



FAYETTEVILLE CITY COUNCIL
AGENDA
OCTOBER 28, 2013
7:00 P.M.
Council Chamber

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 APPROVAL OF AGENDA

5.0 PUBLIC FORUM

6.0 CONSENT

6.1 Ordinance of the City Council of the City of Fayetteville Amending Chapter 15, Licenses, Article I, in General, Section 15-16 of the Code of Ordinances of the City of Fayetteville, North Carolina (Solicitor's Permit)

6.2 Budget Ordinance Amendment 2014-2 General Fund and Capital Project Ordinance Amendment 2014-20 for Murchison Road Redevelopment Area

6.3 Award Contract for the Purchase of Four (4) Automated Side Loader Refuse Trucks

6.4 Budget Ordinance Amendment 2014-3 - Carryover of Encumbered, Designated and Donated Funds from Fiscal Year 2013

6.5 Call for Special Meetings on Monday, November 18, 2013 @ 6 p.m. and 7 p.m., and cancel the Agenda Briefing Meeting scheduled for Wednesday, November 20, 2013.

6.6 Capital Project Fund Ordinance 2014-13 (2013 Justice Assistance Grant)

- 6.7 Capital Project Ordinance Amendment 2014-21 (Freedom Memorial Park)
- 6.8 Capital Project Ordinance Amendment 2014-22 (FY12 Transit Capital Grant 514)
- 6.9 P13-30F. The initial zoning of property to SF-10 Single Family Residential zoning, located on Burnside Place, and being the property of SRW Builders Inc.
- 6.10 P13-32F. The rezoning of property from HI – Heavy Industrial to CC – Community Commercial or to a more restrictive district, for property located at 3126 Gillespie Street and being the property of Freedom Christian Academy.
- 6.11 P13-38F. The initial zoning of property to HI – Heavy Industrial or to a more restrictive district, located at 327 Jenkins Street, and being the property of Froehling & Robertson Inc.
- 6.12 Certification of Results from the Cumberland County Board of Elections for the October 8, 2013 Municipal Primary Election for Mayor, City Council Districts 3, 6, 8, and 9.
- 6.13 Engineering & Infrastructure - Adopt a Resolution Declaring Real Property Owned Jointly with Cumberland County Surplus and Authorizing a Quitclaim of the City's Title to the County in Order to Expedite Sale of the Land by Cumberland County.
- 6.14 Resolution to Set Public Hearing to Consider Closing an Unopened Portion of Wesley Avenue
- 6.15 Approve Meeting Minutes:
 - 091813 Agenda Briefing
 - 092313 Discussion of Agenda Items
 - 092313 Regular Meeting
 - 100713 Work Session
- 6.16 Bid Recommendation - Water and Wastewater Chemicals
- 6.17 Bid Recommendation for Purchase of Two Electrical Bus Breakers and Twelve Electrical Feeder Breakers
- 6.18 Reimbursement Resolution for Vehicle and Equipment Financing
- 6.19 Request for Legal Representation of City Employees

- 6.20 Resolution/Budget Amendments Related to Annexation Phase V – Areas 16 through 17
- 6.21 Special Revenue Fund Project Ordinance Amendment 2014-3
(Appropriation of Federal Forfeiture and State Controlled Substance Tax Funds for Law Enforcement Purposes)
- 6.22 Resolutions Accepting State Revolving Loan Offer and Establishing a Capital Project Fund for the Sanitary Sewer Replacement Project on Person Street at the Lobster House
- 6.23 Tax Refunds Greater Than \$100

7.0 PUBLIC HEARINGS

For certain issues, the Fayetteville City Council may sit as a quasi-judicial body that has powers resembling those of a court of law or judge. The Council will hold hearings, investigate facts, weigh evidence and draw conclusions which serve as a basis for its decisions. All persons wishing to appear before the Council should be prepared to give sworn testimony on relevant facts.

- 7.1 P13-29F. The issuing of a Special Use Permit to allow for a columbarium to be located at 906 McPherson Church Road and being the property of Village Baptist Church
Presenter(s): Craig Harmon, AICP, CZO - Planner II
- 7.2 Case # P13-33F. The rezoning of property from SF-10 – Single Family Residential to NC – Neighborhood Commercial District or to a more restrictive district, located at the northwest corner of Stacy Weaver Dr. and McArthur Rd. being the property McLean Development Corporation.
(Appeal of a Zoning Commission Denial)
Presenter(s): Craig Harmon, AICP, CZO - Planner II
- 7.3 Public Hearing to Consider Request to Annex Property of Froehling & Robertson, Inc.
Presenter(s): David Nash, AICP, Senior Planner
- 7.4 Public Hearing to Consider Request to Annex Property of SRW Builders, Inc.-Part of Burnside Park
Presenter(s): David Nash, AICP, Senior Planner
- 7.5 Adopt a Resolution and Order Closing a Portion of Turnpike Road

Presenter(s): Kecia Parker, Real Estate Manager
- 7.6 PWC - Phase 5 Annexation Public Hearing
Presenter(s): Mark Brown, PWC Senior Customer Programs Officer
- 7.7 Code Amendment to Chapter 30 for miscellaneous corrections and adjustments (set 9)
Presenter(s): Karen S. Hilton, AICP, Manager, Planning and Zoning
- 7.8 Amend City Code Chapter 30 to incorporate definitions and standards to establish rules on when and where Food Trucks may operate within the

City of Fayetteville as an accessory use in specified business districts.
Presenter(s): Will Deaton, Planner II, Planning and Zoning

7.9 Amendment to City Code Chapter 30 to clarify clear-cutting standards and provide options for mitigation of related violations
Presenter(s): Eloise Sahlstrom, AICP, Urban Designer, Planning and Zoning

7.10 Amendment to City Code Chapter 30 to modify the requirements associated with mid-block connections and block lengths
Presenter(s): Karen S. Hilton, AICP, Manager, Planning and Zoning

7.11 Amendment to City Code Chapter 30 to modify zero lot line standards and allow it in additional zoning districts
Presenter(s): Karen S. Hilton, AICP, Manager, Planning and Zoning

7.12 Amendment to City Code Chapter 30 to clarify "redevelopment" and make minor adjustments to open space standards
Presenter(s): Karen S. Hilton, AICP, Manager, Planning and Zoning

8.0 OTHER ITEMS OF BUSINESS

8.1 Annual Sustainability Report
Presenter(s): Jerry Dietzen, Environmental Services Director

8.2 National League of Cities (NLC) Conference Voting Delegates
Presenter(s): Pamela Megill, City Clerk

8.3 Rental Action Management Program Ordinance Adjustment
Presenter(s): Scot Shuford, Development Services Director

8.4 Revenue and Expenditure Report for Annual Funds for the Three-Month Period Ended September 30, 2013
Presenter(s): Lisa SMith, Chief Financial Officer

8.5 Uninhabitable Structures Demolition Recommendations
228 S. C Street
216 Hedgepeth Street
1040 Kingsley Road
2008 Overlook Drive
2869 Owen Drive

Presenter(s): Scott Shuford, Development Services Director

8.6 Parks and Recreation - Outdoor Adoption Program/Gateways

Presenter(s): Michael Gibson, Parks, Recreation and Maintenance Director

9.0 ADMINISTRATIVE REPORTS

9.1 Monthly Statement of Taxes for September 2013

9.2 Tax Refunds of Less Than \$100

10.0 ADJOURNMENT

CLOSING REMARKS

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 the Executive Offices, Second Floor, 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 p.m. and 7:00 p.m.

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

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 twenty (20) 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.

COUNCIL MEETING WILL BE AIRED

October 28 - 7:00 p.m. FAY TV 7

COUNCIL MEETING WILL BE rebroadcast various times during the week on FayTV7.

Notice Under the Americans with Disabilities Act (ADA): The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Any person who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in any City program, service, or activity, should contact the office of Ron McElrath, ADA Coordinator, at rmcelrath@ci.fay.nc.us, 910-433-1696, or the Office of the City Clerk at cityclerk@ci.fay.nc.us, 910-433-1989, as soon as possible but no later than 72 hours before the scheduled event.

CITY COUNCIL ACTION MEMO

TO:

FROM:

DATE: October 28, 2013

RE:

THE QUESTION:

RELATIONSHIP TO STRATEGIC PLAN:

BACKGROUND:

ISSUES:

BUDGET IMPACT:

OPTIONS:

RECOMMENDED ACTION:

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: October 28, 2013
RE: Ordinance of the City Council of the City of Fayetteville Amending Chapter 15, Licenses, Article I, in General, Section 15-16 of the Code of Ordinances of the City of Fayetteville, North Carolina (Solicitor's Permit)

THE QUESTION:

Does City Council wish to modify the permit requirements for solicitors?

RELATIONSHIP TO STRATEGIC PLAN:

Goal 1: The City of Fayetteville will be a safe and secure community.

BACKGROUND:

In recent months, the City received inquiries regarding the required frequency to renew a solicitor's permit for alarm company representatives as well as the City's process for ensuring that alarm company representatives are properly licensed by the State.

In addition, the City recently began requiring alarm company representatives to present a copy of their state license prior to accepting a city solicitor's permit application. Since this is not in the ordinance, the City Attorney's Office recommended an ordinance amendment to explicitly authorize the City to require evidence of any required federal or state license, prior to issuing a solicitor's permit.

At the October 7 worksession, staff provided an overview of the City's current ordinance regarding solicitation as well as permitting processes utilized by several of our municipal peers. At the conclusion of the presentation, the general consensus of Council was to have staff submit proposed ordinance changes at the next meeting to: 1) require applicants to submit documentation of any required Federal or State licensure as it relates to solicitation for the business or practice identified in the permit application; and, 2) establish a one-year permit for a solicitor that is also subject to State or Federal licensure as it relates to solicitation regarding the businesses or practices identified in the application.

The attached ordinance amending Chapter 15 of the City Code will accomplish the two objectives outlined above and is presented to Council for consideration. To facilitate review, a redlined version of the amended sections of Chapter 15 are also provided.

ISSUES:

None.

BUDGET IMPACT:

The total revenue generated through the issuance of all solicitors' permits is estimated to be \$4,600 per year.

OPTIONS:

1. Adopt the ordinance amendments and proceed with the new provisions.
2. Do not adopt the ordinance amendments and provide further direction to staff.

RECOMMENDED ACTION:

Adopt the ordinance amendments as outlined.

ATTACHMENTS:

Ordinance Amending City Code Chapter 15, Section 15-16 (Solicitors)

Red-Lined Version Showing Changes to Chapter 15, Section 15-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 15, LICENSES, ARTICLE I, IN GENERAL, SECTION 15-16 OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that the Licenses Ordinance adopted as Chapter 15 of the Fayetteville Code of Ordinances and last amended October 27, 2008, be amended as follows:

Section 1. Amend Section 15-16 SOLICITING IN PRIVATE RESIDENCES AND ON STREETS AND SIDEWALKS- DECLARED NUISANCE; PERMITS, Subsection (b) to delete the word “also” in reference to application photographs and add the statement “The applicant shall also furnish documentation evidencing any State or Federal licensure required to engage in solicitation as it relates to the businesses and practices identified in the application” as follows:

(b) *Application.* Any person desiring to engage in the businesses or practices set forth in subsection (a) of this section shall file with the collection division of the finance department an application for a permit to do so. The application shall be in writing, under oath, and shall show the applicant’s name, age, current address and nature of business of his employer or principal, if any, and shall specify in detail the goods, wares, periodicals or other merchandise to be offered for sale, to include the state of origin of the items. The applicant shall furnish at the time of filing of the application 2 ½ -inch by 2 ½ -inch photographs made within one year of the date of application and a fingerprint card completed by the applicant. The applicant shall also furnish documentation evidencing any State or Federal licensure required to engage in solicitation as it relates to the businesses or practices identified in the application. If the application is filed by an employer, there shall also be filed a separate application for each solicitor, giving the information set forth in this subsection as to the qualifications of each solicitor and the application shall be signed and sworn by each solicitor.

Section 2. Amend Section 15-16 SOLICITING IN PRIVATE RESIDENCES AND ON STREETS AND SIDEWALKS- DECLARED NUISANCE; PERMITS, Subsection (e) to add the statement “Notwithstanding the preceding, any permit issued hereunder to a solicitor that is also subject to State or Federal licensure as it relates to solicitation regarding the businesses or practices identified in the application shall expire one year after its issuance. Such permit may otherwise be renewed in accordance with this section” as follows:

(e) *Duration; renewal.* Any permit issued hereunder shall expire three months after its issuance; provided that such permit may be renewed for additional periods of three months, provided that all conditions for issuance of the original permit are met, and the applicant pays a renewal fee in accordance with the fee schedule adopted by the city council. Notwithstanding the preceding, any permit issued hereunder to a solicitor that is also subject to State or Federal licensure as it relates to solicitation regarding the

businesses or practices identified in the application shall expire one year after its issuance. Such permit may otherwise be renewed in accordance with this section.

Section 3. Amend Section 15-16 SOLICITING IN PRIVATE RESIDENCES AND ON STREETS AND SIDEWALKS- DECLARED NUISANCE; PERMITS, Subsection (h) to add the statement “(3) If applicable State or Federal licensure as it relates to solicitation regarding businesses or activities identified in the application is denied or revoked” as follows:

(h) *Revocation.* The permit issued under this section may be revoked for the following reasons:

- (1) Making a false statement on the application for permit;
- (2) If the permittee, while possessing a permit issued pursuant to this chapter is convicted of any offense for which an application would have been denied in subsection (c) of this section.
- (3) If applicable State or Federal licensure as it relates to solicitation regarding businesses or activities identified in the application is denied or revoked.

Section 4. The City Clerk is hereby authorized to revise formatting, correct typographical errors, verify and correct cross references, indexes, and diagrams as necessary to codify, publish and/or accomplish the provisions of this ordinance as long as doing so does not alter the material terms of Chapter 15 of the Fayetteville Code of Ordinances.

Section 5. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

Adopted this ____ day of October, 2013.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

**Sec. 15-16. Soliciting in private residences and on streets and sidewalks—
Declared nuisance; permits.**

(a) *Required permit.* It shall be unlawful for any person to go in or upon, or permit his representative to go in or upon, any public property, private residence or premises in the city as a solicitor, peddler, or transient vendor of merchandise, not having been requested or invited so to do by the occupants of such private residence or having secured their permission so to do for the purpose of soliciting orders for the sale of goods, wares, periodicals or merchandise, or for the purpose of distributing, disposing of, or peddling such goods, wares, periodicals or merchandise, or in a public place or on property exposed to the public view, to sell or offer to sell goods, merchandise or services, without first obtaining a permit from the City of Fayetteville as provided in this section.

(b) *Application.* Any person desiring to engage in the businesses or practices set forth in subsection (a) of this section shall file with the collection division of the finance department an application for a permit to do so. The application shall be in writing, under oath, and shall show the applicant's name, age, current address, and place of residence and nature of employment during the preceding year, the address and nature of business of his employer or principal, if any, and shall specify in detail the goods, wares, periodicals or other merchandise to be offered for sale, to include the state of origin of the items. The applicant shall furnish at the time of filing of the application 2½-inch by 2½-inch photographs made within one year of the date of application and a fingerprint card completed by the applicant. The applicant shall also furnish documentation evidencing any State or Federal licensure required to engage in solicitation as it relates to the businesses or practices identified in the application. If the application is filed by an employer, there shall also be filed a separate application for each solicitor, giving the information set forth in this subsection as to the qualifications of each solicitor and the application shall be signed and sworn by each solicitor.

(c) *Issuance; fee.* All applicants will be subject to a criminal history records background check. If, upon investigation and review of the applicant's criminal background, the chief of police or his designee find that the applicant has been convicted within the last five years of violating:

- (1) G.S. 14-1 et seq.;
- (2) Any provision of G.S. 90-86 et seq.; G.S. 90-113.8A et seq.; G.S. 90-113.20 et seq.;
- (3) This chapter;
- (4) Any statute or ordinance relating to the use of sales or subscription methods involving fraud, misrepresentation, or false or misleading statements; or

- (5) If the applicant will be using a motor vehicle to sell food, goods, or merchandise on a public street or right-of-way, or in a public park, any moving violation of G.S. 20-1 et seq., including but not limited to speeding, the careless and reckless operation of a motor vehicle, driving while impaired, and suspension or revocation of a driver's license;

then the issuance of the permit shall be denied.

(d) *Denial of permits; appeal.* If the chief of police denies the issuance of the permit as specified in subsection (c) of this section, the applicant may appeal such decision to the city manager or his designee, whose decision shall be final.

(e) *Duration; renewal.* Any permit issued hereunder shall expire three months after its issuance; provided that such permit may be renewed for additional periods of three months, provided that all conditions for issuance of the original permit are met, and the applicant pays a renewal fee in accordance with the fee schedule adopted by the city council. Notwithstanding the preceding, any permit issued hereunder to a solicitor that is also subject to State or Federal licensure as it relates to solicitation regarding the businesses or practices identified in the application shall expire one year after its issuance. Such permit may otherwise be renewed in accordance with this section.

(f) *Transferability.* No permit issued under the provisions of this section shall be transferable.

(g) *Display.* Each permit issued under the provisions of this section shall be carried at all times by the permittee when he is engaged in soliciting or canvassing in the city. It shall be unlawful for such permittee to fail or refuse to exhibit such permit whenever required to do so by any citizen of the city or police officer.

(h) *Revocation.* The permit issued under this section may be revoked for the following reasons:

- (1) Making a false statement on the application for permit;
- (2) If the permittee, while possessing a permit issued pursuant to this chapter is convicted of any offense for which an application would have been denied in subsection (c) of this section.
- (3) If applicable State or Federal licensure as it relates to solicitation regarding businesses or activities identified in the application is denied or revoked.

If the chief of police has probable cause to believe that a permit should be revoked pursuant to the reasons set forth in this section, he or his designee shall give notice in writing of the revocation and the reason therefor to the permittee or his employer in writing, at the address of the permittee or the business address of the permittee or

employer. A certificate of the person designated to mail the notice showing that it was mailed first class mail and on what date shall be conclusive as to compliance with the mailing provisions of this section in the absence of fraud. The revocation shall be effective upon receipt of the notice or within three days of the mailing, whichever first occurs. The permittee may appeal the revocation provided the appeal is done in writing to the city manager, 433 Hay Street, Fayetteville, North Carolina 28301, and postmarked within 48 hours of the receipt of the notice of revocation or five days of the date of the original mailing of the notice of revocation, whichever first occurs. Upon receipt of the notice, the city manager or his designee shall conduct a hearing within five working days, the date to be determined by the city manager or his designee, and the decision of the city manager or his designee shall be final.

(i) *Nuisance.* The practice of soliciting citizens and others on the streets and sidewalks of the city or on private property by solicitors, peddlers, hawkers and transient vendors of merchandise and stopping persons thereon without having been invited so to do by such for the purpose of soliciting subscriptions to publications and periodicals or for the sale of goods, wares and merchandise or for the purpose of disposing of or hawking such goods, wares and merchandise is hereby declared to be a nuisance and unlawful.

(j) *No soliciting after certain hours.* Unless previously arranged with the consent of the owner, lessee, or manager of the property, there shall be no soliciting on public or private property after 9:00 p.m. or before 9:00 a.m.

(k) *Exemption.* The requirements of subsections (a) through (j) of this section shall not apply to any charitable organization qualifying as a tax exempt organization under section 501(c)(3) of the Internal Revenue Code of 1954 as amended, or any persons, firms, or corporations acting under the sponsorship and aegis of such charitable organization.

(l) The sale of fresh vegetables and produce from curbside stands or in a similar fashion shall be exempt from the provisions of this section provided that:

- (1) Seller first obtains permission from the property owner to conduct his selling activity;
- (2) No privilege license is otherwise required for the sale of such vegetables and produce.

(m) *Impeding traffic on streets or roadways.*

- (1) It shall be unlawful for any person to stand, sit, or loiter in any street or highway, including the shoulders or median strip, but excluding sidewalks, and to stop or attempt to stop any vehicle or to approach any stopped vehicle for the purpose of soliciting or accepting contributions of money,

food or employment from the occupants of any vehicle or for the purpose of distributing merchandise or services to the occupants of any vehicle.

- (2) This section shall not apply to (a) licensees, lessees, franchisees, permittees, employees or contractors of the city or of the North Carolina Department of Transportation engaged in inspection, construction, repair, or maintenance or in making traffic or engineering surveys, or (b) emergency, public safety, solid waste or public works employees engaged in the performance of their respective occupations.
- (3) Notwithstanding the other provisions of this section that regulate streets, each violation of this section is also punishable as a misdemeanor.

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Victor Sharpe, Community Development Director
DATE: October 28, 2013
RE: **Budget Ordinance Amendment 2014-2 General Fund and Capital Project Ordinance Amendment 2014-20 for Murchison Road Redevelopment Area**

THE QUESTION:

City Council is asked to adopt a budget ordinance amendment and capital project ordinance amendment to provide \$500,000 in additional funding for the acquisition of land in the Murchison Road Catalyst Site 1 as presented at the October 7, 2013 City Council Work Session.

RELATIONSHIP TO STRATEGIC PLAN:

Safe and Secure Community; Diverse and Viable Economy, and Desirable Place to Live, Work and Recreate.

BACKGROUND:

On January 28, 2013, City Council adopted a resolution authorizing the City Manager to execute documents pertaining to the acquisition of property in Catalyst Site 1 of the Murchison Road Redevelopment Plan Area. Since that time, City Staff has been successful in acquiring parcels in the subject area.

The acquisition of land in Catalyst Site 1 of the Murchison Road Redevelopment Plan area has been approved by City Council. Funding is currently recommended in the Capital Improvement Plan (CIP) and has been funded in last year and this year's budget in the amount of \$380,000.

Catalyst Site 1 contains 73 parcels. To date the City has expended \$149,498 to acquire 7 parcels. There are 13 parcels scheduled to close in the next two weeks totaling \$99,582. After the City closes on the 13 parcels, \$130,920 will be available. City Staff is currently in negotiation with the owners of 23 additional parcels. The acquisition of the 23 parcels exceeds the remaining amount available to spend this fiscal year.

There are 2 parcels owned jointly by the City and the County. We have requested those parcels from the County. There are 3 parcels owned by the NC Department of Transportation and staff has plans to request those properties also.

This item was reviewed by City Council at the October 7, 2013 Work Session.

ISSUES:

To date \$380,000 has been budgeted in the CIP for the acquisition of land in Catalyst Site 1. Additional funding is needed to further the acquisition portion of the plan.

BUDGET IMPACT:

The adopted CIP anticipated annual funding of \$180,000 per year for FY15, FY16 and FY17 for an additional \$540,000 for land acquisition for this project. The funds are coming from the General Fund, through the "Capital Funding Plan". The Capital Funding Plan has sufficient funds on hand currently to accelerate \$500,000 for this project to this fiscal year.

OPTIONS:

- Adopt the budget ordinance amendment and capital project ordinance amendment to provide the funding for the additional land purchases.
- Do not adopt the budget ordinance amendment and capital project ordinance amendment to provide funding for the additional land purchases, and provide additional direction to staff.

RECOMMENDED ACTION:

Adopt Budget Ordinance Amendment 2014-2 and Capital Project Ordinance Amendment 2014-20 as presented.

ATTACHMENTS:

Budget Ordinance Amendment

Capital Project Ordinance Amendment

2013-2014 BUDGET ORDINANCE AMENDMENT
CHANGE 2014-2

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

That the City of Fayetteville Budget Ordinance adopted June 24, 2013 is hereby amended as follows:

Section 1. It is estimated that the following revenues and other financing sources will be available during the fiscal year beginning July 1, 2013, and ending June 30, 2014, to meet the appropriations listed in Section 2.

<u>Item</u>	<u>Listed As</u>	<u>Revision</u>	<u>Revised Amount</u>
<u>Schedule A: General Fund</u>			
Fund Balance Appropriation	\$ 3,450,328	\$ 500,000	\$ 3,950,328
All Other General Fund Revenues	147,164,397	-	147,164,397
Total Estimated General Fund Revenues and Other Financing Sources	<u>\$ 150,614,725</u>	<u>\$ 500,000</u>	<u>\$ 151,114,725</u>

Section 2. The following amounts are hereby appropriated for the operations of the City Government and its activities for the fiscal year beginning July 1, 2013, and ending June 30, 2014, according to the following schedules:

<u>Item</u>	<u>Listed As</u>	<u>Revision</u>	<u>Revised Amount</u>
<u>Schedule A: General Fund</u>			
Community Investment	\$ 17,008,398	\$ 500,000	\$ 17,508,398
All Other General Fund Appropriations	133,606,327		133,606,327
Total Estimated General Fund Expenditures	<u>\$ 150,614,725</u>	<u>\$ 500,000</u>	<u>\$ 151,114,725</u>

Adopted this 28th day of October, 2013.

**CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-20 (CPO 2013-3)**

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

Section 1. The project change authorized is to Capital Project Ordinance 2013-3, adopted June 11, 2012, for the funding of the Murchison Road redevelopment project, including property acquisition.

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

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

	Listed As	Amendment	Revised
General Fund Transfer	<u>\$ 380,000</u>	<u>\$ 500,000</u>	<u>\$ 880,000</u>

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

Project Expenditures	<u>\$ 380,000</u>	<u>\$ 500,000</u>	<u>\$ 880,000</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

Adopted this 28th day of October, 2013.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of Council
FROM: Gloria Wrench, Purchasing Manager
DATE: October 28, 2013
RE: **Award Contract for the Purchase of Four (4) Automated Side Loader Refuse Trucks**

THE QUESTION:

Is it in the interest of Council to approve a contract for the purchase of four (4) automated side loader refuse trucks for use by Environmental Services?

RELATIONSHIP TO STRATEGIC PLAN:

Goal #3 - More Efficient City Government - Cost Effective Service Delivery

BACKGROUND:

The City's Environmental Services Department has the need to purchase four (4) replacement refuse trucks. Formal bids for the purchase of these trucks were received September 12, 2013. Attached is a bid tabulation of the bids received. Staff recommends that Council award a contract to Transource, Inc., Raleigh, NC, for the purchase of four (4) 2014 Mack Low Entry Cab and Chassis with Labrie Automizer RH Full Eject Bodies at a cost of \$234,608 each, for a total purchase price of \$938,432.00. Both GSP Marketing/GS Products, Somerset, PA and Transource, Inc., Raleigh, NC, submitted lower bids for units with a GS Collecstar Body; however, after evaluation of the bids, including reference checks, staff feels that some of the exceptions taken to the City's specifications would result in the unit not being as efficient, which would slow down operations and lead to extended route times. When budgeting for these units, the intent was to purchase (4) of the side loader units to do the work of five (5) rear loader units. Staff does not feel they would be able to achieve this objective with the GS Collecstar units.

ISSUES:

None

BUDGET IMPACT:

\$980,000 has been budgeted in the FY2014 capital budget for the purchase of these trucks.

OPTIONS:

(1) Award contract according to staff recommendation. (2) Not award contract and provide further direction to staff.

RECOMMENDED ACTION:

Staff recommend Council move to award contract for the purchase of four (4) Mack/Labrie automated side loader refuse trucks to Transource, Inc., Raleigh, NC, in the amount of \$938,432.00.

ATTACHMENTS:

Bid Tabulation

CITY OF FAYETTEVILLE			
BID FOR FOUR (4) AUTOMATED SIDE LOADING REFUSE TRUCKS			
BIDDER	UNIT PRICE	TOTAL PRICE	MANUFACTURER/MODEL FOR CAB & CHASSIS AND BODY
TRANSOURCE	\$225,223.06	\$900,892.24	MACK/GS COLLECSTAR
GSP MARKETING/GS PRODUCTS	\$225,273.06	\$901,092.24	MACK/GS COLLECSTAR
TRANSOURCE	\$234,608.00	\$938,432.00	MACK/LABRIE
CAROLINA ENVIRONMENTAL SYSTEMS	\$239,220.00	\$956,880.00	MACK/HEIL
TRANSOURCE	\$239,940.00	\$959,760.00	MACK/HEIL
GSP MARKETING/GS PRODUCTS	\$240,088.06	\$960,352.24	CRANE CARRIER/GS COLLECSTAR
CAROLINA ENVIRONMENTAL SYSTEMS	\$243,320.00	\$973,280.00	MACK/HEIL
GSP MARKETING/GS PRODUCTS	\$249,418.13	\$997,672.52	AUTOCAR/GS COLLECSTAR
SOUTHERN TRUCK SERVICE, INC.	\$253,680.00	\$1,014,720.00	CRANE CARRIER/LABRIE
SOUTHERN TRUCK SERVICE, INC.	\$253,735.00	\$1,014,940.00	CRANE CARRIER/HEIL
ADVANTAGE TRUCK CENTER	\$260,019.79	\$1,040,079.16	AUTOCAR/LABRIE
ADVANTAGE TRUCK CENTER	\$265,350.91	\$1,061,403.64	AUTOCAR/HEIL

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: October 28, 2013
RE: **Budget Ordinance Amendment 2014-3 - Carryover of Encumbered, Designated and Donated Funds from Fiscal Year 2013**

THE QUESTION:

Council is asked to approve this budget ordinance amendment which will appropriate \$1,599,240 across several annually budgeted funds for outstanding purchase orders and contracts and \$1,032,009 in the General Fund for unspent donations and specific items for which funding was designated (assigned) at the close of fiscal year 2012-2013. Funding for these expenditures was included or available in the fiscal year 2012-2013 budget and is being reappropriated from fund balance or net assets in the various funds. The General Fund will transfer \$30,786 to the Transit Fund and \$2,181 to the Environmental Services Fund to fund carryover encumbrances and designations in those funds.

RELATIONSHIP TO STRATEGIC PLAN:

Mission Principle: Financially Sound City Government

BACKGROUND:

- Routinely, the City issues purchase orders or contracts for various items in the budget (i.e. equipment and services) but does not receive them by the June 30 fiscal year end. The City may also fund items in the current year, but for various reasons plan to actually expend those funds in future fiscal years.
- To address these circumstances and to ensure that funds are available to meet the Council's goals, the City designates (assigns) funds for specific purposes and reserves funds for encumbrances and for unspent donations in the City's fund balance at the end of the fiscal year.
- When Council approves the budget for the following fiscal year, it authorizes the City to reappropriate funds reserved for encumbrances or designated (assigned) for specific purposes based upon the year-end financial statements.

ISSUES:

None

BUDGET IMPACT:

As presented above.

OPTIONS:

- Adopt the budget ordinance amendment as presented.
- Do not adopt the budget ordinance amendment.

RECOMMENDED ACTION:

Staff recommends Council move to adopt Budget Ordinance Amendment 2014-3 as presented.

ATTACHMENTS:

Budget Ordinance Amendment 2014-3

2013-2014 BUDGET ORDINANCE AMENDMENT
CHANGE 2014-3

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

That the City of Fayetteville Budget Ordinance adopted June 24, 2013 is hereby amended as follows:

Section 1. It is estimated that the following revenues and other financing sources will be available during the fiscal year beginning July 1, 2013, and ending June 30, 2014, to meet the appropriations listed in Section 2.

<u>Item</u>	<u>Listed As*</u>	<u>Revision</u>	<u>Revised Amount</u>
<u>Schedule A: General Fund</u>			
Fund Balance Appropriation	\$ 3,950,328	\$ 2,490,992	\$ 6,441,320
All Other General Fund Revenues	147,164,397	-	147,164,397
Total Estimated General Fund	<u>\$ 151,114,725</u>	<u>\$ 2,490,992</u>	<u>\$ 153,605,717</u>
Revenues and Other Financing Sources			

Schedule C: Central Business Tax District Fund

Fund Balance Appropriation	\$ 1,373	\$ 6,068	\$ 7,441
All Other CBTD Fund Revenues	132,156	-	132,156
Total Estimated Central Business Tax District	<u>\$ 133,529</u>	<u>\$ 6,068</u>	<u>\$ 139,597</u>
Revenues and Other Financing Sources			

Schedule E: Stormwater Management Fund

Fund Balance Appropriation	\$ 1,654,197	\$ 107,634	\$ 1,761,831
All Other Stormwater Management Fund Revenues	5,433,266	-	5,433,266
Total Estimated Stormwater Management Fund	<u>\$ 7,087,463</u>	<u>\$ 107,634</u>	<u>\$ 7,195,097</u>
Revenues and Other Financing Sources			

Schedule G: Transit Fund

Interfund Transfers	\$ 2,842,604	\$ 30,786	\$ 2,873,390
All Other Transit Fund Revenues	4,443,207	-	4,443,207
Total Estimated Transit Fund Revenues	<u>\$ 7,285,811</u>	<u>\$ 30,786</u>	<u>\$ 7,316,597</u>
and Other Financing Sources			

Schedule I: Environmental Services Fund

Interfund Transfers	\$ 7,009,221	\$ 2,181	\$ 7,011,402
Net Assets Appropriation	360,000	3,375	363,375
All Other Env. Services Fund Revenues and OFS	3,049,601	-	3,049,601
Total Estimated Environmental Services Fund	<u>\$ 10,418,822</u>	<u>\$ 5,556</u>	<u>\$ 10,424,378</u>
Revenues and Other Financing Sources			

Section 2. The following amounts are hereby appropriated for the operations of the City Government and its activities for the fiscal year beginning July 1, 2013, and ending June 30, 2014, according to the following schedules:

<u>Item</u>	<u>Listed As*</u>	<u>Revision</u>	<u>Revised Amount</u>
<u>Schedule A: General Fund</u>			
Community Investment	\$ 17,508,398	\$ 608,252	\$ 18,116,650
Operations	87,664,910	813,554	88,478,464
Support Services and Administration	14,067,434	395,784	14,463,218
Other Appropriations	31,873,983	673,402	32,547,385
Total Estimated General Fund Expenditures	<u>\$ 151,114,725</u>	<u>\$ 2,490,992</u>	<u>\$ 153,605,717</u>

Schedule C: Central Business Tax District Fund

Total Estimated Central Business Tax District Fund Expenditures	<u>\$ 133,529</u>	<u>\$ 6,068</u>	<u>\$ 139,597</u>
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Schedule E: Stormwater Management Fund

Total Estimated Stormwater Management Fund Expenditures	<u>\$ 7,087,463</u>	<u>\$ 107,634</u>	<u>\$ 7,195,097</u>
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Schedule G: Transit Fund

Total Estimated Transit Fund Expenditures	<u>\$ 7,285,811</u>	<u>\$ 30,786</u>	<u>\$ 7,316,597</u>
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Schedule I: Environmental Services Fund

Total Estimated Environmental Services Fund Expenditures	<u>\$ 10,418,822</u>	<u>\$ 5,556</u>	<u>\$ 10,424,378</u>
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* Reflects presumed adoption of Budget Ordinance Amendment 2014-2 also presented for Council consideration on October 28, 2013.

Adopted this 28th day of October, 2013.

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Pamela Megill, City Clerk
DATE: October 28, 2013
RE: **Call for Special Meetings on Monday, November 18, 2013 @ 6 p.m. and 7 p.m., and cancel the Agenda Briefing Meeting scheduled for Wednesday, November 20, 2013.**

THE QUESTION:

Shall the City Council call for a Special meeting to be held at 7:00 p.m. on Monday, November 18, 2013 and call for a Special meeting (Discussion of Agenda Items) to be held at 6:00 p.m. on Monday, November 18, 2013 and cancel the Agenda Briefing meeting to be held on Wednesday, November 20, 2013?

RELATIONSHIP TO STRATEGIC PLAN:

BACKGROUND:

It has been suggested that the final full meeting of the current City Council (Monday, November 25th) would be more enjoyable if few substantive items were on the agenda so that farewell sentiments may be the focus. If this is Council's preference, it would be helpful to add a regular meeting to the November calendar on Monday, November 18th to dispose of most items a week earlier.

For the month of November the following changes to the 2013 City Council meeting dates calendar are recommended:

- * Call for a Special Meeting (Discussion of Agenda Items) to be held at 6:00 p.m. on Monday, November 18, 2013.
- * Call for a Special Meeting to be held at 7:00 p.m. on Monday, November 18, 2013
- * Cancel the Agenda Briefing meeting scheduled for Wednesday, November 20, 2013.

ISSUES:

N/A

BUDGET IMPACT:

N/A

OPTIONS:

RECOMMENDED ACTION:

Staff recommends Council move to call for a Special Meeting to be held at 7:00 p.m. on Monday, November 18, 2013 and call for a Special Meeting (Discussion of Agenda Items) to be held at 6:00 p.m. on Monday, November 18, 2013 cancel the Agenda Briefing meeting scheduled for Wednesday, November 20, 2013.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: October 28, 2013
RE: **Capital Project Fund Ordinance 2014-13 (2013 Justice Assistance Grant)**

THE QUESTION:

The FY2013-2014 Justice Assistance Grant (JAG), totaling \$151,376, was awarded to the Fayetteville Police Department and the Cumberland County Sheriff's Office. This capital project ordinance appropriates \$102,873, representing the City's share of those funds, for the JAG Program.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 1: The City of Fayetteville will be a safe and secure community.

BACKGROUND:

As the fiscal agent for the grant, Cumberland County filed the application on behalf of the City and County. A grant totaling \$151,376 was awarded to the City and County. The Fayetteville Police Department and Cumberland County Sheriff's Office will receive \$102,873 and \$48,503, respectively. A local match is not required. The Police Department will use their portion of the grant to create a new command center which will host advanced technology elements, including a downtown city surveillance system.

ISSUES:

None

BUDGET IMPACT:

See background above. A local match is not required.

OPTIONS:

- 1) Adopt Capital Project Fund Ordinance 2014-13.
- 2) Do not adopt Capital Project Fund Ordinance 2014-13.

RECOMMENDED ACTION:

Staff recommends Council move to adopt Capital Project Fund Ordinance 2014-13.

ATTACHMENTS:

CPO 2014-13 (2013 JAG)

**CAPITAL PROJECT ORDINANCE
ORD 2014-13**

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

Section 1. The authorized project is for funding of the FY13 Justice Assistance Program grant awarded by the U.S. Department of Justice

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

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

U.S. Department of Justice Grant	<u>\$ 102,873</u>
----------------------------------	-------------------

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

Project Expenditures	<u>\$ 102,873</u>
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Section 5. Copies of this capital project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out the project.

Adopted this 28th day of October, 2013.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: October 28, 2013
RE: **Capital Project Ordinance Amendment 2014-21 (Freedom Memorial Park)**

THE QUESTION:

This amendment will appropriate additional contributions of \$56,764 for Freedom Memorial Park.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 3: The City of Fayetteville will be designed to include vibrant focal points, unique neighborhoods and high quality, effective infrastructure.

BACKGROUND:

Cumberland Community Foundation, through its Freedom Memorial Park Fund, has contributed an additional \$56,764 for further development of the Freedom Memorial Park. This amendment will appropriate those funds to construct five black granite, free standing wall panels at an estimated cost of \$52,436 and the remaining \$4,328 will be used as needed within the park.

If the amendment is approved, the revised project budget for the park will be \$538,939. Most of these funds were expended in previous years for the initial development of the park.

ISSUES:

None

BUDGET IMPACT:

The amendment will be funded through external funding and will not require any City funds.

OPTIONS:

1. Adopt the amendment.
2. Do not adopt the amendment.

RECOMMENDED ACTION:

Staff recommends Council move to adopt Capital Project Ordinance Amendment 2014-21.

ATTACHMENTS:

CPO 2014-21 Freedom Memorial Park

CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-21 (CPO 2002-3)

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

Section 1. The project change authorized is to Capital Project Ordinance 2002-3, adopted June 17, 2002 as amended, for the funding of the Freedom Memorial Park Project.

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

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

	Listed As	Amendment	Revised
General Fund Transfer	\$ 225,000	\$ -	\$ 225,000
Utility Fund Transfer (PWC)	25,000	-	25,000
Donations	225,505	56,764	282,269
Investment Income	6,670	-	6,670
	<u>\$ 482,175</u>	<u>\$ 56,764</u>	<u>\$ 538,939</u>

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

Project Expenditures	<u>\$ 482,175</u>	<u>\$ 56,764</u>	<u>\$ 538,939</u>
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Section 5. Copies of this capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 28th day of October 2013.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: October 28, 2013
RE: **Capital Project Ordinance Amendment 2014-22 (FY12 Transit Capital Grant 514)**

THE QUESTION:

Capital Project Ordinance Amendment 2014-22 will reduce the appropriation in state grant funds by \$31,570 and increase the local match from the General Fund by \$46,369 for the FY12 Transit Capital Grant 514.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 4: The City of Fayetteville will be a highly desirable place to live, work and recreate with thriving neighborhoods and a high quality of life for all citizens.

BACKGROUND:

Transit received a federal grant (NC-90-X514) for various capital items totaling \$2,713,000 that was appropriated by City Council on August 27, 2012. At that time, the City did not know if the NCDOT would provide a local match for the grant funded projects. To proceed with purchases and activities authorized in the grant, the City provided the full local match, assuming that NCDOT would not approve any funds for the project.

At its May 2013 meeting, NCDOT approved a matching grant award of \$65,000 for engineering and design of the multi-modal transportation facility. In June 2013, the State approved additional matching funds of \$136,800 for the replacement and expansion of buses and vans.

Most recently, FTA approved the reallocation of a portion of its grant funds from buses to engineering and design costs for the multi-modal transportation center within the grant. The reallocation of \$327,539 in Federal funds will require an additional local match of \$46,369 and a reduction in the State's local match of \$31,570. The reduction in the State match is necessary as the State has yet to approve a reallocation of funds for this purpose. Should the State approve a reallocation of its funds, staff will submit a project budget amendment to Council at a later date.

ISSUES:

None.

BUDGET IMPACT:

See background information above.

OPTIONS:

- 1) Adopt Capital Project Ordinance Amendment 2014-22.
- 2) Do not adopt the project amendment.

RECOMMENDED ACTION:

Staff recommend Council move to adopt Capital Project Ordinance Amendment 2014-22.

ATTACHMENTS:

Capital Project Ordinance Amendment 2014-22

CAPITAL PROJECT ORDINANCE AMENDMENT
CHANGE 2014-22 (CPO 2013-16)

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

Section 1. The project change authorized is to Capital Project Ordinance 2013-16, adopted August 27, 2012, as amended, for the funding of the Transit Capital Grant 514, which includes funds for the replacement and expansion of buses and vans, design/engineering of the Multi Modal Center, bus shelters, equipment & related pedestrian sidewalk construction.

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

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

	Listed As	Amendment	Revised
Federal Transit Administration	\$ 2,273,253	\$ -	\$ 2,273,253
North Carolina Department of Transportation	201,800	(31,570)	170,230
Local Match - General Fund Transfer	302,388	46,369	348,757
	<u>\$ 2,777,441</u>	<u>\$ 14,799</u>	<u>\$ 2,792,240</u>

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

Project Expenditures	<u>\$ 2,777,441</u>	<u>\$ 14,799</u>	<u>\$ 2,792,240</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

Adopted this 28th day of October, 2013.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Senior Planner
DATE: October 28, 2013
RE: **P13-30F. The initial zoning of property to SF-10 Single Family Residential zoning, located on Burnside Place, and being the property of SRW Builders Inc.**

THE QUESTION:

Request to initially zone property to SF-10.

RELATIONSHIP TO STRATEGIC PLAN:

Growth and development

BACKGROUND:

Applicant: SRW BUILDERS INC
Requested Action: Initial Zoning to SF-10
Property Address: Burnside Place, Kings Grant
Council District: 1
Status of Property: Undeveloped
Size: 7 acres +/-
Adjoining Land Use & Zoning:
North - Interstate 295 right-of-way
South - PND County residential - Kings Grant
West - Interstate 295 right-of-way
East - PND County - large lot residential
Letters Mailed: 49
Land Use Plan: Low Density Residential

ISSUES:

This property is an undeveloped, wooded lot. It is located between Burnside Place, in Kings Grant, and the right-of-way for interstate 295. Currently this property is zoned PND (Planned Neighborhood Development) in the County's jurisdiction. The requested action is to initially zone this property to SF-10 - Single Family Residential. This property is approximately seven (7) acres in size. Five (5) acres will become part of the home owner's association and will be used as a community park. The remaining two (2) acres will be developed as four (4) single family lots, with open space. The home owner's association acquired the park area during a land swap with the developers. Please see the attached zoning map with a site plan overlay.

Recent zoning actions:

1. In June of 2012, Zoning Case # P12-27F was approved. This case rezoned an additional 106 acres adjacent to this property to SF-15.

On October 8th the Zoning Commission held a public hearing regarding this case. The Commission voted 5-0 to recommend approval of this initial zoning application.

The Zoning Commission and City staff recommend Approval of the proposed initial zoning based on:

1. The Land Use Plan calls for low density residential.
2. PND districts in the City are allowed to develop as residential under the SF-10 standards.

BUDGET IMPACT:

This action would result in an increase in City services that will be offset by the revenue the City will collect in property taxes.

OPTIONS:

- 1) Approval of the initial zoning to SF-10 (Recommended).
- 2) Approval of the initial zoning to a more restrictive district.
- 3) Denial of the initial zoning.

RECOMMENDED ACTION:

Zoning Commission & Staff Recommend: That the City Council move to APPROVE the initial zoning to SF-10 Single Family Residential as presented by staff.

ATTACHMENTS:

Zoning Map

Current Land Use

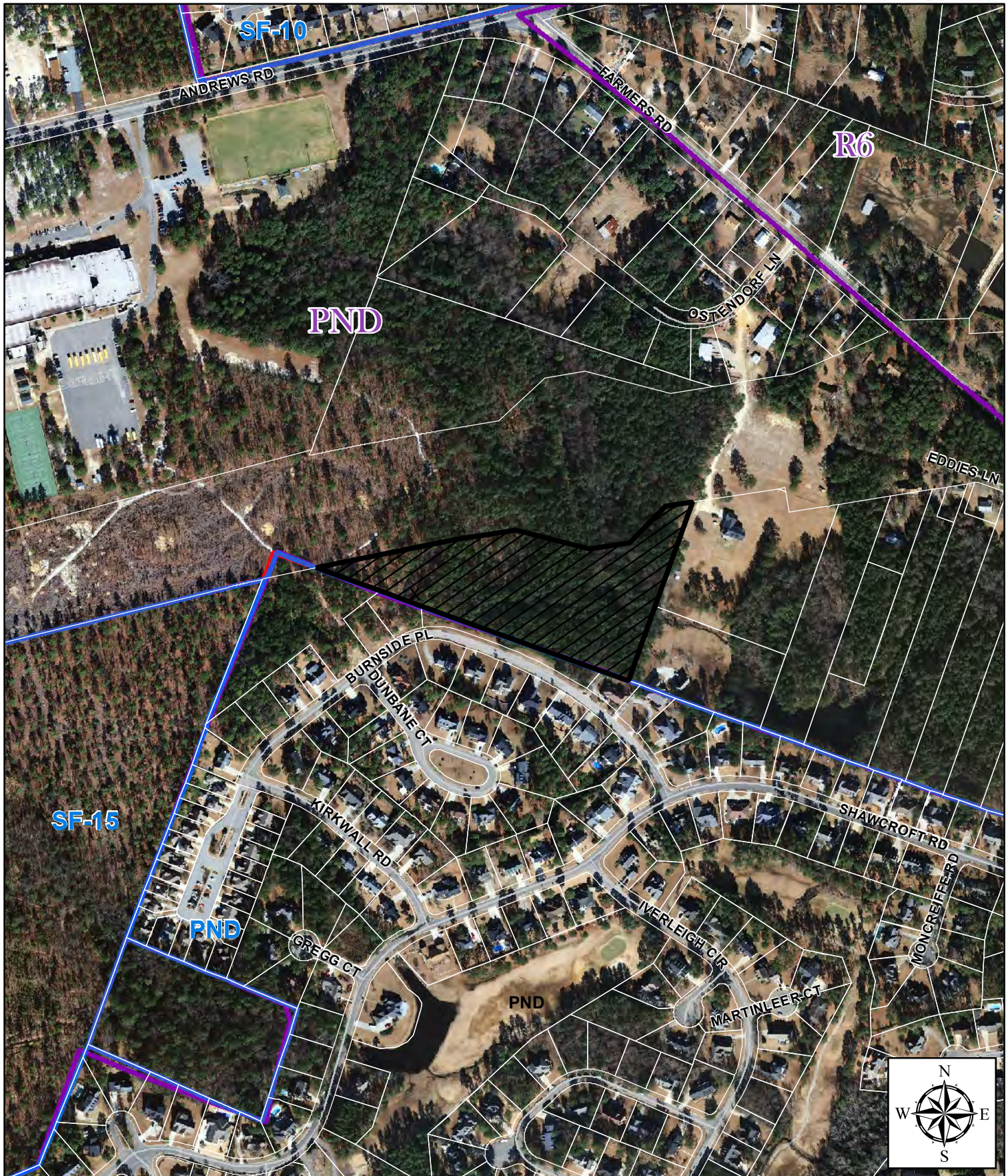
Land Use Plan

Proposed Site Plan

Site Photo

Site Photo

ZONING COMMISSION
CASE NO. P13-30F



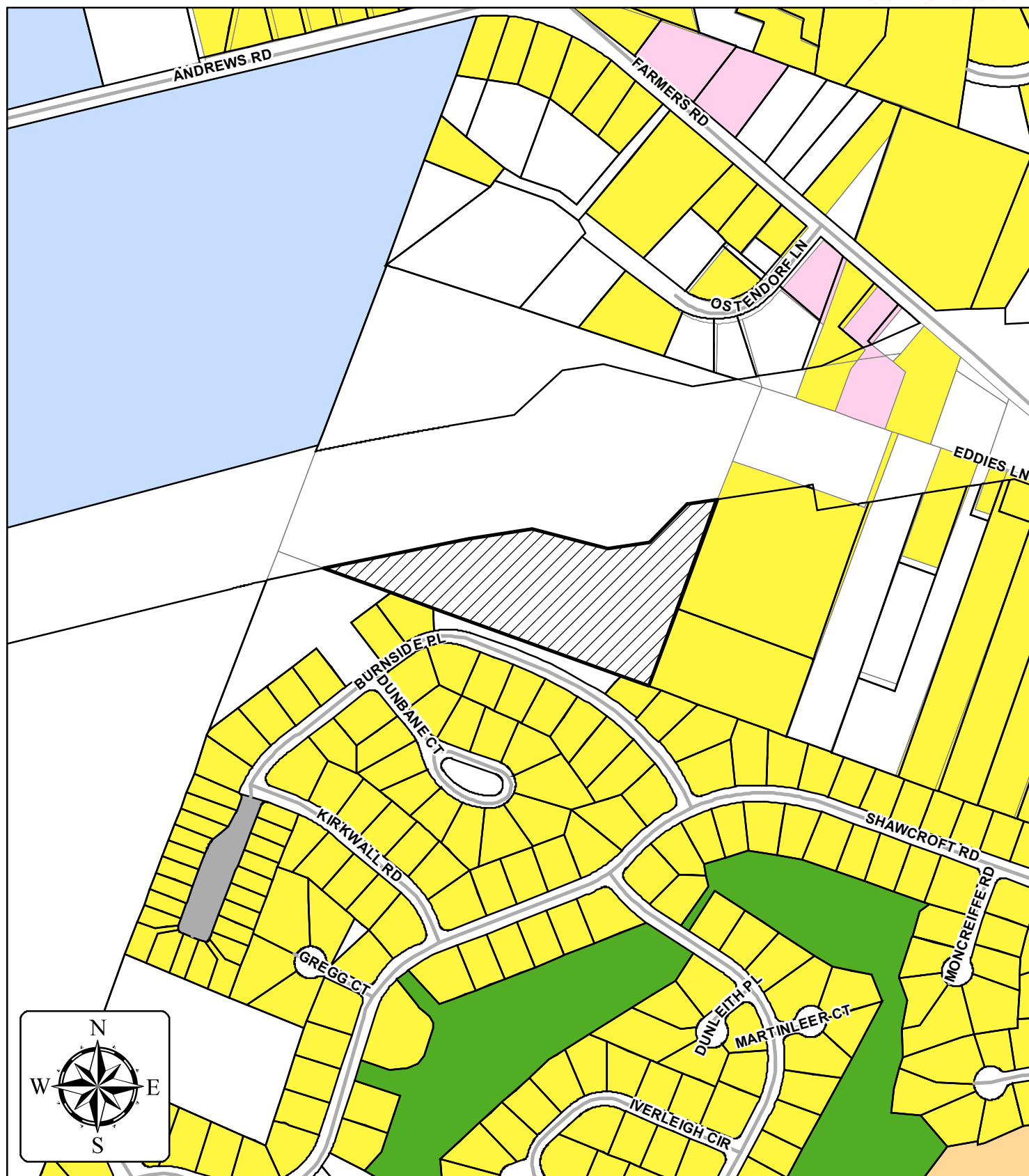
Request:Initial Zoning to SF-10
Location: Burnside Park
 (adjacent to Kings Grant)

Zoning Commission: 10/8/2013 **Recommendation:** _____
City Council: _____ **Final Action:** _____

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

Current Land Use

P13-30F

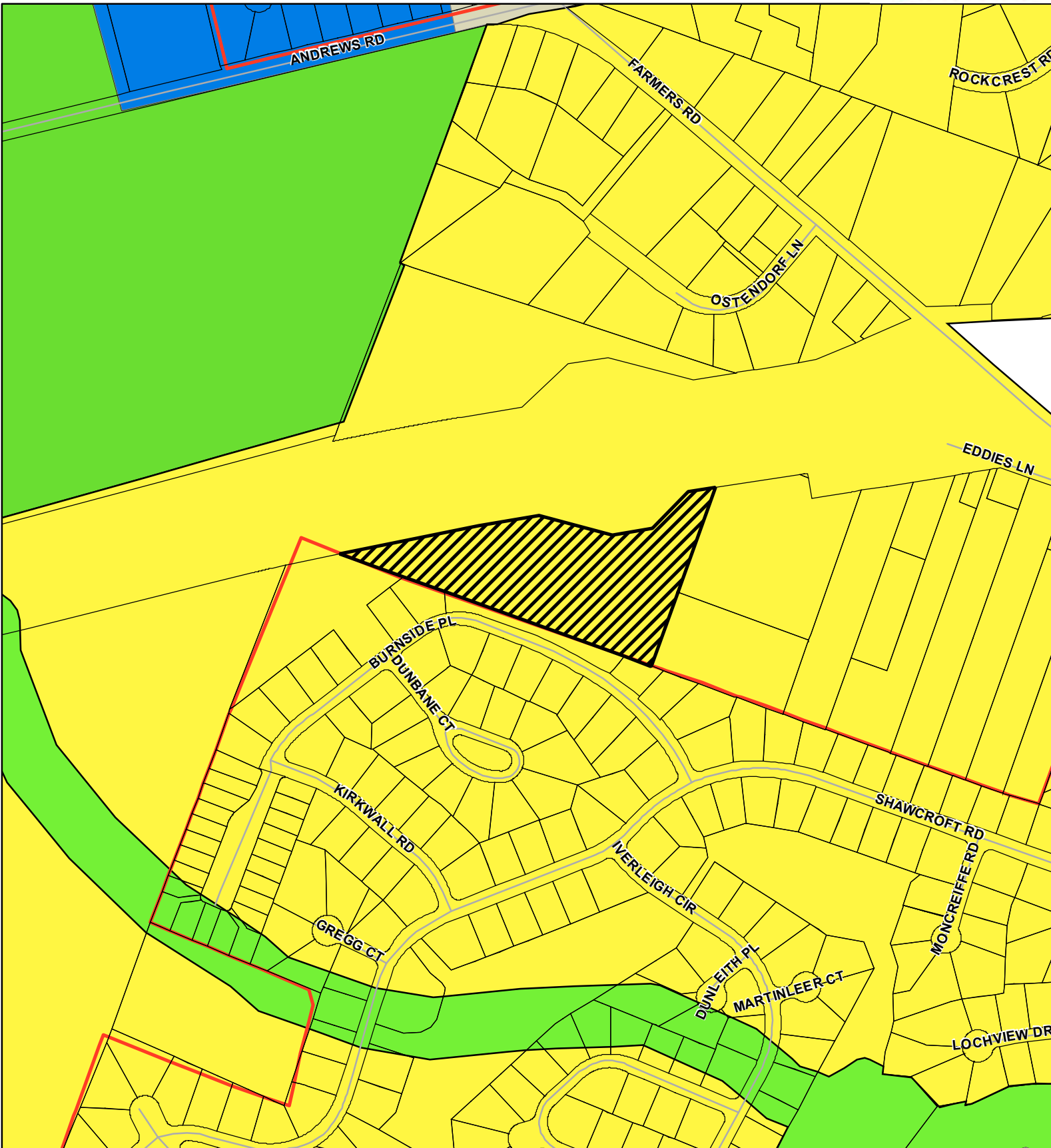


Legend

Existing Landuse	Common Area	Group Quarters	Industrial	Multi-Family	Open Space	Communications-Utilities	Vacant Commercial
Single Family Detached	Commercial	Golf Course	Institutional	Mobile Home	Parking	Under Construction	Not Verified
Single Family Attached	Cemetery	Government Office	Lake	Mobile Home Park	Predominantly Vacant	Vacant Land	Null PIN

Land Use Plan

Case No. P13-30F



Legend

Academic Training-Fort Bragg	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional
Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential

DOT DISK
X2CBL-82
N 510498.8354
E 2034572.1748



PROPOSED FAYETTEVILLE OUTER LOOP
PROJECT: X-0002C

OPTIONAL 30' SETBACK
(SEE SPECIAL CONDITIONS NOTE)

STORM
POND/BMP
5,558 SF
Open Space

TRACT 2
244,100.44 Sq Ft
5.60 Ac.

NOTE:
WETLANDS AREA DRAWN FROM
WETLANDS MAP PROVIDED BY CLIENT

OSTENDORF, JAMES B & WIFE
Deed Book 10009
Page 30455
Pin 0331-504-2300

ELLISON, RICHARD W & WIFE
Deed Book 96492
Page 03102
Pin 0331-504-1010

SF-15

PND

BURNSIDE PLACE 50 FT. PUBLIC R/W
DUNBANE DUNBANE CT
40 FT. PUBLIC R/W

ANDREWS ROAD CO
Deed Book 08216
Page 30021
Pin 0331-504-4503

SRW BUILDERS INC
Deed Book 00010
Page 00005
Pin 0330-40-8994

SRW BUILDERS INC
Deed Book 00010
Page 00005
Pin 0330-40-8994

19,146.04 Sq Ft
0.44 Ac.

EPK

6-9-4-1

SIMMONS, MICHAEL & WIFE SUSAN
Deed Book 00035
Page 00007
Pin 0330-40-8745

KINGS GRANT
SECTION FOUR PART
Deed Book 89
Page 101

KINGS GRANT
SECTION FOUR PART
Deed Book 89
Page 101

WEST, GLADYS S
Deed Book 00801
Page 1178-3562
Pin 0320-50-8898





CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Planner II
DATE: October 28, 2013
RE: **P13-32F. The rezoning of property from HI – Heavy Industrial to CC – Community Commercial or to a more restrictive district, for property located at 3126 Gillespie Street and being the property of Freedom Christian Academy.**

THE QUESTION:

Request to rezone property from HI to CC.

RELATIONSHIP TO STRATEGIC PLAN:

Growth and development

BACKGROUND:

Owner: Freedom Christian Academy
Applicant: Hall Powers
Requested Action: HI to CC
Property Address: 3126 Gillespie Street
Council District: 2
Status of Property: Undeveloped
Size: 24 acres +/-
Adjoining Land Use & Zoning:
North - HI Old Black & Decker Plant
South - R6A Mobile Home Park & C(P) Vacant
West - R6A Mobile Home Park
East - HI Old Black & Decker Plant
Letters Mailed: 11
Land Use Plan: Heavy Industrial

ISSUES:

This property is located to the north and contiguous to the existing Freedom Christian Academy. The access to this property is from Gillespie Street. The property to be rezoned is approximately 24 acres. The existing school is zoned CC - Community Commercial and the rear is zoned HI - Heavy Industrial. The City's land use plan calls for heavy industrial for this property. The owners of this property would like to rezone the land to the rear of the Academy so that it may be utilized as a recreational area and in the future may accommodate classroom additions to the current facility.

On September 10th the Zoning Commission held a public hearing regarding this case. The Commission voted 4-0 to recommend approval of this rezoning application.

The Zoning Commission and staff recommend approval of the rezoning to CC based on:

1. The land use plan calls for heavy industrial, however the school has already been rezoned to accommodate that use.
2. The portion of the property to be rezoned will serve as a buffer or transition between the existing neighborhood and the more intense industrial district.
3. The area zoned HI is currently undeveloped and will be supportive to the Academy without being in a less restrictive office district.

BUDGET IMPACT:

This action would result in an increase in City services which would be offset by the revenue collected through the City property taxes.

OPTIONS:

- 1) Approval of the rezoning as requested by the applicant (Recommended);
- 2) Approval of the rezoning to a more restrictive district;
- 3) Denial of the rezoning request.

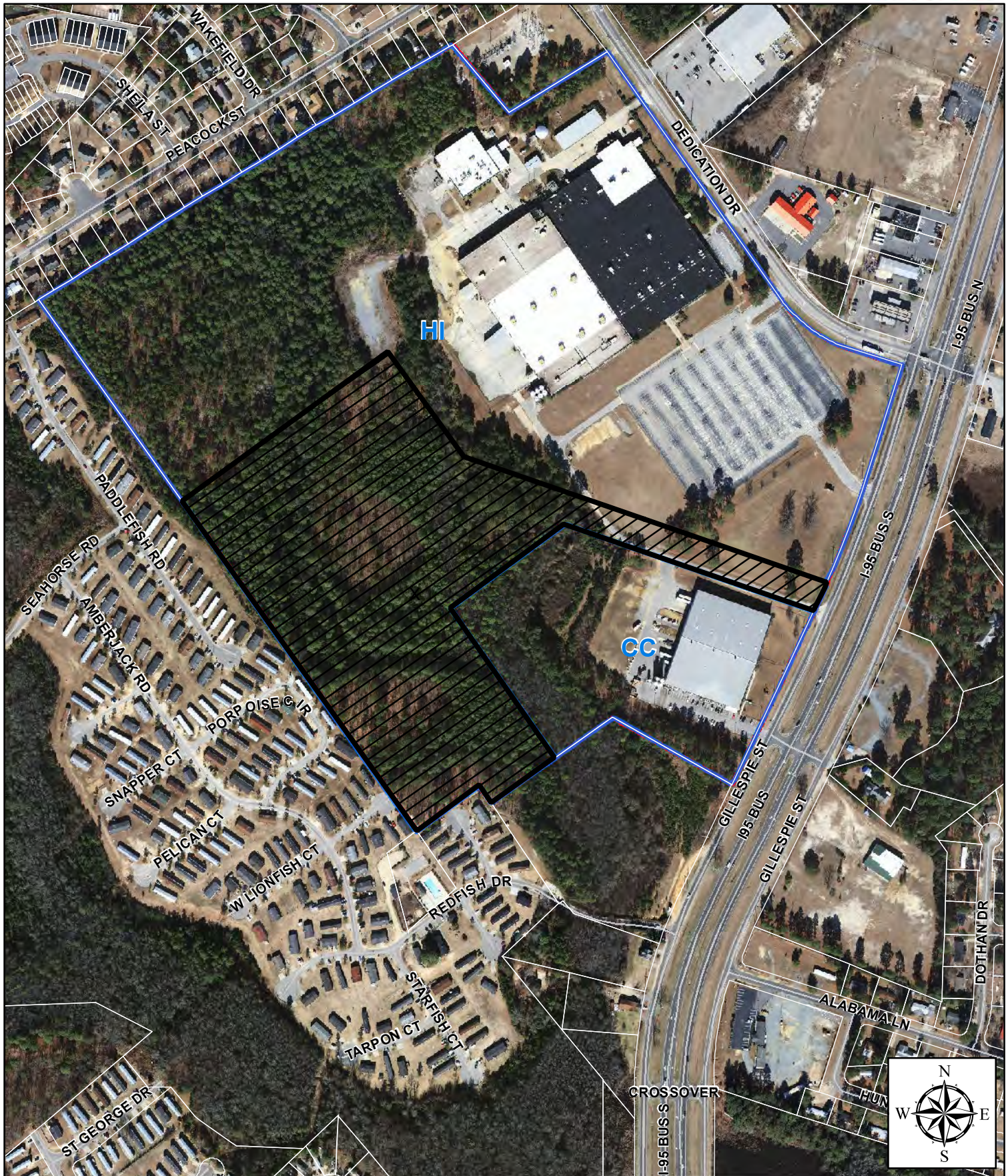
RECOMMENDED ACTION:

Zoning Commission & Staff Recommend: That the City Council move to APPROVE the rezoning to the Community Commercial district, as presented by staff.

ATTACHMENTS:

Zoning Map
Current Land Use
Land Use Plan
Site Photo

ZONING COMMISSION
CASE NO. P13-32F

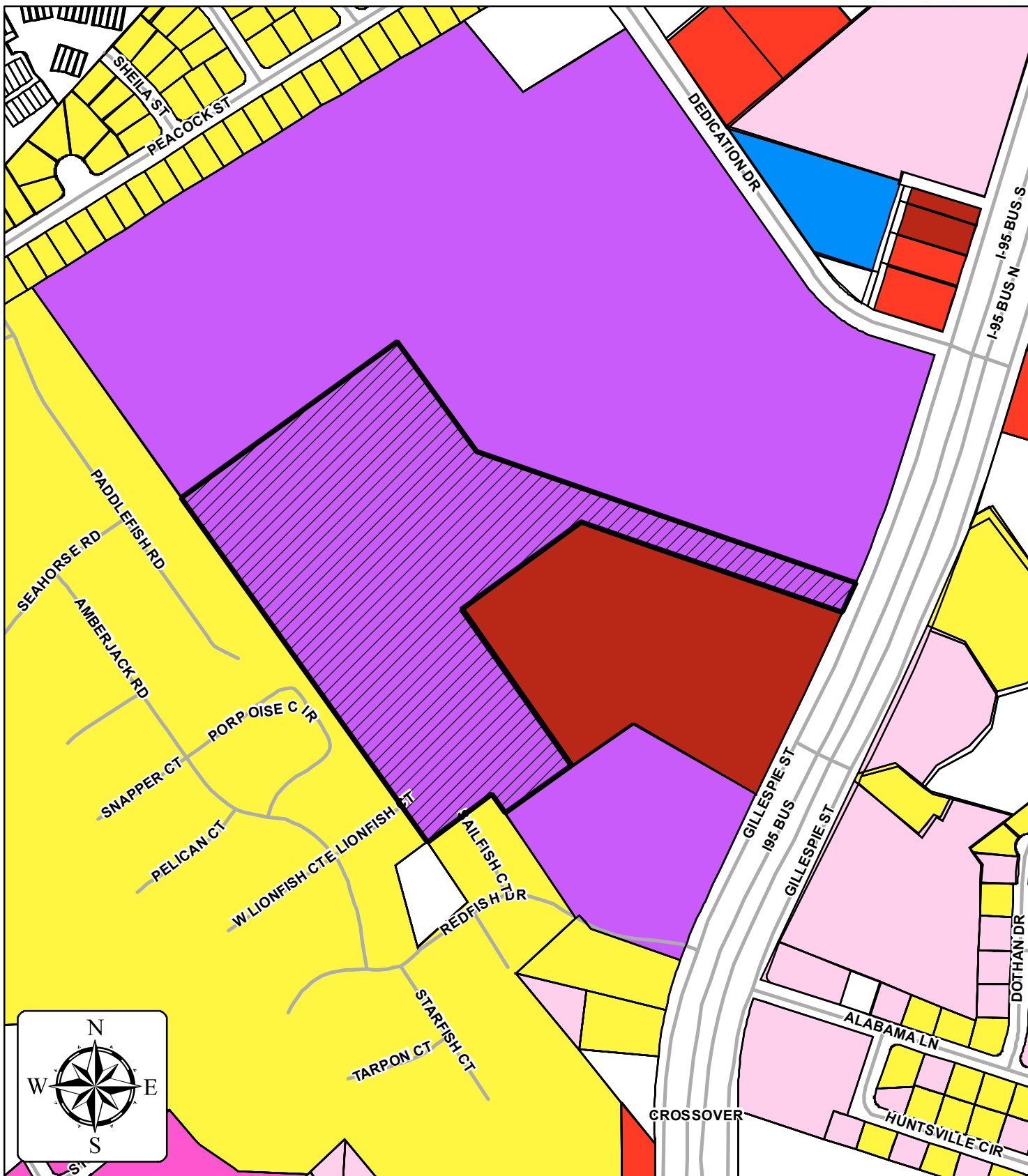


Request: HI to CC
Location: 3126 Gillespie St

Zoning Commission: 9/10/2013 **Recommendation:** _____
City Council: _____ **Final Action:** _____

Current Land Use

P13-32F



Legend

Existing Landuse

- Single Family Detached
- Single Family Attached

- Common Area
- Commercial
- Cemetery

- Group Quarters
- Golf Course
- Government Office

- Institutional
- Lake

- Industrial
- Multi-Family
- Mobile Home
- Mobile Home Park

- Open Space
- Parking
- Predominantly Vacant

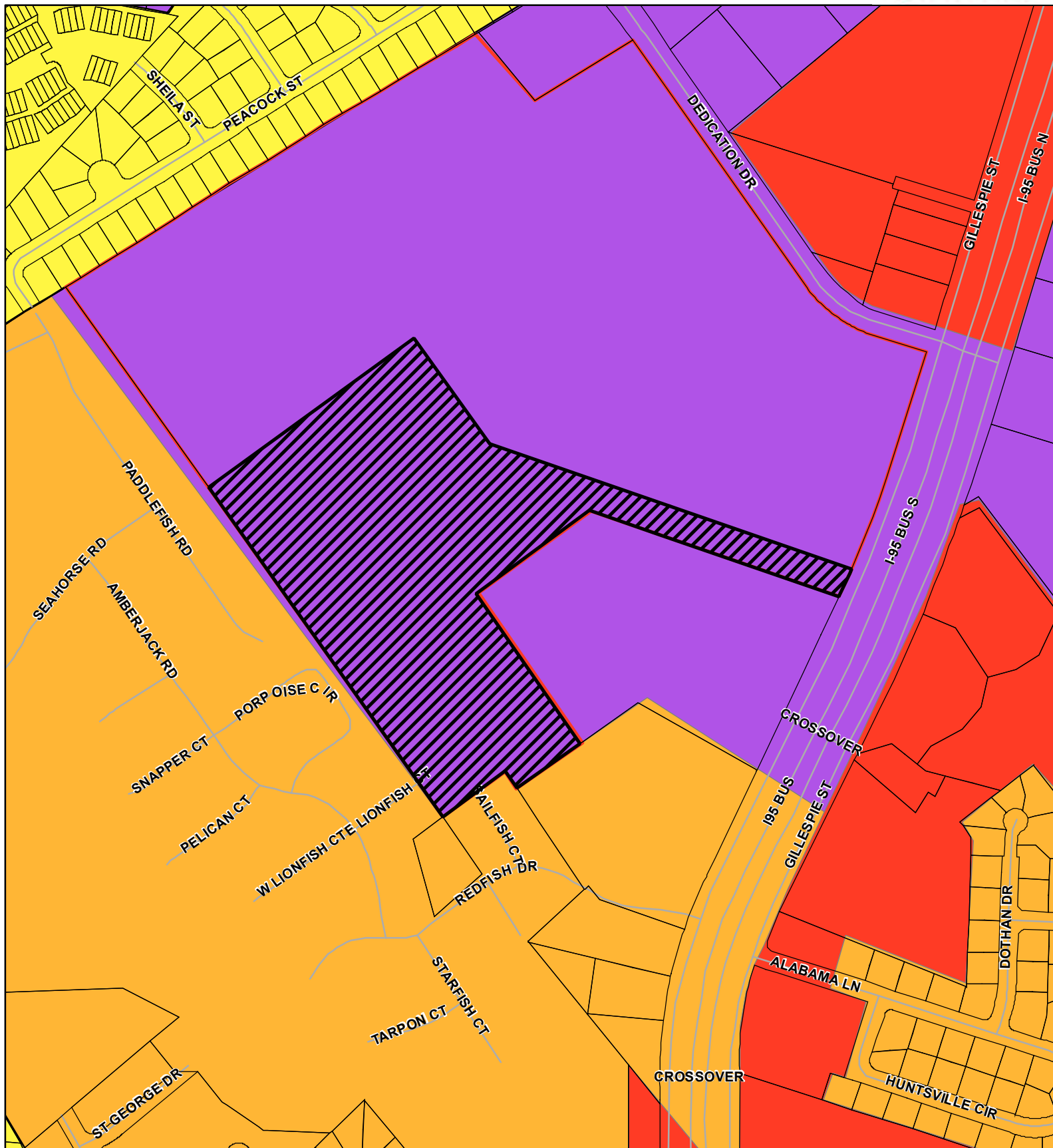
- Communications-Utilities
- Under Construction
- Vacant Land

- Vacant Commercial
- Not Verified
- Null PIN

par

Land Use Plan

Case No. P13-32F



Legend

Academic Training-Fort Bragg	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional
Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential



FREEDOM CHRISTIAN ACADEMY

ONE WAY

YIELD

FREEDOM

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Senior Planner
DATE: October 28, 2013
RE: **P13-38F. The initial zoning of property to HI – Heavy Industrial or to a more restrictive district, located at 327 Jenkins Street, and being the property of Froehling & Robertson Inc.**

THE QUESTION:

Request to initially zone property to HI.

RELATIONSHIP TO STRATEGIC PLAN:

Growth and development

BACKGROUND:

Applicant: Froehling & Robertson Inc.
Requested Action: Initial Zoning to HI
Property Address: 327 Jenkins Street
Council District: 2
Status of Property: Developed - Industrial Research
Size: 2 acres +/-
Adjoining Land Use & Zoning:
North - M(P) - Undeveloped Industrial
South - R6A County - Developed single family residential
West – R6A County - Developed single family residential
East – M(P) - Undeveloped Industrial
Letters Mailed: 29
Land Use Plan: Heavy Industrial

ISSUES:

This property is developed as an industrial research facility. It is located on Jenkins Street just south of Highway 301. Currently this property is zoned M(P) (manufacturing with a plan) in the County's jurisdiction. The requested action is to initially zone this property to HI - Heavy Industrial. An initial zoning to HI would fit the current use of the property.

On October 8th the Zoning Commission held a public hearing regarding this case. The Commission voted 5-0 to recommend approval of this initial zoning application.

The Zoning Commission and City staff recommend Approval of the proposed initial zoning based on:

1. The Land Use Plan calls for heavy industrial.
2. The property is already developed as an industrial use.

BUDGET IMPACT:

This action would result in an increase in City services that will be offset by the revenue the City will collect in property taxes.

OPTIONS:

- 1) Approval of the initial zoning to HI (Recommended).
- 2) Approval of the initial zoning to a more restrictive district.
- 3) Denial of the initial zoning.

RECOMMENDED ACTION:

Zoning Commission & Staff Recommend: That the City Council move to APPROVE of the initial zoning to HI - Heavy Industrial as presented by staff.

ATTACHMENTS:

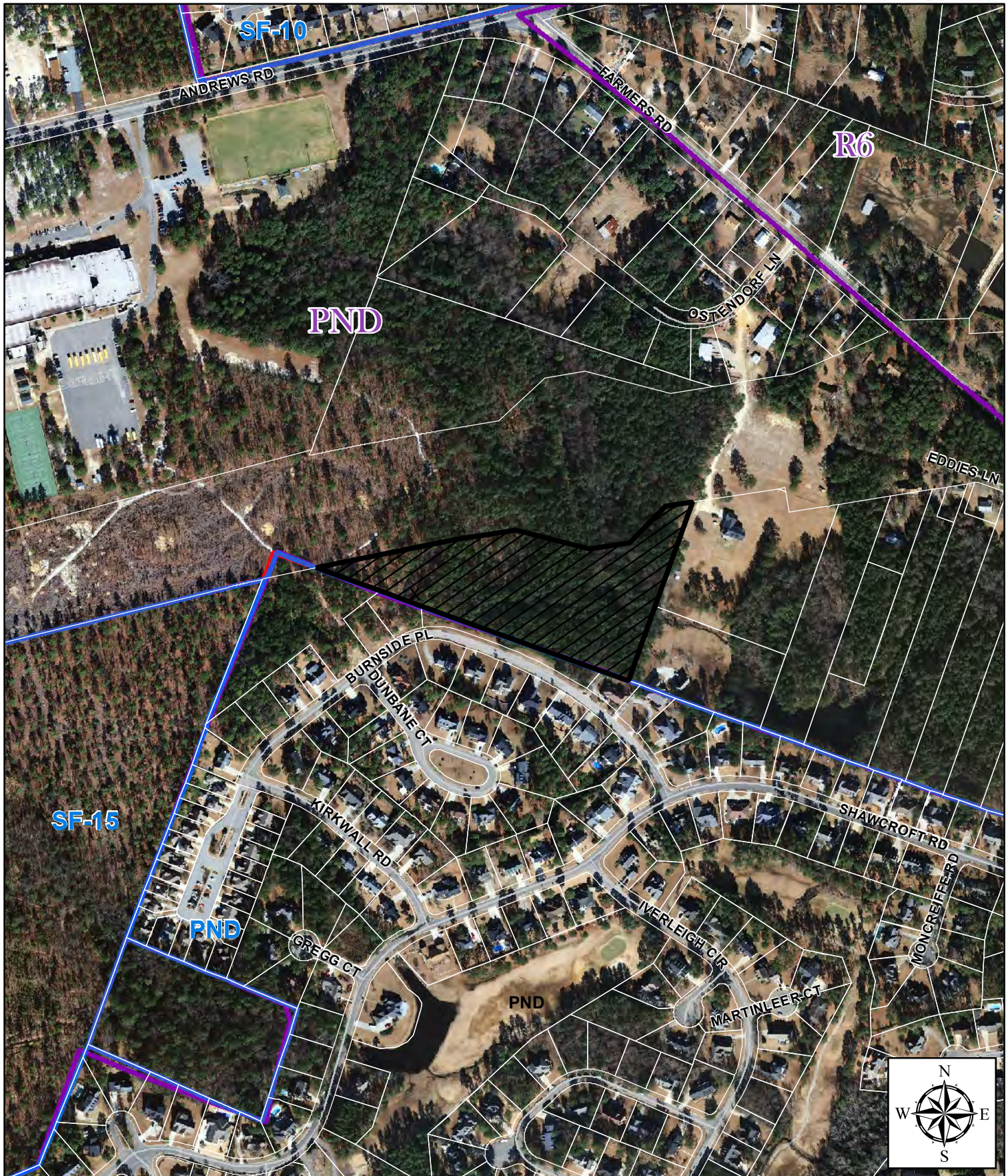
Zoning Map

Current Land Use

Land Use Plan

Site Photo

ZONING COMMISSION
CASE NO. P13-30F



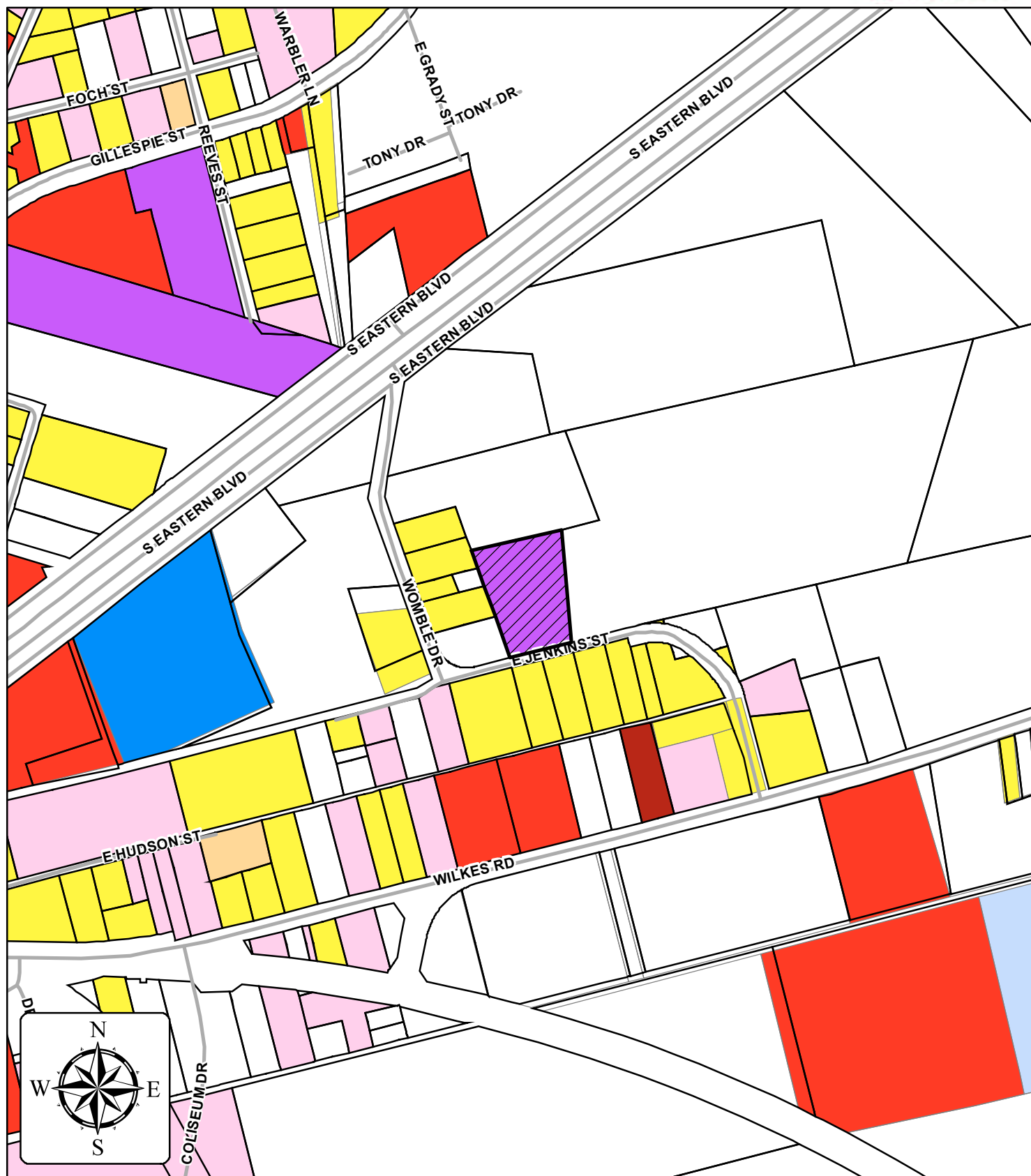
Request:Initial Zoning to SF-10
Location: Burnside Park
 (adjacent to Kings Grant)

Zoning Commission: 10/8/2013 **Recommendation:** _____
City Council: _____ **Final Action:** _____

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

Current Land Use

P13-38F

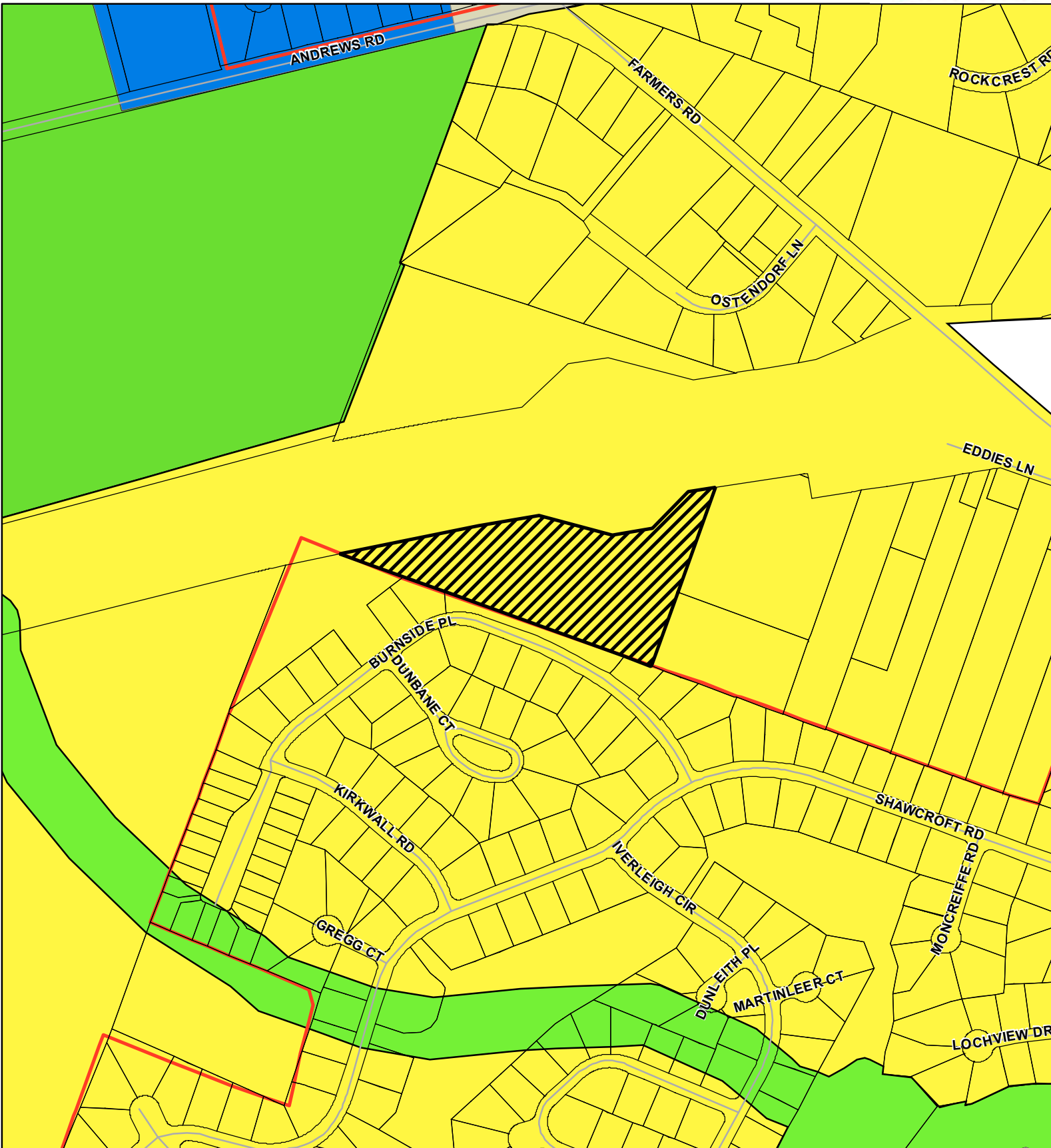


Legend

Existing Landuse	Common Area	Group Quarters	Industrial	Multi-Family	Open Space	Communications-Utilities	Vacant Commercial
Single Family Detached	Commercial	Golf Course	Institutional	Mobile Home	Parking	Under Construction	Not Verified
Single Family Attached	Cemetery	Government Office	Lake	Mobile Home Park	Predominantly Vacant	Vacant Land	Null PIN

Land Use Plan

Case No. P13-30F



Legend

Academic Training-Fort Bragg	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional
Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential



F&R
FROEHLING &
ROBERTSON, Inc.

1596

F&R
FROEHLING &
ROBERTSON, Inc.

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Pamela Megill, City Clerk
DATE: October 28, 2013
RE: **Certification of Results from the Cumberland County Board of Elections for the October 8, 2013 Municipal Primary Election for Mayor, City Council Districts 3, 6, 8, and 9.**

THE QUESTION:

Does City Council accept the Certification of Results from the Cumberland County Board of Elections for the October 8, 2013 Municipal Primary Election for Mayor, City Council Districts 3, 6, 8 and 9?

RELATIONSHIP TO STRATEGIC PLAN:

Community Unity - Pride in Fayetteville

BACKGROUND:

The Cumberland County Board of Elections having opened, canvassed and judicially determined the original returns of the election in the precincts in this county, held October 8, 2013, certify that the attached Official Primary Results contains the number of legal ballots cast in each precinct for each office named, the name of each person voted for and the number of votes cast for each person for the office named.

ISSUES:

N/A

BUDGET IMPACT:

N/A

OPTIONS:

N/A

RECOMMENDED ACTION:

Staff recommends Council move to accept the Certification of Results from the Cumberland County Board of Elections as presented.

ATTACHMENTS:

Certification of Election Results - October 8, 2013

MUNICIPAL ELECTION
October 8th, 2013
ABSTRACT OF VOTES
FOR

STATE OF NORTH CAROLINA

INSTRUCTIONS

THREE COPIES are to be made. One copy is to be signed by the County Board of Elections and delivered by them, when the canvass is concluded, to the City Clerk (GS 163-300). One copy is to be retained by the County Board of Elections. One copy is to be mailed on canvass day to the Chairman of the State Board of Elections, Raleigh, North Carolina (GS 163-182.6).

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

The County Board of Elections for said county, having opened, canvassed, and judicially determined the original returns of the election in the precincts in this county, held as above stated, do hereby certify that the above is a true abstract thereof, and contains the number of legal ballots cast in each precinct for each office or referendum named, the name of each person or choice voted for, their party affiliation (where applicable), and the number of votes cast for each person or choice for the item named.

This is the 15th day of October 2013

James H. Baker
[Signature]
Harvey W. Raynor III

This day personally appeared before me, James H. Baker
Chairman of the County Board of Elections, who being duly sworn,
says the abstract of votes herein contained is true and correct, according
to the returns made to said Board.

ANGEL RAMAR, TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my notary seal this the 15th day of October, 2013.
Angel R. Ramar
(Seal) ANGEL R. RAMAR
CUMBERLAND COUNTY, NC
My Commission (if any) Expires: 5-22-2018

MUNICIPAL ELECTION
October 8th, 2013
ABSTRACT OF WRITE-IN VOTES
STATE OF NORTH CAROLINA

INSTRUCTIONS

THREE COPIES are to be made. One copy is to be signed by the County Board of Elections and delivered by them, when the canvass is concluded, to the City Clerk (GS 163-300). One copy is to be retained by the County Board of Elections. One copy is to be mailed on canvass day to the Chairman of the State Board of Elections, Raleigh, North Carolina (GS 163-182.6).

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

Write-in votes must be accounted for if an individual receives 5 or more votes. All other write-in votes shall be accumulated and placed under Miscellaneous

OFFICE: TOTAL WRITE-IN VOTES: 0
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
MISCELLANEOUS VOTES:

OFFICE: TOTAL WRITE-IN VOTES: 0
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
MISCELLANEOUS VOTES:

OFFICE: TOTAL WRITE-IN VOTES: 0
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
NAME: WRITE-IN VOTES:
MISCELLANEOUS VOTES:

STATISTICS		FAYETTEVILLE MAYOR						FAYETTEVILLE COUNCIL DIST 3 3RD			FAYETTEVILLE COUNCIL DIST 6 6TH			FAYETTEVILLE COUNCIL DIST 8 8TH			
VO T E R S	REG I S T E R E D	C A S S T - B A L L O T E R E A L S	K i r k D e v i e r	C h a r l e s	N a t R o b e r t S o n	A . W i l l i a m s	V a l A p p l e w h i t e	(S i s t e r) A u d r e y	A l W o o d a l l I	M i t c h C o l l v i n	M a r y F e r g u s o n	G a r y B l a c k w e l l	B i l l C r i s p	J i m m y	H o l l a n d , T e d M o h n	P i n k s t o n M i c h a e l	
AH49 ARBAN HILLS	3222	252	30	3	48	5	166				59	15	146				
G5A-1 ADAM-1-G5	2678	295	40	2	64	11	177				39	17	220				
G5A-2 ADAM-2-G5	2082	238	41	2	73	11	110				11	10	75			18	75
G5C BRENTWOOD-G5	2585	166	37	4	50	17	58					3	2	11			
CL57-1 CLIFFDALE WEST 1	3128	245	50	6	37	5	146										
CL57-2 CLIFFDALE WEST 2	2818	252	34	1	28	7	181										
CL57-3 CLIFFDALE WEST 3	2407	171	32	2	22	6	109										
CL57-4 CLIFFDALE WEST 4	1812	126	26	5	24	13	58										
G1A CROSS CREEK 02-G1	1271	84	15	1	28	8	32	1	0	1						18	127
CC03 CROSS CREEK 03	1076	219	80	2	86	6	43									17	168
CC04 CROSS CREEK 04	2270	185	21	1	23	4	136										
CC05 CROSS CREEK 05	1244	171	46	4	76	7	38										
CC06 CROSS CREEK 06	1113	203	61	3	109	7	23										
CC07 CROSS CREEK 07	1295	400	139	0	213	11	35										
CC08 CROSS CREEK 08	4009	536	87	4	111	26	307										
G2A CROSS CREEK 09-G2	1150	186	37	2	93	7	47	104	63	352							
CC10 CROSS CREEK 10	1167	100	16	0	49	13	22										
G3B CROSS CREEK 11-G3	1601	472	136	0	306	9	21										
CC12 CROSS CREEK 12	2686	147	8	0	18	2	119										
CC13 CROSS CREEK 13	2777	531	169	1	301	16	44										
CC14 CROSS CREEK 14	2545	457	110	2	254	40	50										
CC15 CROSS CREEK 15	2213	510	52	1	72	7	374										
CC16 CROSS CREEK 16	2821	319	42	3	33	7	230	96	5	266							
CC17 CROSS CREEK 17	1585	337	107	0	180	14	36	58	9	160							
CC18 CROSS CREEK 18	1157	85	8	0	7	3	66										
CC19 CROSS CREEK 19	1424	183	24	3	99	20	37										
G4B CROSS CREEK 20-G4	3605	297	59	4	88	13	132										
CC21 CROSS CREEK 21	4396	352	76	3	113	15	145										
G2B CROSS CREEK 22-G2	2521	259	58	2	87	14	97										
G2C-1 CROSS CREEK 23-1	2197	219	79	1	75	1	62										
G2C-2 CROSS CREEK 23-2	1319	112	33	0	31	4	43										
CC24 CROSS CREEK 24	1883	221	53	0	71	11	86										
CC25 CROSS CREEK 25	3440	327	48	2	46	5	224										
CC26 CROSS CREEK 26	3966	160	27	2	26	7	98										
CC27 CROSS CREEK 27	3213	264	15	2	25	2	218										
G5B-1 CROSS CREEK 28-1	2518	218	29	5	19	8	156										
G5B-2 CROSS CREEK 28-2	2495	207	29	3	60	12	102										
CC29 CROSS CREEK 29	1671	129	18	4	58	18	30										
G4A CROSS CREEK 30-G4																	

STATISTICS		FAYETTEVILLE MAYOR						FAYETTEVILLE COUNCIL DIST 3 3RD				FAYETTEVILLE COUNCIL DIST 6 6TH			FAYETTEVILLE COUNCIL DIST 8 8TH		
VOTERS	CASS	TRICK	DEVELOPER	CHARLES	NAT ROBERTSON	VAL	ALWOOD	MITCHCO	MARY	GARY	BILL	JIMMY	HOLLAND	PINKSTON			
CC31 CROSS CREEK 31	2132	144	26	4	42	22	50										
CC32 CROSS CREEK 32	1414	145	16	1	19	2	107										
CC33 CROSS CREEK 33	2434	301	79	1	62	19	138	73	71				2	2			
CC34 CROSS CREEK 34	1956	328	98	0	168	11	49										
GBB CUMBERLAND 1A-G8	714	37	10	0	13	3	11										
CU02 CUMBERLAND 2	2148	171	38	0	54	14	65										
GBB CUMBERLAND 3-G8	780	42	3	2	17	7	13										
GBA CUMBERLAND 4-G8	2893	161	26	2	38	3	88										
BO61-1 EASTOVER 1	86	0	0	0	0	0	0										
G1B JUDSON-VANDER-G1	33	0	0	0	0	0	0										
LR63 LAKE RIM	4112	226	20	5	21	3	176						11	53			
G2D LONGHILL-G2	816	122	22	0	27	1	72							42			
G1B MANCHESTER-G11	3204	7	1	0	5	1	0	0					1	0			
ME62 MONTIBELLO	2489	99	14	1	16	3	65							1			
MR02 MORGANTON RD 2	2824	250	42	4	71	11	122						14	45			
G3A-2 PEARCES MILL 2B-G	121	0	0	0	0	0	0							11			
G3C PEARCES MILL 3-G3	13	1	0	0	1	0	0										
G6A STEDMAN-G6	74	2	0	0	0	0	2										
G10C STONEY POINT 1-G10	654	61	13	14	20	2	12										
G10A STONEY POINT 2-G10	1823	107	17	0	31	9	50			5	6	50					
G2E-1 WESTAREA-1-G2	1347	135	21	2	16	3	91	43	81	20	15	69					
G2E-2 WESTAREA-2-G2	2406	222	26	1	37	9	145	62	140								
ONE STOP A 100	0	83	12	0	25	1	44	5	7	2	0	3	0	0			
TRANSFER 100	0	6	0	0	1	0	35	0	0	0	0	0	0	0			
ABSENTEE	0	61	7	0	17	1	35	3	2	0	0	0	0	0			
PROVISIONAL	0	30	5	2	5	1	17	0	2	1	1	1	0	0			
TOTALS	121693	12376	2468	119	3809	517	5416	445	1086	198	124	827	81	260			

FAYETTEVILLE COUNCIL DIST 9				9TH			
R	O	n	n	e	S	Y	l
L	.	P	e	e	C	R	A
l	e	e	t	e	n	k	y
3	1	1	1	1	1	1	1
CC03 CROSS CREEK 03	8	16	41	330			
CC14 CROSS CREEK 14	4	53	15	39			
CC24 CROSS CREEK 24	10	65	41	103			
CC26 CROSS CREEK 26	4	46	23	34			
CC27 CROSS CREEK 27	5	41	33	34			
CC29 CROSS CREEK 29	4	37	28	72			
CC34 CROSS CREEK 34	7	26	14	94			
ONE STOP A 100	0	0	0	4			
TRANSFER 100	0	2	0	0			
ABSENTEE	0	0	2	5			
PROVISIONAL	0	0	4	1			
TOTALS	45	287	202	726			

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Tami C. Lewis, Senior Paralegal
DATE: October 28, 2013
RE: **Engineering & Infrastructure - Adopt a Resolution Declaring Real Property Owned Jointly with Cumberland County Surplus and Authorizing a Quitclaim of the City's Title to the County in Order to Expedite Sale of the Land by Cumberland County.**

THE QUESTION:

This is a request from Cumberland County for assistance in expediting sale of jointly-owned real property.

RELATIONSHIP TO STRATEGIC PLAN:

More Efficient City Government.

BACKGROUND:

Cumberland County and the City of Fayetteville received joint title to the property identified as PIN 0437-83-9763 & located at 428 School Street. The County has received an offer to purchase said property and is requesting the City declare the property surplus and quitclaim the City's interest to the County in order to expedite the sale process. Title to the above subject property is jointly held due to the foreclosure by the County in its role as tax administrator. The County is in receipt of an offer to purchase the property for a price equaling the foreclosure bid; i.e. \$5,588.87. The City's share of assessments due is \$2,156.12. If the present bid is declined, there is a good chance the property will remain in joint government ownership.

ISSUES:

None

BUDGET IMPACT:

The property will be placed back into private ownership and be responsible for property taxes.

OPTIONS:

1. Accept the County's request and quitclaim the City's title to the County.
2. Decline the County's request.

RECOMMENDED ACTION:

Adopt the attached resolution declaring the property surplus and authorize the City Manager to sign a quitclaim deed conveying the City's interest to the County in exchange for the City's overdue assessments.

ATTACHMENTS:

Resolution Declaring Property Excess

**RESOLUTION DECLARING PROPERTY EXCESS
TO CITY'S NEEDS AND QUITCLAIMING CITY TITLE
IN THE PROPERTY TO CUMBERLAND COUNTY**

WHEREAS, the City of Fayetteville and the County of Cumberland jointly own real property in Cumberland County, said property having the tax map designation of PIN 0437-83-9763 being a lot at 428 School Street, and;

WHEREAS, the City of Fayetteville has a financial interest in the form of getting the real property back on the tax books as well as collecting the assessment due the City of Fayetteville, and;

WHEREAS, the property is surplus to the needs of the City of Fayetteville, and;

WHEREAS, the County of Cumberland has received an offer to purchase the parcel and requests that the City of Fayetteville join in the sale of the property by declaring the parcel surplus to the City's needs and quitclaiming the City's title to the County, and;

WHEREAS, the City Council of the City of Fayetteville finds such actions to be in the public interest.

NOW, THEREFORE, BE IT RESOLVED on behalf of the people of Fayetteville, this Council of the City of Fayetteville, North Carolina does hereby resolve that the aforesaid real property is surplus to City's needs and authorizes its Manager to sign a deed quitclaiming title to the County of Cumberland.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 28th day of October, 2013; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

TED VOORHEES, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Kecia Parker, Real Estate Manager
DATE: October 28, 2013
RE: **Resolution to Set Public Hearing to Consider Closing an Unopened Portion of Wesley Avenue**

THE QUESTION:

City staff has received a petition requesting that an unopened portion of Wesley Avenue be permanently closed.

RELATIONSHIP TO STRATEGIC PLAN:

Growing City-A Great Place to Live

BACKGROUND:

NCGS§160A-299 gives authority and procedures for the City to close a city street or alley. The requested portion of Wesley Avenue is currently unopened. This closure will not landlock any abutting property owners. A map of the proposed closure is attached for reference.

ISSUES:

- No access will be denied to anyone as a result of the proposed closure.

BUDGET IMPACT:

There is no significant impact to the budget.

OPTIONS:

- Adopt the resolution calling for the public hearing.
- Deny the request

RECOMMENDED ACTION:

Staff recommend Council move to adopt the attached resolution authorizing the advertisement of the Council's intent to permanently close the referenced unopened portion of Wesley Avenue and setting the public hearing for December 9, 2013.

ATTACHMENTS:

Wesley Map
Resolution

A RESOLUTION CALLING A PUBLIC HEARING REGARDING THE PROPOSED CLOSING OF
AN UNOPENED PORTION OF WESLEY AVENUE

WHEREAS, the City of Fayetteville has received a request to permanently close an unopened portion of Wesley Avenue. Said portion is described more particularly as follows:

BEGINNING at the southeast corner of Lot 129 as shown in Plat Book 11, Page 22 known as Council Heights and continuing thence North 33 degrees 30 minutes West 348.7 feet to the TRUE POINT AND PLACE OF BEGINNING and continuing thence South 56 degrees 30 minutes 00 seconds West 189.67 feet to a point, thence North 52 degrees 11 minutes 04 seconds West 52.63 feet to a point, thence North 56 degrees 27 minutes 38 seconds East 206.53 feet to a point, thence South 33 degrees 30 minutes 00 seconds East 50.00 feet to the TRUE POINT AND PLACE OF BEGINNING and the City of Fayetteville reserves an all-purpose utility and drainage easement in and over the entire area of the street portion as described above.

AND WHEREAS the above-described is located within the corporate limits of the City of Fayetteville and the Council intends to approve said request.

NOW THEREFORE, BE IT RESOLVED on behalf of the people of Fayetteville, the City Council calls a public hearing on the question of the closure to be held during the regular meeting of the Fayetteville City Council in Council Chambers at 433 Hay Street, 7:00 PM, December 9, 2013. Persons wishing to be heard regarding this issue must register in advance with the City Clerk in the Executive Offices, Second Floor, City Hall, 433 Hay Street, prior to the hearing date or at Council Chambers between 6:30 – 7:00 PM on the evening of the hearing.

The City Manager or his designee is directed to advertise this notice as prescribed in NCGS 160A-299 on November 5, 12, 19, and 26, 2013.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 28th day of October 2013; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

(SEAL)

By: _____
ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA MEGILL, City Clerk

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Pamela Megill, City Clerk
DATE: October 28, 2013
RE: **Approve Meeting Minutes:**

091813 Agenda Briefing
092313 Discussion of Agenda Items
092313 Regular Meeting
100713 Work Session

THE QUESTION:

Should the City Council approve the draft minutes as the official record of the proceedings and actions of the associated meetings?

RELATIONSHIP TO STRATEGIC PLAN:

Greater Community Unity - Pride in Fayetteville; Objective 2: Goal 5: Better informed citizenry about the City and City government

BACKGROUND:

The Fayetteville City Council conducted meetings on the referenced dates during which they considered items of business as presented in the draft minutes.

ISSUES:

N/A

BUDGET IMPACT:

N/A

OPTIONS:

1. Approve the draft minutes as presented.
2. Revise the draft minutes and approve the draft minutes as revised.
3. Do not approve the draft minutes and provide direction to staff.

RECOMMENDED ACTION:

Approve the draft minutes as presented.

ATTACHMENTS:

091813 Agenda Briefing
092313 Discussion of Agenda Items
092313 Regular Meeting
100113 Work Session

**FAYETTEVILLE CITY COUNCIL
AGENDA BRIEFING MINUTES
LAFAYETTE ROOM
SEPTEMBER 18, 2013
4:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2) (arrived at 4:20 p.m.); D. J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Wade Fowler (District 8); James W. Arp, Jr. (District 9) (arrived at 4:25 p.m.)

Absent: Council Member Robert A. Massey, Jr. (District 3)

Others Present: Ted Voorhees, City Manager
Kristoff Bauer, Deputy City Manager
Rochelle Small-Toney, Deputy City Manager
Tracie Davis, Corporate Communications Director
Karen Hilton, Planning and Zoning Division Manager
David Nash, Planner II
Bart Swanson, Housing and Code Enforcement Division Manager
Dwight Miller, PWC Chief Financial Officer
Pamela Megill, City Clerk
Members of the Press

Mayor Chavonne called the meeting to order at 4:00 p.m.

City staff presented the following items scheduled for the Fayetteville City Council's September 23, 2013, agenda:

DEMOLITION CASES

Uninhabitable Structures Demolition Recommendations

Mr. Bart Swanson, Housing and Code Enforcement Division Manager, presented this item with the aid of a PowerPoint presentation and multiple photographs of the properties. He stated staff recommended adoption of the ordinances authorizing demolition of the structures. He reviewed the following demolition recommendations:

225 S. Eastern Boulevard

Mr. Swanson stated the structure is a vacant commercial structure that was involved in a fire in December 2012. As a result of the fire the structure was inspected and condemned as a dangerous structure on December 18, 2012. A hearing on the condition of the structure was conducted on January 9, 2013, which the owner attended. A subsequent Hearing Order to repair or demolish the structure within 120 days was

issued and mailed to the owner on January 10, 2013. To date there have been no permitted repairs to the structure. The utilities to the structure have been disconnected since December 2012. In the past 24 months there have been 142 calls for 911 service to the property. There have been 6 code violation cases with no pending assessments. The low bid for demolition is \$1,489.00.

540 Frink Street

Mr. Swanson stated the structure is a vacant residential home that was inspected and condemned as a dangerous structure on November 13, 2012. A hearing on the condition of the structure was conducted on January 9, 2013, which the owner responded but did not attend. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the property within 90 days was issued and mailed to the owner on January 10, 2013. To date there has been little repair done to the structure. The utilities to the structure have been disconnected since June 2010. In the past 24 months there have been 5 calls for 911 service to the property. There have been 5 code violation cases with no pending assessments. The low bid for demolition is \$1,900.00.

516 Lamon Street

Mr. Swanson stated the structure is a vacant residential home that was inspected and condemned as a blighted structure on November 21, 2012. A hearing on the condition of the property was conducted on December 5, 2012, which the owner did not attend. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on December 6, 2012. To date there have been no repairs to the structure. The utilities to this structure have been disconnected since September 2008. In the past 24 months there have been 7 calls for 911 service to the property. There have been 9 code violation cases with a pending assessment of \$1,261.50. The low bid for demolition is \$2,500.00.

520 Lamon Street

Mr. Swanson stated the structure is a vacant residential home that was inspected and condemned as a blighted structure on November 21, 2012. A hearing on the condition of the property was conducted on December 5, 2012, which the owner did not attend. A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owner on December 6, 2012. To date there have been no repairs to the structure. The utilities to this structure have been disconnected since June 2011. In the past 24 months there have been 53 calls for 911 service to the property. There have been 6 code violation cases with a pending assessment of \$656.30. The low bid for demolition is \$2,500.00.

217 Old Wilmington Road

Mr. Swanson stated the structure is a vacant residential home that was inspected and condemned as a blighted structure on June 13, 2012. A hearing on the condition of the property was conducted on September 5, 2012, which the owner did not attend. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on September 6, 2012. To date there have been no repairs to the structure. In the past 24 months there have been 5 calls for 911 service to the property. There have been 9 code violation cases with a pending assessment of \$1,029.21. The low bid for demolition is \$1,900.00.

CONSENT ITEMS

P13-20F. The rezoning of a portion of a property from SF-6 Single Family Residential to CC - Community Commercial or to a more restrictive district located at 6243 & 6113 Yadkin Road and 663 Horseshoe Road and being the property of Moore Enterprises. (Applicant withdrew the rezoning affecting the remainder of the residential property.)

Ms. Karen Hilton, Planning and Zoning Manager, presented this item. Ms. Hilton showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. Ms. Hilton stated this property is located at the intersection of Yadkin and Horseshoe Roads. Currently this property is split zoned. The portion fronting Yadkin Road is zoned CC - Community Commercial. The remainder of the property is zoned SF-6 - Single Family Residential. The requested action is related to the area currently zoned SF-6. The applicant would like to extend the CC zoning into a portion of this area. This would make an existing auto repair business a legal use. The applicant no longer is requesting a rezoning all of the remaining SF-6 zoned property. The City's Land Use Plan calls for both heavy commercial and medium density residential on this property. This case was heard by the Zoning Commission on August 13, 2013. The Commission voted 5-0 to recommend approval. There was one speaker in favor and three in opposition. The speakers in opposition were all former employees of the old Diffin's auto repair and junk yard. The junk yard was required to shutdown and now they are opposed any business moving back to that location. The Zoning Commission and staff recommend approval of a portion of the property to be rezoned to CC based on (1) the Land Use Plan calls for Heavy Commercial on a portion of the property along Yadkin Road, (2) Extending the CC zoning will make the property more viable for commercial redevelopment, and (3) Extending the CC zoning will bring a nonconforming use (auto repair business) into compliance.

P13-25F. The initial zoning of property to HI - Heavy Industrial or to a more restrictive district, located at the Cedar Creek Industrial Park on Cedar Creek Road and being the property of Cumberland County.

Ms. Karen Hilton, Planning and Zoning Manager, presented this item. Ms. Hilton showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. Ms. Hilton stated park is vacant. Cumberland County has built an access road into the park. The County has petitioned the City for annexation of these properties so that PWC utilities may be extended. These properties are zoned M(P) - Manufacturing with a Plan by the County. This rezoning was done by the County when the project first started being developed. The requested action is to initially zone this property to HI which is the City's closest equivalent zoning district. This case was heard by the Zoning Commission on August 13, 2013. The Commission voted 5-0 to recommend approval. There were no speakers in favor and one in opposition to this case. The speaker in opposition expressed concern for the lack of frontage needed to access the industrial park and he also indicated that he did not wish to be annexed. The Zoning Commission and staff recommend approval of the proposed initial zoning based on (1) the Land Use Plan calls for Heavy Industrial on these properties, (2) Construction of an industrial park has already started, and (3) the property will be accessed from both Cedar Creek Road and Clark West Road.

Case No. 13-27F. Request for rezoning from SF-10 Single Family Residential to O&I Office and Institutional or to a more restrictive district, located at parcel contiguous to 8030 Raeford Road to the rear of the Alpha Academy containing 9.54 acres more or less of 27.52 and being the property of Broadwell Land Company.

Ms. Karen Hilton, Planning and Zoning Manager, presented this item and showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. Ms. Hilton stated this property is located to the north and contiguous to the existing Alpha Academy. The access to this property is from Raeford Road. The property to be rezoned is 9.54 acres. The existing school is zoned CC - Community Commercial and the rear is zoned SF-10 - Single Family Residential. The City's Land Use Plan shows low density residential for the surrounding properties. The owners of this property would like to rezone the land to the rear of Alpha Academy so that it may be utilized as a recreational area and in the future it may accommodate classroom additions to the current facility. This case was heard by the Zoning Commission on August 13, 2013. The Commission voted 5-0 to recommend approval. There were two speakers in favor and none in opposition to this case. The Zoning Commission and staff recommend approval of the rezoning request to O&I based on (1) the Land Use Plan calls for Lower Density Residential and the requested zoning district is intended to accommodate small-scale, low-intensity institutions. The O&I districts are generally near residential neighborhoods, (2) the portion of the property to be rezoned will serve as a buffer or transition between the future neighborhood and the more intense business district, and (3) the area zoned SF-10 is currently undeveloped and will be supportive to the Alpha Academy without being in a less restrictive commercial district.

P13-28F. The conditional rezoning of property from SF-6 Single Family Residential to MR-5/CZ Mixed Residential Conditional District or to a more restrictive district located at 5204 Patton Street between Bragg Boulevard and Old Shaw Road and being the property of N. Earl Jones, Jr. and wife, Diane B. Jones.

Ms. Karen Hilton, Planning and Zoning Manager, presented this item. Ms. Hilton showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. Ms. Hilton stated these properties are located between Old Shaw Road and Bragg Boulevard in the Bonnie Donne area of Fayetteville. These properties have access to both roads. The former use of one of these properties was a mobile home park. The other property is wooded. The owner of this property is requesting a rezoning to MR-5/CZ - Mixed Residential Conditional zoning. The owner's goal is to build apartments on this property at some time. The owner is conditioning this rezoning to a maximum of 400 units, where 936 units could be built under a straight MR-5 rezoning. Under the current SF-6 zoning district, 499 units could be developed through the Special Use Permit process. If this property is developed as multi-family, the owners will have to adhere to all the standards of the City's Unified Development Ordinance. This would include transition standards between single family residential and multi-family residential. This case was heard by the Zoning Commission on August 13, 2013. The Commission voted 5-0 to recommend approval. There was one speaker in favor and none in opposition to this case. Conditions offered by the applicant:

- Maximum of 400 units (99 units less than what could be developed under the current zoning).

The Zoning Commission and staff recommend approval of a rezoning to MR-5/CZ based on (1) the Bragg Boulevard Plan calls for multi-family development on this property, (2) redevelopment of a blighted area, and (3) proximity to Fort Bragg and the need to provide off-base housing.

PUBLIC HEARINGS

P13-12F. Initial zoning of property from R6A County Residential to LC - Limited Commercial or to a more restrictive district located at 1030 Palm Springs Drive and Honeycutt Road and being the property of James Sanders, Donna Muraski and Charlotte Strickland. (Tabled item from July 22nd and August 26th)

Ms. Karen Hilton, Planning and Zoning Manager, presented this item. Ms. Hilton showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. The owner of these properties has petitioned

for annexation into the City of Fayetteville in order to connect to public utilities when this property is developed. As part of the petition, the applicant has requested that this property be initially zoned to LC -Limited Commercial. Currently these properties are zoned R6A in Cumberland County's jurisdiction. The Land Use Plan calls for these properties to eventually convert to heavy commercial. It is staff's opinion that development in this area has not progressed enough to warrant the conversion of these properties to commercial. As shown on the attached aerial photo and photographs of the surrounding properties, there are already several properties in this area zoned for commercial use that are either undeveloped or underdeveloped. Less than a mile to the south of this project on McArthur Road, there will be an interchange built for Interstate 295. An increase in traffic will be expected in this area. As stated in previous reports to the City Council, Fayetteville has an overabundance of property already zoned for commercial use. The City's staff would encourage this developer to look at infill development instead of expanding the commercial zoning footprint in the City. If annexed, it is staff's opinion that this property should remain residentially zoned at this time. The Zoning Commission held a public hearing on this case on May 14, 2013. There were no speakers in opposition. The Commission voted to recommend approval of this rezoning request.

The Zoning Commission recommends approval of the initial zoning to LC based on (1) the City Land Use Plan calls for heavy commercial, (2) the proposed development fits with the character of the neighborhood, and (3) new investment in a blighted area of the City.

The staff recommends denial of the initial zoning to LC based on (1) 2030 Plan discourages rezoning property to commercial solely based on it being adjacent to a thoroughfare, (2) undeveloped and underdeveloped commercial property at this intersection should be developed or redeveloped before additional land is zoned for commercial use, (3) if annexed this property should remain residentially zoned at this time, (4) an intense use such as fast-food encourages more commercial adjacent to this site and begins the strip commercial pattern while leaving larger properties underutilized, and (5) should the proposed use not go forward, other commercial uses could have a destabilizing effect.

P13-24F. The issuing of a Special Use Permit to allow for an automotive wrecker service to be located at Phillips Towing, 314 Alexander Street and being the property of Phillips Leasing Systems LLC.

Ms. Karen Hilton, Planning and Zoning Manager, presented this item. Ms. Hilton showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. This project will be part of Phillips Towing & Recovery Operations at 314 Alexander Street. The applicant has several properties and existing towing facilities on Alexander Street. Most of the area along Alexander Street is zoned Heavy Industrial. The use

requirements associated with Automotive Wrecker Services (Section 30-4.C.4(j)(5)) require that the use be at least 250 feet from any residential district, school or child care center. This use is immediately adjacent to one remaining residence at 247 S. Cool Spring Street and a residence at 304 Alexander Street. A text amendment was approved recently that allows a reduction in the separation requirements through a special use permit, upon showing of good cause with supporting evidence and mitigation of impacts. The facility will be used to provide maintenance for their existing equipment. Improvements to the site have already been made in order to remove three underground storage and fuel tanks, remove an old modular trailer as well as clean up the existing site and the appearance of the building. Normal business hours will be from 8AM to 5PM, while being available by request for emergency situations. Existing vegetation on either side of the house located at 247 S. Cool Spring Street is enough to satisfy the Type D buffer required in the special use permit conditions. Along the rear of the house, the applicant is requesting to install a block masonry wall in order to screen the facility from the single family residential property. There is not enough room along the backside of the applicant's facility to add anything other than a block wall due to the need for a safe aisle space width for the larger truck traffic. The applicant will also place a Type D buffer where applicable along the property line adjacent to the home that sits at 304 Alexander Street. Due to the nature of the proposed use and the layout of the current property, the applicant would like to construct a masonry wall along S. Cool Spring Street and along the portion of Raymond Avenue that is currently zoned LC. This will allow for significantly more screening than currently exists. This case was heard by the Zoning Commission on August 13, 2013. The Commission voted 5-0 to recommend approval. There was one speaker in favor and none in opposition. Conditions recommended by the Zoning Commission and staff are:

1. Removal of barbed wire within 90 days.
2. Maintaining the equivalent of a Type D buffer on either side of the residence at 247 S. Cool Spring Street.
3. Installation of Type D buffer along the residence at 304 Alexander Street.
4. No storage of vehicles beyond the front facade of the existing building.

The Zoning Commission and staff recommend approval of the proposed SUP based on:

1. Conditions listed above.
2. Minimal impact to the surrounding district and existing residences once required landscape buffers and solid walls are in place compared to historic uses on the site.
3. This project is located within the HI zoning district where automotive wrecker services are permitted subject to applicable requirements.

4. Minimal visual impact from Alexander Street which contains various other industrial uses.
5. Once complete, this project will have significantly less impact than the previous use.
6. Applicant's proposal for screening will mitigate buffer concerns from residential uses.

A Special Use Permit shall be approved only upon a finding that all of the following standards are met:

1. The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards.
2. The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands.
3. The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration.
4. The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands.
5. The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources.
6. The special use maintains safe ingress and egress onto the site and safe road conditions around the site.
7. The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district.
8. The special use complies with all other relevant City, State, and Federal laws and regulations.

Public Hearing to Consider a Petition Requesting Annexation of a Non-Contiguous Area Known as the Honeycutt Road at Palm Springs Drive Property (Tabled from July 22 and August 26.)

Mr. David Nash, Planner II, presented this item. Mr. Nash showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. This annexation item was originally scheduled for the City Council meeting on July 22, 2013. However, due to problems with the legal description of the boundaries of the site, the item was tabled until August 26. On August 26, 2013, the item was again tabled until September 23, 2013.

The information below has been updated to reflect several recent changes. For example, the site originally consisted of three tax parcels; these three parcels have now been combined into one parcel. The site originally consisted of 1.32 acres; the site is now assumed to have 1.16 acres. Mr. Eric Nelson proposes new commercial development on a site located on Honeycutt Road at Palm Springs Drive in the Eureka Springs community. This site is not contiguous to the City. There are currently two vacant houses on the site. If the site

is annexed and initially zoned as commercial, Mr. Nelson plans to buy the land in the site. He then plans to remove the two vacant houses. He then plans to develop the site commercially. Mr. Nelson has said that he intends to build a Subway Restaurant on the site. However, commercial zoning would allow a range of commercial uses. Mr. Nelson wants to use PWC water and sewer for the proposed commercial development. The site is in the Fayetteville Municipal Influence Area (MIA). Policy 150.2 requires that the property be annexed before PWC water and/or sewer will be provided or expanded. Mr. Nelson has not yet purchased the site. Therefore, he has asked the current owners to submit an annexation petition. The City staff received the petition on March 5, 2013. The petition was signed by James Steven Sanders, Donna Lynn Muraski, and Charlotte A. Strickland. On April 9, 2013, the Zoning Commission held its public hearing on the initial zoning of this area. On July 22, 2013, the City Council was to hold public hearings on the initial zoning and annexation. Prior to this meeting, the City staff attempted to write a legal description for the ordinance, and the staff discovered that there was a gap problem and an overlap problem along the boundaries of this area. On July 22, the public hearings were tabled until the City Council meeting of August 26. By August 26, 2013, the problems had not been resolved, so the public hearings were tabled until September 23, 2013. As the September 23 City Council meeting approaches, the City staff believes the overlap area boundary problem has been resolved and has been able to prepare a legal description for the proposed annexation ordinance. The City staff has also been able to prepare a legal description map. Both the legal description and the legal description map show that the area consists of 1.16 acres, rather than 1.32 acres. Both the legal description and legal description map also show that the area consists of one parcel, rather than three.

Sufficiency - The City's Real Estate staff has verified that the persons who signed the petition (James Steven Sanders, Donna Lynn Muraski, and Charlotte A. Strickland) are still the owners of the properties.

Services - City operating departments and PWC divisions have reviewed the proposed annexation and they should be able to serve the property.

City Services - The Fire Department has reported that the travel distance is 1.5 miles (4 minutes travel time) from the closest City station. The department's goal is 5.3 minutes for the first arriving unit. The Fort Bragg Fire Department is 2 miles (4.5 minutes travel time) from the site. There should be 24 hour uninterrupted response service for the site. An automatic/mutual aid agreement is currently in place for Fort Bragg and the West Area Fire Departments to provide response coverage to the site. The Police Department reported that it will be able to provide service to the property without any additional staff or equipment. The Engineering and Infrastructure Department reported that it would serve the area as it serves other commercial areas in the City. The Environmental Services Department reported that if the area is developed commercially, the department would not serve

the business; instead, services would be provided by a commercial hauler. If the two houses on the property remain and are rented out, the department would be responsible for garbage collection.

PWC Services - PWC Water is available on Honeycutt Road, and a fire hydrant is located along the edge of Honeycutt Road, in front of the two houses. PWC Sewer is about 500 feet away on McArthur Road and an extension would be needed in order to provide sewer to the site. Regarding PWC Electrical service, this site is not within the PWC electrical service area.

There are five standards that a satellite annexation must meet in order to be annexed. This area meets the five standards, as shown in the ordinance. Regarding the "do not split a subdivision" standard, there is no evidence in the County tax records of this land being included in a subdivision plat. Instead, the property has been conveyed over the years by deed. The recombination survey map shows an overlap area and a gap area. The City staff now believes that Mr. Nelson and the petitioners have taken steps to resolve the overlap area, so the staff has been able to prepare a legal description and legal description map for the proposed ordinance. City Council should be able to consider the ordinance at its meeting on September 23, 2013. The 2011 changes to the state annexation law regarding effective dates did not apply to satellite areas. The law remains the same; a satellite annexation may be made effective immediately, or on any specified date within six months from the date of passage. Analyzing the budgetary impact of an annexation involves comparing projected revenues with projected costs. If this area is annexed, the City will receive revenues from the property tax and the stormwater fee. However, these revenues have not been projected. There will be no population-based revenues because the area has no population. No City operating departments have expressed concerns or unusual increases in costs to serve this area, if it is annexed. If this area is annexed, it is expected that revenues will exceed costs; therefore, it is projected that the fiscal impact will be positive for the City.

Public Hearing to Consider a Request from Cumberland County to Annex the Cedar Creek Industrial Park as a Non-Contiguous Area

Mr. David Nash, Planner II, presented this item. Mr. Nash showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. Around 1999, Cumberland County began developing the Cedar Creek Industrial Park that comprises over 470 acres. It is located along Cedar Creek Road, about 1.5 miles east of I-95 and about 1.2 miles beyond the existing Fayetteville city limits. The County developed the park for the purpose of providing sites for the location of new industries and businesses. The County hoped that new industries and businesses would locate in the park, which would lead to the creation of new jobs and the enhancement of the tax base. The County has made a major investment in planning/design, land, and infrastructure. For example, two sections of a road (Clark-West Road) have been built, and

PWC water and sewer lines have been installed. Development sites are now available in the park. However, no industries or businesses have located in the park since it was developed. Development officials believe that the lack of three-phase electrical power service might be hindering effective marketing of the park. Both PWC and the South River Electric Membership Corporation are able to extend three-phase electrical power to the park. City and County staffs have negotiated an interlocal agreement that would establish an economic development incentive program for the park. The interlocal agreement would bring the park into the City through annexation, and it would establish a specific package of development incentives designed to mitigate the tax consequences of annexation. Both the City Council and the County Commissioners have approved the interlocal agreement. Section 9 of the agreement says that the agreement will become effective upon the effective date of the annexation. On July 3, 2013, the City received the final signed copy of the interlocal agreement, along with a legal description. Since Section 1 of the agreement says that the agreement shall be construed to constitute a petition by the County for the annexation of the entire park into the City, the City staff has treated this request as a satellite annexation petition. On August 13, 2013, the Fayetteville Zoning Commission held an initial zoning public hearing on this annexation request. On September 23, 2013, the City Council will consider the initial zoning of the park as part of the consent agenda, and the City Council will also hold a public hearing on the annexation request.

Sufficiency - The City's Real Estate staff has verified that the County is the owner of the four parcels that make up the park.

Services - City operating departments and PWC divisions have reviewed the proposed annexation and they should be able to serve the property.

City Services - The Fire Department has reported that the park is not within the adopted baseline travel time established in the City Fire/EM Standard of Cover document. The travel distance is 7.8 miles from the closest City station (Station 1). The closest County station is Vander, which is 4.0 miles from the park. The primary coverage will need to be contracted with the Vander Fire Department. The proposed City Fire Station 16, proposed for a site on Fields Road, will only be 2.8 miles from the park. The Police Department reported that it does not need any additional resources to serve the park at this time, since the park is close to the city limits and there are no businesses or industries in the park as of now. The Engineering and Infrastructure Department reported that it would provide street maintenance, storm drainage, and sign maintenance services. The Environmental Services Department reported that industries and businesses in the park would be served by commercial garbage haulers. This department noted that the Master Plan for the park shows recreation and open space (with a trail, a nature area, and a botanical preserve) along the southern edge of the park. The department raised the question of who would pay for maintenance of the trail and botanical preserve.

PWC Water and Sewer Services - PWC Water has already been installed in both the eastern and western sections of Clark-West Road. PWC sewer has already been installed in the eastern section of Clark-West Road. At the end of the eastern section of Clark-West Road, the PWC sewer turns south toward a sewer lift station. From that lift station, sewer is forced under the Cape Fear River toward the Rockfish Wastewater Treatment Plant, where the sewer is treated.

PWC Electrical and Street Light Services - PWC Electrical lines currently serve the sewer lift station (which is located along the southern edge of the park). It is from this sewer lift station that PWC would be able to serve other sites in the park with three-phase electrical power, if the South River EMC fails to make such service available. (The park is in the South River EMC Electrical Service Territory.) PWC does not currently serve the park with street lights.

Other Providers of Electrical and Street Light Services - Both Duke Energy and South River EMC have electrical lines near the park. However, this park is in an area designated as the South River EMC Service Territory. The interlocal agreement provides that if South River fails to provide three-phase electrical service to the park, then PWC will provide this. Regarding Street Lights, South River EMC does not currently serve the park with street lights. PWC reports that it will provide street lights, if South River EMC is unable to do so.

Compliance With Satellite Annexation Standards - There are five standards that a satellite annexation must meet in order to be annexed. This area meets the five standards.

Whether Annexation of the Park Might Discourage Industries and Businesses from Locating in the Park - If the park is annexed, industries and businesses that might locate in the park would have to pay City taxes. However, the interlocal agreement contains incentives to offset the higher City taxes. (For each year during a period of ten years, a project would receive a grant-back of 70% of the City taxes paid. For each year during a period of five years, a project would receive a grant back of 50% of the County taxes paid.) If the park is annexed, industries and businesses would also have lower costs for PWC water and sewer because PWC rates are less inside the City than outside the City. Finally, if the park is annexed, three-cycle electrical service will be available to industries and businesses that locate in the park.

Estimated Acreage - According to page 1 of the interlocal agreement, the Cedar Creek Industrial Park consists of 474 acres. However, according to the map drawn by the City staff and the legal description prepared by the City staff, the area to be annexed consists of 471.52 acres. There are three reasons for this difference (1) the figure of 474 acres is based on the sum of the number of acres for the four original tracts that made up the park, as shown on the original plat for the park recorded in 1999 (at Plat Book 99, page 33). However,

since 1999, a 5.501 acre tract at the entrance to the park was deeded to a church, (2) the annexation boundary includes the western section of Clark-West Road; the acreage of this road was probably not included in the original acreage of the park. (3) The annexation boundary runs along the eastern side of Evans Dairy Road rather than along the western boundary of Evans Dairy Road as shown on the original plat. The 2011 changes to the state annexation law regarding effective dates did not apply to satellite areas. The law remains the same; a satellite annexation may be made effective immediately, or on any specified date within six months from the date of passage.

Projected Revenues - There will be no property tax revenues, because all of the land in the park is currently vacant and owned by Cumberland County, which means the land is exempt from taxation. There will be no population-based revenues because the area has no population.

Projected Costs - With no industries or businesses in the park, service demands should be minimal and no service costs are projected. There would normally be the cost of contracting with the Vander Fire Department, but without any taxable value, these costs are projected as zero.

Projected Revenues - As industries and businesses begin to locate in the park, they will purchase sites, and these sites, along with new buildings, will become taxable. This means the City will receive property tax revenue. However, the amount of tax revenue to the City will be reduced by the incentives built into the interlocal agreement. (For each year over a period of ten years, a project will receive a grant-back of 70% of the City property taxes paid.) After a project has benefitted from the grant-back for ten years, the grant-back will end, and the City will then receive the full tax revenue from the project.

Projected Costs - Service demands will increase as industries and businesses locate in the park, but it is not possible to project these costs. There might be a cost for contracting with the Vander Fire Department, but it is not possible to project this cost at this time.

OTHER ITEMS OF BUSINESS

RESOLUTION STRENGTHENING CITY COUNCIL OVERSIGHT REGARDING THE PUBLIC WORKS COMMISSION

Mr. Voorhees introduced this item and stated the resolution was drafted to authorize and direct implementation of the policy and operational activities recommended by the City Manager in response to the DL study. The immediate (1-3 months) recommendations include:

- Reestablish appropriate City Council oversight
- Realign Legal, Communications and branding

- Reestablish Charter-defined treasury role
- Develop transition plan for non-operating accounts
- Develop treasury procedures
- Initiate Phase II of the Study for Support Services
- Revise cost plans and Service Level Agreements;
Fleet Management, Purchasing, Fiber)

Mr. Voorhees stated the resolution provided the opportunity for Council to clarify its policy expectations for revising the City's working relationship with its utilities. The revised resolution reflects changes made in response to Mayor and Council feedback. The FY 14 Budget includes \$100,000 to support further study of this issue. A number of the policy objectives identified in the resolution will need to be supported by specific Council action to revise the budget consistent with revised operational responsibilities and expectations.

Discussion ensued.

Consensus of the Council was to bring this item back for further discussion and formal vote at the September 23, 2013, regular City Council meeting.

There being no further business, the meeting adjourned at 6:18 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

ANTHONY G. CHAVONNE
Mayor

091813

DRAFT

FAYETTEVILLE CITY COUNCIL
DISCUSSION OF AGENDA ITEMS MEETING MINUTES
ST. AVOLD ROOM
SEPTEMBER 23, 2013
6:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Bobby Hurst (District 5); William J.L. Crisp (District 6); Valencia A. Applewhite (District 7); Wade Fowler (District 8); James W. Arp, Jr. (District 9)

Absent: Council Member Darrell J. Haire (District 4)

Others Present: Kristoff Bauer, Deputy City Manager
Karen McDonald, City Attorney
Members of the Press

Mayor Chavonne called the meeting to order.

MOTION: Council Member Fowler moved to go into closed session for consultation with the attorney for an attorney-client privileged matter.

SECOND: Mayor Pro Tem Arp

VOTE: UNANIMOUS (9-0)

The regular session recessed at 6:20 p.m. The regular session reconvened at 6:35 p.m.

MOTION: Council Member Bates moved to go into open session.

SECOND: Council Member Massey

VOTE: UNANIMOUS (9-0)

Mayor Chavonne then began to review the agenda items. There were no concerns or comments regarding the consent agenda.

Regarding Item 6.1, City Attorney Karen McDonald explained that this was the initial zoning for the property to be annexed which was currently listed as Item 6.4. She reminded Council that should the applicant not receive the zoning sought, that they would have the opportunity to withdraw their petition under Item 6.4.

As it related to other items of business, specifically Item 7.2, Mayor Chavonne asked for delegates to attend the NCLM conference in Hickory, NC. No Council members indicated plans to attend. Discussion was held regarding appointing City Clerk Pam Megill as the voting delegate.

Staff then reviewed Item 7.4 and advised on 225 South Eastern Boulevard staff was proposing to allow the property owner additional time to make repairs and if the property owner did not make those repairs, that the property would be demolished.

There being no further business, the meeting adjourned at 6:40 p.m.

Respectfully submitted,

KAREN M. MCDONALD
City Attorney

ANTHONY G. CHAVONNE
Mayor

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**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
SEPTEMBER 23, 2013
7:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Wade Fowler (District 8); James W. Arp, Jr. (District 9)

Others Present: Kristoff Bauer, Deputy City Manager
Karen McDonald, City Attorney
Lisa Smith, Chief Financial Officer
Scott Shuford, Development Services Director
Michael Gibson, Parks, Recreation and Maintenance Director
Karen Hilton, Planning and Zoning Manager
Craig Harmon, Planner II
David Nash, Planner II
Brian Meyer, Assistant City Attorney
Steven K. Blanchard, PWC General Manager/CEO
Russ Rogerson, The Alliance CEO
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Minister Tiffany Thompson, Integrity Ministries, 108 Hay Street, Fayetteville, NC.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Mayor Chavonne and City Council.

4.0 APPROVAL OF AGENDA

MOTION: Council Member Hurst moved to approve the agenda.
SECOND: Mayor Pro Tem Arp
VOTE: UNANIMOUS (10-0)

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5.0 CONSENT

MOTION: Council Member Crisp moved to approve the consent agenda.
SECOND: Council Member Bates
VOTE: UNANIMOUS (10-0)

5.1 Adopt Resolution Authorizing the Sale of Personal Property by Public Auction

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
AUTHORIZING THE SALE OF PERSONAL PROPERTY BY PUBLIC AUCTION.
RESOLUTION NO. R2013-048

5.2 P13-20F. The rezoning of a portion of a property from SF-6 Single Family Residential to CC - Community Commercial or to a more restrictive district located at 6243 & 6113 Yadkin Road and 663 Horseshoe Road and being the property of Moore Enterprises. (Applicant withdrew the rezoning affecting the remainder of the residential property.)

5.3 P13-25F. The initial zoning of property to HI - Heavy Industrial or to a more restrictive district, located at the Cedar Creek Industrial Park on Cedar Creek Road and being the property of Cumberland County.

5.4 Case No. 13-27F. Request for rezoning from SF-10 Single Family Residential to O&I Office and Institutional or to a more restrictive district, located at parcel contiguous to 8030 Raeford Road to the rear of the Alpha Academy containing 9.54 acres more or less of 27.52 and being the property of Broadwell Land Company.

5.5 P13-28F. The conditional rezoning of property from SF-6 Single Family Residential to MR-5/CZ Mixed Residential Conditional District or to a more restrictive district located at 5204 Patton Street between Bragg Boulevard and Old Shaw Road and being the property of N. Earl Jones, Jr. and wife, Diane B. Jones.

5.6 Approve Meeting Minutes:

August 21, 2013, Agenda Briefing
August 26, 2013, Regular Meeting
September 3, 2013, Work Session
September 9, 2013, Discussion of Agenda Items
September 9, 2013, Regular Meeting

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- 5.7 Phase 5 Annexation Area 11-WS - Resolution Declaring Cost, Ordering Preparation of Preliminary Assessment Roll and Setting Time and Place for Public Hearing

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL. RESOLUTION NO. R2013-049

- 5.8 Phase 5 Annexation Area 9 - Resolution Declaring Cost, Ordering Preparation of Preliminary Assessment Roll, and Calling a Public Hearing

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL. RESOLUTION NO. R2013-050

- 5.9 Phase 5 Annexation Areas 10 and 11 - Resolution Declaring Cost, Ordering Preparation of Preliminary Assessment Roll, and Setting Time and Place for Public Hearing

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL. RESOLUTION NO. R2013-051

- 5.10 Second Amendment to PCS Site Agreement for Hoffer Drive and Shaw Road Sites

The PCS Contract Amendments were initiated at PCS's request. PCS would like to extend our existing agreement for the lease of 11,000 square feet of space on Fayetteville Public Works Commission's (FPWC) water utility property at the P.O. Hoffer Water Treatment Plant and 11,000 square feet on the FPWC watershed property on Shaw Road. PCS has cellular communication equipment at these locations. FPWC believes that the provision of cellular services to the citizens of the City of Fayetteville and Cumberland County and the associated revenue to FPWC is in the best interest of the citizens of the City of Fayetteville and the customers of FPWC. Our existing agreements are in effect until FY 2018. The amendments extend these agreements for an additional five years until FY 2023.

6.0 PUBLIC HEARINGS

- 6.1 P13-12F. Initial zoning of property from R6A County Residential to LC - Limited Commercial or to a more restrictive district located at 1030 Palm Springs Drive and Honeycutt Road and being the property of James Sanders, Donna Muraski and Charlotte Strickland. (Tabled item from July 22nd and August 26th)

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Mr. Craig Harmon, AICP, CZO - Planner II presented this item. Mr. Harmon showed vicinity maps and gave overviews of the current land uses, current zonings, surrounding land uses and zonings, and 2010 Land Use Plan. He stated the owner of these properties has petitioned for annexation into the City of Fayetteville, in order to connect to public utilities when this property is developed. As part of the petition, the applicant has requested that this property be initially zoned to LC -Limited Commercial. Currently these properties are zoned R6A in Cumberland County's jurisdiction. The Land Use Plan calls for these properties to eventually convert to heavy commercial. It is staff's opinion that development in this area has not progressed enough to warrant the conversion of these properties to commercial. As shown on the aerial photo and photographs of the surrounding properties, there are already several properties in this area zoned for commercial use that are either undeveloped or underdeveloped. Less than a mile to the south of this project on McArthur Road, there will be an interchange built for Interstate 295. An increase in traffic will be expected in this area. As stated in previous reports to the City Council, Fayetteville has an overabundance of property already zoned for commercial use. The City's staff would encourage this developer to look at infill development instead of expanding the commercial zoning footprint in the City. If annexed, it is staff's opinion that this property should remain residentially zoned at this time. The Zoning Commission held a public hearing on this case on May 14, 2013. There were no speakers in opposition. The Commission voted to recommend approval of this rezoning request. The Zoning Commission recommends approval of the initial zoning to LC based on (1) the City Land Use Plan calls for heavy commercial, (2) the proposed development fits with the character of the neighborhood, and (3) new investment in a blighted area of the City. The staff recommends denial of the initial zoning to LC based on (1) 2030 Plan discourages rezoning property to commercial solely based on it being adjacent to a thoroughfare, (2) undeveloped and underdeveloped commercial property at this intersection should be developed or redeveloped before additional land is zoned for commercial use (3) if annexed this property should remain residentially zoned at this time (4) an intense use such as fast-food encourages more commercial adjacent to this site and begins the strip commercial pattern while leaving larger properties underutilized, and (5) should the proposed use not go forward, other commercial uses could have a destabilizing effect.

Council Member Massey stated he did not think many people would want to live in that area if it remains zoned residential as there are already so many commercial ventures in the immediate surrounding areas.

This is the advertised public hearing set for this date and time. The public hearing was opened.

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Mr. Chris Pusey, 409 Chicago Drive, Suite 112, Fayetteville, NC 28306, appeared in favor and requested Council approve the request for initial zoning to LC Limited Commercial.

There being no one further to speak, the public hearing was closed.

Council Member Bates stated he drives by the area twice a day and listed several of the commercial properties in the immediate area and asked why staff would not want this property zoned commercial. Mr. Harmon responded staff was looking at this case from a standpoint of the overabundance of vacant commercial property in the City.

MOTION: Council Member Bates moved to approve the rezoning to Limited Commercial as requested by the applicant.
SECOND: Council Member Haire
VOTE: Unanimous (10-0)

6.2 P13-24F. The issuing of a Special Use Permit to allow for an automotive wrecker service to be located at Phillips Towing, 314 Alexander Street and being the property of Phillips Leasing Systems LLC.

Mr. Craig Harmon, AICP, CZO - Senior Planner presented this item and stated this project will be part of Phillips Towing & Recovery Operations at 314 Alexander Street. The applicant has several properties and existing towing facilities on Alexander Street. Most of the area along Alexander Street is zoned Heavy Industrial. The use requirements associated with Automotive Wrecker Services (Section 30-4.C.4(j) (5)) require that the use be at least 250 feet from any residential district, school or child care center. This use is immediately adjacent to one remaining residence at 247 S. Cool Spring Street and a residence at 304 Alexander Street. A text amendment was approved recently that allows a reduction in the separation requirements through a special use permit, upon showing of good cause with supporting evidence and mitigation of impacts. The facility will be used to provide maintenance for their existing equipment. Improvements to the site have already been made in order to remove three underground storage and fuel tanks, remove an old modular trailer as well as clean up the existing site and the appearance of the building. Normal business hours will be from 8AM to 5PM, while being available by request for emergency situations. Existing vegetation on either side of the house located at 247 S. Cool Spring Street is enough to satisfy the Type D buffer required in the special use permit conditions. Along the rear of the house, the applicant is requesting to install a block masonry wall in order to screen the facility from the single family residential property. There is not enough room along the backside of the applicant's facility to add anything other than a block wall due to the need for a safe aisle space width for the larger truck traffic. The applicant will also place a Type D buffer where applicable along the property line

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adjacent to the home that sits at 304 Alexander Street. Due to the nature of the proposed use and the layout of the current property, the applicant would like to construct a masonry wall along S. Cool Spring Street and along the portion of Raymond Avenue that is currently zoned LC. This will allow for significantly more screening than currently exists. This case was heard by the Zoning Commission on August 13, 2013. The Commission voted 5-0 to recommend approval. There was one speaker in favor and none in opposition. Conditions recommended by the Zoning Commission and staff are (1) removal of barbed wire within 90 days, (2) maintaining the equivalent of a Type D buffer on either side of the residence at 247 S. Cool Spring Street, (3) installation of Type D buffer along the residence at 304 Alexander Street, (4) no storage of vehicles beyond the front facade of the existing building. The Zoning Commission and staff recommend approval of the proposed SUP based on (1) conditions listed above, (2) minimal impact to the surrounding district and existing residences once required landscape buffers and solid walls are in place compared to historic uses on the site, (3) this project is located within the HI zoning district where automotive wrecker services are permitted subject to applicable requirements, (4) minimal visual impact from Alexander Street which contains various other industrial uses, (5) once complete, this project will have significantly less impact than the previous use, and (6) applicant's proposal for screening will mitigate buffer concerns from residential uses.

He further advised that the Zoning Commission and staff recommended approval as presented by staff and based on the request being able to meet the following findings:

- (1) The special use will comply with all applicable standards in Section 30-4.C, Use-Specific Standards;
- (2) The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- (3) The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration;
- (4) The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands;
- (5) The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
- (6) The special use maintains safe ingress and egress onto the site and safe road conditions around the site;

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- (7) The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and
- (8) The special use complies with all other relevant City, State, and Federal laws and regulations.

This is the advertised public hearing set for this date and time. The public hearing was opened.

Mr. Phillip McCorquodole, 3814 Alexander Street, Fayetteville, NC 28305, appeared in favor and requested Council approve the issuance of a Special Use Permit to allow for an automotive wrecker service to be located at Phillips Towing, 314 Alexander Street, Fayetteville, NC.

There being no one further to speak, the public hearing was closed. There were no comments from Council Members.

MOTION: Council Member Davy moved to approve the Special Use Permit with the four conditions as presented by staff upon a finding that all of the eight standards as listed by staff are met.

SECOND: Council Member Fowler

VOTE: Unanimous (10-0)

6.3 Moses Mathis "The Bicycle Man" Trail Head Naming Public Hearing

Mr. Michael Gibson, Parks, Recreation and Building Maintenance Director presented this item with the aid of a PowerPoint presentation and stated the department will accept bids for Phase II construction of the Cape Fear River Trail in the near future and an opportunity is available to name the Trail Head in honor of Moses Mathis, a community volunteer and leader who gave away bicycles each year to disadvantaged children. According to the "Naming of City Properties in Honor of Individuals" policy, any City facility or property may be named in honor of deceased individuals only and organizations who have made significant contributions to the quality of life and the community through their achievements, leadership, service and civic or financial donations. Based on the policy, the requirements would be met to name the Trail Head after Mr. Mathis. Mr. Gibson thanked Mrs. Moses Mathis for her attendance at the public hearing and also for continuing on with the efforts set forth by her late husband.

The Public Hearing was opened. There were no speakers. The Public Hearing was closed.

Council Member Haire acknowledged Mrs. Mathis and stated this was a good thing.

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Council Member Fowler stated Mr. Moses Mathis is well worth this form of respect.

Council Member Crisp thanked Mrs. Mathis for carrying on the good work, and appealed to the City residents to contribute time and money to this worthy cause.

MOTION: Council Member Massey moved to approve the naming of a Cape Fear River Trail trail head for Moses Mathis in honor of the good work he performed during his life.

SECOND: Mayor Pro Tem Arp

VOTE: Unanimous (10-0)

6.4 Public Hearing to Consider a Petition Requesting Annexation of a Non-Contiguous Area Known as the Honeycutt Road at Palm Springs Drive Property (Tabled from July 22 and August 26.)

Mr. David Nash, AICP, Planner II, presented this item and stated this annexation item was originally scheduled for the City Council meeting on July 22, 2013. However, due to problems with the legal description of the boundaries of the site, the item was tabled until August 26. On August 26, 2013, the item was again tabled until September 23, 2013. The information below has been updated to reflect several recent changes. For example, the site originally consisted of three tax parcels; these three parcels have now been combined into one parcel. The site originally consisted of 1.32 acres; the site is now assumed to have 1.16 acres. Mr. Eric Nelson proposes new commercial development on a site located on Honeycutt Road at Palm Springs Drive in the Eureka Springs community. This site is not contiguous to the City. There are currently two vacant houses on the site. If the site is annexed and initially zoned as commercial, Mr. Nelson plans to buy the land in the site. He then plans to remove the two vacant houses and develop the site commercially. Mr. Nelson has said that he intends to build a Subway Restaurant on the site. However, commercial zoning would allow a range of commercial uses. The site is in the Fayetteville Municipal Influence Area (MIA). Mr. Nelson has not yet purchased the site. Therefore, he has asked the current owners to submit an annexation petition. The City staff received the petition on March 5, 2013. The petition was signed by James Steven Sanders, Donna Lynn Muraski, and Charlotte A. Strickland. On April 9, 2013, the Zoning Commission held its public hearing on the initial zoning of this area. On July 22, 2013, the City Council was to hold public hearings on the initial zoning and annexation. Prior to this meeting, the City staff attempted to write a legal description for the ordinance, and the staff discovered that there was a gap problem and an overlap problem along the boundaries of this area. On July 22, 2013, the public hearings were tabled until the City Council meeting of August 26. By August 26, 2013, the problems had not been resolved, and the public hearings were tabled until September 23, 2013. City

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staff believes the overlap area boundary problem has been resolved and has been able to prepare a legal description for the proposed annexation ordinance. City staff has also been able to prepare a legal description map. Both the legal description and the legal description map show that the area consists of 1.16 acres, rather than 1.32 acres. Both the legal description and legal description map also show that the area consists of one parcel, rather than three. Mr. Nash concluded by stating City staff recommends City Council move to adopt the proposed ordinance annexing the area effective September 23, 2013, and establish the initial zoning consistent with the prior action on the zoning case.

This is the advertised public hearing set for this date and time. There was no one present to speak and the public hearing was opened and closed.

AN ANNEXATION ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA [Honeycutt Road at Palm Springs Drive Property - Located in the Eureka Springs Community Tax Parcel - (0521-50-7016) (Previously Included 3 Tax Parcels: 0521-50-7080, 0521-50-6080, 0521-50-7104). ANNEXATION ORDINANCE NO. 2013-09-545

MOTION: Council Member Bates moved to adopt the proposed ordinance annexing the area effective September 23, 2013, and establish the initial zoning consistent with the prior action on the zoning case.

SECOND: Council Member Crisp

VOTE: Unanimous (10-0)

6.5 Public Hearing to Consider a Request from Cumberland County to Annex the Cedar Creek Industrial Park as a Non-Contiguous Area

Mr. David Nash, Planner II, presented this item and stated around 1999, Cumberland County began developing the Cedar Creek Industrial Park that comprises over 470 acres. It is located along Cedar Creek Road, about 1.5 miles east of I-95 and about 1.2 miles beyond the existing Fayetteville city limits. The County developed the park for the purpose of providing sites for the location of new industries and businesses. The County hoped that new industries and businesses would locate in the park, which would lead to the creation of new jobs and the enhancement of the tax base. The County has made a major investment in planning/design, land, and infrastructure. For example, two sections of a road (Clark-West Road) have been built, and PWC water and sewer lines have been installed. Development sites are now available in the park. However, no industries or businesses have located in the park since it was developed. Development officials believe that the lack of three-phase electrical power service might be hindering effective marketing of the park. Both PWC and the South River Electric Membership Corporation are able to extend three-phase electrical power to the park. City and County staffs have negotiated an interlocal agreement that would establish an

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economic development incentive program for the park. The interlocal agreement would bring the park into the City through annexation, and it would establish a specific package of development incentives designed to mitigate the tax consequences of annexation. Both the City Council and the County Commissioners have approved the interlocal agreement. Section 9 of the agreement says that the agreement will become effective upon the effective date of the annexation. On July 3, 2013, the City received the final signed copy of the interlocal agreement, along with a legal description. Since Section 1 of the agreement says that the agreement shall be construed to constitute a petition by the County for the annexation of the entire park into the City, the City staff has treated this request as a satellite annexation petition. On August 13, 2013, the Fayetteville Zoning Commission held an initial zoning public hearing on this annexation request. This evening City Council has approved the initial zoning of the park as part of the consent agenda.

This is the advertised public hearing set for this date and time. There was no one present to speak and the public hearing was opened and closed.

MOTION: Council Member Massey moved to adopt the proposed ordinance annexing the area effective September 23, 2013, and establish the initial zoning consistent with the prior action on the zoning case. Annexing the area effective September 23, 2013, means that the interlocal agreement (with the economic development incentives) will become effective on September 23, 2013.

SECOND: Council Member Fowler

VOTE: Unanimous (10-0)

7.0 OTHER ITEMS OF BUSINESS

7.1 Economic Development Task Force

Mr. Russ Rogerson, Executive Vice President, Economic Development Alliance presented this item and stated this is further discussion on what Deputy City Manager, Ms. Small-Toney, presented a month ago regarding the creation of an Economic Development Task Force. The discussion was surrounding The Alliance serving as the umbrella organization for this task force while we may also create subcommittees and try to reduce duplication of effort and city resources. There is unknown budget impact at this time and primarily because it does not cost anything to get people together to talk and share ideas. It is with the implementation of those ideas where budget issues may come into play. We have before you two options:

1) Request The Alliance to provide oversight to the Economic Development Task Force and establish the following four subcommittees: Corridor Redevelopment, Governmental Regulations, Workforce Development and New and Existing Industries.

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2) Direct staff to establish a stand-alone Economic Development Task Force to address the stated economic development issues.

Council Member Crisp stated that he would like the Task Force to report back to the Council on a regular and frequent basis. Mr. Rogerson responded the Task Force would report back at whatever frequency the Council desires.

MOTION: Council Member Davy moved to approve The Alliance to provide oversight to the City of Fayetteville's Economic Development Task Force and its subcommittees, and to provide progress reports to City Council throughout the year.

SECOND: Council Member Crisp

VOTE: PASSED by a vote of 9 in favor and 1 in opposition (Council Member Bates)

7.2 NC League of Municipalities (NCLM) Annual League Business Meeting Voting Delegates

MOTION: Council Member Bates moved to delegate Pamela Megill, City Clerk, as voting delegate to represent the City at the NCLM Annual Business Meeting.

SECOND: Mayor Pro Tem Arp

VOTE: UNANIMOUS (10-0).

7.3 Resolution Strengthening City Council Oversight Regarding the Public Works Commission

Mr. Kristoff Bauer, Deputy City Manager, presented this item and stated Council adopted the FY13 Strategic Plan on May 14, 2012. A proposal was received from DavenportLawrence (DL) consultant services in December 2012. The Council authorized the contract with DL on February 11, 2013. DL presented key findings and recommendations on August 5, 2013, and the City Council directed the City Manager to recommend specific follow-up actions in response to that study. The City Manager proposed specific actions in response to the DL study during the September 3, 2013, Work Session and Council directed the City Manager to bring forward an action item for consideration at the next Council regular meeting. The City Council voted on September 9, 2013 to table this item until September 23, 2013. The stated purpose of this delay was to provide an opportunity for the preparation of a revised resolution based on Council feedback.

MOTION: Council Member Fowler moved to approve the resolution as presented.

SECOND: Council Member Crisp

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Council Member Applewhite stated over the last six years I have been in office I have been perhaps the most vocal about strengthening our oversight of PWC specifically during budget deliberations, so I am glad that we are moving forward. I believe we were told the cost of the complete study would be around \$400,000, that is a lot of money. I think staff, elected officials and PWC staff should work together to complete the study instead of spending \$400,000. Council Member Applewhite also stated the item was moving very fast. I do support more oversight of the PWC but this item is moving too fast and the cost is unnecessary.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE REGARDING THE PUBLIC WORKS COMMISSION. RESOLUTION NO. R2013-052

SUBSTITUTE MOTION

MOTION: Council Member Davy moved to approve the resolution with an amendment to line 50; replace the word "shall" with the word "may".

SECOND: NONE - motion died for lack of second.

ORIGINAL MOTION RE-STATED

MOTION: Council Member Fowler moved to approve the resolution as presented.

SECOND: Council Member Crisp

VOTE: PASSED by a vote of 7 in favor and 3 in opposition (Council Members Haire, Applewhite and Bates).

7.4 Uninhabitable Structures Demolition Recommendations

**225 S. Eastern Boulevard
540 Frink Street
516 Lamon Street
520 Lamon Street
217 Old Wilmington Road**

Mr. Scott Shuford, Development Services Director, presented this item with the aid of a PowerPoint presentation and multiple photographs of the properties. He stated staff recommended adoption of the ordinances authorizing demolition of the structures. He reviewed the following demolition recommendations:

225 S. Eastern Boulevard

Mr. Shuford stated the structure is a vacant commercial structure that was involved in a fire in December 2012. As a result of the fire the structure was inspected and condemned as a dangerous structure on December 18, 2012. A hearing on the condition of the structure was conducted on January 9, 2013, which the owner attended. A subsequent Hearing Order to repair or demolish the structure within

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120 days was issued and mailed to the owner on January 10, 2013. To date there have been no permitted repairs to the structure. The utilities to the structure have been disconnected since December 2012. In the past 24 months there have been 142 calls for 911 service to the property. There have been 6 code violation cases with no pending assessments. The low bid for demolition is \$1,489.00.

540 Frink Street

Mr. Shuford stated the structure is a vacant residential home that was inspected and condemned as a dangerous structure on November 13, 2012. A hearing on the condition of the structure was conducted on January 9, 2013, which the owner responded but did not attend. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the property within 90 days was issued and mailed to the owner on January 10, 2013. To date there has been little repair done to the structure. The utilities to the structure have been disconnected since June 2010. In the past 24 months there have been 5 calls for 911 service to the property. There have been 5 code violation cases with no pending assessments. The low bid for demolition is \$1,900.00.

516 Lamon Street

Mr. Shuford stated the structure is a vacant residential home that was inspected and condemned as a blighted structure on November 21, 2012. A hearing on the condition of the property was conducted on December 5, 2012, which the owner did not attend. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on December 6, 2012. To date there have been no repairs to the structure. The utilities to this structure have been disconnected since September 2008. In the past 24 months there have been 7 calls for 911 service to the property. There have been 9 code violation cases with a pending assessment of \$1,261.50. The low bid for demolition is \$2,500.00.

520 Lamon Street

Mr. Shuford stated the structure is a vacant residential home that was inspected and condemned as a blighted structure on November 21, 2012. A hearing on the condition of the property was conducted on December 5, 2012, which the owner did not attend. A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owner on December 6, 2012. To date there have been no repairs to the structure. The utilities to this structure have been disconnected since June 2011. In the past 24 months there have been 53 calls for 911 service to the property. There have been 6 code violation cases with a pending assessment of \$656.30. The low bid for demolition is \$2,500.00.

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217 Old Wilmington Road

Mr. Shuford stated the structure is a vacant residential home that was inspected and condemned as a blighted structure on June 13, 2012. A hearing on the condition of the property was conducted on September 5, 2012, which the owner did not attend. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on September 6, 2012. To date there have been no repairs to the structure. In the past 24 months there have been 5 calls for 911 service to the property. There have been 9 code violation cases with a pending assessment of \$1,029.21. The low bid for demolition is \$1,900.00.

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA, REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY (225 S. Eastern Boulevard, PIN 0447-01-3000). ORDINANCE NO. NS2013-031.

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA, REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY (540 Fink Street, PIN 0437-58-1081). ORDINANCE NO. NS2013-032.

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA, REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY (516 Lamon Street, PIN 0447-05-2072). ORDINANCE NO. NS2013-033.

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA, REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY (520 Lamon Street, PIN 0447-04-3949). ORDINANCE NO. NS2013-034.

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA, REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY (217 Old Wilmington Road, PIN 0437-81-6874). ORDINANCE NO. NS2013-035.

MOTION: Council Member Davy moved to adopt the ordinances authorizing demolition of the structures; the property located at 225 S. Eastern Boulevard is granted an additional 30 days to submit appropriate renovation plans to the City.

SECOND: Mayor Pro Tem Arp

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VOTE: PASSED by a vote of 9 in favor and 1 in opposition (Council Member Bates).

8.0 ADMINISTRATIVE REPORTS

8.1 Monthly Statement of Taxes for August 2013

2013 Taxes.....	\$2,611,592.79
2013 Vehicle.....	307,353.83
2013 Taxes Revit.....	2,801.27
2013 Vehicle Revit.....	507.04
2013 FVT.....	33,856.99
2013 FTT.....	33,856.99
2013 Storm Water.....	128,375.13
2013 Fay Storm Water.....	256,375.13
2013 Fay Solid Waste Fee.....	114,507.10
2013 Annex.....	0.00

2012 Taxes.....	43,879.64
2012 Vehicle.....	106,319.84
2012 Taxes Revit.....	208.15
2012 Vehicle Revit.....	20.13
2012 FVT.....	13,513.07
2012 FTT.....	13,513.05
2012 Storm Water.....	1,380.49
2012 Fay Storm Water.....	2,761.00
2012 Fay Recycle Fee.....	3,042.47
2012 Annex.....	0.00

2011 Taxes.....	4,629.02
2011 Vehicle.....	3,628.04
2011 Taxes Revit.....	0.00
2011 Vehicle Revit.....	0.00
2011 FVT.....	830.70
2011 FTT.....	830.70
2011 Storm Water.....	274.50
2011 Fay Storm Water.....	549.02
2011 Fay Recycle Fee.....	212.08
2011 Annex.....	0.00

2010 Taxes.....	2,322.53
2010 Vehicle.....	807.83
2010 Taxes Revit.....	0.00
2010 Vehicle Revit.....	0.00
2010 FVT.....	219.35
2010 FTT.....	219.31
2010 Storm Water.....	96.00
2010 Fay Storm Water.....	192.00
2010 Fay Recycle.....	114.00
2010 Annex.....	0.00

DRAFT

2009 and Prior Taxes.....	3,267.78
2009 and Prior Vehicle.....	2,104.10
2009 and Prior Taxes Revit.....	0.33
2009 and Prior Vehicle Revit.....	0.00
2009 and Prior FVT.....	533.85
2009 and Prior Transit.....	233.29
2009 and Prior Storm Water.....	240.00
2009 and Prior Fay Storm Water.....	192.00
2009 and Prior Fay Recycle Fee.....	80.00
2009 and Prior Annex.....	41.82
Interest.....	18,520.02
Revit Interest.....	15.78
Storm Water Interest.....	280.16
Fay Storm Water Interest.....	365.84
Annex Interest.....	3.64
Fay Recycle Interest.....	316.47
Fay Transit Interest.....	1,414.00
Total Tax and Interest.....	\$3,716,776.33

9.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:05 p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

ANTHONY G. CHAVONNE
Mayor

092313

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE ROOM
October 7, 2013
5:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1) (departed at 7:12 p.m.); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7) (arrived at 5:45 p.m.); Wade Fowler (District 8); James W. Arp, Jr. (District 9) (arrived at 5:17 p.m.)

Absent: Darrell J. Haire (District 4)

Others Present: Theodore Voorhees, City Manager
Kristoff Bauer, Deputy City Manager
Rochelle Small-Toney, Deputy City Manager
Karen McDonald, City Attorney
Lisa Smith, Chief Financial Officer
Brian Meyer, Assistant City Attorney
Scott Shuford, Development Services Director
Rusty Thompson, Engineering and Infrastructure Director
Victor Sharpe, Community Development Director
Brad Chandler, Assistant Police Chief
Karen Hilton, Planning and Zoning Manager
Dwight Miller, PWC Chief Financial Officer
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Council Member Fowler.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Fowler moved to approve the agenda with the addition of Item 4.8 Closed Session (Economic Development).
SECOND: Council Member Bates
VOTE: UNANIMOUS (7-0)

4.0 OTHER ITEMS OF BUSINESS

4.1 Redevelopment Toolbox

Mr. Scott Shuford, Development Services Director, presented this item with the aid of a PowerPoint presentation and stated the Community Investment portfolio headed by Deputy City Manager Rochelle Small-Toney is tasked with promoting community redevelopment. The Development Services Department's chief purpose is to protect and enhance the built environment of the City of Fayetteville. The "Redevelopment Toolbox" that is the subject of today's presentation is a collection of potential zoning ordinance text amendments that support these goals and objectives. The presentation is intended to generate Council discussion and any desired direction.

Mr. Shuford stated the Community Redevelopment and Reinvestment Program (CRIP) develops a coordinated response to redevelopment and reinvestment needs. It leverages private investment using City funding, capital improvement programming, federal and state grants, and promotes development of investment in priority areas and projects. Mr. Shuford provided illustrations of zoning tools: Cottage Developments, Regional Activity Centers, Small Subdivision Alternative Standards, Residential Density in Commercial Districts, Adaptive Reuse, Live-Work Units, Neighborhood Conservation Districts, Urban Agriculture and Research and Technology Production Uses.

There were no comments or discussion. Mayor Chavonne thanked Mr. Shuford for his excellent presentation.

4.2 Stormwater Projects Update

Mr. Rusty Thompson, PE, Engineering and Infrastructure Director, presented this item with the aid of a PowerPoint presentation and stated staff will present items on current expenditures, completed projects and future projects. Mr. Thompson stated in some areas the City identifies and prioritizes a stormwater project by way of completing a watershed or neighborhood study to understand how to treat it. In other areas, staff is able to do the study and propose a solution that will reduce flooding potential. If the cost is more than \$50,000 the City places the item in the Capital Improvement Program (CIP) and ranks it with other projects based on a variety of criteria. A total of 44 storm drainage projects have been completed since 2009, 14 future projects are in design or have been funded and there is an average of 796 maintenance work orders completed annually. Mr. Thompson provided information on the projects in the five-year CIP and listed the budget year, project and location and the estimated cost. Mr. Thompson concluded by stating all of the information presented this evening is available on the City website.

Mayor Pro Tem Arp stated the projects were all positive impacts for our City. Mayor Chavonne thanked Mr. Thompson for his presentation.

4.3 Community Development - Request for additional funding to acquire land in Catalyst Site 1 of the Murchison Road Redevelopment Plan Area.

Mr. Victor Sharpe, Community Development Director, presented this item and stated on January 28, 2013, City Council adopted a resolution authorizing the City Manager to execute documents pertaining to the acquisition of property in Catalyst Site 1 of the Murchison Road Redevelopment Plan Area. Since that time, City staff has been successful in acquiring parcels in the subject area. The acquisition of land in Catalyst Site 1 of the Murchison Road Redevelopment Plan area has been approved by City Council. Funding is currently recommended in the Capital Improvement Plan (CIP) and has been funded in last year's and this year's budget in the amount of \$380,000. Catalyst Site 1 contains 73 parcels. To date the City has expended \$149,498 to acquire seven (7) parcels. There are 13 parcels scheduled to close in the next two weeks totaling \$99,582. After the City closes on the 13 parcels, \$130,920 will be available. City staff is currently in negotiation with the owners of 23 additional parcels. The acquisition of the 23 parcels exceeds the remaining amount available to spend this fiscal year. There are 2 parcels owned jointly by the City and the County. We have requested those parcels from the County. There are three (3) parcels owned by the NC Department of Transportation and staff has plans to request those properties also. To date \$380,000 has been budgeted in the CIP for the acquisition of land in Catalyst Site 1. Additional funding is needed to further the acquisition portion of the plan. Mr. Sharpe concluded by stating this request is to fund the acquisition of land in Catalyst Site 1 of the Murchison Road Redevelopment Plan area with an additional \$500,000.

Consensus of Council was to place this item on City Council's October 28, 2013, meeting agenda for consideration of an appropriation of \$500,000 for the acquisition of land in Catalyst Site 1 of the Murchison Road Redevelopment Plan area.

4.4 Hire Fayetteville First & City/Cumberland County/Cumberland County Schools Cooperative Purchasing Update

Ms. Gloria Wrench, Purchasing Manager, presented this item with the aid of a PowerPoint presentation. Ms. Wrench stated on July 9, 2012, Council adopted Policy 135.02 - "Hire Fayetteville First Jobs Creation Policy." On February 11, 2013, Council approved 8-Steps to be used by staff towards meeting the objectives of the Policy. On May 6, 2013, Council was provided an update as to staff's work plan to achieve the 8-Steps. As a result of a discussion with the Mayor in July, staff was asked to work with purchasing staff from Cumberland County and the Cumberland County Schools to discuss and develop joint purchasing initiatives. This discussion is intended to inform Council of the measures being taken by staff to meet the objectives of Hire Fayetteville First and towards the establishment of cooperative efforts by the City, Cumberland County and the Cumberland County

Schools to increase awareness and participation in contracts by local vendors. Ms. Wrench provided an update of the 8 Steps: Steps 1 and 2 - No action required and already being supported by staff. Step 3 - The Center for Economic Empowerment and Development (CEED) is on the list of organizations receiving notices of City and FPWC bid opportunities. Step 4 - Notice for the purchase of apparatus, materials and supplies, as well as construction and repair work are being posted on the FPWC website and Matchforce.org for a minimum of five (5) working days. A total of 49 notices have been posted to Matchforce to date. The City's website links have been updated to point to PWC's purchasing page. Step 5 - Staff anticipates that vendor update requests will be mailed out in mid-October. Timing will be more in line with go-live FPWC's Oracle E-Business Suite. Updating Oracle will save time as all vendor data will not be migrated from the current system. Step 6 - FPWC will be using purchasing category codes in Oracle. Preliminary codes have been identified. Codes can be added to or updated as needed. Further investigation will be made regarding the feasibility of using NAICS codes. Step 7 - Matchforce is being used to post solicitations of \$30,000 or more. A NAIC code is identified and used when posting the solicitation and when searching the Matchforce database for vendors. Step 8 - The DBE Compliance Officer served as guest speaker at CEED's "Doing Business with your Local Government" workshop in May 2013. The DBE Compliance Officer is currently working with CEED to develop a workshop to increase awareness of upcoming City and FPWC Capital Improvement Projects. The DBE Compliance Officer is planning to attend the North Carolina MWBE Coordinator's Annual Conference this fiscal year.

Ms. Wrench concluded her presentation by stating City staff, FPWC, Cumberland County and Cumberland County schools staff met and discussed purchasing procedures and vendor outreach. This group plans to meet again in November.

A brief discussion ensued. Mayor Chavonne and Council Members thanked Ms. Wrench for a great presentation.

4.5 Permit Requirements for Alarm System Solicitors

Ms. Lisa Smith, Chief Financial Officer, presented this item with the aid of a PowerPoint presentation and stated in recent months, the City has received inquiries regarding the required frequency to renew a solicitor's permit for alarm company representatives as well as the City's process for ensuring that alarm company representatives are properly licensed by the State. The purpose of the presentation will be to provide an overview of the City's current solicitor's permit process, information from several of our municipal peers, as well as seek Council feedback on the proposal to extend the duration of the solicitor's permit for alarm company representatives from three months up to one year. In addition, the City recently began requiring alarm company representatives to present a copy of their state license or application prior to accepting a city solicitor's permit application.

Since this is not in the ordinance, the City Attorney's Office has also recommended an ordinance amendment to explicitly authorize the City to require additional information as appropriate, such as evidence of any required federal or state license, prior to issuing a solicitor's permit. The current local ordinance is governed by City Code Section 15-16. An individual must obtain a city permit to solicit in or upon public property, private residence or premises (includes contractors soliciting for alarm companies). The permit process involves filing an application with the Collections Division of the Finance Department. The application includes applicant information, nature of business, a photo and fingerprint card. Applicants are subject to a criminal history background check by the Police Department. The Police Department denies the solicitors permit if the applicant has within the last five years been convicted of a felony or misdemeanor, convicted of violating certain statutes or ordinances such as the NC Controlled Substances Act, convicted of violating the City's Code of Ordinances - Chapter 15 (Licenses), and moving violations. The Solicitor's permit is valid for three months, and may be renewed for additional three-month periods if renewed before expiration of the original permit. The permit fee is \$25 for the original application and \$5 for the renewal fee. Exemptions exist for charitable organizations and certain fresh vegetable and produce stands. The solicitor may not impede traffic.

Council Member Bates cautioned that citizens should always require door-to-door sales persons to show their license; and if they do not have one, the citizen should inform the police.

Mayor Pro Tem Arp stated with the current ordinance a solicitor that wanted to operate for a one-year period would have to visit City Hall four times over that one-year period. Mayor Pro Tem Arp expressed concerns over businesses that operate illegally within the city and made reference to roofing companies offering services in the wake of the hurricane that hit Fayetteville in 2011.

Mr. Voorhees stated staff will draft an amended ordinance that will accommodate the State licensing requirement.

Consensus of Council was to bring this item forward to a future regular Council meeting.

4.6 Property Tax Report

Ms. Lisa Smith, Chief Financial Officer, presented this item with the aid of a PowerPoint presentation. Ms. Smith provided a slide that detailed the FY2013 taxable property base per capita for the cities of Fayetteville, Charlotte, Raleigh, Durham, Greensboro, Winston-Salem, Cary, Wilmington, High Point and Asheville. Ms. Smith gave an overview of the breakdown of percentages for the FY2013 property tax base composition and highlighted Residential Real estate at 59.3% and Commercial Real-Estate at 24.6%. The composition of the property tax

base was compared to the previously listed peer cities. Ms. Smith provided a chart that detailed the property value, rate and levy history. Ms. Smith stated the North Carolina's vehicle Tag and Tax Together program collects vehicle property taxes along with registration renewals; this became effective for vehicle registrations on September 1, 2013.

Mr. Voorhees stated this presentation contained very noteworthy and positive information to build on.

4.7 City Council Request (a) Council Member Wade Fowler - Road Resurfacing

Council Member Fowler stated he proposes the Council restore funding from the reserve fund for road resurfacing to bring better traffic condition for economic development. Council Member Fowler stated this item was one of the top three Strategic Plan for Action items and the City does have the funding available for a one-time expense to significantly improve our streets without utilizing the general fund of requiring a tax increase. This is a quality of life item.

Council Member Crisp asked Mr. Thompson, Engineering and Infrastructure Engineer, if the Council waits on this item, will the cost increase. Mr. Thompson confirmed the cost would increase. Council Member Applewhite stated there were several items set aside during the budget deliberations and said she would prefer all of the items set aside be reconsidered for funding.

Mr. Voorhees stated that the City is currently in audit; after the conclusion of the audit, excess funds that were not earmarked for certain items can be identified and discussed at a later date.

MOTION: Mayor Chavonne moved to go into closed session for consultation with the attorney for an attorney-client privileged matter.

SECOND: Council Member Davy

VOTE: UNANIMOUS (8-0)

The regular session recessed at 7:25 p.m. The regular session reconvened at 7:35 p.m.

MOTION: Council Member Fowler moved to go into open session.

SECOND: Council Member Massey

VOTE: UNANIMOUS (8-0)

MOTION: Council Member Massey moved to suspend the rules.

SECOND: Mayor Pro Tem Arp

VOTE: UNANIMOUS (8-0)

RESOLUTION AUTHORIZING THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE, NORTH CAROLINA TO APPLY FOR FUNDING THROUGH
THE ONE NORTH CAROLINA FUND. RESOLUTION NO. R2013-53

MOTION: Mayor Pro Tem Arp moved to pass the Resolution authorizing
an agreement with the Fayetteville Regional Chamber of
Commerce for the match required and for the submission of
an application to the One North Carolina fund in the amount
of \$64,000 and authorize the City Manager to execute the
necessary documents

SECOND: Council Member Fowler

VOTE: UNANIMOUS (8-0)

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:40
p.m.

Respectfully submitted,

PAMELA J. MEGILL
City Clerk

ANTHONY G. CHAVONNE
Mayor

100713

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of Council
FROM: Steven K. Blanchard, PWC CEO/General Manager
DATE: October 28, 2013
RE: **Bid Recommendation - Water and Wastewater Chemicals**

THE QUESTION:

The Public Works Commission of the City of Fayetteville requests Council approve bid award for one-year contracts, with option to extend contract for additional one-year period(s) upon agreement of both parties for the purchase of water and wastewater chemicals.

RELATIONSHIP TO STRATEGIC PLAN:

Quality Utility Services

BACKGROUND:

The Public Works Commission, during their meeting of October 9, 2013 approved bid awards for one-year contracts, with option to extend contract for additional one-year period(s) upon agreement of both parties for the purchase of water and wastewater chemicals and forward to City Council for approval. Bids were received September 26, 2013 as follows:

1. Pencco, Inc., San Felipe, TX, low bidder in the amount of \$742,200.00 for purchase of approximately 6,000 tons of Ferric Sulfate Liquid. Bids were solicited from 33 bidders with two bidders responding as follows:

<u>Bidders:</u>	<u>Total Cost</u>
Pencco, Inc., San Felipe, TX	\$742,200.00
Kemira Water Solutions, Lawrence, KS	\$906,000.00

Note: FPWC is currently paying \$187.00 per ton; this year's bid price is \$123.70 per ton which represents a decrease of \$379,800 over the term of the contract.

2. JCI Jones Chemicals, Charlotte, NC, low bidder in the amount of \$525,600.00 for purchase of approximately 4,000 tons of 15% Sodium Hypochlorite. Bids were solicited from 33 bidders with three bidders responding as follows:

<u>Bidders</u>	<u>Total Cost</u>
JCI Jones Chemicals, Charlotte, NC	\$525,600.00
Univar USA, Inc., Morrisville, PA	\$556,000.00
Brenntag Mid-South, Inc., Durham, NC	\$574,400.00

Note: FPWC is currently paying \$158.50 per ton; this year's bid price is \$131.40 per ton which represents a decrease of \$108,400 over the term of the contract.

3. Brenntag Mid-South, Inc., Durham, NC, low bidder in the amount of \$531,760.00 for purchase of approximately 2,300 tons of 50% Caustic Soda. Bids were solicited from 33 bidders with six bidders responding as follows:

<u>Bidders</u>	<u>Total Cost</u>
Brenntag Mid-South, Inc., Durham, NC	\$531,760.00
Watkins Marketing & Assoc., Woodstock, GA	\$540,500.00
Univar USA Inc., Morrisville, PA	\$553,150.00

Colonial Chemical Solutions, Savannah, GA	\$576,702.00
JCI Jones Chemicals, Charlotte, NC	\$584,200.00
Key Chemical Inc., Waxhaw, NC	\$598,299.00

Note: FPWC is currently paying \$246.00 per ton; this year's bid price is \$231.20 per ton which represents a decrease of \$34,040 over the term of the contract.

ISSUES:

The low bidders are not classified as SDBE, minority or woman owned businesses.

BUDGET IMPACT:

Fayetteville PWC Budgeted Item

OPTIONS:

N/A

RECOMMENDED ACTION:

The Public Works Commission of the City of Fayetteville recommends to the City Council to award bids for purchase of water/wastewater chemicals as follows:

1. Pencco, Inc., San Felipe, TX, low bidder in the amount of \$742,200.00 for purchase of approximately 6,000 tons of Ferric Sulfate Liquid.
2. JCI Jones Chemicals, Charlotte, NC, low bidder in the amount of \$525,600.00 for purchase of approximately 4,000 tons of 15% Sodium Hypochlorite.
3. Brenntag Mid-South, Inc., Durham, NC, low bidder in the amount of \$531,760.00 for purchase of approximately 2,300 tons of 50% Caustic Soda

ATTACHMENTS:

Bid Recommendation - Ferric Sulfate Liquid

Bid Recommendation - Sodium Hypochlorite

Bid Recommendation - Caustic Soda

Bid history - chemical bids

**PUBLIC WORKS COMMISSION
ACTION REQUEST FORM**

TO: Steve Blanchard, CEO/General Manager **DATE:** October 2, 2013

FROM: Gloria Wrench, Purchasing Manager

.....
ACTION REQUESTED: Award contract for the purchase of approximately 6,000 tons of Ferric Sulfate Liquid over a one-year period (with the option to extend contract for additional one-year periods upon the agreement of both parties).
.....

BID/PROJECT NAME: Water and Wastewater Chemicals

BID DATE: September 26, 2013 **DEPARTMENT:** Water/Wastewater Treatment

.....

BIDDERS	TOTAL COST
<u>Pencco, Inc., San Felipe, TX</u>	<u>\$742,200.00</u>
<u>Kemira Water Solutions, Lawrence, KS</u>	<u>\$906,000.00</u>

.....

AWARD RECOMMENDED TO: Pencco, Inc., San Felipe, TX

BASIS OF AWARD: Low bidder

.....
COMMENTS: Bids were solicited from thirty-three (33) bidders with two (2) bidders responding. FPWC is currently paying \$187.00 per ton; this year's bid price is \$123.70 per ton which represents a decrease of \$379,800 over the term of the contract. The low bid is recommended.
.....

ACTION BY COMMISSION

APPROVED _____ **REJECTED** _____
DATE _____

ACTION BY COUNCIL

APPROVED _____ **REJECTED** _____
DATE _____

**PUBLIC WORKS COMMISSION
ACTION REQUEST FORM**

TO: Steve Blanchard, CEO/General Manager **DATE:** October 2, 2013

FROM: Gloria Wrench, Purchasing Manager

.....
ACTION REQUESTED: Award contract for the purchase of approximately 4000 tons of 15% Sodium Hypochlorite over a one-year period (with the option to extend contract for additional one-year periods upon the agreement of both parties).
.....

BID/PROJECT NAME: Water and Wastewater Chemicals

BID DATE: September 26, 2013 **DEPARTMENT:** Water/Wastewater Treatment

.....

BIDDERS	TOTAL COST
<u>JCI Jones Chemicals, Charlotte, NC</u>	<u>\$525,600.00</u>
<u>Univar USA, Inc., Morrisville, PA</u>	<u>\$556,000.00</u>
<u>Brenntag Mid-South, Inc., Durham, NC</u>	<u>\$574,400.00</u>

.....

AWARD RECOMMENDED TO: JCI Jones Chemicals, Charlotte, NC

BASIS OF AWARD: Low bidder

.....
COMMENTS: Bids were solicited from thirty-three (33) bidders with three (3) bidders responding. PWC is currently paying \$158.50 per ton; this year's bid price is \$131.40 per ton which represents a decrease of \$108,400 over the term of the contract. The low bid is recommended.
.....

ACTION BY COMMISSION

APPROVED _____ **REJECTED** _____
DATE _____

ACTION BY COUNCIL

APPROVED _____ **REJECTED** _____
DATE _____

**PUBLIC WORKS COMMISSION
ACTION REQUEST FORM**

TO: Steve Blanchard, CEO/General Manager **DATE:** October 2, 2013

FROM: Gloria Wrench, Purchasing Manager

.....
ACTION REQUESTED: Award contract for the purchase of approximately 2300 tons of 50% Caustic Soda over a one-year period (with the option to extend contract for additional one-year periods upon the agreement of both parties).
.....

BID/PROJECT NAME: Water and Wastewater Chemicals

BID DATE: September 26, 2013 **DEPARTMENT:** Water/Wastewater Treatment

.....

BIDDERS	TOTAL COST
<u>Brenntag Mid-South, Inc., Durham, NC</u>	<u>\$531,760.00</u>
<u>Watkins Marketing & Assoc., Woodstock, GA</u>	<u>\$540,500.00</u>
<u>Univar USA Inc., Morrisville, PA</u>	<u>\$553,150.00</u>
<u>Colonial Chemical Solutions, Savannah, GA</u>	<u>\$576,702.00</u>
<u>JCI Jones Chemicals, Charlotte, NC</u>	<u>\$584,200.00</u>
<u>Key Chemical Inc., Waxhaw, NC</u>	<u>\$598,299.00</u>

.....

AWARD RECOMMENDED TO: Brenntag Mid-South, Inc., Durham, NC

BASIS OF AWARD: Low bidder

.....
COMMENTS: Bids were solicited from thirty-three (33) bidders with six (6) bidders responding. FPWC is currently paying \$246.00 per ton; this year's bid price is \$231.20 per ton which represents a decrease of \$34,040 over the term of the contract. The low bid is recommended.
.....

ACTION BY COMMISSION

APPROVED _____ **REJECTED** _____
DATE _____

ACTION BY COUNCIL

APPROVED _____ **REJECTED** _____
DATE _____

BID HISTORY

WATER AND WASTEWATER CHEMICALS BID DATE: SEPTEMBER 26, 2013

Advertisement

Public Works Commission Website
Matchforce

09/11/13 through 09/26/13
09/11/13 through 09/26/13

List of Organizations Notified of Bid

1. NAACP Fayetteville Branch, Fayetteville, NC
2. NAWIC, Fayetteville, NC
3. N.C. Institute of Minority Economic Development, Durham, NC
4. CRIC, Fayetteville, NC
5. Fayetteville Business & Professional League, Fayetteville, NC
6. SBTDC, Fayetteville, NC
7. FTCC Small Business Center, Fayetteville, NC
8. Fayetteville Area Chamber of Commerce, Fayetteville, NC
9. CEED, Fayetteville, NC

List of Prospective Bidders

1. Colonial Chemical Solutions, Savannah, GA
2. JCI Jones Chemicals, Charlotte, NC
3. Univar USA, Inc., Morrisville, PA
4. Greer Lime Company, Morgantown, WV
5. Brenntag Mid-South, Inc., Durham, NC
6. Carus Chemical Company, Peru, IL
7. Tanner Industries, Inc., Southampton, PA
8. Carmeuse Lime & Stone, Inc., Pittsburg, PA
9. Pencco, Inc., San Felipe, TX
10. Key Chemical, Inc., Waxhaw, NC
11. Kemira Water Solutions, Lawrence, KS
12. PVS Chemical Solutions, Inc., Detroit, MI
13. Southern Ionics, Inc., West Point, MS
14. General Chemical Performance, Parsippany, NJ
15. Mosaic Crop Nutrition, LLC, Lithia, FL
16. Trinity Manufacturing, Hamlet, NC
17. Lhoist North America of Virginia, Inc., Ripplemead, VA
18. Sterling Water Technologies, LLC, Columbia, TN
19. Standard Purification, Dunnellon, FL
20. USALCO, LLC, Baltimore, MD
21. Chemrite Inc., Buford, GA
22. ECOLAB, St. Paul, MN
23. Polydyne, Inc., Riceboro, GA
24. American Water Chemicals, Plant City, FL
25. Norit Americas, Marshall, TX
26. Shannon Chemical Corporation, Malvern, PA
27. Watkins Marketing & Associates, Inc., Woodstock, GA
28. Cape Fear Water Solutions, Dublin, NC
29. Environmental Compliance Resources, LLC, Cheyenne, WY
30. Summit Research Labs, Owings Mill, MD
31. ZJD Sourcing, Inc., Las Vegas, NV
32. Environmental Operating Solutions, Inc., Bourne, MA
33. US Peroxide, LLC, Atlanta, GA

SDBE/MWBE Participation

The low bidders are not classified as SDBE, minority or women owned businesses.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of Council
FROM: Steven K. Blanchard, PWC CEO/General Manager
DATE: October 28, 2013
RE: **Bid Recommendation for Purchase of Two Electrical Bus Breakers and Twelve Electrical Feeder Breakers**

THE QUESTION:

The Public Works Commission of the City of Fayetteville requests Council approve bid recommendation for purchase of two (2) Bus Breakers and twelve (12) Feeder Breakers to be used at Cape Fear and Carver Falls Substations.

RELATIONSHIP TO STRATEGIC PLAN:

Quality utility services

BACKGROUND:

The Public Works Commission, during their meeting of October 9, 2013 approved bid the recommendation to award bid for purchase of two (2) Bus Breakers and twelve (12) Feeder Breakers to be used at Cape Fear and Carver Falls Substations to Siemens Industry, Inc., Wendell, NC in the total amount of \$400,238.00 and forward the bids to City Council for approval. This item is budgeted in FY2014 as CIP EL49 - Carver Falls Substation (\$1,290,000) and EL53 – Cape Fear Substation (\$1,500,000). The cost of the breakers per substation will be \$200,119. The budgeted amount includes other substation equipment to be bid at a later date. Bids were received on September 24, 2013 as follows:

<u>Bidders</u>	<u>Total Cost</u>
Siemens Industry, Inc., Wendell, NC	\$400,238.00
ABB c/o Utility Service Agency, Wake Forest, NC	\$411,190.00

Siemens Industry, Inc., is not classified as a SDBE, minority or woman-owned business.

ISSUES:

N/A

BUDGET IMPACT:

Fayetteville PWC Budgeted Item

OPTIONS:

N/A

RECOMMENDED ACTION:

The Public Works Commission of the City of Fayetteville recommends to the City Council to approve bid award for purchase of two (2) Bus Breakers and twelve (12) Feeder Breakers to be used at Cape Fear and Carver Falls Substations to Siemens Industry, Inc., Wendell, NC in the total amount of \$400,238.00.

ATTACHMENTS:

Bid Recommendation
Bid History

**PUBLIC WORKS COMMISSION
ACTION REQUEST FORM**

TO: Steve Blanchard, CEO/General Manager **DATE:** October 2, 2013

FROM: Gloria Wrench, Purchasing Manager

.....
ACTION REQUESTED: Award bid for the purchase of two (2) Bus Breakers and twelve (12) Feeder Breakers to be used at Cape Fear and Carver Falls Substations.

BID/PROJECT NAME: Bus and Feeder Circuit Breakers for Miscellaneous Substations

BID DATE: September 24, 2013 **DEPARTMENT:** Electric Substations

BUDGET INFORMATION: FY2014 CIP EL49 - Carver Falls Substation - \$1,290,000 and EL53 – Cape Fear Substation - \$1,500,000. The cost of the breakers per substation will be \$200,119. The budgeted amount includes other substation equipment to be bid at a later date.

.....

BIDDERS	TOTAL COST
<u>Siemens Industry, Inc., Wendell, NC</u>	<u>\$400,238.00</u>
<u>ABB c/o Utility Service Agency, Wake Forest, NC</u>	<u>\$411,190.00</u>

.....
AWARD RECOMMENDED TO: Siemens Industry, Inc., Wendell, NC

BASIS OF AWARD: Lowest bidder

AWARD RECOMMENDED BY: Joel Valley and Gloria Wrench

.....
COMMENTS: Bids were solicited from nine (9) vendors with two (2) vendors responding. The low bidder is recommended.

.....
ACTION BY COMMISSION

APPROVED _____ **REJECTED** _____
DATE _____

ACTION BY COUNCIL

APPROVED _____ **REJECTED** _____
DATE _____

BID HISTORY
BUS AND FEEDER CIRCUIT BREAKERS FOR MISCELLANEOUS SUBSTATIONS
BID DATE: SEPTEMBER 24, 2013

Consulting Engineer

None

Advertisement

- | | | |
|----|-------------|---------------------------|
| 1. | PWC Website | 09/06/13 through 09/24/13 |
| 2. | Matchforce | 09/06/13 through 09/24/13 |

List of Organizations Notified of Bid

1. NAACP Fayetteville Branch, Fayetteville, NC
2. NAWIC, Fayetteville, NC
3. N.C. Institute of Minority Economic Development, Durham, NC
4. CRIC, Fayetteville, NC
5. Fayetteville Business & Professional League, Fayetteville, NC
6. SBTDC, Fayetteville, NC
7. FTCC Small Business Center, Fayetteville, NC
8. Fayetteville Area Chamber of Commerce, Fayetteville, NC
9. CEED, Fayetteville, NC

List of Contractors Requesting Plans and Specifications

1. Chapman Company, Charlotte, NC
2. Fred Lekson Associates, Inc., Raleigh, NC
3. Siemens Industry, Inc., Wendell, NC
4. Tarheel Electric Membership Corporation, Raleigh, NC 27616
5. ABB c/o Utility Service Agency, Inc., Wake Forest, NC
6. WESCO, Raleigh, NC
7. W.R. Daniels and Associates, Mooresville, NC
8. Utility Resource Associates, Dalzell, SC
9. National Transformer Sales, Inc., Raleigh, NC

SDBE Participation

Siemens Industry, Inc. is not classified as a SDBE, minority or woman-owned business.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa T. Smith, Chief Financial Officer
DATE: October 28, 2013
RE: Reimbursement Resolution for Vehicle and Equipment Financing

THE QUESTION:

Council is asked to adopt a reimbursement resolution for vehicles and equipment that will allow the City to reimburse itself from financing proceeds.

RELATIONSHIP TO STRATEGIC PLAN:

Mission: The City of Fayetteville is financially sound.

BACKGROUND:

The adopted General Fund budget for fiscal year 2014 includes \$2,150,637 of proceeds from a planned financing for vehicles and equipment, and funds have also been included in the budget to pay the associated debt service. The vehicles and equipment are being financed in lieu of directly financing approved capital improvement and information technology projects, including a time and attendance system, facility renovations and streetscape projects.

This reimbursement resolution will allow the City to reimburse itself from the financing proceeds for any of the vehicle or equipment expenditures paid prior to the acquisition of the financing. The total amount expected to be financed will not exceed \$2,200,000.

ISSUES:

None

BUDGET IMPACT:

The financing proceeds and associated debt service costs were included in the original adopted budget for the General Fund for fiscal year 2014.

OPTIONS:

- Adopt the reimbursement resolution to proceed as planned during the budget process.
- Do not adopt the reimbursement resolution.

RECOMMENDED ACTION:

Staff recommends Council move to adopt the reimbursement resolution as presented.

ATTACHMENTS:

Reimbursement Resolution

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA DECLARING THE INTENTION OF SAID CITY TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND TO BE MADE IN CONNECTION WITH THE PURCHASE OF VEHICLES AND EQUIPMENT FOR THE DEVELOPMENT SERVICES, ENGINEERING AND INFRASTRUCTURE, FIRE, POLICE AND PARKS, RECREATION AND MAINTENANCE DEPARTMENTS.

WHEREAS, City of Fayetteville, North Carolina (the "Issuer") is a political subdivision organized and existing under the laws of the State of North Carolina; and

WHEREAS, the issuer has paid, beginning no earlier than the date that is 60 days prior to the date of this declaration, and will pay on and after the date hereof certain expenditures (the "Expenditures") in connection with the purchase of vehicles and equipment for the Development Services, Engineering and Infrastructure, Fire, Police and Parks, Recreation and Maintenance Departments.

WHEREAS, the City Council of the Issuer has determined that the funds advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer for the Expenditures from the proceeds of one or more tax-exempt obligations (the "Obligations"),

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE ISSUER:

Section 1. The City Council of the Issuer hereby adopts this resolution declaring the official intent of the Issuer to reimburse itself with the proceeds of the Obligations for the Expenditures with respect to the Project made on and after August 29, 2013, which date is no more than 60 days prior to the date hereof. Said City Council reasonably expects on the date hereof that the Issuer will reimburse itself for the Expenditures with the proceeds of the Obligations.

Section 2. Each Expenditure was and will be either (a) of a type properly chargeable to capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Obligations, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Issuer so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Issuer.

Section 3. The maximum principal amount of the Obligations expected to be issued for the Project is \$2,200,000.

Section 4. The Issuer will make a reimbursement allocation, which is a written allocation by the Issuer that evidences the Issuer's use of proceeds of the Obligations to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Issuer recognizes that exceptions are available for certain "preliminary expenditures", costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least 5 years duration.

Section 5. The resolution shall take effect immediately upon its passage.

Passed and adopted the 28th day of October, 2013.

City of Fayetteville

Anthony G. Chavonne, Mayor

ATTEST:

Pamela J. Megill, City Clerk

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Y. Harper, Assistant City Attorney
DATE: October 28, 2013
RE: Request for Legal Representation of City Employees

THE QUESTION:

Whether to authorize the request for legal representation.

RELATIONSHIP TO STRATEGIC PLAN:

More Efficient City Government – Cost Effective Services Delivery

BACKGROUND:

Officer Steven Randall and Detective James House are employed by the City of Fayetteville. Officer Randall and Detective House have been named as Defendants in a federal lawsuit by Connie Jerrod Elliott. Mr. Elliott alleges that after he was arrested on May 6, 2011, the officers assaulted him at “City Hall” and at the Cumberland County Detention Center and that the assaults occurred in the scope and course of the officers’ employment with the City. Officer Randall and Detective House have requested legal representation pursuant to N.C.G.S. § 160A-167, which states that the City may provide for the defense of a civil action brought against an employee based on an act allegedly done, or omission allegedly made, in the scope and course of his employment or duty as a City employee.

ISSUES:

None

BUDGET IMPACT:

Unknown at this time.

OPTIONS:

1. Authorize the request for legal representation.
2. Reject the request for legal representation.
3. Provide additional direction to staff.

RECOMMENDED ACTION:

Staff recommends that Council authorize the City to provide legal representation for employees Steven Randall and James House.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of Council
FROM: Steven K. Blanchard, PWC CEO/General Manager
DATE: October 28, 2013
RE: **Resolution/Budget Amendments Related to Annexation Phase V – Areas 16 through 17**

THE QUESTION:

The Public Works Commission of the City of Fayetteville requests that Council adopt the following Resolution/Budget Amendments related to Annexation Phase V – Areas 16 through 17:

1. Resolution establishing an Annexation Phase V-Areas 16 through 17 Capital Project Fund and the associated budget of \$11,000,000
2. Amendment #18 to the Electric Utility System Rate Stabilization Fund
3. Amendment #10 to the Annexation Phase V Reserve Fund

RELATIONSHIP TO STRATEGIC PLAN:

Lowest Responsible Rates, Most Financially Sound Utility

BACKGROUND:

The Public Works Commission of the City of Fayetteville during their meeting of September 25, 2013 approved the attached financial matters related to Annexation Phase V-Areas 16 through 17 and to forward to City Council for adoption:

1. Resolution PWC2013.10 that establishes an Annexation Phase V-Areas 16 through 17 Capital Project Fund and the associated budget of \$11,000,000.
2. Amendment #18 to the Electric Utility System Rate Stabilization Fund.

Amendment #18 loans \$4,800,000 to the Annexation Phase V Reserve Fund. The loan will be repaid from a bond issue or bank loan in this fiscal year.

3. Amendment #10 to the Annexation Phase V Reserve Fund.

This amendment receives the \$4,800,000 loan from the Electric Utility System Rate Stabilization Fund and transfers \$11,000,000 to the Annexation Phase V, Areas 16 through 17 Capital Project Fund.

ISSUES:

N/A

BUDGET IMPACT:

Fayetteville PWC Budget

OPTIONS:

N/A

RECOMMENDED ACTION:

The Public Works Commission of the City of Fayetteville recommends to the City Council the adoption of a Resolution establishing an Annexation Phase V-Areas 16 through 17 Capital Project

Fund and the associated budget of \$11,000,000 and the adoption of Amendment #18 to the Electric Utility System Rate Stabilization Fund and Amendment #10 to the Annexation Phase V Reserve Fund.

ATTACHMENTS:

Memo

City Resolution

PWC Resolution PWC2013.10

Amendment #18

Amendment #10



MICHAEL G. LALLIER, COMMISSIONER
WICK SMITH, COMMISSIONER
LYNNE B. GREENE, COMMISSIONER
DARSWEIL L. ROGERS, COMMISSIONER
STEVEN K. BLANCHARD, CEO/GENERAL MANAGER

PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE

ELECTRIC & WATER UTILITIES

955 OLD WILMINGTON RD
P.O. BOX 1089
FAYETTEVILLE, NORTH CAROLINA 28302 1089
TELEPHONE (910) 483-1401
WWW.FAYPWC.COM

September 19, 2013

MEMO TO: Steven K. Blanchard, CEO

FROM: J. Dwight Miller, CFO

SUBJECT: Annexation Phase V – Areas 16 through 17

The attached Resolution No. PWC2013.10 establishes a Capital Project Fund for the construction and accounting for Annexation Phase V – Areas 16 through 17 and establishing a budget for the fund. The budget is being established with a proposed \$11,000,000 utility installation cost funded from the Annexation Phase V Reserve Fund.

Amendment #18 to the Electric Utility System Rate Stabilization Fund loans \$4,800,000 to the Annexation Phase V Reserve Fund. This loan will be repaid from a bond issue or bank loan planned later this fiscal year.

Amendment #10 to the Annexation Phase V Reserve Fund receives the \$4,800,000 loan from the Electric Utility System Rate Stabilization Fund and transfers \$11,000,000 to the Annexation Phase V – Areas 16 through 17 Capital Project Fund.

Staff request that the Commission approve:

1. Resolution PWC2013.10 that establishes an Annexation Phase V – Areas 16 through 17 Capital Project Fund and budget of \$11,000,000 , Exhibit A;
2. Amendment #18 to the Electric Utility System Rate Stabilization Fund
3. Amendment #10 to the Annexation Phase V Reserve Fund
4. Request that City Council adopt a similar resolution (attached) for item 1 and the budgets stated in items 2 and 3 at its meeting on October 28, 2013.

BUILDING COMMUNITY CONNECTIONS SINCE 1905

AN EQUAL EMPLOYMENT OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

**RESOLUTION OF THE CITY OF FAYETTEVILLE, NORTH
CAROLINA ESTABLISHING AN ANNEXATION PHASE V – AREAS
16 THROUGH 17 CAPITAL PROJECT FUND**

WHEREAS, the Public Works Commission of the City of Fayetteville, NC (COMMISSION) and the City of Fayetteville, NC (CITY) adopted an agreement on May 7, 2008 and May 12, 2008, respectively, for the funding of water and sewer installation for areas 6 through 34 that were annexed by the CITY and designated as Phase V; and

WHEREAS, the North Carolina Local Government Budget and Fiscal Control Act requires the use of a capital project fund for the proceeds of all bond issuances and debt instruments; and

WHEREAS, the COMMISSION intends to design and construct areas 16 through 17 (PROJECT) in fiscal years 2014 through 2015; and

WHEREAS, the PROJECT will be funded through a combination of funds from the Annexation Phase V Reserve Fund and proceeds from debt instruments. The COMMISSION may, at its option, fully fund the PROJECT with bond proceeds or the reserve fund; and

WHEREAS, the CITY desires to establish a capital project fund to account for the financing and construction activity associated with the PROJECT; and

NOW, THEREFORE, be it resolved by the CITY that:

Section 1. The CITY hereby creates an Annexation Phase V- Areas 16 through 17 Capital Project Fund (CPF) and the related budget, as presented in Exhibit A, for the purposes of accounting for and reporting of the PROJECT.

Section 2. The CPF will remain operational until the project areas are complete and all accounting transactions are finalized. Any remaining bond funds may be transferred to another appropriate fund to finance other water and wastewater Phase V projects as provided for in the Bond Order.

Section 3. The COMMISSION will manage this fund to include the accounting and reporting, budget, disbursements, and investment of funds.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 28th day of October, 2013; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

**CITY OF FAYETTEVILLE PUBLIC WORKS COMMISSION
Annexation Phase V - Areas 16 -17 Capital Project Fund
For Fiscal Years 2014 - 2015**

Initial Budget

	Proposed Initial Budget	Recommended Inception to Date Budget
Estimated Revenues and Other Funding Sources		
Transfer from Annexation Phase V Reserve and/or Bond Proceeds	\$ 11,000,000	\$ 11,000,000
Total Revenues and Other Funding Sources	\$ 11,000,000	\$ 11,000,000
Estimated Expenditures and Other Uses		
Utility installation cost	\$ 11,000,000	\$ 11,000,000
Total Expenditures and Other Uses	\$ 11,000,000	\$ 11,000,000

ADOPTED BY COMMISSION
ADOPTED BY CITY COUNCIL

<i>Proposed</i>	September 25, 2013
	October 28, 2013

**RESOLUTION OF THE PUBLIC WORKS COMMISSION OF THE
CITY OF FAYETTEVILLE, NORTH CAROLINA ESTABLISHING AN
ANNEXATION PHASE V – AREAS 16 THROUGH 17 CAPITAL
PROJECT FUND**

WHEREAS, the Public Works Commission of the City of Fayetteville, NC (COMMISSION) and the City of Fayetteville, NC (CITY) adopted an agreement on May 7, 2008 and May 12, 2008, respectively, for the funding of water and sewer installation for areas 6 through 34 that were annexed by the CITY and designated as Phase V; and

WHEREAS, the North Carolina Local Government Budget and Fiscal Control Act requires the use of a capital project fund for the proceeds of all bond issuances and debt instruments; and

WHEREAS, the COMMISSION intends to design and construct areas 16 through 17 (PROJECT) in fiscal years 2014 through 2015; and

WHEREAS, the PROJECT will be funded through a combination of funds from the Annexation Phase V Reserve Fund and proceeds from debt instruments. The COMMISSION may, at its option, fully fund the PROJECT with bond proceeds or the reserve fund; and

WHEREAS, the COMMISSION desires to establish a capital project fund to account for the financing and construction activity associated with the PROJECT; and

NOW, THEREFORE, be it resolved by the COMMISSION that:

Section 1. The COMMISSION hereby creates an Annexation Phase V- Areas 16 through 17 Capital Project Fund (CPF) and the related budget, as presented in Exhibit A, for the purposes of accounting for and reporting of the PROJECT.

Section 2. The CPF will remain operational until the project areas are complete and all accounting transactions are finalized. Any remaining bond funds may be transferred to another appropriate fund to finance other water and wastewater Phase V projects as provided for in the Bond Order.

Section 3. The COMMISSION will manage this fund to include the accounting and reporting, budget, disbursements, and investment of funds.

Section 4. The City Council of the CITY is hereby requested to adopt this resolution in the form presented above.

ADOPTED, this the 25th day of September 2013 at Fayetteville, North Carolina

PUBLIC WORKS COMMISSION OF THE
CITY OF FAYETTEVILLE, NC

Michael G. Lallier, Chairman

Attest:

Lynne B. Greene, Secretary

Exhibit A

CITY OF FAYETTEVILLE PUBLIC WORKS COMMISSION Annexation Phase V - Areas 16 -17 Capital Project Fund For Fiscal Years 2014 - 2015			
Initial Budget			
	Proposed Initial Budget	Recommended Inception to Date Budget	
Estimated Revenues and Other Funding Sources			
Transfer from Annexation Phase V Reserve and/or Bond Proceeds	\$ 11,000,000	\$ 11,000,000	
Total Revenues and Other Funding Sources	\$ 11,000,000	\$ 11,000,000	
Estimated Expenditures and Other Uses			
Utility installation cost	\$ 11,000,000	\$ 11,000,000	
Total Expenditures and Other Uses	\$ 11,000,000	\$ 11,000,000	
ADOPTED BY COMMISSION			
ADOPTED BY CITY COUNCIL			
	Proposed	September 25, 2013	
	Proposed	October 28, 2013	

CITY OF FAYETTEVILLE PUBLIC WORKS COMMISSION
Electric Utility System Rate Stabilization Fund
From Inception through Fiscal Year 2014

Amendment #18

	Current Approved Budget	Amendment #18 Fiscal Year 2014	Recommended Inception to Date Budget
Estimated Revenues and Other Funding Sources			
Transfer from Electric General Fund	\$ 68,627,155	\$ -	\$ 68,627,155
Rate Stabilization Transfer	4,169,725	-	4,169,725
Interest Income	4,100,000	-	4,100,000
Total Revenues and Other Funding Sources	\$ 76,896,880	\$ -	\$ 76,896,880
Estimated Expenditures and Other Uses			
Transfer to Electric Fund - Pre-2013	\$ 5,000,000	\$ -	\$ 5,000,000
Transfer to Electric Fund - 2013 and forward	11,880,900	-	11,880,900
Loan to Annexation Phase V Reserve Fund	15,000,000	4,800,000	19,800,000
Loan to Electric and W/WW General Fund	13,586,150	-	13,586,150
Appropriated Net Assets	31,429,830	(4,800,000)	26,629,830
Total Expenditures and Other Uses	\$ 76,896,880	\$ -	\$ 76,896,880

ADOPTED BY COMMISSION
ADOPTED BY CITY COUNCIL

May 22, 2013	<i>Proposed:</i>	September 25, 2013
June 10, 2013		October 28, 2013

CITY OF FAYETTEVILLE PUBLIC WORKS COMMISSION

**Annexation Phase V Reserve Fund
From Inception through Fiscal Year 2014**

Amendment #10

	Current Budget	Proposed Amendment #10 Budget - FY 2014	Recommended Inception to Date Budget
Estimated Revenues and Other Funding Sources			
Transfer from PWC Water/Sewer Fund	\$ 7,235,847	\$ -	\$ 7,235,847
Transfer from PWC Annexation Phase V Proj 1 CPF	727,903	-	727,903
Transfer from City of Fayetteville	8,118,618	-	8,118,618
Advance from Electric Rate Stabilization Fund	15,000,000	4,800,000	19,800,000
Transfer - Assessment revenue including interest	4,676,000	-	4,676,000
Interest Income	6,500	-	6,500
Total Revenues and Other Funding Sources	\$ 35,764,868	\$ 4,800,000	\$ 40,564,868
Estimated Expenditures and Other Uses			
Transfer to PWC Water/Sewer Fund - Debt Service	\$ 2,478,600	\$ -	\$ 2,478,600
Transfer to Annexation Phase V, Areas 8 -13 CPF	20,768,323	-	20,768,323
Transfer to Annexation Phase V, Areas 14 -15 CPF	6,200,000	-	6,200,000
Transfer to Annexation Phase V, Areas 16 - 17 CPF	-	11,000,000	11,000,000
Interest Expense - Advance from Rate Stabilization	35,000	-	35,000
Appropriated net assets	6,282,945	(6,200,000)	82,945
Total Expenditures and Other Uses	\$ 35,764,868	\$ 4,800,000	\$ 40,564,868

ADOPTED BY COMMISSION:
ADOPTED BY CITY COUNCIL:

May 22, 2013	Proposed	September 25, 2013
June 10, 2013	Proposed	October 28, 2013

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: October 28, 2013
RE: **Special Revenue Fund Project Ordinance Amendment 2014-3 (Appropriation of Federal Forfeiture and State Controlled Substance Tax Funds for Law Enforcement Purposes)**

THE QUESTION:

This amendment will appropriate \$609,060 in controlled substance tax revenues, federal forfeiture funds and associated investment income to increase resources for law enforcement purposes.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 1: The City of Fayetteville will be a safe and secure community.

BACKGROUND:

The Police Department plans to use \$304,530 for the training center, \$152,265 for equipment, and \$152,265 for training. The City Manager's Office approves the specific use of these funds before the funds are expended. These funds must be used for law enforcement purposes.

ISSUES:

None.

BUDGET IMPACT:

No impact to the General Fund.

OPTIONS:

- 1) Approve Special Revenue Fund Project Ordinance Amendment 2014-3.
- 2) Do not approve Special Revenue Fund Project Ordinance Amendment 2014-3.

RECOMMENDED ACTION:

Staff recommends Council move to approve Special Revenue Fund Project Ordinance Amendment 2014-3.

ATTACHMENTS:

Special Revenue Fund Project Ordinance Amendment 2014-3 (Federal and State Forfeiture Funds)

SPECIAL REVENUE FUND PROJECT ORDINANCE AMENDMENT
CHANGE 2014-3 (ORD 92-1)

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

- Section 1. The project change authorized is to the Special Revenue Project Ordinance 92-1, adopted on January 21, 1992, as amended, for the Fayetteville Police Department to utilize Federal Forfeiture Funds and Controlled Substance Tax Revenue from the State.
- Section 2. The project director is hereby directed to proceed with the project within the terms of the various grant 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:

	<u>Listed As</u>	<u>Amendment</u>	<u>Revised</u>
Controlled Substance Tax Revenue	\$ 1,384,122	\$ 114,566	\$ 1,498,688
Federal Forfeiture Funds	1,549,273	490,850	2,040,123
Sale of Assets/Auction Proceeds	7,720	-	7,720
Interest	86,295	3,644	89,939
Public Safety Fund Transfer In	299	-	299
	<u>\$ 3,027,709</u>	<u>\$ 609,060</u>	<u>\$ 3,636,769</u>

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

Project Expenditures	\$ 2,848,772	\$ 609,060	3,457,832
Transfer to Public Safety Capital Project Fund	178,937	-	178,937
	<u>\$ 3,027,709</u>	<u>\$ 609,060</u>	<u>\$ 3,636,769</u>

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

Adopted this 28th day of October, 2013.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of Council
FROM: Steven K. Blanchard, PWC CEO/General Manager
DATE: October 28, 2013
RE: **Resolutions Accepting State Revolving Loan Offer and Establishing a Capital Project Fund for the Sanitary Sewer Replacement Project on Person Street at the Lobster House**

THE QUESTION:

The Public Works Commission of the City of Fayetteville requests that Council adopt the following resolutions:

1. Resolution Accepting a State Loan Offer in the amount of \$2,967,243 under the North Carolina Water Revolving Loan and Grant Act of 1987 for the construction of the Sanitary Sewer Replacement Project on Person Street at the Lobster House
2. Resolution Establishing the 2014 Person Street Sanitary Sewer Replacement State Revolving Loan Capital Project Fund and the associated Budget

RELATIONSHIP TO STRATEGIC PLAN:

Lowest Responsible Rates, Most Financially Sound Utility

BACKGROUND:

The Public Works Commission of the City of Fayetteville, during their meeting of September 25, 2013 approved the following Capital Project Fund resolutions and associated budget to accept the State Revolving Loan Offer for the Sanitary Sewer Replacement Project on Person Street at the Lobster House and to forward to City Council to adopt similar resolutions.

1. Resolution PWC2013.08 of the Public Works Commission of the City of Fayetteville, North Carolina to Accept a State Loan Offer under the North Carolina Water Revolving Loan and Grant Act of 1987. The State of North Carolina Department of Environment and Natural Resources Division of Water Resources is offering Fayetteville PWC a State Loan in the amount of \$2,967,243 for the construction of the Sanitary Sewer Replacement Project on Person Street at the Lobster House. The loan terms are 20 years, 2% percent interest and a closing fee of 2%.
2. Resolution PWC2013.09 of the Public Works Commission of the City of Fayetteville, North Carolina to Establish the 2014 Person Street Sanitary Sewer Replacement State Revolving Loan Capital Project Fund and the associated Budget.

ISSUES:

N/A

BUDGET IMPACT:

Fayetteville PWC Budget

OPTIONS:

N/A

RECOMMENDED ACTION:

The Public Works Commission of the City of Fayetteville recommends to the City Council the adoption of the following:

1. Resolution Accepting a State Loan Offer in the amount of \$2,967,243 under the North Carolina Water Revolving Loan and Grant Act of 1987 for the construction of the Sanitary Sewer Replacement Project on Person Street at the Lobster House.
2. Resolution Establishing the 2014 Person Street Sanitary Sewer Replacement State Revolving Loan Capital Project Fund and the associated Budget.

ATTACHMENTS:

Memo

City Resolution accepting loan

Exhibit A -Loan Acceptance City & PWC Resolution

PWC Resolution PWC2013.08

City Resolution Establishing CPF

PWC Resolution PWC2013.09 Establishing CPF



MICHAEL G. LALLIER, COMMISSIONER
WICK SMITH, COMMISSIONER
LYNNE B. GREENE, COMMISSIONER
DARSWEIL L. ROGERS, COMMISSIONER
STEVEN K. BLANCHARD, CEO/GENERAL MANAGER

PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE

ELECTRIC & WATER UTILITIES

955 OLD WILMINGTON RD
P.O. BOX 1089
FAYETTEVILLE, NORTH CAROLINA 28302 1089
TELEPHONE (910) 483-1401
WWW.FAYPWC.COM

September 19, 2013

MEMO TO: Steven K. Blanchard, CEO

FROM: J. Dwight Miller, CFO

SUBJECT: Acceptance of a State Loan Offer and Establishing a Capital Project Fund

The State of North Carolina Department of Environment and Natural Resources Division of Water Resources are offering PWC a State Loan in the amount of \$2,967,243 for the construction of the Sanitary Sewer Replacement on Person Street at the Lobster House project. The loan terms are 20 years, 2% percent interest and a closing fee of 2.0%. Resolution No. PWC2013.08 accepts the loan offer, gives assurances to NCDENR and authorizes the General Manager to execute other documents as necessary related to the State Loan.

Resolution No. PWC2013.09 establishes a Capital Project Fund to account for the State Loan proceeds and construction cost of the 2014 Person Street Sanitary Sewer Replacement State Revolving Loan Capital Project Fund. The attached Project Fund Budget (Exhibit A) is being established to account for and meet the reporting requirements.

Staff request that the Commission approve:

1. Resolution PWC 2013.08 that accepts a State Revolving Loan offer of \$2,967,243, gives specified assurances and authorizes the General Manager to complete the required documents
2. Resolution PWC2013.09 which establishes the 2014 Person Street Sanitary Sewer Replacement State Revolving Loan Capital Project Fund for fiscal years 2014-2015 and the associated budget, Exhibit A
3. Request that City Council adopt similar resolutions (attached) for items 1 and 2 above, at its meeting on October 28, 2013.

**RESOLUTION OF THE CITY OF FAYETTEVILLE, NORTH
CAROLINA TO ACCEPT A STATE LOAN OFFER UNDER THE
NORTH CAROLINA WATER REVOLVING LOAN AND GRANT
ACT OF 1987**

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, water supply systems, and water conservation projects, and

WHEREAS, the North Carolina Department of Environment and Natural Resources (NCDENR) has offered a State Revolving Loan in the amount of \$2,967,243 for the construction of the Sanitary Sewer Replacement on Person Street at the Lobster House project (Exhibit A), and

WHEREAS, the City of Fayetteville, NC (CITY) through the Public Works Commission (COMMISSION) intends to construct said project in accordance with the approved plans and specifications,

WHEREAS, the loan terms are 20 years, 2% interest and 2% closing fee, and

NOW THEREFORE BE IT RESOLVED BY THE CITY THAT:

Section 1. The CITY does hereby accept the State Revolving Loan offer of \$2,967,243 as presented in Exhibit A.

Section 2. The CITY does hereby give assurance to NCDENR that all items specified in the loan offer, Section II - Assurances will be adhered to.

Section 3. Steven K. Blanchard, General Manager of the Public Works Commission of the City of Fayetteville, NC and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; to execute the promissory note; and to execute such other documents as may be required in connection with the application.

Section 4. The CITY has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 28th day of October, 2013; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WATER QUALITY**

State Loan or Grant Offer and Acceptance

This Offer must be accepted, if at all, within forty-five (45) days of receipt.

This Offer is made subject to the attached Standard Conditions and Assurances

Legal Name and Address of Award Recipient

Public Works Commission of Fayetteville
P.O. Box 1089
Fayetteville, NC 28302

Account

Clean Water State Revolving Fund (SRF) ☒
State General Loan (SRL) ☐
State Emergency Loan (SEL) ☐
High Unit Cost Grant (SRG) ☐
Technical Assistance Grant ☐

State Project Number: E-SRF-T-14-0366

Federal Project Number: CS370434-13

CFDA Number: 66.458

Project Description:

Sanitary Sewer Replacement on Person Street at the
Lobster House

Amendment	Date	Additional Amount
Original		
1		
2		

Total Financial Assistance Offer: **\$2,967,243**
Principal Forgiveness: **\$0**
Total Project Cost: **\$3,026,588**
Interest Rate: **2.0% Per Annum**
Maximum Loan Term: **20 Years**
Estimated 2% Closing Fee: **\$59,345**

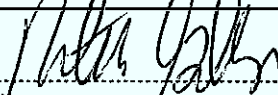
Consideration having been given by the Department of Environment and Natural Resources to the application submitted by the applicant pursuant to North Carolina General Statute 159G, (1) the applicant is an eligible unit of government, (2) the project meets the eligibility criteria for a State Loan or Grant, and (3) the project has been approved and certified by the Department of Environment and Natural Resources as being entitled to priority for State financial assistance,

The Department of Environment and Natural Resources, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

John E. Skvarla, III, Secretary

North Carolina Department of Environment & Natural Resources

Signature  Date 8/21/13

On Behalf of:

Public Works Commission of Fayetteville

Name of Representative in Resolution: _____

Title (Type or Print): _____

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this State Loan or Grant offer and make the assurances and accept the conditions.

Signature _____ Date _____

STANDARD CONDITIONS FOR FEDERAL SRF LOANS

1. The recipient shall comply with all provisions of the following Federal laws and authorities (super cross-cutters):
 - (a) Title VI of the Civil Rights Act of 1964 – 42 U.S.C. §2000d
 - (b) CFR 35.3145(c) (Civil Rights laws) and provide completed EPA 4700-4 form
 - (c) Section 13 of the Federal Water Pollution Control Act Amendments of 1972 – 33 U.S.C. §1251
 - (d) Section 504 of the Rehabilitation Act of 1973 – 29 U.S.C. §794
2. The recipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures.
3. Civil Rights and Labor Standard Requirements, and use of MBE (Minority Business Enterprise), WBE (Women's Business Enterprise), and Small Businesses:
 - (a) Specific MBE/WBE (DBE) requirements are included in the SRF Special Conditions that are to be included in the contract specifications. Positive efforts shall be made by recipients, their consultants and contractors to utilize small businesses and minority-owned businesses for sources of supply and services. Such efforts should allow these sources the maximum feasible opportunity to compete for subagreements and contracts to be performed, utilizing Federal SRF funds. Documentation of efforts made to utilize minority and women-owned firms must be maintained by all recipients, consulting firms, and construction contractors, and made available upon request.
 - (b) The recipient shall not award contracts to any firm that has been debarred for noncompliance from the Federal Labor Standards, Title VI of the Civil Rights Act of 1964, as amended, or any firm that appears on the EPA's list of debarred firms. The recipient shall also comply with 40 CFR 32. (Complete the Debarment Certification in the SRF Special Conditions)
 - (c) The recipient shall require all prime construction contractors, as part of their bid, to certify that subcontracts have not and will not be awarded to any firm that has been debarred for noncompliance from the Federal Labor Standards, Title VI of the Civil Rights Act of 1964, as amended, or Executive Order 11246, as amended, or any firm that appears on the EPA's list of debarred firms. (Complete the Debarment Certification in the SRF Special Conditions for each Subcontractor)
 - (d) The recipient shall require all contractors on the project to comply with the Department of Labor's Safety and Health Regulations for construction promulgated under the Occupational Safety and Health Act of 1970 (PL 91-946), under Section 107 of the Contract Work Hours and Safety Standards Act (PL 91-54).
 - (e) The recipient shall ensure all contractors are in compliance with applicable Equal Employment Opportunity regulations.

4. Acquisition of Real Property:

The recipient shall comply with all applicable provisions of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (PL 92-646), as amended, in regard to acquisition of all real property, (including easements), for the project covered by this loan, and any resulting relocation of persons, businesses, or farm operations. See Assurance 8.

5. Prompt Payment and Payment Retainage:

It is the policy of the State of North Carolina to make timely periodic loan disbursements to the recipient, and to require the recipient to make prompt periodic payment on subagreements. Partial disbursements on this loan will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the recipient's compliance with the conditions of this loan and subsequent amendments;

- (a) The recipient agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.
- (b) The recipient agrees to include appropriate provisions in each construction contract, and to require the prime contractor to include them in all subcontracts, to implement this prompt payment requirement.

6. **The construction contract(s) requires the contractor to adhere to Davis Bacon and Related Acts Provisions and Procedures as listed in the Code of Federal Regulations Chapter 29 Part 5 Section 5 (29 CFR 5.5). Public Law pertaining to this is also enacted in Title 40, United States Code, Subtitle II Section 3141 through Section 3148.**

ASSURANCES

- 1. The recipient acknowledges that in the event that a milestone contained in the most recent Clean Water State Revolving Fund Intended Use Plan and/or the Notice of Intent to Fund is not met, this State Loan or Grant offer will be rescinded by the Department of Environment and Natural Resources.
- 2. The final plans and specifications have or will be approved by the Division of Water Quality and the applicant so notified, prior to the project being advertised or placed on the market for bids.
- 3. Eligible project expenses are as discussed in the North Carolina Clean Water SRF Program Guidance. Projects will not receive reimbursement for sales taxes. Sales taxes are deducted from project costs at the 90% milestone in accordance with the SRF Program Guidance.
- 4. The applicant agrees to construct the project or cause it to be constructed to final completion in accordance with the application and plans and specifications approved by the Division of Water Quality.
- 5. The construction contract(s) requires the contractor to furnish performance and payment bonds, each of which is in an amount of not less than one hundred percentum (100%) of the contract price; and to maintain during the life of the contract(s) adequate fire, extended coverage, workmen's compensation, public liability, and property damage insurance.

6. The construction of the project, including the letting of contracts in connection therewith, conforms to the applicable requirements of State and local laws and ordinances.
7. Any change or changes in the approved plans and specifications or contract(s) which (has/have) made or will make any major alteration in the work required by the plans and specifications, or which increases the cost of the project above the latest estimate approved by the Department of Environment and Natural Resources, was or will be submitted to the Division of Water Quality for approval.
8. The construction contract(s) provides that any duly authorized representative of the State will have access to the work whenever it is in preparation or progress, and that the contractor will provide proper facilities for such access and inspection. Further, any authorized representative of the State shall have access, for the purpose of audit and examination, to any books, documents, papers and records of the applicant that are pertinent to funds received under the Act; and the applicant shall submit to the Division of Water Quality such documents and information as it may require in connection with the project.
9. The applicant will provide and maintain competent and adequate engineering supervision and inspection of the project to insure that the construction conforms with the approved plans and specifications.
10. The applicant shall demonstrate to the satisfaction of the Department of Environment and Natural Resources that it has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project prior to the authorization to award construction contracts. No loan disbursements will be made until clear site certificates are submitted.
11. At least thirty (30) days, shall be allowed from the first date of publication to the date of bid opening.
12. The Project Bid Information package, including MBE and WBE (DBE) requirements, must be submitted and approved prior to the State issuing an Authorization to Award letter. If the approval of the debt instrument for this loan is necessary for the applicant to award contracts, the completed Project Bid Information and supporting documentation must be delivered to the Division of Water Quality a minimum of twenty (20) days prior to the award of contracts.
13. The recipient shall not award any contracts for construction until the Authority to Award is given by the State. Doing so, will be at the risk of the award recipient.
14. Recipient acknowledges that no loan disbursements will be made until the contract documents are submitted and approved. The recipient shall notify the State when contracts are awarded.
15. The recipient shall conduct a preconstruction conference, if applicable, for each construction contract in cooperation with the State, and, in accordance with guidelines which shall be furnished by the State. The State shall be invited to the conference.
16. The Local Government Commission will forward the debt instrument after total project costs are established in the Authority to Award Letter. The applicant must execute the debt instrument a minimum of ten (10) days prior to the request of disbursement of loan funds.
17. Recipient acknowledges that no loan disbursements will be made on the engineering planning and design or construction phase services until the contracts are submitted and approved.

18. Eligible small purchases estimated to exceed \$10,000 require three informal bids for approval.
19. Within thirty (30) days of the date of completion of the project, the applicant will make available to the Construction Grants Section staff all requested project closeout items including final costs for the purpose of making final adjustments to the Revolving Loan and debt instrument.
20. All principal payments will be made annually on or before May 1st. The first principal payment is due not earlier than six months after the original date of completion of the project. All interest payments will be made semiannually on or before May 1st and November 1st of each year. The first interest payment is due not earlier than six months after the original date of completion of the project.
21. In accordance with G.S. 159-26(b)(6), a capital project fund is required to account for all debt instrument proceeds used to finance capital projects. It is required that a capital project ordinance, in accordance with G.S. 159-13.2, be adopted by the governing board authorizing all appropriations necessary for the completion of the project. A copy of the approved ordinance must be submitted to this office before submitting the first reimbursement request.
22. Adequate accounting and fiscal records will be maintained during the construction of the project and these records will be retained and made available for a period of at least three (3) years following completion of the project.
23. All funds loaned pursuant to North Carolina General Statute 159G shall be expended solely for carrying out the approved project and an audit shall be performed in accordance with G.S. 159-34, as amended. **The applicant will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State.** Please note that the State is not a party to the construction contract(s) and the loan recipient is expected to uphold its contract obligations regarding timely payment. See Standard Condition 5.
24. The applicant shall demonstrate to the satisfaction of the Department of Environment and Natural Resources its ability to pay the remaining or ineligible cost of the project.

Acknowledgement of Standard Conditions and Assurances

The Applicant hereby gives assurance to the Department of Environment and Natural Resources that the declarations, assurances, representations, and statements made by the applicant in the application; and all documents, amendments, and communications filed with the Department of Environment and Natural Resources by the applicant in support of its request for a loan will be fulfilled.

.....
Signature

.....
Date

**RESOLUTION OF THE PUBLIC WORKS COMMISSION OF THE
CITY OF FAYETTEVILLE, NORTH CAROLINA TO ACCEPT A
STATE LOAN OFFER UNDER THE NORTH CAROLINA WATER
REVOLVING LOAN AND GRANT ACT OF 1987**

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, water supply systems, and water conservation projects, and

WHEREAS, the North Carolina Department of Environment and Natural Resources (NCDENR) has offered a State Revolving Loan in the amount of \$2,967,243 for the construction of the Sanitary Sewer Replacement on Person Street at the Lobster House project (Exhibit A), and

WHEREAS, the Public Works Commission of the City of Fayetteville, NC (COMMISSION) intends to construct said project in accordance with the approved plans and specifications, and

WHEREAS, the loan terms are 20 years, 2% interest and 2% closing fee, and

NOW THEREFORE BE IT RESOLVED BY THE COMMISSION THAT:

Section 1. The COMMISSION does hereby accept the State Revolving Loan offer of \$2,967,243 as presented in Exhibit A.

Section 2. The COMMISSION does hereby give assurance to NCDENR that all items specified in the loan offer, Section II - Assurances will be adhered to.

Section 3. Steven K. Blanchard, General Manager of the COMMISSION, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; to execute the promissory note; and to execute such other documents as may be required in connection with the application.

Section 4. The COMMISSION has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Section 5. The COMMISSION requests the Council of the City of Fayetteville to adopt this Resolution in the form presented above.

Adopted this the 25th day of September, 2013 at Fayetteville, North Carolina.

PUBLIC WORKS COMMISSION OF THE CITY
OF FAYETTEVILLE, NORTH CAROLINA

Michael G. Lallier, Chairman

ATTEST:

Lynne B. Greene, Secretary

**RESOLUTION OF THE CITY OF FAYETTEVILLE, NORTH
CAROLINA TO ESTABLISH A 2014 PERSON STREET SANITARY
SEWER REPLACEMENT STATE REVOLVING LOAN CAPITAL
PROJECT FUND**

WHEREAS, on September 25, 2013 and October 28, 2013, respectively, the Public Works Commission of the City of Fayetteville, NC (COMMISSION) and the City of Fayetteville, NC (CITY) authorized accepting a loan offer from the North Carolina Department of Environment and Natural Resources (NCDENR) in the amount of \$2,967,243 for the construction of the Person Street Sanitary Sewer Replacement project (PROJECT); and

WHEREAS, the Local Government Commission approved this loan on August 6, 2013, and

WHEREAS, the COMMISSION, in accordance with G.S 159-26(b)(6), intends to establish a capital project fund in accordance with G.S 159-13.2 for the purposes of accounting for and reporting of the PROJECT, and

NOW, THEREFORE, be it resolved by the CITY that:

Section 1. The CITY hereby establishes a 2014 Person Street Sanitary Sewer Replacement State Revolving Loan Capital Project Fund (CPF) and the related budget, as presented in Exhibit A of this Resolution, for the purposes of accounting for and reporting of the PROJECT.

Section 2. The COMMISSION will maintain within the CPF sufficient detailed accounting records to satisfy the requirements of NCDENR, the loan agreement, and federal regulations.

Section 3. The PROJECT will be financed through a state loan. Funds may be advanced from the Water & Sewer General Fund for the purpose of making payments as they become due. Reimbursement requests will be made to the NCDENR in an orderly and timely manner.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 28th day of October, 2013; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA J. MEGILL, City Clerk

PUBLIC WORKS COMMISSION OF THE CITY OF FAYETTEVILLE 2014 PERSON STREET SANITARY SEWER REPLACEMENT STATE REVOLVING LOAN CAPITAL PROJECT FUND For Fiscal Years 2014 - 2015 Initial Budget		
	PROPOSED BUDGET	RECOMMENDED BY ADMINISTRATION
Estimated Revenues and Other Funding Sources		
State Revolving Loan proceeds	\$2,967,243	\$2,967,243
Total Revenues	\$2,967,243	\$2,967,243
Estimated Expenditures		
Project costs (excludes closing fees)	\$2,967,243	\$2,967,243
Total Expenditures	\$2,967,243	\$2,967,243
<div> <div>ADOPTED BY COMMISSION:</div> <div>ADOPTED BY CITY COUNCIL:</div> <div> <div><i>Proposed</i></div> <div> <div>September 25, 2013</div> <div>October 28, 2013</div> </div> </div> </div>		

**RESOLUTION OF THE PUBLIC WORKS COMMISSION OF THE
CITY OF FAYETTEVILLE, NORTH CAROLINA TO ESTABLISH A
2014 PERSON STREET SANITARY SEWER REPLACEMENT STATE
REVOLVING LOAN CAPITAL PROJECT FUND**

WHEREAS, on September 25, 2013 the Public Works Commission of the City of Fayetteville, NC (COMMISSION) authorized accepting a loan offer and the City of Fayetteville, NC (CITY) is requested to authorize accepting this loan offer on October 28, 2013 from the North Carolina Department of Environment and Natural Resources (NCDENR) in the amount of \$2,967,243 for the construction of the Person Street Sanitary Sewer Replacement project (PROJECT); and

WHEREAS, the Local Government Commission approved this loan on August 6, 2013, and

WHEREAS, the COMMISSION, in accordance with G.S 159-26(b)(6), intends to establish a capital project fund in accordance with G.S 159-13.2 for the purposes of accounting for and reporting of the PROJECT, and

NOW, THEREFORE, be it resolved by the COMMISSION that:

Section 1. The COMMISSION hereby establishes a 2014 Person Street Sanitary Sewer Replacement State Revolving Loan Capital Project Fund (CPF) and the related budget, as presented in Exhibit A of this Resolution, for the purposes of accounting for and reporting of the PROJECT.

Section 2. The COMMISSION will maintain within the CPF sufficient detailed accounting records to satisfy the requirements of NCDENR, the loan agreement, and federal regulations.

Section 3. The PROJECT will be financed through a state loan. Funds may be advanced from the Water & Sewer General Fund for the purpose of making payments as they become due. Reimbursement requests will be made to the NCDENR in an orderly and timely manner.

Section 4. The City Council of the City of Fayetteville is hereby requested to adopt this Resolution in the form presented above.

ADOPTED, this the 25th day of September 2013 at Fayetteville, North Carolina.

PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE, NC

Michael G. Lallier, Chairman

Attest:

Lynne B. Greene, Secretary

PUBLIC WORKS COMMISSION OF THE CITY OF FAYETTEVILLE
2014 PERSON STREET SANITARY SEWER REPLACEMENT STATE REVOLVING LOAN CAPITAL
PROJECT FUND
For Fiscal Years 2014 - 2015

Initial Budget

	PROPOSED BUDGET	RECOMMENDED BY ADMINISTRATION
Estimated Revenues and Other Funding Sources		
State Revolving Loan proceeds	\$2,967,243	\$2,967,243
Total Revenues	\$2,967,243	\$2,967,243
Estimated Expenditures		
Project costs (excludes closing fees)	\$2,967,243	\$2,967,243
Total Expenditures	\$2,967,243	\$2,967,243
<div style="display: flex; justify-content: space-between; align-items: flex-end; padding-top: 20px;"> <div> ADOPTED BY COMMISSION: ADOPTED BY CITY COUNCIL: </div> <div style="display: flex; align-items: center;"> <div style="background-color: #d9e1f2; padding: 5px; margin-right: 10px;"> <i>Proposed</i> <i>Proposed</i> </div> <div style="border: 1px solid black; padding: 5px; margin-right: 10px;"> <i>September 25, 2013</i> <i>October 28, 2013</i> </div> </div> </div>		

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: October 28, 2013
RE: **Tax Refunds Greater Than \$100**

THE QUESTION:

City Council approval is required to issue tax refund checks for \$100 or greater.

RELATIONSHIP TO STRATEGIC PLAN:

Core Value: Stewardship

BACKGROUND:

The attached requests for tax refunds was approved by the Cumberland County Special Board of Equalization for the month of October, 2013. Staff requests Council approval to proceed with issuance of the refund checks.

ISSUES:

None

BUDGET IMPACT:

The budget impact is \$9,545.40.

OPTIONS:

Approve the tax refunds.

RECOMMENDED ACTION:

Approve the tax refunds.

ATTACHMENTS:

Tax Refunds of Greater Than \$100



October 28, 2013

MEMORANDUM

TO: Lisa Smith, Chief Financial Officer *L. Smith*

FROM: Nancy Peters, Accounts Payable *NP*

RE: Tax Refunds of Greater Than \$100

The tax refunds listed below for greater than \$100 were approved by the Cumberland County Special Board of Equalization for the month of October, 2013.

NAME	BILL NO.	YEAR	BASIS	CITY REFUND
Fayetteville Gas Producers, LLC.	4341285	2012	Corrected Assessment	147.82
WS CICC LLC T/A Comfort Inn	0403351	2012	Corrected Assessment	9,397.58
Total				\$9545.40

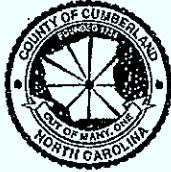
P.O. Drawer D
433 Hay Street
Fayetteville, NC 28302-1746
FAX (910) 433-1680

www.cityoffayetteville.org
www.facebook.com/cityoffayettevillegovernment www.twitter.com/CityOfFayNC

An Equal Opportunity Employer
6-23-1-1

RECEIVED

SEP 30 2013



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

TAX ADMIN Taxpayer's Name:

FAYETTEVILLE GAS
PRODUCERS LLC

Mailing Address:

PO BOX 33017

DETROIT MI 48232-5017

Bill Number:

4341285

Property Description:

BUSINESS PERSONAL
PROPERTY

Prepared By:

CCT

Cumberland County
Special Board of Equalization and Review
P.O. Drawer 449
Fayetteville, NC 28302-0449

Dear Board Members and City/Town Council Members:

Due to an error in the year (s) 2012, I overpaid county taxes in the amount of \$ 239.88 and City/Town of Fayetteville taxes in the amount of \$ 147.82. I am making a written demand to the Special Board of Equalization and Review and to the City/Town of Fayetteville for a refund of overpayment as required under General Statute 105-381(b). It is my understanding, that based upon the policy of the Tax Administrator's office, the refund I receive may not be for the amount indicated if I have outstanding delinquent taxes. The monies will be applied toward those taxes and the difference will then be refunded to me.

Reason: Adjustment to exempt pollution abatement equipment approved by DENR 5/25/12.

Sincerely,

Matthew Brubaker 9/24/2013
Signature Date

Tax Administrator's Recommendation: Approved Denied

Signature: AARON DONALDSON

Date:

9-30-13

Board Action: Approved Denied

Signature:

Date:

10.9.13

Verified by the Clerk to the Board:

AARON DONALDSON

Date:

10.9.13

General Fund

101 412 4195 4027

\$

239.88 m.d

Recreation Fund

420 442 4441 4027

\$



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

Taxpayer's Name: WS CICC LLC T/A CONFORT INN

Mailing Address: 970 Peachtree Industrial Blvd.
Suite 100
Suwanee, GA 30024

Bill Number: 0403351

Property Description: Business Personal Property

Prepared By: Phillip T. Perrier

Cumberland County
Special Board of Equalization and Review
P.O. Drawer 449
Fayetteville, NC 28302-0449

Dear Board Members and City/Town Council Members:

Due to an error in the year (s) 2012, I overpaid county taxes in the amount of \$ 15,250.⁴⁴ and City/Town of Fayetteville taxes in the amount of \$ 9,397.58. I am making a written demand to the Special Board of Equalization and Review and to the City/Town of Fayetteville for a refund of overpayment as required under General Statute 105-381(b). It is my understanding, that based upon the policy of the Tax Administrator's office, the refund I receive may not be for the amount indicated if I have outstanding delinquent taxes. The monies will be applied toward those taxes and the difference will then be refunded to me.

Reason: Taxpayer request a refund per an audit by County Tax Service showing over stated equipment of Business Personal Property. Taxpayer was reporting costs not reflected on their depreciation schedule.

Sincerely,

[Signature] 8/27/13
Signature Date

Tax Administrator's Recommendation: Approved / Denied

Signature: AARON DONALDSON AD

Date: 9-30-13

Board Action: Approved / Denied

Signature: [Signature]

Date: 10.9.13

Verified by the Clerk to the Board: AARON DONALDSON

Date: 10.9.13

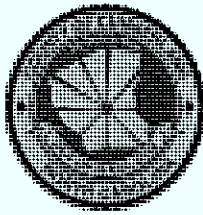
General Fund 101 412 4195 4027

\$ 15,250.⁴⁴ md

Recreation Fund 420 442 4441 4027

\$

OK
AK
9-23-13



OFFICE OF THE TAX ADMINISTRATOR

117 Dick Street, 5th Floor, New Courthouse • PO Box 449 • Fayetteville, North Carolina • 28302
Phone: 910-678-7507 • Fax: 910-678-7582 • www.co.cumberland.nc.us

October 10, 2013

TO: Nancy Peters, City of Fayetteville, Accounts Payable
FROM: Marie Shelton, Tax Deferment Specialist *ms*
REF: Board Approved Refunds

Please find attached copies of the refund request form(s) approved by the Board of Equalization and Review on October 9, 2013.

FAYETTEVILLE GAS PRODUCERS LLC	#4341285	2012	\$147.82
KING, BRYAN J JR	#4801741	2011	\$9.55
WS CICC T/A COMFORT INN	#0403351	2012	\$9,397.58

If you have any questions, please call me at 678-7542.

Thank you.

Celebrating Our Past...Embracing Our Future

FALCON – FAYETTEVILLE – GODWIN – HOPE MILLS – LINDEN – SPRING LAKE – STEDMAN – WADE

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Planner II
DATE: October 28, 2013
RE: **P13-29F. The issuing of a Special Use Permit to allow for a columbarium to be located at 906 McPherson Church Road and being the property of Village Baptist Church**

THE QUESTION:

Request to issue a Special Use Permit for a columbarium.

RELATIONSHIP TO STRATEGIC PLAN:

Livable Neighborhoods
Growth and development

BACKGROUND:

Owner: Village Baptist Church
Applicant: Darrell McAuly (primary contact)
Requested Action: SUP Columbarium
Property Address: 701 Westmont Dr.
Council District: 9
Status of Property: Developed Church
Size: 19.3 acres +/-
Adjoining Land Use & Zoning:
North - SF-10 Single Family Residential
South - SF-6 Multi-Family Residential
West - MR-5 Single Family Residential
East - SF-6 Single Family Residential
Letters Mailed: 112
Land Use Plan: Medium Density Residential

ISSUES:

This project will be located on the campus of Village Baptist Church, at 906 McPherson Church Road. The church wishes to build a columbarium with a memorial area. The proposed columbarium would be able to house a maximum of 170 cremations or niches. When complete, the columbarium will be barely visible from McPherson Church Road. This project should have very little to no impact on the surrounding single family neighborhoods.

On September 10th the Zoning Commission held a public hearing regarding this case. The Commission voted 4-0 to recommend approval of this SUP application.

The Zoning Commission and staff recommend Approval of the proposed SUP based on:

1. Minimal impact to the surrounding residences.
2. This project meets the City's requirements for a columbarium.
3. Minimal visual impact from to all surrounding properties.
4. There are no conflicts with any adopted policies or plans.
5. Conditioned on the general location and features shown on the submitted site plan.
6. Meets all required standards.

A Special Use Permit shall be approved only upon a finding that all of the following standards are met:

- (1) The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards;
- (2) The special use is compatible with the character of surrounding lands and the uses permitted in

the zoning district(s) of surrounding lands;

(3) The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration;

(4) The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands;

(5) The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;

(6) The special use maintains safe ingress and egress onto the site and safe road conditions around the site;

(7) The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and

(8) The special use complies with all other relevant City, State, and Federal laws and regulations

BUDGET IMPACT:

This action would result in no increase in City services.

OPTIONS:

1) Approval of the SUP (Recommended);

2) Approval of the SUP with conditions;

3) Denial of the SUP.

RECOMMENDED ACTION:

Zoning Commission and Staff Recommend: That the City Council APPROVE the SUP as presented by staff upon a finding that all of the following standards are met:

(1) The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards;

(2) The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;

(3) The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration;

(4) The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands;

(5) The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;

(6) The special use maintains safe ingress and egress onto the site and safe road conditions around the site;

(7) The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and

(8) The special use complies with all other relevant City, State, and Federal laws and regulations .

ATTACHMENTS:

Zoning Map

Current Land Use

Land Use Plan

Site Plan

Site Plan 2

Site Photo

ZONING COMMISSION
CASE NO. P13-29F



Request: SUP Columbarium
Location: 906 McPherson Church Rd

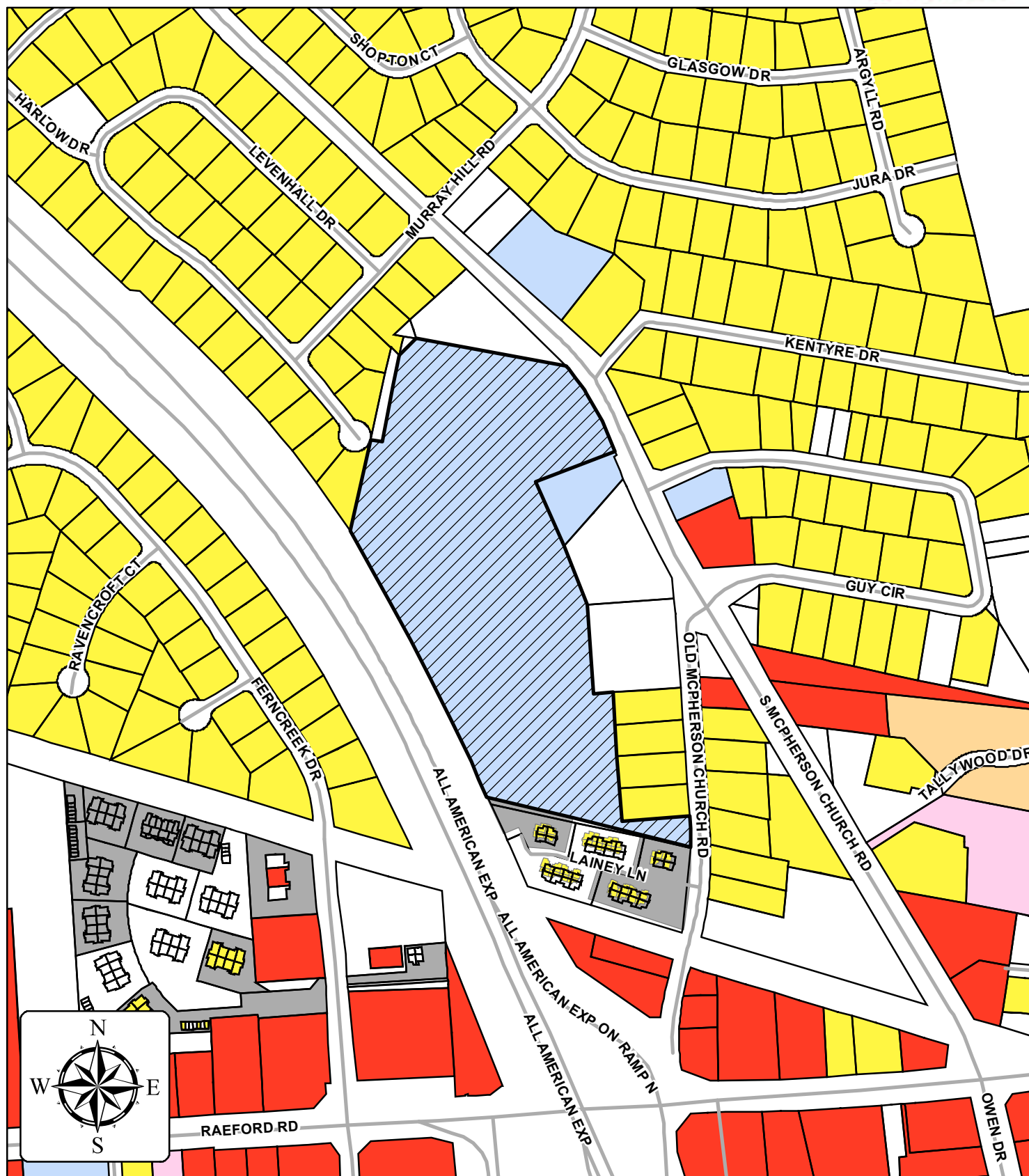
Zoning Commission: 9/10/2013
City Council: _____

Recommendation: _____
Final Action: _____

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

Current Land Use

P13-29F

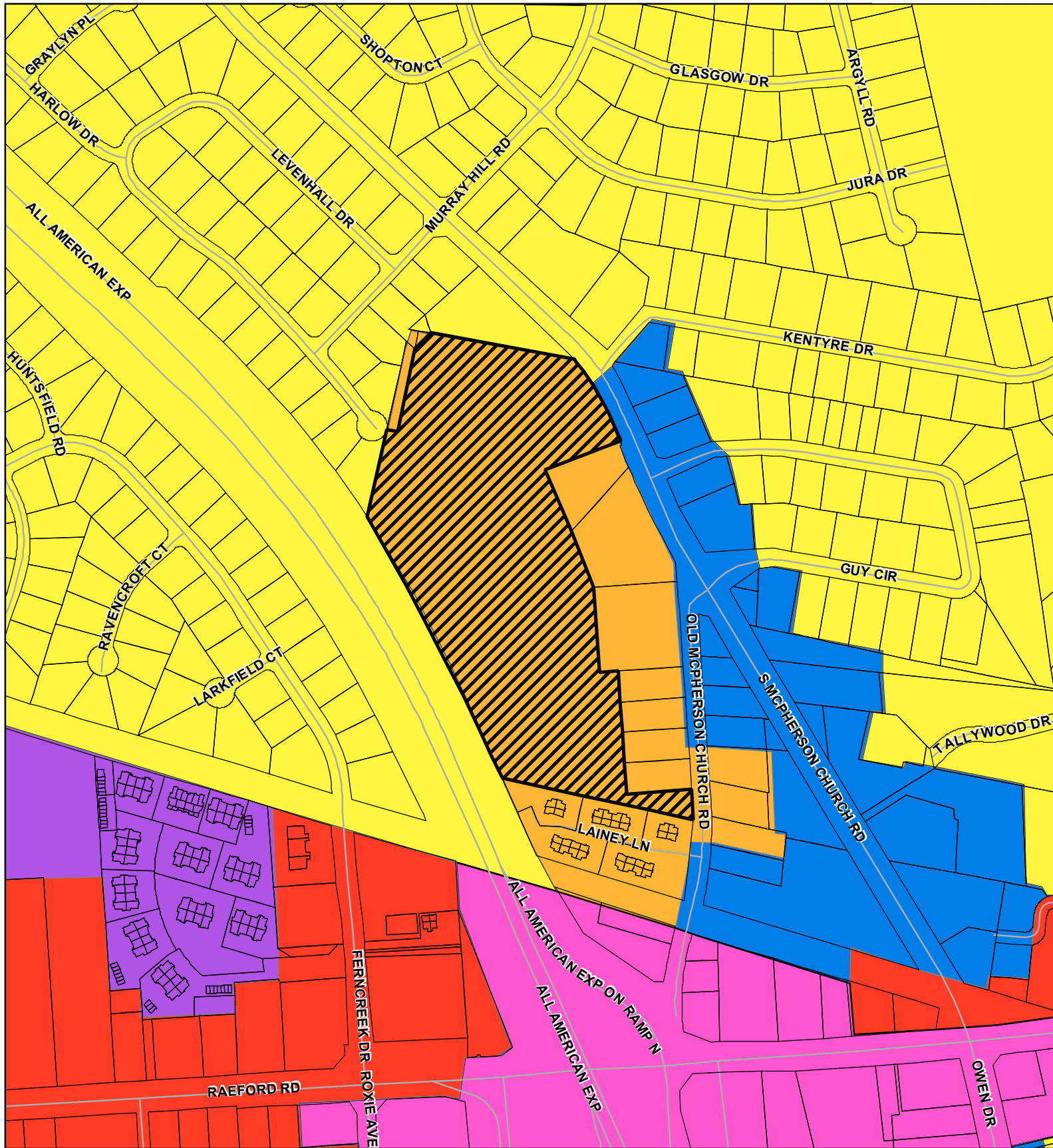


Legend

Existing Landuse	Common Area	Group Quarters	Industrial	Multi-Family	Open Space	Communications-Utilities	Vacant Commercial
Single Family Detached	Commercial	Golf Course	Institutional	Mobile Home	Parking	Under Construction	Not Verified
Single Family Attached	Cemetery	Government Office	Lake	Mobile Home Park	Predominantly Vacant	Vacant Land	Null PIN

Land Use Plan

Case No. P13-29F



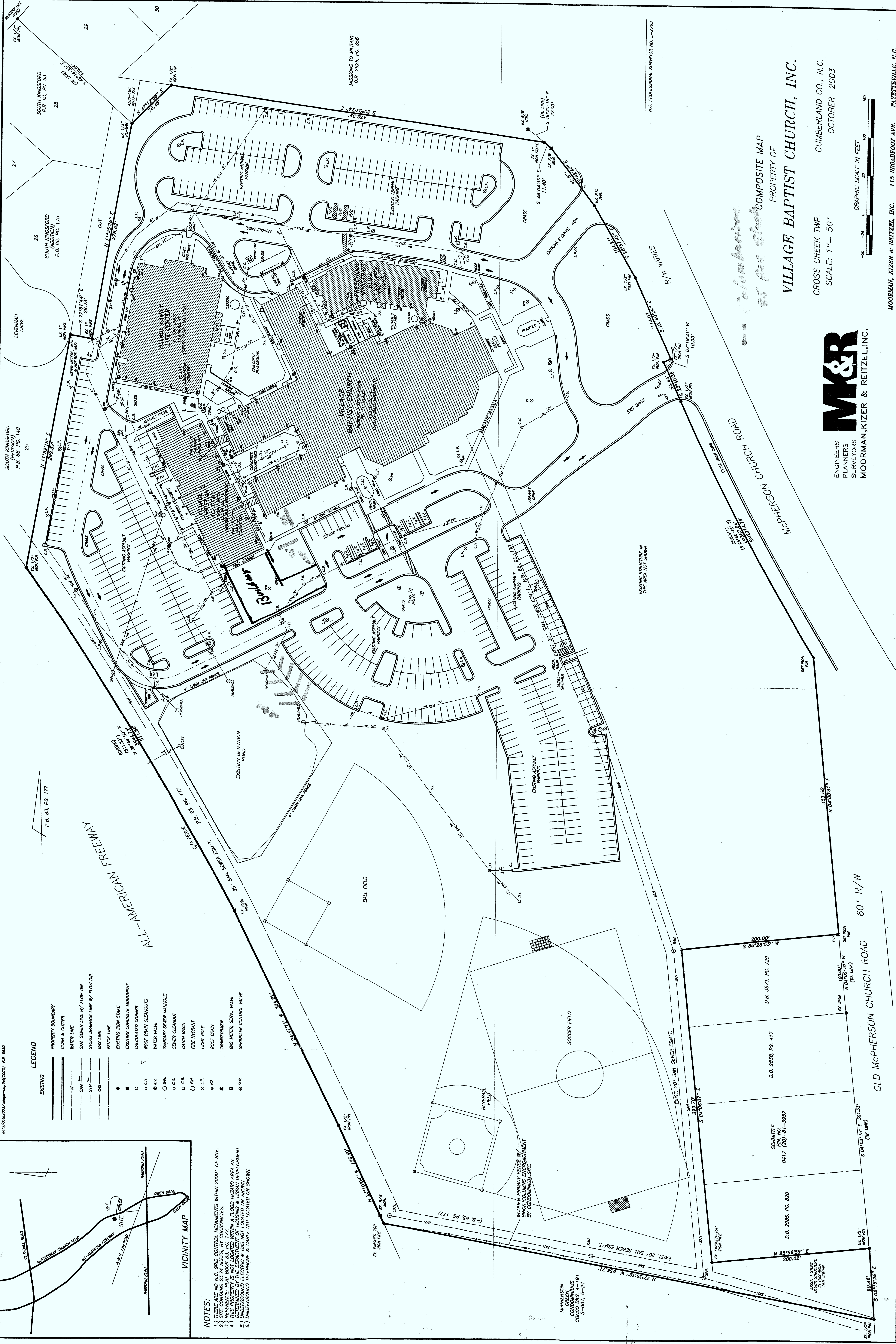
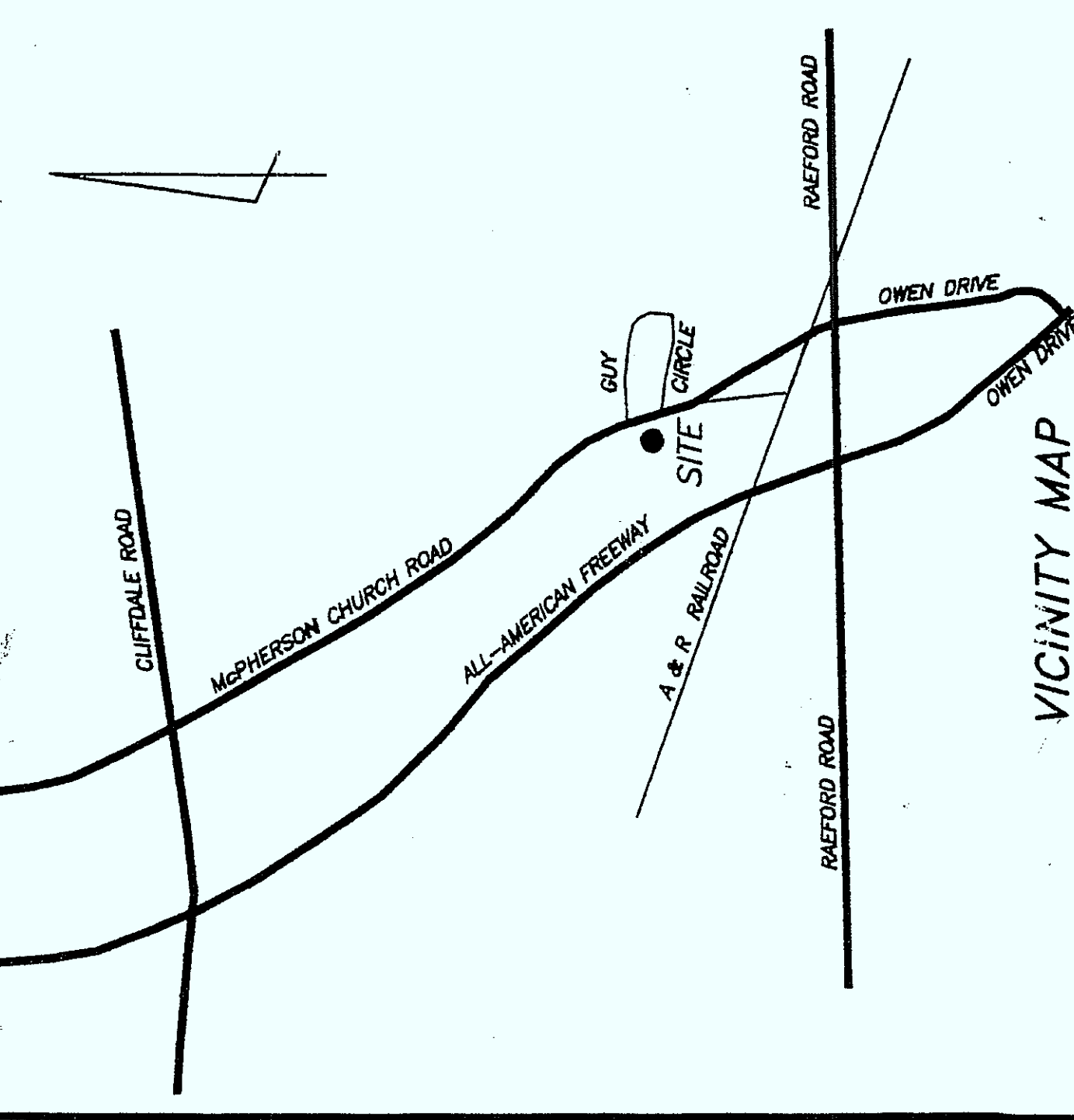
Legend

Academic Training-Fort Bragg	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional
Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential

LEGEND

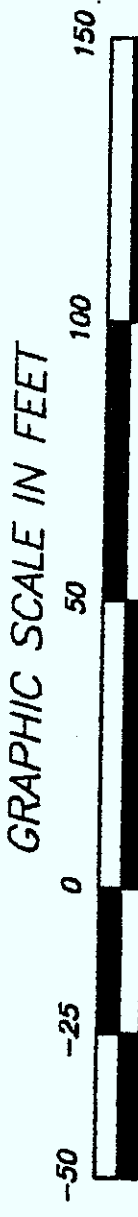
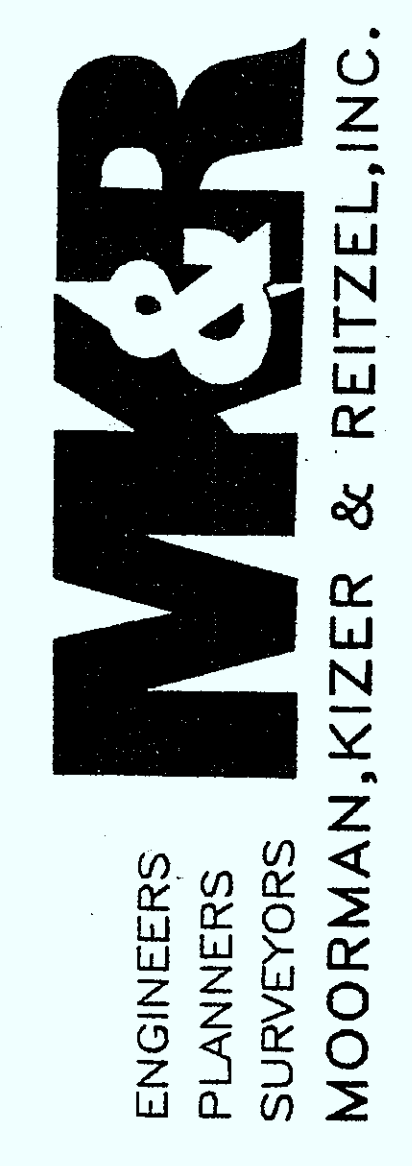
- EXISTING
- PROPERTY BOUNDARY
 - CURB & GUTTER
 - WATER LINE
 - SAN. SEWER LINE W/ FLOW DIR.
 - STORM DRAINAGE LINE W/ FLOW DIR.
 - GAS LINE
 - FENCE LINE
 - EXISTING ROW STAKE
 - EXISTING CONCRETE MONUMENT
 - CALCULATED CORNER
 - ROOF DRAIN CLEANOUTS
 - WATER VALVE
 - SANITARY SEWER MANHOLE
 - SEWER CLEANOUT
 - CATCH BASIN
 - FIRE HYDRANT
 - LIGHT POLE
 - ROOF DRAIN
 - TRANSFORMER
 - GAS WATER, SERV., VALVE
 - SPRINKLER CONTROL VALVE
- NOTES:
1. THIS SITE HAS NO N.C. GRID CONTROL MONUMENTS WITHIN 2000' OF SITE.
 2. THE SITE CONTAINS 23.74 ACRES BY COORDINATES.
 3. REFERENCE PLAT BOOK 83, PG. 177.
 4. THIS PROPERTY IS NOT LOCATED WITHIN A FLOOD HAZARD AREA AS SHOWN ON THE FLOOD HAZARD MAP.
 5. UNDERGROUND ELECTRIC & GAS NOT LOCATED OR SHOWN.
 6. UNDERGROUND TELEPHONE & CABLE NOT LOCATED OR SHOWN.

VICINITY MAP



VILLAGE BAPTIST CHURCH, INC.

CROSS CREEK TWP.
SCALE: 1" = 50'



MOORMAN, KIZER & REITZEL, INC. 115 BROADFOOT AVE. FAYETTEVILLE, N.C.
PHONE (910) 484-5191 FAX (910) 484-0388

PROJECT: PREPARED FOR:
NICHIE MEMORIAL VILLAGE BAPTIST CHURCH
GARDEN 9616 LEBRONSON CHURCH ROAD
OWNER: PAYETTEVILLE, NORTH CAROLINA
VILLAGE BAPTIST CHURCH
PAYETTEVILLE, NORTH CAROLINA

ARCHITECT

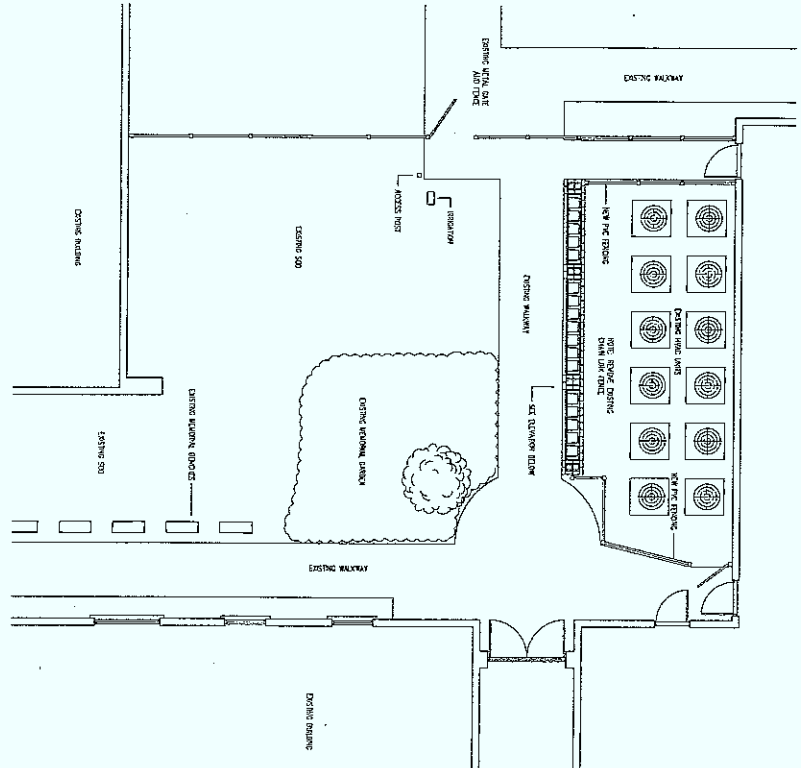
Reviews

MAY 17, 2015

VBO:

Order of

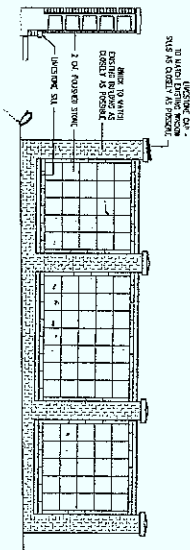
PHASE I



PLAN 'A'

SCALE: 3/16" = 1'-0"

5-HIGH NICHES = 85 SPACES

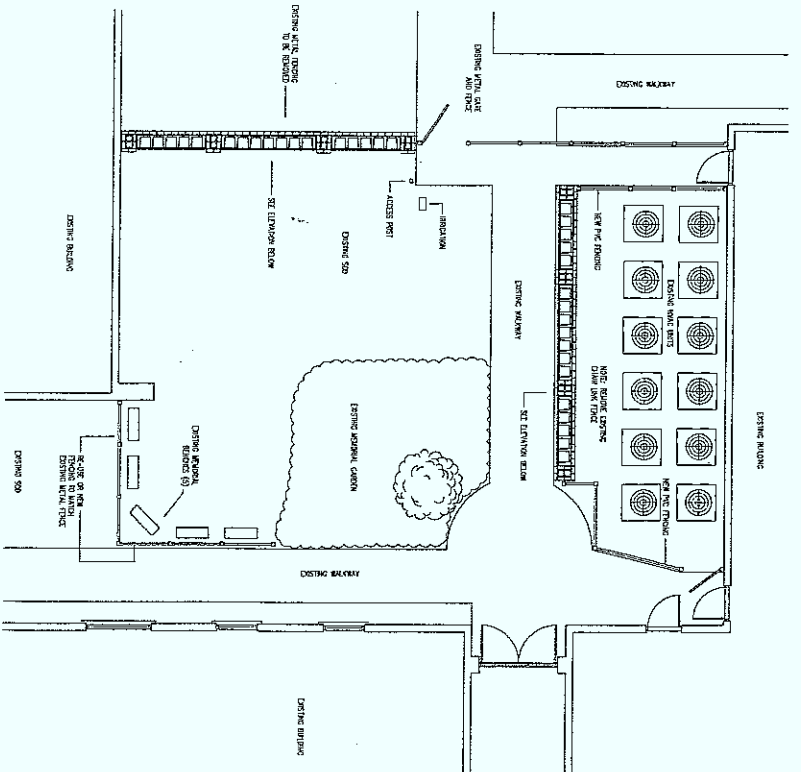


SECTION

SCALE: 1/4" = 1'-0"

ELEVATION

SCALE: 1/4" = 1'-0"



PLAN 'B'

SCALE: 3/16" = 1'-0"

5-HIGH NICHES ■ 170 SPACES



CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Craig Harmon, AICP, CZO - Planner II
DATE: October 28, 2013
RE: **Case # P13-33F. The rezoning of property from SF-10 – Single Family Residential to NC – Neighborhood Commercial District or to a more restrictive district, located at the northwest corner of Stacy Weaver Dr. and McArthur Rd. being the property McLean Development Corporation. (Appeal of a Zoning Commission Denial)**

THE QUESTION:

Request to rezone property from SF-10 to NC.

RELATIONSHIP TO STRATEGIC PLAN:

Livable Neighborhoods
Growth and development

BACKGROUND:

Owner: Mclean Development Corporation
Applicant: Harry Shaw
Requested Action: SF-10 to NC
Property Address: northwest corner of Stacy Weaver Dr. and McArthur Rd.
Council District: 3
Status of Property: Undeveloped
Size: 3.59 acre +/-
Adjoining Land Use & Zoning:
North - SF-10 Single Family Residential
South - NC Commercial
West - SF-10 Single Family Residential
East – SF-10 Single Family Residential (office use)
Letters Mailed: 137
Land Use Plan: Low Density Residential & Office & Institutional
2030 Growth Management Plan: Policy 9.2: Local governments should BE CAUTIOUS OF REZONING RESIDENTIALLY ZONED LAND to commercial zoning solely because it adjoins a major highway or street. Proper design and/or buffering has shown that land tracts adjoining major streets can be properly developed for residential use.

ISSUES:

This proposed rezoning is located at the intersection of Rosehill, Stacy Weaver and McArthur Roads. Within the past year the owners asked for and were granted a right of way abandonment for the unopened portion of Farmview Drive that bisected this property. Currently the north side of McArthur Road is all zoned for single family development. The south side of McArthur Road, however, has both a library branch and a shopping center. The shopping center consists of a grocery store and several out parcels (two of which are currently undeveloped). A portion of the property in question does extend into the single family neighborhood to the north as well.

On September 10th the Zoning Commission held a public hearing regarding this case. The Commission voted 3-1 to deny this rezoning application.

The Zoning Commission and staff recommend DENIAL of the proposed rezoning based on:

1. The Land Use Plan calls for office and residential uses on this property.
2. Undeveloped commercially zoned property at this intersection.
3. The property extends into an existing single family neighborhood.

BUDGET IMPACT:

This action would result in an increase in City services that would be offset by the increased revenue collected through the City's taxes.

OPTIONS:

- 1) Approval of the rezoning;
- 2) Approval of the rezoning to a more restrictive district;
- 3) Denial of the rezoning (recommended).

RECOMMENDED ACTION:

Zoning Commission & Staff Recommend: That the City Council DENY this rezoning appeal for Neighborhood Commercial as presented by staff .

ATTACHMENTS:

Zoning Map
Current Land Use
Land Use Plan
Site Plan
Site Photo
Site Photo

ZONING COMMISSION
CASE NO. P13-33F



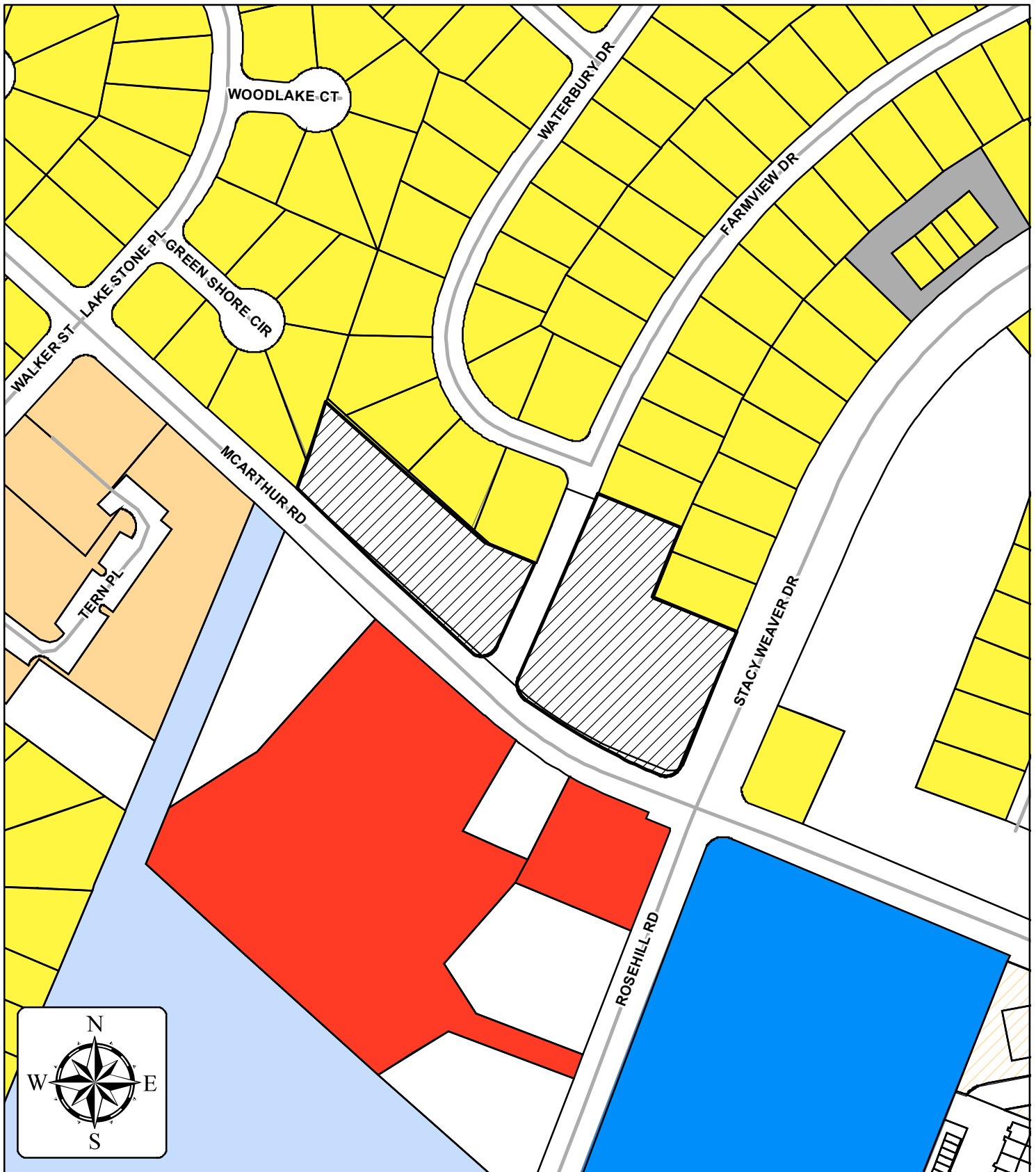
Request: SF-10 to NC
Location: NW corner, Stacy Weaver
& McArthur Rd.

Zoning Commission: 9/10/2013 **Recommendation:** _____
City Council: _____ **Final Action:** _____

Letters are being sent to all property owners within the circle, the subject property is shown in the hatched pattern.

Current Land Use

P13-33F

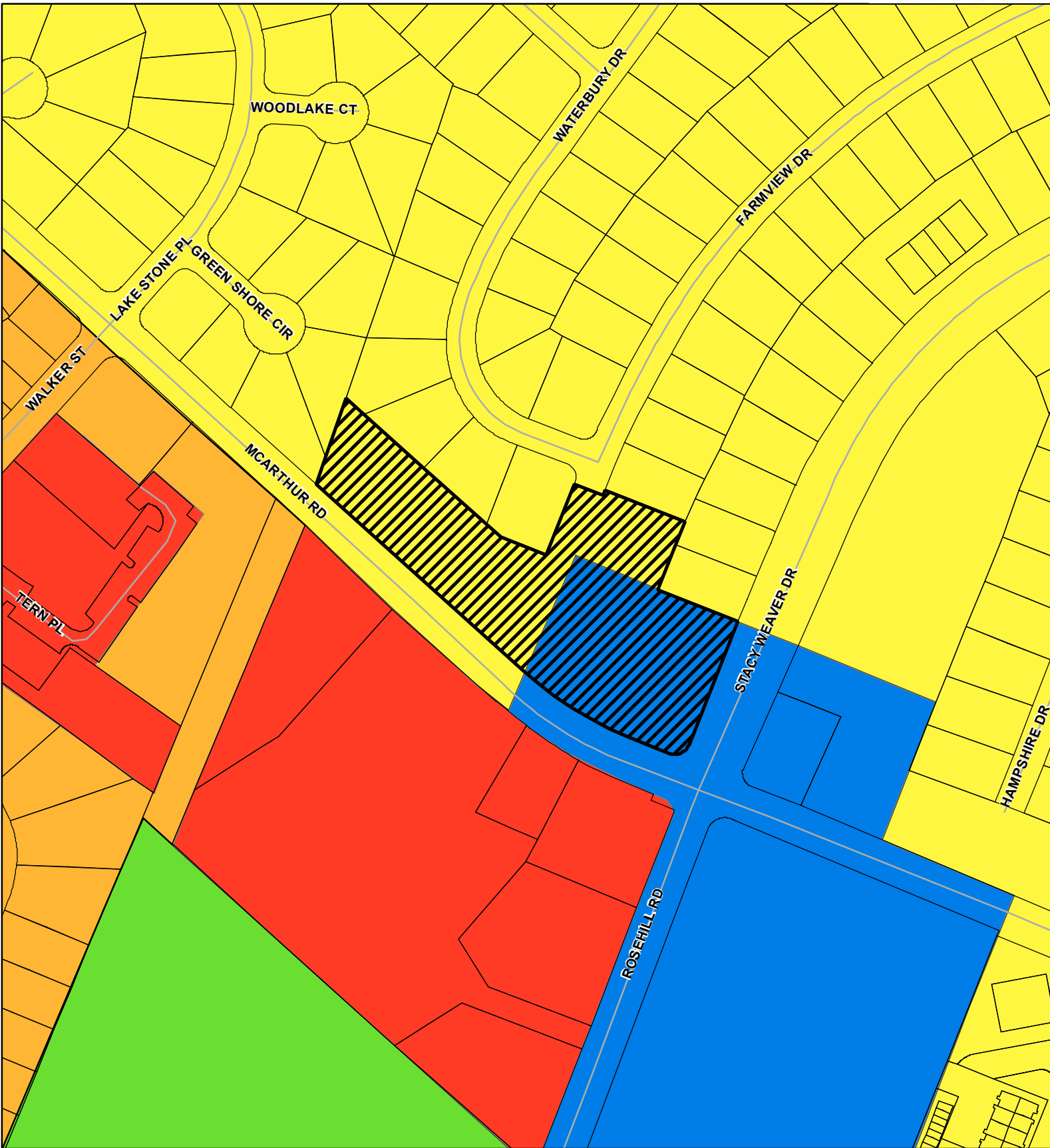


Legend

Existing Landuse	Common Area	Group Quarters	Industrial	Multi-Family	Open Space	Communications-Utilities	Vacant Commercial
Single Family Detached	Commercial	Golf Course	Institutional	Mobile Home	Parking	Under Construction	Not Verified
Single Family Attached	Cemetery	Government Office	Lake	Mobile Home Park	Predominantly Vacant	Vacant Land	Null PIN

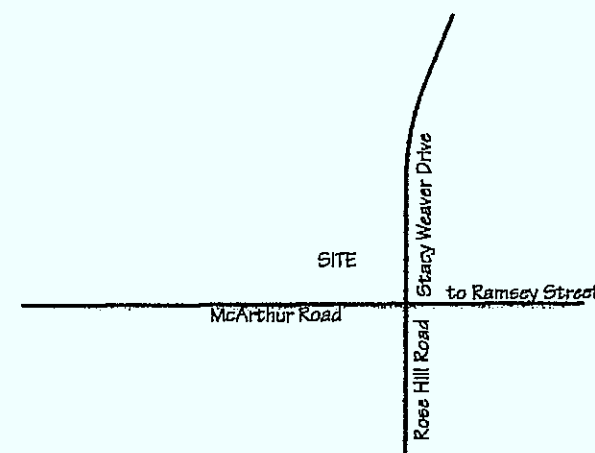
Land Use Plan

Case No. P13-33F



Legend

Academic Training-Fort Bragg	Farmland	Historical District-Fort Bragg	Neighborhood Activity Node	Policy Directed Light Commercial
Activity Node	Governmental	Light Commercial	Office & Institutional	Policy Directed Office & Institutional
Airfield Operations-Fort Bragg	Heavy Commercial	Light Industrial	One Acre Residential Lots	Range & Training-Fort Bragg
Community Activity Node	Heavy Industrial	Low Density Residential	Open Space	Redevelop/Holding-Fort Bragg
Downtown	High Density Residential	Medium Density Residential	Policy Directed Heavy Commercial	Suburban Density Residential



VICINITY MAP (NOT TO SCALE)

NORTH CAROLINA
Cumberland County

I, George L. Lott, certify that this plat was drawn under my supervision from an actual survey made under my supervision (last description recorded in book 2072, page 136/137 cct.) (Other), that the boundaries not surveyed are clearly indicated as drawn from information found in book 2072, page 136/137 cct., that the ratio of precision as calculated is 1/100,000, that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 23rd day of June 2011.

George L. Lott, Professional Land Surveyor
L-1379



I, George L. Lott, PLS L-1379 certify to one of the following as indicated thus, "X".

A. That this plat is of a survey that creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

B. That this plat is of a survey that is located in such portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land.

"X" C. That this plat is of a survey of an existing parcel or parcels of land.

D. That this plat is of a survey of another category, such as the recombination of existing parcels, a court order survey or other exception to the definition of subdivision.

E. That the information available to this surveyor is such that I am unable to make a determination to the best of my professional ability as to provision contained in (A) through (D) above.

Nonconforming structures have not been created by this subdivision.

LEGEND

Lines Surveyed	_____	CSG	cotton spindle set
Lines Not Surveyed	_____	PP	power pole
Right Of Way Lines	_____	CL	center line
ECM	exist. conc. mon.	R/W	right of way
EIP	exist. iron pipe	Eas't.	easement
EPK	exist. PK nail	WM	water main
ERS	exist. railroad spike	MH	man hole
RRS	railroad spike set	TP	telephone pedestal
SPK	set PK nail	CP	computed point (not set)
SIP	set iron pipe	OHE	overhead elect. line

Iron pipe set at all corners. Area determined by coordinate method.

All distances / dimensions are horizontal ground distances unless noted.

FILED Jun 30, 2011 02:40:00 pm
BOOK 00128
PAGE 0182 THRU 0182
INSTRUMENT # 21151
RECORDING \$21.00
EXCISE TAX (None)

Note:
No NCGS monuments or other U.S. or State Agency Survey Control Monuments were found to exist in pairs within 2000 feet of the property shown hereon.
In lieu of such control monuments, corners of adjoining properties and other appropriate natural monuments were used as reference.
Previously recorded plats and record deeds were used to establish bearing control.

George L. Lott

Professional
Land Surveyor

136 Kimmel Circle, Fayetteville, N.C. 28301
(919) 455-0669 494-2778 WWW.georgelott.com

"Cursed be he who removes his neighbor's landmark."
Deuteronomy 19:14, KJV.

NO APPROVAL REQUIRED
BY THE CITY OF FAYETTEVILLE

Marsha B. Bryant
SIGNATURE DATE

Planner 6-30-2011
TITLE



STATE OF NORTH CAROLINA
County Of Cumberland

I, *Annie Melvin*, review officer of Cumberland County

certify that the map or plat to which this certificate is affixed meet all statutory requirements for recording.

Annie Melvin
Review Officer

6-30-11
Date

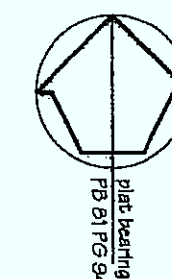
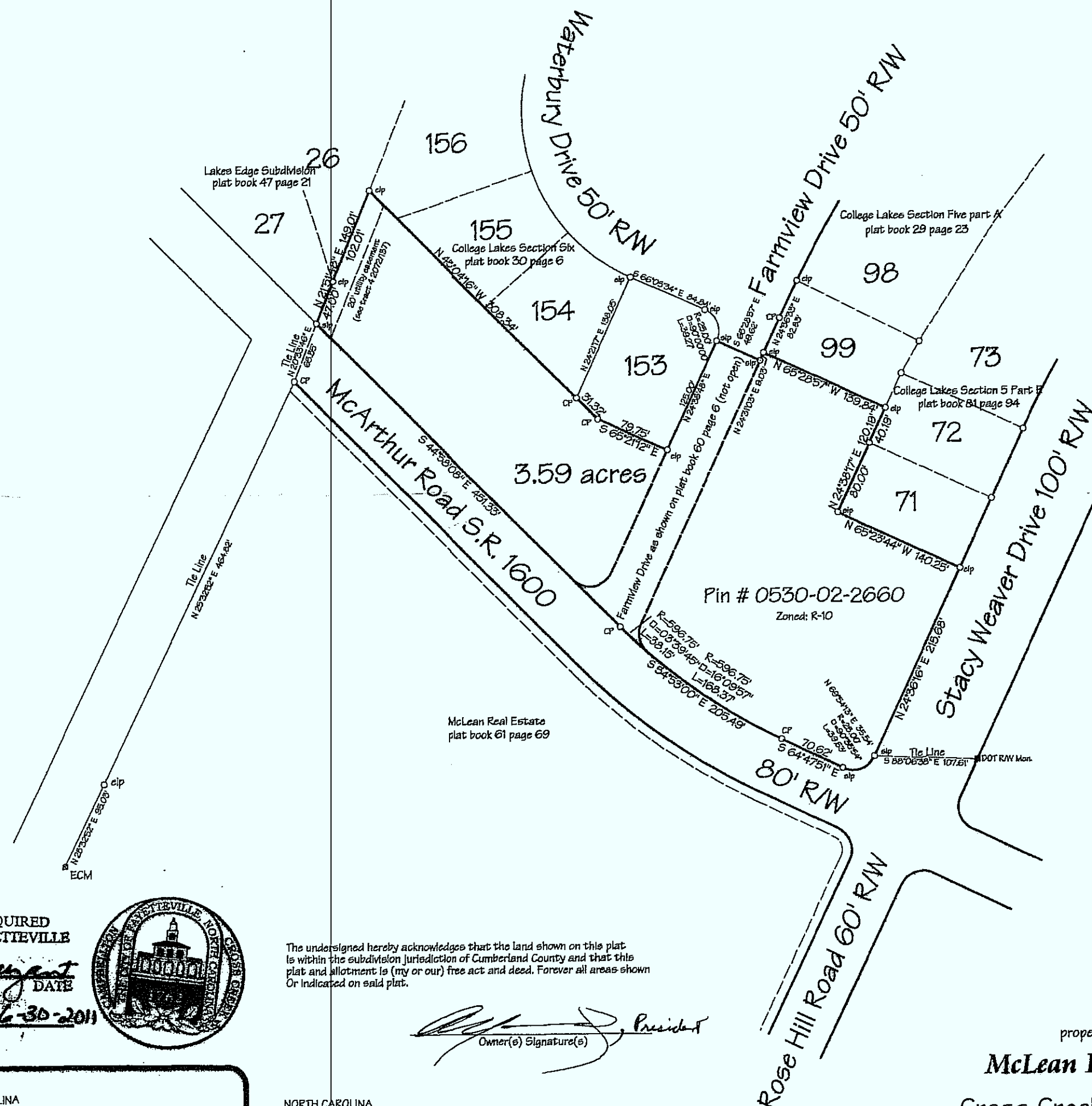
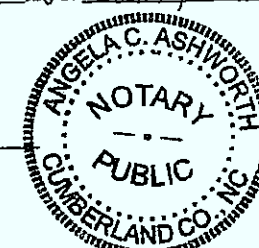
NORTH CAROLINA
CUMBERLAND COUNTY

I, *Angela C. Ashworth*, a notary public for said County and State aforesaid

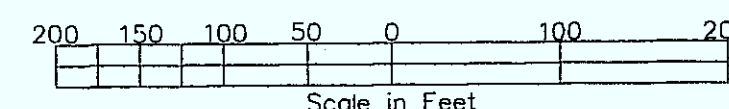
certify that *Alfred E. Cleveland* personally appeared before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and Official Stamp or Seal, this 30th day of June, 2011 AD.

Angela C. Ashworth
Notary Public

My commission expires: *3/5/2013*



property of and survey for
McLean Development Corp.
Cross Creek Township
Cumberland County
North Carolina
Scale 1" = 100' November 2005







CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: David Nash, AICP, Senior Planner
DATE: October 28, 2013
RE: **Public Hearing to Consider Request to Annex Property of Froehling & Robertson, Inc.**

THE QUESTION:

Request to annex property of Froehling & Robertson, Inc.

RELATIONSHIP TO STRATEGIC PLAN:

Strong local economy

BACKGROUND:

Froehling & Robertson, Inc., has submitted a petition requesting annexation of their property located at 327 East Jenkins Street. This property is not contiguous to the City. This property consists of 1.93 acres, more or less. Froehling & Robertson is involved in environmental testing; it has been operating for some time within the area requested for annexation. It is considered to be an industrial use.

On October 8, the Zoning Commission held its public hearing on the initial zoning of this area.

On October 28, the City Council will hold its public hearing on the annexation request.

ISSUES:

Sufficiency: The City's Real Estate Manager has verified that the petitioner, Froehling & Robertson, Inc., owns the property. (See attached Sufficiency Memo, attached.)

Services: City operating departments and PWC divisions have reviewed the proposed annexation and they should be able to serve the property.

City Services-The Fire Department reports that the travel distance to this property is 2.7 miles from the closest City fire station. The department's goal is 5.3 minutes for the first-arriving unit. Pearces Mill Fire Department is 2.1 miles from the property, which provides 24 hour uninterrupted response service. This property is .5 miles from the City's first due response limits; therefore, a primary response contract with Pearces Mill may not be necessary. The Police Department reports that the annexation of this area will not have any service impacts for the department at this time. The Engineering and Infrastructure Department reported that there were no impacts from the standpoint of the Traffic Division. The Environmental Services Department reported that since the area is considered to be an industrial use, it will be serviced by private waste hauling contractors, rather than by the department.

PWC Services-The Froehling and Robertson property is currently served by a well and septic tank. PWC Water is now available along East Jenkins Street, thanks to a new water line extension project recently completed in the area. PWC Sewer is not available. The property is already served by PWC electrical lines.

Compliance With Satellite Annexation Standards: There are five standards that a satellite annexation must meet in order to be annexed. This area meets the five standards, as shown in the attached ordinance.

Effective Date: The 2011 changes to the state annexation law regarding effective dates did not apply to satellite areas. The law remains the same: a satellite annexation may be made effective immediately, or on any specified date within six months from the date of passage.

BUDGET IMPACT:

Analyzing the budgetary impact of an annexation involves comparing projected revenues with projected costs.

Projected Revenues: If this area is annexed, it is projected that City revenues would be \$1,509 per year. (Ad valorem taxes would be \$1,107. Stormwater fees would be \$252. Motor vehicle privilege and transit fees would be \$75 each. There would be no population-based revenues, because this area has no population.)

Projected Costs: No City operating departments have expressed concerns or unusual increases in costs to serve this area, if it is annexed.

Budgetary Impact: If this area is annexed, it is expected that revenues will exceed costs. Therefore, it is projected that the budgetary impact will be positive for the City.

OPTIONS:

1. Adopt the Annexation Ordinance with an effective date of October 28, 2013, and include approval of the final initial zoning action consistent with the prior action on the zoning.
2. Adopt the Annexation Ordinance with an effective date within six months of the date of passage of the ordinance, and include approval of the final initial zoning action consistent with the prior action on the zoning.
3. Do not adopt the Annexation Ordinance. This option means the property would remain outside the City and the initial zoning would not occur.
4. Table action on the requested annexation.

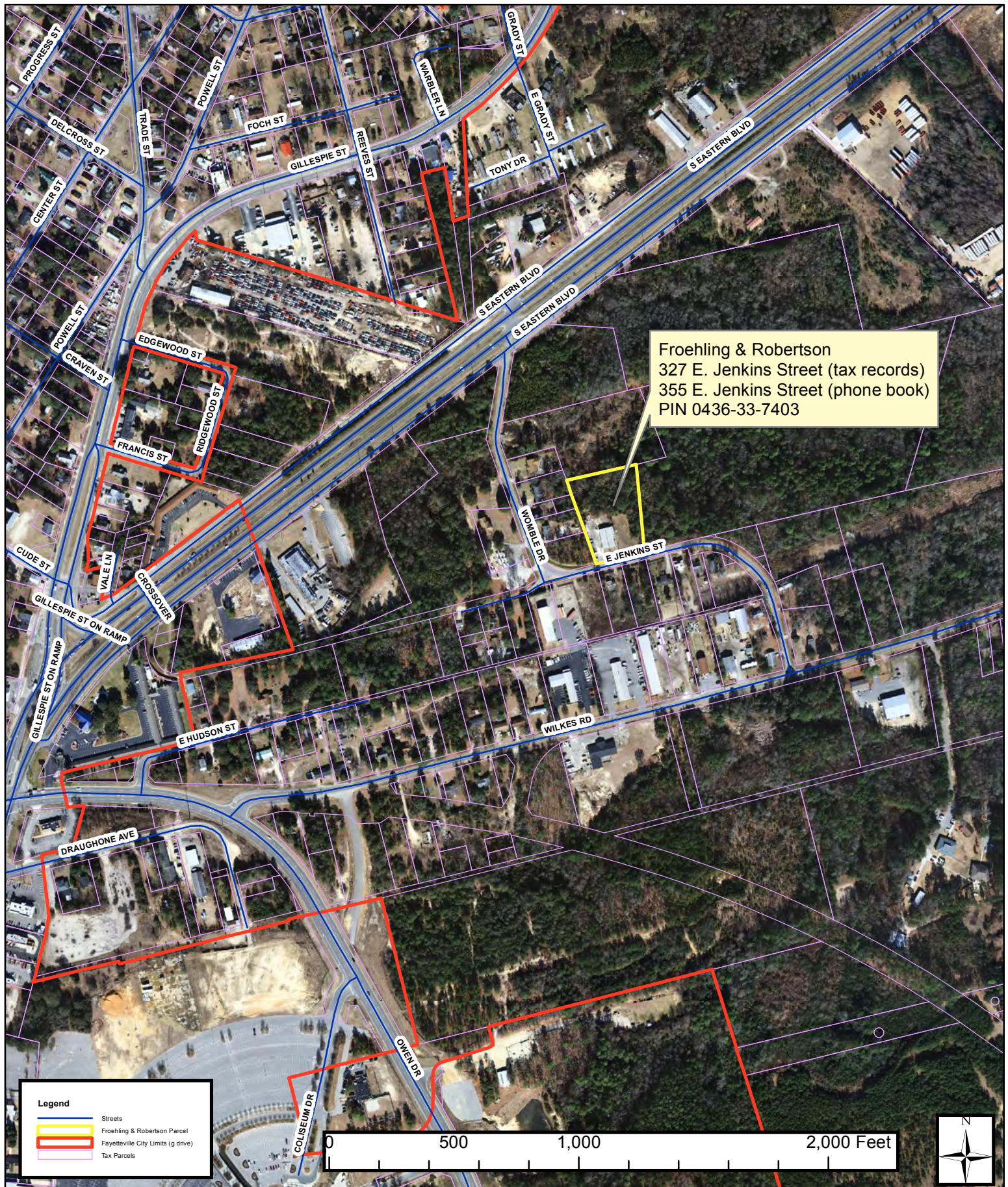
RECOMMENDED ACTION:

City staff recommends Option 1: that the City Council moves to adopt the proposed ordinance annexing the area effective October 28, 2013, and establish the initial zoning consistent with the prior action on the zoning case.

ATTACHMENTS:

Vicinity Map
Basic Information Sheet About the Area
Sufficiency Memo
Proposed Ordinance
Legal Description Map

City of Fayetteville, NC
 Vicinity Map
 Froehling and Robertson Property
 (Owner Has Submitted a Satellite Annexation Petition for this Property)



Map Originally Prepared 7/30/13 by City of Fayetteville Planning & Zoning Division
 Map Revised 9/5/13 (to show updated street names)

BASIC INFORMATION ABOUT THE AREA
Information Updated as of: October 17, 2013
Date Petition Received: 6/10/13 (original); 8/5/13 (revised)
Ordinance Adoption Date: / Effective Date:

1. Name of Area:	Froehling and Robertson Property
2. Name of Owner:	Froehling and Robertson, Inc. (Richmond, Va.)
3. General Location/Address/ Directions to Property:	<u>General Location:</u> Southern side of the City, north of the Crown Coliseum. <u>Address:</u> 327 East Jenkins Street. <u>Directions:</u> Start at intersection of US 301 South (Gillespie Street) and Owen Drive. Go east on Owen Drive. Turn left on Wilkes Road. Turn left on E. Jenkins St. Go about 1,050 feet. The site is on the right, about 200 feet before the intersection with Womble Drive. (Site can also be accessed from US 301-S Eastern Boulevard by turning south on Womble Drive.)
4. Tax Identification Number (PIN):	1 parcel: PIN 0436-33-7403
5. Fire Department To Be Affected:	0051-Pearces Mill
6. Is the Area Contiguous?	No
7. Is the Area in the Fayetteville MIA (Municipal Influence Area)?	Yes
8. Type of Annexation:	Petition-initiated non-contiguous (satellite) area
9. Background:	The area along East Jenkins Street has been identified as having groundwater contamination. A state funding source has recently been used to extend PWC water lines into the area. When the water extension project was first developed, the City said that residential properties that will benefit from the new PWC water lines would not need to petition for annexation. The City's position is that non-residential properties that will benefit from the new PWC water lines will need to petition for annexation.
10. Reason the Annexation was Proposed:	Froehling and Robertson, a non-residential property, would like to connect to the new PWC water line, so the firm has submitted an annexation petition.
11. Number of Acres in Area:	2 acres (according to the annexation petition); 1.93 acres (according to City's legal description map)
12. Type of Development in Area:	Froehling and Robertson is involved in environmental testing. It is assumed to be an "Industrial" use.
13. Present Conditions:	<ul style="list-style-type: none"> a. <u>Present Land Use:</u> Industrial b. <u>Present Number of Housing Units:</u> 0 c. <u>Present Demographics:</u> Total Pop=0 d. <u>Present Streets:</u> No streets within area requested for annexation. e. <u>Water and Sewer Service:</u> PWC water is now available (thanks to a recently-completed water line extension project). PWC sewer is not available. f. <u>Electrical:</u> Based on a GIS layer, it appears that the property is served by PWC electrical service. g. <u>Current Ad Valorem Tax Value:</u> Total=\$242,837 (Real=\$116,899, Personal=\$18,018, Vehicles=\$107,920)
14. Factors Likely to Affect Future of Area:	<ul style="list-style-type: none"> a. <u>Plans of Owner:</u> City is not aware of any plans to change anything on parcel b. <u>Development Controls</u> <ul style="list-style-type: none"> 1. <u>Land Use Plans</u> <ul style="list-style-type: none"> a. 2010 Plan-Heavy Industrial (City GIS layer) b. 2030 Plan-Urban Area (www.ccmmaps.org) 2. <u>Zoning</u> <ul style="list-style-type: none"> a. <u>Current Zoning in County:</u> M(P) (www.ccmmaps.org) b. <u>Expected Zoning After Annexation:</u> Heavy Industrial 3. <u>In Fay Airport Impact Zone?</u>-No (City GIS layer) 4. <u>In Fay Airport Overlay District?</u>-Yes (City GIS layer) 5. <u>In Simmons Airfield Noise Contour?</u> No 6. <u>Plans Already Approved by County?</u> The County reports that no recent plans have been submitted, and there are no requests for a rezoning.
15. Expected Future Conditions:	<ul style="list-style-type: none"> a. <u>Future Land Use:</u> No change is expected-continuation of industrial use b. <u>Future Number of Housing Units:</u> Total=0 (0 HU x 90% occupancy rate*=0 occupied HU) * Based on 2010 Census data for Fayetteville c. <u>Future Demographics:</u> Total Pop=0 (0 occupied HU x 2.45 avg household size*=0) *Based on 2010 Census data for Fayetteville d. <u>Future Streets:</u> No change is expected e. <u>Water and Sewer Service:</u> Water is expected to be provided by PWC. It is not expected that PWC sewer lines will be available in the future. f. <u>Electric Service:</u> No change is expected-will continue to be served by PWC. g. <u>Future Real Ad Valorem Tax Value:</u> No change is expected

MEMO

To: David Nash, Planning Department

From: Kecia N. Parker, Real Estate Manager

CC: To the file

Date: August 1, 2013

Re: Sufficiency of Annexation Petition

SIGNERS OF THE PETITION: Samuel S. Proctor, CEO & Chr. Bd.
Samuel Kirby, Jr. President
Froehling & Robertson, Inc.

Froehling & Robertson, Inc. per recorded deed 2432, Page 343, is the record owner for the 2.0 acre tract.

1: 0436-33-7403- 2.0 acres

My search ended July 30, 2013. There is a Right of Way Agreement recorded in Book 5700, Page 770 which was attached to the petition and therefore I would assume the map once provided will not include the portion dedicated to NCDOT.

Petition is sufficient!

Annexation Ordinance No: _____

**Property of Froehling & Robertson,
Inc-327 East Jenkins Street-Includes
1 Tax Parcel- (0436-33-7403)**

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

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the City of Fayetteville has investigated the sufficiency of the petition; and

WHEREAS, the City of Fayetteville has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at City Hall Council Chambers at 7:00 p.m. on October 28, 2013, after due notice by publication on October 18, 2013; and

WHEREAS, the City Council further finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the primary corporate limits of the City of Fayetteville;
- b. No point on the proposed satellite corporate limits is closer to the primary corporate limits of another municipality than to the primary corporate limits of the City of Fayetteville;
- c. The area described is so situated that the City of Fayetteville will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376 and as interpreted by the City's Legal Department, will be fragmented by this proposed annexation;
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the City of Fayetteville;

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

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous property owned by Froehling & Robertson, Inc., is hereby annexed and made part of the City of Fayetteville, North Carolina as of October 28, 2013:

Beginning at an iron pipe on the northern margin of East Jenkins Street also being 200 feet from the eastern margin of Womble Street where it intersects with East Jenkins Street and continuing thence North 19 degrees 12 minutes 47 seconds West 342.22 feet to a point, thence North 75 degrees 33 minutes 13 seconds East 289.30 feet to a point, thence South 04 degrees 54 minutes 19 seconds East 344.43 feet to a point in the northern margin of East Jenkins Street, thence along the northern margin South 75 degrees 10 minutes 13 seconds West 203.77 feet to the BEGINNING, and containing 1.93 acres, more or less.

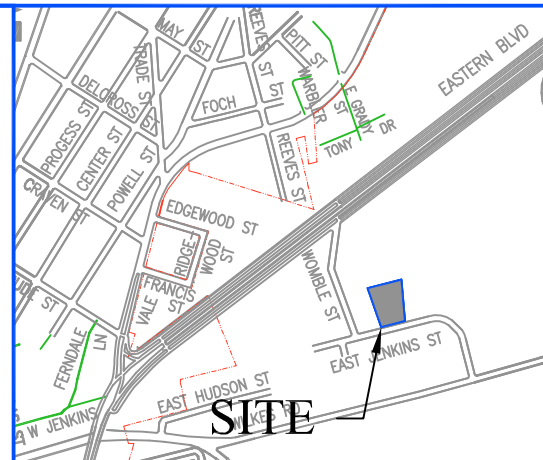
Section 2. Upon and after October 28, 2013, the above-described area and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Fayetteville of North Carolina and shall be entitled to the same privileges and benefits as other parts of the City of Fayetteville, North Carolina. Said area shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Fayetteville shall cause to be recorded in the office of the Register of Deeds of Cumberland County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed area, described in Section 1, together with a certified copy of this ordinance. Such a map shall also be delivered to the Cumberland County Board of Elections as required by G.S. 163-288.1.

Adopted this ____ day of _____, 20__.

Anthony G. Chavonne, Mayor

ATTEST _____
Pamela Megill, City Clerk



VICINITY MAP (N.T.S.)

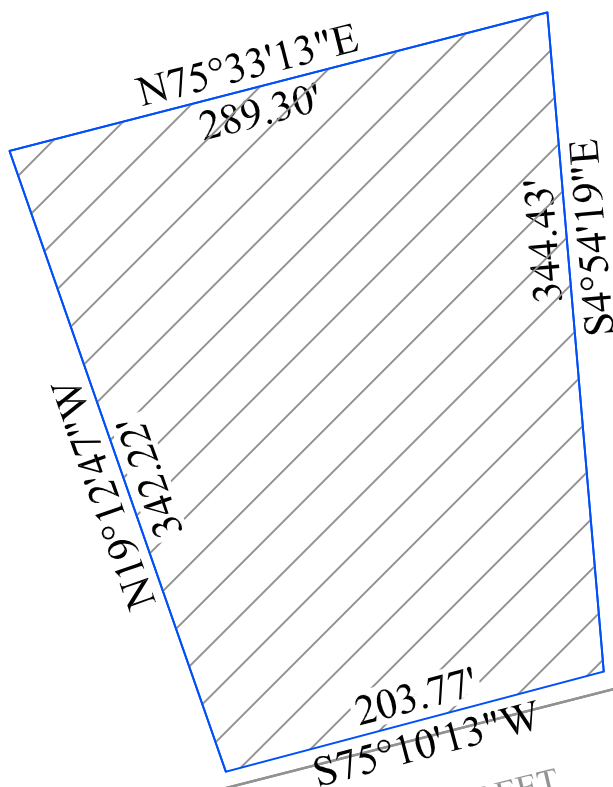


EXHIBIT B

THIS MAP IS NOT A CERTIFIED SURVEY
AND HAS NOT BEEN REVIEWED BY A
LOCAL GOVERNMENT AGENCY FOR
COMPLIANCE WITH ANY APPLICABLE
LAND DEVELOPMENT REGULATIONS.



ENGINEERING & INFRASTRUCTURE DEPT.
CIVIL ENGINEERING DIVISION
433 HAY ST. 28301
(910) 433-1656

PROPOSED ANNEXATION
PROPERTY OF FROEHLING
& ROBERTSON, INC
± 1.93 ACRES

SHEET 1 OF 1

ANNEXATION DATE:
EFFECTIVE DATE:

DATE 8/6/2013 DRAWN BY CSA
SCALE 1" = 100' CK'D BY CSA

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: David Nash, AICP, Senior Planner
DATE: October 28, 2013
RE: **Public Hearing to Consider Request to Annex Property of SRW Builders, Inc.-Part of Burnside Park**

THE QUESTION:

Request to annex property of SRW Builders, Inc.-Part of Burnside Park

RELATIONSHIP TO STRATEGIC PLAN:

Strong local economy

BACKGROUND:

SRW Builders, Inc., proposes to build a new residential area to be known as Burnside Park. Burnside Park will be built on the northern side of the Kings Grant neighborhood, between a street named Burnside Place on the south and the new I-295 Outer Loop on the north.

Burnside Park will consist of 13 lots; 11 lots are proposed for single-family development, so the entire development will have 11 housing units. The land to be developed as Burnside Park is only partially within the City.

The developer has requested annexation of the part of Burnside Park that is not inside the City. The City staff assumes that 4 single-family housing units will be built on the land requested for annexation. According to calculations by City staff, the land requested for annexation consists of about 1.91 acres.

On October 8, the Zoning Commission held its public hearing on the initial zoning of this area.

On October 28, the City Council will hold its public hearing on the annexation request.

ISSUES:

Sufficiency: The City's Real Estate Manager has verified that the petitioner, SRW Builders, Inc., owns the property. (See attached Sufficiency Memo, attached.)

Services: City operating departments and PWC divisions have reviewed the proposed annexation and they should be able to serve the property.

City Services-The Fire Department reported that the travel distance from this property to the closest City fire station (Station 7 on Stacey Weaver Drive) is 2.4 miles. The travel distance to the next closest City fire station (Station 19 on Walsh Parkway at Andrews Road) is 2.7 miles. The department's goal is 5.3 minutes for the first-arriving unit. The Police Department reported that the annexation of this area will not have any service impacts for the department at this time. The Engineering and Infrastructure Department reported that there were no impacts from the standpoint of the Traffic Division. The Environmental Services Department reported that it would provide residential pickup services, and a contractor would provide recycling services. The Transit Department reported that there would be no impact.

PWC Services-The PWC Water and Sewer Division reported that a sanitary sewer main exists on this parcel already. A water main exists in Burnside Place and would need to be extended to the site. The PWC Electrical Division reported that underground electrical service and street lights would be extended as the property develops.

Effective Date: Recent changes in the state law governing contiguous petition annexations require

that a contiguous area be annexed either immediately, or on the June 30 after date of passage of the ordinance, or on the June 30 of the following year after the date of passage of the ordinance.

BUDGET IMPACT:

Analyzing the budgetary impact of an annexation involves comparing projected revenues with projected costs. Revenues and costs can be projected for a build-out year. At build-out, the area is expected to have 4 housing units and a population of 10 people.

Projected Revenue-At build-out, it is projected that annual revenues would be \$6,775 per fiscal year. (Ad valorem taxes would be \$4,775. Population-based revenue would be \$2,000.)

Projected Costs- At build-out, it has only been possible to project costs for the Environmental Services Department. It is projected that annual costs would be \$736 per year. (Garbage collection costs are projected as \$600 for the 4 houses. Recycling costs are projected as \$136 for the 4 houses.) Plus, there will be a one-time cost of \$340 for providing carts to each of the 4 houses. (A garbage cart is assumed to cost \$50. A recycling cart is assumed to cost \$35.)

Budgetary Impact-If this area is annexed, it is expected that revenues will exceed costs. Therefore, it is projected that the budgetary impact will be positive for the City.

OPTIONS:

1. Adopt the Annexation Ordinance with an effective date of October 28, 2013, and include approval of the final initial zoning action consistent with the prior action on the zoning.
2. Adopt the Annexation Ordinance with an effective date of June 30, 2014, and include approval of the final initial zoning action consistent with the prior action on the zoning.
3. Adopt the Annexation Ordinance with an effective date of June 30, 2015, and include approval of the final initial zoning action consistent with the prior action on the zoning.
4. Do not adopt the Annexation Ordinance. This option means the property would remain outside the City and the initial zoning would not occur.
5. Table action on the requested annexation.

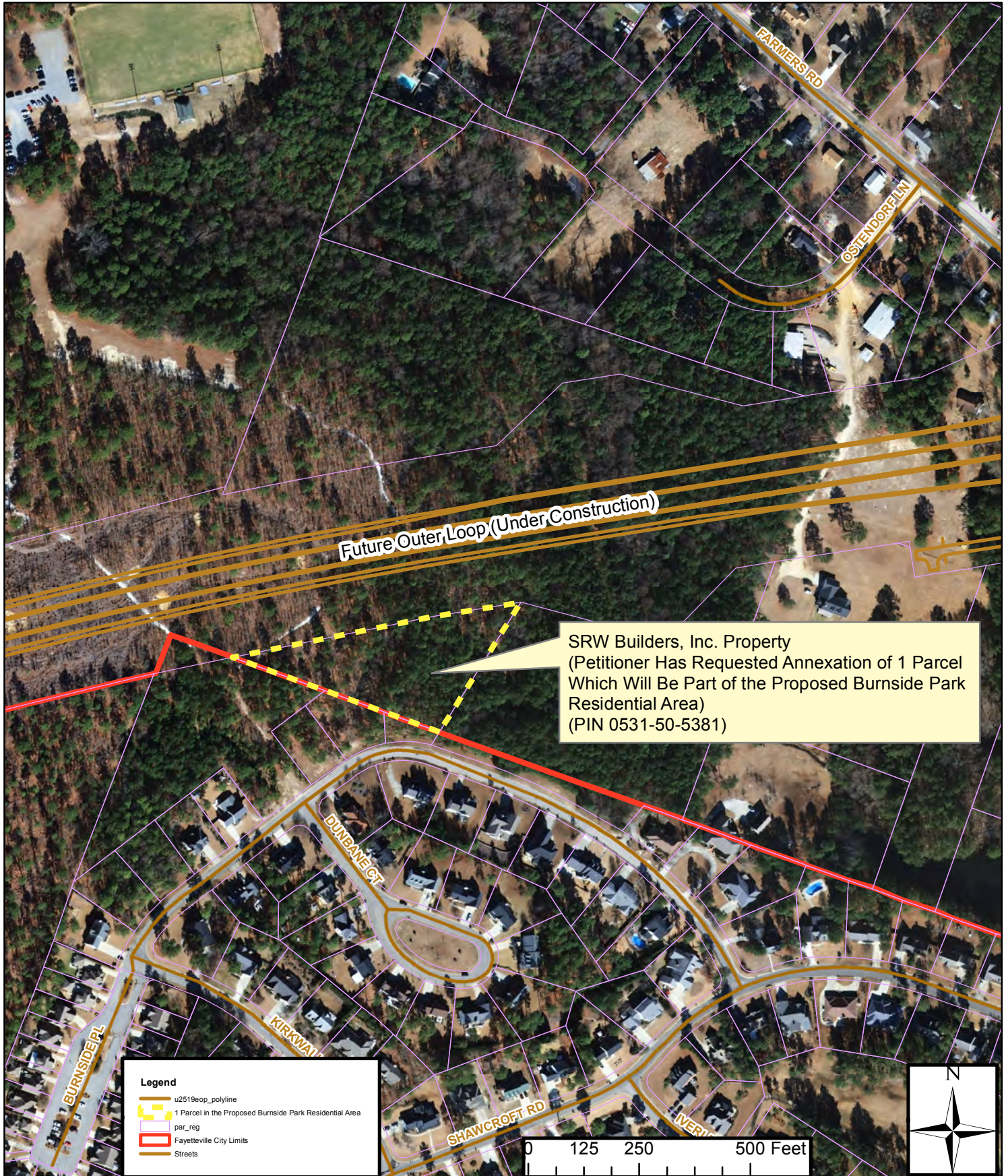
RECOMMENDED ACTION:

City staff recommends Option 1: that the City Council moves to adopt the proposed ordinance annexing the area effective October 28, 2013, and establish the initial zoning consistent with the prior action on the zoning case.

ATTACHMENTS:

Vicinity Map
Basic Information Sheet About the Area
Sufficiency Memo
Proposed Ordinance
Legal Description Map

City of Fayetteville, NC
 Vicinity Map
 SRW Builders, Inc. Property
 (Petitioner Has Requested Annexation of 1 Parcel Which Will Be Part of the Proposed Burnside Park Residential Area)
 (PIN 0531-50-5381)



Prepared 7/30/13 by Planning & Zoning Division, Development Services Dept, City of Fayetteville

BASIC INFORMATION ABOUT THE AREA

Information Updated as of: October 18, 2013

Date Petition Received: 7/11/13

Ordinance Adoption Date: / Effective Date:

1. Name of Area:	Property of SRW Builders, Inc.- Part of Burnside Park
2. Name of Petitioner:	SRW Builders, Inc. (Herbert C. Dunlap, Vice-President)
3. Location/Directions to Area:	<u>General Location:</u> Northern side of the Kings Grant neighborhood. Situated between a street named Burnside Place on the south and the new I-295 Outer Loop on the north. <u>Directions:</u> Go out Ramsey Street. At entrance to Kings Grant, turn west on Shawcroft Road. Go about .5 mile; then turn right on Burnside Place. Go about .17 miles. SE corner of area is north of Burnside Place.
4. Tax Identification Number (PIN):	0531-50-5381.
5. Fire Department Affected by Annexation:	Fayetteville (Formerly Westarea)
6. Is the Area Contiguous?	Yes
7. Is the Area in the Fayetteville MIA (Municipal Influence Area)?	Yes
8. Type of Annexation:	Petition-initiated contiguous area
9. Background:	SRW Builders, Inc. plans to build a new residential area which will be named Burnside Park. Burnside Park will consist of 13 lots; 11 lots are proposed for single-family residential. The area to be developed as Burnside Park is only partially within the City. The developer has requested annexation of the part that is not inside the City. The area requested for annexation consists of about 1.91 acres; it contains 3 whole lots and parts of 4 other lots. It is assumed that 4 units will be built in the area requested for annexation. (One unit will be built on each of the 3 whole lots: Lots 686, 687, 688. One unit will be built on Lot 685, which is a split lot.)
10. Reason the Annexation was Proposed:	The area is in the Fayetteville MIA. The developer wants to construct residential units in the area. The residential units will need PWC water and sewer. Policy 150.2 requires that the land be annexed before PWC utilities can be provided.
11. Number of Acres in Area:	1.91 acres more or less
12. Type of Development in Area:	A recent aerial photo shows that the area is currently undeveloped and wooded.
13. Present Conditions:	a. <u>Present Land Use:</u> Vacant b. <u>Present Number of Housing Units:</u> 0 c. <u>Present Demographics:</u> Total Pop=0 d. <u>Present Streets:</u> None in area now. e. <u>Water and Sewer Service:</u> According to PWC, a sewer main exists on this parcel already. A water main exists in Burnside Place, and would need to be extended to the site. f. <u>Electrical:</u> PWC can serve the area. g. <u>Present Tax Value:</u> Land Val=\$64,068; Bldg Val=\$0; XF Val=\$0; Total Value=\$64,068
14. Factors Likely to Affect Future of Area:	a. <u>Plans of Owner:</u> Owner plans to construct a new residential area to be known as Burnside Park. The area requested for annexation consists of part of the new Burnside Park development area. b. <u>Development Controls</u> 1. <u>Land Use Plan</u> a. 2010 Plan (Updated with North Fayetteville Plan)-Low Density Residential 2. <u>Zoning</u> a. <u>Current Zoning in County:</u> PND (per CCmaps.org) b. <u>Requested Zoning After Annexation:</u> SF-10 3. <u>In Fay Airport Impact Zone?</u> -No 4. <u>In Fay Airport Overlay District?</u> -No 5. <u>In Simmons Airfield Noise Contour?</u> No 6. <u>Status of Plan Approval:</u> City staff reviewed preliminary subdivision plan on 7/10/13.
a. Expected Future Conditions:	a. <u>Future Land Use:</u> It is assumed developer will build 4 single-family residential units in the area. b. <u>Future Number of Housing Units:</u> Total=4 (4 HU x 90% occupancy rate*=3.6, round up to 4=4 occupied HU) * Based on 2010 Census for Fayetteville c. <u>Future Demographics:</u> Total Pop=10 (4 occupied HU x 2.45 avg household size*=9.8, round up to 10) *Based on 2010 Census for Fayetteville d. <u>Future Streets:</u> Part of a new cul-de-sac is expected to be built in the area. e. <u>Water and Sewer Service:</u> Water and sewer expected to be provided by PWC. f. <u>Electric Service:</u> Electrical service and street lights are expected to be provided by PWC. g. <u>Future Tax Value:</u> Based on surrounding values for 43 nearby units, assumed value per unit: Land Val=\$40,000; Bldg Val=\$221,000; XF Val=\$800; Total Value=\$261,800. For 4 new units expected in area, Total Future Value Expected=\$1,047,200

MEMO

To: David Nash, Planning Department

From: Kecia N. Parker, Real Estate Manager

CC: To the file

Date: July 31, 2013

Re: Sufficiency of Annexation Petition

SIGNERS OF THE PETITION: Butch Dunlap, Vice President
Herbert C. Dunlap, Vice President
SRW Builders, Inc.

SRW Builders, Inc. per recorded deed 7710, Page 731 is the record owner for the 1.91 acre tract.

1: The property requested to be annexed is a portion of Parcel Number 0531-50-5381 which was a 7.08 acre tract. A portion of the property was sold out to King's Grant Homeowners Association, Inc.

My search ended July 30, 2013. No pertinent out conveyances were recorded for this property.

Petition is sufficient!

Annexation Ordinance No: _____

**Property of SRW Builders, Inc.-Part of Burnside Park
(Located on northern side of Burnside Place)
Area Includes One Tax Parcel:
PIN 0531-50-5381**

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

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

WHEREAS, the City of Fayetteville has investigated the sufficiency of the petition; and

WHEREAS, the City of Fayetteville has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at City Hall Council Chambers at 7:00 p.m. on October 28, 2013, after due notice by publication on October 18, 2013; and

WHEREAS, the City Council further finds that the petition meets the requirements of G.S. 160A-31;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described contiguous property owned by SRW Builders, Inc., is hereby annexed and made part of the City of Fayetteville, North Carolina as of October 28, 2013:

Beginning at an existing NCDOT Disc set flush with the surface of the ground along the southern margin of the proposed Fayetteville Outer Loop having an NCDOT NAD 83 localized coordinate

based on Project X-0002C of N=510310.9954 E=2034569.2884, thence North 78 degrees 27 minutes 29 seconds East, 282.17 feet to an iron rebar set flush with the ground, said point being the TRUE POINT AND PLACE OF BEGINNING; thence with the southern margin of the proposed Fayetteville Outer Loop, North 78 degrees 27 minutes 29 seconds East, 459.67 feet to a NCDOT Disc set flush with the surface of the ground; thence continuing with the southern margin of the proposed Fayetteville Outer Loop, North 80 degrees 42 minutes 30 seconds East, 198.56 feet to a NCDOT Disc set flush with the surface of the ground; thence with the western property line of the Kings Grant Homeowners tract, South 33 degrees 12 minutes 02 seconds West, 344.89 feet to an iron rebar set flush with the ground; thence with the northern property line of the SRW Builders, Inc. tracts, North 70 degrees 12 minutes 56 seconds West, 486.17 feet to an iron rebar set flush with the ground, said point being the TRUE POINT AND PLACE OF BEGINNING; said property containing 1.91 acres (83,343 square feet).

Section 2. Upon and after October 28, 2013, the effective date of this ordinance, the above-described area and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Fayetteville and shall be entitled to the same privileges and benefits as other parts of the City of Fayetteville. Said area shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Fayetteville shall cause to be recorded in the office of the Register of Deeds of Cumberland County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed area, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Cumberland County Board of Elections, as required by G.S. 163-288.1.

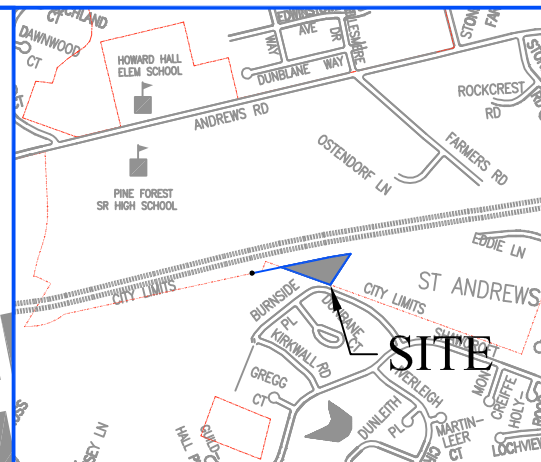
Adopted this ____ day of _____, 20__.

ATTEST:

Anthony G. Chavonne, Mayor

Pamela Megill, City Clerk

REFERENCE DOCUMENTS:
DB 7710 PG 731
DB 9221 PG 138



VICINITY MAP (N.T.S.)

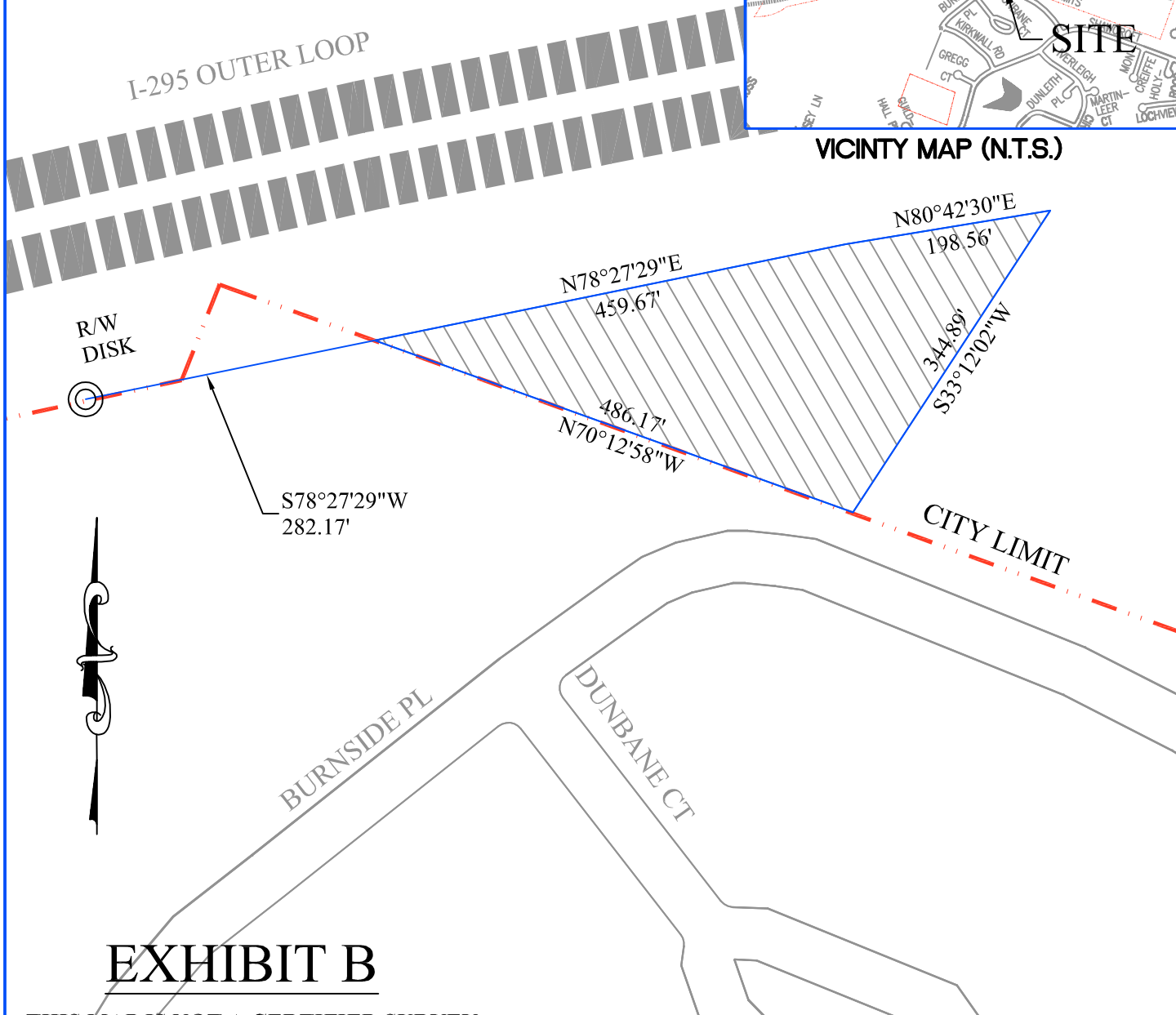


EXHIBIT B

THIS MAP IS NOT A CERTIFIED SURVEY
AND HAS NOT BEEN REVIEWED BY A
LOCAL GOVERNMENT AGENCY FOR
COMPLIANCE WITH ANY APPLICABLE
LAND DEVELOPMENT REGULATIONS.

Fayetteville
North Carolina

ENGINEERING & INFRASTRUCTURE DEPT.
CIVIL ENGINEERING DIVISION
433 HAY ST. 28301
(910) 433-1656

PROPOSED ANNEXATION
PROPERTY OF SRW BUILDERS INC
BURNSIDE PARK
± 1.91 ACRES

ANNEXATION DATE:
EFFECTIVE DATE:

DATE 8/6/2013 DRAWN BY CSA
SCALE 1" = 150' CK'D BY CSA

SHEET 1 OF 1

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Kecia Parker, Real Estate Manager
DATE: October 28, 2013
RE: **Adopt a Resolution and Order Closing a Portion of Turnpike Road**

THE QUESTION:

City adoption of a Resolution and Order to close a portion of Turnpike Road

RELATIONSHIP TO STRATEGIC PLAN:

Growing City, Livable Neighborhood, A Great Place to Live

BACKGROUND:

- A petition was received from a property owner adjoining an unopened portion of Turnpike Road requesting a portion of the street be permanently closed.
- NCGS§160A-299 gives authority and procedures for the City to close a city street or alley.
- The referenced street is currently not used as a public street or alley.
- There are utility easements in the portion requesting to be closed that will need to be reserved.
- Notice of Public Hearing has been published for 4 consecutive weeks prior to this hearing.
- The Notice of Public Hearing has been posted on said property.

ISSUES:

- Access to the abutting properties will not be denied as a result of the closure.
- The County Mapping Division is responsible for determining how the property is divided.
- Typically upon the vacation of the street the closed portion is divided equally from the centerline and given to the property owners adjacent to said centerline.

BUDGET IMPACT:

There is no significant impact to the budget.

OPTIONS:

- Adopt the Resolution and Order Closing a Portion of Turnpike Road while reserving utility rights.
- Deny the request.

RECOMMENDED ACTION:

Staff recommends that Council adopt the Resolution and Order Closing a Portion of Turnpike Road while reserving the utility rights.

ATTACHMENTS:

Resolution

Map

Resolution No. R2013-_____

A RESOLUTION AND ORDER CLOSING AN UNOPENED PORTION OF TURNPIKE ROAD

WHEREAS, under authority of NCGS 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 28th day of October, 2013, 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 unopened street portion in the City of Fayetteville, North Carolina, known as the unopened portion of Turnpike Road, should be closed as a public street; and a notice of said hearing having been posted on said street for four weeks prior to the holding of said hearing;

WHEREAS, during the said public hearing all interested citizens were invited to comment and state any objections they may have to the closing of that unopened portion of Turnpike Road as a public street; and

WHEREAS, the City Council, following such public hearing, after considering all of the facts, has determined that the closing of that portion of Turnpike Road 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 his or her property;

NOW THEREFORE, BE IT RESOLVED on behalf of the people of Fayetteville, the City Council orders and directs that the portion of Turnpike Road, 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

BEGINNING at the northwest corner of that certain tract as described in Book 7447, Page 358 of the Cumberland County Registry conveyed to Jai A. McNatt and Bridget G. McNatt and continuing thence for a first call along the northern property line North 38 degrees 16 minutes 33 seconds East 150.33 feet to a point, thence North 37 degrees 42 minutes 55 seconds East 156.62 feet to a point, thence North 53 degrees 09 minutes 51 seconds West 29.90 feet to a point, thence South 37 degrees 21 minutes 43 seconds West 61.80 feet to a point, thence South 38 degrees 10 minutes 28 seconds West 230 feet to a point, thence South 26 degrees 04 minutes 53 seconds East 33.31 feet to the BEGINNING. The City of Fayetteville reserves a drainage easement to the City of Fayetteville along the property to be closed.

2. That the closing of the portion of Turnpike Road will not affect any easement granted to the City of Fayetteville for public utilities;
3. That a copy of this order 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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 28th day of October, 2013; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

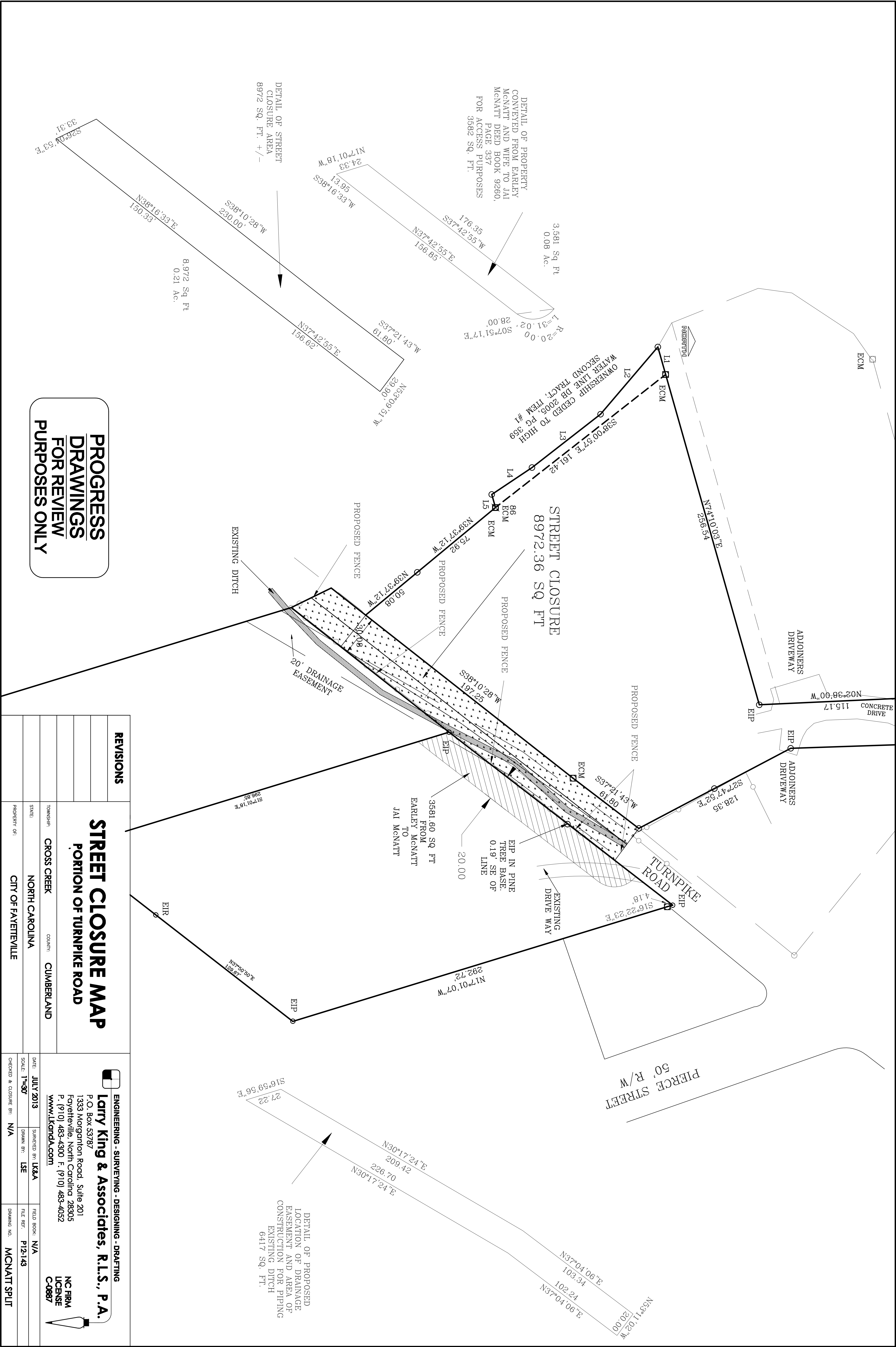
CITY OF FAYETTEVILLE

(SEAL)

By: _____
ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA MEGILL, City Clerk



PROGRESS
DRAWINGS
FOR REVIEW
PURPOSES ONLY

REVISIONS		STREET CLOSURE MAP PORTION OF TURNPIKE ROAD			
		<div><div></div><div>Larry King & Associates, R.L.S., P.A. P.O. Box 53787 1333 Morganton Road, Suite 201 Fayetteville, North Carolina 28305 P: (910) 483-4300 F: (910) 483-4052 www.lkandA.com</div><div>ENGINEERING - SURVEYING - DESIGNING - DRAFTING</div><div>NC FIRM LICENSE C-0887</div></div>			
		TOWNSHIP:	CROSS CREEK	COUNTY:	CUMBERLAND
		STATE:	NORTH CAROLINA		
		PROPERTY OF:	CITY OF FAYETTEVILLE		
		DATE:	JULY 2013	SURVEYED BY:	LK&A
		SCALE:	1"=30'	DRAWN BY:	LSE
		CHECKED & CLOSURE BY:	N/A	FIELD BOOK:	N/A
				FILE REF:	P12-143
				DRAWING NO:	MCNATT SPLIT

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Mark Brown, PWC Senior Customer Programs Officer
DATE: October 28, 2013
RE: **PWC - Phase 5 Annexation Public Hearing**

THE QUESTION:

Providing sanitary sewer service to Areas 10, 11, 11-WS, and Roundtree Drive/Bedford Road of the Phase 5 Annexation.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 4: More Efficient City Government – Cost-Effective Service Delivery.

BACKGROUND:

City Council approved the Resolution Declaring Cost, Ordering Preparation of Preliminary Assessment Roll, and Calling Public Hearing in their meeting on September 23, 2013. The Resolution set the date of the public hearing for Monday, October 28, 2013. The preliminary assessment notices were mailed to the property owners regarding the public hearing on October 1, 2013 and a notice was also published in the Fayetteville Observer on October 4, 2013.

After the public hearing, the next step in the process is to approve the Resolution Confirming Assessment Roll and Levying Assessments. This item is currently scheduled for November 18, 2013. After the resolution is approved, the confirmed assessment roll will be delivered to the PWC tax collector who will mail the final assessment notices to the property owners on December 2, 2013 and publish a newspaper notice on December 9, 2013.

ISSUES:

N/A

BUDGET IMPACT:

N/A

OPTIONS:

N/A

RECOMMENDED ACTION:

Staff recommends Council receive public comments regarding the Preliminary Assessment Rolls for the above referenced areas.

ATTACHMENTS:

PowerPoint Presentation
Resolution Confirming Assessment Roll - 9
Resolution Confirming Assessment Roll - 10 and 11
Resolution Confirming Assessment Roll - 11WS
Assessment Roll - 9
Assessment Roll - 11WS
Preliminary Roll - 10 and 11

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS

WHEREAS, the City Council of the City of Fayetteville has on October 28, 2013 held a public hearing, after due notice as required by law, on the Preliminary Assessment Roll for the extension of a sanitary sewer collection system to serve all or a portion of the Summerhill area; and

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

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

1. The Assessment Roll for the extension of a sanitary sewer collection system to serve all or a portion of Bedford Road and Roundtree Drive within Area 9 is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228 of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216 of the General Statutes of North Carolina and following sections, does hereby levy assessments as contained in the said Assessment Roll. The basis for the utility assessment being as shown on the attached schedule labeled Exhibit "A". A copy of the said Assessment Roll is on file with PWC's Deputy Tax Collector.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233 of the General Statutes of North Carolina.

5. The PWC Deputy Tax Collector is hereby further directed to publish on the 9th day of December, 2013 the notice required by Chapter 160A, Section 229 of the General Statutes of North Carolina.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 18th day of November, 2013; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

Anthony G. Chavonne, Mayor

ATTEST:

Pamela J. Megill, CMC, City Clerk

Exhibit "A"

Assessment Rate: 8%

Typical single family residential lots computed on per lot basis of \$5,000.

Term: To be repaid over a period not to exceed 10 years at an interest rate of ____%.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS

WHEREAS, the City Council of the City of Fayetteville has on October 28, 2013 held a public hearing, after due notice as required by law, on the Preliminary Assessment Roll for the extension of a sanitary sewer collection system to serve all or a portion of the Areas 10 and 11 known as Arran Hills/Arran Park to include adjoining streets and development; and

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

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

1. The Assessment Roll for the extension of a sanitary sewer collection system to serve all or a portion of Applecross Avenue, Artesian Court, Atwick Drive, Ayton Place, Bailey Lake Road, Barwick Drive, Berriedale Drive, Bostian Drive, Carloway Drive, Carloway Place, Cullen Drive, Darvel Avenue, Doncaster Drive, Dunham Drive, Elkins Drive, Gairloch Drive, Glanis Drive, Glanis Place, Kilmory Drive, Kincross Avenue, Larkhall Drive, Marykirk Drive, Mathau Court, Norton Drive, Rannock Court, Rannock Drive, Rutherglen Drive, Strathdon Avenue, Strickland Bridge Road, Tarbert Avenue, and Torchie Street is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228 of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216 of the General Statutes of North Carolina and following sections, does hereby levy assessments as contained in the said Assessment Roll. The basis for the utility assessment being as shown on the attached schedule labeled Exhibit "A". A copy of the said Assessment Roll is on file with PWC's Deputy Tax Collector.

3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233 of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby further directed to publish on the 9th day of December, 2013 the notice required by Chapter 160A, Section 229 of the General Statutes of North Carolina.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 18th day of November, 2013; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

Anthony G. Chavonne, Mayor

ATTEST:

Pamela J. Megill, CMC, City Clerk

Exhibit "A"

Assessment Rate: 8%

Typical single family residential lots computed on per lot basis of \$5,000.

For all other properties, a per front foot rate of \$55.56 with a 90' minimum plus the area average cost for service lateral of \$1,571 shall apply.

Term: To be repaid over a period not to exceed 10 years at an interest rate of ____%.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS

WHEREAS, the City Council of the City of Fayetteville has on October 28, 2013 held a public hearing, after due notice as required by law, on the Preliminary Assessment Roll for the extension of a sanitary sewer collection system to serve all or a portion of the Area 11WS known as Arran Circle and Bingham Place to include adjoining streets and development; and

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

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

1. The Assessment Roll for the extension of a sanitary sewer collection system to serve all or a portion of Arran Circle and Bingham Place is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228 of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216 of the General Statutes of North Carolina and following sections, does hereby levy assessments as contained in the said Assessment Roll. The basis for the utility assessment being as shown on the attached schedule labeled Exhibit "A". A copy of the said Assessment Roll is on file with PWC's Deputy Tax Collector.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233 of the General Statutes of North Carolina.

5. The PWC Deputy Tax Collector is hereby further directed to publish on the 9th day of December, 2013 the notice required by Chapter 160A, Section 229 of the General Statutes of North Carolina.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, on this, the 18th day of November, 2013; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

Anthony G. Chavonne, Mayor

ATTEST:

Pamela J. Megill, CMC, City Clerk

Exhibit "A"

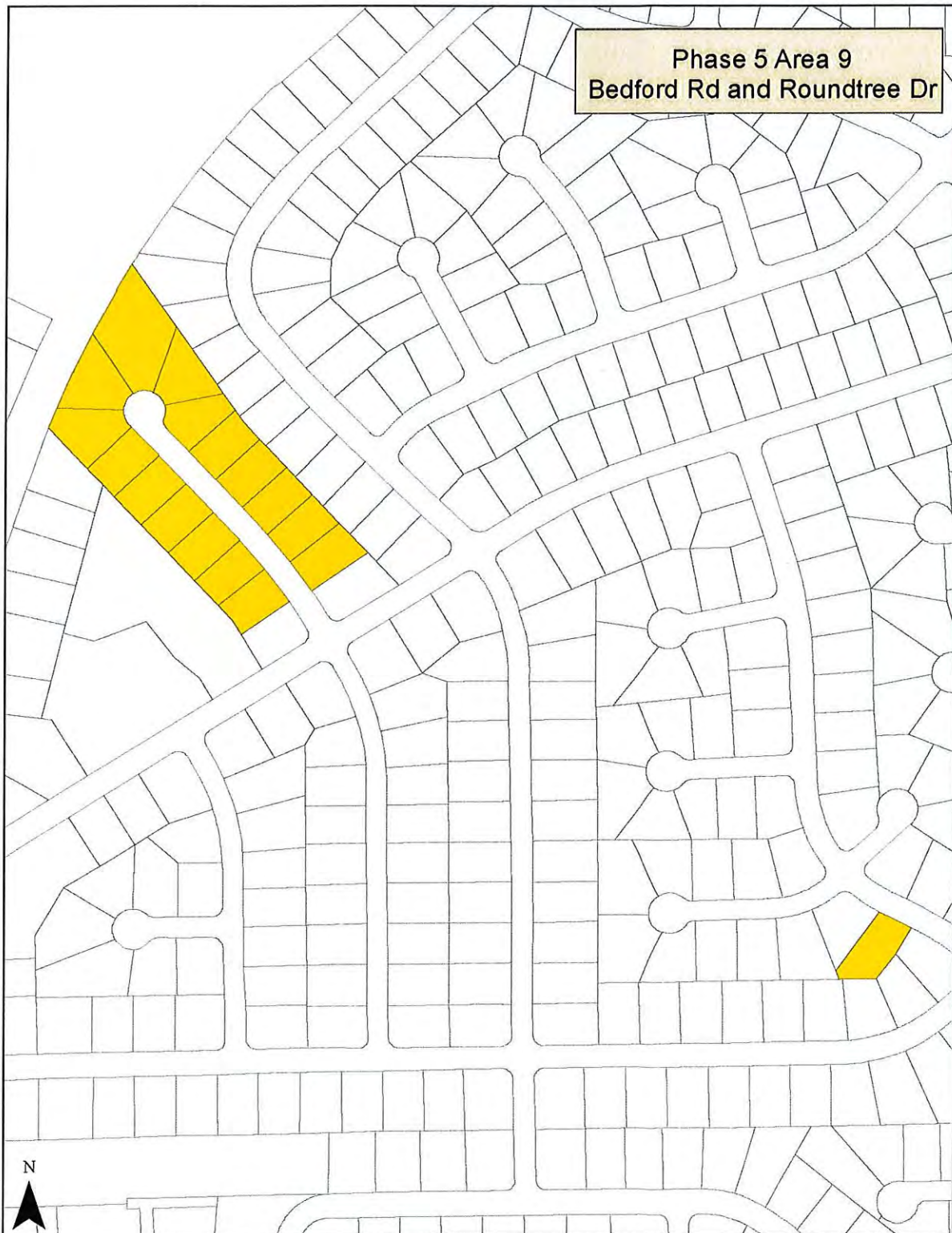
Assessment Rate: 8%

Typical single family residential lots computed on per lot basis of \$5,000.

For all other properties, a per front foot rate of \$55.56 with a 90' minimum plus the area average cost for service lateral of \$1,571 shall apply.

Term: To be repaid over a period not to exceed 10 years at an interest rate of ____%.

*Phase 5 Annexation
Area 9 - Bedford Road and Roundtree Drive
Assessment Roll*



PHASE 5 ANNEXATION **Bedford Road/Roundtree Drive – Area 9** **Sanitary Sewer Assessment Recommendation**

Contract Area	Total Sewer Cost to Date	Cost of Sewer Mains	Linear Feet of Sewer	Average Cost per Linear Foot of Sewer Mains w/o Laterals
Area 9 – Bedford Road/Roundtree Drive	\$ 187,049	\$ 162,547	718	\$226
TOTAL OR AVERAGE	\$ 187,049	\$ 162,547	718	\$226

Assessment Rate:

Typical single family residential lots computed on per lot basis of \$5,000.

Street Listing

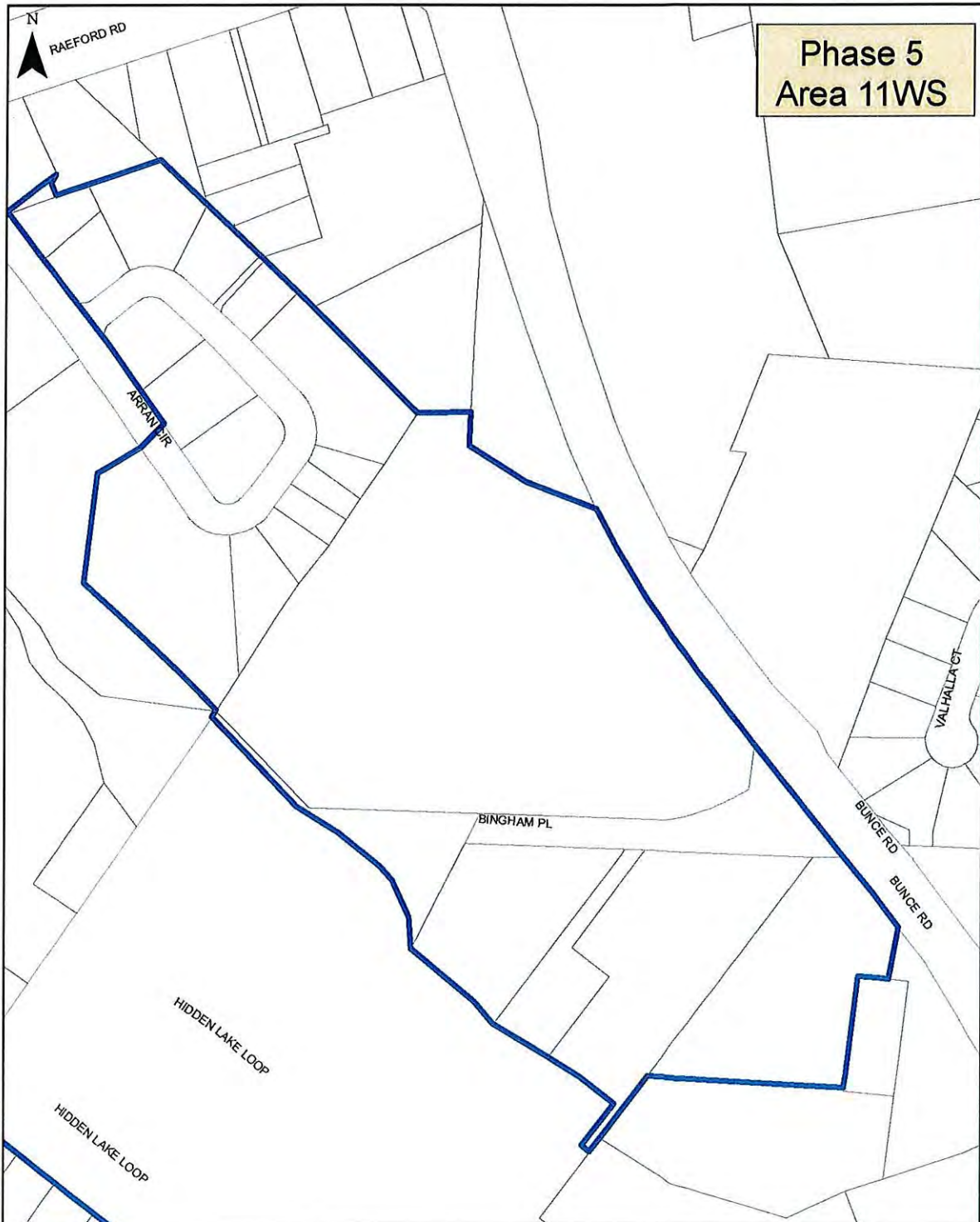
Bedford Road

Roundtree Drive

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Jones, Walton A	804 Bedford Road	Fayetteville, NC 28303	804 Bedford Road	9499-71-5885-	R1	04127	00302	90.00			\$5,000	\$5,000
Smith, James B & Wife	805 Bedford Road	Fayetteville, NC 28303	805 Bedford Road	9499-71-4704-	R1	04021	00590	100.00			\$5,000	\$5,000
Revell, Donald W	808 Bedford Road	Fayetteville, NC 28303	808 Bedford Road	9499-71-5923-	R1	06598	00762	86.24			\$5,000	\$5,000
Sapp, Pauline	809 Bedford Road	Fayetteville, NC 28303	809 Bedford Road	9499-71-3842-	R1	04297	00565	96.31			\$5,000	\$5,000
Weyhenmeyer, Harold J & Wife	812 Bedford Road	Fayetteville, NC 28303	812 Bedford Road	9499-71-4969-	R1	05168	00479	91.10			\$5,000	\$5,000
Pascua, Harry & Wife Chong I	813 Bedford Road	Fayetteville, NC 28303	813 Bedford Road	9499-71-2888-	R1	03696	00317	95.00			\$5,000	\$5,000
Washington, Dan C Jr &	816 Bedford Road	Fayetteville, NC 28303	816 Bedford Road	9499-72-3096-	R1	08261	00457	95.00			\$5,000	\$5,000
Lamel, Kurt	817 Bedford Road	Fayetteville, NC 28303	817 Bedford Road	9499-71-2915-	R1	08847	00051	95.00			\$5,000	\$5,000
Clement, Dorothy Cecilia	820 Bedford Road	Fayetteville, NC 28303	820 Bedford Road	9499-72-3133-	R1	03271	00045	95.00			\$5,000	\$5,000
Felder, Frank	821 Bedford Road	Fayetteville, NC 28303	821 Bedford Road	9499-72-1052-	R1	08049	00752	95.00			\$5,000	\$5,000
Sawyer, Kevin B & Wife	824 Bedford Road	Fayetteville, NC 28303	824 Bedford Road	9499-72-2260-	R1	04389	00781	131.33			\$5,000	\$5,000
Mitchell, Severn & Wife Nikki	825 Bedford Road	Fayetteville, NC 28303	825 Bedford Road	9499-72-0089-	R1	07414	00441	95.00			\$5,000	\$5,000
Gale, Prenston	3241 Winterwood Drive	Fayetteville, NC 28306	826 Bedford Road	9499-72-2330-	R1	04307	00360	47.43			\$5,000	\$5,000
Perez, Demetrio & Wife	P.O. Box 70986	Fort Bragg, NC 28307	827 Bedford Road	9499-72-0107-	R1	03767	00405	44.69			\$5,000	\$5,000
Johnson, Dennis L & Wife Karen	828 Bedford Road	Fayetteville, NC 28303	828 Bedford Road	9499-72-1411-	R1	02650	00553	47.41			\$5,000	\$5,000
Edwards, Dorothy L	829 Bedford Road	Fayetteville, NC 28303	829 Bedford Road	9499-72-0229-	R1	05508	00001	47.82			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Johnson, Wilma Louise	703 Roundtree Drive	Fayetteville, NC 28303	703 Roundtree Drive	9499-80-9818-	R1	02449	00607	90.73			\$5,000	\$5,000

*Phase 5 Annexation
Area 11-WS
Assessment Roll*



PHASE 5 ANNEXATION

Area 11-WS

Sanitary Sewer Assessment Recommendation

Contract Area	Total Sewer Cost to Date	Cost of Sewer Mains	Linear Feet of Sewer	Average Cost per Linear Foot of Sewer Mains w/o Laterals
Area 11 WS	\$1,222,444	\$1,154,757	3,241	\$356
TOTAL OR AVERAGE	\$1,222,444	\$1,154,757	3,241	\$356

Assessment Rate:

Typical single family residential lots computed on per lot basis of \$5,000.

For all other properties, a per front foot rate of \$55.56 with a 90' minimum plus the area average cost for service lateral of \$1,571 shall apply.

Street Listing

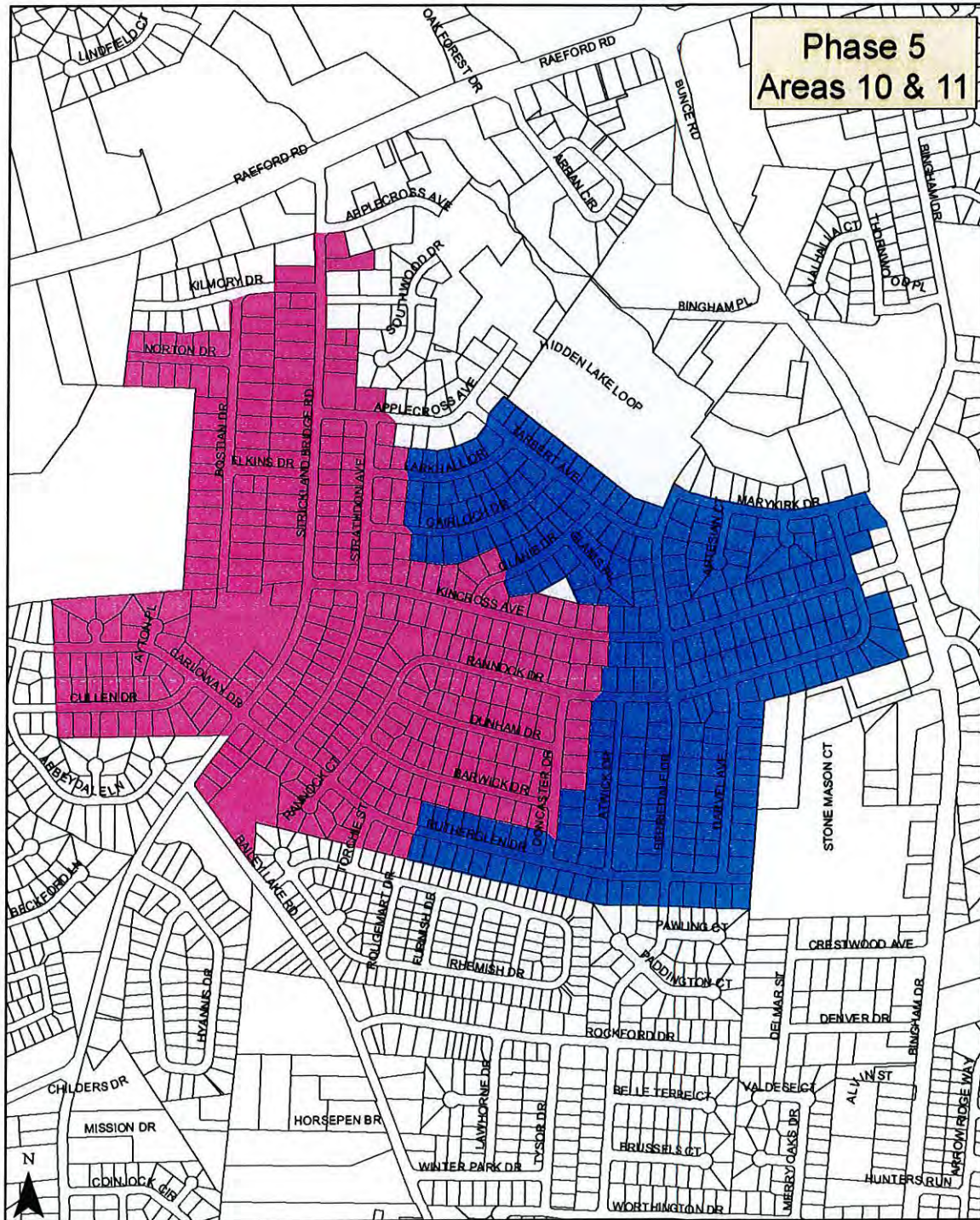
Arran Circle

Bingham Place

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lot	Lateral	Total
Schantz, Edward C &	1670 Greenock Avenue	Fayetteville, NC 28304	927 Arran Circle	0406-29-1766-	R1	04843	00587	109.80			\$5,000	\$5,000
Williams, Lewis Jack	325 Horne Lane	Linden, NC 28356	1028 Arran Circle	0406-29-3079-		07862	00192	252.53	\$14,031	\$1,571		\$15,602
Sturtz, Joshua D	531 Shawcroft Road	Fayetteville, NC 28311	1039 Arran Circle	0406-29-5312-		08188	00465	80.62	\$5,000	\$1,571		\$6,571
Sturtz, Joshua D	531 Shawcroft Road	Fayetteville, NC 28311	1082 Arran Circle	0406-29-5056-		08188	00465	54.80			\$5,000	\$5,000
Sturtz, Joshua D & Wife	531 Shawcroft Road	Fayetteville, NC 28311	1092 Arran Circle	0406-29-6125-	R1	08027	00644	55.80			\$5,000	\$5,000
Sturtz, Joshua D & Wife	531 Shawcroft Road	Fayetteville, NC 28311	1096 Arran Circle	0406-29-6250-	R1	08027	00644	55.80			\$5,000	\$5,000
Sturtz, Joshua D & Wife	531 Shawcroft Road	Fayetteville, NC 28311	1098 Arran Circle	0406-29-6285-	R1	08027	00644	50.00			\$5,000	\$5,000
Sturtz, Joshua D & Wife	531 Shawcroft Road	Fayetteville, NC 28311	1100 Arran Circle	0406-29-7229-	R1	08027	00644	37.04			\$5,000	\$5,000
Sturtz, Joshua D & Wife	531 Shawcroft Road	Fayetteville, NC 28311	1106 Arran Circle	0406-29-7405-	RT	08027	00644	232.96	\$12,943	\$4,713		\$17,656
Stewart, Peter B	P.O. Box 7	Fayetteville, NC 28302	1132 Arran Circle	0406-29-5651-		06738	00307	90.00			\$5,000	\$5,000
Sturtz, Joshua D	531 Shawcroft Road	Fayetteville, NC 28311	1135 Arran Circle	0406-29-6422-		08188	00465	139.85	\$7,770	\$1,571		\$9,341
Brunson, Harold Lloyd	582 McNeill Hobbs Road	Bunnlevel, NC 28323	1142 Arran Circle	0406-29-4669-		02548	00505	100.00			\$5,000	\$5,000
Sturtz, Joshua D	531 Shawcroft Road	Fayetteville, NC 28311	1149 Arran Circle	0406-29-3543-		08188	00465	135.33			\$5,000	\$5,000
New Macedonia Free Will Baptist Church, Inc.	6465 Raeford Road	Fayetteville, NC 28309	1150 Arran Circle	0406-29-2898-	R1	09154	00572	90.00			\$5,000	\$5,000
Bohrk, Virginia Herndon	5009 New Moon Drive	Fayetteville, NC 28306	1160 Arran Circle	0406-29-2628-		04199	00838	114.65	\$6,370	\$1,571		\$7,941

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lot	Lateral	Total
Kemp-Robinson Family Limited	6361 Bingham Place	Fayetteville, NC 28304	0 Bingham Place	0406-38-0952-		07302	00744	588.50	\$32,697			\$32,697
Huff-Caviness Llc	559 Executive Place, 101	Fayetteville, NC 28305	0 Bingham Place	0406-38-3355-		06416	00608	323.85	\$17,993			\$17,993
Kemp-Robinson Family Limited	6361 Bingham Place	Fayetteville, NC 28304	6381 Bingham Place	0406-38-5380-		06595	00504	60.00	\$5,000	\$1,571		\$6,571
Hammond, Torin	6405 Bingham Place	Fayetteville, NC 28304	6405 Bingham Place	0406-38-1352-	R1	08643	00247	33.00			\$5,000	\$5,000
Jones, Kenneth E & Wife	6461 Bingham Place	Fayetteville, NC 28304	6461 Bingham Place	0406-28-9487-	R1	06520	00659	309.67			\$5,000	\$5,000
Lane, Carl R & Wife Twyla C	6481 Bingham Place	Fayetteville, NC 28304	6481 Bingham Place	0406-28-7660-	R1	08437	00710	292.17			\$5,000	\$5,000

*Phase 5 Annexation
Areas 10 and 11
Assessment Roll*



PHASE 5 ANNEXATION

Arran Hills and Arran Park

Sanitary Sewer Assessment Recommendation

Contract Area	Total Sewer Cost to Date	Cost of Sewer Mains	Linear Feet of Sewer	Average Cost per Linear Foot of Sewer Mains w/o Laterals
Area 10	\$4,787,266	\$4,252,261	21,342	\$199
Area 11	\$2,958,037	\$2,663,187	15,869	\$168
TOTAL OR AVERAGE	\$7,745,303	\$6,915,448	37,211	\$183

Assessment Rate:

Typical single family residential lots computed on per lot basis of \$5,000.

For all other properties, a per front foot rate of \$55.56 with a 90' minimum plus the area average cost for service lateral of \$1,571 shall apply.

Applecross Avenue

Artesian Court

Atwick Drive

Ayton Place

Bailey Lake Road

Barwick Drive

Berriedale Drive

Bostian Drive

Carloway Drive

Carloway Place

Cullen Drive

Darvel Avenue

Doncaster Drive

Dunham Drive

Elkins Drive

Gairloch Drive

Glanis Drive

Glanis Place

Kilmory Drive

Kincross Avenue

Larkhall Drive

Marykirk Drive

Mathau Place

Norton Drive

Rannock Court

Rannock Drive

Rutherglen Drive

Strathdon Avenue

Strickland Bridge Road

Tarbert Avenue

Torchie Street

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Beard, Bobby G & Wife	6920 Edelweiss Place	Fayetteville, NC 28306	6450 Applecross Avenue	0406-18-1029-		02433	00831	185.11	\$10,285	\$3,142		\$13,427

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Hall, Jerry Wayne	P.O. Box 48215	Cumberland, NC 28331	1430 Artesian Court	0406-37-2318-	R2	07952	00247	147.97	\$8,221	\$1,571		\$9,792
Hall, Jerry Wayne	P.O. Box 48215	Cumberland, NC 28331	1431 Artesian Court	0406-37-4204-	RQ	07952	00247	124.00	\$6,889	\$1,571		\$8,460
Hayes, Henry S	P.O. Box 53694	Fayetteville, NC 28305	1432 Artesian Court	0406-37-1288-	RQ	05432	00518	123.00	\$6,834	\$1,571		\$8,405
Varani, Christopher F	107 E. Doe Trail	Goldsboro, NC 27530	1433 Artesian Court	0406-37-3183-	R2	08596	00558	97.17	\$5,399	\$1,571		\$6,970
Rubino, Nicholas R & Wife	1434 Artesian Court	Fayetteville, NC 28304	1434 Artesian Court	0406-37-1157-	R2	09084	00399	97.54	\$5,419	\$1,571		\$6,990
Cma Properties	P.O. Box 42206	Fayetteville, NC 28309	1435 Artesian Court	0406-37-3073-	R2	07247	00832	51.24	\$5,000	\$1,571		\$6,571
Hayes, Henry S	P.O. Box 53694	Fayetteville, NC 28305	1436 Artesian Court	0406-37-1044-	RT	05432	00518	51.24	\$5,000	\$1,571		\$6,571
Baldwin, Kevin L	P.O. Box 25264	Fayetteville, NC 28314	1437 Artesian Court	0406-36-2927-	R2	07927	00106	51.24	\$5,000	\$1,571		\$6,571

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Falcon, Mark M	1502 Atwick Drive	Fayetteville, NC 28304	1502 Atwick Drive	0406-26-5261-	R1	07635	00259	115.16			\$5,000	\$5,000
Krinner, Bernhard & Wife	1504 Atwick Drive	Fayetteville, NC 28304	1504 Atwick Drive	0406-26-5150-	R1	03030	00370	97.00			\$5,000	\$5,000
Clifton, Scott F & Wife	1505 Atwick Drive	Fayetteville, NC 28304	1505 Atwick Drive	0406-26-7155-	R1	03344	00612	184.80			\$5,000	\$5,000
Lockamy, Jimmy R & Wife Delore	1506 Atwick Drive	Fayetteville, NC 28304	1506 Atwick Drive	0406-26-5041-	R1	02670	00850	97.00			\$5,000	\$5,000
Ford, William T & Wife	1507 Atwick Drive	Fayetteville, NC 28304	1507 Atwick Drive	0406-26-7040-	R1	03919	00216	100.00			\$5,000	\$5,000
Mcneil, James K Jr	1508 Atwick Drive	Fayetteville, NC 28304	1508 Atwick Drive	0406-25-5941-	R1	08033	00703	97.00			\$5,000	\$5,000
Lugo Velez, Benjamin & Wife	1509 Atwick Drive	Fayetteville, NC 28304	1509 Atwick Drive	0406-25-7930-	R1	08735	00457	97.00			\$5,000	\$5,000
Melton, William C & Wife Pok S	1510 Atwick Drive	Fayetteville, NC 28304	1510 Atwick Drive	0406-25-5831-	R1	02958	00750	97.00			\$5,000	\$5,000
Gantt, Jerome Floyd & Wife Joh	2035 Long Point Trail	Sanford, NC 27332	1511 Atwick Drive	0406-25-7820-	R1	02489	00119	97.00			\$5,000	\$5,000
Jackson, Hulon J Heirs	1512 Atwick Drive	Fayetteville, NC 28304	1512 Atwick Drive	0406-25-5722-	R1	05043	00223	97.00			\$5,000	\$5,000
Copeland, David R & Wife	1513 Atwick Drive	Fayetteville, NC 28304	1513 Atwick Drive	0406-25-7711-	R1	05352	00343	97.00			\$5,000	\$5,000
Nelson, Lee B & Wife	1514 Atwick Drive	Fayetteville, NC 28304	1514 Atwick Drive	0406-25-5612-	R1	08435	00286	97.00			\$5,000	\$5,000
Bradford, Linda A	3211 University Avenue	Fayetteville, NC 28306	1515 Atwick Drive	0406-25-7611-	R1	08369	00389	97.00			\$5,000	\$5,000
Gutierrez, Luis J	1516 Atwick Drive	Fayetteville, NC 28304	1516 Atwick Drive	0406-25-5512-	R1	03425	00759	97.00			\$5,000	\$5,000
Merritt, Kenneth J	1517 Atwick Drive	Fayetteville, NC 28304	1517 Atwick Drive	0406-25-7501-	R1	02389	00353	97.00			\$5,000	\$5,000
McLawhorn, Jimmie W & Wife Mar	1518 Atwick Drive	Fayetteville, NC 28304	1518 Atwick Drive	0406-25-5402-	R1	02467	00191	97.00			\$5,000	\$5,000
Hinson, Nancy D	1520 Atwick Drive	Fayetteville, NC 28304	1520 Atwick Drive	0406-25-4392-	R1	02284	00531	117.30			\$5,000	\$5,000
Hoffman, James C & Wife Joan J	1521 Atwick Drive	Fayetteville, NC 28304	1521 Atwick Drive	0406-25-6395-	R1	02921	00397	221.05			\$5,000	\$5,000

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Hayes, Henry S	P.O. Box 53964	Fayetteville, NC 28305	1101 Ayton Place	9496-96-9836-	R2	04615	00393	49.77			\$5,000	\$5,000
Purdie, Raleigh K & Wife Vera	1102 Ayton Place	Fayetteville, NC 28304	1102 Ayton Place	9496-96-7877-	R1	02434	00103	44.15			\$5,000	\$5,000
Webster, Larry D & Wife	1103 Ayton Place	Fayetteville, NC 28304	1103 Ayton Place	9496-96-9743-	R2	02377	00042	55.35			\$5,000	\$5,000
Lockett, Benny L	10014 Rippling Fields Drive	Houston, TX 77064	1104 Ayton Place	9496-96-6870-	R2	02365	00261	45.11			\$5,000	\$5,000

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Mcgrue, Arthur L Jr & Wife	6972 Bailey Lake Road	Fayetteville, NC 28304	6972 Bailey Lake Road	0406-05-3685-	R1	04667	00389	470.12				\$5,000 \$5,000

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Barefoot, Matthew	6403 Barwick Drive	Fayetteville, NC 28304	6403 Barwick Drive	0406-25-0569-	R1	06758	00730	97.00			\$5,000	\$5,000
Shelton, Dirk T	6404 Barwick Drive	Fayetteville, NC 28304	6404 Barwick Drive	0406-25-0769-	R1	08207	00782	112.83			\$5,000	\$5,000
Brenes, Juan M	6405 Barwick Drive	Fayetteville, NC 28304	6405 Barwick Drive	0406-15-9661-	R1	06693	00638	97.00			\$5,000	\$5,000
Butler, Steven L & Wife	44459 Baldwin Road	New London, NC 28127	6406 Barwick Drive	0406-15-9851-	R1	08897	00725	112.83			\$5,000	\$5,000
Joel, Kerron	365 Colonist Place	Cameron, NC 28326	6407 Barwick Drive	0406-15-8663-	R1	09196	00168	97.00			\$5,000	\$5,000
Crowther, Justin N & Wife	6408 Barwick Drive	Fayetteville, NC 28304	6408 Barwick Drive	0406-15-8844-	R1	07959	00264	112.83			\$5,000	\$5,000
Hodge, Robert A & Wife	P.O. Box 5883	Pinehurst, NC 28374	6409 Barwick Drive	0406-15-7676-	R1	03373	00116	97.00			\$5,000	\$5,000
Miller-Phillips, Eunsin	134 Wispy Willow Drive	Sanford, NC 27332	6410 Barwick Drive	0406-15-7837-	R1	09242	00022	112.84			\$5,000	\$5,000
Mcdonald, Jacqueline F	6411 Barwick Drive	Fayetteville, NC 28304	6411 Barwick Drive	0406-15-6678-	R1	03467	00226	97.00			\$5,000	\$5,000
Mccleary, James L & Wife Annie	6413 Barwick Drive	Fayetteville, NC 28304	6413 Barwick Drive	0406-15-5790-	R1	02880	00618	87.00			\$5,000	\$5,000
Tester, Jefferson P & Wife	405 N. Chester Avenue	Indianapolis, IN 46201	6414 Barwick Drive	0406-15-6839-	R1	07533	00352	90.00			\$5,000	\$5,000
Montiel, Reymundo Jr	6417 Barwick Drive	Fayetteville, NC 28304	6417 Barwick Drive	0406-15-5703-	R1	05712	00729	90.00			\$5,000	\$5,000
Wright, Andrea P	8430 Harold Drive	Denham Springs, LA 07726	6418 Barwick Drive	0406-15-5941-	R1	04306	00551	90.88			\$5,000	\$5,000
Gillies, Wright &	6421 Barwick Drive	Fayetteville, NC 28304	6421 Barwick Drive	0406-15-4715-	R1	08659	00635	85.00			\$5,000	\$5,000
Perkins, Anthony	6422 Barwick Drive	Fayetteville, NC 28304	6422 Barwick Drive	0406-15-4964-	R1	07469	00786	88.44			\$5,000	\$5,000
Degrenier, Michael Bruce Jr &	6425 Barwick Drive	Fayetteville, NC 28304	6425 Barwick Drive	0406-15-3728-	R1	07982	00655	90.65			\$5,000	\$5,000
Alicea, Miguel & Wife Brenda	6426 Barwick Drive	Fayetteville, NC 28304	6426 Barwick Drive	0406-15-3997-	R1	05646	00103	88.44			\$5,000	\$5,000
Diaz, Jose M	6429 Barwick Drive	Fayetteville, NC 28304	6429 Barwick Drive	0406-15-2842-	R1	08471	00265	90.65			\$5,000	\$5,000
Childers, Dennis A	6430 Barwick Drive	Fayetteville, NC 28304	6430 Barwick Drive	0406-16-3010-	R1	02919	00501	102.61			\$5,000	\$5,000
Howard, Carol M	6433 Barwick Drive	Fayetteville, NC 28304	6433 Barwick Drive	0406-15-1857-	R1	07913	00773	90.00			\$5,000	\$5,000
Sykes, Marc Anthony	6434 Barwick Drive	Fayetteville, NC 28304	6434 Barwick Drive	0406-16-2005-	R1	08190	00658	83.69			\$5,000	\$5,000

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Alleyne, Grant L & Wife Sybil	300 Wagoner Drive	Fayetteville, NC 28303	1431 Berriedale Drive	0406-37-0310-	R1	02868	00048	117.38			\$5,000	\$5,000
Ganzer, William Paul	1433 Berriedale Drive	Fayetteville, NC 28304	1433 Berriedale Drive	0406-27-9290-	R1	02021	00553	120.03			\$5,000	\$5,000
Wills, Isaiah A	1434 Berriedale Drive	Fayetteville, NC 28304	1434 Berriedale Drive	0406-27-7198-	R1	08681	00334	113.36			\$5,000	\$5,000
Whitaker, John V Jr & Wife Pat	1435 Berriedale Drive	Fayetteville, NC 28304	1435 Berriedale Drive	0406-27-9190-	R1	02793	00586	98.62			\$5,000	\$5,000
Maxwell, Virginia W	1436 Berriedale Drive	Fayetteville, NC 28304	1436 Berriedale Drive	0406-27-7087-	R1	03048	00478	91.34			\$5,000	\$5,000
Jones, Ronald W & Wife Rebecca	1437 Berriedale Drive	Fayetteville, NC 28304	1437 Berriedale Drive	0406-37-0001-	R1	02422	00785	95.00			\$5,000	\$5,000
Kunert, Hedda F	1438 Berriedale Drive	Fayetteville, NC 28304	1438 Berriedale Drive	0406-26-7998-	R1	02004	00605	95.00			\$5,000	\$5,000
Bowks, Daryl A & Wife Kathy A	1439 Berriedale Drive	Fayetteville, NC 28304	1439 Berriedale Drive	0406-36-0911-	R1	02660	00763	114.30			\$5,000	\$5,000
Wiatr, Jan	1440 Berriedale Drive	Fayetteville, NC 28304	1440 Berriedale Drive	0406-26-8819-	R1	02006	00217	100.00			\$5,000	\$5,000
Matthews, George R & Wife	1500 Berriedale Drive	Fayetteville, NC 28304	1500 Berriedale Drive	0406-26-8565-	R1	04369	00771	151.27			\$5,000	\$5,000
Morel, Leroy & Wife Annette	P.O. Box 43612	Fayetteville, NC 28309	1502 Berriedale Drive	0406-26-8399-	R1	03281	00184	142.54			\$5,000	\$5,000
Crockett, Gregory Dean Life	1504 Berriedale Drive	Fayetteville, NC 28304	1504 Berriedale Drive	0406-26-9200-	R1	01192	00213	111.57			\$5,000	\$5,000
Ghee, Harry J & Wife Rae D	1505 Berriedale Drive	Fayetteville, NC 28304	1505 Berriedale Drive	0406-36-1018-	R1	03312	00862	100.61			\$5,000	\$5,000
Deal, Jennie C	1506 Berriedale Drive	Fayetteville, NC 28304	1506 Berriedale Drive	0406-26-9009-	R1	02868	00480	109.99			\$5,000	\$5,000
Cotten, Richard S & Wife	1507 Berriedale Drive	Fayetteville, NC 28304	1507 Berriedale Drive	0406-35-1908-	R1	03191	00679	105.88			\$5,000	\$5,000
Streeter, Robert E & Wife	1508 Berriedale Drive	Fayetteville, NC 28304	1508 Berriedale Drive	0406-25-8999-	R1	04258	00606	100.00			\$5,000	\$5,000
McLean, Freddie J &	P.O. Box 58375	Fayetteville, NC 28305	1509 Berriedale Drive	0406-35-0898-	R1	05529	00624	97.55			\$5,000	\$5,000
Shefton, James A & Rose	1510 Berriedale Drive	Fayetteville, NC 28304	1510 Berriedale Drive	0406-25-8889-	R1	03825	00652	100.00			\$5,000	\$5,000
Sutphin, William G	1511 Berriedale Drive	Fayetteville, NC 28304	1511 Berriedale Drive	0406-35-0788-	R1	06752	00834	97.00			\$5,000	\$5,000
Kirschenman, Gary R & Wife	1512 Berriedale Drive	Fayetteville, NC 28304	1512 Berriedale Drive	0406-25-8779-	R1	03559	00586	100.00			\$5,000	\$5,000
Lewis, Kaye L	1513 Berriedale Drive	Fayetteville, NC 28304	1513 Berriedale Drive	0406-35-0688-	R1	06923	00030	97.00			\$5,000	\$5,000
Burkett, Bobby & Wife	1514 Berriedale Drive	Fayetteville, NC 28304	1514 Berriedale Drive	0406-25-8669-	R1	08540	00035	100.00			\$5,000	\$5,000
White, Lafayette Tyrone &	1515 Berriedale Drive	Fayetteville, NC 28304	1515 Berriedale Drive	0406-35-0579-	R1	07392	00664	97.00			\$5,000	\$5,000
Collins, John K	1516 Berriedale Drive	Fayetteville, NC 28304	1516 Berriedale Drive	0406-25-8569-	R1	06324	00157	100.00			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Hickman, Margaret Patricia	1517 Berriedale Drive	Fayetteville, NC 28304	1517 Berriedale Drive	0406-35-0469-	R1	03644	00262	97.00			\$5,000	\$5,000
Player, John Henry	1518 Berriedale Drive	Fayetteville, NC 28304	1518 Berriedale Drive	0406-25-8459-	R1	03494	00240	100.00			\$5,000	\$5,000
Jacques, Janet	147-15 144th Avenue	Springfield Gardens, NY 11413	1519 Berriedale Drive	0406-35-0369-	R1	08524	00338	97.00			\$5,000	\$5,000
Oberland Properties Llc	P.O. Box 295	Cary, NC 27512	1520 Berriedale Drive	0406-25-8349-		09029	00368	100.00			\$5,000	\$5,000
Myers, David Allen	1521 Berriedale Drive	Fayetteville, NC 28304	1521 Berriedale Drive	0406-35-0259-	R1	05365	00521	91.59			\$5,000	\$5,000
Oberland Properties Llc	P.O. Box 295	Cary, NC 27512	1522 Berriedale Drive	0406-25-8239-	R1	09029	00368	94.20			\$5,000	\$5,000
Scroggins, Mary Lou	1602 Berriedale Drive	Fayetteville, NC 28304	1602 Berriedale Drive	0406-25-8141-	R1	05786	00045	144.23			\$5,000	\$5,000

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Bostian, James L Life Estate	6400 Dorsey Place	Fayetteville, NC 28306	1205 Bostian Drive	0406-08-4535-	R1	05329	00035	100.00			\$5,000	\$5,000
Abernathy, Marvin Joshua &	1209 Bostian Drive	Fayetteville, NC 28304	1209 Bostian Drive	0406-08-4425-	R1	08267	00146	100.05			\$5,000	\$5,000
Small, Thomas E & Wife	1210 Bostian Drive	Fayetteville, NC 28304	1210 Bostian Drive	0406-08-1494-	R1	03044	00403	148.55			\$5,000	\$5,000
Cambisaca, Eladio U & Wife	1213 Bostian Drive	Fayetteville, NC 28304	1213 Bostian Drive	0406-08-4325-	R1	07544	00155	99.99			\$5,000	\$5,000
Raineri, Carla J & Husband	1217 Bostian Drive	Fayetteville, NC 28304	1217 Bostian Drive	0406-08-4225-	R1	06503	00680	100.00			\$5,000	\$5,000
Freeze, Rebecca M	3913 Darvills Road	Blakkstone, VA 23824	1221 Bostian Drive	0406-08-4115-	R1	03491	00199	100.00			\$5,000	\$5,000
Bigler, Harold	1222 Bostian Drive	Fayetteville, NC 28304	1222 Bostian Drive	0406-08-1046-	R2	02729	00035	100.00	\$5,556	\$1,571		\$7,127
Langston, Noelyne Mary	1225 Bostian Drive	Fayetteville, NC 28304	1225 Bostian Drive	0406-08-4015-	R1	02983	00661	100.00			\$5,000	\$5,000
Hayes, Henry S	P.O. Box 53694	Fayetteville, NC 28305	1228 Bostian Drive	0406-07-1936-	R2	04615	00393	100.00	\$5,556	\$1,571		\$7,127
Monteleone, Anthony M & Wife	1229 Bostian Drive	Fayetteville, NC 28304	1229 Bostian Drive	0406-07-4905-	R1	08714	00256	100.00			\$5,000	\$5,000
Hayes, Henry S	P.O. Box 53964	Fayetteville, NC 28305	1232 Bostian Drive	0406-07-1836-	R2	04615	00393	100.00	\$5,556	\$1,571		\$7,127
Adam, Steven C & Wife Teresa C	1541 Grassy Branch Drive	Fayetteville, NC 28304	1233 Bostian Drive	0406-07-4805-	R1	05152	00125	100.00			\$5,000	\$5,000
Hayes, Henry S	P.O. Box 53694	Fayetteville, NC 28305	1236 Bostian Drive	0406-07-1726-	R2	04615	00393	93.55	\$5,198	\$1,571		\$6,769
Farrell, Mary Lou D	1300 Bostian Drive	Fayetteville, NC 28304	1300 Bostian Drive	0406-07-1610-	R1	02176	00301	195.85			\$5,000	\$5,000
Thomas Family Limited	P.O. Box 43036	Fayetteville, NC 28309	1301 Bostian Drive	0406-07-3489-	RT	05174	00682	100.00	\$5,556	\$1,571		\$7,127
Secretary of Veterans Affairs	251 N. Main Street	Winston-Salem, NC 27155	1304 Bostian Drive	0406-07-1510-	R1	09249	00246	100.00			\$5,000	\$5,000
Thomas Family Limited	P.O. Box 43036	Fayetteville, NC 28309	1307 Bostian Drive	0406-07-3379-	RT	05174	00682	100.00	\$5,556	\$1,571		\$7,127
Dreammakers Real Estate	609 Murchison Road	Fayetteville, NC 28301	1308 Bostian Drive	0406-07-1410-	R1	07791	00393	100.00			\$5,000	\$5,000
Hayes, Henry S	P.O. Box 53694	Fayetteville, NC 28305	1312 Bostian Drive	0406-07-1300-	R2	04615	00393	100.00	\$5,556	\$1,571		\$7,127
Hayes, Henry S	P.O. Box 53694	Fayetteville, NC 28305	1313 Bostian Drive	0406-07-3279-	R2	04615	00393	100.00	\$5,556	\$1,571		\$7,127
Featherstone, Willie Jr & Wife	734 Carly Scott Drive	Monroe, NC 28110	1316 Bostian Drive	0406-07-0290-	R2	02770	00411	100.00	\$5,556	\$1,571		\$7,127
Hayes, Henry S	P.O. Box 53694	Fayetteville, NC 28305	1317 Bostian Drive	0406-07-3169-	R2	04615	00393	100.00	\$5,556	\$1,571		\$7,127
Hayes, Henry S	P.O. Box 53694	Fayetteville, NC 28305	1321 Bostian Drive	0406-07-3069-	R2	04615	00393	100.00	\$5,556	\$1,571		\$7,127
Hayes, Henry S	P.O. Box 53694	Fayetteville, NC 28305	1325 Bostian Drive	0406-06-3958-	R2	04615	00393	100.00	\$5,556	\$1,571		\$7,127

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Mehan, Randolph J &	6501 Carloway Drive	Fayetteville, NC 28304	6501 Carloway Drive	0406-06-1195-	R1	03801	00722	94.65			\$5,000	\$5,000
Parker, Virginia L	6502 Carloway Drive	Fayetteville, NC 28304	6502 Carloway Drive	0406-06-1481-	R1	02622	00351	154.62			\$5,000	\$5,000
Sanchez, Raymond & Wife	2718 Fordham Drive	Fayetteville, NC 28304	6503 Carloway Drive	0406-06-1210-	R1	03091	00045	90.00			\$5,000	\$5,000
Jones, Eva Nell	6505 Carloway Drive	Fayetteville, NC 28304	6505 Carloway Drive	0406-06-0248-	R1	02405	00651	104.66			\$5,000	\$5,000
Boone, Anthony Rovell & Wife	6601 Carloway Drive	Fayetteville, NC 28304	6601 Carloway Drive	9496-96-9411-	R1	07057	00506	144.59			\$5,000	\$5,000
Bennett, Louis Jr	1210 Kienast Drive	Fayetteville, NC 28314	6602 Carloway Drive	0406-06-0515-	R1	03074	00601	105.47			\$5,000	\$5,000
Sanders, Gloria Mcgeachy &	6603 Carloway Drive	Fayetteville, NC 28304	6603 Carloway Drive	9496-96-8409-	R1	06933	00282	128.50			\$5,000	\$5,000
King, Vera B	8665 King Road	Fayetteville, NC 28306	6604 Carloway Drive	9496-96-8693-	R2	02197	00305	140.63			\$5,000	\$5,000
Wright, Mary	6605 Carloway Drive	Fayetteville, NC 28304	6605 Carloway Drive	9496-96-7511-	R1	02324	00565	115.59			\$5,000	\$5,000
Royal, Sam & Wife Cecelia A	6606 Carloway Drive	Fayetteville, NC 28304	6606 Carloway Drive	9496-96-6679-	R1	02324	00251	152.61			\$5,000	\$5,000
Roberts, Shirl D	3581 Briargate Lane	Fayetteville, NC 28314	6607 Carloway Drive	9496-96-6520-	R1	03667	00507	95.00			\$5,000	\$5,000
Monroe, James D Jr	6608 Carloway Drive	Fayetteville, NC 28304	6608 Carloway Drive	9496-96-5741-	R1	02612	00711	124.40			\$5,000	\$5,000
Aspinwall, Henry E	6609 Carloway Drive	Fayetteville, NC 28304	6609 Carloway Drive	9496-96-5520-	R1	04021	00143	95.00			\$5,000	\$5,000
Hollingsworth, William E li	102 Longwood Place	Aberdeen, NC 28315	6611 Carloway Drive	9496-96-4530-	R1	09018	00063	95.00			\$5,000	\$5,000
Artis, Charles L & Eleanor C	6612 Carloway Drive	Fayetteville, NC 28304	6612 Carloway Drive	9496-96-3731-	R1	03819	00012	135.84			\$5,000	\$5,000
Strickland, Dorothea L	6613 Carloway Drive	Fayetteville, NC 28304	6613 Carloway Drive	9496-96-3530-	R1	06167	00265	95.00			\$5,000	\$5,000
Shipman, Doris C	6614 Carloway Drive	Fayetteville, NC 28304	6614 Carloway Drive	9496-96-2724-	R1	02418	00547	89.94			\$5,000	\$5,000
Murphy, Johnny H Jr & Wife	6615 Carloway Drive	Fayetteville, NC 28304	6615 Carloway Drive	9496-96-2530-	R1	02373	00176	95.00			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Washington, Cleveland & Wife	1101 Carloway Place	Fayetteville, NC 28304	1101 Carloway Place	9496-96-5825-	R1	02385	00018	52.13			\$5,000	\$5,000
Robinson, Theodore A.Jr, Karl	8127 Dunholm Drive	Fayetteville, NC 28304	1102 Carloway Place	9496-96-3835-	R1	03508	00788	53.58			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
L & I Investments Llc	P.O. Box 87289	Fayetteville, NC 28304	1108 Cullen Drive	0406-06-3731-		08356	00362	0.00			\$5,000	\$5,000
Howard, Douglas N	1201 Cullen Drive	Fayetteville, NC 28304	1201 Cullen Drive	9496-96-9176-	R1	03220	00169	85.00			\$5,000	\$5,000
Faircloth, Summer T & Husband	1204 Cullen Drive	Fayetteville, NC 28304	1204 Cullen Drive	9496-96-8325-	R1	07680	00181	124.40			\$5,000	\$5,000
Morgan, Samuel A & Dee W	1222 Christina Street	Fayetteville, NC 28314	1205 Cullen Drive	9496-96-8155-	R1	04128	00345	93.29			\$5,000	\$5,000
Jacobs, Ambrous Jr	3004 Lawndale Drive, Apt. F	Greensboro, NC 27408	1206 Cullen Drive	9496-96-7326-	R1	04217	00001	95.00			\$5,000	\$5,000
Burnette, Mario A & Wife	1207 Cullen Drive	Fayetteville, NC 28304	1207 Cullen Drive	9496-96-7145-	R1	05478	00297	105.00			\$5,000	\$5,000
Mishue, Doris E	1208 Cullen Drive	Fayetteville, NC 28304	1208 Cullen Drive	9496-96-6336-	R1	02275	00461	95.00			\$5,000	\$5,000
Mcnl Enterprises Llc	P.O. Box 1625	Elizabeth City, NC 27906	1209 Cullen Drive	9496-96-6134-	R1	09058	00363	105.00			\$5,000	\$5,000
Halterman, David L & Wife	1210 Cullen Drive	Fayetteville, NC 28304	1210 Cullen Drive	9496-96-5336-	R1	06705	00508	95.00			\$5,000	\$5,000
Willis, Michael Sr & Caroline	1211 Cullen Drive	Fayetteville, NC 28304	1211 Cullen Drive	9496-96-5124-	R1	06947	00273	109.64			\$5,000	\$5,000
Moon, Dorothy J	1212 Cullen Drive	Fayetteville, NC 28304	1212 Cullen Drive	9496-96-4335-	R1	04338	00314	95.00			\$5,000	\$5,000
Jordan, Raymond Joseph & Wife	1213 Cullen Drive	Fayetteville, NC 28304	1213 Cullen Drive	9496-96-3164-	R1	06473	00854	104.64			\$5,000	\$5,000
Ryan, Jennifer P	1214 Cullen Drive	Fayetteville, NC 28304	1214 Cullen Drive	9496-96-3345-	R1	06034	00836	95.00			\$5,000	\$5,000
Pyle, Charles E Iii & Wife	1215 Cullen Drive	Fayetteville, NC 28304	1215 Cullen Drive	9496-96-2154-	R1	03199	00690	100.47			\$5,000	\$5,000
Igunbor, Osahun	1946 Forest Hills Drive	Fayetteville, NC 28303	1216 Cullen Drive	9496-96-2345-	R1	08961	00330	95.00			\$5,000	\$5,000

Property Owner	Mailing Address	City/State/Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Bradford, Roy A	1503 Darvel Avenue	Fayetteville, NC 28304	1503 Darvel Avenue	0406-36-4271-	R1	02001	00029	83.40			\$5,000	\$5,000
Owens, Margaret M	1504 Darvel Avenue	Fayetteville, NC 28304	1504 Darvel Avenue	0406-36-2175-	R1	02046	00459	105.00			\$5,000	\$5,000
Bronson, Lawanda Ann	1506 Darvel Avenue	Fayetteville, NC 28304	1506 Darvel Avenue	0406-36-2055-	R1	06462	00414	95.00			\$5,000	\$5,000
Guardiola, Jose & Wife	1507 Darvel Avenue	Fayetteville, NC 28304	1507 Darvel Avenue	0406-36-4066-	R1	07979	00614	94.64			\$5,000	\$5,000
Monahan, Henry A & Wife Maria	1508 Darvel Avenue	Fayetteville, NC 28304	1508 Darvel Avenue	0406-35-2956-	R1	02824	00213	95.00			\$5,000	\$5,000
Lumpkin, Sidney A	1509 Darvel Avenue	Fayetteville, NC 28304	1509 Darvel Avenue	0406-35-4956-	R1	02020	00481	95.00			\$5,000	\$5,000
Decipulo, Raymond A & Wife	1510 Darvel Avenue	Fayetteville, NC 28304	1510 Darvel Avenue	0406-35-2846-	R1	05265	00499	97.55			\$5,000	\$5,000
Boyles, Dawn L & Husband	1511 Darvel Avenue	Fayetteville, NC 28304	1511 Darvel Avenue	0406-35-4857-	R1	05057	00748	95.00			\$5,000	\$5,000
Sell, Paul David & Wife	1512 Darvel Avenue	Fayetteville, NC 28304	1512 Darvel Avenue	0406-35-2737-	R1	08333	00543	97.00			\$5,000	\$5,000
Berta, John A & Wife Bonnie G	1513 Darvel Avenue	Fayetteville, NC 28304	1513 Darvel Avenue	0406-35-4747-	R1	03093	00358	96.00			\$5,000	\$5,000
Gravitt, Linda M	1514 Darvel Avenue	Fayetteville, NC 28304	1514 Darvel Avenue	0406-35-2627-	R1	02183	00114	97.00			\$5,000	\$5,000
Parkinson, Mary L	1515 Darvel Avenue	Fayetteville, NC 28304	1515 Darvel Avenue	0406-35-4648-	R1	02168	00627	100.00			\$5,000	\$5,000
Gilmer, Gary Rowland	1516 Darvel Avenue	Fayetteville, NC 28304	1516 Darvel Avenue	0406-35-2528-	R1	02112	00372	97.00			\$5,000	\$5,000
Sandhu, Lavinder & Husband	3605 Tattersal Court	Fayetteville, NC 28306	1517 Darvel Avenue	0406-35-4538-	R1	06459	00748	100.00			\$5,000	\$5,000
Del Pilar Soto, Edmundo	1518 Darvel Avenue	Fayetteville, NC 28304	1518 Darvel Avenue	0406-35-2418-	R1	02109	00042	97.00			\$5,000	\$5,000
Larson, Harriet B	1519 Darvel Avenue	Fayetteville, NC 28304	1519 Darvel Avenue	0406-35-4428-	R1	02862	00045	100.00			\$5,000	\$5,000
Lemott, Allenby F	1520 Darvel Avenue	Fayetteville, NC 28304	1520 Darvel Avenue	0406-35-2308-	R1	06317	00110	97.00			\$5,000	\$5,000
Haaf, Megan Christine	1521 Darvel Avenue	Fayetteville, NC 28304	1521 Darvel Avenue	0406-35-4328-	R1	08660	00498	100.00			\$5,000	\$5,000
Iverson, Troy L & Wife	1522 Darvel Avenue	Fayetteville, NC 28304	1522 Darvel Avenue	0406-35-2208-	R1	08008	00115	95.26			\$5,000	\$5,000
Person, Thomas L & Wife Lois P	1523 Darvel Avenue	Fayetteville, NC 28304	1523 Darvel Avenue	0406-35-4218-	R1	04608	00587	101.52			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Singletary, Michael R	P.O. Box 1852	Fayetteville, NC 28302	1504 Doncaster Drive	0406-26-2224-	R1	08489	00045	138.83			\$5,000	\$5,000
Mohler, Lorraine M	7670 Raeford Road	Fayetteville, NC 28304	1505 Doncaster Drive	0406-26-4100-	R1	07004	00567	112.98			\$5,000	\$5,000
Shipley, John & Wife Nicole	1775 Diamond Street	San Diego, CA 92109	1506 Doncaster Drive	0406-26-2100-	R1	07534	00017	136.60			\$5,000	\$5,000
Lemonds, Eddie Gene & Wife	326 McFayden Drive	Fayetteville, NC 28314	1507 Doncaster Drive	0406-25-3999-	R1	03564	00616	105.00			\$5,000	\$5,000
Hall, Winston L & Wife	1509 Doncaster Drive	Fayetteville, NC 28304	1509 Doncaster Drive	0406-25-3889-	R1	06671	00448	105.00			\$5,000	\$5,000
Moyano-Fermin, Daniel E	108 N. Daleville Ave, Apt. 36322	Fayetteville, AL 36322	1510 Doncaster Drive	0406-25-1980-	R1	06586	00261	143.57			\$5,000	\$5,000
Manuel, Ervin	1511 Doncaster Drive	Fayetteville, NC 28304	1511 Doncaster Drive	0406-25-3788-	R1	08289	00409	105.00			\$5,000	\$5,000
Williams, Richard	5503 Glenrock Drive	Fayetteville, NC 28303	1512 Doncaster Drive	0406-25-1776-		08138	00860	125.70			\$5,000	\$5,000
Singletary, Michael R	P.O. Box 1852	Fayetteville, NC 28302	1513 Doncaster Drive	0406-25-3678-	R1	08489	00045	105.00			\$5,000	\$5,000
Cross, Dylan C	1515 Doncaster Drive	Fayetteville, NC 28304	1515 Doncaster Drive	0406-25-3567-	R1	05861	00423	105.00			\$5,000	\$5,000
Weaver, Mark Jr & Wife	1516 Doncaster Drive	Fayetteville, NC 28304	1516 Doncaster Drive	0406-25-1566-	R1	04368	00363	140.73			\$5,000	\$5,000
Shabazz, Sherema	1644 Winnabow Drive	Fayetteville, NC 28304	1517 Doncaster Drive	0406-25-3457-	R1	05619	00842	97.00			\$5,000	\$5,000
Graylyn Properties Llc	P.O. Box 87555	Fayetteville, NC 28304	1518 Doncaster Drive	0406-25-1442-	R1	08988	00292	117.00			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Miranda, Richard A Sr & Wife	6403 Dunham Drive	Fayetteville, NC 28304	6403 Dunham Drive	0406-25-0973-	R1	08051	00268	104.66			\$5,000	\$5,000
McVay, Cassandra A & Husband	6404 Dunham Drive	Fayetteville, NC 28304	6404 Dunham Drive	0406-26-0193-	R1	08403	00344	98.21			\$5,000	\$5,000
Ulrick, Keith B Sr	6405 Dunham Drive	Fayetteville, NC 28304	6405 Dunham Drive	0406-15-9966-	R1	04861	00413	104.66			\$5,000	\$5,000
Boykin, Earl &	6406 Dunham Drive	Fayetteville, NC 28304	6406 Dunham Drive	0406-26-0105-	R1	05708	00285	98.21			\$5,000	\$5,000
Campbell, John F &	6407 Dunham Drive	Fayetteville, NC 28304	6407 Dunham Drive	0406-15-8968-	R1	03461	00456	104.66			\$5,000	\$5,000
Adams, Linda	6408 Dunham Drive	Fayetteville, NC 28304	6408 Dunham Drive	0406-16-9107-	R1	07296	00025	98.21			\$5,000	\$5,000
Ellis, Fred D	305 Longbranch Court	Fayetteville, NC 28303	6409 Dunham Drive	0406-16-7061-	R1	04037	00666	104.66			\$5,000	\$5,000
Clark, Johnny D	32 Castlewood Drive	Fredericksburg, VA 22406	6410 Dunham Drive	0406-16-8200-	R1	08767	00419	98.21			\$5,000	\$5,000
Thompson, Raymond & Wife	8608 Dollhouse Drive	Las Vegas, NV 89145	6413 Dunham Drive	0406-16-6073-	R1	03105	00057	87.21			\$5,000	\$5,000
May, Shawn & Wife Kristan	6414 Dunham Drive	Fayetteville, NC 28304	6414 Dunham Drive	0406-16-7212-	R1	07416	00556	101.60			\$5,000	\$5,000
Rankins, Christel M	6417 Dunham Drive	Fayetteville, NC 28304	6417 Dunham Drive	0406-16-5085-	R1	04273	00186	89.69			\$5,000	\$5,000
Green, Georgette	6418 Dunham Drive	Fayetteville, NC 28304	6418 Dunham Drive	0406-16-6215-	R1	08620	00068	105.00			\$5,000	\$5,000
Lewis, Montrell D	6422 Dunham Drive	Fayetteville, NC 28304	6422 Dunham Drive	0406-16-5227-	R1	06830	00748	100.00			\$5,000	\$5,000
Smaw, Joseph Allen Jr	6423 Dunham Drive	Fayetteville, NC 28304	6423 Dunham Drive	0406-16-4098-	R1	08359	00315	90.00			\$5,000	\$5,000
Williams, Reginaldo E	107 Lilac Court	Raeford, NC 28376	6427 Dunham Drive	0406-16-4102-	R1	07021	00571	89.69			\$5,000	\$5,000

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Thomas, Juanita G, H Dolph	572 Executive Place	Fayetteville, NC 28305	0 Elkins Drive	0406-07-4559-		06667	00676	80.00			\$5,000	\$5,000
Chatman, William Jr & Wife	6504 Elkins Drive	Fayetteville, NC 28304	6504 Elkins Drive	0406-07-3795-	R1	06721	00314	203.55			\$5,000	\$5,000
Brown, Stephen Corey & Wife	6505 Elkins Drive	Fayetteville, NC 28304	6505 Elkins Drive	0406-07-3549-	R1	06833	00691	128.00			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Williams, Sylvester & Wife	1431 Gairloch Drive	Fayetteville, NC 28304	1431 Gairloch Drive	0406-27-2573-	R1	06381	00029	103.79			\$5,000	\$5,000
Boiteau, Marcel E & Wife	1432 Gairloch Drive	Fayetteville, NC 28304	1432 Gairloch Drive	0406-27-1625-	R1	02451	00297	110.04			\$5,000	\$5,000
Hadley, Walter W & Wife	1433 Gairloch Drive	Fayetteville, NC 28304	1433 Gairloch Drive	0406-27-1495-	R1	04544	00461	99.21			\$5,000	\$5,000
Mosley, Thomas S Sr &	1434 Gairloch Drive	Fayetteville, NC 28304	1434 Gairloch Drive	0406-27-0557-	R1	08568	00737	110.00			\$5,000	\$5,000
Mcqueen, Gary L & Wife	1435 Gairloch Drive	Fayetteville, NC 28304	1435 Gairloch Drive	0406-27-1308-	R1	04168	00103	95.00			\$5,000	\$5,000
Martin, Matthew A & Wife	P.O. Box 127	Lumber Bridge, NC 28357	1436 Gairloch Drive	0406-17-9561-	R1	06637	00408	110.00			\$5,000	\$5,000
De La Vega, Mario	931 B S. Main Street, 294	Kernersville, NC 27284	1437 Gairloch Drive	0406-27-0312-	R1	07234	00043	103.03			\$5,000	\$5,000
Evans, Peter R Jr	562 Alleghany Road	Fayetteville, NC 28304	1438 Gairloch Drive	0406-17-8477-	R1	03153	00328	110.00			\$5,000	\$5,000
Thompson, John L Jr & Wife Fey	P.O. Box 42942	Fayetteville, NC 28309	1439 Gairloch Drive	0406-17-9218-	R1	02773	00014	95.00			\$5,000	\$5,000
Bradshaw, Sarah W	1460 Keswick Drive	Fayetteville, NC 28304	1440 Gairloch Drive	0406-17-7483-	R1	08081	00859	106.18			\$5,000	\$5,000
Martel, Steven P	3559 Old Whiteville Road	Lumberton, NC 28358	1441 Gairloch Drive	0406-17-8224-	R1	05982	00548	97.58			\$5,000	\$5,000
Gurno, James Ray	1442 Gairloch Drive	Fayetteville, NC 28304	1442 Gairloch Drive	0406-17-6480-	R1	03271	00084	110.00			\$5,000	\$5,000
Miller, James & Wife Song S	1443 Gairloch Drive	Fayetteville, NC 28304	1443 Gairloch Drive	0406-17-7221-	R1	02720	00789	95.00			\$5,000	\$5,000
Walker, Joyce	1444 Gairloch Drive	Fayetteville, NC 28304	1444 Gairloch Drive	0406-17-5389-	R1	06169	00199	110.00			\$5,000	\$5,000
Miller-Weir, Andrea	1445 Gairloch Drive	Fayetteville, NC 28304	1445 Gairloch Drive	0406-17-6128-	R1	08975	00400	95.00			\$5,000	\$5,000
Cohen, Bradford L	1446 Gairloch Drive	Fayetteville, NC 28304	1446 Gairloch Drive	0406-17-4389-	R1	06479	00355	114.85			\$5,000	\$5,000
Hopewell, John H & Wife	1447 Gairloch Drive	Fayetteville, NC 28304	1447 Gairloch Drive	0406-17-5128-	R1	02319	00443	95.00			\$5,000	\$5,000
Autry, Lisa K	1448 Gairloch Drive	Fayetteville, NC 28304	1448 Gairloch Drive	0406-17-3480-	R1	04034	00015	100.00			\$5,000	\$5,000
Hyman, Darlene	1449 Gairloch Drive	Fayetteville, NC 28304	1449 Gairloch Drive	0406-17-4220-	R1	06953	00033	96.71			\$5,000	\$5,000
Elam, Sylvia V	2930 Brookberry Court	Fayetteville, NC 28306	1450 Gairloch Drive	0406-17-2481-	R1	08712	00760	100.00			\$5,000	\$5,000
Brown, Demetrius & Wife	1451 Gairloch Drive	Fayetteville, NC 28304	1451 Gairloch Drive	0406-17-3221-	R1	03207	00238	100.00			\$5,000	\$5,000
Mcclure, Glen T & Wife Lynn H	1452 Gairloch Drive	Fayetteville, NC 28304	1452 Gairloch Drive	0406-17-1482-	R1	03379	00611	100.26			\$5,000	\$5,000

Property Owner	Mailing Address	City/State/Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Rickstrom, Lonn D & Wife	6109 Lakeway Drive	Fayetteville, NC 28306	1431 Glanis Drive	0406-27-5323-	R1	05587	00512	127.20			\$5,000	\$5,000
Clapper, Frances E	1432 Glanis Drive	Fayetteville, NC 28304	1432 Glanis Drive	0406-27-3484-	R1	02522	00565	134.74			\$5,000	\$5,000
Lomack, Mark A & Wife	3428 Ferncroft Drive	Cincinnati, OH 45211	1433 Glanis Drive	0406-27-4253-	R1	07967	00389	90.61			\$5,000	\$5,000
Lee, Delores G & Husband	6649 Sherrod Drive	Fayetteville, NC 28314	1434 Glanis Drive	0406-27-2396-	R1	04171	00577	102.04			\$5,000	\$5,000
Coleman, Wilmer T & Wife	1436 Glanis Drive	Fayetteville, NC 28304	1436 Glanis Drive	0406-27-2320-	R1	03957	00147	103.14			\$5,000	\$5,000
Truong, Nga Thi	1437 Glanis Drive	Fayetteville, NC 28304	1437 Glanis Drive	0406-27-3132-	R1	07436	00062	99.96			\$5,000	\$5,000
Robinson, Thomas H	1438 Glanis Drive	Fayetteville, NC 28304	1438 Glanis Drive	0406-27-1244-	R1	02051	00401	102.83			\$5,000	\$5,000
Hamilton, Blair A &	1439 Glanis Drive	Fayetteville, NC 28304	1439 Glanis Drive	0406-27-2046-	R1	06539	00315	94.59			\$5,000	\$5,000
Russell, Charles R & Wife	1440 Glanis Drive	Fayetteville, NC 28304	1440 Glanis Drive	0406-27-0169-	R1	04427	00350	103.24			\$5,000	\$5,000
Kanarr, Nathan B & Wife	7601 Camino Montaraz	E. Tucson, AZ 85715	1441 Glanis Drive	0406-27-1061-	R1	04630	00244	94.24			\$5,000	\$5,000
Hill, Virginia M	1442 Glanis Drive	Fayetteville, NC 28304	1442 Glanis Drive	0406-17-9175-	R1	03328	00816	103.36			\$5,000	\$5,000
Boiteau, Marcel & Wife Carol	1443 Glanis Drive	Fayetteville, NC 28304	1443 Glanis Drive	0406-26-0947-	R1	07378	00787	147.08			\$5,000	\$5,000
Mckinnon, James W & Wife	1444 Glanis Drive	Fayetteville, NC 28304	1444 Glanis Drive	0406-17-8171-	R1	04384	00624	103.14			\$5,000	\$5,000
Moore, Karen	1446 Glanis Drive	Fayetteville, NC 28304	1446 Glanis Drive	0406-17-7067-	R1	06575	00569	91.24			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Noguera, Abdiel & Wife	6405 Glanis Place	Fayetteville, NC 28304	6405 Glanis Place	0406-26-6808-	R1	06181	00829	55.11				\$5,000 \$5,000
Sargent, Steven	6406 Glanis Place	Fayetteville, NC 28304	6406 Glanis Place	0406-26-6975-	R1	03423	00120	48.87				\$5,000 \$5,000
Evans, Irma S	6407 Glanis Place	Fayetteville, NC 28304	6407 Glanis Place	0406-26-4961-	R1	04135	00422	51.47				\$5,000 \$5,000
Nunnery, Curtis O Jr & Wife	6408 Glanis Place	Fayetteville, NC 28304	6408 Glanis Place	0406-27-6048-	R1	02050	00513	47.88				\$5,000 \$5,000
Edwards, Marvin W	6409 Glanis Place	Fayetteville, NC 28304	6409 Glanis Place	0406-27-4011-	R1	02077	00419	156.51				\$5,000 \$5,000
Wesley, Charles R Jr & Wife	6410 Glanis Place	Fayetteville, NC 28304	6410 Glanis Place	0406-27-5143-	R1	04378	00388	150.08				\$5,000 \$5,000

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Nichols, Angela	4236 River Gate Lane	Little River, SC 29566	0 Kilmory Drive	0406-08-5780-		05046	00152	100.00			\$5,000	\$5,000

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Mcdonald, Jeffrey C & Wife	6308 Kincross Avenue	Fayetteville, NC 28304	6308 Kincross Avenue	0406-37-9097-	R1	04019	00555	97.34			\$5,000	\$5,000
Cox, Larry D &	P.O. Box 1191	Fayetteville, NC 28302	6309 Kincross Avenue	0406-46-0867-	R1	07882	00897	94.69			\$5,000	\$5,000
Federal National Mortgage Association	P.O. Box 650043	Dallas, TX 75265	6311 Kincross Avenue	0406-36-9864-	R1	09165	00128	100.00			\$5,000	\$5,000
Marcelli, Evelyn C	6312 Kincross Avenue	Fayetteville, NC 28304	6312 Kincross Avenue	0406-37-9004-	R1	01078	00655	100.00			\$5,000	\$5,000
Childress, Ann M	6316 Kincross Avenue	Fayetteville, NC 28304	6316 Kincross Avenue	0406-37-8001-	R1	02342	00248	100.00			\$5,000	\$5,000
Swan, Dennis Dwain & Wife	6005 Moss Creek Court	Midlothian, VA 23112	6317 Kincross Avenue	0406-36-8861-	R1	06890	00125	100.00			\$5,000	\$5,000
Baker, Byron G	6320 Kincross Avenue	Fayetteville, NC 28304	6320 Kincross Avenue	0406-36-7919-	R1	02512	00806	100.00			\$5,000	\$5,000
Mcgirt, Michael P & Wife	6321 Kincross Avenue	Fayetteville, NC 28304	6321 Kincross Avenue	0406-36-7778-	R1	06545	00367	100.00			\$5,000	\$5,000
Stone, Charles D	6324 Kincross Avenue	Fayetteville, NC 28304	6324 Kincross Avenue	0406-36-6916-	R1	07966	00690	110.00			\$5,000	\$5,000
Williams, Sylvester & Wife	6325 Kincross Avenue	Fayetteville, NC 28304	6325 Kincross Avenue	0406-36-6776-	R1	07640	00690	95.00			\$5,000	\$5,000
Dunn, Joe T & Wife	12186 Hideaway Lane	Carrollton, VA 23314	6328 Kincross Avenue	0406-36-5913-	R1	01156	00359	100.00			\$5,000	\$5,000
Bauman, Vashti C	6329 Kincross Avenue	Fayetteville, NC 28304	6329 Kincross Avenue	0406-36-5783-	R1	03366	00557	95.00			\$5,000	\$5,000
Campbell, Paul L & Wife Theres	6332 Kincross Avenue	Fayetteville, NC 28304	6332 Kincross Avenue	0406-36-4910-	R1	02890	00845	100.00			\$5,000	\$5,000
Porras, Casey Elizabeth &	6333 Kincross Avenue	Fayetteville, NC 28304	6333 Kincross Avenue	0406-36-4790-	R1	08629	00123	95.00			\$5,000	\$5,000
Nolan, Heike	6336 Kincross Avenue	Fayetteville, NC 28304	6336 Kincross Avenue	0406-36-3817-	R1	05862	00716	110.00			\$5,000	\$5,000
Arrington, Rosa	6337 Kincross Avenue	Fayetteville, NC 28304	6337 Kincross Avenue	0406-36-4618-	R1	07139	00088	95.00			\$5,000	\$5,000
Watkins, Darlene B	6340 Kincross Avenue	Fayetteville, NC 28304	6340 Kincross Avenue	0406-36-2814-	R1	03962	00034	100.00			\$5,000	\$5,000
Martin, Jacob R Iii	4112 Pleasant View Drive	Fayetteville, NC 28312	6341 Kincross Avenue	0406-36-3615-	R1	05294	00900	95.00			\$5,000	\$5,000
Gilmore, Michael A & Wife	6343 Kincross Avenue	Fayetteville, NC 28304	6343 Kincross Avenue	0406-36-2622-	R1	03905	00464	95.00			\$5,000	\$5,000
Powell, Landon B & Wife	6344 Kincross Avenue	Fayetteville, NC 28304	6344 Kincross Avenue	0406-36-1821-	R1	07249	00174	100.00			\$5,000	\$5,000
Albaledejo, Luis & Wife Nancy	6347 Kincross Avenue	Fayetteville, NC 28304	6347 Kincross Avenue	0406-36-1539-	R1	03060	00821	100.00			\$5,000	\$5,000
Douglas, Daniel Dean	6348 Kincross Avenue	Fayetteville, NC 28304	6348 Kincross Avenue	0406-36-0718-	R1	08017	00203	120.86			\$5,000	\$5,000
Norton, E Bailey & Wife Annie	6353 Kincross Avenue	Fayetteville, NC 28304	6353 Kincross Avenue	0406-36-0536-	R1	02271	00328	87.53			\$5,000	\$5,000
Kublanck, Stephen J & Wife Nanc	6416 Kincross Avenue	Fayetteville, NC 28304	6416 Kincross Avenue	0406-26-8736-	R1	02505	00217	120.01			\$5,000	\$5,000

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Levesque, Ralph N & Wife	P.O. Box 564	Harrison, ME 04040	6418 Kincross Avenue	0406-26-7736-	R1	06807	00458	100.00			\$5,000	\$5,000
Matthews, Richard B & Wife	6319 Kincross Avenue	Fayetteville, NC 28304	6419 Kincross Avenue	0406-26-7545-		04369	00769	105.00			\$5,000	\$5,000
Levesque, Karin L &	6420 Kincross Avenue	Fayetteville, NC 28304	6420 Kincross Avenue	0406-26-6736-	R1	06117	00315	100.00			\$5,000	\$5,000
Cannon, Betty Jane	6421 Kincross Avenue	Fayetteville, NC 28304	6421 Kincross Avenue	0406-26-6545-	R1	02407	00826	105.00			\$5,000	\$5,000
Smith, Leroy	6422 Kincross Avenue	Fayetteville, NC 28304	6422 Kincross Avenue	0406-26-5747-	R1	02622	00633	100.00			\$5,000	\$5,000
Attaway, James Oliver Jr	6423 Kincross Avenue	Fayetteville, NC 28304	6423 Kincross Avenue	0406-26-5536-	R1	02874	00293	108.00			\$5,000	\$5,000
Crenshaw, James Earl & Wife	6424 Kincross Avenue	Fayetteville, NC 28304	6424 Kincross Avenue	0406-26-4748-	R1	02428	00625	100.00			\$5,000	\$5,000
Royal, William W & Wife Doris	3625 Manatee Street	Orlando, FL 32822	6425 Kincross Avenue	0406-26-4527-	R1	02576	00058	108.00			\$5,000	\$5,000
Wood, Christina	6426 Kincross Avenue	Fayetteville, NC 28304	6426 Kincross Avenue	0406-26-3759-	R1	08162	00217	100.00			\$5,000	\$5,000
Alleyne, Grant L & Wife Sybil	300 Wagoner Drive	Fayetteville, NC 28303	6427 Kincross Avenue	0406-26-3519-	R1	02939	00010	109.27			\$5,000	\$5,000
Mkb Westfield Holdings	P.O. Box 295	Cary, NC 27512	6428 Kincross Avenue	0406-26-2852-	R1	06078	00072	100.00			\$5,000	\$5,000
Parker, Rifton D	2795 Odom Road	Hope Mills, NC 28348	6429 Kincross Avenue	0406-26-2601-	R1	06798	00581	100.00			\$5,000	\$5,000
Fayetteville Metropolitan	P.O. Box 2349	Fayetteville, NC 28302	6430 Kincross Avenue	0406-26-1854-	R1	02750	00449	105.00			\$5,000	\$5,000
West, Betty J	6431 Kincross Avenue	Fayetteville, NC 28304	6431 Kincross Avenue	0406-26-1604-	R1	07647	00421	100.00			\$5,000	\$5,000
Sosa, Steven V	6432 Kincross Avenue	Fayetteville, NC 28304	6432 Kincross Avenue	0406-26-0845-	R1	02186	00079	130.00			\$5,000	\$5,000
Davis, Billy Gene & Wife	6433 Kincross Avenue	Fayetteville, NC 28304	6433 Kincross Avenue	0406-26-0616-	R1	03694	00803	100.00			\$5,000	\$5,000
Garcia, Pedro Antonio	6434 Kincross Avenue	Fayetteville, NC 28304	6434 Kincross Avenue	0406-16-9900-	R1	05678	00164	159.64			\$5,000	\$5,000
Hicks, Billie	6435 Kincross Avenue	Fayetteville, NC 28304	6435 Kincross Avenue	0406-16-9618-	R1	02104	00247	100.00			\$5,000	\$5,000
West, Jerry R	6437 Kincross Avenue	Fayetteville, NC 28304	6437 Kincross Avenue	0406-16-8711-	R1	02279	00078	100.00			\$5,000	\$5,000
Canfield, Richie & Wife Doris	6439 Kincross Avenue	Fayetteville, NC 28304	6439 Kincross Avenue	0406-16-7723-	R1	02895	00321	100.00			\$5,000	\$5,000
Cobb, Stephen D & Wife	6440 Kincross Avenue	Fayetteville, NC 28304	6440 Kincross Avenue	0406-16-7906-	R1	08414	00491	109.64			\$5,000	\$5,000
Merritt, William H & Wife Geor	6441 Kincross Avenue	Fayetteville, NC 28304	6441 Kincross Avenue	0406-16-6726-	R1	02542	00517	100.00			\$5,000	\$5,000
Ross, Don C	6442 Kincross Avenue	Fayetteville, NC 28304	6442 Kincross Avenue	0406-17-6000-	R1	02159	00547	100.00			\$5,000	\$5,000
Penney, Harlan Arthur &	6443 Kincross Avenue	Fayetteville, NC 28304	6443 Kincross Avenue	0406-16-5728-	R1	04871	00470	100.00			\$5,000	\$5,000

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Mosley, Lorraine Graham	6444 Kincross Avenue	Fayetteville, NC 28304	6444 Kincross Avenue	0406-17-5001-	R1	08364	00307	100.00			\$5,000	\$5,000
Exum, Ronald & Wife Tina	12221 Lexington Park Drive	Tampa, FL 33626	6445 Kincross Avenue	0406-16-4830-	R1	05419	00175	100.00			\$5,000	\$5,000
Johnson, Helen E	6446 Kincross Avenue	Fayetteville, NC 28304	6446 Kincross Avenue	0406-17-4013-	R1	06144	00572	99.44			\$5,000	\$5,000
Howard, James H Or Ruth W	3663 Rockhurst Drive	Fayetteville, NC 28306	6447 Kincross Avenue	0406-16-3833-	R1	07309	00659	95.44			\$5,000	\$5,000
Daniels, Clarence	2094 Tom Starling Road	Fayetteville, NC 28306	6448 Kincross Avenue	0406-17-3015-	R1	04916	00420	95.00			\$5,000	\$5,000
Kramer, Betty J	P.O. Box 58043	Fayetteville, NC 28305	6449 Kincross Avenue	0406-16-2845-	R1	06403	00826	100.00			\$5,000	\$5,000
Johnson, Willie L & Wife Ida	6451 Kincross Avenue	Fayetteville, NC 28304	6451 Kincross Avenue	0406-16-1856-	R1	04323	00740	92.99			\$5,000	\$5,000

Property Owner	Mailing Address	City/State/Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Bryson, Matthew W & Wife	1425 Larkhall Drive	Fayetteville, NC 28304	1425 Larkhall Drive	0406-17-8693-	R1	08620	00462	96.10			\$5,000	\$5,000
Fayetteville Metropolitan	P.O. Box 2349	Fayetteville, NC 28302	1428 Larkhall Drive	0406-17-7768-	R1	02750	00449	119.85			\$5,000	\$5,000
Graham, Robert B & Wife Ellen	1429 Larkhall Drive	Fayetteville, NC 28304	1429 Larkhall Drive	0406-17-7599-	R1	02458	00014	97.23			\$5,000	\$5,000
Mcalister, Arrie Anne	1432 Larkhall Drive	Fayetteville, NC 28304	1432 Larkhall Drive	0406-17-6764-	R1	02469	00083	99.62			\$5,000	\$5,000
Rosales, Jeffrey & Wife	1433 Larkhall Drive	Fayetteville, NC 28304	1433 Larkhall Drive	0406-17-7505-	R1	05392	00574	94.08			\$5,000	\$5,000
Fayetteville Metropolitan	P.O. Box 2349	Fayetteville, NC 28302	1436 Larkhall Drive	0406-17-5782-	R1	02750	00449	108.50			\$5,000	\$5,000
Levy, Sheri	1437 Larkhall Drive	Fayetteville, NC 28304	1437 Larkhall Drive	0406-17-6503-	R1	06894	00055	96.14			\$5,000	\$5,000
Nesbitt, Harold L & Wife	1439 Larkhall Drive	Fayetteville, NC 28304	1439 Larkhall Drive	0406-17-4592-	R1	03097	00087	91.54			\$5,000	\$5,000
Pott, David W H	1440 Larkhall Drive	Fayetteville, NC 28304	1440 Larkhall Drive	0406-17-4792-	R1	05507	00019	104.20			\$5,000	\$5,000
Wenger, Donald L & Wife Judy M	1443 Larkhall Drive	Fayetteville, NC 28304	1443 Larkhall Drive	0406-17-3594-	R1	02434	00541	100.00			\$5,000	\$5,000
Beltran, Crystal &	1444 Larkhall Drive	Fayetteville, NC 28304	1444 Larkhall Drive	0406-17-3793-	R1	07593	00826	95.00			\$5,000	\$5,000
Hall, James & Wife Eugenia R	1447 Larkhall Drive	Fayetteville, NC 28304	1447 Larkhall Drive	0406-17-3505-	R1	06620	00816	100.00			\$5,000	\$5,000
Butler, Donnell W	1448 Larkhall Drive	Fayetteville, NC 28304	1448 Larkhall Drive	0406-17-3704-	R1	06571	00874	100.00			\$5,000	\$5,000

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Royal, William W & Wife	3625 Manatee Street	Orlando, FL 32822	6303 Marykirk Drive	0406-47-2323-	R1	06844	00867	101.77			\$5,000	\$5,000
Stinson, Gordon Victor & Wife	P.O. Box 70943	Fort Bragg, NC 28307	6307 Marykirk Drive	0406-47-0385-	R2	04416	00265	108.31			\$5,000	\$5,000
Mccasline, Donna D	6313 B Marykirk Drive	Fayetteville, NC 28304	6313 Marykirk Drive	0406-37-7382-	R2	03658	00348	148.22	\$8,235	\$1,571		\$9,806
Tran, Dong Van & Wife	6325 Marykirk Drive	Fayetteville, NC 28304	6325 Marykirk Drive	0406-37-4324-	RQ	08586	00859	164.64	\$9,147	\$1,571		\$10,718
Sutton, Ernest R Trustee	420 Southwick Drive	Fayetteville, NC 28303	6333 Marykirk Drive	0406-37-0451-	R2	06207	00390	140.96			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Stinson, Gordon V & Wife	P.O. Box 70943	Fort Bragg, NC 28307	1430 Mathau Place	0406-37-5371-	R2	04453	00219	101.84	\$5,658	\$1,571		\$7,229
Hellas Spa, LLC	304 Owen Drive	Fayetteville, NC 28304	1431 Mathau Place	0406-37-8212-	RT	09125	00792	64.37	\$5,000	\$1,571		\$6,571
Donahue, Brad R	1432 Mathau Place	Fayetteville, NC 28304	1432 Mathau Place	0406-37-5147-	R2	09044	00229	52.78	\$5,000	\$1,571		\$6,571
Robinson, Kenneth L & Wife	3485 Wilmington Highway	Fayetteville, NC 28306	1433 Mathau Place	0406-37-7164-	R2	04774	00671	40.30	\$5,000	\$1,571		\$6,571
Montanez-Gomez, Reinaldo &	1434 Mathau Place	Fayetteville, NC 28304	1434 Mathau Place	0406-37-6009-	RT	05526	00008	46.18	\$5,000	\$1,571		\$6,571

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Bullard, Mark A	318 Westview Drive	Fayetteville, NC 28303	O Norton Drive	9496-98-8198-		02844	00200	100.00			\$5,000	\$5,000
Zhang, Hao	3018 Alden Street	Fayetteville, NC 28304	6301 Norton Drive	0406-08-1290-	R1	08762	00197	91.20			\$5,000	\$5,000
Daniels, Carrie F	1526 Kitty Fork Road	Clinton, NC 28328	6306 Norton Drive	0406-08-0484-	R1	04012	00830	100.00			\$5,000	\$5,000
Smith, Virginia Mae &	6307 Norton Drive	Fayetteville, NC 28304	6307 Norton Drive	0406-08-0272-	R1	05890	00784	115.00			\$5,000	\$5,000
Snyder, Christopher R & Wife	6310 Norton Drive	Fayetteville, NC 28304	6310 Norton Drive	9496-98-9483-	R1	08427	00650	100.00			\$5,000	\$5,000
Cates Properties Llc	P.O. Box 146	Parkton, NC 28371	6314 Norton Drive	9496-98-8484-	R1	08591	00351	100.00			\$5,000	\$5,000
Aspera, Steven J	91 Halahinano Street, 1437	Kapolei, HI 96707	6315 Norton Drive	9496-98-8275-	R2	05494	00201	100.00	\$5,556	\$1,571		\$7,127
Moon, Daniel E	6317 Norton Drive	Fayetteville, NC 28304	6317 Norton Drive	9496-98-7275-	R2	07195	00215	100.00	\$5,556	\$1,571		\$7,127
Osborn, Donald E & Wife	6320 Norton Drive	Fayetteville, NC 28304	6320 Norton Drive	9496-98-7484-	R1	03395	00224	100.00			\$5,000	\$5,000
Revell, Randall J	6321 Norton Drive	Fayetteville, NC 28304	6321 Norton Drive	9496-98-6265-	R1	08561	00414	100.00			\$5,000	\$5,000
Wilson, Crystal	6322 Norton Drive	Fayetteville, NC 28304	6322 Norton Drive	9496-98-6485-	R1	09166	00736	100.00			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Phillips, Wendell L Jr	6504 Rannock Court	Fayetteville, NC 28304	6504 Rannock Court	0406-05-6795-	R1	05969	00479	86.91			\$5,000	\$5,000
Garnes, Sandra L	1039 Winward Cove, #306	Fayetteville, NC 28314	6505 Rannock Court	0406-05-8556-	R1	08484	00427	82.17			\$5,000	\$5,000
Lassiter, Jeffrey & Wife	1540 Grassy Branch Drive	Fayetteville, NC 28304	6508 Rannock Court	0406-05-6627-	R1	05323	00182	44.17			\$5,000	\$5,000
Elsenpeter, Karen Swain	6509 Rannock Court	Fayetteville, NC 28304	6509 Rannock Court	0406-05-7572-	R1	07618	00057	45.00			\$5,000	\$5,000
Edwards, Kevin & Wife	6510 Rannock Court	Fayetteville, NC 28304	6510 Rannock Court	0406-05-6546-	R1	07192	00081	45.00			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Parker, Stephen R	P.O. Box 364	Little River, SC 29566	6204 Rannock Drive	0406-37-9311-	R2	03721	00045	142.95			\$5,000	\$5,000
Stinson, Gordon Victor & Wife	P.O. Box 70943	Fort Bragg, NC 28307	6209 Rannock Drive	0406-47-1243-	R2	04416	00278	110.00	\$6,112	\$1,571		\$7,683
Pitt, Leonard D & Wife	6210 Rannock Drive	Fayetteville, NC 28304	6210 Rannock Drive	0406-37-9149-	R1	05539	00503	108.78			\$5,000	\$5,000
Ashby, Edwin B & Wife Helen H	1007 Session Court	N. Myrtle Beach, SC 29582	6307 Rannock Drive	0406-46-2866-	R1	07410	00411	98.55	\$5,475	\$1,571		\$7,046
Gann, William S & Wife Bobbie	6311 Rannock Drive	Fayetteville, NC 28304	6311 Rannock Drive	0406-46-3706-	R1	02505	00723	70.00			\$5,000	\$5,000
Nelson, Macarthur iii	6315 Rannock Drive	Fayetteville, NC 28304	6315 Rannock Drive	0406-46-3633-	R1	07943	00548	70.00			\$5,000	\$5,000
Matthews, Richard B & Wife Geo	6319 Rannock Drive	Fayetteville, NC 28304	6319 Rannock Drive	0406-46-2555-	R1	02445	00239	70.00			\$5,000	\$5,000
Futch, Keith A	6322 Rannock Drive	Fayetteville, NC 28304	6322 Rannock Drive	0406-46-0793-	R1	01067	00255	214.33			\$5,000	\$5,000
Leon, Danny R & Wife	6323 Rannock Drive	Fayetteville, NC 28304	6323 Rannock Drive	0406-46-1541-	R1	05347	00029	80.03			\$5,000	\$5,000
Parker, Robert & Wife Charlotte	6326 Rannock Drive	Fayetteville, NC 28304	6326 Rannock Drive	0406-46-0700-	R1	09133	00409	100.00			\$5,000	\$5,000
Gaziano, George J	6327 Rannock Drive	Fayetteville, NC 28304	6327 Rannock Drive	0406-46-0448-	R1	02050	00059	100.00			\$5,000	\$5,000
Futch, Keith Anthony	6330 Rannock Drive	Fayetteville, NC 28304	6330 Rannock Drive	0406-36-9607-	R1	03362	00140	100.00			\$5,000	\$5,000
Patterson, Anthony & Wife	P.O. Box 64013	Fayetteville, NC 28306	6331 Rannock Drive	0406-36-9445-	R1	05745	00082	100.00			\$5,000	\$5,000
Jones, James C Sr	6334 Rannock Drive	Fayetteville, NC 28304	6334 Rannock Drive	0406-36-8614-	R1	01110	00489	100.00			\$5,000	\$5,000
Wagner, Jackalee Heirs	6335 Rannock Drive	Fayetteville, NC 28304	6335 Rannock Drive	0406-36-8443-	R1	09091	00115	100.00			\$5,000	\$5,000
Bowers, Doris M	6338 Rannock Drive	Fayetteville, NC 28304	6338 Rannock Drive	0406-36-7611-	R1	01129	00431	95.00			\$5,000	\$5,000
Nichols, William Travis & Wife	4912 Black Bridge Road	Parkton, NC 28371	6339 Rannock Drive	0406-36-7450-	R1	05990	00834	100.00			\$5,000	\$5,000
Leyva, Teresa M	6342 Rannock Drive	Fayetteville, NC 28304	6342 Rannock Drive	0406-36-6529-	R1	08023	00129	95.00			\$5,000	\$5,000
Adam, Daniel Paul & Wife	119 Maple Road	Fort Knox, KY 40121	6343 Rannock Drive	0406-36-6357-	R1	08538	00079	100.00			\$5,000	\$5,000
Windley, Lottie L	6346 Rannock Drive	Fayetteville, NC 28304	6346 Rannock Drive	0406-36-5546-	R1	02552	00721	95.00			\$5,000	\$5,000
Allen, Judith L Mccarver	6347 Rannock Drive	Fayetteville, NC 28304	6347 Rannock Drive	0406-36-5365-	R1	02846	00387	100.00			\$5,000	\$5,000
Boyanoski, James E	6350 Rannock Drive	Fayetteville, NC 28304	6350 Rannock Drive	0406-36-4543-	R1	08577	00130	100.00			\$5,000	\$5,000
Stout, Misty	6351 Rannock Drive	Fayetteville, NC 28304	6351 Rannock Drive	0406-36-4353-	R1	07553	00771	116.11			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Sosa, Cynthia F & Husband	6354 Rannock Drive	Fayetteville, NC 28304	6354 Rannock Drive	0406-36-3550-	R1	04915	00649	100.00			\$5,000	\$5,000
Patino, Maria A & Husband	6355 Rannock Drive	Fayetteville, NC 28304	6355 Rannock Drive	0406-36-2287-	R1	07173	00481	108.64			\$5,000	\$5,000
Shields, Phylesia D	6358 Rannock Drive	Fayetteville, NC 28304	6358 Rannock Drive	0406-36-2457-	R1	07696	00735	100.00			\$5,000	\$5,000
Patino, Veronica	6359 Rannock Drive	Fayetteville, NC 28304	6359 Rannock Drive	0406-36-1283-	R1	06609	00622	95.00			\$5,000	\$5,000
Tracy, Delmer D Jr & Wife Patr	6362 Rannock Drive	Fayetteville, NC 28304	6362 Rannock Drive	0406-36-1464-	R1	02574	00910	100.00			\$5,000	\$5,000
Edmundson, Gail W	6363 Rannock Drive	Fayetteville, NC 28304	6363 Rannock Drive	0406-36-0290-	R1	04938	00360	95.89			\$5,000	\$5,000
Machado, Michael A & Wife	6366 Rannock Drive	Fayetteville, NC 28304	6366 Rannock Drive	0406-36-0461-	R1	06879	00274	108.28			\$5,000	\$5,000
Wood, Bobby Wayne Sr & Wife Li	P.O. Box 88102	Fayetteville, NC 28304	6404 Rannock Drive	0406-26-7490-	R1	02461	00205	97.06			\$5,000	\$5,000
Morales, William & Wife	6406 Rannock Drive	Fayetteville, NC 28304	6406 Rannock Drive	0406-26-6490-	R1	07630	00472	100.00			\$5,000	\$5,000
Orders, Dorothy H	6408 Rannock Drive	Fayetteville, NC 28304	6408 Rannock Drive	0406-26-5490-	R1	05202	00014	100.00			\$5,000	\$5,000
Bell, Charles T & Wife	6410 Rannock Drive	Fayetteville, NC 28304	6410 Rannock Drive	0406-26-4491-	R1	08199	00320	108.00			\$5,000	\$5,000
Brooks, John D	6411 Rannock Drive	Fayetteville, NC 28304	6411 Rannock Drive	0406-26-4211-	R1	03872	00042	129.60			\$5,000	\$5,000
Carhuff, Yasuko	P.O. Box 41725	Fayetteville, NC 28309	6412 Rannock Drive	0406-26-3492-	R1	02764	00701	108.00			\$5,000	\$5,000
Morrison, Mallie M & Husband	6414 Rannock Drive	Fayetteville, NC 28304	6414 Rannock Drive	0406-26-2493-	R1	08513	00890	114.28			\$5,000	\$5,000
Albino, Eugenio & Wife Nilda	117 Ridgeview Drive	Raeform, NC 28376	6415 Rannock Drive	0406-26-1227-	R1	04736	00145	97.00			\$5,000	\$5,000
Flora, David P Jr & Wife	6416 Rannock Drive	Fayetteville, NC 28304	6416 Rannock Drive	0406-26-1486-	R1	04136	00367	100.00			\$5,000	\$5,000
Hodges, Morgan J Jr	1122 Curry Ford Drive	Fayetteville, NC 28314	6417 Rannock Drive	0406-26-0229-	R1	03186	00420	97.00			\$5,000	\$5,000
Wyatt, Kapelle Jr	7534 Quebec Street	Fayetteville, NC 28304	6418 Rannock Drive	0406-26-0489-	R1	04346	00376	100.00			\$5,000	\$5,000
Palacios, Ada Rebecca	6423 Rolling Meadows Lane	Fayetteville, NC 28306	6419 Rannock Drive	0406-16-9331-	R1	07687	00754	97.00			\$5,000	\$5,000
Samuel, Henry E	2101 H El Verano Circle	Charlotte, NC 28210	6420 Rannock Drive	0406-16-9581-	R1	04884	00689	100.00			\$5,000	\$5,000
Pfleger, Ronald S	3 Boardman Lake Road	Augusta, GA 30905	6421 Rannock Drive	0406-16-8334-	R1	04165	00778	97.00			\$5,000	\$5,000
Nesbitt, Christopher W & Wife	6422 Rannock Drive	Fayetteville, NC 28304	6422 Rannock Drive	0406-16-8593-	R1	06342	00260	100.00			\$5,000	\$5,000
Hulsizer, Stephen A & Wife	6424 Rannock Drive	Fayetteville, NC 28304	6424 Rannock Drive	0406-16-8505-	R1	03219	00414	77.00			\$5,000	\$5,000

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Lesser, Burton E & Wife Doris	6425 Rannock Drive	Fayetteville, NC 28304	6425 Rannock Drive	0406-16-7356-	R1	02907	00171	88.33			\$5,000	\$5,000
Cox, Carolyn Sabrina	6428 Rannock Drive	Fayetteville, NC 28304	6428 Rannock Drive	0406-16-7537-	R1	06873	00670	78.00			\$5,000	\$5,000
Pender, Susan E	6429 Rannock Drive	Fayetteville, NC 28304	6429 Rannock Drive	0406-16-6368-	R1	04606	00094	88.33			\$5,000	\$5,000
Lakhiani, Gary	4632 Weaverhall Drive	Fayetteville, NC 28314	6430 Rannock Drive	0406-16-6559-	R1	09165	00636	80.00			\$5,000	\$5,000
Sherrod, Nam Ye Kang Macneil &	6431 Rannock Drive	Fayetteville, NC 28304	6431 Rannock Drive	0406-16-5480-	R1	05684	00592	88.33			\$5,000	\$5,000
Howard, Ambrose J & Wife	1847 Purdue Drive	Fayetteville, NC 28304	6434 Rannock Drive	0406-16-5671-	R1	03311	00796	80.00			\$5,000	\$5,000
Lakhiani, Gary	4632 Weaverhall Drive	Fayetteville, NC 28314	6435 Rannock Drive	0406-16-4493-	R1	08901	00507	125.00			\$5,000	\$5,000
Arevalo-Reyes, Henry & Wife	6436 Rannock Drive	Fayetteville, NC 28304	6436 Rannock Drive	0406-16-4694-	R1	07095	00107	65.00			\$5,000	\$5,000
Anderson, Jeffrey E	6441 Rannock Drive	Fayetteville, NC 28304	6441 Rannock Drive	0406-16-4410-	R1	06128	00237	146.50			\$5,000	\$5,000
Ruiz, Ramiro Gonzalo	6446 Rannock Drive	Fayetteville, NC 28304	6446 Rannock Drive	0406-16-2553-	R1	08277	00467	67.47			\$5,000	\$5,000
Mattie Jean Walters-Smith	206 Haverhill Drive	Fayetteville, NC 28314	6449 Rannock Drive	0406-16-3391-	R1	07813	00499	84.58			\$5,000	\$5,000
Miller, Barbara A	6450 Rannock Drive	Fayetteville, NC 28304	6450 Rannock Drive	0406-16-2414-	R1	03560	00063	90.00			\$5,000	\$5,000
Sandhu, Lavinder P & Kuldip S	3605 Tattersal Court	Fayetteville, NC 28306	6454 Rannock Drive	0406-16-1376-	R1	04126	00186	90.00			\$5,000	\$5,000
Dickson, Joanne	178-11 Anderson Road	Jamaica, NY 11434	6455 Rannock Drive	0406-16-3119-	R1	05421	00129	81.61			\$5,000	\$5,000
Sandhu, Kuldip S & Wife	3605 Tattersal Court	Fayetteville, NC 28306	6456 Rannock Drive	0406-16-1238-	R1	04926	00420	99.37			\$5,000	\$5,000
Usher, Dennis R & Wife Kim M	2106 Forest Hills Drive	Fayetteville, NC 28303	6458 Rannock Drive	0406-16-0280-	R1	05448	00138	95.00			\$5,000	\$5,000
Carlyle, Robert C & Wife	3515 Wyatt Circle	Fayetteville, NC 28304	6459 Rannock Drive	0406-16-2162-	R1	03629	00666	90.00			\$5,000	\$5,000
Lugo-Torres, Franklyn & Wife	6462 Rannock Drive	Fayetteville, NC 28304	6462 Rannock Drive	0406-16-0123-	R1	07940	00752	94.06			\$5,000	\$5,000
Benton, Walter Richard	1592 Clan Campbell Drive	Raeform, NC 28376	6466 Rannock Drive	0406-06-9076-	R1	04194	00247	90.00			\$5,000	\$5,000
Thompson, Benjamin A	6467 Rannock Drive	Fayetteville, NC 28304	6467 Rannock Drive	0406-15-0983-	R1	08904	00438	80.47			\$5,000	\$5,000
Blissett, Melody S	P.O. Box 25574	Fayetteville, NC 28314	6470 Rannock Drive	0406-05-9919-	R1	05471	00054	90.00			\$5,000	\$5,000

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Fortenberry, Phillip R & Wife	6341 Rutherglen Drive	Fayetteville, NC 28304	6341 Rutherglen Drive	0406-35-4019-		07843	00835	110.47			\$5,000	\$5,000
Fortenberry, Phillip R & Wife	6343 Rutherglen Drive	Fayetteville, NC 28304	6343 Rutherglen Drive	0406-35-3019-	R1	07605	00440	100.00			\$5,000	\$5,000
Ball, Shirley A	4308 Belfield Drive	Greensboro, NC 27405	6345 Rutherglen Drive	0406-35-2019-	R1	04674	00169	100.00			\$5,000	\$5,000
Cook, Betty W	133 Walter Drive	Raeford, NC 28376	6347 Rutherglen Drive	0406-35-1110-	R1	03580	00208	100.00			\$5,000	\$5,000
Christ The Universal Apple	6349 Rutherglen Drive	Fayetteville, NC 28304	6349 Rutherglen Drive	0406-35-0110-	R1	08840	00372	94.20			\$5,000	\$5,000
Morin, Daryl J & Wife Mary J	6405 Rutherglen Drive	Fayetteville, NC 28304	6405 Rutherglen Drive	0406-25-7121-	R1	03008	00364	105.00			\$5,000	\$5,000
Puff, Joshua William & Wife	6407 Rutherglen Drive	Fayetteville, NC 28304	6407 Rutherglen Drive	0406-25-6131-	R1	08964	00518	97.73			\$5,000	\$5,000
Haynes, Helen	6409 Rutherglen Drive	Fayetteville, NC 28304	6409 Rutherglen Drive	0406-25-5132-	R1	07142	00103	98.53			\$5,000	\$5,000
Davis, Teddy B & Phyllis M	6411 Rutherglen Drive	Fayetteville, NC 28304	6411 Rutherglen Drive	0406-25-4124-	R1	06527	00102	100.03			\$5,000	\$5,000
Hales, Nicholas L	6413 Rutherglen Drive	Fayetteville, NC 28304	6413 Rutherglen Drive	0406-25-3127-	R1	05025	00434	105.00			\$5,000	\$5,000
Pauldin, Wilson & Wife	6414 Rutherglen Drive	Fayetteville, NC 28304	6414 Rutherglen Drive	0406-25-3346-	R1	03040	00511	150.26			\$5,000	\$5,000
Dubon, Jose R	6415 Rutherglen Drive	Fayetteville, NC 28304	6415 Rutherglen Drive	0406-25-2129-	R1	08556	00179	105.00			\$5,000	\$5,000
Leslie, Wilhelm R & Wife	6417 Rutherglen Drive	Fayetteville, NC 28304	6417 Rutherglen Drive	0406-25-1211-	R1	04545	00327	105.00			\$5,000	\$5,000
Carpenter, Michael	6419 Rutherglen Drive	Fayetteville, NC 28304	6419 Rutherglen Drive	0406-25-0214-	R1	08235	00696	105.00			\$5,000	\$5,000
Carroll, Lelon W & Wife Angeli	417 Charles Road	Yorktown, VA 23692	6420 Rutherglen Drive	0406-25-0444-	R1	02844	00411	100.00			\$5,000	\$5,000
Miller, Pamela A	6421 Rutherglen Drive	Fayetteville, NC 28304	6421 Rutherglen Drive	0406-15-9206-	R1	05336	00742	105.00			\$5,000	\$5,000
Pantoja-Merizalde, Betsy	6422 Rutherglen Drive	Fayetteville, NC 28304	6422 Rutherglen Drive	0406-15-9447-	R1	07301	00508	100.00			\$5,000	\$5,000
Lassiter, Jeffrey & Wife	1540 Grassy Branch Drive	Fayetteville, NC 28304	6423 Rutherglen Drive	0406-15-8209-	R1	05187	00072	105.00			\$5,000	\$5,000
Hines, Joel	6424 Rutherglen Drive	Fayetteville, NC 28304	6424 Rutherglen Drive	0406-15-8449-	R1	08440	00787	100.00			\$5,000	\$5,000
Moses, Margaret M	6425 Rutherglen Drive	Fayetteville, NC 28304	6425 Rutherglen Drive	0406-15-7301-	R1	02913	00265	105.00			\$5,000	\$5,000
Ricks, Willie A Sr & Wife Thel	6426 Rutherglen Drive	Fayetteville, NC 28304	6426 Rutherglen Drive	0406-15-7542-	R1	02840	00497	100.00			\$5,000	\$5,000
Moses, Stephen K	6427 Rutherglen Drive	Fayetteville, NC 28304	6427 Rutherglen Drive	0406-15-6304-	R1	05786	00529	105.00			\$5,000	\$5,000
Mcallister, Roosevelt	6428 Rutherglen Drive	Fayetteville, NC 28304	6428 Rutherglen Drive	0406-15-6544-	R1	08313	00320	100.00			\$5,000	\$5,000
Burnett, Larry C	1515 Covered Wagon Road	McLeansville, NC 27301	6429 Rutherglen Drive	0406-15-5306-	R1	02931	00563	85.00			\$5,000	\$5,000

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
James, Ralph D & Wife Pong C	6430 Rutherglen Drive	Fayetteville, NC 28304	6430 Rutherglen Drive	0406-15-5566-	R1	05301	00614	85.00			\$5,000	\$5,000
Provost, William	4182 Owls Head Road	Fayetteville, NC 28306	6431 Rutherglen Drive	0406-15-4328-	R1	08662	00499	90.00			\$5,000	\$5,000
Mccallum, Jacqueline E	6432 Rutherglen Drive	Fayetteville, NC 28304	6432 Rutherglen Drive	0406-15-4579-	R1	09063	00800	90.54			\$5,000	\$5,000
Pummill, William Ellis	107 Cypress Lakes Circle	Hope Mills, NC 28348	6433 Rutherglen Drive	0406-15-3430-	R1	08813	00219	85.00			\$5,000	\$5,000
Philpotts, Marciano C & Wife Ma	6434 Rutherglen Drive	Fayetteville, NC 28304	6434 Rutherglen Drive	0406-15-3691-	R1	02884	00072	95.73			\$5,000	\$5,000
Jackson, Travis D	6435 Rutherglen Drive	Fayetteville, NC 28304	6435 Rutherglen Drive	0406-15-2443-	R1	06883	00102	85.00			\$5,000	\$5,000
Djouffo, Melissa A	6436 Rutherglen Drive	Fayetteville, NC 28304	6436 Rutherglen Drive	0406-15-3603-	R1	07594	00340	95.73			\$5,000	\$5,000
Pummill, William	107 Cypress Lakes Circle	Hope Mills, NC 28348	6437 Rutherglen Drive	0406-15-1466-	R1	08528	00507	85.48			\$5,000	\$5,000
Hendrickson, Gloria Johnson	2118 Charny Drive	Raleigh, NC 27604	6438 Rutherglen Drive	0406-15-2627-	R1	03787	00874	92.18			\$5,000	\$5,000
Hogan, Christopher	6440 Rutherglen Drive	Fayetteville, NC 28304	6440 Rutherglen Drive	0406-15-1741-	R1	07155	00757	94.18			\$5,000	\$5,000
Wager, Dena F	P.O. Box 127	Lumber Bridge, NC 28357	6441 Rutherglen Drive	0406-15-0535-	R1	07069	00007	84.09			\$5,000	\$5,000
Guyton, Rodney J	928 Thrush Drive	Vass, NC 28394	6442 Rutherglen Drive	0406-15-0776-	R1	07462	00446	97.98			\$5,000	\$5,000
Bell, William L	240 Horne Road	Linden, NC 28356	6443 Rutherglen Drive	0406-05-9660-	R1	03062	00076	84.32			\$5,000	\$5,000
Sosa, Michael	104 Capricorn Drive	Oakland, CA 94611	6444 Rutherglen Drive	0406-15-0802-	R1	03784	00196	89.17			\$5,000	\$5,000
Johnson, Theresa	6445 Rutherglen Drive	Fayetteville, NC 28304	6445 Rutherglen Drive	0406-05-8698-	R1	08411	00553	109.17			\$5,000	\$5,000
Smith, James B & Wife	6448 Rutherglen Drive	Fayetteville, NC 28304	6448 Rutherglen Drive	0406-05-8962-	R1	06299	00496	131.27			\$5,000	\$5,000
Turner, John K	2010 Kintore Circle	Odenton, MD 21113	6449 Rutherglen Drive	0406-05-7860-	R1	04366	00498	142.21			\$5,000	\$5,000
Raynor, Joshua C	1921 Harrelson Road	Clarkton, NC 28433	6450 Rutherglen Drive	0406-05-7949-	R1	08686	00563	132.51			\$5,000	\$5,000
Sweet, Margaret H	207 Heron Bay Circle	Lake Mary, FL 32746	6451 Rutherglen Drive	0406-05-6845-	R1	04160	00040	95.90			\$5,000	\$5,000
Smith, William J	5202 Verde Vista Circle	Asheville, NC 28805	6543 Rutherglen Drive	0406-05-5960-	R1	08571	00773	98.10			\$5,000	\$5,000
Owens, Robert L & Mary C	825 Graham Road	Fayetteville, NC 28304	6454 Rutherglen Drive	0406-06-5180-	R1	03535	00072	145.75			\$5,000	\$5,000
Ferruzzi, David F	6809 Towbridge Road	Fayetteville, NC 28306	6455 Rutherglen Drive	0406-05-4976-		04438	00879	98.17			\$5,000	\$5,000
Secretary of Veterans Affairs	251 N. Main Street	Winston-Salem, NC 27155	6457 Rutherglen Drive	0406-06-4001-	R1	09169	00789	85.00	\$5,000	\$1,571		\$6,571

Property Owner	Mailing Address	City/State/Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Thompson, Albert	8225 Frenchhorn Lane	Fayetteville, NC 28314	1079 Strathdon Avenue	0406-17-2819-	R1	06429	00276	135.33			\$5,000	\$5,000
Hodges, Jay D & Wife Erma J	1080 Strathdon Avenue	Fayetteville, NC 28304	1080 Strathdon Avenue	0406-17-0922-	R1	07935	00308	99.64			\$5,000	\$5,000
Larmond, Wallace K & Wife	1082 Strathdon Avenue	Fayetteville, NC 28304	1082 Strathdon Avenue	0406-17-0822-	R1	08600	00046	100.00			\$5,000	\$5,000
Samoura, Foussey & Wife	4145 Hampton Parkway	Fuquay-Varina, NC 27526	1083 Strathdon Avenue	0406-17-2705-	R1	06641	00113	136.64			\$5,000	\$5,000
Bellamy, Robert L & Wife	375 Word Church Lane	Lillington, NC 27546	1084 Strathdon Avenue	0406-17-0712-	R1	05536	00367	100.00			\$5,000	\$5,000
Schroeder, Edward W & Wife	1086 Strathdon Avenue	Fayetteville, NC 28304	1086 Strathdon Avenue	0406-17-0612-	R1	02383	00312	95.00			\$5,000	\$5,000
Sharp, Terry H & Wife	299 Shannon Road	Red Springs, NC 28377	1087 Strathdon Avenue	0406-17-1596-	R1	03828	00860	133.68			\$5,000	\$5,000
Horsey, Katherin B Life Estate	1088 Strathdon Avenue	Fayetteville, NC 28304	1088 Strathdon Avenue	0406-17-0503-	R1	06225	00891	95.00			\$5,000	\$5,000
Shackleford, Aubrey G &	1090 Strathdon Avenue	Fayetteville, NC 28304	1090 Strathdon Avenue	0406-17-0403-	R1	04870	00838	95.00			\$5,000	\$5,000
Milton, E D Jr & Wife Mal S	1092 Strathdon Avenue	Fayetteville, NC 28304	1092 Strathdon Avenue	0406-07-9394-	R1	03136	00669	95.00			\$5,000	\$5,000
Reynolds, James O & Wife	1093 Strathdon Avenue	Fayetteville, NC 28304	1093 Strathdon Avenue	0406-17-2205-	R1	05348	00408	101.76			\$5,000	\$5,000
Merritt, Tonie Allen & Wife	1094 Strathdon Avenue	Fayetteville, NC 28304	1094 Strathdon Avenue	0406-07-9295-	R1	08717	00869	95.00			\$5,000	\$5,000
Parrish, Sarah Wyant &	4415 Breckinridge Street	Fayetteville, NC 28311	1095 Strathdon Avenue	0406-17-1195-	R1	06275	00526	95.00			\$5,000	\$5,000
Evans, Bobby G & Wife Joyce A	1096 Strathdon Avenue	Fayetteville, NC 28304	1096 Strathdon Avenue	0406-07-9185-	R1	07610	00461	97.79			\$5,000	\$5,000
Crockton, John A & Wife	1097 Strathdon Avenue	Fayetteville, NC 28304	1097 Strathdon Avenue	0406-17-1085-	R1	05256	00001	100.42			\$5,000	\$5,000
Dennis, Darren Reed	1098 Strathdon Avenue	Fayetteville, NC 28304	1098 Strathdon Avenue	0406-07-9085-	R1	04521	00858	89.25			\$5,000	\$5,000
Griffin, Levi Sr & Wife Rosa L	1100 Strathdon Avenue	Fayetteville, NC 28304	1100 Strathdon Avenue	0406-06-9879-	R1	02720	00091	91.86			\$5,000	\$5,000
Richardson, Ryan G	1102 Strathdon Avenue	Fayetteville, NC 28304	1102 Strathdon Avenue	0406-06-9861-	R1	08870	00898	91.46			\$5,000	\$5,000
Schwab, Donald E Jr	1103 Strathdon Avenue	Fayetteville, NC 28304	1103 Strathdon Avenue	0406-16-1784-	R1	06184	00235	71.56			\$5,000	\$5,000
Atkins, Benjamin	1104 Strathdon Avenue	Fayetteville, NC 28304	1104 Strathdon Avenue	0406-06-9743-	R1	07162	00618	83.00			\$5,000	\$5,000
Makalena, Sonny K	96-606 Alohilani Street	Mililani, HI 96789	1107 Strathdon Avenue	0406-16-1656-	R1	03896	00674	80.00			\$5,000	\$5,000
Vaught, Reginald L	327 Murrayfork Drive	Fayetteville, NC 28314	1108 Strathdon Avenue	0406-06-9626-	R1	04384	00165	82.88			\$5,000	\$5,000
Warner, Jan S	2702 Greenbay Road	Fayetteville, NC 28314	1111 Strathdon Avenue	0406-16-1518-	R1	03578	00821	75.00			\$5,000	\$5,000

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Proctor, Latonya	1112 Strathdon Avenue	Fayetteville, NC 28304	1112 Strathdon Avenue	0406-06-8599-	R1	07717	00194	81.17			\$5,000	\$5,000
Williams, Angelo C & Wife	1115 Strathdon Avenue	Fayetteville, NC 28304	1115 Strathdon Avenue	0406-16-0571-	R1	04203	00351	85.00			\$5,000	\$5,000
Livingston, Dorian Elizabeth	1116 Strathdon Avenue	Fayetteville, NC 28304	1116 Strathdon Avenue	0406-06-8552-	R1	03216	00472	81.15			\$5,000	\$5,000
Alabaster, David B & Wife	100 Dobbin Avenue	Fayetteville, NC 28305	1119 Strathdon Avenue	0406-16-0433-	R1	03422	00001	85.00			\$5,000	\$5,000
Hall, Carmen	1120 Strathdon Avenue	Fayetteville, NC 28304	1120 Strathdon Avenue	0406-06-8425-	R1	07153	00296	81.20			\$5,000	\$5,000
Grainger, Sunny D	727 Shetland Drive	Oak Grove, KY 42262	1121 Strathdon Avenue	0406-06-9395-	R1	07465	00508	85.00			\$5,000	\$5,000
Ewing, Edwin Alphonso Jr &	306 Picador Court	Fayetteville, NC 28314	1124 Strathdon Avenue	0406-06-7388-	R1	03520	00137	85.00			\$5,000	\$5,000
Sookdeo, Mohan	1125 Strathdon Avenue	Fayetteville, NC 28304	1125 Strathdon Avenue	0406-06-9257-	R1	08283	00102	85.00			\$5,000	\$5,000
Juneja, Prateek & Wife Seema	4338 Ferncreek Drive	Fayetteville, NC 28314	1127 Strathdon Avenue	0406-06-9200-	R1	06370	00573	84.00			\$5,000	\$5,000
Fortitude Group	P.O. Box 680	Salemberg, NC 28385	1128 Strathdon Avenue	0406-06-7341-	R1	04836	00477	90.00			\$5,000	\$5,000
Shelton, Steven Charles	202 Robertstown	Copperas Cove, TX 76522	1131 Strathdon Avenue	0406-06-8143-	R1	04860	00137	86.02			\$5,000	\$5,000
Cameron, Jennifer C	1132 Strathdon Avenue	Fayetteville, NC 28304	1132 Strathdon Avenue	0406-06-6294-	R1	03980	00580	90.01			\$5,000	\$5,000
Bethea, Vonetta C	1133 Strathdon Avenue	Fayetteville, NC 28304	1133 Strathdon Avenue	0406-06-7096-	R1	05314	00327	87.52			\$5,000	\$5,000
Wilkins, Phil, Billie Edward	1134 Strathdon Avenue	Fayetteville, NC 28304	1134 Strathdon Avenue	0406-06-6137-	R1	06430	00849	90.00			\$5,000	\$5,000

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First Spanish Baptist Church	P.O. Box 42534	Fayetteville, NC 28304	0 Strickland Bridge Road	0406-18-0902-		05489	00294	75.00			\$5,000	\$5,000
First Spanish Baptist Church	P.O. Box 42534	Fayetteville, NC 28304	1041 Strickland Bridge Road	0406-09-9002-	R1	05489	00294	115.00	\$6,389	\$1,571		\$7,960
Carolina Conference of Seventh-Day Adventists	P.O. Box 560339	Charlotte, NC 28213	1044 Strickland Bridge Road	0406-08-6855-	R1	07738	00311	100.00	\$5,556	\$1,571		\$7,127
Lee, Robert & Wife Theresa M	1048 Strickland Bridge Road	Fayetteville, NC 28304	1048 Strickland Bridge Road	0406-08-7609-	R1	03709	00111	100.00			\$5,000	\$5,000
Nichols, Angela	1052 Strickland Bridge Road, B	Fayetteville, NC 28304	1050 Strickland Bridge Road	0406-08-6650-	RT	05046	00152	100.00	\$5,556	\$1,571		\$7,127
Nixon, Willard Harold &	3594 Crestwyn Drive	Germantown, TN 38138	1057 Strickland Bridge Road	0406-08-9407-		05508	00857	92.00	\$5,112	\$1,571		\$6,683
Wright, Eunice M	1060 Strickland Bridge Road	Fayetteville, NC 28304	1060 Strickland Bridge Road	0406-08-6550-	R1	03631	00868	100.00			\$5,000	\$5,000
Travieso, Daniel & Wife	3838 Glencorra Drive	Fayetteville, NC 28314	1061 Strickland Bridge Road	0406-08-9348-	R2	06609	00700	81.11	\$5,000	\$1,571		\$6,571
Ike, Chris A &	P.O. Box 36279	Fayetteville, NC 28303	1064 Strickland Bridge Road	0406-08-6450-	R1	05325	00024	100.00			\$5,000	\$5,000
Goodman, Arthur S & Wife	6407 Tarbert Avenue	Fayetteville, NC 28304	1065 Strickland Bridge Road	0406-08-9330-	R2	03733	00664	81.12	\$5,000	\$1,571		\$6,571
Faucetta, Steven K & Wife	1066 Strickland Bridge Road	Fayetteville, NC 28304	1066 Strickland Bridge Road	0406-08-6257-	R1	04022	00660	160.00			\$5,000	\$5,000
Santana, Julio Adam	1071 Strickland Bridge Road	Fayetteville, NC 28304	1071 Strickland Bridge Road	0406-08-9135-	R1	08722	00081	222.95			\$5,000	\$5,000
Myer, Susan T	405 Fairglen Road	Holly Spring, NC 27640	1080 Strickland Bridge Road	0406-08-6144-	RT	04944	00742	100.00	\$5,556	\$1,571		\$7,127
Norbeck, Kenneth T & Wife Ruth	1081 Strickland Bridge Road	Fayetteville, NC 28304	1081 Strickland Bridge Road	0406-07-8993-	R1	02781	00173	96.79			\$5,000	\$5,000
Tanner, Robert E & Wife Norma	12103 Christina Court	Fredericksburg, VA 22407	1082 Strickland Bridge Road	0406-08-6044-	R1	02600	00250	100.00			\$5,000	\$5,000
Wager, Dena	P.O. Box 127	Lumber Bridge, NC 28357	1083 Strickland Bridge Road	0406-07-8883-	R1	08418	00262	100.00			\$5,000	\$5,000
Walworth, Neil F &	1084 Strickland Bridge Road	Fayetteville, NC 28304	1084 Strickland Bridge Road	0406-07-6934-	R1	06523	00152	100.00			\$5,000	\$5,000
Wilson, Todd R & Wife Ali M	53833 Franklin Drive	Utica, MI 48316	1085 Strickland Bridge Road	0406-07-8773-	R1	08156	00024	100.00			\$5,000	\$5,000
Wright, Joseph Ray	CMR 417 BOX 5648	APO, AE 09075	1086 Strickland Bridge Road	0406-07-6834-	R1	04596	00671	100.00			\$5,000	\$5,000
Hill, James I & Wife	1087 Strickland Bridge Road	Fayetteville, NC 28304	1087 Strickland Bridge Road	0406-07-8673-	R1	03508	00370	95.00			\$5,000	\$5,000
Elkins, Mary O	1088 Strickland Bridge Road	Fayetteville, NC 28304	1088 Strickland Bridge Road	0406-07-6724-	R1	00763	00156	250.00			\$5,000	\$5,000
Johnson, Eleanor	1089 Strickland Bridge Road	Fayetteville, NC 28304	1089 Strickland Bridge Road	0406-07-8573-	R1	02447	00152	95.00			\$5,000	\$5,000
Rozier, Darryl Wayne	4545 Tabor Church Road	Fayetteville, NC 28312	1090 Strickland Bridge Road	0406-07-6518-	R1	07101	00410	250.00			\$5,000	\$5,000
Stewart, Stephen V & Wife Shir	1091 Strickland Bridge Road	Fayetteville, NC 28304	1091 Strickland Bridge Road	0406-07-8464-	R1	02823	00385	95.00			\$5,000	\$5,000
Smith, Carlton T	7504 A SW Chestnut Street	McChord AFB, WA 98439	1092 Strickland Bridge Road	0406-07-6418-	R1	07360	00571	100.00			\$5,000	\$5,000
Williams, Norman D	4047 Beaubien Drive	Fayetteville, NC 28306	1093 Strickland Bridge Road	0406-07-8355-	R1	02246	00087	95.00			\$5,000	\$5,000
Raineri, Barbara L & Husband	1094 Strickland Bridge Road	Fayetteville, NC 28304	1094 Strickland Bridge Road	0406-07-6307-	R1	02343	00328	100.00			\$5,000	\$5,000

Property Owner	Mailing Address	City, State, Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Payne, Wendy L	1095 Strickland Bridge Road	Fayetteville, NC 28304	1095 Strickland Bridge Road	0406-07-8255-	R1	03859	00887	95.00			\$5,000	\$5,000
Anador, Guillermo & Wife	171 Hillside Avenue, 2B	Hartford, CT 06106	1096 Strickland Bridge Road	0406-07-6208-	R1	07960	00656	100.00			\$5,000	\$5,000
Jones, Dorothy R	1097 Strickland Bridge Road	Fayetteville, NC 28304	1097 Strickland Bridge Road	0406-07-8146-	R1	05581	00005	97.79			\$5,000	\$5,000
Thomas Investments Inc	P.O. Box 48036	Fayetteville, NC 28309	1098 Strickland Bridge Road	0406-07-5197-	R2	08650	00346	110.00			\$5,000	\$5,000
Bailey, Thomas D & Wife	P.O. Box 108	Bolt, WV 25817	1099 Strickland Bridge Road	0406-07-8046-	R1	08021	00829	89.51			\$5,000	\$5,000
Southers, Alvey E & Wife	1281 Boiling Springs Road	Southport, NC 28461	1100 Strickland Bridge Road	0406-07-5085-	R1	02409	00303	114.30			\$5,000	\$5,000
Simmons, Arnold & Wife Lillie	4613 Simmons Carter Road	Fayetteville, NC 28312	1101 Strickland Bridge Road	0406-06-8930-	R1	02226	00329	96.08			\$5,000	\$5,000
Zobei, Edward Oscar	1103 Strickland Bridge Road	Fayetteville, NC 28304	1103 Strickland Bridge Road	0406-06-8709-	R1	02053	00161	95.00			\$5,000	\$5,000
Bryan Family Limited	P.O. Box 53557	Fayetteville, NC 28305	1104 Strickland Bridge Road	0406-06-6912-		04112	00071	150.00	\$8,334	\$1,571		\$9,905
Evans, Norman H & Wife Betty J	1105 Strickland Bridge Road	Fayetteville, NC 28304	1105 Strickland Bridge Road	0406-06-7679-	R1	02258	00133	95.00			\$5,000	\$5,000
Jones, Mable B	1107 Strickland Bridge Road	Fayetteville, NC 28304	1107 Strickland Bridge Road	0406-06-7630-	R1	05363	00868	95.00			\$5,000	\$5,000
Moseley, Nancy K	1109 Strickland Bridge Road	Fayetteville, NC 28304	1109 Strickland Bridge Road	0406-06-6591-	R1	03307	00119	95.00			\$5,000	\$5,000
Mullins, Eddie B	1111 Strickland Bridge Road	Fayetteville, NC 28304	1111 Strickland Bridge Road	0406-06-6432-	R1	03718	00397	99.00			\$5,000	\$5,000
Lakhiani, Gary	1800 Skibo Road, 132	Fayetteville, NC 28303	1112 Strickland Bridge Road	0406-06-4540-	R1	08678	00505	103.52			\$5,000	\$5,000
Powers, James Miller li	1113 Strickland Bridge Road	Fayetteville, NC 28304	1113 Strickland Bridge Road	0406-06-5384-	R1	07247	00170	95.00			\$5,000	\$5,000
Taylor, Robert L Jr	P.O. Box 9075	Fayetteville, NC 28311	1114 Strickland Bridge Road	0406-06-3482-	R1	08479	00098	100.00			\$5,000	\$5,000
Powers, James Miller li,	1113 Strickland Bridge Road	Fayetteville, NC 28304	1115 Strickland Bridge Road	0406-06-5227-		05390	00444	95.00			\$5,000	\$5,000
Watson, Mark S	2442 Canford Lane, L-5	Fayetteville, NC 28304	1116 Strickland Bridge Road	0406-06-3313-	R1	05058	00465	124.65			\$5,000	\$5,000
Williams, Leon Jr	1117 Strickland Bridge Road	Fayetteville, NC 28304	1117 Strickland Bridge Road	0406-06-4169-	R1	04306	00563	94.65			\$5,000	\$5,000
Washington, Ira D	141 Dusty Lane	Linden, NC 28356	1201 Strickland Bridge Road	0406-06-3036-	R1	08215	00389	134.65	\$7,481	\$1,571		\$9,052
Anderson, James E & Wife Yoko	1205 Strickland Bridge Road	Fayetteville, NC 28304	1205 Strickland Bridge Road	0406-05-2995-	R1	02389	00624	80.00			\$5,000	\$5,000
House, Walter Lee & Wife	1209 Strickland Bridge Road	Fayetteville, NC 28304	1209 Strickland Bridge Road	0406-05-2849-	R1	02471	00569	80.00			\$5,000	\$5,000
Aleshin, Carol Ann	1213 Strickland Bridge Road	Fayetteville, NC 28304	1213 Strickland Bridge Road	0406-05-1893-	R1	04842	00093	80.00			\$5,000	\$5,000
Fayetteville Metropolitan	P.O. Box 2349	Fayetteville, NC 28302	1217 Strickland Bridge Road	0406-05-1736-	R1	03878	00237	86.15			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Wright, Deborah	6404 Tarbert Avenue	Fayetteville, NC 28304	6404 Tarbert Avenue	0406-27-8338-	R1	07608	00594	115.01			\$5,000	\$5,000
Kashefska, Sergie & Wife	6405 Tarbert Avenue	Fayetteville, NC 28304	6405 Tarbert Avenue	0406-27-6291-	R1	04376	00134	85.32			\$5,000	\$5,000
Davis, Sam W & Wife Luray	6406 Tarbert Avenue	Fayetteville, NC 28304	6406 Tarbert Avenue	0406-27-7422-	R1	02552	00655	135.95			\$5,000	\$5,000
Goodman, Arthur S &	6407 Tarbert Avenue	Fayetteville, NC 28304	6407 Tarbert Avenue	0406-27-6206-	R1	08144	00211	94.59			\$5,000	\$5,000
Lide, Kimberly R	6408 Tarbert Avenue	Fayetteville, NC 28304	6408 Tarbert Avenue	0406-27-6438-	R1	07813	00487	100.00			\$5,000	\$5,000
Malloy, Archie H Jr & Wilma C	1094 Delancy Drive	Hope Mills, NC 28348	6410 Tarbert Avenue	0406-27-5554-	R1	07021	00534	100.00			\$5,000	\$5,000
Payne, Paul Charles Jr & Wife	4804 Chriss Drive	Fayetteville, NC 28303	6412 Tarbert Avenue	0406-27-4671-	R1	08744	00813	100.00			\$5,000	\$5,000
Edwards, Alshaune T & Wife	6414 Tarbert Avenue	Fayetteville, NC 28304	6414 Tarbert Avenue	0406-27-3697-	R1	07156	00307	100.00			\$5,000	\$5,000
White, Alice Deloris Baldwin	6416 Tarbert Avenue	Fayetteville, NC 28304	6416 Tarbert Avenue	0406-27-3713-	R1	05461	00525	100.00			\$5,000	\$5,000
Ferruzzi, David F	6809 Towbridge Road	Fayetteville, NC 28306	6418 Tarbert Avenue	0406-27-2749-	R1	02668	00579	100.00			\$5,000	\$5,000
Walker, Robert L & Wife Ava M	6420 Tarbert Avenue	Fayetteville, NC 28304	6420 Tarbert Avenue	0406-27-1865-	R1	04136	00813	95.00			\$5,000	\$5,000
Peppers, William & Wife	6421 Tarbert Avenue	Fayetteville, NC 28304	6421 Tarbert Avenue	0406-17-9791-	R1	09006	00833	114.64			\$5,000	\$5,000
Gutierrez, Rebakd & Wife	6422 Tarbert Avenue	Fayetteville, NC 28304	6422 Tarbert Avenue	0406-27-0991-	R1	08105	00849	95.00			\$5,000	\$5,000
Wicks, Gary A & Wife	6424 Tarbert Avenue	Fayetteville, NC 28304	6424 Tarbert Avenue	0406-27-0916-	R1	03631	00885	95.00			\$5,000	\$5,000
Wallace, Bobby Joe & Wife Elea	6425 Tarbert Avenue	Fayetteville, NC 28304	6425 Tarbert Avenue	0406-17-8854-	R1	02475	00673	129.64			\$5,000	\$5,000
Brooks, Keith A li & Wife	6426 Tarbert Avenue	Fayetteville, NC 28304	6426 Tarbert Avenue	0406-18-9042-	R1	05451	00796	100.00			\$5,000	\$5,000

Property Owner	Mailing Address	City,State,Zip	Situs	Pin	Imp_Type	Deed_Bk	Deed_Pg	Frontage	Main	Lateral	Lot	Total
Alternative Investment	3686 Glenbarry Circle	Fayetteville, NC 28314	1605 Torchie Street	0406-05-9466-	R1	08920	00173	80.00			\$5,000	\$5,000

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Karen S. Hilton, AICP, Manager, Planning and Zoning
DATE: October 28, 2013
RE: **Code Amendment to Chapter 30 for miscellaneous corrections and adjustments (set 9)**

THE QUESTION:

Should the proposed set of miscellaneous corrections and adjustments be continued to January?

RELATIONSHIP TO STRATEGIC PLAN:

BACKGROUND:

This item was advertised for hearing at the October 28th City Council meeting, anticipating completion and a recommendation at the Planning Commission meeting on October 15, 2013. At its meeting the Planning Commission concurred with staff in recommending that the hearing on this item be continued. Additional changes in conjunction with state legislation and other minor adjustments will be prepared, and the complete set of changes brought to the City Council meeting in January.

ISSUES:

There are additional changes that may be required by recent state legislation, but in some cases it is difficult to determine what and where the changes should be. Additional time is requested by staff and Commission.

BUDGET IMPACT:

No impact.

OPTIONS:

1. Take no action, effectively denying or closing the item.
2. Continue the hearing to January 13, 2014 (recommended).

RECOMMENDED ACTION:

The Planning Commission and staff recommend that City Council move to CONTINUE THE PUBLIC HEARING to January 13, 2014.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Karen S. Hilton, AICP, Manager, Planning and Zoning
DATE: October 28, 2013
RE: **Amend City Code Chapter 30 to incorporate definitions and standards to establish rules on when and where Food Trucks may operate within the City of Fayetteville as an accessory use in specified business districts.**

THE QUESTION:

Amend City Code Chapter 30 to allow Food Trucks to operate within the City of Fayetteville as an accessory use in specified business districts.

RELATIONSHIP TO STRATEGIC PLAN:

Strong Local Economy

BACKGROUND:

The purpose is to establish rules on when and where Food Trucks may operate within the City of Fayetteville on commercially zoned property.

Currently, the City of Fayetteville Zoning Ordinance does not address food trucks. They are used at various times throughout the year at special events and other locations. Having no ordinance and/or regulations in place does not serve the City of Fayetteville and does not reflect the growing trend of Food Trucks over typical brick and mortar restaurant establishments. These uses generally require significantly less initial startup costs for an individual or corporation and provide alternative food sources where restaurants are not traditionally located. With the booming popularity of food trucks selling creative, cutting-edge cuisines, as well as a sagging economy, interest in street selling is perhaps greater than ever.

Food trucks will be allowed as an accessory use in most business districts to include the commercial, downtown and industrial districts. The proposed standards will be in place to address spacing from traditional brick-and-mortar restaurants as well as separation from driveways, sidewalks, building entrances and residential zoning districts. The number of food trucks permitted per site will be based on current site acreage. Sites that are less than a 1/2 acre will only be allowed 1 food truck, sites from a 1/2 acre to 1 acre will be allowed 2 food trucks, and sites greater than an acre will be allowed a maximum of 3 as long as all other criteria are met.

At the Planning Commission meeting there were a total of 2 speakers and both spoke in support of the text amendment. A unanimous vote of approval was taken to allow Food Trucks as an accessory use in accordance with the attached ordinance.

ISSUES:

The UDO provides seven standards of review for proposed text amendments. Each standard and related evaluation is listed in the attached Planning Commission Report.

Some concerns may be that these uses can undercut existing brick and mortar restaurants and could create code enforcement and inspection issues. In other instances, increased activity and patrons around established restaurants can improve business for nearby traditional restaurants.

BUDGET IMPACT:

No direct impact.

OPTIONS:

1. Approve the text amendment as presented by staff (Recommended).
2. Approve with modifications.
3. Defer action with guidance regarding further research or change.
4. Deny the proposed text amendments.

RECOMMENDED ACTION:

The Planning Commission and staff recommend that the City Council move to APPROVE the amendment as presented, to allow Food Trucks to operate in the City of Fayetteville as an accessory use in specified business districts.

ATTACHMENTS:

Anallysis - Plannning Commission/Staff Report

CC - Ordinance draft - food trucks

PowerPoint

Staff Report

Proposed Text Amendment

Proposed: Amend City Code Chapter 30 to incorporate definitions and standards to establish rules on when and where Food Trucks may operate within the City of Fayetteville as an accessory use in specified business districts.

Background: The purpose is to establish rules on when and where Food Trucks may operate within the City of Fayetteville on commercially zoned property.

Currently, the City of Fayetteville Zoning Ordinance does not address food trucks. They are used at various times throughout the year at special events and other locations. Having no ordinance and/or regulations in place does not serve the City of Fayetteville and does not reflect the growing trend of Food Trucks over typical brick and mortar restaurant establishments. These uses generally require significantly less initial startup costs for an individual or corporation and provide alternative food sources where not traditionally located. With the booming popularity of food trucks selling creative, cutting-edge cuisines, as well as a sagging economy, interest in street selling is perhaps greater than ever. While increased activity and patrons around established restaurants may improve business for nearby traditional restaurants, some concerns may be that these uses can undercut existing brick and mortar restaurants and could create code enforcement and inspection issues.

Analysis: The UDO provides seven standards of review for proposed text amendments. Each standard is listed in the following table, along with staff analysis of how the proposed changes relate to the evaluation standards. The City of Fayetteville can and should encourage vibrant vending cultures by drafting clear, simple and modern rules that are narrowly tailored to address real health and safety issues.

Standard	Analysis
1) Whether and the extent to which the proposed amendment is consistent with all City-adopted plans that are applicable;	The City Strategic Plan envisions a strong local economy and livable neighborhoods. The proposed amendment facilitates more startup vendors that could transition to brick and mortar restaurants or could supplement traditional restaurants and attract additional patrons to the area.
2) Whether the proposed amendment is in conflict with any provision of this Ordinance, and related City regulations;	There are no known conflicts.
3) Whether and the extent to which there are changed conditions that require an amendment;	The proposed amendment will address the growing need for regulations as the mobile food units will be required to obtain a permit for operation that will describe when and where the food truck is permitted. The changes address the cumulative impacts of health and safety and compliance.
4) Whether and the extent to which the proposed amendment addresses a demonstrated community need;	The proposed amendment addresses the lack of regulations that for food trucks and provides for rules that will address the popularity as well as health and safety issues.

5) Whether and the extent to which the proposed amendment is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and would ensure efficient development within the City;	The amendment is consistent with practices already in place and provides a compliance framework not otherwise addressed in the current ordinance.
6) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern; and	The amendment establishes a standard that have not been in place in the past that will provide tailored rules to essentially legalize food trucks in the City of Fayetteville.
7) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.	There are no foreseen impacts on the natural environment with this text amendment.

Recommendation: Based on staff research, the growing trend and a need for a set of guidelines to address the issues related to mobile vending, staff supports the proposed code amendments.

Options:

- Approve the text amendment as presented by staff (Recommended).
- Approve with modifications.
- Defer action with guidance regarding further research or change.
- Deny the proposed text amendments.

Attachments: Draft Ordinance

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO AMEND CHAPTER 30 UNIFIED DEVELOPMENT ORDINANCE TO INCORPORATE DEFINITIONS AND STANDARDS TO ESTABLISH RULES ON WHEN AND WHERE FOOD TRUCKS MAY OPERATE WITHIN THE CITY OF FAYETTEVILLE AS AN ACCESSORY USE IN SPECIFIED BUSINESS DISTRICTS.

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that the Unified Development Ordinance adopted December 13, 2010 as Chapter 30 of the Code of Ordinances of the City of Fayetteville and subsequently amended, be amended as follows:

Section 1. Amend Section 30-4.D2.E TABLE OF PERMITTED ACCESSORY USES to add Food Trucks as an accessory uses in specified business districts.

30-4.D.2. (e) Table of Permitted Accessory Uses

Table 30-4.D, Table of Permitted Accessory Uses, specifies types of accessory use and the zoning district where each type may be permitted.

TABLE 30-4.D: TABLE OF PERMITTED ACCESSORY USES																			
P = Permitted Use S = Special use Permit MP = Use Allowed Subject to a Planned Development Master Plan																			
"/" = Prohibited Use																			
Access ory Use Type	Speci al Distri cts		Residential Districts					Business Districts								Planned			Addition al Require ments
																Developme nt Districts			
	C D	A R	S F- 1 5	S F- 1 0	S F- 6	M F- 5	M H	O I	N C	L C	C C	M U	D T	L I	H I	P D- R	P D- E C	P D- T N	
<u>Food Trucks</u>									P	P	P	P	P	P	P				<u>30- 4.D.3.g</u>

Section 2. Amend portions of Section 30-5.H.4 Multifamily Design and 30-5.K Transitional Standards to remove a conflict in certain standards and establish clearer standards as to when certain requirements apply.

Section 2a. Modify 30-4-D.3(g) to read as shown below to insert Food Trucks in alphabetical order and rename those re-number those accessory uses that follow in alphabetical order:

30-4.D.3 (g) Food Trucks

Food Trucks shall comply with the following standards:

- (1) Maximum Number of Trucks per Property:
 - a. For parcels less than ½ acre in size, only one food truck is allowed on the property at the same time.
 - b. Properties between ½ acre and 1 acre in size may have two food trucks
 - c. For parcels over 1 acre in size, a maximum of three food trucks are allowed on the property except for special events.
 - d. Temporary outdoor seating and set up associated with a food truck is only permitted on lots at least two acres in size or greater.
- (2) Food Truck Locations, minimum separation
 - a. 100 feet from the front door of any restaurant and/or outdoor dining area.
 - b. 50 feet from any permitted mobile food vending cart location.
 - c. 15 feet from any fire hydrant
 - d. 15 feet from any driveway, sidewalk, utility box or vault, handicapped ramp, building entrance or exit or emergency call box.
 - e. 100 feet from any residential zoning district.
- (3) Parking of Food Trucks:
 - a. The approved location for food truck parking and any associated outdoor seating, as shown on the zoning permit, must be physically marked. The food truck parking space can be marked with paint, tape or any other easily identifiable material. Food trucks may not be parked in an approved location after the hours of operation specified below.
- (4) Hours of Operation
 - a. 6 a.m. to 3 a.m. for food trucks in commercial locations.
 - b. 7 a.m. to 10 p.m. for food trucks located within 150 feet of a residential dwelling.
- (5) Operational Standards
 - a. No audio amplification
 - b. No free standing signage
 - c. City trash receptacles may not be used to dispose trash or waste.
 - d. All areas within 15 feet of the food truck must be kept clean by the food truck vendor.
 - e. Grease and liquid waste shall not be disposed in tree pits, storm drains, the sanitary sewer system or public streets.
 - f. Food trucks are all subject to the city-wide noise ordinance. Sound absorbing devices may be used to contain or deflect the noise from external generators.

(6) Health Department Requirements

- a. All mobile food vendors must have permits required by the Cumberland County Health Department and/or the applicable health department of the resident county of the mobile food vendor and comply with all regulations of the NC Department of Human Resources, Division of Health Services.

Section 3. Modify Section 30-9.D DEFINITIONS to include definition for Food Truck.

30-9.D Definitions

Food Truck

A food truck is a licensed, motorized vehicle or mobile food unit which is temporarily stored on a privately owned lot where food items are sold to the general public.

Section 4. The City Clerk is hereby authorized to revise formatting, correct typographical errors, verify and correct cross references, indexes, and diagrams as necessary to codify, publish, and/or accomplish the provisions of this ordinance or future text amendments as long as doing so does not alter the material terms of the Unified Development Ordinance.

Section 5. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the ____ day of _____, 2013.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA MEGILL, City Clerk



Text Amendment



To allow food trucks in certain zoning districts subject to specific standards

Food Trucks

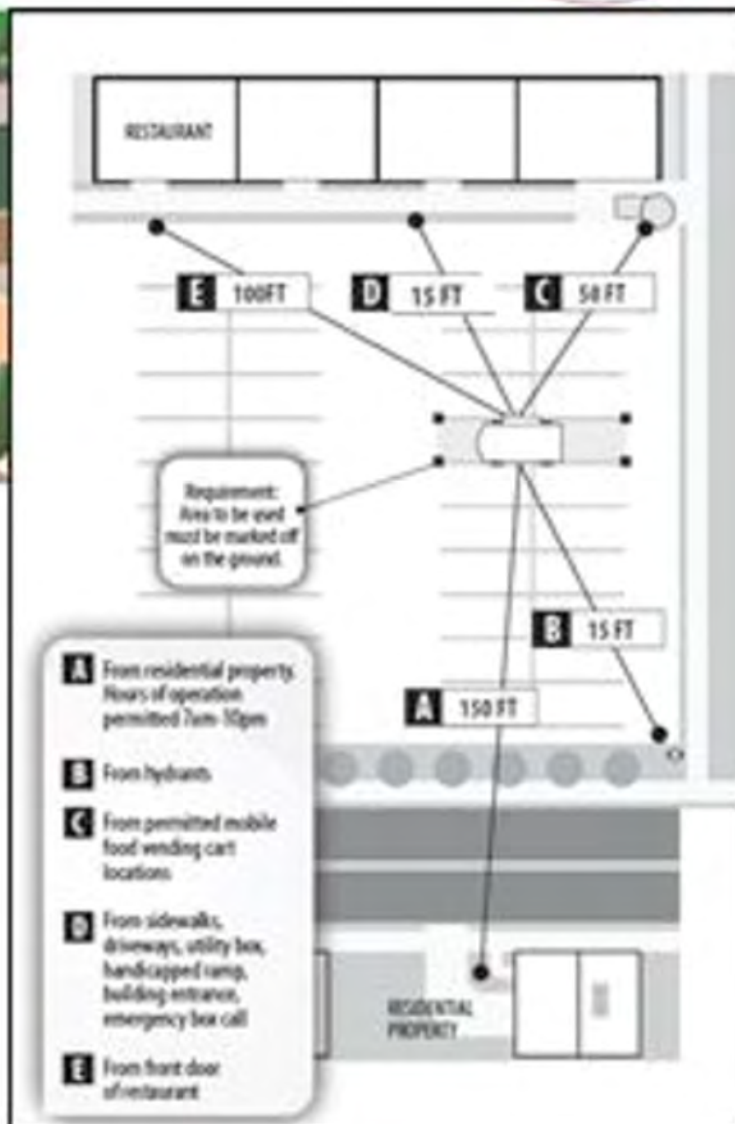


- Current Standards: No standards address the use of food trucks as accessory activities on site
- Proposed Standards:
 - (1) Definition
 - (2) Listing as permitted accessory use in Commercial and Industrial districts subject to use-specific standards
 - (3) Standards to address spacing from brick-and-mortar restaurants; number allowed on a site; hours of operations; other permits required

Food Truck Locations



- Number of Trucks per Property
- <1/2 acre 1
- 1/2 to 1 acre 2
- >1 acre 3
- Exemption for Special Events
- Minimum Separation
- Parking
- Hours of Operation
- Operational Standards



Food Trucks



- Issues and Opportunities
 - Potential competition for traditional brick-and-mortar restaurants
 - Could increase activity and attractiveness of area for food services, strengthening markets for all food service/restaurants in the immediate area
 - Sets standards to mitigate impacts and promote attractive, creative new food services
 - Enable an approach that could result in new brick-and-mortar services.

Food Trucks



RECOMMENDATION:

The Planning Commission and staff recommend approval of the text amendment as presented.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council

FROM: Eloise Sahlstrom, Urban Designer, Planning and Zoning

DATE: October 28, 2013



Amendment to City Code Chapter 30 to clarify clear-cutting standards and provide options for mitigation of related violations

THE QUESTION:

Code amendment to provide increased flexibility in the application of clear-cutting standards as criteria for issuance of permits, and to specify realistic mitigation requirements for violations as part of the enforcement section.

RELATIONSHIP TO STRATEGIC PLAN:

Strong Local Economy;
A Great Place to Live

BACKGROUND:

A clear-cutting permit is required for the removal of existing trees from an undeveloped lot or site that has not yet received site plan, subdivision plan or building permit approval. Individual single family residential lots are exempt. There are two aspects of the existing standards being addressed:

- 1) Mitigation for removal without a permit;
- 2) Increased flexibility in review and granting of permits.

Existing Standards: 1) Current mitigation standards require inch-for-inch replacement for tree removals undertaken on parcels where a clear-cutting permit was required but not obtained. Such mitigation is unrealistic and unworkable. 2) Additionally, discussions with a developer's advisory committee have highlighted the desire for increased flexibility in the standards utilized for reviewing and granting clear-cutting permits. Currently, a thirty foot buffer of existing trees is required to be maintained along all property lines and a fifty foot buffer is required along all street frontages.

Proposed Standards: 1) Proposed mitigation standards require replacement derived from the total removal in caliper inches multiplied by twenty percent. Replanting or payment in lieu is required. Specimen trees and public trees are differentiated from other removals and incur a separate fee. 2) Proposed language related to the buffer requirement allows the required buffers to be eliminated if it is the intent of the applicant to submit development plans within a six month period. Should development plans not be submitted within the allotted period, the applicant is responsible for replanting of the buffers as identified in the text.

The Planning Commission held a public hearing on this amendment on October 15, 2013. There were no speakers. The Commission recommended approval.

ISSUES:

The UDO provides seven standards of review for proposed text amendments. Each standard is listed in the attached staff report to the Planning Commission, along with staff analysis of how the proposed changes relate to the evaluation standards.

The Planning Commission and staff note the value of tree canopy to the City. The proposed amendment furthers the goal of protection of our tree canopy, while adding flexibility for removal of trees during predevelopment.

BUDGET IMPACT:

No direct impact.

OPTIONS:

1. Approve the text amendment as presented by staff (Recommended).
2. Modify the proposed text amendment.
3. Defer action with guidance regarding further research or change.
4. Deny the proposed text amendments.

RECOMMENDED ACTION:

The Planning Commission and staff recommend that City Council move to APPROVE the revised standards for review of clear-cutting permits and include realistic and enforceable mitigation for violations.

ATTACHMENTS:

Draft Ordinance - clear-cutting

Planning Commission Staff Report

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO AMEND CHAPTER 30 UNIFIED DEVELOPMENT ORDINANCE TO CLARIFY AND PROVIDE OPTIONS FOR MITIGATION OF A VIOLATION OF THE TREE REMOVAL / CLEAR-CUTTING REGULATIONS.

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that the Unified Development Ordinance adopted December 13, 2010 as Chapter 30 of the Code of Ordinances of the City of Fayetteville and subsequently amended, be amended as follows:

SECTION 1.0 Amend Section 30-2.C.9 STANDARDS AND REQUIREMENTS FOR DEVELOPMENT APPLICATIONS, CLEAR-CUTTING PERMIT, as follows:

Section 1.1 Amend subsection 30-2.C.9(a), Purpose and Intent, adding language to item (3) allowing the removal of the vegetative buffer under certain circumstances.

(a) Purpose and Intent

...
The purpose of a Clear-Cutting Permit is to:

- (1) Retain significant trees that contribute to the city's visual and aesthetic quality and ensure that significant trees are not unknowingly eliminated without appropriate consideration;
- (2) Ensure that the property owner is made aware of the value existing trees give to a development and the substantial cost savings associated with retaining trees that will meet the city's development regulations over the cost of having to replant and restore a portion of what was unknowingly removed;
- (3) Retain a buffer of naturally existing vegetation along all boundaries of the property to protect adjacent properties from harmful effects and exposure unless it is the intent of the applicant to submit a site plan, subdivision plan or building permit within six months of the clearing;
- (4) Retain a percentage of tree canopy in furtherance of the city's effort to maintain and restore tree canopy coverage across the city;
- (5) Enhance air and water quality;
- (6) Minimize heat and noise impacts; and
- (7) Minimize soil erosion and flooding.

Section 1.2 Amend subsection 30-2.C.9(b)(2), Exemptions, to reference the exemptions included under Section 30-5.B.6, Tree Preservation.

(2) Exemptions

The following activities are exempt from the requirement to obtain a Clear-Cutting Permit:

- a. The removal of vegetation by public or private agencies, including the PWC, within the lines of any right-of-way, easement, or other City-owned lands as may be necessary to ensure public safety.

b. Land disturbing activities undertaken on land under agricultural, horticultural, or forestry production and taxed at present-use value in accordance with Sections 105-277.2 through 277.7 of the North Carolina General Statutes, as long as a vegetated perimeter buffer is retained or provided consistent with Subsection 9(e)(3) below, as follows:

- ~~i. 30-foot wide buffer along all boundaries of the property that adjoin other properties, exclusive of areas required for access connection to adjoining sites; and~~
- ~~ii. 50-foot buffer along public rights-of-way or private streets that adjoin the property, exclusive of areas required for access to the site or connection to adjoining sites.~~

c. The removal of a severely diseased, dead or dying tree.

d. Exemptions included under Section 30-5.B.6, Tree Preservation.

Section 1.3 Amend subsection 30-2.C.9(e) Clear-Cutting Standards to include opportunity for specimen tree removal and buffer removal under certain conditions, as part of the clear-cutting:

(e) Clear-Cutting Permit Standards

A Clear-Cutting Permit shall be approved only upon a finding that all of the following standards are met:

(1) No trees proposed for removal are located in areas off limit to development, such as conservation easements, dedicated open space or tree save areas, floodplains, stream buffers and wetlands;

(2) No trees proposed for removal are greater than 30 inches in caliper (see Section 30-5.B.6.e, Specimen Trees Identified) or if specimen trees are proposed to be removed, then the applicant shall submit with the application, a survey illustrating the location, species, size and condition of the specimen tree(s), along with a compelling argument why such tree(s) should be removed (see Section 30-5.B.6, Tree Preservation). Approval shall be at the discretion of the city manager. If approved, a removal fee of \$100 per caliper inch shall be paid to the city;

(3) No trees proposed for removal are located within the following buffer yards:

a. 30-foot wide buffer along all boundaries of the property that adjoin other properties, exclusive of areas required for access connection to adjoining sites; and

b. 50-foot buffer along public rights-of-way or private streets, exclusive of areas required for access to the site or connection to adjoining sites;

c. Alternately, such buffers may be replaced with the installation of a Type D buffer along boundaries of the property that adjoin other properties where buffers are required and the installation of a 25 foot wide street yard buffer along public rights-of-way or private streets that adjoin the property, with said buffer and street yard installed in accordance with the materials and specifications of Section 30-5.B., or the property owner agrees to submit a site plan for the development of the property within six months of the date of initiation of clear-cutting. It shall be a violation of this Section if a site plan is not submitted or the applicable buffer and street yard is not installed within six months of the initiation of clear-cutting;

(4) Plans describe proposed tree barriers and identify the extent and location of all tree protection zones (at the appropriate scale), to ensure that any tree qualifying under (1), (2), &/or (3) above, are protected from damage, consistent with the requirements of Section 30-5.B.8, Tree Protection During Construction.

Section 1.4 Amend subsection 30-2.C.9(f) Clearing in Violation to include mitigation requirements as included below:

(f) Clearing in Violation

Failure to obtain a Clear-Cutting Permit prior to tree removal, or to abide by its conditions, including damage to any tree ~~not designated to be removed in a tree save area~~, or damage to any tree in a tree protection zone established as part of a Clear-Cutting Permit ~~or approved plan~~ is a violation of this Ordinance and subject to the remedies and penalties in this section and Article 30-8: Enforcement. ~~In addition, trees damaged or unlawfully removed shall be replaced with one or more replacement trees, measuring inch for inch to the tree(s) removed. The replacement trees shall be replanted within 12 months of the notice.~~

SECTION 2. Amend Section 30-8, ENFORCEMENT, Subsection F.1, REMEDIES, as follows:

(h) Requirement for Replanting; Mitigation for Clearing in Violation

- (1)** Where ~~existing trees are removed without a Clear-Cutting Permit, or~~ landscaped areas or vegetation required by this Ordinance is destroyed or disturbed, the City Manager may require the violator to replant the site of the removed, destroyed, or disturbed vegetation within 60 days from the date of violation with vegetation meeting the landscaping standards of Article 30-5: Development Standards. Such a remedy may be required in addition to imposition of criminal or civil penalties for the violation.
- (2)** Failure to obtain or abide by the conditions of a Clear-Cutting Permit is a violation of this Ordinance and subject to the following remedies and penalties:
 - a. Total caliper inches of non-specimen trees damaged or unlawfully removed shall be determined and multiplied by 20% to derive the required mitigation in caliper inches for replanting.
 - b. Specimen trees shall incur a fine, calculated at two times the removal fee described in Section 30-5.B.6(e).
 - c. Public trees shall incur a fine, based on the appraised value (as described in Section 30-5.B.5, Public Tree Protection Standards). If this value is not available, the fee for non-specimen trees will be calculated at \$100 per caliper inch.
 - d. Repeat violators will be subject to a doubling of the required mitigation described above in a, b, and/or c.
 - e. Replacement trees shall be replanted within 60 days of the notice of mitigation, or as determined by the city manager.
 - f. Replanting should occur on-site along the street frontages (known as the street yard buffer area) when possible. Alternative plantings for constrained sites and other locations will be allowed at the discretion of the city manager.
 - g. Payment-in-lieu for all or a portion of the replanting mitigation, calculated at \$100 per caliper inch, may be considered at the discretion of the City Manager.

SECTION 3. The City Clerk is hereby authorized to revise formatting, correct typographical errors, verify and correct cross references, indexes, and diagrams as necessary to codify, publish, and/or accomplish the provisions of this ordinance or future text amendments as long as doing so does not alter the material terms of the Unified Development Ordinance.

SECTION 4. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of

Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the ____ day of _____, 2013.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA MEGILL, City Clerk

10/15/13

**Planning Commission Meeting
October 15, 2013
Staff Report
Proposed Text Amendment
Clarifications and Provisions for Mitigation of a Violation of the Tree
Removal/Clear-Cutting Regulations**

Proposed: Amend Section 30-2.C.9, Standards and Requirements for Development Applications, Clear-Cutting Permit, to clarify exemptions and include mitigation provisions.

Background: Continued from September Planning Commission meeting.

Current mitigation for a clear-cutting violation is inch-for-inch replacement. Enforcement of this standard is problematic especially for constrained sites. Staff has reviewed various alternatives and arrived at a solution which can be applied to a variety of situations. The mitigation is intended to deter future clear-cutting activity, while providing visual improvement to an impacted property's street frontage (the public realm) when possible.

The amendment addresses damage to or unlawful removal of non-specimen trees, specimen trees, and public trees. Some flexibility is included in the language to allow the discretion of the city manager related to the timing of the replanting as well as the option of a payment-in-lieu for a portion or all of the mitigation.

Analysis: The UDO provides seven standards of review for proposed text amendments. Each standard is listed in the following table, along with staff analysis of how the proposed changes relate to the evaluation standards.

Standard	Analysis
1) Whether and the extent to which the proposed amendment is consistent with all City-adopted plans that are applicable;	The changes are consistent with the City's Strategic Vision and Goals (Livable Neighborhoods; More Attractive City; More Efficient City Government), goals of the 2030 Vision Plan, and the basic purpose of the development code.
2) Whether the proposed amendment is in conflict with any provision of this Ordinance, and related City regulations;	The proposed changes ensure that consistency is maintained throughout the City's regulations.
3) Whether and the extent to which there are changed conditions that require an amendment;	The current mitigation for a Clear-Cutting violation is unenforceable.
4) Whether and the extent to which the proposed amendment addresses a demonstrated community need;	The amendment provides mitigation that is reasonable and enforceable and which will deter unpermitted clear-cutting.
5) Whether and the extent to which the proposed amendment is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and	The proposed text provides clarity for mitigation enforcement while allowing reasonable flexibility when required. The amendment references other sections of the code rather than duplicating text unnecessarily.

would ensure efficient development within the City;	
6) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern; and	The proposed text furthers the City's goal to prevent indiscriminant clear-cutting and to create a sustainable urban forest in conjunction with beautified street frontages.
7) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment	Greater environmental benefits will result by deterring indiscriminant clear-cutting and providing a means of mitigation when it does occur.

Recommendation: Based on staff research and review of the above standards, staff supports the proposed code amendment to correct and clarify these sections of Chapter 30.

Options:

- Approve the text amendments as presented by staff (Recommended).
- Modify the proposed text amendments.
- Defer action with guidance regarding further research or change.
- Deny the proposed text amendments.

Attachments: Draft Ordinance

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Karen S. Hilton, AICP, Manager, Planning and Zoning
DATE: October 28, 2013
RE: **Amendment to City Code Chapter 30 to modify the requirements associated with mid-block connections and block lengths**

THE QUESTION:

Should the increases to the allowed block lengths be approved?

RELATIONSHIP TO STRATEGIC PLAN:

A Great Place to Live -- livable neighborhoods

BACKGROUND:

In developing the block length and midblock connector standards that are currently in the UDO, city staff and the consultants were guided by a philosophy of pedestrian connectivity. Shorter block lengths are more pedestrian friendly than longer block lengths and provide greater pedestrian interest. They also improve emergency access and efficient delivery of public services and, in providing more options, they help ease congestion.

The previous code allowed up to 1800 feet. Comparisons were made with standards established in other communities and with best practices. The maximum length generally was 500 – 800 feet, although Wilmington allows 1000' with through, connecting streets. The maximum for more urban areas or traditional neighborhoods is 350-500 feet. At 800 feet, Durham requires a public alley or pedestrian "mall."

The initial draft for the new code established a block length maximum of 800 feet average, with a midblock connector when longer than 700 feet, and under certain conditions a longer length (up to 1,000 feet) could be approved. Through negotiation with the development community, a 1000 foot maximum block length was established with a mid-block connector required for anything over 800 feet, with similar administrative waiver options. This represented a compromise that appeared to be acceptable to all parties.

The development community has become leery about using the mid-block connector option because of maintenance issues and impacts on the marketability of lots which adjoin the connectors. Consequently, they asked for the block length and mid-block connector issue to be reconsidered. Discussions between staff and the development community revolved around providing block length flexibility while preserving the goal of enhanced pedestrian connectivity. Ultimately, another compromise was reached, whereby individual blocks could be as long as 1200 feet, but the average block length would not exceed 800 feet; mid-block connectors continue to be required when a block exceeds 800 feet but would not be required when all lots are within 1,500 feet of common open space (thereby maintaining reasonable pedestrian interest).

ISSUES:

Both the existing and proposed block standards allow larger blocks than best practices and what is found in most cities. The fundamental issue is the more suburban development pattern characteristic of much of the community. Encouraging new development or significant redevelopment to establish a more flexible, efficient, interconnected system has been an on-going challenge because of the existing development pattern of Fayetteville. Given the provision of sidewalks on both sides of the street and the connectivity standards in the development code, staff can support the current proposal, and the Planning Commission concurred at its meeting on September 17. There were no speakers in support or opposition at that meeting.

BUDGET IMPACT:

No direct impact.

OPTIONS:

1. Adopt the amendment for block lengths as presented (recommended).
2. Adopt the amendment with changes.
3. Deny the proposed amendment.
4. Remand the issue to the Planning Commission with direction.

RECOMMENDED ACTION:

The Planning Commission and staff recommend that the City Council move to APPROVE the amendment to allow a maximum block length of 1200 feet under specified conditions.

ATTACHMENTS:

Draft Ordinance - mid-block stds

PC Analysis report

Block Length Text Amendment - PPT

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO MODIFY THE REQUIREMENTS OF CHAPTER 30-5.F ASSOCIATED WITH MID-BLOCK CONNECTION AND BLOCK LENGTHS.

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that the Unified Development Ordinance adopted December 13, 2010 as Chapter 30 of the Code of Ordinances of the City of Fayetteville and subsequently amended, be amended as follows:

Section 1. Change Article 30-5.F.5 Community Form Standards, Block Design, to allow an average block length of 800 feet but not to exceed 1200 feet and to provide access to open space as an option to the mid-block connector for longer blocks, as follows:

[Article 30-5: Development Standards](#) > [30-5.F. Community Form Standards](#)

30-5.F.5. Block Design

(a) Block Length

(1) Block lengths shall be longer than 200 feet

(2) Average block length shall be 800 feet or less, and no individual block length shall be limited to exceed 1,0200 linear feet. However, the TRC may allow deviations from these block length standards in cases where:

- a. Environmental or topographic constraints exist;
- b. If a site has an irregular shape;
- c. If a longer block will reduce the number of railroad grade or major stream crossings; or
- d. Where longer blocks will result in less traffic through residential subdivisions from adjoining businesses or areas.

(b) Block Width

To the maximum extent practicable, the width of any block shall be sufficient to permit at least two tiers of lots of appropriate depth for the zoning district exclusive of any public alleys, watercourses, or other right-of-way located outside platted lots.

(c) Mid-Block Access

In cases where a block length exceeds 800 feet, sidewalks or multi-use paths shall be provided mid-block to connect parallel sidewalks on the long side of the block. A mid-block connector is not required when open space is within 1,500 feet of all lots in the development.

Section 2. The City Clerk is hereby authorized to revise formatting, correct typographical errors, verify and correct cross references, indexes, and diagrams as necessary to codify, publish, and/or accomplish the

provisions of this ordinance or future text amendments as long as doing so does not alter the material terms of the Unified Development Ordinance.

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

ADOPTED this the 28th day of October, 2013.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA MEGILL, City Clerk

**Planning Commission Meeting
Staff Report
September 17, 2013
Proposed Text Amendment
Block Lengths and Mid-block Connections**

Proposed amendment: Staff-initiated text amendment to the requirements associated with mid-block connections and block length.

Background: The proposed changes to block length standards and the mid-block connection required for blocks over 1000 feet in length reflect extensive discussion with the development community. Current standards limit blocks to a maximum of 1000 feet, and a mid-block pedestrian connection is required for blocks over 800 feet. The recommended changes specify an average of 800 feet for all blocks, allow a maximum length of 1200 feet, and allow the mid-block connection to be dropped for blocks over 800 feet if all lots are within 1500 feet (approximately a quarter mile) of open space,

Analysis: The UDO provides seven standards of review for proposed text amendments. Each standard is listed in the following table, although with basically corrections and minor adjustments, the analysis is only relevant in a few situations or very generally.

Standard	Analysis
1) Whether and the extent to which the proposed amendment is consistent with all City-adopted plans that are applicable;	Supports Strategic Plan goals for more efficient City government, more attractive city and livable neighborhoods.
2) Whether the proposed amendment is in conflict with any provision of this Ordinance, and related City regulations;	No direct conflict is apparent, and inconsistencies that have been identified are being removed by this amendment.
3) Whether and the extent to which there are changed conditions that require an amendment;	The changes continue to provide clear design and development standards for residential development while providing the developer the valued flexibility in lot layout.
4) Whether and the extent to which the proposed amendment addresses a demonstrated community need;	These changes reflect development needs and an efficient and effective review and approval process while providing for compatibility with established development.
5) Whether and the extent to which the proposed amendment is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among	The changes provide increased applicability and flexibility while remaining consistent with public goals and adopted plans.

uses and would ensure efficient development within the City;	
6) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern; and	The changes should continue to provide a logical and orderly development pattern consistent with public goals and adopted plans.
7) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment.	There should not be negative environmental impacts.

Staff believes the changes continue to achieve the desired development pattern, provide additional flexibility, and meet the goals of the City's Strategic Plan and other related adopted plans.

Options:

- Approval of the text amendment to extend and modify block length and mid-block connections (recommended by staff).
- Approval with modifications.
- Denial of the proposed text amendments.
- Continue the hearing to a date certain with direction for further research or change.

Recommendation. Based on staff experience with the current code, staff recommends approval of the draft ordinance modifying block length and mid-block connections

Attachment: Draft Ordinance

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Karen S. Hilton, AICP, Manager, Planning and Zoning
DATE: October 28, 2013
RE: **Amendment to City Code Chapter 30 to modify zero lot line standards and allow it in additional zoning districts**

THE QUESTION:

Should these changes to zero lot line development standards be approved?

RELATIONSHIP TO STRATEGIC PLAN:

A Great Place to Live -- Livable Neighborhoods

BACKGROUND:

The proposed changes to zero lot line standards reflect extensive discussion with the development community. ZLL standards are used in a relatively unique way in Fayetteville, to provide significant flexibility in setback and lot area standards and, in many instances, some increase in actual density as well as greater ease in achieving the maximum allowed density because of the increased options in lot layout. The flexibility in setback requirements is essential in (re)development of smaller sites in established areas -- "infill development."

Because of concerns about infill on small lots in established residential areas and the potential to be incompatible with the existing development pattern, the current standards require a special use permit for development sites of less than three acres. Because of the time and the uncertainty associated with the two hearings for the SUP, they are seeking a reduction or elimination of the special use process for smaller ZLL developments. Under the former code, a neighborhood meeting and one public hearing before the Planning Commission was required for infill projects.

ZLL currently is allowed only in SF-15, SF-10, SF-6, MR-5, OI, NC, LC, and CC districts. The development community has asked for ZLL to be available in the AR Agricultural District.

The Planning Commission heard two speakers in favor of the proposed amendment at its meeting on September 17, 2013. The Commission voted unanimously to recommend Approval.

ISSUES:

The Planning Commission and Staff believe the ZLL standards can be accommodated in the AR district, although the Conservation Subdivision standards allow the same lot flexibilities. The proposed changes also make ZLL standards available in the two industrial districts, although it would be beneficial in relatively few instances because of the separation typically needed by industrial development. The proposed changes delete the Special Use Permit requirement for small residential developments but add standards for setbacks and, for single family development, compliance with Article 5 design standards plus additional standards for street orientation.

Subsequent to the Planning Commission meeting, staff identified two additional changes of value that should be applied to all new single-family detached and attached residential developments using zero lot line standards: (1) limitations on the parking area in front of the units, and (2) Article 5 standards apply regardless of size (otherwise, certain standards only apply to larger developments).

BUDGET IMPACT:

No direct impact.

OPTIONS:

1. Approve the text amendment as presented, including the standards for parking and applicability of Article 5 standards regardless of size (recommended).
2. Deny the text amendment
3. Approve the text amendment with additional changes
4. remand the text amendment to the Planning Commission with directions

RECOMMENDED ACTION:

The Planning Commission and staff recommend that the City Council move to APPROVE the text amendment modifying zero lot line application subject to certain standards, with the two additional standards.

ATTACHMENTS:

Draft Ord - ZLL

Evaluation Criteria report

CC ppt - ZLL

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO AMEND VARIOUS SECTIONS OF CHAPTER 30 TO MODIFY STANDARDS RELATING TO ZERO LOT LINE DEVELOPMENT.

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that the Unified Development Ordinance adopted December 13, 2010 as Chapter 30 of the Code of Ordinances of the City of Fayetteville and subsequently amended, be amended as follows:

Section 1. Delete the entirety of Section 30-3.B.2 Zero Lot Line Applicability after the introductory paragraph and replace it with the following: *[red-lining used to inform as to existing language, what is deleted, and what is retained/modified]*

30-3.B.2. Zero Lot Line Applicability

In addition to traditional development, this Ordinance also allows zero lot line development in the agricultural, residential and business districts to provide flexibility in lot layout for greater development efficiency and density and/or in addressing site constraints. The zero lot line standards are allowed under the circumstances in the districts identified in Section 30-3.B.2.a, Applicability and subject to meeting certain conditions. Zero lot line development is subject to review and approval of a Major Site Plan (see Section 30-2.C.5). ~~Zero lot line development on a tract or site smaller than three acres also requires a Special Use Permit (see Section 30-2.C.7).~~ Zero lot line development is subject to all applicable use standards (Article 30-4), subdivision requirements (Article 30-6), and applicable design and development standards (Article 30-5).

(a) Applicability

- (1) ~~Table 30-3.B.2, Zero Lot Line Applicability, specifies under what circumstances zero lot line development is allowed in accordance with this Ordinance.~~ Districts

Zero lot line development is allowed in the agricultural, residential and business (AR, SF-15, SF-10, SF-6, MR-5, OI, NC, LC, CC, MU, and BP, LI and HI) zoning districts subject to specific conditions noted below.

(b) Procedure

(1) Major Site Plan Required

All applications for zero lot line development shall be reviewed as a Major Site Plan in accordance with the procedures and requirements in Section 30-2.C.5, Site Plan.

~~(2)~~ **Special Use Permit Required**

~~In addition, a Special Use Permit (see Section 30-2.C.7), may also be required in accordance with Table 30-3.B.2 Zero Lot Line Applicability.~~

(3) Simultaneous Review

The review of the application for a Major Site Plan, Conditional Zoning or Special Use Permit (if required), and Alternative Plans (landscaping or parking, as may be applicable, or Administrative Adjustment, ~~if~~

requested) shall be conducted simultaneously, to the maximum extent possible.

(c) Standards

(1) Density

Zero lot line development shall comply with the maximum allowable gross density and maximum height requirements in the base zoning district where proposed, and the following standards:

(2) Required Setbacks

In ZLL developments, the following setbacks shall be observed:

- a. A minimum front or corner side setback of 15 feet shall be provided for all principal structures.
- b. Accessory structures shall not be located in any front or side yards for single family (detached and attached), duplex, triplex and quadraplex developments.
- c. Accessory structures of 15 feet or less in height shall be setback a minimum of 5 feet from any property line. Accessory structures greater than 15 feet in height shall be setback a minimum of 10 feet from any property line.
- d. Setbacks associated with an overlay district or any applicable setbacks from natural resources shall apply to all lots within a zero lot line development.

(3) Compliance with Design Standards

All zero lot line development **regardless of size** shall comply with all applicable development standards in Article 30-5: Development Standards, including the single-family, multi-family, commercial, office, and mixed-use, large retail, and transitional standards in Article 30-5: Development Standards.

(4) Conditions for residential development:

a. Orientation: Except as provided below, all dwellings on the exterior of a ZLL development that adjoin an existing street shall be oriented so that the primary entrance faces the adjoining street. In the case of corner lots, the primary entrance shall face the street from which the dwelling derives its street address.

Exception: When rear or side yards face the adjoining existing street(s), a Type A landscaped buffer shall be provided along the affected street(s). Any fences or walls installed shall be interior to this buffer and shall comply with the design standards of Article 30-5 for fences and walls. Gates or openings in such fences and walls may be provided for access purposes, including maintenance. Such buffers shall be shown on any final plans, plats or deeds, as applicable.

b. Parking: Vehicle Use Areas for residential development in any single-family district shall not exceed 50 percent of the area between the street right-of-way and the front façade of the house.

Section 2. In Article 30-3, in the tables and, specifically, the NOTES in each of the following zoning districts, SF-15, SF-10, SF-6, MR-5, OI, NC, LC, CC and MU, delete the note that begins “Zero lot line development on a tract or site of three acres ... “.

Section 3. The City Clerk is hereby authorized to revise formatting, correct typographical errors, verify and correct cross references, indexes, and diagrams as necessary to codify, publish, and/or accomplish the provisions of this ordinance or future text amendments as long as doing so does not alter the material terms of the Unified Development Ordinance.

Section 4. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the 28th day of October, 2013.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA MEGILL, City Clerk

**Staff Report
September 17, 2013
Proposed Text Amendment
Zero Lot Line Amendments**

Proposed amendment: Staff-initiated text amendment to modify zero lot line (ZLL) standards and allow ZLL in additional zoning districts.

Background: The proposed changes to zero lot line standards reflect extensive discussion with the development community. ZLL standards are used in a relatively unique way in Fayetteville, to provide significant flexibility in setback and lot area standards and, in many instances, some increase in actual density as well as greater ease in achieving the maximum allowed density because of the increased options in lot layout. Because of concerns about infill on small lots in established residential areas and the potential to be incompatible with the established development pattern, the existing standard require a special use permit for development sites of less than three acres. ZLL is currently allowed only in SF-15, SF-10, SF-6, MR-5, OI, NC, LC, and CC districts.

The development community has asked for ZLL to be available in the AR Agricultural District, and for reduction or elimination of the special use process for smaller ZLL developments.

Analysis: Staff believes the ZLL standards can be accommodated in the AR district, although the Conservation Subdivision standards allow the same lot flexibilities. Staff also supports making ZLL standards available in the two industrial districts, although it would be beneficial in relatively few instances because of the required separation from non-industrial development. In dropping the Special Use Permit requirement for small residential developments, staff recommends clearly established minimum standards relative to the design and setbacks for single family ZLL infill.

The UDO provides seven standards of review for proposed text amendments. Each standard is listed in the following table, although with basically corrections and minor adjustments, the analysis is only relevant in a few situations or very generally.

Standard	Analysis
1) Whether and the extent to which the proposed amendment is consistent with all City-adopted plans that are applicable;	Supports Strategic Plan goals for more efficient City government, more attractive city and livable neighborhoods.
2) Whether the proposed amendment is in conflict with any provision of this Ordinance, and related City regulations;	No direct conflict is apparent, and inconsistencies that have been identified are being removed by this amendment.
3) Whether and the extent to which there are changed conditions that require an amendment;	The simplified process (only the existing major site plan review) in exchange for clear design and development standards for residential infill and in other certain situations provides the developer the valued flexibility and ease of use while continuing to

	reinforce neighborhood compatibility.
4) Whether and the extent to which the proposed amendment addresses a demonstrated community need;	These changes reflect development needs and an efficient and effective review and approval process while providing for compatibility with established development.
5) Whether and the extent to which the proposed amendment is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and would ensure efficient development within the City;	The changes provide increased applicability and flexibility while remaining consistent with public goals and adopted plans.
6) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern; and	The changes should continue to provide a logical and orderly development pattern consistent with public goals and adopted plans.
7) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment.	There should not be negative environmental impacts.

Options:

- Approval of the text amendment to extend and modify zero lot line regulations (recommended by staff)
- Approval with modifications.
- Denial of the proposed text amendments.
- Continue the hearing to a date certain with direction for further research or change.

Recommendation. Based on staff experience with the current code, staff recommends approval of the draft ordinance modifying zero lot line regulations and applicability.

Attachment: Draft Ordinance



Text Amendment



**to modify zero lot line (ZLL) standards
and allow ZLL in additional zoning
districts**

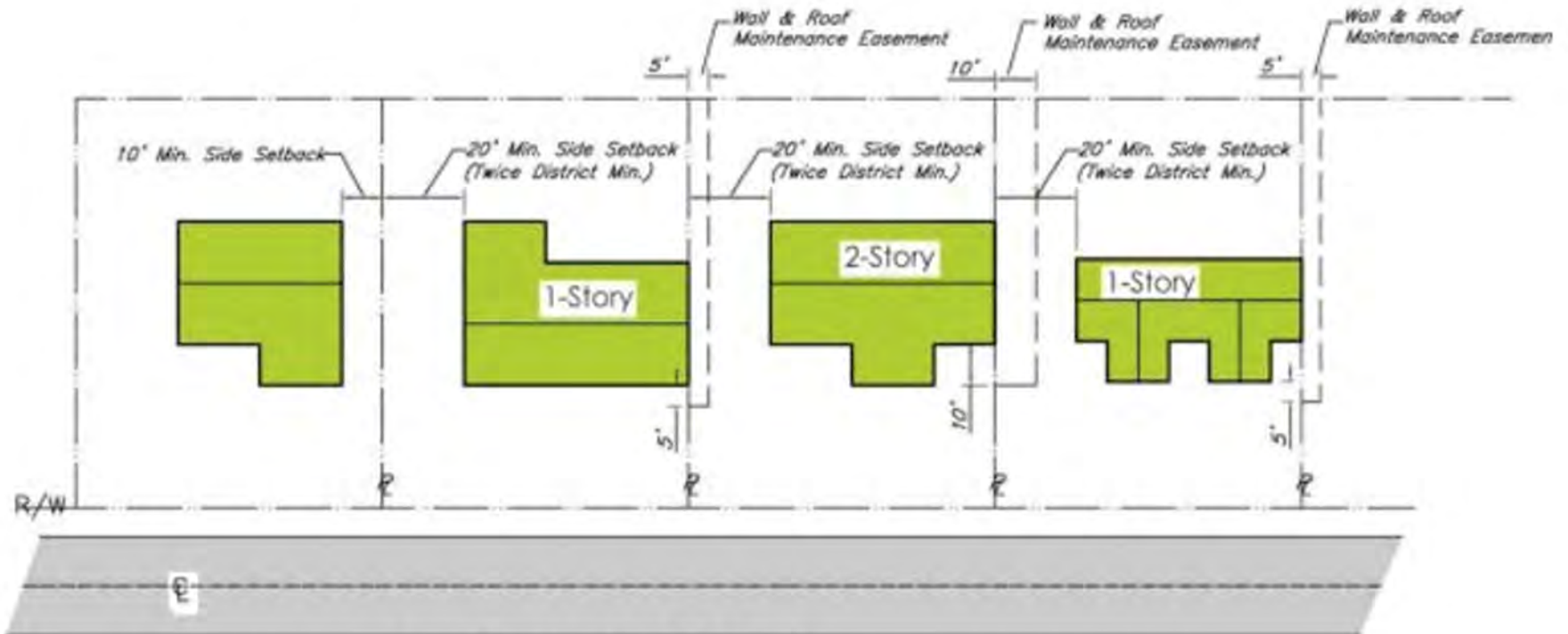
Zero Lot Line



- Zero Lot Line: a tool to provide flexibility in setbacks and lot dimensions when two or more structures intended for individual ownership are being built.

ZLL Elsewhere

Zero Lot Line Dimensional Requirements



- Based on R-3 Zoning.

Zero Lot Line



- **Local application:** more like “cluster development” in providing flexibility in all lot and setback dimensions except on perimeter dimensions, at a slightly higher density.
- **Benefits:** Developer can maximize allowed density; oddly shaped or constrained sites become more usable; infill becomes feasible.

Zero Lot Line



- **Issues with Current Standards:**
 - complex table;
 - special use hearing process for small residential sites discourages infill (re)development;
 - cannot be used in AR, BP, LI or HI districts.

Proposed



- **Proposed Standards:**
 - deletes complex table;
 - allows ZLL in AR and all other base districts;
 - establishes 15' minimum front setbacks;
 - clearly includes design standards;
 - for single family development, adds standards:
 - Type A buffer when side or rear yard faces the front of another house
 - orientation is to the street

Zero Lot Line



Related impacts of change: infill process

- Under old code, following issues with incompatible infill in neighborhoods, a process was set up for a neighborhood meeting and one hearing before the Planning Commission.
- Currently, infill development on small sites (less than 3 acres) requires SUP (two quasi-judicial hearings).
- The proposed change relies on design standards in Article 5 and with ZLL changes to provide the compatibility with surrounding development.



Zero Lot Line



- **ZLL Standards:**
 - Must meet Article 5 standards **regardless of size**
 - Minimum setbacks for front and corner yards (15')
 - Locational standards for accessory structures
- **SF Design Standards in Article 5:**
 - (a) Building Orientation (including to open space)
 - (b) Garage Standards
 - (c) Roof Projections
 - (d) Foundations
 - (e) Architectural Variability
- **Driveway width limitations** (in Community Form)
- **Parking area (vehicular use area) \leq 50% of front area**



Raeford and Dobbin



Rowan and McAllister



Morganton and Bethune

Farrington lane



Groton Avenue

7 - 11 - 3 - 11

Options



- Approve the text amendment as presented, including the two modifications for parking area and project size (recommended)
- Deny the text amendment
- Approve the text amendment with additional changes
- Remand the text amendment to the Planning Commission with directions

Zero Lot Line



RECOMMENDATION:

Planning Commission and Staff recommend approval of the proposed changes to the zero lot line standards, as presented, including the two changes recommended.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Karen S. Hilton, AICP, Manager, Planning and Zoning
DATE: October 28, 2013
RE: **Amendment to Cty Code Chapter 30 to clarify "redevelopment" and make minor adjustments to open space standards**

THE QUESTION:

Should the changes to the open space standards be approved?

RELATIONSHIP TO STRATEGIC PLAN:

More Livable Neighborhoods
Attractive Community

BACKGROUND:

Adopted in July 2013, the revised standards for parkland, open space and tree save areas are, collectively, significant reductions from the previous standards calculated separately for those three elements. That amendment included changes expanding the features that can be used to meet the requirements. These changes were considered necessary because, combined with other infrastructure such as stormwater and streets, a significant amount of developable area was lost.

Since some usable open space is an important component of residential environments, the new standards clearly indicated that a minimum of 10% for sites greater than 1 acres and up to 5 acres had to be provided on site for residential development. However, it did not make it clear how residential development fit relative to "redevelopment".

Another aspect of this amendment is some concern that for some small residential sites, there still could be problems providing the mandatory 10% on site. Infill sites are often challenging in their configuration or constraints on site. Staff therefore proposes an additional change, to allow consideration of a reduction or elimination of the on-site open space through a hearing process (special use permit). The mandatory 10% on site was acceptable to the development committee; staff has recommended this additional flexibility but only through a process that emphasizes the importance of open space / recreational facilities as part of residential development.

The public hearing for this amendment was continued from the September 2013 Planning Commission meeting to allow further discussion about a very different aspect of these standards -- the portions of footnotes 4 and 5 that refer to a penalty (or, more accurately, a 'surcharge') for sites that have been cleared prior to submittal of development plans. The intent was to discourage speculative clear cutting, even with a clear-cutting permit, because of the high public value of keeping tree cover and undisturbed land areas as long as possible to help with reducing heat island effects, improving water and air quality, and providing habitat.

The UDO provides seven standards of review for proposed text amendments. Each standard is listed in the attached staff report, along with analysis of how the proposed changes relate to the evaluation standards. At its meeting on October 15, 2013, the Planning Commission recommended approval of the amendment. There were no speakers for or against the proposed amendment.

ISSUES:

The recommended change makes clear the importance of providing some open space in any residential development (except live/work) and that such development is not included in the reduced standards applicable to a redevelopment project. It also provides an alternative to providing the otherwise mandatory on-site open space even on small infill sites. Finally, it removes a penalty section from the notes to the Open Space table and relies on another section of the code

to address any penalty or mitigation.

BUDGET IMPACT:

No direct impact.

OPTIONS:

1. Approve the text amendment to the open space standards, as presented by staff (Recommended).
2. Approve the proposed text amendment with changes.
3. Deny the text amendment.
4. Remand the text amendment to the Planning Commission with guidance.

RECOMMENDED ACTION:

The Planning Commission and staff recommend that the City Council move to APPROVE the text amendment clarifying and modifying the open space standards.

ATTACHMENTS:

Draft Ordinance - open space

PC Analysis report

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO AMEND CHAPTER 30 UNIFIED DEVELOPMENT ORDINANCE FOR CORRECTIONS AND MINOR ADJUSTMENT AFFECTING OPEN SPACE STANDARDS (CLARIFYING ‘REDEVELOPMENT’).

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that the Unified Development Ordinance adopted December 13, 2010 as Chapter 30 of the Code of Ordinances of the City of Fayetteville and subsequently amended, be amended as follows:

Section 1. Amend Section 30-5.C.3. OPEN SPACE/PARKLAND STANDARDS, Table 30-5.C.3 Required Open Space Dedication (see Ord. 2013-015 section 4.4 of the ordinance) to clarify the distinction between “redevelopment” and “residential” development, as shown below, by adding the following sentence at the end of Footnote [2]: “In this Section, “redevelopment” does not include any form of residential construction other than live/work.” Further, to allow consideration of a reduction in the on-site open space through the special use permit process for residential development of over 1 acre up to 3 acres, add the following sentence at the end of the **note as shown below: “Residential development between 1 and 3 acres may seek payment in lieu of a portion of the required on-site open space through the special use process.”

30-5.C.3 Open Space Standards

All areas proposed for dedication as open space shall meet the following standards:

(a) Amount of Open Space Required

Development shall provide at least the minimum amounts of open space identified in Table 30-5.C.3, Required Open Space Dedication, below:

TABLE 30-5.C.3: REQUIRED OPEN SPACE DEDICATION		
<u>DEVELOPMENT TYPE AND/OR SIZE</u>	MINIMUM OPEN SPACE AREA (AS PERCENTAGE OF DEVELOPMENT SITE AREA)	
	HLO ZONING DISTRICT NOT WITHIN DOWNTOWN (DT) [1]	ALL OTHER ZONING DISTRICTS
One acre or less	None	None
Redevelopment sites less than five acres [2]	5%	5%
Redevelopment corridor sites five acres or greater [3]	5%	7.5%*
Unimproved sites greater than one acre to 10 acres [4]	5%	10%*
Unimproved sites greater than 10 acres [4]	5%	15%*
Residential sites greater than one acre to five acres [5]	5%	10%**
Residential sites greater than five acres to 20 acres [5]	5%	15%**
Residential sites greater than 20 acres [5]	5%	20%**
All allowed uses in the CD district	50%	
*A minimum of 5% open space shall be provided on-site of which 50 percent must be usable.		

TABLE 30-5.C.3: REQUIRED OPEN SPACE DEDICATION

DEVELOPMENT TYPE AND/OR SIZE	MINIMUM OPEN SPACE AREA (AS PERCENTAGE OF DEVELOPMENT SITE AREA)	
	HLO ZONING DISTRICT NOT WITHIN DOWNTOWN (DT) [1]	ALL OTHER ZONING DISTRICTS

****A minimum of 10% open space shall be provided on-site of which 50 percent must be usable.**

Residential development greater than one acre and less than three acres may seek payment in lieu for a portion of the required on-site open space through the special use process.

NOTES:

[1] Downtown (DT) district including any HLO district within it is exempt from the open space dedication requirements.

[2] For the purpose of this Section, "redevelopment" is new investment and construction activity to make a site that had previously been improved with a habitable building, usable and habitable with a new or remodeled structure built to current standards. In this Section, "redevelopment" does not include any form of residential construction other than live/work.

[3] For the purpose of this Section, the term "redevelopment corridor" includes any road so designated by action of the City Council.

[4] For the purpose of this Section, an "unimproved site" is a site upon which no building suitable for human occupancy has been constructed.

~~Unimproved sites that have been cleared of vegetation prior to submittal of development plans will incur a 5% clearing penalty added to the applicable percentage listed above.~~

~~[5] Residential sites that have been cleared of vegetation prior to submittal of development plans will incur a 5% clearing penalty added to the applicable percentage listed above.~~

Section 2. The City Clerk is hereby authorized to revise formatting, correct typographical errors, verify and correct cross references, indexes, and diagrams as necessary to codify, publish, and/or accomplish the provisions of this ordinance or future text amendments as long as doing so does not alter the material terms of the Unified Development Ordinance.

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

ADOPTED this the ____ day of _____, 2013.

CITY OF FAYETTEVILLE

ANTHONY G. CHAVONNE, Mayor

ATTEST:

PAMELA MEGILL, City Clerk

**Planning Commission Meeting
October 15, 2013
Staff Report
Proposed Text Amendment
Clarifications affecting open space standards**

Proposed: Amend various sections of City Code Chapter 30 for clarifications and adjustments in new open space standards, including clarifying ‘redevelopment’.

Background: Adopted in July 2013, the revised standards combine parkland, open space and tree save areas and reduce the requirements relative to the previous standards calculated separately for those three elements. Further, there were changes expanding the features that can be used to meet the requirements. Since some usable open space is an important component of residential environments, the new standards clearly indicated that a minimum of 10% for sites greater than 1 acre and up to 5 acres had to be provided on site for residential development. However, it did not make it clear how residential development fit relative to “redevelopment”, for which there were significant reductions in the required open space. Because of the importance of some open space in any residential development (except live/work), the proposed change makes it clear that residential development is not included in the reduced standards applicable to a redevelopment project.

Another aspect of this amendment is concern that for some small residential sites, there could be problems providing the mandatory 10% on site. While the combined open space, tree save and parkland requirements are much reduced and recent changes in the stormwater regulations should make it easier to provide the 10% open space, infill parcels can have challenging site configuration or constraints. The other proposed change, therefore, allows consideration of a reduction or elimination of the on-site open space through the Special Use Permit process, thereby setting expectations consistent with the importance of open space / recreational facilities in any residential development.

The public hearing for this amendment was continued from the September 2013 Planning Commission meeting to allow further discussion about a very different aspect of these standards -- the portions of footnotes 4 and 5 that refer to a penalty (or, more accurately, a ‘surcharge’) for sites that have been cleared prior to submittal of development plans. The intent was to discourage speculative clear cutting, even with a clear-cutting permit, because of the high public value of keeping tree cover and undisturbed land areas as long as possible to help with reducing heat island effects, improving water and air quality, and providing habitat. Since these objectives are more appropriately addressed in another section of the Code, staff recommends deletion of those portions of the two footnotes in this section. A separate amendment regarding clear-cutting standards and penalties for not securing a permit will propose a balanced approach addressing developer concerns as well as important public objectives and community-wide benefits.

Analysis: The UDO provides seven standards of review for proposed text amendments. Each standard is listed in the following table, along with staff analysis of how the proposed changes relate to the evaluation standards.

Standard	Analysis
----------	----------

1) Whether and the extent to which the proposed amendment is consistent with all City-adopted plans that are applicable;	Generally clarifications and additional flexibility for small sites are supportive of City goals for a stronger local economy and more livable neighborhoods.
2) Whether the proposed amendment is in conflict with any provision of this Ordinance, and related City regulations;	There are no known conflicts.
3) Whether and the extent to which there are changed conditions that require an amendment;	Application of the recently revised open space standards revealed the potential for misinterpretation of redevelopment compared to residential development.
4) Whether and the extent to which the proposed amendment addresses a demonstrated community need;	Clarity and reasonable flexibility enable development to be done more efficiently while still responding effectively to community goals.
5) Whether and the extent to which the proposed amendment is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and would ensure efficient development within the City;	Clarity and reasonable flexibility enable development to be done more efficiently while still responding effectively to community goals. For the changes to the open space standards, compatibility among uses is maintained while removing conflicts or setting clearer measures.
6) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern; and	These changes are primarily clarifications or additional flexibility in achieving the desired development pattern.
7) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment	No direct or significant impacts are anticipated.

Recommendation: Based on staff research and review of the above standards, staff supports the proposed code amendment to clarify “redevelopment”, delete the portions of footnotes related to clear-cutting, and modify requirements relative to small residential sites.

Options:

- Approve the text amendments as presented by staff (Recommended).
- Modify the proposed text amendments.
- Defer action with guidance regarding further research or change.
- Deny the proposed text amendments.

Attachments: Draft Ordinance

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Jerry Dietzen, Environmental Services Director
DATE: October 28, 2013
RE: **Annual Sustainability Report**

THE QUESTION:

Does City Council wish to accept the City of Fayetteville's annual sustainability report as presented?

RELATIONSHIP TO STRATEGIC PLAN:

This item relates to the Strategic Plan goals in the following ways:

Goal 2: More Efficient Government – Cost Effective Service Delivery - Avoiding costs by managing our utilities better

Goal 5: More Attractive City – Clean and Beautiful – Providing clean air, clean water, and conserving our resources

Target for Action – Commercial Recycling

BACKGROUND:

On October 12, 2009 City Council adopted the City of Fayetteville Sustainability Master Plan. The plan was funded by the US Department of Energy through the Energy and Conservation Block Grant. The plan addresses the broad definition of sustainability that incorporates the environment, social equity, and the economy. Long term sustainability depends on a careful balance of economic, social, and environmental goals and objectives. Local stakeholders developed the definition of sustainability unique to Fayetteville's cultural and regional characteristics. The agreed upon definition is "Living today in a way that permits future generations to live the same way or better."

The plan focuses on four areas: Environment and Natural Resources, Planning, Community and City Agencies.

The plan was developed using 7 guiding-principals:

1. Promote national energy independence
2. Increase competitiveness and produce economic benefits
3. Promote regional cooperation
4. Preserve neighborhoods and maintain housing affordability
5. Develop healthier communities and social equity
6. Lead by example
7. Utilize performance metrics and ensure accountability

The overall goal of the plan is to create a culture of sustainability in all that the City does. In doing so, the City can improve the quality of life for its citizens by providing cleaner air, conserving our natural resources and improving the local economy. In an environmentally responsible way. Projects and work included in the sustainability annual report align with the four areas of focus, the seven guiding-principals and the local definition of sustainability.

ISSUES:

Oftentimes sustainable projects, buildings, and vehicles/equipment initially cost more; however, once the return on investment is realized, utility, fuel and maintenance expenses are less than that of traditional investments, reducing the impact on future budgets.

City Council previously requested incremental improvements in compliance with the multifamily recycling program prior to implementing a commercial recycling program. Commercial haulers have agreed to assist in this goal; however, even with their assistance, it has been difficult to achieve a significant increase in participation.

BUDGET IMPACT:

Certain low-cost energy saving retrofits can take place within the existing general fund budget.

Most State and Federal grants for energy conservation retrofits have ended due in part to national budget trends or are being targeted for areas that are not in compliance with EPA air quality standards.

Resources needed to connect with and monitor multifamily communities to increase recycling compliance rates.

OPTIONS:

Accept the report for record
Accept the report with exceptions
Reject the report

RECOMMENDED ACTION:

Accept the report for record

ATTACHMENTS:

Power point presentation

Fayetteville, NC Sustainability Report 2013



City of
Fayetteville
North Carolina





Sustainable Fayetteville



- Definitions
- History
- Energy Efficiency
- Water Conservation
- Renewable Energy
- Air Quality
- Social Equity related to Sustainability
- Smart Growth
- Recycling



Definitions



EPA – “Sustainability creates and maintains the conditions under which humans and nature can exist in productive harmony, that permit fulfilling the social, economic and other requirements of present and future generations.”

Fayetteville - “Living today in a way that permits future generations to live the same way or better.”



History



- June 2009 – Hired consultant, to help develop Sustainability master plan
- June through September 2009 – Held public and stakeholders meetings, interviews and public hearing
- October 12, 2009 – Plan was adopted
- April 2010 – Awarded \$1.65 mil through EECBG
- August 2010 hired Energy Efficiency and Sustainability Engineer with EECBG funds
- March, 2013 completed projects and EECBG funding ended



Energy Efficiency



- Energy Efficiency & Conservation Block Grant projects
 - Interior lighting retrofits
 - Amtrak and AIT lot LED lighting
 - High EER/SEER rated HVAC units
 - Radiant heat blocking window film at Airport
 - Cool roof replacement at City Hall and Kiwanis
 - Remote HVAC monitoring (JC Metasys) multiple locations
 - Completed all projects by March 27, 2013
 - September, 2013 - Passed third-party audit



City of
Fayetteville
North Carolina



Cool Roof at Kiwanis





Energy Efficiency Projects



Project

- **Fire Station 4** -Replaced T12 with T5 fluorescent fixtures in engine bay
- **G. B. Myers Recreation Center** - Replaced 80% eff. Htg./10 SEER gas pack with 90% eff. Htg./13 SEER gas pack
- **Fire Station 11** - Replaced SEER 10 heat pump with SEER 13
- **Belden-Horne House** - Replaced SEER 10 heat pump with SEER 13
- **Fascinate-U Childrens' Museum** - Replaced two heat pumps with SEER 13 unit

Energy Saved

- 7.5 Mwh
- 8.0 Mwh
- 2.0 Mwh
- 4.0 Mwh
- 8.3 Mwh



Energy Efficiency Projects



Project

- Airport taxiway extension lighting LED
- Two additional electric baggage cars
- High efficiency HVAC system replacement – Environmental Services

Energy Control Systems



- Easy accurate on-site servicing
- Remote access of HVAC settings
- Energy savings from control of setbacks
- Real-time energy use monitoring
- Alerts based on abrupt changes in rate of use





Renewable and Alternative Energy



- Alternate fuel projects considered:
 - Hydraulic assist and compressed natural gas fueled garbage trucks
 - Additional electric car charging stations
- Alternative energy projects considered:
 - Solar farm



Water Conservation



- Water meters added to Utility Track
- Meters with no usage discontinued
- Began analysis of monthly usage
- Looked for anomalies



Air Quality



- Air quality stakeholders meetings
- Combined Air Team
- Ozone Advance program
- Clean City Coalition member
- CO2 reductions
 - EECBG projects completed
 - Tree-save provision in UDO
 - Tree-lined medians on Ramsey St. and Glensford Rd.



Air Quality



- Ground level Ozone (NO_x + VOC) – Lung irritant
- Ground level Ozone + particulate matter = smog
- Exposure to ground level Ozone can trigger asthma, bronchitis and other breathing disorders



Air Quality



- Still in attainment for ground level Ozone
- EPA has not announced when it will lower the limit on Ozone
- NC Department of Environment and Natural Resources monitors air quality
- EPA Ozone Advance program



Community and Social Equity



- Alternative transportation corridors
 - Cape Fear River Trail and Cross Creek Linear Park extensions
- Bus line extensions
- Bikeways/bike lanes
- Sidewalks
- Crosswalks
- HCP ramps



Smart Growth



City development ordinance achieves:

- Neighborhood commercial
- Walkable communities
- Park land and open space
- Tree-save areas
- Transition standards
- Landscaping and buffer zones



Unified Development Ordinance



- Extended sustainability bonuses to additional zoning districts
- Clarified open space requirements
- Provided various regulatory incentives for redevelopment of existing properties to promote infill development

Recycling



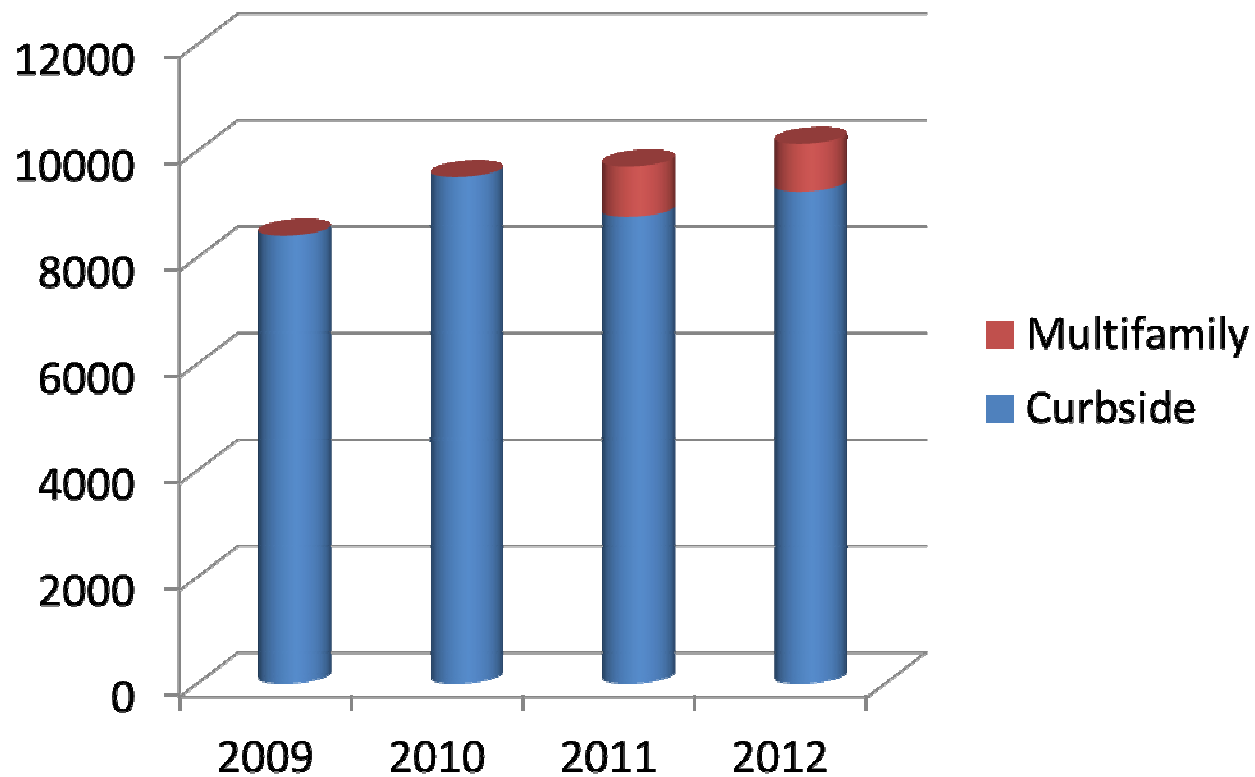
- Multifamily recycling added August 2011
 - Slight increase in multifamily collections for 2012
- Commercial and business recycling program delayed
- Limited staff time available



Recycling



- Recycling tons in Fayetteville 2009 to 2012.





Sustainable Practices for a Sustainable Future



- Develop a culture shift
- Promote LEED Concepts
- Consider life-cycle costing
- Reduce heat zones
- Improve energy efficiency
- Reduce water use
- Promote alt-fuel vehicles
- Purchase locally made products
- Buy local food





City of
Fayetteville
North Carolina

The City of Fayetteville, North Carolina does not discriminate on the basis of race, sex, color, age, national origin, religion, or disability in its employment opportunities, programs, services, or activities.

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www.facebook.com/cityoffayettevillegovernment | [Twitter@CityOfFayNC](https://twitter.com/CityOfFayNC)



CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Pamela Megill, City Clerk
DATE: October 28, 2013
RE: **National League of Cities (NLC) Conference Voting Delegates**

THE QUESTION:

Which of the City Council members attending the NLC Conference November 13 - 16, 2013 will be selected as Voting Delegate and Alternate Voting Delegate?

RELATIONSHIP TO STRATEGIC PLAN:

Goal 5 - Greater Community Unity - Pride in Fayetteville

BACKGROUND:

The NLC's Annual Business Meeting will be held on November 16, 2013. As a direct member city, Fayetteville is entitled to vote at this meeting. In order to cast votes on behalf of the City of Fayetteville, the City Council must select one Voting Delegate and one Alternate Voting Delegate. Please see the attachment for more details.

City Council members attending this years' conference are:
Council Member Kady-Ann Davy
Council Member Val Applewhite

ISSUES:

None at this time.

BUDGET IMPACT:

None known at this time.

OPTIONS:

Vote to select one Voting Delegate and one Alternate Voting Delegate.

RECOMMENDED ACTION:

Vote to select one Voting Delegate and one Alternate Voting Delegate.

ATTACHMENTS:

NLC Voting Delegates

NATIONAL LEAGUE of CITIES

2013 Officers

President
Marie Lopez Rogers
Mayor
Avondale, Arizona

First Vice President
Chris Coleman
Mayor
Saint Paul, Minnesota

Second Vice President
Ralph E. Becker
Mayor
Salt Lake City, Utah

Immediate Past President
Ted Ellis
Mayor
Bluffton, Indiana

Executive Director
Clarence E. Anthony

September 30, 2013

Pamela Megill
City Clerk
City of Fayetteville
433 Hay St
Fayetteville, NC 28301-5537

Dear City Clerk Megill:

The National League of Cities (NLC) Annual Business Meeting will be held on Saturday, November 16, 2013, at the conclusion of the Congress of Cities and Exposition in Seattle, Washington. As a direct member city, your city is entitled to vote at this meeting. Based on population as of the 2010 Census, each member city casts between one and twenty votes. The number of votes for each population range can be found below.

POPULATION	VOTES	POPULATION	VOTES
Under 50,000	1 vote	500,000 – 599,999	12 votes
50,000 – 99,999	2 votes	600,000 – 699,999	14 votes
100,000 – 199,999	4 votes	700,000 – 799,999	16 votes
200,000 – 299,999	6 votes	800,000 – 899,999	18 votes
300,000 – 399,999	8 votes	900,000 and above	20 votes
400,000 – 499,999	10 votes		

To be eligible to cast a city's vote, a voting delegate and alternate(s) must be officially designated by the city using the enclosed credentials form. This form will be forwarded to NLC's Credentials Committee. NLC bylaws expressly prohibit voting by proxy. City elected officials should be made aware of this request so that decisions can be made as to who will be the voting delegate and alternate(s).

At the Congress of Cities, the voting delegate must pick up and sign for the city's voting card at the Ask NLC Booth before the Annual Business Meeting and must be present at the Annual Business Meeting to cast the city's vote. The Ask NLC Booth will be open during scheduled times throughout the Congress of Cities and Exposition.

Please return the completed form to NLC by fax (202-626-3109) before October 31, 2013, and keep the original for your files. If you have any questions, please contact Mae Davis, Member Relations Representative at mdavis@nlc.org or 202-626-3150; or contact Gail Remy, Director of Member Relations at remy@nlc.org, or 202-626-3026.

Thank you,



Clarence E. Anthony
Executive Director

Enclosure





CREDENTIALS FORM

NATIONAL LEAGUE OF CITIES · 2013 CONGRESS OF CITIES AND EXPOSITION · SEATTLE, WASHINGTON

At the Annual Business Meeting on Saturday, November 16, 2013, from 2:30 p.m. to 4:30 p.m., each direct member city of the National League of Cities (NLC) is entitled to cast from one to 20 votes based upon the city's population per the 2010 census, through its designated voting delegate. Please indicate below your city and state, your voting delegate and alternate(s), and sign and date the form. The form should be faxed to NLC at 202-626-3109, or mailed to National League of Cities, Attn: Mae Davis, 1301 Pennsylvania Ave., NW, Washington, DC 20004, by the October 31, 2013, deadline.

The official voting delegate and alternate(s) for the:

City of Fayetteville, NC

VOTING DELEGATE:

1. NAME: _____

TITLE: _____

ALTERNATE VOTING DELEGATE(S):

2. NAME: _____

3. NAME: _____

<p>FOR OFFICE USE ONLY (DO NOT WRITE IN THIS SPACE)</p> <p>Voting card issued to:</p> <p>_____ (signature)</p> <p>Votes: (4)</p>

TITLE: _____

TITLE: _____

PLEASE SIGN AND FAX THIS FORM TO NLC BY OCTOBER 31, 2013
ATTENTION: MAE DAVIS, MEMBER RELATIONS REPRESENTATIVE
FAX: 202-626-3109

Signature (city representative): _____

Title: _____ Date: _____

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Bart Swanson, Housing and Code Enforcement Division Manager
DATE: October 28, 2013
RE: **Rental Action Manangement Program Ordinance Adjustment**

THE QUESTION:

Amend Fayetteville Code of Ordinances Sections 14-64, 14-65, and 14-66 to provide for a broadened definition of the owner of a residential rental property, to establish a one (1) year residential registration period, and to provide that one or more verified code violations during rental registration will constitute grounds for revocation of the rental registration.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2: More Attractive City – Clean and Beautiful; Goal 3: Growing City, Livable Neighborhoods-A Great Place To Live

BACKGROUND:

Fayetteville Code of Ordinances Section 14-64 defines the owner of residential rental property as the person, persons or legal entity that holds legal title to a residential rental property. Section 14-65 provides that each owner of residential rental property that has been found with three (3) or more verified violations (solid waste, junk, nuisance, or abandoned vehicles, or sub-standard building) in the previous twelve (12) month period, whether those violations have been resolved by corrective action or not, shall register that property with the development services official. By the established definition of an owner, the only person or entity that has title of the property can be compelled to register residential rental property. Section 14-66 provides that each owner of residential rental property that has been found with four or more verified violations in the previous 12-month period, whether those violations have been resolved by corrective action or not, shall have the rental registration for that property revoked by the development services official. Section 14-66 does not provide for a specific time for the registration period, however, Section 14-68 provides for that revocation of rental registration shall remain in place for a period on one (1) year.

ISSUES:

Due to the code definition of an owner, residential rental properties with deceased owners that have heirs and others without title to the property that are exercising ownership control of the property would not be required to register for excessive verified code violations. Staff has already encountered this situation and feels that there will be more in the near future. With no time duration on registration, a subject property with three verified violations within the last 12 months could only have two or less within a short period of time (depending on when the first and subsequent verified violations occurred) and could have several more while being registered and technically not be subject to registration revocation. The proposed code revisions would add property owner heirs, persons, or other legal entity that are exercising ownership control of a residential rental property to the definition of an owner, and would set a one (1) year period for registration, consistent with the one (1) revocation period set forth in Section 14-68. If there are one or more verified code violations within that registration period, the registration would be subject to revocation.

BUDGET IMPACT:

Unknown at this time

OPTIONS:

Adopt the proposed code revisions to Fayetteville Code of Ordinances Sections 14-64; 14-65; and, 14-66
Revise the proposed code revision to Fayetteville Code of Ordinances Sections 14-64; 14-65; and, 14-66
Reject the proposed code revision to Fayetteville Code of Ordinances Sections

14-64; 14-65; and, 14-66

RECOMMENDED ACTION:

Adopt the proposed code revision to Fayetteville Code of Ordinances Sections 14-64; 14-65; and, 14-66

ATTACHMENTS:

Proposed Revision to Fayetteville Code of Ordinances Sections 14-64; 14-65; and 14-66

Fayetteville Code of Ordinances Sections 14-64; 14-65; 14-66; and 14-68

Sec. 14-64. Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Owner: The person, persons or legal entity that holds legal title to a residential rental property, *or the property owner heirs, persons, or legal entity that is exercising ownership control of a residential rental property.*

Sec. 14-65. Registration of Residential Rental Property Due to Verified Violations.

(h) Rental registration pursuant to this section shall be for a one (1) year period, commencing on the effective date of the rental registration.

Sec. 14-66. Grounds for revocation of rental registration as required by section 14-65.

- (a) Each owner of *registered* residential rental property that has been found with ~~four~~ *one* or more verified violations ~~in~~ *within* the ~~previous 12-month~~ *one (1) year rental registration* period, whether those violations have been resolved by corrective action or not, shall have the rental registration for that property revoked by the development services official.

WHEREAS, the City Council, finds that a residential rental property owner's failure or refusal to successfully complete the remedial action program is injurious to the public's health, safety and welfare.

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

Section 1. Chapter 14 "Housing, Buildings and Dwellings" of the Fayetteville City Code is amended by creating Article V entitled "Rental Action Management Program", to read as follows:

ARTICLE V. RENTAL ACTION MANAGEMENT PROGRAM

Sec. 14-63. Purpose.

The purpose of this article is to establish a requirement that Owners of Residential Rental Property whose property is within the Disorder Risk Threshold as established by this ordinance or in repeated violation of the Fayetteville City Code as defined and established by this ordinance must register with the City sufficient identification information so that the City may expeditiously identify and contact the Owner when excessive levels of disorder activity or code violations have occurred on or in the property. In addition, the City desires to establish a method to hold Owners of Residential Rental Property accountable for failing to use effective methods to reduce Disorder Activity and code violations on their property. It is not the intent of this article to determine the rights and liabilities of persons under agreements to which the City is not a party. This article shall not be construed to alter the terms of any lease or other agreement between a landlord and a tenant or others relating to property that is the subject of this Article; provided that no provision of any lease or other agreement shall be construed to excuse compliance with this article. Additionally, a violation of this article shall not in and of itself create a negligence per se standard or otherwise expand existing liability in tort for either a landlord or a tenant.

Sec.14-64. Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning:

Apartment Complex: Any dwelling under common ownership and management containing four (4) or more *Dwelling Units*, as defined by Chapter 14, Section 14-5 of the Fayetteville Code of Ordinances, or a systematically built group of apartment buildings or duplexes under common ownership and maintenance and containing four (4) or more *Dwelling Units*.

Development Services Official: A person designated by the City Manager of the City of Fayetteville who is primarily responsible for the administration of this Article.

Disorder Activity: Incidents of criminal activity occurring on or in a Residential Rental Property as categorized in this Ordinance entitled "Appendix A."

Disorder Activity Count: A number assigned to a Residential Rental Property that represents the amount of Disorder Activity occurring within a specified time period in or on the Property. For purposes of determining a Disorder Activity Count, the number of incidents is multiplied by an assigned number as designated in Appendix A of this Ordinance.

Disorder Risk Threshold: The Disorder Activity Count for the Residential Rental Property that is at the 90th percentile of Residential Rental Properties.

In Need of Remedial Action: (INRA): A designation by the Police Official that a Residential Rental Property has been identified for enforcement action under this ordinance.

Incident: The occurrence of a criminal activity on or in a Residential Rental Property as categorized in this Ordinance for which a police report is generated.

Manager: The person, persons or legal entity appointed or hired by the Owner to be responsible for the daily operation of the Residential Rental Property.

Owner: The person, persons or legal entity that holds legal title to a Residential Rental Property.

Police Official: A person designated by the Chief of Police who is primarily responsible for the administration of this Article.

Registered Agent: The person identified by the Owner of the Residential Rental Property in the registration filed pursuant to this Article who is authorized to receive legal process and/or notice required or provided for in this Article.

Remedial Action Plan: A written plan agreed upon and signed by both the Police Official and Owner whereby the Owner agrees to implement remedial measures on a Residential Rental Property whose Disorder Activity Count exceeds the Disorder Risk Threshold for its Residential Rental Property Category.

Remedial Measures: Mandatory and voluntary measures as stated within the Remedial Action Plan Manual, a copy of which is on file at the City Clerk's Office.

Residential Rental Property: Property that contains a single-family rental dwelling unit for use by residential tenants including but not limited to the following: single-family stand alone homes, duplexes, triplexes, mobile homes, mobile home spaces, townhomes, and condominium unit(s). A single-family rental dwelling unit is hereby defined to include those units available for rent that are currently vacant. The following establishments are exempt from this ordinance unless added to the Rental Action Management program pursuant to an ordinance adopted by the City Council: Bed & Breakfast Inns, Hotels, Motels, Rest Homes, Rooming Houses, Lodging Houses, and Apartment Complexes.

Residential Rental Property Review Board: The Board created pursuant to this Article.

Verified Violation. A violation of any ordinance of the Fayetteville City Code of Ordinances as designated in "Appendix B" of this ordinance and determined by the Development Services Official.

Sec. 14-65. Registration of Residential Rental Property Due to Verified Violations.

(a) Each Owner of Residential Rental Property that has been found with three (3) or more verified violations in the previous twelve (12) month period, whether those violations have been resolved by corrective action or not, shall register that property by providing the following information to the Development Services Official:

- (1) The address(es) for the Residential Rental Property which shall include the street name(s), number(s) and zip code;
- (2) The name(s), business or personal address, telephone number, and email address of the Owner;
 - a. If the property is owned by multiple natural persons, then the required information shall be that of one person who has legal authority to act on behalf of the other Owners.
 - b. If the property is owned by a corporation, whether foreign or domestic, then the required information shall be that of a Registered Agent and of an officer who has authority to act on behalf of the corporation.
 - c. If the property is owned by a partnership, then the required information shall be that of the managing partner and one alternate who have legal authority to act on behalf of the partnership.
 - d. If the property is owned by an unincorporated association or any other legal entity not mentioned above, then the required information shall be that of a person who has legal authority to act on behalf of that association or entity.

- (3) The number of units located on the residential property.

(b) The address(s) required in subsection (a) (2) shall not be a public or private post office box or other similar address.

(c) An Owner that is required to register under this ordinance who sells the property shall notify the Development Services Official of all purchaser information within thirty (30) days from the date of change of ownership. Purchaser information shall include the name, address, phone number and e-mail address for the purchaser.

(d) An Owner that is required to register under this ordinance shall post proof of registration as provided by the City in the business office of the property or in a common area or other conspicuous place accessible at all times to the tenant(s).

(e) Each residential rental property parcel shall be registered separately.

(f) The Owner of Residential Rental Property that is the site of three (3) verified violations in the previous twelve (12) month period shall be sent a notice by certified mail to the name and address listed with the Cumberland County's Office of Tax Assessor.

(g) The notice shall include the following information:

- (1) A description of the verified violations of the Fayetteville City Code that have occurred at the property in the past twelve (12) months as well as the dates of said violations; and
- (2) The amount of the registration fee.
- (3) The deadline for completing the registration process.

Sec.14-66. Grounds for Revocation of Rental Registration as Required by Sec.14-65.

(a) Each Owner of Residential Rental Property that has been found with four (4) or more verified violations in the previous twelve (12) month period, whether those violations have been resolved by corrective action or not, shall have the rental registration for that property revoked by the Development Services Official.

(b) Each Owner of Residential Rental Property that is required by this ordinance to register his or her property and either fails to do so or fails to pay the required registration fee shall have the rental registration revoked by the Development Services Official.

Sec.14-67. Notice of Revocation.

A notice of revocation shall be sent by certified mail or delivered in person to the address listed on the rental registration.

Sec.14-68. Period of Revocation.

Revocation of an Owner's rental registration shall remain in place for a period of one (1) year. If an Owner fails to register his or her property as required by this ordinance then that property shall be ineligible for registration for a period of one (1) year.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: October 28, 2013
RE: **Revenue and Expenditure Report for Annual Funds for the Three-Month Period Ended September 30, 2013**

THE QUESTION:

Staff will present the revenue and expenditure report for the annual funds for the three-month period ended September 30, 2013.

RELATIONSHIP TO STRATEGIC PLAN:

Mission Principle: Financially Sound
Core Value: Stewardship

BACKGROUND:

The attached report consists of two main sections: revenues by major category by fund, and expenditures by department and fund.

The report provides revenue and expenditure data for the current fiscal year (column "Actuals thru September 2013") with comparison data for the same period of the prior fiscal year (column "Actuals thru September 2012"). The current year annual budget is also provided in the column labeled "Annual Budget as of September 2013".

Positive or negative changes between the "Actuals thru September 2013" column and the "Actuals thru September 2012" column are also provided as percentages in the "% Change Actuals" column.

Sales tax distributions are received approximately 75 days after the period in which they apply. The attached report includes sales tax revenues for July 2013 for the current fiscal year, and for July 2012 for comparative purposes for the prior fiscal year.

The quarterly utility taxes are received from the State approximately 75 days after the period to which they apply; therefore, no utility tax revenues are included in this report for the current or prior fiscal year. Utility tax data for the period ended September 2013 will be released in mid December 2013.

ISSUES:

None.

BUDGET IMPACT:

See attached report.

OPTIONS:

Not applicable.

RECOMMENDED ACTION:

No action required. Information only.

ATTACHMENTS:

General Fund Revenues Quarter 1 FY 14

General Fund Expenditures Quarter 1 FY14
Other Annual Fund Revenues Quarter 1 FY14
Other Annual Fund Expenditures Quarter 1 FY14
First Quarter FY 14 Financial Presentation

**General Fund Revenue Report
For the Period Ended
September 30, 2013**

Description	Actuals thru September 2012	Annual Budget As Of September 2013	Actuals thru September 2013	% Change Actuals
Ad Valorem Taxes				
Current Year Taxes	6,367,000	62,293,829	6,527,007	2.51%
Prior Year Taxes	526,053	1,081,000	551,743	4.88%
Penalties & Interest	43,049	275,400	50,934	18.32%
Other Taxes				
Vehicle License Tax	145,319	763,600	146,244	0.64%
Privilege License Tax	2,316,232	1,037,200	958,392	-58.62%
Franchise Fees	-	-	-	0.00%
Vehicle Gross Receipts	89,150	614,200	161,464	81.11%
Intergovernmental Revenues				
Federal	148,435	205,320	59,163	-60.14%
State				
Sales Taxes*	2,817,507	35,361,844	2,862,294	1.59%
Utility Taxes**	-	11,141,267	-	0.00%
Other	2,762,796	6,406,594	2,769,097	0.23%
Local	333,880	4,022,556	290,447	-13.01%
Functional Revenues				
Permits and Fees	922,415	3,076,700	614,584	-33.37%
Property Leases	193,409	624,240	139,284	-27.98%
Engineering/Planning Services	88,455	472,400	132,800	50.13%
Public Safety Services	267,898	1,147,435	216,804	-19.07%
Environmental Services	36,223	-	-	-100.00%
Parks & Recreation Fees	344,793	1,438,485	364,257	5.65%
Other Fees and Services	38,456	203,750	15,019	-60.94%
Other Revenues				
Refunds and Sundry	12,162	190,280	35,261	189.93%
Indirect Cost Allocation	278,209	1,512,778	347,256	24.37%
Special Use Assessment	21,606	220,469	31,360	45.14%
Sale of Assets & Materials	40,571	233,000	14,249	-64.88%
Investment Income ***	3,634	305,500	3,012	-17.13%
Other Financing Sources				
Proceeds from Bonds	-	-	-	0.00%
Proceeds from Refunding Bonds	-	-	-	0.00%
Proceeds from Loans	-	2,150,637	-	0.00%
Interfund Transfers	2,847,161	12,385,913	3,075,903	8.03%
Capital Leases	-	-	-	0.00%
Fund Balance Appropriation	-	3,450,328	-	0.00%
TOTAL	20,644,413	150,614,725	19,366,574	-6.19%

* Sales tax revenue for "Actuals" reflect revenue through July 2012 and 2013, respectively. August sales tax data (monthly) will be released in mid November 2013.

** Utility tax revenue for "Actuals" reflect no revenue through September 2012 and 2013, respectively. Utility tax data for quarter ending September 2013 will be released in mid December 2013.

*** Investment income for the City's pooled cash and investments is allocated among all eligible funds at year end.

**General Fund Expenditure Report
For the Period Ended
September 30, 2013**

Description	Actuals thru September 2012	Annual Budget As Of September 2013	Actuals thru September 2013	% Change Actuals
City Attorney	302,467	1,154,285	218,624	-27.72%
City Manager	214,289	1,420,357	363,691	69.72%
Community Development	405,751	1,211,954	266,837	-34.24%
Corporate Communications	198,702	948,868	196,991	-0.86%
Development Services	912,394	4,395,222	881,218	-3.42%
Engineering & Infrastructure				
Street Sweeping	413,366	-	-	-100.00%
Other	5,509,748	11,113,557	6,329,568	14.88%
Environmental Services	1,686,743	-	-	-100.00%
Finance	518,652	2,756,236	584,065	12.61%
Fire & Emergency Management	5,344,817	24,823,433	5,228,714	-2.17%
Human Relations	54,251	287,665	59,050	8.85%
Human Resource Development	268,176	1,201,899	257,601	-3.94%
Information Technology	2,085,927	5,640,118	3,207,334	53.76%
Mayor, Council & City Clerk	199,651	945,671	205,296	2.83%
Other Appropriations *	4,276,321	31,873,983	6,008,512	40.51%
Parks, Recreation & Maintenance	4,828,376	17,898,702	6,267,125	29.80%
Police	9,819,468	44,942,775	10,301,866	4.91%
Total General Fund	37,039,099	150,614,725	40,376,492	9.01%

* Sales tax and utility tax reimbursements for quarter ending September 30, 2013 will be recorded in mid December 2013.

**Operating Funds Revenue Report
For the Period Ended
September 30, 2013**

Description	Actuals thru September 2012	Annual Budget As Of September 2013	Actuals thru September 2013	% Change Actuals
Parking Fund				
Functional Revenues	68,026	351,110	69,617	2.34%
Other Revenues	-	-	-	0.00%
Investment Income	-	300	-	0.00%
Fund Balance Appropriation	-	79,195	-	0.00%
Total	68,026	430,605	69,617	2.34%
Lake Valley Drive MSD Fund				
Functional Revenues	57,012	79,767	80,302	40.85%
Investment Income	-	-	-	0.00%
Interfund Transfers	-	-	-	0.00%
Total	57,012	79,767	80,302	40.85%
Central Business Tax District Fund				
Ad Valorem Taxes	13,222	132,156	13,818	4.51%
Investment Income	-	-	-	0.00%
Fund Balance	-	1,373	-	0.00%
Total	13,222	133,529	13,818	4.51%
Stormwater Fund				
Stormwater Fees	760,584	5,283,908	791,013	4.00%
Intergovernmental	-	-	-	0.00%
Other Functional Revenues	-	120,500	30,125	100.00%
Other Revenues	-	-	42,112	100.00%
Investment Income	-	28,858	-	0.00%
Interfund Transfers	-	-	-	0.00%
Fund Balance	-	1,654,197	-	0.00%
Total	760,584	7,087,463	863,250	13.50%
Emergency Telephone System Fund				
Intergovernmental	129,292	805,520	134,253	3.84%
Investment Income	-	1,600	-	0.00%
Interfund Transfers	-	-	-	0.00%
Fund Balance	-	64,574	-	0.00%
Total	129,292	871,694	134,253	3.84%
Risk Management Funds				
Interfund Charges	3,661,003	13,732,739	3,858,898	5.41%
Other Revenues				
Employee Contributions	690,876	2,902,300	725,226	4.97%
Refunds and Sundry	63,655	149,000	3,810	-94.01%
Investment Income	-	97,000	-	0.00%
Interfund Transfers	461,542	474,423	455,102	-1.40%
Fund Balance	-	357,978	-	0.00%
Total	4,877,076	17,713,440	5,043,036	3.40%

Operating Funds Revenue Report
For the Period Ended
September 30, 2013

Description	Actuals thru September 2012	Annual Budget As Of September 2013	Actuals thru September 2013	% Change Actuals
Transit Fund				
Other Taxes	147,563	775,400	149,288	1.17%
Federal Operating Grant	-	1,711,095	-	0.00%
State Operating Grant	-	671,584	-	0.00%
Bus Fares	241,925	1,142,248	257,760	6.55%
Contract Transportation	23,016	91,860	22,964	-0.23%
Other Revenue	2,394	51,020	2,463	2.88%
Interfund Transfers	628,323	2,842,604	710,651	13.10%
Total	1,043,221	7,285,811	1,143,126	9.58%
Airport Fund				
Intergovernmental Revenues	28,258	113,150	28,520	0.93%
Property Leases	494,485	2,433,266	468,411	-5.27%
Franchise Fees	232,321	1,359,410	225,059	-3.13%
Landing Fees	98,969	387,431	94,927	-4.08%
Training Facility Fees	10,400	32,500	10,500	0.96%
Other Revenues	44,548	220,234	41,559	-6.71%
Public Safety Reimbursements	31,476	209,116	52,279	66.09%
Investment Income	-	27,402	-	0.00%
Interfund Transfers	-	-	-	0.00%
Fund Balance	-	-	-	0.00%
Total	940,457	4,782,509	921,255	-2.04%
Environmental Services Fund				
Solid Waste Fees	270,761	2,310,800	260,077	-3.95%
Intergovernmental	75,313	445,381	75,659	0.46%
Property Leases	-	139,140	37,116	100.00%
Other Revenues	191	146,280	27,578	14338.74%
Investment Income	-	8,000	-	0.00%
Interfund Transfers	-	7,009,221	1,752,305	100.00%
Fund Balance	-	360,000	-	0.00%
Total	346,265	10,418,822	2,152,735	521.70%
LEOSSA Fund				
Interfund Charges	193,432	766,133	207,937	7.50%
Investment Income	-	14,500	-	0.00%
Fund Balance	-	-	-	0.00%
Total	193,432	780,633	207,937	7.50%
City of Fayetteville Finance Corporation				
Investment Income	-	-	-	0.00%
Property Leases	106,608	806,750	91,624	-14.06%
Total	106,608	806,750	91,624	-14.06%

**Operating Funds Expenditure Report
For the Period Ended
September 30, 2013**

Description	Actuals thru September 2012	Annual Budget As Of September 2013	Actuals thru September 2013	% Change Actuals
Parking Fund	143,686	430,605	134,273	-6.55%
Lake Valley Drive MSD Fund	-	79,767	-	0.00%
Central Business Tax District Fund	76,009	133,529	32,550	-57.18%
Stormwater Fund				
Street Sweeping	-	1,055,008	181,780	100.00%
Other	1,427,500	6,032,455	867,228	-39.25%
Emergency Telephone System Fund	256,655	871,694	137,844	-46.29%
Risk Management Funds	3,857,608	17,713,440	2,836,771	-26.46%
Transit Fund	1,502,557	7,285,811	1,642,601	9.32%
Airport Fund	1,212,214	4,782,509	1,496,693	23.47%
Environmental Services Fund	632,080	10,418,822	2,209,794	249.61%
LEOSSA Fund	137,392	780,633	135,898	-1.09%
City of Fayetteville Finance Corporation	106,625	806,750	91,625	-14.07%

Revenue and Expenditure Report Annual Funds Period Ended September 30, 2013



City of
Fayetteville
North Carolina



City of
Fayetteville
North Carolina

Overview



- General Fund Revenues
- General Fund Expenditures
- Stormwater System Revenues and Expenditures
- Transit Revenues and Expenditures
- Environmental Services Revenues and Expenditures
- Airport Revenues and Expenditures



General Fund Revenues



	Actual 9/30/12	Budget 9/30/13	Actual 9/30/13	%Change Actuals
Property Taxes	\$ 6.94	\$ 63.65	\$ 7.13	2.8
Other Taxes	2.55	2.42	1.27	(50.4)
Intergovern. Revenues	6.06	57.14	5.98	(1.4)
Fees and Services	1.89	6.96	1.48	(21.6)
Other Revenues	0.36	2.46	0.43	21.0
Other Financing Sources	2.85	14.54	3.08	8.0
Fund Bal. Appropriation	0.00	3.45	0.00	0.0
Total	20.64	150.61	19.37	(6.2)



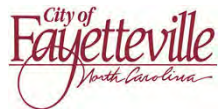
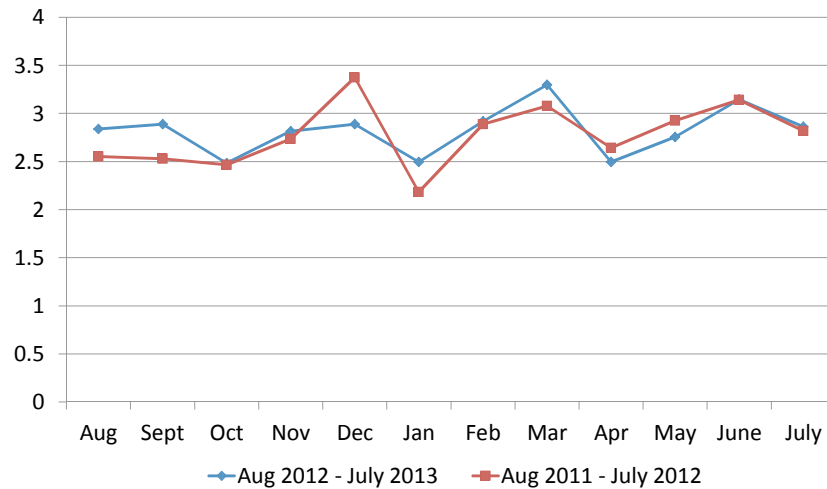
Intergovernmental Revenues



	Actual 9/30/12	Budget 9/30/13	Actual 9/30/13	%Change Actuals
Intergovern. Revenues				
Sales Taxes	\$ 2.82	\$35.36	\$ 2.86	1.6
Utility Taxes	0	11.14	0	0
Powell Bill	2.71	5.36	2.76	1.6
Federal & Other State	0.20	1.25	0.07	(63.1)
Local	0.33	4.02	0.29	(13.0)
Total	6.06	57.14	5.98	(1.3)



Monthly Sales Tax Revenues



General Fund Expenditures



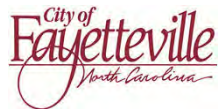
	Actual 9/30/12	Budget 9/30/13	Actual 9/30/13	%Change Actuals
General Administration	\$ 3.79	\$ 14.07	\$ 5.03	32.9
Police	9.82	44.94	10.30	4.9
Fire & Emergency Mgmt.	5.35	24.83	5.23	(2.1)
Engineering/Infrastructure	5.92	11.11	6.33	6.9
Environmental Svcs.	1.68	0	0	(100.0)
Parks, Rec. & Maint.	4.83	17.90	6.27	29.8
Other Functions	1.37	5.89	1.20	(12.0)
Other Appropriations	4.28	31.87	6.01	40.5
Total	37.04	150.61	40.38	9.0



Stormwater Fund



	Actual 9/30/12	Budget 9/30/13	Actual 9/30/13	%Change Actuals
Revenues:				
Stormwater Fees	\$ 0.76	\$ 5.28	\$ 0.79	4.0
Other	0.00	0.15	0.07	100.0
Fund Bal. Appropriation	0.00	1.66	0.00	0.0
Total Revenues	0.76	7.09	0.86	13.5
Expenditures	1.43	7.09	1.05	(26.5)



Transit Fund



	Actual 9/30/12	Budget 9/30/13	Actual 9/30/13	%Change Actuals
Revenues:				
Federal & State Grants	\$ 0.00	\$ 2.38	\$ 0.00	0.0
Bus Fares	0.24	1.14	0.26	6.6
Vehicle License Tax	0.15	0.78	0.15	1.2
Other Revenue	0.03	0.14	0.03	0.1
General Fund Transfer	0.63	2.84	0.71	13.1
Total Revenues	1.04	7.29	1.14	9.6
Expenditures	1.50	7.29	1.64	9.3



Environmental Svcs Fund



	Actual 9/30/12	Budget 9/30/13	Actual 9/30/13	%Change Actuals
Revenues:				
Solid Waste Fees	\$ 0.27	\$ 2.31	\$ 0.26	(4.0)
Other Revenue	0.08	0.74	0.14	85.9
General Fund Transfer	0.00	7.01	1.75	100.0
Fund Balance	0.00	0.36	0.00	0.0
Total Revenues	0.35	10.42	2.15	521.7
Expenditures	0.63	10.42	2.21	249.6



Airport Fund



	Actual 9/30/12	Budget 9/30/13	Actual 9/30/13	%Change Actuals
Revenues:				
Property Leases	\$ 0.49	\$ 2.43	\$ 0.47	(5.2)
Franchise Fees	0.23	1.36	0.23	(3.1)
Other	0.21	0.99	0.23	6.6
Fund Bal. Appropriation	0.00	0.00	0.00	0.0
Total Revenues	0.94	4.78	0.92	(2.0)
Expenditures	1.21	4.78	1.50	23.5



CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Bart Swanson, Housing and Code Enforcement Division Manager
DATE: October 28, 2013
RE: **Uninhabitable Structures Demolition Recommendations**
228 S. C Street
216 Hedgepeth Street
1040 Kingsley Road
2008 Overlook Drive
2869 Owen Drive

THE QUESTION:

Ordinances to demolish blighted structures.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2: More Attractive City- Clean and Beautiful; Goal 3:- Growing City, Livable Neighborhoods- A Great Place To Live

BACKGROUND:

228 S. C Street

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a vacant residential home that was inspected and condemned as a blighted structure on June 6, 2012. A hearing on the condition of the structure was conducted on June 27, 2012, in which the owner did not attend. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner June 28, 2012. To date there have been no repairs to the structure. The utilities to this structure have been disconnected since October 2010. In the past 24 months there have been 15 calls for 911 service to the property. There have been 11 code violations cases with a pending assessment of \$153.94. The low bid for demolition is \$1,900.00.

216 Hedgepeth Street

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a vacant residential home that was inspected and condemned as a blighted structure on April 25, 2013. A hearing on the condition of the structure was conducted on May 15, 2013, in which one of the the property owners appeared. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owners on May 16, 2013. To date there have been no repairs to the structure. The utilities to this structure have been disconnected since December 2008. In the past 24 months there have been 20 calls for 911 service to the property. There have been 11 code violation cases with no pending assessments. The low bid for demolition is \$2,500.00

1040 Kingsley Road

The City Inspector is required to correct conditions that are found to be in violation of the Dwelling and Buildings Minimum Standards. The structure is a vacant residential home that was inspected and condemned as a blighted structure on May 30, 2013. A hearing on the condition of the structure was conducted on June 12, 2013, in which the owner did not appear. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on June 13, 2013. To date there have been no repairs to the structure. The utilities to the structure are still connected. In the past 24 months there has been 1 call for 911 service to the property. There have been 5 code violation cases with a pending assessment of \$405.82. The low bid for demolition is \$2,500.00.

2008 Overlook Drive

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a vacant residential home that was inspected

and condemned as a blighted structure on June 5, 2013. A hearing on the condition of the structure was conducted on June 19, 2013, in which the owner did not appear. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on June 20, 2013. To date there have been no repairs to the structure. There is no record of utilities to the structure. In the past 24 months there have been no calls for 911 service to the property. There have been two code violation cases with a pending assessment of \$220.12. The low bid for demolition is \$1,680.00.

2869 Owen Drive

The City Inspector is required to correct conditions that are found to be in violation of the Dwellings and Buildings Minimum Standards. The structure is a commercial structure with seven tenant spaces. The structure was inspected and condemned as a dangerous structure on May 14, 2013. A hearing on the condition of the structure was conducted on May 29, 2013, in which the owner did not attend. A subsequent Hearing Order to repair or demolish the structure within 60 days was issued and mailed to the owner on May 30, 2013. The owner appealed the Hearing Order to the Board of Appeals for Dwellings and Buildings; the subsequent hearing was conducted on July 25, 2013, in which the Board of Appeals voted to affirm the Hearing Order to repair or demolish the structure within 60 days. To date there have been no repairs to the structure. The utilities are disconnected to six of the seven tenant spaces. In the past 24 months there have been 1,156 calls for 911 service to the property. There have been 41 code violation cases with a pending assessment of \$11, 403.76. The cost of the demolition and any asbestos abatement will be determined through a formal bidding process.

ISSUES:

All subject properties are sub-standard and detrimental to the surrounding neighborhood and promote nuisances and blight, contrary to the City's Strategic Plan.

BUDGET IMPACT:

The demolition of the residential structures will be \$8,580.00; there will be additional costs for asbestos testing and abatement if needed.

OPTIONS:

- Adopt the ordinances and demolish the structures.
- Abstain from any action and allow the structures to remain.
- Defer any action to a later date.

RECOMMENDED ACTION:

Staff recommends that Council move to adopt the ordinances authorizing demolition of the structures.

ATTACHMENTS:

Aerial Map- 228 S. C Street

Docket- 228 S. C Street

Ordinance- 228 S. C Street

Photo 1- 228 S. C Street

Photo 2- 228 S. C Street

Photo 3- 228 S. C Street

Photo 4- 228 S. C Street

Photo 5- 228 S. C Street

Aerial Map- 216 Hedgepeth Street

Docket- 216 Hedgepeth Street

Ordinance- 216 Hedgepeth Street

Photo 1- 216 Hedgepeth Street

Photo 2- 216 Hedgepeth Street

Photo 3- 216 Hedgepeth Street
Photo 4- 216 Hedgepeth Street
Photo 5- 216 Hedgepeth Street
Aerial Map- 1040 Kingsley Road
Docket- 1040 Kingsley Road
Ordinance- 1040 Kingsley Road
Photo 1- 1040 Kingsley Road
Photo 2- 1040 Kingsley Road
Photo 3- 1040 Kingsley Road
Photo 4- 1040 Kingsley Road
Photo 5- 1040 Kingsley Road
Aerial Map- 2008 Overlook Drive
Docket- 2008 Overlook Drive
Ordinance- 2008 Overlook Drive
Photo 1- 2008 Overlook Drive
Photo 2- 2008 Overlook Drive
Photo 3- 2008 Overlook Drive
Photo 4- 2008 Overlook Drive
Photo 5- 2008 Overlook Drive
Aerial Map- 2869 Owen Drive
Docket- 2869 Owen Drive
Ordinance- 2869 Owen Drive
Photo 1- 2869 Owen Drive
Photo 2- 2869 Owen Drive
Photo 3- 2869 Owen Drive
Photo 4- 2869 Owen Drive
Photo 5- 2869 Owen Drive
Photo 6- 2869 Owen Drive
Photo 7- 2869 Owen Drive
Photo 8- 2869 Owen Drive
Photo 9- 2869 Owen Drive



Location: 228 S. C Street
PIN: 0437-39-9405

TO: Mayor
City Council Members
City Manager
City Attorney

Under provisions of Chapter 14, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, the Inspection Department is requesting 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, Section 14-61, have been complied with. We request the Council take action under the provisions of Chapter 14 of the Code and applicable NC General Statutes.

Location	228 S. C Street
Property Owner(s)	Nancy Brewster Heirs, Fayetteville, NC
Date of Inspection	June 6, 2012
Date of Hearing	June 27, 2012
Finding/Facts of Scheduled Hearing	Notice to repair/demolish the structure within 60 days mailed June 28, 2012
Owner's Response	None
Appeal Taken (Board of Appeals)	No
Other	Utilities disconnected since October 2010.
	Hearing was advertised in the Fayetteville Observer June 2012.
Police Calls for Service (past 2 yrs)	15

The Housing Inspector dispatched a letter to the owner(s) with information that the docket would be presented to the City Council for necessary action.

This is the 28th day of October, 2013.

Frank Lewis, Jr.

Sr. Code Enforcement Administrator (Housing)

**AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA**

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

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

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

228 S. C Street
PIN 0437-91-0440

BEGINNING at a stake in the western margin of "C" Street, 50 feet removed from the intersection of "C" Street and Davis Street, and runs thence westwardly a parallel line with Davis Street 159 feet to a stake; Thence South 21 degrees 54 minutes West 50 feet to a stake, the northwest corner of Lot Number 6; Thence eastwardly 161.5 feet to the western margin of "C" Street; Thence North 21 degrees and 54 minutes East to the beginning, being Lot No. 4 of Block D of the subdivision of the McDaniel property as shown on a plat recorded in Book of Plats "S" No. 7, Page 9, Cumberland County, North Carolina Registry.

The owner(s) of and parties in interest in said property are:

Nancy Brewster Heirs
4408 Coral Court
Fayetteville, NC 28311

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before August 28, 2012.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(5), 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 fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None.

- (5) That pursuant to NC General Statute 160A-443(6), the cost of \$1,900.00 shall be a lien against the real property upon which the cost was incurred.

Whereupon, it is ordained that:

SECTION 1

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

This property is to be demolished and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by NC General Statute 160A-443(6) shall be effective from and after the date the work is completed and shall have priority as provided by law, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

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

Adopted this _28th_____ day of __October_____, 2013.

CITY OF FAYETTEVILLE

BY: _____
Anthony Chavonne, Mayor

ATTEST:

Pamela Megill, City Clerk



8-5-4-1



8-5-5-1



8-5-6-1



8-5-7-1



8-5-8-1



Location: 216 Hedgepeth Street
PIN: 0436-39-9405

TO: Mayor
City Council Members
City Manager
City Attorney

Under provisions of Chapter 14, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, the Inspection Department is requesting 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, Section 14-61, have been complied with. We request the Council take action under the provisions of Chapter 14 of the Code and applicable NC General Statutes.

Location	216 Hedgepeth Street
Property Owner(s)	Charles Hayes Heirs, Donald Hayes, Wanda Shrieves, Annette McKenzie Fayetteville, NC
Date of Inspection	April 25, 2013
Date of Hearing	May 15, 2013
Finding/Facts of Scheduled Hearing	Notice to repair/demolish the structure within 90 days mailed May 16, 2013
Owner's Response	None
Appeal Taken (Board of Appeals)	No
Other	Utilities disconnected since December 2008.
	Hearing was advertised in the Fayetteville Observer May 2013.
Police Calls for Service (past 2 yrs)	20

The Housing Inspector dispatched a letter to the owner(s) with information that the docket would be presented to the City Council for necessary action.

This is the 28th day of October, 2013.

Frank Lewis, Jr.

Sr. Code Enforcement Administrator (Housing)

**AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA**

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

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

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

216 Hedgepeth Street
PIN 0437-91-0440

BEGINNING at a stake in the northern margin of Hedgepeth Street at a point North 43 degrees West 205 feet from the intersection of the northern margin of Hedgepeth Street with the western margin of the Lumberton Road, said beginning point being also the southwest corner of Lot #4, and runs thence North 47 degrees East 135.5 feet to a stake; thence North 43 degrees West 50 feet to a stake; thence South 47 degrees East 135.5 feet to a stake in the northern margin of Hedgepeth Street; thence with the northern margin of Hedgepeth Street South 43 degrees East 50 feet to the beginning, and Lot #5 of the Hedgepeth Property as subdivided by J.P. Lee, as appears of record in Plat Book S #7, page 74, Cumberland County, North Carolina Registry.

.

The owner(s) of and parties in interest in said property are:

Charles Hayes Heirs
c/o Donald Hayes
216 Hedgepeth Street
Fayetteville, NC 28306-1512

Annette McKenzie
5609 Hardwick Lane 21
Fayetteville, NC 28306-8570

Donald Hayes
216 Hedgepeth Street
Fayetteville, NC 28306-1512

Wanda Shrieves
1633 Melvinville Court
Fayetteville, NC 28312-6465

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before August 16, 2013.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(5), 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 fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None.
- (5) That pursuant to NC General Statute 160A-443(6), the cost of \$2,500.00 shall be a lien against the real property upon which the cost was incurred.

Whereupon, it is ordained that:

SECTION 1

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

This property is to be demolished and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by NC General Statute 160A-443(6) shall be effective from and after the date the work is completed and shall have priority as provided by law, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

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

Adopted this 28th day of October, 2013.

CITY OF FAYETTEVILLE

BY: _____
Anthony Chavonne, Mayor

ATTEST:

Pamela Megill, City Clerk



8-5-12-1



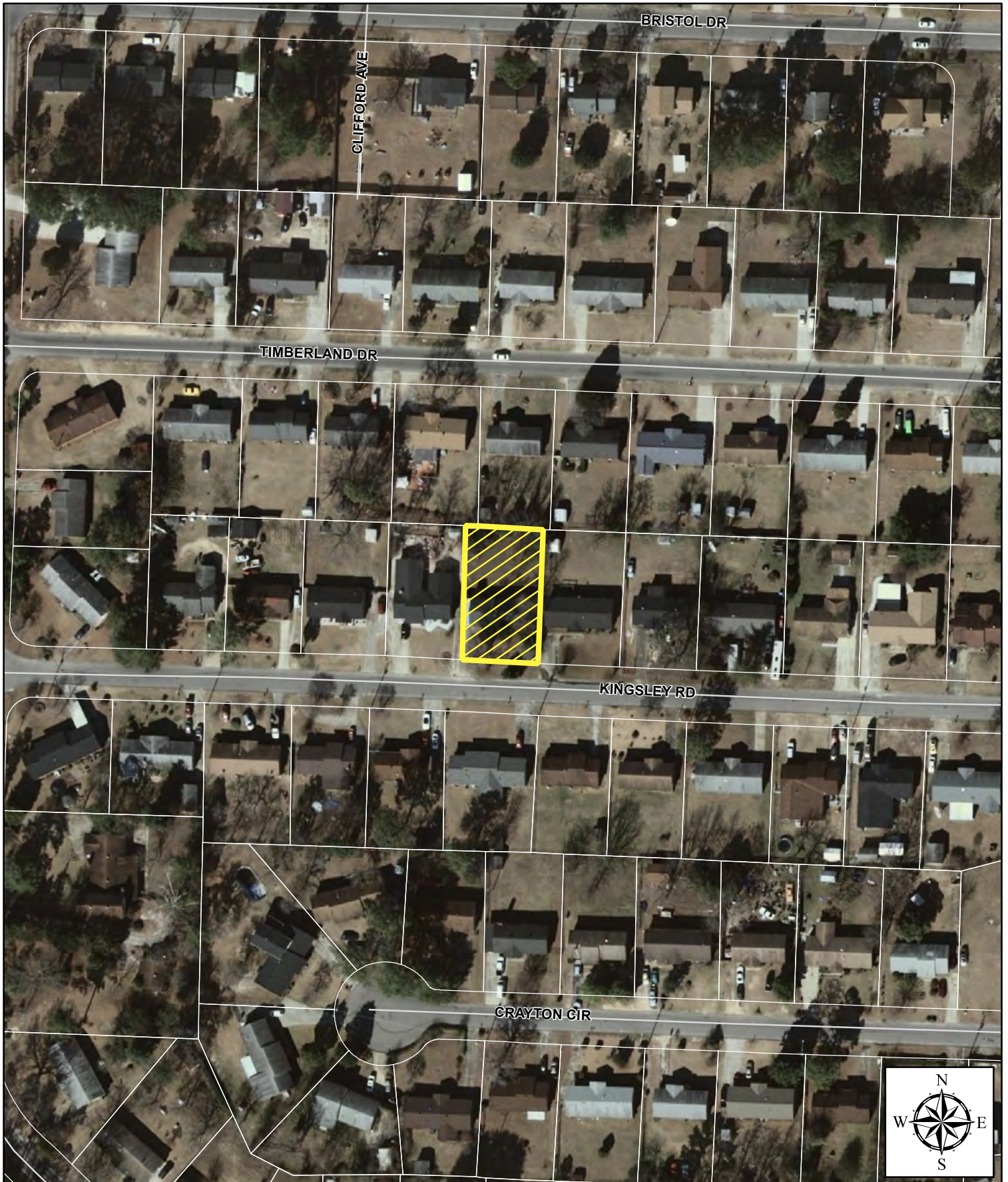
8-5-13-1



8-5-14-1







Location: 1040 Kingsley Road
PIN: 0407-23-5880

TO: Mayor
City Council Members
City Manager
City Attorney

Under provisions of Chapter 14, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, the Inspection Department is requesting 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, Section 14-61, have been complied with. We request the Council take action under the provisions of Chapter 14 of the Code and applicable NC General Statutes.

Location	1040 Kingsley Road
Property Owner(s)	Steven and Frances Greenamyre, Greenville, SC
Date of Inspection	May 30, 2013
Date of Hearing	June 12, 2013
Finding/Facts of Scheduled Hearing	Notice to repair/demolish the structure within 60 days mailed June 13, 2013
Owner's Response	None
Appeal Taken (Board of Appeals)	No
Other	Utilities are connected.
Police Calls for Service (past 2 yrs)	1

The Housing Inspector dispatched a letter to the owner(s) with information that the docket would be presented to the City Council for necessary action.

This is the 28th day of October, 2013.

Frank Lewis, Jr.

Sr. Code Enforcement Administrator (Housing)

**AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA**

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

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

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

1040 Kingsley Road
PIN 0407-23-5880

BEING all of Lot Number 173, in a Subdivision known as HOLLYWOOD HEIGHTS, SECTION EIGHT, according to a plat of same duly recorded in Book of Plats 33, Page 18, Cumberland County Registry, North Carolina.

The owner(s) of and parties in interest in said property are:

Steven and Frances Greenamyre
1409 Green Mountain Road, Apt 260
Greenville, SC 29615

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before August 13, 2013.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(5), 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 fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None.

- (5) That pursuant to NC General Statute 160A-443(6), the cost of \$2,500.00 shall be a lien against the real property upon which the cost was incurred.

Whereupon, it is ordained that:

SECTION 1

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

This property is to be demolished and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by NC General Statute 160A-443(6) shall be effective from and after the date the work is completed and shall have priority as provided by law, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

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

Adopted this 28th day of October, 2013.

CITY OF FAYETTEVILLE

BY: Anthony Chavonne, Mayor

ATTEST:

Pamela Megill, City Clerk



1040

DANGER



1040

DANGER
DO NOT ENTER
UNSAFE STRUCTURE

8-5-21-1

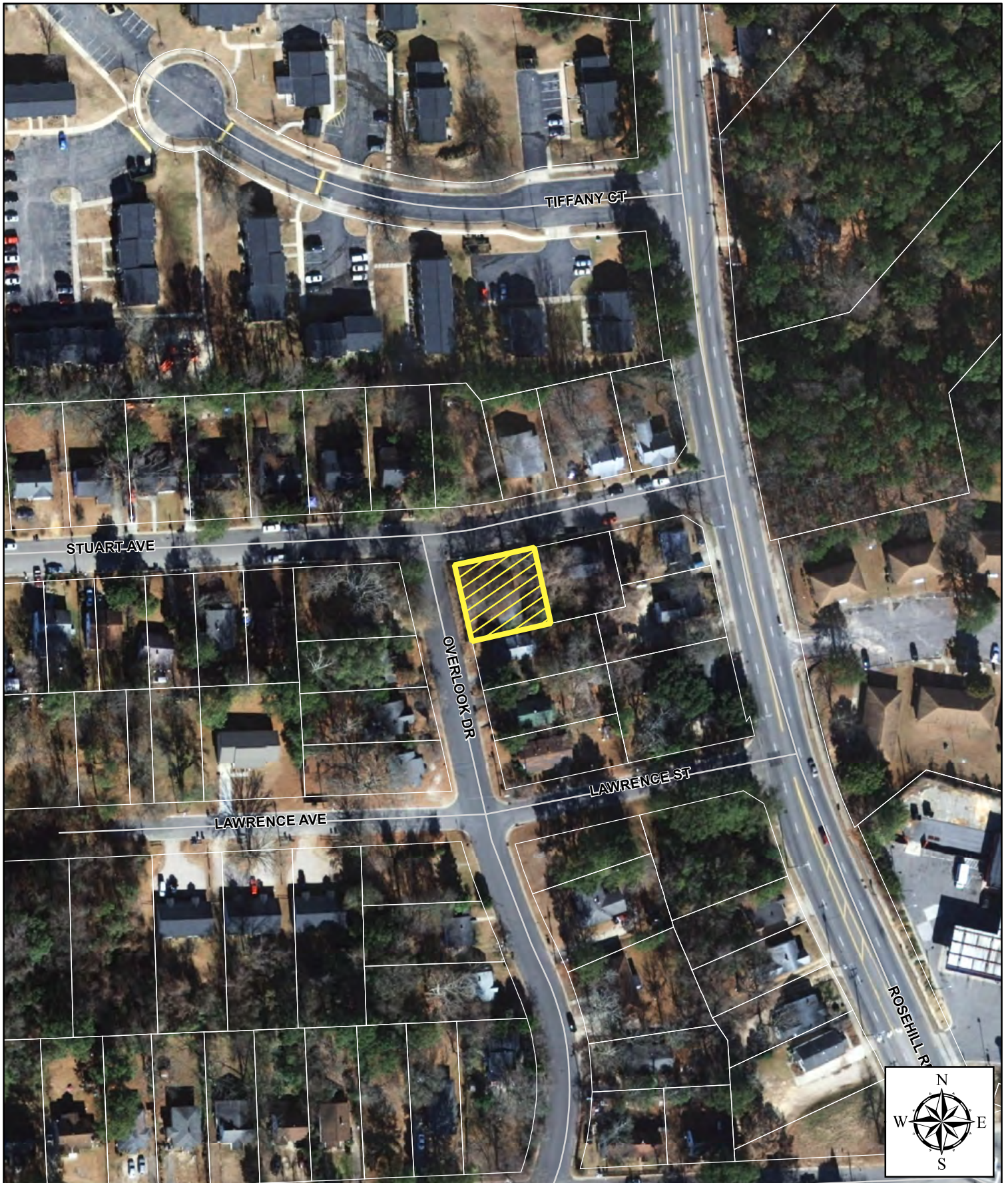


8 - 5 - 22 - 1





8-5-24-1



Location: 2008 Overlook Drive
PIN: 0438-45-8403

TO: Mayor
City Council Members
City Manager
City Attorney

Under provisions of Chapter 14, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, the Inspection Department is requesting 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, Section 14-61, have been complied with. We request the Council take action under the provisions of Chapter 14 of the Code and applicable NC General Statutes.

Location	2008 Overlook Drive
Property Owner(s)	Beverly Eugene Smith and wife Alice Dee Smith, Fayetteville, NC
Date of Inspection	June 5, 2013
Date of Hearing	June 19, 2013
Finding/Facts of Scheduled Hearing	Notice to repair/demolish the structure within 60 days mailed June 20, 2013
Owner's Response	None
Appeal Taken (Board of Appeals)	No
Other	No record of utilities.
Police Calls for Service (past 2 yrs)	0

The Housing Inspector dispatched a letter to the owner(s) with information that the docket would be presented to the City Council for necessary action.

This is the 28th day of October, 2013.

Frank Lewis, Jr.

Sr. Code Enforcement Administrator (Housing)

**AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA**

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

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

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

2008 Overlook Drive
PIN 0438-45-8403

BEGINNING at the Northwest corner of Lot No. 98 in the Subdivision of the Fisher Property at the intersection of the Southern margin of Stewart Avenue and the Eastern margin of Overlook Drive and running thence with the South margin of Stewart Avenue North 80 degrees 24 minutes East 80.1 feet to a point; thence South 9 degrees 36 minutes East 75 feet to a point in the dividing line between Lots 95 and 96, thence with said dividing line South 80 degrees 24 minutes West 80.1 feet to a point in the Eastern margin of Overlook Drive; said point being the Southwest corner of Lot 96; thence with the Eastern margin of Overlook Drive North 9 degrees 36 minutes West 75 to beginning, and being part of Lots 96, 97 and 98 in a Subdivision of Fisher Property as per plat registered in Book of Plats 10, Page 6, Cumberland County Registry North Carolina.

The owner(s) of and parties in interest in said property are:

Beverly Eugene & Alice Dee Smith
4300 Braemar Lane
Fayetteville, NC 28314

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before August 20, 2013.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(5), 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 fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None.

- (5) That pursuant to NC General Statute 160A-443(6), the cost of \$1,680.00 shall be a lien against the real property upon which the cost was incurred.

Whereupon, it is ordained that:

SECTION 1

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

This property is to be demolished and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by NC General Statute 160A-443(6) shall be effective from and after the date the work is completed and shall have priority as provided by law, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

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

Adopted this __28th____ day of __October____, 2013.

CITY OF FAYETTEVILLE

BY: _____
Anthony Chavonne, Mayor

ATTEST:

Pamela Megill, City Clerk



DANGER

DO NOT
ENTER

2418



8-5-29-1



8-5-30-1



8-5-31-1





Location: 2869 Owen Drive
PIN: 0426-92-4153

TO: Mayor
City Council Members
City Manager
City Attorney

Under provisions of Chapter 14, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, the Inspection Department is requesting 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, Section 14-61, have been complied with. We request the Council take action under the provisions of Chapter 14 of the Code and applicable NC General Statutes.

Location	2869 Owen Drive
Property Owner(s)	Bill Agapion, Greensboro, NC
Date of Inspection	May 14, 2013
Date of Hearing	May 29, 2013
Finding/Facts of Scheduled Hearing	Notice to repair/demolish the structure within 60 days mailed May 30, 2013
Owner's Response	Owner appealed the Hearing Order to repair or demolish.
Appeal Taken (Board of Appeals)	Yes
Other	Utilities disconnected in six of seven tenant spaces.
	Board of Appeals voted to affirm City of Fayetteville's order to repair or demolish within 60 days on July 30, 2013.
Police Calls for Service (past 2 yrs)	1,156

The Housing Inspector dispatched a letter to the owner(s) with information that the docket would be presented to the City Council for necessary action.

This is the 28th day of October, 2013.

Frank Lewis, Jr.

Sr. Code Enforcement Administrator (Housing)

**AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA**

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

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

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

2869 Owen Drive
PIN 0426-92-4153

Being all of Lot 2 known as Subdivision for Family Dollar as shown in Plat Book 131, Page 28 of the Cumberland County Registry.

The owner(s) of and parties in interest in said property are:

Bill Agapion
625 S. Elm Street
Greensboro, NC 27406-1327

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before July 30, 2013.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-432, 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 fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:

None.

- (5) That pursuant to NC General Statute 160A-432, the cost of the demolition shall be a lien against the real property upon which the cost was incurred.

Whereupon, it is ordained that:

SECTION 1

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

This property is to be demolished and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

SECTION 2

The lien as ordered herein and permitted by NC General Statute 160A-432 shall be effective from and after the date the work is completed and shall have priority as provided by law, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

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

Adopted this _28th_____ day of ____October_____, 2013.

CITY OF FAYETTEVILLE

BY: _____
Anthony Chavonne, Mayor

ATTEST:

Pamela Megill, City Clerk











8-5-40-1



8-5-41-1







CITY COUNCIL ACTION MEMO

TO: Mayor and Members of Council
FROM: Michael Gibson, Parks, Recreation and Maintenance Director
DATE: October 28, 2013
RE: **Parks and Recreation - Outdoor Adoption Program/Gateways**

THE QUESTION:

Should Council approve the Outdoor Adoption Program and the public information campaign?

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2 - More Attractive City - Clean and Beautiful

BACKGROUND:

The department received a request from an organization to adopt a bridge in memory of a child and the current Adopt-A-Street and Adopt-A-Facility program was updated to include an Adopt-A-Gateway and Adopt-An Area provision. Adopt-A-Gateway allows groups or individuals to provide landscaping and maintenance on gateways into the city limits and into neighborhoods; safety regulations must be followed for these areas. Adopt-An Area Program allows groups or individuals to adopt a component of a park or gateway in memory of or in honor to someone or as a community service; areas that can be adopted include a bench, playground, picnic shelter, a section of a trail, or a bridge on a trail.

Once the adoption fee is paid, an agreement is signed with FCPR to provide general care and maintenance around the adopted area; adoption fees are not charged for gateways. Signage (sign, plaque or plate) will be provided by FCPR and attached to the component for the adoption period; Adopt-A-Street and Adopt-A-Gateway signs shall be placed consistent with the City of Fayetteville and NC Department of Transportation regulations.

The adoption fee includes application/administration fee that could be used by FCPR should, in the sole opinion of the department, an area need additional maintenance or cleanup. Individuals/groups will be able to "adopt" via the FCPR website, which will include application forms, interactive maps and ability to pay fees. The "Fee Ordinance" will be amended if approved.

The public information campaign includes

- Parks & Recreation Outdoor Adoption Program webpage linked from City website
- Descriptions of each program area
- Program requirements
- Safety guidelines
- Social media posts
- Op-ed by staff, Council member or Observer staff
- Brochure
- Information packet for participants
- Media release
- FAYTV7 spot, radio interviews, newspaper advertisements
- Church bulletins (through ministerial council)
- Civic group email, newsletters and outreach efforts
- Work with Chamber and Downtown Alliance on business outreach

Provided in this marketing plan are a brochure, NCDOT Adopt-a-Highway webpage sample to model City program after, each program's description, program guidelines and safety guidelines. Each program description will appear as links on Outdoor Adoption Program webpage.

ISSUES:

N/A

BUDGET IMPACT:

N/A

OPTIONS:

Approve the Outdoor Adoption Program and public information campaign.

Do not approve the Outdoor Adoption Program and public information campaign.

RECOMMENDED ACTION:

Staff recommends Council move to approve the Outdoor Adoption Program and public information campaign.

ATTACHMENTS:

Outdoor Adoption Marketing Plan (3)

Outdoor Adoption Program

Outdoor Adoption Program Marketing Strategy

Adopt-A-Street/Adopt-A-ParkFacility/Adopt-A-Gateway/Adopt-An-Area

The Adoption Program provides Fayetteville-Cumberland Parks & Recreation a means to:

- Improve the appearance of Fayetteville's City streets, gateways and Parks and Recreation facilities
- Provide citizens (groups or individuals) an opportunity to honor others
- Enhance the parks experience for the public
- Encourage community involvement
- Foster appreciation for Parks and Recreation facilities
- Improve facility conditions without increasing operational or maintenance cost
- Create an additional revenue stream.

This program is not the first of its kind, so staff has looked at other programs to understand best practices:

- Modeled after NCDOT Adopt-a-Highway
- The Outdoor Adoption Program's purpose is to beautify Fayetteville.

Tactics:

- Parks & Recreation Outdoor Adoption Program webpage linked from City website
 - Descriptions of each program area
 - Program requirements
 - Safety guidelines
- Social media posts
- Op-ed by staff, Council member or Observer staff
- Brochure
- Information packet for participants
- Media release
- FAYTV7 spot
- Radio interviews
- Newspaper advertisements
- Church bulletins (through ministerial council)
- Civic group email, newsletters and outreach efforts
- Work with Chamber and Downtown Alliance on business outreach.

Provided in this marketing plan are a brochure, NCDOT Adopt-a-Highway webpage sample to model City program after, each program's description, program guidelines and safety guidelines. Each program description will appear as links on Outdoor Adoption Program webpage.

The Adopt-A-Street/Adopt-A-Park Facility Programs

(As it will appear on program webpage)

The Adopt-A-Street/Adopt-A-Park Facility Programs operate on a calendar year (Jan. 1 to Dec. 31). The terms of this agreement should be followed from the approval date until Dec. 31. The number of cleanups required in the first year will be adjusted according to the approval date. After the first year, applicants should complete six cleanups between Jan. 1 and Dec. 31 each year they remain in the programs. Participants must obey the Program Requirements and Safety Guidelines.

The Adopt-A-Gateway Program

(As it will appear on program webpage)

The Adopt-A-Gateway Program allows groups, organizations, individuals or businesses to adopt City and Neighborhood Gateways to provide landscaping and maintenance as a community service or in honor or memory to someone.

- City Gateways are entrances into the City limits and located on a major thoroughfare. The landscaping needs in these areas are greater and reflect the desire of the City to improve its gateways. Acknowledgement signs are \$250-\$500 per year based on size and material
- Neighborhood Gateways are entrances into neighborhoods. There is no charge for the adoption; a sign naming the organization must be approved by NCDOT and shall be placed consistent with City of Fayetteville and NC Department of Transportation regulations. Standard signs are 9"-15" in height and 30"-42" in width with a maximum of 19 spaces per line.

The Adopt-A-Gateway Program operates on a calendar year, and the terms of this agreement should be followed from the approval date until Dec. 31. The number of cleanups required in the first year will be adjusted, according to the approval date. After the first year, applicants should complete 12 cleanups for City Gateways and six cleanups for Neighborhood Gateways between Jan. 1 and Dec. 31 each year they remain in the programs. Participants must obey all Program Requirements and Safety Guidelines.

The Adopt-An-Area Program

(As it will appear on program webpage)

The Adopt-An-Area Program allows groups or individuals to adopt a component of a park in memory of or honor to someone. Adoption areas include a bench, playground, picnic shelter, a section of a trail or a bridge on a trail. Once an adoption fee is paid, an agreement is signed with FCPR to provide general care and maintenance around the adopted area once per quarter for a period of five years. Individuals/groups can designate the specific area they wish to adopt or allow FCPR to assign an area. A plaque/plate will be provided by FCPR and attached to the component for five years. Adoption fees are:

Element	Annual Fee	Total – 5 Years
Bench	\$25	\$125
Brick Planter	\$75 + plant material	\$375
Bridge	\$100	\$500
Playground	\$75	\$375
Picnic shelter	\$75	\$375
Trail section	\$150	\$750

The “Brick Planter” adoption allows for a memorial plaque/plate to be affixed to a planter located on Hay Street in downtown Fayetteville. However, in addition to an adoption fee, the individual/organization will purchase plant materials from a list approved by FCPR; the organization can choose one of three designs. FCPR will be responsible to plant the material and maintain the planter.

The adoption fee includes application/administration fee that could be used by FCPR should, in the sole opinion of the department, an area need additional maintenance or cleanup. Individuals/groups will be able to “adopt” via the FCPR website, which will include application forms, interactive maps and ability to pay fees. FCPR will review additional adoption opportunities as they become available.

FCPR will review additional adoption opportunities as they arise; some adoptions may not include the maintenance or cleanup requirements.

Applicants will automatically renew each year, unless they fail to complete the required number of cleanups or they request to be removed from the program. Failure to complete obligations will prevent future adoptions by your organization. The City of Fayetteville reserves the right to cancel this privilege at any time.

A coordinator should be appointed from each organization that participates in the Outdoor Adoption Program. It is the coordinator’s responsibility to ensure the group follows the program requirements and safety guidelines. Each coordinator should take a few minutes before each cleanup to conduct a brief review of the following safety tips with the group. Safety is the number one concern, so please be alert and safety conscious at all times.

The coordinator can pickup trash bags and safety vests from the FCPR Parks Division at 280 Lamon St. during normal business hours of Monday – Friday; 8 a.m.-5 p.m.

PROGRAM REQUIREMENTS:

- A coordinator must be appointed from each organization to ensure program requirements are followed and oversee cleanups
- An adult supervisor over the age of 18 must be present at all times during any cleanup
- No one under the age of 12 is allowed to participate in a roadside cleanup
- Any participant involved in a cleanup must wear a high visibility safety vest if within 10 feet of a roadway; vests are provided by the City of Fayetteville
- Adopt-A-Street/Adopt-A-Park Facility/Adopt-A-Gateway: Each group must complete at least six cleanups during the calendar year (Jan. 1 – Dec. 31); the total number of required cleanups will be adjusted the first year, according to the months remaining after the date the project is approved
 - Gateways: Due to safety concerns, some gateways are not available for adoption since they are located in high traffic and/or congested areas
- Adopt-An-Area: Each group must complete at least four cleanups during the calendar year (Jan. 1–Dec. 31); the total number of required cleanups will be adjusted the first year according to the months remaining after the date the project is approved
- Progress reports must be submitted within one week of each cleanup; failure to submit the appropriate number of reports prior to Dec. 31 of each year will constitute a breach of the agreement. If a group breaches the agreement or requests to be discontinued, signs will be removed and the area will be made available for another group to adopt. Failure to complete obligations will prevent future adoptions by your organization.

SAFETY GUIDELINES:

- Stop work if the weather gets bad
- Do not over exert yourself, especially on hot days
- Avoid noxious weeds (e.g., poison ivy)
- Wear light colored clothing, heavy gloves, sturdy shoes or boots and a hat
- Have a first aid kit on-site
- Use a buddy system – look out for each other
- Have a cellular phone on hand.

ADOPT-A-STREET/GATEWAYS:

Follow all guidelines above plus:

- Take as few cars as possible to the site
- Park vehicles clear of the roadway
- Work facing on-coming traffic
- Work during non-peak traffic hours when there are fewer vehicles on the road
- Do not attempt to handle hazardous substances (e.g., car batteries, pesticide containers)
- Do not pick up litter on bridges, tunnels, or overpasses
- Stay clear of construction activities
- Refrain from picking up trash on the street pavement (street sweepers will clean the road surface)
- Use caution as you work near any street
- Never step out into the street
- Cross streets only at crosswalks
- Wear high visibility safety vests when working within 10' of roadway.

ADOPT-A-STREET							
Organization/Name		Street Adopted	Phone Number	Date Packet Sent	E-Mail	Date started in program	
Air Force ROTC DET607		Edgecomb Ave from Murch Rd to Langdon St	910-813-8112		kjenkin3@broncos.uncfscu.edu	5/17/2010	
American Society of Military Comptroller/Virginia Kemp		Robeson Street from the musuem to MLK Bridge	432-8733		jeffrey.robinson@us.army.mil	1/1/1997	
Berean Baptist Church Academy/Steven Wilson		Glensford Drive from Brighton to Morganton Road	868-5156		bbcfaync@aol.com	4/1/2001	
Boy Scout Troop 746/Kent Listoe		Hope Mills Rd to Fisher and Cumberland	630-5243/423-5492		kent-listoe@goodyear.com		
Boy Scouts of America/Henry Scriven		Old Bunce Road from 71st School to Bunce Road	527-1144 or 424-2731		bigdadrik@aol.com	10/1/2000	
Boys & Girls Club/Anita Ivery		Bow Street/Maiden Lane	483-6504		None noted	2/1/2002	
Cape Fear Harleys Owners/Charles Kennedy		Scyamore Dairy Road from Bragg Blvd to McPherson Ch	286-6498		charles1k@aol.com		
Cape Fear Valley Health System/William Avenel		Village Drive from Ireland to Robeson	609-6249		None noted	11/1/2001	
Carolina Ballers		Morganton Road from Bonanza to Reilly Road	273-2230		ewashington.ballers@gmail.com	4/19/2010	
CelTech Inc.		Blount from Robeson to Gillespie					
Central NC Atheists							

Cerney Family (The)/Brian Cerney	Dundle Road from Stoneypoint down	551-6669	2/22/2006	bcerney@nc.rr.com	2/1/2006
Cingular Wireless/Janine Lightner	Owen Drive from Raeford Road to corner @ 316 Oyster Bar	626-7816 or 425-6129	2/15/2006	janine.lightner@cingular.com	2/1/2006
Combined Community Watch of Murchison Road/Moses Best	Murchison Road from Langdon St to Rowan	488-9142		cord33@nc.rr.com	
Concord, Gentry, Harvard, Wolfe & Lynch/April Gentry	Redwood Street (2miles)	424-5695		None noted	3/1/2005
Core Computer Tech/Franco Web	Legend Avenue from Skibo road to Sycamore Dairy Road	860-8492		None noted	6/1/2002
Creasy Proctor Masonic Lodge #679/Kenneth Lewis	Marlboro Road from Raeford Rd to Village Dr.	484-4669 or 488-9338		danceman531@earthlink.net	1/1/1997
Cumberland Heights Community/Mary Fletcher	Mckimmon Road, Chester Circ and Anarine Road	484-5921		None noted	3/1/1999
Devone/McDougald/Marc Devone	Hawley Lane from Grove St to Cool Spring St.	858-0981		marc.e.devone@us.army.mil	10/1/2003
District 16 Order of the Eastern Star	Cain Road	488-2933		None noted	4/1/2003
Eccles Park Neighborhood Watch/Alphonso Ferguson	Eccles Park	488-6398		None noted	5/1/2002
Edward Jones/Kristi Ivey	McPherson Church Road from Cliffdale to Skibo Road	424-7244		NO LONGER PARTICIPATING	8/1/2005
Epsilon Rho Lambda Chapter Alpha/Bobby Wynn	Langdon Street from Murchison Road to Ramsey Street	(252)326-1126		None noted	4/1/2002
Ewell Family/Bobby T. Ewell	Abilene & Rancho Drive	864-1936		bjie82@aol.com	
Exchange Club of North/Randle Dobbins	Rosehill Road to Ramsey Street to Country Club Dr.	488-2173		randedob@aol.com	1/1/2006
Fair Weather Fish Camp	Rayconda Drive from Raeford Road to Siple	432-4292		bert.kinkead@us.army.mil	9/25/2012
Fast Service Food Mart/Spurgeon Watson	Jasper Street from Murchison Rd to W. Cochran	488-9740ph fax: 488-0998	FAXED ON 3/1/06	None noted	

Fayetteville Area - OOT/Mary Rambert	Bradford Avenue and Woodside Avenue	425-7389			None noted	3/1/2005
Fayetteville Cumberland Youth Council/Erica Brady	Purdue Drive	433-1505			ebrady@ci.fay.nc.us	
Fayetteville-LaFayette Rotary Club	Churchill Road	257-1291	11-Jul		mhbailey@uncfsu.edu	7/5/2011
First Baptist Youth/McKinley Johnson	Moore Street from Ramsey St to Murchison Road	483-6505			None noted	5/1/2001
FSU AIR FORCE ROTC DET 607	Cascade Street	273-4444			eporteel@broncos.uncfsu.edu	11/10/2010
FTCC Criminal Justice/April Yates	Fort Bragg Road from Devers to Haymount Triangle	678-8452			yatesa@faytechcc.edu	1/1/2004
GB Myers Community Association	Commerce Street from Robeson to Turnpike Road	438-9076			czyfaith77@aol.com	11/9/2009
Gilmore KODA Club	Purdue Drive	433-1000			jscruggins@ci.fay.nc.us	1/10/2010
Goad, Brent-In Memory Of	Roy G. Turner Park					
Good Hope Baptist Church & Community/Jlames Strother	Deep Creek Road & Shad Bush Lane				None noted	5/1/2004
Haire, W.J. Sr.(Dr.) Memorial/D.J. Haire	Filter Plant from Murchison Road to Bragg Blvd	485-8219			djhaire@msn.com	2/1/2001
Harvest Family Church	Plymouth Street	433-3036			deshawn.spellman@bfenc.org	11/27/2012
Hollywood Heights Association/Gloria McDonald	Rosehill Road to Ramsey Street to Country Club Dr.	488-2173			None noted	3/1/2002
International Association of Black Professional Fire Fighters/Willie Thompson	Flynn Street from Bow Street to Gray Street	988-3113			None noted	8/1/1997
Jun E Caniel Boutique	Robeson St from AAA to Village Drive	920-3051				7/2/2012

Kitty Hawk Air Society/Col Kernist Stovall/E.E. Smith ROTC	Broadell Street & Seabrook Road	323-8456		nc-034@af.rotc.net	1/1/1995
Kiwanis Club of Cape Fear/Mike Gould	Devers Street from Fort Bragg Road to Morganton Road	578-2831		mmallon@nc.rr.com	7/1/2001
Korean Presbyterian Church/Jae Young	Ireland Drive from Cumberland Road to Raeford Road	864-8494		seynam@earthlink.net	7/1/2003
Lowered Atmosphere Car & Tk Club	Stansfield Drive	728-6440		lowered.atmosphere@yahoo.com	1/10/2010
Lowered Atmosphere Car & Tk Club	Fort Bragg Road from Terry Sanford				
Lutte L. Erwin	Phillies Circle	425-3919		lutenw@aol.com	10/1/2006
Manna Church	Bunce Road and Blanton Road	867-9151		bamims@juno.com	5/8/2009
Masey Hill Recreation center Teen/Bobby Sparks	Camden Road from Whitfield to Southern	433-1569		Bsparks@ci.fay.nc.us	1/1/2003
Massey Hill Lion's Club/Ray Lewis	Progress St from Center, Craven to Delcros and Powell	483-8124		None noted	8/1/2003
Methodist University Forensic CSI Program	Country Club from Ramsey Street to Rosehill Road	263-4720		dpauly@methodist.edu	2/9/2009
Methodist College Women's Basketball/DeeDee Jarman	Rivercliff & Eastwood Avenue			djarman@methodist.edu	4/1/2001
Miracle Temple Church	Winslow Street	703-9961		deondagreene@yahoo.com	9/10/2013
Mt Gilead Baptist Church/Tina Dawson	Offing Drive from Cliffdale Road to Eaglechace Road	864-5888		dawson4cs1t@earthlink.net	2/1/2005
Mt. Sinai Baptist Church College Ministry	Coley to Carver and Murchison Roads	822-3811		mtimeytell@aol.com	
New Bethal Pentecostal Holiness/Antonio Day	Rosehill Road from Country Club to Foster Drive	424-6120		None noted	2/1/2001
New Life Covenant Fellowship/Steve McMillan	Wall Street, North Street & Neville	483-6778	p-u on 2/16/06	None noted	2/1/2006

Nu Gamma PSI Fraternity, INC.	Sherman Drive	222-4517				4/23/2012
PI MU Chapter of Sigma Frat	Ramsey Street -1 mile up and down from Methodist College	(203) 913-1236			mteed@student.metho-dist.edu	2/9/2009
Reid Ross Classical National Honor Society/ Priscilla Covington	3200 block of Ramsey Street	488-8415			priscillacovington@ccs.k12.nc.us	9/6/2006
Ruff Riders	Green Street from Russell to Rowan	907-4924			_tashabolden@aol.com_m_	10/9/2009
S&M Bryant/Marsha Bryant	Helen Street	433-1416			None noted	8/1/2002
Schuller Ferris Lindstrom & Associates/Lee Shuller	Hay Street from Ray Avenue to MLK	484-4989			lschuller@sfla-architects.com	1/1/1995
Shepherd's Haven Youth Mentor Program	Campground Road from Ruritan to Glensford Drive	(305) 793-9756			Founder@Shepherdshavennc.org	10/10/2010
Sipio Burton/Moses Best	Murchison Road from Jasper to Rowan	488-1942			cord33@nc.rr.com	3/6/2006
Small Miracle (A)	Fort Bragg Road to Morganton Road to include Hull And Marin	(910) 672-0272			marceller.riddick@asmallmiracle.com	11/7/2011
Smelcer Contractors/Blake Smelcer	Ruritan Club Dr.	425-1769			smelcerco@aol.com	
St. Ann Youth Group	Ann St & North Cool Spring	483-3216			marybeth@stanncatholicchurch.org	7/7/2010
St. Luke AME Church	Hillsboro By Vicks Drive-In	485-7794			saintlukeamechurch@embargmail.com	7/9/2009
St. Patrick's Catholic Church/Don Bray	Person Street from Bow to 301	323-2410			donbray@stpatnc.org	5/1/1998
Target/Valerie White	S. McPherson Ch Rd from Cliffdale to Raeford	860-4400			None noted	6/1/1997
Taking Youth Seriously	Raeford Rd from 71st - 2 miles west	916-1911				

Trinity United Methodist Church	Raeford Rd from 71st - 2 miles west	988-7370		emkinsey@mindspring.com	
Tischer's Troops DSN	Skibo/Pamalee from Yadkin to Commonwealth	339-3696		fischerstroops@gmail.com	6/11/2012
Up and Coming/Bryanna Nelson	Ray Avenue	484-6200		Bryanna@upandcomin.com	4/1/2004
VFW Post 6018 & Auxiliaries/Moses Best	Chance Street & Mechanic Street	488-9142		cord33@nc.rr.com	5/1/2006
Village Christian Academy/Brenda Martin	McPherson Church Road from Raeford Rd to Cliffdale Rad	483-0720		None noted	4/1/2002
West Fayetteville Recreation Association	Ireland drive from Coventry to Raeford	229-1369			2/2/2012
Wilmington Road Heritage Assoc	Old Wilmington Rd from Person Street to 301	864-8426		None noted	11/1/2001
Workforce Development Center/Ray Avenue	Ray Avenue from Moore Street to Winslow	323-3421		sonja.thompson@ncmail.net	9/1/2003
World Fellowship Church/Larry J. Parker Jr.	Boone Trail from Owen Drive to Village Drive	482-0500		None noted	7/1/2005
18th Weather Squadron	Tokay & Glenoa	210-912-2376			5/17/2012

ADOPT-A-SITE

Air Force Sergeants Association Chapter 367/Jim Hollister	Myers Park	867-1938	hollister@afsa367.org	Jun-03	
Bob Dees Moonstone Jewelry & Gifts	Planter @ 306 Hay St	323-3711	MoonstoneJewelry@aol.com		
C. John Malzone Marketing/John Malzone	Cotton Exchange	261-2736 or 433-1119 or 485-0002	jmalzone@nc.rr.com	Sep-04	
Communications Squadron (43rd)/Tech Sgt Russ Spencer	Mazarick Park #1 and 2	394-2410	jerrard.croppps@pope.af.mil	Jan-02	

Air Force Sergeants Association Chapter 367/Jim Hollister	Myers Park	867-1938	hollister@aafsa367.org	Jun-03	
Cross Creek Young Professional/Kelly Miller	Haymount Triangles	323-1069	NO LONGER PARTICIPATING	Jan-02	
Delta Sigma Theta/Ashley Poole	Seabrook Park	(252) 268-4065	aopook01@uncfsu.edu	Sep-05	Request sign be relocated from the parking lot of the recreation center to the edge of the park on Langdon Street so it can be seen.
Delta Sigma Theta/Isabella Hicks	Amtrak Train Station	424-8829	bellhicks@earthlink.net	Jun-97	
Fayetteville Arsenal Camp Sons of Confederate Veterans/Bruce Tyson	Arsenal Park	485-4286	taller30@nc.rr.com	Jan-01	left message at 484-6277 for Bruce Tyson to call me back and inform me if still active in clean- ups. No activity on file since 2005.
Fayetteville Appearance Commission/Jimmy Teal	Landscaped area behind CVS on Robeson	433-1996	none noted	Jan-00	
Gilbert Theatre/John Townsend	Cape Fear River Trail	678-7186	gilberttheater@aol.com	Jan-05	
Goad, Albert M. (memory)	Roy G. Turner Park	(910) 728-6440	lowered.atmosphere@yahoo.com	Jan-10	
Jennifer R. Cooney/Haymount Triangle	Haymount Triangles	860-8080	cooney@cooneylawfirm.net		
Lafayette Cardinals/Carla Hildebrand/Luther Jeralds Middle School	Cross Creek Cementary #1	822-2517	none noted	Oct-06	Application on File - Will keep same name and sign currently in place
Libertarian Party of Cumberland/Pete Camp	Cross Creek Park	875-3983	NO LONGER PARTICIPATING	Jul-00	
Moonlight Communications	Woodcrest, Pinevalley Loop & Branson Street	486-9036	video@moonlight1.com	Sep-06	
Reid Ross Classical School National Honor Society/Priscilla Covington	3200 Block of Ramsey Street	488-8415		Sep-06	
Reid Ross Classical School/Teresa Hutchinson	Veteran's Park	488-8415	none noted	Aug-01	

Air Force Sergeants Association Chapter 367/Jim Hollister	Myers Park	867-1938	hollister@afsa367.org	Jun-03	
Rzonca's Rzesources/Juliana Rzonca	Rainbow Park @ Stamper Rd & McGougan Rd	485-3395	sejorz@peoplepc.com	Apr-04	
St. James Lutheran Church/Jim Rosser	Honeycutt Park	484-8052	none noted	Jan-01	
Steel Magnolias/Brothers Keeper/Lucrétia McKoy	Martin Luther King Park	822-9077	none noted	Jan-01	
Sun & Moon Productions/Tammy Simmons-Morse	Rowan Park	485-5670	galabaset@aol.com	Apr-01	
Terry Sanford AFJROTC/Chief Bridges	Woodrow Street Park	485-3526	nc-032@afjrotc.net	Feb-00	
TRS Detachment 373rd/Steve Conkin	Westover Park	394-4893	none noted	Mar-05	Check - No activity in folder (3/15)
Waste Industries/Mike Collins	Creek @ Winslow & Blount	423-4122	gregmay@waste-ind.com	Mar-06	Faxed application and information on 3/16/06.
Up and Coming/Bryanna Nelson	Ray Avenue	484-6200	Bryanna@upandcomingmag.com	Apr-04	
Lowered Atmosphere Car and Truck Club	Ft Bragg Road to Hull at Terry Sanford Sch	728-6440	ered.atmosphere@yahoo.com	Apr-10	Submitted work Order for sign - 4/19/10
In Memory of Mr. And Mrs. Fred Welch	General Lee Park	728-6440	ered.atmosphere@yahoo.com	Apr-10	Submitted work Order for sign - 4/19/10
Tristan & Melinda Harrington	Pine Hill Park	286-7027	blinda.harrington@us.army.mil	Apr-10	Submitted work Order for sign - 4/19/10
ADOPT-AN-AREA					
ORGANIZATION / INDIVIDUAL	AREA ADOPTED	AMOUNT	DATE PAID	PLAQUE ORDERED	DATE INSTALLED
Fayetteville Area Tri Warriors / Cross Creek Cycle Club	Cape Fear River Trail Bridge mile marker 22-23	\$ 500	7/23/2013	N/A	N/A
Friends of Officer Bundy	Cape Fear River Trail Covered Bridge	\$ 500	8/26/2013	8/26/2013	9/2/2013
Judge Jim Ammons	Flag mural @ Festival Park	\$ 200	10/16/2013	10/17/2013	

[illegible]

[illegible]

Take down sign for adopt-a-street														
Cascade Street from Seabrook Street up two														
Maintained by Mr. Brent Goad of Lowered														

Has agreed to change from Jasper Street to															
INACTIVATED															
2/23/10 - Left message to call with e-mail address:															
Wants sign placed on Wall Street and Neville Street															

													Ms. Lisa Levy-Project Coordinator	

* INACTIVE - SEE: "TAKING YOUTH SERIOUSLY"									

Bridges: (on the Cape Fear River Trail)

- Sandy Dam Bridge
- Covered Bridge & Trestle Boardwalk (Officer Bundy)
- Big “V” Wooden Bridge
- Three Ravines Bridge (“Emma’s Bridge)
- Evans Creek Bridge

Adopted

Trails: (Cape Fear River)

- Section 1 – Jordan Soccer Complex to Mile Marker #1
- Section 2 – Mile Marker #1 to Mile Marker #2
- Section 3 – Mile Marker #2 to Mile Marker #3
- Section 4 – Mile Marker #3 to Clark Park

Hay Street Landscape Box

- #1 100 Block (Small) By Market House
- #2 100 Block (Large) By Market House
- #3 100/200 Block (Large)
- #4 300/200 Block (Large)

Street Adopted	Sites Adopted
Robeson Street from the museum to MLK Bridge	Myers Park
Glensford Drive from Brighton to Morganton Road	Planter @ 306 Hay St
Hope Mills Rd to Fisher and Cumberland	Cotton Exchange
Old Bunce Road from 71st School to Bunce Road	Mazarick Park #1 and 2
Bow Street/Maiden Lane	Haymount Triangles
Scyamore Dairy Road from Bragg Blvd to McPherson Ch	Seabrook Park
Village Drive from Ireland to Robeson	Amtrak Train Station
Dundle Road from Stoneypoint down	Arsenal Park
Owen Drive from Raeford Road to corner @ 316 Oyster Bar	Landscaped area behind CVS on Robeson
Murchison Road from Langdon St to Rowan	Cape Fear River Trail
Redwood Street (2miles)	Haymount Triangles
Legend Avenue from Skibo road to Sycamore Dairy Road	Cross Creek Cementary #1
Marlboro Road from Raeford Rd to Village Dr.	Cross Creek Park
Mckimmon Road, Chester Circ and Anarine Road	Woodcrest, Pinevalley Loop & Branson Street
Hawley Lane from Grove St to Cool Spring St.	3200 Block of Ramsey Street
Cain Road	Veteran's Park
Eccles Park	Rainbow Park @ Stamper Rd & McGougan Rd
McPherson Church Road from Cliffdale to Skibo Road	Honeycutt Park
Langdon Street from Murchison Road to Ramsey Street	Martin Luther King Park
Abilene & Rancho Drive	Rowan Park
Rosehill Road to Ramsey Street to Country Club Dr.	Woodrow Street Park
Jasper Street from Murchison Rd to W. Cochran	Westover Park
Bradford Avenue and Woodside Avenue	Creek @ Winslow & Blount
Purdue Drive	Ray Avenue
Moore Street from Ramsey St to Murchison Road	
Fort Bragg Road from Devers to Haymount Triangle	
Deep Creek Road & Shad Bush Lane	
Filter Plant from Murchison Road to Bragg Blvd	

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of the City Council
FROM: Pamela Megill, City Clerk
DATE: October 28, 2013
RE: **Monthly Statement of Taxes for September 2013**

THE QUESTION:

RELATIONSHIP TO STRATEGIC PLAN:

BACKGROUND:

ISSUES:

BUDGET IMPACT:

OPTIONS:

RECOMMENDED ACTION:

ATTACHMENTS:

Tax Statement - September 2013



CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

OFFICE OF THE TAX ADMINISTRATOR

117 Dick Street, 5th Floor, New Courthouse • PO Box 449 • Fayetteville, North Carolina • 28302
Phone: 910-678-7507 • Fax: 910-678-7582 • www.co.cumberland.nc.us

MEMORANDUM

To: Pamela Megill, Fayetteville City Clerk

From: Aaron Donaldson, Tax Administrator *AD*

Date: October 1, 2013

Re: Monthly Statement of Taxes

Attached hereto is the report that has been furnished to the Mayor and governing body of your municipality for the month of September 2013. This report separates the distribution of real property and personal property from motor vehicle property taxes, and provides detail for the current and delinquent years.

Should you have questions regarding this report, please contact Catherine Carter at 678-7587.

AD/cc
Attachment

Celebrating Our Past....Embracing Our Future

EASTOVER - FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE

FVT: FAYETTEVILLE VEHICLE TAX (\$5.00)

2013 FAY S WASTE FEE	2013 ANNEX	2012 CC	2012 VEH	2012 REVIT CC	2012 REVIT VEH	2012 FVT	2012 FTT	2012 SW	2012 FAY STORM WATER	2012 FAY RECYCLE FEE	2012 ANNEX	2011 CC
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
14,690.13	0.00	1,589.18	6,266.94	0.00	0.00	792.18	792.18	51.03	102.06	161.60	0.00	63.10
7,312.53	0.00	1,710.02	3,933.62	0.00	0.17	581.41	581.41	48.00	96.00	152.00	0.00	318.89
11,012.06	0.00	3,749.91	3,455.51	0.00	0.00	472.21	472.22	341.55	683.10	397.58	0.00	883.62
7,916.31	0.00	823.13	3,537.64	0.00	0.00	469.14	469.14	40.51	81.03	90.28	0.00	32.85
12,415.95	0.00	2,893.98	3,262.83	0.00	0.00	555.15	555.16	60.85	121.68	192.68	0.00	23.58
4,183.45	0.00	(108.15)	2,382.08	0.00	0.00	365.00	365.00	(12.00)	(24.00)	(38.00)	0.00	38.40
4,347.57	0.00	9,335.55	2,277.54	0.00	0.00	240.00	240.00	169.10	338.19	530.03	0.00	977.63
4,080.33	0.00	688.15	3,478.21	0.00	0.00	465.00	465.00	48.00	96.00	190.00	0.00	0.00
5,594.41	0.00	1,407.94	5,998.90	0.00	0.00	778.96	778.97	51.85	103.70	154.42	0.00	98.77
8,800.08	0.00	390.42	6,459.82	0.00	0.00	815.37	815.36	2.33	4.66	7.39	0.00	78.49
3,867.87	0.00	2,413.46	3,219.83	0.00	0.16	408.10	408.11	69.71	139.42	182.74	0.00	70.47
4,777.25	0.00	1,268.86	2,272.34	0.00	0.00	286.04	286.03	24.00	48.00	76.00	0.00	0.00
1,875.73	0.00	2,216.17	1,847.97	1.23	0.00	255.00	255.00	60.00	120.00	190.00	0.00	1,312.91
4,566.54	0.00	1,938.78	2,920.49	0.00	0.00	362.79	362.80	55.87	111.75	176.94	0.00	27.39
8,098.68	0.00	2,808.62	3,821.82	0.00	0.00	403.25	403.25	20.95	41.90	66.33	0.00	69.81
3,109.15	0.00	2,485.09	1,652.05	0.00	0.00	215.00	215.00	156.00	312.00	152.00	0.00	1,028.16
3,181.41	0.00	468.78	3,126.11	0.00	0.00	425.00	425.00	12.00	24.00	38.00	0.00	348.80
3,461.42	0.00	1,675.73	2,384.62	0.00	0.00	313.29	313.29	51.68	103.36	163.66	0.00	25.82
2,480.62	0.00	490.30	2,239.27	0.00	0.00	365.00	365.00	44.91	89.83	0.00	0.00	154.49
6,432.26	0.00	2,003.20	5,507.75	0.00	0.00	663.48	663.49	44.97	89.94	142.40	0.00	88.14
122,203.75	0.00	40,249.12	70,045.34	1.23	0.33	9,231.37	9,231.41	1,341.31	2,682.62	3,026.05	0.00	5,641.32

2011 VEH	2011 REVIT CC	2011 REVIT VEH	2011 FVT	2011 FTT	2011 SW	2011 FAY STORM WATER	2011 FAY RECYCLE FEE	2011 ANNEX	2010 CC	2010 VEH	2010 REVIT CC	2010 REVIT VEH	2010 FVT
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
196.17	0.00	0.00	27.01	27.02	0.00	0.00	0.00	0.00	13.57	128.56	0.00	0.00	21.82
263.16	0.00	0.00	38.46	38.46	12.00	24.00	38.00	0.00	164.05	102.76	0.00	0.00	30.00
208.11	0.00	0.00	60.00	60.00	36.00	72.00	114.00	0.00	0.00	25.97	0.00	0.00	5.00
214.66	0.00	0.00	60.00	60.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
257.22	0.00	0.00	55.00	55.00	0.00	0.00	0.00	0.00	12.20	(46.24)	0.00	0.00	5.00
112.39	0.00	0.00	15.00	15.00	0.00	0.00	0.00	0.00	35.85	48.52	0.00	0.00	5.00
170.95	0.00	0.00	25.00	25.00	48.00	96.00	190.00	0.00	78.07	42.14	0.00	0.00	8.54
97.23	0.00	0.00	40.00	40.00	0.00	0.00	0.00	0.00	0.00	10.51	0.00	0.00	15.00
258.00	0.00	0.00	60.00	60.00	0.00	0.00	0.00	0.00	11.21	131.43	0.00	0.00	25.00
272.69	0.00	0.00	45.13	45.13	0.00	0.00	0.00	0.00	21.52	8.57	0.00	0.00	5.00
182.30	0.00	0.00	44.74	44.75	0.00	0.00	0.00	0.00	133.76	35.04	0.00	0.00	(5.00)
(17.68)	0.00	0.00	30.00	30.00	0.00	0.00	0.00	0.00	0.00	27.18	0.00	0.00	5.00
122.02	0.00	0.00	25.00	25.00	36.00	72.00	114.00	0.00	118.44	6.76	0.00	0.00	5.00
68.12	0.00	0.00	20.00	20.00	1.22	2.44	3.87	0.00	48.29	6.16	0.00	0.00	5.00
64.61	0.00	0.00	15.00	15.00	0.00	0.00	0.00	0.00	247.55	167.10	0.00	0.00	35.00
54.13	0.00	0.00	25.00	25.00	120.00	240.00	38.00	0.00	0.00	94.45	0.00	0.00	10.00
69.54	0.00	0.00	30.00	30.00	0.00	0.00	0.00	0.00	90.42	12.49	0.00	0.00	10.00
183.88	0.00	0.00	37.03	37.02	0.00	0.00	0.00	0.00	0.00	63.11	0.00	0.00	5.00
82.24	0.00	0.00	35.00	35.00	0.00	0.00	0.00	0.00	54.86	15.42	0.00	0.00	14.53
156.97	0.00	0.00	45.00	45.00	0.00	0.00	0.00	0.00	46.42	0.00	0.00	0.00	3.29
3,016.71	0.00	0.00	732.37	732.38	253.22	506.44	497.87	0.00	1,076.21	879.93	0.00	0.00	208.18

FAYETTEVILLE MACC LEDGER

2003-2013

September 2013

2010 FTT	2010 SW	2010 FAY STORM WATER	2010 FAY RECYCLE FEE	2010 ANNEX	2009 & PRIOR CC	2009 & PRIOR VEH	2009 & PRIOR REVIT CC	2009 & PRIOR REVIT VEH	2009 & PRIOR FVT	2009 & PRIOR FTT	2009 & PRIOR SW	2009 & PRIOR FAY STORM WATER
0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
21.82	0.00	0.00	0.00	0.00	1.51	84.04	0.00	0.00	25.00	0.00	5.91	0.00
30.00	0.00	0.00	0.00	0.00	26.52	151.84	0.00	0.00	67.91	37.92	0.00	0.00
5.00	0.00	0.00	0.00	0.00	6.04	89.00	0.00	0.00	10.00	0.00	0.00	0.00
0.00	0.00	0.00	0.00	0.00	0.00	40.01	0.00	0.00	5.00	5.00	0.00	0.00
5.00	0.00	0.00	0.00	0.00	0.00	71.14	0.00	0.00	20.00	0.00	0.00	0.00
5.00	0.00	0.00	0.00	0.00	5.32	92.48	0.00	0.00	7.53	0.00	0.00	0.00
8.53	0.00	0.00	0.00	0.00	0.00	64.80	0.00	0.00	30.00	20.00	0.00	0.00
15.00	0.00	0.00	0.00	0.00	2.28	90.51	0.00	0.00	37.93	2.94	0.00	0.00
25.00	0.00	0.00	0.00	0.00	30.42	246.12	0.00	0.00	31.89	0.00	0.00	0.00
5.00	0.00	0.00	0.00	0.00	17.66	51.12	0.00	0.00	25.00	5.00	0.00	0.00
(5.00)	0.00	0.00	0.00	0.00	7.58	172.56	0.00	0.00	35.91	17.18	0.00	0.00
5.00	0.00	0.00	0.00	0.00	31.54	210.83	0.00	0.00	15.00	10.00	0.00	0.00
5.00	0.00	0.00	0.00	0.00	0.00	33.74	0.00	0.00	16.90	10.00	0.00	0.00
5.00	0.00	0.00	0.00	0.00	0.00	85.60	0.00	0.00	15.00	10.00	0.00	0.00
35.00	12.00	24.00	38.00	0.00	120.95	212.51	0.00	0.00	26.55	16.55	0.00	0.00
10.00	0.00	0.00	0.00	0.00	0.00	59.62	0.00	0.00	12.09	7.08	0.00	0.00
10.00	0.00	0.00	0.00	0.00	16.35	47.89	0.00	0.00	20.00	10.00	0.00	0.00
5.00	0.00	0.00	0.00	0.00	0.00	149.43	0.00	0.00	27.96	20.00	0.00	0.00
14.54	0.00	0.00	0.00	0.00	17.63	172.28	0.00	0.00	47.07	7.06	0.00	0.00
3.29	0.00	0.00	0.00	0.00	22.25	121.82	0.00	0.00	20.00	10.00	0.00	0.00
208.18	12.00	24.00	38.00	0.00	306.05	2,247.34	0.00	0.00	496.74	188.73	5.91	0.00

Page 5 of 5

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: October 28, 2013
RE: **Tax Refunds of Less Than \$100**

THE QUESTION:

No Council action is required. This report is provided for information only.

RELATIONSHIP TO STRATEGIC PLAN:

Core Value: Stewardship

BACKGROUND:

The attached tax refund was approved by the Cumberland County Special Board of Equalization for the month of October 2013.

ISSUES:

None.

BUDGET IMPACT:

The budget impact is \$9.55.

OPTIONS:

Not applicable.

RECOMMENDED ACTION:

Information only. No action required.

ATTACHMENTS:

Tax Refunds of Less Than \$100



October 28, 2013

MEMORANDUM

TO: Lisa Smith, Chief Financial Officer

FROM: Nancy Peters, Accounts Payable

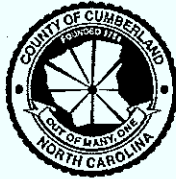
RE: Tax Refunds of Less than \$100

The tax refunds listed below for less than \$100 were approved by the Cumberland County Special Board of Equalization for the month of October, 2013

NAME	BILL NO.	YEAR	BASIS	CITY REFUND
King, Bryan J. Jr.	4801741	2011	Corrected Assessment	9.55
TOTAL				\$ 9.55

P.O. Drawer D
433 Hay Street
Fayetteville, NC 28302-1746
FAX (910) 433-1680

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www.facebook.com/cityoffayettevillegovernment www.twitter.com/CityOfFayNC
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CUMBERLAND
★ COUNTY ★
NORTH CAROLINA

Taxpayer's Name: KING, BRYAN J JR
Mailing Address: 5300 WALNUT DR
FAYETTEVILLE, NC 28304-2331
Bill Number: 4801741
Property Description: BUS PERSONAL PROPERTY
Prepared By: DEBRA L ROBERSON

Cumberland County
Special Board of Equalization and Review
P.O. Drawer 449
Fayetteville, NC 28302-0449

Dear Board Members and City/Town Council Members:

Due to an error in the year (s) 2011, I overpaid county taxes in the amount of \$ 15.49 and City/Town of Fayetteville taxes in the amount of \$ 9.55. I am making a written demand to the Special Board of Equalization and Review and to the City/Town of Fayetteville for a refund of overpayment as required under General Statute 105-381(b). It is my understanding that based upon the policy of the Tax Administrator's office, the refund I receive may not be for the amount indicated if I have outstanding delinquent taxes. The monies will be applied toward those taxes and the difference will then be refunded to me.

Reason: ORIG ASSESSED FOR 2011. PER TAXPAYER, BUS CLOSED IN DEC 2010

Sincerely,

Bryan J King Jr 7-10-13
Signature Date

Tax Administrator's Recommendation: Approved / Denied

Signature: AARON DONALDSON AK Date: 9-30-13

Board Action: Approved / Denied

Signature: Aaron Donaldson Date: 10.9.13

Verified by the Clerk to the Board: AARON DONALDSON Date: 10.9.13

General Fund 101 412 4195 4027 \$ 15.49 m.d.

Recreation Fund 420 442 4441 4027 \$ _____

Revised 12/15/2011

AK
9-30-13