FAYETTEVILLE CITY COUNCIL
AGENDA
REGULAR MEETING
OCTOBER 5, 1992
7:00 P.M.

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INVOCATION - PLEDGE OF ALLEGIANCE

RECOGNITION:

A9/0 ITEM 1. Approval of Agenda

ITEM 2. Consent:

A. Approve minutes of regular meeting of September 8, 1992.

A 9/0

B. Approve minutes of regular meeting of September 21, 1992.

C. Approve tax refunds over $100. (See attached list)

D. Set public hearing for October 19, 1992, to consider petitions for 25 Miles Per Hour Speed Zone for Brenda Drive.

E. Adopt resolution declaring cost and ordering preparation of preliminary assessment rolls and setting time and place for public hearing (October 19, 1992) on preliminary assessment rolls for installation of water and/or sanitary sewer utilities in the following streets:

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

F. Set public hearing for November 2, 1992, to consider an application by Robin Kelly Legg for a Special Use Permit as provided for by the City of Fayetteville Code of Ordinances from Chapter 32, Article IV, Section 32-30, Subsection (12), to allow a residential use in a C2S Central Business District for an area located at 116 Hay Street. (P92-111)

8/1 (Kend)

G. Approve the rezoning from R6 Residential District to P2 Professional District or to a more restricitive zoning classification for an area located on the west side of Devers Street, south of Fort Bragg Road. (P92-100)

H. Approve the initial zoning to R10 Residential District or to a more restrictive zoning classification for an area located at the north end of Hilliard Drive and the west end of Spy Glass Drive, north of Country Club Drive (US 401 Bypass) (P92-104)

I. Approve the initial zoning to R10 Residential District or to a more restrictive zoning classification for an area located at the east end of Summerchase Drive, east of US 401 North (Raleigh Road). (P92-105)

J. Approve the initial zoning to R10 Residential District or to a more restrictive zoning classification for an area located at the north end of Gables Drive, north of US 401 By-Pass (Country Club Drive) (P92-106)

Ag/0 — K. Award contract for purchase of Trencher to Southland Rental and Supply Company, lowest responsible bidder.

L. Set public hearing for October 19, 1992, to consider guidelines for Minority Business participation in contracts awarded by the City.

M. Set public hearing for October 19, 1992, to consider Comprehensive Housing Affordability Strategy (CHAS).

N. Adopt resolution amending Fayetteville Urban Area Thoroughfare Plan. (Change Number 10)

O. Authorize Mayor to execute Lease Agreement between the City of Fayetteville and Friends of the Botanical Garden.

9/0 Cont to 10/19

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

Q. Adopt ordinance amendment adding Honeycutt Recreation Center Lot to Traffic Schedule Number 3 - Two Hour (Parking) Lots.

R. Approve request for legal representation from Police Officer Ronald Dean Kirby.

ITEM 3. Public Hearings:

A 9/0

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

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

PRESENTED BY: City Traffic Engineer

RECOMMENDED ACTION: Approval

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

1. Glenridge Road
2. Delwood Drive
3. Crestview Drive
4. Westhill Drive
5. Welmont Drive
6. Brentwood Drive
7. Village Drive
8. Ireland Drive

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Adoption

Delay (McG, Bol) 2/7
M Leave as is
7/2 (McG, Bolton)

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

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends denial

A 5/4 (Kane, Ch, T, Ross)

2nd Reading 10/19

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

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends approval

A 8/0

6/3 (Ross, T, M)

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

PRESENTED BY: Deputy City Manager

RECOMMENDED ACTION: Adoption

ITEM 4. PWC Matters:

~~6/3 (K, M, Tom)~~

A 9/0

A. Consideration of bid award for purchase of one Boiler Feed Pump to BW/IP International, (sole source supplier of Byron Jackson Pumps).

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Public Works Commission recommends approval

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

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

PRESENTED BY: Inspections Department Staff

RECOMMENDED ACTION: Adoption

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

PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption

ITEM 8. Appointments:

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

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

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

ITEM 9. Administrative Reports:

A. Report of tax refunds less than $100. (See attached list)

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

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RECOMMENDED ACTION: Approval

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2. Delwood Drive
3. Crestview Drive
4. Westhill Drive
5. Welmont Drive
6. Brentwood Drive
7. Village Drive
8. Ireland Drive

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Adoption

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

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends denial

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

PRESENTED BY: Planning Board Staff

RECOMMENDED ACTION: Planning Board recommends approval

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

PRESENTED BY: Deputy City Manager

RECOMMENDED ACTION: Adoption

ITEM 4. PWC Matters:

A. Consideration of bid award for purchase of one Boiler Feed Pump to BW/IP International, (sole source supplier of Byron Jackson Pumps).

PRESENTED BY: PWC Staff

RECOMMENDED ACTION: Public Works Commission recommends approval

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PRESENTED BY: Inspections Department Staff

RECOMMENDED ACTION:

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

PRESENTED BY: City Manager

RECOMMENDED ACTION: Adoption

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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 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 fiteen (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.

DRAFT

FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBERS
433 HAY STREET
MONDAY, SEPTEMBER 8, 1992
7:00 P.M.

Present: Mayor J. L. Dawkins

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

Others Present: John P. Smith, City Manager
Roger L. Stancil, Deputy City Manager
John B. Brown, Jr., Assistant City Manager for Administration and Finance
Jimmy Teal, Assistant City Manager for Planning and Development
Robert C. Cogswell, Jr., City Attorney
Jason Brady, Public Information Officer
Richard Hererra, Community Services Director
Mike Walker, City Engineer
Gerald Croll, Engineer II
David Nash, Annexation Studies Coordinator
Craig Hampton, Purchasing Agent
Louis Chalmers, Traffic Engineer
Robert Barefoot, Parks and Recreation Director
Al Mitchell, Assistant Planning Director
Rick Heicksen, Transportation Planner III
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

The invocation was offered by Dr. Richard Byrd, Emanual Baptist Church, 219 Hull Road, followed by the Mayor leading in the Pledge of Allegiance to the American Flag.

At this time Mayor Dawkins asked City Manager John Smith for an update on the City bus accident of this morning. Mr. Smith reported that the City bus driver had appeared to black-out and lose control of the bus on Robeson Street causing damage to the Santa Fe Restaurant and a parked vehicle, jumped a railroad track and came to rest against a church. The passengers and driver were taken to Cape Fear Valley Hospital and the accident is still under investigation.

1. Approval of Agenda

City Manager John Smith requested to have Item 4 deferred to the September 21 meeting to allow staff to work with the citizens on Englewood Drive.

Councilmember Bolton moved to approve the agenda with Item 4 being deferred as requested, seconded by Councilmember Kendrick and carried unanimously.

2. Consent:

Mayor Dawkins presented the Consent Agenda and asked if any items should be removed before calling for action.

ITEM 2.A.

Councilmember Cheek requested to pull item H for discussion. Councilmember McBryde moved to approve the Consent Agenda with exception of Item H. After a second from Councilmember Bolton the Consent Agenda and following items were unanimously approved.

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:

Taxpayer's Name	Nature of Clerical Error	Property Description	Amount
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

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. (Pulled for discussion)

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).

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING (SEPTEMBER 21, 1992) ON PRELIMINARY ASSESSMENT ROLL FOR PAVING ON WINDEMERE DRIVE (FROM CLIFFDALE ROAD TO CORNISH STREET). RESOLUTION NO. R1992-121.

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

J. Adopt 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 installation of sanitary sewer collection system in University Estates: (PWC).

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

RESOLUTION DECLARING COST AND ORDERING OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL FOR INSTALLATION OF SANITARY SEWER UTILITIES. RESOLUTION NO. R1992-122.

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

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

This agreement increases the State participation in the programs: (1) construction of fire training facility; (2) rehabilitate fire vehicle; (3) land acquisition and (4) environmental assessments for Highway 301.

RESOLUTION

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

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

RESOLUTION AUTHORIZING THE SALE OF CITY OF FAYETTEVILLE PROPERTY. RESOLUTION NO. R1992-123.

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

2H. Adopt Special Revenue Project Ordinance 93-1 and Budget Ordinance Amendment 93-4.

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.

Councilmember Cheek requested a briefing on this item at another date. Councilmember Cheek moved to adopt the Special Revenue Project Ordinance and Budget Ordinance Amendments as requested, seconded by Councilmember McBryde and carried unanimously.

3. Public Hearings:

Mayor Dawkins read the public hearing policy for the time limit for public hearing and non-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)

This item was presented by Deputy City Manager Roger Stancil with a recommendation that the annexation ordinance be adopted with an effective date of September 30, 1992. This is the advertised public hearing for this date and hour.

The public hearing was opened at 7:15 p.m. and speaking for the petitioner was Attorney Stacy Weaver. He stated that the rights of the private land owner should be considered. They are concerned with the peripheral issues which have been developed by the Joint Compatible Land Use policy, which has been adopted in concept by Council. This policy has been funded by the Department of Defense. There are certain restrictions placed on properties which adjoin Simmons Airfield so there would be no development beyond one dwelling per acre in one case, and another case would be for one dwelling per five acres. He stated he felt these tight restrictions would border on what would be excessive regulations restricting economical valuable use of the property by the owner. This amounts to a "taking" and is contestable if a City or other authority tries to do that. Mr. Weaver stated that the property owners want to be annexed and maintain the present zone. He requested that if Council might consider adopting the Land Use policy, they would like to be heard on this matter.

Appearing in opposition was Glenn W. Prillaman, Chief, Master Planning Branch, Ft. Bragg. He stated that after reading the annexation reports and careful consideration, Ft. Bragg is opposed to annexation because of the reason the property is being annexed. The developers clearly proposed to develop this property for single family residential subdivisions. These properties fall within Noise and Accident-potential Zone 2 for Simmons Army Airfield. Noise Zone 3 has the possibility of health injury to due to prolonged exposure to relatively high levels of helicopter noise. Ft. Bragg feels McLean and Thompson Properties represent the worst case situations from Ft. Bragg's point of view in this study. He cited some of the many disadvantages to Cumberland County should Ft. Bragg and Simmons Air Force Base leave the area. The studies and guidelines indicate that this area is not suitable for housing. He continued by stating that they are concerned with not only the quality of life and health of the families who will live there but also the substantial noise complaints in the future and possibly the loss of life in the accident-potential zones. Mr. Prillaman stressed the possibility of the military missions going away and concluded by asking Council to carefully consider this matter.

Mayor Dawkins then asked Al Mitchell what could be done with this property while it is in the County. Mr. Mitchell responded that under the PND zoning, if the property owner submitted a site plan meeting all the criteria, they could have commercial area up to 10%, plus they could average six units per acre on the remaining portion after they deducted 25% for open space. This can be done whether they are annexed or not.

At this time Mr. Weaver was recognized on rebuttal and asked for a sense of fair play and that is if they are damaged, that they be compensated for that.

There be none further to be heard on this matter the public hearing was closed at 7:38 p.m.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NC (MCLEAN AND THOMPSON PROPERTY - MCARTHUR ROAD). ANNEXATION ORDINANCE NO. 92-9-356.

Councilmember McBryde moved to adopt the foregoing annexation ordinance, seconded by Councilmember Cheek. There was some discussion from Councilmembers including Councilmember Massey's concern with the accident possibility which would keep him from voting in favor of this annexation. Following the discussion, Mr. Smith explained that the issue is not whether the property can be developed, but whether it will be developed inside the City with the City street standards or if it will be developed while still in the County. The concerns mentioned in the Annexation Report was to make Council aware that for the first time there would property, if annexed, in the City that falls within the areas discussed in the plan. Mayor Dawkins called for the vote and the motion carried 6 to 3 with Councilmembers Ross, 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.

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)

This item was presented by Tom McNeill and Henry Powers of PWC. Mayor Dawkins ruled that all streets would be heard before action is taken.

1. Hearthstone Drive

The public hearing was opened at 7:54 p.m. There were none to appear in favor. Appearing in opposition was Hubert A. Noble, 111 Hearthstone Drive, stating that he owned property on three of the streets up for public hearings tonight and would combine his concerns at this time. Mr. Noble requested that Council lower the assessment from $12 to $6 per front foot. The reason he stated is because the projected cost at the time they were annexed, against their wishes, was $23 per foot, making it $8 per house on each side of the street and $8 for PWC's share. Because PWC misprojected their cost, they came up with a $12 per foot figure, he continued. Mr. Noble stated that the City was also 45 days late giving notice for the contractor to proceed, the Cliffdale water line was not available until January 1991, the water and sewer line plan was changed after the work was in progress and this should have resulted in a penalty to the contractor. He continued by saying that PWC only applied $2,500 against the cost of the sewer construction. He felt that PWC has not been undercharging for services or they would not access money built up. Mr. Noble stressed the fact that the neighborhood has endured the misery of dust, mud, noise and hassle for months while these projects were in progress. Therefore, reduction or even forgiveness of the assessment would be small restitution. Mr. Noble concluded by stating that Council should not "rubber stamp" these $12 assessments and should do what is fair for the people in those subdivisions.

Mayor Dawkins responded that there was $9 million refunded to the people who use Public Works before any money was transferred.

There being none further to be heard on this matter, the public hearing was closed at 8:03 p.m. and Mayor Dawkins stated that all the Public Works Commission assessment public hearings would be heard before action was taken tonight.

2. Onie Court

The public hearing was opened at 8:15 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

3. Morganton Road

The public hearing was opened at 8:15 p.m. There was none to be heard in favor and Mr. Tony Noble declined to speak since he had made his presentation at Item 3B.

4. Mawood Avenue

The public hearing was opened at 8:16 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

5. Old Gate Road

The public hearing was opened at 8:17 p.m., there was none to be heard in favor and Mr. Tony Noble declined to speak on this matter since he had made his presentation at Item 3B.

6. Docia Circle

The public hearing was opened at 8:18 p.m. and there was none to be heard in favor. Appearing in opposition was Ms. Lisabeth Leddin, 6423 Docia Circle. She stated that the sewer line installed behind her property lowered the grade of the property creating a swamp and resulted in several large trees dying. The workmen brought in sand by wheelbarrow and the condition of her property was in such a state she was unable to leave her property without having bulldozers called in month after month. She stated she feels her property was severely damaged by this project and she should not have to pay $12 per foot for this project.

Councilmember Massey asked Ms. Leddin if she had contacted PWC concerning her problem and she responded that she had not done this but waited for tonight's hearing to bring the matter up. Mr. McNeill stated to Ms. Leddin that if she had contacted them at PWC they would have attempted to alleviate her problem the best they could. Mayor Dawkins instructed PWC and Engineering staff members to contact these residents to assist in what ever way they can.

Phillip Knight, 5427 Docia Circle, appeared in opposition asking how long the $12 per foot had been in effect. Henry Powers responded the new rate began July 1, 1992. Mr. Knight stated he felt that since they were annexed in 1988, this new rate of $12 per foot was set four years later. John Smith responded that the old rate would have been for 1/3 of the cost making it much more than $12 per foot.

There being none further to be heard on this matter the public hearing was closed at 8:29 p.m.

7. Merritt Drive

The public hearing was opened at 8:29 p.m. and there was none to be heard in favor. Appearing in opposition was Joseph Bucca, 5227 Merritt Drive. He echoed what Tony Noble had previously stated and asked about the 30 day discount. The City Attorney explained the time limit for the 30-day discount. There being none further to be heard on this matter the public hearing was closed at 8:31 p.m.

8. Pamalee Drive

The public hearing was opened at 8:31 p.m. and there being none to be heard in favor or opposition to this matter the public hearing was closed.

Mayor Dawkins then asked for Council action. Councilmember Cheek stated that since these people have endured hardships and problems for months and months during this project, damages are due these people. She stated she felt that a fair way of doing it would be to move to adopt the assessment roll reducing the cost to the owners in this area to $9 per foot for Item 3B 1-8, seconded by Councilmember Robertson. Following some discussion it was determined that the Pamalee Drive area was not included in this hardship, therefore, Dr. Cheek amended her motion to exclude Item 3B8. Councilmember Kendrick asked if this motion passes, how will it effect the past assessments where there were problems also. Mr. Cogswell responded that once the rates have been adopted Council can not go back and change them. Councilmember Massey stated he feels that these people have the same opportunity to have PWC correct the situation with their properties as the property owners in the past. Councilmembers Blackwell, Kendrick and Torrey stated they would not be able to support the motion because the reduction was not afforded the property owners in the past who have also had problems. Councilmember Cheek stated she wanted to clarify that the purpose of her motion was because of the inordinate delays and the penalty clauses in this neighborhood and not because this neighborhood should not pay as other neighborhoods, all things being equal, but things were not equal and it was very devastating in that neighborhood.

Mayor Dawkins called for the vote on the motion by Dr. Cheek, seconded by Mr. Robertson, which was to adopt the assessment resolution with $9 per foot for the seven streets. The motion carried 5 to 4 with Councilmembers Blackwell, Kendrick, Torrey and Massey voting in opposition at 8:46 p.m. The resolution titles are as follows:

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (HEARTHSTONE DRIVE). RESOLUTION NO. R1992-124.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (ONIE COURT). RESOLUTION NO. R1992-125.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (MORGANTON ROAD). RESOLUTION NO. R1992-126.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (MAWOOD AVENUE). RESOLUTION NO. R1992-127.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (OLD GATE ROAD). RESOLUTION NO. R1992-128.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (DOCIA CIRCLE). RESOLUTION NO. R1992-129.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (MERRITT DRIVE). RESOLUTION NO. R1992-130.

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

3B-8. Pamalee Drive

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM. RESOLUTION NO. R1992-131.

Councilmember Bolton moved to adopt the foregoing resolution at $12 per foot assessment, seconded by Councilmember Robertson and carried unanimously at 8:47 p.m.

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

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

This item was presented by PWC staff Tom McNeill and Henry Powers. This is the advertised public hearing for this date and hour. Mayor Dawkins ruled that all seven public hearings would be heard before action is taken.

1. Murchison Road

The public hearing was opened at 8:56 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM. RESOLUTION NO. R1992-132.

2. Lakecrest Drive

The public hearing was opened at 8:57 p.m. and there was none to speak in favor. Appearing in opposition was Irene Kinard, 1628 Barber Avenue, property owner of 3141 Lakecrest Drive. She stated she felt that the $12 assessment was too high and if the City could afford to give a 30% discount to anyone paying within 30 days she felt like they could afford to reduce the assessment rate. There being none further to be heard on this matter the public hearing was closed at 8:58 p.m.

Councilmember Kendrick asked Ms. Kinard if they had had any problems with the project. She responded that she was unaware of any problems because this was a rental house.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM. RESOLUTION NO. R1992-133.

3. Oakcrest Drive

The public hearing was opened at 8:59 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM. RESOLUTION NO. R1992-134.

4. Comfy Court

The public hearing was opened at 8:59 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM. RESOLUTION NO. R1992-135.

5. Haven Court

The public hearing was opened at 8:59 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM. RESOLUTION NO. R1992-136.

6. Renfrow Drive

The public hearing was opened at 8:59 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM. RESOLUTION NO. R1992-137.

7. Country Club Drive

The public hearing was opened at 8:59 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM. RESOLUTION NO. R1992-138.

Councilmember Robertson moved to adopt the foregoing seven resolutions setting the assessment at $12 per front foot, seconded by Councilmember Ross and carried unanimously at 9:00 p.m.

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

D. Consideration of adopting 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)

This item was presented by PWC staff with the recommendation to adopt the resolution. This is the advertised public hearing for this date and hour.

The public hearing was opened at 9:01 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENT FOR INSTALLATION OF WATER DISTRIBUTION MAIN AND SANITARY SEWER COLLECTION SYSTEM. RESOLUTION NO. R1992-139.

Councilmember Bolton moved to adopt the foregoing resolution setting the assessment at $12 per front foot, seconded by Councilmember Robertson and carried unanimously at 9:01 p.m.

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

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).

This item was presented by Al Mitchell with a recommendation from the Planning Board for denial because it is not in accordance with the plan for the area. This is the advertised public hearing for this date and hour.

Councilmember McBryde asked if this was considered spot zoning and Mr. Mitchell responded that he believed it is spot zoning. The City Attorney responded that this would be illegal spot zoning.

The public hearing was opened at 9:04 p.m. and speaking in favor was Dan McGinley, petitioner, 3694 Rosehill Road. He has been operating a small real estate business out of his home because of an illness. Mr. McGinley stated that he was told by the Planning Department when he applied for the rezoning that they saw no problem with the P2 zoning for that location. Mr. McGinley requested that Council reconsider their term "spot zoning". He feels this is buffer zoning between residential and commercial.

The City Attorney defined the meaning of spot zoning and explained why this constitutes spot zoning in his opinion.

Appearing in opposition was Reda Weller, 914 Drew Court, Linda Zachary, 908 Wickham Drive, and Larry Holcolm, 612 Dowfield Drive, all stated they feel this area is residential and should remain residential and that Mr. McGinley purchased this property with the intention of selling real estate and has been doing so illegally. They do not want this area opened up to businesses. There being none further to be heard the public hearing was closed at 9:21 p.m.

Councilmember McBryde moved to deny the request for rezoning, seconded by Councilmember Blackwell and carried unanimously.

Councilmember Cheek requested that the Planning Department submit a copy of the regulations for posting notices on proposed rezoning properties.

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

This item was presented by the Traffic Engineer Louis Chalmers who recognized the Planning Department's staff who has worked on this project, Rick Heicksen and Karen Lincoln and Laura Rice, NCDOT Thoroughfare Planner from Raleigh. The Planning Board staff held a public meeting on September 1, 1992, and they advised there were no adverse comments that could recommend a change in the Thoroughfare Plan. This is the advertised public hearing for this date and hour.

The public hearing was opened at 9:26 p.m. and there being none to be heard in favor or opposition the public hearing was closed.

RESOLUTION AMENDING FAYETTEVILLE URBAN AREA THOROUGHFARE PLAN. RESOLUTION NO. R1992-140.

Councilmember Bolton moved to adopt the Fayetteville Urban Area Thoroughfare Plan amendment as recommended, seconded by Councilmember Kendrick and carried unanimously.

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

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

This item was deferred until the September 21 meeting.

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.

Councilmember Bolton requested to be excused from discussion or voting on this item as required by law. Councilmember McBryde moved to excuse Councilmember Bolton as requested, seconded by Councilmember Cheek and carried unanimously.

This item was presented by the City Manager John Smith with a recommendation of adoption of the resolution.

RESOLUTION 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. RESOLUTION R1992-141.

Councilmember Kendrick introduced the foregoing resolution and moved it's adoption, seconded by Councilmember Cheek and carried unanimously 8 to 0 with Councilmember Bolton abstaining.

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

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

This item was presented by City Manager John Smith asking to award the contract on behalf of the City and PWC to ESRI, not to exceed $370,000 and authorized the Mayor to execute the contract for the City and PWC. This is for the first phase of this project which will be for the hardware and software for the system for the storm water management portion of it and for the E-911. A copy of the bid tabulation is attached.

Councilmember Kendrick moved to follow the recommendation, seconded by Councilmember Bolton and carried unanimously.

Public Works Commission staff was excused at 9:35 p.m.

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

This item was presented by Parks and Recreation Director Robert Barefoot, stating there would still be access to the river if this property was utilized by the Botanical Garden. The Parks and Recreation Commission unanimously recommend that Council amend the current lease for addition of 11 acres of leased space to the Cape Fear Botanical Garden Inc., by authorizing advertisement.

Councilmember Robertson moved to follow the recommendation to authorize advertisement of the amendment of the lease, seconded by Councilmember Massey and carried unanimously.

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)

This item was presented by Deputy City Manager Roger Stancil with a recommendation to adopt the resolution.

RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEIVED UNDER GS 160A-31. RESOLUTION R1992-142.

Councilmember Bolton introduced the foregoing resolution and moved its adoption, seconded by Councilmember McBryde and carried 7 to 2 with Councilmembers Torrey and Ross voting in opposition.

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

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

Councilmember Bolton nominated Mayor Dawkins as the voting delegate and Councilmember Kendrick as the alternate, seconded by Councilmember Robertson. They were elected unanimously.

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

This item was presented by City Manager John Smith stating that he has received additional information concerning the complaint to Ms. Ross that initiated this item. It has been discovered that the force of the loud music in this complaint has a police scanner making it difficult to approach the source. Methods are being developed to take care of this situation.

11. Appointments:

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

Councilmember Cheek nominated Eloise Haith for a second term and Councilmember Torrey nominated Ruby Evans to fill the vacancy of Maggie Shive. There were no nominations to fill vacancy of Joseph Covington. Elections will be held at the next Council meeting.

B. Nominations to fill one vacancy on Appearance Commission

Councilmember Blackwell nominated Jim Hankins to fill the unexpired term of Charlie Singer, at-large category, to December 31, 1993. Election will be at the next Council meeting.

12. Administrative Reports:

A. Report on tax refunds of less than $100:

Taxpayer's Name	Nature of Clerical Error	Property Description	Amount
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
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 incorrect 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 Eccles-ford Ld & personal property	$59.70
Quigg & Taylor Associates, Inc.	Leasehold improvements not taxable as personal property per depreciation schedule.	Business personal property office 3416 Melrose Rd, Lot 1, Blk F, Sec. Bordeaux	$46.50

B. Update on Street Standards Policy was submitted in the agenda packet.

C. Status report on McPherson Church Road/Morganton Road intersection improvement was submitted in the agenda packet.

D. Letter from the Honorable Thomas Harrelson, Secretary, N.C. Department of Transportation regarding naming of state streets was submitted in the agenda packet.

There being no further business the meeting was adjourned at 9:45 p.m. upon motion and second.

Respectfully submitted,

Bobbie A. Joyner
City Clerk

J. L. Dawkins
Mayor

BAJ/beo

DRAFT

FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBERS
433 HAY STREET
MONDAY, SEPTEMBER 21, 1992
7:00 P.M.

Present: Mayor J. L. Dawkins

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

Others Present: John P. Smith, City Manager
Roger L. Stancil, Deputy City Manager
John B. Brown, Jr., Assistant City Manager for Administration and Finance
Robert C. Cogswell, Jr., City Attorney
Jason Brady, Public Information Officer
Mike Walker, City Engineer
Pete Piner, Fire Chief
Al Mitchell, Assistant City/County Planning Director
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

Elder J. C. Reid, Church of God in Christ Pentecostal Temple offered the invocation followed by the Mayor leading in the Pledge of Allegiance to the American Flag.

RECOGNITION:

Certificate of Appreciation was presented to Joey Dixon of F & P Enterprises, d.b.a. Burger King by Mayor Dawkins from Parks and Recreation for playground equipment valued in excess of $20,000 donated by the Burger King.

Mayor Dawkins also wanted to recognize some good things that had been happening in our community such as the Habitat for Humanity having four homes dedicated on Buxton Boulevard and the Chip Beck Golf Tournament raising over $100,000.

Councilmember Ross also requested to recognize all the many works for the community by Ms. Christian Smith.

1. Approval of Agenda

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

2. Consent:

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

ITEM 2.B.

A. Adopt resolution setting a public hearing for October 19, 1992, to consider the closing of Brechin Road, pursuant to petition, from Fairfield Road, easterly to the eastern edge of Murray Hill, Section II, as recorded in Plat Book 17, Page 53, Cumberland County Registry.

PRELIMINARY RESOLUTION AND NOTICE OF INTENT TO CLOSE A PORTION OF BRECHIN ROAD. RESOLUTION NO. R1992-143.

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

B. Approve the rezoning from C1P Shopping Center District to R5 Residential District or to a more restrictive zoning classification for an area located on the north side of Vancouver Drive, east of McPherson Church Road. (P92-109)

C. Award construction contract for sports lighting to Annelect Mechanical & Electrical Supply Service Company, lowest responsible bidder, in the amount of $123,866.40.

Bids received were as follows:

Annelect Mechanical & Electrical Supply Service Company	$123,866.40
King Electric of Fayetteville, Inc.	$144,400.00

D. Set public hearing for October 5, 1992, to consider petitions for 25 Miles Per Hour Speed Zone in College Lakes Subdivision (Farmview Drive, Waterbury Drive, Southport Road, and Flat Rock Drive).

E. Approved Special Revenue Project Ordinance Numbers 93-2 and 93-3.

Ordinance 93-2 is to disburse $1,150,000 federal grant from the U.S. Department of Housing and Urban Development to the Community Development Department for continuation to address housing and neighborhood needs for the Senior Citizens Housing Rehabilitation Program and Emergency Repair Program to assist low income persons.

Ordinance 93-3 is to disburse $35,215 for a state grant that requires a local match from Cumberland County in the amount of $3,522 for the Fayetteville Police Department's Cumberland County Juvenile Restitution Program.

F. (Pull for discussion)

G. Adopt resolution declaring cost and ordering preparation of preliminary assessment roll and setting time and place for public hearing (October 5, 1992) on preliminary assessment roll for installation of sanitary sewer utilities in Evergreen Estates as follows: (PWC)

1. Ireland Drive	5. Westhill Drive
2. Village Drive	6. Crestview Drive
3. Brentwood Drive	7. Delwood Drive
4. Welmont Drive	8. Glenridge Road

RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING FOR INSTALLATION OF SANITARY SEWER UTILITIES. RESOLUTION NO. R1992-144.

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

H. Approve Fireworks Display Permit for Fayetteville Jaycees.

2-F. Approve bid awards to LaFayette Ford in the amount of $30,811.00, and Baker Equipment Engineering Company in the amount of $47,879.00, low bids, for purchase of one truck cab and chassis with aerial lift and chip dump body. (PWC)

Councilmember Bolton asked if this equipment should not have come under state contract. Staff responded that these are not on state contract. The bids received were as follows:

Bidder	Cab & Chassis	Aerial Lift w/Dump Body
Reach Equipment Company	$33,001.00	$53,373.00
LaFayette Ford	$30,811.00	No Bid
Patrick Ford	$32,810.00	No Bid
Baker Equipment Engineering	$32,210.00	$47,879.00
Altec Industries	$33,214.00	$47,903.00
*Altec Industries	$27,323.00	$46,545.00

*Alternate Bid for demonstrator units

Councilmember Bolton moved to award the bids as recommended, seconded by Councilmember McBryde and carried unanimously.

3. Public Hearings:

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

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 Assistant Planning Director Al Mitchell stating that Council had called for the public hearing on this item and the Planning Board recommends denial of R5A and approval of R6. This is the advertised public hearing for this date and hour.

The public hearing was opened at 7:15 p.m. and there being none to speak in favor or opposition the public hearing was closed. Councilmember Blackwell asked Rudolph Singleton to make a statement and Mr. Singleton stated he was the attorney representing the petitioner W. C. Maxwell, who would accept the R6 zoning.

Councilmember McBryde moved to rezone this property to R6, seconded by Councilmember Cheek and carried unanimously.

B. Consideration of the rezoning from P2 Professional District to C1 Local Business District or to a more restrictive zoning classification for an area located at 104 Willborough Avenue. (P92-64)

This item was presented by Assistant Planning Director Al Mitchell stating that the Planning Board recommends approval. The planning staff recommends denial of the requested rezoning because the P2 professional district provides a transition from the commercially-zoned property to the south to the residential area to the north. This is the advertised public hearing for this date and hour.

The public hearing was opened at 7:22 p.m. and speaking in favor was John G. Shaw, attorney for the petitioner, stating that this land can not be used as is presently zoned. They also feel that it will not harm the professional or commercial land which borders this property. Appearing in opposition was Ms. Vi Forbis, 431 Northview Drive, she stated she was a property owner in the area and had also spoken with five

residents on Willborough Street who were either unable to come to the meeting due to health reasons or being elderly or being unable to get out at night, that were all in opposition to this rezoning. Ms. Forbis stated she is in real estate and felt Council should consider the impact this rezoning might have on the traffic on that street. The streets are already being used for test driving by one of the businesses along the C1 area on Raeford Road.

There being none further to be heard on this matter the public hearing was closed at 7:37 p.m.

Following some discussion Councilmember Kendrick moved to deny the rezoning request, seconded by Councilmember Robertson and carried 7 to 2 with Councilmembers Blackwell and Ross voting in opposition.

C. Consideration of adoption of resolutions confirming assessment rolls and levying assessments for installation of sanitary sewer collection system in University Estates as follows: (PWC)

This item was presented by PWC Staff Tom McNeill and Henry Powers with a recommendation to adopt the resolutions levying assessments in the amount of $12 per front foot. This is the advertised public hearing for this date and hour.

1. Livingston Drive

The public hearing was opened at 7:46 p.m. and there was none to speak in favor. Appearing in opposition was Glorius S. Holloway, 5535 Livingston Drive, and Troy M. Owens, 5534 Livingston Drive. Both agreed that the $12 per square foot was too much and they had neither one asked for this to be installed. There being none further to be heard on this matter the public hearing was closed at 8:00 p.m.

Mayor Dawkins ruled that the public hearings on all six streets would be heard before action is taken.

2. Spellman Drive

The public hearing was opened at 8:01 p.m. and there being none to be heard on this matter the public hearing was closed at 8:02 p.m.

3. Fiske Drive

The public hearing was opened at 8:02 p.m. and there was none to speak in favor. Speaking in opposition was Marie Lawrence, who was opposed to the $12 assessment as well as the 8% interest for not being able to take advantage of the 30% discount for early pay. Also appearing in opposition was Charlie Lee Mott, 907 Fiske Drive, President of the University Estates Association. Mr. Mott stated he was representing the whole neighborhood as President of the Association and they all agreed the $12 per front foot was too much for the residents of this area to afford. There were approximately 30 people present to stand in opposition to this item. There being none further to be heard on this matter the public hearing was closed at 8:20 p.m.

4. Edmeston Drive

The public hearing was opened at 8:33 p.m. and there was none to speak in favor. Appearing in opposition was Richard Hillman, 5750 Edmeston Drive, requesting the same reduction in the assessment rate from $12 to $9 that was afforded the area in the recent past. He stated the $12 per foot is too much for the people in the University Estates to afford. Mayor Dawkins explained that the recent reduction was due to the hardship placed upon the area by the project and University Estates did

not have this problem. Mr. Rene Paez, Jr., 5742 Edmeston Drive, also requested the reduction. He stated in order to sell his home he would have to reduce the price of the house plus losing the $1,000 he will have to pay for assessment. Councilmember Robertson explained to Mr. Paez that the sewer connection would increase the price of his property over a septic tank. There being none further to be heard on this matter the public hearing was closed at 8:48 p.m.

5. Demerest Drive

The public hearing was opened at 8:50 p.m. and there being none to be heard on this matter the public hearing was closed.

6. Shaw Road

The public hearing was opened at 8:50 and there was none to speak in favor. Speaking in opposition was Amos C. Brown, 2008 Shaw Road, he stated that everyone in University Estates is speaking on the same problem of the assessment being too high and needing an extension of time to pay the assessment and the tap-on fee. Towanda Burnett, 2018 Shaw Road, also spoke in opposition to the $12 per foot assessment and the tap-on fee. She also objected to the plumbing work to be done. She stated she would not be able to afford this because she has a daughter on a breathing machine. There being none further to be heard on this matter the public hearing was closed at 8:55 p.m.

7. Meharry Drive

The public hearing was opened at 8:55 p.m. and there being none to speak on this matter the public hearing was closed.

8. Shaw Mill Road

The public hearing was opened at 8:56 p.m. and there was none to speak in favor. Speaking in opposition was Mr. Jean Barry, Barnhill Contracting Company, 936 Shaw Mill Road. He displayed large aerial photographs of the property involved. He stated this is a triangle-shape piece of property that would never be suitable for development and has been used for many many years as a construction company site. This is a small business with only 2 bathrooms and he feels $10,000 is an excessive amount. Mr. Barry is requesting Council delay a decision until he can hire a professional assessor. There being none further to be heard on this matter, the public hearing was closed at 9:02 p.m.

9. Shrewsbury Drive

The public hearing was opened at 9:02 p.m. and there being none to be heard on this matter the public hearing was closed.

Councilmember Torrey moved to adopt the assessment roll at a reduced rate to $9 per square foot for all nine of the above streets. The motion was seconded by Councilmember Massey. Councilmember Cheek offered a friendly amendment to delay action on Item 8-Shaw Mill Road, to allow for the assessor's report. Councilmember Torrey accepted the friendly amendment.

Councilmember Blackwell stated he would have to vote in opposition to the reduced assessment rate as he has in the past for all the others. Councilmember Cheek stated she also would have to vote in opposition because except for the hardship case, she has always voted for $12 assessments for improvements. Mayor Dawkins called for a vote and the motion failed 3-6 with Councilmembers Blackwell, Cheek, Robertson, Bolton, McBryde and Kendrick voting in opposition.

Councilmember Bolton moved to delay action on Shaw Mill Road to November 16 with owner acquiring an appraisal at his

expense. The motion was seconded by Councilmember Cheek and carried 6 to 3 with Councilmembers Robertson, Blackwell and Ross voting in opposition.

Councilmember McBryde moved to adopt the resolutions confirming the assessment rolls at $12 per front foot for Items 1-7 and 9 above. The motion was seconded by Councilmember Blackwell and carried 7 to 2 with Councilmembers Torrey and Ross voting in opposition at 9:20 p.m. The resolution titles are as follows:

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (LIVINGSTON DRIVE). RESOLUTION NO. R1992-145.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (SPELLMAN DRIVE). RESOLUTION NO. R1992-146.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (FISKE DRIVE). RESOLUTION NO. R1992-147.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (EDMESTON DRIVE). RESOLUTION NO. R1992-148.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (DEMEREST DRIVE). RESOLUTION NO. R1992-149.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (SHAW ROAD). RESOLUTION NO. R1992-150.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (MEHARRY DRIVE). RESOLUTION NO. R1992-151.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS FOR INSTALLATION OF SANITARY SEWER COLLECTION SYSTEM (SHREWSBURY DRIVE). RESOLUTION NO. R1992-152.

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

Councilmember Cheek requested that additional information be furnished on the tap-on fees and the possible reduction in these fees. Mayor Dawkins stated this would be an item on the Information Meeting for September 28.

At this time Charlie Mott raised his hand to be recognized and Councilmembers Ross and Blackwell asked to hear what Mr. Mott had to say. He requested to be able to appear at the Information Meeting when this item is discussed. Councilmember Kendrick stated he felt that the City and PWC are trying to break even on these fees that are being charged for assessments and tap-ons and not expecting to make a profit. Mayor Dawkins stated again that this item would be on the agenda for the Information Meeting.

D. Consideration of adoption of resolution confirming assessment roll and levying assessments for the improvement of Windemere Drive (from Cliffdale Road to Cornish Street) for paving.

This item was presented by City Attorney Bob Cogswell. This is the advertised public hearing for this date and hour and Mr. Cogswell submitted a certificate that notices of the preliminary assessment roll for the paving improvement projects on Windemere Drive were mailed by first class mail to the property owners shown on the assessment roll.

The public hearing was opened at 9:30 p.m. and there being none to be heard on this matter the public hearing was closed.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS. RESOLUTION NO. R1992-153.

Councilmember Bolton introduced the foregoing resolution and moved it's adoption, seconded by Councilmember Torrey and carried unanimously at 9:30 p.m.

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

E. Consideration of adoption of resolution confirming assessment roll and levying assessments for the improvement of Redstone Drive (from Dillon Drive to S/E corner of Lot 4, Plat Book 24/73) for paving.

This item was presented by City Attorney Bob Cogswell. This is the advertised public hearing for this date and hour and Mr. Cogswell submitted a certificate that notices of the preliminary assessment roll for the paving improvement projects on Redstone Drive were mailed by first class mail to the property owners shown on the assessment roll.

The public hearing was opened at 9:31 p.m. and there being none to speak in favor or opposition the public hearing was closed.

At this time Councilmember Kendrick requested to hear from Gertrudis Wozniak, 2149 Redstone Drive, because he was unable to assist her before the meeting. Ms. Wozniak questioned the wording "up to $10 per foot". She felt that Council should have considered a lesser amount than $10. She stated that she pays taxes and has not had a salary increase to cover these expenses.

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS. RESOLUTION NO. R1992-154.

Councilmember Kendrick introduced the foregoing resolution and moved it's adoption, seconded by Councilmember Bolton and carried unanimously at 9:32 p.m.

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

The City Attorney requested a correction to a name on the assessment roll for Item 3D page 2. It shows the name Bunce and this should be Bruce.

Councilmember Bolton moved to make the correction as requested, seconded by Councilmember Cheek and carried unanimously.

4. Consideration of the paving without petition of Englewood Drive. (Continued from July 6, 1992)

This item was presented by City Manager John Smith stating that this item was continued in order to study the cul-de-sac and to allow the property owners to possibly re-plat the property at the end of the street. This is a paving without petition because the petition was not valid. Fire Chief Piner recommended the cul-de-sac as opposed to the T-shaped turn-around. During discussion, Councilmember Blackwell

requested the City Engineer to contact the affected property owners concerning any possible drainage problems.

FINAL RESOLUTION REQUIRING THE PAVING WITHOUT A PETITION OF ENGLEWOOD DRIVE FROM CEDAR CREEK ROAD TO DEAD END. RESOLUTION NO. R1992-155.

Councilmember Kendrick introduced the foregoing resolution and moved it's adoption, seconded by Councilmember Massey and carried 8 to 1 with Councilmember Robertson voting in opposition.

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

5. Consideration of award of purchase contract for receivers and consoles.

This item was presented by City Manager John Smith with a recommendation to award the purchase contract for receivers and consoles for the Communications Department to Motorola C & E, Inc. in the amount of $67,722, lowest responsible bidder.

Councilmember Bolton moved to follow the recommendation, seconded by Councilmember Robertson and carried unanimously.

6. Consideration of adoption of resolution fixing date of public hearing on question of annexation pursuant to G.S. 160A-31, as amended (Petition-Initiated Contiguous Annexation Area) - Westlake at Morganton Road, Phase 1. Recommended public hearing date is October 5, 1992.

This item was presented by Deputy City Manager Roger Stancil with a recommendation for adoption of the resolution.

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO GS 160A-31, AS AMENDED (WESTLAKE AT MORGANTON ROAD - PHASE 1, PROPERTY OF HARRIS FARM JOINT VENTURE AND OTHERS). RESOLUTION NO. R1992-156.

Councilmember Cheek introduced the foregoing resolution and moved it's adoption, seconded by Councilmember Bolton and carried 7 to 2 with Councilmembers Torrey and Ross voting in opposition.

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

7. Consideration of amending Policy 155.3, Deeds in Lieu of Tax Foreclosure.

This item was presented by City Manager John Smith stating that this is to change the words "City Engineer" to "Community Services Director and/or Designee" as a result of recent reorganization. Council can either refer this to the Policy Committee or adopt the change tonight.

Councilmember Bolton moved to change the wording from "City Engineer" to "Community Services Director and/or Designee". The motion was seconded by Councilmember Kendrick and carried unanimously.

8. Discussion of interest charged on assessment payments.

Councilmember Cheek moved to refer to the Policy Committee for consideration of lowering the interest rates from 8% and consider the discount rates. The motion was seconded by Councilmember McBryde and carried unanimously.

9. Appointments:

A. Nominations to fill three vacancies on the Joint Senior Citizens Advisory Commission.

Eloise Haith was elected unanimously to serve a second term. The election of Ruby P. Evans to fill the vacancy of Margaret Shive will be delayed until the next meeting. There was no nomination for the vacancy of Joseph Covington.

B. Nominations to fill one vacancy on the Appearance Commission.

Jim Hankins, 205 Northview Drive, Fayetteville, NC, 28303, was elected unanimously to fill the unexpired term of Charlie Singer in the at-large category to December 31, 1993.

10. Administrative Reports:

A. Statement of taxes collected for the month of August, 1992, from the Cumberland County Tax Collector.

Council accepted the statement of taxes for the month of August, 1992, in the amount of $117,928.05 from the County Tax Collector.

Councilmember Robertson requested to be excused from the Information Meeting on September 28 due to being out-of-town on business. Councilmember Bolton moved to excuse Councilmember Robertson as requested, seconded by Councilmember Massey and carried unanimously 8 to 0.

There being no further business the meeting was adjourned at 10:00 p.m. upon motion and second.

Respectfully submitted,

Bobbie A. Joyner
City Clerk

J. L. Dawkins
Mayor

BAJ/bep

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

September 23, 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:

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

KN/be

FIN-183

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 30, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

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

We have received a petition from the residents on Brenda Drive requesting a 25 Miles Per Hour Speed Zone on their street.

We would suggest that City Council hold a public hearing at their October 19, 1992 meeting to receive public input on this requested speed limit reduction.

LAC/psc

Enclosures
Petition
Area Map

cc: Roger L. Stancil, Deputy City Manager
Jimmy Teal, Assistant City Manager - Planning/Development
William H. Melvin, Signs and Markings Supervisor

DATE 9-22-92

We, the undersigned residents of BRENDA DR.

from MURCHISON Rd to its end

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

PRINTED NAME	ADDRESS	TELEPHONE #	SIGNATURE
Weldon T. Hill	1029 Brenda Dr	488-6466	Weldon T. Hill
Yvonne D. Smith	1025 #1 "	488-0115	Yvonne Smith
HECTOR A. PICART	1051 "	822-0801	Hector Picart
VACANT	1059 "		
VACANT	1063 "		
Gertrude Elliott	1067 "	822-4619	Gertrude Elliott
Margie Bledsoe	1071 "	822-8337	Margie Bledsoe
Jerry Marsh	1075 "	822 0626	Jerry Marsh
not home	1101 "		
Alice B. Tyson	1105 "		Alice B. Tyson
Beverly Rouse	1109 "		Beverly A. Rouse
not home	1113 "		
PARKER PAUL	1117 "		
Va Nessia Billingsley	1125 "	433 6779	[illegible]
not home	~~1129~~ (1121) "		
John P. Averitt	1130 "	488 7725	J. P. Averitt
ALFRED L. MORRISON	1129 "	488-1140	Alfred L. Morrison
not home	1126 "		
Takesha Lock	1122 "	822 5256	Takesha Lock

Page Two
Petition for 25 MPH Speed Limit on BRENDA DR.
Date 9-22-92

PRINTED NAME	ADDRESS	TELEPHONE #	SIGNATURE
[illegible]	1114 Brenda Drive		[illegible]
Teraldine Lewis	1106 "		Teraldine Lewis
Gregory Phason	1074 Brenda "		Gregory Phason
FRANKLIN D. SEWELL	1070 "		Franklin D. Sewell
SAMUEL MONROE JR	1062 "		Samuel Monroe Jr.
[illegible]	1050 Brenda "		[illegible]
Teresa Archibeque	1041 "		Teresa Archibeque
	"		
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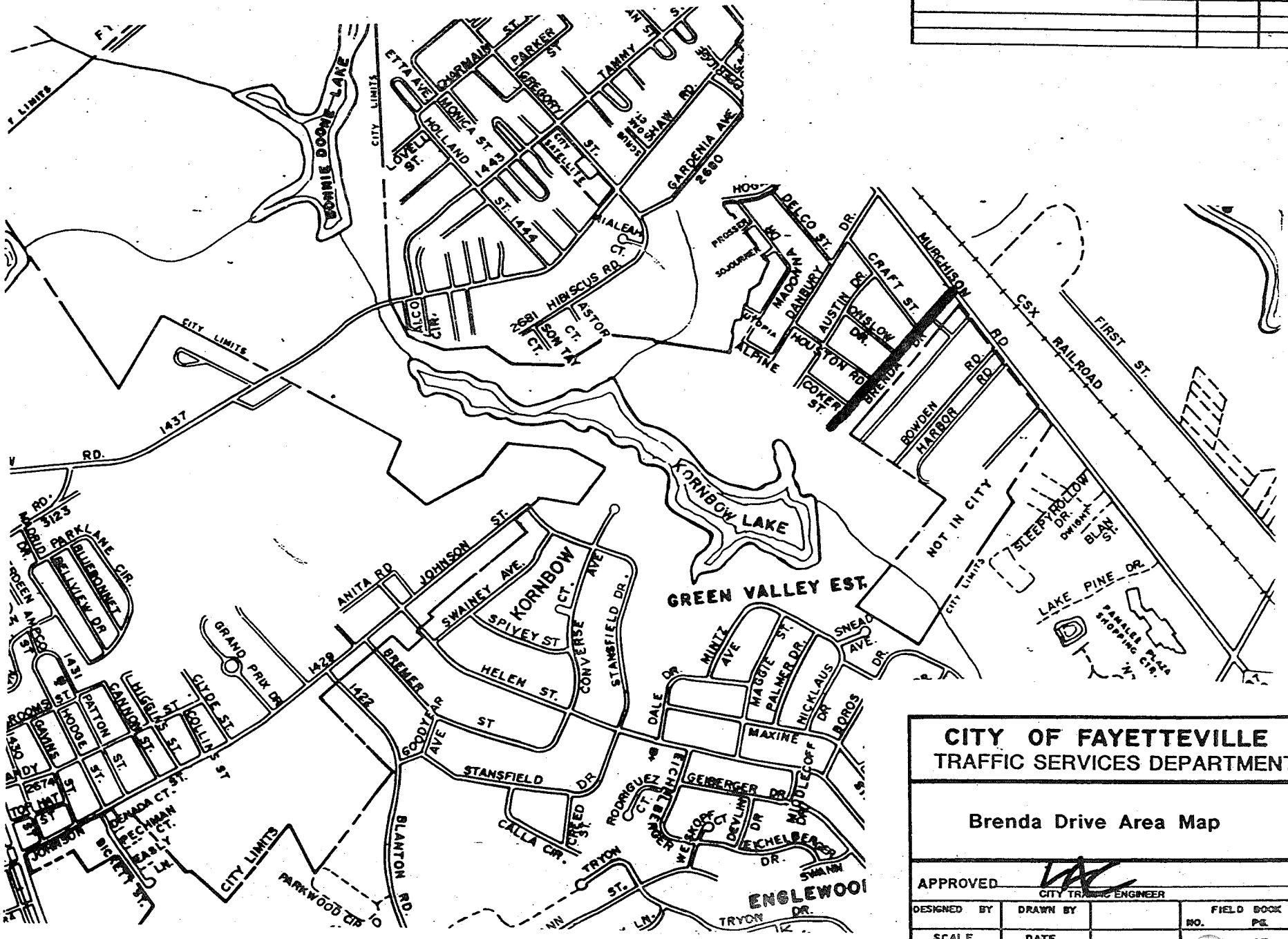
REVISION	DATE	BY



CITY OF FAYETTEVILLE
TRAFFIC SERVICES DEPARTMENT

Brenda Drive Area Map

APPROVED _____ CITY TRAFFIC ENGINEER

DESIGNED BY	DRAWN BY		FIELD BOOK NO. PG.
SCALE	DATE		SHEET OF

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 WATER AND/OR 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 July 16, 1990, has been completed in accordance therewith in the following streets:

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

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

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

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

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

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

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

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

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

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

PASTURE LANE, east side, from southwest corner of Lot 55 to northwest corner of Lot 57, Lock's Creek, Section One

COLDWATER DRIVE, south side, from northwest corner of Lot 40 to northeast corner of Lot 40, Lock's Creek, Section One

COLDWATER DRIVE, north side, from southwest corner of Lot 59 to southeast corner of Lot 58, Lock's Creek, Section One

ITEM 2.E.

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

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

AND, WHEREAS, the 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 $8.00 per front foot for water and $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 19th day of October, 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 19th day of October 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 9th day of

October, 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: October 9, 1992

PLANNING DEPARTMENT

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

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

October 5, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-100. THE REZONING FROM R6 RESIDENTIAL DISTRICT TO P2 PROFESSIONAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE WEST SIDE OF DEVERS STREET, SOUTH OF FORT BRAGG ROAD. (FAYETTEVILLE ORDINANCE)

ACTION: THE ELEVEN MEMBERS PRESENT AT THE SEPTEMBER 15, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO APPROVE 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 area has developed for institutional uses.

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

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

Mr. Ray Vallery, representing the owners, was present for questions.

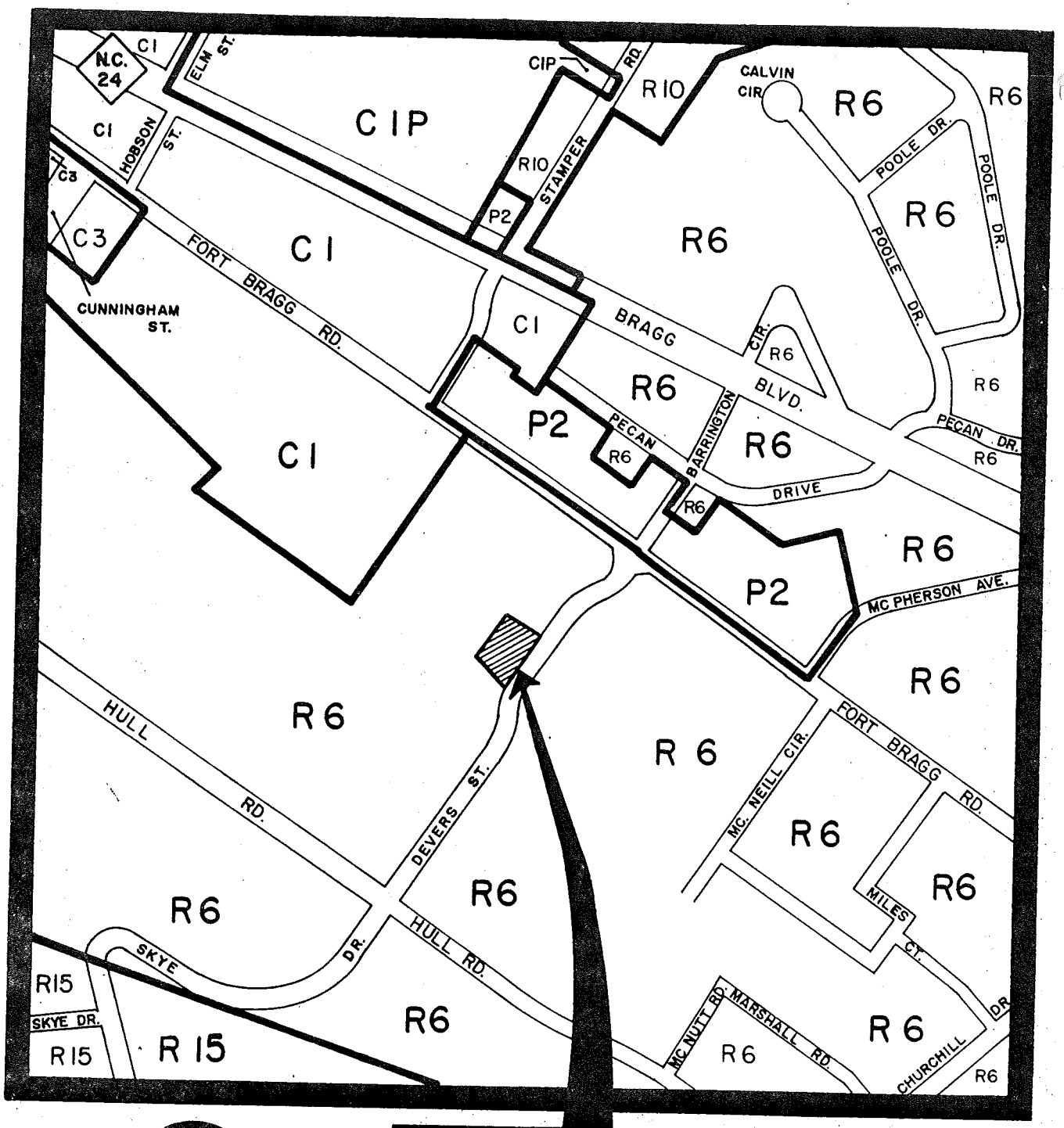
No one appeared in opposition to the requested rezoning.

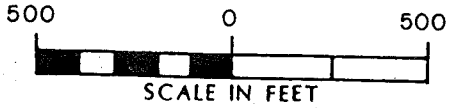
After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a motion was made by Mr. Tew and seconded by Mr. Hasan to approve the requested rezoning. The motion passed unanimously.

:skc

Attachments

ITEM 2. G.





REQUESTED REZONING
R6 TO P2

ACREAGE: 0.59 AC. ±	HEARING NO: P92-100	
ORDINANCE: FAYETTEVILLE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PORTION OF 0427(06)-29- 9839

PLANNING DEPARTMENT

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

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

October 5, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-104. THE INITIAL ZONING TO R10 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT THE NORTH END OF HILLIARD DRIVE AND THE WEST END OF SPY GLASS DRIVE, NORTH OF COUNTRY CLUB DRIVE (U.S. 401 BY-PASS). (FAYETTEVILLE ORDINANCE)

ACTION: THE ELEVEN MEMBERS PRESENT AT THE SEPTEMBER 15, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO APPROVE THE REQUESTED INITIAL ZONING

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

Mr. Lloyd stated that the Planning staff recommends approval of the initial zoning to R10 Residential District based on the following:

1. The proposed initial zoning is consistent with the previous County zoning.

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

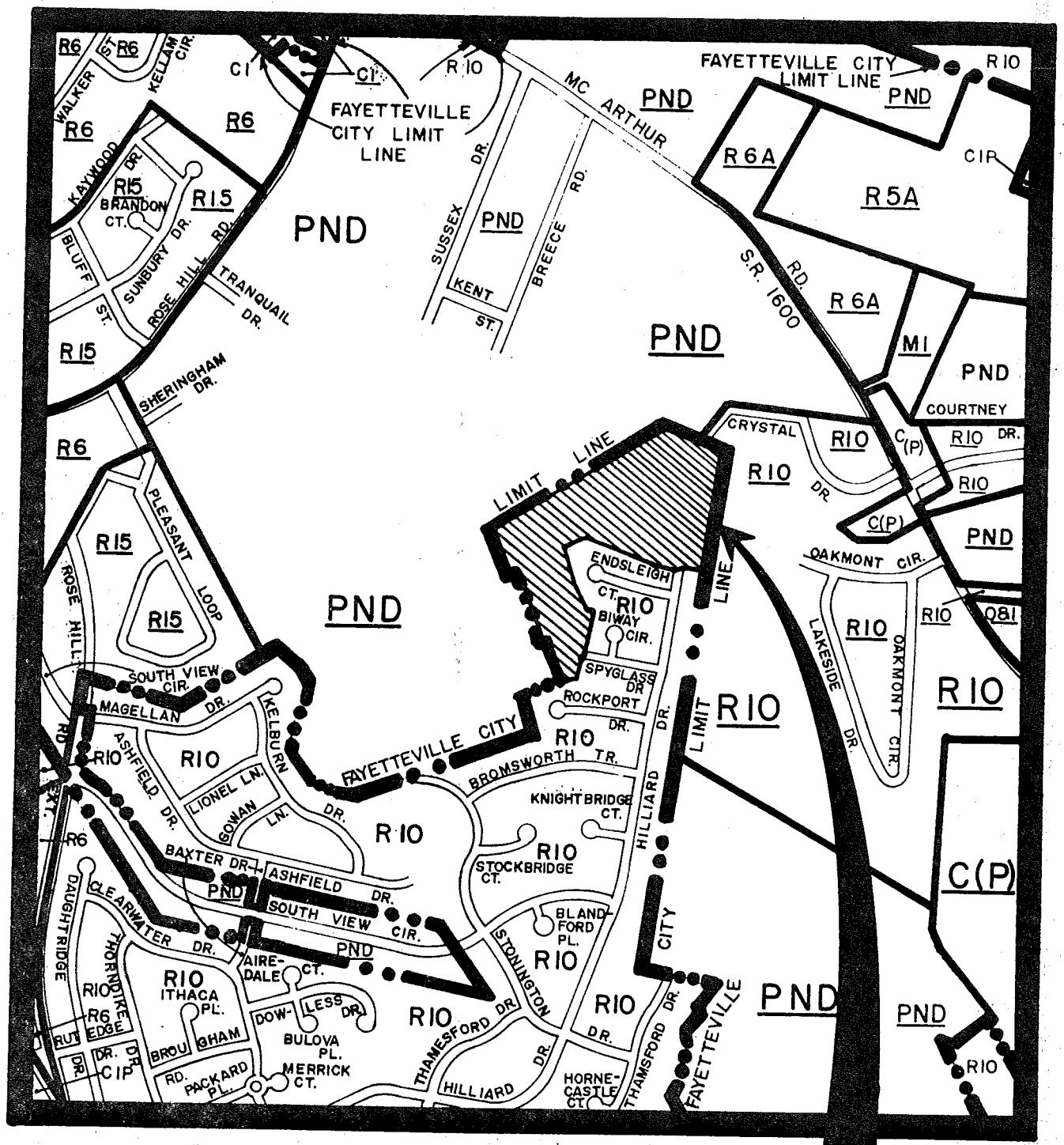
No one appeared in favor of or in opposition to the requested initial zoning.

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. Lucas and seconded by Ms. Vick to approve the initial zoning. The motion passed unanimously.

:skc

Attachments

ITEM 2. H.



NORTH

1000 0 1000

SCALE IN FEET

INITIAL ZONING TO R10

ACREAGE: 26.12 AC.±	HEARING NO: P92-104	
ORDINANCE: FAYETTEVILLE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PORTION OF: 0439-17-1902,9866
0439-28-4712

MC

PLANNING DEPARTMENT

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

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

October 5, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-105. THE INITIAL ZONING TO R10 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT THE EAST END OF SUMMERCHASE DRIVE, EAST OF U.S. 401 NORTH (RALEIGH ROAD). (FAYETTEVILLE ORDINANCE)

ACTION: THE ELEVEN MEMBERS PRESENT AT THE SEPTEMBER 15, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO APPROVE THE REQUESTED INITIAL ZONING

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 initial zoning to R10 Residential District based on the following:

1. The proposed initial zoning is consistent with the previous County zoning.

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

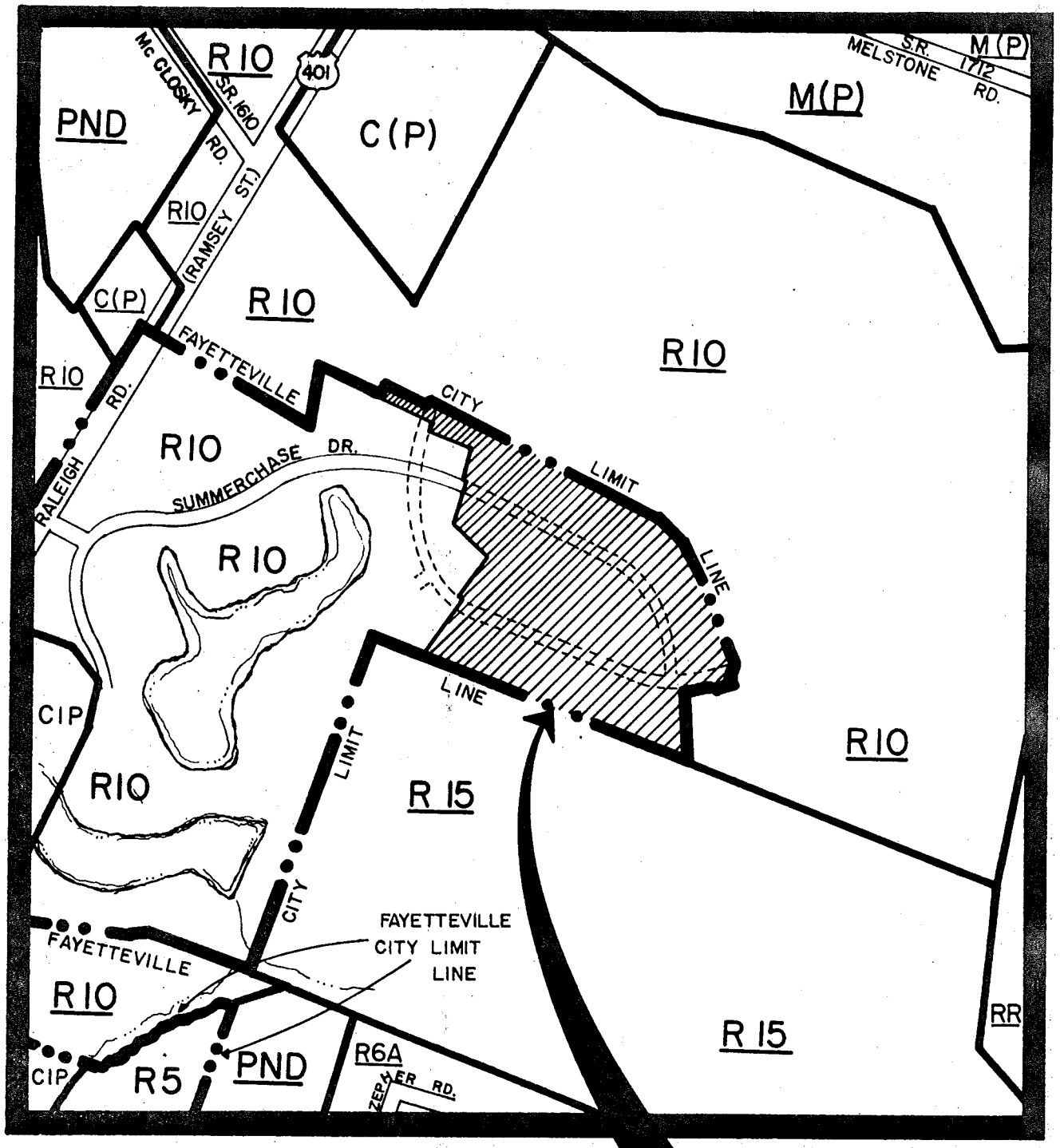
No one appeared in favor of or in opposition to the requested initial zoning.

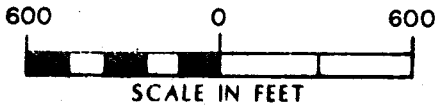
After finding that the request is reasonable, not unduly discriminatory, in the public interest and all uses permitted in the proposed district are suitable for this property, a motion was made by Mr. McLaurin and seconded by Mr. Shaw to approve the initial zoning. The motion passed unanimously.

:skc

Attachments

ITEM 2.I.





INITIAL ZONING TO R10

ACREAGE: 19.73 AC. ±	HEARING NO: P92-105	
ORDINANCE: FAYETTEVILLE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN : 0531-23-0643 (PORTION)

MC

PLANNING DEPARTMENT

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

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

October 5, 1992

MEMO TO: FAYETTEVILLE CITY COUNCIL

FROM: CUMBERLAND COUNTY JOINT PLANNING BOARD

SUBJECT: CASE NO. P92-106. THE INITIAL ZONING TO R10 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED AT THE NORTH END OF GABLES DRIVE, NORTH OF U.S. 401 BYPASS (COUNTRY CLUB DRIVE). (FAYETTEVILLE ORDINANCE)

ACTION: THE ELEVEN MEMBERS PRESENT AT THE SEPTEMBER 15, 1992 REGULAR MEETING VOTED UNANIMOUSLY TO APPROVE THE REQUESTED INITIAL ZONING

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 initial zoning to R10 Residential District based on the following:

1. The proposed initial zoning is consistent with the previous County zoning.

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

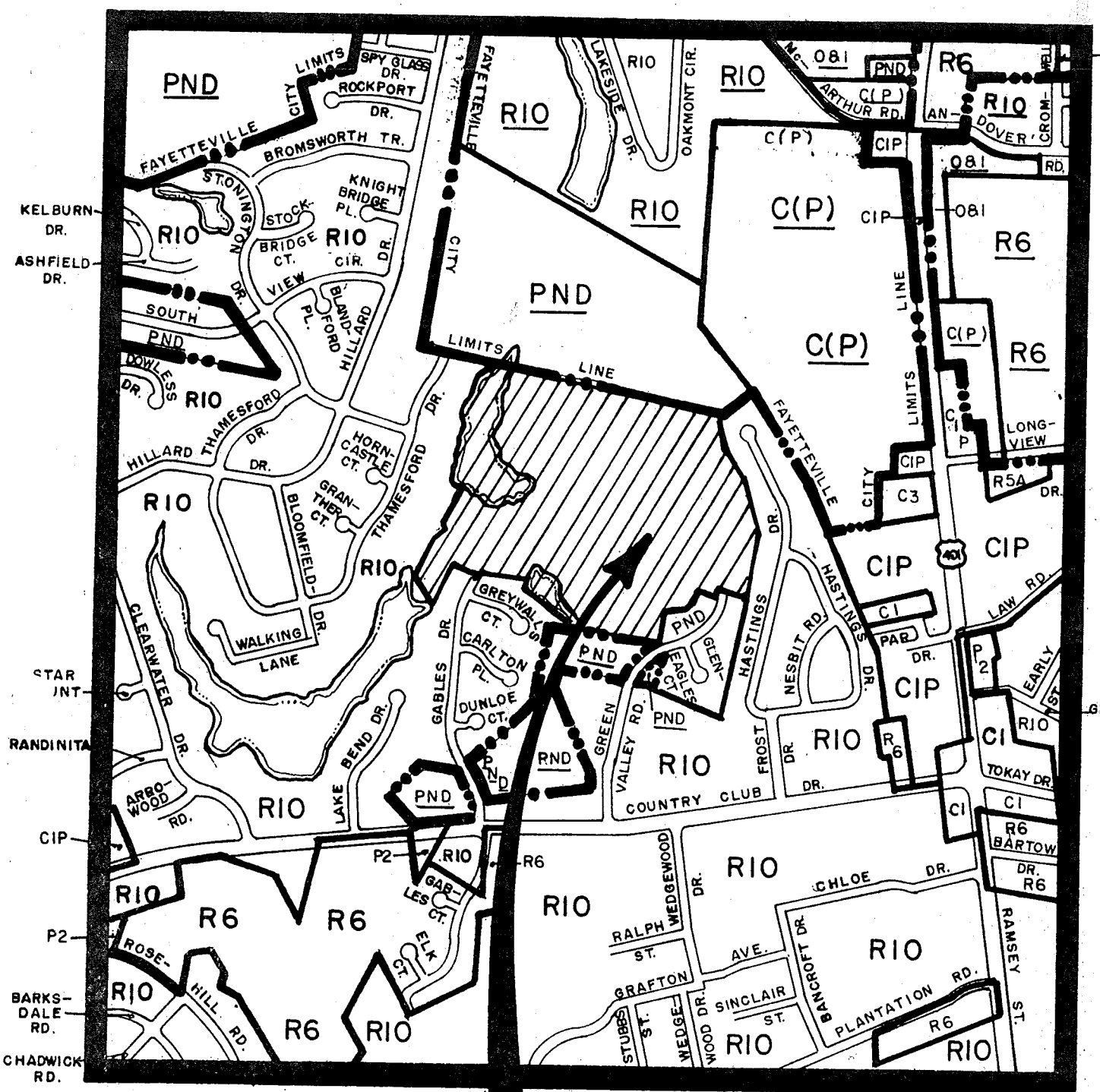
No one appeared in favor of or in opposition to the requested initial zoning.

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. Tew and seconded by Mr. Lucas to approve the initial zoning. The motion passed unanimously.

:skc

Attachments

ITEM 2. J.



INITIAL ZONING
TO RIO

ACREAGE: 66.0 AC. ±	HEARING NO: P92-106	
ORDINANCE: FAYETTEVILLE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN:

DM

THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

September 30, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

SUBJECT: Award of Purchase Contract For A Trencher (Parks & Recreation)

In the attached City Council-Action Request Form, we are requesting Council to adopt a resolution awarding a purchase contract to Southland Rental & Supply Co. in the amount of $20,620.89. This company is the lowest responsible bidder. Sufficient monies were budgeted for this purchase.

The Bid Awards Committee was comprised of representatives from Fleet Maintenance, Parks & Recreation, Purchasing and the Directors of Parks & Recreation and Environmental Services. The Committee reviewed all submitted bids and recommends award of the contract to Southland Rental & Supply Co.

Recommend Council adopt resolution.

JBB/kbl

Attachment

cc: Robert Barefoot, Parks & Recreation Director
Clark Dill, Environmental Services Director
Bill McGugan, Administrative Services Director
Kai Nelson, Finance Director

CITY COUNCIL - ACTION REQUEST FORM

TO: John P. Smith, City Manager

DATE: September 29, 1992

FROM: William J. B. McGugan, Director of Administrative Services

COUNCIL ACTION REQUESTED: Award of purchase contract to Southland Rental & Supply Co. in the amount of $20,620.89

PROJECT NAME: Trencher

PROJECT NUMBER: BID #929306

DATE OPENED: September 24, 1992

DATE ADVERTISED: September 17, 1992

BIDDERS:	TOTAL PRICE:
Southland Rental & Supply Co..	$ 20,620.89
Ditch Witch of NC	$ 23,929.70
	$
	$
	$

AWARD RECOMMENDED TO: Southland Rental & Supply Company

BASIS OF AWARD: Lowest responsible bidder

BUDGET AMOUNT: 23,000

ACCOUNT NO.: 11-6111-2550

FUNDING SOURCE: General Fund

DEPARTMENT: Parks & Recreation

AWARDS COMMITTEE MEMBERS: Staff members of Garage, Parks & Recreation, and Purchasing, Directors of Parks & Recreation and Environmental Services

AWARDS COMMITTEE ACTION: The low bid submitted meets or exceeds all technical specifications and delivery requirements and is priced within available funds. The Committee recommends the award as requested.

SUBMITTED BY:

William J. B. McGugan

ADMINISTRATIVE SERVICES DIRECTOR

RECOMMENDED BY:

See Attached

DEPARTMENT HEAD

CERTIFY FUNDS AVAILABLE

Kim D. Melvin

FINANCE DIRECTOR

ADM-72

THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

PARKS AND RECREATION

433 HAY STREET

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

September 28, 1992

MEMORANDUM

TO: Craig Hampton, Purchasing Agent

FROM: Robert Barefoot, Director RB

SUBJECT: Trencher Bid

Recommend acceptance of low bid for Burkeen B-36 trencher made by Southland Rental and Supply Company in the amount of $20,620.89. Should further information be needed, please let me know.

RB/sb

RECEIVED
SEP 29 1992
PURCHASING DEPT
CITY OF FAYETTEVILLE

CONCUR WITH ABOVE RECOMMENDATION

CLARK DILL, ENVIRONMENTAL SERVICES DIRECTOR

DATE 9-24-92

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

The undersigned has read carefully the foregoing specifications, including the text of the advertisement, General Conditions and Special Conditions, and proposes to furnish and install equipment meeting or exceeding said specifications, in accordance with all requirements and conditions of this Invitation for Bids, FOB Fayetteville, North Carolina, as follows:

ITEM: 1 EACH, TRENCHER $23,929.70

MAKE AND MODEL: Model 3500 H3/2 Digging Attachment

BID PRICE: $23,929.70

GUARANTEED DELIVERY DATE: 14 days

BID DEPOSIT(enclosed) YES ✓ NO _____ AMOUNT _____

REMARKS/EXCEPTIONS: Included in the above price is a Belche GT8 Trailer - Per Specs.

Net 30
PAYMENT TERMS

Ditch Witch of N.C. Inc.
BIDDER

Travis K. Wilkey
BY

Travis K. Wilkey
ABOVE NAME TYPED OR PRINTED

Senior Vice President
TITLE

P.O. Box 26957
ADDRESS

Raleigh, N.C. 27611

TELEPHONE AND FAX NUMBER

BID OPENING:

09-24-92

2:00 P.M.

CITY PURCHASING OFFICE
433 HAY STREET
FAYETTEVILLE, NC 28301

BID #929306

DATE Sept. 23, 1992

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

The undersigned has read carefully the foregoing specifications, including the text of the advertisement, General Conditions and Special Conditions, and proposes to furnish and install equipment meeting or exceeding said specifications, in accordance with all requirements and conditions of this Invitation for Bids, FOB Fayetteville, North Carolina, as follows:

ITEM: 1 EACH, TRENCHER

MAKE AND MODEL: BURKEEN B-36

BID PRICE: $20,620.89 + TAX

GUARANTEED DELIVERY DATE: 30 DAYS

BID DEPOSIT(enclosed) YES ✓ NO _____ AMOUNT 1,031.04

REMARKS/EXCEPTIONS: HAD to REPRINT THE PARTS BOOKS - WILL BE IN SHORTLY

Net 10 days
PAYMENT TERMS

BIDDER: SOUTHLAND RENTAL & SUPPLY CO.

BY: John R Brantley III Pres.

JOHN R. BRANTLEY, III PRES.
ABOVE NAME TYPED OR PRINTED

TITLE: PRESIDENT

ADDRESS: P.O. BOX 284
FAYETTEVILLE, N.C. 28302

TELEPHONE AND FAX NUMBER: (919) 323-5300 FAX 323-0367

BID OPENING:

09-24-92

2:00 P.M.

CITY PURCHASING OFFICE
433 HAY STREET
FAYETTEVILLE, NC 28301

BID #929306

THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

September 30, 1992

MEMORANDUM

TO; John P. Smith, City Manager

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

SUBJECT: Setting a Public Hearing for October 19, 1992, To Adopt Guidelines For Minority Business Participation In Contracts Awarded By The City

On September 5, 1989, Council adopted the attached resolution (R1989-127) pursuant to N.C.G.S. Sec. 143-128, which established "interim guidelines" until appropriate verifiable percentage goals could be determined.

The purpose of the public hearing at Council's Regular Meeting on October 19, 1992, will be to adopt permanent City-wide guidelines which will include the Public Works Commission (PWC). We have coordinated closely with PWC on this matter and propose to use the format and forms which it has developed and is currently using. We will recommend adoption of a flat ten percent (10%) verifiable goal for all future building projects awarded pursuant to N.C.G.S. Sec. 143-128. The State's and the County's verifiable goals are ten percent (10%); the School Board's goal is fifteen percent (15%).

Recommend Council set the public hearing.

JBB/kbl

Attachment

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

Resolution No. R1989-127

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

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

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

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

THEREFORE BE IT RESOLVED that:

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

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

b. Of which the management and daily business operations are controlled by one or more of the minority persons who own it.

(2) The term "minority person" means a person who is a citizen or lawful permanent resident of the United States and who is:

a. Black, that is, a person having origins in any of the black racial groups in Africa;

b. Hispanic, that is, a person of Spanish or Portugese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race;

c. Asian American, that is, a person having origins in any of the original peoples of the Far East, Southeast Asia and Asia, the Indian subcontinent, the Pacific Islands;

d. American Indian or Alaskan Native, that is, a person having origins in any of the original peoples of North America; or

e. Female.

(3) The term "verifiable goal" means for purposes of the separate prime contract system, means written guidelines specifying the actions that will be taken to ensure a good faith effort in the recruitment and selection of minority businesses for participation in contracts awarded by the City; and

(4) The term "verifiable goal" means for purposes of the single-prime contract system, means written guidelines specifying the actions that the prime contractor must take too ensure a good faith effort in the recruitment and selection of miniority businesses for participation in contracts awarded by the City; the required actions must be documented in writing by the contractor to the City.

(5) Through its City Manager, the Administrative Services Department, Engineering Department, and Project Managers on contracts awarded pursuant to N.C.G.S. sec. 143-128 the City shall:

a. Require all bidders to submit as part of their bid a statement as to the recruitment and selection of minority businesses for participation and what percentage, if any, of the work will be performed by minority businesses if the contract is awarded to include any percentage requirements on contracts utilizing Federal Aviation Administration or Urban Mass Transit Administration Grant Funds;

b. Keep a register of minority businesses by trade and to notify those businesses listed where part or all of the work to be awarded involves that particular trade;

c. Assist minority businesses in understanding general statutory requirements regarding bids and bonding process;

d. Elicit the participation by City Representatives at minority contractor business meetings; monitor minority business bids and awards; implement a record-keeping and reporting system for assessing minority business program accomplishments;

e. Require all contracts to fully document any and all failures to accomplish the guidelines herein for utilization of minority businesses; comply with Resolution No. R1984-31 of the Fayetteville City Council regarding disadvantaged business enterprises.

f. Immediately review previous minority business participation studies and reports prepared by Talbert Cox and Associates and other consultants to determine the verifiable percentage goals for minority participation in contracts awarded by the City pursuant to N.C.G.S. sec. 143-128.

g. That a separate verifiable percentage goal as defined by N.C.G.S. sec. 143-128 will be determined for each separate contract or contracts awarded pursuant to N.C.G.S. sec. 143-128.

Adopted this 5th day of September, 1989.

J. L. Dawkins

J. L. DAWKINS, MAYOR

ATTEST:

Bobbie A. Joyner

BOBBIE A. JOYNER, CITY CLERK

89RS0003

ENGC-3
9/15/89

THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

COMMUNITY DEVELOPMENT DEPARTMENT
FAYETTEVILLE REDEVELOPMENT COMMISSION
CITY HALL, 433 HAY STREET, ROOM 320
TELEPHONE (919) 433-1590

POST OFFICE BOX 635
FAYETTEVILLE, NORTH CAROLINA
28302

September 30, 1992

MEMORANDUM

TO: Mr. John P. Smith, City Manager

FROM: Janice S. Gerald, Community Development Director

It will be necessary for the City of Fayetteville to submit the annual update of the Comprehensive Housing Affordability Study (CHAS) to the Department of Housing and Urban Development. It is required that a public hearing be held for citizen input.

I respectfully request that at the Council meeting of October 5, 1992, the Council set a public hearing for October 19, 1992, for consideration of the Comprehensive Housing Affordability Strategy (CHAS).

Thank you for your consideration of this issue. Please let me know if this is possible.

JSG:lcg

PLANNING DEPARTMENT

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

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

September 30, 1992

MEMO TO: JOHN SMITH, CITY MANAGER

FROM: GEORGE VAUGHAN, PLANNING DIRECTOR

SUBJECT: APPROVAL OF ITEM 10 FROM RESOLUTION AMENDING FAYETTEVILLE URBAN AREA THOROUGHFARE PLAN

In preparing the resolution for Fayetteville City Council's September 8, 1992 meeting, we left out change Number 10 which was to add East and West Mountain Drives to the Thoroughfare Plan as minor thoroughfares from Camden Road to Owen Drive Extension.

We would like to have the attached revised resolution passed by City Council at the City's earliest convenience.

GEV:skc

ITEM 2.N.

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.

10. Add Mountain Drive minor thoroughfare from SR 1003 (Camden Road) approximately 2.0 miles east to Owen Drive Extension (3,000 feet west of NC 87). 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

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

AMENDMENT OF LEASE

THIS AMENDMENT OF LEASE dated the _____ day of _____, 1992, by and between THE CITY OF FAYETTEVILLE, a North Carolina municipal corporation ("City"), herein referred to as "Lessor" and FRIENDS OF THE BOTANICAL GARDEN ("Friends"), a North Carolina non-profit corporation with its principal office in Fayetteville, North Carolina, herein referred to as "Lessee."

W I T N E S S E T H

THAT WHEREAS, the Lessor and Lessee have previously entered into a written Lease Agreement dated the 2nd day of April, 1990, and recorded in Book 3570, Page 590, and that Lessee is desirous of adding an additional 11 acres to the demised premises;

THAT WHEREAS, Lessor caused said amendment of the lease to be duly advertised in accordance with law and that no upset bid was received.

NOW, THEREFORE, in consideration of the premises and other valuable consideration, the receipt and sufficiency of which is acknowledged by each of the parties, the Lessor and Lessee agree to amend the Lease Agreement entered into on the 2nd day of April, 1990, by and between the parties, as follows:

1. That paragraph 1 is rescinded in its entirety and the following substituted therefor: 1. <u>LEASED PROPERTY</u>. Lessor hereby leases to Lessee and Lessee hereby leases from Lessor approximately 76 acres of real property located at Pope Park in Fayetteville, North Carolina, herein referred to as the "Leased

ITEM 2.0.

Property," the precise description of which is attached hereto as Exhibit "A".

2. Except as amended herein, all other terms and provisions of that certain Lease Agreement entered into between the parties dated the 2nd day of April, 1990, and recorded in Book 3570, Page 590, shall remain unchanged and are incorporated by reference as if fully set forth herein.

This the _____ day of _____, 1992.

CITY OF FAYETTEVILLE

BY: _____
J. L. DAWKINS, MAYOR

ATTEST:

_____
BOBBIE A. JOYNER, CITY CLERK

FRIENDS OF THE BOTANICAL GARDEN

BY: _____
C. BRUCE WILLIAMS, PRESIDENT

ATTEST:

_____
SECRETARY

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

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

WITNESS my hand and Notarial Seal this the _____ day of _____, 1992.

_____
NOTARY PUBLIC

My Commission Expires:_____

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

I, _____, a Notary Public in and for said County and State, do hereby certify that LORETTE HOLLINSHED personally appeared before me this day and acknowledged that she is the SECRETARY of FRIENDS OF THE BOTANICAL GARDEN, a North Carolina Non-Profit Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its PRESIDENT, C. BRUCE WILLIAMS, sealed with its corporate seal and attested by LORETTE HOLLINSHED as its SECRETARY.

WITNESS my hand and Notarial Seal this the _____ day of _____, 1992.

_____
NOTARY PUBLIC

My Commission Expires:_____

EXHIBIT "A"

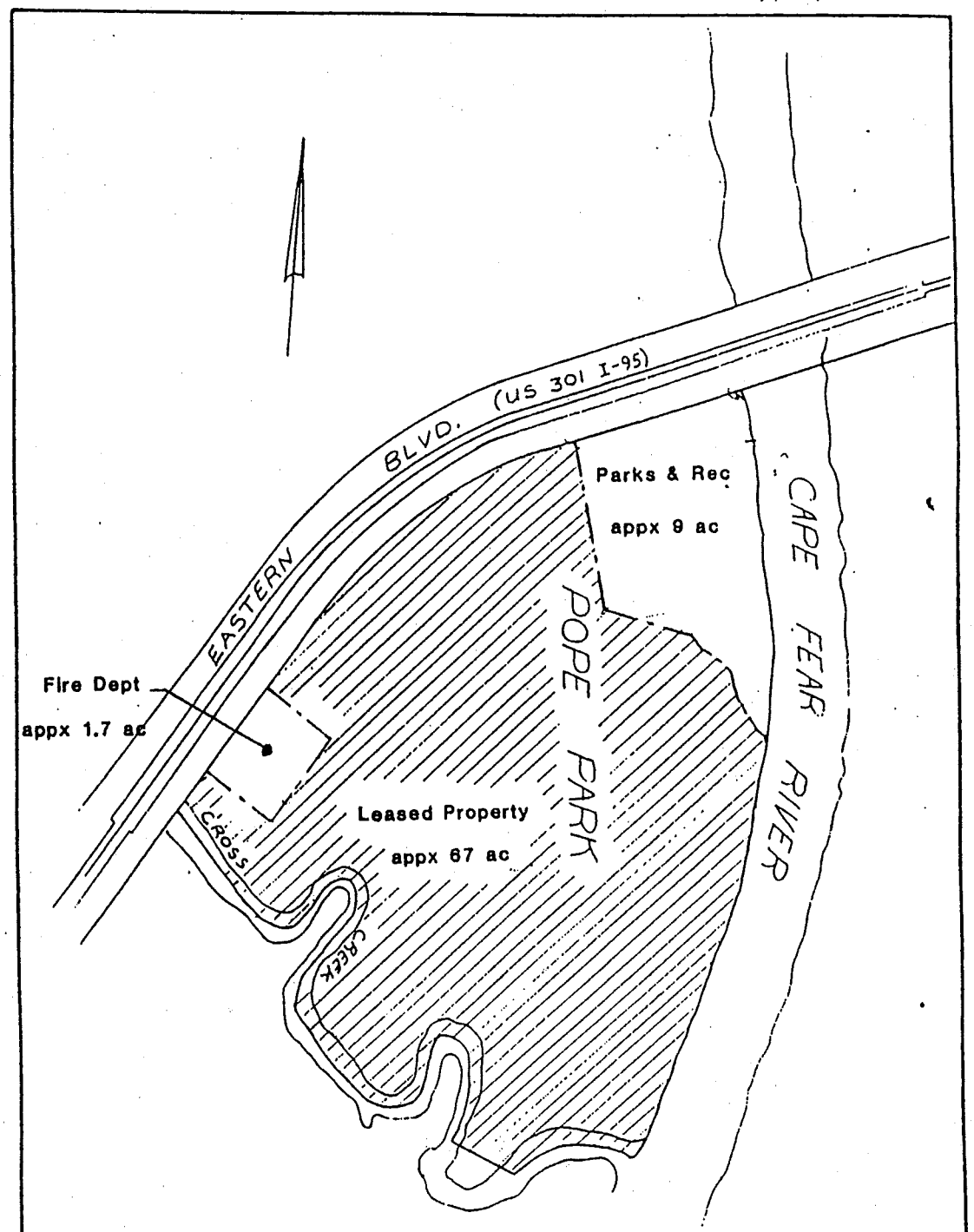
NORTH CAROLINA

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.

POPE PARK

11-1



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 BK:

BK3570PG0590

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

LEASE AGREEMENT

10396

RECEIVED
90 APR -9 PM 3:00
GEORGE E. TATUM
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

THIS LEASE AGREEMENT dated the 2nd day of April, 1990, by and between THE CITY OF FAYETTEVILLE, a North Carolina municipal corporation ("City"), herein referred to as "Lessor" and FRIENDS OF THE BOTANICAL GARDEN ("Friends"), a North Carolina non-profit corporation with its principal office in Fayetteville, North Carolina, herein referred to as "Lessee."

W I T N E S S E T H

THAT WHEREAS, the Lessee was organized as a non-profit scientific, education, and charitable corporation that is dedicated to improve the quality of life in the Cape Fear region through the establishment and maintenance of a Botanical Garden in or around the City of Fayetteville;

WHEREAS, the Lessor is the owner of a tract of land, herein described, on which the Lessee desires to locate a Botanical Garden; and

WHEREAS, the purposes of the Botanical Garden are supportive of the purposes of Parks and Recreation and the maintenance of a Botanical Garden by Lessee would provide a place for the education, recreation and entertainment for the citizens of the City and others; and

WHEREAS, the Lessor is willing to lease the property herein described to the Lessee, on the terms and conditions hereinafter set forth, all of which are agreeable to the Lessee.

42

Mail To: City of Fayetteville

32

NOW, THEREFORE, in consideration of the premises and other valuable consideration, the receipt and sufficiency of which is acknowledged by each of the parties, the Lessor and Lessee agree as follows:

1. LEASED PROPERTY. Lessor hereby leases to Lessee and Lessee hereby leases from Lessor approximately 67 acres of real property located at Pope Park in Fayetteville, North Carolina, herein referred to as the "Leased Property," the precise description of which is attached hereto as Exhibit "A".

2. TERM. The term of this Lease shall begin on April 22, 1990, and, unless terminated or extended, shall end on April 21, 2040, herein the "basic term". Lessee may extend the basic term of this Lease at the expiration of the basic term herein upon the approval of Lessor for an additional period of time as approved by Lessor, whose consent shall not be unreasonably withheld. Any request to modify or extend the basic term shall be in writing, sent to Lessor at least three (3) months prior to the expiration of the basic term.

3. RENT. Lessee shall pay to Lessor, as rent for the leased property during the basic and extended term, the sum of ONE DOLLAR ($1.00) per year, the rental for the basic term to be paid in advance upon the execution of this Lease and the rental for any extended term to likewise be paid in advance.

4. COMPLIANCE WITH REQUIREMENTS. Lessee shall procure, maintain and comply with all permits, licenses and other

requirements for the use of the leased property as a private, non-profit organization and for its lawful operation, maintenance and repair, in accordance with all state and local laws and ordinances.

5. LESSEE'S RIGHT TO IMPROVE. Lessee shall have the right to construct on the leased property, at its own cost and expense, such improvements as are necessary in the Lessee's opinion for conducting its activities, subject to the following terms:

A. Design. The parties acknowledge that the site design and location of Lessee's improvements on the leased property are important to the Parks and Recreation Commission of Lessor (hereinafter referred to as Commission) from the standpoint of the overall design and utilization of the contiguous property owned by the Lessor. Lessee shall provide to the Lessor a master site design plan for the leased property and its intended use by the Lessee, such master site design plans to be provided by Lessee within 365 days after approval of this Lease. The master design site plan shall be approved by the City Council or its designee, which approval shall not be unreasonably withheld. The City Council or its designee agree to consult with the Lessee and any architect or other professional employed by the Lessee to design any buildings and improvements to be located on the leased property in

an attempt to ensure that the needs of both the Lessor and the Lessee are fulfilled in the master site design plan. Lessee agrees to locate all permanent structures exceeding $30,000.00 in value on the leased property as set forth in the master site design plan developed as aforesaid. All building plans of Lessee for permanent structures in excess of $30,000.00 in value shall be approved by the City Manager or his designee prior to the issuance of a building permit by Lessor.

B. Indemnification. Lessee hereby agrees to indemnify and save harmless Lessor against any and all bills for labor performed and equipment, fixtures, and materials furnished to Lessee in connection with improvements on the leased property and for any and all liens, bills, or claims therefore and against the improvements and from and against all loss, damages, costs, expenses, suits, claims and demands whatsoever arising out of the Lessee's use of the leased property.

C. Lessee shall not have the right to encumber the leased premises with any mortgage, deed of trust, or other security interest or instrument, except that any secured party of Lessee may obtain a security interest, in the form of a UCC-1 Financing Statement, in and to the improvements erected on the

leased premises, but not the real property of the Lessor. Any secured interest as permitted herein shall not be assigned, pledged, transferred or otherwise encumbered without the consent of Lessor. For purposes of this Lease, the demised premises and the improvements placed thereon shall be deemed real property.

D. As part of the construction of any permanent structure in excess of $30,000.00, Lessee shall be required to obtain from any general contractor, heating and air conditioning contractor, electrical contractor, or plumbing contractor:

(a) Performance and payment bonds meeting the requirements of N.C.G.S. sec. 44A-33;

(b) Property and liability damage insurance protection in an amount of $500,000 combined single limit coverage;

(c) Workers' Compensation coverage as required by law;

(d) Builder's risk coverage to the extent of the work performed on the contract.

(e) Owner's and contractor's protective liability in the same amount as paragraph (b) above, naming "Friends" as an insured.

Proof of the foregoing insurance and bonds shall be submitted to Lessor before any building permit is issued.

Provided that if any work or labor by volunteers or at no cost to Lessee, the requirements of paragraphs (a), (b), (d) and (e) shall be waived as to that particular part of the work.

6. USE. 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, handicap or national origin. There shall be no alcoholic beverages permitted on the leased premises, except pursuant to duly authorized State of North Carolina ABC permits.

7. REPAIR AND MAINTENANCE. (a) No alteration shall be made to the exterior dimensions of any permanent structure in excess of $30,000.00 in value located on the premises without written approval of the Lessor.

(b) The Lessee shall bear the entire expense of all periodic repairs, alterations, improvements, maintenance and replacements required on the leased property, and any such

repairs, alterations, improvements, maintenance and replacements shall be accomplished promptly in a good workmanlike manner, in compliance with all applicable laws of all governmental authorities.

(c) The Lessee shall pay all charges for janitorial services for the general care and cleaning of the leased property.

8. DEFAULT. After Lessee's plans are approved in accordance with paragraph 5.A., and except for periods of construction thereafter, if the leased property shall be deserted or vacated for more than ninety (90) days, or if proceedings are commenced against the Lessee in any court under a bankruptcy act or for the appointment of a trustee or receiver of the Lessee's property, or if there shall be a default in the payment of rent or any part thereof for more than fifteen days after written notice of such default given by the Lessor, or if there shall be default in the performance of any other covenant, agreement condition, rule, or regulation herein contained on the part of the Lessee for more than sixty (60) days after written notice of such default given by the Lessor, this Lease, if the Lessor so elects, shall thereupon become null and void and the Lessor shall have the right to: (1) re-enter or repossess the leased property and remove therefrom the Lessee or other occupants without being liable therefore; and (2) Immediate possession, title and interest to any and all improvements with the right to sell or otherwise dispose of the same.

The foregoing rights of Lessor to re-enter and possess the improvements shall in no way relieve Lessee of the obligations of paragraph 5.B. herein.

9. UTILITIES. The Lessee shall pay all charges for gas, electricity, light, heat, power, and telephone or other communication service used, rendered, or supplied upon or in connection with the leased property, and shall indemnify the Lessor against any liability or damages on such account. Lessee shall also pay the cost of any extensions or hook-ups for utility service to the site.

10. TAXES. To the extent that a non-profit corporation would be otherwise assessed for such taxes, Lessee agrees that it will list in its name for taxation the leased premises and all improvements thereon, and that it will pay all ad valorem taxes assessed thereon during the term of the Lease.

11. LESSOR'S RIGHT TO PERFORM. If the Lessee shall default in the performance of any covenant or condition in this Lease required to be performed by the Lessee, the Lessor may, after thirty (30) days notice to the Lessee, or without notice if in the Landlord's opinion an emergency exists, perform such covenant or condition for the account and at the expense of the Lessee, and the Lessee shall reimburse the Landlord for the amount of such expense. Should the Lessee, pursuant to this Lease, become obligated to reimburse or otherwise pay the Lessor any sum of money in addition to the specific rent, the amount thereof shall be deemed additional rent, in which event

the Lessor shall have the remedies for default in the payment thereof provided by this Lease. The provisions of this paragraph will survive the termination of this Lease.

12. LESSOR'S RIGHT OF ENTRY. The Lessor and its representatives may enter the leased property, at any reasonable time, for the purpose of inspecting the leased property, performing any work which the Lessor elects to undertake made necessary by reason of the Lessee's default under the terms of this Lease, exhibiting the leased property for sale, lease, or mortgage, financing, or posting notices of nonresponsibility under any mechanic's lien law.

13. FIRE OR OTHER CASUALTY. In case of damage by fire or other casualty to any permanent structure in excess of $30,000.00 in value on the leased property, without the fault of the Lessee, if the damage is so extensive as to amount practically to the total destruction of the leased property or of such building, and if a general contractor licensed in North Carolina shall certify that six (6) months or more shall be required to repair the damage, the Lessee may elect to terminate this Lease by written notice to Lessor within sixty (60) days from the date of the fire or other casualty; and if the Lessee shall elect to terminate as above provided, this Lease shall terminate, the Lessee shall be entitled to the proceeds of all extended coverage policies provided for under paragraph 14 below, and the rent shall be apportioned to the date of the damage. If the damage has rendered the leased

property untenantable, in whole or in part, there shall be an apportionment of the rent until the damage has been repaired. In determining what constitutes reasonable dispatch, consideration shall be given to delays caused by strikes, adjustment of insurance and other causes beyond the Lessor's control.

14. INSURANCE.

(a) The Lessee shall keep all permanent structures and improvements in excess of $30,000.00 in value situated on the lease property insured under all risk coverage in an amount not less than eighty percent (80%) of the full insurable value as determined from time to time. Any and all insurance proceeds payable under any such extended coverage policy shall be payable to the Lessor and Lessee jointly as their respective interests may appear. The term "full insurable value" shall mean actual replacement cost (exclusive of the cost of excavation, foundations, and footings below the basement floor) without deduction for physical depreciation. Such insurance shall be issued by financially responsible insurers duly authorized to do business in this state.

(b) From the date hereof until the termination date of the term of this Lease, the Lessee shall keep the leased property insured, at its sole cost and expense, against claims for personal injury or property damage under a policy of comprehensive general public liability insurance, with limits of at least ONE MILLION DOLLARS ($1,000,000.00) for bodily

injury or death, and FIVE HUNDRED THOUSAND DOLLARS ($500,000.00) for property and equipment damage. Such policies shall name the Lessor and the Lessee as the insureds.

15. RIGHTS UPON TERMINATION. In consideration of the nominal rent herein, any additions, fixtures, or improvements placed or made by the Lessee on the leased property, which are permanently affixed to the leased property or which cannot be removed without unreasonable damage to said premises, shall become the property of the Lessor and remain upon the premises as a part thereof upon the termination of this Lease. All other additions, fixtures, or improvements to include trade fixtures, office furniture and equipment, and similar items which can be removed without irreparable damage to the leased property shall be and remain the property of the Lessee and may be removed from the leased property by the Lessee upon the termination of this Lease, provided that the Lessee shall bear the expense of any repairs of the leased property, other than ordinary wear and tear caused by such removal.

16. BINDING EFFECT. This Agreement shall be binding on and inure to the benefit of the parties hereto, their successors and assigns.

17. LESSEE TO ASSUME ALL DEBT. It is expressly understood and agreed by the parties that neither the FULL FAITH and CREDIT nor the TAXING power of Lessor are pledged to secure the payment of any debt incurred by Lessee on the improvements to be erected on the premises, said debt being the

sole responsibility and liability of Lessee and its successors in interest.

18. ASSIGNMENT AND SUBLETTING. The Lessee shall not assign, mortgage, or encumber this Lease, nor sublet or permit the leased property or any part thereof to be used by others, except for uses set forth in paragraph 6.

IN WITNESS WHEREOF, this Agreement has been executed in duplicate originals the day and year first above written.

CITY OF FAYETTEVILLE

BY: J. L. Dawkins
J. L. DAWKINS, MAYOR

ATTEST:

Bobbie A. Joyner
BOBBIE A. JOYNER, CITY CLERK

FRIENDS OF THE BOTANICAL GARDEN

BY: C. Bruce Williams
C. BRUCE WILLIAMS, PRESIDENT

ATTEST:

Leslie Q. Hollinshed
SECRETARY

DOC0045

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

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

WITNESS my hand and Notarial Seal this the 2nd day of APRIL, 1990.

Jane Angela Sheppard
NOTARY PUBLIC

My Commission Expires: 11-1-94

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

I, Gertrude C. Yopp, a Notary Public in and for said County and State, do hereby certify that LORETTE HOLLINSHED personally appeared before me this day and acknowledged that she is the SECRETARY of FRIENDS OF THE BOTANICAL GARDEN, a North Carolina Non-Profit Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its PRESIDENT, C. BRUCE WILLIAMS, sealed with its corporate seal and attested by LORETTE HOLLINSHED as its SECRETARY.

WITNESS my hand and Notarial Seal this the 27th day of March, 1990.

Gertrude C. Yopp
NOTARY PUBLIC

My Commission Expires: 9-13-91

The foregoing Certificate(s) of Jane Angela Sheppard + Gertrude C. Yopp

EXHIBIT A

NORTH CAROLINA
CUMBERLAND COUNTY

BEGINNING at a point on the southern margin of Interstate 95 & U.S. Highway 301 right-of-way, approximately 525.0 feet southwest from the point of intersection of the westerly bank of the Cape Fear River and the southern right-of-way of said highway; thence from the point of BEGINNING in a southwesterly direction along the right-of-way of I-95/US Hwy. 301 approximately 1,510.0 feet to a point at the northeast corner of the Fire Training Tower property; thence along said property line Southeast 250.00 feet to a point; thence Southwest 300.0 feet along same property line to a point; thence Northwest 250.0 feet to a point at the intersection of same I-95/US 301 right-of-way; thence along said right-of-way Southwest approximately 150.0 feet to the center of Cross Creek; thence down the centerline of Cross Creek, as it meanders, approximately 2,110.0 feet to the mouth thereof, where it empties into the Cape Fear River; thence up said river approximately 1,610.0 feet to the point of intersection with a drainage ditch; thence up the centerline of said ditch, as it meanders, approximately 450.0 feet; thence Northwest approximately 250.0 feet along a straight line to a point at the bottom of an embankment; thence directly North 500.0 feet to the point of BEGINNING.....containing 67 acres plus or minus.

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: Sept. 23, 1992

AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA

Requiring the City Buildings Inspector
to correct conditions with respect to,
or to demolish and remove the structure(s)
pursuant to the
Dwellings and Buildings Minimum Standards
Code of the City

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

(1) With respect to Chapter 16 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

2655 Rosehill Road (0438-29-7189)

TRACT ONE:
Being all of Lots 8 and 29 of the Nannie Martin Estate as more particularly described in Plat Book 10, Page 13, Cumberland County, North Carolina Registry, being the same land described in Deed recorded in Book 2987, Page 473, Cumberland County Registry.

TRACT TWO:
Beginning at the southeast corner of the residence Lot #7 formerly owned by Etta Henderson (widow) in northern margin of School Street, and running thence with the North margin of School Street South 69 degrees East 50 feet to the southwest corner of the Gentry Lot; thence with the western line of Gentry Lot North 21 degrees East 100 feet to the northwestern corner of the original lot of which this is a part; thence North 69 degrees West with the line of what is, or was, Harry Martin's land 50 feet to a stake the corner; thence parallel with the second line, about South 21 degrees West 100 feet to the beginning, and being the eastern half (Lot #8) of the lots parcels of land described in a Deed of April 15, 1920 from J. L. Allen and wife, Octavia Allen to Etta Henderson (widow) and from Henderson to David Gaster in Book 309, Page 191 of the Cumberland County Registry, being the same described im Book 3345, Page 768, Cumberland County Registry.

TRACT THREE:
Being all of Lots 1 & 2 "Property of Grace Viglione" according to a map of some duly recorded in Book 61, Page 134 Cumberland County Registry, being the same land described in Deed recorded in Book 3219, Page 532 Cumberland County Registry.

ITEM 2.P.

The owners of and parties in interest in said property are:

Rosetta and Charles Darlington, E. J. Morine, and Corolene Morine, et. al

(2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Superintendent duly issued and served an order requiring the owners of said property to: Repair or demolish the house on or before August 6, 1992.

(3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.

(4) The City Council has held a full hearing upon this matter and has fully reviewed the entire record of said Inspections Superintendent thereon, and finds, that all findings of fact and all orders therein of said Inspections Superintendent are true and authorized except:

None

Whereupon, it is ordained that:

SECTION 1

The Building Inspector is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Inspections Superintendent as set forth fully above, except as modified in the following particulars:

The structure(s) is to be demolished and all debris removed from the premises.

SECTION 2

This ordinance shall be in full force and effect from and after its adoption.

Adopted this 5th day of October, 1992.

CITY OF FAYETTEVILLE

BY: _____
J. L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

bg
INSP-208

THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

INSPECTIONS DEPARTMENT
POST OFFICE BOX 1846
FAYETTEVILLE, NC 28302-1846

1ST FLOOR, CITY HALL
433 HAY STREET
(919) 433-1707/433-1714

TO: Mayor
City Manager
City Attorney
City Council Members

Under provisions of Chapter 16, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, request the docket of the owner who has failed to comply with this Code, be presented to the City Council for action. All proceedings that are required by the Code, Article 3, Section 16-46 and Section 16-47, have been complied with by the Inspection Department.

Request the Council take action under the provisions of Section 16-48 and 16-49 of the Code.

Information pertaining to this docket is as follows:

a. Docket number: N/A

b. Location of property: 2655 Rosehill Road

c. Name and address of owner: Charles and Rosetta H. Darlington, 1801 Olympia Court, Fayetteville, NC 28301; Ernest J. and Carolene Morine, 2831 Rosehill Road, Fayetteville, NC 28301

d. Date of inspection: June 3, 1992

e. Date of informal complaint: N/A

f. Date of formal complaint: June 9, 1992

g. Date of hearing: June 29, 1992

h. Finding and Facts of the scheduled hearing: The house was determined unfit for human habitation; owners were granted (30) days to repair.

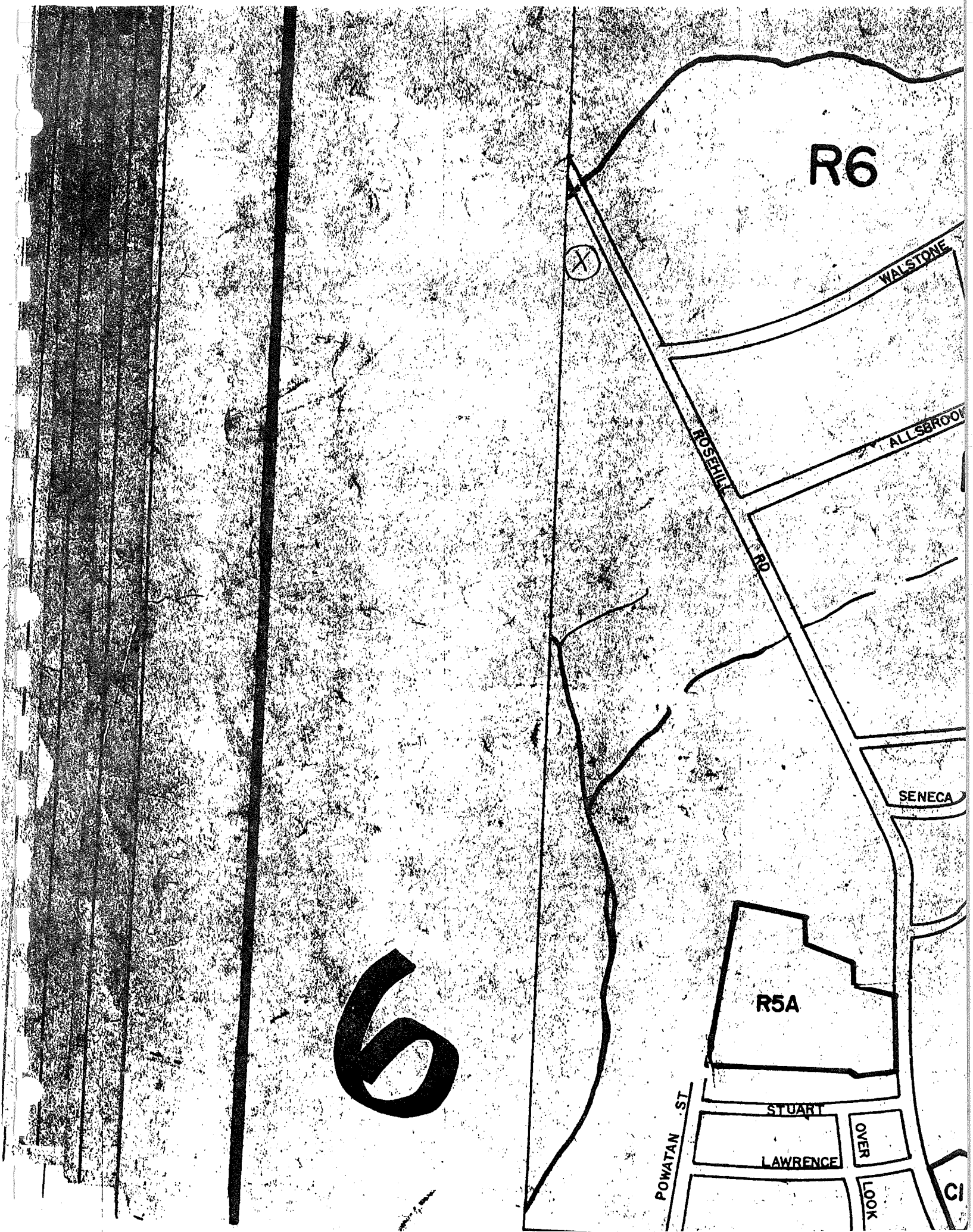
i. Owner's response: Owner called requesting addition (30) days to repair; request was granted.

j. The Housing Inspector dispatched a letter that was received by the owner with information that the docket would be presented to the City Council for necessary action on October 5, 1992.

This is the 30 day of September, 1992.

Walter
Housing Inspector

bq
INSP-203


R6
WALSTONE
ALLSBROOK
ROSEHILL
RD
SENECA
R5A
STUART
POWATAN ST
LAWRENCE
OVER
LOOK
6

INSPECTIONS DEPARTMENT
POST OFFICE BOX 1846
FAYETTEVILLE, NC 28302-1846

1ST FLOOR, CITY HALL
433 HAY STREET
(919) 433-1707/433-1714

June 9, 1992

Charles Darlington and
E. J. ~~Moreen~~ Marine, et al.
1801 Olympia Court
Fayetteville, NC 28301

LETTER OF CONDEMNATION

Re: 2655 Rosehill Road
(0438-29-7189)

Dear Property Owners:

The property(s) in reference was determined unfit for human habitation. As in accordance with Chapter 16, of the City of Fayetteville's Code governing standards of buildings and dwellings, this property is condemned effective immediately due to the following violation(s):

1. Porch railings need to be installed.
2. Floor framing and flooring need repair.
3. Ceiling needs repair.
4. Interior and exterior walls need repair.
5. Interior and exterior doors and frame need repair.
6. Electrical wall outlets, ceiling light, switches and fuse box need repair.
7. Heating equipment needs to be installed.
8 Commode and water tank need repair.
9. Kitchen sink needs repair.
10. Water heater needs repair.
11. Window screens and screen doors need repair.
12. Window panes need to be installed.
13. Window frames and window sashes need repair.
14. Roofing material, flashing and trim/fascia need repair.
15. All undergrowth and/or rubbish needs to be removed from lot.

Please be advised that the dwelling(s) must be vacated within 15 days from receipt of this letter and repairs or demolition commenced. A permit for either must be purchased from our office prior to work commencing. If the dwelling is to be repaired, a final inspection must be made by the Housing

THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

SEPTEMBER 30, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Roger L. Stancil, Deputy City Manager RLS

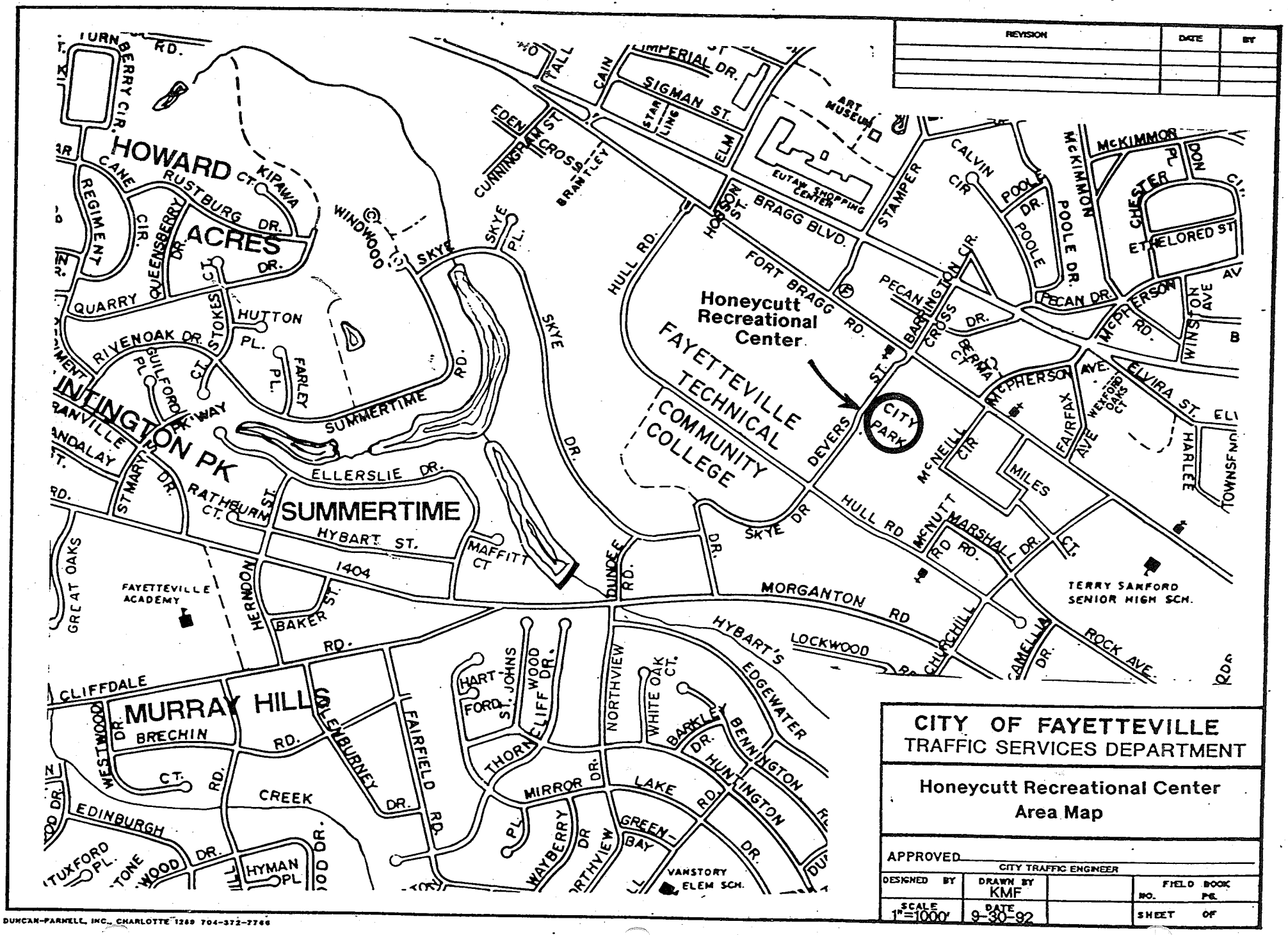
RE: Two Hour Parking at Honeycutt Park

Recently, we have moved several offices of the Police Department to the former recreation center at Honeycutt Park. We have discovered that people connected with FTCC park in the lot leaving little room for patrons of the park or people visiting the Police Department Offices.

After discussions with Chief Hansen, Robert Barefoot and Louis Chalmers, we recommend the attached ordinance revision creating Honeycutt Parking Lot as a two hour lot.

RLS:ssm

Attachment



CITY OF FAYETTEVILLE
TRAFFIC SERVICES DEPARTMENT

Honeycutt Recreational Center Area Map

APPROVED _____
CITY TRAFFIC ENGINEER

DESIGNED BY	DRAWN BY KMF		FIELD BOOK NO. PG.
SCALE 1"=1000'	DATE 9-30-92		SHEET OF

DUNCAN-PARNELL, INC., CHARLOTTE 1269 704-372-7766

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

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

Sec. 20-106. Traffic Schedule Number 3 - Two Hour (Parking) Lots.

There is hereby added to said schedule the following:

Honeycutt Recreation Center Lot

This ordinance shall be in full force and effective October 16, 1992.

ADOPTED this the 5th day of October, 1992.

CITY OF FAYETTEVILLE

BY: _____
J.L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

CITY ATTORNEY
P.O. BOX 1513
FAYETTEVILLE, NC 28302-1513

ROOM 211, CITY HALL
433 HAY STREET
(919) 433-1985

September 29, 1992

MEMORANDUM

TO: The Mayor and Members of the City Council

FROM: Robert C. Cogswell, Jr.
City Attorney

SUBJECT: Request for Legal Representation

The attached request for legal representation arises out of an automobile accident involving a Police Department vehicle being driven by Officer Ronald Dean Kirby. Officer Kirby was acting within the course and scope of his employment at the time and I recommend that you authorize my representation of Mr. Kirby.

RCC/jkp

Attachment

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

25 September 1992

Mr. J. L. Dawkins, Mayor
Dr. J. Breeden Blackwell, Mayor Pro-Tem
Mr. Tommy Bolton, Council Member
Dr. Suzan Cheek, Council Member
Mr. Mark Kendrick, Council Member
Mr. Robert A. Massey, Jr., Council Member
Mr. Milo McBryde, Council Member
Mr. Nat Robertson, Jr., Council Member
Ms. Ida Ross, Council Member
Mr. Thelbert Torrey, Council Member

Dear Members of City Council:

I have been sued by Kimberly W. McMurray and Scott McMurray in state court in Kimberly W. McMurray and Scott McMurray vs. Ronald Dean Kirby and The City of Fayetteville of North Carolina, 92 CVS 5390. I have been sued in my official capacity for alleged acts and omissions made in the scope and course of my employment with the Fayetteville Police Department.

Pursuant to N.C.G.S. Sec. 160A-167, I am requesting the City Council to authorize the City to provide for my defense in this litigation.

I look forward to your response.

Sincerely,

Ronald D. Kirby

Ronald D. Kirby

Enclosures

cc: Bob Cogswell, City Attorney
Ronald E. Hansen, Chief of Police
Major Phil Cannady, Field Bureau

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 30, 1992

MEMORANDUM

TO: John P. Smith, City Manager

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

REFERENCE: College Lakes Subdivision (Farmview Drive, Waterbury Drive, Southport Road and Flat Rock Drive) Petition for 25 Miles Per Hour Speed Zone

We have received petitions signed by a majority of residents on the above referenced streets requesting a 25 Miles Per Hour Speed Zone on their street.

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

LAC/psc

Enclosures
Petitions
Area Map
Ordinance

cc: Roger L. Stancil, Deputy City Manager
Jimmy Teal, Assistant City Manager - Planning/Development
William H. Melvin, Signs and Markings Supervisor

DATE 30 Jul 92

We, the undersigned residents of FARMVIEW DRIVE

from Chesapeake to THE END Waterbury

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

PRINTED NAME	ADDRESS	TELEPHONE #	SIGNATURE
✓Estelle Richard	532 FARMVIEW DR	488-2333	Estelle R Richard
✓Toni Thomas	544 Farmview Dr	488-0254	Toni Thomas
Shannon Ackerman	535 Farmview Dr.	630-3056	Shannon Ackerman
✓Krieger, Alice	539 Farmview Dr	488-9771	A Krieger
HALL, Hilda	551 FARMVIEW DR.	822-6144	Hilda Hall
✓Lisa Roberts	527 Farmview Dr.	488-9458	Lisa Roberts
✓Judith Thomas	515 Farmview Dr.	822-7616	Judith Thomas
✓R.T. LACKAS	516 FARMVIEW DR	822-4808	[illegible]
✓CLARA MIDWOOD	531 FARMVIEW DR.	488-1120	Clara Midwood
✓EMELDA KINDINGER Emelda Kindinger	508 Farmview Dr.	630-2389	Emilda Kindinger
Monica Fox	520 Farmview Dr	488-9228	Monica L Fox
✓GRAHAM JAMES	523 Farmview	822-7655	James C Graham
✓COGDELL, JAMES R.	556 FARMVIEW DR	822-5385	James R. Cogdell
Patricia Patricia Eaton	555 Farmview Dr.	488-4716	Patricia Eaton
✓Clell Starling	547 Farmview Dr.	488-5402	Clell Starling
✓Virginia Evans	536 Farmview Dr	488-4246	Virginia Evans
✓LORINDA MERCIER	528 Farmview Dr.	822-6368	Lorinda Mercier

DATE 7-17-92

We, the undersigned residents of ~~College Lake~~ Southport Rd.

from Waterbury to Iff End

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

PRINTED NAME	ADDRESS	TELEPHONE #	SIGNATURE
✓ Wendy Keesee	5205 Southport Rd.	822-4929	Wendy Keesee
✓ Edward L. Bright	5214 Southport Rd	822-5339	E.L.B.
✓ Beth Clark	5210 Southport Rd	822-2718	Beth Clark
✓ Kay Horne	5209 Southport Rd	630-2244	Kay Horne
✓ Betty Smith	5203 Southport Rd	822-6095	Betty Smith
Donna Muraski	5197 Southport Rd	822-6571	Donna Muraski
Peter Muraski	"		Peter Muraski
✓ Karen Puschus	5201 Southport Rd.	488-1936	Karen L. Puschus
✓ MICKEY SIZEMORE	5183 SOUTHPORT RD.	822-8825	[illegible]
VICKI SIZEMORE	5183 SOUTHPORT Rd	" "	Vicki Sizemore
✓ Charles Prince	5184 Southport Rd	630-1932	Charles Prince
✓ JAMES SPENCE	5194 SOUTHPORT RD	822-8379	Jas Spence

DATE 1 Sept 92

We, the undersigned residents of Flatrock Drive - College Lakes, 28311

from 5101 Flatrock Drive to 5244 Flatrock Drive
Stacy Weaver I-F END

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

PRINTED NAME	ADDRESS	TELEPHONE #	SIGNATURE
✓ Pearl Best	5122 Flatrock Dr	488-5742	Mrs Pearl H Best
✓ Ilse Gauthier	5113 Flat Rock Dr	822-0284	Ilse Gauthier
✓ TANNER E GUY	5108 FLATROCK	488 0970	Tanner E. Guy
✓ Tom Rose	5141 Flat Rock	822-9875	Tom Rose
✓ Elfriede Forde	5123 Flat Rock	488-5586	Elfriede Forde
Earsley Steven	5101 Flat Rock	822-2672	Steven Earsley
✓ Dr. & Mrs. Jonathan W. Schuder Constance Schuder	5102 Flat Rock	488-4951	Constance Schuder
✓ THOMAS F. SANDERS	5205 FLATROCK DR	822-3256	Thomas F. Sanders
Sang S. Sanders	5205 Flat Rock Dr	822-3256	Sang S. Sanders
✓ DONALD R. FAIRCLOTH	5129 FLATROCK Dr.	488-7235	Donald R. Faircloth
✓ Robert J. Yenko	5132 Flatrock Dr.	488-5392	Robert J. Yenko
✓ CLARENCE R. BLACKMON	5137 FLATROCK DR	4882831	C R Blackmon
Susan Taylor	5213 Flatrock Dr.	484-6096	[illegible]
WOOLEN, DELTERIA	5219 FLATROCK DR	488-9579	Delteria Woolen
✓ Janice Hughes	5221 Flatrock Dr	488-8124	Janice Hughes
Isabel Walters	5225 Flat Rock Dr.	822-9719	Isabel Walters
JAMES L. MCGINN	5237 FLAT ROCK DR	488-2708	James L McGinn
✓ JAN Bogan	5244 FLAT ROCK DR	822-5211	J Bogan
✓ William Weaver	5242 Flat Rock Dr	822-2056	[illegible]

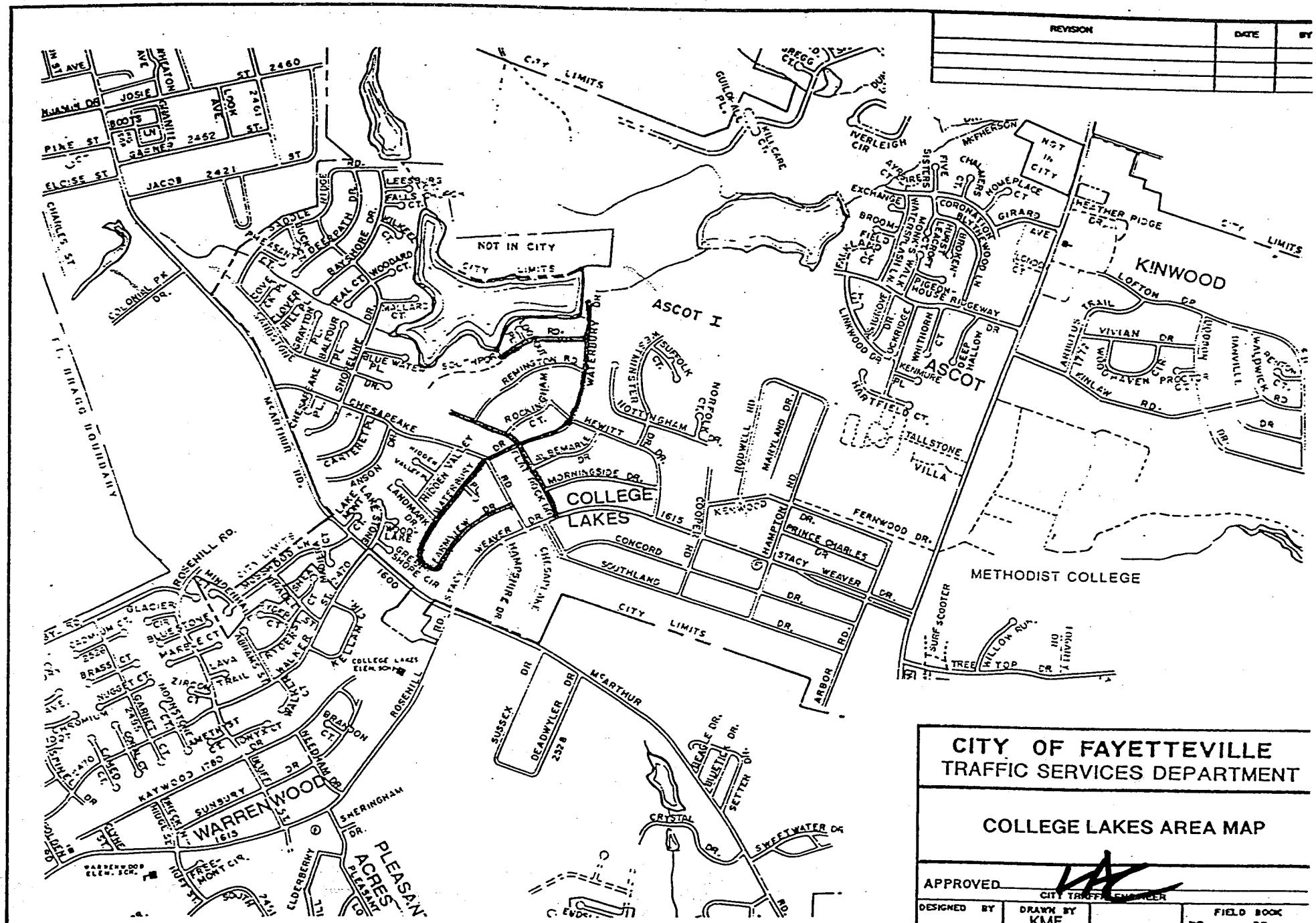
DATE 1 Sep 92

We, the undersigned residents of Flatrock Drive, College Lakes, 28311

from 1501 Flatrock Drive (Stacy Weaver) to 5244 Flatrock Drive (Fit END)

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

PRINTED NAME	ADDRESS	TELEPHONE #	SIGNATURE
✓ Deborah Collins	5236 Flat Rock	488-2911	Deborah A. Collins
✓ Dorothy Powell	5209 Flat Rock	630-2381	Dorothy Powell
✓ DANIEL MUELLER	5229 FLATROCK	630-1053	[illegible]
✓ Cathy Ashford	5233 Flat Rock	822-0597	[illegible]
Sin Mo Weave	5240 Flat Rock	822-2056	[illegible]
Denise Maultsby	5223 Rockingham	822-1959	Denise Maultsby
Charles A Lyons	5133 Flat Rock Dr.	488-3397	Charles A Lyons
Catherine DeVault	5102 Chesapeake Rd	488-3090	Catherine DeVault
✓ Madeline Glon	5114 Flatrock	488-6698	MADELINE
✓ Raymond E. Fort	5117 Flatrock	488-9593	Raymond E. Fort
Chris Summerhill	5140 Flatrock	488-7000	Chris Summerhill
✓ Lee Adams	5232 Flat Rock	822-9245	Lee Adams
Dennis Adams	5232 Flat Rock	822-9245	Dennis M. Adams
✓ Ed Higgins	5118 Flat Rock	822-1193	Ed Higgins



REVISION	DATE	BY

CITY OF FAYETTEVILLE
TRAFFIC SERVICES DEPARTMENT

COLLEGE LAKES AREA MAP

APPROVED _____
CITY TRAFFIC ENGINEER

DESIGNED BY	DRAWN BY		FIELD BOOK NO. PG.
	KMF		
SCALE 1"=1000'	DATE 9-15-92		SHEET OF

DUNCAN-PARNELL, INC., CHARLOTTE 1288 704-372-7766

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

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

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

There is hereby added to said schedule the following:

25 Miles Per Hour Speed Limit

Farmview Drive - From Chesapeake Road to Waterbury Drive

Flat Rock Drive - From Stacy Weaver Drive to its end to the end of Kathy Street

Southport Road - From Waterbury Drive to its end

Waterbury Drive - From Farmview Drive to its end

This ordinance shall be in full force and effective October 16, 1992.

ADOPTED this the 5th day of October, 1992.

CITY OF FAYETTEVILLE

BY: _____
J.L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

OFFICE OF THE
TRAFFIC ENGINEER
FAYETTEVILLE, N.C.

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

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

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

There is hereby added to said schedule the following:

25 Miles Per Hour Speed Limit

Farmview Drive - From Chesapeake Road to Waterbury Drive

Flat Rock Drive - From Stacy Weaver Drive to its end to the end of Kathy Street

Southport Road - From Waterbury Drive to its end

Waterbury Drive - From Farmview Drive to its end

This ordinance shall be in full force and effective October 16, 1992.

ADOPTED this the 5th day of October, 1992.

CITY OF FAYETTEVILLE

BY: _____
J.L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

OFFICE OF THE
TRAFFIC ENGINEER
FAYETTEVILLE, N.C.

ITEM 3-A

PUBLIC HEARING-SPEAKERS

SUBJECT: SPEED LIMIT - COLLEGE LAKES

DATE: October 5, 1992

PROPONENT (In Favor)

(Name - Print)	(Address - Print)
1.	
2.	
3.	
4.	
5.	
6.	
7.	

OPPONENT - (Against)

(Name - Print)	(Address - Print)
1.	
2.	
3.	
4.	
5.	
6.	
7.	

ITEM _____

PUBLIC HEARING-SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)	(Address - Print)
1.	
2.	
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10.	

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

PWC

PUBLIC WORKS COMMISSION
OF THE CITY OF FAYETTEVILLE

ELECTRIC & WATER UTILITIES

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

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 **IRELAND DRIVE, VILLAGE DRIVE, BRENTWOOD DRIVE, WELMONT DRIVE, WESTHILL DRIVE, CRESTVIEW DRIVE, DELWOOD DRIVE, AND GLENRIDGE ROAD**, and of the public hearing thereon, were mailed by first class mail on the 23rd day of September, 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 23rd day of September, 1992.

Timothy Wood (SEAL)

Timothy Wood, General Manager

Fayetteville North Carolina
North Carolina's 4th Largest Metro

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 October 5, 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:

GLENRIDGE ROAD, north side, from Ireland Drive to southwest corner Lot 1

GLENRIDGE ROAD, south side, from Ireland Drive to northwest corner of Lot 10

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 **GLENRIDGE 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.

ITEM 3.B.1.

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 4th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the _____ day of _____, 1992, at _____ p.m.

_____
J. L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

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

_____

_____

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

_____

_____

PUBLISH: November 4, 1992

Public Works Commission
Assessment Roll For Water and Sewer
GLENRIDGE ROAD

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
Submitted to City Council : 10-5-92
Final Approval by City Council: _____
To City Clerk: 9-22-92
To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page		Frontage	Water	Sewer	Total
ROOSEVELT ARNOLD 1948 CRESTVIEW DRIVE Fayetteville NC 28304	0416-19-72-0157 1948 GLENRIDGE ROAD WELMAR BLK E SEC 4 PT 2	1	3399	79	108.00	0.00	1,296.00	1,296.00
GLADYS W COX 1954 IRELAND DRIVE Fayetteville NC 28304	0416-20-72-7447 1954 IRELAND DRIVE WELMAR BLK B SEC 4 PT 2 ASSMT GLENRIDGE	13	2852	821	100.00	0.00	1,200.00	1,200.00
FLOYD M DAVIS 1818 GLENWICK DRIVE Fayetteville NC 28304	0416-20-72-6466 3906 GLENRIDGE ROAD WELMAR BLK B SEC 4	14	863	215	64.45	0.00	773.40	773.40
DENISE R MITHCELL 3909 GLENRIDGE ROAD Fayetteville NC 28304	0416-20-72-5270 3909 GLENRIDGE ROAD WELMAR LT 100X150	UN	3681	511	100.00	0.00	1,200.00	1,200.00
GORDON W STAPLES 3914 GLENRIDGE ROAD Fayetteville NC 28304	0416-19-72-3382 3914 GLENRIDGE ROAD WELMAR BLK C SEC 4 PT 2	10	3070	387	87.51	0.00	1,050.12	1,050.12
JAMES O FARROW 3915 GLENRIDGE ROAD Fayetteville NC 28304	0416-19-72-4195 3915 GLENRIDGE ROAD WELMAR	UN	2998	331	85.63	0.00	1,027.56	1,027.56
JOSEPH SCATURRO 3918 GLENRIDGE ROAD Fayetteville NC 28304	0416-19-72-3207 3918 GLENRIDGE ROAD WELMAR BLK C SEC 4 PT 2	11	859	336	87.31	0.00	1,047.72	1,047.72
THOMAS F GRIFFITH 3919 GLENRIDGE ROAD Fayetteville NC 28304	0416-19-72-3058 3919 GLENRIDGE ROAD WELMAR ADJ LT 1 OF BLK D SEC 4	UN	2210	527	75.00	0.00	900.00	900.00
ROSE POLLOCK 3922 GLENRIDGE ROAD Fayetteville NC 28304	0416-19-72-2222 3922 GLENRIDGE ROAD WELMAR BLK C SEC 4 PT 2	12	851	90	128.75	0.00	1,545.00	1,545.00
DANIE C MILLIKEN 2808 TRENTWOOD COURT Fayetteville NC 28304	0416-19-72-2084 3923 GLENRIDGE ROAD WELMAR BLK D SEC 4 PT 2	1	2741	300	78.78	0.00	945.36	945.36

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

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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
POETHANIEL L EVANS 3927 GLENRIDGE ROAD Fayetteville NC 28304	0416-19-72-2010 3927 GLENRIDGE ROAD WELMAR BLK D SEC 4 PT 2	2	2714 522	75.01	0.00	900.12	900.1
ROBERT T GARNER 4001 GLENRIDGE ROAD Fayetteville NC 28304	0416-19-71-1947 4001 GLENRIDGE ROAD WELMAR BLK D SEC 4 PT 2	3	2785 46	77.44	0.00	929.28	929.2
JOSEPH WATTS 4005 GLENRIDGE ROAD Fayetteville NC 28304	0416-19-71-0965 4005 GLENRIDGE ROAD WELMAR BLK D SEC 4 PT 2	4	2411 708	80.00	0.00	960.00	960.00
ROBERT E BUNCE 1946 WAYNE LANE Fayetteville NC 28304	0416-19-62-9164 4006 GLENRIDGE ROAD WELMAR BLK E SEC 4 PT 2	2	3170 552	80.00	0.00	960.00	960.00
THOMAS C ROBERTS 4009 GLENRIDGE ROAD FAYETTEVILLE NC 28304	0416-19-61-9983 4009 GLENRIDGE ROAD WELMAR BLK D SEC 4 PT 2	5	1112 699	80.00	0.00	960.00	960.00
TROY F FOGARTY 4010 GLENRIDGE ROAD Fayetteville NC 28304	0416-19-62-8182 4010 GLENRIDGE ROAD WELMAR BLK E SEC 4 PT 2	3	891 151	80.00	0.00	960.00	960.00
JEAN COLLEY 4013 GLENRIDGE ROAD FAYETTEVILLE NC 28304	0416-19-61-9901 4013 GLENRIDGE ROAD WELMAR BLK D SEC 4	6	2393 676	80.00	0.00	960.00	960.00
LUDESSER MCEACHERN 4014 GLENRIDGE ROAD Fayetteville NC 28304	0416-19-62-8100 4014 GLENRIDGE ROAD WELMAR BLK E SEC 4 PT 2	4	2739 53	80.00	0.00	960.00	960.00
MARIA CASTILLO 4017 GLENRIDGE ROAD FAYETTEVILLE NC 28304	0416-19-61-8828 4017 GLENRIDGE ROAD WELMAR BLK D SEC 4 PT 2	7	859 511	80.00	0.00	960.00	960.00
MICHAEL J HICKEY 4021 GLENRIDGE ROAD FAYETTEVILLE NC 28304	0416-19-61-7856 4021 GLENRIDGE ROAD WELMAR BLK D SEC 4 PT 2	8	3649 128	80.00	0.00	960.00	960.00

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

Public Works Commission
Assessment Roll For Water and Sewer
GLENRIDGE ROAD

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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
STANLEY G MOSKWA 4025 GLENRIDGE ROAD FAYETTEVILLE NC 28304	0416-19-61-6874 4025 GLENRIDGE ROAD WELMAR BLK D SEC 4 PT 2	9	3224 796	80.00	0.00	960.00	960.00
SALLY FRISQUE 4057 WELMONT DRIVE FAYETTEVILLE NC 28304	0416-19-62-7018 4057 WELMONT DRIVE WELMAR BLK E SEC 4 PT 2 ASSMT GLENRIDGE	5	3635 106	101.15	0.00	1,213.80	1,213.80
MARTHA N PRYOR-COOK 4101 GLENRIDGE ROAD FAYETTEVILLE NC 28304	0416-19-61-5893 4101 GLENRIDGE ROAD WELMAR BLK D SEC 4 PT 2	10	2915 9	100.00	0.00	1,200.00	1,200.00
23 Owners					$.00	$23,868.36	$23,868.36

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.

ITEM 3-B 1

PUBLIC HEARING-SPEAKERS

SUBJECT: ASSESSMENT - PWC - GLENRIDGE RD

DATE: October 5, 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.	
7.	

SIGN-UP 1

ITEM _____

PUBLIC HEARING-SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)	(Address - Print)
1.	
2.	
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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 October 5, 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:

DELWOOD DRIVE, north side, from Crestview Drive to southwest corner of Lot 36, Block H;

DELWOOD DRIVE, south side, from Crestview Drive to northwest corner of Lot 3

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 **DELWOOD 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.

ITEM 3.B.2

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 4th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the _____ day of _____, 1992, at _____ p.m.

_____
J. L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

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

_____

_____

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

_____

_____

PUBLISH: November 4, 1992

Public Works Commission
Assessment Roll For Water and Sewer
DELLWOOD DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
Submitted to City Council : 10-5-92
Final Approval by City Council: _____
To City Clerk: 9-22-92
To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
FAYETTEVILLE METROPOLITAN PO BOX 710 Fayetteville NC 28304	0416-19-72-0320 1944 CRESTVIEW DRIVE WELMAR BLK E SEC 4 PT 2 ASSMT DELLWOOD	10	2764 464	119.95	0.00	1,439.40	1,439.40
JAMES E LANGSTON 4006 DELLWOOD DRIVE Fayetteville NC 28304	0416-19-62-8498 4006 DELLWOOD DRIVE WELMAR BLK G SEC 4 PT 2	9	3810 225	82.26	0.00	987.12	987.12
MARK D MASON 6861 WIMBLEDON CIRCLE Fayetteville NC 28314	0416-19-62-9239 4007 DELLWOOD DRIVE WELMAR BLK E SEC 4 PT 2	9	2950 773	91.94	0.00	1,103.28	1,103.28
CHARLES L GREY 4010 DELLWOOD DRIVE Fayetteville NC 28304	0416-19-62-8407 4010 DELLWOOD DRIVE WELMAR BLK G SEC 4 PT 2	10	2308 503	80.04	0.00	960.48	960.48
PASQUALE M SPINOSA 4011 DELLWOOD DRIVE Fayetteville NC 28304	0416-19-62-8246 4011 DELLWOOD DRIVE WELMAR BLK E SEC 4 PT 2	8	877 181	77.77	0.00	933.24	933.24
LOUIS A AMACKER 4014 DELLWOOD DRIVE Fayetteville NC 28304	0416-19-62-7417 4014 DELLWOOD DRIVE WELMAR BLK G SEC 4	11	3625 697	80.00	0.00	960.00	960.00
MATHEW J GANGE 4015 DELLWOOD DRIVE Fayetteville NC 28304	0416-19-62-7274 4015 DELLWOOD DRIVE WELMAR BLK E SEC 4 PT 2	7	878 247	80.00	0.00	960.00	960.00
ALICE S DERRY 1016 HOLLY TREE GAP ROAD BRENTWOOD TN 37027	0416-19-62-6445 4018 DELLWOOD DRIVE WELMAR BLK G SEC 4 PT 2	12	2342 197	80.00	0.00	960.00	960.00
MELISSA H CLEMENT 106 CRESCENT AVENUE FAYETTEVILLE NC 28305	0416-19-62-5440 4045 WELMONT DRIVE WELMAR BLK G SEC 4 PT 2 ASSMT DELLWOOD	13	2632 716	119.28	0.00	1,431.36	1,431.36
9 Owners					$.00	$9,734.88	$9,734.88

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.

ITEM 3B2

PUBLIC HEARING-SPEAKERS

SUBJECT: ASSESSMENT - PWC - DELWOOD DR.

DATE: October 5, 1992

PROPONENT (In Favor)

(Name - Print)	(Address - Print)
1.	
2.	
3.	
4.	
5.	
6.	
7.	

OPPONENT - (Against)

(Name - Print)	(Address - Print)
1.	
2.	
3.	
4.	
5.	
6.	
7.	

SIGN-UP 1

ITEM _____

PUBLIC HEARING-SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)	(Address - Print)
1.	
2.	
3.	
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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 October 5, 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:

CRESTVIEW DRIVE, from Welmont Drive to Glenridge 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 **CRESTVIEW 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

ITEM 3.B.C.

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 4th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the _____ day of _____, 1992, at _____ p.m.

_____
J. L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

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

_____

_____

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

_____

_____

PUBLISH: November 4, 1992

Public Works Commission
Assessment Roll For Water and Sewer
CRESTVIEW DRIVE

*In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
Submitted to City Council : 10-5-92
Final Approval by City Council: _____
To City Clerk: 9-22-92
To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page		Frontage	Water	Sewer	Total
JOHN A CAMPBELL 1914 CRESTVIEW DRIVE Fayetteville NC 28304	0416-15-62-5766 1914 CRESTVIEW DRIVE WELMAR BLK G SEC 4 PT 2	2	3178	97	76.07	0.00	912.84	912.84
STACY STEPHENS 1916 CRESTVIEW DRIVE Fayetteville NC 28304	0416-15-62-6710 1916 CRESTVIEW DRIVE WELMAR BLK G SEC 4 PT 2	3	3570	99	70.54	0.00	846.48	846.48
DANA A GERTSCH 1917 CRESTVIEW DRIVE Fayetteville NC 28304	0416-15-62-7871 1917 CRESTVIEW DRIVE WELMAR BLK C SEC 4 PT 2	22	3430	608	149.65	0.00	1,795.80	1,795.80
JEAN J KERSEY 1918 CRESTVIEW DRIVE Fayetteville NC 28304	0416-15-62-6684 1918 CRESTVIEW DRIVE WELMAR BLK G SEC 4	4	2718	151	70.54	0.00	846.48	846.48
DONNA S DAVIS 1920 CRESTVIEW DRIVE Fayetteville NC 28304	0416-15-62-7672 1920 CRESTVIEW DRIVE WELMAR BLK G SEC 4 PT 2	5	2739	263	80.03	0.00	960.36	960.36
ANDREW E JACOBS 1921 CRESTVIEW DRIVE Fayetteville NC 28304	0416-15-62-8861 1921 CRESTVIEW DRIVE WELMAR BLK C SEC 4 PT 2	21	2758	701	112.50	0.00	1,350.00	1,350.00
DEBRA D OSORNIO PO BOX 306 Fayetteville NC 28302	0416-15-62-8671 1922 CRESTVIEW DRIVE WELMAR BLK G SEC 4 PT 2	6	2856	514	106.87	0.00	1,282.44	1,282.44
STEVEN C PAVEL 1923 CRESTVIEW DRIVE Fayetteville NC 28304	0416-15-62-9852 1923 CRESTVIEW DRIVE WELMAR BLK C SEC 4 PT 2	20	3285	579	65.62	0.00	787.44	787.44
KERRY W HENRY 1925 CRESTVIEW DRIVE FAYETTEVILLE NC 28304	0416-15-72-0840 1925 CRESTVIEW DRIVE WELMAR BLK C SEC 4 PT 2	19	3715	822	65.62	0.00	787.44	787.44
MICHAEL A GALLOWAY 1111 MICHELLE PARKWAY PAPILLION NE 68046	0416-15-72-1725 1927 CRESTVIEW DRIVE WELMAR BLK C SEC 4 PT 2	18	2487	451	65.62	0.00	787.44	787.44

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

Public Works Commission
Assessment Roll For Water and Sewer
CRESTVIEW DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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
KYLE S REA PO DRAWER 41838 Fayetteville NC 28309	0416-15-62-9589 1928 CRESTVIEW DRIVE WELMAR BLK G SEC 4 PT 2	7	3405 653	169.73	0.00	2,036.76	2,036.[illegible]
ELMER D ADAMS SR 5504 RAMSHORN COURT FAYETTEVILLE NC 28303	0416-15-72-1688 1929 CRESTVIEW DRIVE WELMAR BLK C SEC 4 PT 2	17	2844 180	65.62	0.00	787.44	787.44
JAMES T HOBSON 1931 CRESTVIEW DRIVE FAYETTEVILLE NC 28304	0416-15-72-2509 1931 CRESTVIEW DRIVE WELMAR BLK C SEC 4 PT 2	16	2027 383	65.62	0.00	787.44	787.44
MARY G HOBSON 1935 CRESTVIEW DRIVE FAYETTEVILLE NC 28304	0416-15-72-2510 1935 CRESTVIEW DRIVE WELMAR BLK C SEC 4 PT 2	15	2691 763	76.83	0.00	921.96	921.[illegible]
DANNY A HARRISON 1936 CRESTVIEW DRIVE Fayetteville NC 28304	0416-19-72-0418 1936 CRESTVIEW DRIVE WELMAR BLK G SEC 4 PT 2	8	3168 465	140.04	0.00	1,680.48	1,680[illegible]
RAYON TART 3305 MERITA DRIVE Fayetteville NC 28301	0416-19-72-2412 1939 CRESTVIEW DRIVE WELMAR BLK C SEC 4 PT 2	14	0 0	80.00	0.00	960.00	960.[illegible]
HENRY C FORD JR 1943 CRESTVIEW DRIVE Fayetteville NC 28304	0416-19-72-2303 1943 CRESTVIEW DRIVE WELMAR BLK C SEC 4 PT 2	13	2483 446	100.00	0.00	1,200.00	1,200.00
RUPERT D WILLIAMS 4001 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-5825 4001 WELMONT DRIVE WELMAR BLK G SEC 4 PT 2 ASSMT CRESTVIEW	1	2295 439	96.65	0.00	1,159.80	1,159.80
18 Owners					$.00	$19,890.60	$19,890.6[illegible]

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.

ITEM 3B3

PUBLIC HEARING-SPEAKERS

SUBJECT: ASSESSMENT- PWC - CRESTVIEW DR.

DATE: October 5, 1992

PROPONENT (In Favor)

(Name - Print)	(Address - Print)
1.	
2.	
3.	
4.	
5.	
6.	
7.	

OPPONENT - (Against)

(Name - Print)	(Address - Print)
1.	
2.	
3.	
4.	
5.	
6.	
7.	

SIGN-UP 1

ITEM _____

PUBLIC HEARING-SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)	(Address - Print)
1.	
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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 October 5, 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:

WESTHILL DRIVE, from Brentwood Drive to Glenridge 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 **WESTHILL 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

ITEM 3.B.4

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 4th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the _____ day of _____, 1992, at _____ p.m.

_____
J. L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

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

_____

_____

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

_____

_____

PUBLISH: November 4, 1992

Public Works Commission
Assessment Roll For Water and Sewer
WESTHILL DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
Submitted to City Council : 10-5-92
Final Approval by City Council: _____
To City Clerk: 9-22-92
To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
TERA E UNDERWOOD 1904 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-15-73-0259 1904 WESTHILL DRIVE WELMAR BLK H SEC 4 PT 2	17	3440 716	74.77	0.00	897.24	897.24
LOIS J BING 1905 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-15-73-2362 1905 WESTHILL DRIVE WELMAR BLK B SEC 4 PT 2	27	2516 465	87.40	0.00	1,048.80	1,048.80
CARLA D STAMPS 1906 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-15-73-1200 1906 WESTHILL DRIVE WELMAR BLK H SEC 4 PT 2	18	3490 731	87.94	0.00	1,055.28	1,055.28
ROBERT E STOELTZING 1909 WESTHILL DRIVE Fayetteville NC 28304	0416-15-73-3204 1909 WESTHILL DRIVE WELMAR BLK B SEC 4	26	3656 528	80.00	0.00	960.00	960.00
BERNICE GILMORE 1913 WESTHILL DRIVE Fayetteville NC 28304	0416-15-73-3137 1913 WESTHILL DRIVE WELMAR BLK B SEC 4 PT 2	25	3310 675	80.00	0.00	960.00	960.00
RAYMOND J YORK 1917 WESTHILL DRIVE Fayetteville NC 28304	0416-15-73-3170 1917 WESTHILL DRIVE WELMAR BLK B SEC 4 PT 2	24	973 473	80.00	0.00	960.00	960.00
STERLING B MILLEN 1920 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-15-72-1994 1920 WESTHILL DRIVE WELMAR BLK C SEC 4 PT 2	2	2052 371	80.00	0.00	960.00	960.00
ERNEST S BOSHER JR PO BOX 294 Fayetteville NC 28302	0416-15-73-4013 1921 WESTHILL DRIVE WELMAR BLK B SEC 4 PT 2	23	2510 357	80.00	0.00	960.00	960.00
ROSEANNE MAURELIS PO BOX 53217 FAYETTEVILLE NC 28305	0416-15-72-2838 1924 WESTHILL DRIVE WELMAR BLK C SEC 4 PT 2	3	2327 485	80.00	0.00	960.00	960.00
ROY R WARREN 1925 WESTHILL DRIVE Fayetteville NC 28304	0416-15-72-4945 1925 WESTHILL DRIVE WELMAR BLK B SEC 4 PT 2	22	978 495	80.00	0.00	960.00	960.00

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

Public Works Commission
Assessment Roll For Water and Sewer
WESTHILL DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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
FAYBERT R BRADSHAW HEIRS 1928 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-15-72-2870 1928 WESTHILL DRIVE WELMAR BLK C SEC 4 PT 2	4	836 589	80.00	0.00	960.00	960.[illegible]
NANCY W WINCHESTER 1929 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-15-72-4878 1929 WESTHILL DRIVE WELMAR BLK B SEC 4 PT 2	21	2568 579	80.00	0.00	960.00	960.00
GARY R MCFERRIN 1932 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-15-72-3714 1932 WESTHILL DRIVE WELMAR BLK C SEC 4 PT 2	5	3611 219	85.05	0.00	1,020.60	1,020.60
JOHN J JANSEN 1933 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-16-72-5811 1933 WESTHILL DRIVE WELMAR BLK B SEC 4 PT 2	20	3630 686	72.36	0.00	868.32	868.3[illegible]
THOMAS J SABBACK 1937 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-16-72-5754 1937 WESTHILL DRIVE WELMAR BLK B SEC 4 PT 2	19	3741 828	73.96	0.00	887.52	887[illegible]
SUSAN P FRENCH 575 CUTCHEN LANE FAYETTEVILLE NC 28314	0416-15-72-3657 1938 WESTHILL DRIVE WELMAR BLK C SEC 4 PT 2	6	3797 521	100.42	0.00	1,205.04	1,205.0[illegible]
LOUISE C GILES 1941 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-16-72-5676 1941 WESTHILL DRIVE WELMAR BLK B SEC 4 PT 2	18	851 35	66.24	0.00	794.88	794.88
BEATRICE J FREEMAN PSC 77 BOX 4547 APO AP 96325	0416-15-72-3569 1944 WESTHILL DRIVE WELMAR BLK C SEC 4 PT 2	7	2683 647	96.30	0.00	1,155.60	1,155.60
SUE E WOOD 1945 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-16-72-5578 1945 WESTHILL DRIVE WELMAR BLK B SEC 4 PT 2	17	2279 351	78.00	0.00	936.00	936.00
JAMES A WAGONER 1949 WESTHILL DRIVE Fayetteville NC 28304	0416-20-72-5571 1949 WESTHILL DRIVE WELMAR BLK B SEC 4 PT 2	16	2931 551	80.00	0.00	960.00	960.00

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

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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
HELEN R CHESTNUT 1950 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-15-72-3560 1950 WESTHILL DRIVE WELMAR BLK C SEC 4 PT 2	8	2868 795	80.00	0.00	960.00	960.00
LEONARD S RANCHES 1953 WESTHILL DRIVE Fayetteville NC 28304	0416-20-72-5461 1953 WESTHILL DRIVE WELMAR BLK B SEC 4 PT 2	15	2919 519	148.09	0.00	1,777.08	1,777.08
CHARLES W JONES 1954 WESTHILL DRIVE Fayetteville NC 28304	0416-19-72-3462 1954 WESTHILL DRIVE WELMAR BLK C SEC 4 PT 2	9	846 290	80.00	0.00	960.00	960.00
LEONA E KELLY 2005 WESTHILL DRIVE Fayetteville NC 28304	0416-20-72-5087 2005 WESTHILL DRIVE WELMAR BLK A SEC 5	22	1115 299	63.22	0.00	758.64	758.64
24 Owners					$.00	$23,925.00	$23,925.00

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 annually.

ITEM 3B4

PUBLIC HEARING-SPEAKERS

SUBJECT: ASSESSMENT - PWC - WESTHILL DR.

DATE: October 5, 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.	
7.	

SIGN-UP 1

ITEM _____

PUBLIC HEARING-SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)	(Address - Print)
1.	
2.	
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SIGN-UP 2

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 October 5, 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:

WELMONT DRIVE, from Westhill Drive to Glenridge 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 **WELMONT 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

ITEM 3.B.5.

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 4th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the _____ day of _____, 1992, at _____ p.m.

_____
J. L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

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

_____

_____

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

_____

_____

PUBLISH: November 4, 1992

Public Works Commission
Assessment Roll For Water and Sewer
WELMONT DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
Submitted to City Council : 10-5-92
Final Approval by City Council: _____
To City Clerk: 9-22-92
To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
PAUL T CARTRETT 1916 WESTHILL DRIVE FAYETTEVILLE NC 28304	0416-15-73-1085 1916 WESTHILL DRIVE WELMAR BLK C SEC 4 PT 2 ASSMT WELMONT	1	836 139	105.98	0.00	1,271.76	1,271.76
FRANK S DANIELS 738 GALLOWAY DRIVE FAYETTEVILLE NC 28303	0416-15-72-0999 3917 WELMONT DRIVE WELMAR BLK C SEC 4 PT 2	28	2739 768	68.18	0.00	818.16	818.16
TIMOTHY B HAMMOND 3919 WELMONT DRIVE FAYETTEVILLE NC 28304	0416-15-72-0918 3919 WELMONT DRIVE WELMAR BLK C SEC 4 PT 2	27	3513 696	74.46	0.00	893.52	893.52
ROBERT E TURNER 3920 WELMONT DRIVE Fayetteville NC 28304	0416-15-63-9179 3920 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	19	3206 759	93.16	0.00	1,117.92	1,117.92
MINNIE E RENEGAR 3923 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-9939 3923 WELMONT DRIVE WELMAR BLK C SEC 4 PT 2	26	3016 279	98.74	0.00	1,184.88	1,184.88
ROBERT WILLIAMS JR 3924 WELMONT DRIVE FAYETTEVILLE NC 28304	0416-15-63-8281 3924 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	20	3697 803	70.08	0.00	840.96	840.96
ELIZABETH FOGARTY 3928 WELMONT DRIVE FAYETTEVILLE NC 28304	0416-15-63-8201 3928 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	21	3062 833	70.08	0.00	840.96	840.96
JAY DUVALL 3929 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-8958 3929 WELMONT DRIVE WELMAR BLK C SEC 4 PT 2	25	3729 493	99.95	0.00	1,199.40	1,199.40
ODELL W KING 3932 WELMONT DRIVE FAYETTEVILLE NC 28304	0416-15-63-7127 3932 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	22	2371 99	76.26	0.00	915.12	915.12
STACY E JOHNSON 3935 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-7985 3935 WELMONT DRIVE WELMAR BLK C SEC 4 PT 2	24	2081 257	80.00	0.00	960.00	960.00

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

Public Works Commission
Assessment Roll For Water and Sewer
WELMONT DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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	Tot
EVA M MORRELL 3936 WELMONT DRIVE FAYETTEVILLE NC 28304	0416-15-63-6162 3936 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	23	2775	391	80.00	0.00	960.00	960.
BOBBY B CONERLY 3939 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-7901 3939 WELMONT DRIVE WELMAR BLK C SEC 4 PT 2	23	851	43	102.00	0.00	1,224.00	1,224.
JAMES H KING JR 3940 WELMONT DRIVE Fayetteville NC 28304	0416-15-63-5088 3940 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	24	3758	539	88.15	0.00	1,057.80	1,057.80
SEMILY M LOVELAND 4002 WELMONT DRIVE Fayetteville NC 28304	0416-15-63-5015 4002 VILLAGE DRIVE WELMAR BLK H SEC 4 PT 2	25	2418	253	90.60	0.00	1,087.20	1,087.20
DAVID G YOUNG 4006 WELMONT DRIVE Fayetteville NC 28304	0416-15-63-4033 4006 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	26	3292	501	80.00	0.00	960.00	960.
CECIL W ADKINS 4010 WELMONT DRIVE FAYETTEVILLE NC 28304	0416-15-63-3051 4010 WELMONT DRIVE WELMAR BLK H SEC 4	27	867	239	75.38	0.00	904.56	904.5
BARBARA R BURGETTE 4011 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-4812 4011 WELMONT DRIVE WELMAR BLK G SEC 4 PT 2	18	3321	716	127.92	0.00	1,535.04	1,535.
CHARLES W HORTON 4014 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-2968 4014 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	28	2217	483	70.32	0.00	843.84	843.84
LINDA S PINKSTON 4018 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-2900 4018 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	29	2950	233	70.32	0.00	843.84	843.84
GRANVILLE E CASEY SR 4020 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-1861 4020 WELMONT DRIVE WELMAR BLK H SEC 4	30	878	11	70.32	0.00	843.84	843.8

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

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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
FRANCES D CREECH 4021 DELLWOOD DRIVE FAYETTEVILLE NC 28304	0416-19-62-6252 4021 DELLWOOD DRIVE WELMAR BLK E SEC 4 PT 2 ASSMT WELMONT	6	0	0	154.51	0.00	1,854.12	1,854.12
WILLIAM L EDWARDS JR 4021 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-3754 4021 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	17	2197	408	177.68	0.00	2,132.16	2,132.16
ARLIE E MCCALLUM 4024 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-1751 4024 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	31	3000	49	70.32	0.00	843.84	843.84
ROGER NELSON 4030 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-1682 4030 WELMONT DRIVE WELMAR BLK H SEC 4	32	2776	412	74.20	0.00	890.40	890.40
JANICE L GLENN 4033 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-4615 4033 WELMONT DRIVE WELMAR BLK G SEC 4 PT 2	16	3101	81	80.00	0.00	960.00	960.00
SUMI WILLIS 4034 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-2525 4034 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	33	2219	469	80.00	0.00	960.00	960.00
WILLIAM W SLAYDON 4037 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-4579 4037 WELMONT DRIVE WELMAR BLK G SEC 4 PT 2	15	1032	207	80.00	0.00	960.00	960.00
WALTER M SHAW 4042 WELMONT DRIVE FAYETTEVILLE NC 28304	0416-19-62-2463 4038 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	34	2895	107	80.00	0.00	960.00	960.00
FREDRICK D WOLFE 4041 WELMONT DRIVE Fayetteville NC 28304	0416-15-62-5522 4041 WELMONT DRIVE WELMAR SEC 4 PT 2	14	3690	166	80.00	0.00	960.00	960.00
WALTER M SHAW 4042 WELMONT DRIVE FAYETTEVILLE NC 28304	0416-19-62-3400 4042 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	35	2844	633	80.00	0.00	960.00	960.00

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

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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
KAREN NIKOLA 4044 WELMONT DRIVE FAYETTEVILLE NC 28304	0416-19-62-3352 4044 WELMONT DRIVE WELMAR BLK H SEC 4 PT 2	36	3524 315	127.11	0.00	1,525.32	1,525.3
JESSE A BAYSDEN 4048 WELMONT DRIVE FAYETTEVILLE NC 28304	0416-19-62-4138 4048 WELMONT DRIVE WELMAR BLK F SEC 4 PT 2	3	3425 663	91.94	0.00	1,103.28	1,103.28
ARTHUR S BREWINGTON 765 JOEFIELD DRIVE FAYETTEVILLE NC 28311	0416-19-62-4089 4052 WELMONT DRIVE WELMAR BLK F SEC 4 PT 2	2	3380 754	80.00	0.00	960.00	960.00
MARGARET H GLENN 4056 WELMONT DRIVE FAYETTEVILLE NC 28311	0416-19-62-5031 4056 WELMONT DRIVE WELMAR BLK F SEC 4	1	1080 543	134.40	0.00	1,612.80	1,612.80
34 Owners					$.00	$36,984.72	$36,984.

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.

ITEM 3B5

PUBLIC HEARING-SPEAKERS

SUBJECT: ASSESSMENT - PWC - WELMONT DR.

DATE: October 5, 1992

PROPONENT (In Favor)

(Name - Print)	(Address - Print)
1.	
2.	
3.	
4.	
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OPPONENT - (Against)

(Name - Print)	(Address - Print)
1.	
2.	
3.	
4.	
5.	
7.	

SIGN-UP 1

ITEM _____

PUBLIC HEARING-SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)	(Address - Print)
1.	
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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 October 5, 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:

BRENTWOOD DRIVE, from Ireland Drive to Village 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 **BRENTWOOD 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

ITEM 3.B.6.

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 4th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the _____ day of _____, 1992, at _____ p.m.

_____
J. L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

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

_____

_____

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

_____

_____

PUBLISH: November 4, 1992

Public Works Commission
Assessment Roll For Water and Sewer
BRENTWOOD DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
Submitted to City Council : 10-5-92
Final Approval by City Council: _____
To City Clerk: 9-22-92
To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page		Frontage	Water	Sewer	Total
RONALD ENWOOD 1822 IRELAND DRIVE Fayetteville NC 28304	0416-15-73-2667 1822 IRELAND DRIVE WELMAR BLK A SEC 4 PT 1 ASSMT BRENTWOOD	6	3640	765	125.00	0.00	1,500.00	1,500.00
NANCY O SPELL 3901 BRENTWOOD DRIVE Fayetteville NC 28304	0416-15-73-3469 3901 BRENTWOOD DRIVE WELMAR BLK B SEC 4 PT 1	1	3548	349	113.00	0.00	1,356.00	1,356.00
GARY W POWELL 3903 BRENTWOOD DRIVE FAYETTEVILLE NC 28304	0416-15-73-2475 3903 BRENTWOOD DRIVE WELMAR BLK B SEC 4 PT 1	2	3109	125	74.71	0.00	896.52	896.52
GENE A KNOWLES 3906 BRENTWOOD DRIVE FAYETTEVILLE NC 28304	0416-15-73-1673 3906 BRENTWOOD DRIVE WELMAR BLK A SEC 4 PT 1	7	2475	453	90.42	0.00	1,085.04	1,085.04
ROBERT J BYRD 3312 KENTYRE DRIVE FAYETTEVILLE NC 28303	0416-15-73-1491 3909 BRENTWOOD DRIVE WELMAR BLK B SEC 4 PT 1	3	2191	115	90.13	0.00	1,081.56	1,081.56
ALVIN M HALL 3910 BRENTWOOD DRIVE FAYETTEVILLE NC 28304	0416-15-73-0684 3910 BRENTWOOD DRIVE WELMAR BLK A SEC 4	8	2153	427	95.00	0.00	1,140.00	1,140.00
MARY B ARROWOOD 3913 BRENTWOOD DRIVE FAYETTEVILLE NC 28304	0416-15-73-0329 3913 BRENTWOOD DRIVE WELMAR BLK H SEC 4 PT 1	1	3236	626	107.28	0.00	1,287.36	1,287.36
JOSEPH A WAKED 3914 BRENTWOOD DRIVE FAYETTEVILLE NC 28304	0416-15-73-0603 3914 BRENTWOOD DRIVE WELMAR BLK A SEC 4 PT 1	9	3245	13	95.00	0.00	1,140.00	1,140.00
WILLIAM B BULLOCK 3917 BRENTWOOD DRIVE Fayetteville NC 28304	0416-15-63-9327 3917 BRENTWOOD DRIVE WELMAR BLK H SEC 4 PT 1	2	2168	157	74.83	0.00	897.96	897.96
ANTHONY L MACCY 2026 POPLAR DRIVE Fayetteville NC 28304	0416-15-63-9621 3918 BRENTWOOD DRIVE WELMAR BLK A SEC 4	10	3644	33	95.00	0.00	1,140.00	1,140.00

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

Public Works Commission
Assessment Roll For Water and Sewer
BRENTWOOD DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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
KENNETH P MCDONALD 3921 BRENTWOOD DRIVE FAYETTEVILLE NC 28304	0416-15-63-8347 3921 BRENTWOOD DRIVE WELMAR BLK H SEC 4 PT 1	3	2320 274	74.83	0.00	897.96	897.96
MICHAEL D TATE 3922 BRENTWOOD DRIVE FAYETTEVILLE NC 28304	0416-15-63-8548 3922 BRENTWOOD DRIVE WELMAR BLK A SEC 4 PT 1	11	3517 190	95.00	0.00	1,140.00	1,140.00
SHELIA F HURLEY 3925 BRENTWOOD DRIVE FAYETTEVILLE NC 28304	0416-15-63-7368 3925 BRENTWOOD DRIVE WELMAR BLK H SEC 4 PT 1	4	3086 417	74.83	0.00	897.96	897.96
RONALD G SLICKER HEIRS 4001 VILLAGE DRIVE FAYETTEVILLE NC 28304	0416-15-63-6473 4001 VILLAGE DRIVE WELMAR BLK H SEC 4 PT 1	5	1019 125	108.98	0.00	1,307.76	1,307.76
14 Owners					$.00	$15,768.12	$15,768.12

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.

ITEM 3B6

PUBLIC HEARING-SPEAKERS

SUBJECT: ASSESSMENTS - PWC - BRENTWOOD DR.

DATE: October 5, 1992

PROPONENT (In Favor)

(Name - Print)	(Address - Print)
1.	
2.	
3.	
4.	
5.	
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OPPONENT - (Against)

(Name - Print)	(Address - Print)
1. Nancy Spell	3901 Brentwood Dr.
2.	
3.	
4.	
5.	
6.	
7.	

SIGN-UP 1

ITEM _____

PUBLIC HEARING-SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)	(Address - Print)
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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 October 5, 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:

VILLAGE DRIVE, north side, from southeast corner of Lot 7, Block 1, to southwest corner of Lot 18, Block 1

VILLAGE DRIVE, south side, from northeast corner of Lot 1, Block A, to southwest corner of Lot 16, Block H

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 **VILLAGE 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.

ITEM 3.B.7.

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 4th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the _____ day of _____, 1992, at _____ p.m.

_____
J. L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

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

_____

_____

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

_____

_____

PUBLISH: November 4, 1992

Public Works Commission
Assessment Roll For Water and Sewer
VILLAGE DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
Submitted to City Council : 10-5-92
Final Approval by City Council: _____
To City Clerk: 9/22/92
To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page		Frontage	Water	Sewer	Total
CARL E LARSEN 3909 VILLAGE DRIVE FAYETTEVILLE NC 28304	0416-15-63-9976 3909 VILLAGE DRIVE WELMAR BLK A SEC 4 PT 1	17	921	379	100.12	0.00	1,201.44	1,201.44
VICTOR C BETHEA 302 LUMPKIN BOULEVARD LOUISBURG NC 27549	0416-15-63-9839 3917 VILLAGE DRIVE WELMAR BLK A SEC 4 PT 1	16	3641	88	100.12	0.00	1,201.44	1,201.44
FRED D HAYES 3921 VILLAGE DRIVE Fayetteville NC 28304	0416-15-63-8883 3921 VILLAGE DRIVE WELMAR BLK A SEC 4	15	2412	505	100.12	0.00	1,201.44	1,201.44
AGNES N DUNAWAY 3922 VILLAGE DRIVE FAYETTEVILLE NC 28304	0416-15-63-6987 3922 VILLAGE DRIVE WELMAR BLK I SEC 4 PT 1	7	3713	645	74.90	0.00	898.80	898.80
HAROLD L DEAL PO BOX 42133 FAYETTEVILLE NC 28309	0416-15-63-7549 3926 BRENTWOOD DRIVE WELMAR BLK A SEC 4 PT 1 ASSMT VILLAGE	12	835	95	130.00	0.00	1,560.00	1,560.00
JOHN J LANDA PO BOX 35908 FAYETTEVILLE NC 28303	0416-15-63-8746 3929 VILLAGE DRIVE WELMAR BLK A SEC 4 PT 1	14	2217	16	93.92	0.00	1,127.04	1,127.04
RONALD EASTER 3930 VILLAGE DRIVE FAYETTEVILLE NC 28304	0416-15-63-6813 3930 VILLAGE DRIVE WELMAR BLK I SEC 4 PT 1	9	2604	570	75.00	0.00	900.00	900.00
JAMES H DULIN 3933 VILLAGE DRIVE FAYETTEVILLE NC 28304	0416-15-63-7689 3933 VILLAGE DRIVE WELMAR BLK A SEC 4 PT 1	13	3378	830	80.00	0.00	960.00	960.00
CLAYTON W DEATON JR 400 N FLORIDA STREET ARLINGTON VA 22203	0416-15-63-5785 3934 VILLAGE DRIVE WELMAR BLK I SEC 4	10	2811	197	75.00	0.00	900.00	900.00
CHARLES B CARR PO BOX 9 HOPE MILLS NC 28348	0416-15-63-5668 3938 VILLAGE DRIVE WELMAR BLK I SEC 4 PT 1	11	3058	417	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

Public Works Commission
Assessment Roll For Water and Sewer
VILLAGE DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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
ERIC L MOORE 3942 VILLAGE DRIVE Fayetteville NC 28304	0416-15-63-5642 3942 VILLAGE DRIVE WELMAR BLK I SEC 4	12	3800 829	75.00	0.00	900.00	900.00
KENNETH E FUGATE 4002 VILLAGE DRIVE Fayetteville NC 28304	0416-15-63-5514 4002 VILLAGE DRIVE WELMAR BLK I SEC 4 PT 1	13	995 44	81.06	0.00	972.72	972.72
SHELBY J INMAN 4005 VILLAGE DRIVE FAYETTEVILLE NC 28304	0416-15-63-6342 4005 VILLAGE DRIVE WELMAR BLK H SEC 4 PT 2	6	3222 149	73.05	0.00	876.60	876.60
JAMES F ALLEE 4018 VILLAGE DRIVE Fayetteville NC 28304	0416-15-63-4487 4006 VILLAGE DRIVE WELMAR BLK I SEC 4 PT 2	14	2445 229	108.96	0.00	1,307.52	1,307.52
DORIS P CATES 4009 VILLAGE DRIVE Fayetteville NC 28304	0416-15-63-5276 4009 VILLAGE DRIVE WELMAR BLK H SEC 4 PT 2	7	847 332	73.05	0.00	876.60	876.60
JAMES F ALLEE 4018 VILLAGE DRIVE Fayetteville NC 28304	0416-15-63-4421 4010 VILLAGE DRIVE WELMAR BLK I SEC 4 PT 2	15	3655 748	108.96	0.00	1,307.52	1,307.52
JOSEPH L VILLAREAL PO BOX 40233 Fayetteville NC 28309	0416-15-63-5201 4013 VILLAGE DRIVE WELMAR BLK H SEC 4 PT 2	8	2109 423	73.05	0.00	876.60	876.60
HILDA M SUGGS RT 12 BOX 289 WINSTON-SALEM NC 27107	0416-15-63-4128 4017 VILLAGE DRIVE WELMAR BLK H SEC 4 PT 2	9	3561 754	73.05	0.00	876.60	876.60
EDWARD S HERBERT 4021 VILLAGE DRIVE FAYETTEVILLE NC 28304	0416-15-63-3136 4021 VILLAGE DRIVE WELMAR BLK H SEC 4 PT 2	10	1181 159	75.83	0.00	909.96	909.96
CYRIL R LILLY 4025 VILLAGE DRIVE FAYETTEVILLE NC 28304	0416-15-63-2155 4025 VILLAGE DRIVE WELMAR BLK H SEC 4 PT 2	11	3585 855	93.78	0.00	1,125.36	1,125.36

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

Public Works Commission
Assessment Roll For Water and Sewer
VILLAGE DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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
AMANDA H MCMILLAN 4026 VILLAGE DRIVE FAYETTEVILLE NC 28304	0416-15-63-1386 4026 VILLAGE DRIVE WELMAR BLK I SEC 4 PT 2	18	3224 504	71.57	0.00	858.84	858.84
GRANT L ALLEYNE 317 OWEN DRIVE FAYETTEVILLE NC 28304	0416-15-63-1174 4029 VILLAGE DRIVE WELMAR BLK H PT 4	12	3431 468	110.30	0.00	1,323.60	1,323.60
TIMOTHY A BURKE 1946 LOOP 410 SAN ANTONIO TX 78217	0416-15-63-1039 4037 VILLAGE DRIVE WELMAR BLK H SEC 4 & PT 3	13+	3614 298	98.22	0.00	1,178.64	1,178.64
GUIDO J CARRARA 4041 VILLAGE DRIVE Fayetteville NC 28304	0416-15-63-0092 4041 VILLAGE DRIVE WELMAR BLK H SEC 4 PT 2	14	2051 69	80.00	0.00	960.00	960.00
VICTOR SCZEPANSKI 1921 ALDER ROAD Fayetteville NC 28304	0416-15-62-0955 4047 VILLAGE DRIVE WELMAR BLK H SEC 4 PT 2	15	2222 359	80.00	0.00	960.00	960.00
RICHARD L CROEGAERT 6800 UPPINGHAM ROAD Fayetteville NC 28306	0416-15-62-0828 4051 VILLAGE DRIVE WELMAR BLK H SEC 4	16	3647 708	85.00	0.00	1,020.00	1,020.00
HAROLD G AUTRY 540 FARMVIEW DRIVE FAYETTEVILLE NC 28311	0416-15-63-2367 VILLAGE DRIVE WELMAR BLK I SEC 4 PT 2 & 1 FT OF LT 16	17+	3730 713	81.00	0.00	972.00	972.00
JAMES F ALLEE 4018 VILLAGE DRIVE FAYETTEVILLE NC 28304	0416-15-63-3674 VILLAGE DRIVE WELMAR MAJ PT LT 16 & ADJ 3AC	16+	2003 23	107.96	0.00	1,295.52	1,295.52
HOWARD J HUBERT 3926 VILLAGE DRIVE FAYETTEVILLE NC 28304	0416-15-63-6940 VILLAGE DRIVE WELMAR BLK I SEC 4	8	952 500	74.90	0.00	898.80	898.80
29 Owners					$.00	$30,347.04	$30,347.04

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.

ITEM 3B7

PUBLIC HEARING-SPEAKERS

SUBJECT: ASSESSMENT - PWC - VILLAGE DR.

DATE: October 5, 1992

PROPONENT (In Favor)

(Name - Print)	(Address - Print)
1.	
2.	
3.	
4.	
5.	
6.	
7.	

OPPONENT - (Against)

(Name - Print)	(Address - Print)
1. JAMES F. ALLEE (by letter)	4018 Village Dr.
2. JAMES H DULIN	3933 VILLAGE DR
3. SUSAN CATES	4009 Village Dr (mother
4.	
5.	
6.	
7.	

SIGN-UP 1

ITEM _____

PUBLIC HEARING-SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)	(Address - Print)
1.	
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Fayetteville, N. C.

September 28, 1992

Public Works Commission
Fayetteville, N. C.

Subject: Assessment Property

Dear Sir:

I desire to speak at the public hearing on October 5, 1992 concerning assessment of property.

James F. Allee
4018 Village Drive
Fayetteville, N. C. 28304
Tel: 425-5078

James F Allee

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 October 5, 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:

IRELAND DRIVE, west side, from northeast corner of Lot 1, Block A, to southeast corner of Lot 21, Block A

IRELAND DRIVE, east side, from northwest corner of Lot 1 to southwest corner of Lot 12 of Welmar Heights, Part III, Section IV;

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 **IRELAND 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.

ITEM 3.B.8.

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 4th day of November, 1992, the notice required by Chapter 160A, Section 229, of the General Statutes of North Carolina.

This the _____ day of _____, 1992, at _____ p.m.

_____
J. L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

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

_____

_____

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

_____

_____

PUBLISH: November 4, 1992

Public Works Commission
Assessment Roll For Water and Sewer
IRELAND DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
Submitted to City Council : 10-5-92
Final Approval by City Council: _____
To City Clerk: 9-22-92
To PWC Tax Collector: _____

Property Owner	Property Description	Lot#	Book/Page	Frontage	Water	Sewer	Total
WILLIE F EVANS 1802 IRELAND DRIVE Fayetteville NC 28304	0416-15-74-0097 1802 IRELAND DRIVE WELMAR BLK A SEC 4	1	2422 171	121.42	0.00	1,457.04	1,457.04
PAULINE R WAGONER 1806 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-15-73-1919 1806 IRELAND DRIVE WELMAR BLK A SEC 4	2	841 21	80.00	0.00	960.00	960.00
ALVIN C BILLINGSLEY 4307 COVENTRY FAYETTEVILLE NC 28304	0416-15-73-1921 1810 IRELAND DRIVE WELMAR BLK A SEC 4 PT 1	3	3577 327	75.22	0.00	902.64	902.64
RENA M HARRIS 1814 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-15-73-1822 1814 IRELAND DRIVE WELMAR BLK A SEC 4 PT 1	4	2327 51	75.89	0.00	910.68	910.68
JAMES V SPELL PO BOX 40102 FAYETTEVILLE NC 28309	0416-15-73-1796 1818 IRELAND DRIVE WELMAR BLK A SEC 4 PT 1	5	2840 104	73.70	0.00	884.40	884.40
CAROLYN S MILLER 5507 MESA DRIVE FAYETTEVILLE NC 28303	0416-16-73-5550 1905 IRELAND DRIVE WELMAR SEC 4 PT 3	1	866 133	115.16	0.00	1,381.92	1,381.92
MARTIN E MILLER 1906 IRELAND DRIVE Fayetteville NC 28304	0416-15-73-3399 1906 IRELAND DRIVE WELMAR BLK B SEC 4 PT 2	1	3767 58	80.00	0.00	960.00	960.00
KENNETH A HAIRE PO BOX 3323 Fayetteville NC 28305	0416-15-73-4331 1910 IRELAND DRIVE WELMAR BLK B SEC 4 PT 2	2	2105 528	80.00	0.00	960.00	960.00
ROBERT A CORRIVEAU 1913 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-73-6352 1913 IRELAND DRIVE WELMAR SEC 4 PT 3	2	1134 209	115.16	0.00	1,381.92	1,381.92
JOE H MORRIS 2608 ELMHURST DRIVE Fayetteville NC 28304	0416-15-73-4264 1914 IRELAND DRIVE WELMAR BLK B SEC 4 PT 2	3	864 604	80.00	0.00	960.00	960.00

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

Public Works Commission
Assessment Roll For Water and Sewer
IRELAND DRIVE

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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	Tot
SHARYN J DOUTT 1918 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-73-5107 1918 IRELAND DRIVE WELMAR BLK B SEC 4 PT 2	4	3632 606	80.00	0.00	960.00	960.
DEBORAH A WILSON 1919 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-73-7254 1919 IRELAND DRIVE WELMAR SEC 4 PT 3	3	3280 454	80.00	0.00	960.00	960.
FRANK GARCIA- ALMODOVAR 1922 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-73-5140 1922 IRELAND DRIVE WELMAR BLK B SEC 4	5	3685 862	80.00	0.00	960.00	960.00
JOHN N HUDSON 1923 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-73-7197 1923 IRELAND DRIVE WELMAR SEC 4 PT 3	4	1195 321	80.00	0.00	960.00	960.00
ALBERT P BARRETT 1926 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-73-5083 1926 IRELAND DRIVE WELMAR BLK B SEC 4 PT2	6	2359 277	80.00	0.00	960.00	960.
KINSEY R WINSTEAD 1927 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-73-8130 1927 IRELAND DRIVE WELMAR SEC 4 PT 3	5	2183 145	80.00	0.00	960.00	960.
NANCY S LONG 1930 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-72-6926 1930 IRELAND DRIVE WELMAR BLK B SEC 4 PT 2	7	865 5	80.00	0.00	960.00	960.
DARRYL M DAVIS 1931 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-73-8072 1931 IRELAND DRIVE WELMAR SEC 4 PT 3	6	3517 111	79.45	0.00	953.40	953.40
GLADYS B CANNON 1934 IRELAND DRIVE Fayetteville NC 28304	0416-16-72-6858 1934 IRELAND DRIVE WELMAR BLK B SEC 4 PT 2	8	2052 691	84.48	0.00	1,013.76	1,013.76
CARLTON R SMITH 1705 C HOIO CIRCLE WAHIAWA HI 96786	0416-16-72-9915 1935 IRELAND DRIVE WELMAR SEC 4 PT 3	7	3062 291	76.55	0.00	918.60	918.60

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

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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
DONALD L BREEDEN 1938 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-72-6881 1938 IRELAND DRIVE WELMAR BLK B SEC 4 PT 2	9	875	31	86.60	0.00	1,039.20	1,039.20
MARY J COTTEN 1939 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-72-9837 1939 IRELAND DRIVE WELMAR SEC 4 PT 3	8	3453	296	76.55	0.00	918.60	918.60
MARTIN L ZEHRING 1942 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-72-7714 1942 IRELAND DRIVE WELMAR BLK B SEC 4	10	2205	585	86.60	0.00	1,039.20	1,039.20
B GARRETT THOMPSON 208 QUEENSFERRY ROAD CARY NC 27511	0416-16-72-9758 1943 IRELAND DRIVE WELMAR SEC 4 PT 3	9	2852	421	76.55	0.00	918.60	918.60
ROBERT M HUGGINS 1946 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-72-7627 1946 IRELAND DRIVE WELMAR BLK B SEC 4 PT 2	11	2592	786	86.60	0.00	1,039.20	1,039.20
TRUMON L OVERFELT 1947 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-72-9760 1947 IRELAND DRIVE WELMAR SEC 4 PT 3	10	1160	396	76.55	0.00	918.60	918.60
ANDRES VALENTIN JR 58 MADISON AVENUE PERTH AMBOY NJ 08861	0416-16-72-7529 1950 IRELAND DRIVE WELMAR BLK B SEC 4 PT 2	12	3595	474	84.40	0.00	1,012.80	1,012.80
GEORGIA B OWENS 1951 IRELAND DRIVE FAYETTEVILLE NC 28304	0416-16-72-9641 1951 IRELAND DRIVE WELMAR SEC 4 PT 3	11	3054	23	78.08	0.00	936.96	936.96
LARRY J MEEHAN 2006 IRELAND DRIVE Fayetteville NC 28304	0416-20-72-7158 2006 IRELAND DRIVE WELMAR BLK A SEC 5	23	3066	571	105.49	0.00	1,265.88	1,265.88
JENNIFER B REED 3905 GLENRIDGE ROAD Fayetteville NC 28304	0416-20-72-6296 3905 GLENRIDGE ROAD WELMAR .56AC ASSMT IRELAND DR	UN	3232	460	80.00	0.00	960.00	960.00

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

In order by Street, Site Address

Project: AREA 10 WELMAR/EVERGREEN ESTS
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	Tot
FRED E HAMES 2010 IRELAND DRIVE Fayetteville NC 28304	0416-20-72-7140 IRELAND DRIVE WELMAR BLK A SEC 5	21	931 260	82.81	0.00	993.72	993.
31 Owners					$.00	$31,407.12	$31,407.12

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.

ITEM 3B8

PUBLIC HEARING-SPEAKERS

SUBJECT: ASSESSEMENT - PWC - IRELAND DR

DATE: October 5, 1992

PROPONENT (In Favor)

(Name - Print)	(Address - Print)
1.	
2.	
3.	
4.	
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7.	

OPPONENT - (Against)

(Name - Print)	(Address - Print)
1. DOUTT, Sharyn J	1918 IRELAND DR Fayetteville
2. DOUTT, WAYNE EWD	" " " "
3. Miller, Martin, E	1906 Ireland Rd
4.	
5.	
6.	
7.	

SIGN-UP 1

ITEM _____

PUBLIC HEARING-SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)	(Address - Print)
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PLANNING DEPARTMENT

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

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

October 5, 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.

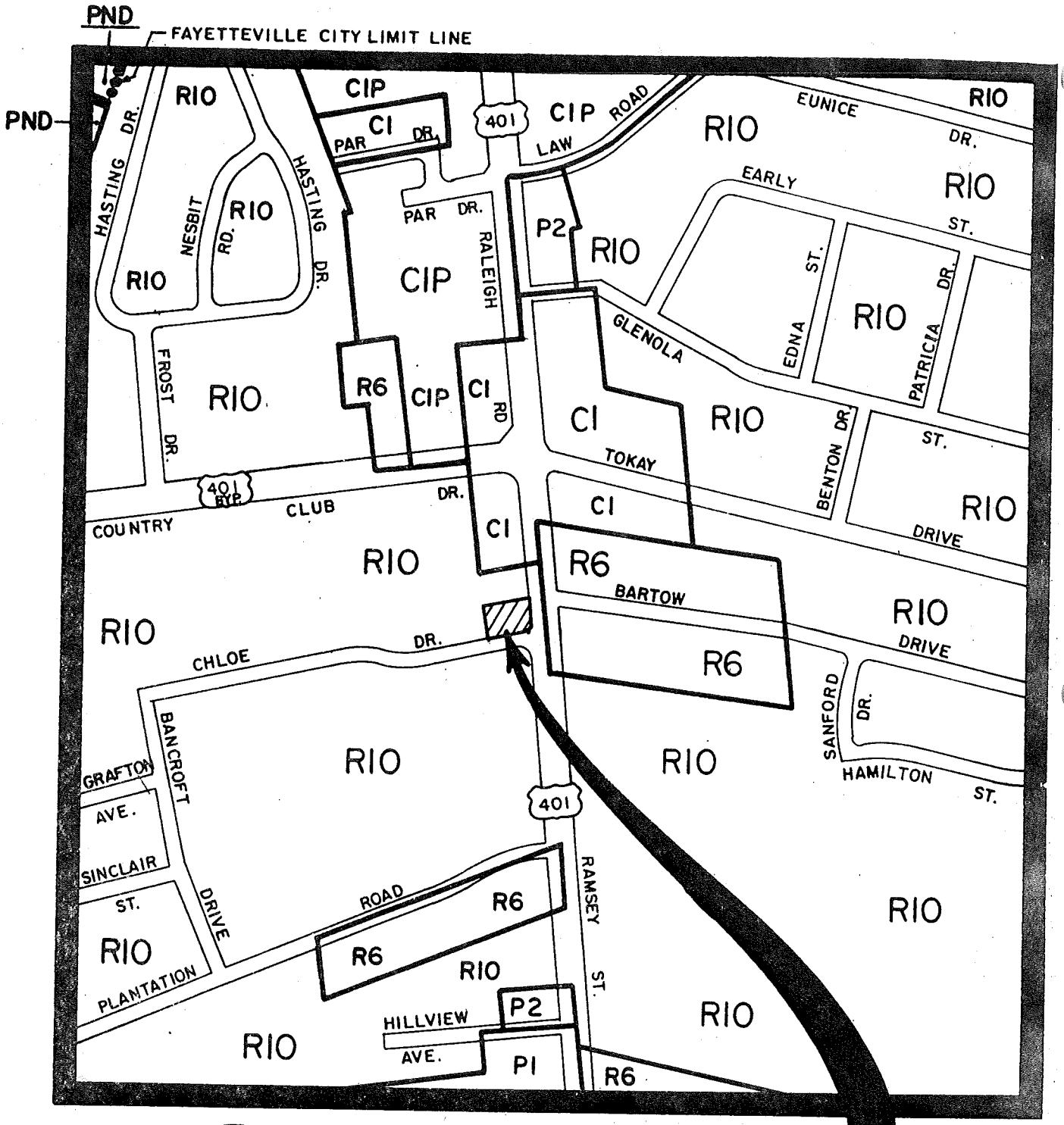
Mr. Ted Kinney, resident of the area, appeared before the Board in opposition. He asked those present in the audience in opposition to the rezoning to stand.

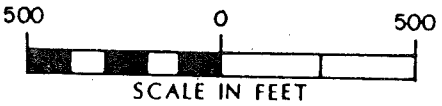
A motion was made by Mr. Morine and seconded by Mr. Schmidt to deny the requested rezoning. The motion passed unanimously.

Attachments

:skc

ITEM 3.C.





REQUESTED REZONING

RIO TO P2

ACREAGE: 0.38 AC. ±	HEARING NO: P92-89	
ORDINANCE: FAYETTEVILLE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0439-62-2519

E.B.

THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

CITY MANAGER
FAYETTEVILLE, NC 28301-5537
433 HAY STREET

OCTOBER 2, 1992

MEMORANDUM

TO: The Mayor and Members of City Council

FROM: John P. Smith, City Manager

SUBJECT: **ITEM 3.C., OCTOBER 5, 1992 AGENDA**

The memo in your agenda packet for Item 3.C. (Planning Board case P92-89) contains an error which states that the Planning staff recommends approval of this rezoning. Attached to this memo you will find a corrected memo from the Planning Board which states that the Planning staff recommends **denial.**

JPS:ssm

Attachment

115.02

PLANNING DEPARTMENT

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

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

October 5, 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 denial 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.

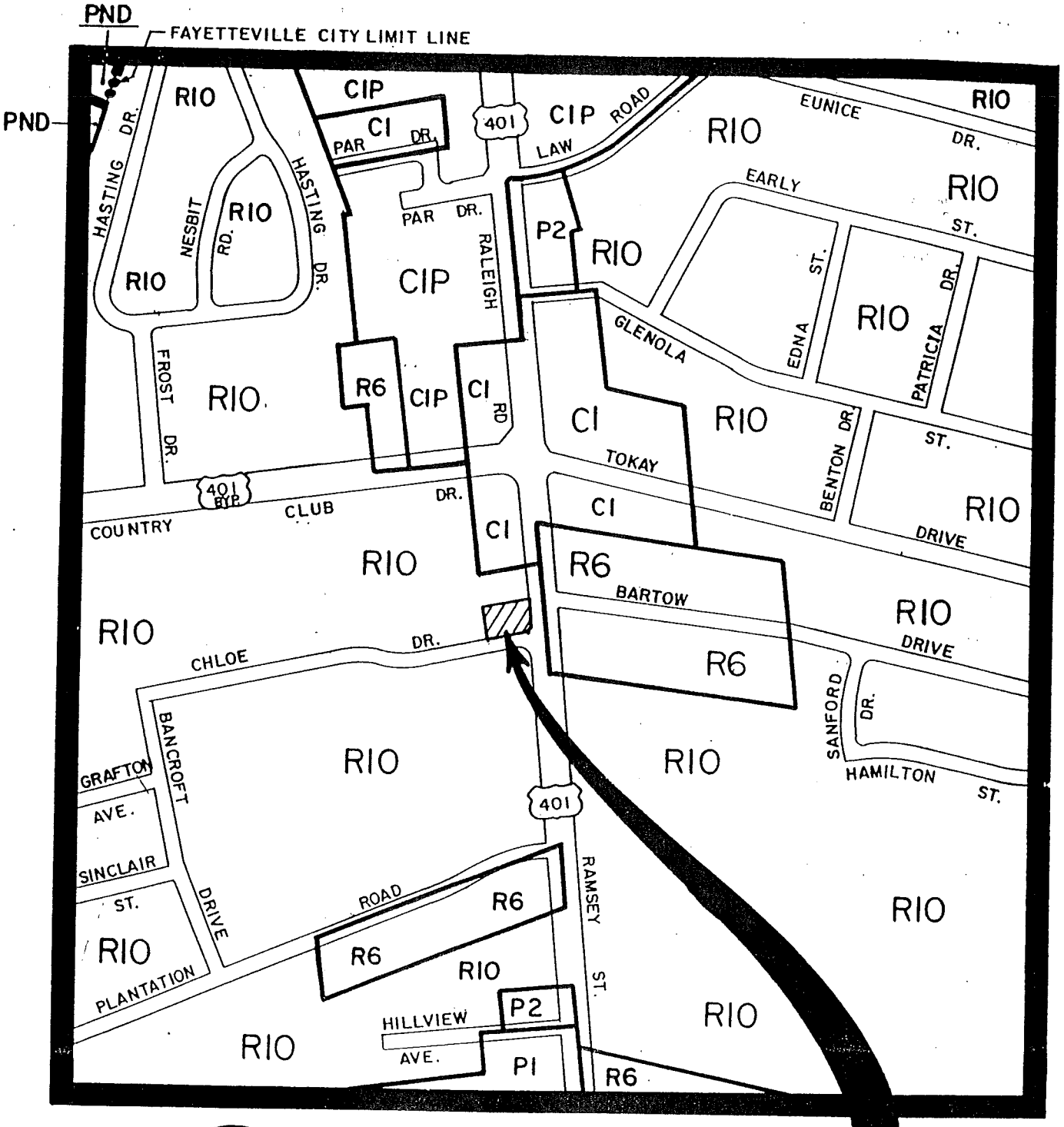
Mr. Brad Buffet, petitioner, appeared before the Board and explained his reasons for requesting the rezoning.

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



NORTH

500 0 500

SCALE IN FEET

REQUESTED REZONING

RIO TO P2

ACREAGE: 0.38 AC. ±	HEARING NO: P92-89	
ORDINANCE: FAYETTEVILLE	HEARING DATE	ACTION
PLANNING BOARD		
GOVERNING BOARD		

PIN: 0439-62-2519

E.B.

ITEM 3-C

PUBLIC HEARING-SPEAKERS

SUBJECT: REZONE CHLOE/RAMSEY - EDWARDS PROPERTY
CASE P92-89

DATE: October 5, 1992

PROPONENT (In Favor)

(Name - Print)	(Address - Print)
1. WILLIAM B. MUFFETT (BRAD)	1313 FT. BRAGG RD, FAYETTEVILLE, NC 28305
2. [illegible]	2521 Rockfoale Rd 28305
3.	
4.	
5.	
6.	
7.	

OPPONENT - (Against)

(Name - Print)	(Address - Print)
1. TED KINNEY	106 CHLOE DR FAY. NC
2.	
3.	
4.	
5.	
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SIGN-UP 1

ITEM _____

PUBLIC HEARING-SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)	(Address - Print)
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SIGN-UP 2

PLANNING DEPARTMENT

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

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

October 5, 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.

ITEM 3.D.

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

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

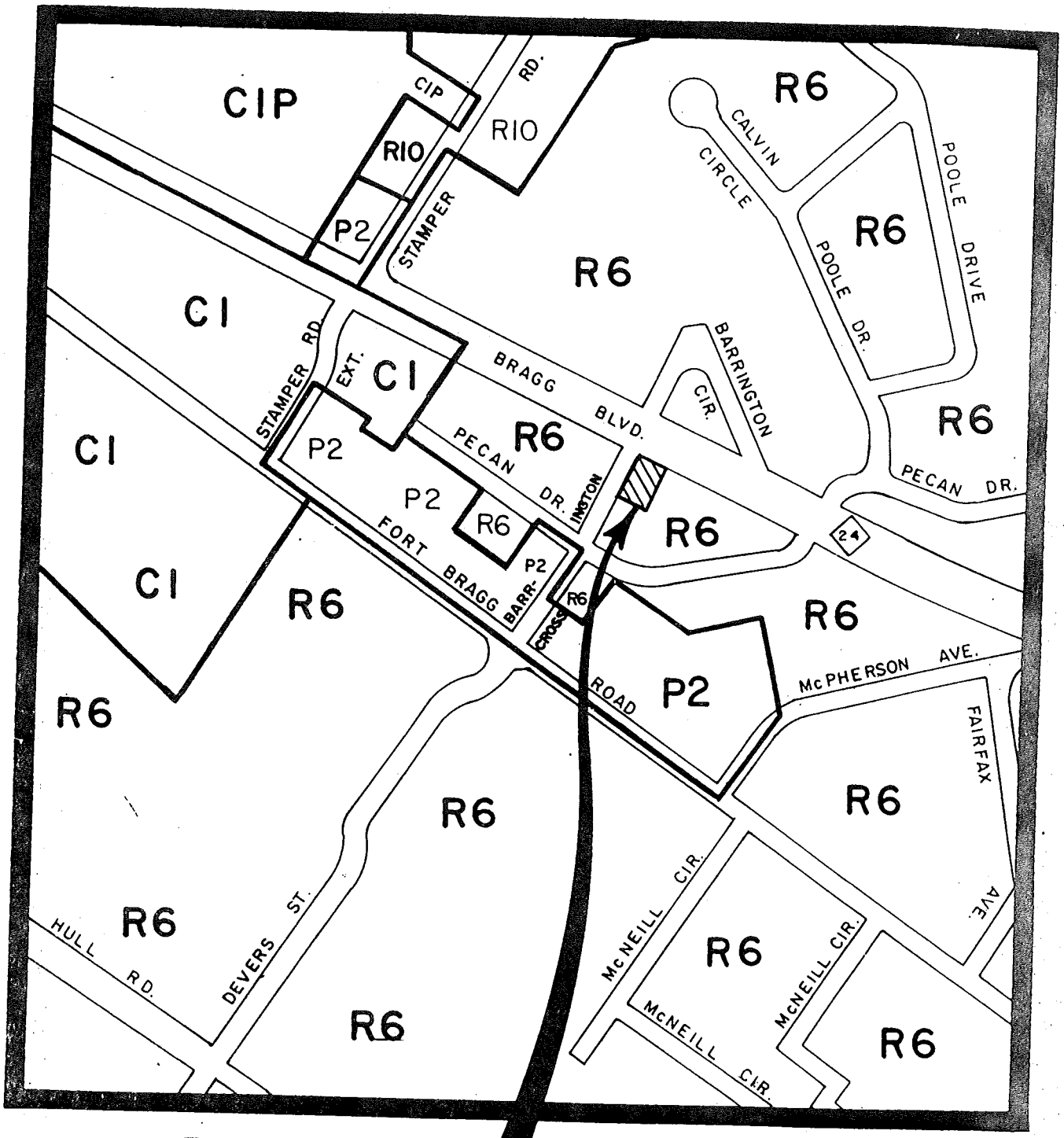
Mr. Dick McLeod, resident in the area, stated he felt the increased traffic due to the office building would be a hazard.

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

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

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

:skc



NORTH

400 0 400

SCALE IN FEET

REQUESTED REZONING
R6 TO P2

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

PIN: 0428-30-6695-

E.B.

ITEM 3-D

PUBLIC HEARING-SPEAKERS

SUBJECT: REZONE - BARRINGTON CROSS/BRAGG BLVD - SUTHERLAND/SINGLETON PROPERTY CASE P92-95

DATE: October 5, 1992

PROPONENT (In Favor)

(Name - Print)	(Address - Print)
3 1. GRANT SINGLETON	3. 1311 Gen Lee, Ave
2. JAMES A. SUTHERLAND	2. 215 ELLINGTON ST.
1 3. WAYNE T. WILLIAMS	1. 2000 FT. BRAGG ROAD.
4.	
5.	
7.	

OPPONENT - (Against)

(Name - Print)	(Address - Print)
1. Lee Brown Brady	1215 Hilltop Ave. Fay, N.C. 28305
2.	
3.	
4.	
5.	
6.	
7.	

SIGN-UP 1

ITEM _____

PUBLIC HEARING-SPEAKERS

SUBJECT: _____

DATE: _____

CITIZEN INPUT

(Name - Print)	(Address - Print)
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THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

CITY MANAGER

FAYETTEVILLE, NC 28301-5537

433 HAY STREET

September 30, 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 - Public Hearing - Annexation of Westlake at Morganton Road - Phase 1 - (Petition-Initiated Contiguous Area)

A public hearing has been scheduled for October 5, 1992, concerning the proposed petition-initiated annexation of Westlake at Morganton Road - Phase 1. (See Map 1 and Map 2, attached.) The Notice of Public Hearing was published in the September 24, 1992, edition of The Fayetteville Observer-Times.

After holding the public hearing, the City Council has the authority to adopt an ordinance annexing the area. The City Council has the authority to make the 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 this area, the City Councilmembers 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.

The memo is organized as follows:

- Section A provides basic information about the area proposed for annexation.
- Section B evaluates the area in terms of several criteria.
- Section C provides a summary, conclusions, and recommendations.

Two maps are attached to the memo, along with a proposed ordinance.

DMN/kbl

Attachments

annex-67

SECTION A

BASIC INFORMATION ABOUT THE AREA PROPOSED FOR ANNEXATION

1. NAME OF AREA: Westlake at Morganton Road - Phase 1

2. LOCATION: The area proposed for annexation is located along the northern side of Morganton Road, along both sides of the recently constructed Westlake Road. (See Map #1 and Map #2.)

3. IS THE AREA CONTIGUOUS? Yes

4. TYPE OF PROPOSED ANNEXATION: Petition-Initiated (Contiguous Area)

5. CONTEXT/BACKGROUND:

   a. The Surroundings - 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, as shown on Map #1, three projects are currently being developed on the Harris Property. These projects are being developed outside the City; they are not part of the area requested for annexation.

   b. 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 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."

      1) The Petitioners (Owners)

         The original 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.

         Several complicated conveyances of land occurred after the original petition was submitted to City staff on August 26. As a result of these conveyances, Biltwell, Inc., became the owner of a small part of the area. Therefore, the City staff asked two persons affiliated with Biltwell, Inc., to sign the petition. These persons were: Al Rumbough, Agent for Biltwell, Inc.; and Joseph P. Riddle, III, President of Biltwell, Inc.

6. REASONS FOR THE PETITION: There are probably at least three reasons the 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.

7. NUMBER OF ACRES IN AREA: 14.78 acres total

# Acres	Description
12.60	This parcel is owned by Harris Farm Joint Venture. It is being developed into the office park.
2.18	This tract is owned by Elliott Harris and Biltwell, Inc. This tract was created and added to make the area contiguous. This tract is low and wet and will probably not be developed.
14.78	Total number of acres in area

8. PRESENT CONDITION:

a. Present Use of Land

Land Use Type	Number of Acres: By Development Status	Number of Acres: By Category
Developed Land	2.14	
Streets (Westlake Road)		2.14
Land Currently Being Developed	10.13	
Phase 1 of Future Office Park		10.13
Undeveloped Land	2.51	
Contiguity Parcel (Wetland)		2.18
Submerged Land		.33
TOTAL	14.78	14.78

b. Present Number of Housing Units - 0

c. Present Demographics

	Total	White	Other	Black
1) Total Population	0	0	0	0
2) Voting Age Population	0	0	0	0
3) Registered Voters	0	0	0	0

d. Present Streets (Within Area)

Name	Approx. Length	Width	Type	State Maintained?	Present Condition
Westlake Road	950'	100'-60	See Note 1 Below	No	Good

Note:
1. A recent pavement and soil evaluation test shows that the street construction exceeds the minimum design strength as specified in the City's proposed standards for a commercial/industrial collector.

e. Present Utilities
1) Sewer, Water, and Fire Hydrants - These utilities have already been installed by PWC within part of the area. The developer paid for the cost of installation.
2) Electrical and Street Lights - PWC underground electrical service has already been installed within the area. PWC street lights have not yet been installed along Westlake Road.

f. Present Ad Valorem Tax Value - The present ad valorem tax value of the area (based on 1992 revaluation values) is estimated at $327,484. Ad valorem tax revenues for the remainder of FY 92-93 would be based on this value. This value is based only on land values, since there are no buildings or taxable improvements in the area at this time. Specifically, this value is based on the actual land value ($312,148) of the 12.60 acre tract of land and the estimated value ($15,336) of the 2.18 acre tract of land.

9. FACTORS AFFECTING EXPECTED FUTURE CONDITIONS:

a. Plans of Owners - The primary owner (Harris Farm Joint Venture) plans to develop the area requested for annexation as a multi-use office park.

b. Development Controls
1) Land Use Plans
a) Current Plan (1971) - Low-Density Residential
b) Proposed New Plan - Commercial, Low-Density Residential, and Open Space

2) Zoning
a) Current Zoning in County - O & I and PND
NOTE: A General PND Development Review Plan was approved for the overall Harris Property by the Joint Planning Board on May 15, 1990.
NOTE: A Conditional Use Overlay was applied to the western one-third of the property by the Cumberland County Board of Commissioners on December 17, 1990.
b) Likely Future Zoning After Annexation - P2, P3, and PND
NOTE: It is assumed the Conditional Use Overlay granted in the County would expire in the City after annexation.

c. Environmental Factors

1) Watershed Area - The area requested for annexation is not within a watershed area as designated by the State.
2) Wetland - The southeastern portion of the area is low and wet and might be covered by wetlands regulations.
3) Floodplains - The southeastern portion of the area is located within a 100-year and 500-year flood boundary.

10. EXPECTED FUTURE CONDITIONS:

a. Future Use of Land
   1) Residential - None expected
   2) Non-residential - Multi-use office park. The date of completion is not known.
b. Future Number of Housing Units - None expected.
c. Future Demographics - No population is expected.
d. Future Streets - Based on preliminary plat submitted by Mr. W. A. Maxwell, Sr., a new cul-de-sac might be constructed within the area in the future.
e. Future Utilities
   1) Sewer, Water, and Fire Hydrants - No changes expected.
   2) Electrical and Street Lights - It is expected that PWC street lights will be installed along Westlake Road.
f. Future Ad Valorem Tax Value - The tax value of the area will increase significantly as the area develops. However, because the number and size of future buildings is not known, it is not possible to project the future tax value.

SECTION B

EVALUATION OF THE AREA PROPOSED FOR ANNEXATION

In this section of the memo, the area is evaluated in terms of the following criteria:

1. Compliance with Statutory Standards.
2. Ability of City Operating 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 Percentage. (In overall City and in Adjacent City Council Districts).
5. Other Impacts/Problems Identified in Staff Review.
6. Other Issues Raised in Staff Review.

Information about each of the criteria is presented below. Much of the 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 the area must be contiguous to the municipal boundary. The proposed annexation area is contiguous to the municipal boundary. The petitioners made the area contiguous by adding a 2.18 acre tract of land located in the southeastern corner of the area (just north of Morganton Road). This tract connects the 12.60 acre tract of land to the City limits.

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 the area. The evaluation focused on how the departments/divisions would serve the area, additional costs, additional revenues, additional impacts/problems, and other issues raised. This evaluation provided information about the ability to provide services and the costs of service.

b. Findings
1) PWC
a) Ability to Serve - Based on responses received from both the Water and Sewer Division and the Electrical Systems Division, PWC will be able to provide services to the area, if it is annexed.
b) Costs of Service
(1) Water and Sewer Division - This division reported that sewer lines, water lines, and fire hydrants have already been installed in the area by the developer. Pursuant to the policy for cost participation which was in effect at the time of execution of the contract for extensions, PWC will refund to the developer the following amounts:
$21,220.23 - if annexed by 11-27-93
$12,732.14 - if annexed between 11-27-93 and 11-27-94
(2) Electrical Systems Division - This division reported that underground PWC electrical lines have already been installed in the area. However, seven (7) street lights will need to be installed by PWC along Westlake Road. The projected cost if $5,964.87.
2) City Operating Departments
a) Ability to Serve - Based on responses received from the City operating departments and based on a review of those responses by the City Manager's Office, most operating departments will be capable of serving the area, if it is annexed. However, the Fire Department and Police Department expressed concern over the ability to serve the area, as discussed below.
(1) Fire Department - The Fire Department currently contracts with Bonnie Doone Fire Department to serve a portion of the City west of Cross Creek Mall. The petition area is beyond this contract area. The petition area is 2.5 miles from Station #6, the closest City Station. More importantly, the petition area is 4.5 miles from Station #5, the second due company. These distances are beyond the recommended travel distance for both first and second engine company

response. The petition area is 1.1 miles from the Bonnie Doone Fire Department Station. The Deputy Chief of the Bonnie Doone Fire Department has given a written commitment to respond to the petition area on a mutual aid basis. (The letter was dated 4-30-91. It was written in response to another area which was considered for annexation in 1991. This area was never annexed.) By having both the Bonnie Doone Fire Department and the City Fire Department respond to the petition area, adequate coverage can be provided. The Bonnie Doone Fire Department request that when rollover begins, that the petition area be considered as part of the overall area annexed, and that compensation be adjusted accordingly. The City Fire Department states that without Bonnie Doone's cooperation and assistance, the petition area, if annexed, will not receive the same level of fire protection as other parts of the City.

(2) Police Department - The Police Chief expressed concern over being able to serve the area, due to the cumulative impact of past annexations. The City staff is in the process of reviewing the cumulative impact on the Police Department. It is possible that some adjustments will be made in the department's budget to ameliorate the cumulative impact.

b) Costs of Services - In discussing City services and costs, it is useful to recognize the stages of development the area will go through. It is also important to note that the build-out (completion) date is not known.

(1) During FY 92-93 - It is assumed this area will be annexed effective October 31, 1992. During this fiscal year, the demand for services will be minimal because the area will be in the status of "currently being developed" rather than "developed." All City operating departments should be able to absorb the area. Assuming that Westlake Road is accepted for maintenance by the City, it is projected that the Street Maintenance Division will have the following costs:

Dept.	Amount	Frequency	Service
Street Maintenance	$285 (prorated for 8 months)	Annual	Routine Street Maintenance for Westlake Road

The Police Department expects to have costs associated with patrolling the area, but the department is not able to project these costs.

(2) During Years of Development - During the years of development, the demand for services will increase. It is projected that all City operating departments will be able to absorb the area without substantial increases in costs. However, the impact on each department will need to be monitored. It is projected that the Street Maintenance Division will have an annual cost of $425 per year for street maintenance.

(3) At Build-Out - When the area is 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 area at build-out. It is projected that the Street Maintenance Division will continue to have an annual cost of $425 per year for street maintenance.

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 proposed area is 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 annexation on the City.

a) Revenues - First, annual operating revenues were projected. Since very little is known about the future development (except that it will be a multi-use office park), it was not possible to project revenues over a five-year period or for a hypothetical "build-out" year. Instead, revenues were projected for the remainder of FY 92-93. Only one revenue source was projected (ad valorem tax). Other revenue sources were not projected, because there was no population or street miles within the City as of the beginning of the fiscal year.

The projected ad valorem revenue for the remainder of FY 92-93 is $1,168.

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, it was not possible to project many costs because little is known about the future development. The only costs which can be projected with certainty are the costs for street maintenance (assuming that the City accepts Westlake Road for maintenance).

The projected cost for the remainder of FY 92-93 is $285 (all for street maintenance).

2) Results - The results of comparing the revenues and costs for FY 92-93 are shown below. These figures have been prorated to reflect an assumed effective date of October 31, 1992.

	During FY 92-93
Annual Revenues	$1,168
Annual Costs	$ 285
Annual Surplus (Deficit)	$ 883

b) Public Works Commission - Fiscal Impact

In discussing the fiscal impacts of the proposed annexation 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 the office park. However, it has not been possible to project these revenues, since it is not known how many buildings will be constructed or when construction will be completed.

(2) Costs - As discussed in a preceding section of this memo, the costs for making a refund to the developer is projected at $21,220.23, if the area is annexed by November 27, 1993.

b) Results - It is possible to project that if the area is annexed effective October 31, 1992, and if PWC makes the refund to the developer during FY 92-93, the fiscal impact on the 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 has already extended electrical service to the area and will extend street light services if the area is annexed. There will be revenues from the sale of electricity in the area. However, it is not appropriate to attribute this increase in electrical service revenue to annexation; this increase will occur regardless of whether the area is annexed. It has not been possible to project any other revenues.

(2) Costs - As discussed in a preceding section of this memo, seven (7) street lights will be constructed by PWC at a cost of $5,964.87, if the area is annexed. It is assumed these costs will be incurred during FY 92-93.

b) Results - It is possible to project that if the area is annexed effective October 31, 992, and if PWC installs the street lights during FY 92-93, the fiscal impact on the Electrical 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.

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 8 - Present Conditions), most of the area is currently being developed (as an office park). The remainder of the area is either already developed (as streets) or undeveloped (wetland). The area presently has 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 date of annexation (10-31-92). 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 area is adjacent to City Council District #5.)

5. OTHER IMPACTS/PROBLEMS IDENTIFIED IN STAFF REVIEW:

a. Methodology - During the staff review process, the head of each City operating department and the head of each PWC division were asked to identify any additional impacts/problems, if the area 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 - Impacts/Problems:

      a) Police Department - The Police Chief expressed concern over the cumulative impact of past annexations. The Police Chief stated that the department could not continue to service proposed annexation areas without increases in personnel and equipment. The department staff reported that future impacts/problems would be based on future increases in calls for police services; however, the staff reported that these increases cannot be determined at this time.

      It should be noted that the City staff is in the process of reviewing the cumulative impact of past annexations on the Police Department. It is possible that some adjustments will be made in the department's budget to ameliorate the cumulative impact.

      b) Fire Department - The Fire Department expressed concern over the impact of this annexation on the rollover agreement which has been established with the Bonnie Doone Fire Department.

6. OTHER ISSUES RAISED IN STAFF REVIEW:

   a. Methodology - During the staff review process, the head of each City operating department and the head of each PWC division were asked whether the consideration of the proposed annexation 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) Traffic Services - The Traffic Services Department pointed out that the development of the area will lead to an increase in the traffic volume on Morganton Road.

SECTION C

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

1. SUMMARY - In summary, this memo has provided basic information about the area, with a focus on present conditions, factors affecting development, and expected future conditions. This memo has also evaluated the area in terms of several criteria.

2. CONCLUSION - The basic conclusions are as follows:

   a. The area complies with Statutory Standards, since it is contiguous. The petitioners created a special parcel to make the main part of the area contiguous to the City limits.

b. Most of the land in the area is currently being developed into a multi-use office park. A small part of the land in the area is already developed (Westlake Road).

c. It is not known how fast the office park will be built. The number of future buildings is also not known.

d. The City operating departments and PWC should be able to provide services to the area. However, the Fire Department and the Police Department have expressed concern over the ability to serve the area. The Fire Department's concern is based on location. The Police Department's concern is based on the cumulative impact of past annexations.

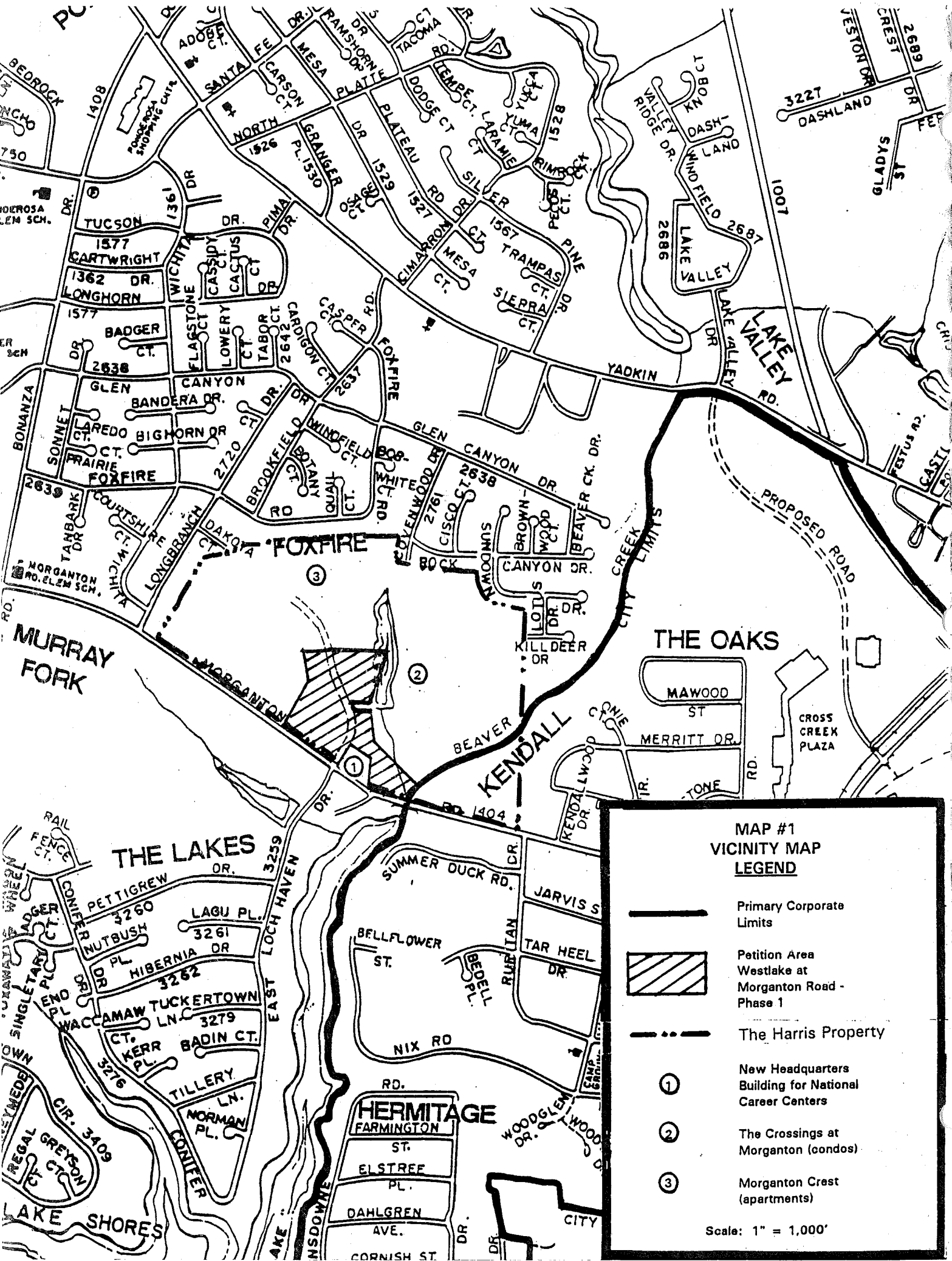
e. Fiscal Impact on City - It is projected there will be a surplus for the City of $883 during FY 92-93.

f. Fiscal Impact on PWC - It is projected that the fiscal impact on both the Water and Sewer Division and the Electrical Division will be negative during FY 92-93.

g. This area currently has zero population. Therefore, annexation should have no impact on minority population percentages.

3. RECOMMENDATIONS - Based on the conclusions, the City staff offers the following recommendations:

a. The City Council should adopt the attached annexation ordinance.
b. The City Council should set October 31, 1992, as the effective date of the ordinance.


MAP #1
VICINITY MAP
LEGEND
Primary Corporate Limits
Petition Area Westlake at Morganton Road - Phase 1
The Harris Property
1 New Headquarters Building for National Career Centers
2 The Crossings at Morganton (condos)
3 Morganton Crest (apartments)
Scale: 1" = 1,000'
FOXFIRE
MURRAY FORK
THE OAKS
KENDALL
THE LAKES
HERMITAGE
LAKE VALLEY
LAKE SHORES
MORGANTON
BEAVER
PROPOSED ROAD
CROSS CREEK PLAZA
CITY LIMITS
MAWOOD ST
MERRITT DR.
SUMMER DUCK RD.
JARVIS
TAR HEEL DR.
NIX RD
BELLFLOWER ST.
BEDELL PL.
RUBICAN
PETTIGREW DR.
LAGU PL.
HIBERNIA DR
TUCKERTOWN LN.
BADIN CT.
TILLERY LN.
NORMAN PL.
CONIFER
EAST LOCH HAVEN
WACCAMAW
FARMINGTON ST.
ELSTREE PL.
DAHLGREN AVE.
CORNISH ST.
WOODGLEN DR.
KILLDEER DR
BROWN-WOOD CT.
BEAVER CK. DR.
GLEN CANYON DR.
YADKIN RD.
LAKE VALLEY RD.
TUCSON DR.
CARTWRIGHT
LONGHORN
BADGER CT.
GLEN CANYON
BANDERA DR.
BIGHORN DR
PRAIRIE
FOXFIRE
COURTSHIP
LONGBRANCH
DAKOTA
BROOKFIELD
BOTANY
QUAIL CT.
WINDFIELD
WHITE ROCK RD.
COVENWOOD DR.
CISCO CT.
SUNDOWN
LOTUS DR.
CASPER RD.
CARDIGON CT.
TABOR CT.
LOWERY CT.
FLAGSTONE CT.
CASSIDY CT.
CACTUS CT.
WICHITA
PIMA DR.
OSAGE CT.
CIMARRON DR.
MESA CT.
TRAMPAS CT.
SIERRA CT.
PINE DR.
SILVER DR.
PLATEAU RD.
DODGE CT
LARAMIE CT.
YUMA CT.
RIMROCK CT.
PECOS CT.
TEMPE CT.
TACOMA RD.
RAMSHORN DR.
MESA PLATTE
GRANGER PL.
NORTH CARSON CT.
SANTA FE DR.
ADOBE CT.
BEDROCK
PONDEROSA SHOPPING CNTR.
MORGANTON RD. ELEM SCH.
BONANZA
SONNET CT.
LAREDO CT.
TANBARK DR
RAIL FENCE CT.
BADGER CT.
SINGLETARY PL.
END PL.
KERR PL.
REGAL CT.
GREYSON CT.
CIR. 3409
VALLEY RIDGE DR.
DASHLAND
WINDFIELD
LAKE VALLEY
JESTON DR
CREST
GLADYS ST
FESTUS RD.
CASIL
1408
1361
1577
1362
1577
2638
2639
2720
2642
2637
2761
2638
1526
1530
1529
1527
1567
1528
1007
2686
2687
2689
3227
3259
3260
3261
3262
3279
3276
3409
1404

Map #2

N 79° 30' 36" E
251.76'

N 87° 39' 53" E
466.01'

S 02° 00' 19" W
60.0'

N 07° 53' 44" W
250.0'

60' R/W

WESTLAKE ROAD

R=25'
L=39.27'

S 70° 06' 16" W
27.60'

S 22° 21' 56" W
371.01'

S 07° 51' 14" E
44.27'

R=360.92'
L=135.70'

N 88° 21' 13" W
8.37'

L=116.90'
R=310.92'

S 07° 51' 14" E
233.35'

N 37° 05' 55" E
384.50'

S 25° 25' 39" E
97.41'

N 70° 06' 16" E
18.37'

R=25'
L=36.31'

N 53° 18' 21" W
456.58'

S 82° 12' 11" W
49.61'

R=372.68'

N 63° 11' 40" W
221.76'

100.03'
92.31'
S 37° 34' 43" W
72.28'

N 06° 25' 43" E
51.56'

N 55° 43' 19" W

N 06° 25' 44" E
196.17'

N 68° 39' 35" W
10.0'

109.98'
N 72° 01' 25" W

131.30'
N 75° 25' 35" W

S 40° 49' 59" E
474.80'

BEGIN POINT

± 183'
SOUTHWESTERLY

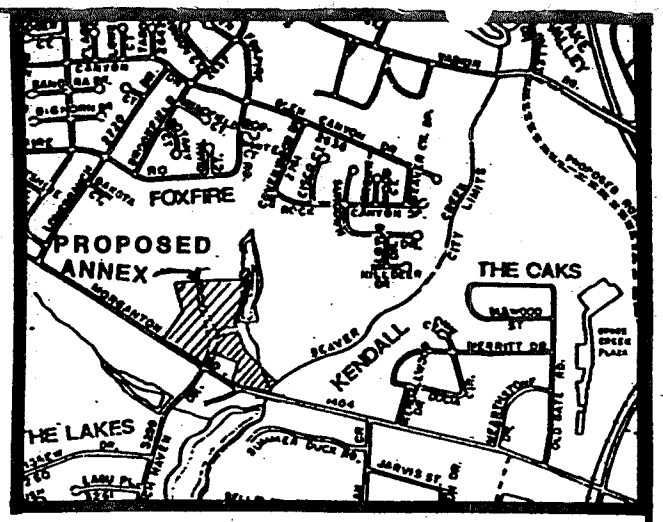
BEAVER CREEK
CITY LIMIT LINE

ANNEXATION NO. 88-S-312
EFFECTIVE DATE: 6-30-88

MORGANTON ROAD

EAST LOCH HAVEN

N



CITY OF FAYETTEVILLE
ENGINEERING DEPARTMENT

PROPOSED ANNEXATION
WESTLAKE AT MORGANTON ROAD, PHASE 1

14.78 ACRES

FIELD BK:

REVISION DATE Map #2

DATE 8/28/92 DRAWN BY GODWIN

SCALE 1"=200' CK'D BY

WESTLAKE AT MORGANTON ROAD - PHASE 1
(PROPERTY OF HARRIS FARM
JOINT VENTURE AND OTHERS)

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 5th day of October, 1992, after due notice by publication on the 24th 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 31st day of October, 1992.

Beginning at a point in the city limit line as established by Annexation No. 88-5-312, Effective date of June 30, 1988; said point also being in the eastern edge of Beaver Creek; Running thence with said city limit line in a southwesterly direction about 183.0 feet to a point in the northern margin of Morganton Road; thence with the northern margin of Morganton Road North 73 degrees 25 minutes seconds 35 seconds West 131.30 feet to a point; thence North 72 degrees 01 minute 25 seconds West 109.98 feet to a point; thence North 68 degrees 39 minutes 35 seconds West 10.0 feet to a point; thence North 06 degrees 25 minutes 44 seconds East 196.17 feet to a point; thence North 06 degrees 25 minutes 43 seconds East 51.56 feet to a point; said point being the northeast corner of Lot 1, Harris Farm Joint Venture Property as recorded in Plat Book 78 Page 93 at the Cumberland County Registry; thence with the Northern line of said lot 1, North 63 degrees 11 minutes 40 seconds West 221.76 feet to a point in the eastern margin of Westlake Road; thence with said eastern margin in a southwest direction along a curve to the right, with a radius of 372.68 feet and

an arc length of 72. 28 feet to a point; thence South 37 degrees 34 minutes 43 seconds West 99.31 feet to a point in the new right-of-way margin of Morganton Road; thence with said new Margin North 53 degrees 43 minutes 19 seconds West 100.03 feet to a point; thence South 82 degrees 12 minutes 11 seconds West 49.61 feet to a point; thence North 53 degrees 10 minutes 21 seconds West 456.58 feet to a point in the new margin of Morganton Road; said point also being the southwest corner of lot 2, Harris Farm Joint Venture Property as recorded in Plat Book 78, Page 93 at the Cumberland County Registry; thence with the western line of said lot 2, North 37 degrees 05 minutes 55 seconds East 384.50 feet to a point; thence North 07 degrees 53 minutes 44 seconds West 250.0 feet to the northwest corner of said lot 2; thence with the northern line of aforesaid lot North 79 degrees 30 minutes 36 seconds East 251.76 feet to a point; thence North 87 degrees 39 minutes 53 seconds East 466.01 feet to the northeast corner of said lot 2; thence with the eastern line of said lot 2, South 02 degrees 00 minutes 19 seconds West 60.0 feet to a point; thence South 22 degrees 21 minutes 56 seconds West 371.01 feet to a point; thence South 07 degrees 51 minutes 14 seconds East 44.27 feet to a point; thence with a curve to the left, in a westerly direction, on a radius of 360.92 feet with an arc length of 135.70 feet to a point; thence South 70 degrees 06 minutes 16 seconds West 27.60 feet to a point; thence with a curve to the right, in a northwesterly direction, on a radius of 25.00 feet and an arc length of 39.27 feet to a point in the northeast margin of Westlake Road; thence with said margin South 25 degrees 25 minutes 39 seconds East 97.51 feet to a point in said margin; thence with a curve to the right in a northeasterly direction, on a radius of 25.00 feet and an arc length of 36.31 feet to a point; thence North 70 degrees 06 minutes 16 seconds East 18.37 feet to a point; thence with a curve to the right, in an easterly direction, on a radius of 310.92 feet and an arc length of 116.90 feet to a point; thence North 88 degrees 21 minutes 13 seconds West 8.37 feet to a point; thence South 07 degrees 51 minutes 14 seconds East 233. 35 feet to a point; thence South 40 degrees 49 minutes 59 seconds East 474.80 feet to the point and place of beginning... containing 14.78 acres more or less.

Section 2. Upon and after the 31st day of October, 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 5th day of October, 1992.

J. L. Dawkins, Mayor

ATTEST:

Bobbie A. Joyner, City Clerk

ITEM 3E

PUBLIC HEARING-SPEAKERS

SUBJECT: ANNEXATION - WESTLAKE AT MORGANTON RD PHASE 1

DATE: _____

PROPONENT (In Favor)

(Name - Print)	(Address - Print)
1. Bill Maxwell	2521 RAEFORD ROAD
2. (Harvey) Harvey Allen	106 Burgess St. Suite 202, Fayetteville
3.	
4.	
5.	
6.	
7.	

OPPONENT - (Against)

(Name - Print)	(Address - Print)
1.	
2.	
3.	
4.	
5.	
6.	
7.	

SIGN-UP 1

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. LYNDO TIPPETT, VICE CHAIRMAN
WILLIAM H. OWEN, SECRETARY
ROBERT O. McCOY, TREASURER
TIMOTHY WOOD, GENERAL MANAGER

PWC

PUBLIC WORKS COMMISSION

OF THE CITY OF FAYETTEVILLE

ELECTRIC & WATER UTILITIES

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

September 29, 1992

MEMO TO: John P. Smith, City Manager

FROM: Tim Wood, General Manager

SUBJECT: PWC Items For City Council Agenda - October 5, 1992

4.A. Approval of bid award in the amount of $96,600.00, to BW/IP International, (sole source supplier of Byron Jackson Pumps), for purchase of one Boiler Feed Pump. Bids were received on September 15, 1992, with only one vendor responding.

Adopt Resolution declaring cost and ordering preparation of preliminary assessment rolls and setting time and place for public hearing on preliminary assessment rolls for installation of water and/or sanitary sewer utilities in the following streets:

.Oxford Street
.Oxford/Griffin Street
.Elba Street
.Staley Drive
.Eleanor Avenue
.Cedar Street
.Pasture Lane
.Coldwater Drive
.L.A. Dunham Road (State Road 2005)

Adopt Resolutions confirming assessment rolls and levying assessments for installation of sanitary sewer collection system in Evergreen Estates/Welmar Heights area, as follows:

.Glenridge Road
.Delwood Drive
.Crestview Drive
.Westhill Drive
.Welmont Drive
.Brentwood Drive
.Village Drive
.Ireland Drive

TW:gm
attachments

2130 Coffman Street
Fayetteville, NC 28306
678-8262 wk 483-5473 hm

September 23, 1992

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

Dear Mr. Smith,

I respectfully request to speak to the members of the city council at the next council meeting on October 5th.

I plan to address the swine ordinance forbidding the ownership of pigs in the city limits (Fayetteville City Code, Chapter 7, Section 7-4). I believe this ordinance prohibits the owning of livestock.

I am the proud owner of a vietnamese pot-bellied pig. "Murphy" is not considered livestock. His breed of pigs are born and raised for the sole purpose of being an exotic pet.

I would like the opportunity to state my case, provide documentation that these pigs are domestic animals, and keep "Murphy" at home.

Thank You,

Rhonda Carson

Rhonda Carson

ITEM 5

Chapter 7

ANIMALS AND FOWL*

ARTICLE I. IN GENERAL

Secs. 7-1—7-3. Reserved.

Editor's note—Ord. No. 1987-3, § 1, adopted Jan. 20, 1987, repealed §§ 7-1—7-3. Said sections, pertaining to running at large, cruelty to animals and cock or dog fights, derived from Code of 1950, §§ 6-1—6-3.

Sec. 7-4. Keeping hogs within corporate limits prohibited.

It shall be unlawful to keep hogs within the corporate limits. (Ord. of 4-10-50)

Sec. 7-5. Keeping certain animals within one hundred feet of dwelling, school, church or eating establishment prohibited.

It shall be unlawful to keep, stable or house any horse, mule, pony, cow or goat within 100 feet of a dwelling house, school, church or eating establishment. (Ord. of 6-14-54, § 1)

Cross reference—Grazing animals, § 7-10.

***Cross references**—Leash requirement for dogs in cemeteries, § 10-18(h); fishing, hunting and trapping prohibited in cemeteries, § 10-19(10); persons riding animals to obey traffic regulations, § 20-29; noisy animals and fowl, § 21-30.4(d); barking dogs, § 21-30.8; city declared bird sanctuary, § 21-53; animals running at large in parks prohibited, § 21A-8; fishing regulations for watershed lakes, § 21A-33; police dogs and horses, § 24-6.

Charter references—Power to regulate, restrain, etc., § 7(13); city as bird sanctuary, § 6.

AN ORDINANCE OF THE CITY COUNCIL
OF
FAYETTEVILLE, NORTH CAROLINA

Requiring the City Buildings Inspector
to correct conditions with respect to,
or to demolish and remove the structure(s)
pursuant to the
Dwellings and Buildings Minimum Standards
Code of the City

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

(1) With respect to Chapter 16 of the Dwellings and Buildings Minimum Standards Code of the City, concerning certain real property described as follows:

526 South Cool Spring Street (0437-60-0129)

Being all Lots 1 & 2 "Property of Grace Viglione", according to a map of same duly recorded in Book of Plats 61, Page 134, Cumberland County Registry.

This conveyance is subject to the 1989 property taxes, which Grantee assumes and agrees to pay.

The owners of and parties in interest in said property are:

Mr. and Mrs. Colonell Yarborough
272 Windsor Drive
Fayetteville, NC 28301

(2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Superintendent duly issued and served an order requiring the owners of said property to: Repair of demolish the stucture by July 30, 1992.

(3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.

(4) The City Council has held a full hearing upon this matter and has fully reviewed the entire record of said Inspections Superintendent thereon, and finds, that all findings of fact and all orders therein of said Inspections Superintendent are true and authorized except:

ITEM 6

None

Whereupon, it is ordained that:

SECTION 1

The Building Inspector is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Inspections Superintendent as set forth fully above, except as modified in the following particulars:

The structure(s) is to be demolished and all debris removed from the premises.

SECTION 2

This ordinance shall be in full force and effect from and after its adoption.

Adopted this 5th day of October, 1992.

CITY OF FAYETTEVILLE

BY: _____
J. L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

bh
INSP-208

THE CITY OF FAYETTEVILLE
NORTH CAROLINA

CHARTERED 1762

INSPECTIONS DEPARTMENT
POST OFFICE BOX 1846
FAYETTEVILLE, NC 28302-1846

1ST FLOOR, CITY HALL
433 HAY STREET
(919) 433-1707/433-1714

TO: Mayor
City Manager
City Attorney
City Council Members

Under provisions of Chapter 16, titled Housing, Dwellings and Buildings of the Code of the City of Fayetteville, North Carolina, request the docket of the owner who has failed to comply with this Code, be presented to the City Council for action. All proceedings that are required by the Code, Article 3, Section 16-46 and Section 16-47, have been complied with by the Inspection Department.

Request the Council take action under the provisions of Section 16-48 and 16-49 of the Code.

Information pertaining to this docket is as follows:

a. Docket number: N/A

b. Location of property: 526 South Cool Spring Street

c. Name and address of owner: Colonell and Mable Yarborough
272 Windor Drive
Fayetteville, NC 28301

d. Date of inspection: April 3, 1992

e. Date of informal complaint: N/A

f. Date of formal complaint: April 21, 1992

g. Date of hearing: May 18, 1992

h. Finding and Facts of the scheduled hearing: House is unfit for habitition; owners were granted (30) to repair or demolish the structure.

i. Owner's response: Owner did not attend the hearing.

j. The Housing Inspector dispatched a letter that was received by the owner with information that the docket would be presented to the City Council for necessary action on October 5, 1992.

This is the 31 day of August, 1992.

Walter
Housing Inspector

bq
INSP-203

INSPECTIONS DEPARTMENT
POST OFFICE BOX 1846
FAYETTEVILLE, NC 28302-1846

1ST FLOOR, CITY HALL
433 HAY STREET
(919) 433-1707/433-1714

April 21, 1992

Mr. and Mrs. Colonell H. Yarborough
272 Windsor Drive
Fayetteville, NC 28301

LETTER OF CONDEMNATION

Re: 526 South Cool Spring Street
~~(0437-60-0129)~~ 5TET

Dear Mr and Mrs. Yarborough:

The property(s) in reference was determined unfit for human habitation. As in accordance with Chapter 16, of the City of Fayetteville's Code governing standards of buildings and dwellings, this property is condemned effective immediately due to the following violation(s):

1. Exterior front and rear steps need to be installed.
2. Floor flooring needs repair.
3. Interior and exterior walls need repair.
4. Interior and exterior doors and frame need repair.
5. Electrical wall outlets, ceiling light, switches and fuse box need repair.
6. Heating equipment needs to be installed.
7. Window frames and window sashes need repair.
8. All undergrowth and/or rubbish needs to be removed from lot.

Please be advised that the dwelling(s) must remain vacant from receipt of this letter and demolition commenced. A permit must be purchased from our office prior to work commencing.

If the violation(s) is not abated within 30 days, we will begin demolition proceedings.

You have the right to a hearing with the Inspections Superintendent in City Hall on May 18, 1992, at 1:00 p.m.

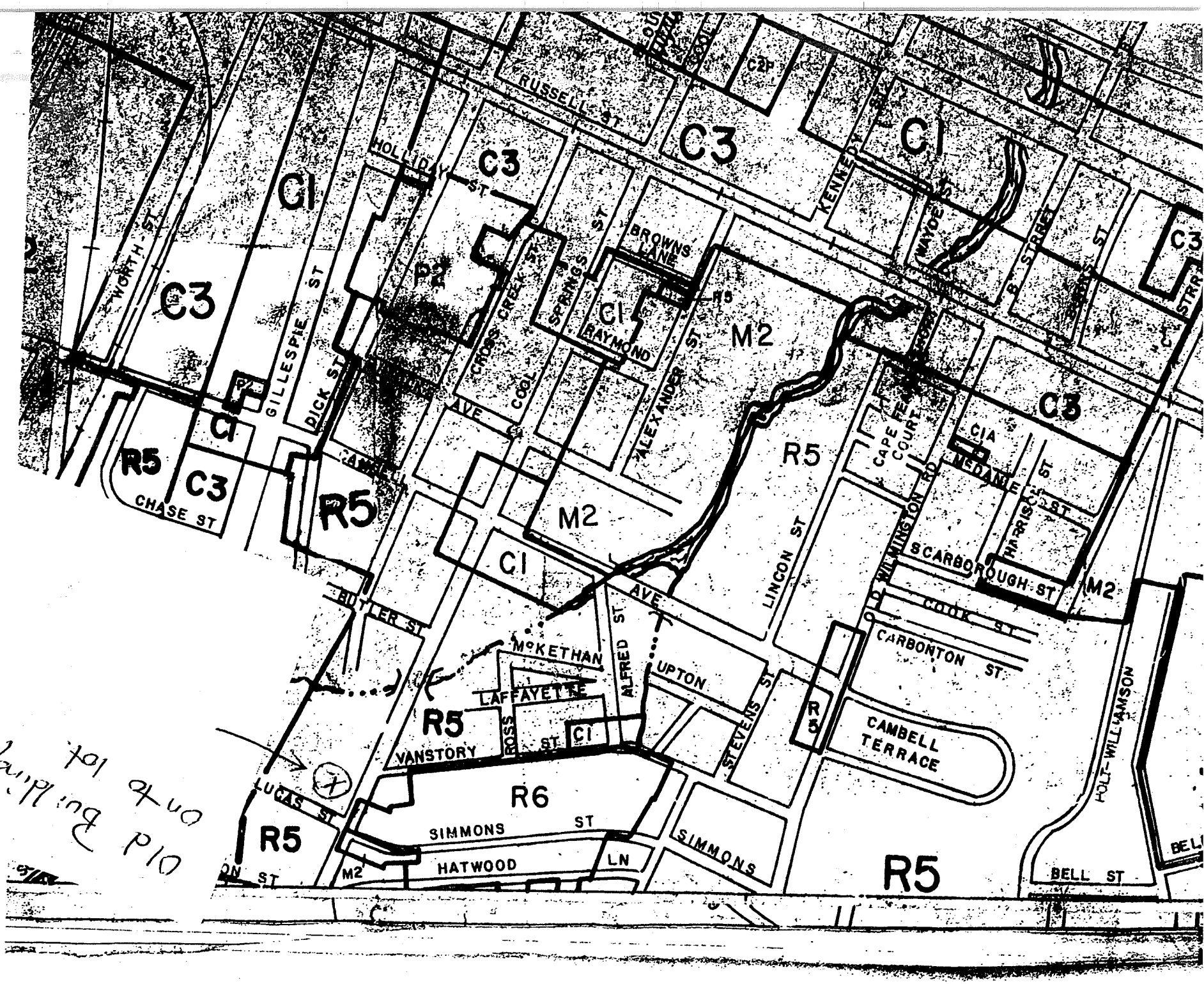
If you have any questions concerning this matter, please do not hesitate to contact me.

Sincerely,

Walter J. Haire, Jr.
Housing Inspector

WJH/bk

INSP-192



Old Building Moved on to lot

Colonel H. Yarboro
272 Windsor Drive
Fayetteville N.C. 28301

Re- 526 South Coal Spring Street

Dear Mr John P. Smith:
I would like to come and speak,
At the meeting that is scheduled,
On October 5, 1992,
Concerning the Coal Spring Property.
III 0437-60-0129.

Thanks
Colonel H. Yarboro:

Received 9-28-92
S. Molina

THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

INSPECTIONS DEPARTMENT
POST OFFICE BOX 1846
FAYETTEVILLE, NC 28302-1846

1ST FLOOR, CITY HALL
433 HAY STREET
(919) 433-1707/433-1714

September 11, 1992

Mr. and Mrs. Colonell H. Yarborough
272 Windsor Drive
Fayetteville, NC 28301

RE: 526 South Cool Spring Street
(0437-60-0129)

Dear Mr. and Mrs. Yarborough:

This letter is to inform you that the property located at 526 South Cool Spring Street, Fayetteville, North Carolina has been **re-scheduled** to be presented to the City Council for action on Monday, **October 5, 1992** at 7:00 p.m. in the Council Chambers, City Hall.

If I can be of any further assistance to you in this matter, please do not hesitate to call upon me.

Sincerely,

Walter J. Haire, Jr.
Housing Inspector

WJH/shp

THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

CITY ATTORNEY
P.O. BOX 1513
FAYETTEVILLE, NC 28302-1513

ROOM 211, CITY HALL
433 HAY STREET
(919) 433-1985

September 29, 1992

MEMORANDUM

TO: The Mayor and Members of the City Council

FROM: Robert C. Cogswell, Jr.
City Attorney

SUBJECT: 307 Old Wilmington Road

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

Attached to this memorandum is an ordinance that would authorize the posting of the property with no trespassing signs. Thereafter, anyone found on the property without the permission of the City Manager, the Police Chief, or their designee, could be prosecuted under the state statute for trespassing. This ordinance does not in and of itself create an offense, since there is already a state law on the books for trespassing. It is further drafted in such a manner that other properties could be added in the future.

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

RCC/jkp

Attachment

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE DECLARING CERTAIN PROPERTY OFF LIMITS

THAT WHEREAS, certain properties within the jurisdiction of the City limits of the City of Fayetteville, North Carolina, constitute a condition that is inimical to the public health, safety, and welfare of the citizens, due to the fact that they are havens and means of concealment for individuals engaging in various criminal activities to include violations of Chapter 90;

AND THAT WHEREAS, pursuant to N.C.G.S. 160A-174, the City Council of the City of Fayetteville has the authority to enact ordinances that may define, prohibit, regulate or abate acts, omissions, or conditions detrimental to the health, safety, and welfare of the citizens and the peace and dignity of the City;

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

Section 1. That Sections 21-1 through 21-70.9 of the Code of Ordinances of the City of Fayetteville are redesignated as Article I. Offenses, of the Code of Ordinances of the City of Fayetteville.

Section 2. That a new Article II, Miscellaneous Provisions, of Chapter 21 of the Code of Ordinances is created.

Section 3. That a new Section 21-71, of Article II of the Code of Ordinances of the City of Fayetteville, is created as follows:

21-71. City-owned property declared off limits.

That the following described properties, located within the City of Fayetteville, and owned by the City of Fayetteville, are hereby declared off limits because they are havens or provide other means of concealment for violation of criminal laws of the state of North Carolina, including but not limited to Chapter 90 of the North Carolina General Statutes:

(a) 307 Old Wilmington Road

The above described property shall be posted "NO TRESPASSING, VIOLATORS WILL BE PROSECUTED PURSUANT TO G.S. 14-159.13". No one shall be permitted upon the above described property without permission of the City Manager, the Chief of Police, or their designees. It is not the intention of the City Council of the City of Fayetteville by the enactment of this ordinance that anyone shall be prosecuted for violation of this ordinance, but rather to establish the proper notice by the owner of the property for purposes of prosecution pursuant to G.S. 14-159.13.

Section 4. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of Ordinances, City of Fayetteville, North Carolina, and the sections of this ordinance may be renumbered to accomplish such intention.

Adopted this the _____ day of _____, 1992.

CITY OF FAYETTEVILLE

By: _____
J. L. Dawkins, Mayor

ATTEST:

_____
Bobbie A. Joyner, City Clerk

THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

CITY CLERK
433 HAY STREET

FAYETTEVILLE, NC 28301-5537

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

September 29, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Bobbie A. Joyner, City Clerk BJ

SUBJECT: **AGENDA ITEM FOR OCTOBER 5, 1992 CITY COUNCIL MEETING - NOMINATIONS TO BOARDS AND COMMISSIONS**

A. JOINT SENIOR CITIZENS ADVISORY COMMISSION - 2 Vacancies

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

Nominations are still open to fill the following vacancies:

(1) Vacancy of Margaret Shive (W/F) for a 2-yr term to September 1994. Ruby P. Evans (W/F) was nominated but has been appointed to the same board by Cumberland County.

(2) Vacancy of Joseph Covington (B/M) to September 1994

B. HISTORIC RESOURCES COMMISSION - 3 Vacancies

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

Nominations are open to fill the following vacancies:

(1) Ruby Murchison (B/F) At Large Category
(2) Ranny Nimocks (W/M) Realtor, Developer or General Contractor
(3) Arnetha Robinson (B/F) (Suggested) Historic District property owner

All are eligible for a second term to October 1994. The Attendance Roster is attached.

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

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

Nominations are open to fill the following vacancies:

Beatrice Matthews (W/F) - Not Eligible
John D. Marshall, Jr. (B/M) - Not Eligible
Gregory M. Edge (W/M) - Eligible for a second term

The Attendance Roster is attached.

Blank Nomination Forms are attached for your use.

Attachments

Roster
year 1992

HISTORIC RESOURCES COMMISSION

Members

Meeting Dates

	1	2	3	4	5	6	7	8	9	10	11	12
W. Wayne McGary, Chair	✓	✓	✓	✓	✓	EA	✓	✓	✓			
Ronny Kennocks, V-C	✓	EA	✓	✓	A	A	✓	EA	✓			
Ruby Murchison	✓	✓	A	✓	✓	✓	✓	✓	✓			
Sue Bandy	✓	✓	✓	✓	✓	✓	EA	✓	✓			
Henry Player	✓	✓	✓	✓	✓	EA	A	✓	EA			
Arnetha Robinson	✓	EA	A	✓	✓	✓	✓	A	✓			
Dr. Jon Young	EA	✓	✓	✓	✓	✓	✓	✓	✓			

W

RECREATION AND PARKS ADVISORY COMMISSION

MEMBER ATTENDANCE

		SEP 91	OCT 91	NOV 91	DEC 91	JAN 92	FEB 92	MAR 92	APR 92	MAY 92	JUN 92	JUL 92	AUG 92	SEP 92
Mr. Ike Walker	7/8					✓	✓	✓	✓	X		✓	✓	✓
Mrs. Annie Chavis	5/8					✓	X	✓	X	X		✓	✓	✓
Mr. Malcolm Fields	7/8					✓	✓	X	✓	✓		✓	✓	✓
Mr. Gregory Edge	9/9		✓			✓	✓	✓	✓	✓		✓	✓	✓
Mrs. Beatrice Matthews	6/9		✓			X	✓	✓	X	X		✓	✓	✓
Mr. J. D. Marshall	7/9		X			✓	X	✓	✓	✓		✓	✓	✓
Mr. George M. Walker	7/9		✓			✓	X	✓	X	✓		✓	✓	✓
Mr. J. Russell Warner	6/9		✓			✓	X	✓	✓	✓		✓	X	X
Rev. Sandy Saunders	7/9		✓			✓	✓	✓	X	X		✓	✓	✓
Mr. David Pugh	9/9		✓			✓	✓	✓	✓	✓		✓	✓	✓
Mrs. Pat Hales	4/9		X			✓	X	X	✓	✓		✓	X	X

no meeting

no meeting

no meeting

no meeting

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:_____

COF-031-91

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:_____

COF-031-91

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

September 23, 1992

MEMORANDUM

TO: John P. Smith, City Manager

FROM: Kai Nelson, Finance Director

SUBJECT: Tax Refunds of Less Than $100

The following tax refunds of less than $100 were approved for the month of August:

Taxpayer's Name	Nature of Clerical Error	Property Description	Amount
McCoy, Betty Horton	Taxpayer listed vehicle not owned 1-1-91.	Personal property	$24.89
McCoy, Olga Helen	Discovered in error. Taxpayer did not own 1989 Chevy.	1990 Disc., 1989 Chevy	$71.25
Nickeson, Cecil D. & Gloria L.	Taxpayer listed a 1986 boat trailer not owned per bill of sale.	3506 Clearwater Dr., Lot 6, Hillendale & adjacent .10 AC and Personal property	$6.96
Patel, Sureshbhai D. & wife Nir	Listed 1987 Olds did not own 1-1-91.	T/A Downtown Motel 321 N. Eastern Blvd.	$56.01
Potter, M. Ronald & Barbara	Taxpayer listed a 1983 Buick not owned.	Res. 2620 Huntington Rd., Lot 201, Sec. 2 Vanstory Hills and Personal property	$10.94
Poulos, Chris S. & Melba M.	Taxpayer listed a 1988 boat trailer not owned per title.		$8.92

ITEM 9. A.

Taxpayer's Name	Nature of Clerical Error	Property Description	Amount
Triangle Building Supply, Inc.	Adjust value per audit.	2013 Ramsey St., Cliffdale, 401 By-pass	$44.14
Waddell, Judith P.	Taxpayer listed a 1982 Mazda not owned.		$24.21
Nixon, Sherwood	Adjust value of 1985 Yamaha per nada.		$27.54
Koury, Carolyn (Hill)	Taxpayer listed a 1988 Dodge not owned.		$43.78
Johnson, Jesse F. & wife	Taxpayer listed a 1983 Toyota Corolla which he did not own 1-1-91. His daughter, Sylvia C. Rickett listed it correctly as a 1982 Toyota Corolla on LR #1375398. The VIN numbers are all the same.	1983 Toyota Corolla JT2TE72E7C0225433	$18.79
Hutaff, Dorothy G.	Taxpayer listed a 1984 Chevy not owned.	1984 Chevy Caprice	$25.83
Dawkins, J. R.	Taxpayer listed a 1989 Ford not owned.	116 N. Churchill Dr. & vacant lot	$44.41
Adams, Linda S.	Clerical error-taxpayer listed a 1979 Honda Prelude that they did not own 1-1-91. They should have listed a 1990 Dodge Dynasty instead. 1991 Discovery.	1979 Honda Prelude SNB1021494	$13.77
Baker, Lonnie G.	Taxpayer listed a 1988 Pontiac not owned 1-1-91.	Personal property only	$56.84

THE CITY OF FAYETTEVILLE
NORTH CAROLINA
CHARTERED 1762

ENGINEERING DEPARTMENT
433 HAY STREET

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

September 29, 1992

MEMORANDUM

TO: Mr. John P. Smith, City Manager

THROUGH: Michael L. Walker, P.E., City Engineer MW

FROM: Bill Hester, City Landscape Architect B.H.

SUBJECT: Proposed Police Firing Range/Training Facility Site Improvements - Business 95 North

We are requesting, on behalf of the Police Department, to address the City Council at their October 5, 1992 regular meeting. A master site plan of the above referenced project has been developed by the Engineering Department and was reviewed and approved by appropriate City staff on September 25, 1992.

We would like to review and advise the City Council of the proposed improvements to this site, and obtain Council approval.

If Council approves the proposed site plan, we will begin scheduling the site improvements as funding will allow.

MLW/mak

cc: Mr. Ron Hansen, Chief of Police

PAMELA RM ALKINS
PHONE 867-7027
231 LANSDOWNE ROAD
FAYETTEVILLE, NC 28314-0628

9-28-92

THE MAYOR AND CITY COUNCILMEMBERS
FAYETTEVILLE, NORTH CAROLINA

RE: CONSUMER AND/OR PUBLIC ADVOCATES:

I WOULD LIKE TO SUGGEST THAT THE CITY LOOK INTO THE ASPECT OF HAVING CONSUMER AND/OR PUBLIC ADVOCATES AT ALL MEETINGS OF BOTH THE CITY COUNCIL AND ALSO THE PUBLIC WORK COMMISSION.

MAY I SUGGEST THAT TWO (2) BE HOUSEWIVES WITH KNOWLEDGE OF WHAT IS GOING ON IN THEIR AREAS WHERE THEY LIVE.
ALSO ONE BLUE COLLARS PERSON FROM THE INDUSTRIAL SIDE OF THE WORK FORCE AND A WHITE COLLAR WORKER FROM THE WORK FORCE.

THIS WOULD MAKE A TOTAL OF FOUR (4) PERSONS.

BECAUSE AT THE PRESENT TIME THE CREDIBILITY GAP THAT EXISTS IS NOT RIGHT. PEOPLE DO NOT KNOW ABOUT WHAT IS GOING ON IN THE CITY AND CUMBERLAND COUNTY (PWC) UNTIL THE GAVEL HAS ALREADY FALLEN. THEN THEY HAVE NO RECOURSE.

NOT EVERY PERSON IN THIS COUNTY CAN AFFORD A NEWSPAPER. PEOPLE ON LIMITED BUDGETS CERTAINLY CANNOT. AND I AM ALSO ADDRESSING THE FACT OF THE LITERACY RATE IN THE CITY OF FAYETTEVILLE, AND CUMBERLAND COUNTY.

INFORMATION

AGENDA 4 7-31-06

September 15, 1992

Dear Police Chief,

We've recently moved to Fayetteville from Monterey, California. At the onset, we were leery and extremely unsure of our new surroundings in the "older Haymount area". As do many relocated military families, you take a gamble when you buy a home, the best anyone can do is make an educated guess. Well, for better or for worse, we purchased our home on 207 Highland Avenue.

It wasn't long after, actually 3 hours, when a woman approached my husband for a ride, at the time he was unloading the car from a 7-day trip across the country, we said no; the next morning, a man in his 30's appeared at our door, he claimed he was an injured Vietnam veteran and could we spare a couple of dollars, we said no, again. Actually, it's more like, again, and again, and again. About two weeks later, my husband's bike was stolen. No, it was never located, yes, we had serial numbers. Several months later, while my husband was out in the field, an individual came knocking on my door, at 1:00 in the morning, with a shotgun.

But, this letter isn't about any drug traffickers and seedy characters in the Broadfoot or adjoining areas. This letter is meant to commend you and your men on patrol in our area for their diligent efforts and immediate response. For going "out of their way" to help us feel safe and welcome here. And most important of all, for laying their lives on the line.

The struggle to regain the problem areas of our streets is on-going. As homeowners, we are but only one house that remains alert, calls on suspicious activities, practices Neighborhood Watch; there are many involved in this struggle. At a recent public meeting at the Museum of the Cape Fear, I felt a deep pride, when about 10 homeowners from the surrounding neighborhoods mentioned that my block on Highland Avenue is a block they now feel safe to walk through - - anytime of the day. This bit of news is important to pass on to you and the department, because this is real testimony to the efforts by your officers. The process is slow, but, it is working and somehow, one gets a feeling that the news is spreading, "CLEAN-UP OR CLEAR-OUT".

On a personal note, we want to thank Officers Clinkscales and Nunnery for watching out for us. Because we came from a large metropolitan area, we had only heard stories about the "friendly" policeman who knows your family, genuinely cares about the neighborhood, or just pulls over to say "How are you, Mrs. Hinek.....Hello, Cecelia.....Howz' it goin', Mr. Hinek?" Frankly, our families in Los Angeles and Northern California, are quite skeptical, I don't think they really believe us. Well if it's our good luck to have Mr. Clinkscales and Mr. Nunnery on our beat.....what outstanding luck! We'll take it. In turn, expect that they receive the support and prayers for their safety from our family. They are certainly two of the department's finest. Please accept my apology for drafting such a lengthy "note". I realize that you and your support staff have many important demands.....Many ....Many ....thanks.

The HINEK's

Mr. & Mrs. Hinek

INFORMATION

PLANNING DEPARTMENT

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

CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

October 1, 1992

MEMO TO: PLANNING BOARD MEMBERS

FROM: GEORGE VAUGHAN, DIRECTOR

SUBJECT: TENTATIVE AGENDA

The next scheduled meeting of the Cumberland County Joint Planning Board will be Tuesday, October 6, 1992 at 7:30 p.m. in Public Hearing Room #3 of the Old County Courthouse at 130 Gillespie Street.

The Tentative Agenda is as follows:

1. ROLL CALL AND APPROVAL OF THE MINUTES OF THE SEPTEMBER 15, 1992 REGULAR MEETING

2. REQUESTS FOR PUBLIC HEARING DEFERRALS

3. ABSTENTIONS BY BOARD MEMBERS

4. READING OF POLICY STATEMENT REGARDING TIME LIMITS FOR PUBLIC HEARINGS

5. PUBLIC HEARINGS

   A. CASE NO. P92-103. THE INITIAL ZONING TO R10 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE EAST SIDE OF CEDAR CREEK ROAD (NC HWY. 53-210), SOUTH OF L. A. DUNHAM ROAD (SR 2005) AND BEING ALL OF ANNEXATION NO. 92-8-355, KNOWN AS THE "PERRY PROPERTY", AND BEING THE PROPERTY OF PERSONS HOLDING FREEHOLD INTERESTS IN THE PROPERTY IN THIS AREA AS ON FILE IN THE OFFICE OF THE CITY CLERK AND AS BEING ANNEXED BY THE CITY OF FAYETTEVILLE, NORTH CAROLINA, ON AUGUST 31, 1992. (FAYETTEVILLE ORDINANCE)

   B. CASE NO. P92-113. THE ADDITION OF CONDITIONAL USE OVERLAY DISTRICT TO ALLOW THE PLACEMENT OF A MOBILE HOME FOR USE AS A RESIDENCE IN A C3 HEAVY COMMERCIAL DISTRICT FOR AN AREA LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF CLINTON ROAD (OLD NC HWY 24) AND SAPONA ROAD (SR 2000), AND ON THE NORTH SIDE OF THE SEABOARD COASTLINE RAILROAD. (COUNTY ORDINANCE)

C. CASE NO. P92-114. THE REZONING FROM RR RURAL RESIDENTIAL DISTRICT TO R15 RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE WEST SIDE OF STONEY POINT ROAD (SR 1100) AND THE EAST SIDE OF THE ABERDEEN AND ROCKFISH RAILROAD, SOUTH OF STRICKLAND BRIDGE ROAD (SR 1140). (COUNTY ORDINANCE)

D. CASE NO. P92-115. THE REZONING FROM R10 RESIDENTIAL DISTRICT TO C1 LOCAL BUSINESS DISTRICT AND R6A RESIDENTIAL DISTRICT OR TO MORE RESTRICTIVE ZONING CLASSIFICATIONS FOR AN AREA LOCATED AT 3213 AND 3219 CUMBERLAND ROAD. (COUNTY ORDINANCE)

E. CASE NO. P92-117. THE CONSIDERATION OF AMENDMENTS AND REVISIONS TO THE CITY OF FAYETTEVILLE CODE OF ORDINANCES, ARTICLE VII, SECTION 32-56, SUBSECTION (3), TO READ AS FOLLOWS: "(3) NO PARKING "BAYS" SHALL BE ALLOWED EXCEPT AS PROVIDED IN CHAPTER 27, ARTICLE II, SECTION 27-10, (g), (9). ALL COMMERCIAL OFF-STREET PARKING AREAS AND ALL OFF-STREET PARKING LOTS FOR RESIDENTIAL USE WHERE THREE OR MORE SPACES ARE REQUIRED SHALL BE SO ARRANGED THAT EGRESS IS BY FORWARD MOTION OF THE VEHICLE." (FAYETTEVILLE ORDINANCE)

6. PLATS AND PLANS

A. CASE NO. 92-343. THE CONSIDERATION OF THE BOLES SUPPLY BUILDING IN AN M(P) PLANNED INDUSTRIAL DISTRICT FOR M(P) SITE PLAN ADDITION REVIEW FOR AN AREA LOCATED ON THE EAST SIDE OF NATAL STREET, NORTH OF SR 1003 (CAMDEN ROAD). (COUNTY ORDINANCE)

B. CASE NO. 92-351. THE CONSIDERATION OF THE WESLEY A. MEREDITH PROPERTY IN AN M(P) PLANNED INDUSTRIAL DISTRICT FOR PRELIMINARY SITE PLAN REVISION REVIEW FOR AN AREA LOCATED ON THE WEST SIDE OF SR 1409 (SCHOOL ROAD), SOUTH OF SR 1557 (MEDIA DRIVE). (COUNTY ORDINANCE)

7. STREET NAMING AND ADDRESSING

A. PRESENTATION OF PROPOSED ADDRESSING ORDINANCE

8. DISCUSSION

A. SUMMARY OF JOINT COMPATIBLE LAND USE STUDY

B. FINDING ON MORE RESTRICTIVE RURAL RESIDENTIAL DISTRICT FOR CASE NO. P92-81 THE REZONING FROM M(P) PLANNED INDUSTRIAL DISTRICT TO R6A RESIDENTIAL DISTRICT OR TO A MORE RESTRICTIVE ZONING CLASSIFICATION FOR AN AREA LOCATED ON THE WEST SIDE OF DOC BENNETT ROAD (SR 2212), NORTH OF I-95 BYPASS. (COUNTY ORDINANCE)

9. ADJOURNMENT

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PLANNING DEPARTMENT

Post Office Box 1829
Fayetteville, NC 28302
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CUMBERLAND COUNTY JOINT PLANNING BOARD

John Britt
CHAIRMAN

George Vaughan
PLANNING DIRECTOR

October 1, 1992

MEMO TO: PLANNING BOARD MEMBERS

FROM: GEORGE VAUGHAN, DIRECTOR

SUBJECT: TENTATIVE AGENDA

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