

FAYETTEVILLE CITY COUNCIL  
AGENDA  
REGULAR MEETING  
OCTOBER 19, 1992  
7:00 P.M.



*Ross absent  
Excused 8/10*

FAYETTEVILLE CITY COUNCIL

AGENDA

REGULAR MEETING

OCTOBER 19, 1992

7:00 P.M.

INVOCATION - PLEDGE OF ALLEGIANCE

RECOGNITION:      Presentation of Certificate of Appreciation to Highsmith-Rainey  
                         Memorial Hospital for donation to Fascinate-U Children's  
                         Museum

Presentation of City of Fayetteville Employee of the Year for  
1992

*A 8/10*

ITEM 1.      Approval of Agenda

ITEM 2.      Consent:

*A 8/10  
All WTE*

A.      Approve minutes of information meeting of September 28,  
         1992.

B.      Approve minutes of regular meeting of October 5, 1992.





C. Approve minutes of joint meeting with Public Works  
Commission of October 12, 1992.

D. Award of contract for Village Drive Street Widening Project to  
Barnhill Contracting Co., Inc., low bidder.

A 8/10 — E. Adopt resolution authorizing cooperative purchasing between  
City of Fayetteville and the Town of Spring Lake.

ITEM 3.

F. Council Oct. Inf. meeting 10/26  
G. Desig. of delegate @ NCLM - Dawkins  
Public Hearings: Murray alt.

A. Consideration of adoption of resolutions confirming assessment  
rolls and levying assessments for installation of water and  
sanitary/sewer utilities in the following streets:(PWC)

1. The first part of the paper is devoted to the study of the properties of the function  $f(x)$  defined by the equation  $f(x) = \int_0^x f(t) dt$ . It is shown that  $f(x)$  is a constant function, and its value is determined by the initial condition  $f(0) = 1$ .

A  
6/3/16  
Tony  
Bretton

1. Oxford Street
2. Oxford/Griffin Street
3. Elba Street
4. Staley Drive
5. Eleanor Avenue
6. Cedar Street
7. ~~Pasture Lane~~
8. ~~Coldwater Drive~~
9. L.A. Dunham Road (State Road 2005)

*previously  
taken care of*

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Adoption

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

A  
9/10

PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption of Resolution

1. The first part of the document is a list of the names of the persons who were present at the meeting. The names are listed in alphabetical order.

- A 9/0
- C. Consideration of adoption of ordinance amending Chapter 20, Motor Vehicles and Traffic, to reduce speed limit to 25 miles per hour on Brenda Drive, from Murchison Road to its end.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption of ordinance

- A 9/0
- D. Consideration of Comprehensive Housing Affordability Strategy (CHAS).

PRESENTED BY: Director of Community Development

RECOMMENDED ACTION: Approval



A 9/0

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

PRESENTED BY: Assistant City Manager for Administration

RECOMMENDED ACTION: Adoption of resolution

ITEM 4. Planning Board Matters:

A  
5/4 (Kend  
Town  
cheek  
Rov)

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

PRESENTED BY: Planning Board Staff





**RECOMMENDED ACTION:** Planning Board recommends  
approval

**ITEM 5. PWC MATTERS:**

- A. Consideration of bid award for purchase of four (4) 500 KVA  
padmount transformers to Tennessee Valley Electric, low  
evaluated bidder.

A 9/10

**PRESENTED BY:** PWC Staff

**RECOMMENDED ACTION:** Public Works Commission  
recommends approval

- B. Consideration of bid award for construction of five (5)  
accessory buildings at Butler-Warner Generation Plant (Electrical

A 9/10



& Mechanical Maintenance Shops; Shelter over fuel unloading area; Storage building for flammables; and Assembly area for contract workers).

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Public Works Commission  
recommends approval

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

A9b

PRESENTED BY: Deputy City Manager

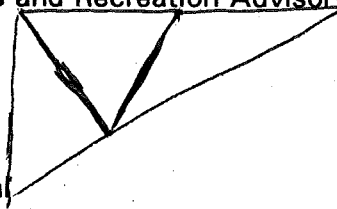
RECOMMENDED ACTION: Adoption of Resolution



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

PRESENTED BY: Chairman of Parks and Recreation Advisory  
Commission

RECOMMENDED ACTION: Approval



A 9/10

1400  
1.25  
-----  
4200  
2800  
1400  
-----  
1722.00

- ITEM 8. Appointments:

- A. Nominations to fill two vacancies on Joint Senior Citizens Advisory Commission.
- B. Nominations to fill three vacancies on Historic Resources Commission.
- C. Nominations to fill three vacancies on Parks and Recreation Advisory Commission.



**ITEM 9. Administrative Reports:**

**A. Presentation of 1992 Affirmative Action Plan.**

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

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





**D. Status of report on using unified Fayetteville logo.**

**E. Report on Greenways proposal.**

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



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

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

## **POLICY REGARDING PUBLIC HEARING AGENDA ITEMS**

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in Room 217, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 and 7:00 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 fifteen (15) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.



FAYETTEVILLE CITY COUNCIL  
AGENDA  
REGULAR MEETING  
OCTOBER 19, 1992  
7:00 P.M.

**INVOCATION - PLEDGE OF ALLEGIANCE**

**RECOGNITION:**        Presentation of Certificate of Appreciation to Highsmith-Rainey Memorial Hospital for donation to Fascinate-U Children's Museum

Presentation of City of Fayetteville Employee of the Year for 1992

**ITEM 1.**        Approval of Agenda

**ITEM 2.**        Consent:

- A.        Approve minutes of information meeting of September 28, 1992.
- B.        Approve minutes of regular meeting of October 5, 1992.
- C.        Approve minutes of joint meeting with Public Works Commission of October 12, 1992.
- D.        Award of contract for Village Drive Street Widening Project to Barnhill Contracting Co., Inc., low bidder.
- E.        Adopt resolution authorizing cooperative purchasing between City of Fayetteville and the Town of Spring Lake.

**ITEM 3.**        Public Hearings:

- A.        Consideration of adoption of resolutions confirming assessment rolls and levying assessments for installation of water and sanitary/sewer utilities in the following streets:(PWC)
  - 1.        Oxford Street
  - 2.        Oxford/Griffin Street
  - 3.        Elba Street
  - 4.        Staley Drive
  - 5.        Eleanor Avenue
  - 6.        Cedar Street
  - 7.        Pasture Lane
  - 8.        Coldwater Drive
  - 9.        L.A. Dunham Road (State Road 2005)

**PRESENTED BY:** PWC Staff

**RECOMMENDED ACTION:** Adoption

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

**PRESENTED BY:** City Manager

**RECOMMENDED ACTION:** Adoption of Resolution

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

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption of ordinance

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

PRESENTED BY: Director of Community Development

RECOMMENDED ACTION: Approval

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

PRESENTED BY: Assistant City Manager for Administration

RECOMMENDED ACTION: Adoption of resolution

**ITEM 4. Planning Board Matters:**

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

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends approval

**ITEM 5. PWC MATTERS:**

- A. Consideration of bid award for purchase of four (4) 500 KVA padmount transformers to Tennessee Valley Electric, low evaluated bidder.

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Public Works Commission recommends approval

- B. Consideration of bid award for construction of five (5) accessory buildings at Butler-Warner Generation Plant (Electrical & Mechanical Maintenance Shops; Shelter over fuel unloading area; Storage building for flammables; and Assembly area for contract workers).

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Public Works Commission recommends approval

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

**PRESENTED BY:** Deputy City Manager

**RECOMMENDED ACTION:** Adoption of Resolution

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

**PRESENTED BY:** Chairman of Parks and Recreation Advisory Commission

**RECOMMENDED ACTION:** Approval

- ITEM 8.** Appointments:

- A.** Nominations to fill two vacancies on Joint Senior Citizens Advisory Commission.
- B.** Nominations to fill three vacancies on Historic Resources Commission.
- C.** Nominations to fill three vacancies on Parks and Recreation Advisory Commission.

- ITEM 9.** Administrative Reports:

- A.** Presentation of 1992 Affirmative Action Plan.
- B.** Proposed Reconstruction of Ray Avenue from Mason Street to Rowan Street.
- C.** Discussion of policy for posting land proposed for rezoning.
- D.** Status of report on using unified Fayetteville logo.
- E.** Report on Greenways proposal.
- F.** Statement of taxes collected for the month of September, 1992 from the Cumberland County Tax Collector.

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

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

### **POLICY REGARDING PUBLIC HEARING AGENDA ITEMS**

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in Room 217, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 and 7:00 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 fifteen (15) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.



FAYETTEVILLE CITY COUNCIL  
INFORMATION MEETING  
CITY HALL COUNCIL CHAMBER  
SEPTEMBER 28, 1992  
7:00 P.M.

Present: Mayor J. L. Dawkins

Councilmembers J. Breeden Blackwell; Milo McBryde;  
Tommy Bolton; Ida Ross; Robert A. Massey, Jr.; Thelbert  
Torrey; Mark Kendrick; Suzan Cheek (arrived at 7:25  
p.m.)

Absent: Councilmember Nat Robertson, Jr. (excused)

Other Present: John P. Smith, City Manager  
Roger L. Stancil, Deputy City Manager  
John B. (Ben) Brown, Jr., Assistant City Manager,  
Administration & Finance  
Jimmy Teal, Assistant City Manager, Planning &  
Development  
Robert C. Cogswell, Jr., City Attorney

Mayor Dawkins called the meeting to order and recognized Mayor Pro-Tem Breeden Blackwell for the invocation. Following the invocation, the Mayor led in the Pledge of Allegiance to the American Flag. Upon motion by Councilmember Bolton, seconded by Councilmember Kendrick, Council voted unanimously to excuse Councilmember Cheek until she arrives at the meeting.

Upon motion by Councilmember Bolton, seconded by Councilmember Kendrick, Council voted unanimously to approve the agenda.

PWC Manager Tim Wood presented a contract for construction of the Sandy Run Branch Sanitary Sewer Outfall, US 301 South Force Main. He recommended award of this contract to Wright & Lopez, Inc., the low bidder. Upon motion by Councilmember McBryde, seconded by Councilmember Bolton, Council voted unanimously to follow the PWC recommendation.

Mayor Dawkins then recognized City Attorney Bob Cogswell for a discussion of the assessment process. (Councilmember Cheek arrived at this time.)

Council then began a discussion of PWC sewer lateral charges. Appearing before the Council was Mr. Charlie L. Mott, representing residents of University Estates. Following this discussion, City Council asked the Mayor to call a joint meeting with the Public Works Commission in the first floor multipurpose room of City Hall for October 12 at 7:00 p.m.

ITEM 2.A

City Manager John Smith then stated that the staff would continue their presentation of plans in anticipation of the City Council's planning retreat December 4 and 5. The first plan to be presented was the Downtown Plan by Robin Legg, Executive Director of the Olde Fayetteville Association. Robert Barefoot, Director of Parks & Recreation, then presented the Parks Master Plan. During discussion of the Parks Plan, Councilmember McBryde moved that the terms of Boards and Commissions be placed on the Policy Committee agenda for review. This motion was seconded by Councilmember Massey and unanimously approved. Al Mitchell of the Joint Planning Board staff then presented the Land Use Plan.

There being no further business, the meeting was adjourned.

---

Roger L. Stancil, Deputy City Manager

DRAFT

FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
CITY HALL COUNCIL CHAMBERS  
433 HAY STREET  
MONDAY, OCTOBER 5, 1992  
7:00 P.M.

Present: Mayor J. L. Dawkins

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

Others Present: John P. Smith, City Manager  
Roger L. Stancil, Deputy City Manager  
John B. Brown, Jr., Assistant City Manager  
for Administration and Finance  
Jimmy Teal, Assistant City Manager for  
Planning and Development  
Mike Walker, City Engineer  
Louis Chalmers, Traffic Services Director  
David Nash, Annexation Studies Coordinator  
Walter J. Haire, Jr., Housing Inspector  
Ron Hansen, Police Chief  
Al Mitchell, Assistant Planning Director  
Tim Wood, PWC Manager  
Tom McNeill, PWC Property Acquisition  
Supervisor  
Henry Powers, PWC Water/Sewer Operations  
Superintendent  
Members of the Press

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

INVOCATION - PLEDGE OF ALLEGIANCE

Pastor Jan Milton, Cornerstone Baptist Church, offered the invocation followed by the Mayor leading in the Pledge of Allegiance to the American Flag.

RECOGNITION:

Pastor Milton announced that his church is sponsoring an athletic event by bringing five professional baseball players to offer a clinic to our children on anti-drugs.

1. Approval of Agenda

City Attorney Bob Cogswell requested Council to add item 2S requesting legal representation for the eight councilmembers named in the Evans Lake lawsuit.

Councilmember Kendrick moved to approve the agenda with the addition as requested, seconded by Councilmember Bolton and carried unanimously.

2. Consent:

Mayor Dawkins presented the consent agenda and asked if any items should be removed before calling for action. Councilmember Massey requested to pull items K and P and Councilmember Kendrick requested to pull item G for discussion. Councilmember Bolton moved to approve the consent agenda with exception of items K, G, and P. After a second from Councilmember Robertson, the consent agenda and following items were unanimously approved.

- A. Approve minutes of regular meeting of September 8, 1992.
- B. Approve minutes of regular meeting of September 21, 1992
- C. Approve tax refunds over \$100.

<u>Taxpayer's Name</u>	<u>Nature of Clerical Error</u>	<u>Property Description</u>	<u>Amount</u>
MS&H Restaurant	Cost figures corrected per audit information.	T/A Four Flames Loc: 226 Eastern Blvd. Business personal property.	\$150.14
Brown, Curtis J. & Carolyn J.	Charged with incorrect value per VIN correction.		\$297.64

- D. Set public hearing for October 19, 1992, to consider petitions for 25 Miles Per Hour Speed Zone for Brenda Drive.
- E. Adopt resolution declaring cost and ordering preparation of preliminary assessment rolls and setting time and place for public hearing (October 19, 1992) on preliminary assessment rolls for installation of water and/or sanitary sewer utilities in the following streets:
  - 1. Oxford Street
  - 2. Oxford/Griffin Street
  - 3. Elba Street
  - 4. Staley Drive
  - 5. Eleanor Avenue
  - 6. Cedar Street
  - 7. Pasture Lane
  - 8. Coldwater Drive
  - 9. L.A. Dunham Road  
(State Road 2005)

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR A PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES. (Cade Hill Subdivision) RESOLUTION NO. R1992-157.

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

- F. Set public hearing for November 2, 1992, to consider an application by Robin Kelly Legg for a Special Use Permit as provided for by the City of Fayetteville Code of Ordinances from Chapter 32, Article IV, Section 32-30, Subsection (12), to allow for residential use in a C2S Central Business District for an area located at 116 Hay Street. (P92-111)
- G. (Pulled for discussion)
- H. Approve the initial zoning to R10 Residential District or to a more restrictive zoning classification for an area located at the north end of Hilliard Drive and the west end of Spy Glass Drive, north of Country Club Drive (US 401 By-Pass). (P92-104)
- I. Approve the initial zoning to R10 Residential District or to a more restrictive zoning classification for an area located at the east end of Summerchase Drive, east of US 401 North (Raleigh Road). (P92-105)
- J. Approve the initial zoning to R10 Residential District or to a more restrictive zoning classification for an area located at the north end of Gables Drive, north of US 401 By-Pass (Country Club Drive). (P92-106)
- K. (Pulled for discussion)

- L. Set public hearing for October 19, 1992, to consider guidelines for Minority Business participation in contracts awarded by the City.
- M. Set public hearing for October 19, 1992, to consider Comprehensive Housing Affordability Strategy (CHAS).
- N. Adopt resolution amending Fayetteville Urban Area Thoroughfare Plan. (Change Number 10)

RESOLUTION AMENDING FAYETTEVILLE URBAN AREA THOROUGHFARE PLAN (ADDING CHANGE NO. 10). RESOLUTION NO. R1992-158.

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

- O. Authorize Mayor to execute Lease Agreement between the City of Fayetteville and Friends of the Botanical Garden.
- P. (Pulled for discussion)
- Q. Adopt ordinance amendment adding Honeycutt Recreation Center Lot to Traffic Schedule Number 3 - Two Hour (Parking) Lots.

AN ORDINANCE AMENDING SECTION 20-106, MOTOR VEHICLES AND TRAFFIC (TRAFFIC SCHEDULE NO. 3 - 2 HOUR PARKING LOTS, HONEYCUTT RECREATION CENTER LOT). ORDINANCE NO. NS1992-032.

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

- R. Approve request for legal representation from Police Officer Ronald Dean Kirby.
- S. Approve request for legal representation for the eight councilmembers named in the Evans Lake Association et al. vs. City of Fayetteville et al. No. 92 CVS 5036.
- 2G. Approve the rezoning from R6 Residential District to P2 Professional District or to a more restrictive zoning classification for an area located on the west side of Devers Street, south of Fort Bragg Road. (P92-100)

Councilmember Kendrick asked if this was spot zoning. Assistant Planning Director Al Mitchell responded that the area has developed for institutional uses and this would be consistent. Following some discussion, Councilmember Bolton moved to approve the rezoning request, seconded by Councilmember Ross and carried 8 to 1 with Councilmember Kendrick voting in opposition.

- 2K. Award contract for purchase of Trencher to Southland Rental and Supply Company, lowest responsible bidder in the amount of \$20,620.89.

Bids received were as follows:

Southland Rental and Supply Co.	\$20,620.89
Ditch Witch of NC	\$23,929.70

Councilmember Blackwell requested, in the future, to receive a copy of the list of bidders offered the opportunity to place bids. City Manager John Smith responded that the bids are advertised in the newspaper and we also maintain a bid list that specifications are sent to.

Councilmember Blackwell moved to award the contract as recommended, seconded by Councilmember Robertson and carried unanimously.

- 2P. Adopt demolition ordinance for property located at 2655 Rosehill Road (Owner: Rosetta and Charles Darlington, E.J. Morine, and Carolene Morine, et al.)

Councilmember Blackwell stated he was notified this afternoon that there will be a possibility of improvement to that property through purchase. Councilmember Cheek suggested that this demolition ordinance be delayed. City Manager John Smith recommended a 30-day delay. Councilmember Ross moved to follow the recommendation for a 30-day delay, seconded by Councilmember Massey and carried unanimously.

3. Public Hearings:

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

- A. Consideration of adoption of ordinance amending Chapter 20, Motor Vehicles and Traffic, to reduce speed limit to 25 Miles Per Hour for the following streets in College Lakes Subdivision:

1. Farmview Drive
2. Waterbury Drive
3. Southport Road
4. Flat Rock Drive

This item was presented by Traffic Engineer Louis Chalmers stating that he has a majority petition for this reduced speed limit. This is the advertised public hearing and the recommendation is to adopt the ordinance.

The public hearing was opened at 7:20 p.m. and there being none to be heard the public hearing was closed.

AN ORDINANCE AMENDING SECTION 20-106, MOTOR VEHICLES AND TRAFFIC (TRAFFIC SCHEDULE NO. 8-SPEED CONTROL, COLLEGE LAKES SUBDIVISION). ORDINANCE NO. NS1992-033.

Councilmember Bolton introduced the foregoing ordinance and moved it's adoption, seconded by Councilmember McBryde and carried unanimously.

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

- B. Consideration of adoption of resolutions confirming assessment rolls and levying assessments for installation of sanitary sewer utilities in Evergreen Estates as follows: (PWC)

This item was presented by PWC staff Henry Powers and Tom McNeill with a recommendation to adopt the resolutions confirming the assessment rolls and levying assessments. This is the advertised public hearing.

1. Glenridge Road

The public hearing was opened at 7:23 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

2. Delwood Drive

The public hearing was opened at 7:23 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

3. Crestview Drive

The public hearing was opened at 7:23 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

4. Westhill Drive

The public hearing was opened at 7:23 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

5. Welmont Drive

The public hearing was opened at 7:23 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

6. Brentwood Drive

The public hearing was opened at 7:25 p.m. and there was none to speak in favor. Appearing in opposition was Nancy Spell, 3901 Brentwood Drive, stating that she was unfamiliar with the procedures and knew nothing about the assessment. She wished to reserve her questions and comments until the end. Mayor Dawkins granted this requested. There being none further to be heard on this matter the public hearing was closed.

7. Village Drive

The public hearing was opened at 7:27 p.m. and there was none to speak in favor. Appearing in opposition was James F. Allee, 4018 Village Drive. He stated that the sewer was put in front and in the rear of his property and he will use only the rear sewer collection system but he is being charged for the more expensive front side. Mayor Dawkins stated that at the end of this public hearing Mr. Allee would receive a response to his question. James H. Dulin, 3933 Village Drive, asked why he was not notified that this project was going to be done. He stated he has lived there three years and the realtor did not notify him that this property was inside the city limits. He also asked how they arrived at the \$12 per front foot figure. Staff explained to Mr. Dulin that the notices probably went to the previous owner living there at the time of annexation. Mayor Dawkins told Mr. Dulin the rest of his questions would be answered at the end of the public hearing. Susan Cates, 4009 Village Drive, stated she was representing her mother, Mrs. William E. Cates, because she was ill. She stated they have an August newspaper article that said the tapping fee would be \$7.50 per front foot before October 1 and then it would go up to \$12.00 per front foot. She then received a letter from PWC dated September 22 showing a \$12 per front foot assessment. PWC staff Henry Powers responded that the \$12 assessment had nothing to do with the tapping fee. Councilmember Cheek explained the difference the lateral fee and the tapping fee. PWC Manager Tim Wood further clarified this procedure. Mr. Powers responded to the other questions that had been asked by the public hearing speakers. There being none further to be heard on this matter the public hearing was closed at 7:37 p.m.

8. Ireland Drive

The public hearing was opened at 7:50 p.m. and there was none to speak in favor of this item. Appearing in opposition was Wayne and Sharyn Doult, 1918 Ireland Drive, they did not know when they purchased their property there would be an assessment of this kind and they don't feel that they get any services for their tax dollars. Mr. Doult stated they bought the house a year ago and couldn't understand why the finished project was not billed to the person who owned the house before he purchased it. There being none further to be heard on this matter the public hearing was closed at 8:03 p.m.

At this time, Mayor Dawkins called on Nancy Spell from item B6. Her question was if she had a plumber put in a line to tie onto the PWC system would she still have to pay the assessment. Mayor Dawkins answered that she would still be assessed for the project.

Council then discussed the possibilities of red-flagging property titles in order to make new property owners aware of pending assessments and checking into amending legislature on the disclosure law.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (GLENRIDGE ROAD). RESOLUTION NO. R1992-159.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (DELWOOD DRIVE). RESOLUTION NO. R1992-160.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (CRESTVIEW DRIVE). RESOLUTION NO. R1992-161.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (WESTHILL DRIVE). RESOLUTION NO. R1992-162.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (WELMONT DRIVE). RESOLUTION NO. R1992-163.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (BRENTWOOD DRIVE). RESOLUTION NO. R1992-164.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (VILLAGE DRIVE). RESOLUTION NO. R1992-165.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (IRELAND DRIVE). RESOLUTION NO. R1992-166.

Councilmember Cheek moved to adopt the foregoing resolutions, seconded by Councilmember Blackwell and carried unanimously at 8:13 p.m.

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

- C. Consideration of the rezoning from R10 Residential District to P2 Professional District or to a more restrictive zoning classification for an area located at the northwest corner of the intersection of Chloe Street and Ramsey Street (US 401 North). (P92-89)

This item was presented by Assistant Planning Director Al Mitchell stating that the Planning Staff and Planning Board has recommended denial of this rezoning due to the 1971 Land Use Plan calling for low-density residential uses at this location and the 2010 Land Use Plan calling for low-density residential development also. This is the advertised public hearing for this date and hour.

The public hearing was opened at 8:27 p.m. Brad Muffett, 1313 Ft. Bragg Road, petitioner, appeared before Council requesting a delay of 30 days to better present a plan to represent both their interest and the community at-large. Mayor Dawkins advised Mr. Muffett that the public hearing would have to be held, by law, tonight but action could be delayed.



Speaking in favor of the postponement of action was Bill Maxwell, Realtor, 2521 Raeford Road. He stated that he would not consider building a residence on a six-lane highway such as Ramsey Street.

Appearing in opposition was Ted Kinney, 106 Chloe Drive, stating he was against this rezoning because he feels there is enough traffic in that area now. There being none further to be heard on this matter the public hearing was closed at 8:35 p.m.

City Attorney Bob Cogswell explained in detail what constitutes legal and illegal spot zoning at the request of Councilmember Blackwell. Following some discussion, Councilmember Massey moved to deny the request for rezoning, seconded by Councilmember Ross. Councilmember Bolton offered substitute motion to delay action 30 days as requested by the petitioner, seconded by Councilmember McBryde. The motion failed 2 to 7 with Councilmembers McBryde and Bolton voting in favor. Mayor Dawkins called for a vote on the main motion which was to deny the rezoning request and it carried 7 to 2 with Councilmembers McBryde and Bolton voting in opposition.

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

This item was presented by Assistant Planning Director Al Mitchell with a recommendation of the planning staff for denial of the requested rezoning due to the 1971 Land Use Plan calling for medium-density residential development at this location as well as the 2010 Land Use Plan. The Planning Board recommends approval of the rezoning. This is the advertised public hearing for this date and hour.

The public hearing was opened at 8:50 p.m. and speaking in favor was Wayne Williams, 2000 Ft. Bragg Road, petitioner. He stated that the present Special Use Permit on the property is for dental offices and his intention is to put insurance offices on this property. He presented a petition with signatures from all the property owners in that block and more that are in favor of this rezoning. Mr. Williams also stated that the six-lane highway of Bragg Boulevard is not suitable for residential and he feels that his office building will be a nice buffer for the residential area. James A. Sutherland, 215 Ellington Street, stated he owns 50% of the property in question. He concurred with Mr. Williams' reasons for the rezoning and stated that several residences all along there would create more traffic seven days a week than an office building 8 to 5.

Appearing in opposition was Sue Brown Bandy, 1215 Hilltop Avenue. She stated that she does not live in the area but it is near the Haymount Area and she feels this is spot zoning. Ms. Bandy stated there has been very successful residential living on a thoroughfare and she feels that it would be a mistake to rezone this property to anything other than residential. There being none further to be heard on this matter the public hearing was closed at 9:10 p.m.

Councilmembers Cheek and Kendrick stated they could not vote to change this from nonresidential zoning. Councilmember Ross stated she feels she should follow the staff's recommendation for denial. Councilmember McBryde moved to approve the rezoning request, seconded by Councilmember Robertson and carried 5 to 4 with Councilmembers Kendrick, Cheek, Torrey and Ross voting in opposition. This will be on the next agenda for a second reading.

- E. Consideration of adoption of ordinance to extend the corporate limits of the City of Fayetteville, NC, (Westlake at Morganton Road, Phase 1 - Property of Harris Farm Joint Venture and Others). (Petition-initiated Contiguous Annexation Area).

This item was presented by Deputy City Manager Roger Stancil with a staff recommendation to adopt the annexation ordinance with an effective date of October 31, 1992.

Councilmember Kendrick stated he was still waiting for the City to initiate annexations to square-off the lines of the City limits and encouraged staff to implement this as soon as possible.

The public hearing was opened at 9:25 p.m. and Bill Maxwell, 2521 Raeford Road, petitioner, appeared in favor of the annexation. He introduced his Project Engineer, Harvey Allen, to assist in answering any questions Council might have. There was none to appear in opposition and the public hearing was closed at 9:28 p.m.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE (WESTLAKE AT MORGANTON ROAD - PHASE I). ANNEXATION ORDINANCE NO. 92-10-357.

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

Councilmember Cheek moved to adopt the foregoing ordinance, seconded by Councilmember Bolton and carried 6 to 3 with Councilmembers Ross, Torrey and Massey voting in opposition.

At this time Councilmember Blackwell commended Annexation Analyst David Nash for the extent of information that he gathers to be presented to City Council on annexations. Mr. Blackwell stated he wanted to publicly give him a pat on the back for all his hard work.

4. PWC Matters:

- A. Consideration of bid award for purchase of one Boiler Feed Pump to BW/IP International in the amount of \$96,600.00, (sole source supplier of Byron Jackson Pumps).

This item was presented by PWC Manager Tim Wood stating the reason that this is a sole supplier is because this is to be purchased for parts for the three existing pumps and it must be the same type.

Councilmember Bolton moved to award the contract as recommended, seconded by Councilmember Cheek and carried unanimously.

5. Consideration of request to address City Council from Rhonda Carson.

Rhonda Carson appeared before Council stating that her pet is a Vietnamese pot-bellied pig named "Murphy". She stated that his breed of pigs are born and raised for the sole purpose of being an exotic pet. Ms. Carson distributed information to Council concerning these animals and requested Council to please reconsider their ordinance distinguishing the difference between farm animals and domestic animals. Councilmember Torrey moved to refer this matter to the Policy Committee which will meet on October 21, at 7:00 p.m. The motion was seconded by Councilmember Kendrick and carried unanimously.

At this time Mayor Dawkins recognized Councilmember Robertson's wife Kim in the audience. She was recently one of those that were recognized at Fayetteville State University for having a 3.5 and 4.0 average.

6. Consideration of adoption of demolition ordinance for property located at 526 South Cool Spring Street. (Appearing: Colonel H. Yarboro, Owner)

This item was presented by Inspector Walter Haire. Council recognized Colonel H. Yarboro who requested an extension of six months in order to bring the building up to standards for a residence. Mr. Yarboro stated his original intent was to use this as a church but he had to change his plans. He is working on financial aid through the College Heights Credit Union. Councilmember Blackwell asked Karen Jones, Loan Officer with College Heights Credit Union, if Mr. Yarboro would receive the loan. She could not guarantee 100% that the loan would be approved because it would depend on the amount needed.

Councilmember Bolton moved to adopt the demolition ordinance, seconded by Councilmember Robertson. Following some further discussion Councilmember Ross offered substitute motion to give an extension of 6 months to bring up to standards and acquire all permits within 10 days. The motion was seconded by Councilmember Torrey. Mr. Smith suggested that Council allow Mr. Yarboro 90 days to show progress. Ms. Ross amended her motion to include this. Mayor Dawkins called for a vote and the substitute motion carried 8 to 1 with Councilmember Kendrick voting in opposition.

7. Consideration of adoption of ordinance authorizing posting of no trespass on City-owned property.

City Attorney Bob Cogswell presented this item and requested that someone from the Police Department explain for the record, why we need this ordinance. City Manager John Smith responded that the memorandum included in the agenda packet from Bob Cogswell indicates the reason aptly. This is for City-owned property only:

AN ORDINANCE DECLARING CERTAIN PROPERTY OFF LIMITS.  
ORDINANCE NO. S1992-018.

Councilmember Kendrick introduced the foregoing ordinance which was mailed to Councilmembers under separate cover by the City Attorney and to include the memorandum from the City Attorney to the Mayor and Councilmembers in the minutes. The motion was seconded by Councilmember Bolton and carried unanimously.

September 29, 1992

MEMORANDUM

TO: The Mayor and Members of the City Council

FROM: Robert C. Cogswell, Jr.  
City Attorney

SUBJECT: 307 Old Wilmington Road

Police Officers are experiencing a lot of difficulty with people who gather on the above-referenced lot to sell drugs on the street and then retreat to the innermost portion of this lot between sales. It has become not only a gathering place where people engage in various criminal activities, but also it is a dumping ground for debris and trash. The lot is owned by the City.

Attached to this memorandum is an ordinance that would authorize the posting of the property with no trespassing signs. Thereafter, anyone found on the property without the permission of the City Manager, the Police Chief, or their

designee, could be prosecuted under the state statute for trespassing. This ordinance does not in and of itself create an offense, since there is already a state law on the books for trespassing. It is further drafted in such a manner that other properties could be added in the future.

There will be someone from the Police Department present at the Council meeting Monday night to provide further information about this particular lot and answer any questions that you might have.

RCC/jkp

Attachment

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

8. Appointments:

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

The nomination of Ruby Evans for the vacancy of Margaret Shive at the last meeting was withdrawn by Councilmember Torrey due to Ms. Evans already serving on this joint board representing the County. Councilmember Blackwell nominated Ted Kinney for the vacancy of Joseph Covington to September 1994.

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

Councilmember Bolton nominated Ruby Murchison for a second term. Councilmember Cheek nominated Ranny Nimocks for a second term and Councilmember McBryde nominated Arnetha Robinson for a second term. These terms are to October 1994.

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

The following nominations were made at the last meeting: Landon R. Hadley was nominated by Councilmember Massey to fill the vacancy of John D. Marshall, Jr. and Gregory M. Edge was nominated for a second term by Councilmember Bolton. There were no nominations for the vacancy of Beatrice Matthews.

9. Administrative Reports:

- A. Report of tax refunds less than \$100.

<u>Taxpayer's Name</u>	<u>Nature of Clerical Error</u>	<u>Property Description</u>	<u>Amount</u>
McCoy, Betty Horton	Taxpayer listed vehicle not owned 1-1-91.	Personal property	\$24.89
McCoy, Olga Helen	Discovered in error. Taxpayer did not own 1989 Chevy.	1990 Disc., 1989 Chevy	\$71.25
Nickeson, Cecil D. & Gloria L.	Taxpayer listed a 1986 boat trailer not owned per bill of sale.	3506 Clearwater Dr., Lot 6, Hillendale & adjacent .10 AC and personal prop- erty.	\$6.96
Patel, Sureshbhai D. & wife Nir	Listed 1987 Olds did not own 1-1-91.	T/A Downtown Motel 321 N. Eastern Blvd.	\$56.01

Potter, M. Ronald & Barbara	Taxpayer listed a 1983 Buick not owned. personal property.	Res. 2620 Huntington Rd., Lot 201, Sec. 2 Vanstory Hills and	\$10.94
Poulos, Chris S. & Melba M.	Taxpayer listed a 1988 boat trailer not owned per title.		\$8.92
Triangle Building Supply, Inc.	Adjust value per audit.	2013 Ramsey St., Cliffdale, 401 By- Pass	\$44.14
Waddell, Judith P.	Taxpayer listed a 1982 Mazda not owned.		\$24.21
Nixon, Sherwood	Adjust value of 1985 Yamaha per nada.		\$27.54
Koury, Carolyn (Hill)	Taxpayer listed a Dodge not owned.		\$43.78
Johnson, Jesse F. & wife	Taxpayer listed a 1983 Toyota Corolla which he did not own 1-1-91. His daughter, Sylvia C. Rickett listed it correctly as a 1982 Toyota Corolla on LR #1375398. The VIN numbers are all the same.	1983 Toyota Corolla JT2TE72E7C0225433	\$18.79
Hutaff, Dorothy G.	Taxpayer listed a 1984 Chevy not owned.	1984 Chevy Caprice	\$25.83
Dawkins, J.R.	Taxpayer listed a 1989 Ford not owned.	116 N. Churchill Dr. & vacant lot	\$44.41
Adams, Linda S.	Clerical error- taxpayer listed a 1979 Honda Prelude that they did not own 1-1-91. They should have listed a 1990 Dodge Dynasty instead. 1991 Discovery.	1979 Honda Prelude SNB1021494	\$13.77
Baker, Lonnie G.	Taxpayer listed a 1988 Pontiac not owned 1-1-91.	Personal property only	\$56.84

B. Presentation of proposed Police Firing Range/Training Facility site plan.

City Manager John Smith stated that due to the length of tonight's meeting, this item could be placed on next Monday night's meeting for discussion. Council was in agreement.

At this time Councilmember Cheek requested that a briefing be presented soon on the "Greenways" plan, proposed bicycle paths, and the million dollar transportation grant. She suggested these might need to be sent to the Council's Streets and Roads Committee.

Mayor Dawkins reminded everyone of the joint PWC meeting on October 12, at 7:00 p.m.

Councilmember Blackwell referred to the letter of commendation from Mr. and Mrs. Hinek in the agenda packet for police officers Clinkscales and Nunnery. He stated this is the type of recognition he has been referring to in the past that not only employees of the City but citizens of the community that need to be recognized for their works might be recognized at the City Council meetings.

City Manager John Smith stated that the Winslow Street Bridge is finally open.

There being no further business the meeting was adjourned at 10:21 p.m. upon motion and second.

Respectfully submitted,

---

Bobbie A. Joyner  
City Clerk

---

J. L. Dawkins  
Mayor

BAJ/bep

FAYETTEVILLE CITY COUNCIL  
JOINT MEETING WITH PUBLIC WORKS COMMISSION  
CITY HALL MULTIPURPOSE ROOM  
433 HAY STREET  
MONDAY, OCTOBER 12, 1992  
7:00 P.M.

Present: Mayor J. L. Dawkins

Councilmembers J. Breeden Blackwell; Milo McBryde; Nat Robertson, Jr.; Tommy Bolton; Ida Ross (arrived at 7:15); Robert A. Massey, Jr.; Thelbert Torrey; Suzan Cheek; Mark Kendrick (arrived at 7:36 p.m., left at 8:30 p.m.)

Public Works Commission  
Members Present:

Robert C. Williams, Chairman  
Lyndo Tippet  
Bobby McCoy  
William H. Owen

Others Present: John P. Smith, City Manager  
Roger L. Stancil, Deputy City Manager  
John B. (Ben) Brown, Jr., Assistant City  
Manager, Administration & Finance  
Jimmy Teal, Assistant City Manager, Planning  
& Development  
Robert C. Cogswell, Jr., City Attorney  
Tim Wood, PWC Manager

Mayor Dawkins called the meeting to order. Upon motion by Councilmember Massey, seconded by Councilmember Torrey, Council voted unanimously to excuse Councilmembers Ross and Kendrick. Upon motion by Councilmember Robertson, seconded by Councilmember Bolton, Council voted unanimously to approve the agenda.

A. PWC Manager Tim Wood presented a resolution as follows.

A RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING  
ASSESSMENTS FOR THE INSTALLATION OF SANITARY SEWER  
COLLECTION SYSTEM IN WEST HILL DRIVE R1992-162A.

Upon motion by Councilmember Bolton, seconded by Councilmember Robertson, Council voted unanimously to adopt this resolution at 7:16 p.m. (Ms. Ross arrived at 7:15 p.m. and voted on this motion.)

PWC Manager Tim Wood then recommended that City Council cancel proposed assessments for installation of water and/or sanitary sewer utilities along portions of Coldwater Drive and Pasture Lane

and cancel the public hearings scheduled for October 19, 1992. Upon motion by Councilmember McBryde, seconded by Councilmember Cheek, Council voted unanimously to follow the PWC recommendation.

PWC Manager Tim Wood then recommended that Council cancel proposed assessment for sanitary sewer and water extension in Purdue Drive/Cheselka from Gordons Way to Unnamed Creek as shown on plat of Ducks Nest, Section 1. Upon motion by Councilmember McBryde, seconded by Councilmember Massey, Council voted unanimously to follow the PWC recommendation.

Mayor Dawkins then recognized Pamela Elkins of Hermitage Place for a presentation of her concerns about the Public Works Commission.

Mayor Dawkins then recognized PWC Manager Tim Wood for a discussion of tap fees, lateral fees, and assessments. Mr. Wood discussed the process from the time of an annexation hearing to closeout of the project. Mr. Ken Fanfoni of PWC reviewed the cost of the projects required for the 1988 annexation program. Commissioner Lyndo Tippettt then reviewed the cost recovered by assessment. Chairman Williams made recommendations to the City Council for their consideration for future annexations without assessment.

Upon motion by Councilmember Ross, seconded by Councilmember Robertson, Council voted unanimously to excuse Councilmember Kendrick who left because of illness.

Upon recommendation by Councilmember Robertson, seconded by Councilmember Bolton, Council voted unanimously to provide legal representation for the City Manager and the City Engineer in regard to the Evans Lake Dam case.

Upon motion by Councilmember Robertson, seconded by Councilmember Massey, Council voted unanimously to adjourn at 9:15 p.m.

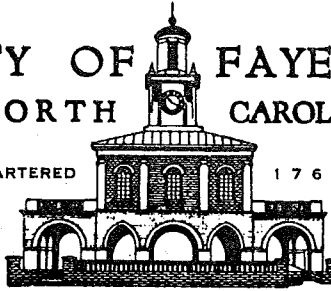
---

Roger L. Stancil, Deputy City Manager



THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



ENGINEERING DEPARTMENT  
433 HAY STREET

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

October 12, 1992

MEMORANDUM

TO: Mr. John P. Smith, City Manager

THROUGH: Jimmy Teal, Assistant City Manager  
Planning/Development

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

SUBJECT: Village Drive Street Widening Project - Engineering  
Project Number 03-412-92

Bids were received for this project on September 29, 1992 at 2:00 p.m. This project will add a center turn lane to Village Drive from Ireland Drive to Fargo Drive. This project is being funded from two types of funding sources: Bond Drainage Funds and State Street Aid Funds (commonly called "Powell Bill" Funds).

Enclosed is a copy of our Record of Advertisement, Plansholders and Bidders for this project. A total of three (3) bids were received. The three bids are tabulated below:

Barnhill Contracting Co., Inc.	\$294,829.65
McDonald Grading Co., Inc.	\$390,177.25
Crowell Constructors, Inc.	\$404,877.50
<b>CITY ESTIMATE</b>	<b>\$326,484.85</b>

We recommend awarding the contract to the low bidder, Barnhill Contracting Co., Inc., based on the contract unit prices as submitted in their above referenced bid. This project is to be fully completed in 180 days from January 4, 1992. This contract has two penalty clauses and one incentive clause:

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 2.D.

## MEMORANDUM

Mr. John P. Smith  
Page Two  
October 12, 1992

- **Incentive Clause.** A \$500 per day incentive for early completion pertains to the entire project; however, a maximum of \$15,000 has been written into the contract.
- **Intermediate Penalty.** \$350 per day for every day after January 4, 1993 that the work in the immediate vicinity of the branch library remains incomplete.
- **Liquidated Damages.** Fifty cents (\$.50) per day per \$1,000 of bid amount for each day of overrun on the entire contract.

A Christmas 1993 holiday restriction has also been included in this contract. The terms of the contract call for the contractor to do no work in the street travelway until January 4, 1993.

MLW/mak

Enclosures: Bid Tabulation w/Award of Contract  
Record of Advertisement, Plansholders and Bidders

VILLAGE DRIVE STREET WIDENING PROJECT

Sep 29, 1992 Engr. Proj. 03-412-92  
City Engineering Department  
Fayetteville, NC

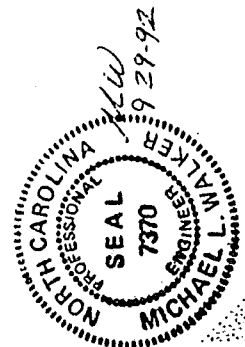
ITEM	DESCRIPTION	QTY.	UNIT	CITY EST UNIT PRICE	EXTENSION	UNIT PRICE	BARNHILL EXTENSION	UNIT PRICE	MCDONALD EXTENSION	UNIT PRICE	CROWELL EXTENSION
1	MOBILIZATION	1	LS	\$17,000.00	\$17,000.00	\$9,513.00	\$9,513.00	\$25,000.00	\$25,000.00	\$26,750.00	\$26,750.00
2	R/D C/G	4917	LF	\$2.00	\$9,834.00	\$2.40	\$11,800.80	\$5.00	\$24,585.00	\$3.00	\$14,751.00
3	R/D D/W	148	SY	\$6.50	\$962.00	\$3.50	\$518.00	\$12.50	\$1,850.00	\$5.00	\$740.00
4	R/D CONC D/W	194	SY	\$7.00	\$1,358.00	\$5.00	\$970.00	\$15.00	\$2,910.00	\$10.00	\$1,940.00
5	R/D CONC S/W	83	SY	\$7.00	\$581.00	\$5.00	\$415.00	\$15.00	\$1,245.00	\$10.00	\$830.00
6	R/R ABC	177	SY	\$19.50	\$3,451.50	\$13.30	\$2,354.10	\$26.00	\$4,602.00	\$20.00	\$3,540.00
7	R ROAD P/MT	845	SY	\$6.00	\$5,070.00	\$1.50	\$1,267.50	\$1.75	\$1,478.75	\$3.00	\$2,535.00
8	R LOT ASP LIB	372	SY	\$6.00	\$2,232.00	\$2.50	\$930.00	\$5.50	\$2,046.00	\$3.00	\$1,116.00
9	R CONC STAIR	1	LS	\$1,000.00	\$1,000.00	\$300.00	\$300.00	\$450.00	\$450.00	\$750.00	\$750.00
10	R EX CI	1	EA	\$300.00	\$300.00	\$175.00	\$175.00	\$350.00	\$350.00	\$500.00	\$500.00
11	R/D 15" RCP	142	LF	\$10.00	\$1,420.00	\$10.00	\$1,420.00	\$6.00	\$852.00	\$10.00	\$1,420.00
12	ADJ DI LIB LOT	2	EA	\$175.00	\$350.00	\$150.00	\$300.00	\$350.00	\$700.00	\$400.00	\$800.00
13	ADJ/REPL VB	12	EA	\$95.00	\$1,140.00	\$95.00	\$1,140.00	\$250.00	\$3,000.00	\$250.00	\$3,000.00
14	ADJ/REPL SS MH	4	EA	\$135.00	\$540.00	\$110.00	\$440.00	\$300.00	\$1,200.00	\$250.00	\$1,000.00
15	ADJ MH	6	EA	\$125.00	\$750.00	\$110.00	\$660.00	\$275.00	\$1,650.00	\$250.00	\$1,500.00
16	CONC MH COLLARS	12	EA	\$150.00	\$1,800.00	\$110.00	\$1,320.00	\$75.00	\$900.00	\$250.00	\$3,000.00
17	S/P/SPD SOIL	1270	CY	\$3.75	\$4,762.50	\$6.60	\$8,382.00	\$12.50	\$15,875.00	\$9.00	\$11,430.00
18	CI TO JB	7	EA	\$650.00	\$4,550.00	\$450.00	\$3,150.00	\$550.00	\$3,850.00	\$800.00	\$5,600.00
19	CI (0'-6')	7	EA	\$725.00	\$5,075.00	\$600.00	\$4,200.00	\$750.00	\$5,250.00	\$950.00	\$6,650.00
20	CI (0'-6' COMP)	2	EA	\$875.00	\$1,750.00	\$750.00	\$1,500.00	\$950.00	\$1,900.00	\$1,250.00	\$2,500.00
21	CI (6'-8')	1	EA	\$775.00	\$775.00	\$750.00	\$750.00	\$975.00	\$975.00	\$1,100.00	\$1,100.00
22	DI (0'-6')	1	EA	\$875.00	\$875.00	\$800.00	\$800.00	\$875.00	\$875.00	\$1,200.00	\$1,200.00
23	PIPE TIE-IN	9	EA	\$200.00	\$1,800.00	\$150.00	\$1,350.00	\$175.00	\$1,575.00	\$500.00	\$4,500.00
24	15" RCP (0'-6')	113	LF	\$35.00	\$3,955.00	\$35.70	\$4,034.10	\$24.00	\$2,712.00	\$65.00	\$7,345.00
25	15" RCP (6'-8')	55	LF	\$37.00	\$2,035.00	\$36.70	\$2,018.50	\$27.00	\$1,485.00	\$75.00	\$4,125.00
26	18" RCP (6'-8')	16	LF	\$39.50	\$632.00	\$37.85	\$605.60	\$27.00	\$432.00	\$80.00	\$1,280.00
27	18" RCP (8'-10')	49	LF	\$41.50	\$2,033.50	\$42.40	\$2,077.60	\$30.00	\$1,470.00	\$100.00	\$4,900.00
28	COMM EXCAVATION	1704	CY	\$2.50	\$4,260.00	\$13.55	\$23,089.20	\$7.50	\$12,780.00	\$10.00	\$17,040.00
29	INCD STONE	400	TN	\$17.50	\$7,000.00	\$11.00	\$4,400.00	\$18.50	\$7,400.00	\$20.00	\$8,000.00
30	4" ABC LIB	55	TN	\$13.00	\$715.00	\$36.45	\$2,004.75	\$25.00	\$1,375.00	\$25.00	\$1,375.00
31	2" I-2 LIB	33	TN	\$43.70	\$1,442.10	\$54.15	\$1,786.95	\$75.00	\$2,475.00	\$55.00	\$1,815.00
32	1" I-2	1002	TN	\$43.70	\$43,787.40	\$27.25	\$27,304.50	\$32.50	\$32,565.00	\$31.00	\$31,062.00
33	HB BINDER	2007	TN	\$36.80	\$73,857.60	\$28.55	\$57,299.85	\$31.50	\$63,220.50	\$30.50	\$61,213.50
34	30" C/G	4601	LF	\$10.00	\$46,010.00	\$8.35	\$38,418.35	\$8.50	\$39,108.50	\$9.50	\$43,709.50
35	CONC D/W	525	LF	\$6.00	\$3,150.00	\$15.90	\$8,347.50	\$18.00	\$9,450.00	\$17.50	\$9,187.50
36	CONC S/W	185	SY	\$14.00	\$2,590.00	\$18.90	\$3,496.50	\$24.00	\$4,440.00	\$25.00	\$4,625.00

VILLAGE DRIVE STREET WIDENING PROJECT

37	H-CAPP RAMPS	28	EA	\$125.00	\$3,500.00	\$430.00	\$12,040.00	\$350.00	\$9,800.00	\$350.00	\$9,800.00
38	CONC STAIR LIB	1	LS	\$2,500.00	\$2,500.00	\$450.00	\$450.00	\$950.00	\$2,500.00	\$2,500.00	\$2,500.00
39	CONC D/W	583	SY	\$14.00	\$8,162.00	\$24.30	\$14,166.90	\$26.00	\$15,158.00	\$30.00	\$17,490.00
40	ASP D/W	440	SY	\$7.45	\$3,278.00	\$8.40	\$3,696.00	\$14.00	\$6,160.00	\$7.50	\$3,300.00
41	EROSION CONTROL	1	LS	\$4,500.00	\$4,500.00	\$4,510.00	\$4,510.00	\$12,500.00	\$12,500.00	\$10,000.00	\$10,000.00
42	TP SP-4" (W)	1300	LF	\$0.45	\$585.00	\$0.45	\$585.00	\$0.35	\$455.00	\$0.25	\$325.00
43	TP SP-24" (W)	235	LF	\$0.95	\$223.25	\$3.25	\$763.75	\$3.50	\$822.50	\$3.00	\$705.00
44	TP SP-4" (Y)	6000	LF	\$0.45	\$2,700.00	\$0.45	\$2,700.00	\$0.30	\$1,800.00	\$0.20	\$1,200.00
45	TP (XWALK)	10	EA	\$200.00	\$2,000.00	\$60.00	\$600.00	\$350.00	\$3,500.00	\$250.00	\$2,500.00
46	TP SP-L/T ARROW	24	EA	\$100.00	\$2,400.00	\$60.00	\$1,440.00	\$75.00	\$1,800.00	\$60.00	\$1,440.00
47	TP SP-R/T ARROW	25	EA	\$100.00	\$2,500.00	\$60.00	\$1,500.00	\$75.00	\$1,875.00	\$60.00	\$1,500.00
48	TP SP-ST ARROW	39	EA	\$100.00	\$3,900.00	\$55.00	\$2,145.00	\$75.00	\$2,925.00	\$60.00	\$2,340.00
49	TP SCHOOL	1	EA	\$400.00	\$400.00	\$250.00	\$250.00	\$450.00	\$450.00	\$150.00	\$150.00
50	R MARKERS (Y)	65	EA	\$10.00	\$650.00	\$10.00	\$650.00	\$5.00	\$325.00	\$4.00	\$260.00
51	R MARKERS (C)	65	EA	\$10.00	\$650.00	\$10.00	\$650.00	\$5.00	\$325.00	\$4.00	\$260.00
52	TRAFFIC CONTROL	1	LS	\$16,000.00	\$16,000.00	\$7,800.00	\$7,800.00	\$27,500.00	\$27,500.00	\$32,000.00	\$32,000.00
53	GRASSING	2.39	AC	\$2,000.00	\$4,780.00	\$1,500.00	\$3,585.00	\$3,200.00	\$7,648.00	\$5,000.00	\$11,950.00
54	SEL BACKFILL	366	CY	\$8.00	\$2,928.00	\$8.70	\$3,184.20	\$9.50	\$3,477.00	\$8.00	\$2,928.00
55	UNDERCUT	500	CY	\$10.00	\$5,000.00	\$6.90	\$3,450.00	\$12.50	\$6,250.00	\$14.00	\$7,000.00
56	R/D 6" TREE	1	EA	\$200.00	\$200.00	\$75.00	\$75.00	\$75.00	\$75.00	\$250.00	\$250.00
57	R/D 10" TREE	1	EA	\$175.00	\$175.00	\$125.00	\$125.00	\$150.00	\$150.00	\$400.00	\$400.00
58	R/D TREE	1	EA	\$135.00	\$135.00	\$175.00	\$175.00	\$200.00	\$200.00	\$500.00	\$500.00
59	R/D 18" TREES	2	EA	\$150.00	\$300.00	\$175.00	\$350.00	\$250.00	\$500.00	\$750.00	\$1,500.00
60	R/R BUSHES	35	EA	\$5.00	\$175.00	\$40.00	\$1,400.00	\$100.00	\$3,500.00	\$50.00	\$1,750.00
SPARE											
SPARE											
SPARE											
SPARE											
SPARE											
TOTAL					\$326,484.85		\$294,829.65		\$390,177.25		\$404,877.50

THE ABOVE TABULATION IS A COMPLETE AND ACCURATE LISTING OF ALL BIDS RECEIVED.

Michael L. Walker, P.E.



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

At a regular meeting of the Mayor and City Council of the City of Fayetteville, North Carolina, duly held on the 5th day of October, 1992, in the City Hall, pursuant to due and lawful notice, the following action was taken:

The acceptance of proposals and the award of a contract incorporated in the **INVITATION FOR BIDS, PROPOSAL, ETC.**, contained in the **CONTRACT DOCUMENTS FOR** Village Drive Street Widening Project, Engineering Project #03-412-92

---

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

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

Council Persons voting aye, \_\_\_\_\_

Council Persons voting no, \_\_\_\_\_

Council Persons absent or abstaining \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

Approved as to form and legal sufficiency:

\_\_\_\_\_  
CITY ATTORNEY

**RECORD OF ADVERTISEMENT, PLANS HOLDERS AND BIDDERS  
VILLAGE DRIVE STREET WIDENING PROJECT  
ENGINEERING PROJECT NUMBER 03-412-92  
OCTOBER 12, 1992**

**Advertisement:**

1. The Fayetteville Observer-Times
2. The Association of General Contractors (AGC) Bulletin

**Courtesy Plans Furnished to:**

1. AGC Plans Room - Fayetteville, NC
2. AGC Plans Room - Raleigh, NC
3. Dodge Plans Room - Charlotte, NC

**Notice to Bidders Mailed to:**

1. Barnhill Contracting Company, Fayetteville, NC
2. Blackman Construction Co., Inc., Smithfield, NC
3. Crowell Constructors, Inc., Fayetteville, NC
4. Dellinger, Inc., Monroe, NC
5. T. A. Loving Company, Goldsboro, NC
6. McDonald Grading Company, Fayetteville, NC
7. NORTEC Construction Support Services, Fayetteville, NC
8. State Utility Constructors, Inc., Monroe, NC
9. Wilkerson Construction Company, Morrisville, NC
10. JAMBBAS Construction, Inc., Fayetteville, NC
11. Crowder Construction Company, Morrisville, NC
12. Della Construction of N. C., Inc., Sanford, NC
13. S. T. Wooten Construction, Wilson, NC
14. Lee Construction Company, Charlotte, NC
15. Sanford Construction Company, Sanford, NC
16. Site Group, Inc., Florence, SC

**Firms Picking Up Bid Documents:**

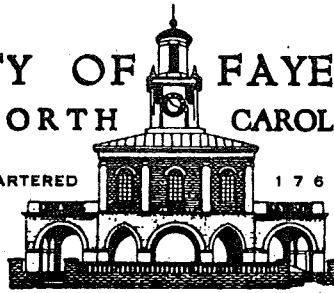
1. Barnhill Contracting Company, Fayetteville, NC
2. Crowell Constructors, Inc., Fayetteville, NC
3. Della Construction of N. C., Sanford, NC
4. McDonald Grading Company, Fayetteville, NC

**Firms Actually Submitting Bids:**

1. Barnhill Contracting Company, Fayetteville, NC
2. Crowell Constructors, Inc., Fayetteville, NC
3. McDonald Grading Company, Fayetteville, NC

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

October 14, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

SUBJECT: Cooperative Purchasing Between The City of Fayetteville and The Town of Spring Lake

The attached resolution and interlocal agreement are submitted for Council approval. Both documents were prepared by the City Attorney and are permitted by State law (G.S. 160A). Council approved a similar action two years ago, however, the interlocal agreement was for a period of only one year. The attached proposed interlocal agreement changes the duration of the agreement to sixty (60) months. The Spring Lake Board plans to adopt the agreement at its November 9, 1992, meeting.

We and Spring Lake officials have found that the cooperative purchasing arrangement continues to be very beneficial for both municipalities. By pooling our requirements, both units of government can maximize purchasing power by taking advantage of a reduction in cost per unit, as well as the overall low bid price.

The City plans to purchase a garbage truck in the next few weeks; Spring Lake officials have requested that their purchase of a garbage truck be included in our bid/purchasing process. Each government's financial arrangements, purchase orders, et cetera, will be completely separate and will be the responsibility of each government. Once the bid process is completed, we will submit a contract award recommendation to Council as we do routinely.

The cities of Raleigh, Durham, and Charlotte have been using this method of purchase with other municipalities and counties for several years.

Recommend Council adopt the resolution and approve the interlocal agreement.

JBB/kbl

Attachments

cc: Robert C. Cogswell, Jr., City Attorney  
Craig Hampton, Purchasing Agent  
Clark Dill, Environmental Services Director

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 2.E.

A RESOLUTION AUTHORIZING COOPERATIVE PURCHASING BETWEEN  
THE CITY OF FAYETTEVILLE AND THE TOWN OF SPRING LAKE

WHEREAS, the City Council of the City of Fayetteville, North Carolina, sees the need to maintain efficient local services by purchasing needed supplies and materials at the lowest possible purchasing price; and

WHEREAS, the City Council of the City of Fayetteville, North Carolina, realizes the value of cooperative purchasing in saving money and exchanging important information among municipal governments in the immediate geographical area; and

WHEREAS, the City Council of the City of Fayetteville, North Carolina, realizes the importance of selecting the bid proposal that is most advantageous to the needs of the people of the City of Fayetteville; and

WHEREAS, authority for cooperative purchasing by and between units of local government is found in Article 20 of Chapter 160A of the General Statutes of North Carolina,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville, North Carolina, that the attached Interlocal Agreement regarding joint purchases between the City of Fayetteville and the Town of Spring Lake is approved, and that the Purchasing Agent of the City is authorized to participate with the Town of Spring Lake in cooperative purchases that he deems advantageous to the needs and budget constraints of the City of Fayetteville.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 1992,  
by the City Council of the City of Fayetteville.

CITY OF FAYETTEVILLE

By: J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk



STATE OF NORTH CAROLINA

INTERLOCAL AGREEMENT

COUNTY OF CUMBERLAND

THIS INTERLOCAL AGREEMENT (hereinafter "AGREEMENT", made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 1992, by and between the CITY OF FAYETTEVILLE, a North Carolina municipal corporation, and the TOWN OF SPRING LAKE, a North Carolina municipal corporation;

W I T N E S S E T H:

WHEREAS, these two municipalities see the need to maintain efficient local services by purchasing needed apparatus, supplies, materials, equipment, and services at the lowest possible purchasing price; and

WHEREAS, they realize the value of cooperative purchasing in saving money and exchanging important information among municipal governments in the immediate geographical area; and

WHEREAS, they realize the importance of selecting the bid proposal that is most advantageous to the needs of the citizens of two municipalities; and

WHEREAS, authority for cooperative purchasing by and between units of local government is found in Article 20 of Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, they mutually desire to cooperate jointly in their purchasing and bid procedures and to establish administrative procedures for such cooperative purchasing;

NOW, THEREFORE, for and in consideration of the mutual obligations, benefits, and detriments incurred by each party to this AGREEMENT, and pursuant further to the provisions of Article 20 of Chapter 160A of the North Carolina General Statutes, it is hereby agreed by and between the parties hereto as follows:

1. Purpose. It is the purpose of this AGREEMENT to provide for the cooperative purchasing and/or lease purchase of apparatus, supplies, materials, equipment, and services by the City of Fayetteville and the Town of Spring Lake.

2. Duration of AGREEMENT. This AGREEMENT shall be for a maximum period of sixty (60) months to commence on \_\_\_\_\_, 1992, and is to continue in force for such term, subject to the right of any of the parties at any time to cancel this AGREEMENT at will on written notice to the other parties.

3. Personnel. The Purchasing Agent for the City of Fayetteville is hereby designated and authorized to share and

perform the administrative functions for the bid process to include advertising for bids, preparation of bid documents, mailing of bid requests, and receiving and opening of bids. The Purchasing Office of the Town of Spring Lake will cooperate with the Purchasing Agent of the City of Fayetteville by providing him with the necessary quantities and other requirements for his municipality.

4. Method of Financing. Each municipality will provide its own financing and pre-auditing, based on its annual budget.

5. Amendments. This AGREEMENT may be amended at any time upon the consent of the parties hereto in writing.

6. Termination of Agreement. This AGREEMENT may be terminated at will at any time by written notice as provided for in paragraph 2 above, or by the failure of either municipality to appropriate sufficient funds.

7. Other Necessary and Proper Matters.

a. One advertisement and one single bid deposit will be requested on the combined requirements of the municipalities, for purchases of the same supplies and/or apparatus.

b. All bids will be opened in the Purchasing Office of the City of Fayetteville.

c. Where the procurement involves a lease purchase, each municipality may issue their own purchase orders and be responsible for payment of invoices.

d. Each municipality reserves the right to waive any bid bond requirements.

e. Each municipality reserves the right to accept or reject any and all bids as to its separate lease purchase but this shall not affect the right of the other non-rejecting municipality to proceed with acceptance of a bid if it deems it in the best interest of that municipality to do so.

8. Names and Addresses of Parties. The correct names and addresses of the parties hereto are as follows:

City of Fayetteville	433 Hay Street Fayetteville, NC 28301
----------------------	--

Town of Spring Lake	Post Office Box 617 Spring Lake, NC 28390-0617
---------------------	---

Any notice, letter, or similar communication shall be deemed properly addressed if sent to the parties hereto at the addresses listed above.

IN TESTIMONY WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their duly authorized officers and their corporate official seals to be affixed, as of the day and year first above written.

CITY OF FAYETTEVILLE

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

ATTEST:

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

TOWN OF SPRING LAKE

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

ATTEST:

\_\_\_\_\_  
  
STATE OF NORTH CAROLINA  
COUNTY OF CUMBERLAND

I, \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that BOBBIE A. JOYNER personally appeared before me this day and acknowledged that she is the CITY CLERK for the CITY OF FAYETTEVILLE, a North Carolina Municipal Corporation, and that by authority duly given and as the act of the CITY OF FAYETTEVILLE, the foregoing instrument was signed in its name by its MAYOR, J. L. DAWKINS, sealed with its corporate seal and attested by BOBBIE A. JOYNER as its CITY CLERK.

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

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

---

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

I, \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that CORA NUNES personally appeared before me this day and acknowledged that she is the TOWN CLERK for the TOWN OF SPRING LAKE, a North Carolina Municipal Corporation, and that by authority duly given and as the act of the TOWN OF SPRING LAKE, the foregoing instrument was signed in its name by its MAYOR, VERNON HOBSON, sealed with its corporate seal and attested by CORA NUNES as its TOWN CLERK.

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

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_



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

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

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

**ELECTRIC & WATER UTILITIES**

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

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

I, Timothy Wood, General Manager, do hereby certify that notices of preparation of the Preliminary Assessment Rolls for water and/or sanitary sewer utilities **OXFORD STREET, OXFORD/GRIFFIN STREETS, ELBA STREET, STALEY DRIVE, ELEANOR AVENUE, CEDAR STREET, AND L.A.DUNHAM ROAD (SR-2005)**, and of the public hearing thereon, were mailed by first class mail on the 7th day of October, 1992, to all the owners of real property shown thereon, indicating to each such owner the amount of the assessment against his property.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7th day of October, 1992.

(SEAL)

Timothy Wood, General Manager





**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS  
FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES**

WHEREAS, the City Council of the City of Fayetteville has on October 19, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of water and/or sanitary sewer utilities in:

**ELBA STREET, north side, from southeast corner of Lot 56 to southeast corner of Lot 47, Davis Village**

and,

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

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

1. The Assessment Rolls for the extension of water and sanitary sewer utilities in **ELBA 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, attached hereto as Exhibit A and incorporated by reference as if fully set forth herein.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be

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

5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 18th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

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

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

ATTEST:

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

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

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

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

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

PUBLISH: November 18, 1992



10/06/92  
10:33:57

Public Works Commission  
Assessment Roll For Water and Sewer  
ELBA STREET

Page: 1  
arrrlss

In order by Street, Site Address

Project: AREA 11 LOCKS/SAPONA PK/SUNNY AC/DAVIS  
Submitted to City Council : \_\_\_\_\_  
Final Approval by City Council: \_\_\_\_\_  
To City Clerk: 10-6-92  
To PWC Tax Collector: \_\_\_\_\_

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
RDY C JOHNSON 901 REID SCHOOL ROAD TAYLOR SC 29687	0446-11-56-4820 1637 ROSEBUD DRIVE DAVIS VILLAGE	49	0 0	60.00	480.00	720.00	1,200.00
THOMAS D GRIEVES 1617 ALBA STREET Fayetteville NC 28301	0446-11-56-0579 ELBA STREET DAVIS VILLAGE	55	3401 544	47.50	380.00	570.00	950.00
MID STATE TRUST II JIM WALTER HOME PO BOX 31601 TAMPA FL 33631	0446-11-56-0780 ELBA STREET DAVIS VILLAGE	54	3811 103	47.50	380.00	0.00	380.00
OB KNOWLES JR 526 VISTA DRIVE Fayetteville NC 28305	0446-11-56-1774 ELBA STREET DAVIS VILLAGE	53	2093 192	47.50	380.00	570.00	950.00
CLYDE D ODOM 6381 BARBOUR LAKE ROAD Fayetteville NC 28306	0446-11-56-2787 ELBA STREET DAVIS VILLAGE & LT 52	51+	0 0	120.80	966.40	1,449.60	2,416.00
MAEOLA L BRISSON 1633 ROSEBUD DRIVE Fayetteville NC 28301	0446-11-56-3779 ELBA STREET DAVIS VILLAGE	50	2581 489	60.00	480.00	720.00	1,200.00
H F McDONALD JR 1621 CEDAR CREEK ROAD Fayetteville NC 28301	0446-11-56-4882 ELBA STREET DAVIS VILLAGE	48	0 0	60.00	480.00	720.00	1,200.00
BEN HILL ADAIR 1646 TROY DRIVE Fayetteville NC 28301	0446-11-56-5843 ELBA STREET DAVIS VILLAGE	47	973 395	60.00	480.00	720.00	1,200.00
					\$4,026.40	\$5,469.60	\$9,496.00
8 Owners					=====	=====	=====

Water main assessment equals: 8 .00 per front footage of property abutting street.

Sanitary Sewer main assessment equals: 12 .00 per front footage of property abutting street.

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



## PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - PWC - ELBA STDATE: Oct. 19, 1992PROPOSER (In Favor)

(Name - Print)

(Address - Print)

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

OPPOSER - (Against)

(Name - Print)

(Address - Print)

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

PUBLIC HEARING - SPEAKERS

ITEM \_\_\_\_\_

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

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

CITIZEN INPUT

(Name - Print)

(Address - Print)

1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____

**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS  
FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES**

WHEREAS, the City Council of the City of Fayetteville has on October 19, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of water and/or sanitary sewer utilities in:

**OXFORD STREET, north side, from southwest corner of Lot 57 to southeast corner of Lot 56, Davis Village**

**OXFORD STREET, south side, from northwest corner of Lot 22 to northeast corner of Lot 11, Davis Village**

**OXFORD/GRIFFIN STREET (south and east sides), from northwest corner of Lot 10 to northwest corner of Lot 4, Davis Village**

and,

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

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

1. The Assessment Rolls for the extension of water and sanitary sewer utilities in **OXFORD 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, attached hereto as Exhibit A and incorporated by reference as if fully set forth herein.

3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 18th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

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

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

ATTEST:

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

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

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

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

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

PUBLISH: November 18, 1992

10/06/92  
10:35:57

Public Works Commission  
Assessment Roll For Water and Sewer  
OXFORD STREET

Page: 1  
arrrlss

In order by Street, Site Address

Project: AREA 11 LOCKS/SAPONA PK/SUNNY AC/DAVIS  
Submitted to City Council : \_\_\_\_\_  
Final Approval by City Council: \_\_\_\_\_  
To City Clerk: 10-6-92  
To PWC Tax Collector: \_\_\_\_\_

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
GENEVA ALEXANDER 845 OXFORD STREET Fayetteville NC 28301	0446-11-56-1340 OXFORD STREET DAVIS VILLAGE & LTS 20-23	19+	2533 67	240.00	1,920.00	2,880.00	4,800.00
CAMERON H EASTON PO BOX 2706 Fayetteville NC 28302	0446-11-56-3324 OXFORD STREET DAVIS PROP & LT 18	17+	3774 352	120.00	960.00	1,440.00	2,400.00
JERRY T TOLER 1713 COMMUNITY DRIVE Fayetteville NC 28301	0446-11-56-4338 OXFORD STREET DAVIS VILLAGE & LT 16	15+	3122 391	120.00	960.00	1,440.00	2,400.00
ROGER D YARBROUGH 803 OXFORD STREET Fayetteville NC 28301	0446-11-56-5420 OXFORD STREET DAVIS VILLAGE	14	3470 251	60.00	480.00	720.00	1,200.00
ROGER D YARBROUGH 803 OXFORD STREET Fayetteville NC 28301	0446-11-56-6412 OXFORD STREET DAVIS VILLAGE & LT 13	12+	3016 281	120.00	960.00	1,440.00	2,400.00
ROGER D YARBROUGH 803 OXFORD STREET Fayetteville NC 28301	0446-11-56-7404 OXFORD STREET DAVIS VILLAGE	11	3018 623	60.00	480.00	720.00	1,200.00
RODGER D YARBROUGH 803 OXFORD STREET Fayetteville NC 28301	0446-11-56-7456 OXFORD STREET DAVIS VILLAGE	10	3018 623	50.10	400.80	0.00	400.80
RODGER D YARBROUGH 803 OXFORD STREET Fayetteville NC 28301	0446-11-56-8458 OXFORD STREET DAVIS VILLAGE	9	3018 621	50.70	405.60	0.00	405.60
					\$6,566.40	\$8,640.00	\$15,206.40
8 Owners					=====	=====	=====

Water main assessment equals: 8.00 per front footage of property abutting street.

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

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

10/06/92  
10:34:47

Public Works Commission  
Assessment Roll For Water and Sewer  
~~OXFORD~~/GRIFFIN STREET

Page: 1  
arrrlss

In order by Street, Site Address

Project: AREA 11 LOCKS/SAPONA PK/SUNNY AC/DAVIS  
Submitted to City Council : \_\_\_\_\_  
Final Approval by City Council: \_\_\_\_\_  
To City Clerk: 10-6-92  
To PWC Tax Collector: \_\_\_\_\_

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
JAMES G HERRING 1042 DUNN ROAD Fayetteville NC 28301	0446-11-56-9668 GRIFFIN STREET DAVIS VILLAGE & LTS 6-8	5+	3615 63	236.50	1,892.00	0.00	1,892.00
					\$1,892.00	\$0.00	\$1,892.00
1 Owners					=====	=====	=====

Water main assessment equals: 8.00 per front footage of property abutting street.

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

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



PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENTS - PWC - OXFORD ST.

DATE: Oct. 19, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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

(Name - Print)

OPPONENT - (Against)

(Address - Print)

- |                             |   |
|-----------------------------|---|
| 1. <u>Cam H Easton</u>      | <u>425 Brighton (Lot 17 &amp; 18 of P. 5)</u> |
| 2. <u>ROGER D. VARBRUGH</u> | <u>803 OXFORD ST (Lot <del>22</del> 11)</u>   |
| 3. _____                    | _____   |
| 4. _____                    | _____   |
| 5. _____                    | _____   |
| 6. _____                    | _____   |
| 7. _____                    | _____   |

PUBLIC HEARING - SPEAKERS

ITEM \_\_\_\_\_

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

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

CITIZEN INPUT

(Name - Print)

(Address - Print)

1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____

PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - PWC - OXFORD/GRIFFIN ST.

DATE: Oct. 19, 1992

PROPOSER (In Favor)

(Name - Print)

(Address - Print)

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

OPPOSER - (Against)

(Name - Print)

(Address - Print)

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

PUBLIC HEARING - SPEAKERS

ITEM \_\_\_\_\_

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

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

CITIZEN INPUT

(Name - Print)

(Address - Print)

1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____

**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS  
FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES**

WHEREAS, the City Council of the City of Fayetteville has on October 19, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of water and/or sanitary sewer utilities in:

**STALEY DRIVE, north side, from southwest corner of Lot 76 to southeast corner of Lot 84, Sunny Acres**

**STALEY DRIVE, south side, from northwest corner of Lot 94 to northeast corner of Lot 106, Sunny Acres**

and,

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

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

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

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 18th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

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

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

ATTEST:

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

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

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

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

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

PUBLISH: November 18, 1992

10/06/92  
10:36:24

Public Works Commission  
Assessment Roll For Water and Sewer  
STALEY STREET

Page: 1  
arrrlss

In order by Street, Site Address

Project: AREA 11 LOCKS/SAPONA PK/SUNNY AC/DAVIS

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

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

To City Clerk: 10-6-92

To PWC Tax Collector: \_\_\_\_\_

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
MARY O MCNEILL 1604 STALEY DRIVE Fayetteville NC 28301	0446-10-47-0221 1604 STALEY DRIVE SUNNY ACRES	94	0 0	49.13	393.04	589.56	982.60
WARREN NASH 1609 WHITAKER STREET Fayetteville NC 28301	0446-06-47-2597 1609 STALEY STREET SUNNY ACRES	80	0 0	60.00	480.00	720.00	1,200.00
EDWARD W GRANNIS JR 2391 AMIGO DRIVE Fayetteville NC 28305	0446-10-47-0476 STALEY DRIVE SUNNY ACRES	76	0 0	60.00	480.00	720.00	1,200.00
ALBERT KING SR ETALS PO BOX 2895 Fayetteville NC 28302	0446-10-47-1215 STALEY DRIVE SUNNY ACRES & LT 115	114+	3336 466	120.00	960.00	1,440.00	2,400.00
ALBERT KING SR ETALS PO BOX 2895 Fayetteville NC 28302	0446-10-47-1298 STALEY DRIVE SUNNY ACRES	113	3618 888	60.00	480.00	720.00	1,200.00
ORA MAE SMITH 1322 CADE HILL AVENUE Fayetteville NC 28301	0446-10-47-2341 STALEY DRIVE SUNNY ACRES	112	2064 471	60.00	480.00	720.00	1,200.00
EDWARD W GRANNIS JR 2391 AMIGO DRIVE Fayetteville NC 28305	0446-10-47-3387 STALEY DRIVE SUNNY ACRES & LTS 109-111 SEC 2	108+	3042 418	240.00	1,920.00	2,880.00	4,800.00
THELDELROE L LOCK 4613 NEEDHAM DRIVE Fayetteville NC 28311	0446-10-47-5444 STALEY DRIVE SUNNY ACRES & LT 107	106+	3781 765	125.33	1,002.64	1,503.96	2,506.60
EDWARD W GRANNIS JR 2391 AMIGO DRIVE Fayetteville NC 28305	0446-06-47-2534 STALEY STREET SUNNY ACRES SEC 2	79	3042 418	60.00	480.00	720.00	1,200.00
EDWARD W GRANNIS JR 2391 AMIGO DRIVE Fayetteville NC 28305	0446-06-47-1582 STALEY STREET SUNNY ACRES SEC 2	78	3042 418	60.00	480.00	720.00	1,200.00

Water main assessment equals: 8.00 per front footage of property abutting street.

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

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

10/06/92  
10:36:24

Public Works Commission  
Assessment Roll For Water and Sewer  
STALEY STREET

Page: 2  
arrrlss

In order by Street, Site Address

Project: AREA 11 LOCKS/SAPONA PK/SUNNY AC/DAVIS

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

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

To City Clerk: 10-6-92

To PWC Tax Collector: \_\_\_\_\_

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
CLARENCE McDONALD 523 STEVENS STREET Fayetteville NC 28301	0446-06-47-0596 STALEY STREET SUNNY ACRES & LT 92	77+	0 0	60.00	480.00	720.00	1,200.00
BRYMAR CORP PO BOX 64496 Fayetteville NC 28306	0446-06-47-3670 STALEY STREET SUNNY ACRES & LT 82	81+	3300 503	120.00	960.00	1,440.00	2,400.00
EDWARD W GRANNIS JR 2391 AMIGO DRIVE Fayetteville NC 28305	0446-06-47-4684 STALEY STREET SUNNY ACRES & LT 84 SEC 2	83+	3042 418	121.79	974.32	1,461.48	2,435.80
13 Owners					\$9,570.00	\$14,355.00	\$23,925.00

Water main assessment equals: 8 .00 per front footage of property abutting street.

Sanitary Sewer main assessment equals: 12 .00 per front footage of property abutting street.

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



PUBLIC HEARING - SPEAKERS

ITEM 3A4

SUBJECT: ASSESSMENT - PWC - STALEY DR.

DATE: Oct. 19, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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

OPPONENT - (Against)

(Name - Print)

(Address - Print)

- |                          |  |
|--------------------------|--|
| 1. <u>ALbert King SR</u> | <u>STALEY DRIVE lot. 113, 114, 115</u> |
| 2. _____                 | _____                                  |
| 3. _____                 | _____                                  |
| 4. _____                 | _____                                  |
| 5. _____                 | _____                                  |
| _____                    | _____                                  |
| 7. _____                 | _____                                  |

ITEM \_\_\_\_\_

PUBLIC HEARING - SPEAKERS

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

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

CITIZEN INPUT

(Name - Print)

(Address - Print)

- |     |       |       |
|-----|-------|-------|
| 1.  | _____ | _____ |
| 2.  | _____ | _____ |
| 3.  | _____ | _____ |
| 4.  | _____ | _____ |
| 5.  | _____ | _____ |
| 6.  | _____ | _____ |
| 7.  | _____ | _____ |
| 8.  | _____ | _____ |
| 9.  | _____ | _____ |
| 10. | _____ | _____ |

**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS  
FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES**

WHEREAS, the City Council of the City of Fayetteville has on October 19, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of water and/or sanitary sewer utilities in:

**ELEANOR AVENUE, west side, from southeast corner of Lot 26 to northeast corner of Lot 20, Sapona Park**

**ELEANOR AVENUE, east side, from southwest corner of Lot 67 Sapona Park to southern margin of Harper Street**

and,

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

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

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

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 18th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

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

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

ATTEST:

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

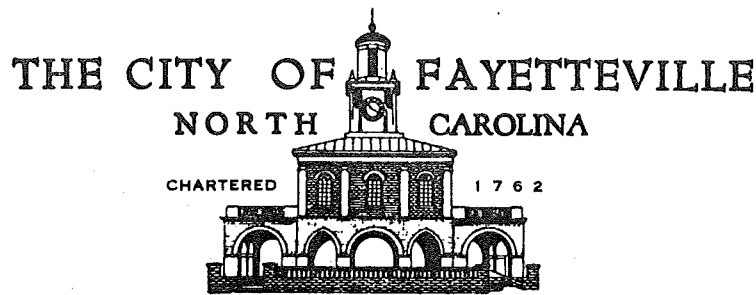
The following City Councilmembers voted for the passage of the above resolution:

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

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

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

PUBLISH: November 18, 1992



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

October 14, 1992

## MEMORANDUM

TO: John P. Smith, City Manager

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

SUBJECT: Public Hearing To Establish A Verifiable Percentage Goal For Participation By Minority Business In The Awarding Of Building Construction Contracts

Council adopted a similar resolution (R1989-127, attached) on September 5, 1989, which adopted "interim guidelines" until appropriate verifiable percentage goals could be determined. At the time of the adoption of the current resolution, we did not have much of an experience factor with building construction contracts; the vast majority of our contracting experience had been primarily in the purchasing and renovation areas. We (including PWC) have gained sufficient experience and maintained records for the past three (3) years that clearly indicate that we can support a flat ten percent (10%) verifiable goal for all future building projects.

The purpose of the public hearing will be to adopt permanent City-wide guidelines which will include the Public Works Commission (PWC). We have coordinated very closely with the PWC on this matter and propose to use the format and forms which it has developed and is currently using. For your information, the State's and County's verifiable goals are ten percent (10%); the School Board's goal is fifteen percent (15%).

Recommend Council adopt a ten percent (10%) verifiable goal for future building projects awarded pursuant to N.C.G.S. Sec. 143-128.

JBB/kbl

Attachments: Proposed resolution  
Old resolution  
N.C.G.S. Sec. 143-128

cc: Roger L. Stancil, Deputy City Manager  
Robert C. Cogswell, Jr., City Attorney  
Bill McGugan, Administrative Services Director  
Craig Hampton, Purchasing Agent  
Tim Wood, PWC Manager  
James Rose, PWC

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

**ITEM 3.E.**

**RESOLUTION TO ESTABLISH A VERIFIABLE  
PERCENTAGE GOAL FOR PARTICIPATION  
BY MINORITY BUSINESS IN THE AWARDING OF BUILDING CONSTRUCTION  
CONTRACTS AWARDED PURSUANT TO N.C.G.S. 143-128**

WHEREAS, the North Carolina General Assembly enacted Chapter 480 and Section 74.17 of Chapter 770 of the 1989 Session Laws, thereby rewriting North Carolina General Statute 143-128; and

WHEREAS, N.C.G.S. 143-128(c) requires each city, county or other public body to adopt, after notice and a public hearing, an appropriate verifiable percentage goal for participation by minority businesses (as defined in that statute) in the total value of work for building contracts, the costs of which exceed one hundred thousand dollars (\$100,000) and which are awarded pursuant to N.C.G.S. 143-128; and

WHEREAS, the City of Fayetteville after proper notice and procedure, held its first public hearing on this matter on September 5, 1989, at which time interim guidelines were adopted; and

WHEREAS, N.C.G.S. 143-128(c)(3) requires an authority awarding a building contract the cost of which exceeds one hundred thousand dollars (\$100,000) under a separate prime or separate specification contract system to adopt written guidelines specifying actions that will be taken by the awarding authority to ensure a good faith effort in the recruitment and selection of minority businesses for building contracts awarded under the separate prime or separate specification contract systems; and

WHEREAS, N.C.G.S. 143-128(c)(4) requires an authority awarding a building contract the cost of which exceeds one hundred thousand dollars (\$100,000) under a single-prime contract system to adopt written guidelines specifying the action that the prime contractor must take to ensure a good faith effort in the recruitment and selection of minority businesses for building contracts awarded under the single prime contract system; and requires that action taken by the prime contractor must be documented in writing by the contractor to the appropriate awarding authority; and

WHEREAS, the City of Fayetteville now wishes to adopt permanent written guidelines and verifiable percentage goals for all contracts awarded pursuant to N.C.G.S. 143-128; and

WHEREAS, N.C.G.S. 143-128(b) requires that a public body choosing to use a single-prime contract system must also seek bids for a building contract the cost of which exceeds one hundred thousand dollars (\$100,000) under a separate prime or separate specification contract system and must award such building contract to the lowest responsible bidder or bidders for the total project; and

WHEREAS, N.C.G.S. 143-128 (d) requires the state and its political subdivisions to award public building contracts the costs of which exceeds one hundred thousand dollars (\$100,000) without regard to race, religion, color, creed, national origin, sex, age or handicapping condition; and

WHEREAS, notice of the public hearing was duly published in the Fayetteville Observer Times on Wednesday, October 14, 1992, and Sunday, October 18, 1992, and the public hearing required by N.C.G.S. 143-128(c) was held October 19, 1992;

NOW THEREFORE, BE IT RESOLVED by the City of Fayetteville

1. That these guidelines and verifiable percentage goals shall apply to all contracts issued by the City of Fayetteville and the City of Fayetteville Public Works Commission that are awarded pursuant to N.C.G.S. 143-128.
2. That the City of Fayetteville and PWC shall have a verifiable goal of ten (10) percent for participation by minority businesses in building construction contracts awarded pursuant to N.C.G.S. 143-128.
3. That the officials, employees or agents responsible for advertising such contracts shall compile a list of minority businesses within the bidding area, using information obtained from the North Carolina Department of Economic and Community Development, Minority Business Development Agency or from other institutions or agencies providing such information. This list shall be jointly updated on an (annual) basis and shall be open for inspection and shall be available so that minority businesses will have the opportunity to add their names to the list. Copies of this resolution shall be transmitted to the businesses on the list as soon as practicable along with the name of the officials, employees or agents who shall serve as the contact person for minority businesses and be responsible for answering project-related questions posed by minority businesses.
4. That for each such building contract put out for bids under the separate specification or the single prime contract systems, notice of the contract shall be transmitted to minority businesses on the above list.
5. That for each such building contract put out for bids under the separate specification or single prime contract systems, documents related to the contract shall be available for inspection at a convenient and accessible location of which minority businesses shall receive notice.
6. That for each such building contract put out for bids under the separate specification or single prime contract systems, the contract person designated pursuant to paragraph 3 above shall hold a prebid conference to orient contractors and subcontractors to the policy expressed in this resolution as

well as bid procedures and regulations. Minority businesses on the list obtained and maintained as provided herein shall be notified of and invited to these prebid conferences.

7. That for each such building contract put out for bids, under the separate specification or single prime contract system, published notice of the contract shall include a summary of this resolution.
8. That for any such building contract put out for bids under the separate specification contract system, the contact person designated herein shall maintain records with respect to:
  - (a) Those contractors or subcontractors notified of the project and the number of these contractors and subcontractors that are minority businesses as defined in G.S. 143-128 appearing on the list of minority businesses maintained pursuant to paragraph 2 herein,
  - (b) Those contractors or subcontractors that bid or otherwise respond to notice of the project and the number of these that are on the maintained list of minority businesses,
  - (c) Those contractors or subcontractors awarded contracts as part of the project and the number and identity of those that are on the list of minority businesses, and
  - (d) The percentage of work on the project that is to be performed by minority businesses appearing on the list maintained pursuant to this resolution.
9. That for any such building contract put out for bids under the single prime contract system, the single prime contractor shall:
  - (a) Notify those minority businesses appearing on the list of minority businesses maintained pursuant to paragraph 2 of the portion of the project which will be subcontracted by the single contractor and solicit bids from those minority businesses.
  - (b) Submit with his bids records with respect to:
    - (1) Those subcontractors notified of the project and of those elements of the project for which subcontracts will be let and the number of these subcontractors that are minority businesses as defined in G.S. 143-128 appearing on the list of minority businesses maintained pursuant to paragraph 2 herein,



- (2) Those subcontractors that bid or otherwise respond to notice of the project and the number of these that are on the maintained list of minority businesses, and
  - (3) Those subcontractors awarded contracts as part of the project and the number and identity of those that are on the maintained list of minority businesses, and
  - (4) The percentage of work on the project that is to be performed by minority businesses appearing on the list maintained pursuant to this resolution; and
  - (5) Other information as may be required to determine the bidders responsiveness to these requirements.
10. That these policies shall be a part of the request for proposals for any such contract, and noncompliance by any single prime bidder shall be grounds for declaring the bid nonresponsive.
11. That this resolution shall become effective upon its adoption.

ADOPTED, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

(Attested)

City of Fayetteville

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

\_\_\_\_\_  
Mayor

City Seal

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE  
ADOPTING GUIDELINES FOR MINORITY BUSINESS PARTICIPATION  
IN CONTRACTS AWARDED BY THE CITY

THAT WHEREAS, it has been and will continue to be the policy of the City of Fayetteville to assure that minority business enterprises shall have the maximum possible opportunity to participate in the performance of contracts awarded by the City;

THAT WHEREAS, Chapter 480 of the General Assembly of North Carolina, 1989 Session, requires that municipalities adopt an appropriate verifiable percentage goal for participation by minority businesses in the total value of work for which a contract or contracts are awarded pursuant to N.C.G.S. sec. 143-128;

THAT WHEREAS, on the 5th day of September, 1989, a public hearing was held for purposes of adopting interim guidelines until appropriate verifiable percentage goals for participation by minority businesses in the total value of work for which contracts are awarded by the City Council pursuant to N.C.G.S. sec. 143-128 can be determined;

THEREFORE BE IT RESOLVED that:

(1) The term "minority business" means a business:

- a. In which at least fifty-one percent (51%) is owned by one or more minority persons, or in the case of a corporation, which at least fifty-one percent (51%) of the stock is owned by one or more minority persons; and
- b. Of which the management and daily business operations are controlled by one or more of the minority persons who own it.

- (2) The term "minority person" means a person who is a citizen or lawful permanent resident of the United States and who is:
- a. Black, that is, a person having origins in any of the black racial groups in Africa;
  - b. Hispanic, that is, a person of Spanish or Portugese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race;
  - c. Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent, the Pacific Islands;
  - d. American Indian or Alaskan Native, that is, a person having origins in any of the original peoples of North America; or
  - e. Female.
- ✓ (3) The term "verifiable goal" means for purposes of the separate prime contract system, means written guidelines specifying the actions that will be taken to ensure a good faith effort in the recruitment and selection of minority businesses for participation in contracts awarded by the City; and
- (4) The term "verifiable goal" means for purposes of the single-prime contract system, means written guidelines specifying the actions that the prime contractor must take too ensure a good faith effort in the recruitment and selection of minority businesses for participation in contracts awarded by the City; the required actions must be documented in writing by the contractor to the City.
- (5) Through its City Manager, the Administrative Services Department, Engineering Department, and Project Managers on contracts awarded pursuant to N.C.G.S. sec. 143-128 the City shall:
- a. Require all bidders to submit as part of their bid a statement as to the recruitment and selection of minority businesses for participation and what percentage, if any, of the work will be performed by minority businesses if the contract is awarded to include any percentage requirements on contracts utilizing Federal Aviation Administration or Urban Mass Transit Administration Grant Funds;

- b. Keep a register of minority businesses by trade and to notify those businesses listed where part or all of the work to be awarded involves that particular trade;
- c. Assist minority businesses in understanding general statutory requirements regarding bids and bonding process;
- d. Elicit the participation by City Representatives at minority contractor business meetings; monitor minority business bids and awards; implement a record-keeping and reporting system for assessing minority business program accomplishments;
- e. Require all contracts to fully document any and all failures to accomplish the guidelines herein for utilization of minority businesses; comply with Resolution No. R1984-31 of the Fayetteville City Council regarding disadvantaged business enterprises.
- f. Immediately review previous minority business participation studies and reports prepared by Talbert Cox and Associates and other consultants to determine the verifiable percentage goals for minority participation in contracts awarded by the City pursuant to N.C.G.S. sec. 143-128.
- g. That a separate verifiable percentage goal as defined by N.C.G.S. sec. 143-128 will be determined for each separate contract or contracts awarded pursuant to N.C.G.S. sec. 143-128.

Adopted this 5<sup>th</sup> day of September, 1989.

  
J. L. DAWKINS, MAYOR

ATTEST:

  
BOBBIE A. JOYNER, CITY CLERK

89RS0003

GENERAL ASSEMBLY OF NORTH CAROLINA  
1989 SESSION  
RATIFIED BILL

CHAPTER 480  
SENATE BILL 308

AN ACT TO ALLOW PUBLIC CONTRACTS TO BE BID IN THE  
ALTERNATIVE AS MULTI-PRIME OR SINGLE-PRIME CONTRACTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-128 reads as rewritten:

"§ 143-128. Separate specifications for building contracts; responsible contractors.

(a) Every officer, board, department, commission or commissions charged with responsibility of preparation of specifications or awarding or entering into contracts for the erection, construction, alteration or repair of any buildings for the State, or for any county or municipality, when the entire cost of such work shall exceed one hundred thousand dollars (\$100,000) must have prepared separate specifications for each of the following subdivisions or branches of work to be performed:

- (1) Heating, ventilating, air conditioning and accessories (separately or combined into one conductive system) and/or refrigeration for cold storage (where the cooling load is 15 tons or more of refrigeration), and all work kindred thereto.
- (2) Plumbing and gas fittings and accessories, and all work kindred thereto.
- (3) Electrical wiring and installations, and all work kindred thereto.
- (4) General work relating to the erection, construction, alteration, or repair of any building above referred to, which work is not included in the above-listed three subdivisions or branches.

All such specifications must be so drawn as to permit separate and independent bidding upon each of the subdivisions or branches of work enumerated above. The above enumeration of subdivisions or branches of work shall not be construed to prevent any officer, board, department, commission or commissions from preparing additional separate specifications and awarding additional separate contracts for any other category of work when it is deemed in the best interest of such officer, board, department, commission or commissions to do so.

All contracts hereafter awarded by the State or by a county or municipality, or a department, board, commissioner, or officer thereof, for the erection, construction, alteration or repair of buildings, or any parts thereof, shall award the respective work specified separately to responsible and reliable persons, firms or corporations regularly engaged in their respective lines of work. When the estimated cost of work to be performed in any single subdivision or branch is less than ten thousand dollars (\$10,000), the same may be included in the contract for one of the other subdivisions or branches of the work, irrespective of total project cost.

Each separate contractor shall be directly liable to the State of North Carolina, or to the county or municipality, and to the other separate contractors for the full performance of all duties and obligations due respectively under the terms of the separate contracts and in accordance with the plans and specifications, which shall specifically set forth the duties and obligations of each separate contractor. For the purpose of this section, the wording "separate contractor" is hereby deemed and held to mean any person, firm or corporation who shall enter into a contract with the State, or with any county or municipality, for the erection, construction, alteration or repair of any building or buildings, or parts thereof.

All public authorities coming within the requirements of this section shall have the authority to purchase and erect prefabricated or relocatable buildings or portions thereof without complying with the provisions hereof, except that portion of the work which must be performed at the construction site.

(b) Notwithstanding the provisions of subsection (a) of this section, the State, a county, municipality, department, board, commission, public hospital, or other public body, or an officer thereof may use the single-prime contract system and may prequalify bidders for all construction contracts.

If the public body chooses to use the single-prime contract system, it must also seek bids for the project under subsection (a) of this section and award the contract to the lowest responsible bidder or bidders for the total project.

For the single-prime contract system all bidders must identify on their bid the contractors they have selected for the subdivisions or branches of work for:

- (1) Heating, ventilating, and air conditioning;
- (2) Plumbing;
- (3) Electrical; and
- (4) General.

(c) The State shall have a verifiable ten percent (10%) goal for participation by minority businesses in the total value of work for each project for which a contract or contracts are awarded pursuant to this section. Each city, county, or other public body shall adopt, after a notice and public hearing, an appropriate verifiable percentage goal for participation by minority businesses in the total value of work for which a contract or contracts are awarded pursuant to this section.

As used in this subsection:

(1) The term "minority-business" means a business:

- a. In which at least fifty-one percent (51%) is owned by one or more minority persons, or in the case of a corporation, in which at least fifty-one percent (51%) of the stock is owned by one or more minority persons; and

- (2) The term "minority person" means a person who is a citizen or lawful permanent resident of the United States and who is:
- a. Black, that is, a person having origins in any of the black racial groups in Africa;
  - b. Hispanic, that is, a person of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race;
  - c. Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent, the Pacific Islands;
  - d. American Indian or Alaskan Native, that is, a person having origins in any of the original peoples of North America; or
  - e. Female.
- (3) The term "verifiable goal" means for purposes of the separate prime contract system, that the awarding authority has adopted written guidelines specifying the actions that will be taken to ensure a good faith effort in the recruitment and selection of minority businesses for participation in contracts awarded under this section; and
- (4) The term "verifiable goal" means for purposes of the single-prime contract system, that the awarding authority has adopted written guidelines specifying the actions that the prime contractor must take to ensure a good faith effort in the recruitment and selection of minority businesses for participation in contracts awarded under this section; the required actions must be documented in writing by the contractor to the appropriate awarding authority.

(d) The State and its political subdivisions shall award public contracts pursuant to this section without regard to race, religion, color, creed, national origin, sex, age, or handicapping condition, as defined in G.S. 168A-3. Nothing in this section shall be construed to require contractors or awarding authorities to award contracts or subcontracts to or to make purchases of materials or equipment from minority-business contractors or minority-business subcontractors who do not submit the lowest responsible bid or bids."

Sec. 2. G.S. 143-132 reads as rewritten:

"§ 143-132. Minimum number of bids for public contracts.

(a) No contract to which G.S. 143-129 applies for construction or repairs shall be awarded by any board or governing body of the State, or any subdivision thereof, unless at least three competitive bids have been received from reputable and qualified contractors regularly engaged in their respective lines of endeavor; however, this section shall not apply to contracts which are negotiated as provided for in G.S. 143-129. Provided that if after advertisement for bids as required by G.S. 143-129, not as many as three competitive bids have been received from reputable and qualified contractors regularly engaged in their respective lines of endeavor, said board or governing body of the State agency or of a county, city, town or other subdivision of the State shall again advertise for bids; and if as a result of such second advertisement, not as many as three competitive bids from reputable and qualified contractors are received, such board or governing body may then let the contract to the lowest responsible bidder submitting a bid for such project, even though only one bid is received.

(b) For purposes of contracts bid in the alternative between the separate prime and single-prime contracts, pursuant to G.S. 143-128(b), a bid submitted by a single-prime contractor shall constitute a competitive bid in each of the four subdivisions or branches of work listed in G.S. 143-128(a)."

Sec. 3. The State Construction Office of the Department of Administration, the Division of School Planning of the Department of Public Education, the Division of Facility Services of the Department of Human Resources, the North Carolina Association of County Commissioners, the North Carolina League of Municipalities, the School Board Association, and the North Carolina Hospital Association shall monitor and study the separate prime and single-prime contract systems in the bidding of public building projects and shall compile data on the total verifiable contractual, legal, and administrative cost to the public.

The State Building Commission shall develop the necessary forms and procedures to survey the public contracts let. The public bodies responsible for the award of contracts shall submit all necessary records to the appropriate office, division, association, or individual as directed by the State Building Commission. The appropriate office, division, association, or individual shall maintain records of public contracts from bodies under their supervision or bodies that are their members.

An executive summary of data shall be submitted to the State Building Commission and such data shall be compiled and analyzed in a report to be made to the 1995 Session of the General Assembly.

Sec. 3.1. Contracts awarded pursuant to the separate prime contract system during the period beginning on June 8, 1989 and ending December 31, 1989 are not hereby invalidated for noncompliance with G.S. 143-128(c).

Sec. 4. This act is effective upon ratification and shall expire on June 30, 1995.

In the General Assembly read three times and ratified this the 28th day of June, 1989.

JAMES C. GARDNER

James C. Gardner  
President of the Senate

## PUBLIC HEARING - SPEAKERS

SUBJECT: ESTABLISH VERIFIABLE PERCENTAGE GOAL for MBDATE: Oct. 19, 1992

## C I T I Z E N   I N P U T

(Name - Print)

(Address - Print)

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





# PLANNING DEPARTMENT

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

## CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt  
CHAIRMAN

George Vaughan  
PLANNING DIRECTOR

October 19, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-95. THE REZONING FROM R6 RESIDENTIAL DISTRICT TO P2 PROFESSIONAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF BARRINGTON CROSS AND BRAGG BOULEVARD. (FAYETTEVILLE ORDINANCE)

ACTION: THE TEN MEMBERS PRESENT AT THE AUGUST 18, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO APPROVE THE REQUESTED REZONING. MR. HASAN WAS NOT PRESENT FOR VOTING.

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

Mr. Lloyd stated that the Planning staff recommends denial of the requested rezoning to P2 Professional District based on the following:

1. The 1971 Land Use Plan calls for medium density residential development at this location.

The Planning staff finds that all or any portion of this site is not suitable for the R5A or R5 Residential or P1 Professional Districts.

Note: The 2010 Land Use Plan calls for medium density residential use at this location.

Mr. Wayne Williams, petitioner, appeared before the Board stating that he would like to use this property for insurance offices. He stated that the present Special Use permitted on the property is for dental offices. Mr. Williams presented a petition to the Board of fourteen landowners in the area in favor of the rezoning. He stated that he plans a 1,200 square foot building to house three employees with

ITEM 4.A.

approximately twenty-five to thirty cars coming to the office daily. He stated that four apartment units were planned for the area until he bought the property, and he feels the P2 Professional District rezoning for the office building will be a nice buffer for the residential area.

Mr. Calvin Poole appeared before the Board representing his ninety-one year old mother who lives across the road from the site. He stated that medium density residential zoning along Bragg Boulevard is wishful thinking, and the P2 Professional District zoning would be the highest and best use for the property.

Mr. Bill McLeod, resident in the area, appeared before the Board in opposition stating that he has lived in the area for many years, and this rezoning would be spot zoning or strip development. He felt that this could turn the area entirely into commercial and eliminate the residential zoning in the area. He stated that Bragg Boulevard has many empty buildings and vacant lots that would be suitable for an insurance office.

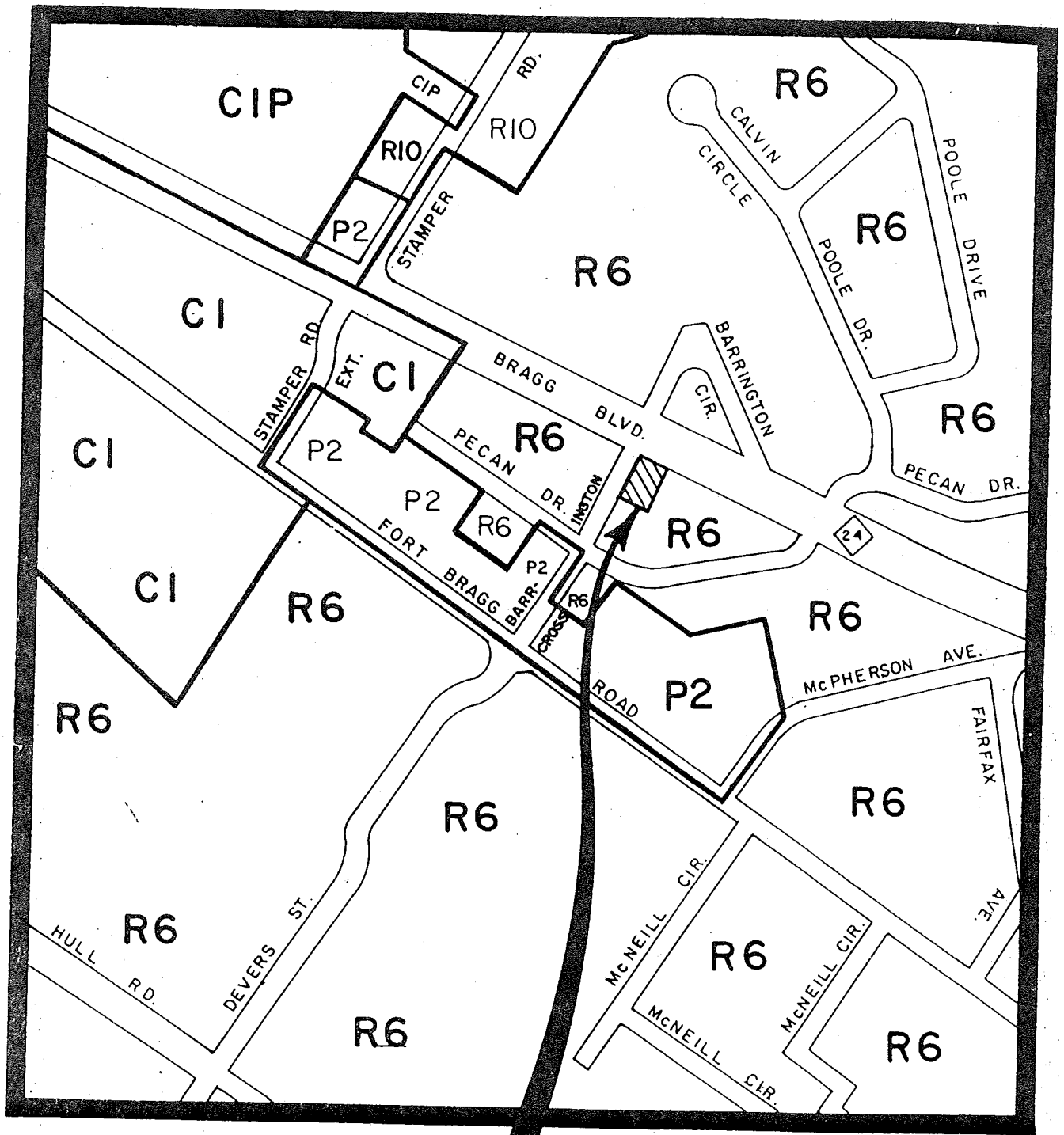
Mr. Dick McLeod, resident in the area, stated he felt the increased traffic due to the office building would be a hazard.

Chairman Britt asked Mr. Lloyd if he knew of the proposed apartment complex on this site. Mr. Lloyd stated that a group development plan had been submitted to his office for the location.

Ms. Vick questioned the access. Mr. Williams stated that the approved plan shows the access to be off of Barrington Cross, not Bragg Boulevard.

After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a motion was made by Mr. Canady and seconded by Mr. Shaw to approve the requested rezoning as a good transition between the residential and commercial districts of the area. The motion passed unanimously. Mr. Hasan was not present for voting.

:skc



## REQUESTED REZONING R6 TO P2

ACREAGE: 0.34 AC.  $\pm$

HEARING NO: P92-95

ORDINANCE: FAYETTEVILLE

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD





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

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

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

**ELECTRIC & WATER UTILITIES**

October 9, 1992

MEMO TO: John P. Smith, City Manager

FROM: Tim Wood, General Manager

SUBJECT: PWC Items For City Council Agenda; October 19, 1992

- 5.A. Approval of bid award in the amount of \$30,560.00 to Tennessee Valley Electric, **low evaluated bidder**, for purchase of four (4) 500 KVA padmount transformers. Bids were received September 15, 1992, as follows:

Tennessee Valley Electric	\$30,560.00
Power Supply	\$31,600.00
HESCO, Inc.	\$28,024.00
Eastern Electric	\$28,692.00
Rigby Electric	\$30,796.00
Westinghouse Electric	\$29,856.00

- 5.B. Approval the following bid awards for construction of five (5) accessory buildings at Butler-Warner Generation Plant (Electrical & Mechanical Maintenance Shops; Shelter over fuel unloading area; Storage building for flammables; and Assembly area for contract workers):

General: Hatcher Construction Co.	\$241,915.00
Plumbing: Coffman Plumbing Co.	\$ 28,513.00
Mechanical: Bass Heating & Air	\$ 20,000.00
Electrical: M-R Electric	\$ 28,600.00

Bids were received October 1, 1992, as follows:

<u>General Construction:</u>	<u>Base Bid</u>	<u>Alt.#1</u>	<u>Alt.#2</u>
Chase Contractors	\$278,000	+\$2,700	-\$ 4,500
Ellis-Walker Builders	\$263,900	-\$5,334	-\$10,398
D. S. Simmons	\$262,090	-\$4,985	-\$ 8,100
Hargis Construction	\$260,000	-\$5,600	-\$ 8,000
Ratley Construction	\$249,319	-\$4,985	-\$ 2,300
Jordan Construction	\$276,900	+\$5,660	-\$ 9,900
Hatcher Construction	\$252,900	-\$4,985	-\$ 6,000
Peden General Contractors	\$283,497	-\$4,100	-\$ 8,900



Memo: John P. Smith  
October 9, 1992

Page 2

Re: Council Agenda Items

Plumbing Contractor:

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

Mechanical Contractor:

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

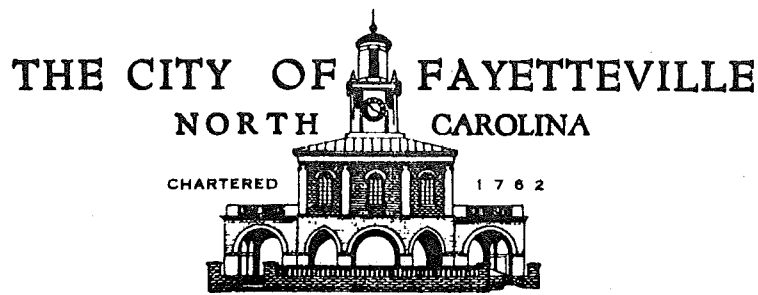
Electrical Contractor:

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

3.A. Adopt resolutions confirming assessment roll and levying assessments for installation of water and/or sanitary sewer utilities in the following streets:

- .Elba Street
- .Oxford Street
- .Staley Drive
- .Eleanor Avenue
- .Cedar Street
- .L.A.Dunham Road (State Road 2005)

TW:gm



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

October 14, 1992

## MEMORANDUM

TO: Roger L. Stancil, Deputy City Manager

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

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

SUBJECT: Agenda Item - Annexation Petition - Pizza Hut and Taco Bell Properties - Ramsey Street

The City staff has recently received a new annexation petition. The purposes of this memo are to present this petition to City Council and to recommend to the City Council that the annexation process be started for the petition area. The memo provides a description of the petitioners, reasons for the petition, a description of the annexation process, and a recommendation.

**THE PETITION** - On October 9, 1992, the City staff received a petition requesting that two properties located on the western side of Ramsey Street, south of College Lakes, be annexed. (See Map #1 - Vicinity Map.) The combined size of the two properties is approximately 2.10 acres. The properties are made up of two tax parcels which have been cut out of a larger parcel owned by J. P. Riddle. Al Rumbough, an employee of J. P. Riddle, submitted the petition. According to Mr. Rumbough, two restaurants are proposed for construction on the properties requested for annexation. The two restaurants will be a Pizza Hut and a Taco Bell, according to Mr. Rumbough. Construction has started on the Pizza Hut. The Pizza Hut property is contiguous to the City limits, and the Taco Bell property is contiguous to the Pizza Hut Property.

**THE PETITIONERS** - The petition is attached. There are three names on the petition. The names on the petition are difficult to read. According to Mr. Rumbough, the three names are as follows:

<u>Name</u>	<u>Address</u>
1. Clyde E. Kellar, Managing Partner R & W Pizza Huts of North Carolina Building Partnership	P.O. Box 41007 Fayetteville, NC 28309
2. William D. Ratley	2218 Winterlochen Drive Fayetteville, NC 28305
3. Louise Ratley	2218 Winterlochen Drive Fayetteville, NC 28305

annex69

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 6

**REASONS FOR THE PETITION** - There are two utility extension policies which have an impact on annexation.

One policy states that property owners/developers requesting water and sanitary sewer extensions to areas immediately adjacent or contiguous to the City must file a petition for annexation as a prerequisite to utility extensions. The City Council has the freedom to approve or reject the petition. The purpose of the policy is to enable the City to enforce City development standards on developing property contiguous to the City. These properties are contiguous, and they will need water and sewer. Therefore, the owners are required to submit a petition requesting annexation.

A second policy states that if a property needing utilities is inside the City prior to the execution of a contract for utility extensions, then PWC will participate in one-third of the costs of utility extensions.

**PROCESS** - Pursuant to State Statute , the first step in the process is for the petition to be presented to City Council. The City Council can then consider adopting a Resolution Directing the City Clerk to Investigate the Sufficiency of a Petition. (To investigate the sufficiency of the petition means to verify that the person or persons signing the petition actually own the property and to verify that the petition contains the signature of all the property owners.)

The following materials are submitted for the October 19, 1992, City Council meeting:

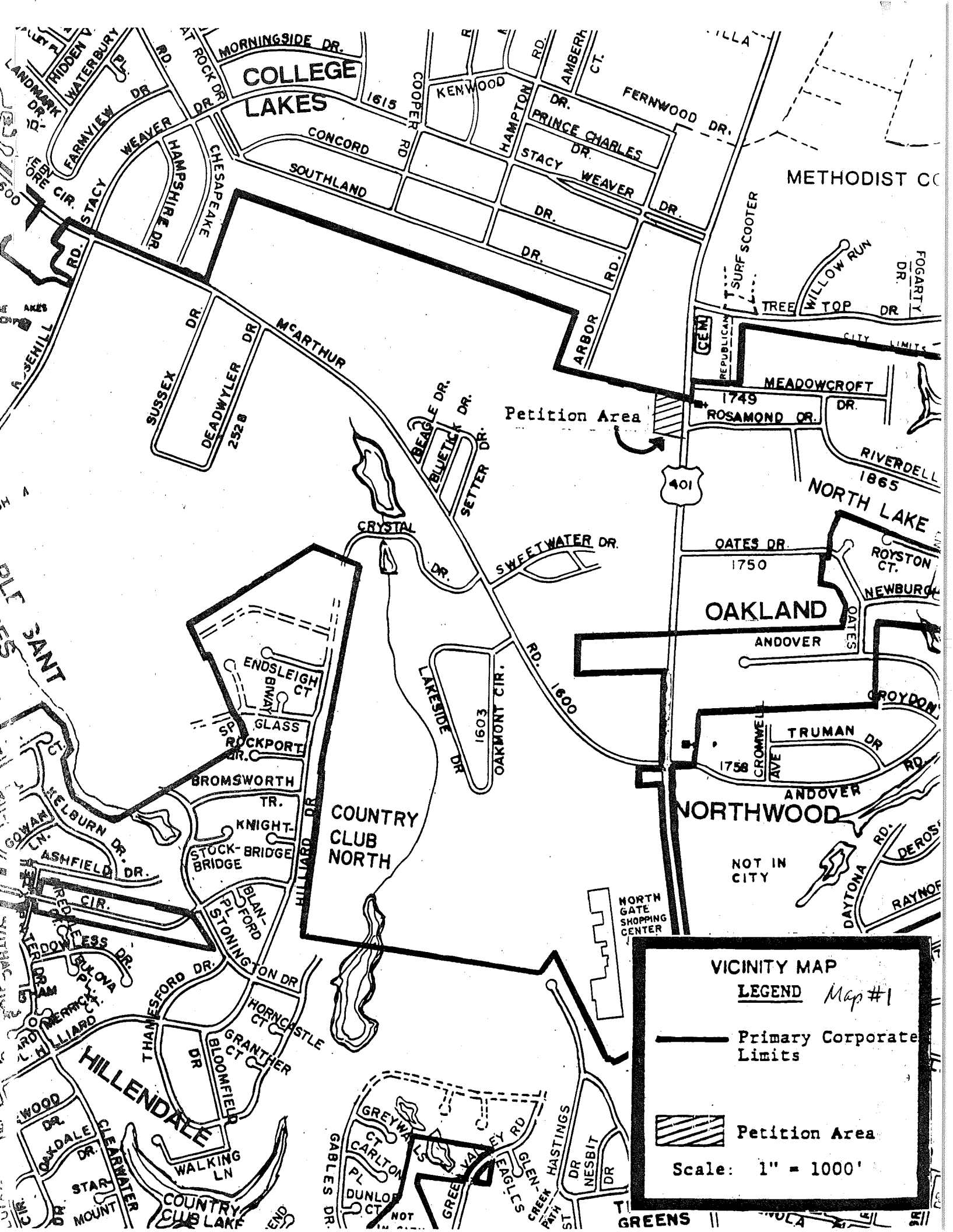
1. Map #1 - Vicinity Map.
2. Copy of annexation petition. (Legal description is included in the petition. Map included with petition is too large to reproduce for agenda packet.)
3. Resolution Directing the City Clerk to Investigate a Petition Received Under G.S. 160A-31

**RECOMMENDATION** - The City staff recommends that the annexation petition process be started for these properties. The City staff recommends that the City Council adopt the attached resolution.

DMN/kbl

Attachments





COLLEGE LAKES

METHODIST CO

Petition Area

OAKLAND

NORTHWOOD

COUNTRY CLUB NORTH

HILLENDALE

COUNTRY CLUB LAKE

NORTH GATE SHOPPING CENTER

NORTH LAKE

CONCORD  
SOUTHLAND

PRINCE CHARLES  
STACY

MEADOWCROFT  
ROSAMOND DR.

DEADWYLER DR.  
2528

MCCARTHUR

BEAGLE DR.  
BLUETICK DR.  
SETTER DR.

SWEETWATER DR.

OATES DR.  
1750

ROYSTON CT.  
NEWBURGH

ANDOVER

TRUMAN DR.

ANDOVER

NOT IN CITY

ENDSLEIGH CT.  
GLASS ROCKPORT DR.

BROMSWORTH TR.

KNIGHT-  
STOCK-BRIDGE

BLAN-  
STONINGTON DR.

HORNCHISTLE  
GRANTHER  
BLOOMFIELD

THAMESFORD DR.

WALKING LN

GREYWA  
CT. CARLTON

PL. DUNLOP

GREEN VALLEY RD.

EAGLES CREEK

HASTINGS DR.

DR. NESBIT

GREENS

MULCA

RELL



Received 10-9-92

PETITION REQUESTING ANNEXATION  
(CONTIGUOUS AREA)

Date October 9, 1992

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

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

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

(Insert Metes and Bounds Description of Boundaries)

BEGINNING at a point in the western margin of U.S. 401 - Raleigh Road (100 foot right-of-way), said point also being on the existing City of Fayetteville city limit line and being the northeast corner of that property owned by J.P. Riddle as recorded in Deed Book 2578, Page 99, Cumberland County Registry;

thence with said western margin of Raleigh Road South 06 degrees 16 minutes West 350.00 feet to a point;

thence leaving said western margin of Raleigh Road North 74 degrees 22 minutes East 260.00 feet to a point;

thence North 06 degrees 16 minutes East 350.00 feet to a point in the northern boundary of said J.P. Riddle property as was referenced above, said point also being on the existing City of Fayetteville city limit line;

thence with said northern boundary of J.P. Riddle property as referenced above and with the City of Fayetteville city limit line South 74 degrees 22 minutes East 260.00 feet to the point and place of BEGINNING and containing 2.1 acres more or less.

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

<u>NAME</u>	<u>ADDRESS</u>
1. <i>Ruby P. Riddle, North Carolina Partnership</i>	<i>R.D. Box 41007</i>
2. <i>Cliff E. Riddle</i>	<i>Fayetteville NC 28309</i>
3. <i>Wm. J. Riddle</i>	<i>Fayetteville, NC 28305</i>
4. <i>Louise Riddle</i>	<i>Fayetteville, NC 28305</i>
5. _____	_____
6. _____	_____
7. _____	_____

PIZZA HUT AND  
TACO BELL PROPERTIES  
RAMSEY STREET

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE**  
**A PETITION RECEIVED UNDER G.S. 160A-31**

WHEREAS, a petition requesting annexation of an area described in said petition has been received on October 19, 1992, by the City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Fayetteville deems it advisable to proceed in response to this request for annexation;

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

That the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.

**ADOPTED this 19th day of October, 1992.**

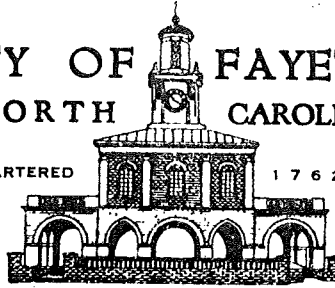
\_\_\_\_\_  
J. L. Dawkins, Mayor

ATTEST:

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

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



PARKS AND RECREATION

433 HAY STREET

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

October 14, 1992

MEMORANDUM

TO: John Smith, City Manager  
FROM: Robert Barefoot, Director *RB*  
SUBJECT: Pri-Mark Land Donation

Per our previous discussions we have negotiated with Pri-Mark Corporation for the donation of approximately 183+/- acres of land. This land is located on the Cape Fear River just north of Clark Park and south of Methodist College. Pri-Mark had intended to harvest the timber on the site prior to donating the property. We suggested that instead of clearing the property that we negotiate a price for the timber rights as the trees would be a vital resource for any type of park and/or recreational use. We proposed a \$80,000.00 figure which they have accepted for the timber rights. They currently have an offer of \$100,000.00 for the timber rights which would involve a clear cutting of the site. Jeff Lane, our Urban Forester, has done a very preliminary review of this site and estimates the harvested timber would be in excess of \$100,000.00.

The Recreation and Parks Advisory Commission met on September 28, 1992 and was informed as to this proposed land donation. They voted unanimously to negotiate to secure the timber rights and to recommend to City Council the donation. Possible uses were discussed which included a golf course, Clark Park expansion and/or greenway use.

In our current capital improvement plan \$225,000.00 has been identified for golf course development. We would recommend that \$80,000.00 from this project be used to secure the timber rights and obtain the 183+/- acres. Please find attached copies of the Pri-Mark proposal, 1985 property appraisal, timber estimation, Recreation and Park Advisory Commission minutes, and site maps. Thank you for your consideration of this matter and if you have any questions please call.

RB/sb

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 7

# PRIMARK

William J. Swift III  
Vice President, Tax Counsel  
(703) 790-7615

Primark Corporation  
8251 Greensboro Drive  
Suite 700  
McLean, Virginia 22102

October 13, 1992

Mr. John P. Smith  
City Manager  
433 Hay Street  
Fayetteville, NC 28301-5537

**RE: FAYETTEVILLE LAND**

Dear Mr. Smith:

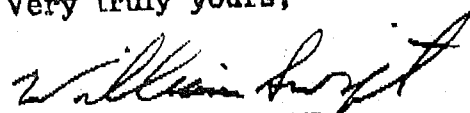
We received a facsimile copy of your letter dated October 9, 1992 in which you indicated that you were interested in a tract of land owned by our subsidiary along the Cape Fear River in the City of Fayetteville. Since receipt of your letter, I have discussed your proposal with Mr. Robert Barefoot with the Fayetteville Department of Parks and Recreation.

Due to the City's interest in preserving this property as either a golf course or natural park area, our Corporation is very interested in your offer. In your letter, you proposed to purchase the timber rights to the property for \$80,000 provided Primark Corporation would donate the underlying property to the City of Fayetteville. Your letter also referred to enclosed documentation regarding the eligibility of the City of Fayetteville to receive tax deductible donations. Since we have received only a facsimile of your letter, we are not in receipt of the enclosed documentation you referred to in your letter.

Based on your offer of \$80,000 for the timber rights and your representations that you intend to retain the land for use either as a golf course or a natural park area and that the City is eligible to receive tax deductible donations, Primark Corporation is willing to accept your offer and move forward with the transaction and donation provided we can close by mid-November 1992.

If you have any questions, please call me.

Very truly yours,

  
William J. Swift, III

WJS/sn

cc: Mr. Robert Barefoot

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

October 9, 1992

Mr. William J. Swift III  
Tax Counsel  
Primark Corporation  
8251 Greensboro Drive  
McLean, VA 22102

Dear Mr. Swift:

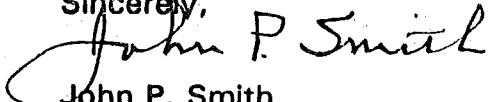
The City of Fayetteville sincerely appreciates Primark's proposed donation of approximately 183 acres of land along the Cape Fear River. It is our understanding that prior to donating this property, Primark plans to harvest the timber. The City proposes to develop this property as a golf course or natural park area. We would be most interested in retaining the trees as they currently exist on the site.

The City of Fayetteville proposes to offer Primark Corporation \$80,000 for the timber rights on condition that Primark Corporation would donate free and clear the referenced property. This proposal would have to be reviewed and approved by the Fayetteville City Council prior to a formal agreement. The Council's next meeting is October 19, 1992. If we agree to this proposal by October 14, 1992, we can place it on the Council agenda for consideration.

Per your request please find enclosed documentation that the City of Fayetteville is a governmental unit chartered by the State of North Carolina and is eligible to receive tax deductible donations.

We sincerely appreciate your company's interest in the City of Fayetteville and look forward to your response of our proposal. If you need additional information or have questions, please call myself at (919) 433-1990 or Robert Barefoot at (919) 433-1538.

Sincerely,

  
John P. Smith  
City Manager

xc: Robert Barefoot  
Richard Herrera

JPS/ah

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

**PRIMARK**

William J. Swift III  
Vice President, Tax Counsel  
(703) 790-7615

Primark Corporation  
8251 Greensboro Drive  
Suite 700  
McLean, Virginia 22102

October 7, 1992

Mr. Robert Barefoot  
Director  
Department of Parks and Recreation  
433 Hay Street  
Fayetteville, NC 28301

VIA FACSIMILIE

RE: PROPOSED GIFT OF LAND

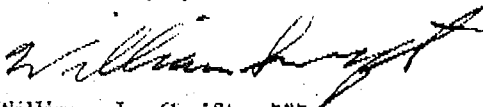
We understand that the City of Fayetteville (the "City") is interested in land owned by one of our subsidiaries which consists of approximately 183 acres located on the Cape Fear River.

As you are aware, we planned on having the timber harvested prior to disposal of the land. We have a party interested in paying at least \$100,000 for the timber.

It is our understanding that the City may be willing to purchase the timber rights to the property to retain the current stand of timber, provided Primark would donate the land to the City or one of its non-profit organizations. Since time is of the essence to us and we intended to begin harvesting the timber within the next few weeks, it is imperative that the City act quickly to present us with a proposal including a firm offer on the timber rights. In addition, please supply us with the appropriate documentation to support your charitable organization status.

We look forward to hearing from you soon.

Very truly yours,

  
William J. Swift, III

WJS/sn





RALEIGH

Rosemary

24301

U.S. VETERANS  
FACILITY HOSPITAL

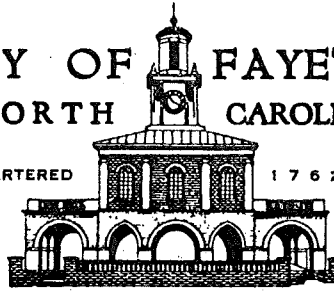
CLARKS  
PARK

NORTH STREET  
CEMETERY



THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



PARKS AND RECREATION

433 HAY STREET

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

October 14, 1992

**MEMORANDUM**

**TO:** Robert Barefoot, Director  
**FROM:** Jeff Lane, Urban Forester<sup>jl</sup>  
**SUBJECT:** Estimation of Timber Value for Primark Property

I have examined the approximately 182 acres of land owned by the Primark Capital Group, Inc., west of the Cape Fear River and north of the Veterans Administration Hospital. The property contains approximately 96 acres of pine and pine/hardwood timber, as well as 74 acres of mixed hardwood timber. The remaining 12 acres represents an approximation of the lake, pond, and open areas.

After a limited review of this property I would very roughly estimate that there appears to be in excess of a \$100,000 of harvestable timber. Please keep in mind this is a very rough estimation without using the resources of doing a professional timber cruise.

JL/ah

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods



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

July 29, 1985

Mr. Peter C. Roth  
Vice President/Treasurer  
The Aviation Group, Inc.  
4505 Falls of the Neuse Road  
P.O. Box 28187  
Raleigh, NC 27611

Re: Appraisal of the Value of the Telerent Leasing Property  
Located Between the Norfolk Southern Railroad and the  
Cape Fear River, Fayetteville, Cumberland County, North  
Carolina

Dear Mr. Roth:

As requested, I personally examined and appraised the above  
referred-to property for the purpose of reporting to you the  
indicated market value as of the 25th day of June 1985.

Based on the examination and market study made, the subject  
property had an indicated market value, on the date mentioned,  
of:

SIX HUNDRED AND FORTY THOUSAND DOLLARS  
(\$640,000.00)

The following report presents a review of the appraisal and  
my analysis of the data, along with other materials on which the  
estimate of value was predicated.

Respectfully submitted,

TOM J. KEITH & ASSOCIATES, INC.

*Michael W. Collier*

Michael W. Collier, Associate

*Thomas J. Keith*

Thomas J. Keith, MAI, Reviewer

MWC:tlc

RECREATION AND PARKS ADVISORY COMMISSION  
Monday, September 28, 1992

The September meeting of the Recreation and Parks Advisory Commission was called to order at 5:35 p.m. by Chairman Saunders. Members present were Ike Walker, Beatrice Matthews, Russell Warner, David Pugh, Pat Hales, and Chairman Saunders. A motion was made by Russell Warner to approve the minutes of the August 11, 1992 meeting, which was seconded by David Pugh with all members in favor.

The first item discussed was coaches certifications. Mr. Barefoot, Parks and Recreation Director indicated that certifications with the National Youth Sports Association had become expensive, and alternatives were being discussed. He stated that most training was provided in-house, and that the certifications cost the department \$15.00 per year for each coach. One suggestion was to provide certifications for the minimum number of coaches (25) to maintain affiliation with NYSA, which would reflect a cost of \$375.00 verses the \$4000.00 which has been expended annually for these certifications. David Jackson, Athletic Director stated that the most involved coaches could be those selected for NYSA certifications. Mr. Barefoot indicated that the City could issue its own certification, and that this change would not hurt the integrity of the program, as actual training is done by the department. Chairman Saunders asked if the certification held liability insurance. Mr. Jackson stated that insurance was provided, but any gross negligence would not be covered in any event; the main factor would be that the coaches had indeed been trained. Russell Warner asked what benefits the coaches received from the certification. Mr. Jackson indicated that they received periodicals with the certification. Mr. Barefoot indicated that the funds saved could in turn be used to enhance the athletic programs more directly. Mr. Walker stated that it was almost mandatory that coaches be trained, and that the children needed to be taught the fundamentals of athletics. He indicated he was in support of the certifications being done in-house provided training was continued. Mrs. Matthews made a motion that in-house certifications be done with a limited number of national certifications. The motion was seconded by Mr. Pugh with all members in favor.

Next, a presentation was done by members of the Fayetteville Appearance Commission regarding greenways. Karl Legatski indicated that greenways have been in the parks plans for a long time, and also in the 1985 Master Plan. One aspect of greenways discussed was alternative transportation, and that the Federal Government had passed a transportation act which requires the DOT to provide 10% funding for projects involving alternative transportation. Bill Hester from the Engineering Department gave an overview of the program, and indicated that this type funding was provided for alternative transportation for pedestrians and

bikeways, alternative rail transportation, and historic and scenic sites. The state would submit a recommendation to the federal government, and if awarded would receive a block grant for the project. The general idea of the greenways plan is to create a center city loop from the downtown area to the mall, which would incorporate 15 miles. Included would be the community district, colleges, as well as park sites. At this point, Traffic services is putting together a \$750,000 package request. Mr. Pugh asked what priority a greenways plan would have in park planning. Mr. Barefoot indicated that there would not be conflict with other parks plans, and that basic service would be priority, but that this type of plan could run concurrently with other parks plans. Chairman Saunders indicated that the Advisory Commission continues to endorse greenways as a part of the Master Plan.

Capital Improvements were discussed next. Mr. Barefoot indicated that at Lamon Street, the fencing would be started within the next 30 days. He indicated that the lighting contract had been awarded, and should be installed by the end of the year. He stated that he had met with the Army the week prior, and they were expected to provide their services in mid-October. At Edgewood, he indicated that the tile floor should be installed within the next two weeks, and that the class space was complete. Mr. Barefoot stated that the RFP's from architects for the new buildings had been received the prior week, and were being reviewed. Also, bids for a feasibility study for a golf course were due back October 9, 1992.

A motion was made by Mr. Pugh for the Commission to go in to executive session, which was seconded by Mrs. Hales with all members in favor. Mr. Barefoot informed the Commission that a company had offered a substantial property donation to the City. The property offered covers approximately 183 acres, with river access, and a pond. The property is owned by Pri-Mark Corporation, which is interested in the donation for tax purposes. The company is interested in timbering the property prior to donating it. He indicated that the property was similar to that at Clark Park, which included hard wood trees 100 years or older, and that one suggestion would be to selectively clear the property. He indicated some possibilities for the property which included greenways use, a Clark Park II, or even a golf course. He also indicated that the property had been appraised at a value of \$640,000.00 in 1985. He stated that the department would be interested in the property for any use, and that the City currently had approximately 480 acres total in park land.

The company was suggesting donation after the land was timbered, or another suggestion was selling the timber rights to the City, and then donating the land. Mr. Barefoot recommended pursuing negotiations with the company for the timber rights. A motion was made by Mrs. Matthews authorizing negotiations for approximately 183 acres of property donation, which was seconded by Mrs. Hales, with all members in favor.

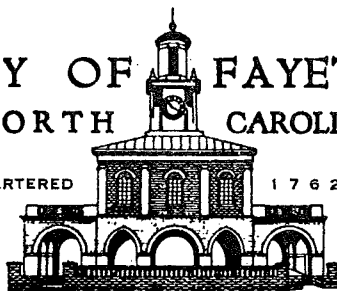
Mr. Barefoot indicated that three members of the Commission would end their terms in October; Mrs. Matthews (second term), Mr. Marshall (second term), and Mr. Edge (first term). He stated that Mr. Edge could be re-appointed. A motion was made by Mr. Pugh to renew the Commission officers as they are; Chairman: Sandy Saunders, Vice-Chairman: David Pugh, At-Large: Pat Hales. The motion was seconded by Ike Walker, with all members in favor. The meeting was adjourned at 6:40 p.m.





THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



CITY CLERK  
433 HAY STREET

FAYETTEVILLE, NC 28301-5537

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

October 12, 1992

**MEMORANDUM**

TO: John P. Smith, City Manager

FROM: Bobbie A. Joyner, City Clerk *BJ*

SUBJECT: **AGENDA ITEM FOR OCTOBER 19, 1992 CITY COUNCIL MEETING -  
NOMINATIONS TO BOARDS AND COMMISSIONS**

**A. JOINT SENIOR CITIZENS ADVISORY COMMISSION - 2 Vacancies**

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

Nominations are still open to fill the following vacancies:

- (1) Vacancy of Margaret Shive (W/F) for a 2-yr term to September 1994.
- (2) Vacancy of Joseph Covington (B/M) to September 1994. Ted Kinney (B/M) was nominated at the last meeting by Councilmember Blackwell. (Information sheet attached)

**B. HISTORIC RESOURCES COMMISSION - 3 Vacancies**

Meets fourth Tuesday, 2:00 p.m., City Hall, first floor Multipurpose Room.

Nominations are still open to fill the following vacancies:

- (1) Ruby Murchison (B/F) At Large Category - Nominated for a second term by Councilmember Bolton.
- (2) Ranny Nimocks (W/M) Realtor, Developer or General Contractor - nominated for a second term by Councilmember Cheek.
- (3) Arneitha Robinson (B/F) (Suggested) Historic District property owner - nominated for a second term by Councilmember McBryde.

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 8

Memo to John P. Smith  
October 12, 1992  
Page 2

**C. PARKS & RECREATION ADVISORY COMMISSION - 3 - Vacancies**

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

Nominations are still open to fill the following vacancies:

- (1) Beatrice Matthews (W/F) - Not Eligible - no nominations made.
- (2) John D. Marshall, Jr. (B/M) - Landon R. Hadley (B/M) was nominated at the last meeting by Councilmember Massey (Information sheet attached)
- (3) Gregory M. Edge (W/M) - nominated for a second term by Councilmember Bolton at the last meeting.

Blank Nomination Forms are attached for your use.

Attachments

NOMINATION FORM  
BOARDS, COMMITTEES AND COMMISSIONS  
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE JOINT SR. CIT. ADV. Comm.

BY COUNCILMEMBER Breeden Blackwell DATE: 10-5-92

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

ADDRESS 106 Chloe DR. Fayette ZIP: 28301  
(Street and/or P.O. Box)

TELEPHONE: HOME 478-5681 BUSINESS \_\_\_\_\_

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

RACE B SEX M

ACTIVITIES: Fay. Human Services Comm - Chairman  
U. P. Home Health Services of Wm. Co.

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

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

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

NOMINATION FORM  
BOARDS, COMMITTEES AND COMMISSIONS  
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE Parks and Recreation Advisory Commission

BY COUNCILMEMBER Robert A. Massey, Jr. DATE: October 5, 1992

Mr. ~~Mrs.~~ ~~Ms.~~ Landon R. Hadley DOES LIVE IN CITY YES AND IS  
NOT SERVING ON ANOTHER BOARD OR  
COMMISSION

ADDRESS 1931 Eichelberger Drive; Fayetteville, NC ZIP: 28303  
(Street and/or P.O. Box)

TELEPHONE: HOME 822-1809 BUSINESS 678-2300

BUSINESS Cumberland County Board of Education JOB TITLE: Substitute Teacher and currently  
in graduate school at FSU

RACE B SEX M

ACTIVITIES: North Carolina Democratic Party  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OTHER INFORMATION: Hobbies include tennis, current affairs and chess.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

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

10/06/92  
10:34:22

Public Works Commission  
Assessment Roll For Water and Sewer  
ELEANOR AVENUE

Page: 1  
arriss

In order by Street, Site Address

Project: AREA 11 LOCKS/SAPONA PK/SUNNY AC/DAVIS

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

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

To City Clerk: 10-6-92

To PWC Tax Collector: \_\_\_\_\_

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
STANLEY JACOBS 217 ELEANOR AVENUE Fayetteville NC 28301	0446-07-79-2815 199 ELEANOR AVENUE SAPONA PARK	70	3689 289	50.00	0.00	600.00	600.00
KATHERLEEN GROVES HEIRS 121 INDIAN DRIVE Fayetteville NC 28301	0446-07-69-9970 216 ELEANOR AVENUE SAPONA PARK & LT 26	25+	0 0	100.00	0.00	1,200.00	1,200.00
OLIN JACOBS 219 ELEANOR AVENUE Fayetteville NC 28301	0446-07-79-2800 219 ELEANOR AVENUE SAPONA PARK	69	0 0	50.00	0.00	600.00	600.00
JOHN R GROVES HEIRS 2608 ADEN PLACE Fayetteville NC 28306	0446-07-79-1669 ELEANOR AVENUE SAPONA PARK	67	0 0	90.00	0.00	1,080.00	1,080.00
MIRIAM M LOCKLEAR 110 TRAILWOOD DRIVE Fayetteville NC 28306	0446-07-79-1786 ELEANOR AVENUE SAPONA PARK	68	0 0	50.00	0.00	600.00	600.00
DORIS A BRIONES 1408 CERRO VERDE SAN JOSE CA 95120	0446-07-79-2945 ELEANOR AVENUE SAPONA PARK & LTS 72-73	71+	2819 548	150.00	0.00	1,800.00	1,800.00
RUBY EVANS 212 ELEANOR AVENUE Fayetteville NC 28301	0447-19-70-0015 ELEANOR AVENUE SAPONA PARK & LTS 22-24	21+	426 142	200.00	0.00	2,400.00	2,400.00
RUBY EVANS 212 ELEANOR AVENUE Fayetteville NC 28301	0447-19-70-0188 ELEANOR AVENUE SAPONA PARK	20	426 142	126.50	1,012.00	1,518.00	2,530.00
TONTO MORRISON 4603 CUMBERLAND ROAD Fayetteville NC 28306	0447-19-70-2065 ELEANOR AVENUE SAPONA PARK	74	0 0	50.00	400.00	600.00	1,000.00
SARA JANE GOINS RT 23 BOX 11 Fayetteville NC 28301	0447-19-70-2126 ELEANOR AVENUE SAPONA PK W/PT LTS 75-77	75+	2006 171	149.00	1,192.00	1,788.00	2,980.00

Water main assessment equals: 8.00 per front footage of property abutting street.

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

Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-222(2), bearing an annual interest of eight percent (8%) payable

10 Owners

\$2,604.00	\$12,186.00	\$14,790.00
=====	=====	=====

Water main assessment equals: 8 .00 per front footage of property abutting street.

Sanitary Sewer main assessment equals: 12 .00 per front footage of property abutting street.

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

## PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - PWC - ELEANOR AVEDATE: OCT. 19, 1992PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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

(Name - Print)

OPPONENT - (Against)

(Address - Print)

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

ITEM \_\_\_\_\_

PUBLIC HEARING - SPEAKERS

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

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

CITIZEN INPUT

(Name - Print)

(Address - Print)

- |     |       |       |
|-----|-------|-------|
| 1.  | _____ | _____ |
| 2.  | _____ | _____ |
| 3.  | _____ | _____ |
| 4.  | _____ | _____ |
| 5.  | _____ | _____ |
| 6.  | _____ | _____ |
| 7.  | _____ | _____ |
| 8.  | _____ | _____ |
| 9.  | _____ | _____ |
| 10. | _____ | _____ |



**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS  
FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES**

WHEREAS, the City Council of the City of Fayetteville has on October 19, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of water and/or sanitary sewer utilities in:

**CEDAR STREET, north side, from southwest corner of Lot 54 to southeast corner of Lot 61, Sapona Park**

**CEDAR STREET, south side, from northwest corner of Lot 51 to northeast corner of Lot 46, Sapona Park**

and,

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

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

1. The Assessment Rolls for the extension of water and sanitary sewer utilities in **CEDAR 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, attached hereto as Exhibit A and incorporated by reference as if fully set forth herein.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 18th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

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

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

ATTEST:

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

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

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

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

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

PUBLISH: November 18, 1992

10/06/92  
10:27:49

Public Works Commission  
Assessment Roll For Water and Sewer  
CEDAR STREET

Page: 1  
arrrlss

In order by Street, Site Address

Project: AREA 11 LOCKS/SAPONA PK/SUNNY AC/DAVIS

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

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

To City Clerk: 10-6-92

To PWC Tax Collector: \_\_\_\_\_

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
JOHN C MCCOLLUM 2623 WESTCHESTER DRIVE Fayetteville NC 28303	0446-07-78-0887 CEDAR STREET .74AC & PT LTS 45 & 47	46+	3733 554	167.89	1,343.12	2,014.68	3,357.80
ALLIE R HORNE 1907 SAPONA ROAD Fayetteville NC 28301	0446-07-78-3878 CEDAR STREET SAPONA PARK & LT 61 SEC 2	60+	0 0	90.00	720.00	1,080.00	1,800.00
BERTIE A WILLIAMS JR 2003 SAPONA ROAD Fayetteville NC 28301	0446-07-79-0003 CEDAR STREET SAPONA PARK & PT LTS 45 48-51 PT LT 47	44+	2989 367	244.69	1,957.52	2,936.28	4,893.80
RONNIE M LOCKLEAR 1811 SAPONA ROAD Fayetteville NC 28301	0446-07-79-1157 CEDAR STREET SAPONA PARK & LTS 55-56	54+	2594 207	150.00	1,200.00	1,800.00	3,000.00
ALLIE R HORNE 1907 SAPONA ROAD Fayetteville NC 28301	0446-07-79-2066 CEDAR STREET SAPONA PARK & LT 58-59	57+	2558 111	150.00	1,200.00	1,800.00	3,000.00
5 Owners					\$6,420.64	\$9,630.96	\$16,051.60

Water main assessment equals: 8.00 per front footage of property abutting street.

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

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



## PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - PWC - CEDAR ST.DATE: Oct. 19, 1992PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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

(Name - Print)

OPPONENT - (Against)

(Address - Print)

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

PUBLIC HEARING - SPEAKERS

ITEM \_\_\_\_\_

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

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

CITIZEN INPUT

(Name - Print)

(Address - Print)

- |     |       |       |
|-----|-------|-------|
| 1.  | _____ | _____ |
| 2.  | _____ | _____ |
| 3.  | _____ | _____ |
| 4.  | _____ | _____ |
| 5.  | _____ | _____ |
| 6.  | _____ | _____ |
| 7.  | _____ | _____ |
| 8.  | _____ | _____ |
| 9.  | _____ | _____ |
| 10. | _____ | _____ |

**RESOLUTION CONFIRMING ASSESSMENT ROLL  
AND LEVYING ASSESSMENTS  
FOR INSTALLATION OF WATER AND/OR SANITARY SEWER UTILITIES**

WHEREAS, the City Council of the City of Fayetteville has on October 19, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of water and/or sanitary sewer utilities in:

**L.A.DUNHAM ROAD (STATE ROAD 2005), south side, from northwest corner of the Lathan D. Horne 0.90 acre tract to the northeast corner of the same 0.90 acre tract**

**L.A.DUNHAM ROAD (STATE ROAD 2005), south side, from northwest corner of Flat Swamp Baptist Church 1.65 acre tract to northeast corner of said 1.65 acre tract**

and,

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

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

1. The Assessment Rolls for the extension of water and sanitary sewer utilities in **L.A.DUNHAM ROAD (STATE ROAD 2005)** is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll, attached hereto as Exhibit A and incorporated by reference as if fully set forth herein.

3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 18th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

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

ATTEST:

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

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

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

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

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

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

PUBLISH: November 18, 1992



10/06/92  
10:35:10

Public Works Commission  
Assessment Roll For Water and Sewer  
LA DUNHAM ROAD

Page: 1  
arrrlss

In order by Street, Site Address

Project: AREA 11 LOCKS/SAPONA PK/SUNNY AC/DAVIS  
Submitted to City Council : \_\_\_\_\_  
Final Approval by City Council: \_\_\_\_\_  
To City Clerk: 10-6-92  
To PWC Tax Collector: \_\_\_\_\_

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
FLAT SWAMP BAPTIST CHURCH RFD 5 AUTRYVILLE NC 28318	0456-03-01-1712 L A DUNHAM ROAD 1.45AC SR2005	UN	74 145	189.41	1,515.28	2,272.92	3,788.20
LATHAN D HORNE RT 23 BOX 106-A Fayetteville NC 28301	0446-04-81-7036 LA DUNHAM ROAD .90 AC MARTIN LD	UN	2540 67	192.58	1,540.64	0.00	1,540.64
					\$3,055.92	\$2,272.92	\$5,328.84
2 Owners					=====	=====	=====

Water main assessment equals: 8 .00 per front footage of property abutting street.

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

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



## PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - PWC - L.A. DUNHAM RD (SR 2005)DATE: Oct. 19, 1992PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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

OPPONENT - (Against)

(Name - Print)

(Address - Print)

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

ITEM \_\_\_\_\_

PUBLIC HEARING - SPEAKERS

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

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

CITIZEN INPUT

(Name - Print)

(Address - Print)

1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____
8.	_____	_____
9.	_____	_____
10.	_____	_____

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED

1762



COMMUNITY SERVICES DEPARTMENT  
433 HAY STREET

REAL ESTATE DIVISION  
(919) 433-1659

FAYETTEVILLE, NC 28301-5537

October 12, 1992

MEMORANDUM

TO: Mr. John P. Smith, City Manager

THROUGH: Roger L. Stancil, Deputy City Manager

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

SUBJECT: Public Hearing to Consider the Closing of a Portion of Brechin Road

The section of Brechin Road from Fairfield Road easterly to dead end was dedicated by recorded plat in 1955. The abutting property owners have petitioned the City of Fayetteville to close this section of street which is now maintained by the City as a graveled street.

There is an existing water main in this portion of the street; therefore, we recommend adoption of the attached resolution closing the portion of Brechin Road from Fairfield Road, easterly to the eastern edge of Murray Hill, Section II, as recorded in Plat Book 17, Page 53, Cumberland County Registry, and reserving the entire area as a utility easement.

APB/mak

Enclosures: Resolution  
Map

COMMUNITY DEVELOPMENT-HUMAN RELATIONS-REDEVELOPMENT-REAL ESTATE

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 3.B.

NORTH CAROLINA  
CUMBERLAND COUNTY  
CITY OF FAYETTEVILLE

RESOLUTION AND ORDER  
CLOSING A PORTION OF  
BRECHIN ROAD

At the regular meeting of the Fayetteville City Council held on the 19th day of October, 1992, and upon the motion of Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and with the following Councilmembers voting FOR said resolution:

\_\_\_\_\_

\_\_\_\_\_

and the following Councilmembers voting AGAINST said resolution:

\_\_\_\_\_

\_\_\_\_\_

the following RESOLUTION was adopted:

**R E S O L U T I O N**

**WHEREAS**, under authority of N.C.G.S. 160A-299, a public hearing before the City Council of the City of Fayetteville, North Carolina, was advertised as required by law, and duly held on the 19th day of October, 1992, in accordance with the notice calling for said public hearing, and all adjoining property owners having been notified by certified mail of the time, place and purpose of said meeting, the purpose of which was to determine whether that certain street portion in the City of Fayetteville, North Carolina, known as that portion

of Brechin Road from Fairfield Road, easterly to the eastern edge of Murray Hill, Section II, as recorded in Plat Book 17, Page 53, Cumberland County Registry, should be closed as a public street; and a notice of said hearing having been posted at both ends of said street portion for four weeks prior to the holding of said hearing; and

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

**WHEREAS**, the City Council, following such public hearing, after considering all of the facts, has determined that the closing of a portion of Brechin 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 their property;

**NOW, THEREFORE, IT IS ORDERED AND DIRECTED:**

That the portion of Brechin 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;

**NORTH CAROLINA  
CUMBERLAND COUNTY  
CROSS CREEK TOWNSHIP**

That portion of Brechin Road from Fairfield Road, easterly to the eastern edge of Murray Hill, Section II, as recorded in Plat Book 17, Page 53, Cumberland County Registry.

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

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

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

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

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

**ADOPTED**, this 19th day of October, 1992.

**CITY OF FAYETTEVILLE**

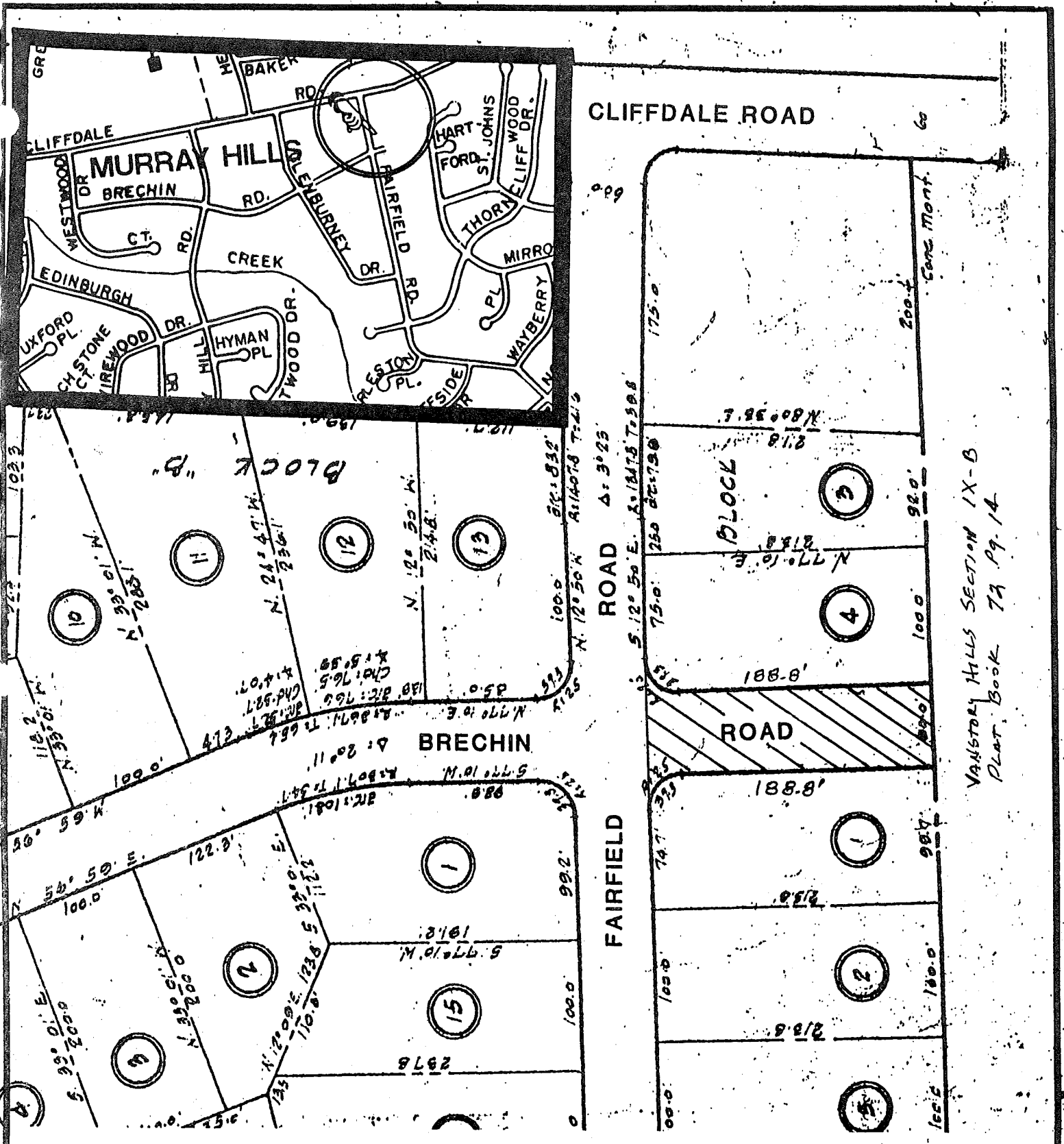
**BY:** \_\_\_\_\_  
J. L. Dawkins, Mayor

**ATTEST:**

OFFICE OF THE  
CITY ENGINEER  
FAYETTEVILLE, N. C.

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





VANSTOCK HILLS SECTION IX-B  
PLAT BOOK 73 PG. 14

CITY OF FAYETTEVILLE, N.C.	
ENGINEERING DEPARTMENT	
STREET CLOSING (Brechin Road)	
DATE Sep 92	DRAWN BY
SCALE 1" = 100'	CK'D BY <i>APA</i>

REVISION	
DATE	BY

FIELD BK



ITEM 3B

PUBLIC HEARING - SPEAKERS

SUBJECT: CLOSING BRECHIN RD.

DATE: October 19, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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

OPPONENT - (Against)

(Name - Print)

(Address - Print)

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

ITEM \_\_\_\_\_

PUBLIC HEARING - SPEAKERS

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

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

CITIZEN INPUT

(Name - Print)

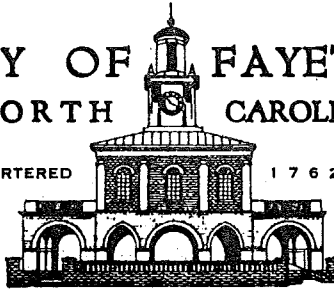
(Address - Print)

- |           |       |
|-----------|-------|
| 1. _____  | _____ |
| 2. _____  | _____ |
| 3. _____  | _____ |
| 4. _____  | _____ |
| 5. _____  | _____ |
| 6. _____  | _____ |
| 7. _____  | _____ |
| 8. _____  | _____ |
| 9. _____  | _____ |
| 10. _____ | _____ |

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED

1762



TRAFFIC SERVICES DEPARTMENT

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

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

October 14, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

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

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

If following the public hearing, City Council should agree with the proposed speed reduction, adoption of the attached ordinance will establish a 25 Miles Per Hour speed limit on Brenda Drive in accordance with City Council Policy.

LAC/psc

Enclosures  
Petition  
Area Map  
Ordinance

cc: William H. Melvin, Signs and Markings Supervisor

An Equal Opportunity



Affirmative Action Employer

ITEM 3.C.

DATE

9-22-92

We, the undersigned residents of BRENDA DR.  
from MURCHISON Rd to its end

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

PRINTED NAME	ADDRESS	TELEPHONE #	SIGNATURE
Weldon T. Hill	1029 Brenda Dr	488-6466	Weldon T. Hill
VONNE D. Smith	1025 #1 11	488-0115	Vonne Smith
HECTOR A. PICART	1051 11	822-0801	Hector Picart
VACANT	1059 11		
VACANT	1063 11		
Bertrude Elliott	1067 11	822-4619	Bertrude Elliott
Margie Bledsoe	1071 11	822-8337	Margie Bledsoe
Jerry Marsh	1015 11	822 0626	Jerry Marsh
not home	1101 11		
Alice B. Tyson	1105 11		Alice B. Tyson
Beverly Rouse	1109 11		Beverly A. Rouse
not home	1113 11		
PARKER PAUL	1117 11		
Valessia Birkingsley	1125 11	4336777	Valessia Birkingsley
not home	<del>1129</del> (1121) 11		
JOHN P. AVERITT	1130 11	4887725	J.P. Averitt
ALFRED L. MORRIS	1129 11	488-1140	Alfred L. Morris
not home	1126 11		
JAKESHA LOCK	1122 11	8225256	Jakesha Lock

Page Two

Petition for 25 MPH Speed Limit on

BRENDA DR.

Date

9-22-92

PRINTED NAME

ADDRESS

TELEPHONE #

SIGNATURE

Charles M. H.

1114 Brenda Drive

Jeraldine Lewis

1106 11

Gregory Phason

1074 Brenda

FRANKLIN D. SEWELL

1070 11

SAMUEL MONROE JR.

1062 11

Chapman K. H.

1050 Brenda 11

Teresa Archibegue

1041 11

11

11

11

11

11

11

11

11

11

11

11

11

11

11

11

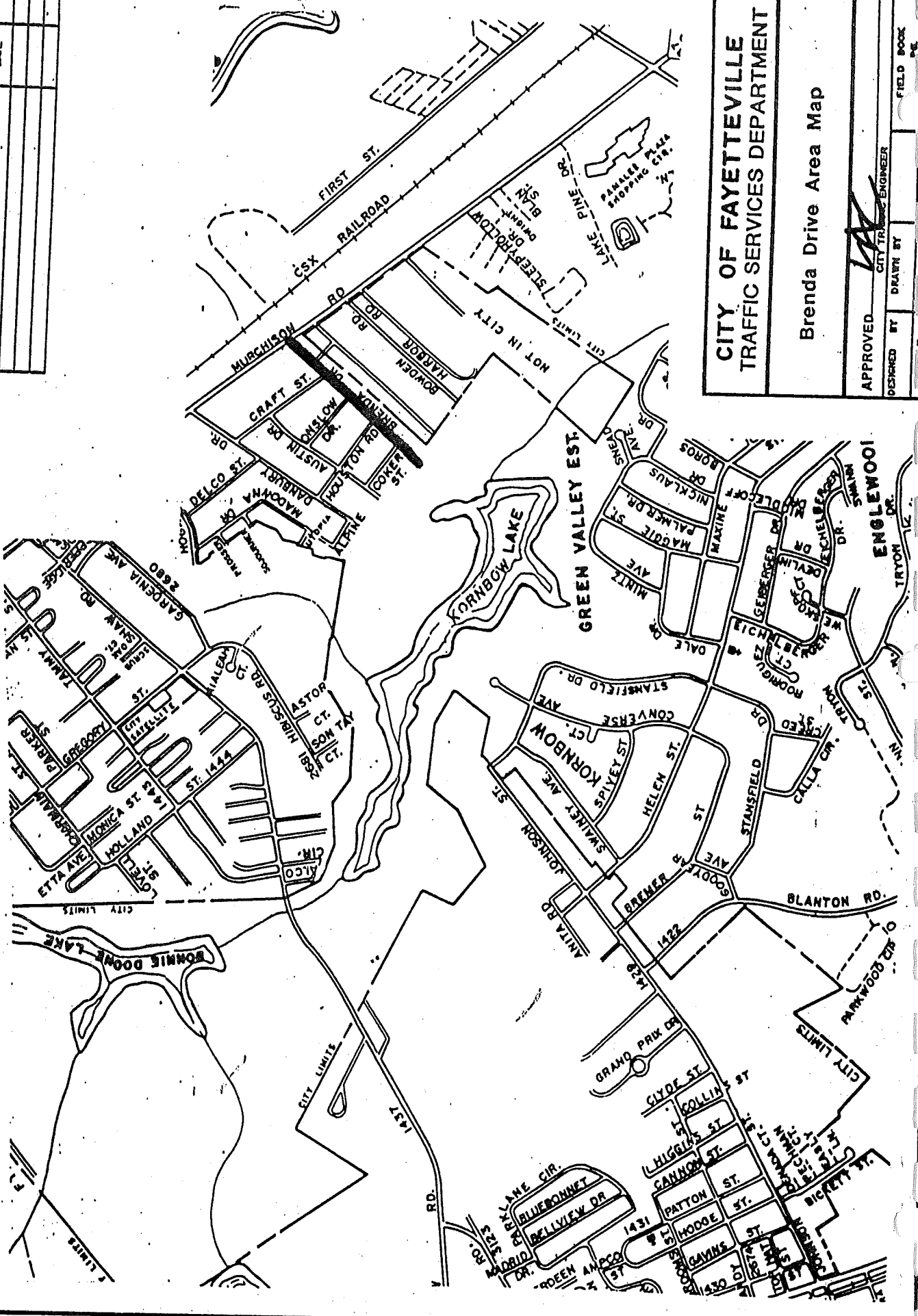
11

11

11

Geraldine Lewis  
Gregory Phason  
Franklin D. Sewell  
Samuel Monroe Jr.  
Chapman K. H.  
Teresa Archibegue

REVISION	DATE	BY



<b>CITY OF FAYETTEVILLE</b>	
<b>TRAFFIC SERVICES DEPARTMENT</b>	
<b>Brenda Drive Area Map</b>	
APPROVED	CITY TRAFFIC ENGINEER
DRAWN BY	DATE
FIELD BOOK	SHEET



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

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

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

There is hereby added to said schedule the following:

25 Miles Per Hour Speed Limit

Brenda Drive - From Murchison Road to its end

This ordinance shall be in full force and effective October 30, 1992.

ADOPTED this the 19th day of October, 1992.

CITY OF FAYETTEVILLE

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

ATTEST:

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



## PUBLIC HEARING - SPEAKERS

SUBJECT: REDUCE SPEED - BRENDA DR.DATE: OCT. 19, 1992PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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

OPPONENT - (Against)

(Name - Print)

(Address - Print)

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

## PUBLIC HEARING - SPEAKERS

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

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

## C I T I Z E N   I N P U T

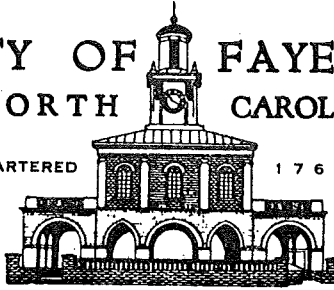
(Name - Print)

(Address - Print)

- |     |       |       |
|-----|-------|-------|
| 1.  | _____ | _____ |
| 2.  | _____ | _____ |
| 3.  | _____ | _____ |
| 4.  | _____ | _____ |
| 5.  | _____ | _____ |
| 6.  | _____ | _____ |
| 7.  | _____ | _____ |
| 8.  | _____ | _____ |
| 9.  | _____ | _____ |
| 10. | _____ | _____ |

# THE CITY OF FAYETTEVILLE NORTH CAROLINA

CHARTERED 1762



COMMUNITY DEVELOPMENT DEPARTMENT  
FAYETTEVILLE REDEVELOPMENT COMMISSION  
CITY HALL (Handicapped Accessible)  
433 HAY STREET, ROOM 320  
TELEPHONE (919) 433-1590 (Voice)  
(919) 486-3323 (TDD)

POST OFFICE BOX 635  
FAYETTEVILLE, NORTH CAROLINA  
28302

October 14, 1992

## MEMORANDUM

TO: MAYOR AND MEMBERS OF THE COUNCIL  
CITY OF FAYETTEVILLE

FROM: Janice S. Gerald, Community Development Director

SUBJECT: Comprehensive Housing Affordability Strategy

Title I of the National Affordable Housing Act established the requirement that States and local governments that apply for direct assistance under certain HUD programs have a Comprehensive Housing Affordability Strategy (CHAS) that has been approved by HUD.

The CHAS is a comprehensive planning document that identifies a jurisdiction's overall needs for affordable and supportive housing and outlines a strategy to address those needs. The Act requires each local jurisdiction to describe its housing needs and market conditions, set out a 5-year strategy that establishes priorities for meeting those needs, identify resources anticipated to be available for the provision of affordable and supportive housing, and establish a one-year investment plan that outlines the intended uses of resources. The CHAS replaces the Housing Assistance Plan (HAP) required for Community Development Block Grant (CDBG) Program funding and the Comprehensive Homeless Assistance Plan (CHAP) required by the McKinney Homeless Assistance Programs.

The City of Fayetteville submitted a full 5-year CHAS for Fiscal Year 1992, and must submit an annual plan (one-year action plan) for Fiscal Year 1993 that is based upon its 5-year strategy.

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 3.D.

October 14, 1992

The annual plan covering the period from October 1, 1992, to September 30, 1993, must be submitted to HUD by October 1, 1992 but no later than the December 31, 1992 deadline. The Fiscal Year 1994 submission, due between October 1 and December 31, 1993, will again be a complete 5-year CHAS for all jurisdictions since complete 1990 Census data will be available.

It is also necessary to prepare an Annual Performance Report for Fiscal Year 1992.

The public comment period has been shortened from sixty (60) days to thirty (30) days. This 30-day period will begin Tuesday, October 20, 1992, and will run through Wednesday, November 18, 1992.

JSG:lcg

## ANNUAL PERFORMANCE REPORT

Priorities for assistance in the 5-Year Plan (Table 3) indicated the need for moderate and substantial rehabilitation programs for very low-income and other low-income persons. A ranking of number one was given to renters who were elderly, from small families, from large families and other renter households. A ranking of number one was also given to very low-income existing homeowners. The need for moderate and substantial rehabilitation assistance for owners and for persons with special needs was also in this ranking.

A lesser priority, number two, was given to rental assistance programs for very low-income persons and other low-income persons. The same priority was given to new construction, substantial rehabilitation, and first-time homebuyers, to moderate and substantial rehabilitation for low-income persons who currently own their homes, to homebuyers assistance for first-time homebuyers and the persons who may be homeless and persons with special needs.

The lowest priority ranking was given to moderate and substantial rehabilitation programs to assist the needs of homeless and other persons, and for support facilities and services to benefit homeless persons.

The City of Fayetteville, through its Community Development Block Grant (CDBG) Program has rehabilitated 72 single-family, owner-occupied dwelling units during the reporting period, amounting to \$813,113 expended. Of these, 51 were occupied by elderly or handicapped persons/households. All of the occupants were very low-income.

The Rental Rehabilitation Program (RRP) assists investor-owners with making rental housing available to low-income families. During this period, 7 dwelling units were rehabilitated for a total of \$102,740 expended (\$51,370 federal dollars and \$51,370 owner's contributions).

Funds received under the Home Investment Partnerships Program (HOME) have not been available during this entire reporting period. However, the Community Development staff will begin spending these funds as soon as the environmental review procedure is completed.

The Department of Housing and Urban Development (HUD) has discontinued the Rental Rehabilitation Program as a separate source of funds. The City of Fayetteville will continue the same type of activity with HOME funds. The Fayetteville Metropolitan Housing Authority will continue to assist the City in carrying out this program by offering tenant assistance through rent subsidies.

The Edwards Place Apartment Complex is an 18-unit elderly housing complex owned by Christian Commitment Corporation, a nonprofit corporation formed by First Baptist Church, Moore Street. These units were funded through HUD's 202 Program and are located on Moore Street. There are 18, 1-bedroom apartments, 3 of which are designed for handicapped.

Forty additional units of elderly housing are being constructed on the Adams Court Site. CDBG funds have been used to assist with site improvements. These units should be ready for occupancy in early 1993.

Support facilities and services were given a lesser priority because nonprofit corporations and social agencies in the community are providing some services. The CD staff continues to network with the agencies and to assist with efforts to secure state and federal funding.



# CHAS Table 3

## Priorities for Assistance 5-Year Plan

U.S. Department of Housing and Urban Development  
Office of Community Planning and Development

### Comprehensive Housing Affordability Strategy (CHAS)

Name of Jurisdiction(s) or Consortium:

City of Fayetteville

Five Year Period: (enter fiscal yrs.)

FY: 10/1/91 through FY: 6/30/96

Activity	Elderly 1 & 2 Member Households (A)	Renters			Existing Homeowners (E)	Owners		Homeless Persons (H)	Other Persons with Special Needs (I)
		Small Related (2 to 4) (B)	Large Related (5 or more) (C)	All Other Households (D)		First-Time Homebuyers With Children (F)	All Others (G)		
Very Low-Income Persons									
1. Moderate Rehabilitation / Acquisition	1	1	1	1	1	2	2	3	1
2. New Construction, Substantial Rehabilitation, Related Infrastructure	1	1	1	1	1	2	2	3	1
3. Rental Assistance	2	2	1	1				2	2
4. Homebuyers Assistance						3	3		
5. Support Facilities and Services	3	3	3	3	3	3	3	1	3
Other Low-Income Persons									
6. Moderate Rehabilitation / Acquisition	1	1	1	1	2	1	1	3	1
7. New Construction, Substantial Rehabilitation, Related Infrastructure	1	1	1	1	2	1	1	3	1
8. Rental Assistance	2	2	2	2				2	2
9. Homebuyers Assistance						2	2		
10. Support Facilities and Services	3	3	3	3	3	3	3	1	3



## PUBLIC HEARING - SPEAKERS

SUBJECT: COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY  
DATE: OCT. 19, 1992 (CHAS)

## C I T I Z E N   I N P U T

(Name - Print)

(Address - Print)

- |           |       |
|-----------|-------|
| 1. _____  | _____ |
| 2. _____  | _____ |
| 3. _____  | _____ |
| 4. _____  | _____ |
| 5. _____  | _____ |
| 6. _____  | _____ |
| 7. _____  | _____ |
| 8. _____  | _____ |
| 9. _____  | _____ |
| 10. _____ | _____ |



**LANDON R. HADLEY**

**PERMANENT ADDRESS**

1931 Eichelberger Drive  
Fayetteville, NC 28303

**EDUCATION**

Fayetteville State University, Fayetteville, NC  
MA: projected completion date Fall 1993  
concentrating in Middle School Mathematics.

North Carolina Central University, Durham, NC; BBA  
Major: Accounting with a broad range of courses  
including: Cost, Intermediate, and Advance  
Accounting, Income Tax, Accounting Information  
Systems, and Business Law.

**WORK  
EXPERIENCE**

CUMBERLAND COUNTY SCHOOL SYSTEM, Fayetteville, NC  
Substitute Teacher, Current  
-assist teachers and principals in educating  
students {Warrenwood, Margret Willis Elementary  
Schools, Spring Lake and Reid Ross Junior High  
School, and E. E. Smith High School} from K-12  
-develop educational objectives to meet the  
needs of students  
-enforce state, local, and school educational  
rules and regulations

NORTHERN TELECOM, Research Triangle Park, NC  
Inroads, Intern, Summer 1987-1990; Fall 1989-1991  
-coordinated and reconciled fixed assets audit  
-supervised a staff of summer hires  
-monitored departmental capital expenditures  
-analyzed various financial reports

NCCU STUDENT GOVERNMENT ASSOCIATION, Durham, NC  
Business Manager, 1987-1989, 1990-1991  
-planned SGA Budget  
-audited SGA Accounts  
-forecasted revenues and expenses for SGA  
-requisitioned for all SGA transactions  
-supervised staff

NORTH CAROLINA DEMOCRATIC PARTY, Raleigh, NC  
Intern, Fall 1987  
-established accounts payable system  
-recorded monthly expenses  
-coordinated Durham County College Democrats  
during local, state, and national elections.

**HOBBIES**

Tennis, current affairs, and chess.



NOMINATION FORM  
BOARDS, COMMITTEES AND COMMISSIONS  
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

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

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

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

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

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

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

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

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

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

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

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





NOMINATION FORM  
BOARDS, COMMITTEES AND COMMISSIONS  
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

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

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

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

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

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

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

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

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

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

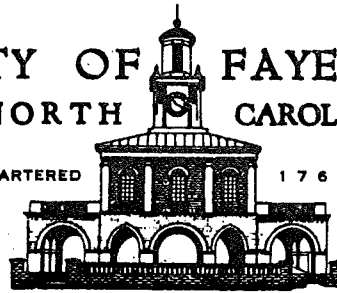
Received by City Clerk \_\_\_\_\_ (date) \_\_\_\_\_

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



THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762



ENGINEERING DEPARTMENT  
433 HAY STREET

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

October 14, 1992

M E M O R A N D U M

TO: Mr. John P. Smith, City Manager

THROUGH: Jimmy Teal, Assistant City Manager  
Planning/Development

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

SUBJECT: Proposed Reconstruction of Ray Avenue

Funding was provided in FY 92-93 to reconstruct Ray Avenue from Mason Street northward to Rowan Street.

Right-of-way acquisition is currently proceeding and preliminary plans are being developed in the Engineering Department to accomplish this project.

The scope of the project consists of adding a right turn lane on Mason Street at the Ray Avenue intersection. At the Ray Avenue/Rowan Street intersection, the new pavement will be widened to provide a single right turn lane, as well as two (2) left turn lanes. In addition, new storm drainage lines will be installed along with new concrete curbing and asphalt pavement.

It should be noted that no work or modification is currently planned for the portion of Ray Avenue between Maiden Lane and Mason Street. The existing bridge located within this section has been inspected by private consultants within recent months. We have not been informed of any serious structural problems with this structure. This particular bridge was one of several city-owned bridges which was rehabilitated as part of a 1986 bridge repair contract.

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 9.B.

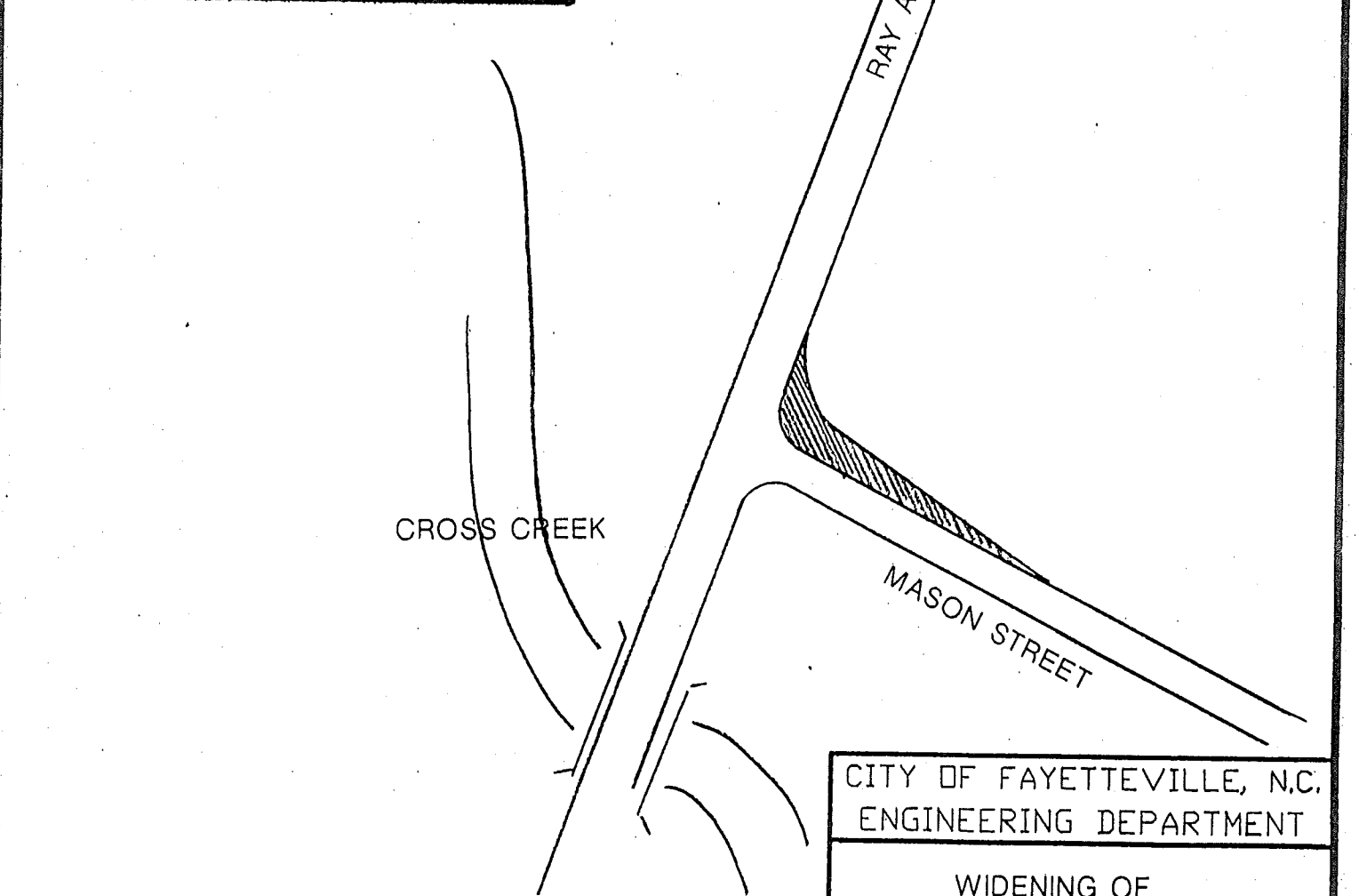
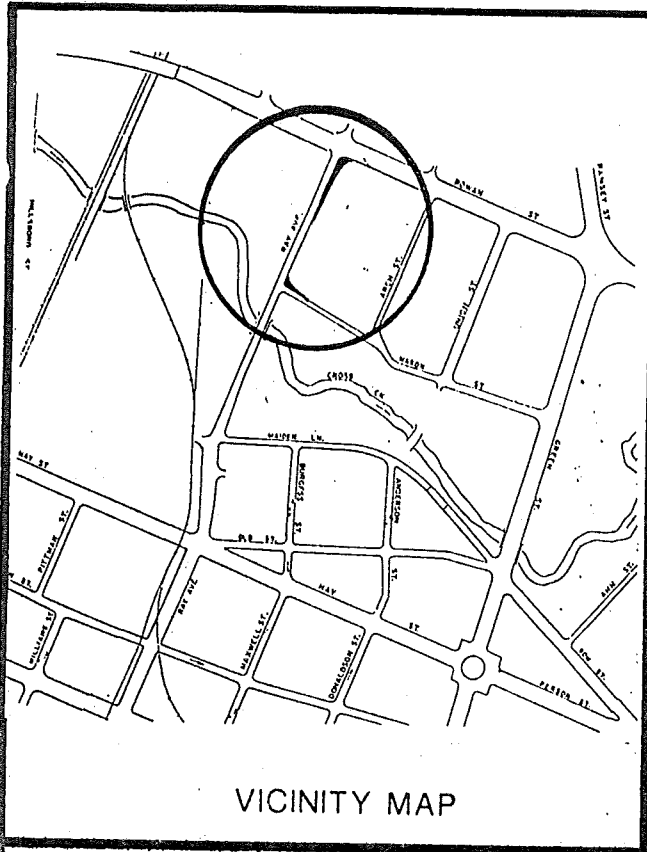
M E M O R A N D U M

Mr. John P. Smith  
Page Two  
October 14, 1992

As most long time Fayetteville residents know, this improvement to Ray Avenue has been needed for a long period of time. The project will improve traffic flow and provide for safer turning movements at both the Rowan Street and Mason Street intersections.

MLW/mak

Enclosure: Drawing of Proposed Widening of Ray Avenue



CITY OF FAYETTEVILLE, N.C.  
ENGINEERING DEPARTMENT

WIDENING OF  
RAY AVEUE

REVISION

DATE \_\_\_\_\_ BY \_\_\_\_\_

DATE \_\_\_\_\_  
SCALE 1"=100'

DRAWN BY HHH  
CK'D BY \_\_\_\_\_

FIELD BK



# PLANNING DEPARTMENT


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

## CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt  
CHAIRMAN

George Vaughan  
PLANNING DIRECTOR

September 16, 1992

MEMO TO: JOHN SMITH, CITY MANAGER  
FROM: GORDON ALLEN MITCHELL, PLANNING DEPUTY DIRECTOR   
SUBJECT: ZONING CASE NOTICE PROCEDURES -- CITY OF FAYETTEVILLE

After receiving a zoning case for processing, the Joint Planning Department provides notices to the public as follows:

1. Sign Notice: A sign announcing the case (see attached) is placed on the subject property viewable to the public from the street. Once placed, there is no further check to see that the sign remains on the property. A sign is placed only once for the Joint Planning Board meeting.
2. Notice Letters: There are three types of notice letters:
  - A. Letter to adjacent property owners as well as applicant. These are first class mailings.
  - B. Letter to all property owners within 1,000 feet of the subject property. These are mailed third class.
  - C. First class letters for City Council public hearing items are sent out about a week prior to the City Council meeting notifying concerned persons of the meeting and letting them know the procedure for speaking at the hearing. These letters are sent to all owner(s) applicant(s), persons who request further notice and all adjacent property owners.
3. Newspaper Notice: A newspaper legal ad is published twice prior to the Joint Planning Board meeting for the case, and the first notice publication is at least ten days prior to the meeting.

On appealed cases, the same procedure for newspaper notice is followed.

GAM:bs



## MATTERS OF INTEREST

FROM: COUNCILMEMBER

*S. Cheek*

DATE: *10.5.92*

REQUEST/ISSUE:

*Rezoning Signs*

*Please put an item on the next  
agenda - discussion of policy for  
posting land proposed for rezoning.  
(If possible, could you include again  
the memo about us and a copy of the  
sign the Planning Board now uses.*

CITY MANAGER TO

*Thanks*

- ☐ HANDLE
- ☐ GIVE VERBAL REPORT
- ☐ GIVE WRITTEN REPORT
- ☐ PLACE ON THE AGENDA
- ☐ OTHER \_\_\_\_\_

An Equal Opportunity  
City of

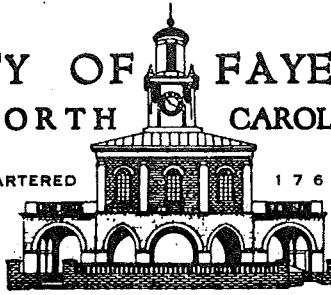


Affirmative Action Employer  
Dogwoods



THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED 1762




CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

October 15, 1992

MEMORANDUM

TO: John P. Smith, City Manager  
FROM: Roger L. Stancil, Deputy City Manager   
SUBJECT: City Seal

Since we presented the proposed City seal recommended by a committee of City employees to City Council, we have been trying to address two issues raised by some Councilmembers.

We have forwarded the proposed seal to various appointed Boards and Commissions for their review and comment. Some have endorsed the seal, some have made minor comments, and some have not responded at all. We will compile those comments and forward them at a later date.

We also forwarded the proposed seal to the Chamber of Commerce's Advocates for their review, especially as to how it might relate to their logo. The Advocates first response was to reject the proposed seal completely and recommended that the City use only their logo. Jason Brady and I then made an appointment to meet with Mr. Gary Smith in an effort to clarify their position.

As a result of that meeting, several points were agreed:

1. The seal and the logo cannot be used together. They represent completely different styles and purposes.
2. The seal is an important historic focal point which represents the basis history of this community. It should be used on official documents and stationery and last for years to come. Some seals have been around for centuries. The logo represents current thought and, in fact, is an effort to get away from tradition. It is far more susceptible to change. The Advocates had not thought out this difference.
3. The logo was developed with the Chamber of Commerce as the client. The client group was quickly expanded to include the economic development agencies in an effort to give them cohesion. An approach to the City was an after thought.

We asked the Advocates to review the seal and the logo again considering the City's needs as a client. They agreed to do that. Jason and I will meet with the Advocates again this month to hear the results of that review. We will then be ready to make some final recommendations.

RLS/kbl

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 9.D.



THE CITY OF FAYETTEVILLE  
NORTH CAROLINA



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

October 14, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

SUBJECT: Report on Greenways Proposal

Councilmember Cheek at the October 5 City Council Meeting requested an update of the proposed Greenways plan. I have compiled the following information pertaining to Greenways and possible funding.

The Fayetteville Appearance Committee has been the lead group advocating a Greenways plan during the past year. Attached is a memo from the Appearance Commission outlining what is a greenway. This proposal by the Appearance Commission is an outgrowth of similar plans by the City's Parks and Recreation Department going back to 1946. The Long Range Recreation Plan of 1946 discussed the development of a "creekway park" system along several streams within the City. Several names and variations of this plan have evolved over the last 46 years, however, the essential elements of the plan remain constant.

Several members of the Appearance Commission appeared at the Parks and Recreation Advisory Commission Meeting on September 28 to discuss their Greenways proposal and to solicit support. After hearing the proposal, the Parks and Recreation Advisory Commission endorsed the concept. The Chairman stated "the Commission had long supported this park plan and continues its supports."

Another consideration in the implementation of the Greenways proposal is finding the necessary funding. One possible source could come from the Intermodal Surface Transportation Efficiency Act of 1991 or more commonly referred to as "ISTEA." The ISTEA legislation fundamentally changes the emphasis from strictly road building to a variety of projects. One change includes money designated for transportation enhancements. Attached is a list of 10 categories eligible for ISTEA funding. The Greenways proposal could possibly fall under the enhancement for bicycles and pedestrians facilities.

The Federal Government will be providing the State of North Carolina with approximately \$11 million for FY 1992-93 to be used exclusively for those 10 enhancements. These funds do not compete against any road building projects. The North Carolina Board of Transportation will make the determination on what projects will be funded. These projects will follow the same procedure

An Equal Opportunity  
City of



Affirmative Action Employer  
Dogwoods

ITEM 9.E.

John P. Smith  
Page 2  
October 14, 1992

as other transportation projects, which includes review by the Transportation Technical Coordinating Committee (TCC) and the Transportation Advisory Committee (TAC) of which Mayor Dawkins chairs and Councilmember Kendrick is a member.

The staff recommends to include the Greenways plan as a transportation enhancement project as part of the local Transportation Improvement Plan (TIP). The reasons for this recommendation are: (1) the Greenways concept has been proposed in various City planning documents for many years, (2) it has the endorsement of both the Appearance and Parks Commissions, (3) the City Council adopted this concept in 1985 when it endorsed the City's Parks and Recreation Master Plan, and (4) the timing for receiving this type of funding might be best now since it is such a new program. The staff intends to discuss this project at the TCC meeting on October 22 upon your concurrence.

Lastly, the Appearance Commission at its regular scheduled meeting on Wednesday, October 21, intends to provide an open forum for citizens to discuss the Greenways proposal. They hope to solicit community support for the project.

If you have any questions, please let me know.

JT/kbl

**Attachment**

cc: Louis Chalmers, City Traffic Engineer  
Robert Barefoot, Parks & Recreation Director  
Bill Hester, Staff Representative for Appearance Commission  
Sandy Saunders, Chairman of Parks and Recreation Advisory Commission  
Judy Masters, Chairman of Appearance Commission

28 September 1992

Fayetteville Appearance Commission

Subject: What is a Greenway?

Fayetteville is the city of Dogwoods. This description refers to the natural character and beauty, distinguished by the free flowing streams, and abundant vegetation. A Greenway system would preserve and retain these natural areas.

A Greenway is a system of linear parks following streams and creeks which, when linked together, form a continuous network of interconnecting corridors throughout the City. These linear open spaces or corridors are to be left in their natural state except for the development of trails for use by pedestrians and cyclists.

Greenways identify ecologically sensitive areas which, if disturbed, can have far reaching effects on the entire region. Preserving greenways as natural open spaces helps to guide land development to areas which are more suitable. The natural areas can also buffer adjoining land uses and provide relief from density and overcrowding. The quiet character of residential neighborhoods can be retained without hampering the development of needed commercial and industrial areas.

Greenways are often located along streams and floodplains which are planned or used for sewers and storm drainage lines. Greenways are compatible with these uses. Greenway acquisition and development can be coordinated with the construction of sewer lines and flood control lakes. This multiple use of floodplains is a realization of the full environment and recreational potential of the natural drainage system.

Greenway trails that meander along creek banks and natural woodlands expose beauties of nature seldom seen and often overlooked by City residents.

**Greenways Provide:**

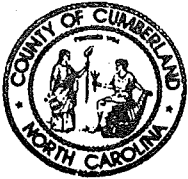
Cleaner Air and Reduced Noise Levels  
Less Flooding and Soil Erosion  
Moderate Climate Extremes

# **SURFACE TRANSPORTATION PROGRAM**

## **TRANSPORTATION ENHANCEMENT**

### **ELIGIBLE ENHANCEMENT CATEGORIES**

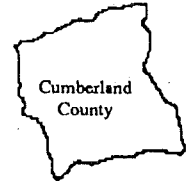
1. Provisions of Facilities for Bicycles and Pedestrians
2. Scenic Easements and Scenic or Historic Sites
3. Scenic or Historic Highway Programs
4. Landscaping and Other Scenic Beautification
5. Historic Preservation
6. Rehabilitation and Operation of Historic Transportation Buildings, Structures or Facilities
7. Preservation of Abandoned Railway Corridors
8. Control and Removal of Outdoor Advertising
9. Archaeological Planning and Research
10. Mitigation of Water Pollution due to Highway Runoff



FAYE S. PARRISH  
TAX COLLECTOR

## COUNTY OF CUMBERLAND TAX COLLECTOR

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



E.T. SESSOMS  
ASSISTANT TAX COLLECTOR

OCTOBER 1, 1992

MR. JOHN SMITH  
CITY MANAGER  
CITY OF FAYETTEVILLE  
DRAWER 1448  
FAYETTEVILLE, NORTH CAROLINA 28302

DEAR SIR,

THE FOLLOWING IS A STATEMENT OF TAXES COLLECTED FOR THE  
MONTH OF SEPTEMBER 1992. GENERAL STATUTES # 105-370 REQUIRES  
THAT THIS REPORT BE MADE TO THE CITY COUNCIL AT EACH REGULAR  
MEETING.

1992 TAXES	1,242,292.62
1992 FAY. VEHICLE TAX	23,023.91
1991 TAXES	43,288.80
1991 VEH. TAX	550.95
1990 TAXES	8,126.35
1989 & PRIOR REAL & PERSONAL TAXES	4,297.10
TOTAL INTEREST	6,410.01
 TOTAL COLLECTIONS	 1,327,989.74

YOURS TRULY,

FAYE S. PARRISH  
TAX COLLECTOR

FSP/SP

ITEM 9.F.







*Tim Wood*

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

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

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

**ELECTRIC & WATER UTILITIES**

October 9, 1992

Mr. Cliff Strassenburg  
County Manager  
County of Cumberland  
P. O. Box 1829  
Fayetteville, North Carolina 28302

Subject: Notification Concerning Pending Assessments

Dear Mr. Strassenburg:

PWC and the City of Fayetteville have for the past several months been conducting public hearings on the confirmation and levying of assessments for water, sanitary sewer and in some cases street paving within areas covered by the 1988 annexation. Several thousand property owners were affected by the annexation and assessment process.

Numerous complaints have been voiced concerning changes in property ownership occurring after the original notification of intent. The current owner complains that he was not made aware of the pending assessment before purchasing the property. Although General Statutes have been followed throughout the process, we are of the opinion that it would be beneficial for PWC and the city in future annexations, and also for the county if the water and sewer bond issue is approved, to develop an improved method of readily identifying properties with pending assessments.

The only constant throughout the process is the parcel identification number. We would greatly appreciate your input and consideration in establishing a separate field on the tax parcel for pending assessments. The information provided in this field would contain basic preliminary data such as blocks to be checked for pending assessments indicating water, sewer or street paving. A property owner or closing attorney would then have some indication that an assessment is pending and could take the necessary steps to investigate the matter further. The City Attorney, Mr. Bob Cogswell, is also working on this problem and may be able to provide additional information.



Mr. Strassenburg  
October 9, 1992  
Page 2

Thank you for any assistance the county may be able to provide concerning this matter. If you have any questions, please do not hesitate to contact me at 678-7409.

Very truly yours,

PUBLIC WORKS COMMISSION



Tom McNeill

Property Acquisition Manager

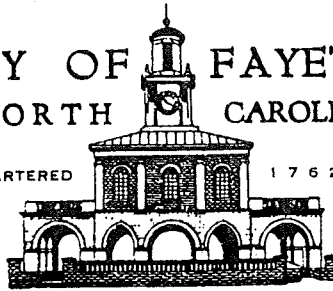
TMcN:jgs

cc: Tim Wood  
Robert G. Cogswell  
Betty Clark, Data Processing

THE CITY OF FAYETTEVILLE  
NORTH CAROLINA

CHARTERED

1762



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

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

October 12, 1992

Mr. Cliff Strassenburg  
County Manager  
Post Office Drawer 1829  
Fayetteville, North Carolina 28302

**Re: Notification Concerning Pending Assessments**

Dear Cliff:

I would like to concur with Tom McNeill's October 9, 1992, request to you concerning the above referenced matter. Since the General Statutes make special assessments enforceable as a tax lien from and after the time of confirmation, it would appear that the tax collector's office is the most appropriate place to establish a public record.

As suggested by Tom, I would welcome the opportunity to sit down and discuss the entire process with you. Between my office, the City Engineer's office, and Tom's office, I do not believe there is a problem that has not been encountered in trying to make the assessment process as efficient as possible. However, it would be of great benefit to the real estate and legal communities to have records of pending as well as completed assessments available in the tax office on the computers.

Sincerely yours,

Robert C. Cogswell, Jr.  
City Attorney

RCC/jkp

cc: John P. Smith, City Manager

An Equal Opportunity  
City of



Affirmative Action Employer  
*Dogwoods*

