

**FAYETTEVILLE CITY COUNCIL**

**MINUTES**

**FEBRUARY 25, 2008**

**7:00 P.M.**

**CITY HALL COUNCIL CHAMBER**

Present: Mayor Anthony G. Chavonne

Council Members Keith A. Bates, Sr. (District 1); Charles E. Evans (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); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Others Present: Dale E. Iman, City Manager

Kyle Sonnenberg, Assistant City Manager

Stanley Victrum, Assistant City Manager

Doug Hewett, Assistant City Manager

Karen M. McDonald, City Attorney

B.E. (Benny) Nichols, Fire/Emergency Management Chief

Victor Sharpe, Community Development Director

Robert Barefoot, Parks and Recreation Director

Jimmy Teal, Planning Director

Karen Hilton, Assistant Planning Director

Kyle Garner, Planner

Bobby B. Teague, Engineering and Infrastructure Director

Jeffrey Brown, City Engineer

Ron McElrath, Human Relations Director

Jackie Tuckey, Communications Manager/Public Information Officer

Candice H. White, City Clerk

Members of the Press

**INVOCATION - PLEDGE OF ALLEGIANCE**

The invocation was offered by Rev. Wayne Ham, Executive Minister, Snyder Memorial Baptist Church, followed by the Pledge of Allegiance to the American Flag.

**ANNOUNCEMENTS AND RECOGNITIONS**

Mayor Chavonne, assisted by Council Member Meredith, recognized Ron McElrath, Human Relations Director; Sailaja Vallabha, Human Relations Commission Chair; and Jan Coley, North Carolina Human Relations Commission Chair. The Mayor then read a Proclamation proclaiming February 2008 as Human Relations Month. Ms. Vallabha expressed her appreciation and spoke to the mission of the Human Relations Commission.

Council Member Evans announced a District 2 meeting would be held on Wednesday, February 27, 2008 at the Tokay Fitness Center from 6:30 p.m. to 8:00 p.m.

**1. APPROVAL OF AGENDA**

**MOTION: Council Member Meredith moved to approve the agenda.**

SECOND: Council Member Evans

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

**2. CONSENT:**

Council Member Bates requested Item 2.F. pulled for discussion. Council Member Evans requested Item 2.E. pulled for discussion.

**MOTION: Council Member Crisp moved to approve the agenda with the exception of Item 2.E. and Item 2.F.**

SECOND: Council Member Bates

**VOTE: PASSED by a vote of 8 in favor to 2 in opposition (Council Members Meredith and Evans)**

The following items were approved:

**A. Approve Minutes**

1. **Minutes of January 28, 2008 Regular Meeting**

2. **Minutes of February 4, 2008 Work Session**

**B. Special Revenue Project Ordinance 2008-9 (e-NC Capital Expenditure Grant for the Government Access Channel)**

This ordinance will appropriate \$47,335 for media equipment including servers, monitors, a cablecast and recording equipment. This equipment will be used to improve government channel programming in our community. The source of funds for this project consists of a \$23,667 grant from the NC Rural Economic Development Center and a required \$23,668 local match from the General Fund.

**C. Adopt a Resolution of the City Council of the City of Fayetteville Accepting the Report of Unpaid Taxes and Directing Advertisement of Tax Liens.**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE ACCEPTING THE REPORT OF UNPAID TAXES AND DIRECTING THE ADVERTISEMENT OF TAX LIENS.**

**RESOLUTION NO. R2008-011**

**D. Resolution to Set Public Hearing to Consider Closing a Portion of Bayview Drive  
RESOLUTION CALLING A PUBLIC HEARING REGARDING THE PROPOSED CLOSING OF A PORTION OF BAYVIEW DRIVE AS A CITY STREET. RESOLUTION NO. R2008-012**

**E. Pulled at the request of Council Member Evans.**

**F. Pulled at the request of Council Member Bates.**

**G. Approve sign permit for India's Festival to be held on March 15th. The signs are to be placed at various locations throughout the city from February 27th through March 16th.**

**H. Consider an ordinance of the City Council of the City of Fayetteville granting a gas franchise to Piedmont Natural Gas Company, Inc.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE GRANTING A GAS FRANCHISE TO PIEDMONT NATURAL GAS COMPANY, INC. ORDINANCE NO. NS2008-001**

**I. Approve setting a public hearing for Monday, March 17th to consider a request from Lamar Advertising to upgrade a one-sided billboard to a two-sided billboard in the vicinity of WalMart on Ramsey Street in exchange for removing a two-sided billboard located in the same area.**

**J. Adopt the Recommended Fiscal Year 2009-2013 Capital Improvement Plan (CIP)**

The CIP includes funding \$120,800,450 in infrastructure, public safety, transportation, parks and recreation, economic development and other projects over five years. The planned funding sources for the plan include the General Fund (\$48,141,532), Federal/State grants (\$43,985,576), previously budgeted funds (\$2,155,623), and other funds such as storm water fees, airport revenues and private contributions (\$26,517,719).

**K. Agreement for Extension of Water Service to the Rim Road Area**

**L. During their meeting of February 20, 2008, the Public Works Commission will be asked to consider and adopt the following financial items and forward to City Council for adoption:**

**1. Resolution Number PWC2008.04 establishing the Rim Road Water Main Capital Project Fund and Budget**

**2. Resolution Number PWC 2008.05 establishing the Series 2008 Revenue Bond Capital Project Fund Resolution and Budget**

**3. Budget Amendment #1 to the Annexation Phase V, Project 1 Capital Project Fund**

**4. Budget Amendment #2 to the General Fund**

**RESOLUTION OF THE CITY OF FAYETTEVILLE NORTH CAROLINA ESTABLISHING THE RIM ROAD WATER MAIN CAPITAL PROJECT FUND. RESOLUTION NO. R2008-013**

**RESOLUTION OF THE CITY OF FAYETTEVILLE NORTH CAROLINA ESTABLISHING THE SERIES 2008 REVENUE BOND CAPITAL PROJECT FUND. RESOLUTION NO. R2008-014**

**2.E. Approve the rezoning from R5 & R6 residential district to CD conservation district for property located on the west side of Mann Street south of Vanstory Street. Containing**

**4.53 acres more or less and being the property of City of Fayetteville. Case Number P08-3F.**

Council Member Evans expressed opposition to using the property for a community garden.

**MOTION: Council Member Bates moved to approve the rezoning.**

SECOND: Council Member Hurst

**VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Council Member Evans).**

**2.F. Consider the rezoning from R15 residential district to P2 professional district or to a more restrictive zoning classification for property located at 4704 Rosehill Road. Containing .48 acres more or less and being the property of Glenda and James Hobson. Case Number P07-73F.**

Karen M. McDonald, City Attorney, advised the item had not received the requisite number of votes at the January 28, 2008 meeting and was before Council for a second reading with no discussion.

**MOTION: Council Member Massey moved to approve the rezoning to P2 professional district.**

SECOND: Council Member Crisp

**VOTE: PASSED by a vote of 8 in favor to 2 in opposition (Council Members Mohn and Bates).**

### **3. PUBLIC HEARINGS:**

#### **A. Consider Approval of a Resolution Requiring the Paving Without Petition of Certain Soil Streets**

Bobby B. Teague, Engineering and Infrastructure Director, explained the public hearing was for the paving without petition of twelve streets, which represented the first group of Council's three-year plan to pave soil streets. Mr. Teague stated the special assessment rates for soil street paving were \$10 per front foot for strip paving and \$25 per front for paving including concrete curb and gutter. Mr. Teague noted assistance for qualifying property owners would be available through the Community Development Department.

Jeffrey Brown, City Engineer, provided a PowerPoint presentation containing photographs and proposed paving layouts for the twelve streets.

Council Member Meredith noted Grace Street's proximity to the HOPE VI area and proposed postponing the paving until HOPE VI plans were finalized.

Mr. Brown explained property owner special assessments covered approximately 25% of the paving costs and the City of Fayetteville covered approximately 75%.

This is the advertised public hearing set for this date and time. The public hearing opened at 7:30 p.m.

Bishop B. A. Black, PO Box 234, Fayetteville, NC appeared in favor representing a church on Adams Street and stated his questions had already been answered.

Pamela M. Eastzrdge, 411 Plummers Lane, Fayetteville, NC appeared in opposition, stated she was the only resident on Plummers Lane, stated there was no traffic on the road and stated she did not feel the paving was warranted.

Devins R. Harrison, 1029 Camden Road, Fayetteville, NC appeared in opposition and stated although he was in favor of paving Woodsdale Drive, residents could not afford to pay the assessment. Mr. Harrison stated the street was without sewer and subject to stormwater run off.

John O. Sandrock, 1189 Titan Roberts, Lillington, NC 27546 appeared in opposition and stated as heir to the property, the paving of Plummers Lane would not be in his best interest or general welfare.

There was no one further to speak and the public hearing closed at 7:40 p.m.

**FINAL RESOLUTION REQUIRING THE PAVING WITHOUT PETITION OF ADAM STREET, CANAL STREET, CARBONTON STREET, GURLEY STREET, GUTHRIE STREET, MCDUFFIE STREET, LUCAS STREET, UPTON STREET AND FARRELL AVENUE. RESOLUTION NO. R2008-015**

**MOTION: Council Member Haire moved to adopt the attached resolution requiring the paving of soil streets with the exception of Woodsdale Drive and Plummers Lane.**

SECOND: Council Member Crisp

Staff responded to questions and discussion ensued. Mr. Iman explained the coordination of street paving and stormwater projects. Mr. Iman further explained PWC water and sanitary sewer projects would be assessed upon petition by property owners.

FRIENDLY AMENDMENT:

Council Member Meredith moved to adopt the attached resolution requiring the paving of soil streets with the exception of Woodsdale Drive, Plummers Lane and Grace Street.

Council Member Haire accepted the friendly amendment.

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

**B. Consider the rezoning from R10 residential district to M2\CZ industrial district\conditional zoning to allow an auto salvage business on property located at 898 Santee Drive. Containing 10.01 acres more or less and being the property of Neal K. Bullard. Case Number P07-67F.**

Mr. Garner showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. Mr. Garner stated the applicant requested the change of zoning to convert a non-conforming salvage yard to a conforming salvage yard. Mr. Garner stated the Zoning Commission recommended approval.

This is the advertised public hearing set for this date and time. The public hearing opened at 8:00 p.m.

Neal K. Bullard, 876 Santee Drive, Fayetteville, NC appeared in favor and provided an overview of his auto salvage business and contributions his business made to the community. Mr. Bullard outlined conditions he developed as part of the rezoning request.

Hardy Lewis, 1117 Hillsborough Street, Raleigh, NC appeared in favor and stated the Bullard family salvage yard was a great corporate business.

Thomas Bullard, 868 Santee Drive, Fayetteville, NC appeared in favor of the rezoning and offered comments in support of his brother's salvage yard.

Pastor Stephen G. Johnson, Antioch Church of God, 332 Old Shaw Road, Fayetteville, NC appeared in favor and stated the salvage yard provides a fair product for a fair price.

William Pitkin, 5230 Surf Scooter Circle, Fayetteville, NC appeared in favor and stated he supports the salvage yard because of the vehicles it provided for firefighter training.

Paul D. Miller, 212 Haverhill Drive, Fayetteville, NC appeared in favor and stated the City would be poorer without the salvage yard business.

Jarritt H. Hansell, 5145 Foxfire Road, Fayetteville, NC appeared in favor and stated he had known the family for thirty-five years and had referred them a lot of business.

Louie Wardlaw, 681 Bunce Road, Fayetteville, NC appeared in favor and stated the salvage yard was one of the few places he recommended to people.

David T. Courie, Beaver Holt Sternlicht and Courie, PA, 230 Green Street, Fayetteville, NC appeared in opposition and stated his clients were opposed to making the salvage yard permanent. Mr. Courie further stated the rezoning would not be in the best interest of the city's future growth and development plans.

There was no one further to speak and the public hearing closed at 8:25 p.m.

**MOTION: Council Member Haire moved to follow the Zoning Commissions recommendation for approval with the conditions as outlined.**

SECOND: Council Member Crisp

Discussion ensued. Mrs. McDonald questioned whether there was a timeframe for completion of the conditions.

**AMENDED MOTION:**

**Council Member Haire moved to rezone the property to M2/CZ with the self-imposed conditions as outlined and for fencing along the All American Freeway to be completed within six (6) months.**

**VOTE:**            **FAILED** by a vote of 5 in favor (Council Members Massey, Mohn, Applewhite, Haire, Crisp) to 5 in opposition (Council Members Chavonne, Evans, Hurst, Meredith and Bates).

**MOTION:**        Council Member Bates moved to deny the request for rezoning.

**SECOND:**        Council Member Meredith

**VOTE:**            **FAILED** by a vote of 5 in favor (Council Members Chavonne, Evans, Hurst, Meredith and Bates) to 5 in opposition (Council Members Massey, Mohn, Applewhite, Haire, Crisp).

**C.        Consider an application by Snyder Memorial Baptist Church for a Special Use Permit for a counseling service in a R6 residential district for property located at 805 Westmont Drive. Containing .379 acres more or less and being the property of Snyder Memorial Baptist Church. Case Number P08-1F.**

Mr. Garner showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. Mr. Garner stated Snyder Memorial Baptist Church was a charitable institution and was applying to operate a counseling center near the location of the church. Mr. Garner stated the Zoning Commission recommended approval. This is the advertised public hearing set for this date and time. The public hearing opened at 8:35 p.m.

C. Wayne Ham, 2243 Meadow Wood Road, Fayetteville, NC appeared in favor as Executive Minister of Snyder memorial Baptist Church and provided an overview of the Family Life Center's plans for expansion of the faith-based, non profit counseling center.

Jerry Powell, 7429 Wilkins Drive, Fayetteville, NC appeared in favor as the Family Life Center director and stated expansion of the already existing ministry would help meet the increased need for counseling services.

No one appeared in opposition and the public hearing closed at 8:42 p.m.

**MOTION:**        **Council Member Hurst moved to approve the Special Use Permit with conditions as outlined.**

**SECOND:**        Council Member Applewhite

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

**D.        Consider the rezoning from M2 industrial district to R5 residential district for property located along Teachers Drive off Eastern Boulevard. Containing 1.98 acres more or less and being the property of Ronald Richardson, Allison Woods, John A. McLean, Roslie Davis, Roscoe Williams and Mary and Dan Blue heirs. Case Number P08-2F.**

Mr. Garner showed a vicinity map and gave an overview of the current land use, current zoning, surrounding land use and zoning, and 2010 Land Use Plan. Mr. Garner stated the applicant wishes to change the residential use of the property from non-conforming to conforming. Mr. Garner further stated the Zoning Commission recommended denial.

This is the advertised public hearing set for this date and time. The public hearing opened at 8:48 p.m.

Ronald Richardson, 811 Teachers Drive, Fayetteville, NC appeared in favor and stated the rezoning to a conforming use would allow residences damaged more than 50% to be rebuilt and allow property owners to make modifications to their homes.

Charles T. Gardner, 5405 Lakeview Road, Hopes Mills, NC 28348 appeared in opposition and expressed concern for the safety and quality of life of individuals living in areas zoned M2 commercial.

Charles E. Robinson, 6007 McDougal Drive, Fayetteville, NC appeared in opposition and expressed concern that the church would not be able to carry out their plan for a senior center and day care if the property was rezoned for residential uses.

On rebuttal, Mr. Richardson clarified the residential rezoning request only pertained to select properties in the area.

On rebuttal, Mr. Robinson expressed concern that the map he received depicted a larger area for the requested rezoning.

There was no one further to speak and the public hearing closed at 9:02 p.m.

At the request of Council, Mr. Gardner identified the eleven parcels included in Mr. Richardson's rezoning petition and explained the future potential for multi-family uses in a commercial/industrial area.

Victor Sharpe, Community Development Director, stated the HOPE VI application was project-specific; however, there would be opportunities for future infill development and projects in the area.

Council Member Haire asked whether Council could consider a more restrictive zoning classification. Mr. Gardner explained R5 requirements were the only ones the eleven properties could meet for conforming uses.

**MOTION: Council Member Evans moved to rezone the property to R5 residential.**

SECOND: Council Member Haire

Council Member Haire asked whether any protection could be provided for the existing residences. Mr. Gardner responded use variances were illegal in North Carolina.

**VOTE: FAILED by a vote of 4 (Council Members Haire, Evans, Mohn and Massey) in favor to 6 in opposition (Council Members Chavonne, Hurst, Meredith, Applewhite, Bates and Crisp).**

**MOTION: Council Member Meredith moved to deny the rezoning to R5 residential.**

**SECOND: Council Member Bates**

**VOTE: PASSED by a vote of 7 (Council Members Chavonne, Hurst, Meredith, Applewhite, Bates, Crisp and Massey) in favor to 3 in opposition (Council Members Evans, Mohn and Haire).**

Mayor Chavonne asked for clarification on revisiting this matter and Mrs. McDonald explained Council could revisit it in six (6) months or sooner if a Council Member who voted in opposition were to change their vote.

**E. Consider a request by Greg Floyd for payment in lieu of sidewalk construction on Hoke Loop Road and within the Scotts Mill and James Creek subdivisions.**

Mr. Teal explained the subdivision ordinance and city council policy provides an opportunity for an individual to request payment in lieu of constructing the required sidewalk. Mr. Teal stated Mr. Floyd's required sidewalk length is 1,200 linear feet in the Scotts Mill subdivision; 2,000 linear feet in the James Creek subdivision; 1,528 linear feet on the southeast side of Hoke Loop Road; and 1,000 linear feet on the northwest side of Hoke Loop Road.

Mr. Teal stated the Planning Commission recommended denial of the request for the Scotts Mill subdivision streets, James Creek subdivision streets and the northwest side of Hoke Loop Road. Mr. Teal further stated the Planning Commission recommended approval of the payment in lieu of request for the southeast side of Hoke Loop Road.

Council Member Mohn stated Hoke Loop Road was sixth on the list of payment in lieu of priorities and the City could reduce its costs from \$132,000 to under \$30,000 by keeping the payment in lieu of funds on Hoke Loop Road. Council Member Mohn requested that payment in lieu of funds from the southeast side of Hoke Loop Road be applied to the northwest side Hoke Loop Road.

This is the advertised public hearing set for this date and time. The public hearing opened at 9:30 p.m.

Greg Floyd, 3695 Glenbarry Place, Fayetteville, NC appeared in favor, stated Floyd Properties made a mistake on the petition and supported the Planning Commission's recommendation. Leonard Dixon, 8408 Cartman Drive, Fayetteville, NC appeared in opposition and expressed concern for the safety and protection of school aged children in the areas surrounding Hook Loop Road. Mr. Dixon emphasized the sooner sidewalks are constructed, the better.

There was no one further to speak and the public hearing closed at 9:37 p.m.

**MOTION: Council Member Mohn moved to follow staff recommendation and apply payment in lieu of from the southeast side to the northwest side of Hook Loop Road.**

SECOND: Council Member Evans

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

**F. Consider a request by Greg Floyd for a waiver in the Colinwood subdivision to construct a cul-de-sac 1,300 linear feet where 800 feet is the maximum length.**

Mr. Teal stated the Planning Commission recommended approval of the waiver request.

This is the advertised public hearing set for this date and time. The public hearing opened at 9:40 p.m.

Greg Floyd, 3695 Glenbarry Place, Fayetteville, NC appeared in favor and stated he was available for questions.

Del Crawford, Crawford Design Company, 3201 Stratsfield Court, Fayetteville, NC appeared in favor and stated the waiver was requested because of the linear nature of the property and other restrictions that made an 800-foot cul-de-sac unfeasible.

No one appeared in opposition and the public hearing closed at 9:43 p.m.

**MOTION: Council Member Crisp moved to approve the waiver request.**

SECOND: Council Member Massey

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

**G. Consider extending the corporate limits of the City of Fayetteville for a petition-initiated contiguous annexation by Carolyn Armstrong. (Located on the western side of Glensford Drive between Campground Road and Red Tip Road)**

Mr. Teal stated the annexation petition was submitted in order to receive PWC water and sewer service as outlined in City Council Policy #150.2. Mr. Teal stated recommendation was to adopt the ordinance annexing the property effective February 25, 2008; however, the applicant has since requested an extension.

This is the advertised public hearing set for this date and time. The public hearing opened at 9:46 p.m.

No one appeared in favor.

Lori Epler, 613 O'Galley Drive, Fayetteville, NC appeared representing Larry King and Associates and stated the engineer and developer requested a thirty-day extension in order to allow out-of-state attorneys an opportunity to review North Carolina statutes associated with the farm use program.

Mrs. McDonald advised Council of their options.

There was no one further to speak and the public hearing closed at 9:50 p.m.

**MOTION: Council Member Hurst moved to postpone the ordinance to annex the 28.77 acres for thirty days.**

SECOND: Council Member Evans

Mrs. McDonald requested clarification of the motion and asked whether the intent was to continue the public hearing for thirty days.

**RESTATED MOTION:**

**Council Member Hurst moved to continue the public hearing for thirty days.**

**SECOND: Council member Evans**

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

**H. Consider extending the corporate limits of the City of Fayetteville for a petition-initiated contiguous annexation by March Riddle. (Gates Four - Section 1 - Located on the eastern side of Dundle Road across from Grimes Road and Heatherbrook Road)**

Mr. Teal stated the annexation petition was submitted in order to receive PWC water and sewer service as outlined in City Council Policy #150.2. Mr. Teal stated recommendation was to adopt the ordinance annexing the property effective February 29, 2008

This is the advertised public hearing set for this date and time. There being no one in favor or in opposition, the public hearing opened and closed at 9:58 p.m.

**MOTION: Council Member Crisp moved to adopt the annexation ordinance with an effective date of February 29, 2008.**

SECOND: Council Member Meredith

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

**I. Consider extending the corporate limits of the City of Fayetteville for a petition-initiated contiguous annexation by Paula Faircloth and Kenneth Huggins. (Faircloth\Huggins Property - Located on the northwestern side of LA Dunham Road between Encore Drive and Division Drive)**

Mr. Teal stated the annexation petition was submitted in order to receive PWC water and sewer service as outlined in City Council Policy #150.2. Mr. Teal stated recommendation was to adopt the ordinance annexing the property effective August 22, 2008.

This is the advertised public hearing set for this date and time. The public hearing opened at 10:00 p.m.

Attorney Garris Neil Yarborough, The Yarborough Law Firm, 115 E. Russell Street, Fayetteville, NC appeared in favor. He stated his clients were unable to further delay their development plans and had requested annexation with an effective date of February 29, 2008 rather than wait for a development agreement between the city and the county.

No one appeared in opposition and the public hearing closed at 10:03 p.m.

Discussion ensued. Mr. Teal responded to questions regarding the annexation effective date and AR zoning as it pertained to the City Council policy for initial zoning of property.

**MOTION: Council Member Evans moved to adopt the annexation ordinance with an effective date of February 29, 2008.**

SECOND: Council Member Crisp

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

**4. Consider the initial zoning to C1P commercial district for property located on the west side of Glensford Drive between Campground Road and Red Tip Road. Containing 28.77 acres more or less and being the property of Carolyn Armstrong as evidenced by map and legal description furnished by the City of Fayetteville. Case Number P08-5F.**

Mrs. McDonald advised Council could continue the item to be heard in thirty days consistent with action taken in Item 3.G.

**MOTION: Council Member Bates moved to continue the initial zoning for thirty days.**

SECOND: Council Member Evans

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

**5. CONSIDER CLOSING A PORTION OF BINGHAM PLACE**

Mr. Teague stated Arron Lakes Baptist Church petitioned the City to permanently close a portion of Bingham Place adjacent to their property. Mr. Teague further stated a public hearing on the proposed closing was held August 25, 2007 after which Council delayed action for six (6) months to determine the impact of the opening of new Bingham Drive. Mr. Teague stated the six (6) months had passed, investigations had been completed and the closing was being brought back for Council consideration. Discussion ensued regarding the ownership and maintenance.

Mrs. McDonald clarified ownership would revert to the church if the road was closed and the church would be responsible for the maintenance and upkeep of the property.

**RESOLUTION AND ORDER CLOSING A PORTION OF BINGHAM PLACE. RESOLUTION NO. R2008-016**

**MOTION: Council Member Meredith moved to adopt the resolution and order closing a portion of Bingham Place.**

SECOND: Council Member Bates

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

**1. Statement of taxes collected for the month of January 2008 from the Cumberland County Tax Administrator**

2007 Taxes.....	\$9,776,565.14
2007 Vehicle Taxes.....	481,328.31
2007 Revit.....	22,310.04
2007 Vehicle Revit.....	408.59
2007 FVT.....	51,136.35



2007 Storm Water.....,	498,640.29
2007 Fay Storm Water.....	774,508.43
2007 Annex.....	59.03
2006 Annex.....	\$45,899.74
2006 Taxes.....	16,865.56
2006 Vehicle Taxes.....	48,932.78
2006 Revit.....	2.93
200 Vehicle Revit.....	10.21
2006 FVT.....	6,744.44
2006 Storm Water.....	1,097.11
2005 Taxes.....	\$11,961.72
2005 Vehicle Taxes.....	2,934.01
2005 Revit.....	0.00
2005 Vehicle Revit.....	0.00
2005 FVT.....	593.51
2005 Storm Water.....	482.35
2004 Taxes.....	1,489.27
2004 Vehicle Taxes.....	630.28
2004 Revit.....	0.00
2004 Vehicle Revit.....	0.00
2004 FVT.....	260.59
2004 Storm Water.....	156.51
2003 and Prior Taxes.....	1,914.91
2003 and Prior Vehicle Taxes.....	3,492.63
2003 and Prior Revit.....	0.00
2003 and Prior Vehicle Revit.....	0.00
2003 and Prior FVT.....	657.12
2003 and Prior Storm Water.....	200.22
Interest.....	38,145.88
Interest (Revit).....	88.97
Interest (Storm Water).....	1,464.83
Interest (Fay Storm Water).....	1,345.84
Interest (Annex).....	465.23
Total Collections.....	\$11,790,792.82

There being no further business, the meeting adjourned at 10:15 p.m.