



FAYETTEVILLE CITY COUNCIL  
AGENDA  
AUGUST 12, 2013  
7:00 P.M.  
Council Chamber

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**1.0 CALL TO ORDER**

**2.0 INVOCATION**

**3.0 PLEDGE OF ALLEGIANCE**

**4.0 APPROVAL OF AGENDA**

**5.0 PUBLIC FORUM**

**6.0 CONSENT**

6.1 Approve Meeting Minutes:

July 22, 2013 Discussion of Agenda Items  
July 22, 2013 Regular Meeting

6.2 Capital Project Ordinance Amendment 2014-17 (North Carolina Veterans Park)

6.3 Approval of System-wide Transit Service Standards

Presenter(s): Randy Hume, Transit Director

6.4 Request from Mitchell Properties of Florence, Inc.

6.5 Request from Bill Properties

**7.0 OTHER ITEMS OF BUSINESS**

7.1 Consideration of Task Force to Respond to City Council Concerns: Crime Reduction

Presenter(s): Harold Medlock, Police Chief

7.2 Consideration of Task Force to Respond to City Council Concerns: Economic Development

Presenter(s): Rochelle D. Small-Toney, Deputy City Manager

## **8.0 ADMINISTRATIVE REPORTS**

8.1 Settlement for Fiscal Year July 1, 2012 through June 30, 2013

8.2 Levy for 2013 -2014 Fiscal Year

## **9.0 ADJOURNMENT**

### **CLOSING REMARKS**

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

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

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

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

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

Individuals who have not made a written request to speak on a non-public hearing item may submit written materials to the City Council on the subject matter by providing twenty (20) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

#### **COUNCIL MEETING WILL BE AIRED**

**August 12, 2013 - 7:00 p.m.**

**COMMUNITY CHANNEL 7**

#### **COUNCIL MEETING WILL BE RE-AIRED**

**August 14 thru August 25, 2013 at various times**

**COMMUNITY CHANNEL 7**

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



<b>CITY COUNCIL ACTION MEMO</b>
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**TO:**

**FROM:**

**DATE:** August 12, 2013

**RE:**

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**THE QUESTION:**

**RELATIONSHIP TO STRATEGIC PLAN:**

**BACKGROUND:**

**ISSUES:**

**BUDGET IMPACT:**

**OPTIONS:**

**RECOMMENDED ACTION:**

<b>CITY COUNCIL ACTION MEMO</b>
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**TO:** Mayor and City Council  
**FROM:** Pamela Megill, City Clerk  
**DATE:** August 12, 2013  
**RE:** **Approve Meeting Minutes:**  
  
**July 22, 2013 Discussion of Agenda Items**  
**July 22, 2013 Regular Meeting**

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**THE QUESTION:**

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

**RELATIONSHIP TO STRATEGIC PLAN:**

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

**BACKGROUND:**

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

**ISSUES:**

N/A

**BUDGET IMPACT:**

N/A

**OPTIONS:**

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

**RECOMMENDED ACTION:**

Approve the draft minutes as presented.

**ATTACHMENTS:**

July 22, 2013 Discussion of Agenda Items  
July 22, 2013 Regular Meeting

# DRAFT

FAYETTEVILLE CITY COUNCIL  
DISCUSSION OF AGENDA ITEMS MEETING MINUTES  
ST. AVOLD ROOM  
JULY 22, 2013  
6:00 P.M.

Present: Mayor Anthony G. Chavonne

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

Others Present: Theodore Voorhees, City Manager  
Kristoff Bauer, Deputy City Manager  
Rochelle Small-Toney, Deputy City Manager  
Karen McDonald, City Attorney  
Scott Shuford, Development Services Director  
Rusty Thompson, Engineering and Infrastructure Director  
Members of the Press

Mayor Chavonne called the meeting to order and began by reviewing the agenda.

Council Member Applewhite raised questions regarding Item 6.3, approval of purchase of tasers for the Police Department.

Mayor Chavonne then moved to the public hearings.

Mr. Rusty Thompson, Engineering and Infrastructure Director, arrived and provided background on the stormwater variance and responded to concerns raised by Mr. Robert Heatwole in an email to Council members and staff on July 22, 2013.

Ms. Karen McDonald, City Attorney, advised staff was planning to request that Items 7.1 and 7.6 be tabled due to boundary issues.

Mr. Scott Shuford, Development Services Director, arrived and provided information on the Patel Motel demolition. He advised the demolition needed to occur based on the calls for service and the state of disrepair of the property.

Mr. Shuford also responded to questions related to Item 7.2, the Koenig Development.

Mayor Chavonne concluded the review of the agenda items.

Council Member Crisp proposed the creation of a task force for crime and job creation.

Discussion ensued with agreement to add an item to the agenda for discussion.

There being no further business, the meeting adjourned at 6:56 p.m.

Respectfully submitted,

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KAREN M. MCDONALD  
City Attorney  
072213

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ANTHONY G. CHAVONNE  
Mayor

# DRAFT

FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
CITY HALL COUNCIL CHAMBER  
JULY 22, 2013  
7:00 P.M.

Present: Mayor Anthony G. Chavonne

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

Others Present: Theodore Voorhees, City Manager  
Kristoff Bauer, Deputy City Manager  
Rochelle Small-Toney, Deputy City Manager  
Karen McDonald, City Attorney  
Lisa Smith, Chief Financial Officer  
Rusty Thompson, Engineering and Infrastructure Director  
Scott Shuford, Development Services Director  
Victor Sharpe, Community Development Director  
Tracie Davis, Corporate Communications Director  
Gizelle Rodriguez, City Engineer  
Karen Hilton, Planning and Zoning Division Manager  
Craig Harmon, Planner II  
David Nash, Planner II  
Brian Meyer, Assistant City Attorney  
Pamela Megill, City Clerk  
Members of the Press

## 1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

## 2.0 INVOCATION

The invocation was offered by Council Member Haire.

## 3.0 PLEDGE OF ALLEGIANCE

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

## 4.0 APPROVAL OF AGENDA

MOTION: Council Member Crisp moved to approve the agenda with the addition of Item 8.2 - Discussion of forming a task force

## **DRAFT**

on crime prevention and a task force on economic development.

**SECOND:** Mayor Pro Tem Arp

**VOTE:** UNANIMOUS (10-0)

### **ANNOUNCEMENTS AND RECOGNITIONS**

Mayor Chavonne and Council Member Applewhite presented a proclamation to Ms. Teresa Fletcher and Ms. Priscilla Cabral, members of the National Contract Management Association - Research Triangle Park Chapter, in honor of Contract Management Week.

Mayor Chavonne announced that a group of our teens in the Fayetteville-Cumberland Parks and Recreation (FCPR) Counselors In Training (CIT) Program attended a two-day conference at UNC-Chapel Hill the end of June. Prior to the summit, they discussed, designed and constructed a model for grant presentations and presented their grant proposal to Outdoor Nation at the conference. The FCPR teens were selected over 15 other organizations to receive a grant in the amount of \$1,500 to implement their ideas. Council Member Davy and FCPR Youth Development and Cultural Arts Coordinator Crystal Glover presented each teen with a Certificate of Achievement.

Council Member Applewhite announced the "Murchison Road Empowerment Day" will be held on Saturday, July 27, 2013, beginning at 9 a.m. Dr. Eric Mansfield will be the keynote speaker.

Council Member Haire announced the "Stop the Violence" event will be held on Saturday, August 10, 2013, beginning at 9 a.m. at the Murchison Road/Hood Avenue intersection.

### **5.0 PUBLIC FORUM**

Mr. Blarrie Gibbs, P.O. BOX 8081, Fayetteville, NC 28301, stated concerns regarding the potential demolition of the Patel Motel and stated he is an advocate for homeless and disabled veterans.

### **6.0 CONSENT**

**MOTION:** Council Member Davy moved to approve the consent agenda.

**SECOND:** Council Member Crisp

**VOTE:** UNANIMOUS (10-0)

### **6.1 Addition of Certain Streets to the City of Fayetteville System of Streets**

Council officially accepted the dedication of streets for maintenance and addition to the City of Fayetteville system of streets. The list included four residential paved streets adding up to a total of 0.49 miles.



## DRAFT

- 6.2 Adopt a Resolution Declaring Jointly-Owned Real Property Surplus and Authorizing a Quitclaim of the City's Interest in Order to Expedite Cumberland County's Sale of Property

RESOLUTION DECLARING PROPERTY EXCESS TO CITY'S NEEDS AND QUITCLAIMING CITY TITLE IN THE PROPERTY TO CUMBERLAND COUNTY. RESOLUTION NO. R2013-035

- 6.3 Approve Purchase of Tasers for the Police Department

Approval of the purchase of (200) Taser X2 units with associated cartridges, holsters and battery packs for the total amount of \$279,434.85 from Taser International, Inc., Scottsdale, AZ, in accordance with the "sole source" bidding exception found in N.C.G.S. 143-129(e) (6).

- 6.4 P13-05F. The rezoning of property to BP/CZ - Business Park Conditional district or to a more restrictive district, located on Coalition Boulevard being the property of Military Business Park, Inc.

- 6.5 P13-15F. Initial zoning of property to LI - Light Industrial or to a more restrictive district, located at 185 Airport Road and being the property of Fullblock LLC.

- 6.6 P13-18F. The rezoning of property from SF-10 Single Family Residential to CC - Community Commercial or to a more restrictive district, located on Yadkin Road near the All American Expressway and being the property of Hyung S. Sackos.

- 6.7 Resolution Authorizing the Exchange of Property

RESOLUTION AUTHORIZING THE SALE OF PROPERTY. RESOLUTION NO. R2013-036

- 6.8 Resolution to Set Public Hearing to Consider Closing a 12 foot wide Alley running between Franklin Street and Russell Street

RESOLUTION CALLING A PUBLIC HEARING REGARDING THE PROPOSED CLOSING OF AN UNNAMED ALLEY LOCATED BETWEEN FRANKLIN STREET AND RUSSELL STREET. RESOLUTION NO. R2013-037

- 6.9 Approve Meeting Minutes:

March 20, 2013 Agenda Briefing  
March 25, 2013 Discussion of Agenda Items  
March 25, 2013 Regular Meeting  
May 6, 2013 Work Session  
May 8, 2013 Budget WKS  
May 13, 2013 Discussion of Agenda Items  
May 13, 2013 Regular Meeting  
May 15, 2013 Budget WKS

# DRAFT

May 22, 2013 Agenda Briefing  
May 22, 2013 Budget WKS  
May 28, 2013 Discussion of Agenda Items  
May 28, 2013 Regular Meeting  
June 3, 2013 Work Session  
June 10, 2013 Discussion of Agenda Items  
June 10, 2013 Regular Meeting  
June 19, 2013 Agenda Briefing  
June 24, 2013 Regular Meeting

- 6.10 Bid Recommendation to Award Contract for Rockfish Creek Water Reclamation Facility Alkalinity Feed Improvements to State Utility Contractors, Monroe, NC lowest responsive bidder in the amount of \$714,000.00

Bids were received as follows:

State Utility Contractors, Monroe, NC.....	\$714,000.00
Morrison Engineers, Raleigh, NC .....	\$779,800.00
Turner Murphy, Rockville, SC .....	\$845,208.00
Dellinger, Inc., Monroe, NC .....	\$931,906.00
T.A. Loving Co., Goldsboro, NC .....	\$947,000.00
Water & Waste Systems, Garner, NC .....	\$949,000.00

- 6.11 Bid Recommendation to Award Contract for U.S. 301 Water Main Replacement to Sandy's Hauling and Backhoe Service, Roseboro, NC in the total amount of \$601,000.00

Bids were received as follows:

Sandy's Hauling & Backhoe Service, Roseboro, NC .....	\$601,000.00
T.A. Loving Co., Goldsboro, NC .....	\$662,520.00

- 6.12 Resolution Accepting State Revolving Loan Offer for the Construction Portion of the PO Hoffer Water Treatment Plant Phase I and Resolution to Establish a 2013 PO Hoffer Phase I State Revolving Loan Capital Project Fund and Related Budget

RESOLUTION OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA TO ACCEPT A STATE LOAN OFFER UNDER THE NORTH CAROLINA WATER REVOLVING LOAN AND GRANT ACT OF 1987. RESOLUTION NO. R2013-038

RESOLUTION OF THE PUBLIC WORKS COMMISSION OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA TO ESTABLISH A 2013 PO HOFFER PHASE I STATE REVOLVING LOAN CAPITAL PROJECT FUND. RESOLUTION NO. R2013-039

- 6.13 Special Revenue Fund Project Ordinance 2014-1 (Special Victim Unit Project)

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This ordinance appropriates \$3,000 for the Special Victim Unit Project of the Police Department.

### 6.14 Special Revenue Fund Project Ordinances 2014-2 and 2014-3 (FY2013-2014 CDBG and HOME Program Budgets)

The ordinances appropriate \$65,263 for the FY2013-2014 Community Development Block Grant Program and \$21,892 for the FY2013-2014 HOME Investment Partnership Program.

### 6.15 Tax Refunds Greater Than \$100

<u>Name</u>	<u>Year</u>	<u>Basis</u>	<u>City Refund</u>
WCP Inc.	2007-2011	Clerical Error	\$1121.13
Total			<u>\$1121.13</u>

## 7.0 PUBLIC HEARINGS

7.1 P13-12F. Initial zoning of property from R6A County Residential to LC - Limited Commercial or to a more restrictive district, located at 1030 Palm Springs Drive and Honeycutt Road and being the property of James Sanders, Donna Muraski and Charlotte Strickland.

Mr. Craig Harmon, Planner II, stated the applicant has requested this item be tabled until the August 26, 2013 City Council meeting.

MOTION: Mayor Pro Tem Arp moved to table item 7.1 and item 7.6 to the August 26, 2013, City Council meeting agenda.

SECOND: Council Member Haire

VOTE: UNANIMOUS (10-0)

7.2 P13-21F. The rezoning of property from AR - Agricultural Residential to SF-10/CZ Single Family Residential Conditional Zoning or to a more restrictive district, located in River Glen Subdivision on Vandenberg Drive containing 196 acres more or less and being the property of Estate Builders, LLC. (Appeal)

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed vicinity maps and gave overviews of current land uses, current zonings, surrounding land uses and zonings and 2010 Land Use Plan. He stated this property is located on the east side of the Cape Fear River and is the undeveloped portion of River Glen Subdivision. Prior to the initial approval of this subdivision in 2007, the owner requested that a flood study be conducted on this property. The resulting study greatly reduced the amount of floodplain. This subdivision was originally approved for 469 lots under the old AR district with zero lot line and 111 of those lots were platted in Phase I. In July of 2011, the developer was issued a Zoning Permit to obtain their Vested Rights for this project. [Zoning Permits may be obtained three times to extend a project's approval time before

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construction must start. The first two permits each last two years, and the third permit lasts one year, for a total extension of five years from the time a project is approved.] Properties developed in Phase I range in size from approximately 10,000 square feet to 35,000 square feet. The requested conditional zoning allows up to a total of 682 zero lot line lots in this development, which is an increase of 213 lots over what is currently approved. Approximately one hundred acres, most of which is floodway or floodplain, will be designated as open space. The typical lot size is approximately 8,700 square feet as shown on the applicant's site plan. Lots are much smaller than the lots in phase I. The proposed subdivision would be accessed through the existing Phase 1 of River Glen Subdivision through two separate routes. The City's Land Use Plan (LUP) is in conflict with what has previously been built and with what is proposed. Areas that are zoned and built for residential are shown on the LUP as heavy industrial. The area on the LUP shown as 1 acre lots has been developed and is being proposed for a much higher density. This discrepancy is likely due to water and sewer being extended into the area since the time when the LUP was adopted. Conditions for approval offered by the applicant are (1) attached preliminary site plan and (2) attached conditions of approval.

Mr. Harmon stated the Zoning Commission met on June 11th and held a public hearing on this case. There were two speakers in favor and three in opposition to this request. The applicant offered to accept a more restrictive SF-15/CZ district. The Zoning Commission however voted to deny any rezoning request 3-1. The applicant appealed this case to the City Council.

The Zoning Commission and staff recommend denial of this rezoning based on:

- (1) The significant increase in density from the approved plan to the plan proposed with this rezoning. (River Glen is currently approved for 469 lots. This rezoning would increase the subdivision's total number of lots to 682, an increase of 213 lots.)
- (2) All traffic from the proposed subdivision will go through existing neighborhoods with larger lot sizes.
- (3) The proposed development includes 8,700 square foot lots throughout, independent of surrounding and adjacent property's size.
- (4) The site plan submitted as a condition of approval raises many concerns from staff.

Mr. Harmon further advised that no additional road connections are proposed. Under this plan there would be only two road outlets serving 682 lots. This development is located along the Cape Fear

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River, and includes approximately 107 lots in the 100 year floodplain, of the 571 proposed in this rezoning. Open Space and Community areas are located along the periphery of the development, away from most of the residential lots, as remnants of land having no significance to the design of the site. Mr. Harmon stated the property owner is now requesting rezoning to SF-15 and staff recommends that the City Council move to deny the rezoning to SF-15.

Council Member Bates expressed concerns regarding the additional traffic that would be traveling through the adjacent neighborhood.

Mayor Pro Tem Arp asked if the zoning commission and staff recommendation for denial was for SF-10 or SF-15. Mr. Harmon responded the denial is for both requests.

Council Member Applewhite asked if the 569 units are for a SF-15 rezone. Mr. Harmon responded that is correct, in addition to the 111 units that have already been developed.

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

Mr. Jimmy Kizer, 115 Broadfoot Avenue, NC 28303, appeared in favor and stated he is the engineer for the proposed project.

Mr. John Koenig, 1763 Wilmington HWY, NC 28306, appeared in favor and stated he is the owner/developer for the project and requested rezoning to SF-15.

Mr. Jeff Kasper, 1405 Pepperchase Drive, NC 28312, appeared in opposition and stated he and fellow residents of the adjacent Riverside Estates have major concerns regarding potential for a significant increase in traffic through their neighborhood and the safety of residents walking on streets that have no sidewalks.

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

Council Member Bates stated his concerns for the potential increase for service from the Police and Fire Departments.

Council Member Davy asked Mr. Koenig if the 569 lots would all be developed as housing. Mr. Koenig responded they would. Mr. Koenig stated some time ago he had deeded 200 acres to the Fire Department for the purpose of building a fire station, at a location selected by prior Fire Chief Nichols.

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Council Member Fowler asked if the builders hire local crews. Mr. Koenig confirmed the builders do hire locally.

Council Member Applewhite asked Mr. Harmon to identify on the map where the stub out would be required. Mr. Harmon pointed to the specified point.

**MOTION:** Council Member Davy moved to approve the rezoning to SF-15 with the addition of a stub out, identified by staff.

**SECOND:** Council Member Haire

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

**7.3 P13-22F.** The rezoning of property from SF-10 Single Family Residential to SF-6/CZ Single Family Residential Conditional Zoning or to a more restrictive district, located at 6959 Fillyaw Road being the property of Kewon Edwards.

Mr. Craig Harmon, Planner II, presented this item. Mr. Harmon showed vicinity maps and gave overviews of current land uses, current zonings, surrounding land uses and zonings and 2010 Lane Use Plan. This property is located on Fillyaw Road and currently has four single family houses on it. The City's Land Use Plan calls for low density residential on this property. The existing four homes is the maximum allowed on this property in the SF-10 district. The owner is requesting a rezoning to SF-6/CZ which would allow up to 13 units on this property under a Special Use Permit. This property has single family residential on three sides and multifamily across the street. The single family lots that are behind and on two sides of this property range in size from around 12,000 square feet to 17,000 square feet. A new SF-6 district would allow lots to be half the size of the smallest lots on this part of the south side of Fillyaw Road.

Mr. Harmon stated the Zoning Commission met on June 11th and held a public hearing on this case. There were two speakers in favor and none in opposition to this request. The Zoning Commission voted 3-1 to approve the rezoning to SF-6/CZ.

The Zoning Commission recommends approval of the rezoning to SF-6/CZ based on:

- (1) Redevelopment of a blighted area.
- (2) This property is across the street from a large multi-family development.
- (3) Proximity to Yadkin Road and Fort Bragg.
- (4) A SUP will be required for this property to be developed as multi-family.

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The staff recommends denial of this rezoning to SF-6/CZ based on:

- (1) The Land Use Plan calls for low density residential; SF-6 is one of the City's medium density districts.
- (2) Single Family Residential is on three sides of this property.
- (3) SF-6 is not in keeping with the housing density on the south side of Fillyaw Road.

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

Mr. Scott Brown, 409 Chicago Drive, Suite 112, NC 28306, appeared in favor, and stated he is the engineer/developer for the project.

Mr. Kewon Edwards, 3343 Dalcrest Drive, Charlotte, NC 28269, appeared in favor and stated he is the property owner and requested approval of the rezone request.

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

**MOTION:** Council Member Haire moved to approve the rezoning to SF-6/CZ.  
**SECOND:** Council Member Applewhite  
**VOTE:** UNANIMOUS (10-0)

## 7.4 A requested variance from the Stormwater Ordinance.

Mr. Rusty Thompson, PE, PTOE Engineering and Infrastructure Director, presented this item and stated this property faces Owen Drive and is approximately 0.2 mile south of Southern Avenue. The owners, H. Ronald Solomon and Melanie Solomon-Keefe, have requested a variance from the 5,000 square foot requirement to the 20,000 square foot requirement. The property is located at 2898 Owen Drive. This property has had some pavement installed at some time in the past. Due to the pavement, the owner would be limited to 5,000 square feet of additional impervious area before complying with the stormwater ordinance. The lot size of 0.66 acres is a very small parcel for development and the property owner is requesting to be allowed to develop to the 20,000 square foot criteria.

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

Ms. Melanie Keefe, 370 Echo Lane, NC 28303, appeared in favor and stated she is one of the property owners.



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Mr. Ronnie Solomon, 3558 Turnberry Circle, NC 28303, appeared in favor.

Mr. Jimmy Keefe, 370 Echo Lane, NC 28303, appeared in favor.

Ms. Lori Epler, P. O. BOX 53787, NC 28305, appeared in favor.

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

A brief discussion ensued.

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

### **7.5 Public Hearing to Consider a Petition Requesting Annexation of a Non-Contiguous Area Known as the Fullblock LLC Property-Located at 185 Airport Road**

Mr. David Nash, AICP, Planner II, presented this item and stated this request originated on February 25, 2013, when Fullblock, LLC submitted an annexation petition to the City. The petition was signed by Mr. William B. Fuller, Jr, Managing Member of Fullblock, LLC. The property requested for annexation is located at the intersection of Airport Road and Aviation Parkway. An office/warehouse building is currently under construction on the property. The Fullblock property is not contiguous to the City, but it can be annexed as a satellite. Fullblock previously built another office/warehouse building nearby (at 135 Airport Road); this other property was annexed as a satellite on December 13, 2010. According to the City Engineering staff's metes and bounds description, the property requested for annexation consists of 4.47 acres, more or less. The Zoning Commission held its public hearing on May 14, 2013. The City's Real Estate staff has verified that Fullblock, LLC, is the owner of the property requested for annexation. City operating departments and PWC divisions have reviewed the proposed annexation and they should be able to serve the property. The Fire Department reports that the travel distance is 4.3 miles from the closest City station; it might take the department 10 minutes to travel to the property. The department's goal is 5.3 minutes for the first arriving unit. The Pearces Mill Volunteer Fire Department is only .08 miles (3 minute travel time) from the property; Pearces Mill could provide 24 - hour uninterrupted response service. Therefore, the Fire Department will establish a contract with Pearces Mill to provide response coverage to this property. The Police Department and the Engineering and Infrastructure Department reported that they would have no significant impacts from annexing the area. The Environmental Services Department would not be responsible for providing garbage pick-up services because the building will not be residential. PWC



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water, sewer, and electrical services are all available to the property. There is also a private sewer line in Aviation Parkway and a private sewer lift station at the end of Aviation Parkway. There are five standards that a satellite annexation must meet in order to be annexed. This area meets the five standards, as shown in the ordinance (included in the packet). Originally, this area would not have met the "do not split a subdivision" standard. However, the City's Legal Department has recently interpreted that standard in a new way - it applies only for residential properties. Based on this interpretation, the area complies with that standard. Policy 150.2, as amended on February 13, 2012, states that all property within the City's MIA that meets the statutory requirements for annexation must be annexed before water or sewer service will be provided or expanded. In this situation, because of an unusually lengthy research process on a satellite standard, an agreement enabled PWC water and sewer to be provided before annexation; services will be discontinued if, for instance, the petition is withdrawn. Mr. Nash concluded by stating City staff recommends City Council move to adopt the proposed ordinance annexing the area effective July 22, 2013, and establish the initial zoning consistent with the prior action on the zoning case.

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

**AN ANNEXATION ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA [Fullblock LLC Property-Located at 185 Airport Road-Includes Tax Parcel - (0435-24-2118). ANNEXATION ORDINANCE NO. 2013-07-544**

**MOTION:** Council Member Davy moved to adopt the proposed ordinance annexing the area effective July 22, 2013.  
**SECOND:** Council Member Hurst  
**VOTE:** UNANIMOUS (10-0)

### **7.6 Public Hearing to Consider a Petition Requesting Annexation of a Non-Contiguous Area Known as the Honeycutt Road at Palm Springs Drive Property**

This item was tabled until the August 26, 2013 City Council regular meeting.

### **7.7 Text amendment to City Code Chapter 30 various articles for clarification, consistency and adjustments to provide greater flexibility and options.**

Ms. Karen S. Hilton, AICP, Manager, Planning and Zoning presented this item with the aid of a PowerPoint presentation. Ms. Hilton stated the proposed amendments reflect corrections staff has been accumulating, or adjustments that staff considers minor that have

## DRAFT

emerged during daily application of the new development code. This is part of an ongoing overall fine-tuning and correcting typical of completely re-written codes. There is one section of more substantive change: the expansion of uses and ability to propose less restrictive numerical standards in conditional zoning requests. The Planning Commission considered a second more substantive item but requested, with staff's concurrence, that that section be withdrawn for later consideration. There is one section of more substantive change; the expansion of uses and ability to propose less restrictive numerical standards in conditional zoning requests. The change to allow less restrictive conditions is intended to add flexibility relative to dimensional standards and to minimize the need to use an overly intense district or much higher density zoning district "conditioned down" to one or two uses. That practice creates the expectation that the scale, character or full range of uses in that higher zoning district is appropriate for the area when, in fact, the very basis for the conditions is that the full range of uses or densities or scale is not acceptable. All amendments to Chapter 30 are evaluated with regard to seven criteria; all proposed changes are supportive of or consistent with these criteria. Ms. Hilton concluded by stating the Planning Commission and staff recommend that the City Council move to approve the ordinance of minor adjustments to Chapter 30 as presented by staff.

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO AMEND CHAPTER 30 UNIFIED DEVELOPMENT ORDINANCE FOR CLARITY, CONSISTENCY, AND SMALL ADJUSTMENTS TO PROVIDE GREATER FLEXIBILITY AND OPTIONS IN REDEVELOPMENT (Set 8). ORDINANCE NO. S2013-014**

**MOTION:** Council Member Bates moved to adopt the proposed ordinance as presented by staff.  
**SECOND:** Council Member Massey  
**VOTE:** UNANIMOUS (10-0)

**7.8 Text amendments to City Code Chapter 30 for consolidation and adjustment of tree save, open space and parkland standards to provide greater flexibility and options in (re)development.**

Mr. Scott Shuford, AICP, Development Services Director presented this item with the aid of a PowerPoint presentation. Mr. Shuford stated this amendment is the second major revision to the tree save, open space and parkland standards. Prepared in conjunction with a developer advisory group, these revisions consolidate and reduce the standards to better fit both community objectives and the range of sites, new development, and redevelopment options throughout the city. Continued experience with site plan reviews has illustrated the unusually large impacts the combination of stormwater, tree save, open

## **DRAFT**

space, and parkland requirements can have on the developable area of a site. The current standards plus stormwater facilities can require over 30% of a site in some instances, particularly for small sites. The revisions, developed in conjunction with a private sector advisory committee, make significant adjustments in the standards and the alternatives.

Council Member Haire asked Mr. Shuford how is the relationship between city staff and the developer community. Mr. Shuford responded that the relationship is very good. There has been a great exchange of information; the relationship has definitely been enhanced and both sides have realized mutual interests.

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

Ms. Lori Epler, P.O. Box 53787, NC 28305, appeared in favor and stated over the last two years, it has become obvious that while the UDO promotes desirable development, there are some areas that it has prohibited revitalization and rendered smaller parcels nearly useless. Ms. Epler requested the Council approve the ordinance set before them.

Mr. Joe Riddle, 238 North McPherson Church Road, NC 28303, appeared in favor and stated appreciation and thanks to city staff and certain members of the developer community that have participated in many hours of stakeholders meetings to work together to bring forth these ordinance amendments to Council.

Mr. Greg West, 506 Charleston Place, NC 28303, appeared in favor and asked for support of the amendments to the UDO ordinance; it will help with redevelopment on the gateway corridors.

Mr. Jimmy Kizer, 115 Broadfoot Avenue, NC 28305, appeared in favor and commended the Development Services staff for their hard work with the Developer Community on this item. Mr. Kizer stated he hopes to continue this collaborative effort.

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

Council Member Fowler stated the Development Community brings a great value to the City and this has been a really important step to take towards economic growth.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO AMEND CITY CODE CHAPTER 30, VARIOUS SECTIONS, TO COMBINE TREE SAVE, PARKLAND AND OPEN SPACE REQUIREMENTS, PROVIDE INCENTIVES AND CREDITS FOR CERTAIN FEATURES, AND ADJUST STANDARDS TO FACILITATE REDEVELOPMENT AND USE OF SMALL LOTS. ORDINANCE NO. S2013-015**

# DRAFT

MOTION: Mayor Pro Tem Arp moved to adopt the proposed ordinance as presented by staff.  
SECOND: Council Member Bates  
VOTE: UNANIMOUS (10-0)

## 8.0 OTHER ITEMS OF BUSINESS

### 8.1 Uninhabitable Structures Demolition Recommendation

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

#### 442 S. Eastern Boulevard

Mr. Shuford stated the structures are vacant commercial buildings formerly used as a motel that were inspected and condemned as dangerous buildings on January 7, 2013. The motel was closed as a public nuisance by a Superior Court order in March 2012. A hearing on the condition of the buildings was conducted on January 23, 2013, in which the owner attended. A subsequent Hearing Order to repair or demolish the buildings within 60 days was issued and mailed to the owner on January 28, 2013. To date there have been no repairs to the buildings. The utilities to the office building have been disconnected since September 2012; utilities to the second building were disconnected approximately March 2012. There is no record of the utilities to the third building. In the past 24 months, there have been 193 calls for 911 service to the property. There have been no code violation cases and no pending assessments. Mr. Shuford stated the estimate to demolish the structures (not including asbestos removal) to be \$155,000. Mr. Shuford concluded by stating staff recommends Council move to adopt the ordinance authorizing demolition of the structure.

Council Member Applewhite stated Mr. Gibbs (an interested party of the property) had provided her with a copy of a proposal from a construction company to provide for a motel conversion to a room and boarding facility for the sum of \$2,763,000. Council Member Applewhite asked Mr. Gibbs if he had received approved funding for the proposed refurbishing. Mr. Gibbs responded he is awaiting grant funding.

Mayor Chavonne asked Mr. Gibbs if he owns the property. Mr. Gibbs stated he has a contract to purchase the property from Mr. Patel.

Council Member Crisp asked Mr. Gibbs what he is requesting. Mr. Gibbs responded he would like 60-90 days to see if the grant funding will be provided.

# DRAFT

A brief discussion ensued.

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA, REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY (442 S. Eastern Boulevard, PIN 0437-90-7308). ORDINANCE NO. NS2013-026.

MOTION: Council Member Massey moved to adopt the ordinance authorizing demolition of the structure to be effective on August 30, 2013, unless the property owner provides documentation of proof of ownership and identifiable funding sufficient for the repairs and renovation of the structures.

SECOND: Council Member Haire

VOTE: PASSED by a vote of 8 in favor and 2 in opposition (Mayor Chavonne and Council Member Hurst)

## 8.2 Discussion on forming a task force for crime prevention and a task force for economic development

MOTION: Council Member Crisp moved to charge the City Manager with creating a task force for crime prevention and a task force for economic development

SECOND: Mayor Pro Tem Arp

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

## 9.0 ADMINISTRATIVE REPORTS

### 9.1 Monthly statement of taxes for June 2013.

2012 Taxes.....	\$194,225.50
2012 Vehicle.....	361,192.69
2012 Taxes Revit.....	190.81
2012 Vehicle Revit.....	253.46
2012 FVT.....	40,199.30
2012 Transit.....	40,199.32
2012 Storm Water.....	4,714.15
2012 Fay Storm Water.....	9,428.27
2012 Fay Recycle Fee.....	11,387.11
2012 Annex.....	0.00
2011 Taxes.....	4,806.22
2011 Vehicle.....	6,019.51
2011 Taxes Revit.....	0.00
2011 Vehicle Revit.....	0.00
2011 FVT.....	1,066.08
2011 Transit.....	1,066.06
2011 Storm Water.....	262.49

# DRAFT

2011 Fay Storm Water.....	524.98
2011 Fay Recycle Fee.....	728.43
2011 Annex.....	0.00
2010 Taxes.....	969.13
2010 Vehicle.....	479.87
2010 Taxes Revit.....	0.00
2010 Vehicle Revit.....	0.00
2010 FVT.....	220.81
2010 Transit.....	220.81
2010 Storm Water.....	24.00
2010 Fay Storm Water.....	48.00
2010 Fay Recycle Fee.....	76.00
2010 Annex.....	0.00
2009 Taxes.....	266.88
2009 Vehicle.....	482.07
2009 Taxes Revit.....	0.00
2009 Vehicle Revit.....	0.00
2009 FVT.....	155.68
2009 Transit.....	155.68
2009 Storm Water.....	24.00
2009 Fay Storm Water.....	48.00
2009 Fay Recycle.....	76.00
2009 Annex.....	0.00
2008 and Prior Taxes.....	233.39
2008 and Prior Vehicle.....	1,518.85
2008 and Prior Taxes Revit.....	0.00
2008 and Prior Vehicle Revit.....	0.00
2008 and Prior FVT.....	336.61
2008 and Prior Transit.....	45.60
2008 and Prior Storm Water.....	144.00
2008 and Prior Fay Storm Water.....	0.00
2008 and Prior Fay Recycle Fee.....	0.00
2008 and Prior Annex.....	14.38
Interest.....	20,004.84
Revit Interest.....	10.31
Storm Water Interest.....	419.48
Fay Storm Water Interest.....	645.55
Annex Interest.....	1.68
Fay Recycle Interest.....	790.00
Fay Transit Interest.....	1,059.51
Total Tax and Interest.....	\$704,462.51

## 9.2 Tax Refunds of Less Than \$100

<u>Name</u>	<u>Year</u>	<u>Basis</u>	<u>City Refund</u>
S&S Tree Service	2012	Double Tax Listed	\$ 2.00

# DRAFT

Bright, Herbert	2011	Corrected Assessment	79.68
TOTAL			<u>\$81.68</u>

## 10.0 ADJOURNMENT

There being no further business, the meeting adjourned at 9:44 p.m.

Respectfully submitted,

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PAMELA J. MEGILL  
City Clerk

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ANTHONY G. CHAVONNE  
Mayor

072213

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Lisa Smith, Chief Financial Officer  
**DATE:** August 12, 2013  
**RE:** **Capital Project Ordinance Amendment 2014-17 (North Carolina Veterans Park)**

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**THE QUESTION:**

The proposed ordinance amendment will appropriate an additional \$695,641 for the North Carolina Veterans Park project.

**RELATIONSHIP TO STRATEGIC PLAN:**

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

**BACKGROUND:**

On December 10, 2012, Council authorized the sale of property located at 301 Bragg Boulevard. This ordinance amendment will appropriate \$695,353, resulting from the sale of the property, for further development of the North Carolina Veterans Park, including land acquisition. In addition, this amendment will appropriate \$288 in investment income for the project.

**ISSUES:**

None

**BUDGET IMPACT:**

See background information above.

**OPTIONS:**

- 1) Adopt Capital Project Ordinance Amendment 2014-17.
- 2) Do not adopt Capital Project Ordinance Amendment 2014-17.

**RECOMMENDED ACTION:**

Staff recommends that Council move to pass Capital Project Ordinance Amendment 2014-17.

**ATTACHMENTS:**

CPOA 2014-17 NC Veterans Park



**CAPITAL PROJECT ORDINANCE AMENDMENT  
CHANGE 2014-17 (CPO 2006-12)**

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

Section 1. The project change authorized is to Capital Project Ordinance 2006-12, adopted June 26, 2006, as amended, for land acquisition, demolition and other project costs including but not limited to site preparation for the development of a Veterans Park.

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

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

	Listed As	Amendment	Revised
State of North Carolina	\$ 2,300,000	\$ -	\$ 2,300,000
Investment Income	97,000	288	97,288
Sale of Assets	-	695,353	695,353
	<u>\$ 2,397,000</u>	<u>\$ 695,641</u>	<u>\$ 3,092,641</u>

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

Project Expenditures	<u>\$ 2,397,000</u>	<u>\$ 695,641</u>	<u>\$ 3,092,641</u>
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Section 5. Copies of the capital project ordinance amendment shall be made available to the budget officer and the finance officer for direction in carrying out the projects.

Adopted this 12th day of August, 2013.

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of the City Council  
**FROM:** Randy Hume, Transit Director  
**DATE:** August 12, 2013  
**RE:** **Approval of System-wide Transit Service Standards**

---

**THE QUESTION:**

Transit Service Standards

**RELATIONSHIP TO STRATEGIC PLAN:**

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

**BACKGROUND:**

The City of Fayetteville is the recipient of Federal Transit Administration (FTA) grants for support of the Fayetteville Area System of Transit (FAST). FTA requires recipients of federal transit funds to prepare plans and procedures to ensure compliance with Title VI of the Civil Rights Act. Since the enactment of the new MAP-21 surface transportation legislation, FTA has issued a new circular and guidance regarding Title VI plan submissions. The City and FAST is required to submit an updated Title VI plan to reflect all of the provisions of the new circular to FTA for approval in 2015 pursuant to its normal three-year recertification cycle. Although some of the submission requirements have been reduced due to FAST's system size (less than 50 peak fixed route buses), the new circular requires all grantees to submit "system-wide service standards and policies" approved by their governing board to FTA in 2013. These standards need to be uploaded to the FTA grants management system prior to implementing any service changes occurring after April 2013.

A recommended set of service standards was reviewed with Council at the August 5, 2013 work session. These were also reviewed and recommended by the Fayetteville Advisory Committee on Transit (FACT)

The attached service standards and resolution are now presented for approval.

**ISSUES:**

Approved system-wide service standards are required for continued receipt of federal grant funds.

**BUDGET IMPACT:**

No additional cost.

**OPTIONS:**

Approve or reject.

**RECOMMENDED ACTION:**

Staff recommends that Council move to adopt Resolution adopting the attached Transit Service Standards.

**ATTACHMENTS:**

Resolution to Adopt Transit Service Standards and Policies  
Transit Service Standards

**RESOLUTION TO ADOPT TRANSIT SERVICE STANDARDS  
AND POLICIES**

**WHEREAS**, the City of Fayetteville provides public transportation services; and

**WHEREAS**, the City is the recipient of federal transit grants from the Federal Transit Administration (FTA) pursuant to 49 U.S.C. Chapter 53; and

**WHEREAS**, federal transit grant recipients are required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964; and

**WHEREAS**, FTA requires that all fixed route providers of public transportation to adopt system-wide service standards and policies to ensure service design and operations practices do not result in discrimination on the basis of race, color, or national origin.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fayetteville that the Transit Service Standards and Policies as attached are hereby approved and adopted.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA**, on this, the 12<sup>th</sup> day of August, 2013; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

\_\_\_\_\_  
ANTHONY G. CHAVONNE, Mayor

ATTEST:

\_\_\_\_\_  
PAMELA J. MEGILL, City Clerk

## **Service Standards & Policies**

Service standards and guidelines serve as useful policy tools that reflect the mission and goals of the transit organization. These define attributes of service design and delivery, as well as, create an objective set of criteria under which existing services, proposed alterations to services and prospective new services are evaluated. Service standards also provide a basis for the open and equitable allocation of budget-limited service resources in accordance with the Title VI and Environmental Justice requirements.

### **Vehicle Load:**

Vehicle Load Factor (passengers on board/bus seating capacity) shall not exceed 1.3 (i.e., 30% standing) on any trip for more than 10 minutes.

Routes with Vehicle Loads exceeding 1.3 will be considered first for headway improvement.

### **Vehicle Headway/Frequency of Service:**

Regular Fixed Route Vehicle Headway on any route shall not exceed 60 minutes (or one vehicle per hour frequency) between 6:00 a.m. and 7:00 p.m.

Regular Fixed Route Vehicle Headway may exceed 60 minutes before 6:00 a.m. and after 7:00 p.m. (weekdays and Saturday) or at any time on Sunday.

This headway standard shall not apply to express bus or suburban bus services.

### **On-Time Performance:**

On-time is defined as the trips completed between one (1) minute early and five (5) minutes late as compared to schedule. Arriving at a trip's destination point early will not be counted as an early for calculations purposes.

System-wide on-time performance shall be a minimum of 95% of schedule at route origins and destinations (i.e., terminal points).

Individual route on-time performance shall be a minimum of 90% of schedule at route origins and destinations.

System-wide on-time performance shall be a minimum of 70% of schedule at published time points.

### Service Availability:

- Access to Service: Sixty percent (60%) of service area residents shall have access to bus service. Access to bus service is defined as less than ½ mile walk from residence to bus stop from 6:00 a.m. to 7:00 p.m. on weekdays
- Bus Stop Spacing: Stops shall be no closer than 800 feet, unless land use and passenger demand indicate a need for closer stops.
- Minimum five (5) stops per mile in core
- Minimum two (2) stops per mile in outlying areas (depending on density and land use)
- Bus stop spacing standards shall not apply to express or limited stop bus service

### Route Design:

Routes shall operate on major thoroughfares or arterial streets to the maximum extent possible. Exceptions will be allowed for turnaround loops or major destinations located on non-arterial streets. Services should be designed to operate in two directions on the same street whenever possible in order to reduce confusion to passengers and maximize service effectiveness. However, due to street configurations, some loop routes may be necessary.

Route Deviation Fixed routes may deviate off their primary alignment for a variety of reasons – to serve a major destination, to avoid a bottleneck and to provide coverage. Deviations off the basic alignment of a fixed route should be minimized whenever possible. Any deviations considered as a part of a route change should meet the following criteria:

- a) The additional time necessary for the deviation should not exceed five minutes, or 10% of the one-way travel time of the existing route without deviation.
- b) Deviations should result in an increase in overall route productivity.

### Distribution of Transit Amenities:

- Bus Shelters At stops with 20 or more boardings per day or locations where 3 or more routes converge
- Bus Benches At stops with 10 or more boardings per day

Bus Stop Signs	At all stops. Bus stop signs should display FAST name, information contact number and route/schedule
Sponsorships	Shelters or benches may be placed at stops that have less boardings than noted above when a non-City entity agrees to provide funding to sponsor such stop.

#### Vehicle Assignment:

Vehicle Equipment	Revenue vehicles shall be clean, in good condition, with working ramp or lift and working air conditioning or heat (depending on season)
Route Assignment	Higher capacity buses shall be used on routes with the highest ridership and load factors
Vehicle Age/Mileage	Vehicles shall be distributed equally throughout the route system. Vehicle assignments shall be evaluated every six (6) months to ensure equitable aging (accumulated miles) and distribution to all routes.

#### Evaluating and Altering Services

FAST strives to allocate service resources equitably and efficiently. Circumstances may change requiring that routes be evaluated and adjusted to ensure effectiveness and proper allocation of resources. Routes will be evaluated at least annually. Although several factors are considered, the primary route productivity measure FAST will use is Total Passengers per Revenue Service Hour.

Routes to Review	Less than 80% of system average Passengers per Hour
Routes to Modify	Less than 60% of system average Passengers per Hour
Maturing Service	New routes do not generally generate stable ridership levels immediately. A two-year period permits adequate time to build a transit market. Routes that have operated less than two years will be considered maturing. Maturing routes will be monitored but may be exempted from corrective actions to provide opportunity to meet ridership expectations. FAST anticipates making fine-tuning adjustments to maturing routes over its first two years.
Lifeline Routes	Factors such as percentage of population below federal poverty guidelines, elderly population, and zero-vehicle households will be examined when considering route modifications.

#### Corrective Actions:

- |                     |  |
|---------------------|--|
| Targeted Marketing  | Low ridership may result from a lack of awareness of routes and services available. A targeted marketing campaign before a service reduction may be considered.  |
| Route Realignment   | A route may miss several key locations which can be accessed with short route deviations or extensions. A route may also have unproductive segments. Careful evaluation of boardings by stop can result in route revisions that can help to build ridership and improve service productivity.  |
| Service Reduction   | A route may have more frequent service than warranted by load factors or ridership. Headway adjustments, reductions in hours of operation, and/or elimination of service on weekends may improve route productivity with limited negative impacts.   |
| Service Elimination | If ridership is consistently poor with little hope for future growth, a route may be eliminated. Service elimination is a last resort and generally follows prior actions to improve productivity. Elimination of service does not preclude restoration of service at a later time, but new factors supporting ridership demand must exist before such a step is considered. |

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Jim Autry, PWC Right of Way Supervisor  
**DATE:** August 12, 2013  
**RE:** Request from Mitchell Properties of Florence, Inc.

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**THE QUESTION:**

How to respond to a request from Mitchell Properties of Florence, Inc. for the release and reconveyance of the unused portion of a water and sewer easement located on its property in order for the owner to more efficiently and productively develop the property?

**RELATIONSHIP TO STRATEGIC PLAN:**

More Efficient City Government; Growing City, Livable Neighborhoods.

**BACKGROUND:**

Mitchell Properties of Florence, Inc., (the "Owner") is the owner of certain property located on the south side of US 401 South (Raeford Road), Fayetteville, North Carolina (the "Property") lying west of Ireland Drive and east of Hope Mills Road as described in deeds recorded in Book 7451, Page 586 (corrected by Book 8728, Page 196) and Book 8763, Page 281, of the Cumberland County, NC, Registry. It wishes to develop the property in the most efficient, attractive and cost effective way. The Public Works Commission (PWC) is the owner of a certain water and sewer easement located on the Property. The westernmost 287' of the easement is not in use and adversely affects the plans of development thereby reducing the most efficient and productive use of the property.

The previous owner of the Property, working with the Public Works Commission, attempted to effectuate the abandonment of this 287' by the recording of a new utility easement in Book 3289, Page 688 of the Cumberland County Registry; however, the City of Fayetteville did not sign this instrument. The westernmost 287' of the easement is shown on the drawing attached to this instrument. The Owner is requesting the City to reconvey to the Owner the westernmost 287' of the original easement which is not being used. No additional easements will be required from the Owner for any relocation. The release and reconveyance of the sewer easement will not interfere with or reduce the functionality of the water and sewer system serving this area. The City is in agreement with the relocation.

**ISSUES:**

Whether the City is amenable to releasing the westernmost 287' of its present water and sewer easement upon the Property.

**BUDGET IMPACT:**

The Owner will provide the necessary document for the release of the easement entirely at its expense and at no expense to the PWC.

**OPTIONS:**

1. Agree to the release and reconveyance of the westernmost 287' of the above-described easement and authorize the City Manager to execute the necessary documents.
2. Reject the release and reconveyance.

**RECOMMENDED ACTION:**

Staff recommends that Council authorize the City Manager to execute the necessary documents to effectuate the release and reconveyance as described herein.



**ATTACHMENTS:**

Back up documents

10 Rev.

NORTH CAROLINA

CUMBERLAND COUNTY

20603

3289 8688  
UTILITY EASEMENT  
(WATER & SANITARY SEWER)  
PWC EASEMENT NO. 8690LOCATION 6-5/397  
022892

THIS INSTRUMENT made this 29th day of May

1987  
RECEIVED  
FOR  
REGISTRATION

by C. E. Mitchell and wife, Miriam B. Mitchell; and John Kassab and wife, Adele B. Kassab

herein called Grantor,  
to THE CITY OF FAYETTEVILLE, A Municipal Corporation,  
herein called Grantee,'87 MAY 29 AM 11 57  
GEORGE E. TATUM  
REGISTER OF DEEDS  
CUMBERLAND COUNTY NC

all of said State and County,

## WITNESSETH THAT:

Grantor, for one dollar and other valuable consideration, hereby acknowledged as paid and received, has bargained and sold, and by these presents does grant, bargain, sell and convey to Grantee, its successors and assigns, the perpetual right, easement and privilege to build, construct, lay, install, maintain and operate water, sanitary sewer and storm sewer (any or all) lines, with such pipes, drains, connections, manholes, and other attachments, equipment and accessories necessary or desirable in connection therewith, to have full ingress and egress, thereto, and therefrom, over adjoining lands, of Grantor, to patrol, inspect, alter, improve, repair, relocate, remove, and replace any or all of such lines, pipes, drains, connections, manholes, and other attachments, equipment and accessories, to cut and keep clear all trees and undergrowth located within ten feet of said lines and equipment and to have all rights and privileges necessary or convenient for the full enjoyment or use of this easement, in, on, under, over, through and across certain and described as follows:

## NORTH CAROLINA — CUMBERLAND COUNTY — TOWNSHIP OF SEVENTY-FIRST

The following described easement lies within that certain parcel of land located on the south side of Raeford Road (US-401) and the west side of Scotland Drive as described in the deed or record duly recorded in Book 2342, Page 335, Cumberland County Registry.

Beginning at a point on the western right-of-way of Scotland Drive, said point being located S. 03° 30' E., 175.04 feet from the northeast corner of the original tract of which this is a part; said Beginning point also being located S. 03° 30' E., 20.00 feet from the southeast corner of a lot conveyed by Grantors to James D. Sanderson recorded in Book 2921, Page 3, Cumberland County Registry, and runs thence for the first and only call N. 86° 20' W., 193 feet to a point.

Being the centerline description for a twenty-foot wide easement as shown on PWC Drawing AW-7152, a copy of which is attached and labeled Exhibit "A".

This easement is being recorded for the purpose of describing an easement 10 feet in width on each side of that portion of the sanitary sewer main which Public Works Commission is going to continue to operate and maintain. The original easement description recorded in Book 2964, Page 462 described a 20-foot wide right-of-way which extended from the western margin of Scotland Drive on a bearing of N. 86° 20' W., a distance of 480 feet. To accommodate the further development of Grantor's property, Public Works Commission has been requested and has agreed to abandon the western most 287 feet of said original easement.

Reference: Book 2342, Page 335; Book 2921, Page 3  
Drawing DS-7484

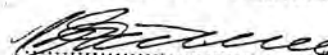
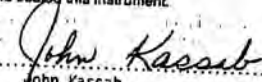
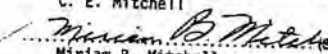
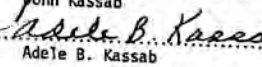
DRAWN BY: Tom McNeill

For title reference, see the following in Cumberland County, N.C. Registry:

TO HAVE, TO HOLD, AND TO ENJOY said right, easement, and privilege as above fully defined and described, in, on, under, over, through and across said land, and all privileges and appurtenances thereto belonging, to Grantee, its successors and assigns, forever, and that Grantor will warrant and defend the title to the same against the lawful claims of all persons.

Wherever used herein, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders as the context may require.

IN TESTIMONY WHEREOF, Grantor has signed and sealed this instrument.

 C. E. Mitchell (SEAL)	 John Kassab (SEAL)
 Miriam B. Mitchell (SEAL)	 Adele B. Kassab (SEAL)
..... (SEAL)	..... (SEAL)
..... (SEAL)	..... (SEAL)

NORTH CAROLINA — CUMBERLAND COUNTY.

I, \_\_\_\_\_, a Notary Public of said County and State,  
certify that \_\_\_\_\_ personally came before me this \_\_\_\_\_ day and acknowledged that \_\_\_\_\_ he is \_\_\_\_\_ Secretary of \_\_\_\_\_ a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by himself as its Secretary.  
WITNESS my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

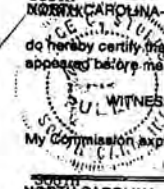
My Commission expires: \_\_\_\_\_  
Notary Public.

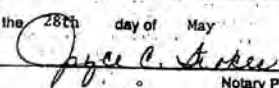
NORTH CAROLINA — CUMBERLAND COUNTY.

I, \_\_\_\_\_, a Notary Public of said County and State,  
certify that \_\_\_\_\_ personally came before me this \_\_\_\_\_ day and acknowledged that \_\_\_\_\_ he is \_\_\_\_\_ Secretary of \_\_\_\_\_ a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by himself as its Secretary.  
WITNESS my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

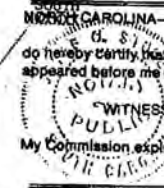
My Commission expires: \_\_\_\_\_  
Notary Public.

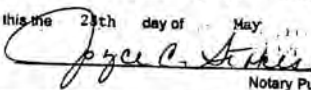
~~SOUTH CAROLINA — CUMBERLAND COUNTY~~  
~~NORTH CAROLINA — CUMBERLAND COUNTY~~

  
do hereby certify that Joyce C. Stokes, C. E. Mitchell and Miriam B. Mitchell, a Notary Public of said County and State, personally appeared before me this day, and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal, this the 28th day of May, 19 87.  
My Commission expires: 8-4-92  
  
Notary Public.

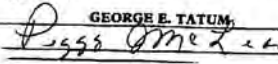
~~SOUTH CAROLINA — CUMBERLAND COUNTY~~  
~~NORTH CAROLINA — CUMBERLAND COUNTY~~

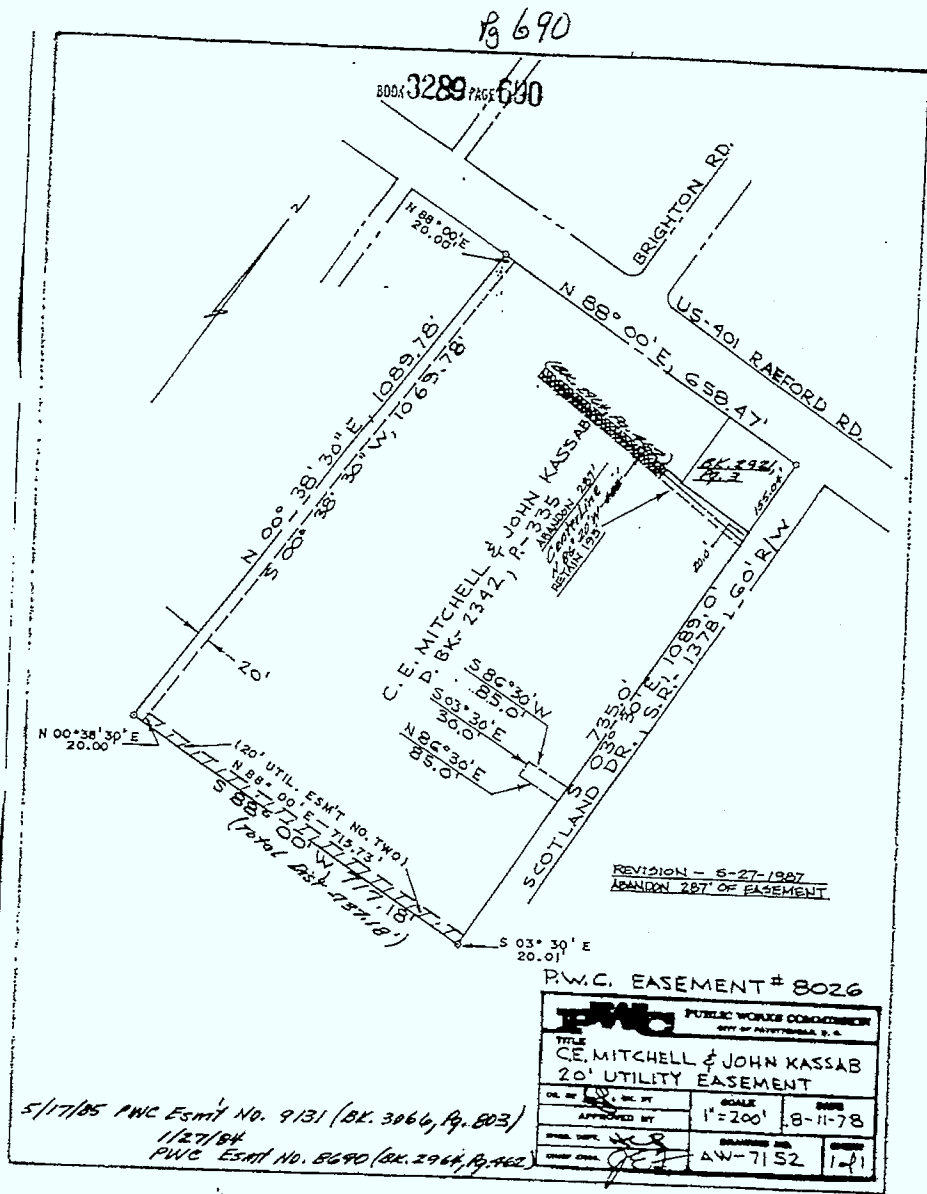
  
do hereby certify that John Kassab and Adele B. Kassab, a Notary Public of said County and State, personally appeared before me this day, and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal, this the 23th day of May, 19 87.  
My Commission expires: 8-4-92  
  
Notary Public.

The foregoing Certificate(s) of 

are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By  GEORGE E. TATUM, REGISTER OF DEEDS FOR CUMBERLAND COUNTY, Deputy/Assistant Register of Deeds NO REVENUE



## EXHIBIT B

### RECONVEYANCE OF EASEMENT

Prepared by/Mail after recording to:  
Rebecca F. Person  
P.O. Box 53606  
Fayetteville, NC 28305

THIS RECONVEYANCE OF EASEMENT is made and entered into the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between THE CITY OF FAYETTEVILLE (hereinafter the "City"), as Grantor, and MITCHELL PROPERTIES OF FLORENCE, INC., hereinafter called Grantee;

#### WITNESSETH:

Grantee is the owner of certain property located on the South side of US 401 South (Raeford Road), Fayetteville, North Carolina (the "Property") as described in deeds recorded in Book 7451, Page 586 (corrected by Book 8728, Page 196) and Book 8763, Page 281, of the Cumberland County, NC, Registry. By instrument recorded in Book 2964, Page 462, of said Registry, Grantee's predecessor in title conveyed to the City a water and sewer easement (the "Easement") upon the Property. Subsequently, said parties attempted to release a portion of said Easement by instrument recorded in Book 3289, Page 688, of said Registry; however, the City did not execute said instrument. Grantee has requested that the City execute this instrument to



reconvey to Grantee a portion of the City's rights as were attempted to be released in Book 3289, Page 688 of said Registry.

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) to him in hand paid, the receipt of which is hereby acknowledged, the City has remised and released and by these presents does remise, release, convey, and forever quitclaim unto the Grantee, its successors and assigns, all right, title, claim and interest of the City, in and to the property described as follows:

The westernmost 287 feet of that certain easement described in Book 2964, Page 462, of the Cumberland County Registry; the same being shown as a cross-hatched area upon the drawing attached to utility easement in Book 3289, Page 688, of the Cumberland County, NC, Registry.

Nothing in this instrument shall be interpreted as a release or conveyance of the City's remaining interest in said Easement except as released and reconveyed in this instrument.

TO HAVE AND TO HOLD the aforesaid interest in said lot or parcel of land and all privileges thereunto belonging to him, the Grantee, his heirs and/or successors and assigns, free and discharged from all right, title, claim or interest of the City or anyone claiming by, through or under it.

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

[SIGNATURES CONTINUED ON NEXT PAGE]

IN WITNESS WHEREOF, the City of Fayetteville has caused this instrument to be signed and sealed on its behalf.

**THE CITY OF FAYETTEVILLE**

By: \_\_\_\_\_ (SEAL)  
Theodore L. Voorhees, City Manager

Attest: \_\_\_\_\_ (SEAL)  
Pamela J. Megill, City Clerk

NORTH CAROLINA  
CUMBERLAND COUNTY

I, \_\_\_\_\_, a Notary Public for said County and State, do hereby certify that Theodore L. Voorhees personally came before me this day and acknowledged that he is the City Manager for the City of Fayetteville, and that he, as City Manager, being authorized to do so, executed the foregoing on behalf of the municipal corporation.

Date: \_\_\_\_\_  
\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed or Typed Name of Notary Public

My commission expires: \_\_\_\_\_

## RECONVEYANCE OF EASEMENT

Prepared by/Mail after recording to:  
Rebecca F. Person  
P.O. Box 53606  
Fayetteville, NC 28305

THIS RECONVEYANCE OF EASEMENT is made and entered into the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between THE CITY OF FAYETTEVILLE (hereinafter the "City"), as Grantor, and MITCHELL PROPERTIES OF FLORENCE, INC., hereinafter called Grantee;

### WITNESSETH:

Grantee is the owner of certain property located on the South side of US 401 South (Raeford Road), Fayetteville, North Carolina (the "Property") as described in deeds recorded in Book 7451, Page 586 (corrected by Book 8728, Page 196) and Book 8763, Page 281, of the Cumberland County, NC, Registry. By instrument recorded in Book 2964, Page 462, of said Registry, Grantee's predecessor in title conveyed to the City a water and sewer easement (the "Easement") upon the Property. Subsequently, said parties attempted to release a portion of said Easement by instrument recorded in Book 3289, Page 688, of said Registry; however, the City did not execute said instrument. Grantee has requested that the City execute this instrument to



reconvey to Grantee a portion of the City's rights as were attempted to be released in Book 3289, Page 688 of said Registry.

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) to him in hand paid, the receipt of which is hereby acknowledged, the City has remised and released and by these presents does remise, release, convey, and forever quitclaim unto the Grantee, its successors and assigns, all right, title, claim and interest of the City, in and to the property described as follows:

The westernmost 287 feet of that certain easement described in Book 2964, Page 462, of the Cumberland County Registry; the same being shown as a cross-hatched area upon the drawing attached to utility easement in Book 3289, Page 688, of the Cumberland County, NC, Registry.

Nothing in this instrument shall be interpreted as a release or conveyance of the City's remaining interest in said Easement except as released and reconveyed in this instrument.

TO HAVE AND TO HOLD the aforesaid interest in said lot or parcel of land and all privileges thereunto belonging to him, the Grantee, his heirs and/or successors and assigns, free and discharged from all right, title, claim or interest of the City or anyone claiming by, through or under it.

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

[SIGNATURES CONTINUED ON NEXT PAGE]

IN WITNESS WHEREOF, the City of Fayetteville has caused this instrument to be signed  
and sealed on its behalf.

**THE CITY OF FAYETTEVILLE**

By: \_\_\_\_\_ (SEAL)  
Theodore L. Voorhees, City Manager

Attest: \_\_\_\_\_ (SEAL)  
Pamela J. Megill, City Clerk

NORTH CAROLINA  
CUMBERLAND COUNTY

I, \_\_\_\_\_, a Notary Public for said County  
and State, do hereby certify that Theodore L. Voorhees personally came before me this day and  
acknowledged that he is the City Manager for the City of Fayetteville, and that he, as City Manager, being  
authorized to do so, executed the foregoing on behalf of the municipal corporation.

Date: \_\_\_\_\_  
\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed or Typed Name of Notary Public

My commission expires: \_\_\_\_\_

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of City Council  
**FROM:** Jim Autry, PWC Right of Way Supervisor  
**DATE:** August 12, 2013  
**RE:** Request from Bill Properties

---

**THE QUESTION:**

How to respond to a request from Bill Properties to relocate at its expense certain sewer easements located on its property to new easement areas granted by the landowner in order for the owner to more efficiently and productively develop the property?

**RELATIONSHIP TO STRATEGIC PLAN:**

More Efficient City Government; Growing City, Livable Neighborhoods.

**BACKGROUND:**

Bill Properties (the "Owner") is a North Carolina general partnership located in Fayetteville. It is the owner of all of Lot 5 in a subdivision known as NORTHVIEW PLAZA, A ZERO LOT LINE DEVELOPMENT, according to a plat of the same duly recorded in Book of Plats 90, Page 46, Cumberland County Registry ("Lot 5"), a copy of which is attached. It wishes to develop the property in the most efficient, attractive and cost effective way. The Public Works Commission (PWC) is the owner of certain sewer easements which cross Lot 5 in such a manner that it adversely affects the plans of development thereby reducing the most efficient and productive use of the property. The Owner is requesting the City to relocate those easements to other areas of Lot 5 in order to make a better and more valuable development of that property. The Owner has offered to grant new easements to the City in exchange for the City releasing its present easements crossing Lot 5. The relocation of the sewer easements will not interfere with or reduce the functionality of the sewer system serving this area. PWC is in agreement with the relocation.

The City is the owner of the easements labeled "Existing Easement #1B To Be Abolished" and "Existing Easement #2B To Be Abolished" shown on the PWC Drawing: AS-14566B entitled "Bill Properties", prepared by 4D Site Solutions, Inc., and attached hereto as EXHIBIT "A". These easements are also shown on the plat entitled "NORTH VIEW PLAZA" and recorded in Plat Book 90, Page 46, Cumberland County Registry. These are the two easements which the Owner is requesting to be released and they are further described on the attached EXHIBIT\_"B".

In exchange for the release of the two easements described above, the Owner will convey new sewer easements to the City as replacements for those replaced. The new easements are shown on the attached EXHIBIT "A" as "Proposed Easement #1A" and "Proposed 20' Utility Easement #1B" and also further described on the attached EXHIBIT\_"B".

**ISSUES:**

Whether the City is amenable to releasing its present sewer easements in North View Plaza in exchange for the Owner thereof providing new easements within which to relocate those being released in the same subdivision.

**BUDGET IMPACT:**

No known impact. The Owner will provide the new easements and install all of the utility lines within those easements entirely at its expense and at no expense to the PWC.

**OPTIONS:**

1. Agree to the relocation plan as proposed above and authorize the City Manager to execute the necessary documents.

2. Reject the relocation plan.

**RECOMMENDED ACTION:**

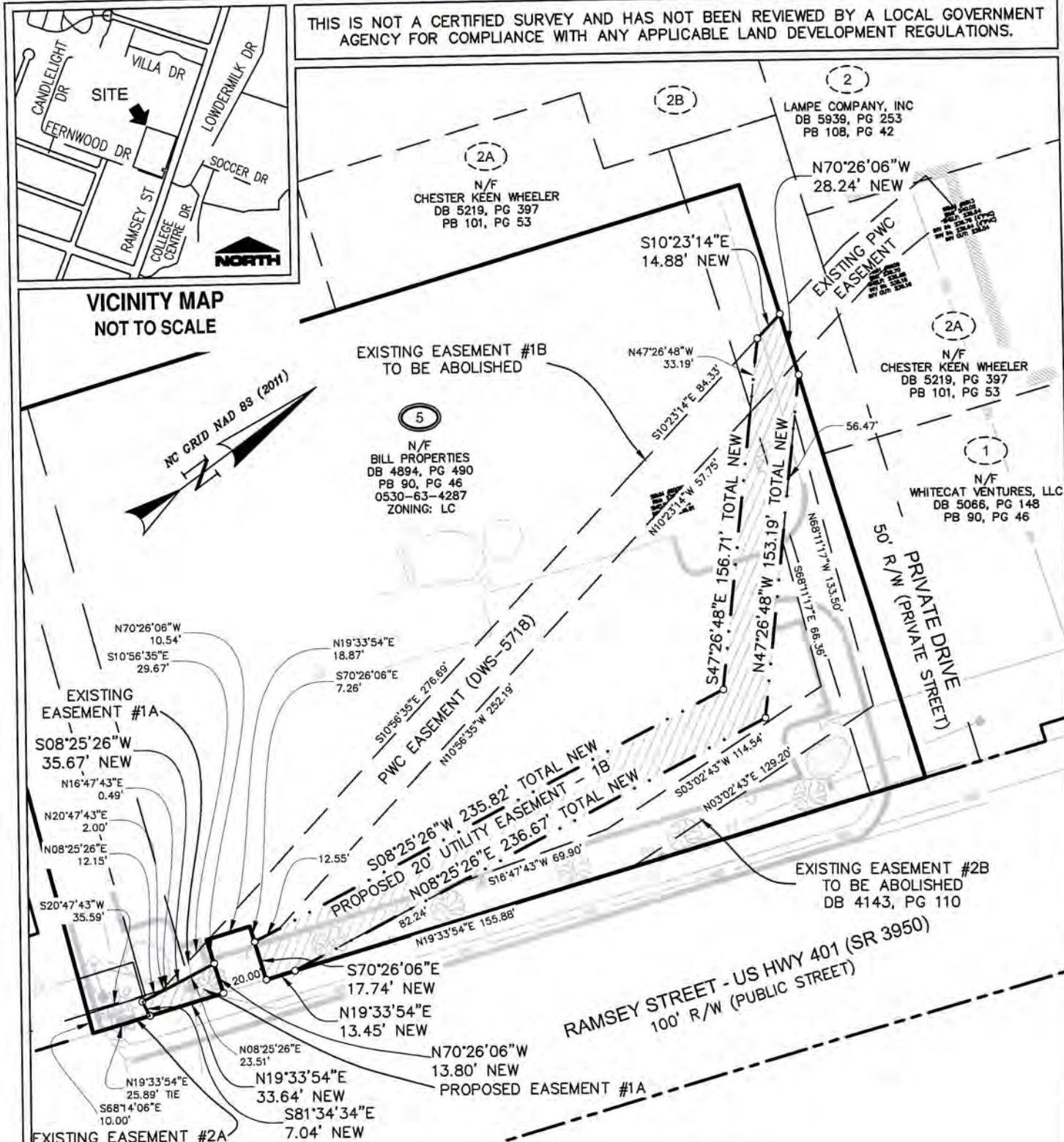
Staff recommends Council move to authorize the City Manager to execute the necessary documents to authorize the plan to relocate at the Owner's expense the easements in North View Plaza as outlined and release those parts of the existing easements as described above to accept for the City the new easements conveyed by the Owner within which to install the relocated utility line(s).

**ATTACHMENTS:**

Back-up documents

EXHIBIT A

THIS IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.



AREA (By Coordinate Computation)  
EASEMENT AREA #1 TO BE ABOLISHED = 6,850 SF (0.16 AC)  
EASEMENT AREA #2 TO BE ABOLISHED = 6,613 SF (0.15 AC)  
TOTAL EASEMENT AREA TO BE ABOLISHED = 13,462 SF (0.31 AC)  
PROPOSED UTILITY EASEMENT = 8,483 SF (0.19 AC)

- NOTES:
- 1. THIS MAP WAS PREPARED FROM RECORDED MAPS, DEEDS, AND A PARTIAL FIELD SURVEY.
  - 2. THIS MAP HAS BEEN PREPARED FOR EASEMENT ACQUISITION ONLY.

LEGEND:  
R/W—RIGHT OF WAY  
PI—POINT OF INTERSECTION  
EIR—EXISTING IRON ROD  
CP—COMPUTED POINT

409 Chicago Drive - Suite 112  
Fayetteville, North Carolina 28306  
Phone: (910) 426-6777  
Fax: (910) 426-5777  
License Number: C-2354

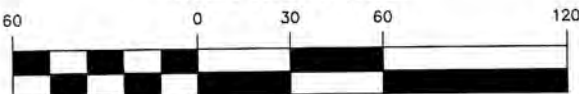
4D SITE SOLUTIONS, INC  
ENGINEERING SURVEYING GPS CONSTRUCTION LAYOUT



SEAN R. SEEVER PLS L-4571

UTILITY EASEMENT FOR PWC EXHIBIT "A"

GRAPHIC SCALE



PROJECT NO. 655

PWC PUBLIC WORKS COMMISSION OF THE CITY OF FAYETTEVILLE, N.C.		
OWNER'S NAME: BILL PROPERTIES		
TOWNSHIP: CROSS CREEK	PIN: 0530-63-4287	DB 4894, PG 490
UTILITY EASEMENT		
COUNTY: CUMBERLAND	STATE: NORTH CAROLINA	
DRAWN BY: DALE	DATE: AUGUST 2, 2013	
CHECKED BY: SEAN	SCALE: 1" = 60'	
APPROVED BY:	DWG #: AS-14566B	



## EXHIBIT B

**Bill Properties  
Township of Cross Creek  
Fayetteville, North Carolina  
PIN 0530-63-4287**

The following described easement lies within that certain parcel of land on the north side of Fernwood Drive and on the west side of Ramsey Street and being more fully described by deed and plat duly recorded in Deed Book 4894, Page 490, Plat Book 90, Page 46 both of the Cumberland County, North Carolina Registry.

**Existing Easement 1A – to be abolished**

The following described existing easement varies in width, containing 141 square feet more or less and being more particularly described as follows:

**COMMENCING** at the southern corner of the Bill Properties parcel as described in Deed Book 4894 at Page 490, thence running with the western right-of-way margin of Ramsey Street N19°33'54"E 25.89 feet to a point, thence leaving said right-of-way margin S81°34'34"E 7.04 feet to a point, thence N08°25'26"E 12.15 feet to the **POINT OF BEGINNING**, thence N08°25'26"E 23.51 feet to a point in said right-of-way margin, thence running with said right-of-way margin N70°26'06"W 10.54 feet to a point, thence leaving said right-of-way margin and running with an existing easement line for the next 3 calls: S10°56'35"E 29.67 feet to a point, thence N20°47'43"E 2.00 feet to a point, thence N16°47'43"E 0.49 feet to the **POINT OF BEGINNING** and is shown in greater detail on the attached P.W.C. Drawing AS-14566B labeled "Exhibit A".

**Existing Easement 1B – to be abolished**

The following described existing easement being 20 feet in width, containing 6,709 square feet more or less and being more particularly described as follows:

**COMMENCING** at the southern corner of the Bill Properties parcel as described in Deed Book 4894 at Page 490, thence running with the western right-of-way margin of Ramsey Street N19°33'54"E 59.53 feet to a point, thence leaving said right-of-way margin N19°33'54"E 20.00 feet to a point, thence running with said right-of-way margin N70°26'06"W 17.74 feet to the **POINT OF BEGINNING**, thence leaving said right-of-way margin and running with an existing easement line for the next 6 calls: N08°25'26"W 12.55 feet to a point, thence N10°56'35"W 252.19 feet to a point, thence N10°23'14"W 57.75 feet to a point, thence N47°26'48"W 33.19, thence S10°23'14"E 84.33 feet to a point, thence S10°56'35"E 276.69 feet to a point in said right-of-way margin, thence running with said right-of-way margin N19°33'54"E 18.87 feet to a point, thence running with said right-of-way margin S70°26'06"E 7.26 feet to the **POINT OF**

**BEGINNING** and is shown in greater detail on the attached P.W.C. Drawing AS-14566B labeled "Exhibit A".

**Existing Easement 2B – to be abolished**

The following described existing easement being 20 feet in width, containing 6,356 square feet more or less and being more particularly described as follows:

**COMMENCING** at the southern corner of the Bill Properties parcel as described in Deed Book 4894 at Page 490, thence running with the western right-of-way margin of Ramsey Street N19°33'54"E 59.53 feet to a point, thence leaving said right-of-way margin N19°33'54"E 20.00 feet to a point, thence running with said right-of-way margin N19°33'54"E 13.45 feet to the **POINT OF BEGINNING**, thence continuing with said right-of-way margin N19°33'54"E 155.88 feet to a point, thence leaving said right-of-way margin and running with an existing easement line for the next 7 calls: N°03'02"43"E 129.20 feet to a point, thence N68°11'17"W 133.50 feet to a point, thence S47°26'48"W 56.47 feet to a point, thence S68°11'17"E 66.36 feet to a point, thence S03°02'43"W 114.54 feet to a point, thence S16°47'43"W 69.90 feet to a point, thence S08°25'26"W 82.24 feet to the **POINT OF BEGINNING** and is shown in greater detail on the attached P.W.C. Drawing AS-14566B labeled "Exhibit A".

**Proposed Utility Easement 1A**

The following described proposed easement varies in width, containing 358 square feet more or less and being more particularly described as follows:

**COMMENCING** at the southern corner of the Bill Properties parcel as described in Deed Book 4894 at Page 490, thence running with the western right-of-way margin of Ramsey Street N19°33'54"E 25.89 feet to the **POINT OF BEGINNING**, thence running with said right-of-way margin N19°33'54"E 33.64 feet to a point, thence continuing with said right-of-way margin N70°26'06"W 13.80 feet to a point, thence leaving said right-of-way margin S08°25'26"W 35.67 feet to a point, thence S81°34'34"E 7.04 feet to the **POINT OF BEGINNING** and is shown in greater detail on the attached P.W.C. Drawing AS-14566B labeled "Exhibit A".

**Proposed Utility Easement 1B**

The following described proposed easement being 20 feet in width, containing 8,125 square feet more or less and being more particularly described as follows:

**COMMENCING** at the southern corner of the Bill Properties parcel as described in Deed Book 4894 at Page 490, thence running with the western right-of-way margin of Ramsey Street N19°33'54"E 59.53 feet to a point, thence leaving said right-of-way margin N19°33'54"E 20.00 feet to the **POINT OF BEGINNING**, thence running with said right of way margin N19°33'54"E 13.45 feet to a point, thence leaving said right-of-way margin and running with a new easement line for the next 6 calls: N08°25'26"E 236.67 feet to a point, thence N47°26'48"W 153.19 feet to a point, thence N70°26'06"W 28.24 feet to a point, thence S10°23'14"E 14.88, thence S47°26'48"E 156.71 feet to a point, thence S08°25'26"W 235.82 feet to a point in said right-of-way margin, thence running with said right-of-way margin S70°26'06"E 17.74 feet to the **POINT OF BEGINNING** and is shown in greater detail on the attached P.W.C. Drawing AS-14566B labeled "Exhibit A".



90/46

EXHIBIT C

46



**NOTICE TO CONTRACTORS**  
The undersigned hereby certifies that the information furnished herein is true and correct to the best of his knowledge and belief, and that he is not aware of any facts or circumstances which might render the same misleading or incomplete.  
Witness my hand and seal of office this 1st day of May, 1993.  
By *James J. Smith*  
Mayor, City of Fayetteville  
Seal of the City of Fayetteville, Arkansas



**NOTICE TO CONTRACTORS**  
The undersigned hereby certifies that the information furnished herein is true and correct to the best of his knowledge and belief, and that he is not aware of any facts or circumstances which might render the same misleading or incomplete.  
Witness my hand and seal of office this 1st day of May, 1993.  
By *James J. Smith*  
Mayor, City of Fayetteville  
Seal of the City of Fayetteville, Arkansas

*James J. Smith*  
Mayor, City of Fayetteville  
Seal of the City of Fayetteville, Arkansas

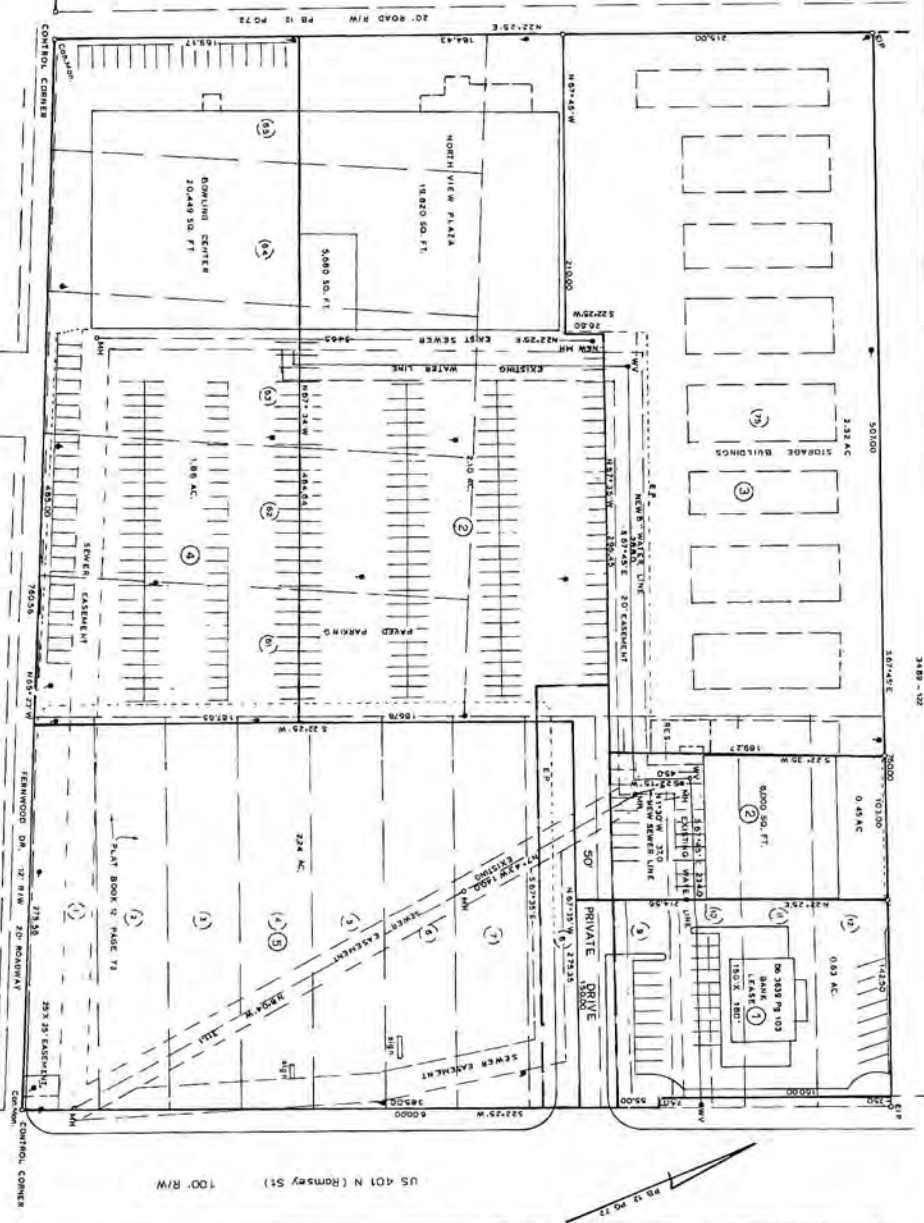
**NOTICE TO CONTRACTORS**  
The undersigned hereby certifies that the information furnished herein is true and correct to the best of his knowledge and belief, and that he is not aware of any facts or circumstances which might render the same misleading or incomplete.  
Witness my hand and seal of office this 1st day of May, 1993.  
By *James J. Smith*  
Mayor, City of Fayetteville  
Seal of the City of Fayetteville, Arkansas

**CITY OF FAYETTEVILLE**  
Seal of the City of Fayetteville, Arkansas



PRIVATE DRIVE RIGHTS-OR-WAY SHOWN ON THIS PLAN ARE FOR PRIVATE USE. HAVE NOT BEEN DEEMED FOR MAINTENANCE BY THE CITY OF FAYETTEVILLE. THE CITY OF FAYETTEVILLE DOES NOT ACCEPT STREET LIGHT STANDARDS AND ARE TO BE MAINTAINED BY LOT OWNERS.

*Michael J. Smith*  
Mayor, City of Fayetteville  
Seal of the City of Fayetteville, Arkansas



LEGEND  
O CONCRETE MONUMENT  
X EXISTING IRON

NORTH VIEW PLAZA		SURVEY BY	
A ZERO LOT LINE DEVELOPMENT		FINNEY E. CAIN, II, COLUMBIA ST. FAYETTEVILLE, N.C.	
CARTERS STREET TOWNSHIP		JAN. 1993	
EMERSON AND COUNTY N.C.		SCALE 1"=40'	
ZONE C-1P TAX MAP 0500 13 63 PARCEL 1338			

EXHIBIT D

NORTH CAROLINA  
CUMBERLAND COUNTY

UTILITY EASEMENT  
(WATER & SANITARY SEWER)  
PUBLIC WORKS COMMISSION

PWC EASEMENT NO. \_\_\_\_\_

(Ret to: PWC)

THIS INSTRUMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

By: BILL PROPERTIES, a North Carolina General Partnership, herein called Grantor,

To: THE CITY OF FAYETTEVILLE, a Municipal Corporation herein called Grantee, all of said State and County,

WITNESSETH THAT

Grantor, for one dollar and other valuable consideration, hereby acknowledged as paid and received, has bargained and sold, and by these presents does grant, bargain, sell and convey to Grantee, its successors and assigns, the perpetual right, easement and privilege to build, construct, lay, install, maintain and operate water, sanitary sewer and/or storm sewer, fiber optic (any or all) lines, with such pipes, drains, connections, manholes, and other attachments, equipment and accessories necessary or desirable in connection therewith, to have full ingress and egress, thereto, and therefrom, over adjoining lands, of Grantor, to patrol, inspect, alter, improve, repair, relocate, remove, and replace any or all of such lines, pipes, drains, connections, manholes, and other attachments, equipment and accessories, to keep clear all trees, undergrowth and other encroachments located within ten feet (unless otherwise specified below) of said lines and equipment and to have all rights and privileges necessary or convenient for the full enjoyment or use of this easement, in, on, under, over, through and across certain land described as follows:

**NORTH CAROLINA -- CUMBERLAND COUNTY -- CROSS CREEK TOWNSHIP**

The following described easement lies within that certain parcel of land located on the west side of Ramsey Street (US Hwy 401 -- SR 3950) (100-foot Right-of-Way), described in Deed of Record duly recorded in Deed Book 4894, Page 490, and as shown on Plat of Record duly recorded in Plat Book 90, Page 46, of the Cumberland County, North Carolina Registry.

**Utility Easement 1A**

The following described proposed easement varies in width, containing 358 square feet more or less and being more particularly described as follows:

**COMMENCING** at the southern corner of the Bill Properties parcel as described in Deed Book 4894 at Page 490, thence running with the western right-of-way margin of Ramsey Street N19°33'54"E 25.89 feet to the **POINT OF BEGINNING**, thence running with said right-of-way margin N19°33'54"E 33.64 feet to a point, thence continuing with said right-of-way margin N70°26'06"W 13.80 feet to a point, thence leaving said right-of-way margin S08°25'26"W 35.67 feet to a point, thence S81°34'34"E 7.04 feet to the **POINT OF BEGINNING** and is shown in greater detail on the attached P.W.C. Drawing AS-14566B labeled "Exhibit A".

**Proposed Utility Easement 1B**

The following described proposed easement being 20 feet in width, containing 8,125 square feet more or less and being more particularly described as follows:

**COMMENCING** at the southern corner of the Bill Properties parcel as described in Deed Book 4894 at Page 490, thence running with the western right-of-way margin of Ramsey Street N19°33'54"E 59.53 feet to a point, thence leaving said right-of-way margin N19°33'54"E 20.00 feet to the **POINT OF BEGINNING**, thence running with said right of way margin N19°33'54"E 13.45 feet to a point, thence leaving said right-of-way margin and running with a new easement line for the next 6 calls: N08°25'26"E 236.67 feet to a point, thence N47°26'48"W 153.19 feet to a point, thence N70°26'06"W 28.24 feet to a point, thence S10°23'14"E 14.88, thence S47°26'48"E 156.71 feet to a point, thence S08°25'26"W 235.82 feet to a point in said right-of-way margin, thence running with said right-of-way margin S70°26'06"E 17.74 feet to the **POINT OF BEGINNING** and is shown in greater detail on the attached P.W.C. Drawing AS14566B labeled "Exhibit A".

Being an easement on the aforementioned lands for the installation, operation and maintenance of a system of water and sanitary sewer lines with equipment and accessories necessary in connection therewith. The proposed location of utilities and equipment shall be along or within street rights-of-way, common areas and easement areas as may be established in development of Grantors property and as shown approximately on PWC Drawing DS-14566.

Also granted is the right to remove, reconstruct, install, and/or relocate said utilities and/or accessories onto and within said lands of Grantors as may be necessary to accommodate future development of Grantors property.

The purpose and intent of this Easement is to (1) accommodate the relocation of an existing sanitary sewer line presently extending diagonally across the property as shown in greater detail on PWC Drawing DWS-5718 and relinquish and abandon those portions/sections of the easement no longer needed once the sewer main is relocated and (2) to relinquish and abandon that section of an existing easement described as 2B that had been previously recorded in Book 4143, Page 110, to accommodate installation, operation and maintenance of a new (relocated) sewer main in accordance with submitted and approved utility plans as shown on PWC Drawing No. DS—14566, and all of the above as shown in greater detail by the attached PWC Drawing AS14566B labeled Exhibit-A.

**For title reference, see the following in Cumberland County, N.C. Registry:**

Deed Book 4894, Page 490; Plat Book 90, Page 46; PWC Drawing No. DS-14566; Pin No. 0530-15-63-4287; "Ramsey Street Sewer Relocation"

TO HAVE, TO HOLD, AND TO ENJOY said right, easement, and privilege as above fully defined and described in, on, under, over, through and across said land, and all privileges and appurtenances thereto belonging, to Grantee, its successors and assigns, forever, and that Grantor will warrant and defend the title to the same against the lawful claims of all person.

Wherever used herein, the singular shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders as the context may require.

IN TESTIMONY WHEREOF, Grantor has signed and sealed this instrument,

**BILL PROPERTIES, a North Carolina General Partnership**

\_\_\_\_\_(SEAL)  
**GENERAL PARTNER**

\_\_\_\_\_(SEAL)  
**GENERAL PARTNER**

*(No Markings, to include Notary Seal are to be outside of the margin lines)*

NORTH CAROLINA – \_\_\_\_\_ COUNTY

I, \_\_\_\_\_ a Notary Public of \_\_\_\_\_ County and said State, do hereby certify that \_\_\_\_\_, **GENERAL PARTNER of BILL PROPERTIES, a North Carolina General Partnership**, appeared before me this day and acknowledged that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Witness my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Official Signature of Notary

My commission expires: \_\_\_\_\_

(SEAL)

NORTH CAROLINA – \_\_\_\_\_ COUNTY

I, \_\_\_\_\_ a Notary Public of \_\_\_\_\_ County and said State, do hereby certify that \_\_\_\_\_, **GENERAL PARTNER of BILL PROPERTIES, a North Carolina General Partnership**, appeared before me this day and acknowledged that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Witness my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

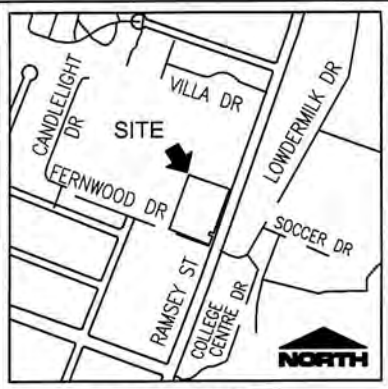
\_\_\_\_\_  
Official Signature of Notary

My commission expires: \_\_\_\_\_

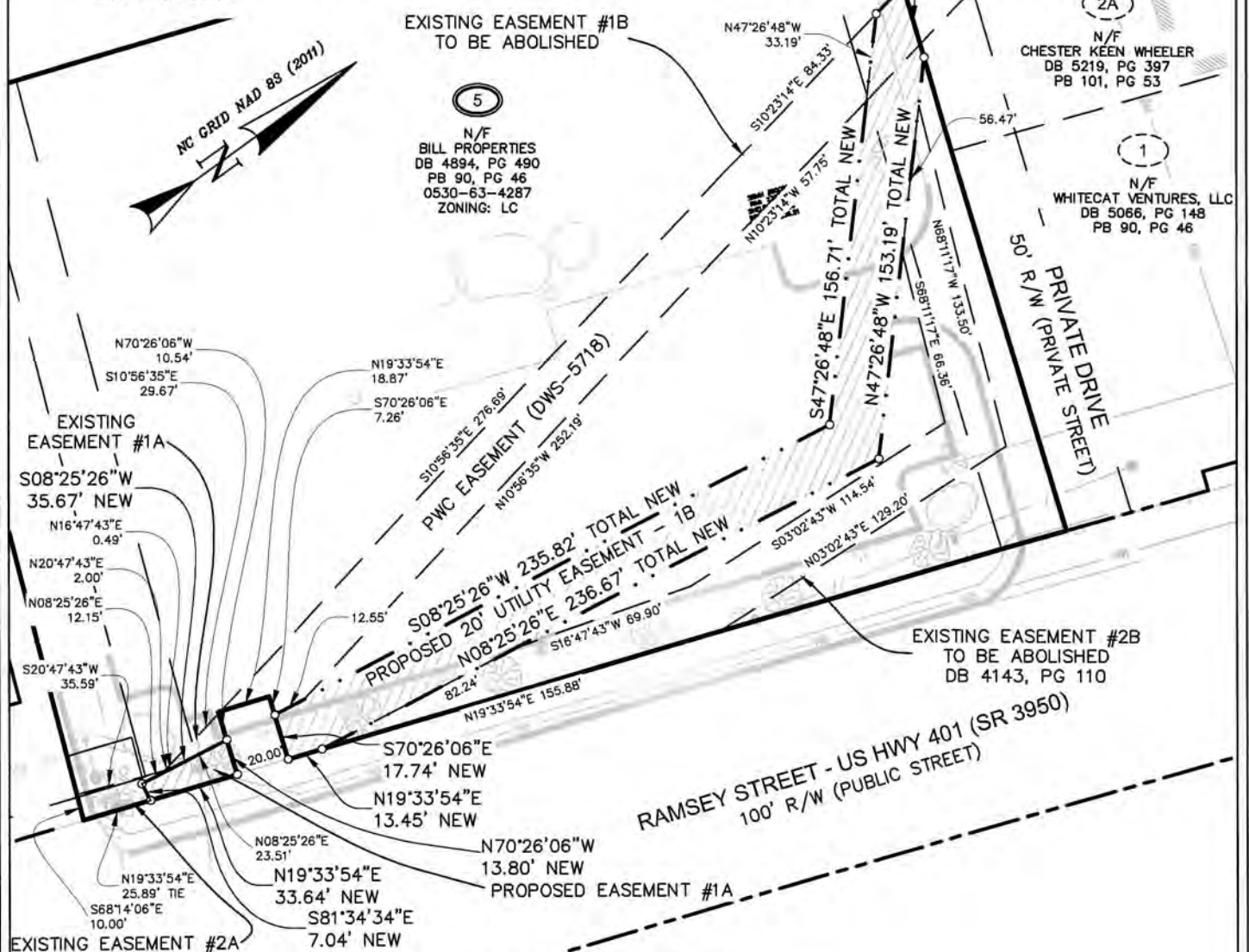
(SEAL)



THIS IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.



VICINITY MAP  
NOT TO SCALE



AREA (By Coordinate Computation)  
EASEMENT AREA #1 TO BE ABOLISHED = 6,850 SF (0.16 AC)  
EASEMENT AREA #2 TO BE ABOLISHED = 6,613 SF (0.15 AC)  
TOTAL EASEMENT AREA TO BE ABOLISHED = 13,462 SF (0.31 AC)  
PROPOSED UTILITY EASEMENT = 8,483 SF (0.19 AC)

NOTES:

1. THIS MAP WAS PREPARED FROM RECORDED MAPS, DEEDS, AND A PARTIAL FIELD SURVEY.
2. THIS MAP HAS BEEN PREPARED FOR EASEMENT ACQUISITION ONLY.

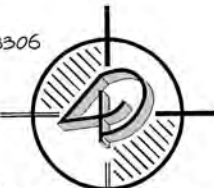
LEGEND:

- R/W—RIGHT OF WAY
- PI—POINT OF INTERSECTION
- EIR—EXISTING IRON ROD
- CP—COMPUTED POINT

409 Chicago Drive - Suite 112  
Fayetteville, North Carolina 28306  
Phone: (910) 426-6777  
Fax: (910) 426-5777  
License Number: C-2354

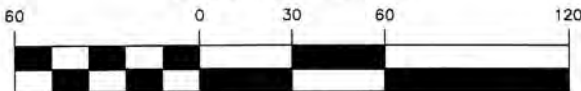
4D SITE  
SOLUTIONS, INC

ENGINEERING SURVEYING GPS CONSTRUCTION LAYOUT



UTILITY EASEMENT  
FOR PWC  
EXHIBIT "A"

GRAPHIC SCALE



( IN FEET )  
1 inch = 60 ft.

PROJECT NO. 655



SEAN R. SEEVER PLS L-4571



PUBLIC WORKS COMMISSION  
OF THE CITY OF FAYETTEVILLE, N.C.

OWNER'S NAME: BILL PROPERTIES

TOWNSHIP: CROSS CREEK PIN: 0530-63-4287 DB 4894, PG 490

UTILITY EASEMENT

COUNTY: CUMBERLAND

STATE: NORTH CAROLINA

DRAWN BY: DALE

DATE: AUGUST 2, 2013

CHECKED BY: SEAN

SCALE: 1" = 60'

APPROVED BY:

DWG #: AS-14566B

**EXHIBIT E**

**RECONVEYANCE OF EASEMENT**

Prepared by/Mail after recording to:  
Rebecca F. Person  
P.O. Box 53606  
Fayetteville, NC 28305

THIS RECONVEYANCE OF EASEMENT is made and entered into the \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between THE CITY OF FAYETTEVILLE (hereinafter the "City"), as Grantor, and BILL PROPERTIES, a North Carolina general partnership, hereinafter called Grantee;

**WITNESSETH:**

Grantee is the owner of certain property located on the west side of US 401 North (Ramsey Street), Fayetteville, North Carolina (the "Property") as described in deeds recorded in Book 4894 Page 490, of the Cumberland County, NC, Registry. As shown on plat recorded in Plat Book 90, Page 46, of said Registry, Grantee's predecessor in title conveyed to the City a sewer easement (the "Easement") located diagonally upon the Property which has subsequently been relocated by Grantee and accepted by Grantor. Grantee has requested that the City execute this instrument to reconvey to Grantee said sewer easement.

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) to him in hand paid,

the receipt of which is hereby acknowledged, the City has remised and released and by these presents does remise, release, convey, and forever quitclaim unto the Grantee, its successors and assigns, all right, title, claim and interest of the City, in and to the property described on Exhibit A attached hereto and incorporated herein by this reference.

Nothing in this instrument shall be interpreted as a release or conveyance of the City's remaining interest in any other easement reflected upon said recorded plat except as released and reconveyed in this instrument.

TO HAVE AND TO HOLD the aforesaid interest in said lot or parcel of land and all privileges thereunto belonging to him, the Grantee, his heirs and/or successors and assigns, free and discharged from all right, title, claim or interest of the City or anyone claiming by, through or under it.

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

[SIGNATURES CONTINUED ON NEXT PAGE]

IN WITNESS WHEREOF, the City of Fayetteville has caused this instrument to be signed  
and sealed on its behalf.

**THE CITY OF FAYETTEVILLE**

By: \_\_\_\_\_ (SEAL)  
Theodore L. Voorhees, City Manager

Attest: \_\_\_\_\_ (SEAL)  
Pamela J. Megill, City Clerk

NORTH CAROLINA  
CUMBERLAND COUNTY

I, \_\_\_\_\_, a Notary Public for said County  
and State, do hereby certify that Theodore L. Voorhees personally came before me this day and  
acknowledged that he is the City Manager for the City of Fayetteville, and that he, as City Manager, being  
authorized to do so, executed the foregoing on behalf of the municipal corporation.

Date: \_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed or Typed Name of Notary Public

My commission expires: \_\_\_\_\_



EXHIBIT A

Bill Properties  
Township of Cross Creek  
Fayetteville, North Carolina  
PIN 0530-63-4287

**Existing Easement 1A – to be abolished**

The following described existing easement varies in width, containing 141 square feet more or less and being more particularly described as follows:

**COMMENCING** at the southern corner of the Bill Properties parcel as described in Deed Book 4894 at Page 490, thence running with the western right-of-way margin of Ramsey Street N19°33'54"E 25.89 feet to a point, thence leaving said right-of-way margin S81°34'34"E 7.04 feet to a point, thence N08°25'26"E 12.15 feet to the **POINT of Beginning**, thence N08°25'26"E 23.51 feet to a point in said right-of-way margin, thence running with said right-of-way margin N70°26'06"W 10.54 feet to a point, thence leaving said right-of-way margin and running with an existing easement line for the next 3 calls: S10°56'35"E 29.67 feet to a point, thence N20°47'43"E 2.00 feet to a point, thence N16°47'43"E 0.49 feet to the **POINT of Beginning** and is shown in greater detail on the attached P.W.C. Drawing AS-14566B labeled "Exhibit A".

**Existing Easement 1B – to be abolished**

The following described existing easement being 20 feet in width, containing 6,709 square feet more or less and being more particularly described as follows:

**COMMENCING** at the southern corner of the Bill Properties parcel as described in Deed Book 4894 at Page 490, thence running with the western right-of-way margin of Ramsey Street N19°33'54"E 59.53 feet to a point, thence leaving said right-of-way margin N19°33'54"E 20.00 feet to a point, thence running with said right-of-way margin N70°26'06"W 17.74 feet to the **POINT of Beginning**, thence leaving said right-of-way margin and running with an existing easement line for the next 6 calls: N08°25'26"W 12.55 feet to a point, thence N10°56'35"W 252.19 feet to a point, thence N10°23'14"W 57.75 feet to a point, thence N47°26'48"W 33.19, thence S10°23'14"E 84.33 feet to a point, thence S10°56'35"E 276.69 feet to a point in said right-of-way margin, thence running with said right-of-way margin N19°33'54"E 18.87 feet to a point, thence running with said right-of-way margin S70°26'06"E 7.26 feet to the **POINT of Beginning** and is shown in greater detail on the attached P.W.C. Drawing AS-14566B labeled "Exhibit A".

**Existing Easement 2B – to be abolished**

The following described existing easement being 20 feet in width, containing 6,356 square feet more or less and being more particularly described as follows:

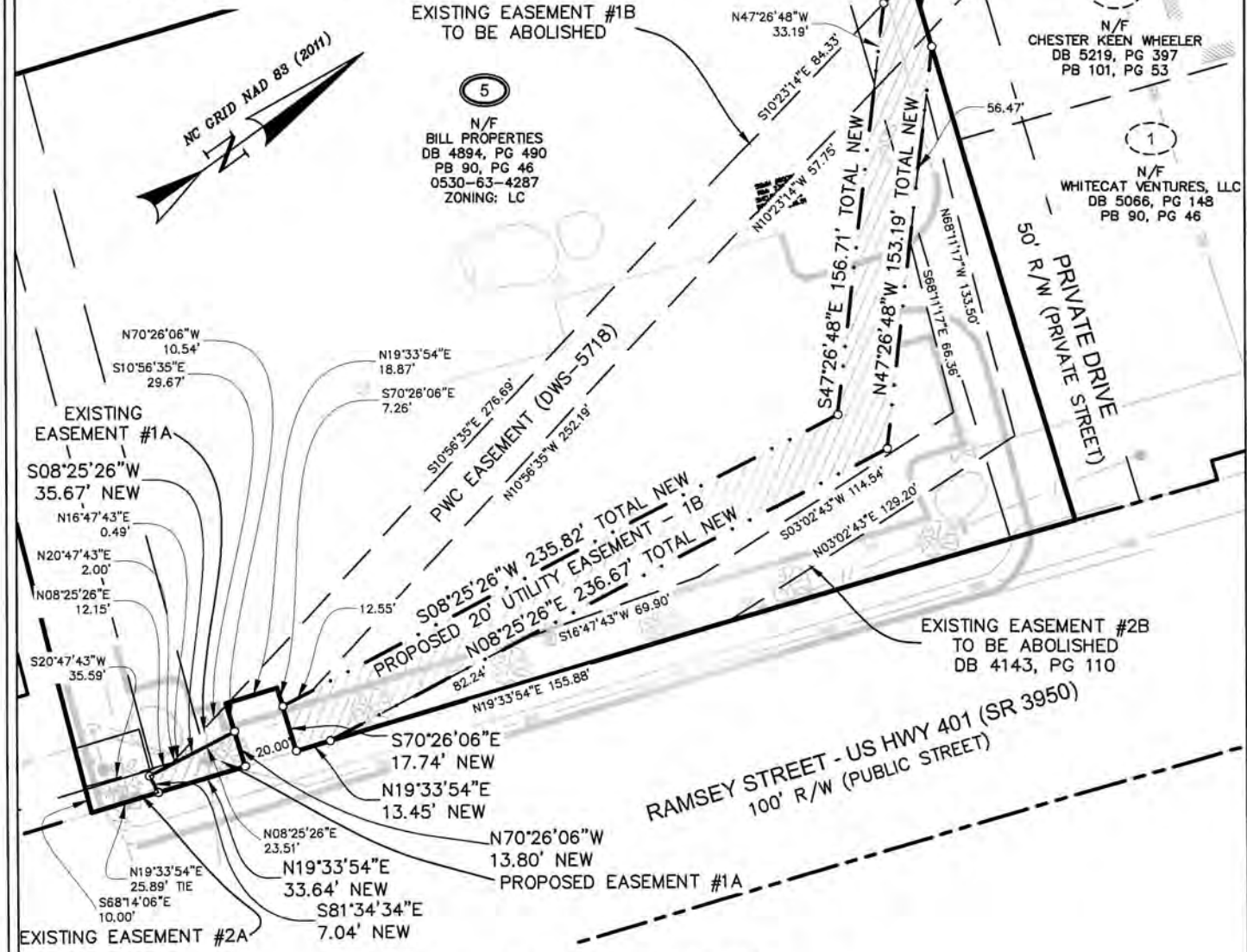
**COMMENCING** at the southern corner of the Bill Properties parcel as described in Deed Book 4894 at Page 490, thence running with the western right-of-way margin of Ramsey Street

N19°33'54"E 59.53 feet to a point, thence leaving said right-of-way margin N19°33'54"E 20.00 feet to a point, thence running with said right-of-way margin N19°33'54"E 13.45 feet to the **POINT of Beginning**, thence continuing with said right-of-way margin N19°33'54"E 155.88 feet to a point, thence leaving said right-of-way margin and running with an existing easement line for the next 7 calls: N°03'02"43"E 129.20 feet to a point, thence N68°11'17"W 133.50 feet to a point, thence S47°26'48"W 56.47 feet to a point, thence S68°11'17"E 66.36 feet to a point, thence S03°02'43"W 114.54 feet to a point, thence S16°47'43"W 69.90 feet to a point, thence S08°25'26"W 82.24 feet to the **POINT of Beginning** and is shown in greater detail on the attached P.W.C. Drawing AS-14566B labeled "Exhibit A".



VICINITY MAP  
NOT TO SCALE

THIS IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.



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EASEMENT AREA #2 TO BE ABOLISHED = 6,613 SF (0.15 AC)  
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- NOTES:
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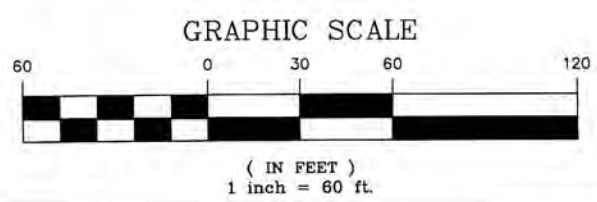
LEGEND:  
R/W-RIGHT OF WAY  
PI-POINT OF INTERSECTION  
EIR-EXISTING IRON ROD  
CP-COMPUTED POINT

409 Chicago Drive - Suite 112  
Fayetteville, North Carolina 28306  
Phone: (910) 426-6777  
Fax: (910) 426-5777  
License Number: C-2354

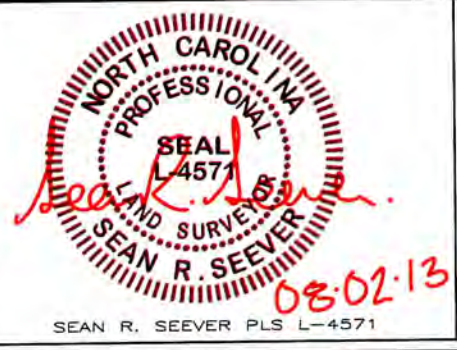
**4D SITE SOLUTIONS, INC**  
ENGINEERING SURVEYING GPS CONSTRUCTION LAYOUT



UTILITY EASEMENT  
FOR PWC  
EXHIBIT "A"



PROJECT NO. 655



<b>PWC</b> PUBLIC WORKS COMMISSION OF THE CITY OF FAYETTEVILLE, N.C.		
OWNER'S NAME: BILL PROPERTIES		
TOWNSHIP: CROSS CREEK	PIN: 0530-63-4287	DB 4894, PG 490
UTILITY EASEMENT		
COUNTY: CUMBERLAND	STATE: NORTH CAROLINA	
DRAWN BY: DALE	DATE: AUGUST 2, 2013	
CHECKED BY: SEAN	SCALE: 1" = 60'	
APPROVED BY:	DWG #: AS-14566B	

<b>CITY COUNCIL ACTION MEMO</b>
---------------------------------

**TO:** Mayor & City Council  
**FROM:** Kristoff Bauer, Deputy City Manager  
**DATE:** August 12, 2013  
**RE:** **Consideration of Task Force to Respond to City Council Concerns: Crime Reduction**

---

**THE QUESTION:**

Does the City Council wish to form A Crime Task Force to respond to community concerns.

**RELATIONSHIP TO STRATEGIC PLAN:**

This item supports the City goal of "The City of Fayetteville will be a safe and secure community" and the Target for Action, "Increase law enforcement community engagement and collaboration".

**BACKGROUND:**

Council acted at the July 22nd Council meeting to direct staff to bring forward proposals for the creation of a crime task force and a supporting task force focused on economic development or neighborhood revitalization.

**ISSUES:**

**BUDGET IMPACT:**

No funds have been budgeted for this purpose

**OPTIONS:**

**RECOMMENDED ACTION:**

Staff recommends that Council hear the presentation on this topic and provide direction regarding next steps.

**ATTACHMENTS:**

Crime Prevention Task Force Background



## **Crime Prevention Task Force Background**

Currently the Fayetteville Police Department (FPD) is focusing on several projects that we believe will enhance the safety and security of the City of Fayetteville.

1. The reorganization of the FPD includes the redeployment of officers, structuring the department into three patrol districts and the designation of nine lieutenants responsible for crime, quality of life and relationships with the community in the nine patrol sectors. This restructuring provides for enhancing the community policing philosophy and its problem-solving component for the FPD and for the City.
2. The FPD has developed an Electronic Monitoring (EM) Program, which provides the close supervision of the most prolific offenders in our City who are able to bond out of jail for felony arrests. This proven program is in effect in other major North Carolina cities and has proven very effective in reducing crime and offender recidivism. The FPD has previewed the program to Cumberland County District and Superior Court judges, the Cumberland County District Attorney and all are willing to pilot the program. The EM Program will be formally presented to the Cumberland County Judicial System in September of this year with implementation of a pilot project following this fall. This pilot project will be funded with drug asset forfeiture funds.
3. The FPD is beginning the implementation of a CCTV system that will serve as a force multiplier. The CCTV system will be installed in public rights of way to allow FPD to monitor large crowds in Festival Park and the Downtown Business District, as well as, City owned Parks and nearby problem locations; such as nightclubs. Additionally the CCTV system will be monitored live for several hours each day by the Criminal Intelligence Unit in a newly created FPD Crime Information Center (CIC) located in FPD headquarters. The CCTV system will be recorded and operational 24 hours each day/seven days each week. The system will be designed to allow the FPD to tie into existing private CCTV systems that will provide even more coverage across the city. This public/private partnership is a perfect example of City Council and the City Manager's vision for such partnerships. The initial CIC and cameras are funded by Justice Assistance Grant and by the Downtown Business Alliance. Many private enterprises are expressing great enthusiasm for partnering in this project. FPD is conducting research on additional technology, such as license plate readers and gunshot detection systems for inclusion in the CIC.
4. Over the past months, the FPD has identified that street level prostitution, and in some cases human trafficking, is plaguing many of our neighborhoods within our City. The FPD has reassigned a patrol officer to the detective bureau to begin an enforcement and treatment strategy to address the prostitution issue. The FPD is reaching out to service providers and churches to develop strategies to assist prostitutes in transitioning out of this lifestyle. FPD is in the very early stages of the work and will need the assistance of every service provider in the City to make an impact on this crime.

5. The FPD, with the support of the Cumberland County Schools and in cooperation with the Cumberland County Sheriff's Office, secured a grant through the N.C. Governor's Crime Commission for a Gang Prevention schools project to reduce gang and gun violence. Officers of the Fayetteville Police Department will administer the program to middle school students for gun and gang education, awareness and prevention during the 2013/2014-school term.
6. FPD is currently involved in several educational and intervention strategies including:
  - a. The FPD Youth Academy provides middle school age to high school age youth the opportunity to spend one week each summer experiencing the role of a police officer. Each year, approximately twenty youth spend an intensive week with FPD officers who volunteer to serve as teachers and mentors.
  - b. The FPD Citizens Academy provides adult members of our City with the opportunity to experience the training, operations and philosophy of our police officers and police instructors. This multi-week academy graduates many citizens who receive a better understanding of police work and usually serve as ambassadors for the department within the community.
  - c. The first City Community Watch Coordinator Summit was held on August 1, 2013. This meeting provided for 93 community watch coordinators of the 131 community watch programs to come together to meet with City Senior Staff and to share experiences in an open forum. This successful summit will continue with two meetings each year to determine and facilitate best practices and lessons learned.
  - d. Over the past several years, the FPD has been a recipient of the Cal Ripken Grant that has allowed for the organization of the baseball league. Hundreds of youth (boys and girls) participate in the league, which is fundamental in having children involved in a sports program with responsible adults and police officers serving as coaches. This is the only organized police sponsored program in the City.

**See Crime Task Force Charter**

## Crime Task Force Charter

Crime Prevention is the key to making Fayetteville the safest city in North Carolina. Any opportunity to develop and implement intervention strategies on a broad spectrum will prevent crime and improve the safety and perception of safety in our City. A Crime Prevention Task Force can be of invaluable assistance in developing and leading many of the intervention strategies that will prevent crime and help our youth focus on positive activities. Historically a police department leads the research, development and implementation of programs and activities of intervention strategies that assist in crime prevention. A Crime Prevention Task Force can take these programs and intervention strategies as their own, allowing the FPD to concentrate on its core business of community policing, problem solving and crime fighting, becoming one of the service providers on specific intervention strategies rather than taking each as its own.

### I. Purpose

A Crime Prevention Task Force can serve as an oversight group in identifying needed programs and then recruiting the proper groups and individuals to research, develop and implement particular programs and strategies.

### II. Background

Crime reduction and youth intervention strategies are fundamental to making Fayetteville the safest city in North Carolina. Crime reduction and youth intervention strategies must include:

- A. Prostitution and related issues which require expertise of service and health care providers who can work with the prostitutes who wish to remove themselves from the lifestyle. Moreover, provide the services for those women and men who want to transition from the lifestyle to avoid the traditional criminal justice system.
- B. Gun Violence Intervention is a major crime and health concern to our City. Intervention strategies must include an educational component for youth and parents. An advertising campaign should be designed and implemented to provide encouragement to youth and parents alike that illegal firearms in the hands of children lead only to tragedy.
- C. Homelessness should not be approached from a crime position, but as a public health issue. Many of our City's homeless are veterans who come to Fayetteville for health care. They have simply been sent, or left here, by family members who will no longer provide care and housing. While many of our City's homeless are not involved in criminal activity, many become victims of crime. Oftentimes,

citizens associate homelessness with criminal activity or with blight and the FPD becomes their primary “caretaker”. A Homeless task force can be effective in developing strategies to assist those who find themselves homeless in our City with no support system.

- D. Panhandling on Public Streets is a frequent complaint from our citizens and is associated with criminal activity and blight, thus requiring police resources to address. City ordinances should be evaluated to address today’s realities of panhandling with necessary revisions developed to allow everyone to understand the rights and limitations of panhandling on public and private property.
- E. Activities for youth are critical intervention strategies to keep children involved in positive activities with responsible adults. Police involvement is important to this strategy and positive role models, coaches and teachers are critical. Examples of these programs include:
  - 1. “Police Athletics League” (PAL) is a traditional program that involves youth in sports such as baseball, basketball and football. While this program is successful, it is usually limited to male youth who are only interested in sports. Police Athletics Leagues should be developed in our City as the Police Activities League to include the traditional sports but also have additional structured activities such as Drama Clubs, Cooking Clubs, Singing and Instrumental Clubs that will attract youth who are not necessarily interested in sports.
  - 2. “Right Moves for Youth” is an afterschool leadership program designed for at-risk youth. This program teaches leadership and communication skills for middle and high school youth.
  - 3. “Do the Right Thing” recognizes children and youth who are involved in positive community and school situations during a school year. Children are brought together twice each school year to be recognized by the police chief and the fire chief for life-saving, crime solving, assisting other citizens and for essays. This program reinforces positive behavior for our youth.
  - 4. Gang intervention strategies that involve the school system, parents and law enforcement who intervene when a child begins displaying gang behavior or gang tendencies. Parents and teachers who identify such behavior notify the behavior professional and law enforcement to intervene. Involvement of parents, teacher, health care professionals and police are critical to the intervention strategy.
  - 5. Organizing a group of men who can serve as outreach, mentors and in some cases mediators of disputes and issues can have a calming effect on youth who find themselves emotionally charged during a large-scale



incident. “Men Who Care Globally” (Charlotte, N.C.) is an excellent example of such a group.

### III. Scope

The Crime Prevention Task Force should serve as a clearing-house for the programs and projects listed above, as well as, others yet identified. For each of these programs, The Crime Task Force should identify the mission and the most applicable people and professions to bring the program or issue to fruition. The Crime Prevention Task Force should develop the overall goals for each program or issue and provide oversight.

### IV. Team composition/Membership Roles

The Crime Prevention Task Force should be comprised of Community members, health care professionals, business leaders, church leaders, law enforcement leaders, educators with and evaluation component that could be provided by one or both of the local universities. Every member of the Crime Prevention Task Force must be selected for their expertise and contacts in their respective fields.

### V. Crime Prevention Task Force Empowerment/Operations/Assessment

The Crime Prevention Task Force will report to the Fayetteville City Council. A Chairperson and Recording Secretary will be selected by the Crime Prevention Task Force and upon membership selection by City Council. The Crime Prevention Task Force will document performance of the various committees it designates to address programs and issues.

## CITY COUNCIL ACTION MEMO

**TO:** Mayor and Members of the City Council  
**FROM:** Rochelle D. Small-Toney, Deputy City Manager  
**DATE:** August 12, 2013  
**RE:** **Consideration of Task Force to Respond to City Council Concerns: Economic Development**

---

**THE QUESTION:**

Should City Council establish an Economic Development Task Force to focus on continuing our efforts and developing new tools to promote economic growth in the city?

**RELATIONSHIP TO STRATEGIC PLAN:**

There are two City Council strategic goals that will guide the work of the proposed Economic Development Taskforce:

Goal #2: The City of Fayetteville will have a strong, diverse and viable economy.

Goal # 6: The City of Fayetteville will develop and maintain strong and active community connections.

**BACKGROUND:**

At the July 22, 2013 City Council meeting the Council charged the City Manager with forming a task force for economic development.

The City has a contractual agreement with The Alliance, a division of the Fayetteville Regional Chamber of Commerce to provide certain economic development programs in the City (Exhibit A of attachments).

The Alliance's 2013-2014 Economic Development Program Focus Areas are closely aligned with the recommended scope of the work proposed for a task force (New Business Development, Existing Industry/Business Retention, Product Development, Entrepreneur/Economic Gardening and Investor Relations). Further, the Gardner Study prepared in May 2012, "Fayetteville – Cumberland County Chamber of Commerce -A Blueprint for Success: A Holistic Economic Development Strategy for Fayetteville and Cumberland County, N.C." would be useful in guiding the work of the task force.

**ISSUES:**

The City of Fayetteville has a contractual agreement with The Alliance to perform certain economic development activities (Exhibit A of attachments). The Alliance's 2013-2014 Work Plan could be expanded to include work in other areas of economic development such as job creation for youth, which is not a focus area at the present time. With The Alliance serving as the umbrella organization for the task force or subcommittees, this revised structure will eliminate duplication of city and community resources, as well as cross communications to the Council and the community relative to economic development program strategies and planning.

**BUDGET IMPACT:**

Unknown at this time.

**OPTIONS:**

1) Direct staff to consult with The Alliance to establish a community based subcommittee or other working committees to address specific economic development issues to include but not limited to corridor redevelopment, governmental regulations or policies that impede development/redevelopment, expansion of development incentives, job creation for youth, workforce development, and business and job retention; or

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

**RECOMMENDED ACTION:**

1) Direct staff to consult with The Alliance to establish a subcommittee or other working committees to address specific economic development issues to include but not limited to corridor/commercial redevelopment, governmental regulations or policies that impede development/redevelopment, expansion of development incentives, job creation for youth, workforce development, business retention, and business development. Report to City Council the final recommended structure and representatives at the August 26, 2013, meeting of City Council.

**ATTACHMENTS:**

Scope of Work for the Economic Development Task Force

Exhibit A of the contractual agreement between the City of Fayetteville and the Fayetteville Regional Chamber of Commerce

**Scope of Work for the Economic Development Task Force  
(or subcommittee of The Alliance)**

The Economic Development Task Force shall develop a plan of short-term and long-term actions with measurable performance outcomes in the following focus areas that promote economic growth in the City of Fayetteville. The actions shall also identify the responsible agencies that are responsible for implementation and any gaps in program delivery. The focus areas include, but are not limited to, corridor/commercial redevelopment, governmental regulations or policies that impede development/redevelopment, development incentives, job creation for youth, workforce development, business retention, and business development. The task force shall provide progress reports to the City Council no less than semi-annually or as requested.

**Recommended Representative Institutions, Businesses and Agencies**

- Economist
- Development Community
- Home Owners Association
- Educational Institutions (Fayetteville State University, Methodist University, Fayetteville Technical Community College)
- Fayetteville Area Metropolitan Planning Organization
- Legal
- General Assembly Elected Official
- Banking/Lending
- Fayetteville PWC
- Cumberland County Schools
- Youth

- Fort Bragg
- Judiciary
- Social Services
- Industry CEO
- Entrepreneur
- Small Business Owner



## **Agreement For Services with Fayetteville Regional Chamber of Commerce**

### **Exhibit A – Amended June 14, 2013**

#### **Annual Projects:**

**Multi-Modal Center Development:** The CITY's Multimodal Center will be constructed to include space for commercial, educational and office development in support of the Fayetteville Area System of Transit (FAST) ridership and the general public. The AGENCY will identify and recruit appropriate developers and/or tenants for the available space.

**Economic Development Metrics:** The objective of this project is for the AGENCY to engage its economic development partners, including the CITY, in the exploration of performance metrics for future reporting purposes. The major objective is to achieve concurrence from the City Council on a consistent and supportive set of metrics to be tracked over a significant period of years into the future.

**HOPE VI Business Park:** The CITY has adopted the Market Based Redevelopment Plan for the HOPE VI Business Park as part of the Old Wilmington Road HOPE VI Revitalization Grant Project. The site of the Park is situated at Gillespie Street, Blount Street and Chase Street. The CITY will continue to acquire targeted properties in the plan area. The AGENCY will implement the plan through coordinated efforts with the CITY to establish, through a public/private partnership a development that creates job opportunities for residents of the HOPE VI Revitalization Project area.

**Murchison Road Corridor Redevelopment Plan:** The City has adopted a development plan for the Murchison Road corridor which includes a number of catalyst sites that are proposed for acquisition by the CITY in support of future public/private redevelopment projects. The CITY is currently acquiring target properties in Catalyst Site 1 for the purpose of redeveloping the site. The AGENCY will promote market and recruit developers for redevelopment opportunities in Catalyst Site1.

**Downtown Renaissance Plan:** The CITY has adopted an update of the Downtown Renaissance Plan. The Plan identifies projects in a four-step phasing plan. The AGENCY will assist with the recruitment of developers for appropriate projects and will promote the implementation of the plan.

<b>CITY COUNCIL ACTION MEMO</b>
---------------------------------

**TO:** Mayor and City Council  
**FROM:** Pamela J. Megill, City Clerk  
**DATE:** August 12, 2013  
**RE:** **Settlement for Fiscal Year July 1, 2012 through June 30, 2013**

---

**THE QUESTION:**

For information only

**RELATIONSHIP TO STRATEGIC PLAN:**

Greater Tax Base Diversity - Strong Local Economy

**BACKGROUND:**

Attached is the report that has been furnished to the Mayor and City Council by the Cumberland County Tax Administrator of the settlement for fiscal year July 1, 2012 through June 30, 2013.

**ISSUES:**

N/A

**BUDGET IMPACT:**

N/A

**OPTIONS:**

N/A

**RECOMMENDED ACTION:**

For information only.

**ATTACHMENTS:**

Settlement for FY 2012-2013





OFFICE OF THE TAX ADMINISTRATOR

117 Dick Street, 5<sup>th</sup> Floor, New Courthouse • PO Box 449 • Fayetteville, North Carolina • 28302  
Phone: 910-678-7507 • Fax: 910-678-7582 • [www.co.cumberland.nc.us](http://www.co.cumberland.nc.us)

July 18, 2013

Mr. Anthony Chavonne, Mayor  
City of Fayetteville  
433 Hay Street  
Fayetteville, NC 28301

Dear Mr. Chavonne:

Please find enclosed a copy of the settlement for fiscal year July 1, 2012 through June 30, 2013 for the City of Fayetteville. As required by North Carolina General Statute Section 105-373, a copy is on file with the Board of County Commissioners.

If you have any questions, please contact Catherine Carter at (910) 678-7587.

Sincerely,

Aaron Donaldson  
Tax Administrator

Attachment

Cc: Ted Voorhees, City Manager  
Elizabeth Somerindyke, Internal Auditor  
Lisa Smith, CFO  
Pamela Megill, City Clerk

*Celebrating Our Past....Embracing Our Future*

*EASTOVER - FALCON -- FAYETTEVILLE -- GODWIN -- HOPE MILLS -- LINDEN -- SPRING LAKE -- STEDMAN - WADE*



## OFFICE OF THE TAX ADMINISTRATOR

### Summary of 2002 Real/Personal & Vehicles Taxes to be Barred

	Vehicles	Personal	Real	Public Service	Fees	Total
County	432,011.64	81,118.37	21,661.00	21,666.33	0.00	556,457.34
County Pets	0.00	804.12	0.00	-	0.00	804.12
Fayetteville	118,456.65	19,545.97	1,802.03	12,414.22	0.00	152,218.87
Revit	48.23	11.85	-	-	0.00	60.08
Fayetteville Vehicle Fee	18,683.62	-	-	-	0.00	18,683.62
Hope Mills	7,399.74	1,281.83	-	-	0.00	8,681.57
Hope Mills Vehicle Fee	1,716.73	-	-	-	0.00	1,716.73
Hope Mills Pets	-	25.00	-	-	0.00	25.00
Spring Lake	11,224.72	885.18	-	-	0.00	12,109.90
Stedman	408.41	-	-	-	0.00	408.41
Stedman Vehicle Fee	75.00	-	-	-	0.00	75.00
Godwin	33.06	-	-	-	0.00	33.06
Wade	159.38	9.51	4.70	-	0.00	173.59
Falcon	72.01	-	-	-	0.00	72.01
Linden	52.12	3.20	-	-	0.00	55.32
Eastover	-	-	-	-	0.00	0.00
Solid Waste User Fee	-	-	-	-	1,930.48	1,930.48
Storm Water Fee	-	-	-	-	830.62	830.62
Advertising Fee	-	-	-	-	1,040.65	1,040.65
<b>Total</b>	<b>590,341.31</b>	<b>103,685.03</b>	<b>23,467.73</b>	<b>34,080.55</b>	<b>3,801.75</b>	<b>755,376.37</b>
TA500 MR VEHICLES	590,341.31					
TA500 MR CC	130,954.51					
TA500 MR PS	34,080.55					
	<u>755,376.37</u>					

*Celebrating Our Past...Embracing Our Future*

EASTOVER - FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE



**CUMBERLAND  
★ COUNTY ★  
NORTH CAROLINA**

**OFFICE OF THE TAX ADMINISTRATOR**

June 30, 2013

Mr. Anthony G. Chavonne, Mayor  
City of Fayetteville  
433 Hay Street  
Fayetteville, NC 28301

This settlement is required under the provisions of General Statute #105-373 (a) (3).  
This covers the period from July 1, 2012 through June 30, 2013.

**Charge:**

Real & Personal Charge 2012	\$	55,884,633.48
Storm Water Charge 2012	\$	1,742,841.60
Fayetteville Storm Water Charge 2012	\$	3,485,683.20
Vehicles Charge 2012	\$	7,504,250.60
2005 Annexation in 2012 Charge	\$	-
Curbside Recycle Charge 2012	\$	2,289,500.00
Added Charge Real & Personal 2012	\$	6,468,969.27
Added Charge Storm Water 2012	\$	2,154.00
Added Charge Fayetteville Storm Water 2012	\$	4,685.00
Added Charge Vehicles 2012	\$	34,456.47
Added Charge Annexation 2012	\$	-
Added Charge Curbside Recycle 2012	\$	6,059.00
Fayetteville Gross Receipts Vehicle Tax Current Year 2012	\$	499,686.81
Fayetteville Gross Receipts Vehicle Tax Current Year 2012 Penalty	\$	-
Fayetteville Heavy Equipment Gross Receipts 2012	\$	90,420.91
Fayetteville Heavy Equipment Gross Receipts 2012 Penalty	\$	-
Total Interest Collected	\$	320,534.99
<b>Total Charge:</b>	<b>\$</b>	<b>78,333,875.33</b>

**Credits:**

Deposited with Finance Real & Personal 2012	\$	55,918,008.07
Deposited with Finance Vehicles 2012	\$	5,569,906.78
Deposited with Finance Annexation Taxes 2012	\$	-
Deposited with Finance Storm Water 2012	\$	1,731,316.18
Deposited with Finance Fayetteville Storm Water 2012	\$	3,462,998.88
Deposited with Finance Curbside Recycle 2012	\$	2,268,868.16
Fayetteville Gross Receipts Vehicle Tax Current Year 2012 & Penalty	\$	499,686.81
Fayetteville Heavy Equipment Gross Receipts 2012 & Penalty	\$	90,420.91
Interest Deposited with Finance	\$	320,534.99
	<b>\$</b>	<b>69,861,740.78</b>

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**EASTOVER - FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE**

Releases Real/Personal Allowed 2012	\$	6,009,120.70
Releases Vehicles Allowed 2012	\$	573,120.47
Storm Water Releases Allowed 2012	\$	666.00
Fayetteville Storm Water Releases Allowed 2012	\$	1,335.50
Annexation Releases Allowed 2012	\$	-
Curbside Recycle Releases Allowed 2012	\$	1,117.50
Real/Personal Balance 2012	\$	426,473.98
Vehicles Balance 2012	\$	1,395,679.82
Storm Water Balance 2012	\$	13,013.42
Fayetteville Storm Water Balance 2012	\$	26,033.82
Annexation Balance 2012	\$	-
Curbside Recycle Balance 2012	\$	25,573.34
	\$	<u>8,472,134.55</u>
<b>Total Credits:</b>	\$	<u><u>78,333,875.33</u></u>

**Charge:**

Real & Personal 2011	\$	411,624.68
Vehicles 2011	\$	1,279,355.12
2005 Annexation in 2011 Charge	\$	-
Storm Water 2011	\$	14,738.47
Fayetteville Storm Water 2011	\$	29,477.00
Curbside Recycle 2011	\$	26,777.42
Real & Personal 2010	\$	116,748.82
Vehicles 2010	\$	304,417.25
2005 Annexation in 2010 Charge	\$	35.50
Storm Water 2010	\$	1,991.58
Fayetteville Storm Water 2010	\$	3,983.15
Curbside Recycle 2010	\$	5,023.05
Real & Personal 2009 & Prior	\$	298,468.47
Vehicles 2009 & Prior	\$	1,554,134.97
2005 Annexation in 2009 Charge	\$	3,002.68
Storm Water 2009 & Prior	\$	5,781.84
Fayetteville Storm Water 2009 & Prior	\$	2,952.39
Curbside Recycle 2009 & prior	\$	3,676.79
	\$	<u>4,062,189.18</u>
<b>Total Charge:</b>	\$	<u><u>4,062,189.18</u></u>

**Barred by Statute: 2002**

Barred by Statute - Real/Personal	\$	33,774.07
Barred by Statute - Vehicles	\$	137,188.50
Barred by Statute - Storm Water	\$	830.62
	\$	<u>171,793.19</u>

**Credits:**

Real & Personal Collections 2011	\$	290,290.77
Vehicle Collections 2011	\$	831,278.60
2005 Annexation in 2011 Charge Collections	\$	-
Storm Water 2011 Collections	\$	9,793.27
Fayetteville Storm Water 2011 Collections	\$	19,586.58
Curbside Recycle 2011 Collections	\$	21,431.64
Real & Personal Collections 2010	\$	38,477.83
Vehicle Collections 2010	\$	35,123.19
2005 Annexation in 2010 Charge Collections	\$	-
Storm Water 2010 Collections	\$	1,036.90
Fayetteville Storm Water 2010 Collections	\$	2,073.79
Curbside Recycle 2010 Collections	\$	2,772.10
Real & Personal 2009 & Prior Collections	\$	29,494.07
Vehicle 2009 & Prior Collections	\$	47,034.62
2005 Annexation in 2009 & Prior Collections	\$	668.29
Storm Water 2009 & Prior Collections	\$	1,124.66
Fayetteville Storm Water 2009 & Prior Collections	\$	1,136.38
Curbside Recycle 2009 & Prior Collections	\$	1,821.25
Real & Personal Releases Allowed 2011	\$	2,351.72
Vehicles Releases Allowed 2011	\$	122,246.18
2005 Annexation in 2011 Releases Allowed	\$	-
Storm Water Releases Allowed 2011	\$	-
Fayetteville Storm Water Releases Allowed 2011	\$	-
Curbside Recycle Releases Allowed 2011	\$	38.00
Real & Personal Releases Allowed 2010	\$	92.78
Vehicles Releases Allowed 2010	\$	10,855.79
2005 Annexation in 2010 Releases Allowed	\$	-
Storm Water Releases Allowed 2010	\$	-
Fayetteville Storm Water Releases Allowed 2010	\$	-
Curbside Releases Allowed 2010	\$	-
Real & Personal Releases Allowed 2009 & Prior	\$	13.41
Vehicles Releases Allowed 2009 & Prior	\$	7,456.59
2005 Annexation in 2009 & Prior Releases Allowed	\$	-
Storm Water Releases Allowed 2009 & Prior	\$	24.00
Fayetteville Storm Water Releases Allowed 2009 & Prior	\$	-
Curbside Releases Allowed 2009 & prior	\$	-
Real & Personal Balance 2011	\$	118,982.19
Vehicles Balance 2011	\$	325,830.34
2005 Annexation in 2011 Balance	\$	-
Storm Water Balance 2011	\$	4,945.20
Fayetteville Storm Water Balance 2011	\$	9,890.42
Curbside Recycle Balance 2011	\$	5,307.78
Real & Personal Balance 2010	\$	78,178.21
Vehicles Balance 2010	\$	258,438.27
2005 Annexation in 2010 Balance	\$	35.50
Storm Water Balance 2010	\$	954.68
Fayetteville Storm Water Balance 2010	\$	1,909.36
Curbside Recycle Balance 2010	\$	2,250.95
Real & Personal Balance 2009 & Prior	\$	235,186.92
Vehicles Balance 2009 & Prior	\$	1,362,455.26
2005 Annexation in 2009 & Prior Balance	\$	2,334.39
Storm Water Balance 2009 & Prior	\$	3,802.56
Fayetteville Storm Water Balance 2009 & Prior	\$	1,816.01
Curbside Recycle Balance 2009 & prior	\$	1,855.54
<b>Total:</b>	\$	<b>3,890,395.99</b>
<b>Total Credits:</b>	\$	<b>4,062,189.18</b>



OFFICE OF THE TAX ADMINISTRATOR

**CITY OF FAYETTEVILLE**

Verification of Tax Funds for Fiscal Year Ended June 30, 2013

	<u>General Fund</u>	<u>CBDT</u>	<u>Annexation</u>
1. Current Year Original Levy (Real and Personal)			
Total Property Valuation	12,217,908,182	125,788,170	0
Tax Rate Per \$100	0.456	0.100	0.3975
Amount of the Levy	55,713,661.31	125,788.17	-
Late Listings	44,920.03	263.97	
2. Discoveries and Releases			
<b>Discoveries</b>			
Total Property Valuation	1,398,706,818	156,500	0
Tax Rate Per \$100	0.456	0.10	0.3975
Amount of the Levy	6,378,103.09	156.50	-
Late Listings	90,690.86	18.82	-
<b>Releases</b>			
Total Property Valuation	(1,312,201,535)	(195,130)	0
Tax Rate Per \$100	0.456	0.10	0.3975
Amount of the Levy	(5,983,639.00)	(195.13)	-
Late Listings	(25,253.72)	(32.85)	-
3. Taxes remitted to the City for Tax Years:			
2012	55,795,021.13	122,986.94	-
2011	289,717.77	573.00	-
2010	38,333.77	144.06	-
2009 & Prior	29,489.51	4.56	668.29
4. Interest	151,580.53	514.85	336.69
5. Balance due the City at June 30, 2013 for:			
2012	423,461.44	3,012.54	-
2011	116,303.34	2,678.85	-
2010	77,460.11	718.10	35.50
2009 & Prior	268,690.35	270.64	2,334.39

	<u>General Fund Vehicles</u>	<u>CBDT Vehicles</u>	<u>Vehicle License Tax</u>	<u>Transportation Fee</u>
1. Current Year Original Levy (Vehicles)				
Total Property Valuation	1,344,918,441	5,882,510		
Tax Rate Per \$100	0.456	0.10		
Amount of the Levy	6,132,828.09	5,882.51	682,770.00	682,770.00
2. Discoveries and Releases				
Discoveries				
Total Property Valuation	6,658,217	0		
Tax Rate Per \$100	0.456	0.10		
Amount of the Levy	30,361.47	0.00	2,050.00	2,045.00
Releases				
Total Property Valuation	(112,342,037)	(235,780)		
Tax Rate Per \$100	0.456	0.10		
Amount of the Levy	(512,279.69)	(235.78)	30,305.00	30,300.00
3. Taxes remitted to the City for Tax Years:				
2012	4,548,480.89	5,281.47	508,072.12	508,072.30
2011	644,846.52	239.98	93,096.07	93,096.03
2010	22,946.54	4.21	6,086.21	6,086.23
2009 & Prior	35,023.10	0.28	8,138.82	3,872.42
4. Interest	129,849.61	29.58	-	14,827.61
5. Balance due the City at June 30, 2013 for:				
2012	1,102,428.98	365.26	146,442.88	146,442.70
2011	238,314.03	42.76	43,741.84	43,731.71
2010	187,283.37	45.36	35,554.84	35,554.70
2009 & Prior	1,254,238.52	358.48	195,232.37	49,814.39

	Storm Water	Fayetteville Storm Water	Curbside <u>Recycling</u>
1. Current Year Original Levy (Real and Personal)			
Total Property Valuation			
Tax Rate Per \$100			
Amount of the Levy	1,742,841.60	3,485,683.20	2,289,500.00
2. Discoveries and Releases			
Discoveries			
Total Property Valuation			
Tax Rate Per \$100			
Amount of the Levy	2,154.00	4,685.00	6,059.00
Releases			
Total Property Valuation			
Tax Rate Per \$100			
Amount of the Levy	(666.00)	(1,335.50)	(1,117.50)
3. Taxes remitted to the City for Tax Years:			
2012	1,731,316.18	3,462,998.88	2,268,868.16
2011	9,793.27	19,586.58	21,431.64
2010	1,036.90	2,073.79	2,772.10
2009 & Prior	1,124.66	1,136.38	1,821.25
4. Interest	5,010.95	9,315.70	9,069.47
5. Balance due the City at June 30, 2013 for:			
2012	13,013.42	26,033.82	25,573.34
2011	4,945.20	9,890.42	5,307.78
2010	954.68	1,909.36	2,250.95
2009 & Prior	4,633.18	1,816.01	1,855.54

The above financial statement regarding the 2012 property tax roll of Fayetteville agrees with our records.

Signature: Catherine Carter  
Title: Administrative Coordinator II Cumberland County Tax Administration  
Date: July 22, 2013



<b>CITY COUNCIL ACTION MEMO</b>
---------------------------------

**TO:** Mayor and City Council Members  
**FROM:** Pamela J. Megill, City Clerk  
**DATE:** August 12, 2013  
**RE:** **Levy for 2013 -2014 Fiscal Year**

---

**THE QUESTION:**  
Information only.

**RELATIONSHIP TO STRATEGIC PLAN:**  
Greater Tax Base Diversity - Strong Local Economy

**BACKGROUND:**  
Attached is the report that has been furnished to the Mayor and City Council by the Cumberland County Tax Administrator for 2013 - 2014 Fiscal Year.

**ISSUES:**  
N/A

**BUDGET IMPACT:**  
N/A

**OPTIONS:**  
N/A

**RECOMMENDED ACTION:**  
For information only.

**ATTACHMENTS:**  
Tax Levy 2013-14



OFFICE OF THE TAX ADMINISTRATOR  
117 Dick Street, 5<sup>th</sup> Floor, New Courthouse • PO Box 449 • Fayetteville, North Carolina • 28302  
Phone: 910-678-7507 • Fax: 910-678-7582 • [www.co.cumberland.nc.us](http://www.co.cumberland.nc.us)

July 31, 2013

Mr. Anthony Chavonne  
Mayor of Fayetteville  
433 Hay Street  
Fayetteville, NC 28301

RE: City of Fayetteville  
Levy for 2013-2014 Fiscal Year

Dear Mr. Chavonne:

Enclosed is a copy of the 2013-2014 levy for the City of Fayetteville. The Public Service levy will be added in October, 2013.

If you should have any questions regarding this information, please call Catherine Carter at 678-7587.

Sincerely,

A handwritten signature in black ink that reads "Aaron Donaldson".

Aaron Donaldson  
Tax Administrator

cc: Ted Voorhees, City Manager  
Elizabeth Somerindyke, Internal Auditor  
Lisa Smith, Chief Financial Officer  
Pamela Megill, City Clerk

Enclosure

*Celebrating Our Past....Embracing Our Future*

*EASTOVER - FALCON - FAYETTEVILLE - GODWIN - HOPE MILLS - LINDEN - SPRING LAKE - STEDMAN - WADE*

# CITY OF FAYETTEVILLE

## 2013-2014 TAX LEVY

City of Fayetteville:	No. of Accts.	Real Value	Personal Value	**Exempt Value	Taxable Value
Real Property w/Personal	87,965	11,870,571,153	590,055,221	196,839,599	12,263,786,775
*Public Service	0	0	0	0	0
Total:	87,965	11,870,571,153	590,055,221	196,839,599	12,263,786,775
<b>Description:</b>					
	<b>Rate:</b>	<b>Taxes</b>	<b>Late List</b>	<b>Total:</b>	
Real Property w/Personal	0.456	55,922,869.98	48,599.11	55,971,469.09	
*Public Service		0.00	0.00	0.00	
Total:		55,922,869.98	48,599.11	55,971,469.09	

Revitalization:	No. of Accts.	Real Value	Personal Value	**Exempt Value	Taxable Value
Real Property w/Personal	838	109,229,160	13,694,226	45,000	122,878,386
*Public Service	0	0	0	0	0
Total:	838	109,229,160	13,694,226	45,000	122,878,386
<b>Rate</b>					
		<b>Taxes</b>	<b>Late List</b>	<b>Total:</b>	
Real Property w/Personal	0.10	122,878.76	268.93	123,147.69	
*Public Service		0.00	0.00	0.00	
Total:		122,878.76	268.93	123,147.69	

<b>Exempt Value:</b>	
Real	195,745,648
Personal	1,093,951
Total:	196,839,599

<b>Revit Exempt Value:</b>	
Real	45,000
Personal	0
Total:	45,000

Fayetteville Storm Water:	3,513,091.20
Fayetteville Solid Waste:	2,300,026.00
Storm Water:	1,756,545.60

**\*Public Service to be added October, 2013**

**Prepared by:**  
 Cumberland County Tax Administration  
 PO Box 449  
 Fayetteville, NC 28302-0449