

City of Fayetteville

433 Hay Street
Fayetteville, NC
28301-5537
(910) 433-1FAY (1329)

Meeting Agenda - Final City Council Regular Meeting

Monday, August 10, 2020

7:00 PM

Council Chamber

Revised

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 ANNOUNCEMENTS AND RECOGNITIONS

5.0 APPROVAL OF AGENDA

6.0 CONSENT AGENDA

6.01 Approval of Meeting Minutes:

June 22, 2020 - Special

June 22, 2020 - Regular

June 29, 2020 - Special 4 p.m.

June 29, 2020 - Special 5 p.m.

July 20, 2020 - Special 4 p.m.

6.02 P20-22F. Request to initially zone property from Commercial with Plan (CP) to Community Commercial (CC), located on Ramsey Street at its intersection with Bullard Circle (Tax Map # 0541-05-6993), containing 3.44 +/- acres, represented by Steve Oliverio and being the property of Meena Dave, Pramukh Enterprises LLC.

6.03 P20-23F. Request to rezone property from Single-Family Residential 6 (SF-6) to Community Commercial (CC), located at 4643 Yadkin Road, near its intersection with Castle Hayne Road (Tax Map # 0418-13-6911), containing 0.23927 +/- acres, represented by George Turner and being the property of Joseph Orsak.

6.04 Adoption of Special Revenue Fund Project Ordinance Amendment 2021-2 to Appropriate Federal Forfeiture Funds and NC Substance Tax Received to Date as of June 30, 2020

- 6.05** Adoption of Capital Project Ordinance 2021-14 and Special Revenue Fund Ordinance 2021-3 to Appropriate Federal Transit Administration Grant NC-2020-033-00 for Transit Capital and Planning Projects, and Adoption of Budget Ordinance Amendment 2021-2 to Carry Forward Local Match Funding from Fiscal Year 2020 to Fiscal Year 2021
- 6.06** Adoption of Capital Project Ordinance 2021-15 to Appropriate a \$40,000 Donation from the Kiwanis Club of Fayetteville for Playground Improvements at Honeycutt Park
- 6.07** Adoption of Capital Project Ordinance Amendments 2021-26, 2021-27 and 2021-28 to Appropriate Payment-In-Lieu-Of Resurfacing Proceeds and Prior Year Pavement Preservation Project Balances to the Current Year Project, and Award a Contract for the First Phase of FY2021 Pavement Preservation Projects
- 6.08** Phase 5 Annexation Area 22 Resolution Declaring Costs, Ordering Preparation of Preliminary Assessment Roll, and Setting Time and Place for Public Hearing on Preliminary Assessment Roll
- 6.09** Resolution to Grant Easement Authority to PWC CEO/General Manager
- 6.10** Adoption of Amendments to Ordinance Prohibiting Sleeping in Parks Overnight

7.0 PUBLIC FORUM

8.0 PUBLIC HEARINGS

For certain issues, the Fayetteville City Council may sit as a quasi-judicial body that has powers resembling those of a court of law or judge. The Council will hold hearings, investigate facts, weigh evidence and draw conclusions which serve as a basis for its decisions. All persons wishing to appear before the Council should be prepared to give sworn testimony on relevant facts.

- 8.01** Public Hearing to Consider Closing a Portion of Danish Drive
- 8.02** P20-09F. The request is for a Special Use Permit to allow a paint and body shop in a former automotive parts shop, zoned as Community Commercial (CC) and Heavy Industrial (HI), located at 350 E. Russell Street (Tax Map # 0437-72-8456), 0.63 acres ± and being the property of Jimmy & Mary Fann and William & Catherine Fann, represented by Edgar Quinones.
- 8.03** P20-13F. The reissuing of a Special Use Permit to allow a Communications Tower to be located in a Community Commercial (CC) Zoning District at 1876 Bureau Drive (Tax Map # 0455-17-6410) near the intersection of Bureau Drive and Cedar Creek Road, and is the property of Beasley Media Group.
- 8.04** P20-19F. The request is for a Special Use Permit to reduce the required 500 feet distance separation between a Warehouse Storage site and residential districts, zoned Heavy Industrial (HI), located at 601 Hillsboro Street (Tax Map # 0437-48-3320), 8.03 acres ±, represented by Bryan Welborn of NSE and being the property of M & M Smith Storage Warehouse, Inc.
- 8.05** AX20-001: Annexation request for the Pramukh Enterprises LLC Property, on Ramsey Street at its intersection with Bullard Circle (Tax Map # 0541-05-6993), containing 3.44 +/- acres; related to P20-22F: Initial Zoning

9.0 ADMINISTRATIVE REPORTS

- 9.01** Flooding Investigation and Moratorium Request for Locks Creek
- 9.02** Removal of Market House Image from City Property

10.0 ADJOURNMENT

POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Citizens wishing to provide testimony in response to a notice of public hearing or to participate in the public forum can obtain instructions to submit a statement by emailing cityclerk@ci.fay.nc.us or by calling 910-433-1312 for assistance. Individuals desiring to testify on a quasi-judicial public hearing must contact the City Clerk by 5:00 p.m. the day of the meeting to sign up to testify; instructions will be provided on how to appear before Council to provide testimony.

POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

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

CLOSING REMARKS**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 nonpublic hearing item may submit written materials to the City Council on the subject matter by providing thirteen (13) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

COUNCIL MEETING WILL BE AIRED**August 10, 2020 @ 7:00 p.m.**

Notice Under the Americans with Disabilities Act (ADA):

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