you for your time and help in making this such a successful project.

An Equal Opportunity
City of



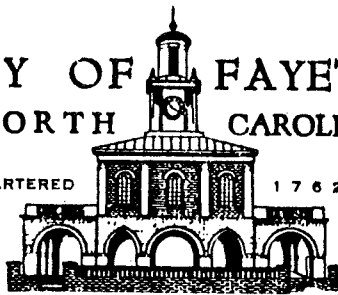
Affirmative Action Employer
Dogwoods

INFORMATION

*Agenda
Info*

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



FAYETTEVILLE, NC 28301-5537

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

CI,
433 F

March 9, 1992

NOTICE

NOTICE

NOTICE

This is to advise you that the Fayetteville Human Relations Commission will hold a special meeting at 7:00 p.m. on the 19th day of March, 1992 at City Hall Council Chamber, 433 Hay Street, to consider the following items of business.

NOTE: This is a change in the March regular meeting date only.

1. Approval of Minutes of January 16, 1992 regular meeting and January 23, 1992 special meeting.
2. Reports of Committees: (A) Slate of Officers for 1992/1993
(B) Annual Recognition Banquet
3. Status of Membership
4. Introduction of New Staff Members
5. Summary of Complaints received January and February 1992
6. Update on Sexual Harassment Conference for April 23, 1992

This notice is forwarded to you in compliance with your request on file in this office and with N.C.G.S. 143-318.1 et. seq. and Section 2-16 of the Code of the City of Fayetteville.

Bobbie A. Joyner
Bobbie A. Joyner
City Clerk

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

INFORMATION

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F
A
S
C

FAYETTEVILLE AREA SENTENCING CENTER

310 Green Street, Suite 110
Fayetteville, North Carolina 28301
(919) 323-5852

March 2, 1992

J.L. Dawkins, Mayor
City of Fayetteville
433 Hay Street
Fayetteville, North Carolina 28301-5537

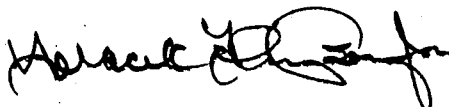
Dear Mayor Dawkins:

We are writing to give you an update on the progress of Fayetteville Area Sentencing Center (FASC). As you know, this past year the City Council awarded FASC \$5,000 as part of a necessary local match that brought \$131,878 in state funds into our community.

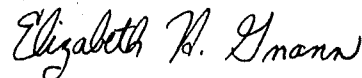
We are excited to share with you the results, to date, of the City's \$5,000 investment. Since July 1991, FASC has diverted 44 non-violent offenders from prison to community based punishment and treatment sanctions. Attached is some very pertinent and eye-opening information that itemizes the contributions that these 44 offenders were court ordered to pay our community. These contributions plus tax dollars saved resulted in the City receiving a 178 dollar return for every one dollar invested.

Should you have any questions regarding the attached information, please feel free to contact us. Again, our deepest appreciation for your continuing support.

Sincerely,



Horace K. Thompson, Jr.
Secretary/Treasurer



Elizabeth H. Gnann
Director

The City of Fayetteville's
Return On Their \$5,000 Investment
A Community Impact Statement

Period: July 1, 1991 - January 31, 1992

Number of non-violent offenders FASC diverted from prison: 44

\$ 7,452	Court fines ordered: Fines are distributed directly to the county school fund.
\$ 4,390	Costs ordered: includes facilities fees paid to county, contributions to the law enforcement retirement fund, officer service fees, jail fees.
\$ 24,586	Victim restitution ordered.
\$ 13,245	Other fees ordered: includes attorney fees for indigent offenders, community service fees, and one year of probation supervision fees.
\$ 6,098	Value of community service ordered: 1,435 hours ordered at \$4.25 per hour.
<hr/>	
\$ 55,771	Direct benefits for the community.
\$ 835,120	Direct taxpayer cost to imprison 44 people for one year (\$18,980/year/inmate).
\$ 890,891	Total contributions by the 44 non-violent offenders FASC diverted from prison, plus tax dollars saved.

\$ 131,878 Grant dollars received from the state that were invested in the local community.

SOCIETAL BENEFITS:

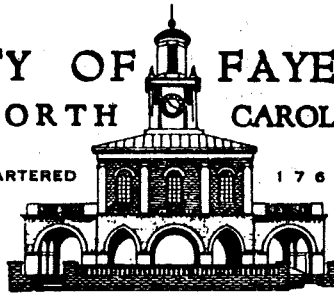
- * Measurable and tangible reconciliation for crime victims.
- * Offenders become contributing, working taxpayers.
- * Families are kept off the welfare roles.
- * Offenders are granted opportunities for rehabilitation.

SYSTEM BENEFITS:

- * Offenders are safely and effectively punished within the community, saving tax dollars, reducing recidivism and correctional costs.
- * System and community sanctions are more effectively and efficiently used.

**THE CITY OF FAYETTEVILLE
NORTH CAROLINA**

CHARTERED 1762



OFFICE OF THE CHIEF OF POLICE
SUITE 124, 131 DICK STREET

FAYETTEVILLE, N. C. 28301-5798
TELEPHONE: (919) 433-1819

10 March 1992

MISSION STATEMENT

"PERFORM OUR DUTIES AND FULFILL OUR RESPONSIBILITIES OF ENFORCING THE LAW, PRESERVING THE PEACE AND PROVIDING POLICE SERVICES SO THAT IT IMPROVES THE QUALITY OF LIFE FOR ALL CITIZENS WITHIN OUR JURISDICTION CONSISTENT WITH THE GOALS AND MISSIONS OF THE CITY OF FAYETTEVILLE."

MEMORANDUM

TO : Roger Stancil, Assistant City Manager
FROM : Ronald E. Hansen, Chief of Police
SUBJECT: Monthly Report

Attached please find the monthly report for January, 1992 for the Office of Professional Standards.

REH:lof

Attachment

122nd **NATIONALLY ACCREDITED**



LAW ENFORCEMENT AGENCY

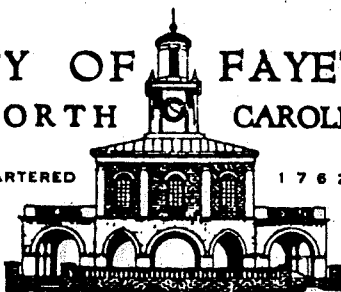
An Equal Opportunity Affirmative Action Employer

INFORMATION

34-2 J

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



OFFICE OF THE CHIEF OF POLICE
SUITE 124, 131 DICK STREET

FAYETTEVILLE, N. C. 28301-5798
TELEPHONE: (919) 433-1819

6 March 1992

ADMINISTRATIVE

MEMORANDUM TO: Ronald E. Hansen, Chief of Police

SUBJECT: Office of Professional Standards & Inspections
Monthly Report for January 1992

The monthly report from the Office of Professional Standards & Inspections for the month of January 1992 is submitted for your review.

Vera L. Bell
VERA L. BELL, Lieutenant
Office of Professional
Standards & Inspections

/klg

Attachments

122nd NATIONALLY ACCREDITED



LAW ENFORCEMENT AGENCY

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**DEPARTMENTAL INVESTIGATIONS
JANUARY 1992**

This Year, 1992, to date: 19
Last Year, 1991, to date: 15

<u>FILE NUMBER</u>	<u>COMPLAINT</u>	<u>DISPOSITION</u>
92-001(D)	Uniform Policy	Disc. Action
92-002(D)	Vehicle Accident	Exonerated
92-003(D)	Vehicle Accident	Exonerated
92-004(D)	Association/Viol of Law	Not Sustained/Retired
92-005(D)	Uniform Policy	Disc. Action
92-006(D)	Vehicle Accident	Exonerated
92-007(D)	Vehicle Accident	Exonerated
92-008(D)	Vehicle Accident	Exonerated
92-009(D)	Damage to City Property	Exonerated
92-010(D)	Vehicle Accident	Disc. Action
92-011(D)	Vexatious Complaint	Exonerated
92-012(D)	Vehicle Pursuit	Exonerated
92-013(D)	Vehicle Accident	Disc. Action
92-015(D)	Vehicle Pursuit	Exonerated
92-016(D)	Vehicle Accident	Exonerated
92-017(D)	Unbecoming Conduct	Exonerated
92-018(D)	Insubordination/G.O. #16	Disc. Action/Terminated

CASES PENDING FOR JANUARY 1992 = 2

92-014(D) & 92-019(D)

<u>DISPOSITIONS</u>	<u>THIS MONTH</u>	<u>YEAR TO DATE</u>	
Exonerated	11	11	65%
Disc. Action	5	5	30%
Retired	<u>1</u>	<u>1</u>	<u>5%</u>
TOTALS	17	17	100%

**CITIZEN COMPLAINTS
JANUARY 1992**

This Year, 1992, to date: 5
Last Year, 1991, to date: 1

<u>FILE NUMBER</u>	<u>COMPLAINANT RACE & SEX</u>	<u>NATURE OF COMPLAINT</u>	<u>DISPOSITION OF CASE</u>
92-001(C)	B/F	Unbecomng Conduct	Disc. Action
92-002(C)	W/M	Unbecomng Conduct	Exonerated
92-004(C)	W/M	Courtesy	Exonerated
92-005(C)	B/F	Damage to Prop.	Exonerated

CASE PENDING FOR JANUARY 1992 = 1 92-003(C)

<u>DISPOSTIONS</u>	<u>THIS MONTH</u>	<u>YEAR TO DATE</u>	
Exonerated	3	3	75%
Disc. Action	<u>1</u>	<u>1</u>	<u>25%</u>
TOTALS	4	4	100%

**USE OF FORCE INVESTIGATIONS
JANUARY 1992**

This Year, 1992, to date: 6
Last Year, 1991, to date: 3

<u>FILE NUMBER</u>	<u>FORCE USED</u>	<u>INJURY</u>	<u>CHARGE(S)</u>	<u>DISPOSITION</u>
92-001(F)	Mace	None	Poss. Cocaine	Exonerated
92-002(F)	Handgun	None	Speeding	Disc. Action
92-003(F)	Taser/Mace	None		Exonerated
92-004(F)	Mace	None	Domestic	Exonerated
92-005(F)	Mace	None	Speeding/Reckless	Exonerated
92-006(F)	Handgun	None	B&E&L	Exonerated

<u>DISPOSITIONS</u>	<u>THIS MONTH</u>	<u>YEAR TO DATE</u>	
No Excessive Force	5	5	83%
Excessive Force	<u>1</u>	<u>1</u>	<u>17%</u>
TOTALS	6	6	100%

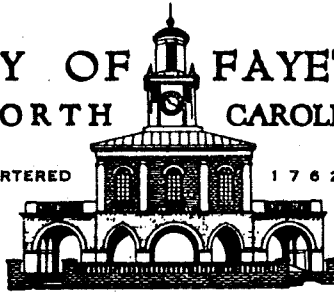
**POLICE VEHICLE PURSUITS
JANUARY 1992**

Vehicle Pursuits = 2



**THE CITY OF FAYETTEVILLE
NORTH CAROLINA**

CHARTERED 1762



OFFICE OF THE CHIEF OF POLICE
SUITE 124, 131 DICK STREET

FAYETTEVILLE, N. C. 28301-5798
TELEPHONE: (919) 433-1819

5 March 1992

MISSION STATEMENT

PERFORM OUR DUTIES AND FULFILL OUR RESPONSIBILITIES OF ENFORCING THE LAW, PRESERVING THE PEACE AND PROVIDING POLICE SERVICES SO THAT IT IMPROVES THE QUALITY OF LIFE FOR ALL CITIZENS WITHIN OUR JURISDICTION CONSISTENT WITH THE GOALS AND MISSIONS OF THE CITY OF FAYETTEVILLE.

MEMORANDUM

TO : Roger Stancil, Assistant City Manager
FROM : Ronald E. Hansen, Chief of Police *REH*
SUBJECT: Monthly Report

Attached please find the monthly report for December, 1991 for the Office of Professional Standards.

REH:lof

Attachment

122nd NATIONALLY ACCREDITED



LAW ENFORCEMENT AGENCY

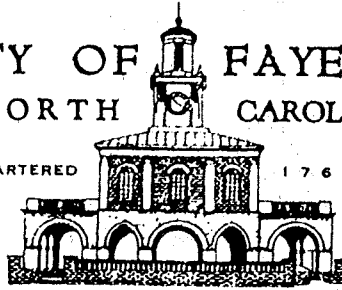
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INFORMATION

3-5-92

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



OFFICE OF THE CHIEF OF POLICE
SUITE 124, 131 DICK STREET

FAYETTEVILLE, N. C. 28301-5798
TELEPHONE: (919) 433-1819

5 March 1992

ADMINISTRATIVE

MEMORANDUM TO: Ronald E. Hansen, Chief of Police

SUBJECT: Office of Professional Standards & Inspections
Monthly Report for December 1991

The monthly report from the Office of Professional Standards & Inspections for the month of December 1991 is submitted for your review.

Vera L. Bell
VERA L. BELL, Lieutenant
Office of Professional
Standards & Inspections

/klg

Attachments

122nd NATIONALLY ACCREDITED



LAW ENFORCEMENT AGENCY

CITIZEN COMPLAINTS
DECEMBER 1991

This Year, 1991, to date: 54
Last Year, 1990, to date: 65

<u>FILE NUMBER</u>	<u>COMPLAINANT RACE & SEX</u>	<u>NATURE OF COMPLAINT</u>	<u>DISPOSITION OF CASE</u>
91-046(C)	B/F	Unsat. Perf.	Disc. Action
91-047(C)	B/M	Unsat. Perf.	Exonerated
91-049(C)	W/M	Unsat. Perf.	Exonerated
91-050(C)	B/M	Courtesy	Exonerated
91-051(C)	B/F	Exc. Force	Exonerated
91-052(C)	W/M	Motor Veh	Exonerated
91-053(C)	B/M	Perf of Duty	Exonerated
91-054(C)	W/M	Courtesy	Disc. Action

CASE PENDING FOR DECEMBER 1991 = 1

91-048(C)

CARRY OVER CASE FROM NOVEMBER 1991

91-041(C)	B/M	B&E	Exonerated
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<u>DISPOSITIONS</u>	<u>THIS MONTH</u>	<u>YEAR TO DATE</u>	
Disc. Action	2	17	32%
Exonerated	<u>7</u>	<u>36</u>	<u>68%</u>
TOTALS	9	53	100%

USE OF FORCE INVESTIGATIONS
DECEMBER 1991

This Year, 1991, to date: 94
Last Year, 1990, to date: 59

<u>FILE NUMBER</u>	<u>FORCE USED</u>	<u>INJURY</u>	<u>CHARGE(S)</u>	<u>DISPOSITION</u>
91-091(F)	Mace	None	Drunk & Disr.	Exonerated
91-092(F)	Taser/Handgun	Minor	Mental Comm.	Exonerated
91-093(F)	Handgun	None	Murder	Exonerated
91-094(F)	Handgun	None	PWISD Marijuana	Exonerated

CARRY OVER CASES FROM JANUARY 1991

91-002(F)	Handgun	None	OFA/FTA	Not Sustained
91-004(F)	Hands	None	14-444	Exonerated/91-003(F)

CASE PENDING FOR OCTOBER 1991 = 1

91-078(F)

<u>DISPOSITIONS</u>	<u>THIS MONTH</u>	<u>YEAR TO DATE</u>	
No Excessive Force	5	88	95.6%
Excessive Force	0	4	4.3%
Not Sustained	<u>1</u>	<u>1</u>	<u>0.1%</u>
TOTALS	6	93	100.0%

POLICE VEHICLE PURSUITS
DECEMBER 1991

Vehicle Pursuits = 3



FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBERS
433 HAY STREET
MONDAY, MARCH 2, 1992
7:00 P.M.

DRAFT

Present: Mayor J. L. Dawkins

Councilmembers Mildred Evans (at-large); Milo McBryde (at-large); Nat Robertson (at-large); Tommy Bolton (District 1); Ida Ross (District 2); Theibert Torrey (District 4); Suzan Cheek (District 5); and Mark Kendrick (District 6)

Members Absent: Joseph Pillow (District 3) - excused

Others Present: John P. Smith, City Manager
Roger L. Stancil, Assistant City Manager for Operations
John B. Brown, Jr., Assistant City Manager for Administration and Finance
Robert C. Cogswell, Jr., City Attorney
Jimmy Teal, Assistant to the City Manager
Jason Brady, Public Information Officer
Mike Walker, Acting City Engineer
Louis Chalmers, Traffic Engineer
Walter Haire, Building Inspector
Kai D. Nelson, Finance Director
Tim Wood, PWC Manager
Tom Keith, Citizen
James M. Bass, II, Citizen
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 Reverend Ken Pritchard, Fayetteville Community Church, Middle Road, followed by the Mayor leading in the Pledge of Allegiance to the American Flag.

RECOGNITION

Mayor Dawkins recognized approximately ten (10) class members from the State and Local Government Class taught by Dr. Suzan Cheek at Methodist College present in the audience to observe the Council meeting.

At this time Mayor Dawkins stated Councilmember Pillow had called to ask to be excused from tonight's meeting. Councilmember Kendrick moved to excuse Councilmember Pillow as requested, seconded by Councilmember Bolton and carried unanimously 8 to 0.

Mayor Pro-Tem Evans requested to speak on the recent property tax evaluations and moved to adopt a resolution to present to County Commissioners requesting discrepancies be checked into. The motion was seconded by Councilmember Robertson. They were advised this would have to be added to the agenda as an item. City Manager John Smith referred to the resolution concerning People Assisting Victims presented to the Mayor at a news conference this morning. Councilmember Cheek moved to add this as Item 13B., seconded by Councilmember Robertson and carried unanimously 8 to 0. Mayor Pro-Tem Evans requested to add the property tax evaluation as Item 13C., seconded by Councilmember Robertson and carried unanimously 8 to 0.

1. Approval of Agenda

Councilmember McBryde moved to approve the agenda with the additions of Items 13B. and C. as requested, seconded by Councilmember Bolton and carried unanimously 8 to 0.

2. Consent:

City Attorney Bob Cogswell made a recommendation that on Item 2I., Mr. Rod Guthrie, Attorney with Russ, Worth, Cheatwood and Guthrie, be retained at \$85.00 per hour. Mayor Dawkins presented the Consent Agenda and asked if any items should be removed before calling for action. Councilmember Cheek

requested to pull Item 2A., and Mayor Pro-Tem Evans requested to pull Item 2K. Councilmember Kendrick moved to approve the Consent Agenda with the exception of Items 2A. and K and the recommendation for 2I. After a second from Councilmember Torrey, the Consent Agenda and following items were unanimously approved.

A. (Pulled for discussion)

B. Adopt resolution to acquire an easement (Parcel "C") for Elm Street Drainage Project - Phase II (in the amount of \$2,950.00).

RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY.
RESOLUTION NO. R1992-027.

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

C. Adopt resolution to acquire an easement (Parcel "D") for Elm Street Drainage Project - Phase II (in the amount of \$1,100.00).

RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY.
RESOLUTION NO. R1992-028.

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

D. Adopt demolition ordinances on the following properties:

1. 720 Weiss Avenue (Owner: Deloris Leflore)

AN ORDINANCE REQUIRING CITY BUILDINGS INSPECTOR TO CORRECT CONDITIONS OR TO DEMOLISH AND REMOVE A STRUCTURE. ORDINANCE NO. NS1992-013.

2. 1107 Clark Street (Owner: John & Pat Russo)

AN ORDINANCE REQUIRING CITY BUILDINGS INSPECTOR TO CORRECT CONDITIONS OR TO DEMOLISH AND REMOVE A STRUCTURE. ORDINANCE NO. NS1992-014.

3. 830 Cumberland Street (Owner: Janie Williams, James E. Williams, Eugene Williams, Sarah Jane Milligan, Clarence Morgan, Jr., Linda Gray Morgan, James & Louis McNeill, County of Cumberland Tax Authority)

AN ORDINANCE REQUIRING CITY BUILDINGS INSPECTOR TO CORRECT CONDITIONS OR TO DEMOLISH AND REMOVE A STRUCTURE. ORDINANCE NO. NS1992-015.

Copies of the foregoing ordinances are on file in the Clerk's Office in Ordinance Book NS1992.

E. Approve Amendment to Supplemental Agreement Number 16 with Wilbur Smith Associates.

This amendment is need to incorporate changes requested by the FAA and will be in the amount of \$11,360.00.

F. Approve Agreement with Federal Aviation Administration.

This will replace the agreement which expires September 30, 1992.

G. Approve repeal of Section 21-50 of the Fayetteville City Code, "Telephone on streets."

AN ORDINANCE REPEALING SECTION 21-50. ORDINANCE NO. S1992-003.

A copy of the foregoing ordinance is on file in the Clerk's Office in Ordinance Book S1992.

H. Approve repeal of Section 17-50 of the Fayetteville City Code, "Penalty."

AN ORDINANCE REPEALING SECTION 17-50. ORDINANCE NO. S1992-004.

A copy of the foregoing ordinance is on file in the Clerk's Office in Ordinance Book S1992.

I. Approve request for legal representation.

Authorized retaining Mr. Rod Guthrie of Russ, Worth, Cheatwood and Guthrie, Attorneys at \$85.00 per hour for Case 92 CVS 723, Gene Jerome Blake & Barbara Blake vs. Shannon Scott Brewer and the City.

J. Adopt Special Revenue Fund Project Ordinance Amendments 92-1 and 92-2.

This is an appropriation of Federal Forfeiture funds in the amount of \$14,000.00 to the Police Athletic League Project to be used to support the Judo instruction.

K. (Pulled for discussion)

L. Adopt Budget Ordinance Amendment 92-11.

To transfer \$23,000.00 from Other Appropriations (Council Contingency) to the Police Department to implement Drug Task Force Recommendation No. 1 (Expand Neighborhood Based Foot and Mounted Patrols in High-Risk Areas) and to appropriate the proceeds of a lease-purchase agreement in the amount of \$15,509.00 and transfer \$2,851.00 from Communications to Information Systems, Finance and Administrative Services for the purchase of computer equipment.

M. Award contract for finished water metering facilities at Glenville Lake Water Treatment Plant to R.D. Braswell Construction Company, low bidder. (PWC)

Bids received were as follows:

*R. D. Braswell Construction Company	\$134,826.00
Cadman Construction Company	\$196,800.00
Nortec Construction Services, Inc.	\$198,000.00
Poquoson Construction Company, Inc.	\$199,980.00
H. V. Allen Construction Company, Inc.	\$203,000.00
Crain and Denbo, Inc.	\$236,614.00

N. Award contract for equipment associated with Reilly Road 230kV switching station, Waters Edge 230-69kV substation and substation structures to Rigby Electric and Clark Corporation, low bidders. (PWC)

Bids received were as follows:

*Rigby Electric	\$ 59,600.00
Mill-Power Supply	\$ 60,474.00

O. Approve Amendment to Consent Judgment for Cross Creek Wastewater Treatment Plant. (PWC) - to extend the dates for completing construction and achieving final compliance.

P. Authorize City Manager to execute lease agreement between City of Fayetteville and Cumberland County for space in property located at 116 Green Street - for one room on second floor of old City Hall for temporary use by the Jobs Training Service Center under the same terms and conditions as their current lease for the first floor space.

2A. Approve minutes of regular meeting of February 18, 1992.

Councilmember Cheek referred to Item 4B. concerning the request from Cape Fear Valley Medical Center for traffic signal on Village Drive. She stated that Mr. Jansen's request also included that the City build a turn lane into the hospital parking area for an additional \$10,000.00 making a total of \$40,000.00. Councilmember Kendrick, Chairman of the Council Streets and Roads Committee, agreed with her on this request. Dr. Cheek then moved to approve the minutes of the February 18 meeting with the amendment, "to include a right turn lane into the hospital parking area for a total of \$40,000.00." The motion was seconded by Councilmember McBryde and carried unanimously 8 to 0.

2K. Adopt Budget Ordinance Amendment 92-10.

This amendment is necessary to transfer \$135,000.00 from the Special Separation Allowance Fund to the E-911 Fund. This represents a temporary "loan" to pay the data preparation charge associated with the implementation

of the E-911 Fund. In addition, the amendment will appropriate the proceeds of a lease-purchase agreement in the amount of \$62,059.00 for dictaphone voice loggers.

Mayor Pro-Tem Evans asked what the total amount is, how much will be added to the taxpayers phone bill and for how long? Finance Director Kai Nelson responded that the \$135,000.00 is the total amount. This would be \$45,000.00 per month to the end of the fiscal year. One dollar (\$1.00) will be added to the taxpayer's bill for two years.

Mayor Pro-Tem Evans moved to approve the budget ordinance amendment as requested, seconded by Councilmember McBryde and carried unanimously 8 to 0.

3. Public Hearings:

Mayor Dawkins read the policy for the time limit on the public hearings and non-public hearings.

A. Consideration of adoption of an ordinance extending the corporate limits of the City of Fayetteville, N.C. (The Greens, Section 1, Part 1 - Property of Broadwell Land Company [Contiguous Area]) (Continued from February 18, 1992, meeting)

This item was presented by City Manager John Smith stating he had requested a continuance because of some questions he had dealing with the street construction. He reviewed the past situation and stated that this has been an honest misunderstanding between Mr. Broadwell and the City, which was the result of a very complex set of circumstances. Mr. Smith stated Mr. Broadwell had met the DOT standards for the street but feels it is too late to redesign the street for concrete curb, but instead plans to install asphalt curb. Mr. Smith stated another complicating factor is that shortly the City Council will be deciding on a new set of street standards. In order to resolve the current situation, he recommended the City either annex this street and make an exception to the current standard of concrete curb, or delay annexation pending the outcome of the City's review of street standards. This is the advertised public hearing for this date and hour.

The public hearing was opened at 7:26 p.m. and appearing in favor was Mr. Dohn Broadwell stating he feels that he does not need to explain further but was available for any questions by Council. There being none further to be heard on this matter, the public hearing was closed at 7:27 p.m.

ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE. ANNEXATION ORDINANCE NO. 92-03-049.

Councilmember McBryde moved to follow the City Manager's recommendation to annex this area and make exception to the current standard of street paving and accept the street with an effective date of March 2, 1992. The motion was seconded by Councilmember Bolton and carried unanimously 8 to 0.

A copy of the foregoing ordinance is on file in the Clerk's Office in Annexation Ordinance Book 1992.

B. Consideration of petition for speed limit reduction on Ruth Street.

This item was presented by City Traffic Engineer Louis Chalmers stating this request was by a petition signed by a majority of residents. This is the advertised public hearing for citizen input.

The public hearing was opened at 7:29 p.m. and appearing in favor was Mr. Steven Moore, 112 Ruth Street. He stated because of a short distance from the front door to the street and for the safety of their families and children, they are requesting the speed limit be reduced to 25 mph. There being none further to be heard on this matter, the public hearing was closed at 7:30 p.m.

AN ORDINANCE AMENDING SECTION 20-106, MOTOR VEHICLES AND TRAFFIC (TRAFFIC SCHEDULE NO. 8 - SPEED CONTROL). ORDINANCE NO. NS1992-016.

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

A copy of the foregoing ordinance is on file in the Clerk's Office in Ordinance Book No. NS1992.

4. Consideration of appeal of assessment on Southland Drive. (Continued from February 3, 1992)

This item was presented by City Attorney Bob Cogswell stating that from all the literature presented, Council can see that the only concern he has ever had in this matter was whether or not he failed to notify the property owner after we received the deed, about the deed. Mr. Cogswell stated he had a conversation with Attorney Herb Thorp this morning and asked him if he was going to seek a declaratory judgment on this matter and Mr. Thorp responded that he was not. Mr. Cogswell recommended to City Council to deny the request for appeal of assessment on Southland Drive.

Councilmember Kendrick moved to follow the recommendation to deny the request, seconded by Mayor Pro-Tem Evans and carried unanimously 8 to 0.

5. Consideration of adoption of demolition ordinance for property located at 110 Pond Street. (Owner: Thomas J. Keith) (Appearing Tom Keith)

This item was presented by Walter Haire, Building Inspector, requesting demolition of the dilapidated building at 110 Pond Street. He stated the owner had been given additional time but no repairs have been made.

Council recognized the property owner, Tom Keith, requesting Council not adopt this ordinance, but to allow him to rent this building as a commercial storage building to help pay the taxes and cleaning of the lots he has remaining in the area. Mr. Keith stated the Inspections Department had requested him to secure the building, which he had done. Mr. Keith added there were a lot of buildings in that area in the same condition as his, and he requested to be treated fairly.

There followed some discussion and questions and answers of Mr. Keith concerning the condition of his building.

AN ORDINANCE REQUIRING THE CITY BUILDINGS INSPECTOR TO DEMOLISH AND REMOVE A STRUCTURE (110 POND STREET). ORDINANCE NO. NS1992-017.

Mayor Pro-Tem Evans moved to adopt the ordinance to be effective after 90 days unless the work is completed, seconded by Councilmember Kendrick and carried unanimously 8 to 0.

A copy of the foregoing ordinance is on file in the Clerk's Office in Ordinance Book No. NS1992.

6. Consideration of request to appear before Council from James Bass regarding demolition permit fees.

Council recognized Mr. James Bass, II, requesting that they reconsider the permit fees for demolition and new construction. He stated the new construction permit fees are \$3.50 per thousand and demolition permit fees are \$4.00 per hundred. He stated he feels there should be a ceiling of \$500.00 for new construction permits. He presented to Council a list of demolition permit fees for surrounding towns and cities and requested that Council reconsider their fee schedule.

City Manager John Smith stated he feels that Mr. Bass has raised a very legitimate issue. Upon checking into this matter, he discovered the fee has been on the books since 1981 and this is exceedingly high. Mr. Smith recommended Council set the demolition fee at the same basis as the new construction fee (\$3.50 per thousand) until all fees have been reviewed. A user fee schedule study is in progress at this time.

Councilmember McBryde moved to follow the recommendation of the City Manager, seconded by Councilmember Bolton and carried unanimously 8 to 0.

Mr. Smith stated that another situation related to this has been brought to his attention, and contractors have asked that the asbestos removal not be considered as part of the demolition. He added this will be added to their user fee study.

7. Consideration of a resolution for acceptance of Brinkley Street from Thad Street (formerly Third Street) to Fourth Street for City maintenance.

This item was presented by City Manager John Smith stating this section of Brinkley Street has never been opened, maintained or accepted and recommends Council not accept the street unless it is brought up to City standards.

Councilmember Bolton moved to follow the recommendation to not accept the street unless it is brought up to City standards, seconded by Councilmember Kendrick and carried unanimously 8 to 0.

8. Consideration of agreement for Enhanced 911 service between City of Fayetteville and Carolina Telephone and Telegraph.

This item was presented by Assistant City Manager for Operations Roger Stancil stating everything is in place, and the City is 60 days away from having Enhanced 911 inside the City of Fayetteville. City Attorney Bob Cogswell stated he had spoken with the telephone company's attorney and they are in agreement that the paragraph dealing with willful and wanton misconduct should be added to the middle paragraph of Section XII. The wording is as follows: "The provisions of this Section XII are not intended to conflict with Chapter 62A, NCGS, in that the company shall only be liable for willful or wanton misconduct in connection with developing, adopting, implementing, maintaining or operating any 911 system."

Councilmember McBryde moved to approve the agreement for the E-911 with the addition of the paragraph recommended by the City Attorney. The motion was seconded by Councilmember Kendrick and carried unanimously 8 to 0.

9. Consideration of adoption of resolution fixing date of public hearing on question of annexation pursuant to G.S. 160A-31, as amended. (Skibo Square - Contiguous area)

This item was presented by Assistant City Manager for Operations Roger Stancil with a request to set the date of the public hearing for March 16th to be in line with the scheduled hearings and proposed initial zoning of this area by the Planning Board in April.

RESOLUTION FIXING DATE OF PUBLIC HEARING (MARCH 16, 1992) ON QUESTION OF ANNEXATION PURSUANT TO GS 160A-31, AS AMENDED (SKIBO SQUARE). RESOLUTION NO. R1992-030.

Councilmember Bolton introduced the foregoing resolution and moved its adoption, seconded by Mayor Pro-Tem Evans and carried 7 to 1 with Councilmember Ross voting in opposition.

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

10. Consideration of adoption of resolution identifying an area as being under consideration for future annexation. (Readoption of previously identified area)

This item was presented by Assistant City Manager for Operations Roger Stancil with a recommendation for adoption of the resolution.

RESOLUTION IDENTIFYING THE AREA DESCRIBED HEREIN AS BEING UNDER CONSIDERATION FOR FUTURE ANNEXATION. RESOLUTION NO. R1992-031.

Mayor Pro-Tem Evans introduced the foregoing resolution and moved its adoption, seconded by Councilmember Cheek and carried unanimously 8 to 0.

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

11. Consideration of proposals for commercial garbage collection.

This item was presented by City Manager John Smith. He reviewed the information presented as backup in the agenda which included six (6) options. Of the six (6) options, he recommended Option No. 6, which was not included in the bids. It is for the City to allow totally open competition and not regulate the service. This option takes the City totally out of the picture and allows the free market to set standards and prices.

Mayor Pro-Tem Evans moved to follow Option 1 to enter into a 1-year contract with low bidder of ARS. The motion died for a lack of second.

Following lengthy discussion, Council requested the City Manager to provide further information at the next meeting, if possible.

12. Appointments:

A. Nominations to fill two vacancies on Appearance Commission.

Councilmember Cheek nominated Jimmy Kaiser, Jr., for the unexpired term to December 1992 in the Engineer Category. Councilmember Robertson nominated Douglas Russell Smith in the At-large Category to fill the term to December 1993.

B. Nominations to fill seven vacancies on Human Relations Commission.

Councilmember Ross nominated Ms. Leslie Kiewra and Dr. Emma Green for first terms and Carrie Malveau for a second 2-year term. Councilmember McBryde nominated Dr. Bruce Pulliam for a second 2-year term. Councilmember Kendrick nominated Judy Lowe to serve a second 2-year term.

Nominations are still needed to fill the vacancies of Mr. R. H. Beatty and Mrs. Mettarene McLean.

13. Administrative Reports:

A. Report on Street Lighting Improvement Program.

Mr. Smith referred to materials in the agenda packet. He specifically referred to the proposed fiscal year 91-92 Street Lighting Improvement Program. No. 1 is the Branson Street area and No. 2 is the Owen Drive/Camden Road area, which are highest priority assigned jointly by the Police Department, Traffic Engineering and PWC. The amount of \$75,000.00 appropriation for lighting enhancements will be included in PWC's fiscal year 1993 budget. Mr. Smith stated the entire list of 1 through 12 would be approximately \$290,000.00 in PWC's budget.

Following some discussion, Mayor Dawkins stated it was the consensus of Council that this (the increase of the \$75,000) be included in PWC's budget because of the importance of the lighting projects.

B. Request for resolution from People Assisting Victims.

Councilmember Bolton moved to have the City Attorney draft a resolution for the next regular Council meeting agenda, seconded by Councilmember Robertson and carried unanimously 8 to 0.

C. Request of Mayor Pro-Tem Evans concerning property tax evaluations.

Mayor Pro-Tem Evans moved to refer (to Cumberland County Commissioners) the concern of the Mayor and City Council as to the fairness of the 1992 property evaluation and with a recommendation that they give this their attention. The motion was seconded by Councilmember Robertson.

Following some discussion, Councilmembers McBryde, Kendrick and Bolton agreed that the City Council as a body should not intervene because there are ways for taxpayers to appeal their assessment values. Following the discussion, Mayor Dawkins called for the vote, and it failed 2 to 6 with Councilmembers Ross, Cheek, McBryde, Bolton, Kendrick and Torrey voting in opposition.

At this time Councilmember Ross was recognized stating she had talked with someone in (Senator) Mr. Rose's office. They are sending a packet of materials down for grant applications and Ms. Ross asked City Manager Smith which grants would be of greatest concern to Council. Mr. Smith responded that, at this point, he could not furnish this information but hoped to be able to give Council a report soon as to the progress on some applications submitted through the Governor's Crime Commission.

There being no further business, the meeting was adjourned at 9:10 p.m.
upon motion and second.

Respectfully submitted,

Bobbie A. Joyner, City Clerk

J. L. Dawkins, Mayor

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