

FAYETTEVILLE CITY COUNCIL

AGENDA

REGULAR MEETING

SEPTEMBER 8, 1992

7:00 P.M.

FAYETTEVILLE CITY COUNCIL
AGENDA
REGULAR MEETING
SEPTEMBER 8, 1992
7:00 P.M.

INVOCATION - PLEDGE OF ALLEGIANCE

RECOGNITION:

ITEM 1. Approval of Agenda

ITEM 2. Consent:

- A. Approve minutes of information meeting of July 27, 1992.
- B. Approve minutes of special meeting of August 10, 1992.
- C. Approve minutes of regular meeting of August 17, 1992.
- D. Approve minutes of information meeting of August 24, 1992.
- E. Approve tax refunds over \$100.
- F. Set public hearing for October 5, 1992, to consider the rezoning from R10 Residential District to P2 Professional District or to a more restrictive zoning classification for an area located at the northwest corner of the intersection of Chloe Street and Ramsey Street (US 401 North).(P92-89)
- G. Set public hearing for October 5, 1992, to consider the rezoning from R6 Residential District to P2 Professional District or to a more restrictive zoning classification for an area located on the southeast corner of the intersection of Barrington Cross and Bragg Boulevard.(P92-95)
- H. Adopt Special Revenue Project Ordinance 93-1 and Budget Ordinance Amendment 93-4.
- I. Adopt resolution declaring cost and ordering preparation of preliminary assessment roll and setting time and place for public hearing on preliminary assessment roll for paving on Windemere Drive (from Cliffdale Road to Cornish Street).

- J. Adopt resolution declaring cost and ordering preparation of preliminary assessment roll and setting time and place for public hearing on preliminary assessment roll for installation of sanitary sewer collection system in University Estates:(PWC)

1. Spellman Drive
2. Fiske Drive
3. Livingston Drive
4. Shaw Road
5. Edmeston Drive
6. Demerest Drive
7. Meharry Drive
8. Shrewsbury Drive
9. Shaw Mill Road

- K. Approve modified agreement for State Aid Project 9.9544901 (AIP-12) at Fayetteville Regional Airport.

- L. Adopt resolution authorizing sale of property to Prince Charles Hotel Management Company, Inc.

ITEM 3. Public Hearings:

- A. Consideration of adoption of ordinance to extend the corporate limits of the City of Fayetteville, N.C., for the following: (Petition-initiated contiguous annexation area) (Public Hearing continued from August 17, 1992)

1. McLean and Thompson Property (McArthur Road)

PRESENTED BY: Deputy City Manager

RECOMMENDED ACTION: Adoption of resolution

- B. Consideration of resolution confirming assessment roll and levying assesments for installation of sanitary sewer collection system into the following streets: (PWC) (Public Hearing continued from August 17, 1992)

1. Hearthstone Drive
2. Onie Court
3. Morganton Road
4. Mawood Avenue
5. Old Gate Road
6. Docia Circle
7. Merritt Drive
8. Pamalee Drive

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Adoption

- C. Consideration of adopt resolutions confirming assessment rolls and levying assessments for installation of sanitary sewer collection system in the following streets:(PWC)

1. Murchison Road
2. Lakecrest Drive
3. Oakcrest Drive
4. Comfy Court
5. Haven Court
6. Renfrow Drive
7. Country Club Drive

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Adoption

- D. Consideration of adopt resolution confirming assessment roll and levying assessments for installation of water distribution main and sanitary sewer collection system in First Street (formerly SR-2414).(PWC)

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Adoption

- E. Consideration of the rezoning from R6 Residential District to P2 Professional District or to a more restrictive zoning classification for an area located on the east side of Rosehill Road (SR 1615) and the west side of Rosehill Road Extension, between Dowfield and Rutledge Drives. (P92-73)

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends denial

- F. Consideration of amendments to the Fayetteville Urban Area Thoroughfare Plan.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption

- ITEM 4. Consideration of paving Englewood Drive from Cedar Creek Road to Dead End. (Continued from July 6, 1992)

PRESENTED BY: City Manager

RECOMMENDED ACTION: Approval

- ITEM 5.** Consideration of a resolution of the City Council of the City of Fayetteville directing the filing of an application for approval of the issuance of Public Works Commission electric, water and sewer utilities revenue bonds with the North Carolina Local Government Commission and designating the bond financing team members.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption

- ITEM 6.** Consideration of award of contract for Geographic Information Systems (GIS) hardware and software for PWC and City Administration to ESRI.

PRESENTED BY: City Manager

RECOMMENDED ACTION: Approval

- ITEM 7.** Consideration of amendment to lease between City of Fayetteville and Cape Fear Botanical Garden, Inc., for addition of 11 acres of leased space.

PRESENTED BY: Parks and Recreation Director

RECOMMENDED ACTION: Authorize advertisement

- ITEM 8.** Consideration of adoption of a resolution directing the City Clerk to investigate a petition received under GS 160A-31 (Petition-Initiated Contiguous Annexation Area) - Westlake of Morganton Road, Phase 1 (Property of Harris Farm Joint Venture)

PRESENTED BY: Deputy City Manager

RECOMMENDED ACTION: Adoption

- ITEM 9.** Consideration of voting and alternate delegate for National League of Cities Conference.

PRESENTED BY: City Manager

- ITEM 10.** Consideration of request by Councilmember Ross for discussion of noise ordinance.

- ITEM 11.** Appointments:

- A. Nominations to fill three vacancies on Joint Senior Citizens Advisory Commission
- B. Nominations to fill one vacancy on Appearance Commission

ITEM 12. Administrative Reports:

- A. Report on tax refunds of less than \$100.
- B. Update on Street Standards Policy
- C. Status report on McPherson Church Road/Morganton Road intersection improvement.
- D. Letter from The Honorable Thomas Harrelson, Secretary, N.C. Department of Transportation regarding naming of state streets.

POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

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

POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in Room 217, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 and 7:00 p.m.

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

Individuals who have not made a written request to speak on a non-public hearing item may submit written materials to the City Council on the subject matter by providing fifteen (15) copies of the written materials to the Office of the City Manager before 5 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.



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ITEM 9. Consideration of voting and alternate delegate for National League of Cities Conference.

- ITEM 10. Consideration of request by Councilmember Ross for discussion of noise ordinance.
- ITEM 11. Appointments:
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A 960 — H.

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Susan wants a sniffing

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PRESENTED BY: Deputy City Manager

RECOMMENDED ACTION: Adoption of resolution

- B. Consideration of resolution confirming assessment roll and levying assessments for installation of sanitary sewer collection system into the following streets: (PWC) (Public Hearing continued from August 17, 1992)

5/14 (Mans Black River Trail)
900 ft.
1200 ft.
A 9/10

1. Hearthstone Drive
2. Onie Court
3. Morganton Road
4. Mawood Avenue
5. Old Gate Road
6. Docia Circle
7. Merritt Drive
8. Pamalee Drive

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Adoption

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A 9/10
1200 ft.

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PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Adoption

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Deny
9/0

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends denial

- F. Consideration of amendments to the Fayetteville Urban Area Thoroughfare Plan.

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Adoption

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ITEM 4.

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PRESENTED BY: City Manager

RECOMMENDED ACTION: Approval

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Bolton abstain
A 8/0

PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption

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A 9/0

PRESENTED BY: City Manager

RECOMMENDED ACTION: Approval

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A 9/0

PRESENTED BY: Parks and Recreation Director

RECOMMENDED ACTION: Authorize advertisement

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A 9/0

PRESENTED BY: Deputy City Manager

RECOMMENDED ACTION: Adoption

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PRESENTED BY: City Manager

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ITEM 11. Appointments:

- A. Nominations to fill three vacancies on Joint Senior Citizens Advisory Commission *Hath; Evans;*
- B. Nominations to fill one vacancy on Appearance Commission

ITEM 12. Administrative Reports:

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FAYETTEVILLE CITY COUNCIL
INFORMATION MEETING MINUTES
CITY HALL COUNCIL CHAMBERS
433 HAY STREET
MONDAY, JULY 27, 1992
7:00

Present: Mayor J. L. Dawkins

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

Others Present: John P. Smith, City Manager
Roger L. Stancil, Deputy City Manager
John B. Brown, Jr., Assistant City Manager for
Administration and Finance
Jimmy Teal, Assistant City Manager for Planning
and Development
Robert C. Cogswell, Jr., City Attorney
Jason Brady, Public Information Officer
Kai Nelson, Finance Director
Robert C. Williams, Chairman PWC
Lyndo Tippet, PWC Member
William H. Owen, III., PWC Member
R. O. McCoy, PWC Member
Tim Wood, PWC Manager
Henry Powers, PWC Water/Sewer Operations
Superintendent
Ken Fanfoni, PWC Water/Sewer Utilities Director
Ray Britt, PWC Finance Service Director
Dick Lewis, PWC Attorney
Marland Reid, Attorney
Members of the Press

Mayor Dawkins called on Councilmember Torrey to offer the invocation followed by the Mayor leading in the Pledge of Allegiance to the American Flag.

1. Approval of Agenda

Councilmember Kendrick moved to approve the agenda as submitted, seconded by Councilmember Robertson and carried unanimously.

2. Consideration of Transfer of Property to Habitat for Humanity

This item was presented by City Manager John Smith with a recommendation to approve the transfer of several lots in the Wilmington Road redevelopment area to Habitat for Humanity.

Councilmember McBryde moved to follow the recommendation to approve the transfer of the City property to Habitat for Humanity, seconded by Councilmember Kendrick and carried unanimously.

At this time Mayor Dawkins recessed the regular meeting to reconvene in the first floor Multipurpose room. The meeting reconvened at 7:10 p.m.

3. Discussion with Public Works Commission on Budget Request

Mayor Dawkins introduced Public Works Commission Chairman Robert Williams who presented this item. Following a brief presentation of the PWC Financial Report, Commissioner Bobby McCoy presented the capital projects they had intended to construct with the same earnings. Commissioner Bill Owens presented capital projects which were included in the 1990 Revenue Bond Project List and for which they now propose to complete with net earnings. This could not have been anticipated in 1990. Mr. Owens stated that by not using bonds, it would save millions to customers in interest.

Commissioner Lyndo Tippet presented a proposal for Revenue Bond financing of a generation plant project which has tremendous projections for liquidation and will also outline the savings to the customers under this Fiscal 1993 budget. He also suggested using the PWC building for a Police Department. It has ample room for expansion and plenty of parking.

Mr. Tippet requested Council's approval on the \$16 million bonds as soon as possible in order to be on-line with this project in the next twelve months. He referred to the proposal of Council to transfer \$9 million from retained earnings to build City projects and stated they considered this transfer to be ill-advised and contrary to the provisions of the charter under which they operate. If Council would consider a fund transfer it would provide the much needed cash for other projects, as outlined by the City Manager.

City Manager John Smith gave a general summary of the analysis submitted to Council. Public Works has generated unexpected retained earnings or surplus revenues or surplus property in the electric fund over the last three years. Mr. Smith attempted to do an analysis of what some of the City's other capital project needs are and the alternatives available to Council as far as financing those needs, as well as financing the utility needs. His recommendations were: (1) set aside a portion of those retained earnings that have been generated over the last three years for capital expenses; and (2) Council can authorize the Commission to proceed with the projects they have proposed, including the PWC administrative building, utilizing retained earnings as proposed and the issuance of the portion of revenue bonds that is anticipated to be used in the 1990 resolution. He also recommended a separate briefing on the generation project that has very long-term implications. Mr. Smith complimented PWC on the excellent management enabling them to retain these earnings. He recommended Council consider using some of those electric-retained earnings that had been accumulated over the past three years for other municipal needs on a one-time basis, and if necessary, to authorize issuance of revenue bonds for a portion of the water and sewage.

Councilmember Ross asked if there was some way to set aside PWC funds to aid those who have less money and have to pay assessments. She also asked about the failing cesspools that are going to contaminate the ground water. Mr. Tippet responded that Public Works works through modified payment plans as much as possible.

Councilmember Robertson had many complaints regarding the way charges are arrived for installation of water and sewer (linear foot basis). He wondered if there could be other ways. Mr. Wood responded that there were many different ways but they have tried to come up with one to come close to the 1/3 participation figure for the fairest way. Councilmember Robertson questioned the annual yard sprinkler inspection fee of \$50. Ken Fanfoni stated that their concern is with what backs up into those systems and the fact that they sit unused during the winter months, therefore, he feels they should be inspected every year.

Councilmember Cheek stated she feels that Council needs more information on the new generation project and to look at the total needs of the City and PWC. She was also concerned with who pays for these projects. Councilmember Cheek felt bond financing would allow those using this in the future to help share in the cost with the existing users.

Councilmember Massey asked for more details on why these projects are so important, such as the Thermal Energy Storage Project. Steve Blanchard responded that he would give a briefing on this to the Council as soon as possible if they wished. Council set Monday, August 10, 1992, 7:00 p.m. at City Hall, for the briefing.

There was some discussion by Councilmember Blackwell concerning PWC's proposed new building location and the future of the existing building.

Councilmember Kendrick discussed the bond issue. Ray Britt responded that they will be asking for a resolution of intent at the next meeting, a briefing will be given to City Council the following week and at the second regular meeting they will request to have the budget adopted.

Councilmember Blackwell asked Mr. Tippet for a clarification on a statement he had made earlier in the meeting concerning the rate changes as related to the charter. Mr. Tippet responded that the charter that created PWC specifically states that the members have the rate-setting authority. Actions such as the transfer of the \$9 million will have an impact on rates, therefore, they will have to increase the rates to cover the indebtedness incurred by these transfers. Mr. Blackwell made a request that PWC furnish their budgets by the April 30 deadline as does other City departments. He also requested that PWC be included in the City's long-range planning in the fall.

There being no further business the meeting was adjourned upon motion second at 8:55 p.m.

Respectfully submitted,

Bobbie A. Joyner
City Clerk

J. L. Dawkins
Mayor

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FAYETTEVILLE CITY COUNCIL
SPECIAL MEETING MINUTES
CITY HALL MULTIPURPOSE ROOM
433 HAY STREET
MONDAY, AUGUST 10, 1992
7:00 P.M.

Present: Mayor J. L. Dawkins
Councilmembers Milo McBryde (At-large); Robert Massey (District 3); Thelbert Torrey (District 4); and Mark Kendrick (District 6)

Absent: Councilmembers Breeden Blackwell (At-large); Nat Robertson (At-large); Tommy Bolton (District 1); Ida Ross (District 2); and Suzan Cheek (District 5)

Others Present: John P. Smith, City Manager
Tim Wood, PWC Manager
Jim Martin, Director of Electrical Services, PWC
Steve Blanchard, Director of Electrical Generation, PWC
Ray Britt, PWC Finance Director
Jimmy Teal, Assistant City Manager, Planning & Development
Robert C. Cogswell, Jr., City Attorney
Kai Nelson, City Finance Director
Robert Williams, Chairman of PWC Commission
Lyndo Tippet, Member of PWC Commission
Bobby McCoy, Member of PWC Commission

Mayor Dawkins called the meeting to order at 7:00 p.m. and recognized Mr. Tim Wood, PWC Manager, for opening discussion.

Mr. Wood discussed the long-term outlook for PWC as it pertained to electrical distribution and service. Mr. Wood stressed the significance of reducing the electrical peak. The cost of electricity purchased from CP&L is directly influenced by the peak load used by PWC customers. By keeping the peak as low as possible and not spiking upwards, PWC is able to save thousands of dollars in future billings by CP&L. PWC is currently reviewing ways to reduce the peak from both the demand and supply sides.

Mr. Wood then introduced Mr. Steve Blanchard from PWC's Electrical Generation Plant to discuss a project to help reduce the amount of money PWC pays CP&L for electricity.

Mr. Blanchard explained the gas turbines in the Butler-Warner Electrical Generation Plant could be made more efficient during the summer months if the air flowing into the turbines was cooler. A process called "Combustion Turbine Inlet Air Cooling" could be developed at the plant which could save PWC 4 million dollars per year in cost to CP&L. Mr. Blanchard stated this operation would utilize chilled water flowing through pipes near the air inlet of the turbines which would reduce the air temperature making the operation of the turbines more efficient. By making the turbines more efficient, PWC electrical generation would increase, thus reducing the amount purchased from CP&L.

Mayor Dawkins and other members of Council expressed their approval of the project. Mr. Blanchard stated that he hopes to have the project on-line in approximately one year.

There being no further business, the meeting was adjourned at 8:15 p.m. upon a motion and a second.

Respectfully submitted,


Jimmy Teal, Assistant City Manager

DRAFT

FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBERS
433 HAY STREET
MONDAY, AUGUST 17, 1992
7:00

Present: Mayor J. L. Dawkins

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

Absent: Ida Ross (District 2) - excused

Others Present: John P. Smith, City Manager
Roger L. Stancil, Deputy City Manager
John B. Brown, Jr., Assistant City Manager for
Administration and Finance
Jimmy Teal, Assistant City Manager for Planning
and Development
Robert C. Cogswell, Jr., City Attorney
Jason Brady, Public Information Officer
Mike Walker, City Engineer
Louis Chalmers, Traffic Services Director
David Nash, Annexation Studies Coordinator
Al Mitchell, Assistant Planning Director
Tim Wood, PWC Manager
Tom McNeill, PWC Property Acquisition Supervisor
Henry Powers, PWC Water/Sewer Operations
Superintendent
Members of the Press

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

INVOCATION - PLEDGE OF ALLEGIANCE

Dr. Joseph Walker, First Presbyterian Church offered the invocation followed by the Mayor leading in the Pledge of Allegiance to the American Flag.

1. Approval of Agenda

City Manager John Smith requested to add Item 2I - To approve Minutes of Regular Meeting of August 3, 1992 and 2J - Setting a Public Meeting for September 1 and a public hearing for September 8 for proposed revisions to the Fayetteville Urbanized Area Thoroughfare Plan Map. He also requested to add Item 2K - Authorize Readvertisement of Sale of Property located at 331 - 333 Hay Street and add Item 3C - Consideration of Resolution Confirming Assessment Rolls for PWC. Also pull Item 6 from the agenda. Colonel Nagel will be out of town and has requested this be placed on an information meeting agenda.

Councilmember Robertson moved to approve the agenda with the changes, seconded by Councilmember Kendrick and carried unanimously 8 to 0.

2. Consent:

Mayor Dawkins presented the Consent Agenda and asked if any item should be removed before calling for action. Councilmember Blackwell requested to pull Item H for discussion. Councilmember Robertson moved to approve the Consent Agenda with the exception of Item H after a second from Councilmember Kendrick the Consent Agenda and following items were unanimously approved.

- A. Adopt Special Revenue Fund Project Amendment Change 92-6 (ORD 92-3)

The U.S. Department of Housing and Urban Development has made an additional \$2,000 available to the Community Development Block Grant Fund for fiscal year 1992.

- B. Adopt resolution to acquire an easement (Parcel 3) for the Rivenoak Drive/Regiment Drive Drainage Improvement Project. (Valued at \$1,755)

RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY. RESOLUTION R1992-116.

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

- C. Approve Interlocal Agreement between City of Fayetteville and Cumberland County for improvements at entrance of Bordeaux Library Branch on Village Drive.

- D. Approve award of contract for Damascus Road Paving and Drainage Project to Crowell Constructors, Inc., low bidder in the amount of \$349,297.50.

Bids received were as follows:

Crowell Construction, Inc.	\$349,297.50
McDonald Grading Company, Inc.	355,811.25
T. A. Loving Company	374,825.00
City estimate	328,854.50

This project is to be completed by November 20, 1992 and the liquidated damages are fifty cents per day \$1,000 of the bid amount for each day of overrun.

- E. Adopt resolution declaring cost and ordering preparation of preliminary assessment roll and setting time and place for public hearing on preliminary assessment roll for Redstone Drive from Dillon Drive to S/E Corner of Lot 4, Plat Book 24/73).

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING (SEPTEMBER 21) ON PRELIMINARY ASSESSMENT ROLL FOR REDSTONE DRIVE. RESOLUTION NO. R1992-117.

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

- F. Adopt resolution declaring cost and ordering preparation of preliminary assessment roll and setting time and place for public hearing for installation of water and sanitary sewer utilities in the following streets: (PWC)

1. Murchison Road	5. Haven Court
2. Lakecrest Drive	6. Renfrow Drive
3. Oakcrest Drive	7. Country Club Drive
4. Comfy Court	

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING (SEPTEMBER 8) ON PRELIMINARY ASSESSMENT ROLL FOR INSTALLATION OF SANITARY SEWER UTILITIES. RESOLUTION NO. R1992-118.

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

- G. Adopt resolution declaring cost and ordering preparation of preliminary assessment roll and setting time and place for

public hearing for installation of water and sanitary sewer utilities in First Street (SR-2414). (PWC)

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING (SEPTEMBER 8) ON PRELIMINARY ASSESSMENT ROLL FOR INSTALLATION OF WATER AND SANITARY SEWER UTILITIES (FIRST STREET). RESOLUTION NO. R1992-119.

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

- H. (Pulled for discussion)
- I. Approve minutes of regular meeting of August 3, 1992.
- J. Set public meeting for September 1, 1992 and set public hearing for September 8, 1992 for proposed revisions to the Fayetteville Urbanized Area Thoroughfare Plan Map.
- K. Authorize readvertisement of sale of property at 331 - 333 Hay Street.
- 2H. Approve 1992 Thermal Energy Storage System Bonds Capital Project Fund.

This item was pulled by Councilmember Blackwell to ask if this was the same item he was briefed on by Steve Blanchard from PWC. The response was in the affirmative.

The source of revenue or of object of expenditure from bond proceeds was in the amount of \$15,169,750.00. The expenditures for plant construction (electric), net bond interest costs (to be capitalized), and bond issue costs total \$15,169,750.00.

At this time Councilmember Bolton moved to excuse Councilmember Ross from the meeting, seconded by Councilmember Kendrick and carried unanimously 8 to 0.

3. Public Hearings:

Mayor Dawkins read the policy concerning the time limit for the public hearing speakers as well as the non-public hearing speakers.

- A. Consideration of adoption of ordinance amending Chapter 20, Motor Vehicles and Traffic, to reduce speed limit to 25 miles per hour for the following streets:

- 1. Karen Lake Drive
- 2. Kathy Street
- 3. Oakwood Street

Mayor Dawkins opened the public hearing at 7:14 p.m. and there being none to speak in favor or opposition, the public hearing was closed.

Councilmember Kendrick moved to approve the speed limit of 25 miles per hour as requested, seconded by Councilmember Bolton and carried unanimously 8 to 0.

4. Palomar Street

The public hearing was opened at 7:15 p.m. and speaking in favor was Richard H. Earle, 313 Palomar Street, stating that the traffic usually travels 45 to 50 miles per hour on this cut-through, which endangers the children and requested that Council approve this speed reduction.

There being none further to be heard on this matter the public hearing was closed at 7:17 p.m.

There being none further to be heard on this matter the public hearing was closed at 7:17 p.m.

AN ORDINANCE AMENDING SECTION 20-106, MOTOR VEHICLES AND TRAFFIC (TRAFFIC SCHEDULE NO. 8 - SPEED CONTROL).
ORDINANCE NO. NS-92-031.

Councilmember Kendrick moved to adopt the foregoing ordinance changing the speed limit to 25 miles per hour for Karen Lake Drive, Kathy Street, Oakwood Street and Palomar Street. The motion was seconded by Councilmember McBryde and carried unanimously 8 to 0.

B. Consideration of adoption of ordinances to extend the corporate limits of the City of Fayetteville, N.C., for the following: (petition-initiated areas)

1. McLean and Thompson Property (McArthur Road)

Deputy City Manager Roger Stancil presented the annexation report and mentioned the Impact Study Report by Fort Bragg and the potential impact of noise and accidents in the McLean and Thompson property area. Also the Proposed Outer Loop highway will cross an outer portion of this property. The recommendation was that Council adopt the annexation ordinances for each of the five areas with an effective date of August 31, 1992, and that Council should ask the planning board staff to review the measures recommended in the Joint Compatible Land Use Policy Report. The Planning Board staff should then make recommendations to the City Council regarding which measures should be adopted by the City.

City Manager John Smith stated he had received a phone call from Mr. McLean requesting a continuance of the public hearing since he was unable to be at tonight's meeting and wanted to check further into the Joint Compatible Land Use study. Mr. Smith recommended to Council that the public hearing be opened since it was advertised but he saw no reason that it could not be continued.

Following discussion on the report, the public hearing was opened at 7:33 p.m. Mr. Glen Prillaman, Chief Master Planning, Ft. Bragg, appeared stating they have no recommendation for or against annexation; however, they did request that if this property is annexed, they follow the guidelines that are contained in the Joint Compatible Land Use Policy Report in the initial zoning. They did recommend that residential zoning not be allowed due to the potential accidents and noise in that area. Mr. Prillaman stated that if the City felt it needs to be residential zoning they recommend one residence per acre.

There being none further to be heard on this matter at the meeting Councilmember Cheek moved to continue the public hearing to September 8, seconded by Councilmember Blackwell and carried 7 to 1 with Councilmember Torrey voting in opposition.

2. Country Club North, Section 6, Part A, Phase 3 (Property of March Development Corporation)

The public hearing was opened at 7:39 p.m. and there being none to speak in favor or opposition the public hearing was closed.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE (COUNTRY CLUB NORTH) ANNEXATION ORDINANCE NO. 92-08-352.

Councilmember Bolton moved to adopt the foregoing ordinance, seconded by Councilmember Kendrick and carried 6 to 2 with Councilmembers Torrey and Massey voting in opposition.

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

3. Greystone Farms, Section 2 (Property of Broadwell-Weber Investments)

The public hearing was opened at 7:40 p.m. and there being none to speak in favor or opposition the public hearing was closed.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE (GREYSTONE FARMS, Section 2). ANNEXATION ORDINANCE NO. 92-08-353.

Councilmember McBryde moved to adopt the foregoing ordinance, seconded by Councilmember Bolton and carried 7 to 1 with Councilmember Torrey voting in opposition.

A copy of the foregoing ordinance is on file in the Clerk's office in Annexation Ordinance Book No. 1992.

4. Country Club Hills - Remainder of land (Property of Broadwell Land Company and Fayetteville Country Club Hills Homeowners Association)

The public hearing was opened at 7:41 p.m. and there being none to speak in favor or opposition the public hearing was closed.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE (COUNTRY CLUB HILLS). ANNEXATION ORDINANCE NO. 92-08-354.

Councilmember Kendrick moved to adopt the foregoing ordinance, seconded by Councilmember Cheek and carried 6 to 2 with Councilmembers Torrey and Massey voting in opposition.

A copy of the foregoing ordinance is on file in the Clerk's office in Annexation Ordinance Book No. 1992.

5. Perry Property (Cedar Creek Road)

The public hearing was opened at 7:42 p.m. Mr. Luther Packer, petitioner, requested that Council approve this annexation enabling them to build a nice subdivision in this area. There being none further to be heard on this matter the public hearing was closed at 7:44 p.m.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE (PERRY PROPERTY). ANNEXATION ORDINANCE NO. 92-08-355.

Councilmember McBryde moved to adopt the foregoing ordinance, seconded by Councilmember Bolton and carried 7 to 1 with Councilmember Torrey voting in opposition.

At this time Councilmember Cheek moved to approve the recommendations in the Annexation Report that the effective dates be August 31 and that the Planning Board staff review the measures recommended in the Joint Compatible Land Use Policy Report, and return to Council with the recommendations. The motion was seconded by Councilmember Blackwell and carried 7 to 1 with Councilmember Torrey voting in opposition.

C. Consideration of resolution confirming assessment roll and levying assessments for installation of sanitary sewer collection system into the following streets:

- | | |
|----------------------|------------------|
| 1. Hearthstone Drive | 5. Old Gate Road |
| 2. Onie Court | 6. Docia Circle |
| 3. Morganton Road | 7. Meritt Drive |
| 4. Mawood Avenue | 8. Pamalee Drive |

This item was presented by Tom McNeill and Henry Powers from PWC.

The public hearing was opened at 7:47 p.m. There was none to speak in favor. Appearing in opposition was Mr. Hubert Nobles, 111

Hearthstone Drive, asking that the public hearing be continued because it was omitted from the agenda published in yesterday's newspaper; therefore, a number of the area residents were not available for tonight's meeting to protest against the \$12.00 per linear foot assessment. There being none further to be heard on this subject the public hearing was closed at 7:50 p.m.

Councilmember Cheek moved to continue this public hearing to September 8 for the eight streets listed and to publicize through a display ad, seconded by Councilmember Massey.

City Attorney Bob Cogswell informed the Council and audience that the agenda that is printed in the Sunday paper is for a courtesy and not required by law. If Council approves this motion the display ad would be to clear up the confusion because the legal notices had been sent out to all property owners as required. Mr. Cogswell stated that they tried to have the newspaper have this item added to the agenda on Friday following notification to the staff, however, the newspaper stated it was too late. Councilmember Massey withdrew his second. Councilmember McBryde then seconded the motion. Mayor Dawkins called for a vote on the motion and it carried unanimously 8 to 0.

Mayor Dawkins then offered the opportunity for anyone to speak on any of the eight streets that would not be able to return on September 8 and there was no one to speak.

4. Planning Board Matters:

- A. Consideration of the rezoning from R10 Residential District to R5A Residential District or to a more restrictive zoning classification for an area located at the northwest corner of Cain Road and Varrene Court. (P92-63)

This item was presented by Al Mitchell, Assistant Planning Director, stating that there have been no appeals for this item and the Planning Board recommends denial of R5A and approval of R6 zoning.

Following some discussion, Councilmember Kendrick moved to set a public hearing for September 21, seconded by Councilmember Cheek and carried unanimously 8 to 0.

- B. Consideration of the rezoning from P2 Professional District or to a more restrictive zoning classification for an area located at 104 Willborough Avenue. (P92-64)

Discussion established that this had been denied for rezoning last year and is coming before Council again. Councilmember Kendrick moved to set a public hearing for September 21, seconded by Councilmember Bolton and carried 7 to 1 with Councilmember Blackwell voting in opposition.

- C. Consideration of the initial zoning to R6 Residential District or to a more restrictive zoning classification for an area located at 1802 Shaw Road. Being all of Annexation No. 92-6-351 known as "Pepperidge Mobile Home Park".

This item was presented in the agenda packet by Al Mitchell, Assistant Planning Director with recommendation for approval by the Planning Board.

Councilmember Bolton moved to follow the recommendation and approve the initial zoning as requested, seconded by Councilmember Cheek and carried unanimously 8 to 0.

5. PWC Matters:

- A. Consideration of bid award for purchase of fifty (50) 50 kVa CSP Transformers to National Transformer Sales low evaluated bidder in the amount of \$44,500.00.

Bids received are listed as follows:

National Transformer Sales	\$44,500.00
Eastern Electric	45,500.00
Hesco, Inc.	42,750.00
Power & Telephone	39,750.00
Tennessee Valley	40,250.00
WESCO	42,150.00
Power Supply	59,750.00
Rigby Electric	60,100.00

Councilmember Bolton moved to award the contract to the low evaluated bidder, seconded by Councilmember Torrey and carried unanimously 8 to 0.

- B. Consideration of bid award for purchase of two (2) 1000 kVa Padmounted Transformers to Tennessee Valley Electric Supply low evaluated bidder in the amount of \$22,230.00.

Bids received are listed as follows:

Tennessee Valley Electric Supply	\$22,230.00
Eastern Electric	22,724.00
Hesco, Inc.	26,162.00
WESCO	23,054.00
Power Supply	29,352.00
Rigby Electric	29,498.00

Councilmember Robertson moved to award the contract to the low evaluated bidder as recommended, seconded by Councilmember Bolton and carried unanimously 8 to 0.

- C. Consideration of bid award for purchase of twenty-three (23) 100 kVa Padmounted Transformers to National Transformer Sales low evaluated bidder in the amount of \$34,914.00.

Bids received are listed as follows:

National Transformer Sales	\$34,914.00
Eastern Electric	43,539.00
Hesco, Inc.	35,420.00
WESCO	44,022.00
Power Supply	53,245.00
Rigby Electric	51,198.00

Councilmember Robertson moved to award the contract to the low evaluated bidder as recommended, seconded by Councilmember Kendrick and carried unanimously 8 to 0.

- D. Consideration of approval of bid award for prefabricated cable trench material for Reilly Road Switching Station and Waters Edge Substation to Eastern Electric, sole bidder in the amount of \$41,040.39. (PWC)

PWC Manager Tim Wood stated this was awarded to the sole bidder with the bond because of this being high voltage.

Councilmember Robertson moved to follow the recommendation to award the contract to the sole bidder as recommended, seconded by Councilmember Massey and carried unanimously 8 to 0.

- E. Consideration of bid awards for construction of Electric Meter Shop.

The bid tabulations are attached to and made a part of these minutes. The awards of contract recommendations are as follows:

General Construction

Ellis Walker Builders, Inc.	\$473,733.00
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Plumbing Construction

Town & Country Plumbing	38,900.00
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Mechanical Construction

Bass Air Conditioning Company, Inc. 74,000.00

Electrical Construction

Watson Electrical Construction Company 46,500.00

Councilmember Robertson moved to follow the recommendation to award the contracts, seconded by Councilmember Kendrick and carried unanimously 8 to 0.

F. Consideration of bid awards for PWC Main Office renovations.

Bid tabulations are attached and made a part of these minutes. Recommendations for the award of contract are as follows:

General Construction

Player, Inc. \$230,200.00

Plumbing Construction

Coffman Plumbing 18,282.00

Mechanical Construction

Bass Air Conditioning Company, Inc. 40,562.00

Electrical Construction

E. B. Davis Electric, Inc. 33,900.00

Councilmember Bolton asked Mr. Wood why they are planning office renovations since they plan to build a new office complex. Mr. Wood responded that it would probably be three to five years before they are able to move to a new location and the space is needed for customer-oriented areas and for training.

Following discussion, Councilmember Cheek moved to award the contracts as recommended, seconded by Councilmember Torrey and carried 7 to 1 with Councilmember Robertson voting in opposition.

G. Consideration of bid awards for Raeford Road and (New) Wilmington Road Substations Construction Labor.

Bid tabulations are attached to and made a part of these minutes. Recommended bid awards are as follows:

Schedules 1 and 2: Substation Construction:

Stackhouse, Inc. \$302,868.00

Schedules 3 and 4: Transmission Taps and Distribution Circuits:

Weeks Construction Company 115,856.77

Councilmember Robertson moved to award the contracts as recommended, seconded by Councilmember Kendrick and carried unanimously 8 to 0.

6. Consideration of request to appear before City Council from General Joseph Nagel representing Habitat for Humanity (pulled from agenda).

7. Consideration of approval of longevity increment increases for City Manager and City Attorney.

Councilmember McBryde moved to approve the longevity increment increases for the City Manager and City Attorney as requested, seconded by Councilmember Cheek and carried unanimously 8 to 0.

8. Consideration of adoption of Budget Ordinance Amendment 93-2 and Capital Project Ordinance 93-1.

This item was presented by City Manager John Smith stating that this concerns the transfer of PWC funds to capital projects over the next three years. Without any specific appropriations, no funds can be spent for site analysis for police headquarters or

design work on any parks improvements. He presented three options as follows:

1. Adopt CPO 93-1 and Budget Ordinance Amendment 93-2 as recommended in Council's last agenda packet. This appropriates \$4 million to Police Headquarters and \$5 million to parks improvements, per his previous recommendation.
2. Adopt Budget Amendment 93-2 and an alternative Capital Project Ordinance 93-1A, which appropriates design money only for these projects.
3. Adopt Budget Amendment 93-2 and an alternate capital project ordinance 93-1B appropriating funds to the Police Headquarters only, which would allow work to begin on site analysis and selection for the Police Headquarters, but not on any parks projects.

Mr. Smith recommended option no. 1.

Councilmember Robertson moved to approve option no. 3, seconded by Councilmember Kendrick.

Councilmember Torrey offered substitute motion to approve option 1 as recommended by the City Manager, seconded by Councilmember McBryde. Following lengthy discussion, Mayor Dawkins called for the vote and the motion carried 5 to 4 with the Mayor breaking a tie. Those voting in opposition were Councilmembers Blackwell, Kendrick, Robertson and Cheek.

9. Administrative Reports:

- A. Statement of taxes collected for month of July, 1992, from Cumberland County Tax Collector in the amount of \$47,320.47.

At this time Councilmember Blackwell requested that the City Manager check with the department heads to see if they would endorse Council recognizing outstanding City employees at every Council meeting.

Councilmember Kendrick requested to have Council's Street Committee look at alternative ways to make Marlboro Road safer for vehicles and pedestrians.

Councilmember McBryde moved to follow the recommendations, seconded by Councilmember Bolton and carried unanimously 8 to 0.

There being no further business, the meeting was adjourned upon motion and seconded at 8:31 p.m.

Respectfully submitted,

Bobbie A. Joyner
Clerk

J. L. Dawkins
Mayor

BAJ/be



FAYETTEVILLE CITY COUNCIL
INFORMATION MEETING
CITY HALL COUNCIL CHAMBER
433 HAY STREET
MONDAY, AUGUST 24, 1992
7:00 P.M.

Present: Mayor J. L. Dawkins

Councilmembers J. Breeden Blackwell, Milo McBryde, Nat Robertson, Jr., Tommy Bolton, Ida Ross (arrived at 7:10 p.m.), Robert A. Massey, Jr., Thelbert Torrey, Suzan Cheek, Mark Kendrick

Others Present: John P. Smith, City Manager
Roger L. Stancil, Deputy City Manager
John B. (Ben) Brown, Jr., Assistant City Manager, Administration & Finance
Jimmy Teal, Assistant City Manager, Planning & Development
Robert C. Cogswell, Jr., City Attorney
Jerome Brown, Transit Director
Louis Chalmers, Traffic Engineer
Tom Ray, Airport Manager
George Vaughan, Planning Board Director

The invocation was offered by City Manager John Smith followed by the Mayor leading the Pledge of Allegiance to the American Flag.

Upon motion by Councilmember McBryde, seconded by Councilmember Robertson, Council voted unanimously to approve the agenda. Upon motion by Councilmember Torrey, seconded by Councilmember Kendrick, Council voted unanimously to excuse Councilmember Ross.

The City Manager presented an application from the Fayetteville Generals for a fireworks display permit on September 5, 1992, at J. P. Riddle Stadium. The Fire Chief and the City Manager recommend the approval of this request. Upon motion by Councilmember Robertson, seconded by Councilmember Kendrick, Council voted unanimously to approve the permit.

City Manager John Smith reported there had been no further upset bids received within the time allotted for the sale of property at 331-333 Hay Street. The last and highest bidder on the property is Inge Gaspar in the amount of \$12,250.00. The City Manager recommended that the Council approve a resolution authorizing the sale of City of Fayetteville property. Upon motion by Councilmember Kendrick, seconded by Councilmember Bolton, Council voted unanimously to adopt the resolution. The resolution title is as follows:

RESOLUTION AUTHORIZING SALE OF CITY PROPERTY. RESOLUTION NO. R1992-120.

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

City Manager John Smith presented to the Council a recommendation that the roll-out disposal fee for apartments and mobile home parks be increased from \$25.00 per year to \$29.00 per year. This increase would track the increase implemented by Cumberland County on residential households from \$25.00 to \$29.00 effective July 1, 1992. This fee would also track the increase in per ton disposal fee at the landfill from \$25.00 to \$29.00 effective July 1, 1992. Upon motion by Councilmember Robertson, seconded by Councilmember Kendrick, Council voted unanimously to establish the roll-out disposal fee for apartments and mobile home parks at \$29.00 per year.

ITEM 2.D.

Mayor Dawkins recognized City Manager John Smith, who outlined a schedule for the presentation of existing plans to the Council in preparation for their planning retreat on December 4 and 5. The City Manager then outlined the transportation planning process for the City of Fayetteville. (Councilmember Ross arrived) City Manager John Smith recognized Airport Manager Tom Ray who presented the Airport Master Plan. After Mr. Ray's presentation, Jerome Brown, Transit Director, discussed the planning process for public transportation projects. After Mr. Brown's presentation, Louis Chalmers, Traffic Engineer, presented the City's thoroughfare plan. He also discussed the thoroughfare planning process and future issues in transportation planning.

The Mayor recognized George Vaughan, Planning Board Director, for a discussion of conditional use zoning.

City Attorney Bob Cogswell stated that in the case of J. P. McGuinness vs the City of Fayetteville, City Manager John Smith and Police Chief Ron Hansen had requested that they be represented by Mr. Phillip Van Hoy. He also stated that Captain Sam Sessoms and Lieutenant Burton Hyde had requested they be represented by Attorney Bobby Deaver. Mr. Cogswell recommended that these requests be approved and that the City of Fayetteville also employ Phillip Van Hoy to represent the City. Compensation for both of these attorneys would be \$125.00 per hour. Upon motion by Councilmember Bolton, seconded by Councilmember McBryde, Council voted unanimously to adopt the City Attorney's recommendation.

There being no further business, the meeting was adjourned.

Roger L. Stancil, Deputy City Clerk

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



FINANCE DEPARTMENT
2ND FLOOR, CITY HALL

433 HAY STREET
P.O. DRAWER D

FAYETTEVILLE, NC 28302-1746

August 12, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Kai Nelson, Finance Director */KN*

SUBJECT: Tax Refunds

The following tax refunds for over \$100 have been requested:

<u>Taxpayer's Name</u>	<u>Nature of Clerical Error</u>	<u>Property Description</u>	<u>Amount</u>
Thompson, Angela Dawn	Illegal tax: military non-resident.	216 Brainard Ave. Lot 8, Blk 5, Myrtle Hill Sub and Personalty	\$135.33
Hutchens & Waple	Charged with wrong value, should be \$30,850 - submitted amended statement.	Loc: State Bank Bldg, Westwood S/C	\$250.90
Neil, Samuel P.	Resketched USF, smaller	Lt. 40, Buckhead Sec 2, .50 acs.	\$195.61
Dent, Darrell & Daniel Dent	Cost figures corrected per audit.	Business personal property	\$114.67
Five Thompson, Inc. T/A Carolina Oaks	Cost figures corrected per audit.	T/A Carolina Oaks Murchison Rd, Business personal property	\$326.69

KN/be

FIN-183

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2.E.



PLANNING DEPARTMENT

Post Office Box 1829
Fayetteville, NC 28302
Telephone (919) 483-8131

CUMBERLAND COUNTY JOINT PLANNING BOARD

John F. Davis
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

September 8, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-89. THE REZONING FROM R10 RESIDENTIAL DISTRICT TO P2 PROFESSIONAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF CHLOE STREET AND RAMSEY STREET (U.S. 401 NORTH). (FAYETTEVILLE ORDINANCE)

ACTION: THE TEN MEMBERS PRESENT AT THE AUGUST 18, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO DENY THE REQUESTED REZONING.

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

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

1. The 1971 Land Use Plan calls for low density residential uses at this location.

The Planning staff finds that all or any portion of this site is not suitable for the R6, R5A, R5 Residential or P1 Professional Districts.

Note: The 2010 Land Use Plan calls for low density residential development at this location.

Mr. Brad Buffet, petitioner, appeared before the Board and explained his reasons for requesting the rezoning.

Mr. Ted Kinney, resident of the area, appeared before the Board in opposition. He asked those present in the audience in opposition to the rezoning to stand.

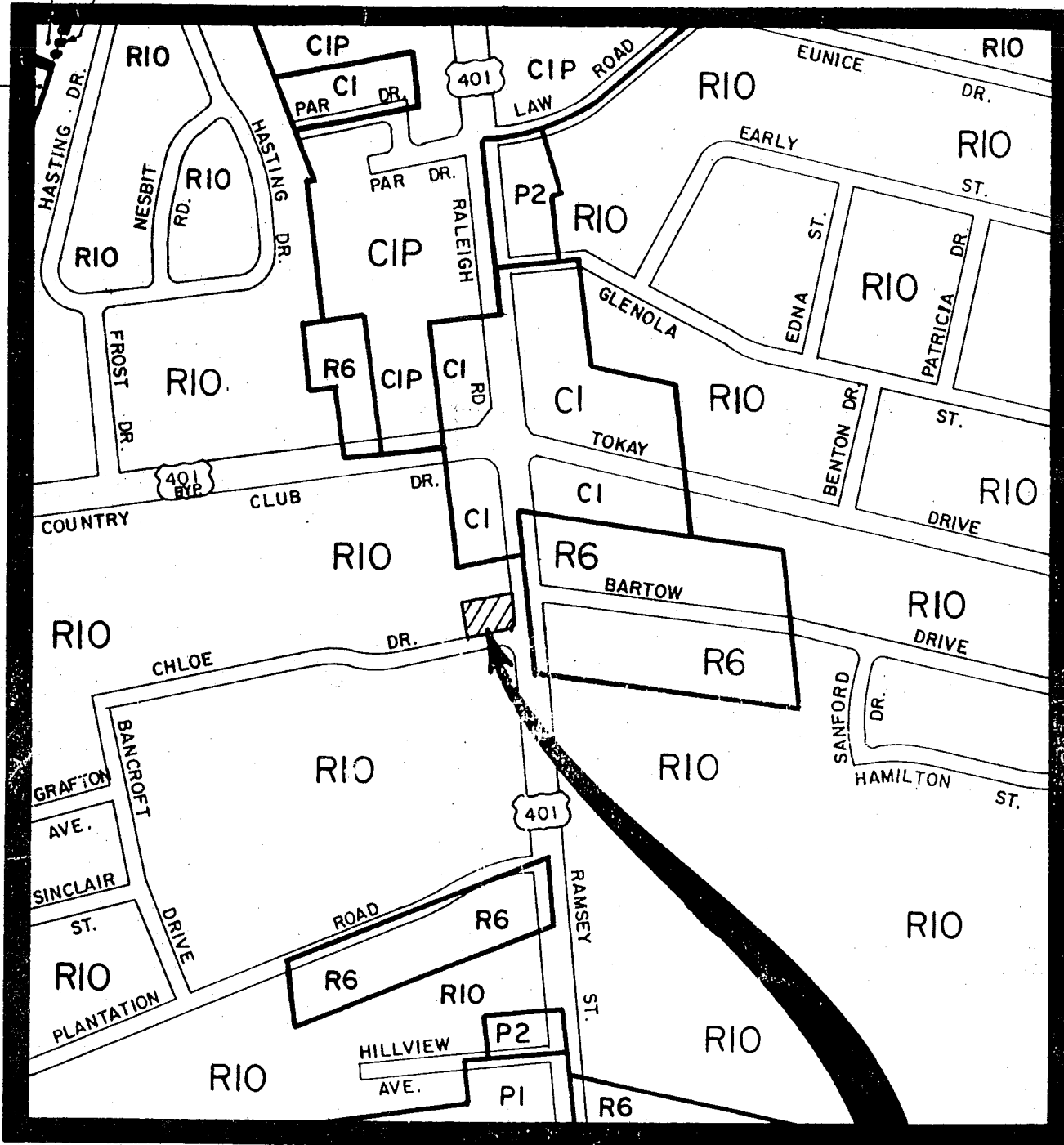
A motion was made by Mr. Morine and seconded by Mr. Schmidt to deny the requested rezoning. The motion passed unanimously.

Attachments

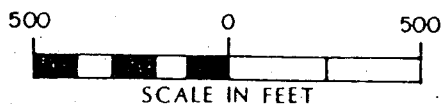
:skc

ITEM 2.F.

PND
 PND
 FAYETTEVILLE CITY LIMIT LINE



NORTH



REQUESTED REZONING

RIO TO P2

ACREAGE: 0.38 AC. ±

HEARING NO: P92-89

ORDINANCE: FAYETTEVILLE

HEARING DATE

ACTION

PLANNING BOARD

GOVERNING BOARD

PLANNING DEPARTMENT

Post Office Box 1829
Fayetteville, NC 28302
Telephone (919) 483-8131

CUMBERLAND COUNTY JOINT PLANNING BOARD

John F. Davis
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

September 8, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

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

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

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

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

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

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

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

Mr. Wayne Williams, petitioner, appeared before the Board stating that he would like to use this property for insurance offices. He stated that the present Special Use permitted on the property is for dental offices. Mr. Williams presented a petition to the Board of fourteen landowners in the area in favor of the rezoning. He stated that he plans a 1,200 square foot building to house three employees with approximately twenty-five to thirty cars coming to the office daily. He stated that four apartment units were planned for the area until he bought the property, and he feels the P2 Professional District rezoning for the office building will be a nice buffer for the residential area.

Mr. Calvin Poole appeared before the Board representing his ninety-one year old mother who lives across the road from the site. He stated that medium

ITEM 2.G.

density residential zoning along Bragg Boulevard is wishful thinking, and the P2 Professional District zoning would be the highest and best use for the property.

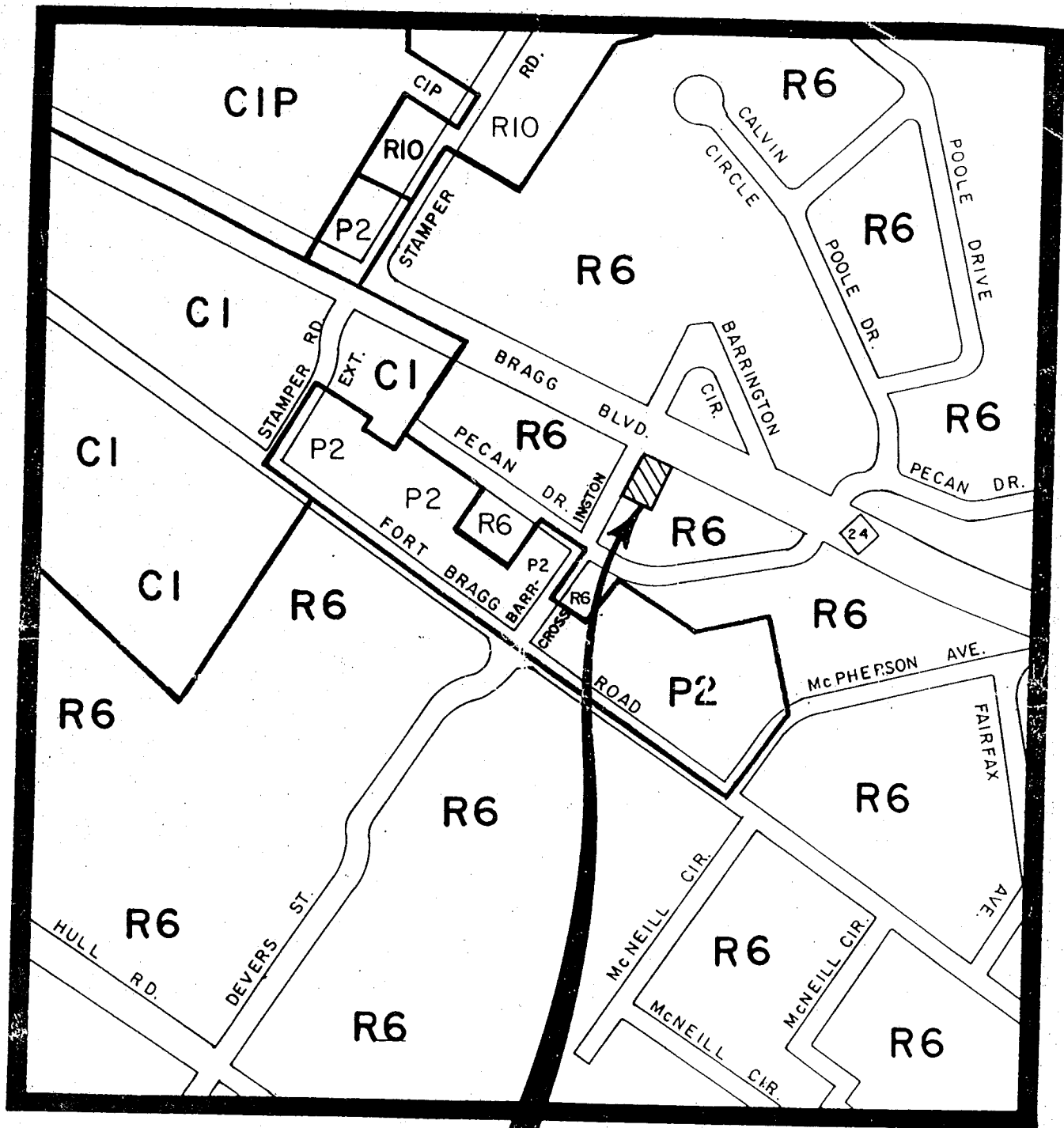
Mr. Bill McLeod, resident in the area, appeared before the Board in opposition stating that he has lived in the area for many years, and this rezoning would be spot zoning or strip development. He felt that this could turn the area entirely into commercial and eliminate the residential zoning in the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

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

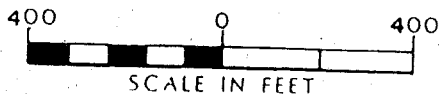
Chairman Britt asked Mr. Lloyd if he knew of the proposed apartment complex on this site. Mr. Lloyd stated that a group development plan had been submitted to his office for the location.

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

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



NORTH



REQUESTED REZONING R6 TO P2

ACREAGE: 0.34 AC. \pm		HEARING NO: P92-95	
ORDINANCE: FAYETTEVILLE.		HEARING DATE	ACTION
PLANNING BOARD			
GOVERNING BOARD			



September 1, 1992

MEMORANDUM

To: John B. Brown, Assistance City Manager for
Administration and Finance

Through: Kai D. Nelson, Finance Director *(KDN)*

From: Paula C. Dunham, Financial Analyst *PCD*

Re: Special Revenue Project Ordinance 93-1

Enclosed is a copy of Special Revenue Project Ordinance 93-1. The Police Department has been awarded a State and Local Crisis Intervention Outreach grant in the amount of \$45,000 from the North Carolina Department of Crime Control and Public Safety. The grant requires the City to provide a local match in the amount of \$24,231, resulting in a total project appropriation of \$69,231. The goal of the program is to improve the overall treatment of victims of crime through enhanced and increased crisis intervention and support services.

It is respectfully recommended that Special Revenue Project Ordinance 93-1 be submitted to the Council for favorable consideration.

ITEM 2. H.

SPECIAL REVENUE FUND PROJECT ORDINANCE

ORD 93-1

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

Section 1. The project authorized is for the Victims Assistance Grant.

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

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

NC Department of Crime Control & Public Safety	\$45,000
Local Match General Fund	<u>\$24,231</u>
	<u>\$69,231</u>

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

Project Expenditures	<u>\$69,231</u>
----------------------	-----------------

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

Adopted this 8th day of September, 1992.

Crime Control & Public Safety

919-733-5013 • P.O. Box 27687 • 430 Salisbury Street • Raleigh 27611



Victim of Crime Act

AUG 1992

RECEIVED
CCPS
CONTROLLER'S
OFFICE

GRANT AWARD

Grantee:	City of Fayetteville	Federal
Authorizing Official:	John P. Smith	Grant Amount: \$ 45,000 65 %
Address:	City Manager	
	City Hall, 433 Hay Street	Matching
	Fayetteville, NC 28301	Contributions
Grant Title:	Crisis Intervention Outreach	
Grant Number:	26-192-V3-V070	State \$ %
Grant Period:	July 1, 1992 - June 30, 1993	Grantee \$ 24,231 35 %
Date of Award:	August 19, 1992	Total Project \$ 69,231 100 %
		Cost

BUDGET CATEGORIES

A. Personnel	\$ 40,306
B. Contractual Service	
C. Travel	
D. Supplies and Other Operating Expenses	3,000
E. Equipment	5,092
	20,833
TOTAL	\$ 69,231

In accordance with the provisions of the Comprehensive Crime Control Act of 1984 and on the basis of the grantee's application, the Department of Crime Control and Public Safety hereby awards to the foregoing grantee an award in the amount above.

This grant is subject to the conditions listed in the grant application as well as all applicable rules, regulations and conditions, as prescribed by the Office of Justice Programs. It is subject also, to such further rules, regulations and policies that may be reasonably prescribed by the Department of Crime Control and Public Safety consistent with the purpose and intent of P.L. 98-473. If special conditions have been applied to this grant, they are attached to this award and included below.

This grant shall become effective, as of the date of award, upon return to the Department of Crime Control and Public Safety of three duplicate copies of this award, properly executed on behalf of the grantee.

Signature of Duly Authorized Official

JOHN P. SMITH, CITY MANAGER

Typed Name and Title of Official

AUGUST 27, 1992

Date

Signature of Duly Authorized Official

Bruce E. Marshburn, Executive Director

Typed Name and Title of Official

8/19/92

Date

This award is subject to the attached conditions.

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED

1762



FAYETTEVILLE, NC 28302-1746

FINANCE DEPARTMENT
2ND FLOOR, CITY HALL

433 HAY STREET
P.O. DRAWER D

September 2, 1992

MEMORANDUM

TO: Kai D. Nelson, Finance Director *KDN*

FROM: Lisa T. Smith, Financial Planning & Reports *LS*
Manager

SUBJECT: Budget Ordinance Amendment 93-4

The attached budget ordinance amendment will appropriate additional fund balance in the amount of \$24,231 to transfer to the Victims Assistance Project in the Federal and State Assistance Special Revenue Fund. The transfer represents the required local match as stipulated in the Crisis Intervention Outreach grant award.

Please submit Budget Ordinance Amendment 93-4 for Council consideration.

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

1992-1993 BUDGET ORDINANCE AMENDMENT
CHANGE 93-4

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

That the City of Fayetteville Budget Ordinance adopted June 15, 1992, as amended, is hereby amended as follows:

Section 1. It is estimated that the following revised anticipated revenues will be available during the fiscal year beginning July 1, 1992, and ending June 30, 1993 to meet the appropriations listed in Section 2.

ITEM	LISTED AS	REVISION	REVISED AMOUNT
General Fund	Fund Balance Appropriation	\$24,231	\$1,146,661
	All Other General Fund Revenues	0	38,162,358
		<u>\$24,231</u>	<u>\$39,309,019</u>
		<u>\$39,284,788</u>	

Schedule A:

General Fund

Fund Balance Appropriation

All Other General Fund Revenues

1992-1993 BUDGET ORDINANCE AMENDMENT
CHANGE 93-4Section 2.

The following revised amounts are hereby appropriated for the operations of the City Government and its activities for the fiscal year beginning July 1, 1992, and ending June 30, 1993, according to the following schedules:

ITEM	LISTED AS	REVISION	REVISED AMOUNT
<u>Schedule A:</u>			
General Fund			
Other Appropriations	\$5,910,200	\$24,231	\$5,934,431
All Other General Fund Expenditures	33,374,588	0	33,374,588
	<u>\$39,284,788</u>	<u>\$24,231</u>	<u>\$39,309,019</u>

250,000	Original Appropriation
(27,567)	Safe Streets Now Local Match
(42,857)	UPARR Local Match
(4,968)	Safe Streets Now Amendment Local Match
(24,231)	Victims Assistance Local Match

150,377	Balance Remaining
=====	



RESOLUTION DECLARING COST
AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL
AND SETTING TIME AND PLACE FOR PUBLIC HEARING
ON PRELIMINARY ASSESSMENT ROLL
FOR PAVING ON WINDERMERE DRIVE
(FROM CLIFFDALE ROAD TO CORNISH STREET)

WHEREAS, the paving was ordered by Resolution of the City Council duly passed on the 3rd day of July, 1989, and has been completed in accordance therewith; and

WHEREAS, the cost of said improvements have been determined;

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

1. That the cost of the above-described improvement has been computed and determined.
2. That the City Attorney is hereby directed to prepare a preliminary assessment roll, in accordance with Chapter 160A, Section 227, of the General Statutes of North Carolina, showing the individual assessments upon properties benefited by said improvement.
3. That the City Clerk is hereby directed to make available during regular office hours, in her office, the said preliminary assessment roll for the purpose of inspection by the public from this day through the 21st day of September, 1992.
4. That this City Council will hold a public hearing in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina, beginning at 7:00 p.m., on the 21st day of September, 1992, at the City Hall Council Chamber, 433 Hay Street, Fayetteville, North Carolina, for the purpose of hearing all interested persons who appear.
5. That the City Attorney is hereby directed to issue public notice of the above-described public hearing, to be published on the 11th day of September, 1992, and to secure publisher's affidavit certifying the advertisement of said hearing.
6. If confirmed, any assessment paid before the expiration of thirty (30) days from the date notice is published of the confirmation of the assessment roll pursuant to North Carolina General Statutes Section 160A-229, will receive a thirty percent (30%) discount.

7. That the City Attorney is hereby directed no later than ten (10) days before the public hearing to mail copies of the notice of hearing on the preliminary assessment roll to the owners of property listed thereon.

This the 8th day of September, 1992.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

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

WHEREAS, the extension of the water and/or sanitary sewer utilities ordered by Resolution of the City Council and duly passed on January 16, 1990, has been completed in accordance therewith in University Estates as follows:

LIVINGSTON DRIVE, from Shaw Mill Road to Meharry Drive

SPELLMAN DRIVE, from Livingston Drive to Meharry Drive

FISKE DRIVE, from Livingston Drive to Meharry Drive

EDMESTON DRIVE, from Livingston Drive to Shaw Road

EDMESTON DRIVE, from Shaw Road to Shaw Road

DEMEREST COURT, from Shaw Road to Cul-de-sac

SHAW ROAD, north side, from southwest corner of Lot 135, to Meharry Drive

SHAW ROAD, south side, from northwest corner of McNeill tract to northeast corner of Lot 158

MEHARRY DRIVE, east side, from Shaw Road to southwest corner of Lot 158

MEHARRY DRIVE, west side, from northeast corner of Lot 156 to Shaw Mill Rd.

COPY

ITEM 2. J.

**SHAW MILL ROAD, north side, from southwest corner of Allan tract to
Meharry Drive**

SHREWSBURY DRIVE, from Edmeston Road to dead end;

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

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

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

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

3. The City Clerk is hereby directed to make available during regular office hours, in his office, the said preliminary assessment roll for the purpose of inspection by the public from this day through the 21st day of September, 1992.

4. The Council will hold a public hearing in accordance with Chapter 160A Section 228 of the General Statutes of North Carolina, at 7:00 p.m., on the 21st day of September, 1992, at the Council Chamber in City Hall, Fayetteville, North Carolina, for the purpose of hearing all interested persons who appear.

5. The Public Works Commission is hereby directed to issue public notice of the above described public hearing, to be published on the 11th day of September, 1992, and to secure publisher's affidavit certifying the advertisement of said hearing.

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

ADOPTED, this _____ day of _____, 19__.

J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

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

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

PUBLISH: September 11, 1992



THE CITY OF FAYETTEVILLE
NORTH CAROLINA



AIRPORT MANAGER
(919) 483-4468

FAYETTEVILLE AIRPORT COMMISSION
Post Office Box 64218
Fayetteville, NC 28306

Phone: (919) 433-1621

August 31, 1992

MEMORANDUM:

TO: Mr. John Smith, City Manager
FROM: Mr. William T. Ray, Airport Manager *wtr*
SUBJECT: State Aid Project 9.9544901 (AIP-12)

At its regular meeting Tuesday, August 25, 1992, the Airport Commission unanimously voted to accept the modified agreement, and to recommend that the City Council approve the contract at its meeting Tuesday, September 8, 1992.

I concur with the recommendation from the Airport Commission and suggest that this item be added to the City Council consent agenda.

EMN/en

Enclosure - Modified Grant Agreement
Project #: 9.9544901

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 2. K.

THE CITY OF FAYETTEVILLE

NORTH CAROLINA



FAYETTEVILLE AIRPORT COMMISSION
Post Office Box 64218
Fayetteville, NC 28306

AIRPORT MANAGER
(919) 483-4468

Phone: (919) 433-1621

August 20, 1992

MEMORANDUM:

TO: AIRPORT COMMISSION MEMBERS

FROM: William T. Ray, Airport Manager

SUBJECT: State Aid Project 9.9544901 (AIP-12)

Attached is a copy of the state airport aid modified grant agreement for subject project. This agreement increases the state participation the programs:

1. Construction of Fire Training Facility
2. Rehabilitate Fire Vehicle
3. Land Acquisition
4. Environmental Assessment for Highway 301

I suggest that the Commission accept the modified agreement and recommend that the City Council approve the contract at the meeting Tuesday, September 8, 1992.

If you have questions or desire additional information about the agreement or scope of work, please call Ralph or me.

EMN/en

Enclosure - Agreement

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City of



Affirmative Action Employer
Dogwoods

THE CITY OF FAYETTEVILLE
NORTH CAROLINA



AIRPORT MANAGER
(919) 483-4468

FAYETTEVILLE AIRPORT COMMISSION
Post Office Box 64218
Fayetteville, NC 28308

Phone: (919) 433-1621

August 6, 1992

MEMORANDUM:

TO: Bob Cogswell, City Attorney
Kai Nelson, Finance Director

FROM: Ralph Hamilton, Assistant Airport Manager - *RPH*

SUBJECT: State Aid Project 9.9544902 (AIP-12)

Attached is a copy of the state airport aid modified grant agreement for subject project. This agreement will be presented to the Airport Commission for acceptance at its next meeting Tuesday, August 25, 1992.

We also plan to place it on the City Council agenda for Tuesday, September 8, 1992.

Please review and if you have questions, call Mr. Ray or me.

EMN/en

Enclosure - Agreement

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods



AUG 3 1992

Fayetteville Regional Airport

STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

P.O. BOX 25201
RALEIGH 27611-5201

July 30, 1992

JAMES G. MARTIN
GOVERNOR

THOMAS J. HARRELSON
SECRETARY

DIVISION OF AVIATION
AVIATION PARKWAY
RALEIGH-DURHAM AIRPORT
(919) 787-9618

Mr. William T. Ray, Manager
Fayetteville Regional Airport
P.O. Box 64218
Fayetteville, NC 28306

Dear Tom:

Enclosed are state airport aid modified grant agreements for the funding of your State Airport Aid Project 9.9544901 (AIP-12: Construct Firefighting Training Facility; Rehab Fire Vehicle; Land Acquisition; Environmental Assessment). These agreements must be executed by the appropriate governmental body. Upon completion all three copies of the agreement must be returned to this office. Please remember that all signatures and seals must be original and not reproduced copies. Also, please do not write in the date on the first page of the agreement.

Please note that the signature pages are pages 3 and 4 of the Agreement. Once the grant agreements have been executed by the Department, one copy will be returned to you for your files.

Should you have any questions please do not hesitate to contact our Grants Manager Denise Johnson or your Airport Development Specialist Bill Maslyk.

Sincerely,

A handwritten signature in cursive script, appearing to read "Willard G. Plentl, Jr.".

Willard G. Plentl, Jr., P.E.
Director of Aviation

WGPjr:dj

Enclosures

cc: Joseph E. Sandlin, Aeronautics Council Representative

MODIFIED GRANT AGREEMENT

STATE AID TO AIRPORTS

AIRPORT: FAYETTEVILLE REGIONAL

BETWEEN

THE DEPARTMENT OF TRANSPORTATION, AN
AGENCY OF THE STATE OF NORTH CAROLINA

AND

PROJECT #: 9.9544901

CITY OF FAYETTEVILLE

This Modified Grant Agreement made and entered into this the _____ day of _____, 1992, by and between the NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (hereinafter referred to as "Department") and the CITY OF FAYETTEVILLE (hereinafter referred to as "Sponsor").

W I T N E S S E T H

WHEREAS, the Sponsor submitted a Request for State Aid to Airports dated December 5, 1990, to the Department for \$89,653 to AIP-12: Construct Firefighting Training Facility; Rehabilitate Fire Vehicle; Land Acquisition; Environmental Assessment; and

WHEREAS, in accordance with project approval procedures, the Department approved a Grant for \$89,653 in State Aid to Airports for the requested items of work; and

WHEREAS, the Department and Sponsor mutually executed a Grant Agreement dated February 20, 1991, setting forth and agreeing to the terms and conditions of the Grant; and

WHEREAS, the Department and Sponsor have now determined and agreed that an additional \$112,134 is needed due to final cost being higher than anticipated.

NOW THEREFORE, the Department and Sponsor do hereby mutually agree as follows:

- 1) That the amount of the State Grant shown on page 1 of the Grant Agreement between the parties dated February 20, 1991, shall be modified from "\$89,653 to \$201,787".
- 2) That all other terms and conditions of the State Grant Agreement between the parties dated February 20, 1991, shall remain in full force and effect for the duration of the Grant Agreement.

IN WITNESS WHEREOF, THE PARTIES HERETO HAVE EXECUTED THIS GRANT AGREEMENT THE DAY AND YEAR FIRST WRITTEN ABOVE:

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

BY: _____
Secretary of Transportation

NCDOT SEAL

ATTEST: _____

SPONSOR:

Signed: _____

Title: _____

Attest: _____

SPONSOR SEAL

STATE OF NORTH CAROLINA, COUNTY OF _____

I, _____, a Notary Public in and for the
County and State aforesaid, do hereby certify that _____
personally came before me this day and acknowledged that he is

_____ of the _____
(Title) (Sponsor)

(hereinafter referred to as "Sponsor") and by authority duly given and as an
act of said Sponsor, the foregoing instrument was signed by him, attested by
_____ of the Sponsor,

(Name and Title)

and the Seal of the Sponsor affixed thereto.

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

Notary Public (Signature)

My Commission Expires: _____

SEAL

DOA Form (1/90)

RESOLUTION

A motion was made by _____

(Name and Title)

and seconded by _____ for the adoption of the

(Name and Title)

following Resolution, and upon being put to a vote was duly accepted:

WHEREAS, a grant in the amount of \$201,787 has been approved by the Department based on a total estimated cost of \$4,035,749 and

WHEREAS, an amount equal to or greater than 50% of the non-federal share of the total project cost has been appropriated by the Sponsor for this Project.

NOW THEREFORE, BE AND IT IS RESOLVED THAT THE _____

(Title)

of the Sponsor be and he hereby is authorized and empowered to enter into a Grant Agreement with the Department, thereby binding the Sponsor to the fulfillment of its obligation incurred under this Grant Agreement or any mutually agreed upon modification thereof.

I, _____ of

(Name and Title)

the _____ do hereby

(Sponsor)

certify that the above is a true and correct copy of an excerpt from the minutes of the _____ of a meeting

(Sponsor)

duly and regularly held on the _____ day of _____, 19____.

This, the _____ day of _____, 19____.

Signed: _____

SPONSOR SEAL

Title: _____

Of The: _____

RESOLUTION AUTHORIZING THE SALE OF
CITY OF FAYETTEVILLE PROPERTY

WHEREAS, the City of Fayetteville owns certain real property more particularly described as follows:

NORTH CAROLINA
CUMBERLAND COUNTY
CROSS CREEK TOWNSHIP

BEGINNING at a point in the northern (100 foot right-of-way) margin of Hay Street, said point being the southwest corner of the Prince Charles Hotel Building and running thence along the outside edge of the west wall of said building North 03 degrees 43 minutes 08 seconds East 111.91 feet to the northwest corner of the hotel building; thence North 67 degrees 21 minutes 58 seconds West 129.84 feet to an existing iron pipe; thence South 22 degrees 40 minutes 12 seconds West 105.99 feet to an iron pipe in the northern right-of-way margin of Hay Street; thence with said northern right-of-way margin South 67 degrees 24 minutes 31 seconds East 166.18 feet to the point of BEGINNING . . . containing 15,679.8 square feet.

AND WHEREAS Prince Charles Management Company, Inc. has made an offer to the City of Fayetteville to purchase said property for the sum of \$5,000.00;

AND WHEREAS said offer was duly advertised pursuant to N.C.G.S. Section 160A-269 and no upset bids were received;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fayetteville that said offer to purchase is hereby accepted and that said property shall be conveyed to Prince Charles Management Company, Inc., for the sum of \$5,000.00.

ITEM 2.1.

ADOPTED this the 8th day of September, 1992.

CITY OF FAYETTEVILLE

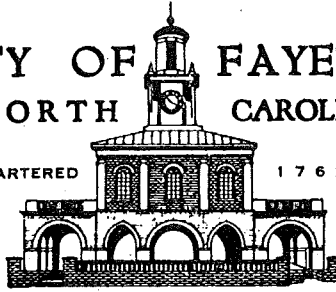
By: J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

THE CITY OF FAYETTEVILLE NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

September 3, 1992

MEMORANDUM

TO: Roger L. Stancil, Deputy City Manager

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

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

SUBJECT: Agenda Item - Continuance of Public Hearing Concerning the Petition-Initiated Annexation of the McLean and Thompson Property

On August 17, the City Council held five public hearings concerning five petition-initiated annexations. Four of the areas were then annexed. However, for the fifth area, the McLean and Thompson property, the City Council continued the public hearing until September 8. The continuance was requested by Tom McLean, who had submitted the petitions for this property.

Attached to this memo is my memo dated August 12, which was prepared for all five of the areas. The McLean and Thompson property is discussed throughout the memo.

As pointed out in my memo dated August 12 (on pages 15 and 16), there are two major issues raised by this annexation. One issue concerns the possibility of development of this property and its impact on the operations at Simmons Army Airfield. The second issue concerns the alignment of the proposed Outer Loop.

The area is currently under the jurisdiction of the County. If the area is annexed, then the area will need to be initially zoned into the City. During the initial zoning process after annexation, these two issues will need to be addressed by the City.

The remainder of this memo discusses these two issues. The memo concludes with a recommendation.

Issue Regarding Simmons Army Airfield

The McLean and Thompson property is located adjacent to the Fort Bragg boundary and directly under the flight line of the Simmons Army Airfield. This location means that future development of this property might impact the operations at Simmons Army Airfield.

In 1989, the Department of Defense commissioned the preparation of studies to accommodate the growth and development needs of local governments while preserving the military training mission of Fort Bragg and Pope Air Force Base. These studies were carried out by a team from the Center

annex-50

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 3.A.

for Urban and Regional Studies, under the direction of a steering committee. One result of the studies was the preparation in January 1991 of a report entitled Joint Compatible Land Use Policy. The report recommended policy and actions to mitigate the conflict between urban development and the by-products of military activities, such as noise and accident potential. It was addressed to local governments, state and regional agencies, and military officials in the Fort Bragg region. On November 18, 1991, the Fayetteville City Council adopted the report "in concept." However, no actions have been taken yet to implement the recommendations.

The report included a set of supplemental maps which defined certain zones extending off the Simmons runway. These include a Clear Zone (CZ), two Noise and Accident Potential Zones (NAPZ 1 and NAPZ 2), and three Noise Zones (NZ 3, NZ 4, and NZ 5), where accidents were not as likely as in the Clear Zone, NAPZ 1, and NAPZ 2.

There was originally a discrepancy between the dimensions (length and width) of these zones described in the report and shown on the supplemental maps. However, officials at Fort Bragg have informed City staff that the supplemental maps are correct. Fort Bragg officials have also provided City staff with the correct dimensions.

According to the supplemental maps and the corrected dimensions, part of the McLean and Thompson property lies within Noise and Accident Potential Zone 2 (NAPZ 2), and the remainder lies within Noise Zone 3 (NZ 3). (See Map #1.) The recommendation for these two zones are discussed below.

Noise and Accident Potential Zone 2 - The report states that residential use is not compatible in this zone and should be prohibited whenever feasible. The report states that because of accident hazard potential, residential use in this zone should not be allowed without strong demonstration of need to utilize this area for residential use. If allowed, residential use should be limited to the minimum necessary area and should not exceed one dwelling unit per acre. If residential use is allowed, an outdoor to indoor noise level reduction of 30 decibels should be required in the design and construction of the structure. Certain uses are recommended, including office buildings, general merchandise trade uses, and certain manufacturing uses.

Noise Zone 3 - The report states that this zone includes land exposed to the same noise levels as in NAPZ 2, but not in an accident potential zone. In general, noise levels in this zone are unsuitable for residential uses and facilities for gatherings. Noise reduction measures are recommended for many uses, including residential uses if they are allowed. The report does not recommend a maximum number of dwelling units per acre in this zone.

The McLean and Thompson property is currently zoned PND in the County, which allows residential development. The developer can either develop the property according to a PND general development plan, which allows a variety of residential densities, or he can develop according to R10 standards. If he develops according to R10 standards using zero lot lines, he could develop up to 5.8 units per net acre (i.e., after 20 percent of the gross area is dedicated for streets.) It is estimated that as many as 476 units could be put on the property under current County zoning. The standards would be essentially the same in the City. The Rose Group, Inc., is providing engineering services for the petitioner. According to a member of The Rose Group, the petitioner would like to develop the area as single-family residential, but only about 270 units are proposed at this time on the property. (The figure of 270 units was used in the memo dated August 12.)

In summary, about 48.1 percent (49.36 acres) of the McLean and Thompson property lies within the Noise and Accident Potential Zone 2 area. About 51.9 percent (53.27 acres) of the property lies within the Noise Zone 3 area. The Joint Compatible Land Use Policy report strongly discourages residential development in the NAPZ 2 area. The report also discourages residential development in the Noise Zone 3 area. Current County zoning allows residential on the property. If the property is annexed and the annexation-initial zoning policy is followed, residential development would also be allowed in the City.

Issue Regarding the Outer Loop

The alignment of the proposed Outer Loop indicates that it will pass through or near the northwestern corner of the McLean and Thompson property. (See Map #2.) It should be noted that no formal action has yet been initiated to preserve the Outer Loop corridor for this area. In the southwestern part of the County, actions are now being taken to preserve the Outer Loop corridor.

Summary

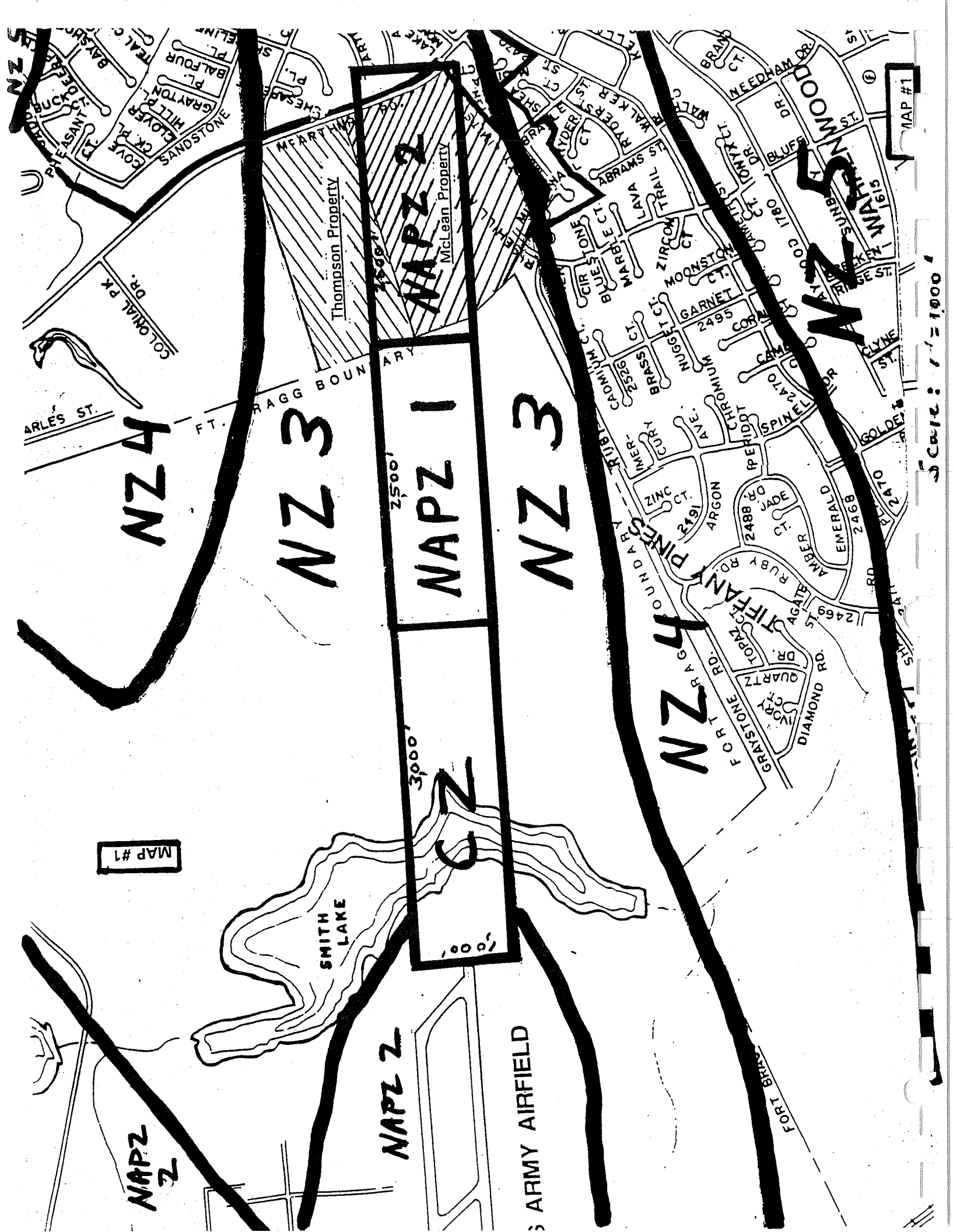
In summary, the public hearing concerning the annexation of the McLean and Thompson property has been continued until September 8. In deciding on whether to annex the area, the City Council might want to consider the information presented in the attached memo dated August 12. It should be noted that transparencies will be available for presentation to City Council on September 8. It should also be noted that the discrepancy between the supplemental maps in the Joint Compatible Land Use Policy report and the dimensions in the report has been resolved. The supplemental maps are correct.

Recommendations - The City staff offers the following recommendations:

1. The City Council should adopt the annexation ordinance for the McLean/Thompson property.
2. The City Council should set the effective date of the ordinance as September 30, 1992.

DMN/kbl

Attachments: Map # 1 - Shows noise and accident potential zones.
Map #2 - Shows alignment of Outer Loop, as shown on adopted Thoroughfare Plan
Map
Memo dated August 12
Proposed Ordinance



MAP #1

MAP #1

Scale: 1" = 1000'

NAPZ 2

NAPZ 2

ARMY AIRFIELD

CZ

NAPZ 1

NAPZ 2

NZ 3

NZ 3

NZ 4

NZ 4

NZ 5

SMITH LAKE

FT. BRAGG BOUNDARY

Thompson Property

McLean Property

GRAYSTONE RD.

DIAMOND RD.

AGATE ST.

RUBY RD.

AMBER CT.

EMERALD DR.

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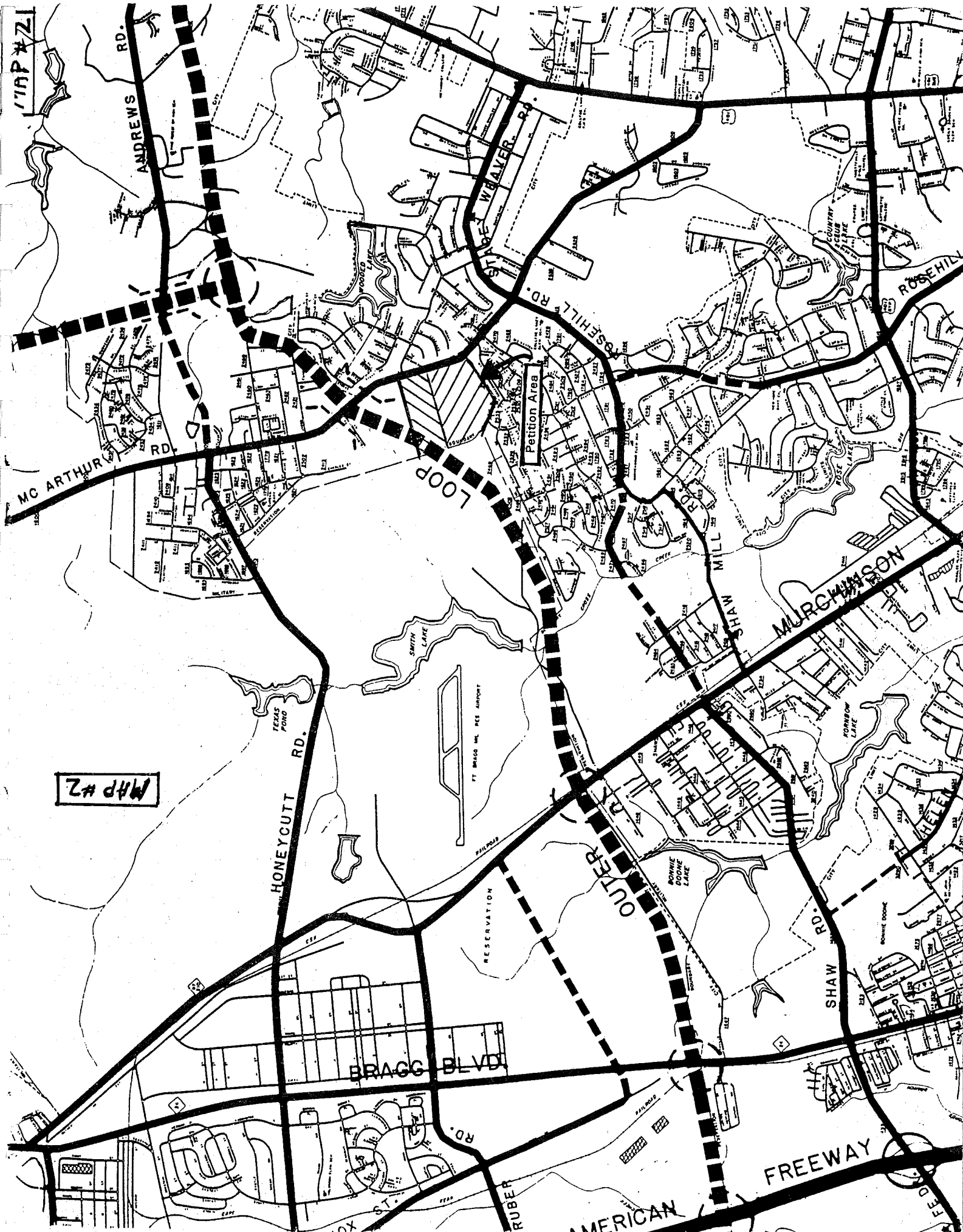
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MAP #2

BRAGG BLVD

AMERICAN

FREEWAY

SHAW RD.

MURKINSON

ROSEHILL

ST. WEAVER RD.

ROSEHILL RD.

LOOP

HONEYCUTT RD.

ANDREWS RD.

MC ARTHUR RD.

RUBER

ST. JOE

RD.

RESERVATION

FT. WORTH RES. AIRPORT

PAVING

SMITH LAKE

TEXAS POND

BONNIE DOONE LAKE

MORROW LAKE

BONNIE DOONE

BONNIE DOONE

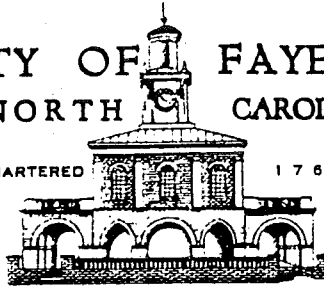
BONNIE DOONE

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THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

August 12, 1992

MEMORANDUM

TO: Roger L. Stancil, Deputy City Manager

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

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

SUBJECT: Public Hearings - Annexation of Five Petition-Initiated Areas

Public hearings have been scheduled for August 17, 1992, concerning the proposed annexation of five areas. (See Map A) Each proposed annexation was initiated by petition. The five areas are listed below:

1. McLean and Thompson Property
2. Country Club North, Section 6, Part A. Phase 3
3. Greystone Farms, Section 2
4. Country Club Hills, Remainder of Land
5. Perry Property

A Notice of Public Hearing was published for each area in the August 7, 1992, edition of The Fayetteville Observer-Times.

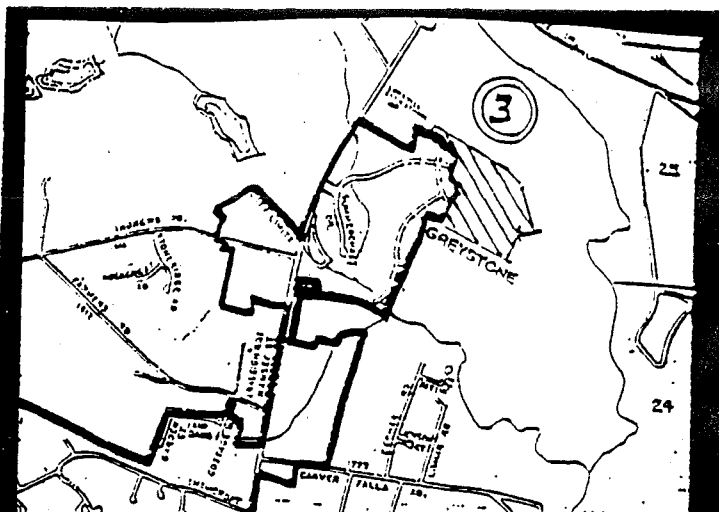
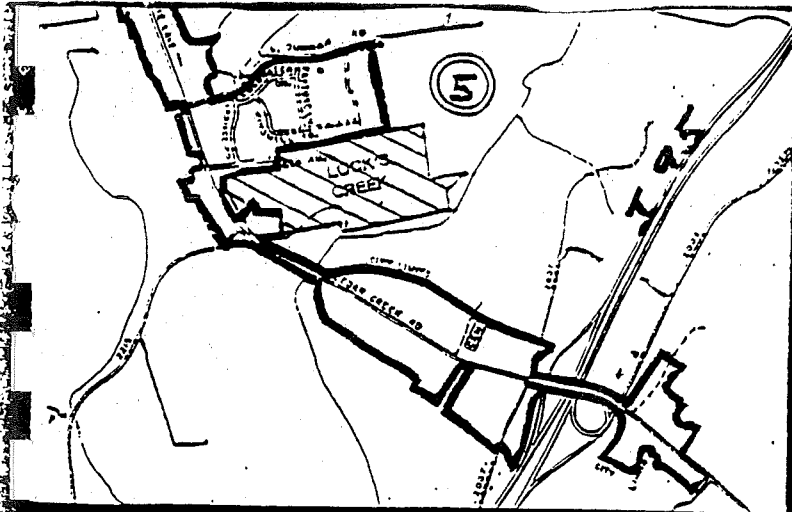
After holding a public hearing for each area, the City Council has the authority to adopt an ordinance annexing each area. The City Council has the authority to make each ordinance effective immediately or on any specified date within six months from the date of passage of the ordinance.

In deciding on whether to annex or not to annex these five areas, the members of the City Council might want to consider a variety of information. The overall purpose of this memo is to present this information to the City Council. It should be noted that some of this information is based on the requirements of the Justice Department.

An Equal Opportunity
City of



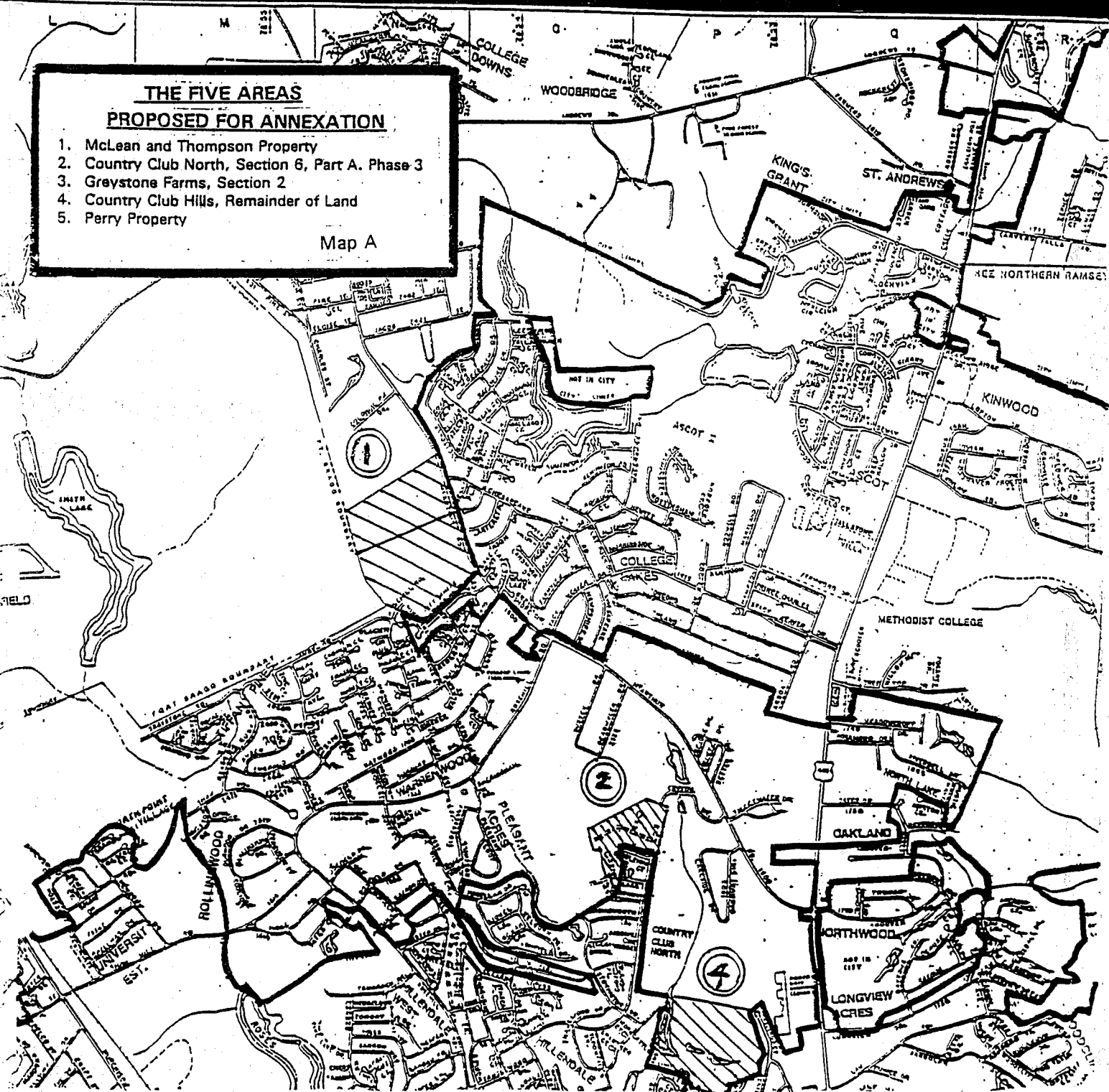
Affirmative Action Employer
Dogwoods



**THE FIVE AREAS
PROPOSED FOR ANNEXATION**

1. McLean and Thompson Property
2. Country Club North, Section 6, Part A. Phase 3
3. Greystone Farms, Section 2
4. Country Club Hills, Remainder of Land
5. Perry Property

Map A



The memo is organized as follows:

1. Section A provides summary information about the five areas proposed for annexation.
2. Section B evaluates the areas in terms of several criteria.
3. Section C provides a summary, conclusions, and recommendations.

Five appendices (1-5) are attached to this memo. These appendices provide revenue work sheets for each area. Maps and ordinances for each area are also attached.

SECTION A
SUMMARY INFORMATION ABOUT THE FIVE AREAS
PROPOSED FOR ANNEXATION

1. LOCATION: As shown on Map A, four of the areas are located on the northern side of the City. The fifth area, the Perry Property, is located on the eastern side of the City, along Cedar Creek Road.
2. ARE THE AREAS CONTIGUOUS? Yes
3. TYPE OF PROPOSED ANNEXATIONS: Petition-Initiated
4. CONTEXT/BACKGROUND: All five of the petition areas are currently vacant. However, the owners/developers propose to develop each area as single-family residential subdivisions. Since the areas are proposed for residential development, they will need water and sanitary sewer extensions.
5. REASONS FOR THE PETITION: There are two utility policies which have an impact on annexation.

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

As explained above, all five of the areas are contiguous. Since all five of the areas are proposed for residential development, they will all need water and sewer. Therefore, the owners were required to submit a petition for annexation.

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

6. PRESENT CONDITIONS: The following table summarizes some of the key present conditions in the five areas. (See Appendices 1-5 for more detail about tax value.)

TABLE I

<u>Name of Area</u>	<u># Acres</u>	<u>Present Land Use</u>	<u>Present # Housing Units</u>	<u>Present Total Population</u>	<u>Present Ad Valorem Tax Value</u>
McLean/Thompson	102.63	vacant	0	0	\$307,448
Country Club North	26.12	vacant	0	0	42,391
Greystone Farms,	19.73	vacant	0	0	93,228
Country Club Hills	66.00	vacant	0	0	126,560
(Subtotal - 4 areas)	(214.48)	(vacant)	(0)	(0)	(569,627)
Perry Property	<u>68.47</u>	<u>vacant</u>	<u>0</u>	<u>0</u>	<u>40,808</u>
Total	282.95	vacant	0	0	\$610,435

7. FACTORS AFFECTING EXPECTED FUTURE CONDITIONS: Future conditions in each area will be affected by a variety of factors. These factors are discussed below for each area.

a. McLean/Thompson Property

- 1) Plans of Owners - The Rose Group, Inc., is providing engineering services for the owners of this property. According to the staff of the Rose Group, the owners propose to develop the property as single-family residential.
- 2) Development Controls
 - a) Land Use Plans
 - (1) Current Plan (1971) - Airport-Oriented
 - (2) Proposed New Plan - Low Density Residential
 - b) Zoning
 - (1) Current Zoning in County - PND
 - (2) Likely Future Zoning After Annexation - PND or R10
- 3) Environmental Factors
 - a) Aircraft Noise and Accident Potential - The property is subject to the potential for aircraft noise and accidents, due to its location directly under the glide path of Simmons Army Airfield.
 - b) Watershed Area - All of the property is within a watershed area, as designated by state. However, regulations have not yet been adopted.

4) Major Planned Improvements

- a) Outer Loop - Part of the property is within the corridor of the proposed Outer Loop project. The Outer Loop is proposed to cross McArthur Road just north of the property. However, a grade separation (bridge) is proposed rather than an interchange.

b. Country Club North

- 1) Plans of Owners - The owner, the March Development Corporation, proposes to develop the property as single-family residential.

2) Development Controls

a) Land Use Plans

- (1) Current Plan (1971) - Low Density Residential - Stage I
(2) Proposed New Plan - Low Density Residential

b) Zoning

- (1) Current Zoning in County - PND
(2) Likely Future Zoning After Annexation - PND or R10

3) Environmental Factors

- a) Aircraft Noise and Accident Potential - The property is not within a defined noise and accident potential area.
b) Watershed Area - All of area is within a watershed area, as defined by state. However, regulations have not yet been adopted.

4) Major Planned Improvements - None

c. Greystone Farms, Section 2

- 1) Plans of Owners - The owner, Broadwell-Weber Investments, proposes to develop the property as single-family residential.

2) Development Controls

a) Land Use Plans

- (1) Current Plan (1971) - Industrial - Stage II
(2) Proposed New Plan - Low Density Residential

b) Zoning

- (1) Current Zoning in County - R15 and R10
(2) Likely Future Zoning After Annexation - Either R15 or R10

3) Environmental Factors

- a) Aircraft Noise and Accident Potential - The property is not within a defined noise and accident potential zone.
- b) Watershed Area - All of area is within a watershed area, as defined by State. However, regulations have not yet been adopted.

4) Major Planned Improvements

- a) Outer Loop - The property is just north of the proposed Corridor A of the proposed Outer Loop.

d. Country Club Hills

- 1) Plans of Owner - The owner, Broadwell Land Company, proposes to develop the property as single-family residential.

2) Development Controls

a) Land Use Plans

- (1) Current Plan (1971) - Low Density Residential - Stage I
- (2) Proposed New Plan - Low Density Residential

b) Zoning

- (1) Current Zoning in County - PND
- (2) Likely Future Zoning After Annexation - PND or R10

3) Environmental Factors

- a) Aircraft Noise and Accident Potential - The property is not within a defined noise and accident potential zone.
- b) Watershed Area - All of the area is within a watershed area, as defined by the State. However, regulations have not yet been adopted.

4) Major Planned Improvements - None

e. Perry Property

- 1) Plans of Owner - The Rose Group, Inc., is providing engineering services for a developer, who has an option to buy this property. According to the staff of The Rose Group, the developer proposes to develop the property as single-family residential.

2) Development Controls

a) Land Use Plans

- (1) Current Plan (1971) - Low Density Residential - Stage III
- (2) Proposed New Plan - Low Density Residential

b) Zoning

- (1) Current Zoning in County - RR
- (2) Likely Future Zoning After Annexation - R15

3) Environmental Factors

- a) Aircraft Noise and Accident Potential - The property is not within a defined noise and accident potential zone.
- b) Watershed Area - This area is not within a watershed area, as defined by the State.

4) Major Planned Improvements - None

8. EXPECTED FUTURE CONDITIONS: The following two tables summarize some of the key future conditions expected in the five areas at build-out. (See Appendices 1-5 for more detail about tax value.) Because it is not known how fast the homes will be built and occupied in the area, the date of the build-out year is not known.

TABLE II

<u>Name of Area</u>	<u>Future Land Use</u>	<u>Future # Housing Units</u>	<u>Future Total Population</u>	<u>Future # Street Miles To Be Accepted</u>	<u>Future Ad Valorem Tax Value</u>
McLean/Thompson	Resid.	270	675	2.03	21,600,000
Country Club North	Resid.	60	150	.64	7,200,000
Greystone Farms,	Resid.	31	78	.43	7,130,000
Country Club Hills	Resid.	117	293	1.34	11,700,000
(Subtotal - 4 areas)	(Resid.)	(478)	(1,196)	(4.44)	(47,630,000)
Perry Property	<u>Resid.</u>	<u>200</u>	<u>500</u>	<u>1.33</u>	<u>16,000,000</u>
Total	Resid.	678	1,696	5.77	63,630,000

NOTE: Future population calculated by multiplying future number of housing units times a projected person per household factor of 2.5.

TABLE III

<u>Name of Area</u>	<u>Future Purchase Cost Per Lot</u>	<u>Future Purchase Cost Per Housing Unit</u>	<u>Future Total Purchase Cost</u>
McLean/Thompson Property	15,000	60,000	75,000
Country Club North	20,000	95,000	115,000
Greystone Farms, Section 2	50,000	175,000	225,000
Country Club Hills	16,000	79,000	95,000
Perry Property	15,000	60,000	75,000

SOURCE: Interviews with developers.

SECTION B
EVALUATION OF THE FIVE AREAS PROPOSED FOR ANNEXATION

In this section of the memo, the five areas are evaluated in terms of the following criteria:

1. Compliance With Statutory Standards.
2. Ability of City Operations Departments and PWC to Provide Services. (This includes a description of how services are to be provided and costs.)
3. Fiscal Impact. (This involves a comparison of the projected costs of providing services with the projected revenues.)
4. Impact at Time of Annexation on Minority Population Percentages (In Overall City and in Adjacent City Council Districts)
5. Other Impacts/Problems Identified in Staff Review.
6. Other Issues Raised in Staff Review.

The general approach is to treat the five areas as a group. However, when necessary, individual areas are discussed.

Information about each of the criteria is presented below. Much of this information was obtained through a staff review process.

1. COMPLIANCE WITH STATUTORY STANDARDS

G.S. 160A-31 sets forth one standard which an area must meet when it is annexed by petition. The one standard is that an area must be contiguous to the municipal boundary. Each of the five proposed annexation areas is contiguous to the municipal boundary.

2. ABILITY OF CITY OPERATING DEPARTMENTS AND PWC TO PROVIDE SERVICES

- a. Methodology - The head of each City operating department and the head of each PWC division were asked to evaluate each of the five proposed annexation areas. The evaluation focused on how the departments/divisions would serve each area, additional costs, additional revenues, additional impacts/problems, and other issues raised. This evaluation provided information about the ability to provide services.
- b. Findings - Based on responses received from the City operating departments and from PWC, and based on a review of those responses by the City Manager's Office, it is projected that all operating departments and PWC will be capable of serving the areas, if they are annexed.

Information is presented below about the services to be provided and the cost of service. The information for City services is presented first, followed by information for PWC services.

- 1) City Services and Costs - In discussing City services and costs, it is useful to recognize the stages of development the areas will go through.
 - a) During FY 92-93 - During this fiscal year, the demand for services will be very minimal; because the five areas are currently undeveloped. All City departments should be able to absorb the areas with little or no cost. It is projected that the Fire Department will have the costs specified below.

<u>Dept.</u>	<u>Amount</u>	<u>Frequency</u>	<u>Service</u>
Fire	\$48 (prorated for 10 months)	Annual	Contract with Vander Fire Department for first-responder service for Perry Property

The Fire Department might also have costs for debt assumption with the Westarea Fire Department, but it is not possible to project these costs at this time.

- b) During Years of Development - During the years of development of the areas, the demand for services will increase. It is projected that all City departments will be able to absorb the five areas without substantial increases in costs. However, the impact on each department will need to be monitored. It is projected that the Sanitation Division and Fire Department will have the costs specified below:

<u>Dept.</u>	<u>Amount</u>	<u>Frequency</u>	<u>Service</u>
Sanitation	\$37,290	1 time only (at time of completion of each housing unit)	Provision of 678 roll-out carts to each housing unit
Fire	\$58	Annually	Contract with Vander Fire Department for first-responder service for Perry Property

- c) At Build-Out - When all five areas are completely built-out, the demand for services will peak and then level off. It is projected that most City departments will be able to absorb the areas when they are completely built-out. It is projected that the Sanitation Division will need a new three-man crew and truck in order to provide residential sanitation services. Costs which can be projected at build-out are discussed below.

<u>Dept.</u>	<u>Amount</u>	<u>Frequency</u>	<u>Service</u>
Sanitation	\$53,700	Annually	Residential pick-up - Establishment of new 3-man crew
Sanitation	\$28,333	Annually (for 3 years only - lease/purchase)	Residential pick-up - Lease/purchase of new rear-loader truck
Fire	\$58	Annually	Contract with Vander Fire Department for first-responder service for Perry Property

- 2) PWC Services and Costs - In discussing PWC services and costs, it is useful to distinguish between sewer-water-fire hydrant costs and electrical-street light costs.

- a) Sewer, Water, and Fire Hydrant Services - According to information provided by the PWC staff, PWC currently provides sewer, water, and fire hydrant services to parts of four of the areas. (The McLean/Thompson Property is the one exception.)

Services will be provided to the interior of each area by extension as the areas are developed. Contracts for extensions have already been established for two of the fire areas (Country Club North and Country Club Hills). If these two areas are annexed within two years of the date of the contract, then PWC will make a refund to the developer. These refund amounts are listed below:

<u>Area Name</u>	<u>Amount of Refund</u>
Country Club North	\$32,151.81
Country Club Hills	<u>32,133.82</u>
Total	\$64,285.63

If the other three areas are annexed before contracts are established for utility extensions, then PWC will make a contribution to the developer for these three areas. These possible contribution amounts cannot be calculated until detailed engineering plans are received and estimated.

- b) Electrical and Street Light Services - According to information provided by the PWC staff, PWC expects to extend electrical service and street lights to three of the areas as property develops. These three areas include: Perry Property, Greystone, and Country Club Hills. PWC expects the other two areas to be served by the South River EMC. These two areas include: Country Club North and McLean/Thompson. PWC will contract with South River EMC to pay a monthly street light rental charge. It is not possible to project these costs at this time.

3. FISCAL IMPACT

Fiscal impact analysis involves comparing the projected costs of providing services with the projected revenues. This technique is useful in evaluating proposed annexations. The results of the analysis for the five areas are presented below. The City and PWC are treated separately.

a. City - Fiscal Impact

- 1) Procedure - Several steps were involved in analyzing the fiscal impact of the five proposed annexations on the City.
- a) Revenues - First, annual operating revenues were projected. Since it is not known how fast the homes will be built and occupied in the area, it was not possible to project revenues over a five-year period. Instead, revenues were projected for FY 92-93 and for a hypothetical "build-out" year. Four revenue sources were projected: ad valorem tax, sales tax, beer-wine tax, and Powell Bill. The work sheets used in preparing the projections are included in this memo as Appendices 1-5. (Standard assumptions were used.)

The projected annual revenue to the City for the five areas are summarized below.

<u>Name of Area</u>	<u>During FY 92-93⁽¹⁾</u>	<u>During Years of of Development⁽²⁾</u>	<u>At Build-Out⁽³⁾</u>
McLean/Thompson	1,363		173,404
Country Club North	187		51,556
Greystone	413		44,952
Country Club Hills	560		88,250
(Subtotal - 4 areas)*	(2,523)		(358,162)
Perry Property	180		128,214
Total	2,703		486,376

NOTES:

⁽¹⁾Ad valorem tax revenue only.

⁽²⁾Not possible to project, because it is not known how fast new homes will be constructed.

⁽³⁾Total of 4 sources of revenue.

- b) Costs - Next, costs were summarized, based on the projected costs discussed in the previous section of this memo. As in the case of revenues, costs were summarized for FY 92-93 and a hypothetical build-out year. Costs were also summarized for the years of development.

The projected annual costs to the City for providing services to the five areas are summarized below.

<u>Dept./Service</u>	<u>During FY 92-93</u>	<u>During Years of Development</u>	<u>At Build-Out</u>
Fire Department			
Contract w/Vander F.D.	\$48	\$ 58	\$ 58
Sanitation Division			
Roll-out carts	0	37,290	0
New 3-man crew	0	0	53,700
New rear-loader truck	0	0	28,333 ⁽¹⁾
Grand Total	\$48	\$37,348	\$82,091

NOTES:

⁽¹⁾For 3 years only - while a lease/purchase agreement is in effect.

- 2) Results - The results of comparing the revenues and costs during FY 92-93, the years of development, and at a hypothetical "build-out" year are shown below.

	<u>During FY 92-93</u>	<u>During Years of Development</u>	<u>At Build-Out</u>
Annual Revenues	2,703	?	486,376
Annual Costs	48	37,348	82,091
Annual Surplus (Deficit)	2,655	?	404,285

During FY 92-93, it is projected that there will be a surplus of \$2,655. During the years of development, it is not possible to project the revenues, because it is not known how fast the new homes will be built. Therefore, it is not possible to evaluate the fiscal impact during the years of development. However, for any one year there will be a surplus, as long as the revenues exceed the cost of the contract with Vander and the cost of providing roll-out carts during the year. At the build-out year, it is projected that there will be a surplus of \$404,285. After three years of build-out, the new rear-loader truck will be paid for, and the annual surplus will then increase to \$432,618.

b. Public Works Commission - Fiscal Impact

In discussing the fiscal impacts of the proposed annexations on PWC, it is useful to distinguish between the Water and Sewer Division and the Electrical Division.

1) Fiscal Impact on Water and Sewer Division of PWC

- a) Procedure - In order to assess the fiscal impact on the Water and Sewer Division, it is necessary to consider revenues and costs.
- 1) Revenues - According to information provided by the PWC staff, there will be revenues from the new water and sewer customers in each of the five areas. However, it has not been possible to project these revenues, since it is not known how fast the new homes will be constructed.
 - 2) Costs - As discussed in a preceding section of this memo, the costs for making a refund to the developer are projected at \$64,285.63 for two areas for which contracts have already been established.
- b) Results - It is possible to project that if the areas are annexed effective 8-31-92, and if PWC makes the refund to the two developers, the fiscal impact on the PWC Water and Sewer Division will be negative during FY 92-93. It is not possible to project the fiscal impact during the years of development or at build-out.

2) Fiscal Impact on Electrical Division of PWC

a) Procedure - In order to assess the fiscal impact on the Electrical Division, it is necessary to consider revenues and costs.

1) Revenues - PWC expects to extend electrical and street light services to three of the areas as property develops (Perry Property, Greystone, and Country Club Hills). There will be revenues from the sale of electricity in these three areas. However, it is not appropriate to attribute this increase in electrical service revenue to annexation. This increase in revenue will occur regardless of whether the areas are annexed. It has not been possible to project any other revenues.

2) Costs - As discussed in a previous section of this memo, PWC expects two of the areas to receive electrical service from the South River EMC (Country Club North and McLean/Thompson). Although PWC will contract with South River to provide street light service in these two areas, it has not been possible to project these costs.

b) Results - Since it has not been possible to project revenues or costs, it is not possible to assess the fiscal impact on the Electrical Division.

4. IMPACT AT TIME OF ANNEXATION ON MINORITY POPULATION PERCENTAGES (IN OVERALL CITY AND IN ADJACENT DISTRICTS)

As shown in Section A of this memo (Item 6 - Present Conditions), the five areas are presently made up of vacant land. Therefore, the five areas have zero housing units, zero total population, zero voting age population, and zero registered voters. It is assumed that these conditions will not change between now and the assumed effective dates of annexation (8-31-92). Therefore, there will be no impact at the time of annexation on minority population percentages, either at the overall City level or at the district level. (The four areas on the north side are all adjacent to City Council District #1. The Perry Property is adjacent to District #2.)

5. OTHER IMPACTS/PROBLEMS IDENTIFIED IN STAFF REVIEW

a. Methodology - During staff review, the head of each City operating department and the head of each PWC division were asked to identify any additional impacts/problems, if the areas were annexed. It was suggested that the cumulative impact of other annexations enacted during the previous two fiscal years be considered.

b. Findings

- 1) PWC - Impacts/Problems: None identified.
- 2) City Operating Departments - Impact/Problems:
 - a) Sanitation Division and Street Maintenance Division - The Environmental Services Director expressed concern over the cumulative impact of past annexations on the Sanitation and Street Maintenance Divisions. Past annexations have been absorbed by the Divisions, and the Divisions have reached their limits on absorbing any more areas.
 - b) Police Department - The Police Department Service Bureau Commander expressed concern over the cumulative impact of past annexations. It was noted that future impacts/problems would be based on calls for police service; however, it was noted that this increase cannot be determined at this time.
 - c) Fire Department - The Fire Department expressed concern over the cumulative impact of past annexations on the north side. It was stated that if the areas are annexed, a new engine company will be needed on the north side, when the areas are built-out.
 - d) Engineering Department - The Engineering Department expressed concern over the amount of staff time which will be devoted to review of development, drainage, and streets in these areas. The department also expressed concern over the impact of development on surrounding existing streets.
 - e) Parks and Recreation - The Parks and Recreation Department expressed concern over the cumulative impact of past annexations on both the northern side and the eastern side of the City. Both areas currently lack recreation centers and adequate park facilities. When developed, these annexation areas will add to the current needs. Only one area on the northern side (Country Club Hills) is located close enough to existing facilities (Tokay Center and Edgewood Recreation Center) to be adequately served.

6. OTHER ISSUES RAISED IN STAFF REVIEW

- a. Methodology - During staff review, the head of each City operating department and the head of each PWC division were asked whether the consideration of these proposed annexations raised any other issues which need to be addressed.

b. Findings

- 1) PWC - Other Issues Raised: None raised
- 2) City Operating Departments - Other Issues Raised:
 - a) Police Department - The Police Department noted that it must be prepared to increase protective services if necessary.
 - b) Parks and Recreation - Concerning the existing College Lakes Park on the north side, the department raised the following issues:
 - Should a recreational center be built at the park?
 - Should additional land be acquired?
 - Should a sanitary sewer line be extended to the park?

The department also pointed out a need to revise subdivision regulations to require that additional land be set aside for parks and recreational use.

- c) Communications - The Communications Department raised the question of whether Hilliard Drive should be connected to Crystal Drive; this would provide better access for emergency vehicles.

3) Issue Regarding the Future Development of the McLean/Thompson Property

The McLean/Thompson Property is located adjacent to the Fort Bragg boundary and directly under the flight line of Simmons Army Airfield. Future development of this now vacant property might have a negative impact on the operations at Simmons Army Airfield. The Rose Group, Inc., is providing engineering services for the owners of this property. According to members of the Rose Group, the owners propose to develop the property as single-family residential in the future. If the area is annexed, then the area will need to be initially zoned into the City. During the initial zoning process, the issue of the future development of the property and the impact this development might have on operations at Simmons Army Airfield will be discussed. It should be noted that a report dealing with such issues was prepared in January 1991. The report is entitled Joint Compatible Land Use Policy - Recommendations to Military Jurisdictions and Local Governments in the Fort Bragg Region. On November 18, 1991, the Fayetteville City Council agreed to support recommendations outlined in the report. However, no actions have been taken yet to implement the recommendations.

SECTION C
SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

Summary - In summary, this memo has analyzed five proposed petition-initiated annexations. The memo has provided summary information about the areas, with a focus on present conditions, factors affecting development, and expected future conditions. The memo has also evaluated the areas in terms of several criteria.

Conclusions - The basic conclusions are as follows:

1. All of the areas comply with statutory standards, since all of the areas are contiguous.
2. All of the areas are currently vacant, but the owners propose to develop the areas as single-family residential.
3. It is not known how fast new homes will be built in the areas. Therefore, it is not known when build-out will occur.
4. The City operating departments and PWC should be able to provide services to the areas. As the areas develop and demands for services increase, the impact on operating departments will need to be monitored. It is projected that when the areas are completely built-out, the Sanitation Division will need to add a three-man crew and truck in order to serve the areas.
5. Fiscal Impact on the City - It is projected that there will be a surplus for the City of \$2,655 in FY 92-93, and a surplus of \$404,285 at build-out. Since it is not possible to project revenues during the years of development, it is not possible to evaluate the fiscal impact during the years of development.
6. Fiscal Impact on PWC - For the Water and Sewer Division of PWC, it is projected that there will be a deficit in FY 92-93, due to the refunds to be made to developers. It was not possible to assess the fiscal impact on the Electrical Division of PWC.
7. If the areas are annexed effective August 31, 1992, the areas will be undeveloped and they will have zero population. Therefore, annexation of the areas should have no impact on minority population percentages, either at the overall City level or at the district level.
8. Several operating departments expressed concern over the cumulative impact of past annexations.
9. The major issue raised by these proposed annexations is the future development of the McLean/Thompson Property. Future development of this property might have a negative impact on the operations at Simmons Army Airfield, due to the location of the property. Future development of this property might also impede the construction of the proposed Outer Loop, because part of the property is within the proposed corridor of the Outer Loop.

Roger L. Stancil
Page 17
August 12, 1992

Recommendations - Based on these conclusions, the City staff offers the following recommendations:

1. The City Council should adopt annexation ordinances for each of the five areas.
2. The City Council should set August 31, 1992, as the effective date for each of the five ordinances.
3. The City Council should ask the Planning Board staff to review the measures recommended in the Joint Compatible Land Use Policy report. The Planning Board staff should then make recommendations to the City Council regarding which measures should be adopted by the City.

DMN/kbl

APPENDIX 1
ANNEXATION REVENUE PROJECTION WORKSHEET

AREA #: _____ AREA NAME: McLean and Thompson Property
ASSUMED EFFECTIVE DATE: 8-31-92

 x PETITION-INITIATED
 CITY-INITIATED

DATE PROJECTION PREPARED: 8-7-92 DATE REVISED: _____
FISCAL YEARS

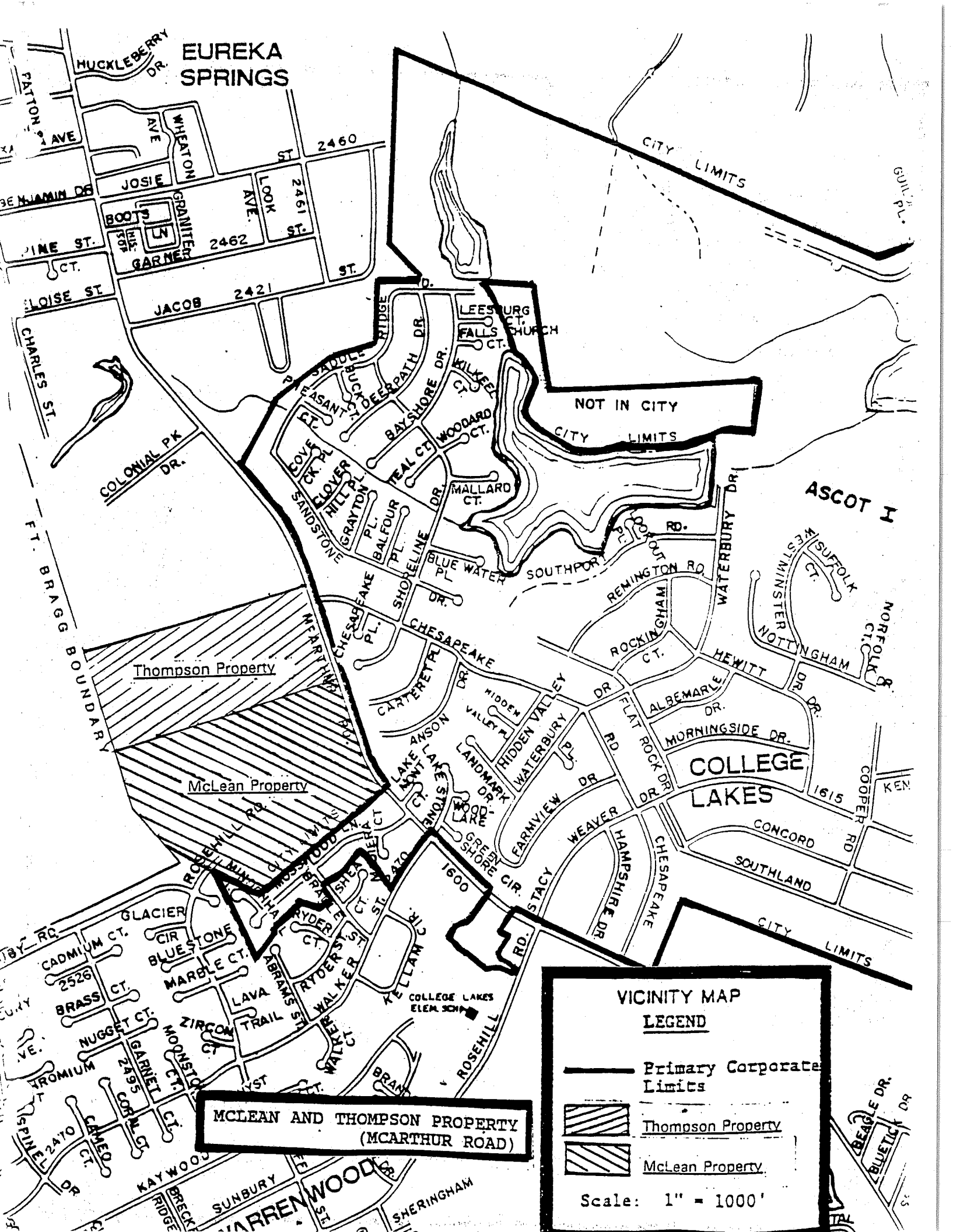
1 CITY-GENERAL FUND

A. REVENUES

	<u>92-93</u>	<u>At Build-Out</u>
1. Ad Valorem Tax		
a. Real Property - Taxable Value		
Land ¹	307,448	4,050,000
Buildings ¹	0	16,200,000
Improvements ¹	0	0
Gross Total	307,448	20,250,000
Market Index Adjustment	0	0
Adjusted Total Real Property	307,448	20,250,000
b. Personal Property - Taxable Value		
Automobiles ¹	0	1,350,000
Business Equipment, Fixtures ¹	0	0
Mobile Homes ¹	0	0
Other ¹	0	0
Total Personal Property	0	1,350,000
c. Total Value - Real and Personal	307,448	21,600,000
d. Tax Rate (Per \$100 Value)	.56	.56
e. Gross Ad Valorem Revenue	1,722	120,960
f. Deduction for Prorating	-287	0
g. Adjusted Ad Valorem Revenue	1,435	120,960
h. Collection Rate	.95	.95
i. Final Adjusted Ad Valorem Revenue	1,363	114,912
2. Sales Tax		
a. Projected Population ²	0	675
b. Per Capita Distribution	59	59
c. Sales Tax Revenue	0	39,825
3. Beer and Wine Tax		
a. Projected Population ²	0	675
b. Per Capita Distribution	4	4
c. Beer and Wine Tax Revenue	0	2,700
4. Powell Bill		
a. Projected Population ²	0	675
b. Per Capita Distribution	19.61	19.61
c. Revenue from Population	0	13,236
d. # Miles Streets to be Accepted ²	0	2.03
e. Per Mile Distribution	1,345.47	1,345.47
f. Revenue from Street Miles	0	2,731
g. Powell Bill Revenue (c + f)	0	15,967
5. Total Revenue (1i + 2c + 3c + 4g)	1,363	173,404

NOTES: 1 - As of the January 1 immediately preceding the beginning of the fiscal year.
2 - As of the first day of the fiscal year (July 1).

ASSUMPTIONS:



EUREKA SPRINGS

Thompson Property

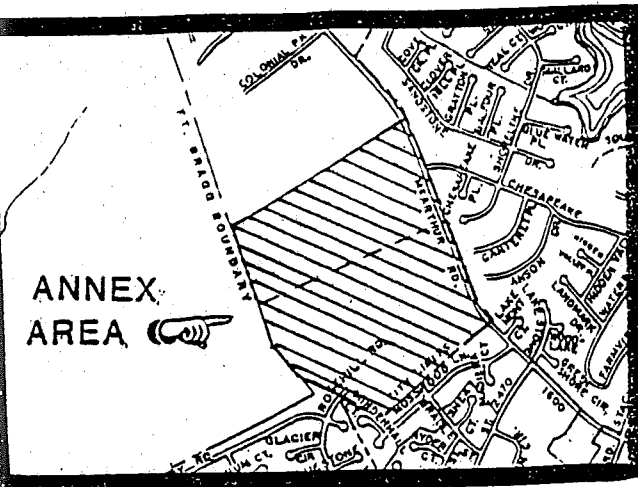
McLean Property

MCLEAN AND THOMPSON PROPERTY
(MCARTHUR ROAD)

VICINITY MAP
LEGEND

- Primary Corporate Limits
- Thompson Property
- McLean Property

Scale: 1" = 1000'



VICINITY MAP

ANNEXATION 84-1-280
(7-21-84)

N 59°05'26" E
2041.78'

CITY LIMIT LINE

SOUTHEASTWARD

McArthur Road 2200'

Thompson Property
McLean Development Corp. Property

N 19°55' N
1262.60'

MILITARY RESERVATION

N 48°33'41" W
524.93'

NORTHWEST

TIFFANY PINES
(OUT OF CITY)

(142.15')

(531.8')

CITY LIMIT LINE
N 49°01' W

CITY LIMIT LINE
S 59°20' W
1566.93'
Mosswood Lane
ANNEXATION 85-1-291
(1-7-86)
McARTHUR PLACE
Sec. 2, Part 3

CITY OF FAYETTEVILLE, N.C.
ENGINEERING DEPARTMENT

PROPOSED ANNEXATION
Thompson-McLean Property
(McArthur Road Area)
about 102.83 Acres

REVISION

DATE _____ BY _____

DATE _____ DRAWN BY Dale
SCALE 1"=400' CK'D BY A.P.B.

FIELD BK

MCLEAN AND THOMPSON PROPERTY
(MCARTHUR ROAD)

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF FAYETTEVILLE, NORTH CAROLINA

WHEREAS, the City Council has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall Council Chambers at 7 o'clock p.m., on the 17th day of August, 1992, after due notice by publication on the 7th day of August, 1992; and

WHEREAS, the public hearing on the question of this annexation was continued until 7 o'clock p.m. on the 8th day of September, 1992; and

WHEREAS, the City Council does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended;

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

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory, is hereby annexed and made part of the City of Fayetteville as of the 30th day of September, 1992.

Beginning at a point in the eastern margin of McArthur Road, said point being in the existing City Limit Line as established by Annexation 85-1-291 dated January 7, 1985 (effective February 1, 1985) and running thence with the city limit line South 59 degrees 20 minutes West and crossing McArthur Road and running with the northern line of McArthur Place subdivision, Section 2, Part 3, for a distance of 1566.93 feet to a corner; thence continuing with the city limit line and McArthur Place subdivision North 49 degrees 01 minute West 551.91 feet to a point; thence leaving the city limit line and running in a northwest direction about 148.2 feet to a concrete monument in the Fort Bragg Military Reservation boundary; thence with said boundary North 48 degrees 33 minutes 41 seconds West 524.93 feet to a concrete monument; thence continuing with military reservation line North 19 degrees 55 minutes West 1262.6 feet to a concrete monument; thence leaving the reservation line and running North 59 degrees 05

minutes 26 seconds East 2041.78 feet to a point in the eastern margin of McArthur Road, said point also being in the existing city limit line as established by Annexation 84-7-290 dated July 21, 1984 (effective August 31, 1984); thence following the eastern right of way margin of McArthur Road and the city limit line in a Southeastern direction about 2200 feet to the beginning . . . containing 102.63 acres more or less.

Section 2. Upon and after the 30th day of September, 1992, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the City of Fayetteville and shall be entitled to the same privileges and benefits as other parts of the City of Fayetteville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the City of Fayetteville shall cause to be recorded in the Office of the Register of Deeds of Cumberland County, and in the Office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. The Mayor of the City of Fayetteville shall also cause such map and ordinance to be filed with the County Board of Election of Cumberland County.

Adopted this 8th day of September, 1992.

J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

PUBLIC HEARING - SPEAKERS

SUBJECT: ANNEXATION - McLEAN & THOMPSON PROPERTY
(McArthur Rd.)

DATE: Aug. 17, 1992 Sept. 9, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

1. Glen W. Prillaman Chief, Master Fort Bragg
Planning Branch, NC

Directorate of Engineering and Housing
ATTN: AFZA-DE-FM
Fort Bragg, NC 29307-5000

2. L. STACY WEAVER (by letter)

222 Maiden Lane

3. _____

4. _____

5. _____

6. _____

7. _____

OPPONENT - (Against)

(Name - Print)

(Address - Print)

1. Glen W. Prillaman Chief, Master Fort Bragg
Planning Branch, NC

Directorate of Engineering and Housing
ATTN: AFZA-DE-FM
Fort Bragg, NC 29307-5000

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

ITEM _____

PUBLIC HEARING - SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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



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

PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE

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

ELECTRIC & WATER UTILITIES

August 26, 1992

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

Subject: Assessment Process

Dear John:

Recent public hearings on assessment rolls have stimulated some lively debate and objections from residents annexed in 1988. Public hearings will continue to be scheduled until all the assessments rolls have been reviewed.

Property owners' comments obviously reflect concern for the costs involved. As you know, the city engineering department and PWC worked very closely in all phases of the project, including design, contract awards, and project management. A combination of bad weather, poor drainage, and an "unsympathetic" contractor (in certain projects) resulted in a very lengthy construction schedule. (Liquidated damages were offset by extended inspection services and project management expenses.)

We have prepared a series of answers to questions most frequently asked about assessments and the assessment process. It is not intended to serve as a legal document (but you may want the city attorney to review it). These questions and answers may be of some assistance to council members. Please feel free to add answers to other questions which may have arisen during the course of the public hearings.

PWC employees worked diligently to provide utilities ordered by the city council, and we recognize council's reluctance to order assessments to offset a small percentage of the actual costs incurred. Regrettably, the only other source of funds to pay for these projects is to collect the money from all PWC customers!

We would appreciate your distribution of the Q & A sheets to council prior to the next scheduled public hearing on September 8, 1992.

Very truly yours,

Tim Wood
General Manager

enclosure
cc: PWC Commissioners (w/enclosure)

ASSESSMENT PROCESS

INFORMATION



ITEM 3.B,C,D.

ASSESSMENT: QUESTIONS AND ANSWERS

1. WHAT IS AN ASSESSMENT?

A charge imposed by the City Council in return for benefits accruing to property.

2. WHO CAN AUTHORIZE ASSESSMENTS?

The City Council.

3. FOR WHAT PURPOSE CAN ASSESSMENTS BE AUTHORIZED?

- A. Building or improving streets.
- B. Building or improving sidewalks.
- C. Building or improving water systems.
- D. Building or improving all types of sewage collection and disposal systems.
- E. Building or improving storm sewer and drainage system.

4. WHAT IS THE BASIS FOR ASSESSMENTS?

- A. The front footage abutting the property at an equal rate per front foot, or
- B. The area of land served or to be served, at an equal rate per unit of area (e.g. \$ X per acre), or
- C. The number of lots served or to be served by an extension at an equal rate per lot, or
- D. The value added to the land served or to be served by the project at an equal rate per lot, or
- E. A combination of two or more of the above.

5. ARE THERE ANY EXEMPTIONS?

Yes. City Council has historically provided an exemption of seventy-five percent (75%) of the frontage of any side of a corner lot, or 150 feet whichever is greater.

6. WHAT IS THE RELATIONSHIP BETWEEN ANNEXATION AND ASSESSMENTS FOR WATER AND/OR SANITARY SEWER IMPROVEMENTS?

The typical procedure followed in areas ordered annexed into the city is for "all" city services to be made available on the first day of annexation. If water and/or sanitary sewer improvements are ordered by the City Council, PWC has two years from the effective date of annexation to have utilities in place to serve all residences.

7. WHAT IS PWC'S ROLE IN THE ASSESSMENT PROCESS?

PWC engineers are responsible for design of the water and sanitary sewer utilities to serve the area. Care must be taken to coordinate with other sub-surface utilities, e.g. electric, cablevision, telephone, natural gas, storm sewer. Plans and specifications are prepared and actual construction work is performed by the private contractor(s) submitting the lowest bid meeting specifications. These procedures are spelled out in the N.C. General Statutes.

PWC is also responsible for determining the project cost, submitting assessment rolls to the City Council and collecting assessments.

8. WHAT IS THE CITY COUNCIL'S ROLL IN THE ASSESSMENT PROCESS?

- A. City Council is the legal body which orders assessments.
- B. City Council holds public hearing(s) to determine if the utilities are to be installed, and later, to determine if utilities have been installed and to hear objections to the assessment roll. After the assessment roll is confirmed, it is delivered to the Public Works Commission for collection by a PWC employee designated as a Deputy City Tax Collector.

9. HOW IS THE ASSESSMENT CALCULATED?

Assessments are normally based on the front footage of property benefitting from the water and/or sanitary sewer improvements. (See No. 4.A) The cost of engineering and construction is then divided into three parts with property owners paying one third (1/3) each and PWC absorbing one third (1/3) of the cost. (PWC also absorbs the costs associated with intersections, exemptions granted for corner lots and exemptions for properties not deriving any benefit from construction and approach lines.)

10. WHAT IS THE ASSESSMENT RATE?

- A. \$8.00 per foot for water.
- B. \$12.00 per foot for sanitary sewer.

11. WHAT WAS THE ESTIMATED TOTAL COST?

- A. Water -- *\$19.47 per foot.
- B. Sewer -- \$45.63 per foot.

*Residents were not assessed for the rebuilding of water systems purchased by PWC and brought up to PWC standards. Residents were not assessed for the cost of installing fire hydrants on private water systems purchased by PWC. The \$8.00 per foot assessment rate was designed to offset a small portion of these costs.

12. WHAT IS A "TAPPING FEE"?

A tapping fee is charged to property owners whose property abuts an existing utility line which was in place prior to annexation, or where improvements are ordered installed by the city council without assessment. It is a fee charged to assist in the recovery of costs associated with lines installed to serve affected properties. Property which is assessed does not pay a tapping fee.

Tapping fees (\$8.00 per foot for water and \$12.00 per foot for sewer) were established by the Commission in an amount equal to the footage charged in the assessment process. The "old" tapping fee and lateral charges were extended by the Commission until October 1, 1992, at the request of City Council.

ASSESSMENT: QUESTIONS AND ANSWERS

13. WHAT IS A LATERAL CHARGE?

This is a charge collected by PWC when the property owner desires to hook up to the utility system. It pays for the actual cost of running a small diameter pipe from the main line in the street to the property. (See attached drawing.)

The present lateral charge for water is \$190.00. This figure will increase to \$290.00 effective October 1, 1992.

The present lateral charge for sewer is \$280.00. This figure will increase to \$420.00 effective October 1, 1992.

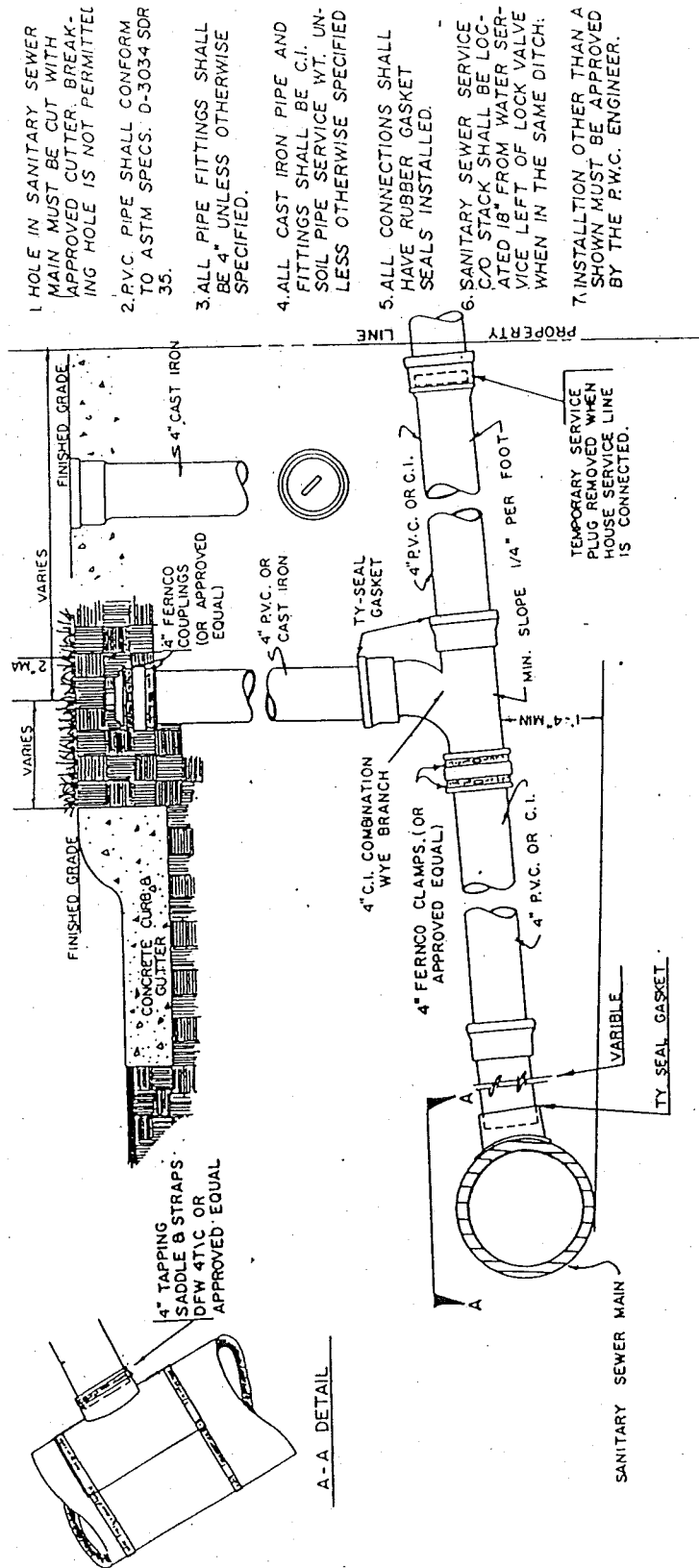
14. WHY ARE ASSESSMENTS SO MUCH LARGER THAN DURING THE PREVIOUS ANNEXATION?

Major water/sanitary sewer improvements were assessed following annexation in 1984. Since that time, material and labor costs have increased. The City of Fayetteville chose not to rebuild streets to city standards. The cost of street resurfacing therefore became part of the cost to install water and sanitary sewer utilities.

15. HOW CAN ASSESSMENTS BE PAID?

- A. Five annual payments at eight percent (8%) interest.
- B. Thirty percent (30%) discount for payment in full within 60 days of confirmation of the assessment roll.

TYPICAL SANITARY SEWER LATERAL



NOTICE OF PUBLIC HEARING

The public will take notice that the Preliminary Assessment Rolls for sanitary sewer collection system in HEARTHSTONE DRIVE, ONIE COURT, MORGANTON ROAD, MAWOOD DRIVE, OLD GATE ROAD, DOCIA CIRCLE, MERRITT DRIVE, AND PAMALEE DRIVE have been prepared and are available for public inspection in the office of the City Clerk until the 8th day of September, 1992. The City Council will hold a Public Hearing at 7:00 p.m., on the 8th day of September, 1992, at the City Hall Council Chambers, 433 Hay Street, for the purpose of hearing objections to the Preliminary Assessment Rolls. Anyone desiring to speak at this public hearing shall register with the City Clerk at 433 Hay Street before 7:00 p.m., Tuesday, September 8, 1992.

As to each Assessment Roll confirmed, any assessment paid before the expiration of thirty (30) days from the date notice is published of the confirmation of the Assessment Roll will receive a thirty percent (30%) discount, pursuant to N. C. General Statutes, Section 160A-229.

This is a continuation of previously scheduled public hearing of August 17, 1992.

PUBLIC WORKS COMMISSION

Tim Wood, General Manager

COPY

ITEM 3.B.



**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

HEARTHSTONE DRIVE, east side, from Morganton Road to Old Gate Road

HEARTHSTONE DRIVE, west side, from the southeast corner of Lot 16, The Oaks Subdivision, to Old Gate Road; and

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

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

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

COPY

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
HEARTHSTONE DRIVE

In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS

Submitted to City Council : 8-17-92

Final Approval by City Council: _____

To City Clerk: 7-21-92

To PWC Tax Collector: _____

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
RALPH JOHNSON HNT CS/11TH ACR UNIT 20811 APO AE 09146	0408-20-91-3351 104 HEARTHSTONE DRIVE OAKS SUB	24	2631 885	110.00	0.00	1,320.00	1,320.00
HUBERT A NOBLE 111 HEARTHSTONE DRIVE FAYETTEVILLE NC 28314	0408-20-91-3472 108 HEARTHSTONE DRIVE OAKS SUB	25	2710 551	110.00	0.00	1,320.00	1,320.00
HUBERT A NOBLE 111 HEARTHSTONE DRIVE FAYETTEVILLE NC 28314	0408-20-91-4503 110 HEARTHSTONE DRIVE OAKS SUB	26	2542 794	110.00	0.00	1,320.00	1,320.00
CARL B PRESLER JR 115 HEARTHSTONE DRIVE Fayetteville NC 28314	0408-20-91-2823 115 HEARTHSTONE DRIVE OAKS SUB	16	0 0	78.00	0.00	936.00	936.00
JAMES K PHELPS 116 HEARTHSTONE DRIVE FAYETTEVILLE NC 28314	0408-20-91-4625 116 HEARTHSTONE DRIVE OAKS SUB	27	0 0	127.48	0.00	1,529.76	1,529.76
JIMMY K GODBEY 117 HEARTHSTONE DRIVE FAYETTEVILLE NC 28314	0408-20-91-3839 117 HEARTHSTONE DRIVE OAKS SUB	15	2449 709	78.00	0.00	936.00	936.00
ARLEN R GREENE 119 HEARTHSTONE DRIVE FAYETTEVILLE NC 28314	0408-20-91-4849 119 HEARTHSTONE DRIVE OAKS SUB	14	0 0	87.00	0.00	1,044.00	1,044.00
JOE J WALKER 121 HEARTHSTONE DRIVE FAYETTEVILLE NC 28314	0408-20-91-5859 121 HEARTHSTONE DRIVE OAKS	13	2439 504	100.00	0.00	1,200.00	1,200.00
JENNIE F ADAMS 123 HEARTHSTONE DRIVE FAYETTEVILLE NC 28314	0408-20-91-6859 123 HEARTHSTONE DRIVE OAKS	12	2213 487	100.00	0.00	1,200.00	1,200.00
9 Owners					\$0.00	\$10,805.76	\$10,805.76

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

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

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

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

ONIE COURT, east side, from Merritt Drive to the northwest corner of Lot 14
ONIE COURT, west side, from Merritt Drive to the northwest corner of Lot 6;
and,

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

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

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

COPY

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

07/09/72
09:05:06

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
ONIE COURT

Page: 1
arrrlss

In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS

Submitted to City Council : 8-17-92

Final Approval by City Council: _____

To City Clerk: 7-21-92

To PWC Tax Collector: _____

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
GEORGE D MOTTE 202 ONIE COURT Fayetteville NC 28314	0408-20-82-8207 202 ONIE COURT KENDALL SUB SEC 4	14	2001 569	84.98	0.00	1,019.76	1,019.76
ARTHUR R MCDONELL 207 ONIE COURT Fayetteville NC 28314	0408-20-82-4495 207 ONIE COURT KENDALL SUB & PT LT 9 20FT	10	3157 525	65.22	0.00	782.64	782.64
FRANCES C PONDER 5433 DOGIA CIRCLE Fayetteville NC 28314	0408-20-82-5278 ONIE COURT KENDALL SUB SEC 4 PT LT 9	9	2964 367	106.35	0.00	1,276.20	1,276.20
3 Owners					\$.00	\$3,078.60	\$3,078.60

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

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

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

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

MORGANTON ROAD, north side, from southeast corner of Lot 1 to the southwest corner of Lot 22, The Oaks Subdivision; and

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

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

1. The Assessment Rolls for the extension of sanitary sewer collection system in **MORGANTON ROAD** is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll, attached hereto as Exhibit A and incorporated by reference as if fully set forth herein.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be

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

5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

09/03/92
09:35:24

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
MORGANTON ROAD

Page: 1
arrrlss

In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS

Submitted to City Council : 8-17-92

Final Approval by City Council: _____

To City Clerk: 7-21-92

To PWC Tax Collector: _____

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
JAMES E WOMBLE 5200 MORGANTON ROAD FAYETTEVILLE NC 28314	0408-20-91-6007 5200 MORGANTON ROAD OAKS SUB	33	3382 352	123.32	0.00	1,479.84	1,479.84
HUBERT A NOBLE 111 HEARTHSTONE DRIVE FAYETTEVILLE NC 28314	0408-20-91-4192 5290 MORGANTON ROAD OAKS SUB	34	3406 152	112.00	0.00	1,344.00	1,344.00
JAMES E BELMONT 113 HEARTHSTONE DRIVE Fayetteville NC 28314	0408-20-91-3196 5294 MORGANTON ROAD OAKS SUB	35	3400 192	110.00	0.00	1,320.00	1,320.00
GREGORY W ETOWSKI PO BOX 11104 Fayetteville NC 28303	0408-20-91-2189 5298 MORGANTON ROAD OAKS SUB	23	3497 439	113.93	0.00	1,367.16	1,367.16
JO ANNE W HUNTER 5310 MORGANTON ROAD Fayetteville NC 28314	0408-20-91-1215 5310 MORGANTON ROAD OAKS SUB	22	3393 479	100.13	0.00	1,201.56	1,201.56
CAROLYN J WEAVER 100 OLD GATE ROAD FAYETTEVILLE NC 28314	0408-20-91-7060 OLD GATE ROAD OAKS ASSMT MORGANTON RD	1	3398 636	120.28	0.00	1,443.36	1,443.36
6 Owners					\$0.00	\$8,155.92	\$8,155.92

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

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

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

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

MAWOOD AVENUE, from Old Gate Road at northeast corner of Lot 1, Block A, to southeast corner of Lot 17, Block A, Kendall Development, Section V;

MAWOOD AVENUE, from northwest corner of Lot 25, Block B, Kendall Development, Section 5, to Old Gate Road;

MAWOOD AVENUE, from southeast corner of Lot 19, to southeast corner of Lot 17; and

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

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

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

COPY

3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

09/03/92
09:07:49

Public Works Commission
Assessment Roll For Water and Sewer
MAWOOD AVENUE

Page: 1
arrrriss

In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS
Submitted to City Council : 8-17-92
Final Approval by City Council:
To City Clerk: 7-21-92
To PWC Tax Collector:

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Tot
DANNY T WALLACE 5200 MAWOOD AVENUE FAYETTEVILLE NC 28314	0408-16-92-7624 5200 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	17	3428 457	99.58	0.00	1,194.96	1,194.96
CAROL W FULLARD 5201 MAWOOD AVENUE FAYETTEVILLE NC 28314	0408-20-92-7411 5201 MAWOOD AVENUE KENDALL SUB SEC 5 BLK B	32	0 0	99.58	0.00	1,194.96	1,194.96
EARLE G MONEY 5202 MAWOOD AVENUE FAYETTEVILLE NC 28314	0408-16-92-6624 5202 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	16	2335 371	90.00	0.00	1,080.00	1,080.00
CLAUDE E LUCKEY 5203 MAWOOD AVENUE FAYETTEVILLE NC 28314	0408-20-92-6421 5203 MAWOOD AVENUE KENDALL SUB SEC 5 BLK B	31	0 0	90.00	0.00	1,080.00	1,080.00
JAMES H ENTREKIN CMR 420 BOX 438 APO AE 09063	0408-16-92-5634 5204 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	15	3050 32	90.00	0.00	1,080.00	1,080.00
ROBERT H SCHMITT 7610 AUDREY COURT Fayetteville NC 28303	0408-20-92-5432 5205 MAWOOD AVENUE KENDALL SUB SEC 5 BLK B	30	2807 549	90.00	0.00	1,080.00	1,080.00
JAMES M FLEISHMAN 120 ELLERSLIE DRIVE Fayetteville NC 28303	0408-16-92-4644 5206 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	14	2828 501	90.00	0.00	1,080.00	1,080.00
CLARK HARRELL JR 5207 MAWOOD AVENUE Fayetteville NC 28314	0408-20-92-4442 5207 MAWOOD AVENUE KENDALL SUB SEC 5 BLK B	29	3492 183	90.00	0.00	1,080.00	1,080.00
ROY L KERR 5208 MAWOOD AVENUE Fayetteville NC 28314	0408-16-92-3654 5208 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	13	3550 861	90.00	0.00	1,080.00	1,080.00
HOWARD L JONES 5209 MAWOOD AVENUE Fayetteville NC 28314	0408-20-92-3452 5209 MAWOOD AVENUE KENDALL SUB SEC 5 BLK B	28	2600 190	90.00	0.00	1,080.00	1,080.00

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

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

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

09/03/92
09:07:49

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
MAWOOD AVENUE

Page: 4
arrrlss

In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS

Submitted to City Council : 8-17-92

Final Approval by City Council: _____

To City Clerk: 7-21-92

To PWC Tax Collector: _____

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
WAGNER L BASKETT 5210 MAWOOD AVENUE Fayetteville NC 28314	0408-16-92-2664 5210 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	12	2592 160	90.00	0.00	1,080.00	1,080.00
ROBIN L BREEN 5211 MAWOOD AVENUE Fayetteville NC 28314	0408-20-92-2462 5211 MAWOOD AVENUE KENDALL SUB SEC 5 BLK B	27	3240 389	90.00	0.00	1,080.00	1,080.00
LUIS A RIVERA-COSME 5212 MAWOOD AVENUE Fayetteville NC 28314	0408-16-92-1665 5212 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	11	3729 70	110.00	0.00	1,320.00	1,320.00
JOSEPH V VINCENT 5213 MAWOOD AVENUE Fayetteville NC 28314	0408-20-92-1463 5213 MAWOOD AVENUE KENDALL SUB SEC 5 BLK B	26	2644 866	100.00	0.00	1,200.00	1,200.00
GREGORY A JOHNSON 5215 MAWOOD AVENUE Fayetteville NC 28314	0408-20-92-0463 5215 MAWOOD AVENUE KENDALL SUB BLK B SEC 5	25	3178 152	94.39	0.00	1,132.68	1,132.68
GENE B MCKOY 5224 MAWOOD AVENUE Fayetteville NC 28314	0408-16-82-9799 5224 MAWOOD AVENUE KENDALL SUB BLK A SEC 5 REV	9	3220 34	110.00	0.00	1,320.00	1,320.00
ROBERT E LAWRENCE 5234 MAWOOD AVENUE Fayetteville NC 28314	0408-16-92-0789 5234 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	8	3014 540	90.00	0.00	1,080.00	1,080.00
WILLIAM G DANIEL JR 5236 MAWOOD AVENUE Fayetteville NC 28314	0408-16-92-1779 5236 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	7	2822 173	90.00	0.00	1,080.00	1,080.00
ATHENS L BARNES 5238 MAWOOD AVENUE Fayetteville NC 28314	0408-16-92-2768 5238 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	6	2931 304	90.00	0.00	1,080.00	1,080.00
RONALD K CHRISTOPHER 5240 MAWOOD AVENUE Fayetteville NC 28314	0408-16-92-3768 5240 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	5	3129 261	90.00	0.00	1,080.00	1,080.00

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

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

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



09/03/92
09:07:49

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
MAWOOD AVENUE

Page: 3
arrrrlss

In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS
Submitted to City Council : 8-17-92
Final Approval by City Council:
To City Clerk: 7-21-92
To PWC Tax Collector: _____

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
RICHARD B DALE 5242 MAWOOD AVENUE Fayetteville NC 28314	0408-16-92-4748 5242 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	4	2610 139	90.00	0.00	1,080.00	1,080.00
JOHN I HARTLEY 5244 MAWOOD AVENUE FAYETTEVILLE NC 28314	0408-16-92-5738 5244 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	3	2758 783	90.00	0.00	1,080.00	1,080.00
JOE L CANTEEN 5246 MAWOOD AVENUE FAYETTEVILLE NC 28314	0408-16-92-6728 5246 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	2	3472 868	90.00	0.00	1,080.00	1,080.00
KARL J HEID 5248 MAWOOD AVENUE FAYETTEVILLE NC 28314	0408-16-92-7728 5248 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	1	2632 430	99.58	0.00	1,194.96	1,194.96
STERLING J KEMP 5225 MAWOOD AVENUE Fayetteville NC 28314	0408-16-82-8709 MAWOOD AVENUE KENDALL SUB BLK B SEC 5 REV	19	2878 682	79.86	0.00	958.32	958.32
J P RIDDLE PO BOX 53646 Fayetteville NC 28305	0408-16-82-8911 MAWOOD AVENUE KENDALL SUB BLK B SEC 5 REV	18	3429 765	72.49	0.00	869.88	869.88
WILTON E KING 5218 MAWOOD AVENUE Fayetteville NC 28314	0408-16-92-0644 MAWOOD AVENUE KENDALL SUB BLK A SEC 5	10	3218 425	91.69	0.00	1,100.28	1,100.28
27 Owners					\$0.00	\$29,846.04	\$29,846.04

Water main assessment equals: .00 per front footage of property abutting street.
Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.
Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable annually.

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

OLD GATE ROAD, east side, from Morganton Road to northwest corner of Lot 6, Block B, Kendall Development, Section 5;

OLD GATE ROAD, west side, from Morganton Road to northeast corner of Lot 1, Block A, Kendall Development, Section 4; and

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

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

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

COPY

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

07/03/72
09:07:22

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
OLD GATE ROAD

Page: 1
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In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS

Submitted to City Council : 8-17-92

Final Approval by City Council:

To City Clerk: 7-21-92

To PWC Tax Collector:

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
CLYDE R WEAVER 104 OLD GATE ROAD Fayetteville NC 28314	0408-20-91-8132 104 OLD GATE ROAD OAKS SUB	3	2316 177	92.00	0.00	1,104.00	1,104.00
HUBERT A NOBLE 111 HEARTHSTONE DRIVE FAYETTEVILLE NC 28314	0408-20-91-5283 107 OLD GATE ROAD OAKS SUB	32	2899 157	110.00	0.00	1,320.00	1,320.00
GEORGE W PATTON 111 OLD GATE ROAD Fayetteville NC 28314	0408-20-91-8243 108 OLD GATE ROAD OAKS SUB	4	2894 419	100.00	0.00	1,200.00	1,200.00
GEORGE W FATTON 111 OLD GATE ROAD FAYETTEVILLE NC 28314	0408-20-91-5384 111 OLD GATE ROAD OAKS SUB	31	0 0	110.00	0.00	1,320.00	1,320.00
LUE J PATTERSON 112 OLD GATE ROAD Fayetteville NC 28314	0408-20-91-8354 112 OLD GATE ROAD OAKS SUB	5	3334 728	100.00	0.00	1,200.00	1,200.00
RUCIE B STONE JR 115 OLD GATE ROAD FAYETTEVILLE NC 28314	0408-20-91-5495 115 OLD GATE ROAD OAKS SUB	30	2307 39	110.00	0.00	1,320.00	1,320.00
GORDON H CULVER 116 OLD GATE ROAD Fayetteville NC 28314	0408-20-91-8453 116 OLD GATE ROAD OAKS SUB	6	2729 725	100.00	0.00	1,200.00	1,200.00
MYRON W MACKLAND 5436 GRANGER PLACE FAYETTEVILLE NC 28303	0408-20-91-5596 119 OLD GATE ROAD OAKS SUB	29	3731 117	110.00	0.00	1,320.00	1,320.00
RUTH A DAY 120 OLD GATE ROAD Fayetteville NC 28314	0408-20-91-8552 120 OLD GATE ROAD OAKS SUB	7	0 0	100.00	0.00	1,200.00	1,200.00
BILLY H INGRAM 123 OLD GATE ROAD FAYETTEVILLE NC 28314	0408-20-91-6607 123 OLD GATE ROAD OAKS	28	2608 509	109.90	0.00	1,318.80	1,318.80

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

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

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

07/03/92
09:07:22

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
OLD GATE ROAD

Page: 2
arrrriss

In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS
Submitted to City Council : 8-17-92
Final Approval by City Council: _____
To City Clerk: 7-21-92
To PWC Tax Collector: _____

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
EARL J LYNCH 124 OLD GATE ROAD Fayetteville NC 28314	0408-20-91-8653 124 OLD GATE ROAD OAKS SUB	8	0 0	100.00	0.00	1,200.00	1,200.00
JAMES N DAILEY 126 OLD GATE ROAD Fayetteville NC 28314	0408-20-91-8752 126 OLD GATE ROAD OAKS SUB	9	2507 449	100.00	0.00	1,200.00	1,200.00
DOROTHY E HAMILTN 136 OLD GATE ROAD Fayetteville NC 28314	0408-20-91-8973 136 OLD GATE ROAD OAKS SUB	11	0 0	100.00	0.00	1,200.00	1,200.00
LEO Z OLEMAN HQ 1/1 SFGA APO SF CA 96331	0408-20-92-9203 204 OLD GATE ROAD KENDALL SUB SEC 4	25	3241 5	80.00	0.00	960.00	960.00
MARY D DAVIS 208 OLD GATE ROAD FAYETTEVILLE NC 28314	0408-20-92-9303 208 OLD GATE ROAD KENDALL SUB SEC 4	24	2819 375	90.00	0.00	1,080.00	1,080.00
JOHN W DOWDY 210 OLD GATE ROAD FAYETTEVILLE NC 28314	0408-20-92-9402 210 OLD GATE ROAD KENDALL SUB BLK B	1	0 0	90.00	0.00	1,080.00	1,080.00
GERTRUDE A PETTY 212 OLD GATE ROAD FAYETTEVILLE NC 28314	0408-16-92-9500 212 OLD GATE ROAD KENDALL SUB BLK B SEC 5	2	0 0	90.00	0.00	1,080.00	1,080.00
SIBBLE E GEORGE 214 OLD GATE ROAD FAYETTEVILLE NC 28314	0408-16-92-9600 214 OLD GATE ROAD KENDALL SUB BLK B SEC 5	3	3093 507	90.00	0.00	1,080.00	1,080.00
JOHN W DOWDY SR 210 OLD GATE ROAD FAYETTEVILLE NC 28314	0408-16-92-9619 216 OLD GATE ROAD KENDALL SUB BLK B SEC 5	4	3176 225	90.00	0.00	1,080.00	1,080.00
ANTHONY J JOHNSON JR 218 OLD GATE ROAD FAYETTEVILLE NC 28314	0408-16-92-9708 218 OLD GATE ROAD KENDALL SUB BLK B SEC 5	5	2701 486	90.00	0.00	1,080.00	1,080.00

Water main assessment equals: .00 per front footage of property abutting street.
Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.
Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable

07/03/72
09:07:22

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
OLD GATE ROAD

Page: 3
arrrlss

In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS

Submitted to City Council : 8-17-92

Final Approval by City Council:

To City Clerk: 7-21-92

To PWC Tax Collector:

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
DENNIS K DAVENPORT 222 OLD GATE ROAD FAYETTEVILLE NC 28314	0408-16-92-8996 222 OLD GATE ROAD KENDALL SUB BLK B SEC 5	6&7	3679 462	55.00	0.00	660.00	660.00
HUBERT A NOBLE 111 HEARTHSTONE DRIVE FAYETTEVILLE NC 28314	0408-20-92-8078 OLD GATE ROAD KENDALL SUB SEC 4 & LT 27	26	3711 416	238.33	0.00	2,859.96	2,859.96
JOHN W DIMMITT 128 OLD GATE ROAD Fayetteville NC 28314	0408-20-91-8863 OLD GATE ROAD OAKS SUB	10	0 0	100.00	0.00	1,200.00	1,200.00
23 Owners					\$.00	\$28,262.76	\$28,262.76

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

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

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

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

DOCIA CIRCLE, from Merritt Drive to Merritt Drive; and

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

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

1. The Assessment Rolls for the extension of sanitary sewer collection system in **DOCIA CIRCLE** is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll, attached hereto as Exhibit A and incorporated by reference as if fully set forth herein.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days

COPY

from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.

5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

09/03/92
09:06:05

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
DOCIA CIRCLE

arrs

In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS

Submitted to City Council : 8-17-92

Final Approval by City Council: _____

To City Clerk: 7-21-92

To PWC Tax Collector: _____

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
HUBERT C ENGLEBERT 5332 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-81-7749 5332 DOCIA CIRCLE KENDALL SUB SEC 3	19	2860 37	120.00	0.00	1,440.00	1,440.00
ROBERT L BENNETT 5333 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-81-8522 5333 DOCIA CIRCLE KENDALL SUB	15	2632 887	58.85	0.00	706.20	706.20
T GRYSZTAR & L GOLDSWORTHY 17 SIBERT LANE FT LENARDWOOD MO 65473	0408-20-81-7507 5335 DOCIA CIRCLE KENDALL SUB SEC 3	14	3620 811	70.00	0.00	840.00	840.00
KENNETH R BLOOMFIELD SR 5336 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-81-6853 5336 DOCIA CIRCLE KENDALL SUB	20	3598 656	90.00	0.00	1,080.00	1,080.00
DANIEL P CUNNINGHAM 1620 VANBUREN AVENUE FAYETTEVILLE NC 28303	0408-20-81-6529 5337 DOCIA CIRCLE KENDALL SUB SEC 3	13	3377 152	85.00	0.00	1,020.00	1,020.00
TOSHIKO S TRANHAM 5339 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-81-5631 5339 DOCIA CIRCLE KENDALL SUB SEC 3	12	2112 523	85.00	0.00	1,020.00	1,020.00
JOHN J LANDA PO BOX 35908 FAYETTEVILLE NC 28303	0408-20-81-5865 5340 DOCIA CIRCLE KENDALL SUB SEC 3	21	2821 506	90.00	0.00	1,080.00	1,080.00
MARY F YOUNCE 5344 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-81-4877 5344 DOCIA CIRCLE KENDALL SUB SEC 3	22	2776 800	90.00	0.00	1,080.00	1,080.00
RAYBURN E KEMBLELL 5345 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-81-3676 5345 DOCIA CIRCLE KENDALL SUB SEC 3	10	2164 591	85.00	0.00	1,020.00	1,020.00
JUAN J LANDA PO BOX 35908 FAYETTEVILLE NC 28303	0408-20-81-3990 5402 DOCIA CIRCLE KENDALL SUB SEC 3	23	3044 497	90.00	0.00	1,080.00	1,080.00

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

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

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

07/03/74
09:06:05

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
DOCIA CIRCLE

Page: 2
arrrlss

In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS

Submitted to City Council : 8-17-92

Final Approval by City Council: _____

To City Clerk: 7-21-92

To PWC Tax Collector: _____

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
DAVID T NEWTON PO BOX 53365 FAYETTEVILLE NC 28305	0408-20-81-3903 5406 DOCIA CIRCLE KENDALL SUB SEC 3	24	2299 124	90.00	0.00	1,080.00	1,080.00
WILLIAM STEELE 4906 INVERNESS DRIVE FAYETTEVILLE NC 28304	0408-20-81-2904 5412 DOCIA CIRCLE KENDALL SUB SEC 3	25	2817 477	110.00	0.00	1,320.00	1,320.00
JOHN W JOHNSON 5413 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-81-0716 5413 DOCIA CIRCLE KENDALL SUB SEC 3	27	1068 249	58.17	0.00	698.04	698.04
PAULINE M CUMBER 5415 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-71-9868 5415 DOCIA CIRCLE KENDALL SUB SEC 6	28	3688 180	64.73	0.00	776.76	776.76
MARY L CHESTNUT 5417 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-72-9080 5417 DOCIA CIRCLE KENDALL SUB SEC 4	1	2556 21	75.94	0.00	911.28	911.28
WILLIAM E EDWARDS 5419 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-82-0039 5419 DOCIA CIRCLE KENDALL SEC 4	2	3703 411	78.44	0.00	941.28	941.28
JOHN R STAPLES 5421 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-82-0195 5421 DOCIA CIRCLE KENDALL SUB SEC 4	3	1177 379	80.00	0.00	960.00	960.00
JAMES L RIGDON 5422 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-82-2097 5422 DOCIA CIRCLE KENDALL SUB SEC 4	42	2068 209	198.92	0.00	2,387.04	2,387.04
WILLIAM B LEDDIN 5423 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-82-1241 5423 DOCIA CIRCLE KENDALL SUB	4	3566 751	80.00	0.00	960.00	960.00
ARTHUR H MCROBERTS 5425 DOCIA CIRCLE Fayetteville NC 28314	0408-20-82-2218 5425 DOCIA CIRCLE KENDALL SUB SEC 4	5	2138 229	55.05	0.00	660.60	660.60

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

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

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

07/03/74
09:06:05

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
DOCIA CIRCLE

Page: 3
arr155

In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS

Submitted to City Council : 8-17-92

Final Approval by City Council: _____

To City Clerk: 7-21-92

To PWC Tax Collector: _____

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
PHILLIP W KNIGHT 5427 DOCIA CIRCLE Fayetteville NC 28314	0408-20-82-3302 5427 DOCIA CIRCLE KENDALL SUB SEC 4	6	2756 811	54.82	0.00	657.84	657.84
GLEN E LEAMONS 5428 DOCIA CIRCLE Fayetteville NC 28314	0408-20-82-3098 5428 DOCIA CIRCLE KENDALL SUB SEC 4	41	1196 355	90.00	0.00	1,080.00	1,080.00
LINDY L SHELTON 5429 DOCIA CIRCLE Fayetteville NC 28314	0408-20-82-3391 5429 DOCIA CIRCLE KENDALL SUB SEC 4	7	2117 13	80.00	0.00	960.00	960.00
LOKILANI INC 1716 TRYON DRIVE Fayetteville NC 28303	0408-20-82-4078 5430 DOCIA CIRCLE KENDALL SUB SEC 4	40	3695 84	90.00	0.00	1,080.00	1,080.00
PATRICK B SMITH 5431 DOCIA CIRCLE Fayetteville NC 28314	0408-20-82-4370 5431 DOCIA CIRCLE KENDALL SUB SEC 4	8	3478 618	80.00	0.00	960.00	960.00
KENYON WRIGHT 1001 TWIN CREEK KILLEEN TX 76541	0408-20-82-5068 5432 DOCIA CIRCLE KENDALL SUB SEC 4	39	3084 751	90.00	0.00	1,080.00	1,080.00
GISELA M MCKINNEY 5434 DOCIA CIRCLE Fayetteville NC 28314	0408-20-82-6068 5434 DOCIA CIRCLE KENDALL SUB SEC 4	38	1155 291	75.14	0.00	901.68	901.68
DAVID L DUNDORE 5314 DOCIA CIRCLE FAYETTEVILLE NC 28314	0408-20-81-4653 DOCIA CIRCLE KENDALL SUB	11	3646 695	85.00	0.00	1,020.00	1,020.00
GEORGE G COLTHARP 5400 KENDALLWOOD DRIVE FAYETTEVILLE NC 28314	0408-20-81-1742 KENDALLWOOD DRIVE KENDALL SUB SEC 3 ASSMT DOCIA CIRCLE	26	2783 625	95.00	0.00	1,140.00	1,140.00
JOHN F ANDERSON 5403 KENDALLWOOD DRIVE FAYETTEVILLE NC 28314	0408-20-81-2698 KENDALLWOOD DRIVE KENDALL SUB SEC 3 ASSMT DOCIA	9	2350 295	85.00	0.00	1,020.00	1,020.00

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

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

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

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

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

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

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

MERRITT DRIVE, from Old Gate Road to southwest corner of Lot 16;

MERRITT DRIVE, from Old Gate Road to northwest corner of Lot 35, Kendall Development, Section 4; and

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

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

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

COPY

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

09/03/92
09:06:36

Public Works Commission
Assessment Roll For Water and Sewer
MERRITT DRIVE

Page: 1
arrrlss

In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS

Submitted to City Council : 8-17-92

Final Approval by City Council: _____

To City Clerk: 7-21-92

To PWC Tax Collector: _____

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
ROBERT A MCRAE JR 5208 MERRITT DRIVE FAYETTEVILLE NC 28314	0408-20-92-7218 5208 MERRITT DRIVE KENDALL SUB SEC 4	23	3648 605	99.58	0.00	1,194.96	1,194.96
MICHAEL J LAW 5211 MERRITT DRIVE Fayetteville NC 28314	0408-20-92-6056 5211 MERRITT DRIVE KENDALL SUB SEC 4	28	3006 79	109.55	0.00	1,314.60	1,314.60
DANIEL A MIREE 1483 NETHERLAND COURT CINCINNATI OH 45240	0408-20-92-6217 5212 MERRITT DRIVE KENDALL SUB SEC 4	22	2745 41	90.00	0.00	1,080.00	1,080.00
CURT D HUX 5215 MERRITT DRIVE Fayetteville NC 28314	0408-20-92-5046 5215 MERRITT DRIVE KENDALL SUB SEC 4	29	3529 886	100.00	0.00	1,200.00	1,200.00
EUGENE C DESJARDINS 5216 MERRITT DRIVE Fayetteville NC 28314	0408-20-92-5227 5216 MERRITT DRIVE KENDALL SUB SEC 4	21	3404 645	90.00	0.00	1,080.00	1,080.00
RAYMOND E STEWART 5219 MERRITT DRIVE Fayetteville NC 28314	0408-20-92-4047 5219 MERRITT DRIVE KENDALL SUB SEC 4	30	0 0	90.00	0.00	1,080.00	1,080.00
ROBERT L WITT 5220 MERRITT DRIVE Fayetteville NC 28314	0408-20-92-4237 5220 MERRITT DRIVE KENDALL SUB SEC 4	20	0 0	90.00	0.00	1,080.00	1,080.00
TERRY LENGEL 5223 MERRITT DRIVE Fayetteville NC 28314	0408-20-92-3066 5223 MERRITT DRIVE KENDALL SUB SEC 4	31	3368 877	90.00	0.00	1,080.00	1,080.00
WILLIE E WILLIAMS 5224 MERRITT DRIVE Fayetteville NC 28314	0408-20-92-3258 5224 MERRITT DRIVE KENDALL SUB SEC 4	19	3260 382	90.00	0.00	1,080.00	1,080.00
JOSEPH M BUCCA 5227 MERRITT DRIVE Fayetteville NC 28314	0408-20-92-2077 5227 MERRITT DRIVE KENDALL SUB SEC 4	32	0 0	90.00	0.00	1,080.00	1,080.00

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

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

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

09/03/92
09:06:36

Public Works Commission
Assessment Roll For Water and Sewer
MERRITT DRIVE

Page: 2
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In order by Street, Site Address

Project: AREA 8A KENDALL & THE OAKS
Submitted to City Council : 8-17-92
Final Approval by City Council: _____
To City Clerk: 7-21-92
To PWC Tax Collector: _____

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
CHARLES E HALL 5228 MERRITT DRIVE Fayetteville NC 28314	0408-20-92-2258 5228 MERRITT DRIVE KENDALL SUB SEC 4	18	0 0	90.00	0.00	1,080.00	1,080.00
CHARLES L SMITH 2502 ELMHURST DRIVE Fayetteville NC 28304	0408-20-92-1087 5231 MERRITT DRIVE KENDALL SUB SEC 4	33	2411 517	90.00	0.00	1,080.00	1,080.00
VERLENE GONZALES 5232 MERRITT DRIVE Fayetteville NC 28314	0408-20-92-1268 5232 MERRITT DRIVE KINDALL SUB SEC 4	17	3608 323	100.00	0.00	1,200.00	1,200.00
DENNIS W CARTER SR 5234 MERRITT DRIVE Fayetteville NC 28314	0408-20-92-0268 5234 MERRITT DRIVE KINDALL SUB SEC 4	16	0 0	90.00	0.00	1,080.00	1,080.00
ALYSA DAVIS 5235 MERRITT DRIVE Fayetteville NC 28314	0408-20-92-0086 5235 MERRITT DRIVE KINDALL SUB SEC 4	34	3704 689	95.00	0.00	1,140.00	1,140.00
15 Owners					\$.00	\$16,849.56	\$16,849.56

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

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

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

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

PAMALEE DRIVE, south side, from northwest corner of Edgar Jones Tract to northeast corner of .26 acre Thomas Reuter Tract; and,

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

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

1. The Assessment Rolls for the extension of sanitary sewer collection system in **PAMALEE DRIVE** is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228, of the General Statutes of North Carolina.
2. The City Council of the City of Fayetteville, pursuant to authority conferred by Chapter 160A, Section 216, of the General Statutes of North Carolina, and following sections, does hereby levy assessments as contained in the said Assessment Roll, attached hereto as Exhibit A and incorporated by reference as if fully set forth herein.
3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be

COPY

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

5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

09/03/92
09:07:00

Public Works Commission
Assessment Roll For Water and Sewer
PAMALEE DRIVE

Page: 1
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In order by Street, Site Address

Project: AREA 6A PINEMeadow DRIVE/PAMALEE DRIVE
Submitted to City Council : 8-17-92
Final Approval by City Council:
To City Clerk: 7-21-92
To PWC Tax Collector: _____

ORIGINAL

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
EDGAR T JONES 1710 WEBSTER AVENUE Fayetteville NC 28303	0418-11-56-9765 1012 PAMALEE DRIVE LT J R BROWN LAND	UN	0 0	160.14	0.00	1,921.68	1,921.68
JAMES E SPELL 1020 PAMALEE DRIVE Fayetteville NC 28303	0418-11-66-0765 1020 PAMALEE DRIVE .24 J R BROWN LAND	UN	3325 750	75.00	0.00	900.00	900.00
THOMAS REUTER 1028 PAMALEE DRIVE Fayetteville NC 28303	0418-11-66-1784 1024 PAMALEE DRIVE THOMPSON LAND	UN	3101 345	75.00	0.00	900.00	900.00
THOMAS J REUTER 1028 PAMALEE DRIVE Fayetteville NC 28303	0418-11-66-2783 1028 PAMALEE DRIVE J R BROWN LD	UN	3028 495	108.00	0.00	1,296.00	1,296.00
THOMAS J REUTER 1028 PAMALEE DRIVE Fayetteville NC 28303	0418-11-66-3780 PAMALEE DRIVE BLANTON LAND .26 AC	UN	3028 495	90.00	0.00	1,080.00	1,080.00
					\$.00	\$6,097.68	\$6,097.68

5 Owners

Water main assessment equals: .00 per front footage of property abutting street.
Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.
Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable annually.

PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - SEWER - Hearthstone Dr.

DATE: Aug. 17, 1992 Sept. 9, 1992

PROPOSER (In Favor)

(Name - Print)

(Address - Print)

- | | |
|-----------------------|-------|
| 1. <u>[Signature]</u> | _____ |
| 2. _____ | _____ |
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OPPOSER - (Against)

(Name - Print)

(Address - Print)

- | | |
|---------------------------|--------------------------------------|
| 1. <u>Hubert A. Noble</u> | <u>111 Hearthstone Dr. Fay 28314</u> |
| 2. _____ | _____ |
| 3. _____ | _____ |
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| 5. _____ | _____ |
| 6. _____ | _____ |
| 7. _____ | _____ |

PUBLIC HEARING - SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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| 10. _____ | _____ |

PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - SEWER - ONIE COURT

DATE: Aug. 17, 1992 Sept. 9, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

1. _____
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6. _____
7. _____

OPPONENT - (Against)

(Name - Print)

(Address - Print)

1. _____
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6. _____
7. _____

PUBLIC HEARING - SPEAKERS

ITEM _____

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - SEWER - MORGANTON RD.

DATE: Aug. 17, 1992 Sept. 9, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

1. _____
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OPPONENT - (Against)

(Name - Print)

(Address - Print)

1. Hubert A. Noble 111 Heathstone Dr. Fay. NC 28314
2. _____
3. _____
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5. _____
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PUBLIC HEARING - SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - SEWER - MAWOOD AVE.

DATE: Aug. 17, 1992 Sept. 9, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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| 1. _____ | _____ |
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OPPONENT - (Against)

(Name - Print)

(Address - Print)

- | | |
|-------------------------|-------------------------|
| X1. <u>Ray Kerr</u> | <u>5248 MAWOOD</u> |
| X2. <u>W. H. WATERS</u> | <u>5245 MAWOOD AVE</u> |
| X3. <u>L. Hunt</u> | <u>5243 MAWOOD AVE.</u> |
| 4. _____ | _____ |
| 5. _____ | _____ |
| 6. _____ | _____ |
| 7. _____ | _____ |

ITEM _____

PUBLIC HEARING - SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - SEWER - OLD GATE RD

DATE: Aug. 17, 1992 Sept. 9, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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| 6. _____ | _____ |
| 7. _____ | _____ |

OPPONENT - (Against)

(Name - Print)

(Address - Print)

- | | |
|---------------------------|---------------------------|
| 1. <u>Hubert A. Noble</u> | <u>111 Hearthstone Dr</u> |
| 2. _____ | _____ |
| 3. _____ | _____ |
| 4. _____ | _____ |
| 5. _____ | _____ |
| 6. _____ | _____ |
| 7. _____ | _____ |

ITEM _____

PUBLIC HEARING - SPEAKERS

SUBJECT: _____

DATE: _____

C I T I Z E N I N P U T

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - SEWER - DOCIA CIRCLE

DATE: Aug. 17, 1992 Sept. 9, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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OPPONENT - (Against)

(Name - Print)

(Address - Print)

- | | |
|--------------------------|-------------------------------------|
| 1. <u>Lisbeth Leddin</u> | <u>5423 Docia Cir. Fay NC 28314</u> |
| 2. <u>Philip Knight</u> | <u>5427 Docia Cir Fay NC 28314</u> |
| 3. _____ | _____ |
| 4. _____ | _____ |
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| 7. _____ | _____ |

PUBLIC HEARING - SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - SEWER - MERRITT DR.

DATE: Aug. 17, 1992 Sept. 9, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

- | | |
|--------------------------|------------------------|
| 1. _____ | _____ |
| 2. _____ | _____ |
| 3. <u>Joseph M Bucca</u> | <u>5227 MERRITT DR</u> |
| 4. _____ | _____ |
| 5. _____ | _____ |
| 6. _____ | _____ |
| 7. _____ | _____ |

OPPONENT - (Against)

(Name - Print)

(Address - Print)

- | | |
|------------------------------|------------------------|
| 1. <u>Joseph + Joe Bucca</u> | <u>5227 MERRITT DR</u> |
| 2. _____ | _____ |
| 3. _____ | _____ |
| 4. _____ | _____ |
| 5. _____ | _____ |
| 6. _____ | _____ |
| 7. _____ | _____ |

ITEM _____

PUBLIC HEARING - SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

SUBJECT: ASSESSMENT - SEWER - PAMALEE DR

DATE: Aug. 17, 1992 Sept. 9, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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| 7. _____ | _____ |

OPPONENT - (Against)

(Name - Print)

(Address - Print)

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ITEM _____

PUBLIC HEARING - SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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

PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE

508 PERSON STREET
P.O. DRAWER 1099
FAYETTEVILLE, NORTH CAROLINA 28302-1099
TELEPHONE (AREA CODE 919) 481-1401
FAX (AREA CODE 919) 483-1429

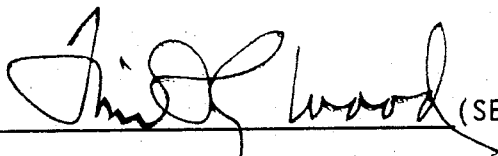
ELECTRIC & WATER UTILITIES

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

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

I, Timothy Wood, General Manager, do hereby certify that notices of preparation of the Preliminary Assessment Roll for sanitary sewer collection system in **MURCHISON ROAD, LAKECREST DRIVE, OAKCREST DRIVE, COMFY COURT, HAVEN COURT, RENFROW DRIVE AND COUNTRY CLUB DRIVE**, and of the public hearing thereon, were mailed by first class mail on the 24th day of August, 1992, to all the owners of real property shown thereon, indicating to each such owner the amount of the assessment against his property.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 24th day of August, 1992.

 (SEAL)

Timothy Wood, General Manager



**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

MURCHISON ROAD, east side, from the norhtwest corner of a 1.05 acre tract belonging to Joseph Furrin, et al, to the southwest corner of the 1.28 acre tract belonging to A. C. Weathers;

and,

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

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

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

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

08/28/92
16:48:21

Public Works Commission
Assessment Roll For Water and Sewer
MURCHISON ROAD

Page: 1
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In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST

Submitted to City Council : 9-8-92

Final Approval by City Council:

To City Clerk: 8-18-92

To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
AC WEATHERS CO JA HOPSON EXEC PO BOX 2240 JACKSONVILLE FL 32203	0429-18-41-7284 3628 MURCHISON ROAD & LTS 2-5 NAOMI PENNY PROP 1.28 ACS	1+	2960 572	110.81	0.00	1,329.72	1,329.72
WEATHER BROS TRANSFER CO PO BOX 2240 JACKSONVILLE FL 32203	0429-18-41-6480 3700 MURCHISON ROAD 3. AC ARMSTRONG/GRAHAM LD	UN	0 0	208.08	0.00	2,496.96	2,496.96
BYRD-WOOD PO BOX 206 FAYETTEVILLE NC 28302	0429-14-33-1456 4802 MURCHISON ROAD & LT 129 WINNINGHAM HGTS	128+	3086 394	50.00	0.00	600.00	600.00
WESTAREA PENECD HOLINESS CHURCH 4814 MURCHISON ROAD FAYETTEVILLE NC 28311	0429-14-33-0595 4814 MURCHISON ROAD LT 125 MURCHISON HGTS PARSONAGE	124+	0 0	50.00	0.00	600.00	600.00
COLLINS DEL EVANGEL ASSO 4814 MURCHISON ROAD FAYETTEVILLE NC 28311	0429-14-33-0559 4816 MURCHISON ROAD CH 4816 MURCHISON RD	UN	2590 801	60.00	0.00	720.00	720.00
CHARLES W HAMILTON 5010 MURCHISON ROAD FAYETTEVILLE NC 28311	0429-14-24-6118 MURCHISON ROAD LT 1-10&PT 1 TRAILER CT RES	1+	0 0	650.56	0.00	7,806.72	7,806.72
BILLY D PARROTT 205 DEVANE STREET Fayetteville NC 28305	0429-13-24-1843 MURCHISON ROAD DUNCAN SHAW SUB LTS 18-20 & 21FT LT 17	18	3578 590	200.00	0.00	2,400.00	2,400.00
BULLARD TRAILER SALES INC 5106 MURCHISON ROAD Fayetteville NC 28311	0429-13-24-2658 MURCHISON ROAD SHAW PROP LTS 15-16 PT LTS 14 & 17	14+	2225 45	183.00	0.00	2,196.00	2,196.00
BULLARD TRAILER SALES INC 5106 MURCHISON ROAD Fayetteville NC 28311	0429-13-24-3563 MURCHISON ROAD PT LTS 11&14 & ALL LTS 12-13 QUILLEN LD	12+	0 0	200.00	0.00	2,400.00	2,400.00
TOMMY DARDEN RT 1 BOX 316 LINDEN NC 28356	0429-14-23-8760 MURCHISON ROAD LT MURCHISON ROAD	UN	0 0	120.00	0.00	1,440.00	1,440.00

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

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

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

16:48:21

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
MURCHISON ROAD

Page: 2
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In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST

Submitted to City Council : _____

Final Approval by City Council: _____

To City Clerk: _____

To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
BEN F DARDEN 113 S VIRGINIA AVENUE FAYETTEVILLE NC 28305	0429-14-23-8856 MURCHISON ROAD 1 AC MURCHISON ROAD	UN	0 0	149.54	0.00	1,794.48	1,794.48
TOMMY J DARDEN RT 1 BOX 316 LINDEN NC 28356	0429-14-23-9697 MURCHISON ROAD LT MURCHISON ROAD	UN	0 0	60.00	0.00	720.00	720.00
CHARLES C FULLER 1504 PALMER DRIVE FAYETTEVILLE NC 28303	0429-14-32-5751 MURCHISON ROAD SERV STAT MURCHISON ROAD	UN	2952 665	169.19	0.00	2,030.28	2,030.28
CHARLES C FULLER 1504 PALMER DRIVE FAYETTEVILLE NC 28303	0429-14-32-5897 MURCHISON ROAD .23 ARMSTRONG LD	UN	3169 517	29.90	0.00	358.80	358.80
PATRICIA T WHITNEY PO BOX 1683 PINEHURST NC 28374	0429-14-32-5955 MURCHISON ROAD 1.33 ACS ARMSTRONG LD	UN	2359 849	119.55	0.00	1,434.60	1,434.60
MARK H PERRYMAN 4818 MURCHISON ROAD FAYETTEVILLE NC 28311	0429-14-33-0623 MURCHISON ROAD 1 LT	UN	3526 520	60.00	0.00	720.00	720.00
BYRD-WOOD PO BOX 206 FAYETTEVILLE NC 28302	0429-14-33-1389 MURCHISON ROAD THRU LT 134 MURCHISON HGTS	130+	3086 394	139.30	0.00	1,671.60	1,671.60
OSCAR L HUGGINS 3006 HERMITAGE ROAD Fayetteville NC 28304	0429-14-33-1520 MURCHISON ROAD LT 127 MURCHISON HGTS	126+	3579 560	50.00	0.00	600.00	600.00
COMMUNICATIONS INC PO BOX 417 SPRING LAKE NC 28390	0429-14-33-2288 MURCHISON ROAD 1.35 AC MURCHISON ROAD	UN	3170 426	181.00	0.00	2,172.00	2,172.00
BYRD-WOOD PO BOX 206 FAYETTEVILLE NC 28302	0429-14-33-2353 MURCHISON ROAD .11 MURCHISON ROAD	UN	3086 401	11.00	0.00	132.00	132.00

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

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

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

08/28/92
16:48:21

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
MURCHISON ROAD

Page: 3
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In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST

Submitted to City Council : _____

Final Approval by City Council: _____

To City Clerk: _____

To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
JOSEPH C MCLAMB PO BOX 35443 FAYETTEVILLE NC 28303	0429-14-33-4110 MURCHISON ROAD 2.04 MURCHISON ROAD	UN	2570 635	270.00	0.00	3,240.00	3,240.00
					\$.00	\$36,863.16	\$36,863.16

21 Owners

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

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

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

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

LAKECREST DRIVE, from Country Club Drive to Country Club Drive;

and,

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

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

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

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

08/25/92
16:49:19

Public Works Commission
Assessment Roll For Water and Sewer
LAKECREST DRIVE

Page: 1
arr155

In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST

Submitted to City Council : 9-8-92

Final Approval by City Council:

To City Clerk: 8-18-92

To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
ELIZABETH G HILL 3102 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-2254 3102 LAKECREST DRIVE LAKECREST BLK A	11	2280 417	45.69	0.00	548.28	548.28
DENEVA GREER 3106 LAKECREST DRIVE Fayetteville NC 28301	0429-19-70-2365 3106 LAKECREST DRIVE LAKECREST BLK A	12	2284 427	86.07	0.00	1,032.84	1,032.84
BEATRICE E SMITH ETALS 3110 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-2492 3110 LAKECREST DRIVE LAKECREST BLK A	13	3074 583	75.00	0.00	900.00	900.00
RONALD G HODGES 3113 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-1527 3113 LAKECREST DRIVE LAKECREST BLK B SEC 2	10	3409 801	85.00	0.00	1,020.00	1,020.00
JOHN M SHIRLEY 3114 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-3429 3114 LAKECREST DRIVE LAKECREST BLK A SEC 2	14	0 0	75.00	0.00	900.00	900.00
TERRY M FOGLEMAN 3117 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-1655 3117 LAKECREST DRIVE LAKECREST DRIVE	11	2634 20	85.00	0.00	1,020.00	1,020.00
ROBERT C WILLIAMS 2713 ROSEHILL ROAD FAYETTEVILLE NC 28301	0429-19-70-3556 3118 LAKECREST DRIVE LAKECREST BLK A SEC 2	15	0 0	75.00	0.00	900.00	900.00
HAROLD CASELBERRY 3122 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-3683 3122 LAKECREST DRIVE LAKECREST BLK A	16	3620 38	75.00	0.00	900.00	900.00
RICHARD B PHILLIPS 3126 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-4619 3126 LAKECREST DRIVE LAKECREST BLK A SEC 2	17	3018 841	75.00	0.00	900.00	900.00
EDITH K UNDERWOOD 3130 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-4737 3130 LAKECREST DRIVE LAKECREST BLK A SEC 2	18	3692 720	75.00	0.00	900.00	900.00

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

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

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

08/28/92
16:49:19

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
LAKECREST DRIVE

Page: 1
arrmlss

In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST

Submitted to City Council : _____

Final Approval by City Council: _____

To City Clerk: _____

To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
FIRST ADVENT CHRISTIAN CH 1301 PAMALEE DRIVE FAYETTEVILLE NC 28303	0429-19-70-2962 3133 LAKECREST DRIVE LAKECREST BLK C	14	2407 97	110.18	0.00	1,322.16	1,322.16
LEE T COUNCIL PO BOX 370 FAYETTEVILLE NC 28302	0429-19-70-4864 3134 LAKECREST DRIVE LAKECREST BLK A	19	2888 411	85.00	0.00	1,020.00	1,020.00
WILLIE B JOHNSON JR 3138 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-20-70-5911 3138 LAKECREST DRIVE LAKECREST BLK A SEC 2	20	0 0	79.47	0.00	953.64	953.64
IRENE KINARD 3141 LAKECREST DRIVE Fayetteville NC 28301	0429-19-71-3000 3141 LAKECREST DRIVE LAKECREST BLK C SEC 2	15	3720 657	97.91	0.00	1,174.92	1,174.92
ROBERT BURAS JR 3142 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-20-71-5051 3142 LAKECREST DRIVE LAKECREST PT LT 21 BLK A SEC 2	21	3189 849	78.02	0.00	936.24	936.24
JOHN P PETERSON 3145 LAKECREST DRIVE Fayetteville NC 28301	0429-19-71-3019 3145 LAKECREST DRIVE LAKECREST BLK C SEC 2	16	0 0	95.77	0.00	1,149.24	1,149.24
BRIGETTE C ATKINS 3629 DAUGHTRIDGE DRIVE FAYETTEVILLE NC 28311	0429-20-71-5170 3146 LAKECREST DRIVE LAKECREST BLK A SEC 2	22	2787 282	95.77	0.00	1,149.24	1,149.24
DAVID MILLS 3149 LAKECREST DRIVE Fayetteville NC 28301	0429-19-71-3108 3149 LAKECREST DRIVE LAKECREST BLK C SEC 2	17	2946 135	85.00	0.00	1,020.00	1,020.00
JEFFREY S SINGLETON 3150 LAKECREST DRIVE FAYETTEVILLE NC 28311	0429-20-71-5199 3150 LAKECREST DRIVE LAKECREST BLK A SEC 2	23	3559 712	85.00	0.00	1,020.00	1,020.00
RANDELL DARLING 3151 LAKECREST DRIVE Fayetteville NC 28301	0429-19-71-3206 3151 LAKECREST DRIVE LAKECREST BLK C REV OF LT 18C	18A	2927 337	73.00	0.00	876.00	876.00

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

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

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

08/28/92
16:49:19

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
LAKECREST DRIVE

Page: 3
arr155

In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST

Submitted to City Council : _____

Final Approval by City Council: _____

To City Clerk: _____

To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
LEO N LEWIS SR 3152 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-20-71-5206 3152 LAKECREST DRIVE LAKECREST BLK A	24	0 0	75.00	0.00	900.00	900.00
ROY L CLOSE RT 4 BOX 1113 DAHLOMEGA GA 30533	0429-19-71-2394 3153 LAKECREST DRIVE LAKECREST BLK C SEC 2	18	3409 312	93.41	0.00	1,120.92	1,120.92
MICHAEL D HERRING 3154 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-71-4395 3154 LAKECREST DRIVE LAKECREST BLK A	24A	0 0	91.29	0.00	1,095.48	1,095.48
PATRICIA BAXTER 801 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-1139 801 LAKECREST DRIVE LAKECREST BLK A	10	0 0	45.69	0.00	548.28	548.28
J C LUCAS JR PO BOX 1491 FAYETTEVILLE NC 28302	0429-19-70-0498 804 LAKECREST DRIVE LAKECREST BLK B SEC 2	9	2542 669	124.98	0.00	1,499.76	1,499.76
ROBERT L PAUL 805 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-60-9335 805 LAKECREST DRIVE LAKECREST SEC 2 BLK A	9	0 0	73.06	0.00	876.72	876.72
CLARA BONDOC 808 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-0506 808 LAKECREST DRIVE LAKECREST BLK B SEC 2	8	2256 371	75.00	0.00	900.00	900.00
DANIEL C VIK 812 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-60-9652 812 LAKECREST DRIVE LAKECREST BLK B SEC 2	7	3547 141	75.00	0.00	900.00	900.00
WAINWRIGHT F COX 813 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-60-8413 813 LAKECREST DRIVE LAKECREST BLK A	7	0 0	75.00	0.00	900.00	900.00
CARMEN G BETANCOURT PO BOX 40201 FAYETTEVILLE NC 28309	0429-19-60-8696 816 LAKECREST DRIVE LAKECREST BLK B	6	0 0	75.00	0.00	900.00	900.00

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

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

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

08/28/92
16:49:19

Public Works Commission
Assessment Roll For Water and Sewer
LAKECREST DRIVE

Page: 4
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In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST

Submitted to City Council : _____

Final Approval by City Council: _____

To City Clerk: _____

To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
WALTER G WEST RT 1 BOX 408 LINDEN NC 28356	0429-19-60-7458 817 LAKECREST DRIVE LAKECREST BLK A	6	3219 589	75.00	0.00	900.00	900.00
ELIZABETH N GODWIN 820 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-60-8639 820 LAKECREST DRIVE LAKECREST BLK B	5	3064 355	75.00	0.00	900.00	900.00
VONNETTE SANDS 1829 GOLA DRIVE FAYETTEVILLE NC 28301	0429-19-60-7764 824 LAKECREST DRIVE LAKECREST BLK B	4	3146 640	75.00	0.00	900.00	900.00
JOHN R MYERS 825 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-60-6536 825 LAKECREST DRIVE LAKECREST BLK A	4	3546 351	75.00	0.00	900.00	900.00
JAMES S MCGONIGAL 828 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-60-7708 828 LAKECREST DRIVE LAKECREST SEC 1 BLK B	3	3700 775	75.00	0.00	900.00	900.00
SANDRA L LITTLE 829 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-60-5661 829 LAKECREST DRIVE LAKECREST SEC 1 BLK A	3	3469 135	75.00	0.00	900.00	900.00
DONALD W SINGLETON 5485 YADKIN ROAD FAYETTEVILLE NC 28303	0429-19-60-6831 832 LAKECREST DRIVE LAKECREST BLK B	2	2681 852	75.00	0.00	900.00	900.00
TIMOTHY R ROGERS 833 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-60-5405 833 LAKECREST DRIVE LAKECREST SEC 1 BLK A	2	3431 436	75.00	0.00	900.00	900.00
DARIUS J FERRELL 836 LAKECREST DRIVE Fayetteville NC 28301	0429-19-60-5857 836 LAKECREST DRIVE LAKECREST BLK B SEC 2	1	2411 435	112.70	0.00	1,352.40	1,352.40
MAGGIE B McDONALD 637 TOKAY DRIVE FAYETTEVILLE NC 28301	0429-19-60-4740 837 LAKECREST DRIVE LAKECREST SEC 1 BLK A	1	3502 873	75.00	0.00	900.00	900.00

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

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

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

US/28/72
16:49:19

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
LAKECREST DRIVE

Page: 5
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In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST

Submitted to City Council : _____

Final Approval by City Council: _____

To City Clerk: _____

To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
RICHARD E CHANNELL CMR 427 BOX 2018 APO AE 09630	0429-19-61-3083 906 LAKECREST DRIVE LAKECREST & PT LTS 44 & 46	45+	3675 662	141.40	0.00	1,696.80	1,696.80
MARJORIE B COOK 912 LAKECREST DRIVE Fayetteville NC 28301	0429-19-61-2077 912 LAKECREST DRIVE LAKECREST & PT LT 44	43+	2971 625	169.90	0.00	2,038.80	2,038.80
COTTON WEEKS THOMPSON DEV 504 VALLEY ROAD Fayetteville NC 28306	0428-07-69-7831 LAKECREST DRIVE 15.51 ACS MARTIN/MCLAMB CARTER LD	UN	3747 469	135.00	0.00	1,620.00	1,620.00
JONATHAN JAMES 1811 EDGEcombe AVENUE FAYETTEVILLE NC 28301	0429-19-60-6592 LAKECREST DRIVE LAKECREST SEC 2 BLK A	5	3728 516	75.00	0.00	900.00	900.00
WADE T WILBURN 809 LAKECREST DRIVE FAYETTEVILLE NC 28301	0429-19-60-8379 LAKECREST DRIVE LAKECREST BLK A SEC 1 & PTLT 9 BLKA SEC2	8+	0 0	77.13	0.00	925.56	925.56
45 Owners					\$0.00	\$45,917.28	\$45,917.28

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

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

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

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

OAKCREST DRIVE, from Lakecrest Drive to Renfrow Road;

and,

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

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

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

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

08/28/92
16:50:44

Public Works Commission
Assessment Roll For Water and Sewer
OAKCREST DRIVE

Page: 1
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In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST

Submitted to City Council : 9-8-92

Final Approval by City Council:

To City Clerk: 9-18-92

To PWC Tax Collector:

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
CHARLES BRIGIS 9224 DOUGLAS FARM ROAD SANFORD NC 27330	0429-19-70-2724 801 OAKCREST DRIVE LAKECREST BLK B SEC 2	12	2631 251	94.41	0.00	1,132.92	1,132.92
LUDWIG LIEBER 805 OAKCREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-1737 805 OAKCREST DRIVE LAKECREST BLK B	13	0 0	85.00	0.00	1,020.00	1,020.00
CLYDIEST E CURTIS 808 OAKCREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-1959 808 OAKCREST DRIVE LAKECREST BLK C SEC 2	13	2670 743	85.00	0.00	1,020.00	1,020.00
CYNTHIA R BENNETT 809 OAKCREST DRIVE FAYETTEVILLE NC 28301	0429-19-70-0759 809 OAKCREST DRIVE LAKECREST BLK B SEC 2	14	3571 519	75.00	0.00	900.00	900.00
ROBERT B BURAS 813 OAKCREST DRIVE FAYETTEVILLE NC 28301	0429-19-60-9882 813 OAKCREST DRIVE LAKECREST SEC 2 BLK B	15	3611 699	80.00	0.00	960.00	960.00
HAROLD L NIXON 814 OAKCREST DRIVE FAYETTEVILLE NC 28303	0429-19-71-0063 814 OAKCREST DRIVE LAKECREST BLK C SEC 2	12	0 0	100.00	0.00	1,200.00	1,200.00
RICHARD M MORSE 817 OAKCREST DRIVE FAYETTEVILLE NC 28301	0429-19-60-9816 817 OAKCREST DRIVE LAKECREST & PT LT 15 BLK B SEC 2	16+	3072 823	85.00	0.00	1,020.00	1,020.00
ROSEMARY PALMER C/O R D MARTIN 1716 TRYON DRIVE FAYETTEVILLE NC 28303	0429-19-61-9028 820 OAKCREST DRIVE LAKECREST BLK C SEC 2	6	3756 540	100.00	0.00	1,200.00	1,200.00
I J MCNEIL 821 OAKCREST DRIVE FAYETTEVILLE NC 28301	0429-19-60-8839 821 OAKCREST DRIVE LAKECREST BLK B SEC 2	17	2560 556	85.00	0.00	1,020.00	1,020.00
PAUL STOVEL 222 A N BROADWAY YONKERS NY 10701	0429-19-60-7953 825 OAKCREST DRIVE LAKECREST SEC 2 BLK B MAJ PT LT 18	18	3238 856	76.75	0.00	921.00	921.00

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

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

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

08/28/92
16:50:44

Public Works Commission
Assessment Roll For Water and Sewer
OAKCREST DRIVE

In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST
Submitted to City Council : _____
Final Approval by City Council: _____
To City Clerk: _____
To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
JAMES E ROBINSON 2401 DEER RUN ROAD ST LOUIS MO 63136	0429-19-60-6987 829 LAKECREST DRIVE LAKECREST BLK B & PTLT 18 SEC 2	19+	2850 491	103.65	0.00	1,243.80	1,243.80
11 Owners					\$.00	\$11,637.72	\$11,637.72

Water main assessment equals: .00 per front footage of property abutting street.
Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.
Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable annually.

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

COMFY COURT, from Oakcrest Drive to cul-de-sac;

and,

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

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

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

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

ATTEST:

J. L. DAWKINS, MAYOR

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

08/28/92
16:51:09

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
COMFY COURT

Page: 1
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In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST
Submitted to City Council : 9-8-92
Final Approval by City Council: _____
To City Clerk: 8-18-92
To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
JESSE R CLARK 3132 COMFY COURT FAYETTEVILLE NC 28301	0429-19-61-7370 3132 COMFY COURT LAKECREST BLK C SEC 2	3	3198 771	52.35	0.00	628.20	628.20
REGINALD DAVIS 3154 COMFY COURT FAYETTEVILLE NC 28301	0429-19-61-8242 3154 COMFY COURT LAKECREST BLK C SEC 2	4	3662 835	52.35	0.00	628.20	628.20
ALEX D HEATON CMR 427 BOX 3194 APO AE 09630	0429-19-61-6248 3155 COMFY COURT LAKECREST BLK C SEC 2	2	0 0	52.35	0.00	628.20	628.20
DENNIS SPLAIN 826 OAKCREST DRIVE FAYETTEVILLE NC 28301	0429-19-61-8111 826 OAKCREST DRIVE LAKECREST BLK C SEC 2	5	3772 740	96.51	0.00	1,158.12	1,158.12
SMITTY M JINKS 832 OAKCREST DRIVE Fayetteville NC 28301	0429-19-61-6118 832 OAKCREST DRIVE LAKECREST BLK C SEC 2	1	3616 817	96.51	0.00	1,158.12	1,158.12
					\$.00	\$4,200.84	\$4,200.84

5 Owners

Water main assessment equals: .00 per front footage of property abutting street.
Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.
Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in Five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable annually.

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

HAVEN COURT, from Oakcrest Drive to cul-de-sac;

and,

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

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

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

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

08/28/92
16:51:32

Public Works Commission
Assessment Roll For Water and Sewer
HAVEN COURT

Page: 1
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In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST
Submitted to City Council : 9-8-92
Final Approval by City Council:
To City Clerk: 8-18-92
To PWC Tax Collector:

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
BETTY G CONNOLLY 3143 HAVEN COURT FAYETTEVILLE NC 28301	0429-19-61-9149 3143 HAVEN COURT LAKECREST BKL C SEC 2	7	2636 188	92.16	0.00	1,105.92	1,105.92
DONALD SHAMBLIN 3144 HAVEN COURT FAYETTEVILLE NC 28301	0429-19-71-1160 3144 HAVEN COURT LAKECREST BLK C SEC 2	11	0 0	92.16	0.00	1,105.92	1,105.92
WILLIAM K USHER JR 3147 HAVEN COURT FAYETTEVILLE NC 28301	0429-19-61-9370 3147 HAVEN COURT LAKECREST BLK C SEC 2	8	2819 669	52.35	0.00	628.20	628.20
ROGER D ADAMS 3148 HAVEN COURT FAYETTEVILLE NC 28301	0429-19-71-1271 3148 HAVEN COURT LAKECREST BLK C SEC 2	10	2768 175	52.35	0.00	628.20	628.20
JAMES F BURNETTE 3152 HAVEN COURT FAYETTEVILLE NC 28301	0429-19-71-1331 3152 HAVEN COURT LAKECREST BLK C	9	2256 53	52.35	0.00	628.20	628.20
5 Owners					\$.00	\$4,096.44	\$4,096.44

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

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

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

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

RENFROW DRIVE, from Lakecrest Drive to Country Club Drive;

and,

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

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

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

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992; the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

08/28/92
16:50:14

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
RENFROW DRIVE

Page: 1
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In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST
Submitted to City Council : 9-8-92
Final Approval by City Council:
To City Clerk: 8-18-92
To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
STEPHEN J SPOHN 3174 RENFROW DRIVE FAYETTEVILLE NC 28301	0429-19-61-5081 3174 RENFROW DRIVE LAKECREST BLK B	20	0 0	125.00	0.00	1,500.00	1,500.00
					\$.00	\$1,500.00	\$1,500.00
1 Owners					=====	=====	=====

Water main assessment equals: .00 per front footage of property abutting street.
Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.
Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable annually.

**RESOLUTION CONFIRMING ASSESSMENT ROLL
AND LEVYING ASSESSMENTS
FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of sanitary sewer collection system in:

COUNTRY CLUB DRIVE, north side, from the southwest corner of the Hercules Steel Company 5.9 acre tract, to the southeast corner of the Whispering Pines Associates 38.85 acre tract;

COUNTRY CLUB DRIVE, south side, from the northwest corner of the W. H. Powell 0.78 acre tract, to the north east corner of Lot 24-A Lakecrest Subdivision;

and,

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

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

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

3. The City Attorney is hereby directed to deliver to the PWC Deputy Tax Collector the said Assessment Roll.
4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

08/28/92
16:49:46

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
COUNTRY CLUB DRIVE

Page: 1
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In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST

Submitted to City Council : 9-8-92

Final Approval by City Council: 8-18-92

To City Clerk: 8-18-92

To PWC Tax Collector: 8-18-92

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
S F PHIPPS 905 COUNTRY CLUB DRIVE FAYETTEVILLE NC 28301	0429-19-61-4243 905 COUNTRY CLUB DRIVE LAKECREST & PT LT 46	40+	0 0	128.27	0.00	1,539.24	1,539.24
LEWIS E JOURDEN 913 COUNTRY CLUB DRIVE Fayetteville NC 28301	0429-19-61-2241 913 COUNTRY CLUB DRIVE LAKECREST & PT LT 43	42+	3721 619	121.00	0.00	1,452.00	1,452.00
W H POWELL 949 COUNTRY CLUB DRIVE FAYETTEVILLE NC 28301	0429-19-50-6784 949 COUNTRY CLUB DRIVE .78AC COUNTRY CLUB DRIVE W/RES	UN	549 230	158.00	0.00	1,896.00	1,896.00
HERCULES STEEL CO PO BOX 35208 FAYETTEVILLE NC 28303	0429-19-51-3299 COUNTRY CLUB DRIVE 5.9AC JL NORRIS LD	UN	1022 493	383.25	0.00	4,599.00	4,599.00
CUMBERLAND CO BOARD OF ED HWY 301 SOUTH Fayetteville NC 28306	0429-19-60-1615 COUNTRY CLUB DRIVE 15ACS WESTAREA ELEM SCHOOL PROP	UN	828 324	487.40	0.00	5,848.80	5,848.80
MARY LOIS WHITTENTON 300 N 13TH ERWIN NC 28339	0429-19-61-3243 LAKECREST DRIVE LAKECREST & PT LTS 43 44 46	41+	2546 835	100.00	0.00	1,200.00	1,200.00
					\$.00	\$16,535.04	\$16,535.04
6 Owners					=====	=====	=====

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

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

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

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PUBLIC HEARING - SPEAKERS

ITEM 3-C1

SUBJECT: ASSESSMENT - SEWER - MURCHISON RD.

DATE: Sept. 8, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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OPPONENT - (Against)

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

ITEM _____

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

ITEM 3-C2

SUBJECT: ASSESSMENT - SEWER - LAKECREST DR.

DATE: Sept. 8, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

1. _____
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OPPONENT - (Against)

(Name - Print)

(Address - Print)

1. Irene Kinard 1628 Barber Av. - 3141 Lakecrest Dr. - Fay. NC
2. _____
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PUBLIC HEARING - SPEAKERS

ITEM _____

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

ITEM 3-C3

SUBJECT: ASSESSMENT - SEWER - OAKCREST DR.

DATE: Sept. 8, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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OPPONENT - (Against)

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

ITEM _____

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

ITEM 3-C4

SUBJECT: ASSESSMENT - SEWER - COMFY CT.

DATE: Sept 8, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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OPPONENT - (Against)

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

ITEM _____

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

ITEM 3-C5

SUBJECT: ASSESSMENT - SEWER - HAVEN CT.

DATE: Sept. 8, 1992

PROPOSER (In Favor)

(Name - Print)

(Address - Print)

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OPPOSER - (Against)

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

ITEM _____

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

ITEM 3-C6

SUBJECT: ASSESSMENT - SEWER - RENFROW DR.

DATE: Sept. 8, 1992

PROPONENT (In Favor)

(Name - Print)	(Address - Print)
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OPPONENT - (Against)

(Name - Print)	(Address - Print)
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PUBLIC HEARING - SPEAKERS

ITEM _____

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

ITEM 3-C7

SUBJECT: ASSESSMENT - SEWER - COUNTRY CLUB DR.

DATE: Sept. 8, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

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OPPONENT - (Against)

(Name - Print)

(Address - Print)

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PUBLIC HEARING - SPEAKERS

ITEM _____

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

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

PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE

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

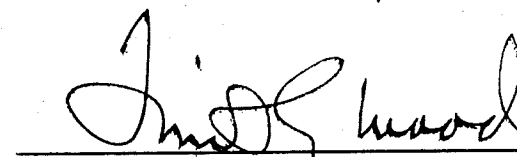
ELECTRIC & WATER UTILITIES

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

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

I, Timothy Wood, General Manager, do hereby certify that notices of preparation of the Preliminary Assessment Roll for water distribution main and sanitary sewer collection system in **FIRST STREET (FORMERLY SR-2414)**, and of the public hearing thereon, were mailed by first class mail on the 24th day of August, 1992, to all the owners of real property shown thereon, indicating to each such owner the amount of the assessment against his property.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 24th day of August, 1992.

 (SEAL)
Timothy Wood, General Manager



**RESOLUTION
CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS
FOR INSTALLATION OF WATER DISTRIBUTION MAIN AND SANITARY SEWER COLLECTION SYSTEM**

WHEREAS, the City Council of the City of Fayetteville has on September 8, 1992, held a public hearing, after due notice as required by law, on the Assessment Roll for the extension of water distribution main and sanitary sewer collection system in:

FIRST STREET (formerly SR-2414), from the northern margin of Country Club Drive, to dead end;

and,

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

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

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

4. Pursuant to the policy of the City Council of the City of Fayetteville adopted on September 21, 1987, a thirty percent (30%) discount shall be applied to any assessments paid before the expiration of thirty (30) days from the date that notice is published of confirmation of the Assessment Rolls pursuant to Chapter 160A, Section 229, of the General Statutes of North Carolina.
5. The PWC Deputy Tax Collector is hereby charged with the collection of said assessments in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of North Carolina.
6. The PWC Deputy Tax Collector is hereby further directed to publish once on the 8th day of October, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the 8th day of September, 1992, at _____ p.m.

J. L. DAWKINS, MAYOR

ATTEST:

BOBBIE A. JOYNER, CITY CLERK

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

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

PUBLISH: October 8, 1992

08/28/92
16:48:50

PUBLIC WORKS COMMISSION
Assessment Roll For Water and Sewer
FIRST STREET

Page: 1
arrrrlss

In order by Street, Site Address

Project: AREA 3 MURCHISON/COUNTRY CLUB DR/LKCREST
Submitted to City Council : 9-8-92
Final Approval by City Council: _____
To City Clerk: 8-18-92
To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
BARCHILD INC PO BOX 35087 FAYETTEVILLE NC 28303	0429-19-51-0678 3701 DISTRIBUTION DRIVE 2.50 AC JL NORRIS LD	UN	0 0	300.00	2,400.00	3,600.00	6,000.00
LEONARD TURNAGE PO BOX 641 WILSON NC 27894	0429-18-41-8974 3829 FIRST STREET 2.15AC JL NORRIS LD	UN	3459 274	256.95	2,055.60	3,083.40	5,139.00
JANE M HEALY 1802 PUGH STREET Fayetteville NC 28305	0429-18-42-6189 4021 FIRST STREET 2.97 JL NORRIS LD	UN	3684 392	346.31	2,770.48	4,155.72	6,926.20
AMERICAN REFUSE SYSTEMS INC PO BOX 808 WELDON NC 27890	0429-18-42-4454 4201 DISTRIBUTION DRIVE 2.56 JL NORRIS LD	UN	3333 97	240.89	1,927.12	2,890.68	4,817.80
JANE MACD HEALY PO BOX 36157 FAYETTEVILLE NC 28303	0429-14-42-2733 4401 DISTRIBUTION DRIVE 3.0 AC JL NORRIS LD	UN	3684 395	353.19	2,825.52	4,238.28	7,063.80
WHISPERING PINE ASSOCIATES PO BOX 1480 STAFFORD VA 22554	0429-19-52-2121 COUNTRY CLUB DRIVE 38.85ACS HUSKE HODGE ETAL LD	UN	2850 631	2,378.55	19,028.40	28,542.60	47,571.00
SULLIVAN WHOLESALE INC PO BOX 35087 FAYETTEVILLE NC 28303	0429-14-42-4672 FIRST STREET .44 AC JL NORRIS LD	UN	2538 303	112.30	898.40	1,347.60	2,246.00
BARCHILD INC PO BOX 35087 FAYETTEVILLE NC 28303	0429-18-41-9862 FIRST STREET .51AC JL NORRIS LD	UN	0 0	60.00	480.00	720.00	1,200.00
8 Owners					\$32,385.52	\$48,578.28	\$80,963.80
					=====	=====	=====

Water main assessment equals: 8.00 per front footage of property abutting street.
Sanitary Sewer main assessment equals: 12.00 per front footage of property abutting street.
Assessments are to be paid within thirty (30) days after approval of assessment in cash with no interest, or in five (5) annual installments in accordance with N.C.G.S. 160A-232(2), bearing an annual interest of eight percent (8%) payable annually.

DATE: Sept. 8, 1992

(Address - Print)

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(Address - Print)

- (Address - PLINT)
1. ~~954~~ ~~PLINT~~ ~~Box 3-087~~ ~~July, 1968~~
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

PUBLIC HEARING - SPEAKERS

ITEM _____

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

(Address - Print)

1. _____
2. _____
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10. _____

PLANNING DEPARTMENT

Post Office Box 1829
Fayetteville, NC 28302
Telephone (919) 483-8131

CUMBERLAND COUNTY JOINT PLANNING BOARD

John F. Davis
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

September 8, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-73. THE REZONING FROM R6 RESIDENTIAL DISTRICT TO P2 PROFESSIONAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE EAST SIDE OF ROSEHILL ROAD (SR 1615) AND THE WEST SIDE OF ROSEHILL ROAD EXTENSION, BETWEEN DOWFIELD AND RUTLEDGE DRIVES. (FAYETTEVILLE ORDINANCE)

ACTION: THE NINE MEMBERS PRESENT AT THE JULY 21, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO DENY THE REQUESTED REZONING. VICE-CHAIRMAN DAVIS WAS NOT PRESENT FOR VOTING.

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

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

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

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

Mr. Dan McGinley, owner, appeared before the Board stating that he has worked out of his home doing real estate for another company but has recently opened his own real estate office and is no longer allowed to work out of his home unless the site is rezoned.

Ms. Linda Zachary, resident of the area, appeared before the Board in opposition stating that Rosehill Road is the only entrance to the property.

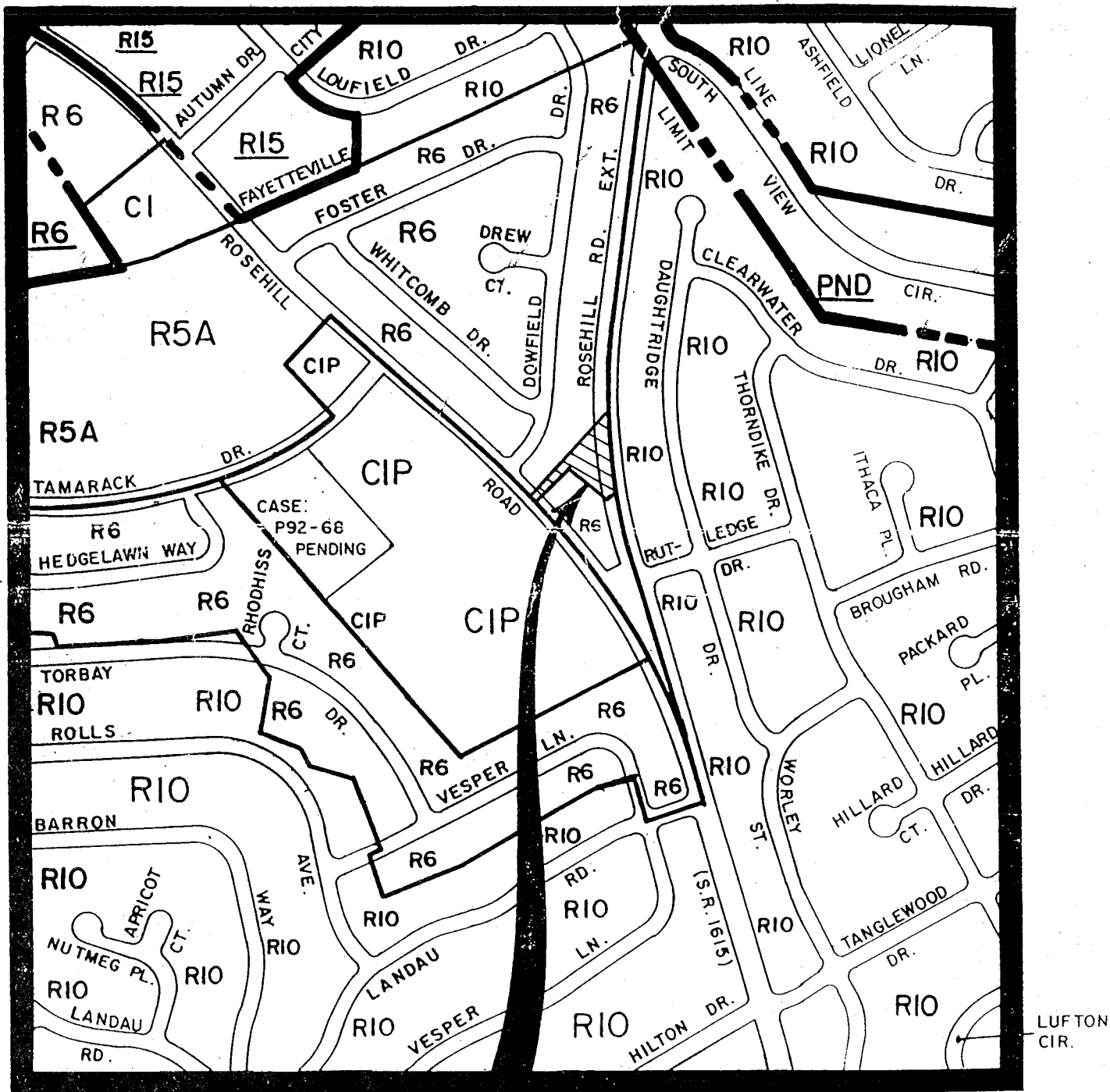
She stated that Mr. McGinley's home is behind three other houses, and the increase in traffic at the intersection near his home would make it more dangerous than it already is. She also stated a concern that the rezoning would decrease the value of her property.

Mr. McNeill asked how much of his home would be allowed for office occupancy under the current zoning. Mr. Lloyd stated that fifteen percent would be allowed.

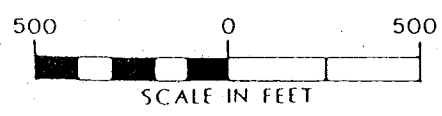
A motion was made by Mr. McNeill and seconded by Mr. Lucas to deny the requested rezoning. The motion passed unanimously. Vice-Chairman Davis was not present for voting.

Attachment

:skc



NORTH



REQUESTED REZONING

R6 TO P2

ACREAGE: 0.444 AC. ±		HEARING NO: P92-73	
ORDINANCE: FAYETTEVILLE		HEARING DATE	ACTION
PLANNING BOARD			
GOVERNING BOARD			



PUBLIC HEARING - SPEAKERS

ITEM 3-E

SUBJECT: REZONE - ROSEHILL RD. EXT - Case P92-73

DATE: September 8, 1992

PROPONENT (In Favor)

(Name - Print)

(Address - Print)

1. DAN MCGINLEY 3694 Rosehill Road Fayette NC 28311-6687
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

OPPONENT - (Against)

(Name - Print)

(Address - Print)

1. REDA WELER (by letter) 914 DREW CT,
2. Linda Zachary 908 Whitcomb Dr,
3. LARRY Holcomb 612 Dowfield Drive
4. _____
5. _____
6. _____
7. _____

PUBLIC HEARING - SPEAKERS

ITEM _____

SUBJECT: _____

DATE: _____

CITIZEN INPUT

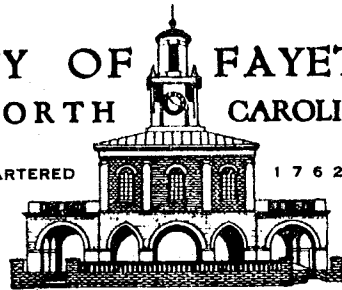
(Name - Print)

(Address - Print)

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THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



TRAFFIC SERVICES DEPARTMENT

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

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

September 1, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

REFERENCE: Public Hearing - Thoroughfare Plan Revisions:
1. Owen Drive Area
2. Ft. Bragg Area

The Cumberland County Joint Planning Board has requested City Council to hold a Public Hearing to consider adopting the two above referenced Thoroughfare Plan revisions.

The Owen Drive area revision includes:

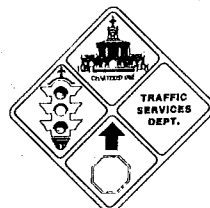
1. Extending Owen Drive from Gillespie Street S.E. to the NC 87 Interchange at East Mountain Drive.
2. Deleting thoroughfare extension of Owen Drive to West Mountain Drive.
3. Revising to minor thoroughfares West Mountain Drive, East Mountain Drive and Wilkes Road.

NCDOT has requested these revisions to provide a continuous corridor from Ft. Bragg/Womack Hospital past Cross Creek Mall and Cape Fear Valley Medical Center to NC 87/I-95.

The Ft. Bragg area revisions include:

1. Delete Yadkin Road Extension to Long Street
2. Grove Street Extension to Yadkin Road
3. Bastogne Drive Extension to Yadkin Road
4. Knox Street Extension to NC 87/210

An Equal Opportunity



Affirmative Action Employer

ITEM 3.F.

John P. Smith, City Manager
September 1, 1992
Page Two

Ft. Bragg has requested the deletion of these thoroughfares
to create a greenbelt around Ft. Bragg that will protect wildlife
habitat.

LAC/jlr

Enclosure:
Thoroughfare Plan

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

PLANNING DEPARTMENT

Post Office Box 1829
Fayetteville, NC 28302
Telephone (919) 483-8131

CUMBERLAND COUNTY JOINT PLANNING BOARD

John F. Davis
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

September 1, 1992

MEMO TO: Fayetteville City Council
FROM: Cumberland County Joint Planning Board
SUBJECT: Consideration of Amendments to the
Fayetteville Urban Area Thoroughfare Plan

Attached is a resolution for your consideration of changes to the
Fayetteville Urban Area Thoroughfare Plan. The changes are as follows:

1. Remove Grave Street Extension
2. Remove Bastogne Drive Extension
3. Remove Yadkin Road Extension
4. Remove Knox Street Extension
5. Add Owen Drive Extension to N. C. 87
6. Change Wilkes Road from a Major to Minor Thoroughfare
7. Change Mountain Drive from a Major to Minor Thoroughfare

The Technical Coordinating Committee approved the amendment July 29,
1992. The Transportation Advisory Committee approved the amendment on
August 5, 1992.

GEV:skc

Resolution Passed By
the CITY COUNCIL of the CITY OF FAYETTEVILLE, NORTH CAROLINA

The following resolution was offered by Council Member _____
_____ and seconded by Council Member _____
and upon being put to a vote was carried _____ on the _____
day of _____:

THAT WHEREAS, the City of Fayetteville, Towns of Spring Lake and Hope Mills, Counties of Cumberland and Harnett, and the North Carolina Department of Transportation did mutually adopt a thoroughfare plan for the Fayetteville Urban Area; and

WHEREAS, North Carolina General Statutes 136-66-2(d) provides that either the Municipality of Department of Transportation may propose changes in an adopted plan at any time by giving notice to the other party, but no change shall be effective until it is adopted by both the Department of Transportation and the Municipal Governing Board; and

WHEREAS, it is recognized that the proper movement of traffic within and through the Fayetteville Urban Area is a highly desirable element of the thoroughfare plan for the orderly growth and development of the urban area; and

WHEREAS, the Technical Coordinating Committee and the Transportation Advisory Committee for the Urban Area has reviewed and approved said revisions; and

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

That the Fayetteville Urban Area Thoroughfare Plan, dated September 23, 1991 be revised as follows, subject to the approval of the Department of Transportation:

1. Remove proposed Grave Street Extension from Gruber Street approximately 1,000 feet west to proposed Yadkin Road Extension.
2. Remove proposed Bastogne Drive Extension from Gruber Street approximately 1,100 feet west to proposed Yadkin Road Extension.
3. Remove proposed Yadkin Road Extension from 1,500 feet south of Grave Street approximately 1.9 miles north to Longstreet Road.
4. Remove proposed Knox Street Extension from Bragg Boulevard (NC 24) approximately 1.2 miles east to Murchinson Road (NC 87/210).
5. Remove proposed West Mountain Drive Connector from SR 1007 (Owen Drive) approximately 2,000 feet south to SR 1003 (Camden Road).
6. Remove Wilkes Road major thoroughfare from US 301/I-95 Business approximately 1.6 miles east to Elizabethtown Road.

7. Remove Mountain Drive major thoroughfare from SR 1003 (Camden Road) approximately 2.4 miles east to NC 87 (CBD Loop).
8. Add proposed major thoroughfare (Owen Drive Extension) from US 301/I-95 Business following existing Wilkes Road approximately 2,000 feet, then onto new location approximately 0.9 miles to existing Mountain Drive, and following existing Mountain Drive approximately 3,000 feet to NC 87 (where NC 87 currently terminates). The eastern terminus of Owen Drive Extension (at NC 87) will tie into the proposed interchange with the future CBD Loop.
9. Add Wilkes Road minor thoroughfare from Owen Drive Extension (2,000 feet east of US 301/I-95 Business) approximately 1.3 miles east to Elizabethtown Road. See item #8 above.

I, _____, Clerk of the City of Fayetteville, North Carolina, do hereby certify that the above is a true and correct copy of excerpts from the minutes of the City Council of said City.

WITNESS my hand and the official seal of the City of Fayetteville, this
the _____ day of _____, _____.

ATTEST

(Seal)

Clerk

PUBLIC MEETING

Fayetteville Urbanized Area Throughfare Plan Proposed Changes

Fayetteville, N. C.

September 1, 1992

	NAME	ADDRESS	PHONE NO.
1	B.E. Brooks	5304 Westminster Dr	488-9247
2	R. Thompson	210 B Hunter Ridge Drive	488-3790
3	Bill McGowan	1665 Bambrey Dr	485-5252
4	Gerald F. Croll	1001 Clarendon St	485-8255
5	Johnny Raynor	2709 Frankfort	433 1651
6	Reginald Baldwin	222 Sunset Ave	488-2790
7	Betty G. Ellis	1765 Gibson St.	822-9992
8	Bonnie D. Nichols	Rt. 1, Box 80A-B	483-3934
9	Louis Chambers	433 Hay St	433-1660
10	David Nash	City of Fayetteville 433 Hay Street	433-1995
11	Ben Brown	City of Fayetteville	433-1990
12	Carlton Mercer	1846 Wayne Lane Fayetteville, N.C.	425-0243
13	Bob Messamer	3813 Ellice Place	488-2717
14			
15			
16			
17			

PLANNING DEPARTMENT

Post Office Box 1829
Fayetteville, NC 28302
Telephone (919) 483-8131

CUMBERLAND COUNTY JOINT PLANNING BOARD

John F. Davis
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

September 1, 1992

MEMO TO: Fayetteville City Council
FROM: Cumberland County Joint Planning Board
SUBJECT: Consideration of Amendments to the
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The Technical Coordinating Committee approved the amendment July 29,
1992. The Transportation Advisory Committee approved the amendment on
August 5, 1992.

GEV:skc

Resolution Passed By
the CITY COUNCIL of the CITY OF FAYETTEVILLE, NORTH CAROLINA

The following resolution was offered by Council Member _____
_____ and seconded by Council Member _____
and upon being put to a vote was carried _____ on the _____
day of _____:

THAT WHEREAS, the City of Fayetteville, Towns of Spring Lake and Hope Mills, Counties of Cumberland and Harnett, and the North Carolina Department of Transportation did mutually adopt a thoroughfare plan for the Fayetteville Urban Area; and

WHEREAS, North Carolina General Statutes 136-66-2(d) provides that either the Municipality of Department of Transportation may propose changes in an adopted plan at any time by giving notice to the other party, but no change shall be effective until it is adopted by both the Department of Transportation and the Municipal Governing Board; and

WHEREAS, it is recognized that the proper movement of traffic within and through the Fayetteville Urban Area is a highly desirable element of the thoroughfare plan for the orderly growth and development of the urban area; and

WHEREAS, the Technical Coordinating Committee and the Transportation Advisory Committee for the Urban Area has reviewed and approved said revisions; and

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

That the Fayetteville Urban Area Thoroughfare Plan, dated September 23, 1991 be revised as follows, subject to the approval of the Department of Transportation:

1. Remove proposed Grave Street Extension from Gruber Street approximately 1,000 feet west to proposed Yadkin Road Extension.
2. Remove proposed Bastogne Drive Extension from Gruber Street approximately 1,100 feet west to proposed Yadkin Road Extension.
3. Remove proposed Yadkin Road Extension from 1,500 feet south of Grave Street approximately 1.9 miles north to Longstreet Road.
4. Remove proposed Knox Street Extension from Bragg Boulevard (NC 24) approximately 1.2 miles east to Murchinson Road (NC 87/210).
5. Remove proposed West Mountain Drive Connector from SR 1007 (Owen Drive) approximately 2,000 feet south to SR 1003 (Camden Road).
6. Remove Wilkes Road major thoroughfare from US 301/I-95 Business approximately 1.6 miles east to Elizabethtown Road.

7. Remove Mountain Drive major thoroughfare from SR 1003 (Camden Road) approximately 2.4 miles east to NC 87 (CBD Loop).
8. Add proposed major thoroughfare (Owen Drive Extension) from US 301/I-95 Business following existing Wilkes Road approximately 2,000 feet, then onto new location approximately 0.9 miles to existing Mountain Drive, and following existing Mountain Drive approximately 3,000 feet to NC 87 (where NC 87 currently terminates). The eastern terminus of Owen Drive Extension (at NC 87) will tie into the proposed interchange with the future CBD Loop.
9. Add Wilkes Road minor thoroughfare from Owen Drive Extension (2,000 feet east of US 301/I-95 Business) approximately 1.3 miles east to Elizabethtown Road. See item #8 above.

I, _____, Clerk of the City of Fayetteville, North Carolina, do hereby certify that the above is a true and correct copy of excerpts from the minutes of the City Council of said City.

WITNESS my hand and the official seal of the City of Fayetteville, this the ____ day of _____, _____.

ATTEST

(Seal)

Clerk



PUBLIC HEARING - SPEAKERS

SUBJECT: FAYETTEVILLE URBAN AREA THOROUGHFARE PLAN
AMENDMENTS

DATE: September 8, 1992

PROPONENT (In Favor)

(Name - Print)	(Address - Print)
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____

OPPONENT - (Against)

(Name - Print)	(Address - Print)
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
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PUBLIC HEARING - SPEAKERS

ITEM _____

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)

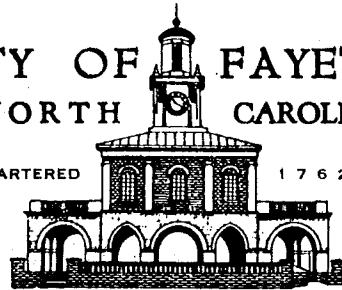
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THE CITY OF FAYETTEVILLE

NORTH CAROLINA

CHARTERED 1762



ENGINEERING DEPARTMENT
433 HAY STREET

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

September 1, 1992

MEMORANDUM

TO: Mr. John P. Smith, City Manager

THROUGH: Jimmy Teal, Assistant City Manager
Planning/Development

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

SUBJECT: Consideration of the Paving Without Petition of
Englewood Drive (Item 7B of the 7/6/92 Council Agenda)

Please recall that Council conducted a public hearing on the above referenced item at their 7/6/92 meeting. Although the public hearing was concluded at that meeting, Council took no action due to disagreement between one of the property owners and the City concerning the proposed location of a circular cul-de-sac at the extreme western end of Englewood Drive.

The property owner desired that we construct this cul-de-sac at a location where it was possible that land located at the extreme western end of Englewood Drive could be landlocked at some time in the future with no access to a public street.

Action on this item was delayed until the September 8, 1992 Council meeting so that the property owner could have her property replatted in such a manner that would provide access to all portions of her property.

The staff has since met with both the property owner and her representative, and agreed upon how the property will be replatted and the location of the cul-de-sac. The existing condition of this property, as well as the proposed location of the cul-de-sac, is shown on the attached drawing.

Englewood Drive is shown on Plat Book 13, Page 72 as a dedicated right-of-way 20'. However, evidence along the street indicates that some additional right-of-way was acquired prior to the City annexing the area. If the Council's decision is to pave the street, we request approval of acquisition of any rights-of-way

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 4

MEMORANDUM

Mr. John P. Smith, City Manager

Page Two

September 1, 1992

needed to accommodate a 25' wide pavement within a 30' wide right-of-way and at the end of the street, a circular cul-de-sac would be constructed with a radius of 37.5' to the City right-of-way and a radius of 35.0' to the back of the curb.

We recommend approval of the attached resolution ordering the street paved.

MLW/mak

Enclosures: Resolution
Map of Englewood Drive Existing Conditions
Map of Englewood Drive Proposed Cul-De-Sac

**FINAL RESOLUTION
REQUIRING THE PAVING WITHOUT A PETITION
OF
ENGLEWOOD DRIVE
FROM CEDAR CREEK ROAD TO DEAD END**

After careful study and consideration of the matter and all pertinent facts and circumstances, including engineering and planning studies and advice, and in the exercise of its best legislative judgment, the City Council of Fayetteville, North Carolina finds as fact that:

1) The public interest, safety, convenience and general welfare requires the paving and other below described improvements of Englewood Drive from Cedar Creek Road to Dead End.

AND

2) **THE RESOLUTION AND ORDER** adopted at its meeting on the 1st day of June, 1992, by the City Council of the City of Fayetteville, North Carolina, entitled **"PRELIMINARY RESOLUTION REQUIRING THE PAVING WITHOUT PETITION OF ENGLEWOOD DRIVE FROM CEDAR CREEK ROAD TO DEAD END"**, having been duly published on the 24th day of June, 1992, in **THE FAYETTEVILLE OBSERVER-TIMES**, a newspaper published in the City of Fayetteville, North Carolina, giving notice of a meeting of the City Council to be held on the 6th day of July, 1992, at 7:00 p.m. in the Council Chamber at City Hall of Fayetteville, North Carolina, when all objections to the legality of making the proposed improvement were to be made in writing, signed in person or by Attorney, filed with

the Clerk of the City of Fayetteville, at or before said time, and that any such objections not so made would be waived, and objections to the legality, as well as to the policy or expediency, of the making of said improvements not having been filed or made, (or having been filed or made, which objections were duly considered by said City Council, and none of said objections were sustained);

3) The property abutting on said street to be so paved and improved will be benefited by such pavement and improvement to the extent of the part of the cost thereof to be assessed, as stated below, against such abutting property.

4) At the City Council meeting held on the 6th day of July, 1992, the scheduled public hearing was opened, heard and closed. Action was delayed until the 8th day of September, 1992.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, DOES ORDER THAT:

1) All that portion of Englewood Drive from Cedar Creek Road to Dead End shall be paved and curbs and gutters laid thereon, the cost of such improvements (exclusive of so much of said cost as is incurred at street intersections) to be specially assessed in an amount not to exceed TEN DOLLARS (\$10.00) thereof upon the lots and parcels of land abutting upon said improved street portion according to the extent of the respective frontage thereon by an equal rate per foot of

much frontage, to be paid after completion of such work and within thirty (30) days after notice of assessment, in cash with no interest, or in five (5) equal annual installments, bearing annual interest at eight percent (8%), payable annually.

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

ADOPTED this 8th day of September, 1992, by the City Council of the City of Fayetteville, North Carolina.

CITY OF FAYETTEVILLE

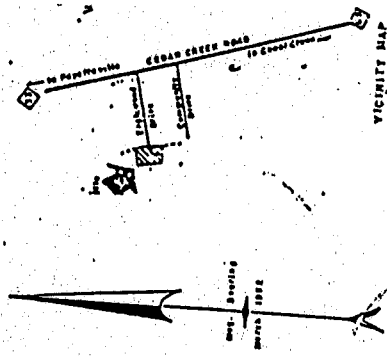
BY: _____
J. L. Dawkins, Mayor

ATTEST:

Deputy City Clerk

PUBLISH: September 17, 1992

Smith International Truck
Center, Inc.



(General Survey)
P.L. 15, 16
File of Record

184.33'
S 89° 34' 54" E 7'

97.10'

84.35'

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Lula P. Jackson
Deed Book 3026, Page 80

1.28 Acre

-0.21 Acre

-0.39 Acre

0.68 Acre

"Lot 1"

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Harmon Kivett
Deed Book 2892,
Page 680

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"Lot 3"
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Mrs. Boyd Jackson
Deed Book 210,
Page 210

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"Lot 2"
0.21 Acre
Plat Book 67, Page 56

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Norman W. Bass
Deed Book 2356, Page 757

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Harmon
Kivett
D.B. 2892
Pg. 680

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Betty Kinlaw Wells
Deed Book 2461, Page 729

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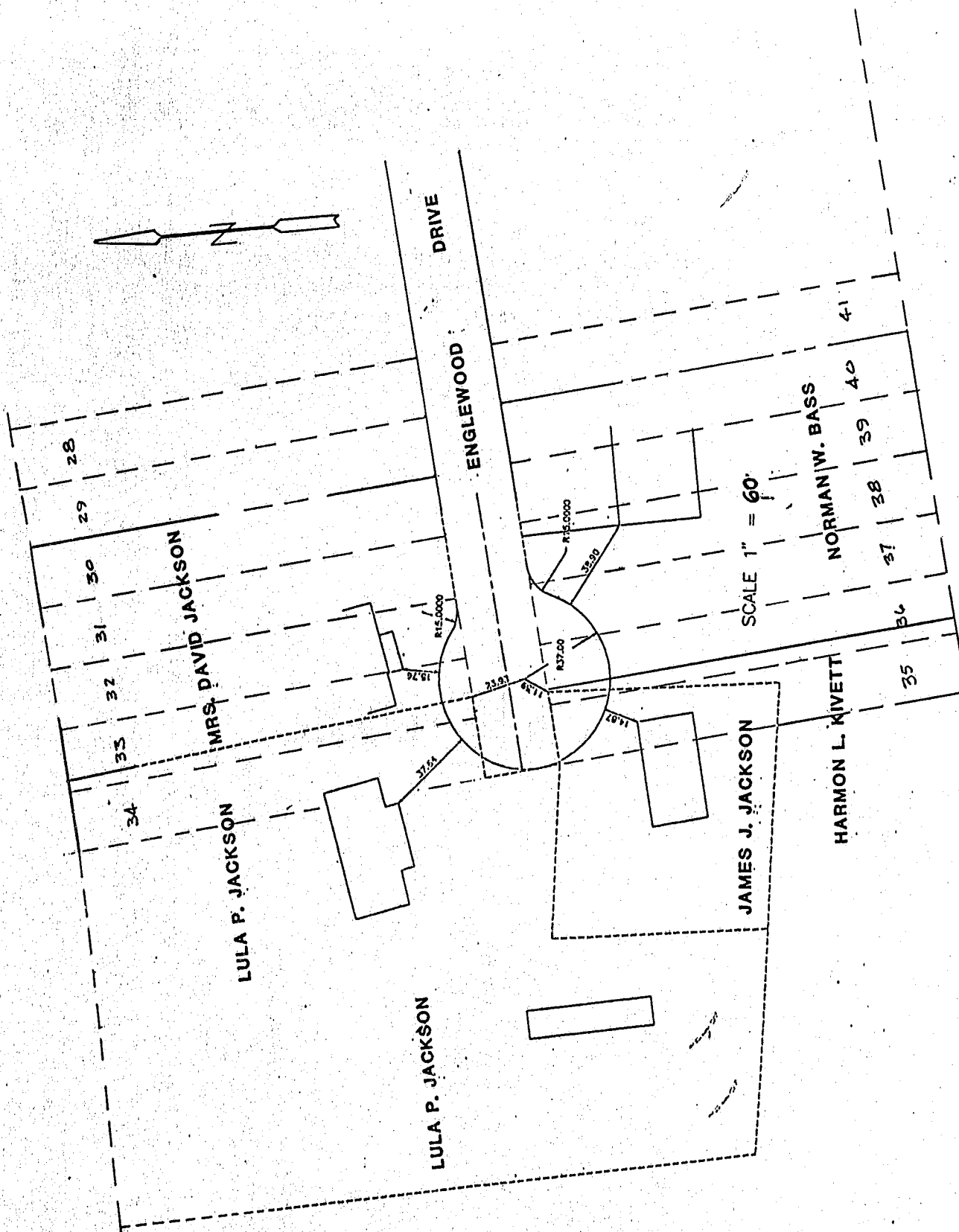
172.34'

172.34'

TERMINATION OF EXISTING CITY RIGHT-OF-WAY

Englewood Drive

ENGLEWOOD DRIVE
EXISTING CONDITIONS



ENGLEWOOD DRIVE
PROPOSED CUL-DE-SAC

September 2, 1992

MEMORANDUM

TO: John Smith, City Manager

FROM: Kai Nelson, Finance Director */kn*

SUBJECT: Resolution Directing the Filing of an Application
for Approval of the Issuance of Revenue Bonds

The PWC Commission, at their August 27, 1992, meeting requested that the City Council formally act to:

1. Authorize the City Manager and PWC General Manager to file an application for the issuance of revenue bonds with the Local Government Commission, and
2. Designate the bond financing team members.

The construction projects have previously been authorized by City Council and include the 1990 Project (Point of Delivery #3, electric substations at Raeford Road, County Recreation Park and Kelly Springfield, Rockfish WWTP, Glenville Lake WTP and others) and the Thermal Energy Storage System (TESS) project.

The purpose of filing the application with the Local Government Commission and selecting the financing team members is to begin the extensive and important process of developing the legal and financial details of the bond order and sizing the bond issue. The Local Government Commission will not begin the negotiations in earnest on these critical matters until the City Council has, in concept, agreed to the financing of the projects with revenue bonds and affirmed the financing team members. The proposed financing team members are those that were previously involved in the issuance of the 1990 revenue bonds with the substitution of Brown & Wood and Rand Finch & Gregory as bond counsel.

It should be noted that the application represents only the first step in the process. It does not constitute an authorization of City Council to issue bonds. The Local Government Commission must approve the issuance of debt based on many complex factors including economic prudence, project expediency, debt management policies, adequate net revenues to service the debt and reasonable interest costs.

If the Local Government Commission acts favorably on the application, at a later date City Council will be requested to

adopt a bond order authorizing the issuance of bonds. The bond order commits the City Council to the issuance of the bonds, not the application.

While the proposed sizing of the bond issue has not been completed, preliminary estimates indicate not more than \$22,000,000 for the 1990 Project and \$15,000,000 for TESS. The actual sizing will be based on a number of factors, including the use of existing PWC funds.

Finally, PWC appears to have targeted approximately \$14,500,000 in existing cash & investments to fund ongoing operating requirements, which I believe to be reasonable for a utility operation with approximately \$140,000,000 in annual operating and recurring capital expenses. Additionally, PWC has targeted \$7,000,000 in existing cash and investments to fund the construction of its proposed administration building.

Please let me know if I can provide any additional information.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FAYETTEVILLE DIRECTING THE FILING OF AN APPLICATION FOR
APPROVAL OF THE ISSUANCE OF PUBLIC WORKS COMMISSION
ELECTRIC, WATER AND SEWER UTILITIES REVENUE BONDS WITH
THE NORTH CAROLINA LOCAL GOVERNMENT COMMISSION AND
DESIGNATING THE BOND FINANCING TEAM MEMBERS

WHEREAS, the Commissioners of the Public Works Commission of the City of Fayetteville (the "Public Works Commission") have determined the need to complete the 1990 Project (as defined in the Bond Order Authorizing the Issuance of Public Works Commission Revenue Bonds, Series 1990 of the City of Fayetteville in an Aggregate Principal Amount of Approximately \$62,390,000 for the Purpose of Financing, in Part, the Acquisition and Construction of Certain Specified Water, Sewer and Electric System Projects and the Refunding of Revenue Bonds Previously Issued (the "Bond Order"), adopted by the City Council of the City of Fayetteville on November 5, 1990) using bond financing and any other available funds, and

WHEREAS, the Commissioners of the Public Works Commission have previously authorized the Commission's Staff to study the feasibility of the addition to the Butler/Warner Generation Plant of the Thermal Energy Storage System and have determined the need to acquire, construct and equip such project using bond financing, and

WHEREAS, the City Council of the City of Fayetteville (the "City Council") has previously adopted a resolution declaring its intent to reimburse the Public Works Commission for certain expenditures relating to the completion of the 1990 Project from the proceeds of a tax-exempt financing, and

WHEREAS, the City Council has previously adopted a resolution declaring its intent to reimburse the Public Works Commission for certain expenditures relating to the acquisition, construction, and/or equipping of the Thermal Energy Storage System project from the proceeds of a tax-exempt financing, and

WHEREAS, Section 211 of the Bond Order authorizes the issuance of Additional Bonds (as defined therein) and the City Council has determined to finance the cost of the projects mentioned above by issuing Additional Bonds and using any other available funds, and

COPY

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the City Council of the City of Fayetteville, in connection with authorizing the issuance of Additional Bonds pursuant to the Bond Order for the projects mentioned above, that (i) the issuance of such bonds in two series is necessary or expedient for the City, (ii) the proposed principal amounts of such bonds are adequate and not excessive for the proposed purposes of such issues, (iii) the projects proposed to be funded with the proceeds of such bonds and any other available funds are feasible, (iv) the City's debt management procedures and policies are good and are managed in strict compliance with law and (v) under current economic conditions such bonds can be marketed at a reasonable interest cost to the City.

BE IT FURTHER RESOLVED, that the City Council authorizes the filing of an application to the North Carolina Local Government Commission for approval of Additional Bonds for the purposes mentioned above and designates Timothy Wood, General Manager of the Public Works Commission, and John P. Smith, City Manager of the City or their respective authorized designees, as representatives of the City to file such application, and that all actions heretofore taken by any officers of the Public Works Commission or the City relating to the issuance of such Additional Bonds are hereby approved, ratified and confirmed.

BE IT FURTHER RESOLVED, that the City Council authorizes the employment of the following as members of the Finance Team to be associated with the proposed Additional Bonds mentioned above:

Senior Managing Underwriter	PaineWebber, Inc.
Co-Senior Manager	First Union Securities, Inc.
Co-Manager	Lehman Brothers
Co-Manager	Merrill Lynch Capital Markets
Underwriter's Counsel	Bode, Call & Green
Bond Counsel	Brown & Wood
Co-Bond Counsel	Rand Finch & Gregory
Feasibility Consultants	Black & Veatch
	Burns & McDonnell

PASSED and ADOPTED this _____ day of _____, 1992.

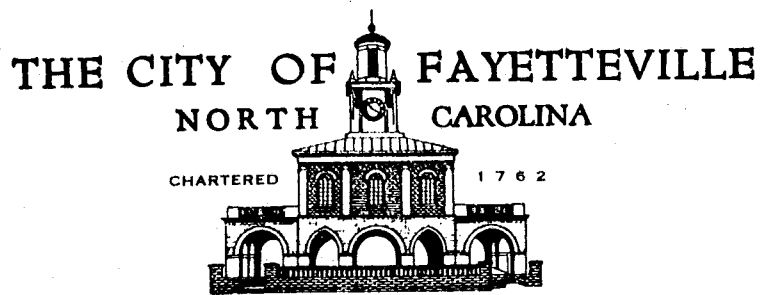
Attested to

Name

Title

Name

Title



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

September 2, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

SUBJECT: Geographic Information Systems (GIS) Project

The Geographic Information Systems, commonly known as GIS, is a computer and digitized mapping system. The origins of GIS for the City began four years ago as part of the overall storm water study. Initially, the role of GIS was envisioned to serve as a tool for storm water modelling, mapping and inventorying. After closer examination, the consensus was made to examine other areas where GIS might be beneficial.

Our storm water consultant, Ogden Environmental and Energy Services, began a user needs analysis in August 1990. The results of that report clearly indicated that GIS would be a valuable asset not only for storm water management but many other areas. One of the reasons that GIS would be useful is the relationship between the service provided by the City and location. Nearly all the service provided by the operating departments is dependent upon location. Some of these examples include garbage which is collected at many different locations along a route, passengers catching a FAST bus at a particular location, the response of the Fire Department or the Police Department to a particular location on an emergency call, a complaint by a citizen on a drainage problem and there are many other examples where geography and location play a key role in providing service. The report reflected the assistance GIS could have for the City.

The Use Needs Analysis Report not only showed the impact of GIS within our organization but the benefits of expanding GIS to the County and PWC. Many departments of the City rely on information which resides with PWC or Cumberland County. PWC has information concerning water and sewer lines that is critical to the City Engineering Department when designing street improvements. The County has the parcel and tax information which is valuable for Inspections and Real Estate. The opposite is true when PWC or the County is in need of information which resides with the City. GIS is the ideal tool to transfer this information back and forth in a matter of minutes rather than days or weeks. At this point, the consensus was to move forward with a comprehensive GIS system which included the City, County and PWC.

A meeting was held in the Spring of 1991 with the County Manager, PWC Manager, yourself, Ogden consultants and various staff members from each organization. A plan was presented which outlined the process of identifying, acquiring and operating a coordinated GIS system. This plan would be implemented by a GIS Steering Committee consisting of three members from each organization.

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 6

John P. Smith
Page 2
September 2, 1992

The GIS Steering Committee, with the assistance of Ogden Environmental, began its work in November 1991. A part of the plan included the selection of a small area designated as a pilot project area. The purpose of the pilot project was to use actual data from that area as a test for the vendors who chose to submit a bid. This "homework" assignment was part of the "Request for Proposals" (RFP) that the Steering Committee put together with the help of Craig Hampton, City Purchasing Agent, Dick Taylor and Duane Therriault, both from Ogden Environmental. This RFP was advertised in the Spring of 1992 for GIS bidders. Five companies submitted proposals, and the GIS Committee began the task of evaluating the proposals. Each member evaluated each proposal using the same questions, criteria and scoring system. The Committee chose ESRI and Genamap as the two finalist.

On June 2, 1992, Genamap demonstrated their system before the GIS Committee in a daylong presentation. On June 3, 1992, ESRI was afforded the same opportunity. Each member once again conducted evaluations on the presentation by the two companies. The decision by the Committee was unanimous that ESRI was the best GIS company for the three organizations. Since the decision by the GIS Committee in mid-June, negotiations have been ongoing with ESRI and now the contract is ready to be presented to City Council.

The purpose of this contract is to allow the City to purchase GIS hardware and software for the Engineering Department primarily to handle storm water management activities and Communications Department in association with E-911. The funding for this purchase is proposed using bond drainage funds of \$190,000 and E-911 funds of \$40,000. In addition, this contract authorizes PWC to purchase GIS equipment associated with their operation in the amount of \$140,000 which PWC has included in their budget. The recommended action for the City Council is authorize the Mayor to execute the contract in an amount not to exceed \$370,000. The contract has been reviewed and approved by the City Attorney.

The work of the GIS Steering Committee, Craig Hampton and the Ogden consulting team of Dick Taylor and Duane Therriault are to be commended. Each member put aside any individual or organizational differences and went about the task of determining the best solution for all three organizations.

Should you have any questions, please let me know.

JT/kbl

Attachments: (1) GIS Steering Committee
(2) GIS Evaluation Scores and Summary
(3) City Council - Action Request Form
(4) Bid Evaluation Sheet

GIS STEERING COMMITTEE

PWC Representatives

1. Tom McNeill - Property Division
2. Sam Stryker - Electrical Department
3. Barney McClure - Data Processing

County Representatives

1. Stephen Dew - Land Records
2. Sam Lucas - Engineering Department
3. Matt Rooney - Planning Board

City Representatives

1. Jimmy Teal - City Manager's Office
2. Sylvester White - Communications Department
3. Jerry Croll - Engineering Department

City of Fayetteville
 Bid #919211
 Bid Open Date: 5-5-92
 Bid Tabulation

Item	Description	Bidder Ultimap Corp.	Bidder CADDUM, INC.	Bidder Genasys W/Wang	Bidder Genasys W/HP	Bidder Intergraph	Bidder Wang	Bidder ESRI	Bidder Wang
1	Workstation	\$103,086.00	\$146,901.00	\$64,650.00	\$86,769.20	\$42,500.00	\$63,297.50	\$123,191.00	\$81,739.60
2	Electrostatic Plotter (mono)	\$95,400.00	\$105,800.00	\$49,312.00	\$30,912.00	\$107,800.00	\$49,312.00	\$83,380.00	\$49,312.00
3	Pen Plotter			\$25,177.50	\$25,177.50	\$23,980.00	\$25,178.00		\$30,268.00
4	Laser Printer	\$29,144.00	\$31,996.00					\$19,196.00	\$25,178.00
5	a) Postscript	\$3,582.00	\$2,599.00	\$2,603.00	\$2,603.00	\$11,500.00	\$2,300.00	\$3,571.00	\$2,300.00
6	b) Non Postscript	\$2,556.00	\$1,295.00	\$2,238.00	\$2,238.00	\$2,750.00	\$1,916.00	\$3,072.00	\$1,916.00
7	Digitizers	\$38,150.00	\$43,460.00	\$39,969.00	\$39,969.60	\$47,500.00	\$39,970.00	\$35,006.55	\$39,970.00
8	GIS PC Hardware	\$0.00	\$7,806.00	\$12,572.00	\$12,572.00	\$10,800.00	\$11,721.30	\$7,942.12	\$11,721.30
9	HV Data Transfer and Backup Systems	\$6,000.00	\$0.00	\$27,075.00	\$13,250.00	\$13,500.00	\$27,075.00	\$9,177.00	\$27,075.00
10	GIS Workstation Software	\$70,480.00	\$80,005.00	\$51,000.00	\$51,000.00	\$163,648.00	\$66,900.00	\$78,315.00	\$66,900.00
11	GIS PC Software	\$8,490.00	\$9,600.00	\$5,800.00	\$5,800.00	\$0.00	\$1,790.00	\$9,982.00	\$1,790.00
12	Network Design/Layout	\$0.00	\$0.00	\$4,000.00	\$4,000.00	\$0.00	TBD	\$1,100.00	TBD
13	Network Equipment	\$0.00	\$2,000.00	\$28,200.00	\$28,200.00	\$14,715.00	\$28,199.08	\$49,250.06	\$28,199.08
14	Network Installation	\$0.00	\$5,000.00	\$21,200.00	\$21,200.00	\$14,998.00	\$21,191.30	\$8,125.00	\$21,191.30
15	Other Cost	\$10,187.00	\$0.00	\$8,340.00	\$8,340.00	\$9,900.00	\$10,842.00	\$3,000.00	\$8,340.00
16	Cost of Performance Bond Sales and Use Tax	see bid \$0.00	\$20,560.00 1.75/1000 \$22,584.42	\$88,340.00 25.00/1000 \$0.00	\$52,678.00 25.00/1000 \$0.00	see bid 10.00/1000 \$38,538.00	see bid \$0.00 \$20,875.61	\$15,100.00 12.00/1000 \$25,324.97	see bid \$0.00 \$22,612.68
17	Total	\$382,000.00	\$422,906.65	\$425,727.10	\$434,021.30	\$445,719.00	\$471,009.79	\$474,732.80	\$489,330.96
18	Delivery Date	60 Days ARO	90 Days ARO	60 Days ARO	60 Days ARO	120 Days ARO	60 Days ARO	See Bid	60 Days ARO
19	Bid Deposit	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
20	Remarks	See Bid	See Bid	See Bid	See Bid	See Bid	See Bid	See Bid	See Bid

Cumberland County, Fayetteville, PNC GIS

Summary of Technical Proposal Evaluation Scores

20 May 1992

Vendor	Raw Scores									Weighted Scores												
	1	2	3	4	5	6	7	8	9	Avg	Min	Max	1	2	3	4	5	6	7	8	9	Avg
CADDUM	50	50	50	94	94	94	80	82	70	73.	50	94	50	50	50	94	94	94	36	82	70	68.
ESRI	85	85	85	100	100	100	90	99	94	93.	85	100	85	85	85	100	100	100	40	99	94	87.
GENAMAP	99	99	99	96	96	96	81	50		89.	50	99	99	99	99	96	96	96	33	50		83.
INTERGRAPH	50	50	50	94	94	94	73	82	61	72.	50	94	50	50	50	94	94	94	31	82	61	67.
ULTIMAP	85	85	85	86	86	86	70	60		80.	60	86	85	85	85	86	86	86	31	60		75.

Detailed Technical Scores

Vendor Ranking

Summary Evaluation Scores

Weighted Scores

Raw Scores

93 ESRI	87 ESRI	ESRI	92
89 GENAMAP	83 GENAMAP	GENAMAP	84
80 ULTIMAP	75 ULTIMAP	ULTIMAP	80
73 CADDUM	68 CADDUM	INTERGRAPH	68
72 INTERGRAPH	67 INTERGRAPH	CADDUM	67

**FAYETTEVILLE GIS DEMO
EVALUATION SUMMARY
June 8, 1992**

FORM 3

Vendor	Fayetteville				County				PWC				COMPOSIT
	AVE				AVE				AVE				
GENASYS	78.9	78.9	78.9	78.9	75.4	86.3	84.9	82.2	69.4	83.1	80.3	77.6	79.6
ESRI	81.1	81.1	81.1	81.1	92.3	93.1	95.1	93.5	70.3	86.9	76.0	77.7	84.1

FORM 4

GENASYS	83.0	83.0	83.0	83.0	79.0	89.5	80.0	82.8	60.0	83.5	83.0	75.5	80.4
ESRI	83.5	83.5	83.5	83.5	94.0	94.5	97.0	95.2	70.5	88.0	76.0	78.2	85.6

TOTAL P.03

CITY COUNCIL - ACTION REQUEST FORM

TO: John P. Smith, City Manager DATE: SEPTEMBER 2, 1992

FROM: William J.B. McGugan, Director of Administrative Services

COUNCIL ACTION REQUESTED: AWARD OF PURCHASE CONTRACT IN AN AMOUNT NOT TO EXCEED \$370,000 AND AUTHORIZE THE MAYOR TO EXECUTE CONTRACT FOR THE CITY AND PWC.

PROJECT NAME: GIS HARDWARE AND SOFTWARE PROJECT NUMBER: BID # 919211
DATE OPENED: MAY 5, 1992 DATE ADVERTISED: APRIL 16, 1992

BIDDERS:

SEE ATTACHED SHEET

TOTAL PRICE:

\$ SEE ATTACHED SHEET

WARD RECOMMENDED TO: ESRI

SIS OF AWARD: LOWEST RESPONSIBLE BIDDER MEETING SPECIFICATIONS REQUIREMENTS.

BUDGET AMOUNT: AVAILABLE ACCOUNT NO: VARIOUS
FUNDING SOURCE: BOND DRAINAGE, E-911, PWC ELECTRICAL AND WATER & SEWER DEPARTMENT: CITY ENGINEERING, COMMUNICATIONS, PWC ELECTRICAL AND WATER & SEWER

WARDS COMMITTEE MEMBERS: STAFF MEMBERS FROM CITY, PWC, AND CUMBERLAND COUNTY.
SEE ATTACHED LIST OF COMMITTEE REPRESENTATIVES

WARDS COMMITTEE ACTION: SEE ACCOMPANYING MEMORANDUM

SUBMITTED BY:

William J.B. McGugan
ADMINISTRATIVE SERVICES DIRECTOR

APPROVED BY:

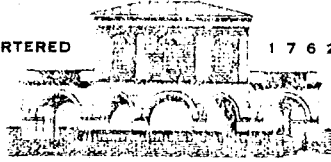
John P. Smith
DEPARTMENT HEAD

Kari Nelson
FINANCE DIRECTOR

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED

1762



PARKS AND RECREATION

433 HAY STREET

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

September 2, 1992

MEMORANDUM

TO: John Smith, City Manager
FROM: Robert Barefoot, Director *RB*
SUBJECT: Botanical Garden Lease

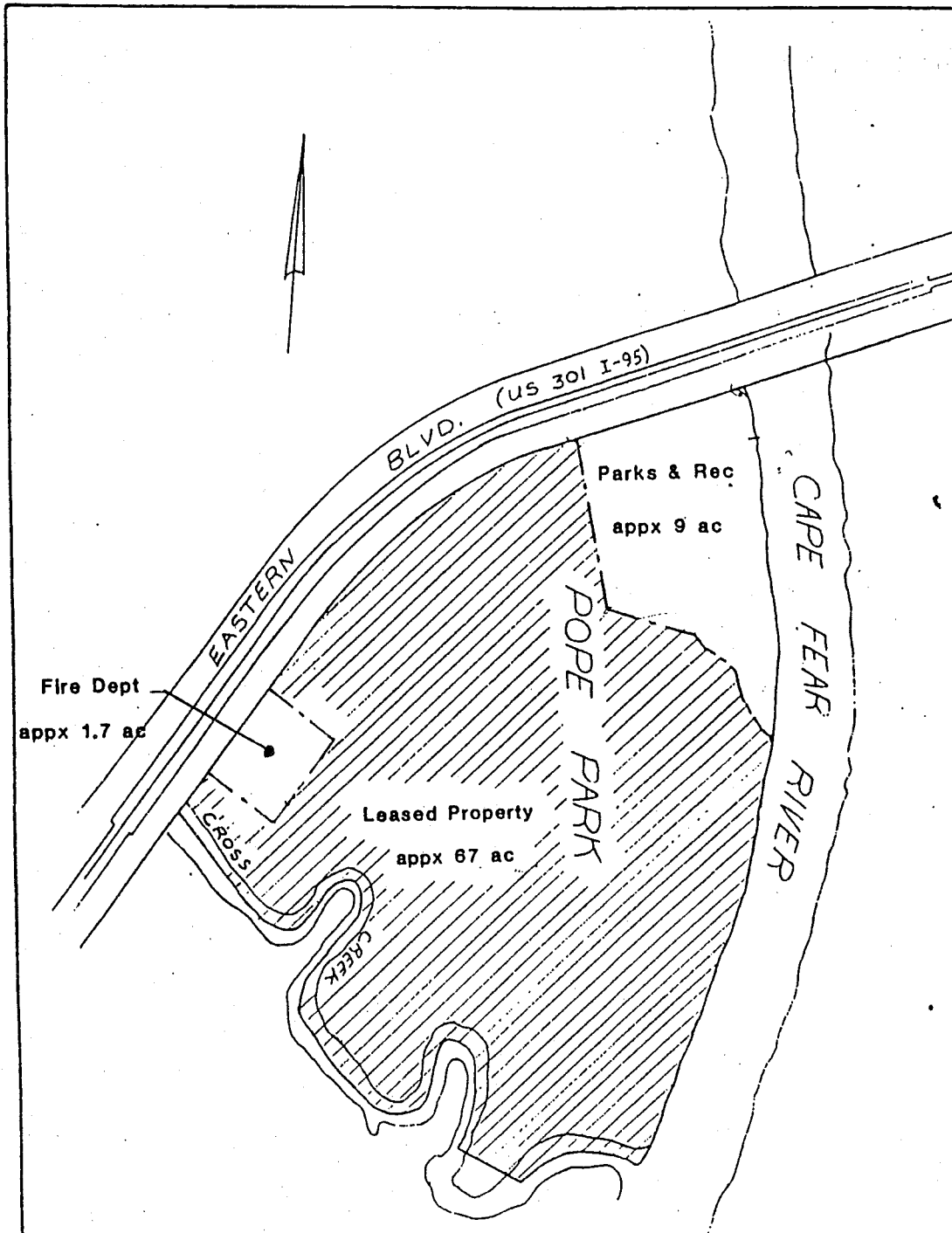
General Joe Naegel and Lonnie Player, representing the Cape Fear Botanical Garden Society requested that the remaining nine acres at Pope Park currently not a part of the Botanical Garden become a part of the garden. By adding this section to the Botanical Garden it would allow them to secure the area in its entirety from Cross Creek to the Cape Fear River and establish additional gardens and trails consistent with their master plan.

This proposal was presented to the Parks and Recreation Advisory Commission at their July meeting for their review and recommendation. The Commission voted unanimously to recommend to City Council that the current lease with the Cape Fear Botanical Garden Society be amended to reflect the additional nine acres as requested.

If you have any questions or need additional information please call. Thank you for your attention to this matter.

RB/sb





**CITY OF FAYETTEVILLE
ENGINEERING DEPARTMENT**

POPE PARK

#324 442/287

SCALE: None DRAWN BY: G.G.

DATE: 3-6-81 CK'D BY:

REVISION DATE: BY:
LEASE 1-31-90 B. HESTER

FIELD NO:

NOTICE

Notice is hereby given that the Friends of the Botanical Garden has made an offer to the City of Fayetteville to amend the lease it currently has with the City to increase the area leased. The property offered for lease is more particularly described as follows:

NORTH CAROLINA
CUMBERLAND COUNTY

BEGINNING at a point in the southern margin of Interstate 95/and US Hwy. 301 right-of-way, said point also intersecting with the west bank of the Cape Fear River; thence from the point of BEGINNING in a southwesterly direction along the right-of-way of Interstate 95/and US Hwy. 301 approximately 2035 feet to a point at the northeast corner of the Fire Tower property; thence along said property line southeast 250 feet to a point; thence southwest 300 feet along the eastern property line of aforesaid property to a point; thence northwest 250 feet to a point at the intersection of same Interstate 95/and US Hwy. 301 right-of-way; thence along said right-of-way southwest approximately 150 feet to the center of Cross Creek; thence down the centerline of Cross Creek, as it meanders, approximately 2110 feet to the mouth thereof, where it empties into the Cape Fear River; thence running with the west bank of said River, as it meanders in a northerly direction to the southern margin of Interstate 95/and US Hwy. 301 being said point of BEGINNING . . . containing 76 acres, more or less.

All terms of the existing lease, with the exception of the demised premises, shall remain the same, including a term of 50 years beginning on April 22, 1990, with an option to renew for an additional period of time as the City may approve. The existing lease is recorded at Book 3570, Page 590, of the Cumberland County Registry, and some of its terms are:

1. Lessee shall use the Leased Property for the purposes of building and operating a Botanical Garden; provided, however,

that the Lessee shall not use or occupy or permit the Leased Property or any part thereof to be used for or occupied for any unlawful business, use, or purpose or for a purpose constituting a public or private nuisance or which is in violation of any present or future governmental laws or regulations. The Lessee shall not deny use of the Leased Property to any person on the basis of race, creed, color or national origin. There shall be no alcoholic beverages permitted on the leased premises. Except for periods of construction, if the property is vacant for more than ninety (90) days, the Lease shall terminate and Lessee shall be in default.

2. The rent shall remain the same which is \$50.00 for the period April 22, 1990, until April 21, 2040.

3. Any additions, fixtures, or improvements placed or made by the Lessee on the Leased Property, which become permanently affixed to the Leased Property or cannot be removed without unreasonable damage to the premises, shall become the property of the City at the end of the Lease. Lessee shall be a non-profit organization as defined by the Internal Revenue Code. Other requirements of the Lease can be seen in the Office of the City Attorney, 433 Hay Street, Room 211, Fayetteville, North Carolina.

Anyone interested in leasing said property may do so by filing within ten (10) days of the publication of this notice an upset bid of not less than 10 percent of the first \$1,000.00 and 5 percent of the remainder. The bidder shall deposit with the City Attorney's office 5 percent of the increased bid. Any upset

bid shall comply, at a minimum, with all requirements of the proposed lease.

The City Council reserves the right at anytime to reject any and all offers. Any offer must be for cash payment.

CITY OF FAYETTEVILLE

BY: Robert C. Cogswell, Jr.
City Attorney

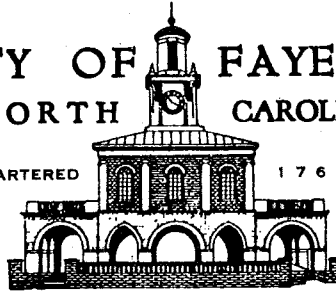
Publish:



THE CITY OF FAYETTEVILLE NORTH CAROLINA

CHARTERED

1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

September 1, 1992

MEMORANDUM

TO: Roger L. Stancil, Deputy City Manager

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

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

SUBJECT: Agenda Item - Annexation Petition - Westlake at Morganton Road - Phase 1
(Property of Harris Farm Joint Venture)

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

BACKGROUND - The Harris property is a large tract of land located West of the City limits, along the northern side of Morganton Road. (See Map #1.) Portions of the Harris property are now being developed. For example, a new headquarters building for the National Career Centers has recently been constructed and will soon be occupied. The first phase of a new 360-unit condominium project to be known as "The Crossings at Morganton" is now being constructed. Also under construction is a new 50-unit apartment complex to be known as "Morganton Crest." These three projects are being developed outside the City. The City has not received a petition requesting that these projects be annexed. (None of the projects were contiguous to the present City limits when utility extension arrangements were worked out with PWC. Therefore, the utility extension-contiguous area policy did not apply. Therefore, annexation petitions were not required for the projects.)

THE PETITION - On August 26, 1992, the City staff received a petition requesting that a portion of the Harris property be annexed. According to W. A. Maxwell, Sr., one of the petitioners, a multi-use office park project is proposed for construction on the land requested for annexation. According to Mr. Maxwell, this project is to be named "Westlake at Morganton Road - Phase 1." The area requested for annexation is along both sides of the recently constructed Westlake Road. (See Map #1 and Map #2.)

According to recent County tax maps, the petition area is made up of a 12.60 acre tax parcel. The petition area is also made up of a smaller 2.17 acre tract which has recently been created but which is not yet on the tax map. This recently created tract makes the petition area contiguous to the City limits.

annex45

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 8



The annexation petition was signed by five persons. Four of the persons are members of a business having an assumed name of "Harris Farm Joint Venture." (These four persons are: W. A. Maxwell, Sr.; W. A. Maxwell, Jr.; Nanhi Rice; and L. S. Mark.) The fifth person signing the petition was Elliott L. Harris; Mr. Harris signed the petition as an individual.

It should be noted that the same five persons submitted a petition to the City staff on March 26, 1991, requesting that a tract of land located in the same general vicinity be annexed. The City Council held a public hearing on this tract on May 6, 1991. However, the tract was never annexed.

REASONS FOR THE PETITION - There are probably at least three reasons the new petition has been submitted. Mr. W. A. Maxwell, Sr., one of the petitioners, has stated that the petitioners/developers would like for the area to be annexed so that the area will be able to receive City services as it is developed. A second reason is that the developers would like for the recently constructed Westlake Road to be accepted by the City Council. Before the City Council can accept the road, the road must be annexed. It should be noted that the City staff has reviewed information about the recently constructed Westlake Road. Based on this review, the City staff would recommend that the City Council accept the road, if the area is annexed. A third reason for the petition is that the developer would probably like to receive a refund from PWC for one-third of the amount of money already paid to PWC for utility extensions to the area. This refund would be pursuant to the policy which was in effect at the time the utility extension contract was executed with PWC. The policy stated that if an area was annexed within two years of the date of execution of a contract with PWC, then PWC would refund one-third of the cost of utility extensions.

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

The following materials are submitted for the September 8, 1992, City Council meeting:

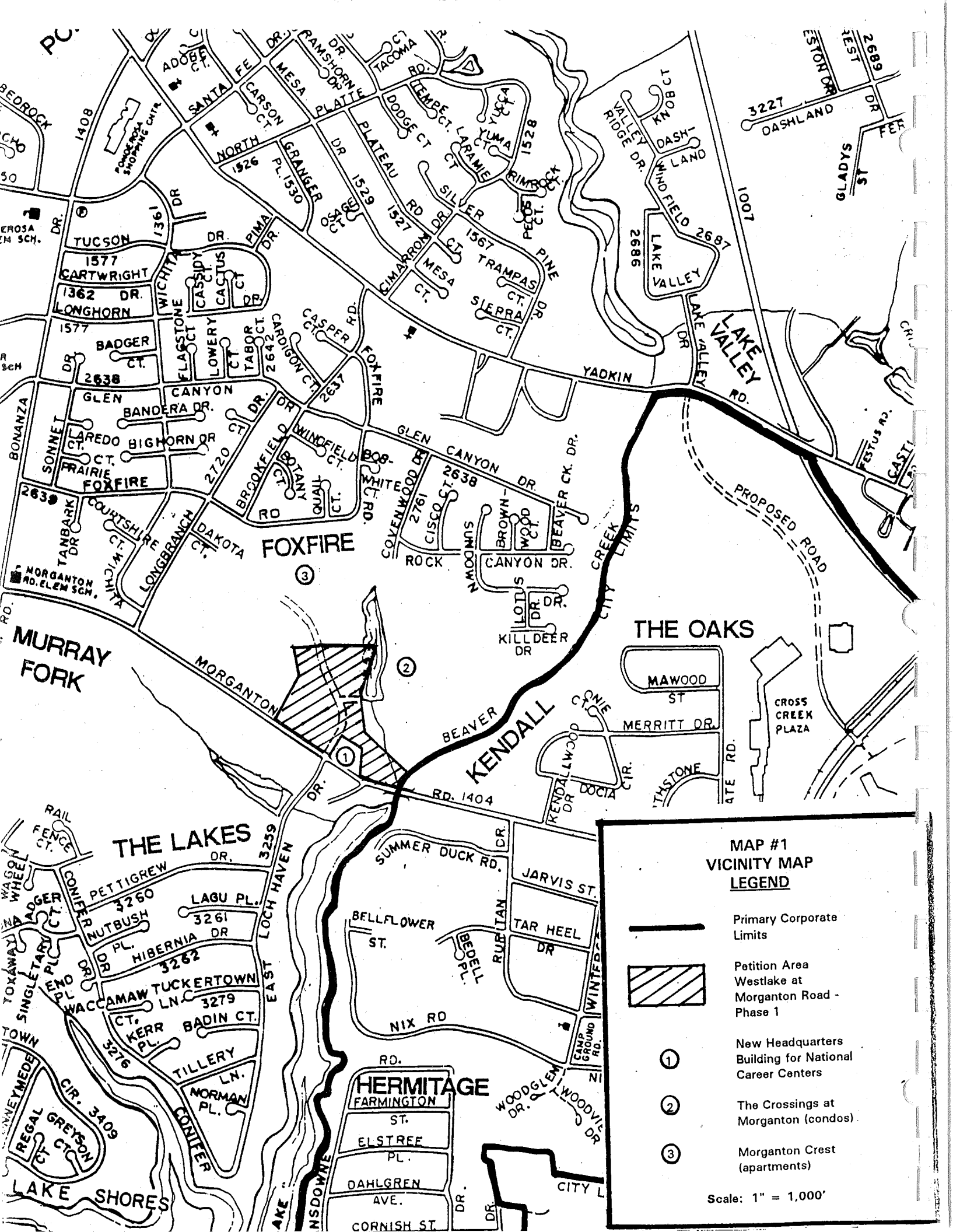
1. Map #1 - Vicinity Map.
2. Copy of annexation petition.
3. Copy of deed for 12.601 acre tract of land
4. Copy of legal description for 2.1741 acre tract of land
5. Map #2 - Legal Description Map (Based on map submitted with the petition, which was too large to reproduce for agenda packet.)
6. Resolution Directing the City Clerk to Investigate a Petition Received Under G.S. 160A-31

RECOMMENDATION - The City staff recommends that the annexation petition process be started for this property. The City staff recommends that the City Council adopt the attached resolution.

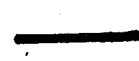
DMN/kbl

Attachments

annex45



**MAP #1
VICINITY MAP
LEGEND**



Primary Corporate Limits



Petition Area
Westlake at
Morganton Road -
Phase 1

①

New Headquarters
Building for National
Career Centers

②

The Crossings at
Morganton (condos)

③

Morganton Crest
(apartments)

Scale: 1" = 1,000'

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Received 8-26-92

PETITION REQUESTING ANNEXATION
(CONTIGUOUS AREA)

Date 8/26/92 HHA

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

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

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

(Insert Metes and Bounds Description of Boundaries)

See attached copy of Deed Recorded Book 3704, Page 0294 = 12.601 AC
+
2.1741 AC SEE ATTACHED DESCRIPTION

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

<u>NAME</u>	<u>ADDRESS</u>
1. W.A. Maxwell, Sr. <i>W.A. Maxwell Sr.</i>	2521 Raeford Road, Fayetteville, NC 28305
2. William A. Maxwell, Jr. <i>William A. Maxwell Jr.</i>	2912 Delaware Drive, Fayetteville, NC 28304
3. Nanhi Rice <i>Nanhi Rice</i>	P.O. Box 41507, Fayetteville, NC 28309
4. L.S. Mark <i>L.S. Mark</i>	235 Addison Street, Fayetteville, NC 28304
5. Elliot L. Harris	5724 Morganton Road, Fayetteville, NC 28314
6. <i>[Signature]</i>	
7.	

members of a business having an assumed name of "Harris Farm Joint Venture."

No Revenue

Prepared by L. Stacy Weaver, Jr., POB 2129, Fayetteville, North Carolina 28302

NORTH CAROLINA 99
CUMBERLAND COUNTY

050077

91 SEP 13 PM 6:34

WARRANTY DEED
REGISTER OF DEEDS

THIS DEED, made this 12th day of September 1991, by ELLIOT L. HARRIS and wife, DORIS H. HARRIS, of Cumberland County, North Carolina, herein called "Grantors"; to HARRIS FARM JOINT VENTURE, a North Carolina joint venture, P. O. Box 41507, Fayetteville, North Carolina, herein called "Grantee";

W I T N E S S E T H: That

Grantors, in consideration of the conveyance by the Grantee to the Grantors this day of certain real property hereby acknowledged as received, have bargained and sold and by these presents do grant, bargain, sell and convey to Grantee, its successors and assigns, certain land described as follows:

TAX PARCEL NO.

NORTH CAROLINA
CUMBERLAND COUNTY
SEVENTY-FIRST TOWNSHIP

Being all of lot #2 of the Harris Farm Joint Venture Development as per plat of the same recorded in the Cumberland County Registry in Book of Plats 77, Page 19.

TO HAVE AND TO HOLD, said lands and all privileges and appurtenances thereto belonging, to Grantee, its successors and assigns, forever.

And Grantors covenant that they are seized of said premises in fee and have the right to convey in fee simple; that the same are free and clear of all encumbrances (except as may be hereinabove stated), and that they do hereby forever warrant and will forever defend the title to the same against the lawful claims of all persons whomsoever.

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, Grantors have signed and sealed this deed.

Elliot L. Harris (SEAL)
ELLIOT L. HARRIS

Doris H. Harris (SEAL)
DORIS H. HARRIS

NORTH CAROLINA - CUMBERLAND COUNTY

I, *Alice P. Micunda*, a Notary Public of said County and State, do hereby certify that ELLIOT L. HARRIS and DORIS H. HARRIS personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this 12th day of September, 1991.

Alice P. Micunda
Notary Public

My Commission Expires:
5-4-23-96

187
800 24

L E G A L D E S C R I P T I O N

HARRIS FARM JOINT VENTURE

BEGINNING at a point, said point being the southeast corner of Lot 1, Harris Farm Joint Venture as recorded in Plat Book 78, Page 93 Cumberland County Registry;

THENCE North 06 degrees 25 minutes 44 seconds East for a distance of 191.17 feet along the eastern boundary line of said Lot 1 to a point;

THENCE North 06 degrees 25 minutes 43 seconds East for a distance of 51.56 feet along said eastern boundary of said Lot 1 to a point, said point also being the southeast corner of Lot 2 of the same aforementioned Harris Farm Joint Venture map;

THENCE North 06 degrees 25 minutes 43 seconds East for a distance of 178.44 feet along the eastern boundary line of said Lot 2 to a point;

THENCE South 40 degrees 49 minutes 59 seconds East for a distance of 474.80 feet to a point in the Fayetteville City Limit line;

THENCE South 43 degrees 16 minutes 31 seconds West for a distance of 136.30 feet along said Fayetteville City Limit line to a point in the northern right of way margin of Morganton Road;

THENCE North 73 degrees 25 minutes 35 seconds West for a distance of 131.30 feet along said right of way margin of Morganton Road;

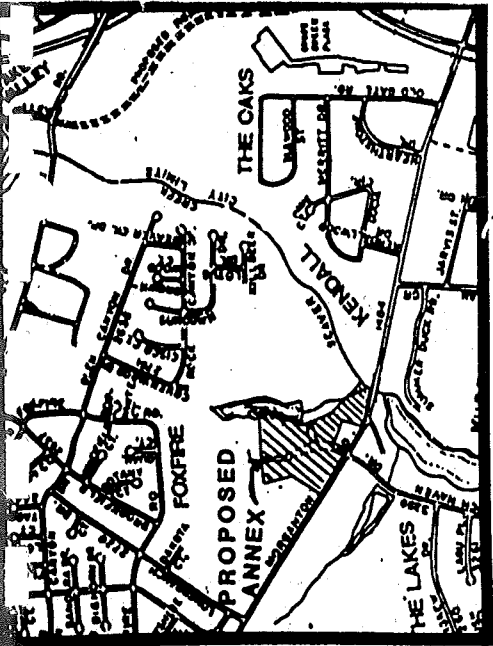
THENCE North 72 degrees 21 minutes 35 seconds West for a distance of 100.00 feet along said right of way margin of Morganton Road;

THENCE North 68 degrees 39 minutes 35 seconds West for a distance of 10.00 feet along said right of way margin of Morganton Road;

THENCE North 06 degrees 25 minutes 44 seconds East for a distance of 5.00 feet along said right of way of Morganton Road to the point and place of BEGINNING,

Together with and subject to covenants, easements, and restrictions of record.

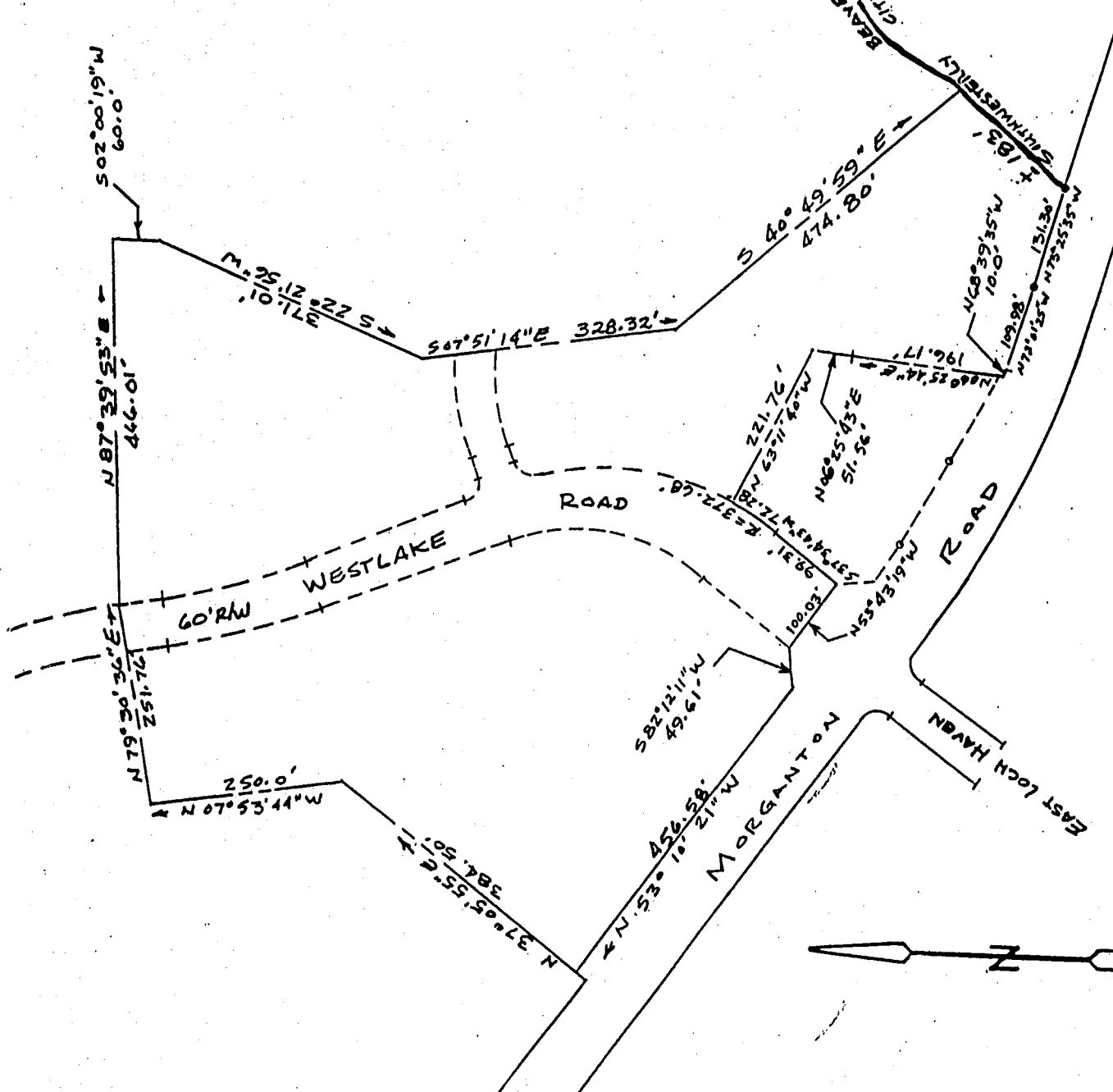
Said property contains 2.1741 acres more or less.



Map # 2

ANNEX NO. 88-5-312
DATED: 6-30-88

CITY OF FAYETTEVILLE	ENGINEERING DEPARTMENT	PROPOSED ANNEXATION	WESTLAKE AT MORGANTON	ROAD, PHASE 1	14.99 ACRES	DATE 8/28/92	DRAWN BY GORDON
SCALE 1"=200'							CK'D BY



FIELD BK:	REVISION	DATE

Map # 2

WESTLAKE AT MORGANTON ROAD - PHASE 1
(PROPERTY OF HARRIS FARM JOINT VENTURE)

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

WHEREAS, a petition requesting annexation of an area described in said petition has been received on September 8, 1992, by the City Council; and

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

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

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

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

ADOPTED this 8th day of September, 1992.

J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk



August 5, 1992

**National
League
of
Cities**

1301 Pennsylvania Avenue N.W.
Washington, D.C.
20004
(202) 626-3000
Fax: (202) 626-3043

Hagen

Officers

President
Glenda E. Hood
Commissioner, Orlando, Florida

First Vice President
Donald M. Fraser
Mayor, Minneapolis, Minnesota

Second Vice President
Sharpe James
Mayor, Newark, New Jersey

Immediate Past President
Sidney J. Bartholemey
Mayor, New Orleans, Louisiana

Executive Director
Donald J. Borut

MEMORANDUM

To: City Clerks of Direct Member Cities

From: Donald J. Borut, Executive Director *Donald J. Borut*

Subject: Designation of Voting and Alternate Voting Delegates,
Annual Congress of Cities, November 28 - December 2, 1992
New Orleans, Louisiana

The National League of Cities' Annual Business Meeting will be held Tuesday, December 1, 1992 at the Congress of Cities in New Orleans, Louisiana. Under the Bylaws of the National League of Cities, each direct member city is entitled to cast from one to 20 votes, depending upon the city's population, through its designated voting delegate at the Annual Business Meeting. The table on the reverse side of this memorandum shows the breakdown of votes by population categories.

To be eligible to cast the city's vote(s), each voting delegate and alternate voting delegate must be designated by the city using the attached form which will be forwarded to NLC's Credentials Committee. NLC's Bylaws expressly prohibit voting by proxy. Thus, the designated voting delegates must be present at the Annual Business Meeting to cast the city's vote or votes.

To enable us to get your credentials in order and to provide your voting delegates with proposed National Municipal Policy amendments and proposed Resolutions prior to the Congress of Cities, we ask that you return the WHITE copy of the completed form to NLC on or before October 2, 1992. A pre-addressed envelope is attached. Upon receipt of these names, NLC will send each voting and alternate voting delegate a set of instructions on registration and rules governing the conduct of the Annual Business Meeting.

To assist your state municipal league in selecting delegates to cast votes on behalf of the state municipal league, please forward the YELLOW copy of the credential form to your state league office and keep the PINK copy for your records.

If you have any questions, please contact Lesley-Ann Rennie at (202) 626-3020.

Past Presidents: Tom Bradley, Mayor, Los Angeles, California • Ferd L. Harrison, Mayor, Scotland Neck, North Carolina • Cathy Reynolds, Councilwoman-at-Large, Denver, Colorado • **Directors:** Joseph L. Adams, Councilmember, University City, Missouri • Victor Ashe, Mayor, Knoxville, Tennessee • Barbara M. Asher, Councilmember, Atlanta, Georgia • Margaret Carroll Barrett, Council Member, Jackson, Mississippi • Kenneth Bullock, Executive Director, Utah League of Cities and Towns • James V. Burgess, Jr., Executive Director, Georgia Municipal Association • William D. Burney, Jr., Mayor, Augusta, Maine • Jon C. Burrell, Executive Director, Maryland Municipal League • Patricia Castillo, Mayor, Sunnyvale, California • Peso Chavez, Councilor, Santa Fe, New Mexico • Larry D. Cole, Mayor, Beaverton, Oregon • John G. Curran, City Council President, Rochester, New York • Beth Boosalis Davis, Alderman, Evanston, Illinois • Thomas G. Fitzsimmons, Executive Director, Illinois Municipal League • Martin Gipson, Alderman, North Little Rock, Arkansas • Gardeast Gillespie, Council President, Gary, Indiana • Vicki H. Goldbaum, Councilwoman, Southfield, Michigan • Charles K. Hazama, Mayor, Rochester, Minnesota • William Jarocki, Executive Director, Association of Idaho Cities • Lawrence J. Kelly, Mayor, Daytona Beach, Florida • T. Merklund, Mayor, Urbana, Illinois • Gary McCaleb, Mayor, Abilene, Texas • Meyers Oberndorf, Mayor, Virginia Beach, Virginia • Judith P. Olson, Councilmember, Madison, Wisconsin • Bob Knight, Mayor, Wichita, Kansas • Christopher G. Lockwood, Executive Director, Maine Municipal Association • Gary Markenson, Executive Director, Missouri Municipal League • Jeffrey Charles J. Pasqua, Executive Director, Louisiana Municipal Association • Elaine A. Pfalzgraf, Councilmember, Cedar Falls, Iowa • Sandra Pickett, Mayor Pro Tempore, Liberty, Texas • Mark Schwartz, Council Member, Oklahoma City, Oklahoma • William F. Stallworth, Councilman, Biloxi, Mississippi • Daniel K. Tabor, Councilmember, Inglewood, California • Paul E. Thornton, Councilmember, Vienna, West Virginia • Doris Ward, Supervisor, San Francisco, California • Wellington Webb, Mayor, Denver, Colorado • Mary Rose Wilcox, Councilwoman, Phoenix, Arizona • Rillaatne R. Wilkins, Councilwoman, Muskegon Heights, Michigan • Alice K. Wolf, Mayor, Cambridge, Massachusetts • Robert G. Young, Jr., Mayor, Henderson, North Carolina

NATIONAL LEAGUE OF CITIES

ANNUAL CONGRESS OF CITIES

Number of Votes - Direct Member Cities

Article IV, Section 2 of NLC's Bylaws specifies as follows the number of votes which each member city of the National League of Cities is entitled to cast at the Annual Congress of Cities:

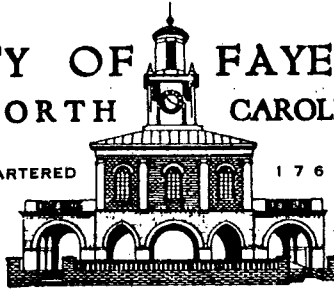
CITY POPULATION (*per 1990 census)	NUMBER OF VOTES
Under 50,000	1 vote
50,000 - 99,999	2 votes
100,000 - 199,999	4 votes
200,000 - 299,999	6 votes
300,000 - 399,999	8 votes
400,000 - 499,999	10 votes
500,000 - 599,000	12 votes
600,000 - 699,000	14 votes
700,000 - 799,000	16 votes
800,000 - 899,000	18 votes
900,000 and above	20 votes

Note: Member cities are required by the Bylaws to cast unanimous votes.

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED

1762



CITY MANAGER


FAYETTEVILLE, NC 28301-5537

433 HAY STREET

SEPTEMBER 2, 1992

MEMORANDUM

TO: The Mayor and Members of City Council

FROM: John P. Smith, City Manager 

SUBJECT: Noise Ordinance

Councilmember Ross has requested that Council review the current noise ordinance due to the attached complaint. The current ordinance applies different standards for noise in residential areas for day time and night, specifically between the hours of 10:00 pm and 7:00 am. (See Section 21-30.4(a) of the City Code).

I have asked for a report from the Police Department regarding this specific complaint and will report to you on Tuesday night.

JPS:ssm

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 10

8.16-92

Mrs. Ross,

I beg you to please see if you can
get a noise ordinance passed for the day time hours.
My mother has had a slight heart attack and
cannot stand loud noise, she is 72.

We have called the city police several
times in the last 3 days, they are unable to
do anything because there is no noise ordinance
to cover daytime noise.

I work at night and try to sleep in the
daytime. I cannot because of loud music coming
from 870 South Main Avenue. We have tried to
talk to our neighbor but he will not listen.

Please Help us.

May God Bless you

Lee Hemmon

Home No. 485-6598

THE CITY OF FAYETTEVILLE
NORTH CAROLINA



CITY CLERK
433 HAY STREET

FAYETTEVILLE, NC 28301-5537

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

September 1, 1992

MEMORANDUM

TO: John P. Smith, City Manager
FROM: Bobbie A. Joyner, City Clerk *BJ*
SUBJECT: **AGENDA ITEM FOR SEPTEMBER 8, 1992 CITY COUNCIL MEETING -
NOMINATIONS TO BOARDS AND COMMISSIONS**

A. JOINT SENIOR CITIZENS ADVISORY COMMISSION - 3 Vacancies

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

Nominations are needed to fill the following vacancies:

Eloise Haith (B/F) - eligible for a second term (by resignation letter to the Chairman)
Margaret (Maggie) Shive (W/F) - unable to serve a second term
Joseph Covington (B/M) - not eligible - has served two terms

The attendance roster is attached.

B. APPEARANCE COMMISSION - 1 Vacancy

Meets fourth Tuesday, 5:45 p.m., City Hall, first floor Multipurpose Room.

Nominations are needed to fill the unexpired term of Charlie Singer, At Large Category, to December 31, 1993. A copy of Mr. Singer's resignation letter is attached.

Blank Nomination Forms are attached for your use.

Attachments

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

ITEM 11

JOINT FAYETTEVILLE CUMBERLAND COUNTY
SENIOR CITIZENS ADVISORY COMMISSION
1991-1992

0 - EXCUSED
X - UNEXCUSED

		10/19/91	11/12/91	12/10/91	1/14/92	2/11/92	3/10/92	4/14/92	5/12/92	6/9/92	7/14/92	8/11/92
Eloise Haith	CITY	✓	X	✓	✓	✓	✓	X	✓	0	✓	✓
MARGARET SHIVE	CITY	0	✓	0	✓	X	✓	✓	✓	0	X	0
Joseph Covington Jr.	CITY	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
James Flanders	CITY	✓	X	✓	✓	✓	✓	✓	✓	✓	✓	✓
Millie Knowles	CITY	✓	✓	✓	✓	✓	X	✓	✓	✓	✓	✓
James Jude		X	✓	✓	✓	0	✓	✓	✓	✓	✓	✓
Rev. Floyd Johnson		✓	X	✓	✓	X	✓	✓	✓	0	✓	0
George Brown		0	✓	0	✓	✓	✓	✓	✓	✓	✓	✓
Dr. H. R. Doub		✓	0	✓	✓	✓	0	✓	0	X	✓	X
Catherine McNeill		✓	✓	✓	✓	✓	✓	✓	0	✓	✓	0

JUN 20, 1992

APPEARANCE COMMISSION
ATTN: MR. BILL HESTER
433 HAY ST.
FAYETTEVILLE, L.C. 28301



DEAR BILL:

IT IS RARE DURING ONE'S CAREER TO BE A PART OF AN "ALL CONFERENCE, WILLING TEAM." I AM GRATEFUL TO HAVE BEEN ASSOCIATED WITH YOURS A SHORT TIME.

THE LOCAL COMMUNITY CANNOT BEGIN TO APPRECIATE YOUR ENTHUSIASM AND DEDICATION TOWARD A MORE ATTRACTIVE PLACE TO LIVE AND TO RAISE CHILDREN. INDIVIDUALLY, AND AS A TEAM YOU ARE MOST IMPRESSIVE.

I LOOKED TO THE COMMISSION AS A PLACE TO LEARN FROM OUR PROFESSIONAL VIEWS AND IN SMALL WAY, TO CONTRIBUTE. UNFORTUNATELY, ADVANCING MY CAREER IN THE NEAR FUTURE MEANS TAKING A NEW ASSIGNMENT IN COLUMBIA, S.C. AT Ft. JACKSON.

IT IS THEREFORE WITH DEEP REGRET THAT I MUST SUBMIT MY RESIGNATION EFFECTIVE SEPT. 1, 1992.

MY kindest regards and best wishes for your continued success. THANK YOU FOR THE OPPORTUNITY AND FOR ALLOWING ME TO JOIN YOUR IMPRESSIVE GROUP.

Sincerely

CHARLIE SILGER

3911 EBRIDGE DR

FAYETTEVILLE, L.C. 28311

B



NOMINATION FORM
BOARDS, COMMITTEES AND COMMISSIONS
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE _____

BY COUNCILMEMBER _____ DATE: _____

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

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

TELEPHONE: HOME _____ BUSINESS _____

BUSINESS _____ JOB TITLE: _____

RACE _____ SEX _____

ACTIVITIES: _____

OTHER INFORMATION: _____

Received by City Clerk _____ (date) _____

Elected: YES _____ NO _____ Letter: _____



NOMINATION FORM
BOARDS, COMMITTEES AND COMMISSIONS
CITY OF FAYETTEVILLE

(PLEASE PRINT OR TYPE)

NOMINATION FOR VACANCY ON THE _____

BY COUNCILMEMBER _____ DATE: _____

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

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

TELEPHONE: HOME _____ BUSINESS _____

BUSINESS _____ JOB TITLE: _____

RACE _____ SEX _____

ACTIVITIES: _____

OTHER INFORMATION: _____

Received by City Clerk _____ (date) _____

Elected: YES _____ NO _____ Letter: _____

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**MEETING TIMES AND PLACES
FOR THE FAYETTEVILLE BOARDS AND COMMISSIONS**

3/2/92

	<u>Date</u>	<u>Time</u>	<u>Place</u>
AIRPORT COMMISSION	Last Tuesday	2:00 p.m.	Airport Manager's Office
AIRPORT TAXICAB COMMITTEE	When Needed	Varies	Airport Manager's Conference Room
APPEARANCE COMMISSION	4th Tuesday ^{Wednesday}	5:45 p.m.	City Hall, 1st floor Multipurpose Room, 433 Hay Street
ART SELECTION COMMITTEE	Unscheduled	Varies	Arts Council, 301 Hay St.
BOARD OF ADJUSTMENT	3rd Wednesday	4:00 p.m.	Old Courthouse Public Hearing Room #3
BOARD OF APPEALS ON BUILDINGS AND DWELLINGS	When needed	7:00 p.m.	City Hall, 1st floor
CITY/COUNTY LIAISON	4th Thursday	12:00 noon	Varies
CITY COUNCIL INFORMATION MEETING	4th Monday	7:00 p.m.	City Hall Council Chamber
FAIR HOUSING HEARING BOARD	When needed		
FAYETTEVILLE CITY COUNCIL	1st & 3rd Monday	7:00 p.m.	City Hall Council Chamber
FIREMAN'S RELIEF FUND BOARD	January & July	Varies	Fire Department
HISTORIC AND SCENIC SITE COMMITTEE	Unscheduled		
HISTORIC RESOURCES COMMISSION	4th Tuesday	4:00 p.m.	City Hall, 1st floor Multipurpose Room
METROPOLITAN HOUSING AUTHORITY BOARD	2nd Thursday	9:00 a.m.	108 Wiley Street
HUMAN RELATIONS COMMISSION	2nd Thursday	7:00 p.m.	City Hall Council Chambers
HRC ADA COMMITTEE	Varies	Varies	HRD Conference Room City Hall, 1st floor
HRC ANNUAL RECOGNITION BANQUET COMMITTEE	Varies	Varies	HRD Conference Room
HRC EXECUTIVE COMMITTEE	Last Tuesday	4:30 p.m.	City Hall, 3rd floor
PARKS AND RECREATIONS ADVISORY COMMISSION	4th Monday	5:30 p.m.	City Hall, 1st floor Multipurpose Room
PERSONNEL REVIEW BOARD	When Needed		
JOINT PLANNING BOARD	1st & 3rd Tuesday	7:30 p.m.	Public Hearing Room #3 Old Courthouse 130 Gillespie Street
PUBLIC WORKS COMMISSION	2nd & 4th Thursday	9:00 a.m.	PWC Board Room 508 Person Street
PUBLIC WORKS COMMISSION RETIREMENT BOARD	Annually	Varies	PWC Board Room
REDEVELOPMENT COMMISSION	2nd Wednesday	3:00 p.m.	City Hall, 3rd floor Multipurpose Room
JOINT SENIOR CITIZENS ADVISORY COMMISSION	2nd Tuesday	2:00 p.m.	Senior Citizens Service Center 739 Blue Street
TAXICAB REVIEW BOARD	4th Wednesday	10:00 a.m.	City Hall Council Chamber
WRECKER REVIEW BOARD	When Needed	Varies	Varies



THE CITY OF FAYETTEVILLE NORTH CAROLINA

CHARTERED 1762



FINANCE DEPARTMENT
2ND FLOOR, CITY HALL

433 HAY STREET
P.O. DRAWER D

FAYETTEVILLE, NC 28302-1746

August 12, 1992

MEMORANDUM

TO: John P. Smith, City Manager
FROM: Kai Nelson, Finance Director /CN
SUBJECT: Tax Refunds of Less Than \$100

The following tax refunds of less than \$100 were approved for the month of July:

<u>Taxpayer's Name</u>	<u>Nature of Clerical Error</u>	<u>Property Description</u>	<u>Amount</u>
Bannerman, Helen D. & Alfred D.	1977 Datsun charged on Bill #2956674	1990 disc, 1977 Datsun	\$5.79
BMW Leasing Corporation	Vehicle registered and titled in Montana 1987 BMW 325I-WBAAA 1300H2321856	Business personal property leased vehicle	\$96.88
Hairr, Herman D.	Taxpayer listed a 1984 Buick not owned.	Res 115 Deep Creek Rd. Old Cedar Creek Rd. and Personalty	\$36.97
Colvin, James A. & Martha	Taxpayer listed a 1970 Chevy not owned.	1916 Stanberry St. Lot 29, Holly Spgs Part 6 and Personalty	\$15.38
Pittman, Carlton Eugene	1987 Olds correctly listed on Bill #1575745		\$34.08
Libby, Alonzo Herbert	Correctly listed on Bill #2343729.	1990 Discovery, 1989 boat, motor, and trailer	\$44.17



John P. Smith
Page 2
August 12, 1992

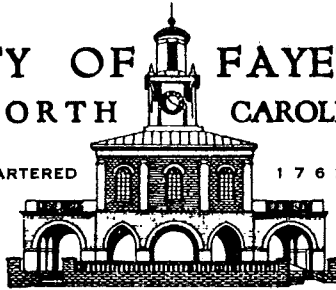
<u>Taxpayer's Name</u>	<u>Nature of Clerical Error</u>	<u>Property Description</u>	<u>Amount</u>
Lancaster, Carolyn A.	Listed a 1985 Cadillac in error that was traded in 1990 for a 1989 Cadillac.	303 Sylvan Rd., Century Pines, Lot 3	\$44.29
Horne, M. J.	Taxpayer listed in- correct length of mobile home.	Real and personal	\$10.70
Younger, Francis J.	House remeasured - smaller.	1906 Wyatt St., Lot 2, Blk L, Sec. 10 Bordeaux	\$4.45
Stewart, Harvey L. Jr., & wife	Taxpayer listed leased Toyota that was also billed through World Omni Leasing Co. (#2802324)	0.19 AC Ecclesford Ld & personal property	\$59.70
Quigg & Taylor Associates, Inc.	Leasehold improvements not taxable as per- sonal property per depreciation schedule.	Business personal property office 3416 Melrose Rd, Lot 1, Blk F, Sec Bordeaux	\$46.50

KN/be

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED

1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

September 1, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

SUBJECT: Proposed Street Standards Policy

The proposed Street Standards Policy has been reviewed by both staff and members of the development and engineering community. This group has worked very hard in putting this policy together and is prepared to present it to the City Council Policy Committee. Once a date has been established for the meeting, I will notify the interested parties which helped develop this policy.

If you have any questions, please let me know.

JT/kbl

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

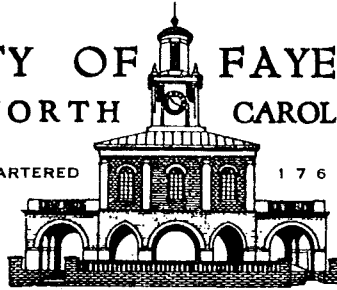
ITEM 12.8.



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED

1762



ENGINEERING DEPARTMENT
433 HAY STREET

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

September 3, 1992

M E M O R A N D U M

TO: Mr. John P. Smith, City Manager

THROUGH: Jimmy Teal, Assistant City Manager
Planning/Development

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

SUBJECT: Status Report on McPherson Church Road/Morganton Road
Intersection Improvement - City Engineering Department
Project Number B10-408-91

The City Council awarded the above referenced contract to Barnhill Contracting Company at their 5/18/92 meeting. Barnhill's contract is for the construction of additional turning lanes at all four quadrants of this intersection.

These additional turning lanes will:

- a) Improve traffic flow.
- b) Reduce the long lines to turn left or right which is currently a major problem at this intersection.

The City, North Carolina Department of Transportation and the Public Works Commission are all participating in the cost of this project.

Before our contractor could begin his work, most of PWC's existing overhead electrical lines had to be relocated behind the new curb. This work has now been completed and Barnhill began their construction work on Monday, August 31, 1992. Currently, the contractor is proceeding with removing existing sidewalk, removing guard rail and having the phone company relocate an existing underground cable that is in conflict with the new storm drain construction. Once the phone cable is relocated, all work should proceed normally.

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Dogwoods

ITEM 12.C.

M E M O R A N D U M

Mr. John P. Smith
Page Two
September 3, 1992

Our staff has strongly emphasized to Barnhill the critical need to complete this project on or before the contract completion date of November 20, 1992. Several weeks ago, a meeting was conducted by the City Manager's office to discuss with the merchants the phasing of the construction, traffic congestion, critical dates during the construction period and, most importantly, to demonstrate that we intend to accomplish this project in a timely manner in coordination with the concerns of the area merchants.

We realize that the general public and area merchants will have concerns and potential complaints to the City during construction of this project. As with all projects, especially one at such a critical location, the Engineering Department will make every reasonable effort to resolve any undesirable conditions or business owner complaints which may arise from this project.

MLW/mak



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

JAMES G. MARTIN
GOVERNOR

THOMAS J. HARRELSON
SECRETARY

August 27, 1992

Mr. John P. Smith
City Manager
City of Fayetteville
433 Hays Street
Fayetteville, North Carolina 28301

Dear Mr. Smith:

Thank you for your letter dated July 22, 1992. I hope I can help to clarify some of the issues concerning highway namings for your Council.

The Council requested clarification in two areas:

- * the conditions with which roads are renamed; and
- * situations which need to be resolved before the Board of Transportation will consider the Council's request favorably.

In response to your first question, the Board of Transportation has chosen not to rename roads/highways or change any actions of previous NCDOT Boards.

To clarify your second area of concern, the process which is used in most situations to get a road named is as follows. Usually there is a community-based petition which is forwarded to a local board or council. This is followed by a public notice and/or public hearing. The local board or council then acts upon the petition and the recommendation is then forwarded to the Board of Transportation for final action.

You also need to be aware that last year, in lieu of naming roads, the Board began dedicating portions of roads to individuals. This means at each end of the section of dedicated roadway a sign is put up informing the public to whom the road is dedicated. (Attached are sample resolutions for road dedications.)


Mr. John P. Smith

Page 2

August 27, 1992

We sincerely appreciate your continuing interest and support of our transportation system. If there are any further questions or assistance needed, please let me or your board member, Mr. Albert McCauley, know.

Yours truly,



Thomas J. Harrelson

TJH:jh

cc: Albert McCauley

Attachment

RESOLUTION

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

RESOLUTION FOR GILES A. HARMON

WHEREAS, Giles A. Harmon was born and reared in Brevard, North Carolina; and

WHEREAS, he was a native of Transylvania County, a graduate of Brevard High School and East Tennessee State University, a former member of the Brevard Police Department; and

WHEREAS, Mr. Harmon was member of the North Carolina Highway Patrol who performed his duties admirably for five years, assigned to Troop G in Buncombe County; and

WHEREAS, the North Carolina Highway Patrol provides law enforcement on our state's highways; and

WHEREAS, on April 9, 1985, Giles A. Harmon was killed at the Haywood County - Tennessee state line in the performance of his duties for the Highway Patrol; and

WHEREAS, the North Carolina Highway Patrol and the citizens of Transylvania County feel that it is important to keep alive the memory of this community-minded individual,

NOW THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

That the 4.8 mile section of N.C. 280 in Transylvania County - from the intersection with U.S. 64 to the Henderson County line - be dedicated in honor of Giles A. Harmon.

That the N.C. Department of Transportation erect appropriate signs for such dedication.

Adopted this fourteenth day of August 1992.

Secretary of Transportation

RESOLUTION

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

RESOLUTION FOR CLYDE J. DEITZ

WHEREAS, Clyde Deitz has been a long-time and respected resident in Gaston County; and

WHEREAS, Mr. Deitz has served the City of Belmont for many years in numerous capacities, including his participation in the Kiwanis Club, the Belmont Chamber of Commerce, American Legion, First United Methodist Church and twenty years as a member of the City Council; and

WHEREAS, his performance of his duties and responsibilities as a member of the city council has been characterized by excellent and constructive contributions to municipal government in Belmont; and

WHEREAS, Mr. Deitz has earned the admiration and high regard of those with whom he has come in contact, and the affection of his fellow public servants,

NOW THEREFORE, BE IT HEREBY RESOLVED AS
FOLLOWS:

That the bridge over Southern Railway on Central Avenue is hereby dedicated in honor of Clyde J. Deitz.

That the N.C. Department of Transportation erect appropriate signs for such dedication.

Adopted this fourteenth day of August 1992.

Secretary of Transportation

*On behalf of the Cumberland County 4-H Foundation,
The Cumberland County Livestock Association,
The Cumberland County Office of the
North Carolina Cooperative Extension Service,
Cumberland County Extension Homemakers
and Cumberland County Civic Center,
we request the honor of your presence at opening ceremonies
for the 1992 Cumberland County Fair to be held
on Wednesday, September 9th at 5:30 PM in the
Charlie Rose Agri-Expo Building.*

*This invitation will also be your admission ticket into the
Cumberland County Fair for September 9th.*

*Please RSVP no later than 5:00 pm on September 7th
to Patricia Fields at (919) 323-5088.*

INFORMATION





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

PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE

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

ELECTRIC & WATER UTILITIES

August 19, 1992

*Fellow Council Members -
you will be interested
in this -
Suzan*

MEMO TO: Commissioners Williams, Tippet, Owen and McCoy

FROM: Tim Wood, General Manager *Wood*

SUBJECT: Levelized Billing

City Council Liaison Member Dr. Suzan Cheek recently expressed continuing interest in amending the PWC electric rate structure so as to provide levelized bills with periodic "true-up."

Some utilities, including Carolina Power & Light Company, offer this feature which is utilized by a small percentage of customers.

PWC has reviewed the pros and cons of levelized billing on at least two occasions and arrived at the following conclusions:

1. The country's national energy policy continues to be one of conservation, rather than consumption! "Pay as you go" has a tendency to make people aware of consumption - especially in peak months. Levelized billing does nothing to discourage peak consumption.
2. Financial losses from electric accounts typically occur when customers discontinue service, with or without notice, and do not pay a final bill. Customers who elect to ignore a final bill will also ignore the true-up bill which would be included in the final bill.
3. The magnitude of keeping track of true-up bills on discontinued accounts would be very significant. Last year (July, 1991 - June, 1992) PWC discontinued service at 36,208 metered locations. This extremely high customer turnover rate reflects the transient nature of our customer base.
4. Unlike many electric utilities, PWC works closely with customers concerning past due bills. Last year we granted 22,580 payment extensions and/or payment arrangements. This does not include extensions automatically granted to customers with no previous history of payment delinquency.



Memo To: Commissioners
August 19, 1992
Page 2

5. At the present time PWC contracts with Network Computer Corporation (NCC) for computerized customer billing services. NCC can only levelize billing for one service, thus creating major accounting problems in determining the payment status on delinquent accounts which have electric, water and sanitary sewer billing.

PWC plans to bring utility billing in-house in 1993 or 1994. At that time, it would be possible to levelize billing for all three utilities. My recommendation is to re-visit the issue at such time as utility billing is processed in PWC's Data Processing Division. Please advise if you wish to take further action.

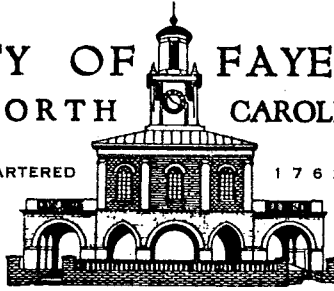
TW:jgs

cc: Dr. Suzan Cheek ✓
S. Ray Britt
Steve Vassey

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED

1762



ENGINEERING DEPARTMENT
433 HAY STREET

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

September 2, 1992

M E M O R A N D U M

TO: Mr. John P. Smith, City Manager

THROUGH: Jimmy Teal, Assistant City Manager
Planning/Development

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

SUBJECT: Status Report on Winslow Street Bridge Project - City
Engineering Department Project 03-336-86

Work on this project began the second week in March and our contractor, C. C. Mangum, Inc. of Raleigh is continuing to proceed with construction.

As of September 1, 1992, the Winslow Street Bridge project has been in progress for 180 days. Utility relocations, prestressed concrete piles and both abutment walls are complete. Work is now concentrated on the installation of the cored slabs, approach slabs and storm drainage. The percentage of completed work on the overall project is 61%.

We intend to continue with our efforts to keep both the City Council and management closely informed on the status of this project.

The contract completion date for this project is September 4, 1992. Because of some difficulties encountered by the contractor, this project will not be completed as scheduled. As the attached letter from Mr. Steve Allison indicates, Mangum has encountered delays in the fabrication of the prestressed concrete cored slabs. The contractor is now estimating that the bridge site will be open to traffic no later than September 25, 1992.

We wish to emphasize that we have included a clause in the contract which penalizes the contractor for not completing the project by the contract completion date.

MLW/mak

Enclosure: Copy of letter from S. M. Allison, C. C. Mangum, Inc.
dated 8/25/92

An Equal Opportunity
City of



Affirmative Action Employer
Dogwoods

INFORMATION



3141 John Humphries Wynd • P.O. Box 31768

Raleigh, N.C. 27622 • 919 783 5700

C.C. Mangum, Inc.

August 25, 1992

AUG 1992
RECEIVED
City
Engineer

Mr. Michael L. Walker, P.E.
City Engineer
City of Fayetteville
433 Hay Street
Fayetteville, North Carolina 28301-5537

RE: Winslow Street Bridge Project Schedule
Fayetteville Engineering Project 3-336-86
C. C. Mangum, Inc. Job 4263

Dear Mr. Walker:

As discussed with you by telephone, we have encountered some unforeseen delays to the production of the concrete cored slabs for the Winslow Street Bridge. These delays will effect the completion of the project and we estimate our projected completion date will be changed from September 14, 1992 to September 25, 1992. We are confident we can have Winslow Street open to traffic on that date if we do not encounter any other delays.

We are sorry for the delay, but it was beyond our control and we were not made aware of the problem until it was too late to avoid the delay. If you should have any questions or need any other information, please give me a call.

Yours very truly,

C. C. MANGUM, INC.

Sm Allison

S. M. Allison
Sr. Vice President

cb

xc: File 4263



"Quality... From The Ground Up"

MINUTES
STREETS, ROADS AND TRANSPORTATION COMMITTEE
AUGUST 13, 1992

Members Present: Mark Kendrick, Chairman
Thelbert Torrey, Councilmember
Breedon Blackwell, Councilmember

Others Present: Suzan Cheek, Councilmember
Robert Massey, Councilmember
John P. Smith, City Manager
Robert C. Cogswell, Jr., City Attorney
Jimmy Teal, Assistant City Manager, Planning & Development

Chairman Kendrick called the meeting to order at 7:00 p.m. in the first floor Multipurpose Room in City Hall.

The first item of business was a discussion of truck routes and weights. Mr. Smith reviewed the purpose of establishing local truck routes, which is to have truck traffic on streets constructed to handle the traffic and discourage truck traffic from cutting through neighborhoods. Mr. Smith suggested the Committee delay revising the local truck routes until the Collector Street Plan is adopted, since the truck route primarily utilizes collector streets. The Committee agreed and requested that while reviewing the truck route that Pinecrest Drive and McBain Street be reviewed.

The next item was a discussion of the Collector Street Plan. Mr. Smith reviewed the purpose of collector streets which handle approximately 3,000 vehicle trips per day. One of the reasons for establishing collector streets is to allow the City to request for right-of-way during subdivision review when development is proposed along or near a collector street.

The Committee reviewed the Collector Street Map and felt that further review was needed. Mr. Smith suggested that the Committee break down the map into four quadrants to allow the Committee to focus their effort since they would be reviewing a large number of streets. Chairman Kendrick requested that staff prepare a new map showing the deletions and additions of the proposed Collector Street Plan for the next meeting.

The next meeting is scheduled for August 31, 1992, at 7:00 p.m. in the first floor Multipurpose Room in City Hall.

The meeting was adjourned at 8:05 p.m.

Respectfully submitted,


Jimmy Teal, Assistant City Manager

INFORMATION



MINUTES
STREETS, ROADS AND TRANSPORTATION COMMITTEE
AUGUST 31, 1992

Members Present: Mark Kendrick, Chairman
Thelbert Torrey, Councilmember

Members Absent: Breeden Blackwell, Councilmember

Others Present: Robert Massey, Councilmember
John P. Smith, City Manager
Robert C. Cogswell, Jr., City Attorney
John B. (Ben) Brown, Jr., Assistant City Manager, Administration & Finance
Jimmy Teal, Assistant City Manager, Planning & Development
Louis Chalmers, City Traffic Engineer

Chairman Kendrick called the meeting to order at 7:00 p.m. in the first floor Multipurpose Room in City Hall.

The first item of business was a discussion of the proposed Collector Street Plan. Louis Chalmers, City Traffic Engineer, discussed that the Collector Street Plan developed from the City's Feeder Street Plan adopted by City Council in 1968 and updated in 1981. One of the purposes of bringing this street plan before the Committee was to update the areas that had been annexed since the last update in 1981.

Chairman Kendrick discussed the impact on streets proposed on the plan that were already developed. He stated that the likelihood of this type of street being widened was remote. Mr. Chalmers stated that was true in several cases, and the reason for designating those streets was primarily for future intersection improvements should traffic counts warrant. After some further discussion, the Committee requested the staff to develop a list in which the staff would recommend what streets need to be designated as a collector and another list that recommended only the street intersection be designated on the Collector Street Plan. In addition, Traffic Services will compile a list showing the width of the streets on the proposed plan. The staff will attempt to have this information ready by the first of October.

The next item of business was a discussion of traffic on Marlborough Road. Mr. Chalmers stated that traffic on Marlborough was approximately 3,000 vehicles per day. The accidents which occur on Marlborough vary, however one particular problem is where vehicles run off the road at or near curves. Curve warnings have been in place and most recently raised pavement markers were installed. The Committee discussed various options and decided to wait and see the impact of the raised pavement markers before recommending additional traffic devices.

There being no further business, the meeting was adjourned at 8:10 p.m.

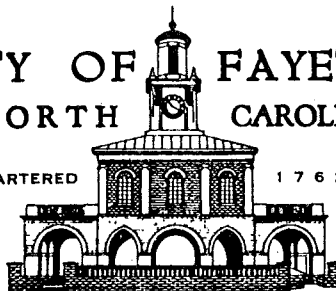
Respectfully submitted,


Jimmy Teal, Assistant City Manager



THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

September 1, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Jimmy Teal, Assistant City Manager *JT*

SUBJECT: Update on NPDES Storm Water Permit

Attached is information regarding NPDES storm water permitting. The City Council at its May 18, 1992, meeting approved a joint agreement with the County for the City to be a co-applicant for the storm water permit.

The first part of the process is the submission of a NPDES permit application which is due September 18, 1992. This application will be submitted before the September 18th deadline. The next milestone is the submittal of Part 2 of the permit application which is due July 16, 1993.

I will keep you abreast of these storm water activities since the NPDES permit will greatly impact the financial resources of the City in upcoming years.

If you have any questions, please let me know.

JT/kbl

Attachment

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Dogwoods

INFORMATION

NPDES Storm Water Permitting in Cumberland County and Fayetteville

Cumberland County and Ogden Environmental and Energy Services Company have worked for the past 11 months on the preparation of a Part 1 National Pollutant Discharge Elimination System (NPDES) permit application for the discharge of municipal storm water to the waters of the United States. This Part 1 application is now complete, and must be submitted to the North Carolina Division of Environmental Management prior to September 18, 1992 for review and approval. The City of Fayetteville, through interlocal agreement, joined the County as a co-applicant for this federally-mandated permit in July of this year. This joining as co-applicants was determined to be the most logical and economical way for the City to comply with application requirements that were specified in a series of meetings with the State in early 1992. The purpose of this briefing is to provide the County Board of Commissioners and the City Council with an overview of what has been done and why, to explain the Part 2 permit application process, and to describe the storm water quality management program that the County and City must develop to comply with the permit.

Background

In 1987, the United States Congress passed into law a package of amendments to the Clean Water Act known as the Water Quality Act of 1987. The Water Quality Act defined discharges from municipal separate storm sewer systems as point sources of pollution, and mandated that, as point sources, they should be permitted in a manner similar to the permitting process currently in place for industrial and wastewater plant discharges. The United States Environmental Protection Agency developed rules and regulations for implementing a municipal storm water discharge program as an extension of the existing NPDES. The final rules were published in the *Federal Register* on November 16, 1990. These rules applied immediately to municipalities with populations greater than 100,000. For the purposes of these rules, municipalities include all forms of local governments.

The rules require that municipalities prepare an application for an NPDES permit in two separate parts. As applied to the County and City, the Part 1 application is a detailed description of the current state of the respective storm water systems, storm water related programs and their administration, and the legal and fiscal aspects of the existing storm water systems and programs. The Part 2 application will be a proposal for a comprehensive storm water **quality** management program that will minimize, to the maximum extent practicable, the discharge of pollutants from the respective storm water systems to the waters of the United States. The waters of the United States are all streams, creeks, rivers and lakes.

The NPDES permit will be obtained from the State by negotiating the elements of a storm water quality management program. The County and City must then implement the storm water quality management program, and must apply for and obtain a new permit every five years.

The Part 1 Application

The requirements for the content of the joint Part 1 permit application are dictated by the Water Quality Act. The application contains the following sections:

- Source Identification This section provides a detailed description of all outfalls in the County and City. Outfalls are points at which storm water discharges to waters of the United States.
- Discharge Characterization This section presents the results of water quality sampling that was performed at 250 outfalls in the County and City.
- Legal Authority This section describes, for both governments, the current legal authority to prohibit the discharge of pollutants to waters of the United States.
- Management Programs This section describes all existing programs and practices in the County and City that serve to manage storm water quality.
- Fiscal Resources This section describes, for both governments, the current method of funding storm water related activities.

The Part 2 Application

The Water Quality Act and regulations require the County and City to complete, in the Part 2 application, a plan for the development of a comprehensive storm water quality management program. Municipalities are directed to control the discharge of pollutants in four program areas:

- illicit connections and illegal dumping,
- industrial and hazardous waste sites,
- construction site runoff, and
- commercial and residential areas.

For each of these program areas the County and City must show financial, legal, administrative, and technical adequacy to accomplish pollutant reduction to the maximum extent practicable. Central to the storm water quality management program will be the use of best management practices to control the discharge of pollutants to the waters of the United States. Best management practices can range from the use of structural components such as ponds or first flush capture devices, to non-structural or programmatic measures such as street sweeping or a public awareness campaign.

The deadline for submittal of the joint Part 2 permit application is July 16, 1993.

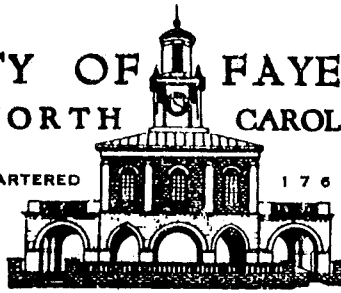
The Compliance Period

The compliance period is the five-year period during which the permit is valid. During the

compliance period the County and City must periodically assess the effectiveness of the storm water quality management program. It is expected that non-structural best management practices will be implemented first, and that specific needs will be identified prior to constructing structural components. The County and City will make detailed assessments of the program near the end of the compliance period. The results of these assessments will dictate the content of the next permit application, and a new permit will be negotiated with the State.

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

MAY 13, 1992

MEMORANDUM

TO: The Mayor and Members of City Council
FROM: John P. Smith, City Manager *JPS*
SUBJECT: NPDES Storm Water Permit

This is a federally mandated program through the State of North Carolina. Initially only North Carolina cities over 100,000 population were designated for this requirement. Cumberland County was designated because of its urban non-municipal population. In a recent decision by the State of North Carolina, Fayetteville has been added to the list of designated cities.

As Mike Walker's memo indicates, the City can save money by joining in the County's study which is already underway. The purpose of this federal environmental mandate is to monitor the quality of storm water run-off. The City has already commissioned a massive study to measure the quantity of storm water run-off in various water sheds. This study was part of the storm water bond package. The only source of funds for this mandated study is storm water bond funds. What this means is that in order to carry out this unfunded federal mandate, the City will have to leave undone some future storm water capital projects.

This is only one more example of how unfunded federal and state mandates impact on local government budgets. So long as Washington and Raleigh continue to require local units of government to pay for national and state programs, local officials will be faced with raising local taxes while you also cut other local services in order to pay for national and state programs.

JPS:ssm

Attachment

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City of



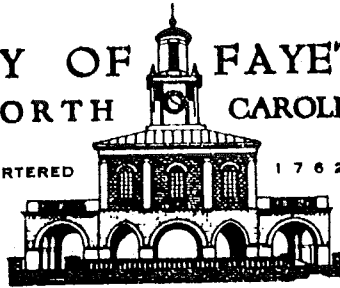
Affirmative Action Employer
Dogwoods

ITEM 7

THE CITY OF FAYETTEVILLE NORTH CAROLINA

CHARTERED

1762



ENGINEERING DEPARTMENT
433 HAY STREET

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

May 12, 1992

MEMORANDUM

TO: Mr. John P. Smith, City Manager

THROUGH: Jimmy Teal, Assistant City Manager

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

SUBJECT: Proposed City/County Interlocal Agreement - Clean Water Act of 1987 - National Pollutant Discharge Elimination System (NPDES) Permit - Part I

The purpose of this proposed City/County agreement is to establish financial and administrative procedures between the City and County for the preparation of a NPDES Permit - Part I by a consulting engineering firm. Item 8B of the 4/6/92 City Council agenda packet contained a three page memo describing what is being required of our City in order to comply with the above referenced regulations.

A brief summary of that memo follows:

a. As a result of the Clean Water Act of 1987, all stormwater discharges from municipalities with population over 100,000 requires a permit which will regulate such discharges. The State of North Carolina, acting for the Environmental Protection Agency (EPA) has combined Cumberland County and the City of Fayetteville into a single urban area for the purpose of this legislation.

b. This NPDES Permit - Part I application is a very complex and lengthy document. It includes identification of pollutant sources, identification of individual discharges which are appropriate for individual permits and formulation of a strategy to characterize all discharges. The total cost of this permit is estimated to be \$834,000 and is proposed to be shared equally between the City and County (\$417,000 each). Had the City chose to submit a separate "City only" permit, the cost was estimated to be \$581,000. Submitting a joint application will save the City an estimated \$164,000.

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MEMORANDUM

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

c. This application is due to be submitted to the N. C. State Department of Environment, Health and Natural Resources on September 18, 1992. As the City Manager indicated at the 4/6/92 City Council meeting, this is another federally mandated program for which no federal or state funds have been furnished.

d. Once the state evaluates the NPDES Permit - Part I Application, a second Part II application will be required by June 30, 1993. Part II is the municipality's program to control the discharge of pollutants. The cost and extent of this part will be determined by the state after they review our Part I permit application.

We recommend that the following action be taken:

a. That the proposed City/County agreement be approved. Both the City Attorney and Finance Director have reviewed this proposed agreement.

b. That the City Manager be authorized to use the monies he considered most appropriate to fund this work.

MLW/mak

Enclosure: Draft/Proposed Interlocal Agreement

Hansen

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED

1762



OFFICE OF THE CHIEF OF POLICE
SUITE 124, 131 DICK STREET

FAYETTEVILLE, N. C. 28301-5798
TELEPHONE: (919) 433-1819

7 August 1992

MEMORANDUM

TO : Roger Stancil, Deputy City Manager

FROM : Ronald E. Hansen, Chief of Police *REH*

SUBJECT: Monthly Report

Attached please find the monthly report for the Office of Professional Standards for the month of June, 1992.

REH:lof

Attachment

122nd NATIONALLY ACCREDITED



LAW ENFORCEMENT AGENCY

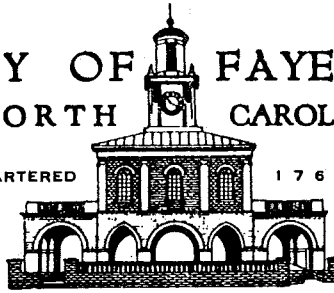
An Equal Opportunity Affirmative Action Employer

INFORMATION

8-14-92
↓

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762



OFFICE OF THE CHIEF OF POLICE
SUITE 124, 131 DICK STREET

FAYETTEVILLE, N. C. 28301-5798
TELEPHONE: (919) 433-1819

August 7, 1992

**ADMINISTRATIVE
MEMORANDUM TO:**

Ronald E. Hansen, Chief of Police

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

The monthly report from the Office of Professional Standards and Inspections for the month of June 1992 is submitted for your review.

Vera L. Bell

VERA L. BELL, LIEUTENANT
Office of Professional Standards
and Inspections

VLB/llk

122nd NATIONALLY ACCREDITED



LAW ENFORCEMENT AGENCY

An Equal Opportunity Affirmative Action Employer

**DEPARTMENTAL INVESTIGATIONS
JUNE 1992**

This Year, 1992, to date: 103
Last Year, 1991, to date: 89

<u>FILE NO.</u>	<u>COMPLAINT</u>	<u>DISPOSITION</u>
92-083(D)	Vehicle Accident	Disc. Action
92-084(D)	Vehicle Accident	Exonerated
92-085(D)	Vehicle Accident	Exonerated
92-086(D)	Lost Equipment	Disc. Action
92-087(D)	Unsatisfactory Perf.	Disc. Action
92-088(D)	Vehicle Pursuit	Disc. Action
92-089(D)	Vehicle Pursuit/Accident	Disc. Action
92-090(D)	Use of Alcohol on Duty	Resigned
92-091(D)	Evidence/Dept. Rec.	Disc. Action
92-092(D)	Insubordination	Disc. Action
92-093(D)	Prisoner Searches	Disc. Action
92-094(D)	Vehicle Accident	Disc. Action
92-095(D)	Lost Equipment	Disc. Action
92-096(D)	Vehicle Pursuit	Exonerated
92-098(D)	Vehicle Accident	Disc. Action
92-099(D)	Vehicle Accident	Exonerated
92-100(D)	Vehicle Accident	Disc. Action
92-101(D)	Vehicle Accident	Disc. Action
92-102(D)	Unsatisfactory Perf.	Disc. Action
92-103(D)	Loss of Equipment	Disc. Action

CASES PENDING FOR FEBRUARY = 1	92-036(D)
CASES PENDING FOR MARCH = 3	92-043(D), 92-049(D), 92-055(D)
CASES PENDING FOR MAY = 2	92-068(D), 92-069(D)
CASES PENDING FOR JUNE = 2	92-089(D), 92-097(D)

CARRY OVER CASES FROM FEBRUARY 1992:

92-032(D)	Association	Exonerated
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CARRY OVER CASES FROM APRIL 1992:

92-065(D)	Unsatisfactory Perf.	Disc. Action
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CARRY OVER CASES FROM MAY 1992:

92-070(D)	Reporting for Duty	Not Sustained
92-080(D)	Self-Assigned Action/ Truthfulness	Disc. Action

<u>DISPOSITIONS</u>	<u>THIS MONTH</u>	<u>YEAR TO DATE</u>	
Exonerated	5	30	34%
Disc. Action	17	54	62%
Retired	0	1	1%
Resigned	1	2	2%
Not Sustained	<u>1</u>	<u>1</u>	<u>1%</u>
	24	88	100%

**USE OF FORCE
JUNE 1992**

This Year, 1992, to date: 23
Last Year, 1991, to date: 50

<u>FILE NUMBER</u>	<u>FORCE USED</u>	<u>INJURY</u>	<u>CHARGE(S)</u>	<u>DISPOSITION</u>
92-022(F)	P-Mace	None	Disorderly Cond.	Exonerated
92-023(F)	P-Mace	Minor	RDO	Disc. Action

<u>DISPOSITION</u>	<u>THIS MONTH</u>	<u>YEAR TO DATE</u>	
No Excessive Force	1	16	80%
Excessive Force	<u>1</u>	<u>4</u>	<u>20%</u>
	2	20	100%

**CITIZEN COMPLAINTS
JUNE 1992**

This Year, 1992, to date: 30
Last Year, 1991, to date: 20

<u>FILE NUMBER</u>	<u>COMPLAINANT RACE & SEX</u>	<u>NATURE OF COMPLAINT</u>	<u>DISPOSITION OF CASE</u>
92-026(C)	B/M	Unbecoming Conduct	
92-027(C)	W/M	Excessive Force	Disc.Action
92-028(C)	W/M	Unsat. Performance	
92-029(C)	W/F	Unsat. Performance	Disc. Action
92-030(C)	W/M	Unbecoming Conduct	Disc. Action

CASES PENDING FOR APRIL 1992 = 1 92-018(C)

CASES PENDING FOR JUNE 1992 = 2 92-026(C), 92-028(C)

DISPOSITIONS	THIS MONTH	YEAR TO DATE	
Exonerated	0	17	63%
Disc. Action	3	9	33%
Resigned	0	1	4%
	3	27	100%



NORTH CAROLINA LEAGUE OF MUNICIPALITIES

Local Government Center/W. Lane and N. Dawson Streets
P.O. Box 3069/Raleigh, North Carolina 27602 (919) 834-1311
FAX Number — 919-733-9519

August 25, 1992

Annual League Business Meeting
1:50 p.m., Monday, October 26, 1992
60-Day Notice

Joseph S. Koury Convention Center
at the Holiday Inn Four Seasons
Greensboro, North Carolina

League Business

The North Carolina League of Municipalities will hold its annual meeting to conduct the League's business affairs at 1:50 p.m. on Monday afternoon, October 26, in the Joseph S. Koury Convention Center.

In preparation for this annual meeting, managers and clerks will find enclosed the following documents:

- (1) Recommended 1992-93 Municipal Policy (pages 5-9)
- (2) Proposed 1993 Municipal Legislative Goals and Policy (pages 10-19)
- (3) Annual Election Information and League District Map (page 20)
- (4) Form for Submitting Death and Retirement Resolutions (salmon sheet)

Managers — Please share this information with your elected and other key officials.
This is being mailed only to managers and clerks.

Policy — In accordance with the League Bylaws, and as cities and towns have been previously advised, proposed policy recommendations from municipalities were required to be submitted to the League at least ninety (90) days in advance of the annual business meeting. These and other policy recommendations were referred to the League's four standing policy committees, which in turn made their recommendations to the Board of Directors at their meeting on August 13. Those recommendations, as well as others approved by the Board, have been included in the enclosed recommended policy documents.

Pursuant to the League Bylaws, any additional or separate policy items or resolutions proposed that have not been approved by the League Board of Directors will not be considered at the annual meeting, except upon a favorable vote of three-fourths (3/4) of the member municipalities present and voting. Other items may be referred to the policy committees for future consideration.

Memorial Resolutions — Proposed memorial resolutions honoring municipal officials or employees upon their retirement or death are welcomed, but must be submitted to the League office on the form enclosed, not later than the close of business on Friday, October 9, 1992.

INFORMATION

Annual Election — League Officers and Board of Directors

At the annual business meeting, delegates will elect a president, first, second and third vice presidents and, in addition, 22 members of the Board of Directors as follows:

- 12 members of the Board of Directors from the 12 League districts
- 3 elected officials at-large
- 3 city managers or chief administrative officers at-large
- 1 municipal attorney at-large
- 1 municipal clerk at-large
- 2 appointed officials (other than an attorney or clerk) representing an affiliate organization of the League at-large

The enclosed election map outlines the 12 League districts, lists the current members of the Board, indicates the year elected or appointed, and lists the officers for the year 1991-92. In keeping with custom and the staggered term system, Board members typically serve two one-year terms. As a result, directors first elected or appointed in 1991 would be eligible for an additional term. Directors first elected in 1990 are not eligible for reelection.

All officers and members of the Board of Directors will be elected for one-year terms on October 26, and their terms will run through the last day of the 1993 Convention in Fayetteville.

Nominating Committee and Nominating Procedure

League President A. P. Coleman, Mayor Pro Tem of Wilson, has appointed the following members of the Nominating Committee for the 1992 annual election. They are as follows:

- Mayor Jimmy C. Draughn, Chairman, P. O. Box 3069, Raleigh, NC 27602
- Mayor Joe V. Knox, P. O. Box 878, Mooresville, NC 28115
- Mayor Avery Upchurch, P. O. Box 590, Raleigh, NC 27602
- Mayor Horace B. Whitley, P. O. Box 607, Whiteville, NC 28472
- Mayor Robert Gibbons, 201 Sharon Avenue, N.W., Lenoir, NC 28645
- Mayor Fred Turnage, 224 Englewood Drive, Rocky Mount, NC 27801
- Mayor Ferd Harrison, P. O. Box 176, Scotland Neck, NC 27874
- Mayor Floyd Brothers, 1406 N. Washington Street, Washington, NC 27889
- Council Member Gwen Burton, c/o Wilson OIC, P. O. Box 547, Wilson, NC 27894
- Commissioner Mildred Jenkins, P. O. Box 747, Creedmoor, NC 27522

- Council Member P. E. Bazemore, P. O. Box 867, Monroe, NC 28110
- Commissioner Emily B. Taylor, 648 Knollwood Drive, Mount Airy, NC 27030
- Council Member Barbara Field, 33 Haywood Street, Asheville, NC 28801

All nominees for officers and members of the Board of Directors should be submitted in writing to the Chairman of the Nominating Committee, Jimmy C. Draughn of Valdese, at P.O. Box 3069, Raleigh, North Carolina 27602, prior to the close of business on October 16, 1992.

The Nominating Committee will hold a hearing at 3:00 p.m. on Sunday, October 25, in the Joseph S. Koury Convention Center, and nominees may be endorsed or additional nominations presented to the committee at that time.

The Nominating Committee will hear **brief** nominating and seconding speeches, if desired. If present, nominees will be introduced. The League Constitution provides that not more than one member of the Board, exclusive of officers, shall be elected or appointed from the same municipality. This occasionally will require the Nominating Committee to give preference to an elected official from a municipality over an appointed official from the same municipality who is the nominee of an affiliate organization (or vice versa).

Affiliate organizations and others should avoid submitting nominees from the same municipality as a current Board member who is eligible for a second one-year term. Affiliate groups should consider submitting a primary nominee and an alternate nominee.

The Nominating Committee typically considers many relevant factors in an effort to maintain an effective Board that is representative of the League membership. Among those factors are past representation of particular municipalities, race and sex, significant accomplishments and specialized knowledge, active participation in League affairs, population and geographic location.

The Nominating Committee is expected to make its report and announce its nominees at the opening general session on Monday morning, October 26. The election will be held during the annual business meeting at 1:50 p.m. on Monday, October 26, and additional nominations may be made from the floor at that time.

Voting Procedure

The League Constitution provides that each member municipality is entitled to one vote. The Board of Directors has established a policy that each municipality sending delegates to the annual convention designate one voting delegate and may designate one alternate voting delegate to be named in advance of the annual meeting, but not later than the time for beginning of the annual meeting, scheduled for 1:50 p.m. on Monday, October 26.

Each municipality that has pre-registered its delegates will be asked at a later date to submit the names of its voting delegate and alternate voting delegate on forms to be furnished to managers or clerks. An opportunity will be provided for municipal officials not pre-registered for the convention to designate their voting and alternate voting delegate upon arrival at the League registration desk in the Joseph S. Koury Convention Center.

Managers or clerks who pre-register delegates — please watch for the form to certify your municipality's voting and alternate voting delegate, which has been forwarded earlier. This will save time and confusion for your voting and alternate voting delegate in Greensboro.

Report on League Affairs

At the annual business meeting, the League President will present a brief annual report. This report will be informative for all municipal officials, whether voting delegates or not, and all municipal officials are urged to attend.

Advance Registration

Registering in advance saves time, municipal dollars, and guarantees tickets for major meal functions plus the receptions and outstanding entertainment. Advance registration information and forms were forwarded on July 21, 1992, and managers and clerks who have not done so are urged to pre-register their delegates without delay. **All advance registrations must be received in the League office by October 14, 1992.** If you do not register by this date, you can register on-site in Greensboro. Any forms received after October 14 will be returned to your city or town, but you may bring the form to convention to speed up on-site registration. There will be a late fee of \$40 for delegates who register on-site and a \$20 late fee for spouses or personal guests registering on-site.

David E. Reynolds
Executive Director

North Carolina League of Municipalities

1992-93 Municipal Policy

I. STATE LEGISLATION AND STUDY COMMISSIONS

- A. 1993 Legislative Goals and Policies - The legislative goals and policies adopted by the membership at our annual convention on October 25, 1992 are hereby incorporated as an integral part of this municipal policy statement. The League Board of Directors may adopt additional legislative goals and policies after October 25, 1992, which will automatically become a part of this policy statement. In addition, the Board and Executive Committee shall identify those goals to emphasize most strongly and determine the most appropriate format for communicating these goals to municipal officials and members of the General Assembly.
- B. Legislative Study Commissions - The 1991 General Assembly authorized its Legislative Research Commission to undertake several independent studies of major importance to municipalities. Several independent studies relevant to municipalities were also authorized. The League pledges its full cooperation and support in the course of these studies.

II. THE STATE/LOCAL PARTNERSHIP

North Carolina municipalities have enjoyed an excellent working relationship with state government in carrying out many programs and policies. This relationship is the result of dedicated efforts over the years by many state and local officials to forge a strong state/local government partnership. Preserving and strengthening this partnership is essential for the State and its municipal governments to continue to serve their citizens better.

In modern times, each Governor of North Carolina and his administration has shown a desire to pursue this concept by the appointment of municipal officials to state task forces, boards and commissions. Efforts to expand municipal involvement through these mechanisms, and through other means, continue as an important League priority.

The League pledges its full support and cooperation to the new governor and his administration to preserve and strengthen this state/local partnership. We respectfully urge the new governor to make every reasonable effort to ensure that this partnership will be maintained and strengthened by following these partnership concepts:

- (1) State agency consultation with municipal officials before major state policies or policy changes which affect municipal government are adopted or carried out;
- (2) Periodic opportunities for in-depth consultation with key administration officials regarding municipal affairs;
- (3) Strong gubernatorial support for and legislative involvement in the Local Government Advocacy Council;

- (4) Soliciting League advice on appointments of municipal officials to State boards and commissions concerned with municipal affairs;
- (5) Active participation by officials of the Executive Branch and the Legislature in affairs of the League of Municipalities; and
- (6) Coordination of action relating to federal government issues which affect municipal government or the State and its municipal governments.

Cooperation on Economic Development Activities - The League encourages all municipal officials to take an active role in local economic development planning for their cities and towns and to build strong partnerships locally. This is important, both with the public and private sectors, and with the state and federal governments, in order to establish and attain more effective economic development goals.

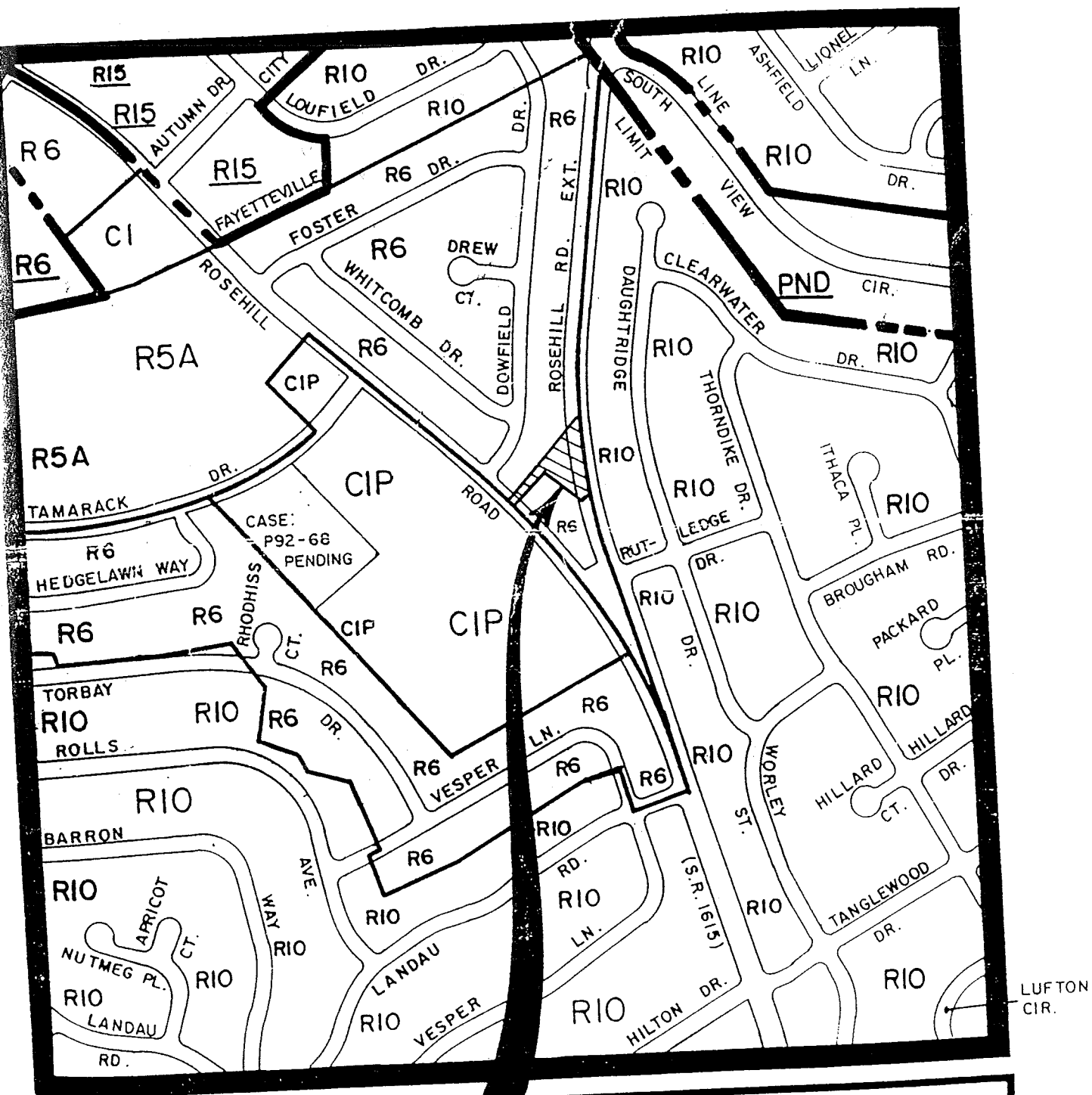
III. FEDERAL LEGISLATION AND ISSUES

Federal-Local Partnership - The League recognizes the importance of a continuing partnership between the federal and local governments. This partnership has evolved over the past 50 years and is the most effective mechanism for financing and carrying out national policies at the local level. Local governments also recognize the need to reduce the federal deficit. They support the Congress and the Administration in bipartisan efforts that realistically address the problem. The member cities and towns of the North Carolina League of Municipalities have identified their support for activities to bring the deficit in line. The following elements have been communicated to the Congress and the President as their priorities:

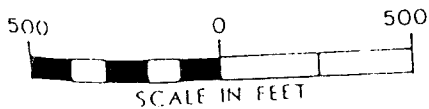
- Lower spending and/or real spending freezes
- Separation of the federal trust funds from the general budget
- Higher taxes where needed
- Realistic economic predictions
- Foregoing any tax cuts or reductions
- Honest accounting
- Full implementation of adopted deficit reduction plans that will provide a balanced federal budget at an early date.

However, the North Carolina League of Municipalities stands firmly opposed to elimination of the federal tax deduction for state and local income and property taxes. Any proposal of this nature continues to erode the federal-state-local partnership and the concepts of federalism. Full deductibility is necessary to ensure the fiscal soundness of state and local governments, which we believe is the bulwark of the federal system.

We implore the federal government to recognize that local governments face many mandates, both legal and human, as a result of congressional action, and therefore localities should not bear a disproportionate share of budget reductions. In order to achieve the national objectives set by Congress and mandated on local governments, a reasonable portion of federal revenues should be transferred to local governments to undertake these mandates.



NORTH



REQUESTED REZONING

R6 TO P2

ACREAGE: 0.444 AC. ±	HEARING NO: P92-73	
ORDINANCE: FAYETTEVILLE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

Several years ago Mrs. Evans made a motion that was approved by City Council to post properties that are the subject of zonings. I don't believe it was ever adopted

Form for Memorial Resolutions

INSTRUCTIONS -- There are two kinds of Memorial Resolutions. One is for former elected officials or employees who **retired** during the past year and one is for former officials who **passed away** during the past year. To submit a Memorial Resolution, fill in the blank spaces below. In case the person served in more than one municipality or more than one position, please list all of them. **Please be sure all information (spelling of name, etc.) is accurate.**

Return the completed forms to the League office so that resolutions can be submitted to the League membership for adoption at the Annual Business Meeting on Monday, October 26. Upon adoption, resolutions will be forwarded to your manager or clerk for presentation to the retiree or the family of the deceased, with a copy for the municipality's records.

Please return by Friday, October 9, 1992.

Fill in the blank spaces as follows:

RETIREMENT RESOLUTION:

- (1) Name of Former Official _____
- (2) (Town)(City) of _____
- (3) Number of Years Served and Position(s) Held _____

DEATH RESOLUTION:

- (1) Name of Former Official _____
- (2) (Town)(City) of _____
- (3) Date of Death _____
- (4) Number of Years Served and Position(s) Held _____

Return to:

N. C. League of Municipalities
P. O. Box 3069
Raleigh, North Carolina 27602

By Friday, October 9, 1992

Submitted by: _____

Title: _____

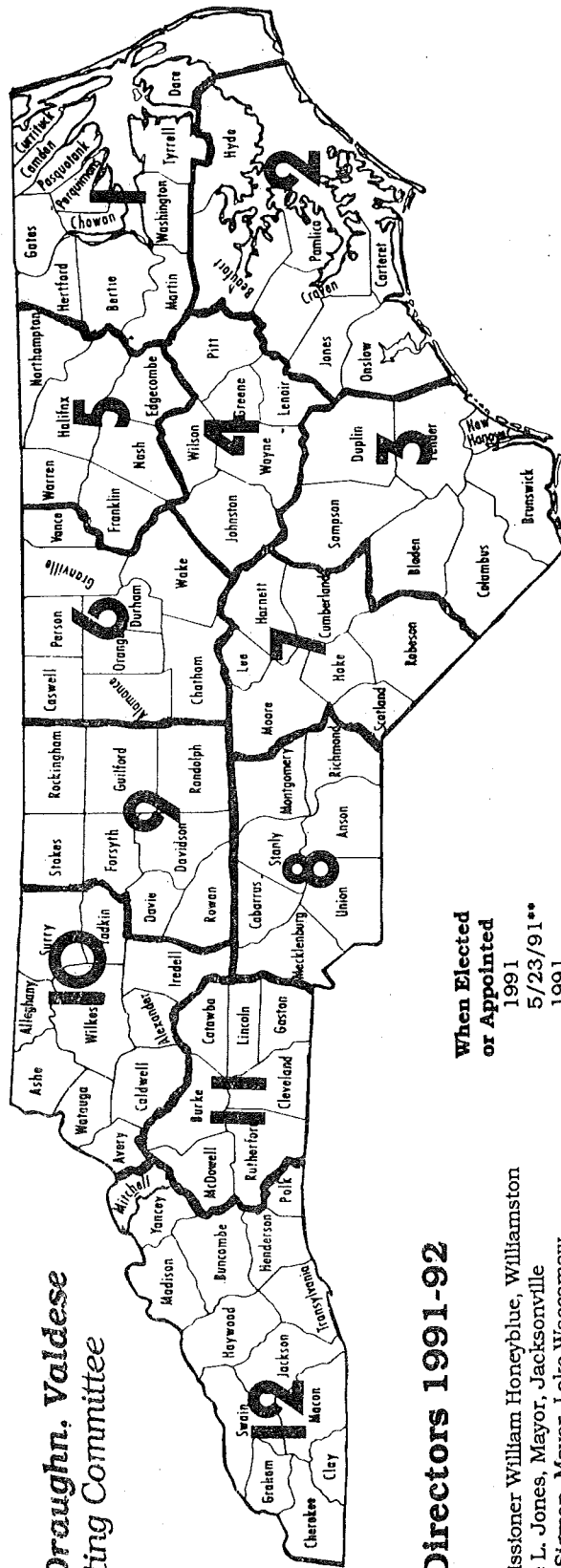
Municipality: _____

Phone: _____

NORTH CAROLINA LEAGUE OF MUNICIPALITIES ANNUAL ELECTION OF OFFICERS AND BOARD OF DIRECTORS

At Convention, Greensboro, NC, October 26, 1992
President, 1st, 2nd and 3rd Vice Presidents and Members of Board of Directors

Mayor Jimmy C. Draughn, Valdese
Chairman, Nominating Committee



Board of Directors 1991-92

District		When Elected or Appointed
1	Commissioner William Honeyblue, Williamston	1991
2	George L. Jones, Mayor, Jacksonville	5/23/91**
3	Nancy Signon, Mayor, Lake Waccamaw	1991
4	Hal K. Plonk, Mayor, Goldsboro	1990*
5	Lucy Allen, Mayor, Louisburg	1991
6	Caroline Ansbacher, Mayor Pro Tem, Burlington	1991
7	Oscar N. Harris, Mayor, Dunn	1991
8	Ella Scarborough, Council Member, Charlotte	1991
9	Rebecca Smothers, Mayor, High Point	1991
10	A. E. Peterson, Council Member, Statesville	1991
11	Joe Chandler, Mayor, Claremont	1991
12	Kenneth M. Michalove, Mayor, Asheville	1990*
At Large/Elected Officials		
	Robert Mays, Jr., Council Member, Greensboro	1990*
	Mary C. Cates, Council Member, Raleigh	1990*
	C. Ronald Norwood, Council Member, Eden	1991
At Large/Managers		
	Orville Powell, Manager, Durham	1990*
	James H. Hipp, Manager, Lenoir	1991
	Stephen W. Raper, Manager, Kinston	1991
At Large Municipal Clerk		
	Mary Lou Rand, CMC/AAE, Clerk, Garner	1991
At Large Municipal Attorney		
	R. Lewis Alexander, Attorney, Elkin	4/2/92**
At Large Affiliate Organization Representatives		
	Loris Colclough, Finance Director, Winston-Salem	1990*
	Albert Matthews, Manager, Maggie Valley	1991

- * These Board members have served two terms on the Board and are not eligible for reelection.
- ** Appointed to fill unexpired term — eligible for reelection.

Officers 1991-92

President: A. P. Coleman, Mayor Pro Tem, Wilson
1st Vice President: Derryl Garner, Mayor, Newport
2nd Vice President: Nancy Jenkins, Mayor, Greenville
3rd Vice President: Mel Cohen, Mayor, Morganton
Past President: Jimmy C. Draughn, Mayor, Valdese

- The League will **support** state appropriations for capital and operating assistance to municipal and other public airports.

RAILROADS

- The League will **support seek** legislation to allow municipalities to determine the level of maintenance for railroad tracks within corporate boundaries and ~~The League will support legislation~~ to require that railroads bear the total cost of constructing and improving streets in areas covered by railroad cross-ties.

FIRE PREVENTION CODE

- The League will **seek** legislation to clarify municipal authority to impose civil penalties for violations of the state fire prevention code.
- The League will **seek** legislation to increase criminal fines for violations of the state fire prevention code.
- ~~The League will seek legislation creating up to four additional seats on the Building Code Council to be filled by local government representatives. (4/2/92)~~

ulate the sale and possession of machine guns and submachine guns.

- The League will **support** legislation to prohibit solicitation using a misleading public safety identity.
- The League will **oppose** legislation providing state courts exclusive jurisdiction over criminal forfeitures or otherwise interfering with the right of municipalities to retain a share of the proceeds.
- The League will **support** legislation or the creation of a legislative study commission on the issue of restitution to local governments by criminal convicts for the costs of law enforcement incident to their arrest and prosecution.
- The League will **support** legislation to strengthen the law applying to vehicles fleeing to elude arrest.

EMERGENCY MEDICAL SERVICES

- The League will **support** the creation of a legislative study committee on emergency medical services (EMS).

STREETS AND HIGHWAYS

- The League will seek legislation to require municipal approval of withdrawals of platted streets prior to filing of a declaration of withdrawal in the register of deeds office.
- The League will **support** legislation providing for enhanced planning, technical assistance and coordination of local transportation improvement efforts, with particular attention to protection of future rights-of-way, but urges that options for provision be explored thoroughly.
- The League will **oppose** legislation to broaden the categories of projects eligible for Powell Bill funding.
- ~~The League will seek a technical amendment to the parking statutes to clarify municipal~~

~~authority to enforce parking restrictions on publicly owned parking lots. (3/28/91)~~

- ~~The League will seek legislation to clarify that municipalities need only to comply with the sign appearance criteria in the Manual on Uniform Traffic Control Devices and failure to comply with the manual does not constitute negligence per se. (4/2/92)~~

PUBLIC TRANSPORTATION

- The League will **support** legislation to authorize establishment and funding of regional transportation authorities.
- The League will **oppose** mandates requiring municipalities to contract with private companies for public transportation services.
- The League will **support** state appropriations to provide financial assistance to public transportation and paratransit systems. The League will **oppose** mandated use of Powell Bill funds for public transportation systems and will **support** creation of a state operating assistance program to assist municipalities in public transit and human services transportation activities.
- ~~The League will support legislation to repeal the requirement that municipalities obtain voter approval to expend property tax proceeds on public transportation. (4/2/92)~~
- ~~The League will support legislation to add regional public transportation authorities to the list of government entities eligible to receive state and local sales and use tax refunds. (4/2/92)~~

AIRPORTS

- The League will **not oppose** establishment of minimum standards regulating height of structures surrounding public airports, provided that existing airport ordinances are grandfathered and local zoning adoption and enforcement is not mandated.

lines and technical assistance must be provided for implementation of any such legislation.

- The League will **oppose** legislation that undercuts the ability and authority of municipalities to meet established goals in the area of solid waste management and their ability to finance facilities and programs for the effective management of solid waste.
- The League will **seek** legislation to encourage state support for developing economic markets for recycled waste products, and creation of state/regional storage facilities to enhance the marketability of recyclable items.
- The League will **support** the allocation of state appropriations to establish a competitive grant program to provide technical assistance and initial funding to multi-jurisdictional programs in municipal solid waste management.
- ~~The League will **support** legislation requiring the use of municipal solid waste collection services. (5/23)~~
- ~~The League will **support** legislation to allow municipalities to collect solid waste user fees with the remedies available for the collection of ad valorem property taxes. (5/23)~~
- ~~The League will **seek** legislation to clarify authority for municipalities to operate stormwater utilities as public enterprises, with levy of periodic user fees to cover capital and operating costs.~~

MUNICIPAL UTILITIES

- The League will **oppose** the imposition of excessive, continuing state taxes or fees on municipal public enterprise operations to fund state agency operations.

MANDATES

- The League will **seek** a proposed constitutional amendment, legislation or changes to legislative rules through the Fiscal Trends

Study Commission and other appropriate channels, that will require full funding or adequate revenue sources for state mandates to local governments.

Transportation, Communications and Public Safety

ALCOHOLIC BEVERAGES

- The League will **support** legislation to permit inspections of ABC licensed premises by local law enforcement officers.

DRUGS

- The League will ~~**support**~~ **seek** legislation to establish a comprehensive statewide response to our drug problem.
- The League acknowledges the obligation of government officials to respect the constitutional rights of public job applicants and employees. At the same time, municipal officials recognize their responsibility to maintain public confidence in government by assuring drug-free public work places and delivery of services in a safe manner. The League will **oppose** legislation which restricts, beyond the significant safeguards of the state and federal constitutions, the ability of municipal employers to administer drug tests to applicants and employees and take appropriate personnel actions where warranted.

LAW ENFORCEMENT

- The League will **support** creation of a legislative study committee on law enforcement officer jurisdiction, including consideration of liability issues.
- The League will **support** legislation expanding judicial authority to order house arrest.
- The League will **support** legislation to enhance the enforceability of statutes which ban or reg-

Energy, Environment and Natural Resources

WATER AND WASTEWATER FUNDING

- The League will seek increased adequate funding from state appropriations and other revenues or bond issues to assist with critical municipal water and wastewater capital facilities, through the Clean Water Loan and Grant Fund. Additional attention should be devoted to water supply funding, and the League will seek legislation to provide for points in the priority ranking system for funding for facilities to treat contaminants in water supplies, if required by federal law. The 20% state match to draw down the available federal funds is the minimum that must be provided. The League will oppose efforts to take the 20% match from essential local government funds. Upgraded municipal water and wastewater facilities benefit all North Carolina citizens by improving surface water quality and facilitating economic development, and state funding must not come from an invasion of traditional local revenue sources.

WATERSHED PROTECTION AND WATER SUPPLY

- The League will seek appropriations to provide technical assistance to local governments with watershed protection and water supply planning.
- ~~The League will support legislation extending the deadlines for the EMC to adopt watershed classifications and for local governments to adopt watershed protection programs for one year. (5/23)~~

ENVIRONMENTAL REGULATION

- The League will seek amendments to water pollution tax legislation, if water pollution tax legislation is proposed, to provide to local governments the same exemption provided to

the federal and state governments, based on principles of intergovernmental tax immunity, and to provide municipalities with a statutory share of the proceeds.

- ~~The League will support legislation to repeal the statutes which prohibit state agencies from implementing environmental regulations stricter than comparable federal regulations.~~
- ~~The League will support clarifying legislation regarding enforcement of municipal pretreatment ordinances and will seek additional funding for additional technical assistance for the administration of municipal pretreatment ordinances.~~
- ~~The League will support legislation to reduce acid rain.~~
- The League recognizes that local governments are partners with the state in the protection of the environment and will seek to be included in the initial development of environmental legislation and regulation and will further seek full funding or adequate revenue sources for implementation.

SOLID WASTE MANAGEMENT

- The League will seek continued funding of a revolving loan and grant program for solid waste disposal facilities.
- The League will seek additional legislation, including refinement of SB111, to address growing solid waste management problems and solutions based on municipal experience, continue to explore solid waste management issues with study commissions and the General Assembly, and will support legislation that will enhance the ability of local governments to meet established goals in the area of solid waste management, without being unduly burdensome. Of particular interest are source reduction through restricting disposable bottles and packaging and, by the imposition of advance disposal fees and through the use of tire and refuse derived fuel. Reasonable guide-

farm land, and will **support** increased funding for state parks.

- The League will **seek** a technical amendment to the subdivision statutes to allow the governing body to delegate to subordinate bodies the authority to accept dedications.

ANNEXATION

- The League **supports** the existing state legislative policy that sound urban development is essential for the continued economic development of North Carolina and **supports** the existing legislative framework for extending municipal boundaries, which allows areas that are urban in character to be municipal and which guarantees provision of essential services to citizens in annexed areas. Municipalities are encouraged to develop annexation policy as part of the planning process and to use the authority to annex in a fair and reasonable manner. The League will continue to **oppose** changes in the law, either statewide or local, which would weaken the present annexation procedures or restrict annexation authority. The League will **oppose** new incorporations which are primarily for the purpose of preventing annexation by an existing municipality.
- The League will **support** legislation or rules changes to require review and recommendation by the Joint Commission on Municipal Incorporation before municipal incorporation proposals are considered by the General Assembly.
- ~~The League will support legislation requiring changes in special assessment policy to be made at least six months before the beginning of an involuntary annexation proceeding, if it increases the financial participation of property owners. (3/28)~~

HOUSING

- The League will **strongly support** legislation which will facilitate access to safe and decent housing for all North Carolina citizens,

including appropriations for the Housing Trust Fund and other housing programs and transitional housing for homeless persons, and legislation to authorize incentives to developers for providing low and moderate income housing.

- The League will **seek** statewide legislation to require improvement or demolition of dwellings closed on order of a building inspector, instead of boarding up and abandoning.
- The League will **support** statewide legislation to authorize municipalities to require installation and maintenance of smoke detectors.
- The League will ~~seek~~ **support** legislation to facilitate the collection and dissemination of information that will be useful to local government officials and others in evaluating the local investment performance of financial institutions.
- The League will **seek** amendment to G.S. 160A-443 (5a) to allow housing authorities and commissions, or the governing body's designee, to exercise the authority to order further action.
- The League will **seek** legislation allowing a municipality to serve minimum housing code orders in any manner allowed for court pleadings under the NC Rules of Civil Procedure.

TECHNICAL ASSISTANCE

- The League will **support** enlarged state appropriations for technical assistance to local governments in community and economic development activities, water quality efforts, capital improvements planning and mass transit planning.

- The League will **support** legislation and administrative actions to increase exporting by North Carolina firms.
- The League will **support** legislation to establish a program to provide both matching and non-matching grants based on ability to pay to municipalities for capital improvements planning to facilitate local economic growth.
- The League will **oppose** statewide legislation authorizing municipalities to convey real property for economic development purposes at private sale for little or no consideration.
- The League will **support** continuation of the current state income tax credit for job creation and **supports** expansion to increase its effectiveness for smaller businesses.

LAND USE PLANNING

- The League acknowledges the constitutional obligations of government officials to respect private property rights and urges municipal officials to be mindful of those concerns. The League will **oppose** legislation that unreasonably restricts modification of current zoning or requires municipalities to pay monetary damages in connection with valid rezoning actions.
 - The League will **oppose** additional legislation concerning local zoning treatment of manufactured housing since these decisions are most appropriately made at the local level. In addition, the League urges its membership in the strongest possible terms to reexamine land use practices to assure compliance with applicable statutes and case law, and consider allocating more residential land area for manufactured homes based upon local housing needs.
 - The League will **support** legislation to clarify and enhance the authority of municipalities to regulate outdoor advertising signs, but will **oppose** legislation to restrict further the authority of local officials to regulate outdoor advertising and require removal of nonconforming signs by amortization.
 - The League will **support seek** legislation ~~to authorize municipalities to prohibit~~ to enhance municipalities' ability to regulate inappropriate location of licensed alcohol establishments.
- The League will **oppose** legislation or administrative actions which would alter the current allocation of federal Community Development Block Grant funds between housing-related purposes (approximately 75%) and economic development (25%).
- The League will **seek support** statewide legislation to authorize levy of development impact or facilities fees.
 - The League will **support** legislation providing authority to municipalities to require installation of private utility company lines inside the extraterritorial planning jurisdiction up to municipal standards.
 - The League will **support** legislation to clarify zoning notice requirements.
 - The League will **support** legislation to encourage preservation of farm land and natural and scenic areas, but will **oppose** legislation which unreasonably infringes on the authority of local officials to make appropriate land use decisions.
 - The League will **support** legislation which will enhance the effectiveness of local historic preservation provided it does not unduly erode the local property tax base.
 - The League **supports** coordinated land use planning and efforts toward state/local cooperation.
 - The League will **support** legislation to create a matching fund program for the use of municipalities and counties in acquisition of parks and development rights to preserve open space and

- The League will **support** legislation prohibiting punitive damages against local governments.
- The League will **support seek** legislation to create a Local Government Tort Claims Act similar to the State Tort Claims Act.
- The League will **oppose** legislation to replace the current contributory negligence doctrine with a comparative fault system.

GENERAL GOVERNMENT

- The League will **oppose** legislation imposing upon municipalities statewide initiative and referendum procedures for municipal ordinances, and recall of municipal officials.
- The League will **seek** legislation making ~~various~~ appropriate technical amendments to statutes affecting municipalities.
- The League will **oppose** legislation ~~which that~~ would make enforcement of local ordinances more difficult.
- The League will **oppose** legislation to preempt the authority of elected local governing bodies to adopt appropriate local smoking regulations.
- The League will **oppose** legislation imposing unduly burdensome or expensive mandated requirements on municipalities unless full funding or adequate new revenue sources are provided for implementation ~~to stem the tide of expensive unfunded state mandates on local governments.~~
- The League will **seek** state grants for local functions or activities which have been mandated by the state, or which have been requested by state agencies and reviewed and approved by the League Board of Directors.

ETHICS

- The League **supports** ethics and good government in the State of North Carolina but

~~opposes the pending legislation on that subject because it is overly broad and does not include all elected officials.~~ (3/28) will oppose proposals that are unduly burdensome or restrictive, and proposals that do not include all elected officials.

INTERGOVERNMENTAL RELATIONS

- The League will **support** legislation to modify and strengthen the Local Government Advocacy Council or establish a state advisory council on intergovernmental relations.

Community and Economic Development

ECONOMIC DEVELOPMENT

- The League will **support** legislation to enhance the effectiveness of economic development efforts and broaden the authority of municipalities to participate.
- The League will **support** ~~legislation for~~ continued funding of the Industrial Development Fund grant program to make it useful to more communities in creating jobs.
- The League will **support** legislation which will promote tourism in North Carolina and in North Carolina's municipalities.
- The League will **support** ~~increased~~ continued state appropriations to lead regional organizations (councils of governments) at current levels for economic development technical assistance to municipalities and counties, provided such funding is at the option of local government members.
- The League will **support** legislation to establish standby state programs ~~for job training, infrastructure development, housing rehabilitation and construction, and other stimulative efforts, to be activated automatically or targeted based on local economic stress indicators~~ to help stimulate locally stressed economies.

elected municipal governing body to make independent policy and budgetary decisions regarding municipal employees.

- The League will **oppose** efforts to modify the law which prohibits a municipality from recognizing or entering into contracts with labor unions or other employee organizations. The League will oppose legislation that tends to strengthen the influence of public employee labor unions, because that is not in the public interest.
- The League will **oppose** legislation to increase the death benefits of law enforcement officers and firefighters.
- ~~The League will oppose legislation to subject municipalities to OSHA penalties, since the current statutory framework provides a cooperative approach to compliance that would work satisfactorily if used as intended.~~

RETIREMENT

- The League will **seek** legislation to coordinate the various retirement benefits of law enforcement officers in a rational and equitable manner. The benefits are excessive, inequitable to other employees, and unduly burdensome to local taxpayers who must pay the costs. The League will **support** state administration of law enforcement officer retirement benefits.
- The League will **oppose** legislation ~~which would to provide unreduced full~~ retirement benefits for some classes of employees with a minimum length of service less than that required of other employees, or other preferential treatment. The League will **oppose** legislation to reduce the minimum length of service required for retirement with ~~unreduced full~~ benefits.
- The League will **support** legislation ~~to which will~~ provide reasonable cost of living increases for retirees and enhanced levels of benefits if they can be funded from actuarial gains in the local retirement system. The League will

~~oppose legislation that goes beyond reasonable cost-of-living and benefit level increases which that cannot be funded from available actuarial gains.~~

- The League will **seek** legislation to increase local government representation on the Retirement System Board of Trustees and to allow all members to vote on all state and local retirement matters.
- The League will **oppose** legislation to allow ~~firefighters or other classes of employees~~ to be eligible for disability retirement with after one year instead of five less than five years of service.
- The League will **oppose** legislation to exempt some law enforcement officers from the general rules on reduction of disability retirement payments based on later earnings.

OPEN MEETINGS

- The League **supports** the principle of openness in government and specifically endorses the concept that meetings of governmental bodies should generally be open to the public. The League also **supports** reasonable provisions for ~~limiting access to, and knowledge of, specified deliberations and actions~~ executive sessions when such limitations are in the public interest. The League will **oppose** legislation imposing additional statutory requirements on municipal governing bodies.

MUNICIPAL UTILITIES

- The League will **oppose** legislation ~~which that~~ would restrict the authority of municipalities to set fiscal operation policies and determine the appropriate rates, fees and service areas for municipal enterprises.

MUNICIPAL LIABILITY

- The League will **oppose** efforts to abolish or restrict further the governmental immunity of municipalities from tort liability.

- ~~The League will support legislation which will improve procedures for collection of property taxes on motor vehicles and preserve the character of the tax.~~

- If revenue sources are repealed, lost revenues must be replaced under a hold harmless formula which will replace revenue to all municipalities on a dollar-for-dollar basis with an adequate growth factor. In the absence of full reimbursement for any tax repeal, the League will **seek** new revenue sources to replace the repealed revenue source.

- The League will **seek** a reasonable increase in the interest rate on delinquent property taxes. The League will **support** a change to an earlier date of the time when property taxes become delinquent, and authority for governing boards to use prepayment discounts until the delinquent date.

- The League will **seek support** clarifying legislation to ensure that municipalities receive tax valuation information at least by the time the county budget ordinance is adopted.

- The League will **seek** legislation to provide municipalities with effective remedies to challenge ~~unrealistically low~~ property tax valuations within the municipal corporate limits. Such remedies should include statutory standing to participate in valuation proceedings and early notice to affected municipalities.

- The League will **oppose** consolidation of the state and local sales taxes.

- The League will **not oppose** taxation of residential property occupied by the owner and located in a commercially-zoned area at a lower residential use value, if reasonable roll-back provisions similar to agricultural use value taxation are included and provided that the tax advantage will not be available to the property owner or other party with a legal interest who petitions for rezoning to commercial use.

- The League will **support** legislation to provide relief to elderly taxpayers whose homestead exemptions lose value because of countywide octennial revaluation, by increasing the value of the exemption when property values increase.

- The League will **support** legislation to apply local sales or use tax to automobiles, boats and airplanes.

- The League will **support** legislation providing for more frequent distribution of state collected local sales tax revenues, or payment of interest to local governments for the period during which funds are held by the state.

- The League will **support** legislation to expand the current property tax incentives for historic preservation.

- In lieu of a permanent local revenue source to replace the local reimbursements, the League will **support** legislation to restore business inventories to the local property tax base.

MUNICIPAL FINANCE

- The League will **support** legislation allowing more flexibility in local government borrowing, such as special obligation bond financing.

- The League will **oppose** legislation to restrict the current authority of municipalities to secure lease/purchase or installment financing.

- The League will **seek support** legislation, and a constitutional amendment if necessary, to authorize development bond financing.

PERSONNEL

- The League **supports** the right of municipal employers ~~municipalities~~ to make basic employment decisions, and will **oppose** any law or regulation which, either directly or indirectly, affects municipal employees' salaries, benefits or conditions of work, or which adversely affects the prerogative of each

RECOMMENDED 1993 MUNICIPAL LEGISLATIVE GOALS AND POLICY

NOTE: The following are recommendations of the four standing League policy committees, as approved by the League Executive Committee acting on behalf of the Board of Directors. All delegates to the Annual Business Meeting are encouraged to read closely and come to the meeting ready for discussion and debate. The discussion will be general and brief, except for those items that delegates wish to discuss in greater detail. The starting point for these revisions was the goals and policies from the 1991 and 1992 sessions. Some items have been deleted because bills have already passed, and some new items are recommended. Proposed additions are underlined, deletions ~~struck through~~.

Finance, Administration and Intergovernmental Relations

MUNICIPAL REVENUES

- The top priority of the League is to restore the long-term stability of the local revenue structure. The League membership acknowledges with gratitude the first step taken by the General Assembly, in good faith, toward that goal in 1992. The League will seek to work cooperatively with legislators to find realistic solutions for the serious future fiscal issues confronting local governments — specifically, the reimbursements for repealed local taxes and the traditional state collected local taxes.
- The League will seek authorization for an additional local option sales tax levy or other revenue source to replace the current local reimbursements for repealed local taxes, provided that each municipality must receive full replacement. Until this legislation is enacted, the League will ~~oppose vigorously any reduction of reimbursement revenues~~ seek restoration of the lost growth revenues and will oppose vigorously any reduction of reimbursements and any proposal to make the reimbursements less secure.
- The League will seek legislation to restore the previous status of the municipal share of the intangibles tax, beer and wine tax, and utility franchise tax as local revenue sources designated automatically by statute, as was the case before HB2377 was enacted in 1990 to balance the state's financial sheet for accounting purposes. In lieu of statutory restoration, the League is open to replacement with adequate alternative revenue sources. Until this legislation is enacted, the League will insist that full appropriations of these local funds be made as provided by statute, including the traditional and essential local growth revenues.
- The League strongly **supports** preservation of the current local government tax structure, since it provides stable revenues in a balanced manner. The League will **support** modifications which enhance the ability of municipalities to meet the needs of their citizens, but will **oppose** modifications which do not observe basic tax equity principles or erode local revenues.
- The League will **oppose** proposals to abolish the property tax, since the property tax is the only major revenue source subject to the control of elected municipal officials, and thus is the foundation of municipal finance. The League will **oppose** additional exemptions and preferential classifications in the property tax base, including repeal of the intangibles tax.
- The League **supports** the current distribution methods for existing local revenue sources, but will **oppose** legislation ~~which that~~ would distort the distribution of existing revenues and have some municipalities gain revenues at the expense of others.
- Municipalities are in need of new revenue sources to offset diminished financial assistance from the federal government to meet the tide of expensive state and federal mandates, and to balance the revenues derived from the property tax. The League will **support** municipalities ~~which that seek an array of~~ local option taxes, such as an occupancy tax, a local income or payroll tax, a prepared meals tax, a real estate transfer tax and an admissions tax, the proceeds of which may be used for any public purpose. The League will oppose legislation to convert any of these local option taxes into state revenue sources, or to interfere unduly with prior local acts.

be, the keystone of a viable federal system. Such a system should ensure self-determination for local officials in the use of federal funds. The League will continue to give priority support to the reinstatement of a program of like General Revenue Sharing. Our goal will be once again to provide a program of general purpose fiscal assistance for municipal government as a permanent feature of American federalism.

IV. IMPLEMENTING STRATEGIES

Policy Committee Appointments - The League President, soon after the adjournment of the 1992 League Convention, should appoint the chairs, vice-chairs and members of the League's four standing policy committees. Chairs so appointed should convene their committees at an early date. Their job is to review the League's state legislative goals and policies, federal goals and policies and other state or federal issues which are of concern to municipal officials and need to be addressed during the remainder of the program year.

Committee Recommendations - The League President should also direct the committees to complete their recommendations for revisions, deletions or additions to state and federal legislative and other policies to the League Board of Directors in early spring of 1993.

Policy Revisions for 1993 - Upon receipt of the recommendations from the four standing policy committees, the League's Board of Directors is urged to amend or refine existing state and federal legislative policies for 1993. Soon after, and before the 1994 Session of the General Assembly convenes, the Board is directed to share these policies with the membership. This can be handled through a series of legislative briefings, regional meetings, a statewide legislative conference, or by other means. Our goal should be to use the most effective and expedient strategy to communicate information to member cities and towns.

In carrying out this strategy, the League Board should consider activities and functions in this state and in Washington, DC which will enable North Carolina municipal officials to discuss federal legislative and other issues with North Carolina's Congressional Delegation. The League Board should continue Town Hall Day or some other appropriate statewide conference to be held during the 1993 Session of the General Assembly. This provides municipal officials with an active opportunity to advocate the municipal viewpoint.

Initial Plans for 1994 - In their deliberations regarding municipal policies for 1992-93, the League's four standing policy committees should begin to develop a tentative agenda for the 1994 Short Session of the General Assembly.

Adopted by the membership at its Annual Meeting this the 26th day of October, 1992, in the City of Greensboro, North Carolina.

Avant P. Coleman, President

ATTEST:

David E. Reynolds, Executive Director

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This partnership must include the strict adherence by the federal government to the principles of the Tenth Amendment to the U.S. Constitution. These specifically protect the powers and interests of state and local government from encroachment by the federal government.

The decision of the United States Supreme Court in South Carolina v. Baker has left the interest on municipal bonds subject to taxation by the Congress with no regard to the traditional doctrine of intergovernmental tax immunity and other time-honored principles under the Tenth Amendment. Unimpaired tax-exempt financing is of critical importance to the continued growth and financial integrity of North Carolina local governments and to all of the state's citizens. Further restrictions on issuance of tax-exempt bonds or taxation of interest on municipal bonds would limit our ability to raise necessary capital, raise the cost of necessary borrowing for public purposes and would require unproductive tax and user fee increases or service level reductions to pay the increased costs. Therefore, the League of Municipalities strongly urges the Congress to respect and preserve the traditional tax-exempt status of municipal bonds. The League thanks the members of the North Carolina delegation and other members of Congress who have already spoken out in defense of municipal bonds. The League will continue to oppose efforts to erode further the tax-exempt status of municipal bonds.

National Municipal Policy - North Carolina cities and towns have historically been heavily involved in the development of national municipal policy. This League encourages its member cities and towns to be active direct members of the National League of Cities. The National Municipal Policy is a comprehensive statement expressing the municipal viewpoint of the nation's cities. This League endorses and supports the current National Municipal Policy and will seek enactment of federal legislation sponsored by the National League of Cities unless it is clearly inconsistent with the adopted policies of this League.

Priority for Federal Categorical Grant Program - The League of Municipalities respectfully urges the North Carolina Congressional Delegation to recognize the continuing legitimate role of federal financial support for many urban programs. It is critically important to continue adequate funding for the programs local governments have assumed under federal auspices. Municipal officials recognize the difficulties the congressional delegation faces in making decisions to continue a wide variety of federal assistance programs. Therefore, the League of Municipalities has identified and reaffirms its highest priority for the continuation of federal assistance in this order:

- (1) A program of general purpose fiscal assistance such as General Revenue Sharing
- (2) The Environmental Protection Agency Wastewater Facilities Construction Grants and Loan Program
- (3) The Community Development Block Grant Program
- (4) Federally Assisted Housing Programs
- (5) Urban Mass Transportation Grants
- (6) Economic and Rural Development Assistance Programs

General Purpose Fiscal Assistance - General purpose fiscal aid to local governments remains the number one priority of the North Carolina League of Municipalities for federal financial assistance. Under the former General Revenue Sharing Program, such a system was, and should