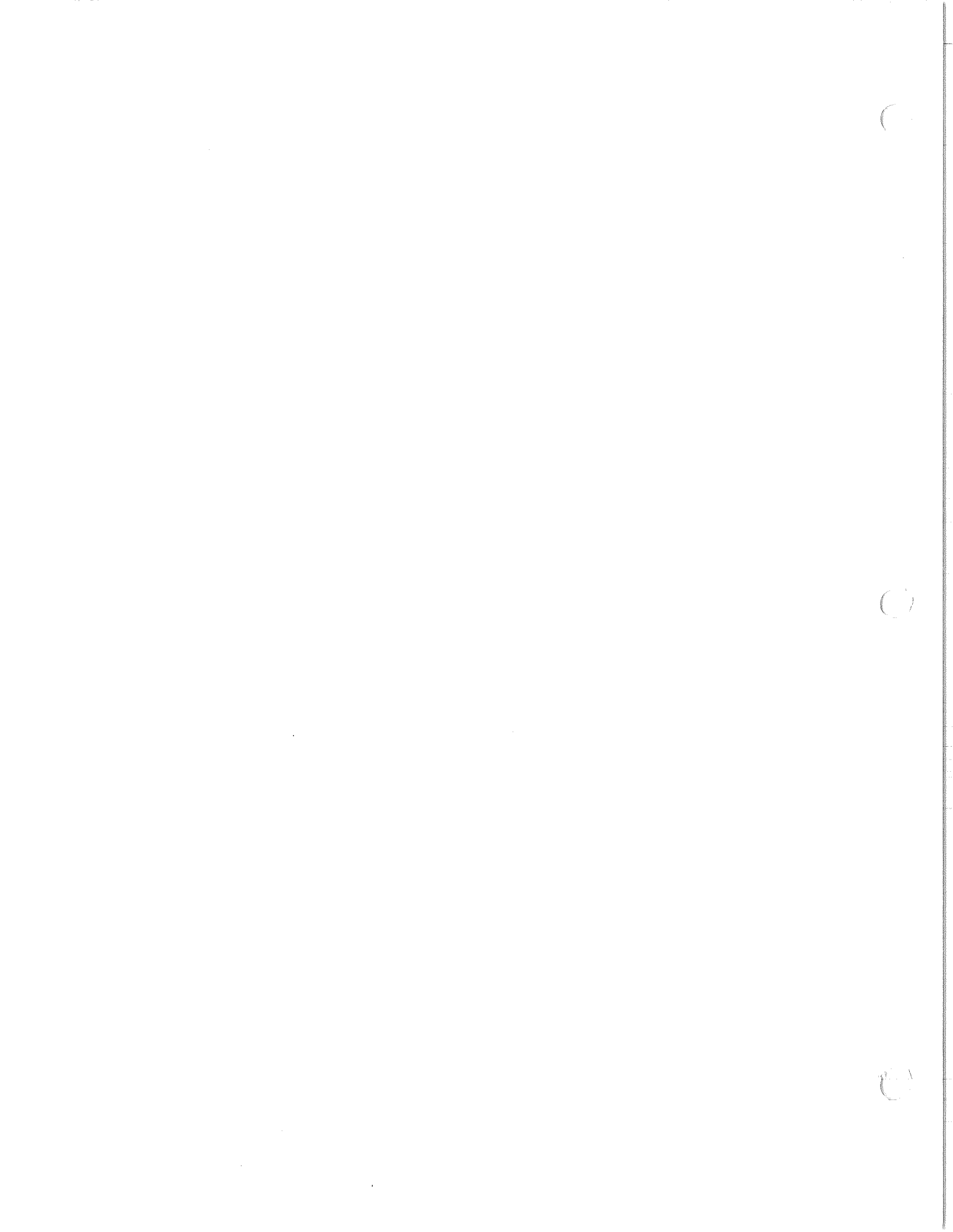


Bob Cogswell

FAYETTEVILLE CITY COUNCIL
AGENDA
REGULAR MEETING
MAY 4, 1992
7:00 P.M.



FAYETTEVILLE CITY COUNCIL
AGENDA
REGULAR MEETING
CITY HALL COUNCIL CHAMBER
MAY 4, 1992
7:00 P.M.

INVOCATION - PLEDGE OF ALLEGIANCE

RECOGNITION: Presentation of "Take Pride In America" Award by Parks and Recreation Rangers/Naturalists

ITEM 1. Approval of Agenda

ITEM 2. Consent:

- A. Approve minutes of regular meeting of April 20, 1992.
- B. Adopt resolution setting public hearing for June 1, 1992, to consider the paving of Englewood Drive, pursuant to petition, from Cedar Creek Road to Dead End.
- C. Adopt Special Revenue Fund Project Ordinance Amendment 92-3.
- D. Adopt demolition ordinance for property located at 1777 Cardinal Circle. (Owner: Olia Scott)
- E. Adopt demolition ordinance for property located at Lot 17 Cardinal Circle. (Owner: John R. & Elaine Mercer "Heirs")
- F. Adopt resolution for Dependent Health Care plan.
- G. Approve right-of-way easements for NC DOT improvements on East Mountain Drive.
- H. Accept NC DOT grant for Projects AIP 12 and AIP 13.
- I. Award contract for purchase of one hundred (100) 50 kVa padmount transformers to Wesco, low evaluated bidder. (PWC)
- J. Award contract for construction of POD No. 3 69 kV transmission line from Waters Edge Substation to Cliffdale Substation to C. W. Wright Construction Company, low bidder. (PWC)
- K. Award contract for construction of 16-inch water main along Shaw Road (between Bragg Boulevard and Gregory Street) to Blue Construction Company, low bidder. (PWC)
- L. Award contract for Storage Handling Equipment to Owen Supply, Inc., low bidder. (PWC)
- M. Approve appointment of Lisa Moore as "Deputy Tax Collector" for Public Works Commission for the purpose of collecting assessments for water and sanitary sewer utilities. (PWC)
- N. Adopt resolution declaring cost and ordering preparation of preliminary assessment rolls and setting time and place for public hearing on preliminary assessment roll for installation of Sanitary Sewer Collection System into Calla Circle, Creed Street, Bragg Boulevard, Vivian Drive, Woodhaven Circle, Arbutus Trail, Kinlaw Road, and U.S. 401 North. (Suggested public hearing date June 1, 1992) (PWC)
- O. Adopt resolution declaring cost and ordering preparation of preliminary assessment rolls and setting time and place for public hearing on preliminary assessment roll for installation of Sanitary Sewer Collection System into Ruritan Drive, Jarvis Street, Tarheel Drive, Nix Road, Buie Circle, Bellflower Street, Bedell Place, Campground Road, and Wintergreen Drive. (Suggested public hearing date June 15, 1992) (PWC)

- P. Adopt resolution declaring cost and ordering preparation of preliminary assessment rolls and setting time and place for public hearing on preliminary assessment roll for installation of Water and Sanitary Sewer Utilities into Oakwood Street, Kathy Street, and Blanton Road. (Suggested public hearing date July 6, 1992) (PWC)
- Q. Authorize advertising and approve setting public hearing for May 18, 1992, to consider paving assessments on the following streets:
 - 1. Buie Circle (from Campground Road to Nix Road)
 - 2. Jarvis Street (from Ruritan Drive to Dead End)
 - 3. Nix Road (from Buie Circle to Campground Road)
 - 4. Tarheel (from Wintergreen Drive to Ruritan Drive)

ITEM 3. Public Hearings:

- A. Consideration of the addition of an MH(O) Manufactured Home Overlay District in an R6 Residential District to allow Class A Manufactured Homes in an area not otherwise designated by zoning to allow manufactured homes on individual residential lots for an area bordered by Troy Drive to the north, NC HWY 53-210 to the east, Little Avenue to the west and Oxford Circle to the south. (P91-67)

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends approval

- B. Consideration of an application by James M. Kizer for a Special Use Permit as provided for by the City of Fayetteville Code of Ordinances from Chapter 32, Article IV, Section 32-33, Item 1(a) to allow automobile off-street parking in an R5 Residential District for an area located at the southeast corner of the intersection of Mechanic Street and Webb Street and being a portion of the property of Charles E. Warren and wife, Lucille Warren, as evidenced by deed recorded in Deed Book 2272, Page 499, and all of Deed Book 3723, Page 46, Cumberland County Registry. (P92-26)

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends approval

- C. Consideration of petition for 25 Mile Per Hour Speed Zone on Wedgewood Drive.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption of Ordinance

- D. Consideration of adoption of a resolution to consider the closing of Bullock Street between Christian Street and Martin Road.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption

ITEM 4. Consideration of petitions from Tree Haven, Briarwood Gardens, and Stonebridge Subdivisions.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Set public hearing

ITEM 5. Consideration of a resolution fixing date of public hearing on question of annexation pursuant to G.S. 160A-31, as amended. (Petition-initiated contiguous area) - Pepperidge Mobile Home Park - 1802 Shaw Road. (Suggested public hearing date is June 1, 1992)

PRESENTED BY: Deputy City Manager

RECOMMENDED ACTION: Adoption

ITEM 6. Consideration of date for organization of new City Council.

PRESENTED BY: City Manager

RECOMMENDED ACTION: July 6, 1992

ITEM 7. Appointments:

A. Nominations to fill one vacancy on Board of Appeals on Dwellings and Buildings.

ITEM 8. Administrative Reports:

A. Report on staff analysis of renaming a City street in honor of Dr. Martin Luther King, Jr.

B. Report regarding lost state collected local revenues for FY 92-93.

POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

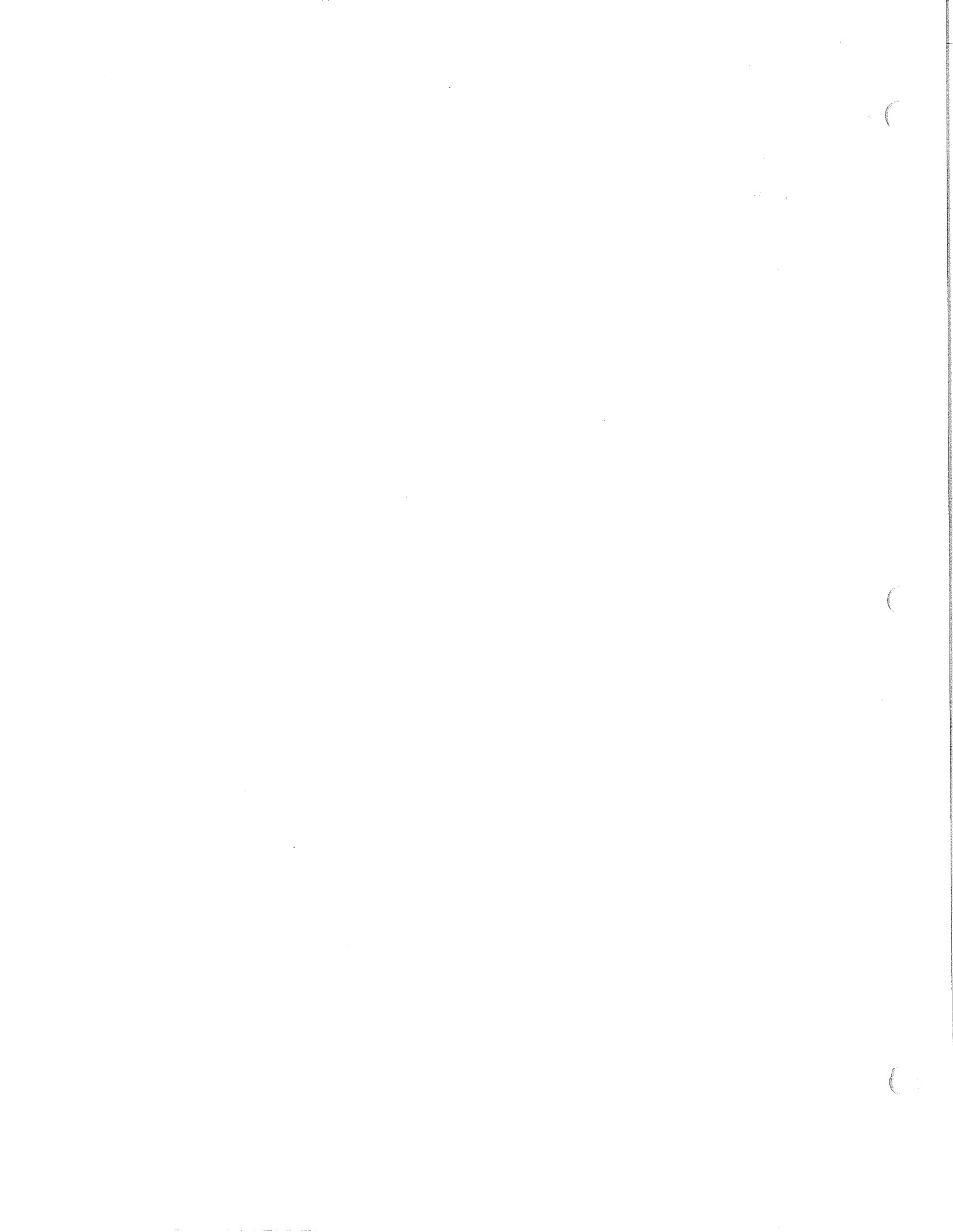
Anyone desiring to address the Council on an item that is not a public hearing must present a written request to the City Manager by 10:00 a.m. on the Wednesday preceding the Monday meeting date.

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.



FAYETTEVILLE CITY COUNCIL
AGENDA
REGULAR MEETING
CITY HALL COUNCIL CHAMBER
MAY 4, 1992
7:00 P.M.

Pillow absent

INVOCATION - PLEDGE OF ALLEGIANCE

RECOGNITION: Presentation of "Take Pride in America" Award by Parks and Recreation Rangers/Naturalists

A 8/0
ITEM 1. Approval of Agenda

ITEM 2. Consent:

- A 8/0*
- A. Approve minutes of regular meeting of April 20, 1992.
 - B. Adopt resolution setting public hearing for June 1, 1992, to consider the paving of Englewood Drive, pursuant to petition, from Cedar Creek Road to Dead End.
 - C. Adopt Special Revenue Fund Project Ordinance Amendment 92-3.
 - D. Adopt demolition ordinance for property located at 1777 Cardinal Circle. (Owner: Olia Scott)
 - E. Adopt demolition ordinance for property located at Lot 17 Cardinal Circle. (Owner: John R. & Elaine Mercer "Heirs")
 - F. Adopt ^{*ordinance &*} resolution for Dependent Health Care plan.
 - G. Approve right-of-way easements for NC DOT improvements on East Mountain Drive.
 - H. Accept NC DOT grant for Projects AIP 12 and AIP 13.
 - I. Award contract for purchase of one hundred (100) 50 kVa padmount transformers to Wesco, low evaluated bidder. (PWC)
 - J. Award contract for construction of POD No. 3 69 kV transmission line from Waters Edge Substation to Cliffdale Substation to C. W. Wright Construction Company, low bidder. (PWC)
 - K. Award contract for construction of 16-inch water main along Shaw Road (between Bragg Boulevard and Gregory Street) to Blue Construction Company, low bidder. (PWC)
 - L. Award contract for Storage Handling Equipment to Owen Supply, Inc., low bidder. (PWC)
 - M. Approve appointment of Lisa Moore as "Deputy Tax Collector" for Public Works Commission for the purpose of collecting assessments for water and sanitary sewer utilities. (PWC)
 - N. Adopt resolution declaring cost and ordering preparation of preliminary assessment rolls and setting time and place for public hearing on preliminary assessment roll for installation of Sanitary Sewer Collection System into Calla Circle, Creed Street, Bragg Boulevard, Vivian Drive, Woodhaven Circle, Arbutus Trail, Kinlaw Road, and U.S. 401 North. (Suggested public hearing date June 1, 1992) (PWC)
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- P. Adopt resolution declaring cost and ordering preparation of preliminary assessment rolls and setting time and place for public hearing on preliminary assessment roll for installation of Water and Sanitary Sewer Utilities into Oakwood Street, Kathy Street, and Blanton Road. (Suggested public hearing date July 6, 1992) (PWC)
- Q. *Adopt Res. with.*
Authorize advertising and approve setting public hearing for May 18, 1992, to consider paving assessments on the following streets:
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ITEM 3. Public Hearings:

- Dany 8/10*
- A. Consideration of the addition of an MH(O) Manufactured Home Overlay District in an R6 Residential District to allow Class A Manufactured Homes in an area not otherwise designated by zoning to allow manufactured homes on individual residential lots for an area bordered by Troy Drive to the north, NC HWY 53-210 to the east, Little Avenue to the west and Oxford Circle to the south. (P91-67)

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends approval

- A 8/10*
- B. Consideration of an application by James M. Kizer for a Special Use Permit as provided for by the City of Fayetteville Code of Ordinances from Chapter 32, Article IV, Section 32-33, Item 1(a) to allow automobile off-street parking in an R5 Residential District for an area located at the southeast corner of the intersection of Mechanic Street and Webb Street and being a portion of the property of Charles E. Warren and wife, Lucille Warren, as evidenced by deed recorded in Deed Book 2272, Page 499, and all of Deed Book 3723, Page 46, Cumberland County Registry. (P92-26)

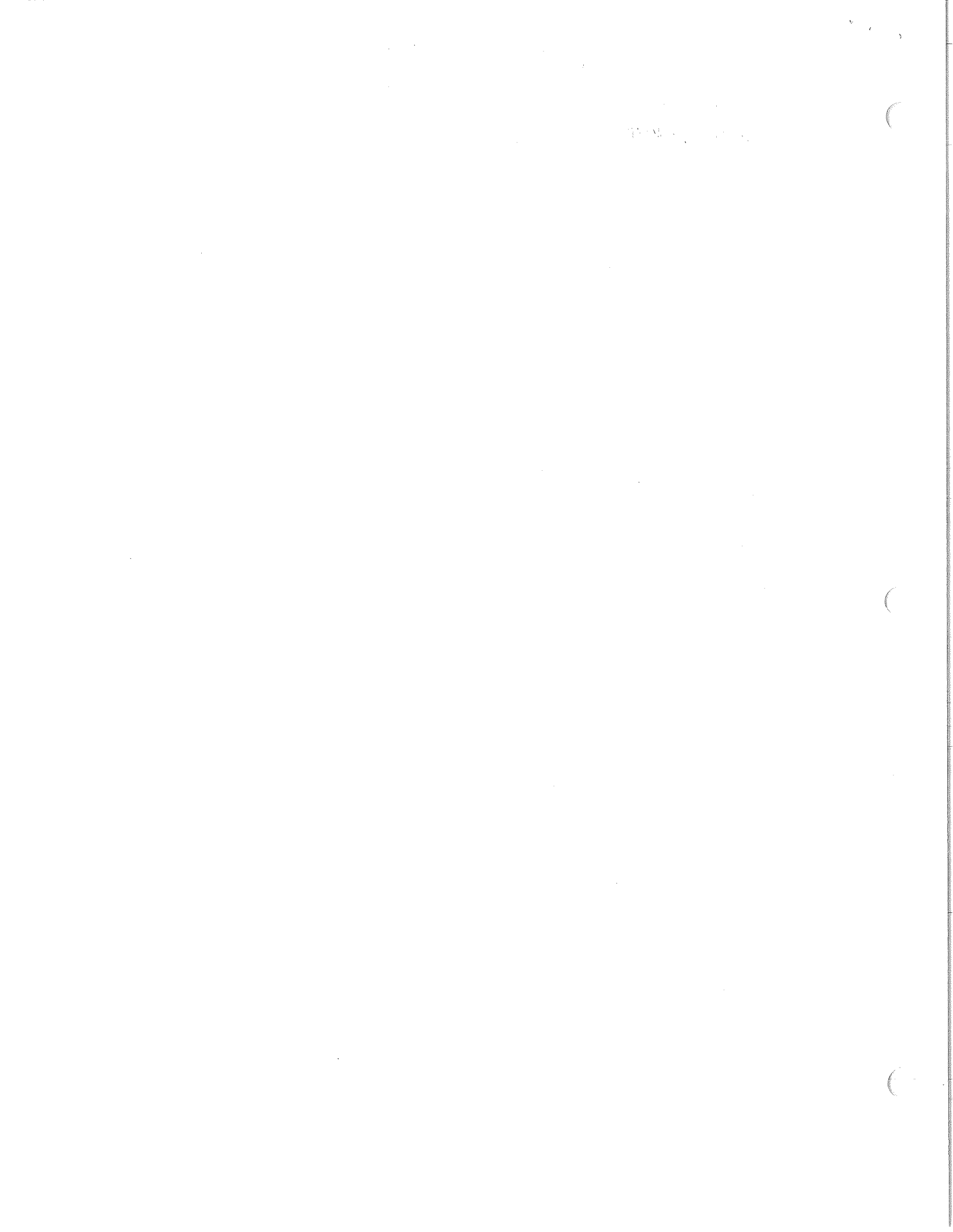
PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends approval

- A 8/10*
- C. Consideration of petition for 25 Mile Per Hour Speed Zone on Wedgewood Drive.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption of Ordinance



D. Consideration of adoption of a resolution to consider the closing of Bullock Street between Christian Street and Martin Road.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption

A 8/0

ITEM 4. Consideration of petitions from Tree Haven, Briarwood Gardens, and Stonebridge Subdivisions.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Set public hearing

8/0
Option #2

ITEM 5. Consideration of a resolution fixing date of public hearing on question of annexation pursuant to G.S. 160A-31, as amended. (Petition-initiated contiguous area) - Pepperidge Mobile Home Park - 1802 Shaw Road. (Suggested public hearing date is June 1, 1992)

PRESENTED BY: Deputy City Manager

RECOMMENDED ACTION: Adoption

A
8/0

ITEM 6. Consideration of date for organization of new City Council.

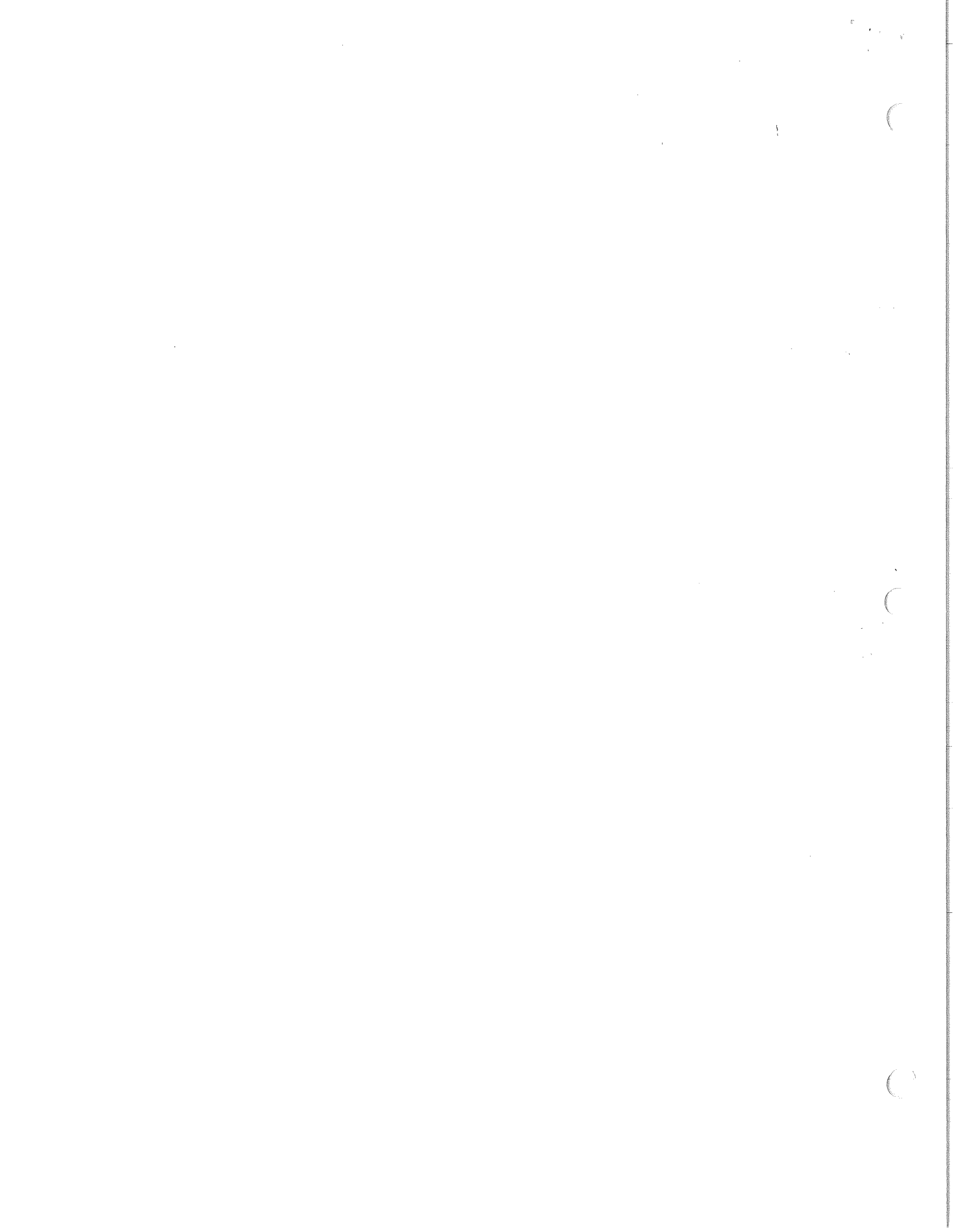
PRESENTED BY: City Manager

RECOMMENDED ACTION: July 6, 1992

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8/0

ITEM 7. Appointments:

A. Nominations to fill one vacancy on Board of Appeals on Dwellings and Buildings.



ITEM 8. Administrative Reports:

- A. Report on staff analysis of renaming a City street in honor of Dr. Martin Luther King, Jr.
- B. Report regarding lost state collected local revenues for FY 92-93.

*Murch. Rd.
8/0*

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1871
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PLANNING DEPARTMENT

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

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

May 1, 1992

MEMO TO: PLANNING BOARD MEMBERS
FROM: GEORGE VAUGHAN, DIRECTOR
SUBJECT: TENTATIVE AGENDA

The next scheduled meeting of the Cumberland County Joint Planning Board will be Tuesday, May 5, 1992 at 7:30 p.m. in Public Hearing Room #3 of the Old County Courthouse at 130 Gillespie Street. The Tentative Agenda is as follows:

1. ROLL CALL AND APPROVAL OF THE MINUTES OF THE APRIL 21, 1992 REGULAR MEETING
2. REQUESTS FOR PUBLIC HEARING DEFERRALS
3. ABSTENTIONS BY BOARD MEMBERS
4. READING OF POLICY STATEMENT REGARDING TIME LIMITS FOR PUBLIC HEARINGS
5. PUBLIC HEARINGS
 - A. CASE NO. P92-34. THE REZONING FROM C1P SHOPPING CENTER DISTRICT TO R5 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE NORTH SIDE OF CARVER'S FALLS ROAD (SR 1713) AND THE EAST SIDE OF RALEIGH ROAD (U.S. 401 NORTH). (FAYETTEVILLE ORDINANCE)
 - B. CASE NO. P92-48. THE INITIAL ZONING TO R6A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED EAST OF JOHN SMITH ROAD (SR 1135), BETWEEN CUMBERLAND ROAD (SR 1141) AND CRYSTAL SPRINGS ROAD (SR 1137). (HOPE MILLS ORDINANCE)
6. PLATS AND PLANS
 - A. CASE NO. 92-129. THE CONSIDERATION OF THE STATE FARM MUTUAL INSURANCE COMPANY PROPERTY IN A C1P SHOPPING CENTER DISTRICT FOR PRELIMINARY AND FINAL SITE PLAN DEVELOPMENT REVIEW FOR AN AREA LOCATED AT THE SOUTHEAST CORNER OF RAVENHILL ROAD AND EXECUTIVE PLACE. (FAYETTEVILLE ORDINANCE)

- B. CASE NO. 92-153. THE CONSIDERATION OF THE SCHULTZ CHIROPRACTIC OFFICE IN A C(P) PLANNED COMMERCIAL DISTRICT FOR PRELIMINARY SITE PLAN REVISION REVIEW IN AN AREA LOCATED ON THE SOUTH SIDE OF U.S. HWY 401 SOUTH (RAEFORD ROAD) AND WEST OF SR 1226 (DURANT DRIVE). (COUNTY ORDINANCE)
- C. CASE NO. 92-154. THE CONSIDERATION OF THE BEREAN BAPTIST CHURCH PROPERTY IN AN R10 RESIDENTIAL DISTRICT FOR PRELIMINARY GROUP DEVELOPMENT REVIEW IN AN AREA LOCATED ON BOTH SIDES OF GLENSFORD DRIVE AND WEST OF ABERDEEN AND ROCKFISH RAILROAD. (COUNTY ORDINANCE)
- D. CASE NO. 92-164. THE CONSIDERATION OF THE CLAUDETTE R. KLEWICKI PROPERTY IN A C(P) PLANNED COMMERCIAL DISTRICT FOR PRELIMINARY SITE PLAN ADDITION REVIEW IN AN AREA LOCATED ON THE EAST SIDE OF SR 1132 (LEGION ROAD) AND NORTH OF SR 2997 (HEIDELBERG DRIVE). (COUNTY ORDINANCE)

7. DISCUSSION

8. ADJOURNMENT

bs

3128/572
3597/885 } Treehaven

136-102.6

2909/331
2929/593 } Briarwood

3167/262
3163/834

~~Briarwood~~
Treehaven

3128/572 / Act. Inc. Suspendred

2909/331 - Briarwood CLC 2/23/83

3495/776

3388/231

Stones
4-19-88
SC

3375/850 - RC for Stonebridge § VI
3167/247 - § 1 (6-3-86)
3201/356 - Amend § 2 (1986)
3413/747 - " § 3
3284/558 - " § 3
3679/173 - Cov. § 7

65/23
shows Delaware Dr
as common
area

Treehaven
8-7-86

3191/98 cov 55/29 (Doesn't show common area other than utility easement)

Briarwood
6-14-83

2929/83 cov - called private streets 53/77

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FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBERS
433 HAY STREET
MONDAY, APRIL 20, 1992
7:00 P.M.

DRAFT

Present: Mayor J. L. Dawkins

Councilmembers Mildred Evans (at-large); Milo McBryde (at-large);
Nat Robertson (at-large); Ida Ross (District 2); Joseph Pillow
(District 3); Thelbert Torrey (District 4); and Suzan Cheek
(District 5)

Absent: Tommy Bolton (District 1); Mark Kendrick (District 6)

Others Present: John P. Smith, City Manager
Roger L. Stancil, Deputy City Manager
John B. Brown, Jr., Assistant City Manager for Administration
and Finance
Jimmy Teal, Assistant City Manager for Planning and
Development
Robert C. Cogswell, Jr., City Attorney
Jason Brady, Public Information Officer
Louis Chalmers, Traffic Engineer
Al Mitchell, Assistant City/County Planning Director
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 Father Kitchersid, St. Elizabeth Ann Seton Catholic Church on Andrews Road, followed by the Mayor leading in the Pledge of Allegiance to the American Flag.

RECOGNITION

Mayor Dawkins presented a proclamation declaring the week of May 3-9, 1992, as MUNICIPAL CLERKS WEEK to Bobbie Joyner, City Clerk. He recognized her for her hard work as City Clerk.

1. Approval of Agenda

City Manager John Smith requested to have the initial zoning of Skibo Road added to the agenda as item 3D. He remarked this would normally be placed on the next agenda as a consent item; however, he is requesting this be considered tonight in order to have any building permits issued through the City rather than the County. Councilmember Cheek moved to add this item as 3D., seconded by Councilmember Torrey and carried unanimously 7 to 0.

City Attorney Bob Cogswell requested to have an ordinance amending Chapter 20 added at the end of the agenda. This amendment will correct two sections with the same number. Councilmember Robertson moved to add this as item 6E., seconded by Councilmember Pillow and carried unanimously 7 to 0.

Mayor Pro-Tem Evans moved to approve the agenda with the additions, seconded by Councilmember Ross and carried unanimously 7 to 0.

At this time Mayor Dawkins stated that Councilmember Kendrick had contacted the administrative staff that he would be unable to attend tonight's meeting. Councilmember Ross moved to excuse Councilmember Kendrick, seconded by Councilmember Cheek and carried unanimously 7 to 0. Councilmember Bolton was excused at the last meeting.

2. Consent:

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

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

B. Approve tax refunds for over \$100.

<u>Taxpayer's Name</u>	<u>Nature of Clerical Error</u>	<u>Property Description</u>	<u>Amount</u>
Borg-Warner Acceptance Corp.	Property was fore-closed by the County in 1988	Lots in Mill Ld Borden Heights	213.36
Mr. & Mrs. Carl B. White, Jr.	Property already charged under PIN 0438-11-66-6123	Pt Lt 13 Sherman Drive (0.3 acres)	\$147.52
Union Corrugating Co., Inc.	Adjust value per audit	901 S. King Street	\$338.98

C. Set public hearing to consider request for reduction of speed limit on Wedgewood Drive. (May 4, 1992)

D. Award contract for structures and equipment for the County Park Substation and Raeford Road Substation to Hamby-Young Power Supply Products, Inc., low bidder in the amount of \$180,380.00 for the County Park and \$154,148.00 for the Raeford Road Park. (PWC)

Bids received were as follows:

	<u>County Park</u>	<u>Raeford Road</u>
*Hamby-Young	\$180,380.00	\$154,148.00
M. D. Henry	\$222,608.00	\$180,390.00
W. R. Daniel	\$233,109.00	\$180,565.00
Talman Associates	\$268,400.00	\$219,950.00
Clark Corporation	\$211,118.00	\$179,604.00

E. Award contract for 230-66 kV Substation Autotransformer to WESCO (\$938,635.00), low bidder, and a contract for a Second 242 kV Fault Interrupter to Rigby Electric (\$56,700.00), sole bidder. (PWC)

Bids received were as follows:

	<u>Autotransformer</u>	<u>Fault Interrupter</u>
*Rigby Electric	No Bid	\$56,700.00
*WESCO	\$ 938,635.00	No Bid
Hesco, Inc.	\$ 967,150.00	No Bid
Eastern Electric	\$1,031,197.00	No Bid
Smit Nymegen	\$1,814,300.00	No Bid

F. Award contract for Electronic Reclosers and Recloser Control Tester to Eastern Electric Supply, low bidder in the amount of \$55,006.00. (PWC)

Eastern Electric Supply	\$55,006.00
WESCO	\$56,477.00

G. Award contract for a Crawler Dozer to North Carolina Equipment Company, low bidder in the amount of \$54,323.00. (PWC)

Bids received were as follows:

*North Carolina Equipment	\$54,323.00
Mitchell Distributing Company	\$55,151.00
R. W. Moore Equipment Company	\$56,990.00
Case Power & Equipment	\$57,735.00

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

3. Public Hearings:

A. Consideration of 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)

This item was presented by Assistant Planning Director Al Mitchell stating the Planning Board has recommended that the first 500 feet be rezoned and that the remaining portion stay R6. Councilmember Ross asked why they wanted it that way. Mr. Mitchell responded that the Planning Board followed the recommendation of staff because the normal depth for commercial development of 500 feet is adequate. Councilmember Cheek asked if the update of the new Land Use Plan is far enough along that this street is covered under this plan. Mr. Mitchell responded they were almost to that detail; however, with Distribution Drive already being developed for wholesale uses, that area is pretty well committed. Councilmember Torrey asked if the remainder of the area that is not to be rezoned could be used for parking. Mr. Mitchell responded they could get a special use permit for parking. This is the advertised public hearing for this date and hour.

The public hearing was opened at 7:22 p.m. and recognized in favor was Mr. Ned Garber, Route 7, Box 221F, Fayetteville, representing the Rose Group, petitioner. Mr. Garber stated they were in favor of the rezoning but would like to appeal to rezone the total track to C3. There was no one to appear in opposition and there being none further to be heard on this matter, the public hearing was closed at 7:25 p.m.

Mayor Pro-Tem Evans moved to follow the recommendation of the staff and Planning Board to rezone the first 500 feet of depth along Distribution Drive to C3. The motion was seconded by Councilmember Pillow and carried unanimously 7 to 0.

B. Consideration of 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)

This item was presented by Assistant Planning Director Al Mitchell stating the Planning Board recommended denial of R5 and approval of R6. He stated there was a valid protest petition requiring three-fourths (3/4) vote of the total Council to change any zoning. This is the advertised public hearing for this date and hour.

Councilmember McBryde asked how many apartments could go in R5 and R6. Mr. Mitchell responded that for this tract of land an R5 zoning could include 110 units and R6 approximately 30 apartments could be built.

The public hearing was opened at 7:30 p.m. and there was none to speak in favor. Appearing in opposition was Mrs. Hazel Michaels, 1040 Cain Road. She stated the City of Fayetteville needs to improve their image. This is a high crime area and high density zoning will increase that crime. She stated she has been victimized many times.

Mr. David M. Moore, 2021 Spruce Street, also spoke in opposition. He agreed with Mrs. Michaels that this is a high crime area and feels they do not need more apartments, only single-family dwellings.

There being none further to be heard on this matter, the public hearing was closed at 7:36 p.m.

There was a gentlemen in the audience that requested to be heard on this matter; however, he had not signed up to speak. Mayor Dawkins informed him that he would be required to sign up to speak at the public hearing. The gentlemen stated he had signed up at the Planning Board and was informed that that was sufficient. Councilmember McBryde asked the City Attorney if notices were sent to people notifying them that they needed to sign up to speak at the public hearings. Mr. Cogswell responded that notices were sent and the legal ad also specified that they would need to sign up with the City Clerk in order to speak at the public hearings.

Councilmember McBryde moved to deny the rezoning, seconded by Councilmember Cheek and carried unanimously 7 to 0.

At this time Mayor Dawkins stated that on Thursday at the Research Triangle, the City of Fayetteville received a first place award for the State of North Carolina because of the Park Ranger Program. We will go on to National competition. The Mayor stated he was very proud of them and was pleased to accept the award that was presented by Linda Evans from California.

C. Consideration of adoption of amendment to Chapter 20 of the City of Fayetteville Code of Ordinances for No Parking on Chatham Street from Moore Street to Rowan Street.

This item was presented by Traffic Engineer Louis Chalmers stating they have received a petition signed by a majority of the residents on the referenced street requesting no parking. This is the advertised public hearing for this date and hour.

The public hearing was opened at 7:40 p.m. and there was none to speak in favor. Speaking in opposition was Benjamin Washington, 3915 Daytona Road, owner of Chief's Corner Cafe at 432 Chatham Street. He stated no one has contacted him about any of the problems that were stated in the petition. He said the street was designed and paved to take care of the parking on the street and it should not be denied. He added if there was a problem in the area with crime, then the Police Department would take care of this. Mr. Washington stated he polices his business and his parking lot himself to make sure there are no problems to the neighbors.

Councilmember Torrey stated to Mr. Washington that he is familiar with that area and he does have a problem there and he can understand what the residents are referring to. There was some further discussion with Mr. Washington by Councilmembers.

There being none further to be heard on this matter, the public hearing was closed at 7:50 p.m.

AN ORDINANCE AMENDING SECTION 20-106, MOTOR VEHICLES AND TRAFFIC (TRAFFIC SCHEDULE NO. 11 - PARKING PROHIBITED, CHATHAM STREET).
ORDINANCE NO. NS1992-022.

Councilmember Torrey introduced the foregoing ordinance and moved its adoption, seconded by Councilmember McBryde and carried unanimously 7 to 0.

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

This concluded the public hearings.

3D. Consideration of the initial zoning to C1P of Skibo Square.

This item was presented by Assistant Planning Director Al Mitchell stating the Planning Board recommends the C1P zoning. City Manager John Smith stated the 10 days for anyone to submit a protest petition ended on Friday; but since Friday was a holiday, this was not received until today and that is the reason Council did not receive it until tonight's meeting.

Councilmember Robertson moved to approve the initial zoning of C1P as recommended, seconded by Councilmember Ross and carried unanimously 7 to 0.

4. Consideration of options for containerized trash and garbage collection services.

This item was presented by City Manager John Smith. He stated the information in the agenda packet is basically the same as was presented at the last meeting. He stated that Council had asked if the City could provide a collection subsidy under a competitive or open market system and the answer is yes. Mr. Smith recommended Option 5 which would allow competition under a non-exclusive franchise arrangement whereby the City would issue franchises to any hauler meeting basic minimum standards. Mr. Smith reviewed the options.

Councilmember Ross stated she was concerned with the City employees that would be left without jobs, therefore she moved to follow Option 1 which would be for a 1-year exclusive contract with ARS with the City paying the collection cost of one pick-up per week. The motion was seconded by Mayor Pro-Tem Evans.

Councilmember Pillow asked Mr. Smith what would happen to the City employees at Waste Industries if this contract was issued to ARS. Mr. Smith responded that he has had discussions with ARS regarding that, and they agreed to employ any City employees who would lose their job because of this contract, but this would have to be specified in the contract. Mr. Smith stated that if this motion passes, it will have to come back to Council as a contract because it will take on a franchise effect and it would require two readings by Council. Councilmember Cheek asked if there was any consideration

given to having the trucks actually weigh the solid waste and determine the disposal fee that way. Mr. Smith responded that at the time the request for proposals was put out last November they were not sure that option was available here. If it is, then it could be a part of the contractual arrangement. Councilmember Cheek requested that staff pursue this if the motion does pass. She also stated she feels we would be awarding a monopoly to one business without giving businesses an opportunity to choose who they want and try to negotiate their own prices. Councilmembers McBryde and Torrey agreed with Dr. Cheek. Mayor Pro-Tem Evans stated she felt it was our intention to get the best price possible for the citizens and the lowest bidder would be doing that. Also, this was put out to free enterprise to bid on so we have not shut them out. Councilmember Pillow stated he felt if this was put out to free enterprise, it will require inspections of the trucks by the City which could create another department.

Mayor Dawkins called for a vote on the motion made by Councilmember Ross to follow Option 1, seconded by Mayor Pro-Tem Evans. The vote carried 4 to 3 with Councilmembers McBryde, Torrey and Cheek voting in opposition.

5. Consideration of offer to purchase property located at 225-227 Hay Street.

This item was presented by City Manager John Smith stating he had received an offer of \$5,000.00 for the 225-227 Hay Street property. He stated that although we have paid \$45,000.00 for the asbestos removal and \$3,000.00 payment to the demolition contractor, he is recommending that this be approved for advertising of upset bid, and the sale be contingent upon the building being secured immediately and the building being brought up to building code by July 1992. Councilmember McBryde stated he feels the City should be paid what we have spent on it.

Following some further discussion, Mayor Pro-Tem Evans moved to follow the recommendation and authorize advertisement for upset bids. The motion was seconded by Councilmember Cheek and carried 5 to 2 with Councilmembers Robertson and McBryde voting in opposition.

At this time Mayor Dawkins recognized students from Dr. Suzan Cheek's class at Methodist College and students from Roger Stancil's class at Webster College Extension.

6. Administrative Reports:

A. Discussion of Fiscal Year 1992-93 Budget

Mr. Smith reviewed the General Fund projected revenues and departmental operating budget requests which revealed approximately \$1.5 million will need to be cut from the current requests in order to come into balance with current revenue estimates and anticipated fund balance. All this was figured without an increase in any rates, fees, charges or tax increase.

B. Presentation of proposed City seal.

Mr. Smith presented the preliminary in-house design done by Dan Sears on our staff. The final draft drawing focuses on colonial times. It shows the State House, the Market House, the Cross of Saint Andrew and the City's namesake the Marquis de Lafayette. Mr. Smith stated he felt this would not only provide us with our corporate logo but also provide the City with a marketing tool, something we could use on certificates to citizens, pins for employees and other memorabilia to people visiting our City. Mayor Pro-Tem Evans and Councilmember Cheek requested the military be included in some way. Even though they were not here at the beginning of our City, they play a major part. Staff will continue to work on this logo.

C. Statement of taxes collected for the month of March 1992 from the Cumberland County Tax Collector.

Mr. Smith submitted the statement of taxes collected for the month of March in the amount of \$222,598.60.

D. Report of tax refunds of less than \$100.

<u>Taxpayer's Name</u>	<u>Nature of Clerical Error</u>	<u>Property Description</u>	<u>Amount</u>
Smith, James Edgar	Taxpayer has been listing in the incorrect taxing district.		\$15.50
Smith, Vander L. & Mable	Taxpayer listed a 1976 Pontiac not owned.		\$26.29
Wilmar Leasing Co.	Illegal tax: 1988 Chevy located in Lenoir County.	Business Personal Property	\$94.21
Ellis, Beatrice	Taxpayer listed a 1981 Plymouth not owned.		\$16.60
Gust, Jarvis E. wife	Adjust value of 1985 Olds per VIN.	1610 Rogers Dr Lt 19 Blk E Sec 5 Greenwood	\$ 6.52
McGhee, Mildred	Business was listed in error, closed 6-30-90 per the amended statement submitted.	Business personal property mach. & equip.	\$57.30
Melvin, Eunice Avery	Vehicle incorrectly charged on bill #2390824.		\$16.87
Myers, Vincent M. & wife	Illegal tax, military non-resident. LES filed 3-9-92.	Lot 49 Green Valley Est. Sec Pt 2 1559 Mintz Dr. & personal property.	\$89.39
Owens, Alice M.	Mobile home charged in incorrect tax district.		\$48.74
Parrott, Bill D. & Patricia E.	Illegal tax: 1990 Saab located in Forsythe County.		\$94.55

E. Consideration of an ordinance amending Chapter 20 of the Code of Ordinances.

City Attorney Bob Cogswell stated two ordinances were assigned the same section number, and this ordinance would redesignate one of them.

AN ORDINANCE AMENDING SECTION 20-160. ORDINANCE S1992-007.

Councilmember Robertson moved to adopt the foregoing ordinance, seconded by Councilmember Ross and carried unanimously 7 to 0.

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

There being no further business, the meeting was adjourned at 8:45 p.m. upon motion and second.

Respectfully submitted,

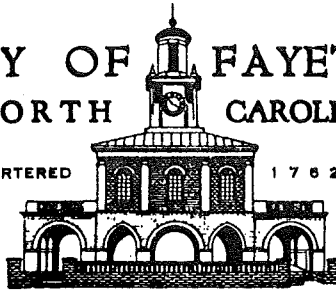
Bobbie A. Joyner, City Clerk

J. L. Dawkins, Mayor

kblb

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1782



ENGINEERING DEPARTMENT
433 HAY STREET

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

April 28, 1992

MEMORANDUM

TO: Mr. John P. Smith, City Manager

FROM: Agnes P. Bundy, Real Estate Specialist *APB*
Engineering Department

SUBJECT: Petition for Paving Englewood Drive

On April 20, 1992, the Engineering Department received a petition for paving Englewood Drive from Cedar Creek Road to Dead End. This petition was signed by nine out of a total of 17 property owners. These signatures represented 55.3 per cent of the abutting footage.

Englewood Drive is a twenty foot (20') wide street in a residential area and is maintained by the City. Due to the proximity of the number of houses to the existing street right-of-way, we believe the City will have to adjust its normal street width standards and acquire only five feet (5') of right-of-way on each side of the street and then place a narrow two-lane roadway within the new thirty foot (30') right-of-way.

We recommend adoption of the attached resolution setting a public hearing for June 1 to consider paving the street.

APB/sc

Attachments: Petition
Resolution
Map

cc: Michael L. Walker, P.E., City Engineer

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2.B.

Filing Date 4-20-92

PETITION FOR STREET IMPROVEMENTS

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

We, the undersigned citizens of the City of Fayetteville, being owners of lands abutting upon the street, or portion thereof, hereinafter named and described, do hereby petition the Mayor and City Council of the City of Fayetteville to proceed as is provided in Chapter 160A, Article 10, of the General Statutes of North Carolina to: install necessary storm sewer, construct curb and gutters, and paving on said street(s) and when all of said construction has been completed, to assess upon the lots and parcels of land abutting directly upon the portion of said street(s) to be improved Ten Dollars (\$10.00) per linear foot of abutting property and that the said City of Fayetteville pay the remaining cost of said improvements.

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>
<u>ENGLEWOOD DRIVE</u>	<u>CEDAR CREEK ROAD</u>	<u>DEAD END</u>

<u>Lot No.</u>	<u>Deed Page No.</u>	<u>Street No.</u>	<u>Frontage</u>	<u>Printed Name of Owner</u>	<u>Signature of Owner</u>	<u>Phone Number</u>	
18	132572	1719	75'	CONNIE M. EASON	<u>Connie M. Eason</u>	323-5226	
19				TERESA B. EASON	<u>Teresa B. Eason</u>	323-5226	
20							
24	608/261	1709	75'	Kenneth M. Cain	<u>Kenneth M. Cain</u>	483-850	
25				Dorothy Cain	<u>Dorothy Cain</u>	463-8501	
26							
58	2538	43	1728	100'	Janet S Hogeland	<u>Janet S Hogeland</u>	483-1667
59				Richard C Hogeland	<u>Richard C Hogeland</u>	483-1667	
60							
48	402	975	1716	75'	Oris L. Bradshaw	<u>Oris L. Bradshaw</u>	483-3470
49				ORIS L. BRADSHAW	<u>Aaron Bradshaw</u>	483-3470	
50							
41	32509300	1708	87 1/2'	LISA WYNN	<u>Lisa Wynn</u>	484-2337	
42				GENE WYNN	<u>Gene Wynn</u>	484-2337	
43							
1/2 of 44	132-213						
33	72	1706	117'	NORMAN W. BASS	<u>Norman W. Bass</u>	483-6383	
37				KATHY M. BASS	<u>Kathy M. Bass</u>	483-6383	
40							
116 of 117	117						

PRELIMINARY ASSESSMENT RESOLUTION

WHEREAS, the property owners on Englewood Drive from Cedar Creek Road to Dead End, filed with the City Engineer a petition for improving said street in the following manner: install necessary storm sewer, construct curb and gutters, and paving; and,

WHEREAS, the City Engineer has certified to this City Council that said petition is sufficient in all respects, the same having been duly signed by a majority in number of the owners, whose property represents a majority of all the lineal feet of the frontage of the lands abutting upon the street or portion of street hereinabove described:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA:

1) That the above-mentioned petition is found to be sufficient in all respects;

2) That it is intended that Englewood Drive from Cedar Creek Road to Dead End be improved in the following manner: necessary storm sewer shall be installed, and curbs, gutters and street paving shall be constructed under and by virtue of Chapter 160A, Article 10, of the General Statutes of North Carolina and the procedure therein established:

3) That a portion of the total cost of said improvement, exclusive of so much of the total cost as is incurred in improving street intersections, be hereafter assessed upon the property receiving the improvements in the amount of TEN DOLLARS (\$10.00) thereof upon the lots and parcels of land abutting upon said improved street portion according to the extent of the respective frontage thereon by an equal rate per foot of such frontage;

4) That the assessments herein provided for shall be payable after completion of such work and within thirty (30) days after notice of assessment by the Deputy Tax Collector in cash with no interest, or if any property owner shall so elect in accordance with Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina, he shall have the option and privilege of paying the assessment in five equal annual installments, said installations to bear interest at the rate of eight percent (8%) per annum;

5) That pursuant to the policy of the City Council adopted September 21, 1987, a thirty (30%) discount shall be applied to any assessment paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the assessment roll pursuant to N.C.G.S. 160A-229;

6) A meeting of the City Council of Fayetteville will be held on the 1st day of June, 1992, at the Fayetteville City Hall, at 7:00 p.m., on the proposed improvements, when all objections to the legality of making the proposed improvements shall be made in writing, signed in person or by attorney, and filed with the Clerk of said City at or before such time, and that any such objections not so made will be waived.

7) Individuals desiring to speak at this public hearing shall sign up with the City Clerk, by name and home address (in writing or in person) before 5:00 p.m. on the scheduled public hearing date, at City Hall/2nd floor, or between 6:30 and 7:00 p.m. on the public hearing date at City Hall Council Chambers.

ADOPTED this 4th day of May, 1992, by the City Council of the City of Fayetteville, North Carolina.

CITY OF FAYETTEVILLE

BY: _____
J. L. Dawkins, Mayor

ATTEST:

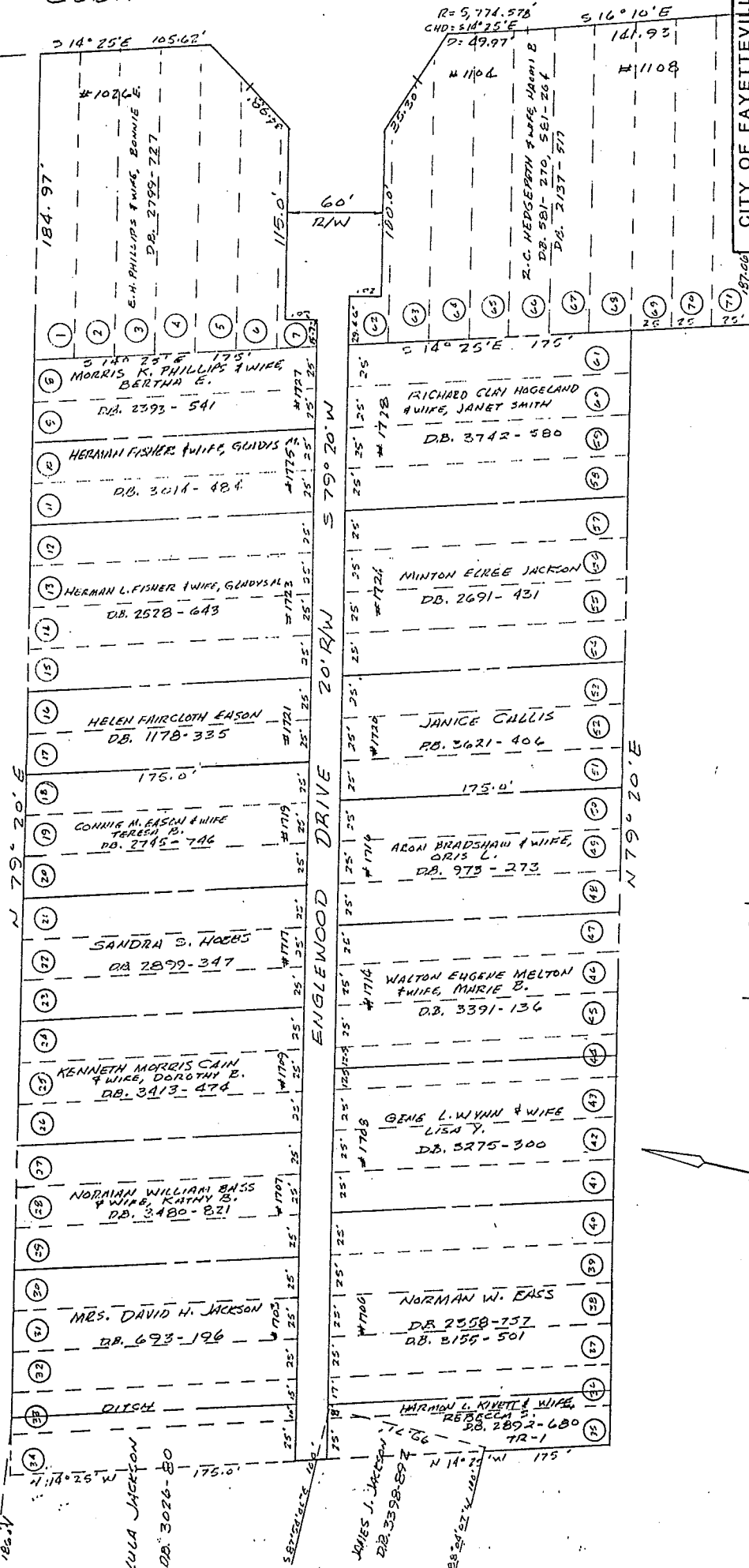
Bobbie A. Joyner, City Clerk

PUBLISH: May 21, 1992

The following City Councilmembers voted **FOR** the passage of the above Resolution:

The following City Councilmembers voted **AGAINST** the passage of the above Resolution:

CEDAR CREEK ROAD 90' K/W

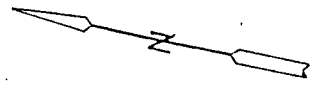


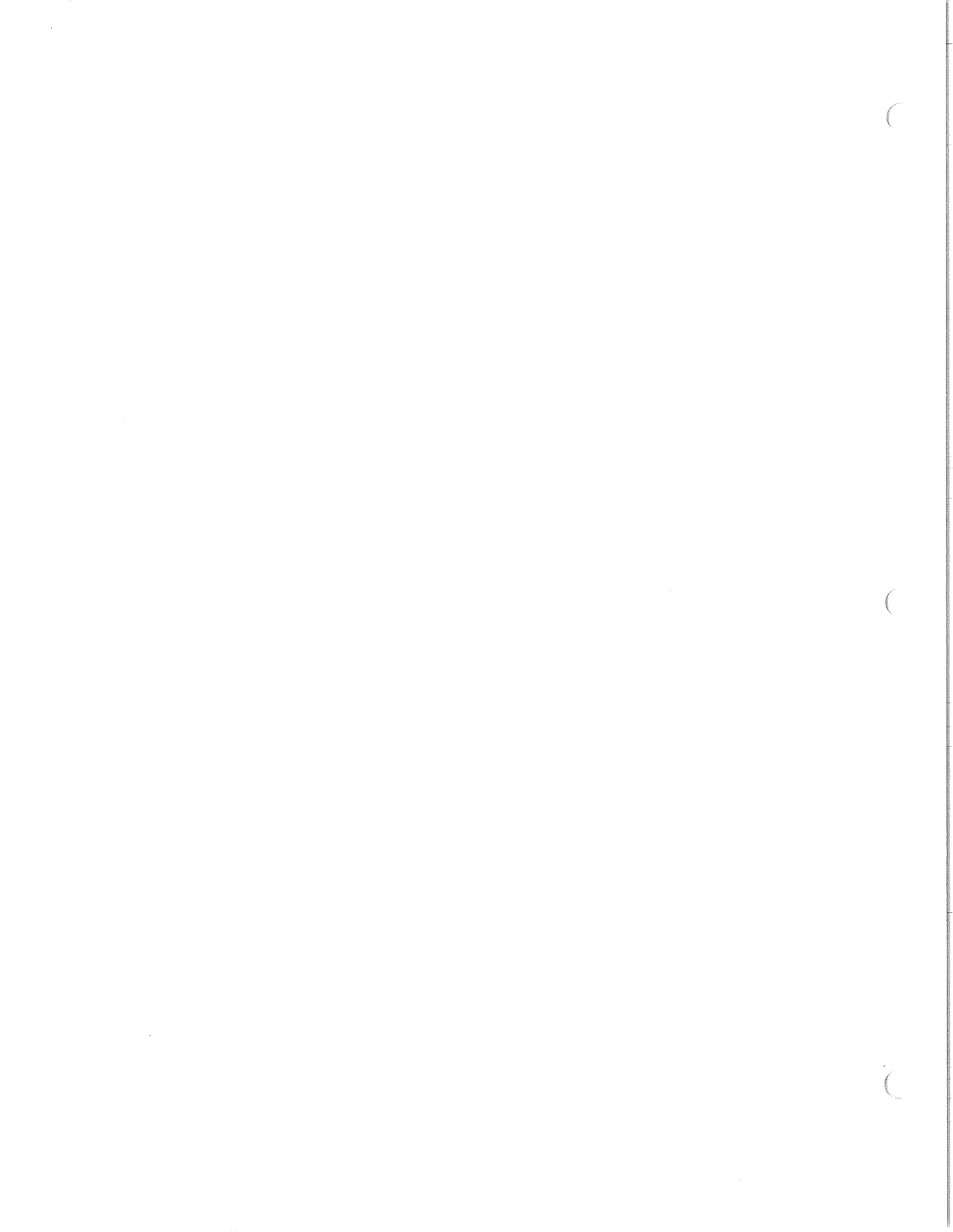
CITY OF FAYETTEVILLE
 ENGINEERING DEPARTMENT
 PROPOSED PLATING
 ENGLEWOOD DRIVE
 FROM: CEDAR CREEK RD TO: ROAD EN.
 DATE 1-22-92 DRAWN BY G.P.H.
 SCALE 1"=60' CK'D BY

REF: PLAT BOOK 13/72
 PLAT BOOK 67/56
 TAX MAP: 0441-(15)

OWNERS	FRONTAGE
SIGNED 9 (52.94%)	929.50' (55.31%)
UNSIGNED 8 (47.06%)	750.96' (44.69%)
TOTAL	1,680.46'

REVISION DATE
 FIELD BK: DATE





THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



FAYETTEVILLE, NC 28302-1748

FINANCE DEPARTMENT
2ND FLOOR, CITY HALL

433 HAY STREET
P.O. DRAWER D

MEMORANDUM

APRIL 28, 1992

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

THROUGH: Kai D. Nelson, Finance Director

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

SUBJECT: Special Revenue Fund Project Ordinance Amendment #92-3

The City has received additional receipts of Federal Forfeiture funds totaling \$28,086. Federal Drug Forfeiture funds are disbursed with the following stipulations:

1. Funds may only be utilized for legitimate law enforcement purposes.
2. Forfeiture awards must be in effect and reality, be available to law enforcement over and above the regular appropriated budget.
3. The awarding of forfeiture funds cannot be used in any way to decrease current or future budget appropriations.
4. Failure to comply will result in an audit with the automatic denial of future awards if we are found to be out of compliance therein.

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

It is respectfully recommended that this ordinance amendment be submitted to the Council for favorable consideration.

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2.C.

SPECIAL REVENUE FUND PROJECT ORDINANCE AMENDMENT
CHANGE 92-3 (ORD 92-1)

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Chapter 159 of the General Statutes of North Carolina, the following Special Revenue Fund project ordinance is hereby authorized:

Section 1. The project change authorized is to ORD 92-1 adopted January 21, 1992 for the purchase of miscellaneous equipment and other discretionary items for the Fayetteville Police Department.

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

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

Federal Forfeiture Receipts \$28,086

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

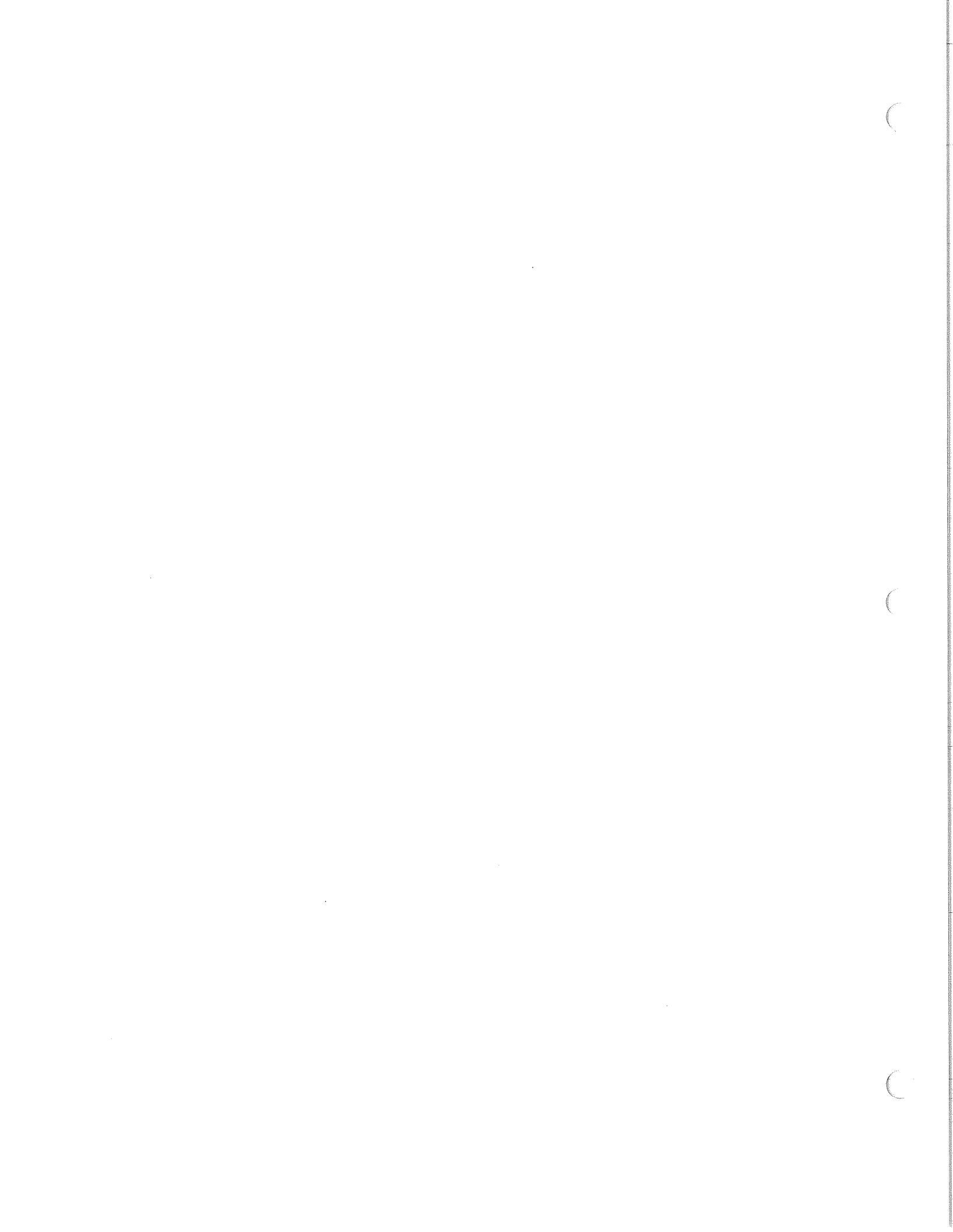
Project Expenditures \$28,086

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

Adopted this 4th day of May, 1992.

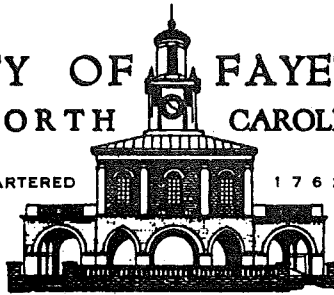
DETAIL LISTING OF SPECIAL REVENUE FUND PROJECT ORDINANCE AMENDMENT
CHANGE 92-3 (ORD 92-1)

<u>PROJECT/ACCOUNT NAME</u>	<u>ACCOUNT NUMBER</u>	<u>LISTED AS</u>	<u>CHANGE</u>	<u>ADJUSTED AMOUNT</u>
<u>ANTICIPATED REVENUE</u>				
Federal Drug Forfeiture Funds	26-3800-0220	\$47,604	\$28,086	\$75,690
		<u>\$47,604</u>	<u>\$28,086</u>	<u>\$75,690</u>
<u>APPROPRIATIONS</u>				
Operating Supplies	26-8001-0214	\$8,577	\$0	\$8,577
Program Supplies	26-8001-0227	230	0	230
Equipment Maintenance	26-8001-0233	720	0	720
Vehicle Maintenance	26-8001-0241	740	0	740
Telephone	26-8001-0251	725	0	725
Training and Conferences	26-8001-0263	200	0	200
Maintenance-Leased Facilities	26-8001-0293	2,878	0	2,878
Improvements	26-8001-0530	9,122	0	9,122
Equipment	26-8001-0550	20,477	28,086	48,563
Vehicles	26-8001-0560	<u>3,935</u>	<u>0</u>	<u>3,935</u>
		<u>\$47,604</u>	<u>\$28,086</u>	<u>\$75,690</u>



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



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

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

TO: Mayor
City Manager
City Attorney
City Council Members

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

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

Information pertaining to this docket is as follows:

- a. Docket number: N/A
- b. Location of property: 1777 Cardinal Circle
- c. Name and address of owner: Ms. Olia Scott
P.O. Box 56
Shannon, NC 28386
- d. Date of inspection: February 12, 1992
- e. Date of informal complaint: N/A
- f. Date of formal complaint: February 14, 1992
- g. Date of hearing: March 9, 1992
- h. Finding and Facts of the scheduled hearing: Structure was determined unfit for human habitation. Owner was granted 30 days from March 18, 1992, to repair or demolish the structure.
- i. Owner's response: No action was taken by owners; however, they did call expressing an interest in cleaning yards.
- j. The Housing Inspector dispatched a letter that was received by the owner with information that the docket would be presented to the City Council for necessary action on Monday, May 4, 1992.

This is the 29th day of April, 1992.

Housing Inspector

kble

INSP-202

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2D.

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

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

May 22, 1991

Mr. John R. and Elaine Mercer "Heirs"
 P.O. Box 2042
 Fayetteville, NC 28302

LETTER OF CONDEMNATION

Re: Lot 17, Cardinal Circle (0447-61-5399)

Dear Property Owners:

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

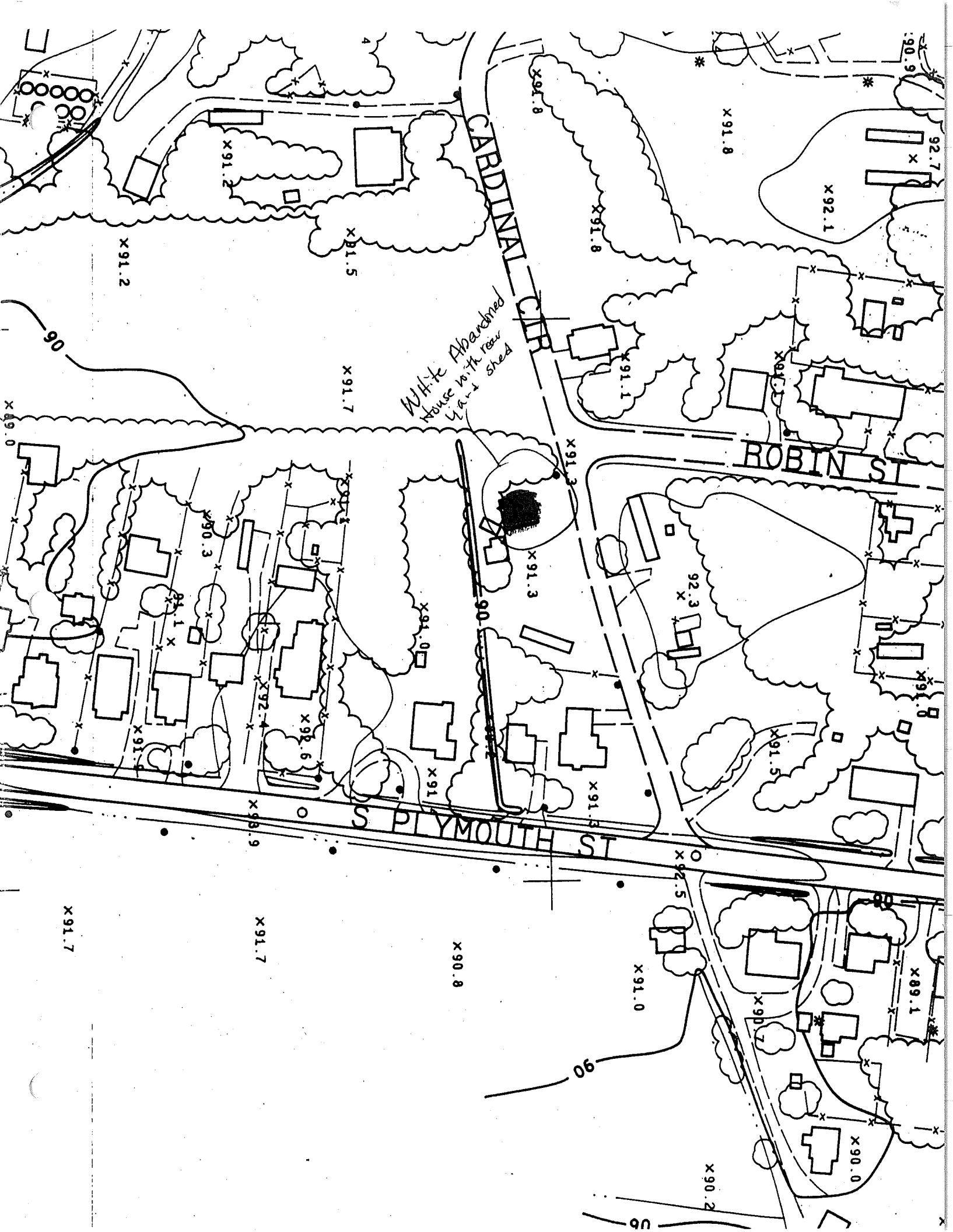
1. Exterior front and rear steps need to be installed.
2. Exterior walls need repair.
3. Exterior doors and frame need repair.
4. Window screens and screen doors need to be installed.
5. Window panes need to be installed.
6. Window frames and window sashes need repair.
7. Roofing material, flashing and trim/fascia need repair.
8. Old dilapidated shed must be rehabilitated or demolished and the remnants removed.

Please be advised that the dwelling(s) must remain vacant from receipt of this letter and repairs or demolition commenced. A permit for either must be purchased from our office prior to work commencing. If the dwelling is to be repaired, a final inspection must be made by the Housing Inspector and approved prior to occupancy of the dwelling.

ill begin demolition
 perintendent in City
 se do not hesitate to

COND Lot 17, Cardinal Cr (5399)

<p>● SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4: Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.</p>	
<p>1. <input type="checkbox"/> Show to whom delivered, date, and addressee's address. 2. <input type="checkbox"/> Restricted Delivery (Extra charge)</p>	
<p>3. Article Addressed to: Mr. John R. Mercer and Elaine Mercer "Heirs" P. O. Box 2042 Fayetteville, NC 28302</p>	<p>4. Article Number P 422 600 837</p> <p>Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise</p> <p>Always obtain signature of addressee or agent and DATE DELIVERED.</p>
<p>5. Signature — Addressee X</p>	<p>8. Addressee's Address (ONLY if requested and fee paid)</p>
<p>6. Signature — Agent <i>Trance B. Mercer</i></p>	
<p>7. Date of Delivery 5-25-91</p>	



White Alvarched
House with Rear
Shed

CARDINAL

ROBIN ST

S PLYMOUTH ST

X91.2

X91.2

X91.5

X91.7

X91.8

X91.8

X91.8

X92.1

X92.7

X91.1

X91.1

X91.3

X91.3

X92.3

X91.8

X91.0

X90.3

X92.4

X92.5

X91.0

X91.3

X91.5

X91.4

X91.9

S PLYMOUTH ST

X91.7

X91.7

X90.8

X91.0

X92.5

X90.2

X90.7

X90.0

X89.1

AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA

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

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

The City Council finds the following facts:

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

Lot 17 Cardinal Circle (0447-61-5399)

BEGINNING at a point in the northern margin of Cardinal Avenue North 79 degrees 00 minutes West 90.00 feet from its intersection with the western margin of Robin Street, and running thence with the northern margin of Cardinal Avenue North 79 degrees 00 minutes West 120.00 feet to the corner of Lot 121; thence with the dividing line between Lots 121 and 122 North 11 degrees 00 minutes East 109.00 feet to a point in the old line in the center of a ditch, the northeast corner of Lot 121; thence with the center of the ditch as it meanders eastwardly about 140.00 feet to the corner of Lot 126; thence with the dividing line between Lots 125 and 126 South 11 degrees 00 minutes West 141.00 feet to the Beginning point, being Lots 122, 123, 124, 125 in the subdivision of the E.K. Stevens Property as per plat by George S. Stuart, C.E. recorded in the Office of the Register of Deeds for Cumberland County, North Carolina, Book of Plats 10, page 24.

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

John R. and Elaine Mercer "HEIRS"

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Superintendent duly issued and served an order requiring the owners of said property to: repair or demolish the structure within thirty (30) days from receipt of notification.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, when ordered by

Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.

- (4) The City Council has held a full hearing upon this matter and has fully reviewed the entire record of said Inspections Superintendent thereon, and finds, that all findings of fact and all orders therein of said Inspections Superintendent are true and authorized except:

None

Whereupon, it is ordained that:

SECTION 1

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

This structure is to be demolished and all debris removed from the premises.

SECTION 2

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

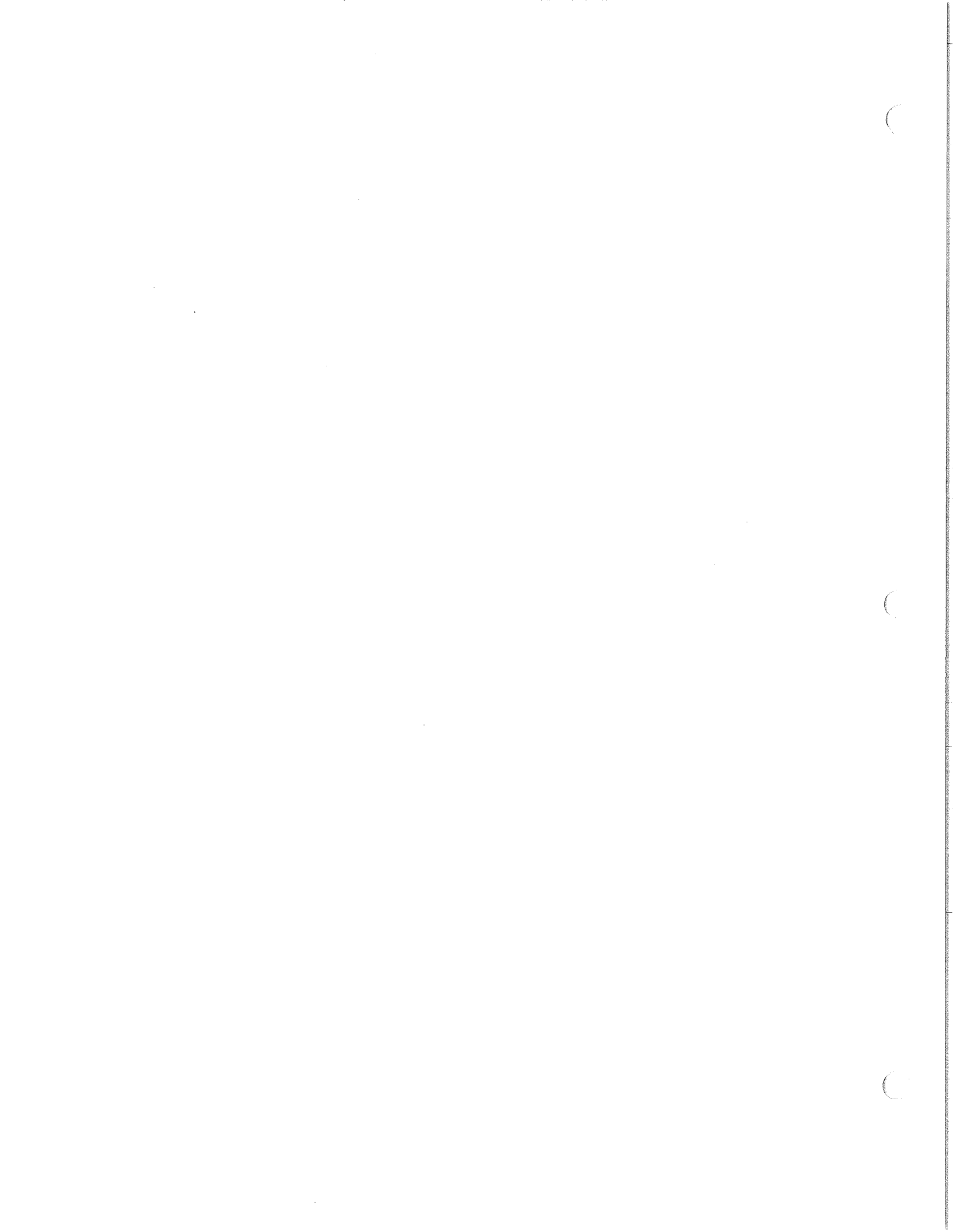
Adopted this 4th day of May, 1992.

CITY OF FAYETTEVILLE

BY: _____
J. L. Dawkins, Mayor

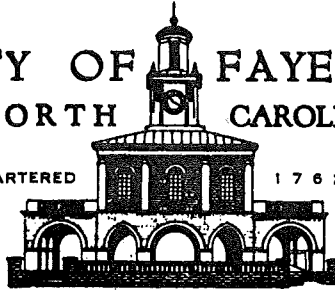
ATTEST:

Bobbie A. Joyner, City Clerk



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



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

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

TO: Mayor
City Manager
City Attorney
City Council Members

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

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

Information pertaining to this docket is as follows:

- a. Docket number: N/A
- b. Location of property: Lot 17 Cardinal Circle
- c. Name and address of owner: John R. & Elaine Mercer "HEIRS"
P.O. Box 2042
Fayetteville, NC 28302
- d. Date of inspection: May 16, 1991
- e. Date of informal complaint: N/A
- f. Date of formal complaint: May 22, 1991
- g. Date of hearing: June 10, 1991
- h. Finding and Facts of the scheduled hearing: Property determined unfit. Owner granted thirty (30) days to repair or demolish.
- i. Owner's response: Owners did not appear for hearing.
- j. The Housing Inspector dispatched a letter that was received by the owner with information that the docket would be presented to the City Council for necessary action on May 4, 1992.

This is the 28th day of April, 1992.


Housing Inspector

bes

INSP-202

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2.E

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

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

February 14, 1992

Ms. Olia Scott
P.O. Box 56
Shannon, NC 28386

LETTER OF CONDEMNATION

Re: 1777 Cardinal Circle

Dear Ms. Scott:

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

1. Exterior rear steps need repair.
2. Front and rear porch framing and flooring need repair.
3. Ceiling needs repair.
4. Interior and exterior walls need repair.
5. Interior and exterior doors and frame need repair.
6. Electrical wall outlets, ceiling light, switches and fuse box need repair.
7. Commode and water tank need repair.
8. Tub or shower needs repair.
9. Lavatory needs repair.
10. Kitchen sink needs repair.
11. Window frames and window sashes need repair.

COND ✓ 1777 Cardinal Cr

W

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Ms. Olia Scott
P. O. Box 56
Shannon, NC 28386

4a. Article Number

P 740 309 618

4b. Service Type

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

7. Date of Delivery

3-3-92

5. Signature (Addressee)

Olia Scott

6. Signature (Agent)

[Signature]

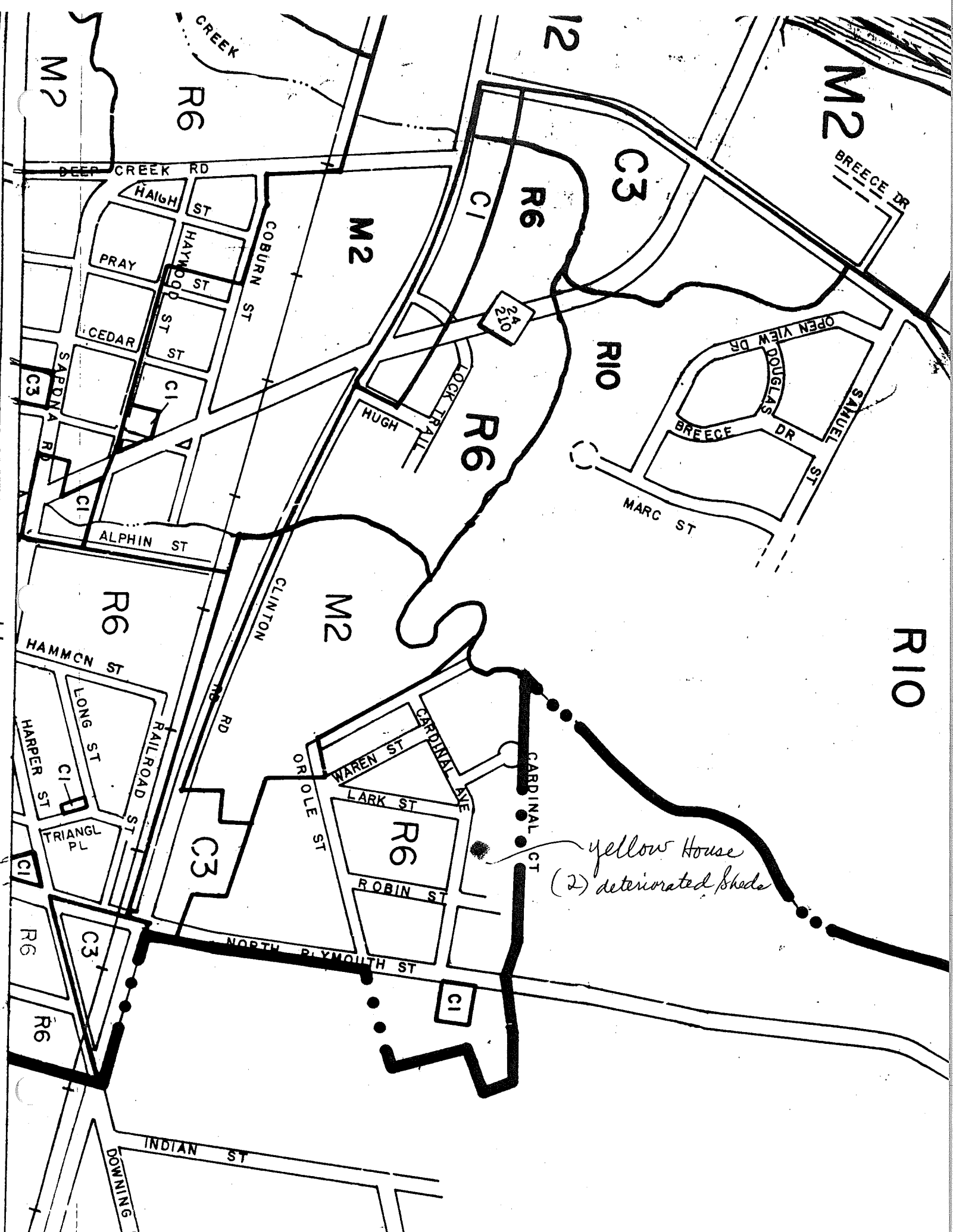
8. Addressee's Address (Only if requested and fee is paid)

ed repair.

moved from lot.
in each habitable room
wall outlet needs to be

ated or demolished and

nt from receipt of this
or either must be



M2

R6

12

M2

BREECE DR

DEEP CREEK RD

HAIGH ST

PRAY ST

HAYWOOD ST

COBURN ST

CEDAR ST

SAPONA RD

M2

C1

R6

C3

210
210

R10

OPEN VIEW DR

DOUGLAS DR

BREECE DR

SAHUEL ST

R6

HUGH TRAIL

MARC ST

ALPHIN ST

M2

CLINTON RD

R10

R6

HAMMON ST

OROLE ST

WARREN ST

CARDINAL AVE

CARDINAL CT

LARK ST

R6

ROBIN ST

yellow House
(2) deteriorated shade

NORTH PLYMOUTH ST

C1

LONG ST

RAILROAD ST

HARPER ST

TRIANGLE PL

C3

R6

C3

R6

INDIAN ST

DOMINGO R

AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA

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

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

The City Council finds the following facts:

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

1777 Cardinal Circle (0447-62-4022)

BEGINNING at a point in the northern margin of Cardinal Avenue North 79 degrees 00 minutes West 90.00 feet from its intersection with the western margin of Robin Street, and running thence with the northern margin of Cardinal Avenue North 79 degrees 00 minutes West 120.00 feet to the corner of Lot 121; thence with the dividing line between Lots 121 and 122 North 11 degrees 00 minutes East 109.00 feet to a point in the old line in the center of a ditch, the northeast corner of Lot 121; thence with the center of the ditch as it meanders eastwardly about 140.00 feet to the corner of Lot 126; thence with the dividing line between Lots 125 and 126 South 11 degrees 00 minutes West 141.00 feet to the Beginning point, being Lots 122, 123, 124, 125 in the subdivision of the E. K. Stevens Property as per plat by George S. Stuart, C. E. recorded in the Office of the Register of Deeds for Cumberland County, North Carolina, Book of Plats 10, Page 24.

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

Olia Scott, et al.

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Superintendent duly issued and served an order requiring the owners of said property to: repair or demolish the structure before April 18, 1992.

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

None

Whereupon, it is ordained that:

SECTION 1

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

This structure is to be demolished and all debris removed from the premises.

SECTION 2

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

Adopted this 4th day of May, 1992.

CITY OF FAYETTEVILLE

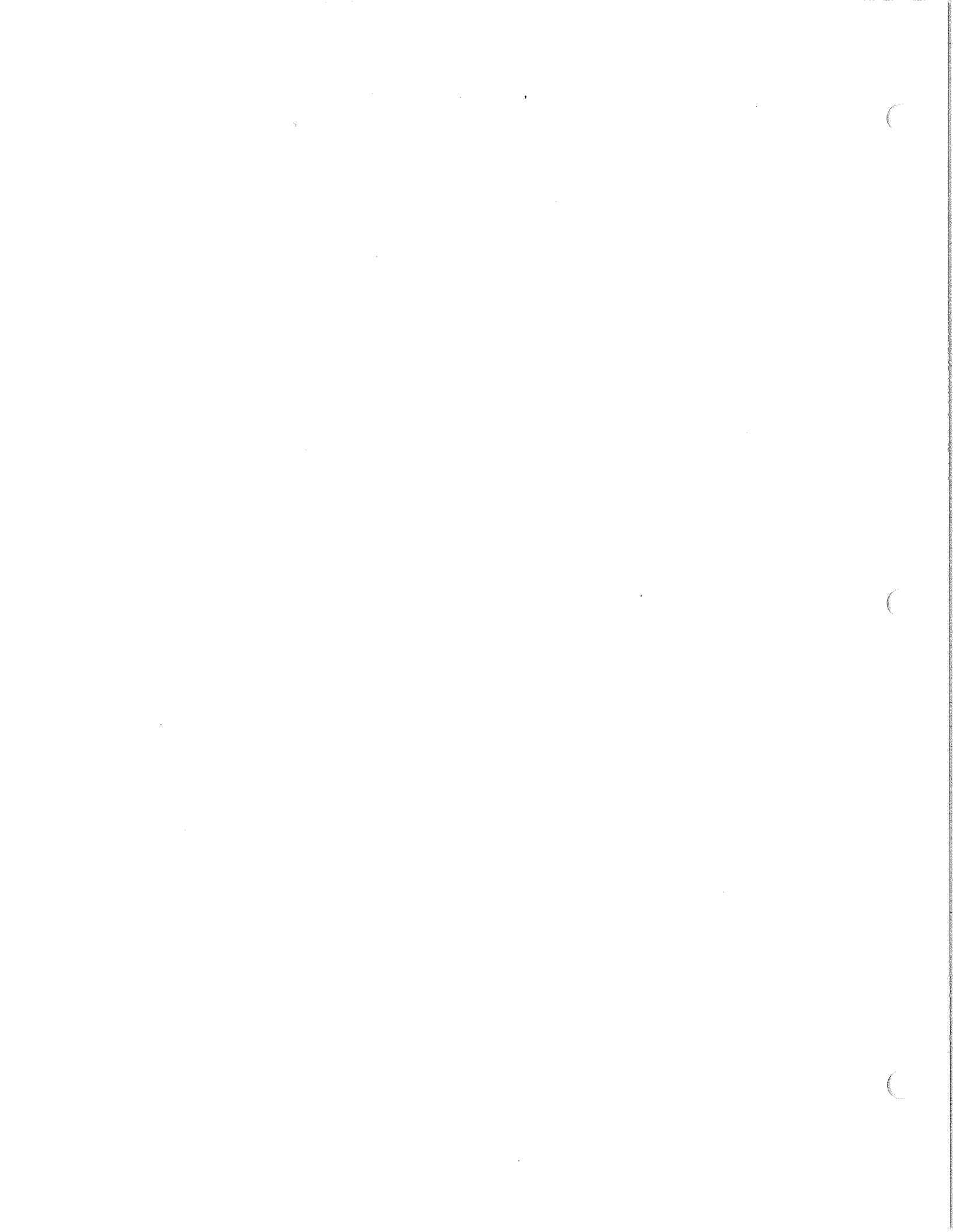
BY: _____

J. L. Dawkins, Mayor

ATTEST:

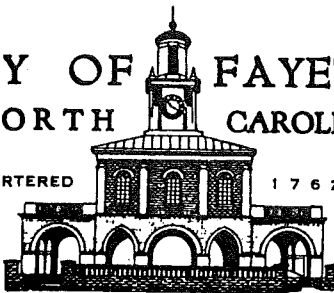
Bobbie A. Joyner, City Clerk

kblp



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

April 30, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

SUBJECT: Proposed Ordinance and First Amendment Resolution for the City's Employee Cafeteria Benefits Plan

The City's "Cafeteria Plan" has been in effect since January 1, 1991. The attached ordinance and amendment resolution are administrative "clean up" actions. The ordinance will reflect Council's formal adoption of the "Cafeteria Plan" as was recently recommended to us by the City's actuary consultants (Hutchison & Associates). It had been our belief that Council's approval to award the contract for the Employee Cafeteria Benefits Program to Olde Fayetteville Insurance & Financial Services at its November 8, 1990, Regular Meeting established adequate authority. Our consultants indicate that a more formal adoption would be more appropriate.

The amendment resolution formally recognizes the election process as it is and should be; it changes it from optional to a mandatory pre-tax basis effective January 1, 1992.

The City Attorney has reviewed the attached documents. Recommend Council adopt the proposed ordinance and the first amendment to the plan.

JBB/kbla

Attachments

cc: Al McKenzie, Personnel Director
Robert C. Cogswell, Jr., City Attorney
Kai D. Nelson, Finance Director

An Equal Opportunity
City of

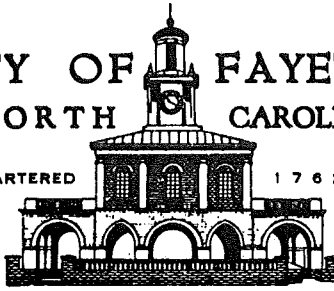


Affirmative Action Employer
Dogwoods

ITEM 2.F.

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



PERSONNEL DEPARTMENT
(919) 433-1635

CITY HALL
433 HAY STREET

FAYETTEVILLE, NC 28301-5537

April 27, 1992

MEMORANDUM

TO: John B. (Ben) Brown, Jr., Assistant City Manager for
Finance and Administration

FROM: Al McKenzie, Personnel Director

SUBJECT: Proposed Ordinance and First Amendment Resolution

As you know, our Pretax Premium Plan and our Dependent Care Reimbursement Plan (Collectively referred to as our Cafeteria Plan) have been in effect since January 1, 1991. The net result of these plans has been a measurable increase in employee satisfaction with our benefits package as employees enjoy significantly more options.

It has been our opinion that the Budget Ordinance Amendment Change 90-15 on June 25, 1990, Item 6, of the City Council meeting of October 15, 1990, and Item 9, of the City Council meeting of November 5, 1990, established adequate authority for the plans when endorsed by the City Manager on March 8, 1991.

While negotiating a minor change in the plan (see First Amendment to the City of Fayetteville Pretax Premium Plan), Mr. Richard Walker, Benefit Consultant with Hutchison and Associates, called to our attention the fact that the plans should have more appropriately been formally adopted by our governing board. With Mr. Walker's assistance, we have developed the attached ordinance and resolution for Council consideration. Per your recommendation, I have asked Robert Cogswell, City Attorney, to review the proposed documents and he has done so.

While the plans have been administered without problem or complaint from employees since January 1, 1991, there is always the possibility that an employee may challenge the authority of the City's plan at some future date. The plans then having the full authority and approval of Council, will provide a stronger legal position from which the City can make a defense.

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

Page 2
April 27, 1992

To this end I am requesting that in my absence on April 29, 1992, you would present the attached proposed ordinance and resolution to the City Manager as a possible agenda item for a subsequent Council meeting. I will be available through April 28, 1992, to discuss any aspect of this proposal with you. For your information, I am also enclosing my copy of the complete plans for your review.

AM/beb

Attachments

AN ORDINANCE ADOPTING THE
DEPENDENT CARE REIMBURSEMENT PLAN AND THE PRETAX PREMIUM PLAN
FOR THE CITY OF FAYETTEVILLE

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

Section 1. The Dependent Care Reimbursement Plan is hereby adopted as part of the Employee Cafeteria Benefits Program pursuant to Budget Ordinance Amendment Change 90-15 on June 25, 1990, item 6 of the City Council meeting of October 15, 1990, and item 9 of the City Council meeting of November 5, 1990.

Section 2. The Pretax Premium Plan is hereby adopted as part of the Employee Cafeteria Benefits Program pursuant to the Budget Ordinance Amendment Change 90-15 on June 25, 1990, item 6 of the City Council meeting of October 15, 1990, and item 9 of the City Council meeting of November 5, 1990.

Section 3. This Ordinance shall be in full force effective January 1, 1991.

Adopted this _____ day of _____, 1992.

CITY OF FAYETTEVILLE

By: _____
City Manager

Attest:

City Clerk

HUTCHISON AND ASSOCIATES, INC.

ACTUARIES • CONSULTANTS

612 WADE AVENUE • P. O. BOX 10600
RALEIGH, NORTH CAROLINA 27605 - 0600

EMPLOYEE BENEFIT PLANS
DESIGN
ADMINISTRATION
COMMUNICATION

TELEPHONE 919 839-7200
FACSIMILE 919 839-7253

CHARLOTTE OFFICE
5600 77 CENTER DR., SUITE 210
CHARLOTTE, N. C. 28217
TELEPHONE 704 522-6339

April 16, 1992

Mr. Al McKenzie
Personnel Director
City of Fayetteville
Post Office Drawer D
Fayetteville, North Carolina 28302

Dear Al:

As requested, we have drafted the enclosed First Amendment to the Pre-Tax Premium Plan which changes the election process from optional to a mandatory pre-tax basis effective January 1, 1992. This amendment allows employees who had rejected the pre-tax treatment of their premiums during the 1991 Plan Year to continue to pay premiums on an after-tax basis. However, if these "grandfathered" participants should ever elect the Pre-Tax Premium Plan, they will not be permitted to return to the after-tax option.

We have also prepared a certificate of resolutions for the City Council to adopt the amendment. Please review the attachments carefully so we can make any changes before they are executed. Once the First Amendment and resolution are approved, please have both copies signed and dated and return one copy to my attention.

If you have any questions about the attachments, please do not hesitate to contact me.

Sincerely,



Richard Walker
Group Consultant

RW/jp

Attachments

cc: Kai D. Nelson, City of Fayetteville

**CERTIFICATE OF RESOLUTIONS OF
THE CITY COUNCIL FOR
THE CITY OF FAYETTEVILLE**

I certify that I am the Clerk of the City Council of the City of Fayetteville, a municipal corporation duly organized and existing under the laws of the State of North Carolina.

The following are true and correct copies of a resolution duly adopted at a meeting of the City Council for the City of Fayetteville held on the _____ day of _____, 1992.

WHEREAS, the City of Fayetteville (hereinafter referred to as the "City") established the City of Fayetteville Pre-Tax Premium Plan, effective January 1, 1991; and

WHEREAS, the City now wishes to amend said Plan by the adoption of the First Amendment to the City of Fayetteville Pre-Tax Premium Plan in the form presented to this meeting, effective January 1, 1992.

NOW, THEREFORE, BE IT RESOLVED that the City of Fayetteville Pre-Tax Premium Plan be amended by adopting the First Amendment to said Plan, effective January 1, 1992.

RESOLVED, that the appropriate officials of the City be and they are hereby authorized and directed to execute said First Amedment, a copy of which is annexed hereto.

IN WITNESS WHEREOF, the undersigned has set his hand and seal of the City this _____ day of _____, 1992.

Clerk

FIRST AMENDMENT TO THE
CITY OF FAYETTEVILLE
PRE-TAX PREMIUM PLAN

The City of Fayetteville, a municipal corporation organized and existing under the laws of the State of North Carolina, hereby adopts the First Amendment to the City of Fayetteville Pre-Tax Premium Plan. Said Plan is hereby amended as follows, effective January 1, 1992:

Section 4.04, Election Procedure, shall be amended in its entirety to read as follows:

4.04 ELECTION PROCEDURE - Each Participant completes an election form under the Insurance Plan by which he may select one of the optional coverages provided under Section 4.01. Any such election under the Insurance Plan shall be deemed to be an election under this Plan, including a compensation reduction agreement. These election forms and compensation reduction agreements are hereby incorporated by reference into the Plan. The election form under the Insurance Plan shall be made available to each Participant and to each other Employee who is expected to become a Participant at the beginning of the Plan Year. The election form shall be effective as of the first day of the Plan Year, except in the case of an Employee who becomes a Participant under Section 3.01 or 3.03, and as to whom the election form is effective as provided in Section 4.05. Each Participant who chooses an optional benefit coverage, as described in Section 4.01, for the Plan Year shall be deemed to have agreed to a reduction in his compensation. The amount of the reduction in the Participant's compensation for the Plan Year shall equal the Participant's share of the cost of the optional benefit elected by the Participant and shall be adjusted as provided in Section 4.08 in the event of a change in any such cost. Each election form must be completed and returned to the Administrator on or before such date as the Administrator shall specify, which date shall be no later than the effective date of the benefit option for which the Participant's compensation reduction agreement shall apply.

For Plan Years ending on or before December 31, 1991, an eligible Employee who has completed an election form may elect not to participate under the Plan by completing a benefit rejection form provided by the Administrator. Such election shall have no effect upon the eligible Employee's election under the Insurance Plan as to type of coverage. The waiver shall cause any costs payable by the Employee to be made without regard to Section 125 of the Code. In this event, the eligible Employee's salary or wages shall be reduced to pay for the Employee's share of the cost of the optional benefit elected, but such reduction shall not be effective for federal or state tax purposes. For Plan Years beginning on or after January 1, 1992, a benefit rejection form may be completed only by a Participant who has had a benefit rejection form in effect for the Plan Year ending December 31, 1991 and all subsequent Plan Years.

IN WITNESS WHEREOF, the City has caused this amendment to be signed and adopted this _____ day
of _____, 19____.

CITY OF FAYETTEVILLE

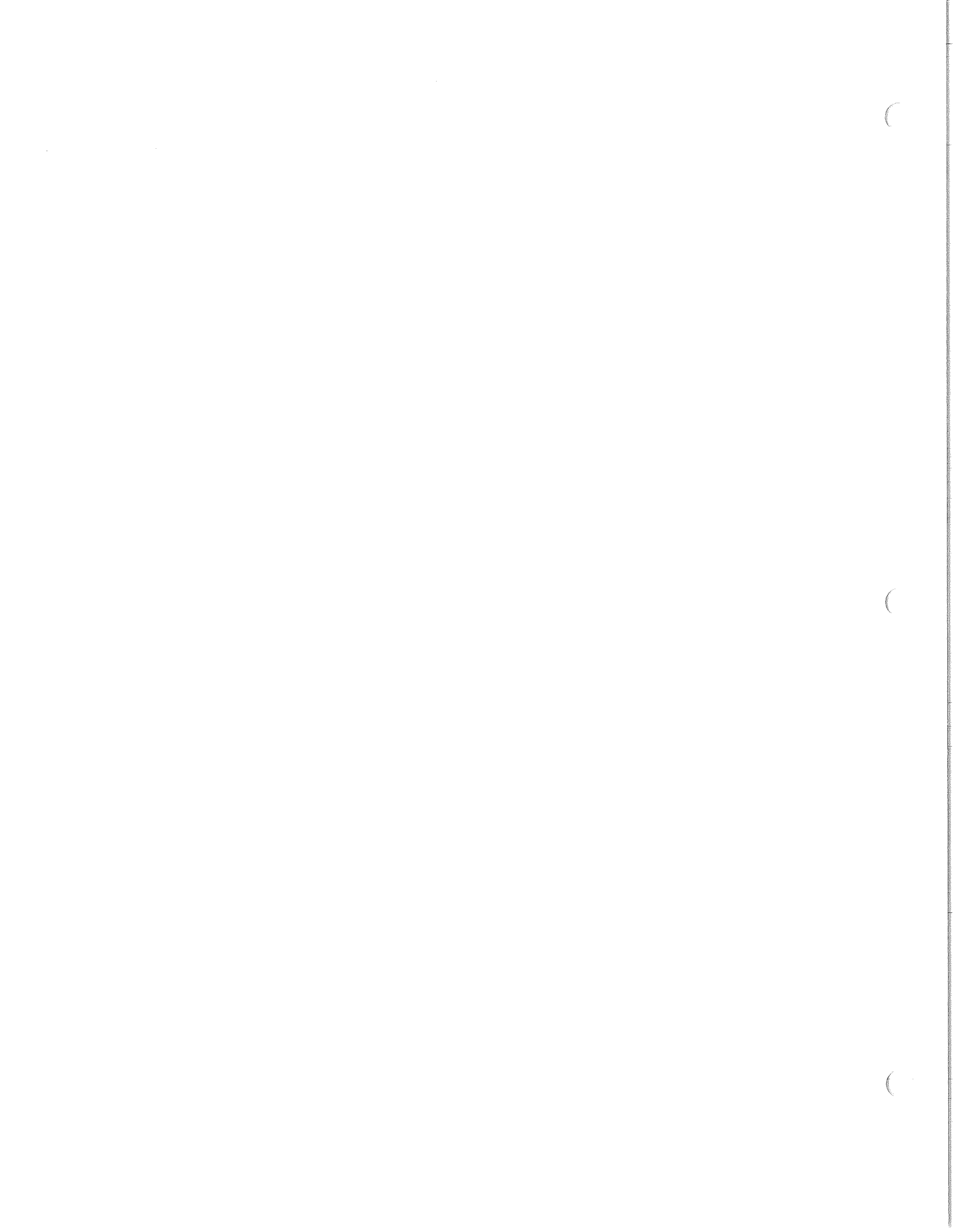
By: _____

Title: _____

ATTEST:

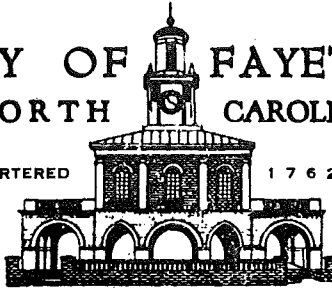
By: _____

Title: _____



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

April 28, 1991

MEMORANDUM:

TO: Mr. John Smith, City Manager

FROM: Mr. William T. Ray, Airport Manager *wtr*

SUBJECT: Right-of-way easements for NC DOT improvements on East Mountain Drive

At its regular meeting on Tuesday, April 28, 1992, the Airport Commission voted to recommend that the City Council approve easements for road improvements on East Mountain Drive.

The temporary construction poses no problem. The permanent easement was modified by us to allow driveways onto the property.

I concur with the recommendation from the Airport Commission, and recommend that the City Council approval the easements subject to approval by the Federal Aviation Administration. FAA approval is required due to federal funds being used to purchase the property.

If you have questions, please call Mr. Hamilton or me.

EMN/en

Enclosures - Easements for Project 8.T440505
Map

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2.G.

DRAINAGE EASEMENT

STATE OF NORTH CAROLINA

STATE PROJECT #: 8.T440505

F. A. #: F-120-1(6)

COUNTY OF CUMBERLAND

PARCEL #: 17

THIS AGREEMENT, made this ___ day of ___, 1992, by and between the DEPARTMENT OF TRANSPORTATION, an agency of the State of North Carolina, hereinafter known as the Department, and City of Fayetteville

of the County of CUMBERLAND, hereinafter known as Grantors,

W_I_T_N_E_S_S_E_T_H:

THAT WHEREAS, the Department desires to construct and maintain a drainage facility through and across the property of Grantors,

And whereas, Grantors recognizing the benefits accruing to their said property through the construction and maintenance by the Department of roads and highways upon or in the vicinity of said property of Grantors.

NOW, THEREFORE, in consideration of said benefits, and further consideration of \$ 1.00 and other valuable considerations, Grantors hereby release the Department, its successors and assigns, from all claims for damages by reason of the construction and maintenance of said drainage facility through and across the lands of Grantors, and Grantors hereby give, grant, bargain, sell and convey unto the Department, its successors, and assigns, an easement for the construction and maintenance of a drainage facility across and through the property of Grantors located in Pearces Mill Township, CUMBERLAND County, bounded as follows:

and being more fully described in a deed recorded in Book 3596, Page 23, Cumberland County Registry, said easement being described as follows:

Drainage Easement

Beginning at a point located at the intersection of the southern right of way margin of East Mountain Drive and the eastern property line of the undersigned, said point being 25 feet southwesterly of and normal to survey line -Y11B-; thence southwesterly along and with the eastern property line of the undersigned, to a point located 50 feet southwesterly of and normal to survey line -Y11B-; thence northwesterly in a straight line to a point located 50 feet southwesterly of and normal to survey station 42 + 34 survey line -Y11B-; thence southwesterly in a straight line to a point located 75 feet southwesterly of and normal to survey station 43 + 00 survey line -Y11B-; thence northwesterly in a straight line to its point of intersection with the western property line of the undersigned, said point being located 75 feet southwesterly of and normal to survey line -Y11B-; thence northeasterly along and with the western property line of the undersigned, to its point of intersection with the southern right of way margin of East Mountain Drive, said point being 25 feet southwesterly of and normal to survey line -Y11B-; thence southeasterly along and with the southern right of way boundary of East Mountain Drive at all points being 25 feet southwesterly of and normal to survey line -Y11B-, to the point of beginning.

City reserves the right to install driveways in accordance with NCDOT regulations.

This agreement is subject to the following provisions only:

There are no conditions to this agreement not expressed herein. Grantors, their heirs and assigns, hereby covenant to and with the Department that they are the sole owners of the hereinabove described property; that they solely have the right to grant this easement; and that they will forever defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, we hereunto set our hands and seals the day and year first above written.

CITY OF FAYETTEVILLE (SEAL) _____ (SEAL)

_____ (SEAL) _____ (SEAL)

_____ (SEAL) _____ (SEAL)

Drawn By: _____ Accepted for Department of Transportation

Checked By: _____ By: _____

STATE OF NORTH CAROLINA: _____ COUNTY

I, _____, a Notary Public for the above said County and State do hereby certify that _____

personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal, this the ___ day of ___, 19___.

My Commission expires: _____ Notary Public

CITY OF FAYETTEVILLE

BY: _____ (SEAL)
J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk (SEAL)

SEAL-STAMP STATE OF NORTH CAROLINA, COUNTY OF CUMBERLAND

I, _____, a Notary Public of said County and State, certify that BOBBIE A. JOYNER personally appeared before me this date and acknowledged that she is the Clerk of the City of Fayetteville, and that by authority duly given and as the act of the City Council, the foregoing instrument was signed in its name by J. L. DAWKINS, Mayor, sealed with its seal and attested by her as its Clerk.

Witness my hand and notarial seal, this _____ day of _____, 1992.

My Commission expires: _____
Notary Public

NORTH CAROLINA
COUNTY OF CUMBERLAND

TEMPORARY
STATE HIGHWAY PROJECT 8.T440505
(Parcel 15)
F. A. PROJECT F-120-1(6)

THIS DEED OF EASEMENT, entered into this the _____ day of _____, 1992, by and between City of Fayetteville

hereinafter referred to as the GRANTORS, and the DEPARTMENT OF TRANSPORTATION, an agency of the State of North Carolina, hereinafter referred to as the Department;

W I T N E S S E T H:

THAT the GRANTORS, for themselves, their heirs, successors, executors and assigns, for and in consideration of the sum of \$ 1.00 agreed to be paid by the DEPARTMENT to the GRANTORS, do hereby give, grant, and convey unto the DEPARTMENT, its successors and assigns, a temporary easement for highway purposes, subject to the terms and provisions hereinafter set forth, over a portion of real property described in deed(s) recorded in Book 3596, Page 23, and _____ in the Office of the Register of Deeds of CUMBERLAND County, said easement being described as follows:

TEMPORARY CONSTRUCTION EASEMENT

A temporary construction easement for a maximum distance of 25 feet outside of the right of way, lying southerly of and between survey station 37 + 39 survey line -Y11B- and the western property line of the undersigned. _____

Said easement widths, station numbers, survey lines and additional easement areas being delineated on that set of plans for State Highway Project 8.T440505 on file in the office of the Department of Transportation in Raleigh, North Carolina, and also on a copy of said project plans which will be recorded, as required by law, in the Office of the Register of Deeds of CUMBERLAND County, to which plans reference is hereby made for greater certainty of description of the easement areas herein conveyed and for no other purpose.

This DEED OF EASEMENT is subject to the following terms and provisions only: It is understood and agreed that the Department shall have the right to construct and maintain the cut and/or fill slopes in the above described area until such time that the property owners alter the adjacent lands in such a manner that the lateral support of the cut and/or fill slopes is no longer needed. Any additional construction areas lying beyond the cut and/or fill slopes and extending beyond the right of way limits will terminate upon completion of the project.

There are no conditions to this DEED OF EASEMENT not expressed herein.

TO HAVE AND TO HOLD said temporary easement for highway purposes, subject to the terms and provisions hereinabove set forth, unto the DEPARTMENT, its successors and assigns, and the GRANTORS, for themselves, their heirs, successors, executors and assigns, hereby warrant and covenant that they are the sole owners of the property; that they solely have the right to grant the said temporary easement; and that they will warrant and defend title to the same against the lawful claims of all persons whomsoever; and the GRANTORS, for themselves, their heirs, successors, executors and assigns, release the DEPARTMENT from any and all claims for damages by reason of said temporary easement herein conveyed over property of the GRANTORS and the past and future use thereof by the DEPARTMENT, its successors and assigns, for all purposes for which the DEPARTMENT, its successors and assigns, is authorized by law to subject the same, subject to the terms and provisions hereinabove set forth.

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our seals the day and year first above written.

NORTH CAROLINA _____ COUNTY CITY OF FAYETTEVILLE (SEAL)

The annexed certificate of _____ (SEAL)

a Notary Public of _____ County, North Carolina, is certified to be correct. _____ (SEAL)

This _____ day of _____, 19____, _____ (SEAL)

By: _____ (SEAL)

Register of Deeds Assistant (Deputy) _____ (SEAL)

Drawn By: _____ (SEAL)

Checked By: _____ ACCEPTED FOR DEPARTMENT OF TRANSPORTATION

By: _____
Temporary
Revised July 1977

CITY OF FAYETTEVILLE

BY: _____ (SEAL)
J. L. Dawkins, Mayor

ATTEST:

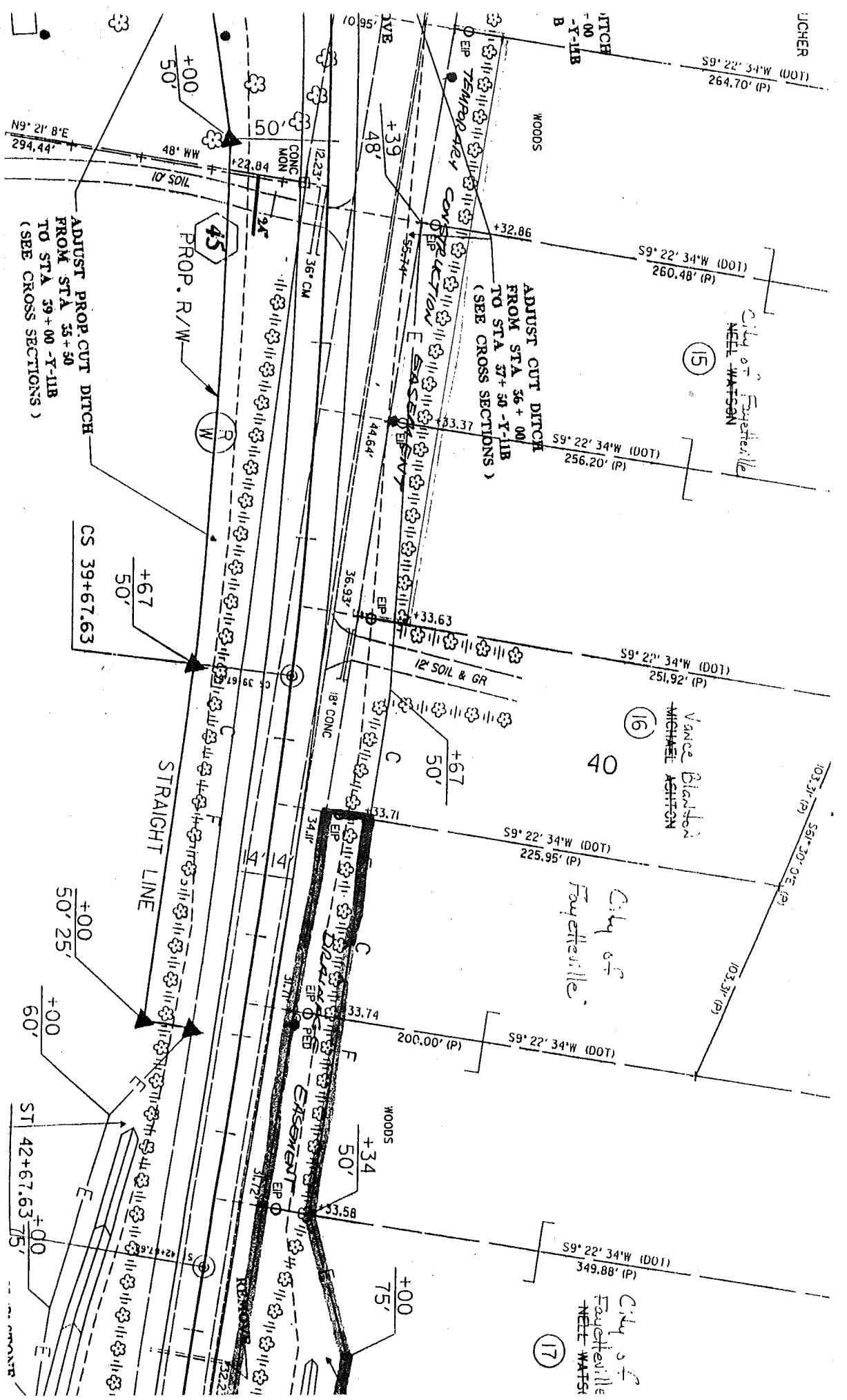
Bobbie A. Joyner, City Clerk (SEAL)

SEAL-STAMP STATE OF NORTH CAROLINA, COUNTY OF CUMBERLAND

I, _____, a Notary Public of said County and State, certify that BOBBIE A. JOYNER personally appeared before me this date and acknowledged that she is the Clerk of the City of Fayetteville, and that by authority duly given and as the act of the City Council, the foregoing instrument was signed in its name by J. L. DAWKINS, Mayor, sealed with its seal and attested by her as its Clerk.

Witness my hand and notarial seal, this _____ day of _____, 1992.

My Commission expires: _____
Notary Public



ADJUST PROP. CUT DITCH
FROM STA 35+50
TO STA 39+00 -T-LIB
(SEE CROSS SECTIONS)

ADJUST CUT DITCH
FROM STA 36+00
TO STA 37+50 -T-LIB
(SEE CROSS SECTIONS)

CS 39+67.63
+67
50'

+67
50'

+00
50' 25'

+00
60'

+34
50'

(17)

(15)

(16)

40

City of Fayetteville
NEEL WATSON

Vance Blanton
MICHAEL ASHTON

City of Fayetteville

City of Fayetteville
NEEL WATSON

UCHER

S9° 22' 34"W (DOT)
264.70' (P)

S9° 22' 34"W (DOT)
260.48' (P)

S9° 22' 34"W (DOT)
256.20' (P)

S9° 22' 34"W (DOT)
251.92' (P)

S9° 22' 34"W (DOT)
225.95' (P)

S9° 22' 34"W (DOT)
200.00' (P)

S9° 22' 34"W (DOT)
349.88' (P)

N9° 21' 8"E
294.44'

48' WW
10' SOIL

45

W

STRAIGHT LINE

18' CONC

12' SOIL & GR

WOODS

WOODS

10' 95'

+39
48'

144.64'

36.93'

34.11'

33.74'

33.58'

33.23'

12.23'

22.84'

29.86'

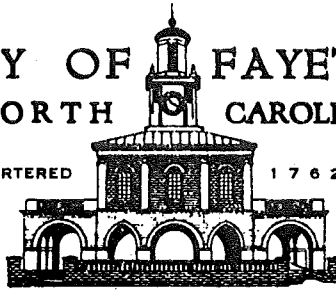
42.72'

52.23'

52.23'

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

April 28, 1992

MEMORANDUM:

TO: Mr. John Smith, City Manager

FROM: Mr. William T. Ray, Airport Manager *wtr*

SUBJECT: North Carolina Department of Transportation
Grant for Projects AIP 12 and AIP 13

I have attached a copy of a letter from NC DOT Secretary Thomas J. Harrelson and my memorandum to the Airport Commission in reference to subject project.

The Airport Commission unanimously voted to recommend that the City Council accept the grant. The grant is for the State's participating share in the costs of the projects shown on the aforementioned correspondence.

I concur with the Airport Commission's recommendation that the City Council accept the grant award.

If you need additional information, please call me.

EMN/en

Enclosures - Two Letters

An Equal Opportunity
City of

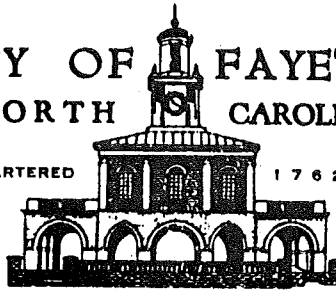


Affirmative Action Employer
Dogwoods

ITEM 2.H.

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

April 22, 1992

MEMORANDUM:

TO: AIRPORT COMMISSION MEMBERS

FROM: William T. Ray, Airport Manager *wtr*

SUBJECT: NC Department of Transportation Grant for
Projects AIP 12 and AIP 13

Attached is a copy of a letter from NC DOT Secretary Harrelson informing us of grant awards in the amount of \$230,437.

AIP 12 - \$201,787

Security equipment, Environmental Assess for Highway 301, Rehabilitate CFR Truck, Land Acquisition, and Construction of Fire Training Facility.

AIP 13 - \$ 28,650

Update of Airport Master Plan, Install Taxiway Guidance Sign System, and Land Acquisition

I recommend that we accept the grant awards and that we forward a recommendation to the City Council for its concurrence.

If you have questions, call me.

EMN/en

Enclosure - Letter dated 4/3/92

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods



RECEIVED

APR 13 1992

H

Fayetteville Regional Airport

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

JAMES G. MARTIN
 GOVERNOR

THOMAS J. HARRELSON
 SECRETARY

April 3, 1992

Mr. Monroe Evans, Chairman
 Fayetteville Airport Commission
 2314 Mirror Creek Road
 Fayetteville, North Carolina 28303-5309

Dear Mr. Evans:

On behalf of Governor James G. Martin and the North Carolina Aeronautics Council, it is my pleasure to inform you that the Department of Transportation has included a State Aid to Airports grant for the Fayetteville Regional Airport in the FY 1992 Transportation Improvement Program.

These grants represent the state portion of the approved AIP projects and are based upon a state share of 50% of the non-federal share of total project costs as follows:

1. Description: AIP-12: Security Equipment, EA for New Access Road, Rehabilitate CFR Truck, Land Acquisition for Part 77 Surfaces, Construct Fire Training Facility

Add'l State Funds: \$105,877

Total State Funds: \$201,787

2. Description: AIP-13: Update Airport Layout Plan (ALP), Install Taxiway Guidance Sign System, Land Acquisition for Part 77 Surfaces

State Funds: \$28,650

The Division of Aviation will be contacting you relating to the acceptance of the grant and the procedures to be followed in carrying out the grant.

Mr. Monroe Evans
Page 2
April 3, 1992

Any work items authorized must be shown on a current airport layout plan or be compatible with such a plan. An appropriate environmental finding, if required, must be obtained prior to the commencement of construction or land acquisition. If you have a valid federal environmental finding, no further action will be required.

Also, you will be asked to submit a certification of local funding commitment no later than June 1, 1992. The certificate will be provided by the Division of Aviation. This certificate ensures that our aviation program funds will be used for the most immediate and pressing airport needs. Should local funding not be available or you choose not to undertake the project this fiscal year, the funds are subject to cancellation.

We are pleased that we are able to provide financial assistance this year and look forward to working with you on this and other airport improvement matters.

Yours truly,


Thomas J. Harrelson

TJH/WGP/dtj

cc: The Honorable James G. Martin, Governor
The Honorable Jesse Helms, U. S. Senate
The Honorable Terry Sanford, U. S. Senate
The Honorable Charles G. Rose, III, U. S. House
The Honorable Joe B. Raynor, N. C. Senate
The Honorable Lura Tally, N. C. Senate
The Honorable R. C. Soles, Jr., N. C. Senate
The Honorable Mary E. McAllister, N. C. House
The Honorable Luther R. Jeralds, N. C. House
The Honorable R. D. Beard, N. C. House
The Honorable John W. Hurley, N. C. House
The Honorable Alex Warner, N. C. House
Mr. Albert McCauley, Member, Board of Transportation
Mr. Joseph E. Sandlin, Member, Aeronautics Council
Mr. S. Thomas Rhodes, Deputy Secretary, NCDOT
Mr. C. Morgan Edwards, Assistant Secretary, NCDOT
Mr. William T. Ray, Airport Manager

CC: Mike McNair
Kai Nelson



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

PUBLIC WORKS COMMISSION
 OF THE CITY OF FAYETTEVILLE

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

ELECTRIC & WATER UTILITIES

April 27, 1992

MEMO TO: John P. Smith, City Manager

FROM: Tim Wood, General Manager

Wood

SUBJECT: PWC Items For City Council Agenda - May 4, 1992

I. Approval of bid award in the amount of \$128,900.00 to WESCO, low **evaluated** bidder, for purchase of one hundred (100) 50 kVa padmount transformers. Bids were received April 8, 1992, as follows:

WESCO	\$128,900.00
Eastern Electric Supply	\$126,200.00
*Mill-Power Supply	\$ 97,500.00
National Transformer	\$126,100.00
Rigby Electric Supply	\$125,200.00
Power Supply	\$134,600.00
*HESCO, Inc.	\$111,100.00

*Did not meet specifications.

J. Approval of bid award in the amount of \$648,419.70 to C. W. Wright Construction Company, low bidder, for construction of POD #3 69 kV transmission line from Waters Edge Substation to Cliffdale Substation. Bids were received April 14, 1992, as follows:

C. W. Wright Construction Co.	\$648,419.79
Sumter Builders, Inc.	\$794,256.56
Floyd S. Pike Electrical	\$873,129.45

K. Approval of bid award in the amount of \$226,922.50, to Blue Construction Company, low bidder, for construction of 16-inch water main along Shaw Road (between Bragg Boulevard and Gregory Street). Bids were received April 14, 1992, as follows:

Blue Construction Company	\$226,922.50
T. A. Loving Company	\$259,162.50
ES&J Enterprises, Inc.	\$263,320.75
W. M. Paris & Associates, Inc.	\$286,068.75
James A. Dobbins Construction Co., Inc.	\$306,233.67
Nortec Construction Services, Inc.	\$323,506.07



L. Approval of bid award in the amount of \$62,245.00, to Owen Supply, Inc., low bidder, for Storage Handling Equipment. Bids were received April 21, 1992, as follows:

Owen Supply, Inc.	\$62,245.00
Ron Smith Equipment Company	\$65,441.00
Lyon Metal Products	\$66,887.48

M. Consider appointing a "Deputy Tax Collector" for Public Works Commission, for the purpose of collecting assessments for water and sanitary sewer utilities.

N. Consider for adoption a Resolution Declaring Cost and Ordering Preparation of Preliminary Assessment Rolls and Setting Time and Place For Public Hearing on Preliminary Assessment Roll for Installation of Sanitary Sewer Collection System into Calla Circle, Creed Street, Bragg Boulevard, Vivian Drive, Woodhaven Circle, Arbutus Trail, Kinlaw Road, and U.S.401 North.

O. Consider for adoption a Resolution Declaring Cost and Ordering Preparation of Preliminary Assessment Rolls and Setting Time and Place For Public Hearing on Preliminary Assessment Rolls for Installation of Sanitary Sewer Collection System into Ruritan Drive, Jarvis Street, Tarheel Drive, Nix Road, Buie Circle, Bellflower Street, Bedell Place, Campground Road, and Wintergreen Drive.

P. Consider for adoption a Resolution Declaring Cost and Ordering Preparation of Preliminary Assessment Roll and Setting Time and Place for Public Hearing on Preliminary Assessment Roll for Installation of Water and Sanitary Sewer Utilities into Oakwood Street, Kathy Street, and Blanton Road.

COPY

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

WHEREAS, the extension of the sanitary sewer collection system ordered by Resolution of the City Council and duly passed on October 23, 1989, has been completed in accordance therewith into **CALLA CIRCLE, CREED STREET, BRAGG BOULEVARD, VIVIAN DRIVE, WOODHAVEN CIRCLE, ARBUTUS TRAIL, KINLAW ROAD, AND U.S.401 NORTH;** and

WHEREAS, the cost of said improvements has been determined.

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

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

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

3. The City Clerk is hereby directed to make available during regular office hours, in his office, the said preliminary assessment roll for the purpose of inspection by the public from this day through the 1st day of June, 1992.

4. The Council will hold a public hearing in accordance with Chapter 160A Section 228 of the General Statutes of North Carolina, at 7:00 p.m., on the 1st day of June 1992, at the Council Chamber in City Hall, Fayetteville, North Carolina, for the purpose of hearing all interested persons who appear.

5. The Public Works Commission is hereby directed to issue public notice of the above described public hearing, to be published on the 22nd day of May, 1992, and to secure publisher's affidavit certifying the advertisement of said hearing.

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

ADOPTED, this _____ day of _____, 1992.

ATTEST:

J. L. Dawkins, Mayor

Bobbie Joyner, City Clerk

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

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

PUBLISH: May 22, 1992

COPY

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

WHEREAS, the extension of the sanitary sewer collection system ordered by Resolution of the City Council and duly passed on October 23, 1989, has been completed in accordance therewith into **RURITAN DRIVE, JARVIS STREET, TARHEEL DRIVE, NIX ROAD, BUIE CIRCLE, BELLFLOWER STREET, BEDELL PLACE, CAMPGROUND ROAD, AND WINTERGREEN DRIVE;** and

WHEREAS, the cost of said improvements has been determined.

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

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

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

3. The City Clerk is hereby directed to make available during regular office hours, in his office, the said preliminary assessment roll for the purpose of inspection by the public from this day through the 1st day of June, 1992.

4. The Council will hold a public hearing in accordance with Chapter 160A Section 228 of the General Statutes of North Carolina, at 7:00 p.m., on the 1st day of June, 1992, at the Council Chamber in City Hall, Fayetteville, North Carolina, for the purpose of hearing all interested persons who appear.

5. The Public Works Commission is hereby directed to issue public notice of the above described public hearing, to be published on the 22nd day of May, 1992, and to secure publisher's affidavit certifying the advertisement of said hearing.

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

ADOPTED, this _____ day of _____, 1992.

J. L. Dawkins, Mayor

ATTEST:

Bobbie Joyner, City Clerk

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

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

PUBLISH: May 22, 1992

COPY

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

WHEREAS, the extension of the water and sanitary sewer utilities ordered by Resolution of the City Council and duly passed on October 23, 1989, has been completed in accordance therewith into **OAKWOOD STREET, KATHY STREET, AND BLANTON ROAD**; and

AND, WHEREAS, the cost of said improvements has been determined.

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

1. The property owner's share of the cost of the above described improvement has been computed and determined to be \$8.00 per front foot for water, and \$12.00 per front foot for sanitary sewer.

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

3. The City Clerk is hereby directed to make available during regular office hours, in his office, the said preliminary assessment roll for the purpose of inspection by the public from this day through the 1st day of June 1992.

4. The Council will hold a public hearing in accordance with Chapter 160A Section 228 of the General Statutes of North Carolina, at 7:00 p.m., on the 1st day of June 1992, at the Council Chamber in City Hall, Fayetteville, North Carolina, for the purpose of hearing all interested persons who appear.

5. The Public Works Commission is hereby directed to issue public notice of the above described public hearing, to be published on the 22nd day of May, 1992, and to secure publisher's affidavit certifying the advertisement of said hearing.

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

ADOPTED, this _____ day of _____, 1992.

ATTEST:

J. L. Dawkins, Mayor

Bobbie Joyner, City Clerk

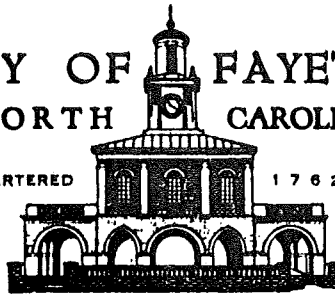
The following City Councilmembers voted for the passage of the above resolution:

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

PUBLISH: _____, 1992

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



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

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

April 29, 1992

MEMORANDUM

TO: John P. Smith
City Manager

FROM: Robert C. Cogswell, Jr.
City Attorney

SUBJECT: Paving Assessment

The following Paving Assessment Rolls have been completed. Please place them on the consent agenda for approval of advertising and the setting of a public hearing on May 18, 1992.

1. Buie Circle (from Campground Road to Nix Road)
2. Jarvis Street (from Ruritan Drive to Dead End)
3. Nix Road (from Buie Circle to Campground Road)
4. Tarheel (from Wintergreen Drive to Ruritan Drive)

RCC/jkp

0007.14

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2.0

RESOLUTION DECLARING COST
AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL
AND SETTING TIME AND PLACE FOR PUBLIC HEARING
ON PRELIMINARY ASSESSMENT ROLL
BUIE CIRCLE
(FROM CAMPGROUND ROAD TO 29' BEYOND SOUTH MARGIN OF NIX ROAD)

WHEREAS, the paving was ordered by Resolution of the City Council duly passed on the 23rd day of October, 1989, 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 18th day of May, 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 18th day of May, 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 8th day of May, 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 4th day of May, 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.20

RESOLUTION DECLARING COST
AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL
AND SETTING TIME AND PLACE FOR PUBLIC HEARING
ON PRELIMINARY ASSESSMENT ROLL
JARVIS STREET
(FROM RURITAN DRIVE TO DEAD END)

WHEREAS, the paving was ordered by Resolution of the City Council duly passed on the 20th day of May, 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 18th day of May, 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 18th day of May, 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 8th day of May, 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 4th day of May, 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.22

RESOLUTION DECLARING COST
AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL
AND SETTING TIME AND PLACE FOR PUBLIC HEARING
ON PRELIMINARY ASSESSMENT ROLL
NIX ROAD
(FROM BUIE CIRCLE TO CAMPGROUND ROAD)

WHEREAS, the paving was ordered by Resolution of the City Council duly passed on the 23rd day of October, 1989, 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 18th day of May, 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 18th day of May, 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 8th day of May, 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 4th day of May, 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.24

RESOLUTION DECLARING COST
AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL
AND SETTING TIME AND PLACE FOR PUBLIC HEARING
ON PRELIMINARY ASSESSMENT ROLL
TARHEEL DRIVE
(FROM WINTERGREEN DRIVE TO RURITAN DRIVE)

WHEREAS, the paving was ordered by Resolution of the City Council duly passed on the 23rd day of October, 1989, 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 18th day of May, 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 18th day of May, 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 8th day of May, 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 4th day of May, 1992.

J. L. DAWKINS, MAYOR

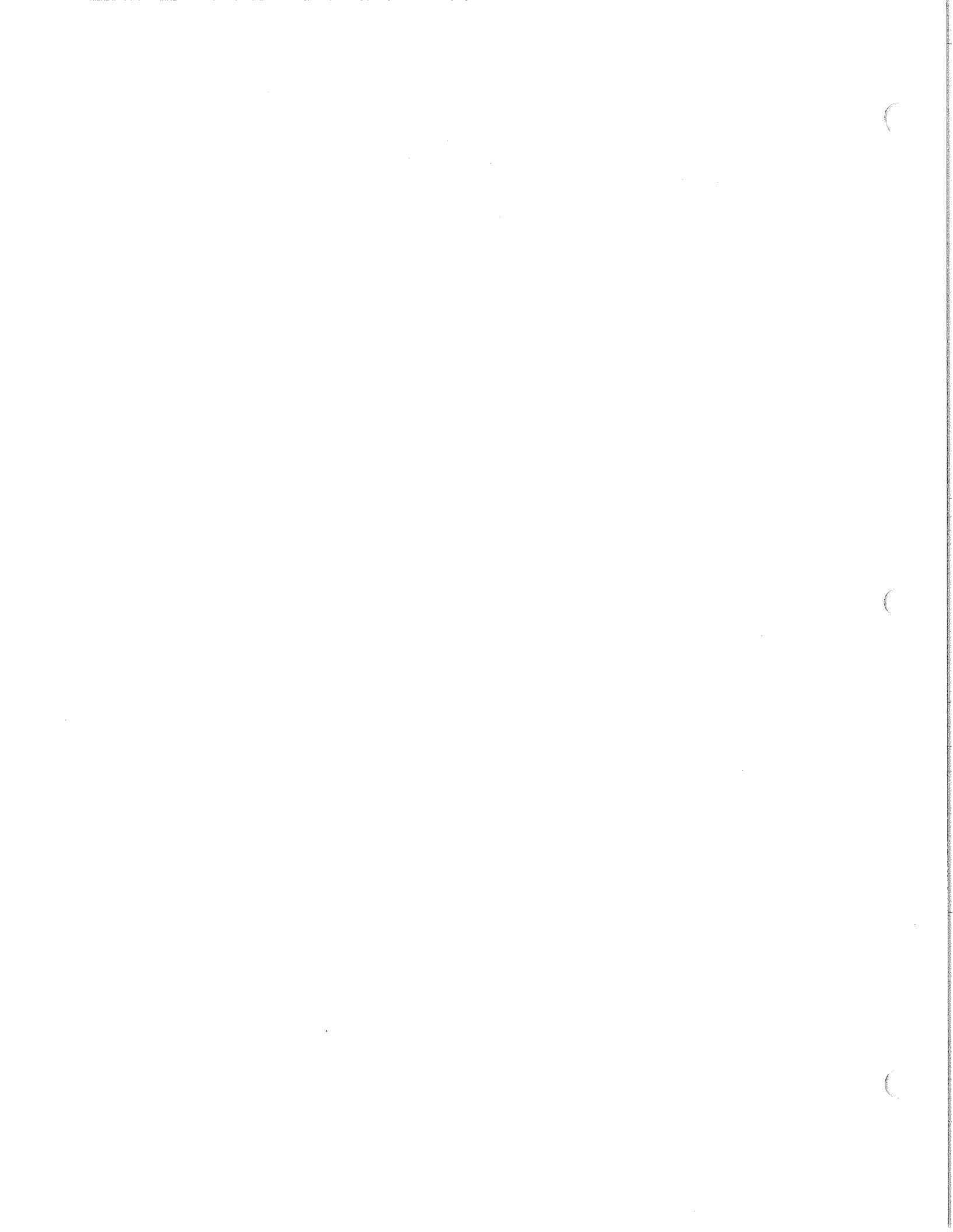
ATTEST:

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.26



PLANNING DEPARTMENT

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

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

May 4, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P91-67. THE ADDITION OF AN MH(O) MANUFACTURED HOME OVERLAY DISTRICT IN AN R6 RESIDENTIAL DISTRICT TO ALLOW CLASS A MANUFACTURED HOMES IN AN AREA NOT OTHERWISE DESIGNATED BY ZONING TO ALLOW MANUFACTURED HOMES ON INDIVIDUAL RESIDENTIAL LOTS FOR AN AREA BORDERED BY TROY DRIVE TO THE NORTH, NC HWY 53-210 TO THE EAST, LITTLE AVENUE TO THE WEST AND OXFORD CIRCLE TO THE SOUTH. (FAYETTEVILLE ORDINANCE)

ACTION: THE THIRTEEN MEMBERS PRESENT AT THE MARCH 17, 1992 REGULAR MEETING VOTED 8 TO 4 TO APPROVE THE MH(O) MANUFACTURED HOME OVERLAY DISTRICT. MR. TEW VOTED PRESENT ON THIS MATTER

Mr. Lloyd displayed a map outlining the existing zoning and land use in the area. Mr. Lloyd stated that this case has been continued since July 16, 1991 in order for the staff to look at the area. He stated that the proposed district now contains 26 acres instead of the 554 acres originally proposed. He summarized the guidelines under which the MH(O) Manufactured Home Overlay District may be used.

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

1. The proposed area meets the criteria outlined in State law for an MH(O) Manufactured Home Overlay District; and
2. The proposed area meets the criteria established by the Planning Department to evaluate areas for MH(O) Manufactured Home Overlay Districts.

Mr. Leon Greene appeared before the Board, representing the owner, Mr. Jerry Toler. He stated that Mr. Toler has owned a lot in the area for eight or nine years and cannot afford to build a home and would like to locate a double wide on the property. He noted that the R6 Residential District allows mobile home Parks.

ITEM 3.A.

Mr. Donald Brooks appeared before the Board in opposition stating that he lives in the general area, and the residents would like to see the area improve, rather than locating additional mobile homes there. He stated that there are problems with the existing mobile homes in the area. He stated that there is a grant from the City to improve the neighborhood.

Mr. Harmon Kivett appeared before the Board in opposition.

A motion was made by Mr. McNeill and seconded by Vice-Chairman Davis to continue this case until further research can be done.

The Board requested Mr. Vaughan to explain the permitted uses of the R6 Residential District and the MH(O) Manufactured Home Overlay District.

After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a substitute motion was made by Mr. McLaurin and seconded by Vice-Chairman Davis to follow the staff recommendation.

Mr. McNeill withdrew his motion.

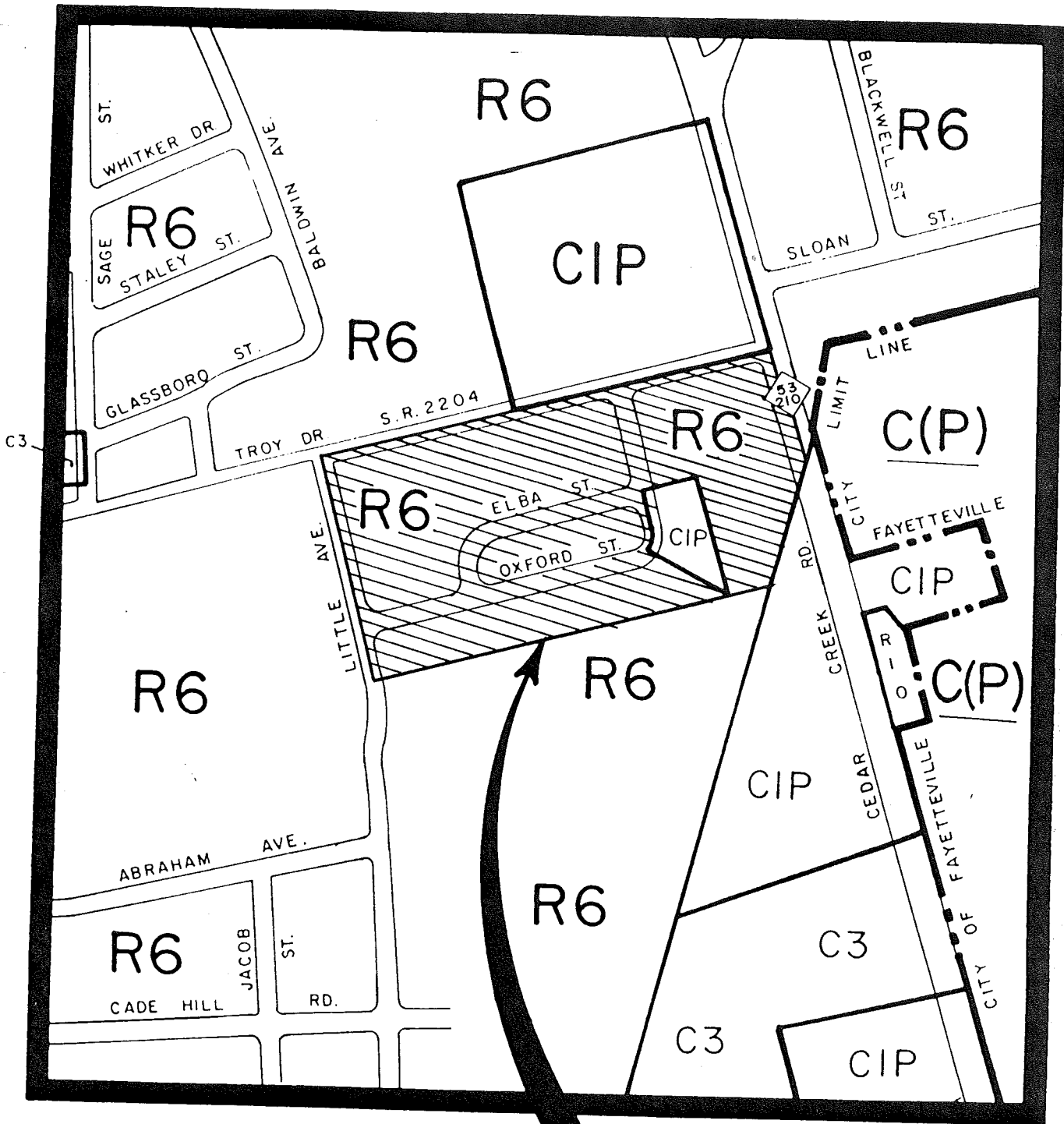
Mr. Hasan made a substitute motion to delay the case until the meeting of April 7, 1992. The motion died for lack of a second.

Vice-Chairman Davis moved to call the question.

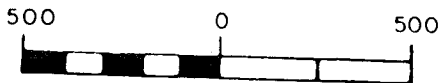
Upon a vote on the motion, it passed 8 to 4 with Messrs. Canady, Hasan, Maxwell and Morine voting in opposition and Mr. Tew voting present.

Attachment

bs



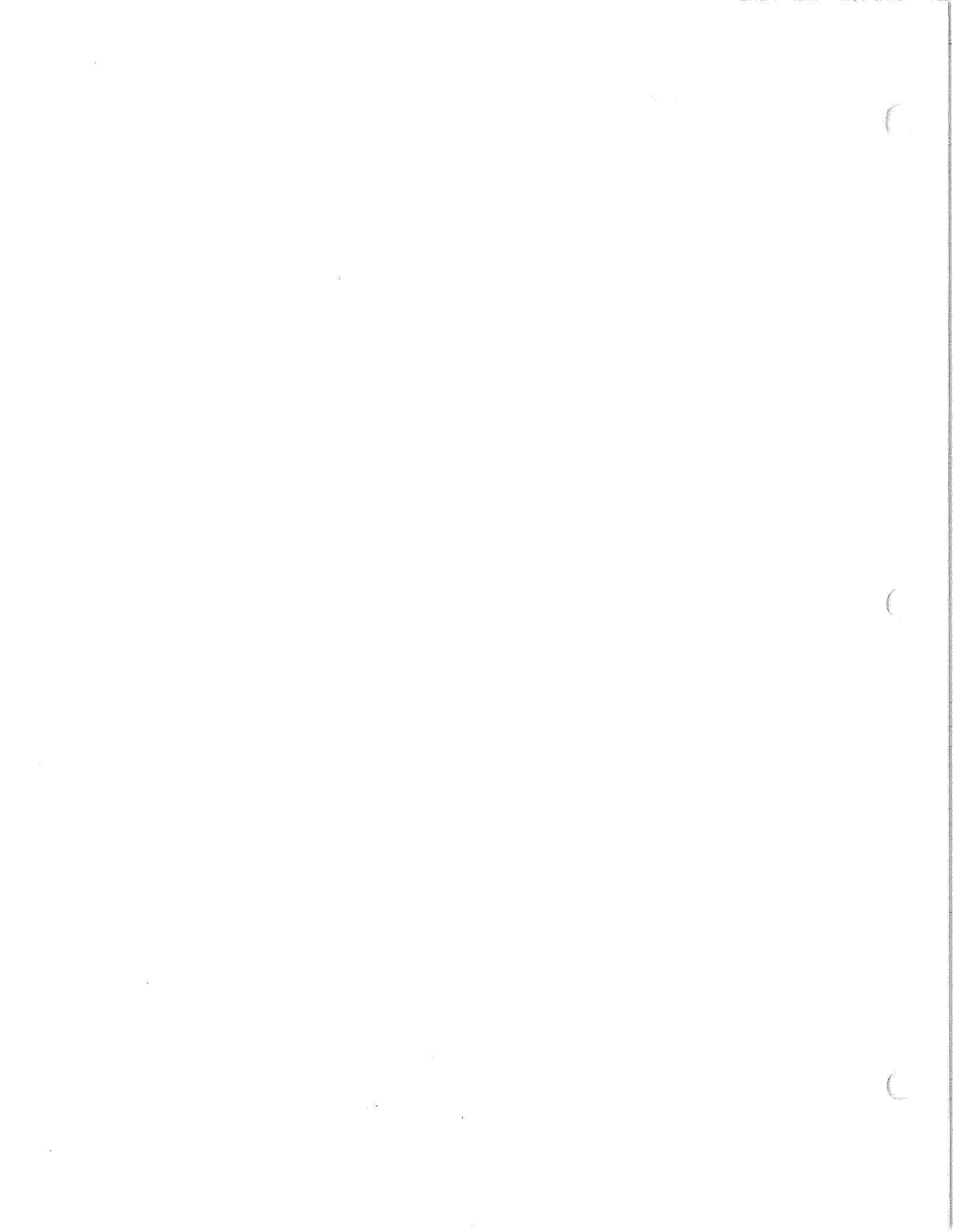
NORTH



SCALE IN FEET

MOBILE HOME OVERLAY DISTRICT REQUEST

ACREAGE: 26.0 Ac. ±		HEARING NO: P91-67	
ORDINANCE: FAYETTEVILLE		HEARING DATE	ACTION
PLANNING BOARD			
GOVERNING BOARD			



PUBLIC HEARING - SPEAKERS

SUBJECT: MANUFACTURED HOME OVERLAY DISTRICT - TROY DR

P91-67

DATE: May 4, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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

OPPONENT - (Against)

(Name - Print)

(Address - Print)

- 1. JIM COOPER 3412 Melba St
- 2. Mable C. Smith 1606 Deep Creek Rd.
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____

PUBLIC HEARING - SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

1. _____
2. _____
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10. _____

PLANNING DEPARTMENT

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

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

May 4, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-26. AN APPLICATION BY JAMES M. KIZER FOR A SPECIAL USE PERMIT AS PROVIDED FOR BY THE CITY OF FAYETTEVILLE CODE OF ORDINANCES FROM CHAPTER 32, ARTICLE IV, SECTION 32-33, ITEM 1(a) TO ALLOW AUTOMOBILE OFF-STREET PARKING IN AN R5 RESIDENTIAL DISTRICT FOR AN AREA LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF MECHANIC STREET AND WEBB STREET AND BEING A PORTION OF THE PROPERTY OF CHARLES E. WARREN AND WIFE, LUCILLE WARREN, AS EVIDENCED BY DEED RECORDED IN DEED BOOK 2272, PAGE 499, AND ALL OF DEED BOOK 3723, PAGE 46, CUMBERLAND COUNTY REGISTRY. (FAYETTEVILLE ORDINANCE)

ACTION: THE THIRTEEN MEMBERS PRESENT AT THE MARCH 17, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO APPROVE THE SPECIAL USE PERMIT.

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

Mr. Lloyd stated that the Planning staff finds that the proposed special use is not detrimental to the area and recommends approval with the following conditions:

1. A storm water drainage plan be submitted and approved by the City Engineer;
2. If the parking lot is ever lighted, the lights be installed in such a manner as to not illuminate the adjoining residential property.
3. The buffer adjoining Mechanic and Webb Streets be maintained according to the site plan.

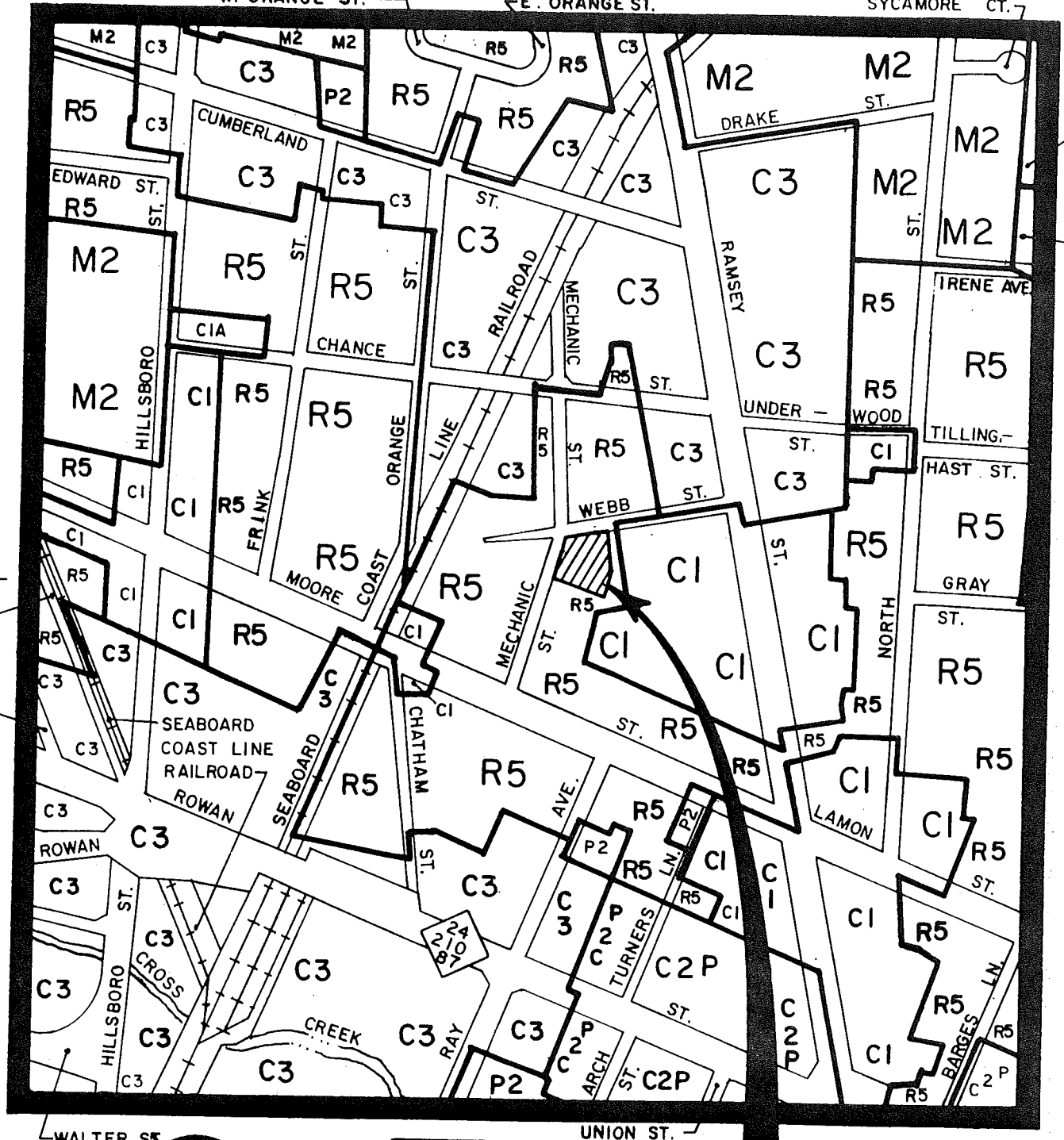
Mr. David Varnadoe appeared before the Board representing Jernigan and Warren Funeral Home stating that lighting of the parking lot will conform to the staff recommendation.

No one appeared in opposition to the Special Use Permit.

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

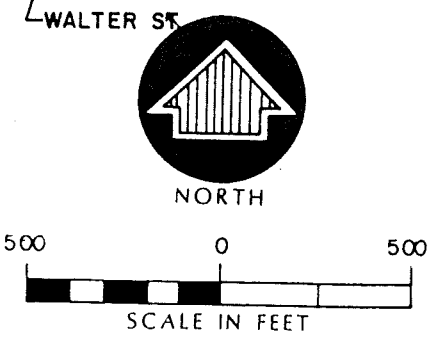
ITEM 3.B.

W. ORANGE ST. E. ORANGE ST. SYCAMORE CT.

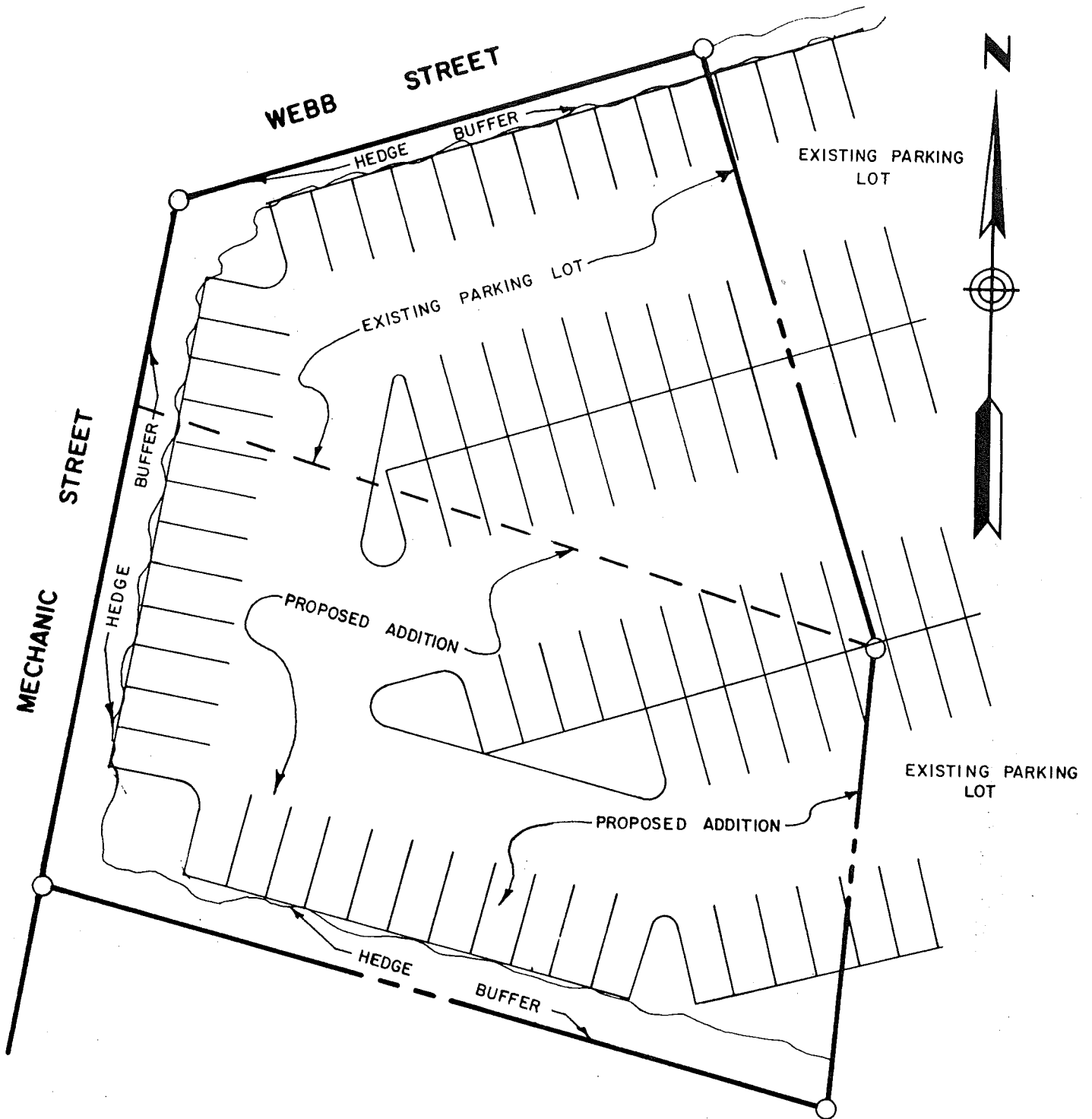


GREENSBORO ST.
RALEY ST.

M1
R6

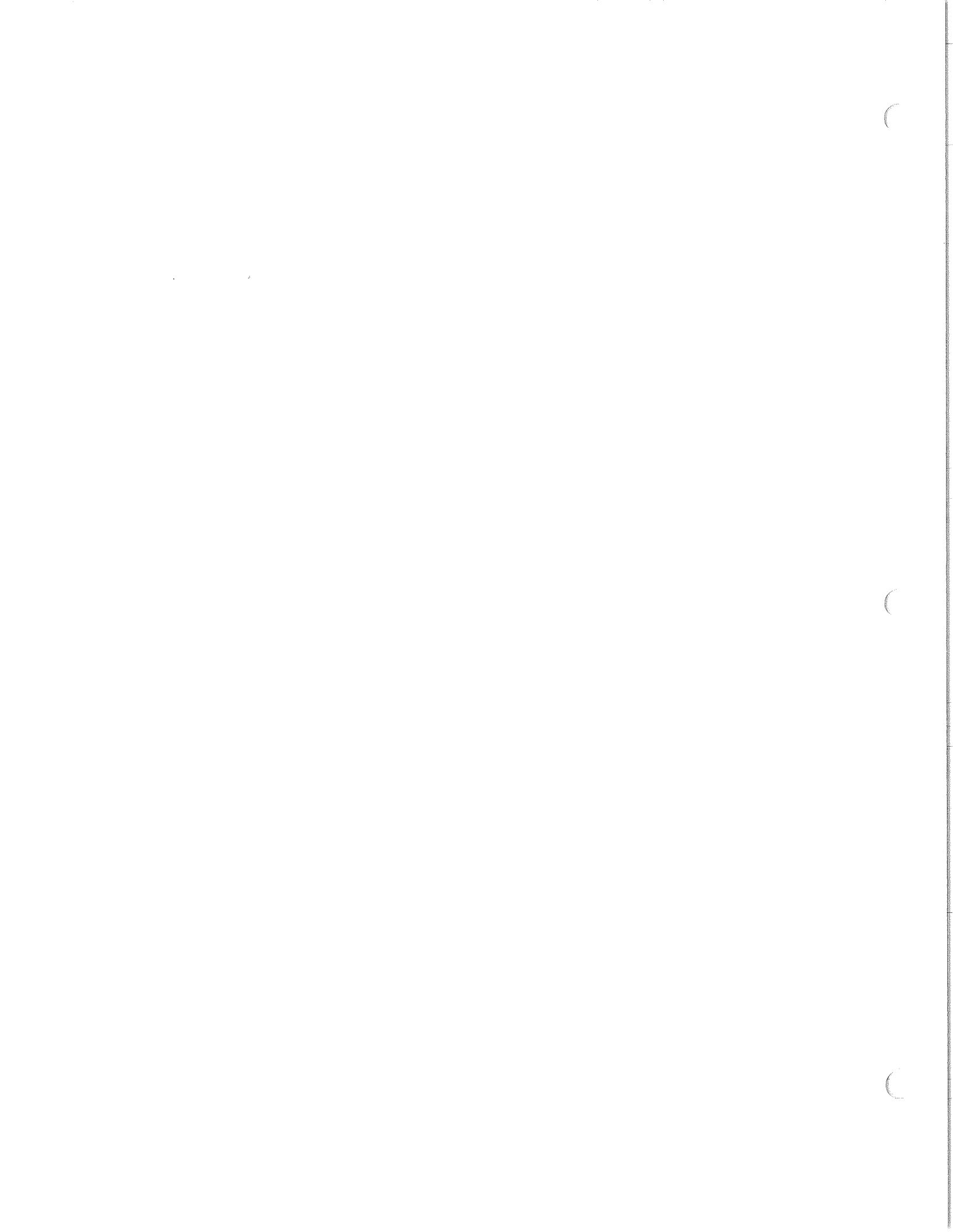


SPECIAL USE PERMIT		
ACREAGE: 0.64 AC. ±		HEARING NO: P92-26
ORDINANCE: FAYETTEVILLE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		



SITE PLAN

REQUEST: SPECIAL USE PERMIT FOR A PARKING LOT
CASE : P92-26 SCALE : 1" = 30' ACREAGE : 0.64 AC. ±
PARKING : 72 SPACES ZONING : R5



PUBLIC HEARING - SPEAKERS

SUBJECT: SPECIAL USE PERMIT - JM KILER - MECHANIC ST/WEBB ST.

P92-26

DATE: May 4, 1992

PROPONENT (In Favor)

Salvatore Am

(Name - Print)

(Address - Print)

1. DAVID VARWEDGE

2536 ALLSBROOK DR FAY.

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

(Name - Print)

OPPONENT - (Against)

(Address - Print)

1. _____

2. _____

3. _____

4. _____

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6. _____

7. _____

PUBLIC HEARING - SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

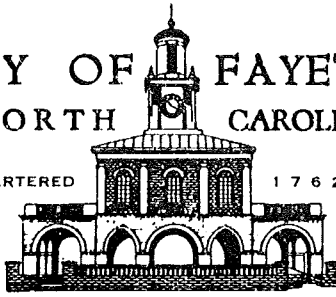
(Name - Print)

(Address - Print)

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

April 29, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

WC

REFERENCE: Petition for Speed Limit Reduction
Wedgewood Drive - From Country Club Drive
to its end

We have received petitions signed by a majority of residents on the above referenced streets for a 25 miles per hour speed zone.

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

LAC/psc

Attachments
Ordinance
Map

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

An Equal Opportunity



Affirmative Action Employer

ITEM 3.C.

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

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

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

There is hereby added to said schedule the following:

25 Miles Per Hour Speed Limit

Wedgewood Drive - From Country Club Drive to its end.

This ordinance shall be in full force and effective
May 15, 1992.

ADOPTED this the 4th day of May, 1992.

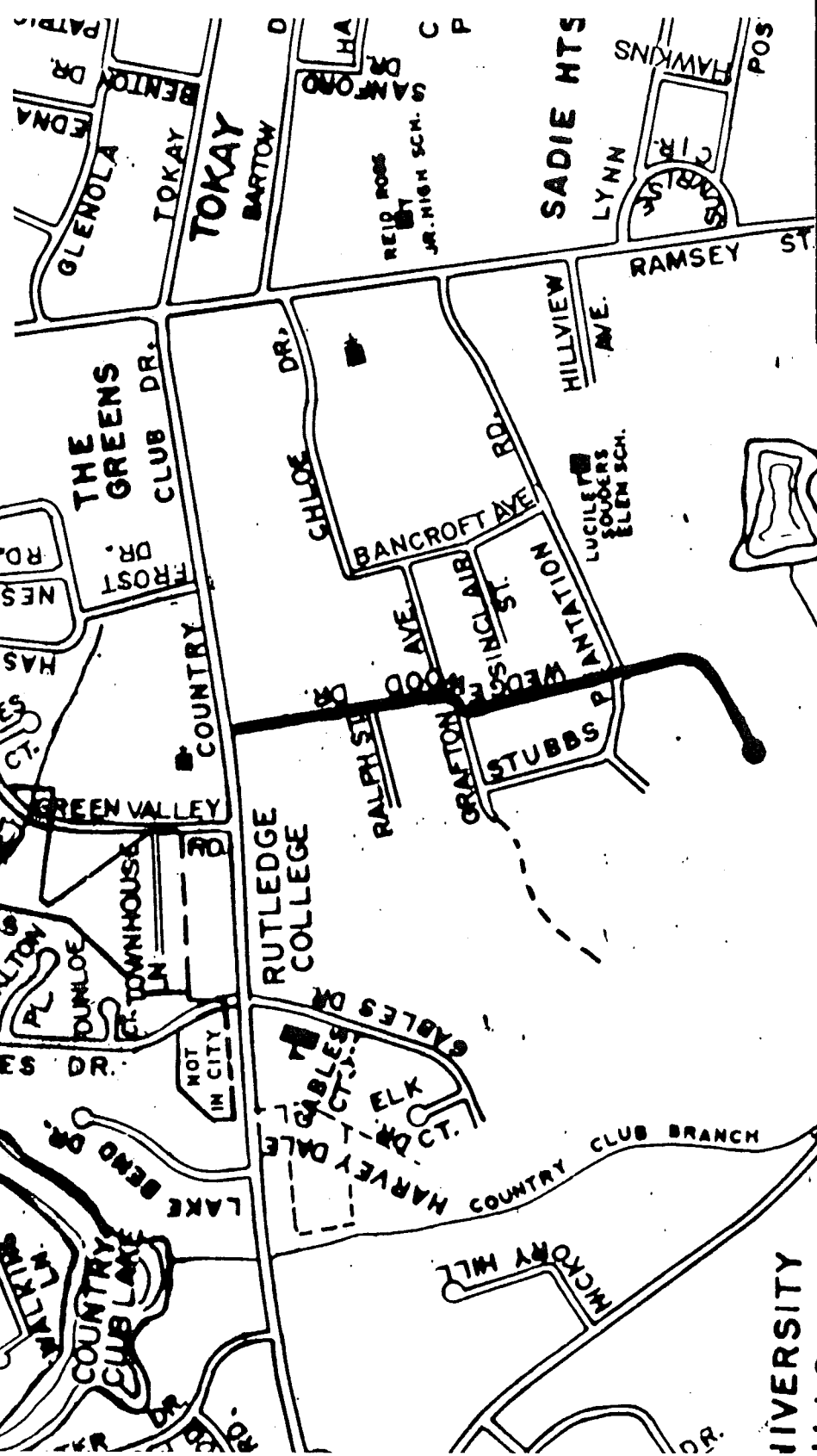
CITY OF FAYETTEVILLE

BY: _____
J.L. Dawkins, Mayor

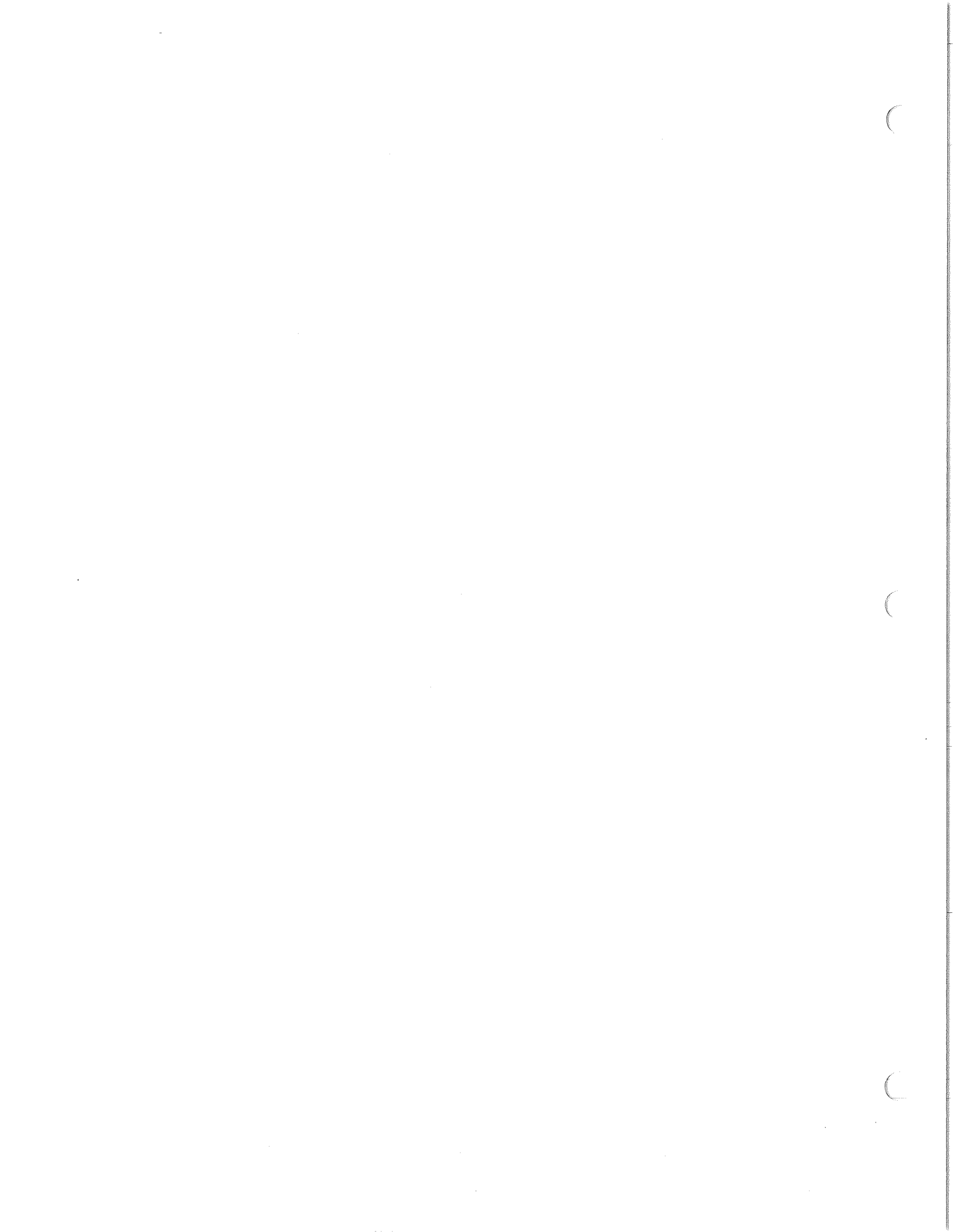
ATTEST:

Bobbie A. Joyner, City Clerk

REVISION	DATE	BY



CITY OF FAYETTEVILLE TRAFFIC SERVICES DEPARTMENT	
WEDGEWOOD DRIVE AREA MAP	
APPROVED	CITY TRAFFIC ENGINEER
DESIGNED BY	DRAWN BY
SCALE	DATE
	4-15-92
NO.	SHEET
	OF



PUBLIC HEARING - SPEAKERS

SUBJECT: WEDGEWOOD DR. SPEED ZONE

DATE: May 4, 1992

PROPOSER (In Favor)

(Name - Print)

(Address - Print)

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

- _____
- _____
- _____
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- _____
- _____
- _____

OPPOSER - (Against)

(Name - Print)

(Address - Print)

- 1. _____
- 2. _____
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PUBLIC HEARING - SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

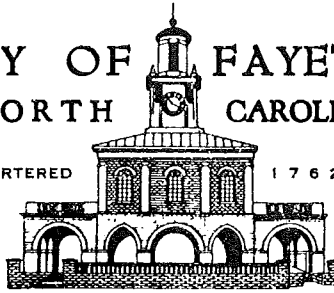
(Name - Print)

(Address - Print)

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| 10. | _____ | _____ |

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



ENGINEERING DEPARTMENT
433 HAY STREET

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

April 28, 1992

M E M O R A N D U M

TO: Mr. John P. Smith, City Manager

FROM: Agnes P. Bundy, Real Estate Specialist *APB*
Engineering Department

SUBJECT: Public Hearing to Consider a Request for Closing a
Portion of Bullock Street

A petition was received March 11, 1992 from one of the property owners on the portion of Bullock Street between Christian Street and Martin Road requesting closing of that portion of the street. On April 6, 1992, the council adopted a resolution setting a public hearing for May 4 to consider this request. The notice of public hearing has been advertised for four (4) successive weeks, abutting property owners have been notified and the street has been posted at each end of the section to be closed.

Bullock Street is shown as a 30-foot right-of-way on a map of the J. W. Hollingsworth property dated January 1924 and recorded in Plat Book 7, Page 137, Cumberland County Registry. This section of the street is impassable and has not been maintained by the City; therefore, we recommend adoption of the attached resolution closing subject portion of Bullock Street.

APB/sc

Enclosures: Copy of Petition
Map

cc: Michael L. Walker, P.E., City Engineer

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 3.D.

**NORTH CAROLINA
CUMBERLAND COUNTY
CITY OF FAYETTEVILLE**

**RESOLUTION AND ORDER
CLOSING A PORTION OF
BULLOCK STREET**

At the regular meeting of the Fayetteville City Council held on the 4th day of May, 1992, and upon the motion of Councilmember _____, seconded by Councilmember _____, and with the following Councilmembers voting **FOR** said resolution:

and the following Councilmembers voting **AGAINST** said resolution:

the following RESOLUTION was adopted:

R E S O L U T I O N

WHEREAS, under authority of N.C.G.S. 160A-299, a public hearing before the City Council of the City of Fayetteville, North Carolina, was advertised as required by law, and duly held on the 4th day of May, 1992, in accordance with the notice calling for said public hearing, and all adjoining property owners having been notified by certified mail of the time, place and purpose of said meeting, the purpose of which was to determine whether that certain street portion in the City of Fayetteville, North Carolina, known as that portion

of Bullock Street between Christian Street and Martin Road, should be closed as a public street; and a notice of said hearing having been posted at both ends of said street portion for four weeks prior to the holding of said hearing; and

WHEREAS, during the said public hearing all interested citizens were invited to comment and state any objections they may have to the closing of a portion of Bullock Street as a public street, and there was no objection to same; and

WHEREAS, the City Council, following such public hearing, after considering all of the facts, has determined that the closing of a portion of Bullock Street is not contrary to the public interest and that no individual owning property in the vicinity of said street portion will thereby be deprived of reasonable means of ingress and egress to their property;

NOW, THEREFORE, IT IS ORDERED AND DIRECTED:

That the portion of Bullock Street, within the limits covered by the following description only, be closed as a public street under the following terms and conditions:

- 1) Description of area closed as a public street;

**NORTH CAROLINA
CUMBERLAND COUNTY
CROSS CREEK TOWNSHIP**

That portion of Bullock Street between Christian Street and Martin Road.

The City of Fayetteville reserves an all purpose, underground and overhead utility easement in and over the entire area of Bullock Street as described above.

2) That the closing of a portion of Bullock Street will not affect any easement granted to the City of Fayetteville for public utilities;

3) That the City of Fayetteville will no longer be responsible for maintenance of said street portion;

4) That a copy of this **ORDER**, together with an affidavit of publication of notice and certified mail receipts, be recorded in the office of the Register of Deeds of Cumberland County;

IN WITNESS WHEREOF, the City of Fayetteville has caused this instrument to be signed in its name by its Mayor, attested by its City Clerk, and its corporate seal hereto affixed, all by order of its City Council.

ADOPTED, this 4th day of May, 1992.

CITY OF FAYETTEVILLE

BY: _____
J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

CHRISTIAN STREET 42' R/W

CITY OF FAYETTEVILLE

D.B. 3573-719

(15)

TRIPLE B BUILDERS

(16)

D.B. 3750-293

64.50'

(17)

(18)

WILBERT N. WHITFIELD

D.B. 3284-580

51.8'

(19)

BULLOCK STREET 30' R/W

146.0'

JOHN D. MCGUIRE

D.B. 2383-740

(20)

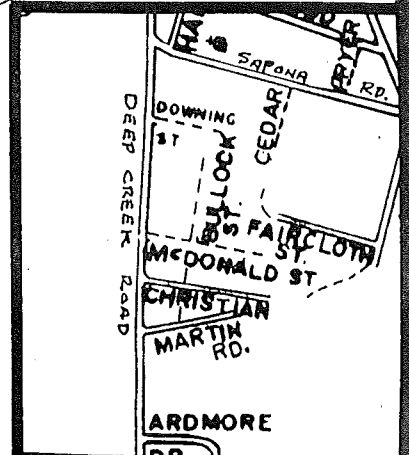
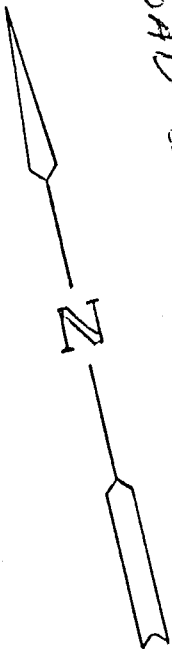
(21)

(22)

20' R/W

DEEP CREEK ROAD 60' R/W

MARTIN ROAD



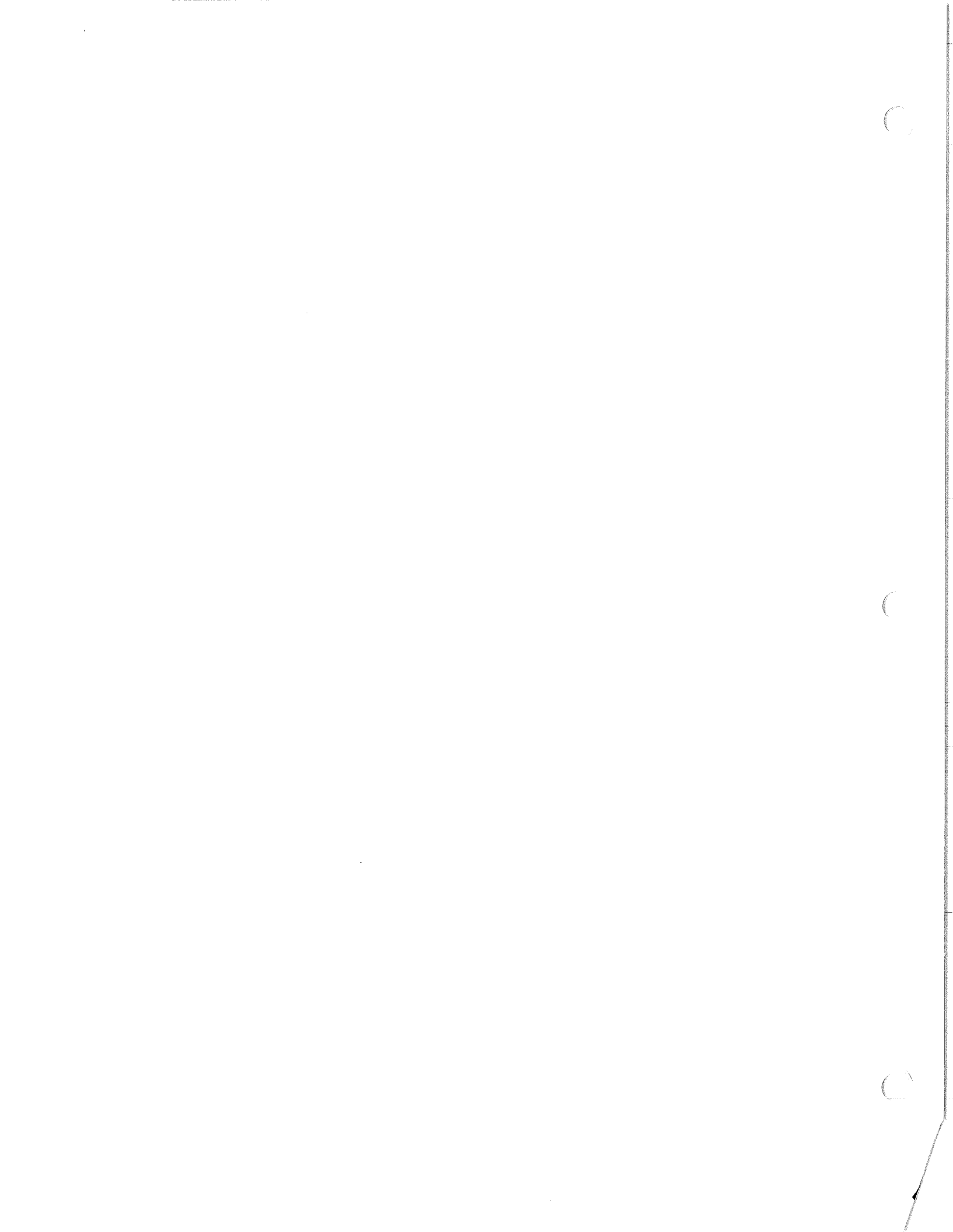
CITY OF FAYETTEVILLE, N.C.
ENGINEERING DEPARTMENT
PROPOSED CLOSING
BULLOCK STREET

REF: PLAT 7/137

REVISION	
DATE	BY

FROM: CHRISTIAN ST	TO: MARTIN RD.
DATE 3-12-92	DRAWN BY GODWIN
SCALE 1" = 40'	CK'D BY

FIELD BK



PUBLIC HEARING - SPEAKERS

SUBJECT: CLOSING BULLOCK ST.

DATE: May 4, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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

OPPONENT - (Against)

(Name - Print)

(Address - Print)

- 1. _____
- 2. _____
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PUBLIC HEARING - SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

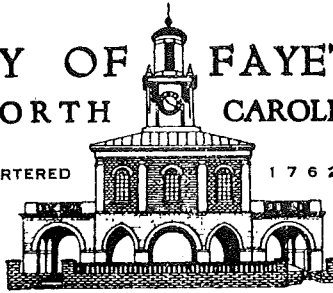
(Name - Print)

(Address - Print)

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THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



ENGINEERING DEPARTMENT
433 HAY STREET

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

April 29, 1992

MEMORANDUM

TO: Mr. John P. Smith, City Manager
THROUGH: Jimmy Teal, Assistant City Manager
FROM: Michael L. Walker, P.E., City Engineer *MW*
SUBJECT: Acceptance of Private Streets for Permanent Maintenance by the City of Fayetteville

At the 4/27/92 Council Information Meeting, a motion was approved to have Council consider accepting the private streets in the following developments for permanent City maintenance:

- (1) Treehaven
- (2) Briarwood Gardens
- (3) Stonebridge - (Delaware Drive only)

The Engineering Department has performed a brief field investigation and estimated the costs to the City for the following two options:

OPTION ONE: This option would accept the streets for permanent City maintenance. The City would then design and construct all the streets to the proposed City standard which conforms to a Minor Residential Street. The estimated costs for this option are as follows:

- | | |
|--|--------------|
| (a) Treehaven | \$ 26,500.00 |
| (b) Briarwood Gardens | \$ 36,750.00 |
| (c) Stonebridge
(Delaware Dr. only) | \$ 56,500.00 |

TOTAL ESTIMATED COST \$119,750.00

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 4

M E M O R A N D U M

Mr. John P. Smith
Page Two
April 29, 1992

Please note that the estimated costs shown in Option One for Delaware Drive involve adding concrete roll-back curbing to both sides of the existing street. This street is already 31' wide and would, of course, remain at that width should it be accepted by the City.

OPTION TWO: This option would accept the streets for permanent City maintenance and the streets would be reconstructed only as necessary to repair any obvious pavement defects and drainage problems. The estimated costs for this option are as follows:

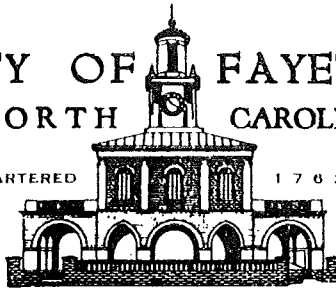
(a) Treehaven	\$6,500.00
(b) Briarwood Gardens	-0-
(c) Stonebridge (Delaware Dr. only)	\$ 750.00
TOTAL ESTIMATED COST	\$7,250.00

MLW/mak

cc: Roger L. Stancil, Deputy City Manager

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

April 29, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

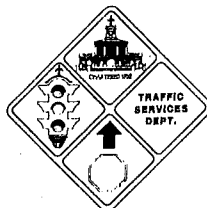
REFERENCE: Petitions for City Maintenance of Private
Streets
Treehaven Homeowner's Association
Briarwood Gardens
Delaware Drive (2900 Block)

We have reviewed the above referenced petitions for city
maintenance of private streets and find the following
majority signatures of residents:

	<u>Properties</u>	<u>Residents Signatures</u>
Treehaven Homeowners	7	6
Briarwood Gardens	19	16
Delaware Drive (2900 Block)	18	10

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

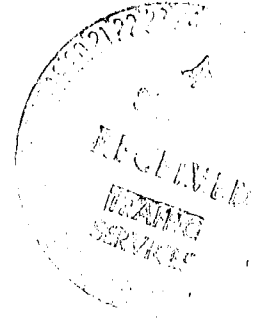
An Equal Opportunity



Affirmative Action Employer

Petition

TREEHAVEN HOMEOWNER'S ASSOCIATION
3305 Krista Drive
Fayetteville, NC 28303



15 May 1991

City Manager
433 Hay Street
Fayetteville, NC 28301-5537

Dear Sir;

As President of our homeowner's association, I am writing to request that the City of Fayetteville incorporate Krista Drive and Bateman Court as city owned and maintained streets. The following facts are submitted in support of this request:

1. The city is in a better financial position to maintain the road conditions of these two streets, as well as to set and enforce speed limits within the neighborhood.
2. Our association is not in a position to repair the damage caused by the weight of city sanitation trucks bearing down on the asphalt. The cracks and holes on the surface has caused a potentially hazardous and unsightly appearance to our neighborhood. As a result of our earlier complaints, the sanitation department has detailed a lighter weight truck to pick up trash, however will not acknowledge liability for the damage.

Along with the signatures of all of the homeowners in the association, I have enclosed a map of the association as requested. The association is willing to initiate a quit claim deed to release the streets if our request is favorably considered.

Very truly yours,

JOHN FLOYD
President
Treehaven Homeowners Association

John and Helen Floyd
3305 Krista Drive

John F. Floyd
Helen A. Floyd

Akbar Aghajanian and
Zahra Tashakkori
3308 Krista Drive

A. Aghajanian
Z. Tashakkori

Jamie and Katherine DeVoile
3309 Krista Drive

Jamie R. DeVoile
Katherine DeVoile

Robert and Donna Lampkins
792 Bateman Court

Robert Lampkins
Donna Lampkins

Charles and Grace Teschner
793 Bateman Court

Charles B. Teschner
Grace T. Teschner

Charles and Kim Royal
799 Bateman Court

Charles A. Royal
Kim Royal

Allan and Jackie Millen
Owners of lot 7 (undeveloped)

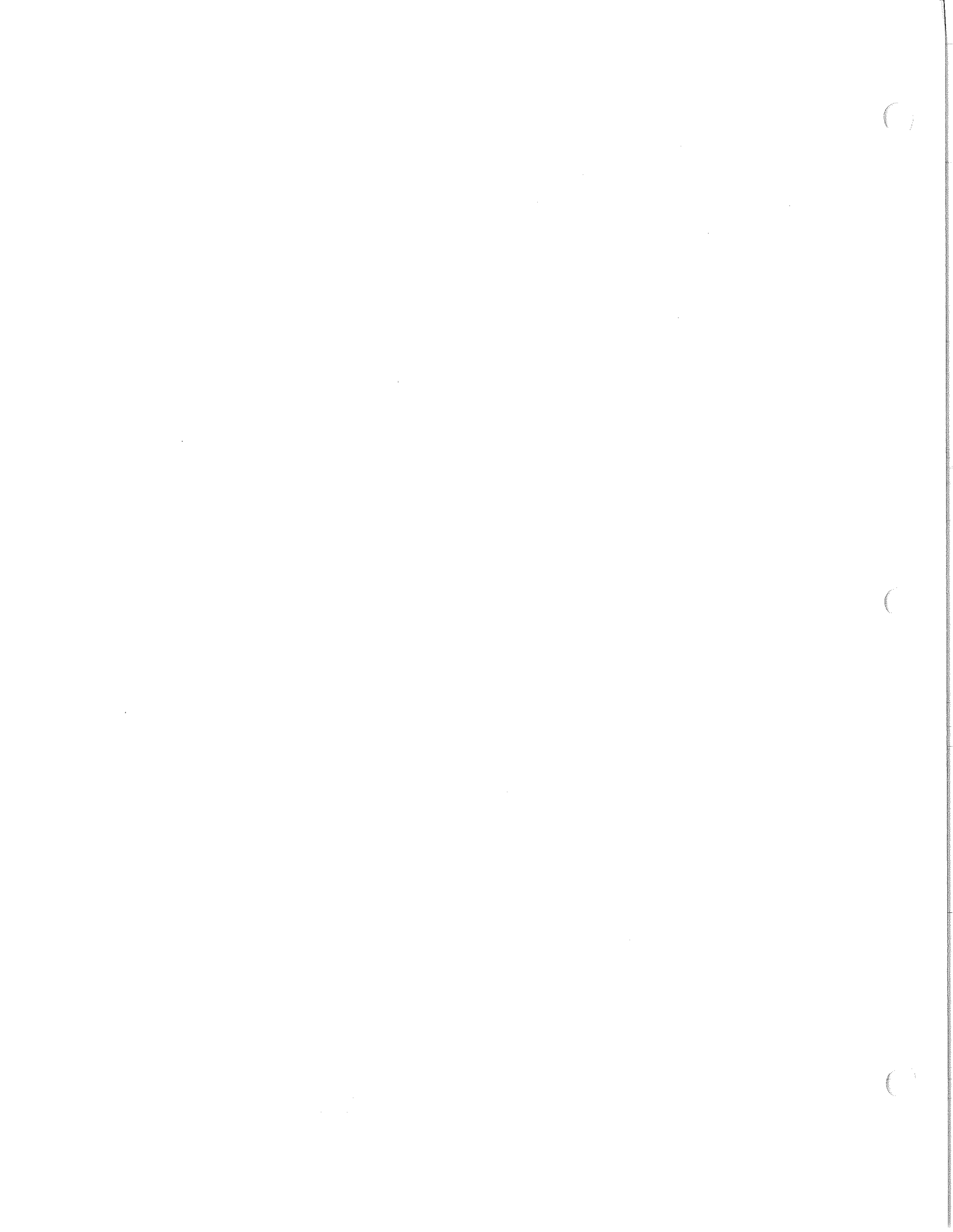
We the undersigned property owners hereby petition that the City of Fayetteville take sole responsibility for the three private streets--Hanbury Lane, Stride Lane, and Fashion Lane--which are located in the subdivision of Briarwood Gardens (located off Edmonton Street). If any tax implications will become effective due to these private streets becoming public property, then we, the property owners, are to be notified prior to the City of Fayetteville taking responsibility of the streets named above.

<u>Property Owner's Name</u>	<u>Address</u>	<u>Telephone No.</u>
<u>Rowland Carroll, Jr.</u>	<u>2208 Hanbury Ln.</u>	<u>484 7554</u>
<u>Joyce Anderson</u>	<u>2600 Fashion Ln.</u>	<u>484-6472</u>
<u>Paul Crompton</u>	<u>2616 Edmonton Rd.</u>	<u>485-2439</u>
<u>Marcella R. Green</u>	<u>2624 Edmonton Rd.</u>	<u>484-1979</u>
<u>Jimie Delaney</u>	<u>2628 Edmonton Rd.</u>	<u>485-5290</u>
<u>Christa N. Eagle</u>	<u>2614 Fashion Ln.</u>	<u>323-0866</u>
<u>Peggy J. Lancaster</u>	<u>2612 Fashion Lane</u>	<u>483-3191</u>
<u>Malcolm D. Zulauf</u>	<u>2204 HANbury</u>	<u>485-2266</u>
<u>Patricia Hunt</u>	<u>2620 Edmonton Rd.</u>	<u>485-1902</u>
<u>James J. Burnett</u>	<u>2200 Hanbury Ln.</u>	<u>483-2543</u>
<u>Rolf B. Waller</u>	<u>2604 Fashion Lane</u>	<u>483-1141</u>
<u>Lois Barber</u>	<u>2608 Fashion Lane</u>	<u>486-6326</u>
<u>Betty J. Stickland</u>	<u>2609 Fashion Ln.</u>	<u>486-4007</u>
<u>Hanbury Walker</u>	<u>2201 Stride Ln.</u>	<u>484-0981</u>
<u>Douglas R. Hunt</u>	<u>2612 Edmonton</u>	<u>485-3260</u>
<u>Michael G. Gale</u>	<u>2205 Stride Lane</u>	<u>433-2727</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



THE UNDERSIGNED RESIDENTS AND
 PROPERTY OWNERS OF THE 2900 BLOCK
 OF DELAWARE DR. (FROM ROANOKE RD.
 TO TRAINER DR.) PETITION THE CITY OF
 FAYETTEVILLE TO ACCEPT THE 2900 BLOCK
 OF DELAWARE DR. AS A PUBLIC STREET:

NAME SIGNATURE	ADDRESS	TELEPHONE
John Douglas English <i>John Douglas English</i>	2953 Delaware Dr Fayetteville, NC 28304	483-9384
Anita A. White <i>Anita A. White</i>	2949 Delaware Dr Fayetteville NC 28304	433 2279
MARK R. HOLLAND <i>Mark R. Holland</i>	2963 DELAWARE DR. FAYETTEVILLE, NC. 28304	484-9999
J.R. Giborn <i>J.R. Giborn</i>	2964 DELAWARE DR. Fayetteville, N.C. 28304	323-1586
John B Scarff <i>John Scarff</i>	2954 Delaware Dr Fville 28304	323-9117
JOHN A. WHITE JR <i>John A. White Jr</i>	2949 DELAWARE DR FAYETTEVILLE 28304	433-2279
Anita B. Vestal <i>Anita B. Vestal</i>	2944 Delaware Dr Fayetteville, Nc 28304	484-9396
Steve Baker <i>Steve Baker</i>	Fayetteville, N.C. 28304	323-0713
DAVID H. HASTY <i>David H. Hasty</i>	2945 Del. Dr. Fay., N.C. 28304	486-5842
Rick Compton <i>Rick Compton</i>	2933 Delaware Dr. Fay. NC 28304	484-2544
Kris Compton	2933 Delaware Drive Fayetteville, NC 28304	484-2544
Heather Scarff <i>Heather Scarff</i>	2954 Delaware Drive Fayetteville, NC 28304	323-9117
Carol Stancil <i>Carol Stancil</i>	2957 Delaware Dr Fayetteville NC	485-2477



There was lengthy discussion. Mayor Hurley relinquished the gavel to Mayor Pro Tem Dawkins in order to share his suggestion to form a City/County Stadium Commission and to bear in mind that we might want to annex that property some day.

Councilmember McBryde offered substitute motion to approve the \$25,000 negotiate for the County property, seconded by Councilmember Johnson.

Following further discussion, Mayor Hurley called for a vote on the substitute motion. The motion failed 5 to 4, with Councilmembers McBryde, Dawkins, Jones, and Johnson voting for, and Kendrick, Torrey, Evans, Pillow, and Ross voting against.

The Mayor stated that we would then return to the main motion by Councilmember Jones to make an even trade.

Following some further discussion, Mr. Smith made a request to offer some additional information. He stated that the County purchased the College Lakes property with the help of grant money. This came with a stipulation that the property could only be used for a park. It is Mr. Smith's understanding that the County no longer wants to develop this property but it cannot be sold to anyone else due to the grant stipulation. It can, however, be conveyed over to the City as long as the City meets the stipulations of the grant. Since the acquisition of this property will mean an obligation to spend money to develop this property for a park, it would be an expenditure the County no longer would have. Therefore, it would be difficult to put a price on the property as such.

The main motion carried unanimously.

Appearance by Mr. Charles Smith regarding request to name Central Business District Loop for Raymond Floyd.

* Mr. Smith gave some of the background on Raymond Floyd. He informed Council that Ray Floyd was not only a U.S. Open winner, but the third largest P.G.A. winner. He stated that a committee had been formed consisting of Mayor Hurley; Sheriff Ottis Jones; Morris Bedsole, County Commissioner Chairman; Betty Masa, Homebuilders Association; Randy Fraley, Cablevision; Bill Kirby, Fayetteville Times; and himself. They wanted to honor Raymond Floyd by having a Ray Floyd Day and chose the CBD Loop from beginning to the end of the proposed CBD Loop named the Raymond Floyd Expressway. Mr. Smith introduced the people who also appeared as being supportive of honoring Raymond Floyd: Mr. Cobby Reaves, representing Chamber of Commerce; Mr. Greg Parks, representing Fayetteville Sports Clubs; and Mr. Alex Franco, representing the Fayetteville Area Board of Realtors; all appeared as being supportive of honoring Raymond Floyd.

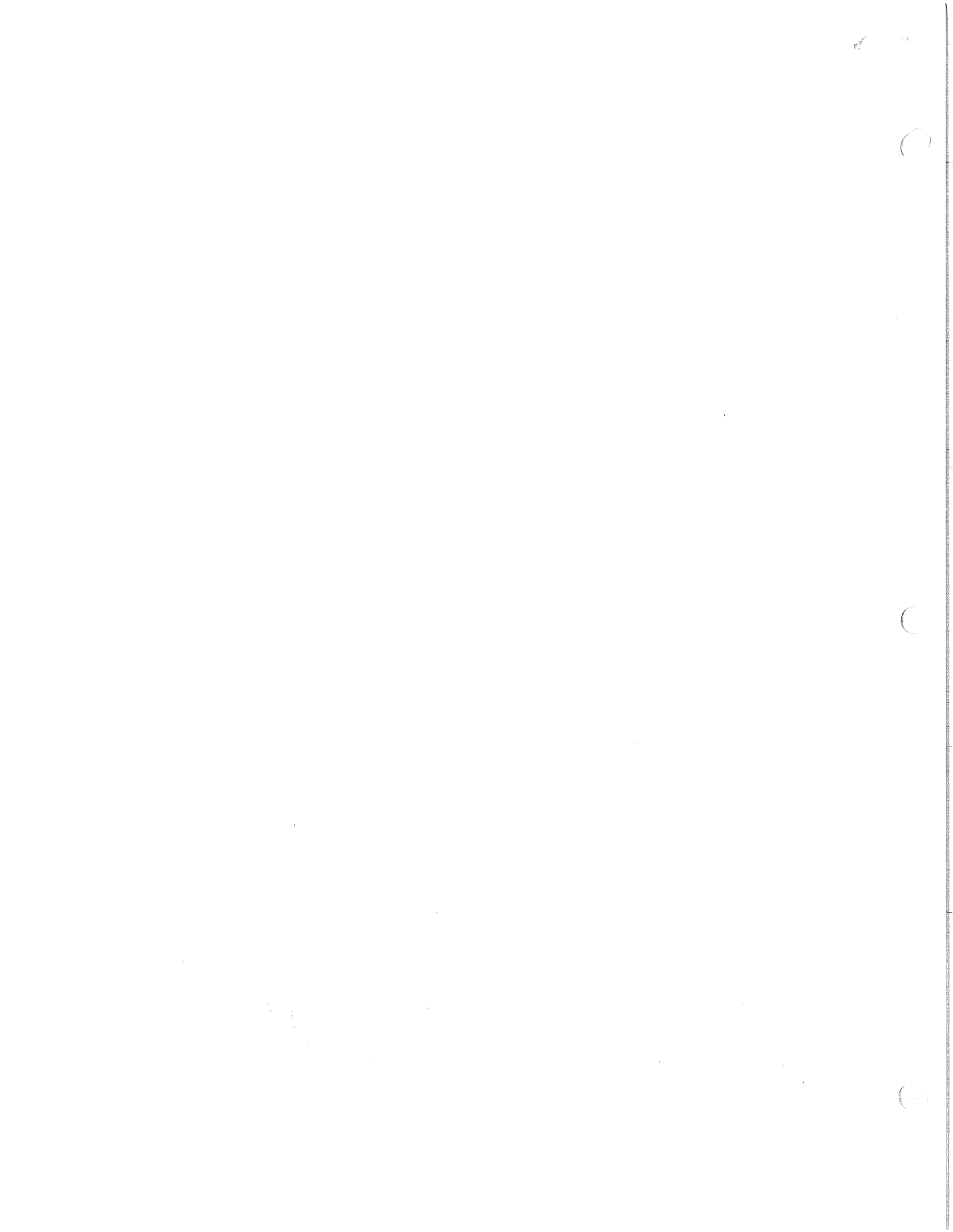
Mr. Smith presented a petition containing 532 names requesting this honor.

~~3-7-87~~

Item # 4

3-7-87

File w Agenda
for 5/4/92



Councilmember McBryde stated that this is not a City street, it is a State road, and therefore would not be contrary to City policy.

Councilmember Evans made a suggestion that there be a Raymond Floyd Day and banquet to honor him.

Councilmember Dawkins stated that he felt no matter whether it is a City or a State road, they should follow the policy and not name the project until it was completed. But if they are considering this, it would need some time for reconsideration.

Councilmembers Pillow and Ross concurred that it should not be named for anyone until the road is completed.

Mayor Hurley relinquished his gavel in order to comment that he felt the City should show positive gestures and we should show that we are proud that Raymond Floyd is from our City.

Councilmember Jones offered motion to support the naming of the CBD Loop through a resolution to North Carolina Department of Transportation, seconded by Councilmember Johnson.

Following some further discussion, Mr. Dawkins stated that since he will be meeting with DOT on Wednesday and can report back with input from them, he offered substitute motion to delay this discussion until the next meeting which will be Monday, seconded by Councilmember McBryde.

There was further discussion, and the Mayor called for a vote on the substitute motion to delay. The motion failed with Councilmembers Dawkins, McBryde, Jones, and Pillow voting for, and Councilmembers Johnson, Torrey, Kendrick, Ross, and Evans voting against.

Mayor Hurley then called for a vote on the main motion which was to support the naming of the CBD Loop and the motion failed with Councilmembers Dawkins, McBryde, Jones, and Johnson voting in favor, and Councilmembers Kendrick, Torrey, Evans, Pillow, and Ross voting against.

At this time, Mayor Hurley moved to Item 14 D and recognized Barbara Hayward, Director of the Fayetteville Museum of Art.

Request by Museum of Art

Mrs. Hayward stated that the Festival Sculpture project, funded by a matching grant from the Department of Commerce/Division of Travel and Tourism will be installing three temporary outdoor sculptures: one to be located at the Market House, one on the Museum grounds, and one at the Airport. She stated that she was appearing before Council tonight to receive approval for the Market House project and gave a background on the artist, Patrick T. Dougherty, who would be doing the project at the Market House. She presented a photostatic copy to each of the Councilmembers of the proposed artwork sculpture.

Councilmember Evans offered motion to approve the request, seconded by Councilmember Ross, and carried unanimously.

Mayor Hurley then requested the City Manager to present Item 14 B at this time.



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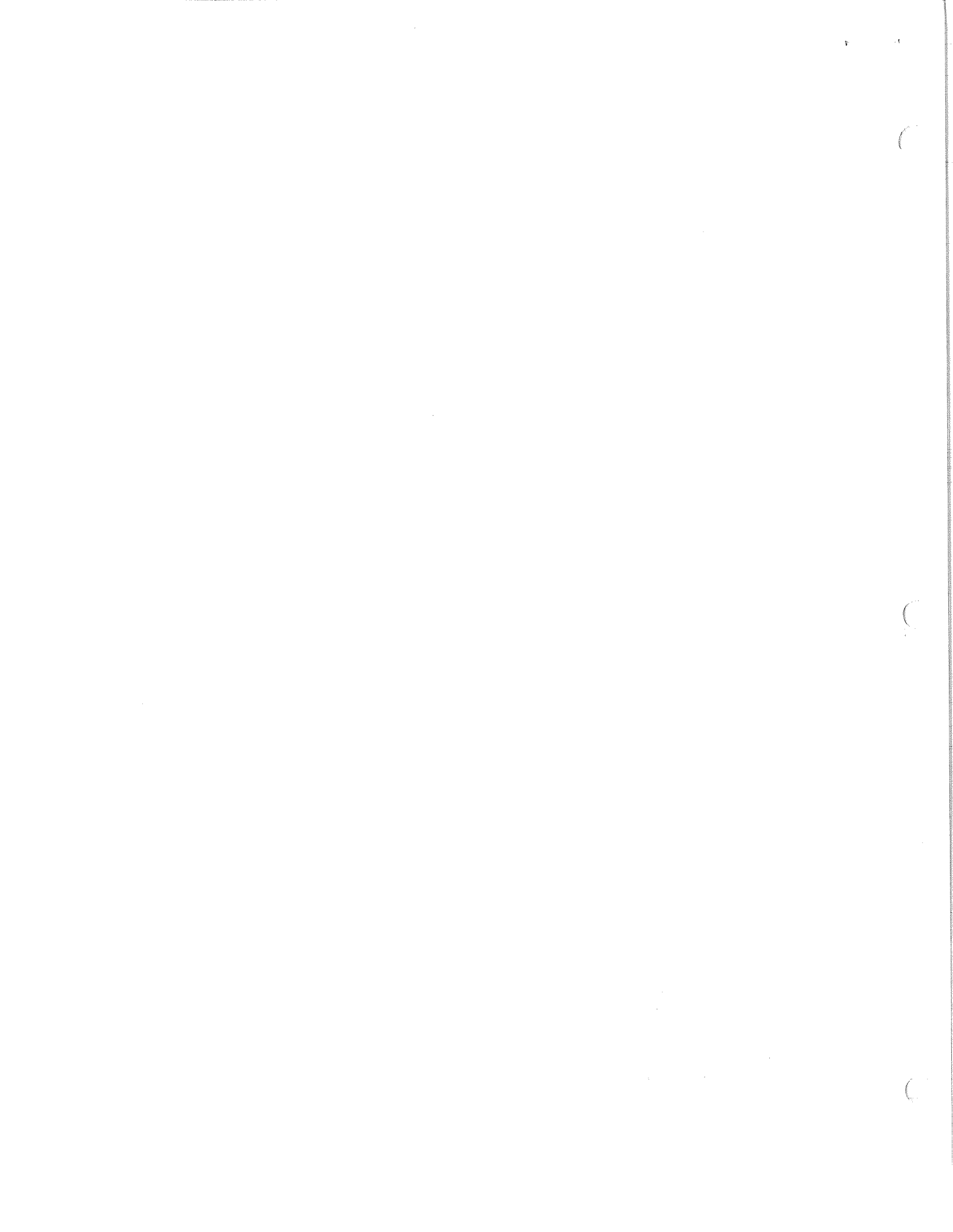
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~~3-7-79~~

Henry

3-7-87



8

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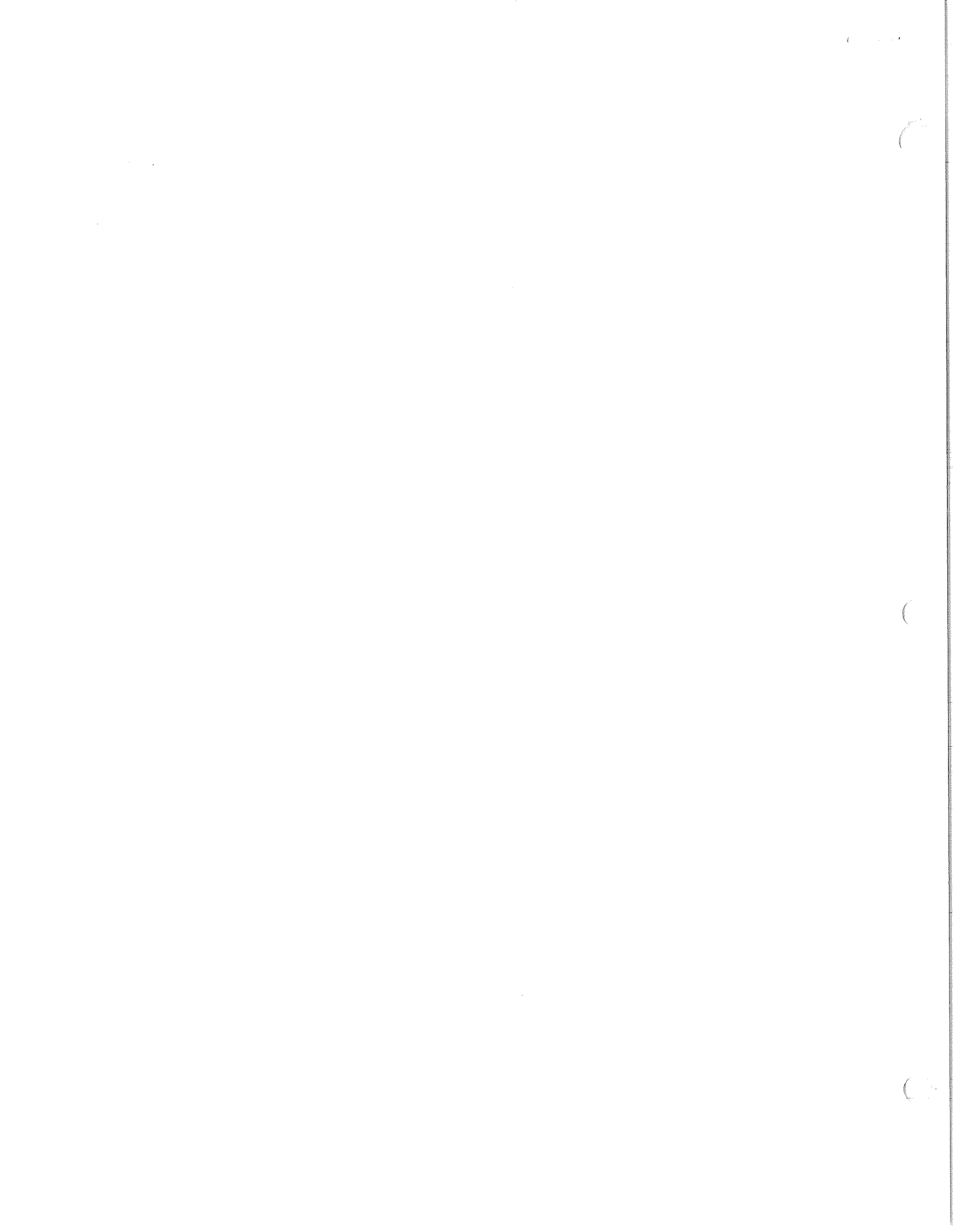
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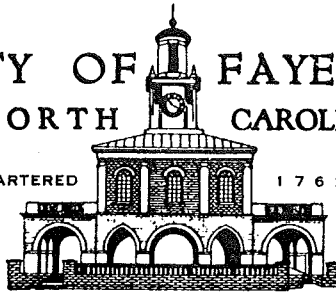
Councilmember Evans offered motion to approve the request, seconded by Councilmember Ross, and carried unanimously.

Mayor Hurley then requested the City Manager to present Item 14 B at this time.



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

April 29, 1992

MEMORANDUM

TO: Roger L. Stancil, Deputy City Manager

FROM: David M. Nash, Annexation Studies Coordinator *DMN*

SUBJECT: Agenda Item - Annexation Petition - Setting of Public Hearing -
Pepperidge Mobile Home Park

On March 13, 1992, the City staff received a petition requesting annexation of the Pepperidge Mobile Home Park. The property is located in the Shaw Heights area at 1802 Shaw Road. (See Map A - Vicinity Map.) The petition was signed by John Melcher Hurt, individually.

The Pepperidge Mobile Home Park, which is located within the City's watershed area, has been shut down by the Health Department because of repeated septic tank failures. The Health Department requires that the park be connected to public sewer before it can reopen. There are currently 38 vacant mobile home units in the park.

Mr. Hurt has recently purchased the mobile home park. He plans to rehabilitate the park and reopen it. Pursuant to the Health Department requirements, Mr. Hurt plans to extend PWC sewer to the park and then connect to sewer.

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, Mr. Hurt has submitted a petition for annexation.



Roger L. Stancil
Page 2
April 29, 1992

The petition was presented to City Council on April 6, 1992. The City Council adopted a resolution directing that the sufficiency of the petition be checked. The staff of the City Engineering Department has checked the sufficiency. The next step is for the City Council to set a date for a public hearing.

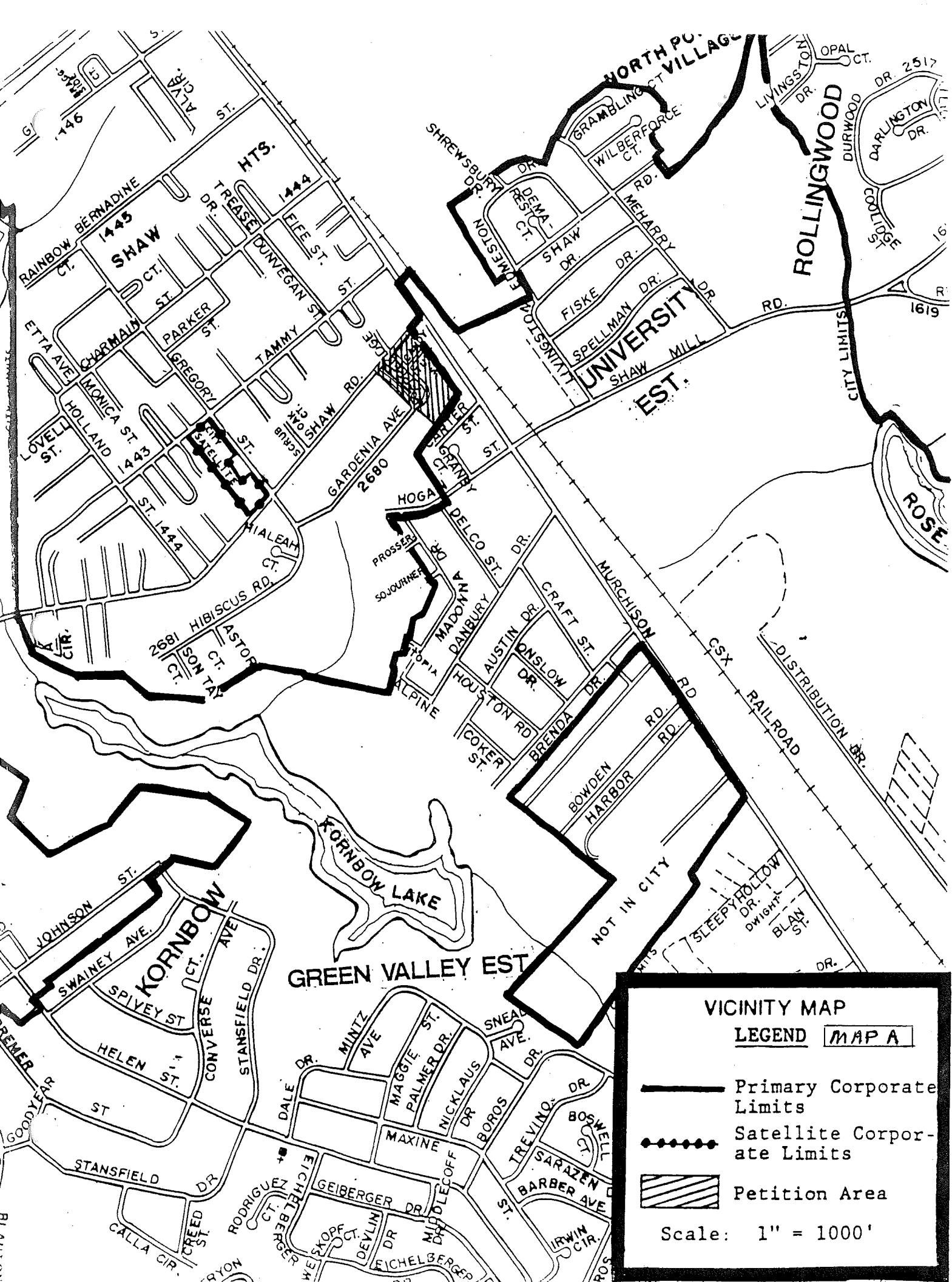
The following items are submitted for the May 4, 1992, City Council agenda:

1. Map A - Vicinity Map.
2. Certificate of Sufficiency.
3. Copy of Letter of Transmittal (from Moorman & Kiser, engineers for the petitioner).
4. Copy of annexation petition (The map submitted with the petition is too large to reproduce for the agenda packet.)
5. Copy of legal description submitted with the petition.
6. Resolution Fixing Date of Public Hearing (The resolution includes a legal description prepared by the City staff. This legal description includes portions of Gardenia Avenue and Shaw Road which have been added to the petition area in response to a recommendation from the City Communications Department).
7. Map B - Legal Description Map.




The City staff recommends adoption of the resolution fixing a date for a public hearing. The recommended public hearing date is June 1, 1992.

DMN/kb1

Attachments



VICINITY MAP
LEGEND **MAP A**

-  Primary Corporate Limits
-  Satellite Corporate Limits
-  Petition Area

Scale: 1" = 1000'

PEPPERIDGE MOBILE HOME PARK
(1802 SHAW ROAD)

CERTIFICATE OF SUFFICIENCY

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

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

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Fayetteville, this 4th day of May, 1992.

(SEAL)

Bobbie A. Joyner, City Clerk

MOORMAN & KIZER, INC.

Engineers, Planners and Surveyors

115 Broadfoot Avenue

Post Office Box 53774

FAYETTEVILLE, NORTH CAROLINA 28305

(919) 484-5191

FAX (919) 484-0388

LETTER OF TRANSMITTAL

TO CITY OF FAYETTEVILLE
ANNEXATION COORDINATOR

DATE	<u>3-13-92</u>	JOB NO.	
ATTENTION	<u>MR. DAVID NASH</u>		
RE:	<u>PEPPER RIDGE</u> <u>MOBILE HOME PARK</u>		

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings
 Prints
 Plans
 Samples
 Specifications
 Copy of letter
 Change order

COPIES	DATE	NO.	DESCRIPTION
<u>2</u>			<u>PRINTS SHOWING PROPERTY</u>
<u>2</u>			<u>PETITION REQUESTING ANNEX.</u>

THESE ARE TRANSMITTED as checked below:

- For approval
 Approved as submitted
 Resubmit _____ copies for approval
 For your use
 Approved as noted
 Submit _____ copies for distribution
 As requested
 Returned for corrections
 Return _____ corrected prints
 For review and comment

 FOR BIDS DUE _____ 19____ PRINTS RETURNED AFTER LOAN TO US

REMARKS DEAR SIR,
IF WE CAN BE OF FURTHER
ASSISTANCE, PLEASE CALL ON US
ANYTIME.

COPY TO _____

SIGNED: T. Hawks
David A. Matthews

Received 3-13-92

PETITION REQUESTING ANNEXATION
(CONTIGUOUS AREA)

Date March 12, 1992

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

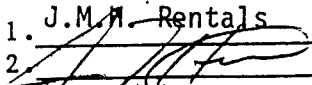
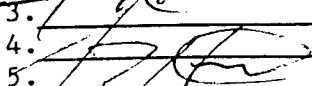
1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Fayetteville, North Carolina.

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

(Insert Metes and Bounds Description of Boundaries)

See Attached Description

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

<u>NAME</u>	<u>ADDRESS</u>
1. J.M.H. Rentals	P.O. Box 53807, Fayetteville, NC 28305
2. 	Phone No. 483-3595
3. _____	_____
4. _____	_____
5. 	_____
6. John Melcher Hurt, Individually	_____
7. _____	_____

BK374 | PG0159

EXHIBIT "A"

TRACT I: All of that certain tract or parcel of land in Carver's Creek Township, Cumberland County, North Carolina, and bounded as follows: BEGINNING at a point in the western margin of the Murchison Road where the same is intersected by the southern boundary line of the A. E. Dixon property of which this is a party (see Plat Book 9, Page 9, Cumberland County Registry); and runs as the western margin of the Murchison Road North 31 degrees 37 seconds West 398.68 feet to the point where said right-of-way margin is intersected by the southern boundary line of Lot Number 12 of the A. E. Dixon property as shown on plat recorded in Book of Plats 9, Page 9, Cumberland County Registry, thence as the southern boundary of the Lot Number 12 South 58 degrees 31 minutes West 198.5 feet to an iron pipe, the southwestern corner of said Lot 12; thence as the western boundary of Lot Number 12, Lot Number 11 and Lot Number 10 as shown on the aforesaid Plat North 31 degrees 18 minutes West 210.87 feet to the southern margin of the Shaw Mill Road (allowing a right-of-way of 80 feet for said road); thence as the southern margin of the Shaw Mill Road South 44 degrees West 368 feet to a point which is 60 feet North of Section 1, Julie Heights Subdivision (see Plat Book 28, Page 47, Cumberland County Registry); thence parallel with the northern boundary of Section 1, Julie Heights Subdivision South 46 degrees East 450 feet; thence South 44 degrees West 60 feet to the southwestern corner of Lot Number 32 of Section 11, Julie Heights Subdivision as shown on plat recorded in Book of Plats 29, Page 4, Cumberland County Registry; thence as the northern boundary of said Lot Number 32 South 46 degrees East 189.29 feet to the southern boundary of the Dixon property; thence as said line North 44 degrees 04 minutes East 447.44 feet to the BEGINNING.

EXCEPTING THEREFROM:

BEGINNING at an iron pin in the western margin of Murchison Road and being the beginning corner of the above tract, thence as the southern line of said tract South 44 degrees 11 minutes West 186.00 feet to an iron pin; thence a new line North 31 degrees 28 minutes West 450.14 feet to an iron pin; thence North 58 degrees 31 minutes East 2.50 feet to an iron pipe, being a corner of the above tract; thence as the line of said tract North 58 degrees 31 minutes East 177.70 feet to an iron pin in the western margin of Murchison Road; thence as the western margin of Murchison Road South 31 degrees 28 minutes East 404.12 feet to the BEGINNING, containing 1.767 acres more or less.
To provide for future water and sewer lines an easement of 10 feet on the southern line of the 1.767 acre lot is granted.

01/23/92 18:10

Z 919 433 2436

DOWNING, DAVID

P.03

JAN-24-'92 FRI 17:18 ID:THORP AND CLARKE

TEL NO:919 483 1247

H485 P03

BK3741PG0160

Being the same property as described in Book 2706, Page 312,
Cumberland County Registry.

TRACT II: Included in this conveyance is a ten foot sewer
line easement running parallel to the southern line of the
tract herein described with an offset of ten feet running
from the western line of the excepted 1.767 acre tract to
the western margin of Murchison Road.

PEPPERIDGE MOBILE HOME PARK
(1802 SHAW ROAD)

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

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

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

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

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

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

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

BEGINNING at a point in the City Limit Line as established by Annexation No. 197, dated July 25, 1977; said point also being in the northern margin of Shaw Road (formerly Bonnie Doone Road); running thence with said City Limit Line Southeast about 60 feet to a point in the southern margin of the aforementioned road; said point being in the City Limit Line as established by Annexation No. 193, dated May 23, 1977; thence with said City Limit Line South 31 degrees 18 minutes East about 660.0 feet to a point; thence continuing with the City Limit Line South 44 degrees 04 minutes West 263.22 feet to a point in said City Limit Line; said point being the southeast corner of Lot 32 of Julie Heights Subdivision, Section Two, as recorded in Plat Book 29 page 4 at the Cumberland County Registry; thence leaving the City Limit Line and running with the northeast line of Julie Heights, Section Two (see Plat Book 29 page 4) and Julie Heights, Section One (see Plat Book 28 page 47), both of the Cumberland County Registry, and across Shaw Road (formerly Bonnie Doone Road) North 46 degrees 00 minutes West 719.29 feet to a point in the northern margin of said road, allowing for an 80-foot right-of-way; thence with said northern margin on a computed bearing and

distance North 45 degrees 41 minutes 07 seconds East 448.73 to a point; thence South 31 degrees 18 minutes East 10.30 feet to the point and place of beginning . . . containing 5.84 acres more or less.

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

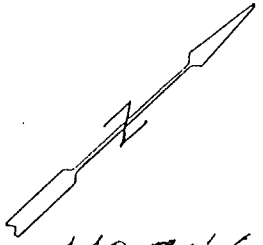
Adopted this the 4th day of May, 1992.

CITY OF FAYETTEVILLE

BY: _____
J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk



N 45° 41' 07" E 448.73' (COMP.)

S 31° 18' E
10.30'

SHAW ROAD 80' R/W
(FORMERLY BONNIE DOONE ROAD)

CITY LIMIT LINE
ANNEX # 197
(7-25-77)
60' R/W

PLAT 28/47

(2) (1)

PLAT 29/4

(30) (31)

GARDENIA AVE.
60' R/W

PLAT 29/4

(33) (32)

N 46° 00' W 719.29'

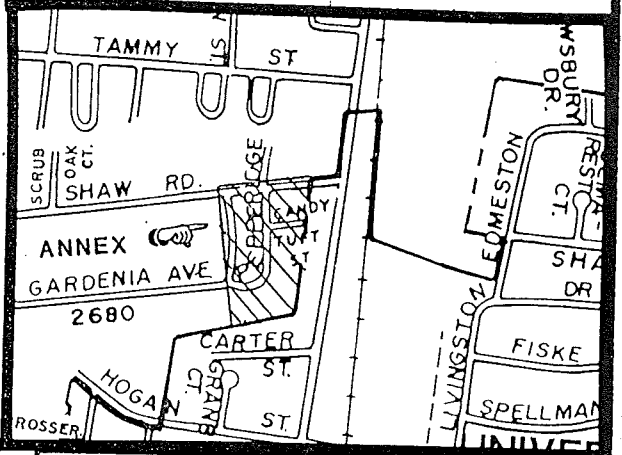
PEPPERIDGE DRIVE

CANDY TUFT

STREET

ANNEX # 193 (5-23-77)

MURCHISON ROAD



CITY LIMIT LINE — S 44° 04' W

ANNEX # 193 (5-23-77)

MAP B

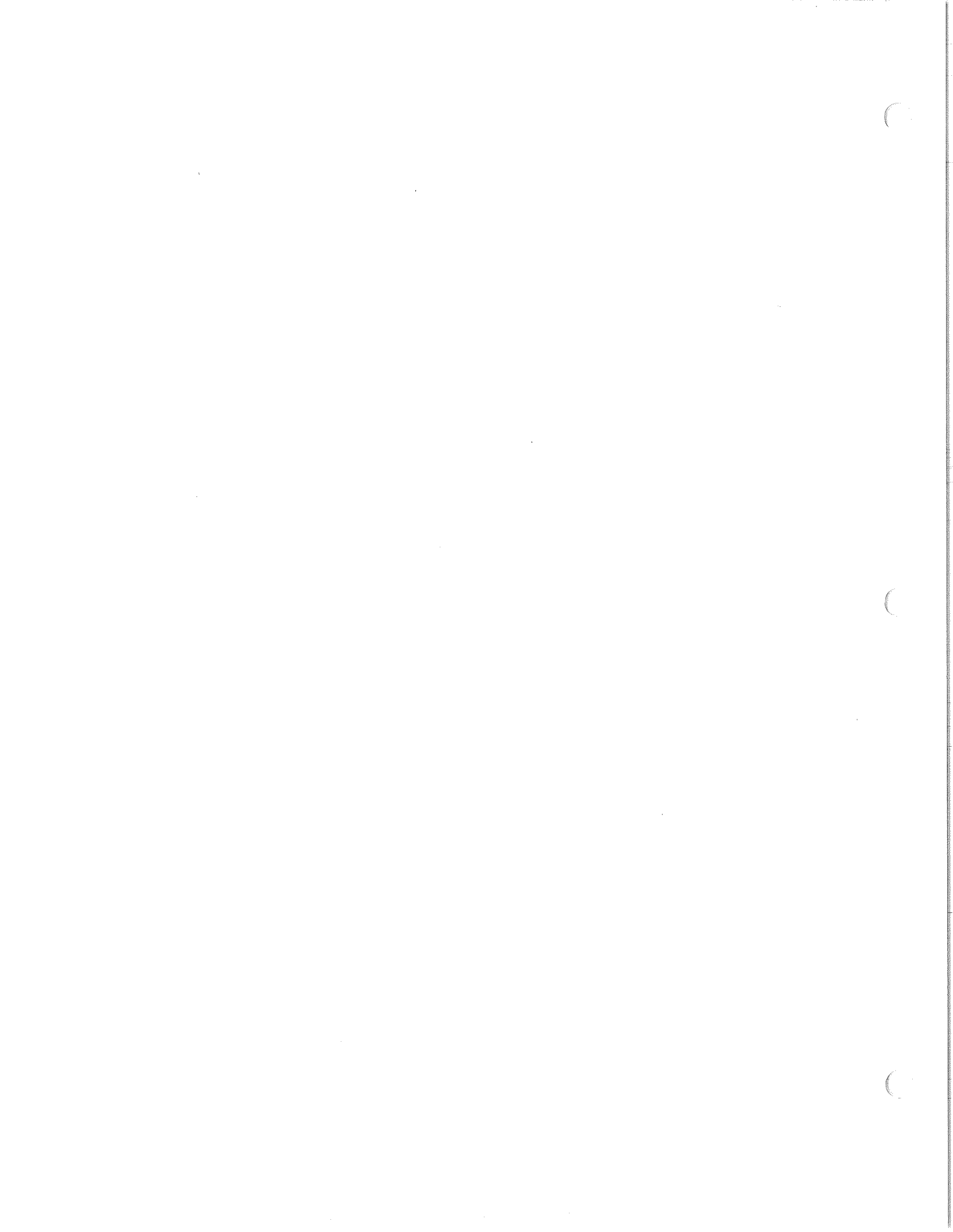
FIELD BK

REVISION _____
DATE _____ BY _____

CITY OF FAYETTEVILLE, N.C.
ENGINEERING DEPARTMENT

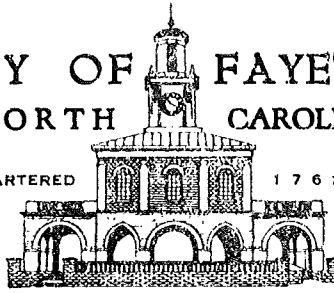
PROPOSED ANNEXATION:
PEPPERIDGE MOBILE HOME PARK
5.84 ACRES

DATE 3-20-92 DRAWN BY GODWIN
SCALE 1" = 100' CK'D BY _____



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

APRIL 29, 1992

MEMORANDUM

TO: The Mayor and Members of City Council

FROM: John P. Smith, City Manager *JPS*

SUBJECT: Organization of New City Council

During normal election years, when elections are held in November, the new City Council is seated at the first meeting in December. The state statute under which this years election is being held simply says that the new Council shall be seated no later than the first meeting in July. The very earliest the new Council could be seated is the second regular meeting in June.

I suggest that Council set July 6 as the date for seating the new Council. This conforms to normal election year procedure and will be the first meeting of the fiscal year.

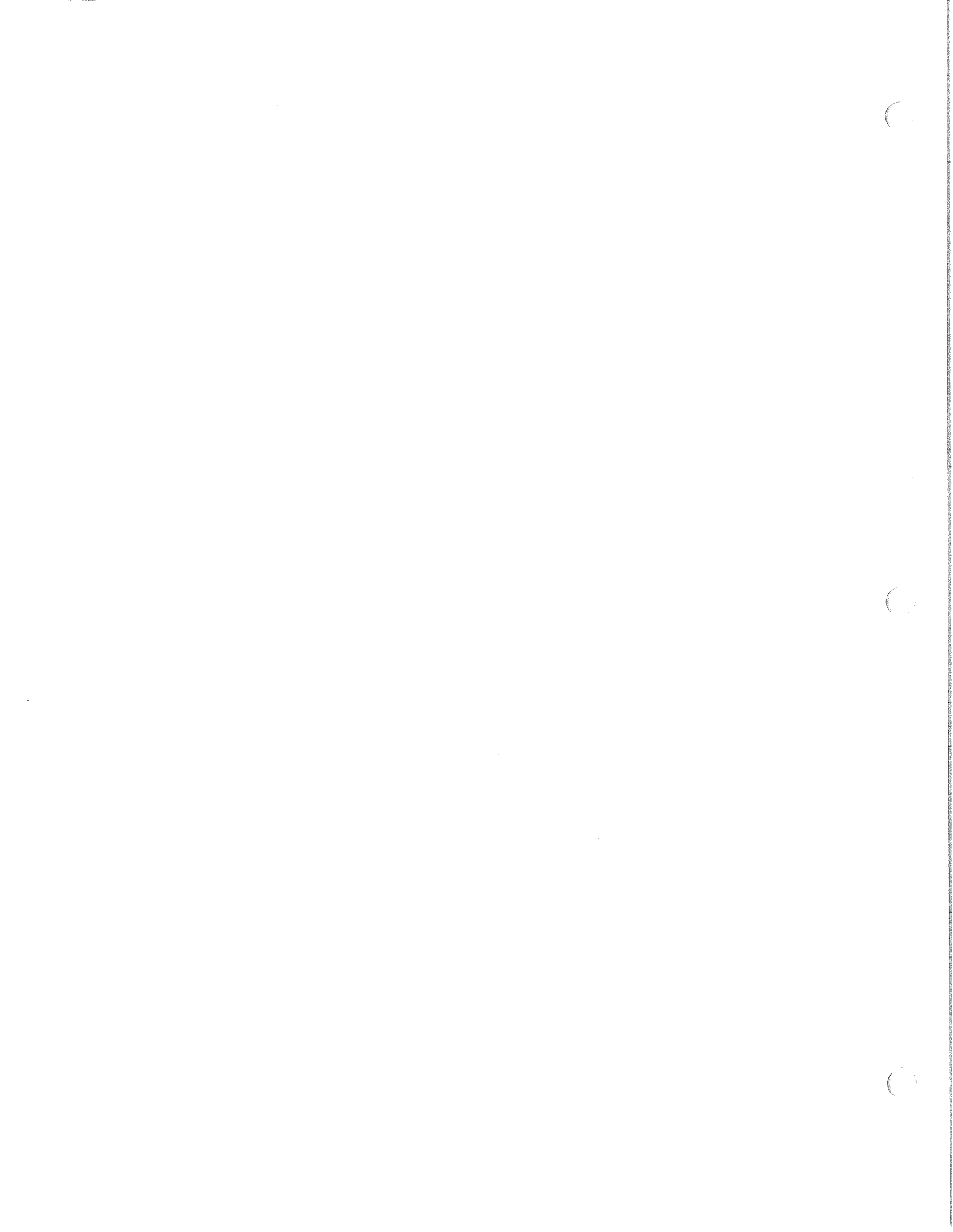
JPS:ssm

An Equal Opportunity
City of



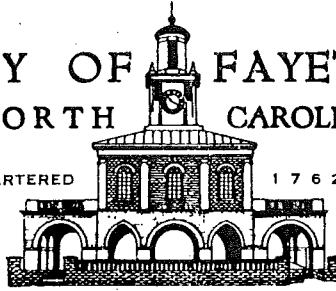
Affirmative Action Employer
Dogwoods

ITEM 6



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY CLERK
433 HAY STREET

FAYETTEVILLE, NC 28301-5537

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

April 27, 1992

MEMORANDUM

TO: John P. Smith, City Manager
FROM: Bobbie A. Joyner, City Clerk
SUBJECT: **AGENDA ITEM MAY 4, 1992 CITY COUNCIL MEETING -
NOMINATIONS TO BOARDS AND COMMISSIONS**

A. BOARD OF APPEALS ON DWELLINGS AND BUILDINGS - 1 Vacancy

Meets when needed, 7:00 p.m., City Hall

Nominations are needed to fill the vacancy of Mrs. Jane Cherry (W/F) who has served two terms. The term will expire May 31, 1994. The attendance roster is attached.

Blank Nomination Forms are also attached for your use.

NOTE: There will be 3 vacancies on Airport Commission, 1 Vacancy on PWC, 1 Vacancy of attorney on PWC retirement and 1 vacancy on Planning Board in June.

Attachments

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM

7

NAME: Board of Appeals YEAR 1989 - 1991

MEETING DATES

MEMBERS	MEETING DATES											
	1989 3-29	6-14	9-27	12-6	1990 4-11	6-20	9-19	12-5	1991 3-27	6-17	9-15	12-13
MRS. JANE CHERRY	P	P	P	P	P	? Abs	P	? Abs	P	—	—	—
MRS. BRENDA BURRIS	Abs	Abs	P	P	P	P	P	? Abs	Abs	—	—	—
MR EDWARD BRYANT	P	Abs	P	P	P	P	P	Abs	Abs	—	—	—
MR LINWOOD HAITH	Abs	Abs	P	P	P	Term Expired	—	—	—	—	—	—
MS. JOYCE MALONE	P	P	P	P	P	P	P	? Abs	Abs	—	—	—
MR. DOYLE HUBBARD						? Abs	P	P	P	—	—	—
David Nichols												
Eva Ruth												

Cancelled
Cancelled
Cancelled
Dan calls
Cancelled
Cancelled

* No appeals

ROSTER OF ATTENDANCE

NAME: Board of Appeals YEAR 1992 & 1993

MEETING DATES

MEMBERS	MEETING DATES			
	1992 3-20	6-6	9-9	12-12
David Nichols				
Eva Ruth				
Joyce Malone				
Doyle Hubbard				
Jane Cherry, Chairperson				

Cancelled

NOMINATION FORM
BOARDS, COMMITTEES AND COMMISSIONS
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE _____

BY COUNCILMEMBER _____ DATE: _____

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

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

TELEPHONE: HOME _____ BUSINESS _____

BUSINESS _____ JOB TITLE: _____

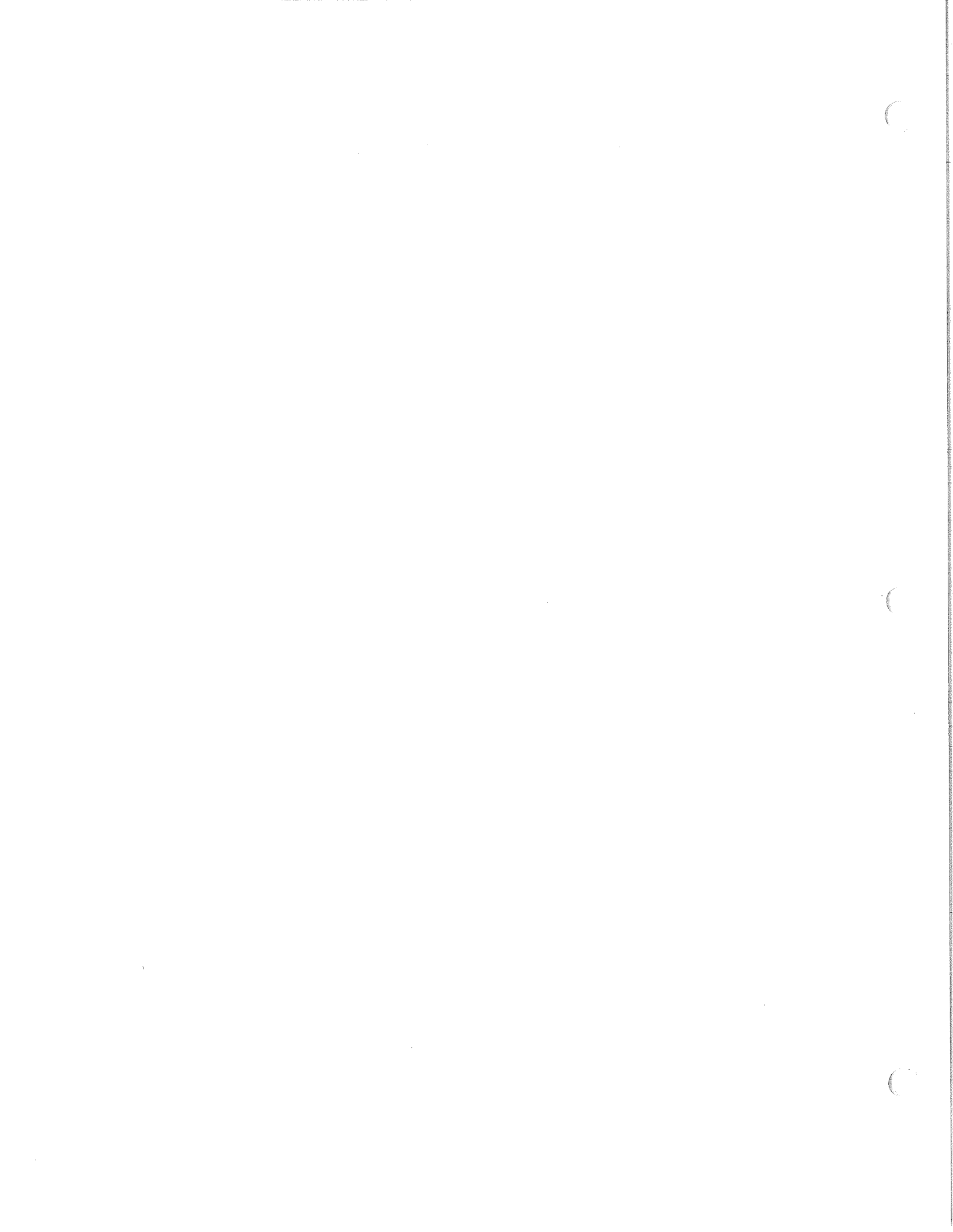
RACE _____ SEX _____

ACTIVITIES: _____

OTHER INFORMATION: _____

Received by City Clerk _____ (date)

Elected: YES _____ NO _____ Letter: _____



NOMINATION FORM
BOARDS, COMMITTEES AND COMMISSIONS
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE _____

BY COUNCILMEMBER _____ DATE: _____

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

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

TELEPHONE: HOME _____ BUSINESS _____

BUSINESS _____ JOB TITLE: _____

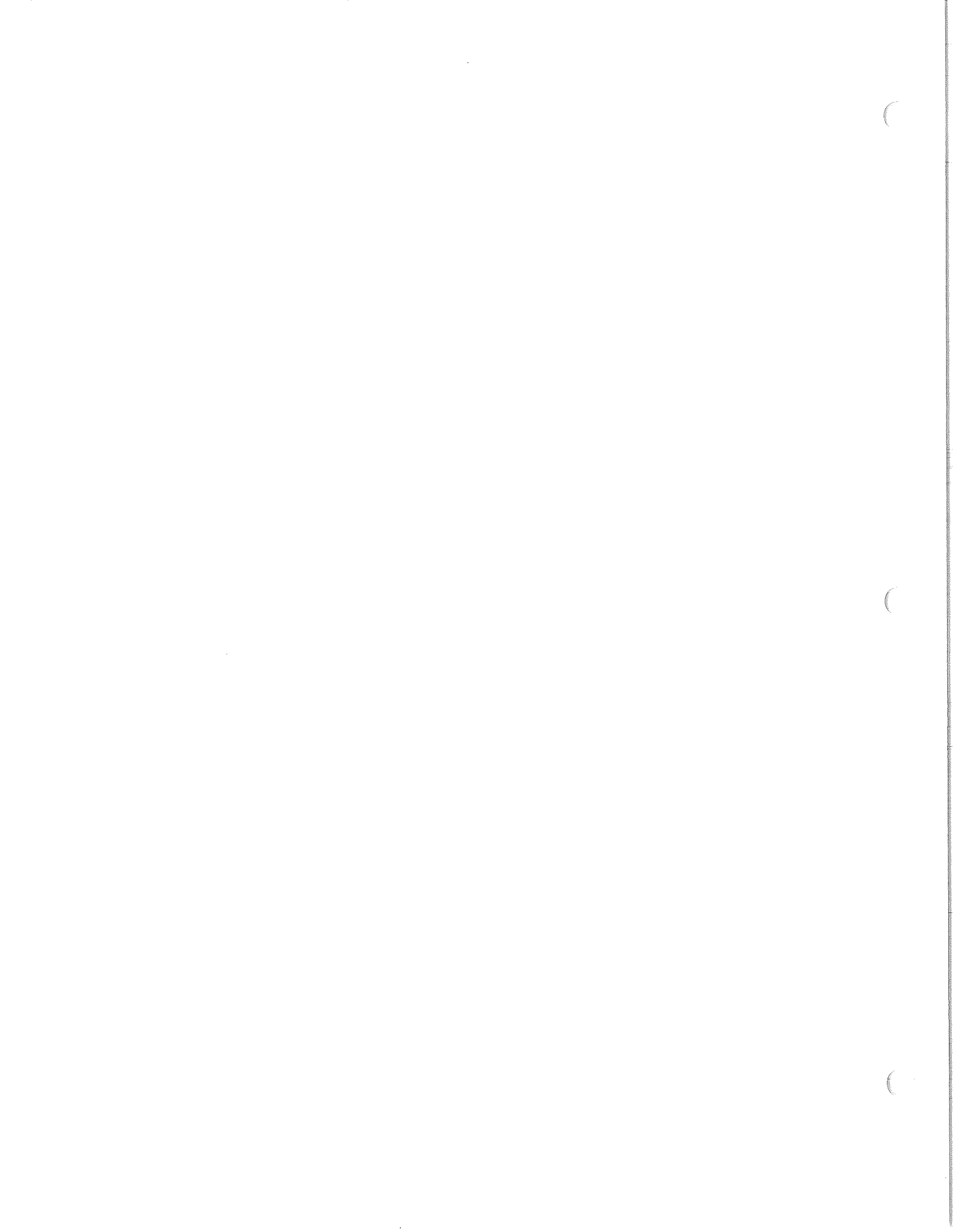
RACE _____ SEX _____

ACTIVITIES: _____

OTHER INFORMATION: _____

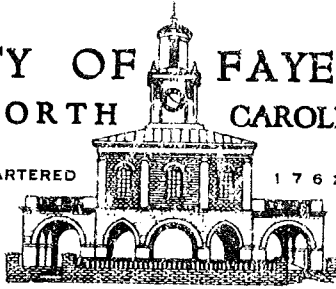
Received by City Clerk _____ (date)

Elected: YES _____ NO _____ Letter: _____



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

APRIL 29, 1992

MEMORANDUM

TO: The Mayor and Members of City Council

FROM: John P. Smith, City Manager *JPS*

SUBJECT: Proposal for Martin Luther King, Jr. Street

Ms. Ross has requested that I provide a report to Council on alternatives for a possible MLK street. Attached is a list of City thoroughfares along with traffic counts.

I would suggest the following for your consideration:

1. CBD Loop
2. Murchison Road
3. Eastern Boulevard
4. New Airport Road

I have already received one petition in opposition to the renaming of Murchison road. It is attached for your information.

JPS:ssm

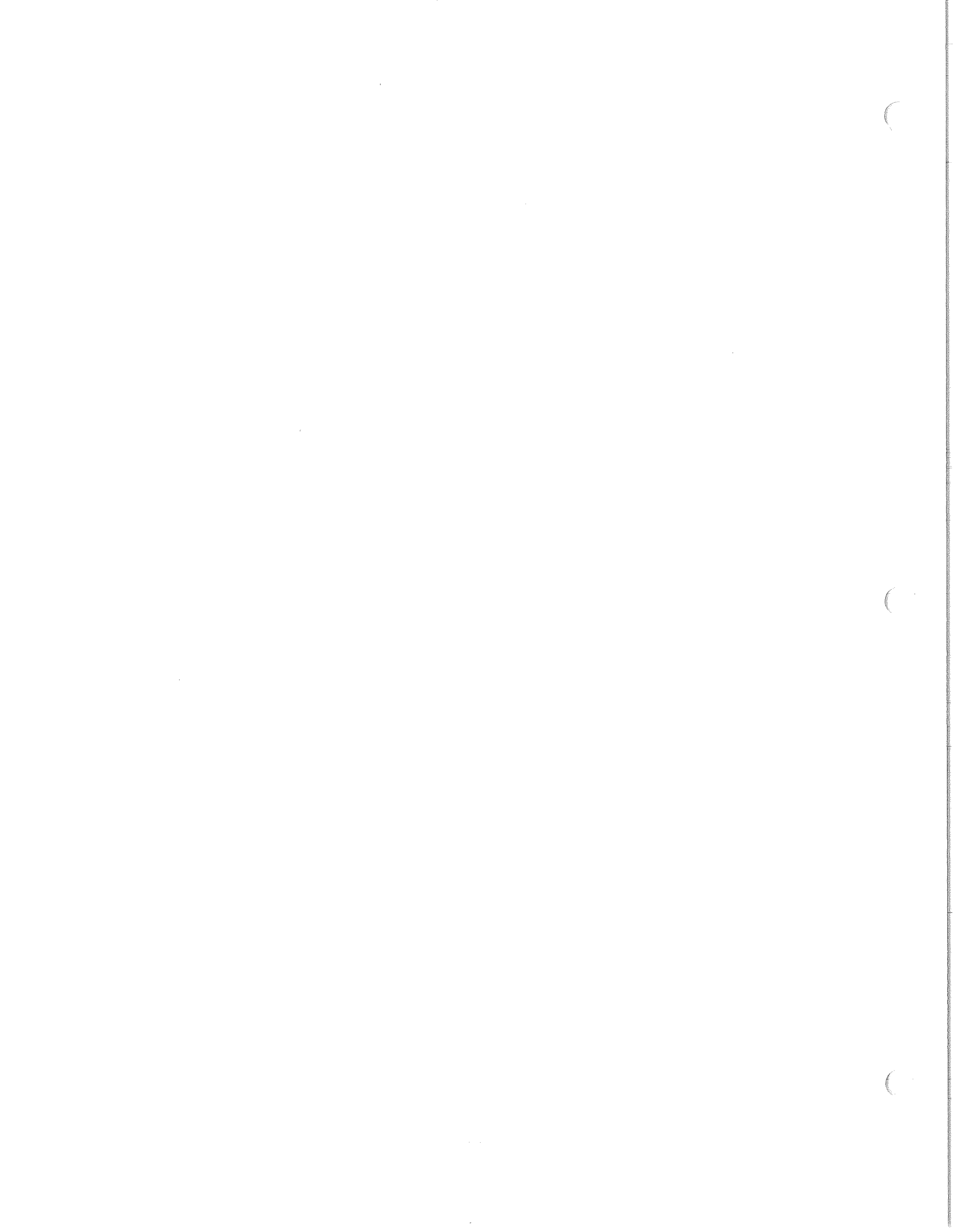
Attachment

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 8.A.



MAJOR THOROUGHFARE LISTING

MAJOR THOROUGHFARES	LENGTH W/IN CITY (MILES)	1989 ADT
ALL AMERICAN FREEWAY	3.8	33.100
* BOW STREET	0.2	5.500
BRAGG BOULEVARD	4.5	34.900
CAMDEN ROAD	2.2	9.300
CBD LOOP	3.4	12.400
CEDAR CREEK ROAD	4.1	12.300
CLIFFDALE ROAD	2.1	18.000
CLINTON ROAD	1.0	11.100
CUMBERLAND ROAD	0.9	15.100
DUNN ROAD	1.2	5.200
EASTERN BOULEVARD	3.4	24.500
* FRANKLIN STREET	0.8	3.900
FT. BRAGG ROAD	2.3	11.600
GILLESPIE STREET	2.2	17.900
* GROVE STREET	1.8	33.000
* HAY STREET	1.2	18.000
LEGION ROAD	0.6	10.200
* MAIDEN LANE	0.4	6.400
* McARTHUR ROAD	0.2	10.000
McPHERSON CHURCH ROAD	2.8	24,400
MIDDLE ROAD	0.8	2.000
MORGANTON ROAD	4.6	27.700
MURCHISON ROAD	4.7	20.000
OWEN DRIVE	3.4	40.900
PERSON STREET	1.1	10.100
RAEFORD ROAD	3.2	34.500
RAMSEY STREET	7.0	34.000
ROBESON STREET	2.6	18.900
ROSEHILL ROAD	4.6	12.400
* ROWAN STREET	0.6	22.300
* RUSSELL STREET	1.6	13.100
* SAPONA ROAD	0.9	2.600
* SHAW ROAD	0.3	9.700
SOUTHERN AVENUE	2.1	10.700
* STACEY WEAVER ROAD	1.1	5.700
US 401 BYPASS	6.3	34.700
VILLAGE DRIVE	2.7	16.700
* WEST MOUNTAIN DRIVE	0.3	4.200
* WHITFIELD STREET	0.6	7.600
* WINSLOW STREET	1.6	9.300

* May not meet City Council criteria for Martin Luther King Boulevard

1. High visibility.
2. Throughout City.
3. Not only minority neighborhood.

ANALYSIS OF FOUR OPTIONS
FOR
MARTIN LUTHER KING ROAD

1. CBD Loop - 3.4 miles in City

Advantages:

No address changes required

Will eventually exit on I-95

Disadvantages:

Other groups have expressed interest in other names

2. Murchison Road - 4.7 miles in City

Advantages:

NC State Primary Route

Main entrance to Fayetteville State University

Some community support

Disadvantages:

Numerous address changes

Some community opposition

3. Eastern Boulevard - 3.4 miles in City

Advantages:

NC State and US Route

Major entrance off I-95

Disadvantages:

Numerous address changes

4. New Airport Road

Advantages:

Major exit off Business I-95

No address changes (new road)

Primary access to City facility

Disadvantages:

Not yet constructed

Murchison Road
Fayetteville, N.C. 28301
April 3, 1992

To Members of City Council

We, the said named persons listed below desire to express our feelings in regards to the proposal in question, in reference to the name change of Murchison Road to Martin Luther King Blvd.

Many residents have spent their entire lives on this road. This means that some were born here and have live fifty years; some even longer. We have been quite comfortable with the present name, Murchison Road. Secondly, a name change would be an inconvenience of changing addresses and other important documents.

This proposal for change was the concept of persons that aren't residents of this area. Furthermore, tax-paying citizens who were born and raised on this road were not contacted until the idea was much discussed and well established.

Please consider our request for retaining the present name for Murchison Road
Signed Citizens against name change.

Names

Addresses

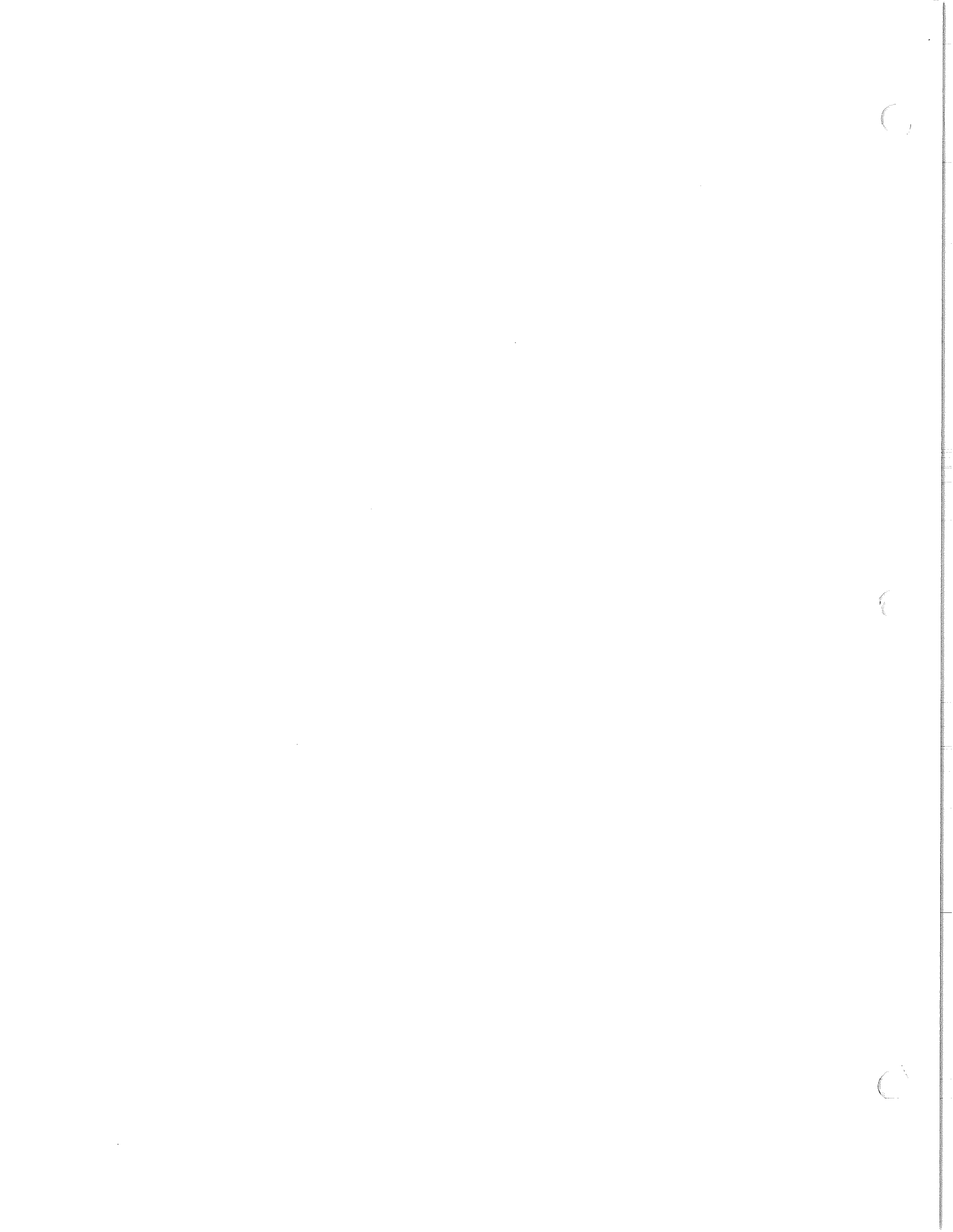
Quay Bell Elliott

1631 Murchison Road

Signed Citizens Against Name Change

Names	Address
Doretha D. Dupree	1620 Murchison Rd.
Latcha J. Arrington - 1705 ^{M.R.}	300 Longhorn Drive
Patricia Ford	1705 APT B Murchison Rd
Lula Belle Oliver	1707 Murchison Rd
Anthony Campbell	1633 Murchison Rd.
Gussy C. Boykin	603 Murchison Rd.
Sheila Eason	700-A Blue Street
Suberta Campbell	1411 Murchison Rd.
Maigh Campbell	1411 Murchison Rd.
Lillian Purvis	1633 Murchison Rd.
Janita K. Coley	1619 Murchison Rd.
Booker D. Coley	1619 Murchison Rd.
Stella W Brown	1633 1/2 Murchison Rd.
Leota L. Bran	"
John Purvis	1633 Murchison Rd
Nora B. Daylan	1626 Murchison Rd 28301
Jennie McLincoln	1628 Murchison 280301
Garfield Coleman	1616 Murchison Rd.
Charmaine Sinclair	1630-B Murchison Rd
Bill Williams	1911 B Murchison Rd
Myrtle Albert	1911 B Murchison Rd
Gazzie Shaw	1913 Murchison Road
* Foyie McLaughlin	1913 Murchison Road
Romona Daughtey	1630 A Murchison Rd
Elsie Wilson	804 State Ave
Robert Wilson	804 State Ave
Naomi Stanley - 1702	Murchison Road

Jimmy Ekass	3011 Murchison Rd. Fay. N.C.
Elaine McNeill	1309 Duncan St. Fay. N.C.
James P. Jones	6501 Gatepost Ct. Fay. N.C.
Maggie B. McDonald	3102 Murchison Rd. Fay. N.C.
Louann B. Ruel	3102 Murchison Rd.
J. Orma, Butler-Snowden	3102 Murchison Rd.
Almond Young	2713 Sidel DE Fay. N.C.
Peggie Williams	3102 Murchison Rd.
Selena S. Pierce	1516 Murchison Rd.
Scott Pierce	1516 Murchison Rd.



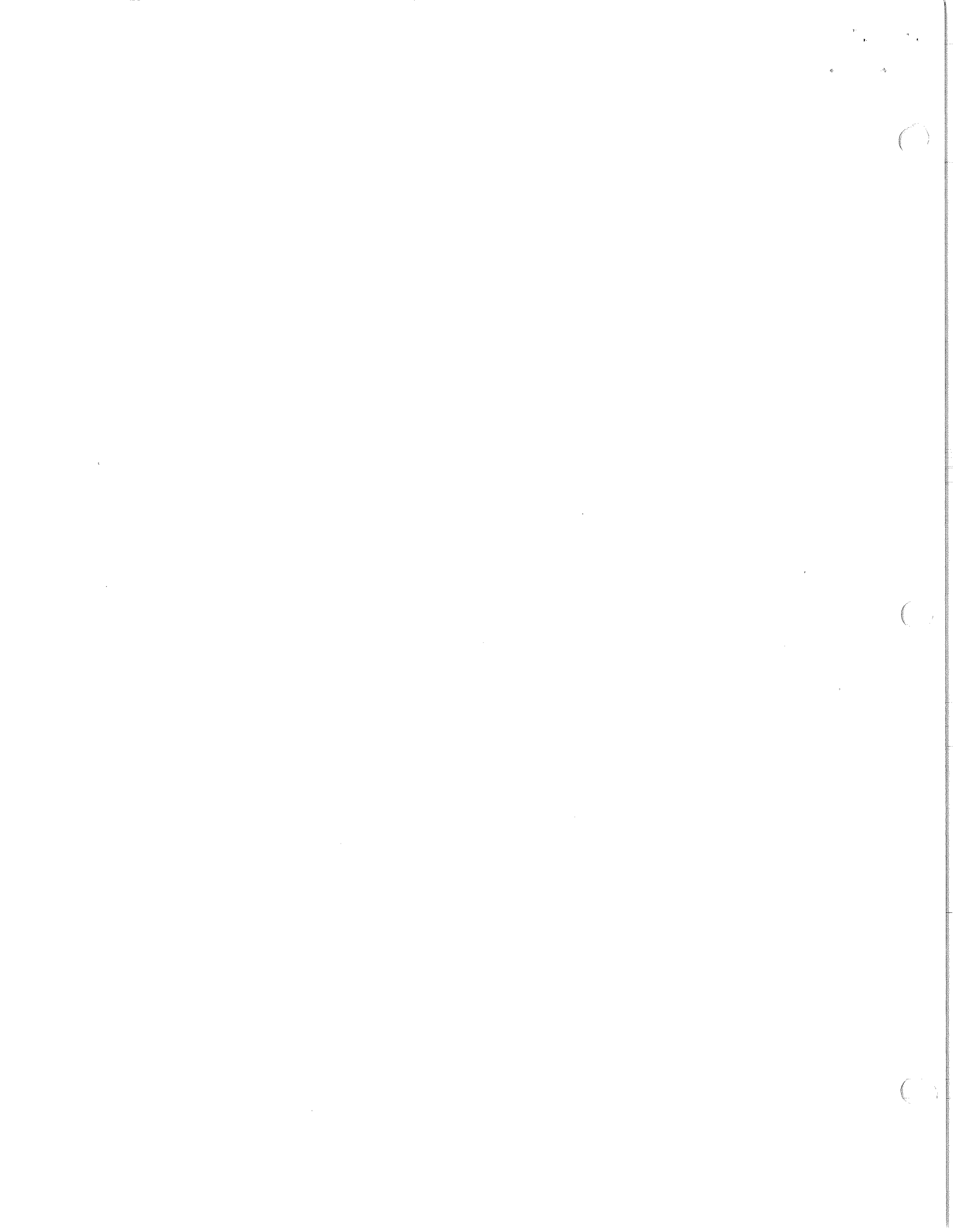
1
May 4, 1992

2 To the Chairman and members of
3 the City Council, we are here this
4 evening to express our feelings in
5 regards to the renaming of the Mur-
6 chison Road. Dr. King holds a very
7 dear and special place in our hearts.
8 We honor, respect, and have high
9 praise for the many sacrifices he made
10 to bring better opportunities and hu-
11 man relationship for all mankind.
12 But in retrospect, we feel that it is
13 a great injustice to ask those of us
14 that are elderly, and have lived
15 there for the past 70 or 80 years to
16 change the name of the Road. Many
17 were born along this road. We feel
18 very close and identify with the present
19 name.

20 First, there is the problem of having to
21 change addresses on all legal documents
22 and mailing addresses.

23 Secondly, this is a four lane highway
24 and not a boulevard.

25 Thirdly, after doing some research on
26 the road, I found the works of Mr.
27 John Oates. He gives a clear history of
28 the Murchison Road. This road was built
and named for a very prominent family



1 from Scotland. This family came to Cum-
2 berland County in 1773. They settled
3 on Little River which is now Manchester.
4 Two brothers in the Murchison family were
5 pioneers during the Colonial Period and
6 worked diligently to build the road.
7 This was a plank road that started from
8 the Market House and was completed
9 to Little River and placed under toll on
10 April 2, 1850. The road was started in 1849.
11 The task was a very difficult one be-
12 cause the road had to be built through
13 the forest. The road bed was first pre-
14 pared, and graded, the center of the road
15 was elevated and drainage for ditches
16 dug on each side. The road was built in
17 two sections. The first six miles of section
18 two was built by Duncan Murchison. The
19 additional 22½ miles to Carthage was
20 contracted to his brother, Colonel Alexander
21 Murchison.

22 Even though these two brothers lived
23 during an earlier period in ^{the} history of our
24 County, their contributions to civilization
25 are highly important. It does not seem
26 fair to remove their name, forget about
27 their part in the making of history, and
28 replace it with the name of someone



PAGE NO.	
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PREPARED BY	
DATE	

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who appears on the scene a later period in history. History is not made like that. Fayetteville is growing and developing, there will be other roads or streets that can use Dr. King's name.

We are pleading with the Council to consider our request for retaining the present name.

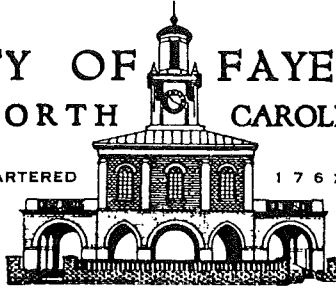
Thank you.

Citizens concerned for retaining the name of Murchison Road.



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

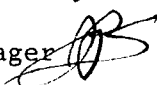
FAYETTEVILLE, NC 28301-5537

433 HAY STREET

April 29, 1992

MEMORANDUM

TO: The Mayor and Members of City Council

FROM: John P. Smith, City Manager 

SUBJECT: State Shared Local Revenues

Attached is a recent bulletin from the North Carolina League of Municipalities. The issue is local money held by the General Assembly. Those of you who attended the League Regional Meeting here in Fayetteville should have a clear understanding of this issue. Please read the attached. Your personal contact with members of our local delegation is the most effective lobbying tool the League has.

Because of the General Assembly's action in seizing and holding for themselves portions of local revenues, the City of Fayetteville will not receive nearly \$450,000 next fiscal year. That is \$450,000 paid mostly by Fayetteville taxpayers that by any measure of fairness should go for City services. That's \$450,000 that could have been used for the fight against drugs and crime, more recreation services, paving and repairing streets, merit raises to help motivate City employees or any number of other City services that will either not be funded or will have to be funded by higher local taxes or fees. The loss in future years will be even greater.

We need to let our legislators know that we expect their support of HB 916 in the short session.

JPS/kblc

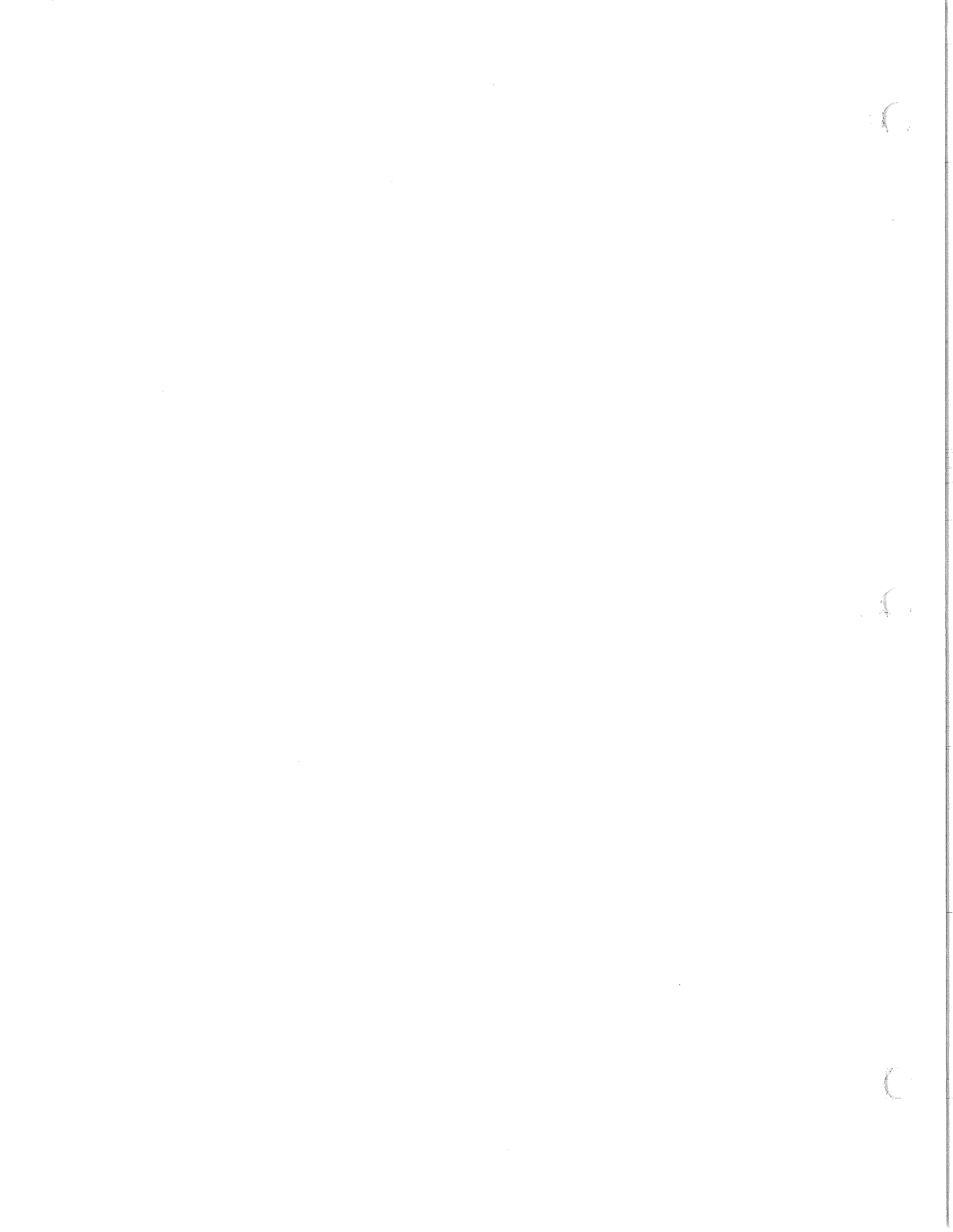
Attachment

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 8 B





League Agenda Note

North Carolina League of Municipalities

☛ To the Manager or Clerk

April 27, 1992

Telephone (919) 834-1311

FAX Number (919) 733-9519

Give Us Back What Used To Be Ours

Attention Managers: *This is the second monthly Agenda Note. The League Board requests that you put this crucial legislative issue on your governing board agenda for discussion at the next meeting. We need to raise the visibility of this with the elected officials, press and the public. We know your meetings are long already, but please give this a try. The attached memo discusses how much money you will not be getting on July 1 — the growth in your revenues. Please take this information and use it to get some media coverage and bring some pressure on General Assembly members.*

The Issue: The Local Money

Municipal officials are asking that the General Assembly begin restoring the growth and automatic distribution of key local revenues — the reimbursements and the state-collected local revenues (intangibles, beer and wine, and utility franchise tax).

"This has gone on long enough. Give us back what used to be ours. Honor your commitments." That was the message we delivered at the April 22 meeting of the Fiscal Trends Study Commission. The League and Association of County Commissioners, together, asked commission members to recommend legislation for the **May 26, 1992 short session** that would **restore the automatic statutory distribution and growth** for reimbursements and state-collected revenues. We presented a specific proposal.

Ellis Hankins, the League's General Counsel, and Morehead City Manager David Walker told the commission that the General Assembly needed to honor its commitments on the reimbursements and state-collected local revenues. We pointed out that the state-collected local

revenues were distributed automatically by statute until 1990.

In 1990, the **General Assembly ripped these big chunks out of the local revenue base** and made them part of the state budget, so the state could count the money on its balance sheet. They said it was only an accounting change and promised **in writing** to appropriate all of the money (HB 2377). Within 12 months the Governor took \$30 million to balance last year's budget, and the General Assembly failed to appropriate \$31 million of the money for this year and planned to take another \$48 million of growth for next year. So much for just an accounting change.

We had reason to hope that the study commission would take our proposal seriously. Instead, a subcommittee was asked to look into it — but the plan is that the subcommittee and full commission will not make a recommendation for the short session. We got pushed aside. This is very disappointing, although frankly we have known that "no action" was a distinct possibility.

Our task is to get some action on these crucial local revenue issues in the short session, with or without help from this study commission. Because of the big turnover that is coming for the 1993 General Assembly, it is crucial that we get this done **this year**.

House Bill 916, introduced last year by Rep. Anne Barnes at the request of the League, is **the bill** to do this. As recently revised, it **phases all of these revenues back into the local revenue base over four fiscal years**, to cushion the adverse impact on the state balance sheet. **The bill would have no effect at all on the FY 92-93 state budget.**

This is as reasonable as we can get — one knowledgeable municipal official says we are being too reasonable. This will work, and **the General Assembly can pass this bill this year** — unless some members want to keep open the option to take more and more of this local government money in future years (and some do). Some legislators say local governments need to stand on their own two feet. Fine — give us back the missing toes and don't cut off any more.

We will seek the support of the House and Senate leadership to **put the local revenue structure back together**, get this mess behind us, and **restore some trust** in the state-local partnership. The House tried to help us last year with a sales tax, and Speaker Blue continues to talk of restoring a stable, growing local revenue source. We have had constructive discussions recently with Senate President Pro Tem Henson Barnes.

We have some support for our position in the House and Senate. We certainly have some significant support among members of the study commission. Apart from **Rep. Barnes** and **Sen. Howard Lee**, former Speaker **Liston Ramsey** thinks this is the fair thing to do. People listen when he speaks. Commission member **Sam Johnson**, a former House member, wants to help us. He headed the Local Government Study Committee twenty years ago — that resulted in a complete modernization of the municipal and county statutes, passage of the LG Budget and Fiscal Control Act, and some very helpful constitutional amendments.

Action Requested:

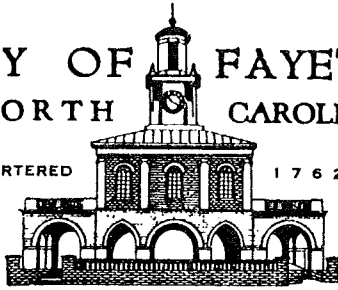
1) Each elected municipal official should resolve right now to insist that your legislators **take action this year to put the local revenue structure back together**, and to **communicate that to all of your legislators personally, as many times as it takes**. Let's **pass HB 916 this year**. Take whatever action you deem appropriate to get some media visibility on this issue. If we do not solve this problem,

larger property tax increases in the future are inevitable. We need all 500 member cities and towns working hard now to secure our future. Please do your part!!

2) Contact members of the **Fiscal Trends Study Commission subcommittee** on the state-local fiscal relationship: **Rep. Martin Nesbitt**; **Rep. Anne C. Barnes** (thank her for trying to help us fix this); **Viola Alexander**, City of Charlotte Budget Director (who obviously understands these problems); **Rep. Lyons Gray**; **Sen. Howard N. Lee** (thank him for his help also); **Sen. George Daniel** (Chairman of Senate Finance and crucial to us here); **John Sherman**, Kinston; and **Sen. Clark Plexico**. Contact us if you need more information. Encourage them to get on with this before the short session. Also contact the full commission's co-chairs — **Sen. Beverly Perdue** and **Rep. David Diamont** — to urge action this year to restore these revenue sources to the local revenue base.

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

15 April 1992

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 February, 1992 for the Office of Professional Standards.

REH:lof

Attachment

122nd NATIONALLY ACCREDITED



LAW ENFORCEMENT A

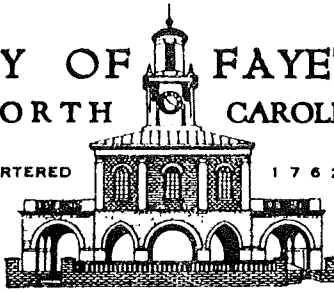
An Equal Opportunity Affirmative Action Employer

INFORMATION

4-15-92

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

15 April 1992

MISSION STATEMENT

TO FULFILL OUR DUTIES AND SERVE OUR COMMUNITY
EFFICIENTLY AND EFFECTIVELY, THE OFFICE OF PROFESSIONAL
STANDARDS & INSPECTIONS WILL CONTINUALLY
IMPROVE THE QUALITY OF LIFE FOR ALL CITIZENS WITHIN
OUR JURISDICTION CONSISTENT WITH THE GOALS
AND MISSIONS OF THE CITY OF FAYETTEVILLE.

ADMINISTRATIVE

MEMORANDUM TO: Ronald E. Hansen, Chief of Police

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

The monthly report from the Office of Professional Standards & Inspections for the month of February 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

An Equal Opportunity Affirmative Action Employer

**CITIZEN COMPLAINTS
FEBRUARY 1992**

This Year, 1992, to date: 10
Last Year, 1991, to date: 4

<u>FILE NUMBER</u>	<u>COMPLAINANT RACE & SEX</u>	<u>NATURE OF COMPLAINT</u>	<u>DISPOSITION OF CASE</u>
92-006(C)	W/M	Courtesy	Exonerated
92-007(C)	W/M	Vehicle Operation	Disc. Action
92-008(C)	W/M	Unbecoming Conduct	Exonerated
92-009(C)	W/M	Unbecoming Conduct	Exonerated

CASE PENDING FOR FEBRUARY 1992 = 1

92-010(C)

CARRY OVER CASE FROM JANUARY 1992

92-003(C)	B/M	Excessive Force	Exonerated
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<u>DISPOSITIONS</u>	<u>THIS MONTH</u>	<u>YEAR TO DATE</u>	
Exonerated	4	7	78%
Disc. Action	<u>1</u>	<u>2</u>	<u>22%</u>
TOTALS	5	9	100%

**USE OF FORCE INVESTIGATIONS
FEBRUARY 1992**

This Year, 1992, to date: 8
 Last Year, 1991, to date: 20

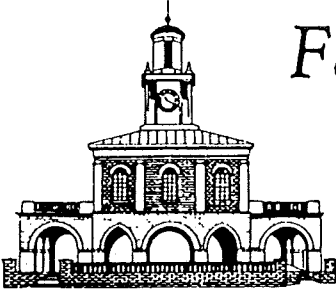
<u>FILE NUMBER</u>	<u>FORCE USED</u>	<u>INJURY</u>	<u>CHARGE(S)</u>	<u>DISPOSITION</u>
92-007(F)	Mace	None	Kidnap	Exonerated
92-008(F)	Mace	None	CCW/Trespass	Disc. Action

<u>DISPOSITIONS</u>	<u>THIS MONTH</u>	<u>YEAR TO DATE</u>	
No Excessive Force	1	6	75%
Excessive Force	<u>1</u>	<u>2</u>	<u>25%</u>
TOTALS	2	8	100%

**POLICE VEHICLE PURSUITS
FEBRUARY 1992**

Vehicle Pursuits = 2





Fayetteville Appearance Commission of the City of Fayetteville

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

April 29, 1992

M E M O R A N D U M

TO: Fayetteville Appearance Commission Members
FROM: Judy Masters, Chairperson J.M.
SUBJECT: Called Meeting

NOTICE

A Called Meeting of the Fayetteville Appearance Commission will be held on Tuesday, May 12, 1992 at 5:45 p.m. in the First Floor Multipurpose Room of the City Hall at 433 Hay Street.

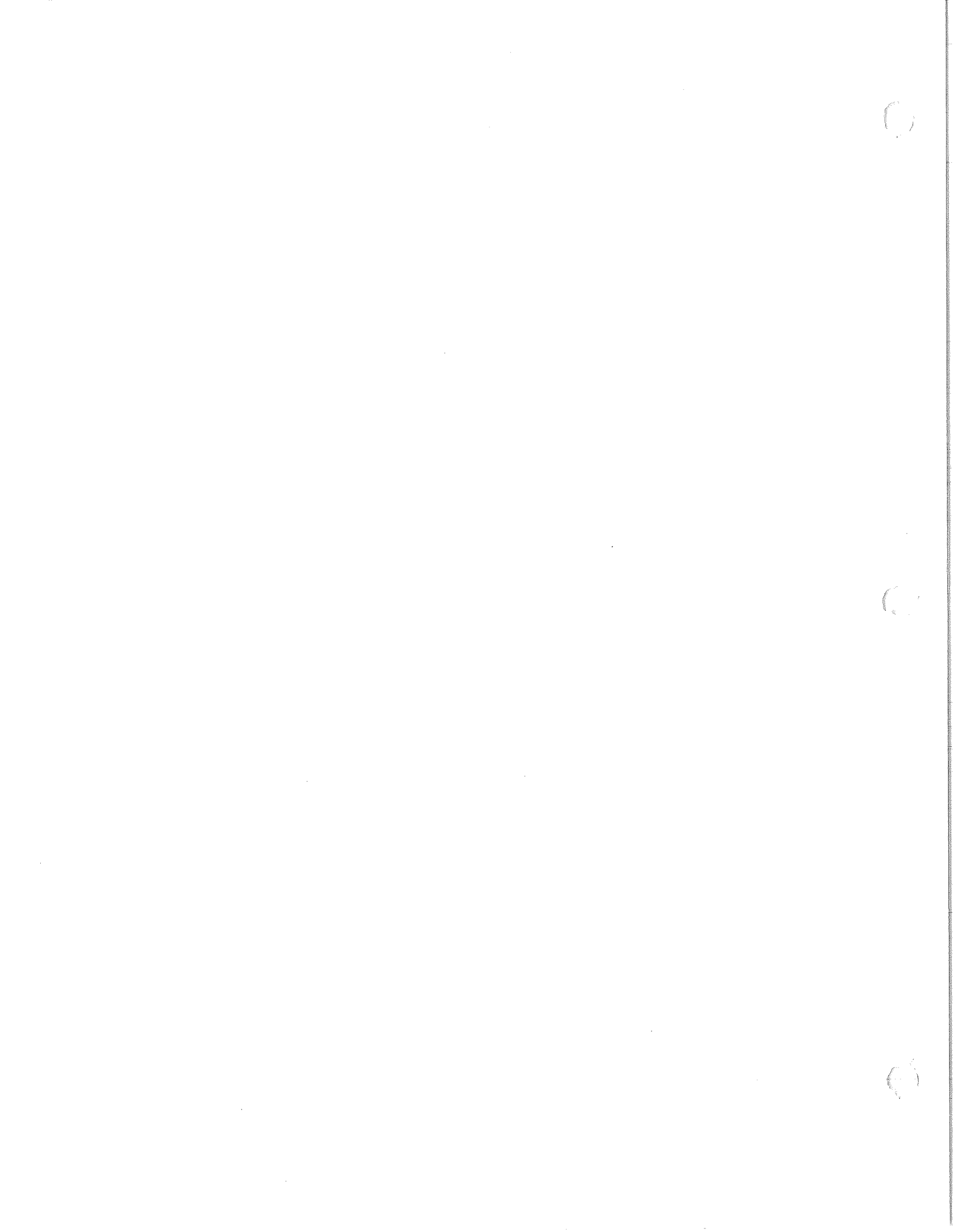
AGENDA

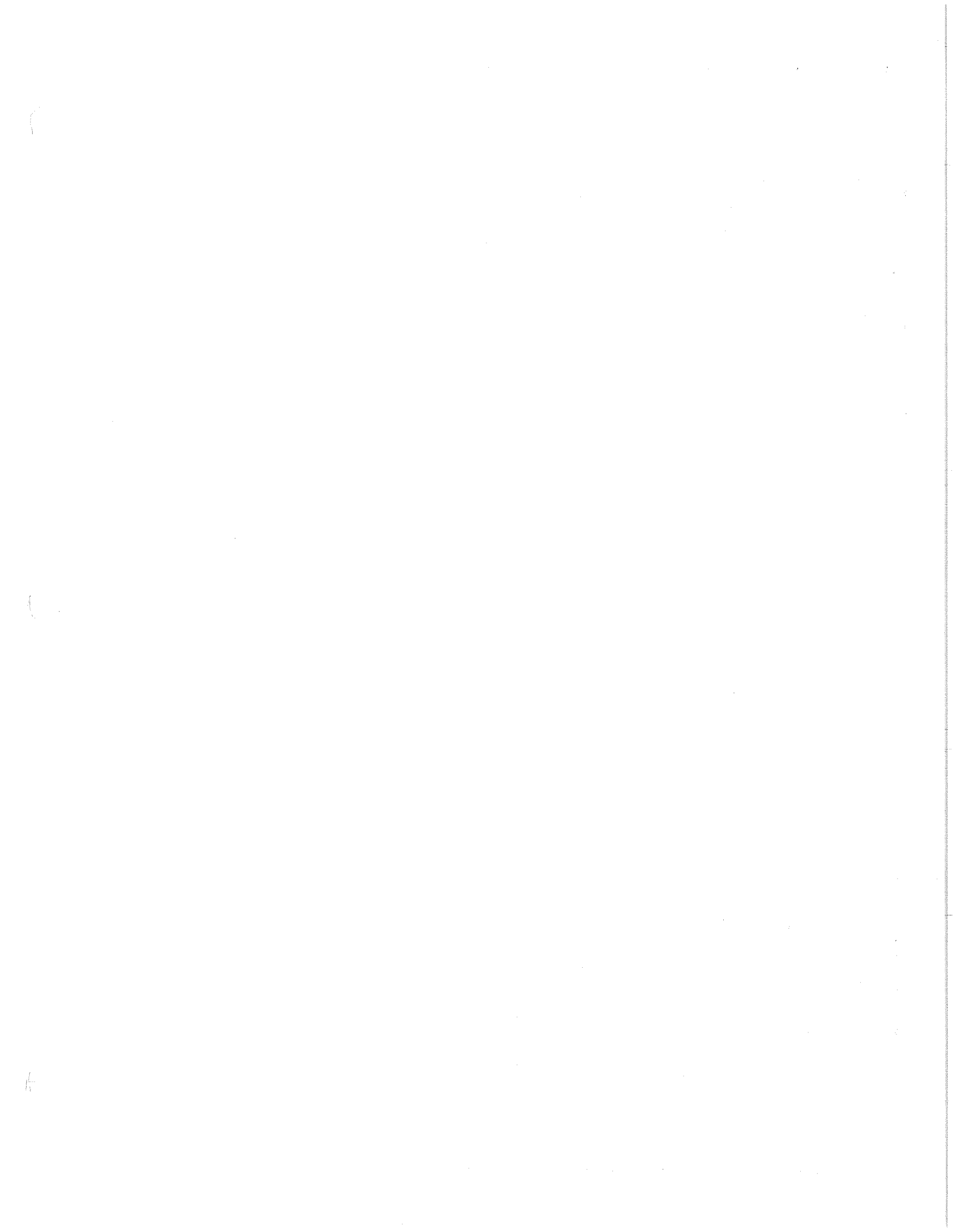
1. AMTRAK Station Canopy Review - Ron Rice
2. Spring Appearance Award Selections

JM/WMH/sc

Enclosure: Nominees of Awards

INFORMATION





Potential Health and Environmental Tips May 1992

Date: Tuesday, May 5

Time: 10:30 a.m.

Place: Senior Service Center

Topic: **Hearing Aid - Hearing Test**
Will be conducted and all hearing aids checked free

Speaker: Ann P. Hughes
Apple Hearing Care

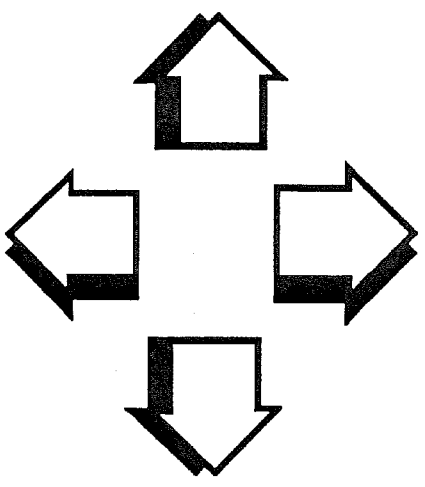
Date: Tuesday, May 19

Time: 10:30 a.m.

Place: Senior Service Center

Topic: **Fire Safety**
How to prevent fire and what to do in case of a fire

Speaker: Benjamin Major
Fire Department



Date: Thursday, May 14

Time: 10:30 a.m.

Place: Senior Service Center

Topic: **Brown Bag Medication**
Tips on how to keep track of your medication and how not to be a victim of circumstance

Speaker: Darlene Weaver
Mental Health Department

Date: Thursday, May 28

Time: 10:30 a.m.

Place: Senior Service Center

Topic: **Self Defense**
Learn to be self-protective at all times

Speaker: Sgt. Weathers
Police Department

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