

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
MARCH 25, 2019
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Daniel Culliton (District 2); Tisha S. Waddell (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp, Jr. (District 9)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Telly Whitfield, Assistant City Manager
Barbara Hill, Interim Assistant City Manager
Gina Hawkins, Police Chief
Gerald Newton, Development Services Director
Kevin Arata, Corporate Communications Director
Tracey Broyles, Budget and Evaluation Director
Elizabeth Somerindyke, Internal Audit Director
Jay Toland, Chief Financial Officer
Craig Harmon, Senior Planner
Taurus Freeman, Planning and Zoning Manager
Mark Brown, PWC Customer Relations Director
Pamela Megill, City Clerk
Jennifer Ayre, Deputy City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order.

2.0 INVOCATION

The invocation was offered by Father Alexander Papagikos of Saint Constantine and Helen Greek Orthodox Church.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 ANNOUNCEMENTS AND RECOGNITION

Council Member Jensen introduced Satya Munugoti, Senior at Terry Sanford High School, Fayetteville-Cumberland Youth Council representative.

Mayor Colvin announced the 2019 Cumberland County Expungement Clinic will be holding its third and final information session on March 30, 2019, at 11:00 a.m. at the Lewis Chapel Missionary Baptist Church, located at 5422 Raeford Road, Fayetteville.

Mayor Colvin announced the next Future Land Use Map meetings will be held on April 3, 2019, at 6:00 p.m. at the Lake Rim Recreation Center, located at 1455 Hoke Loop Road, and April 4, 2019, at 6:00 p.m. at the Myers Recreation Center, located at 1015 Rochester Drive, Fayetteville.

Mayor Colvin and Council Member Wright presented a Certificate of Appreciation to Ms. Penny Cacoulidias, Veteran Council, President. Ms. Cacoulidias thanked the City Council for the certificate and provided an overview of the programs the Veterans Council administers.

Council Member Arp announced the "First Fans Look" event taking place at Segra Stadium on April 13, 2019, from noon until 3:00 p.m.

5.0 APPROVAL OF AGENDA

MOTION: Mayor Pro Tem Mohn moved to approve the agenda.
SECOND: Council Member Wright
VOTE: UNANIMOUS (10-0)

6.0 CONSENT AGENDA

MOTION: Mayor Pro Tem Mohn moved to approve the consent agenda with the exception of Item 6.03; tabled.
SECOND: Council Member Haire
VOTE: UNANIMOUS (10-0)

6.01 Senior Center West Construction Manager at Risk (CM@R) Contract with METCON First Guaranteed Maximum Price Amendment

Authorizing the City Manager to execute Guaranteed Maximum Price Amendment #1 to METCON's construction contract for Senior Center West.

6.02 Bid Recommendation - Scotsdale Water Main Replacement to Sandy's Hauling and Backhoe Service, Inc., the lowest responsive, responsible bidder, in the total amount of \$809,685.00

Bids were received on February 19, 2019, as follows:

Sandy's Hauling & Backhoe Service, Inc., Roseboro, NC.....	\$809,685.00
BridgePoint Civil, Goldsboro, NC.....	\$1,155,000.00
Garney Companies, Inc., Cary, NC.....	\$1,372,103.00
Sanford Contractors, Lemon Springs, NC.....	\$1,436,695.33
Odell Smith & Sons Plumbing Co., Inc., Spring Lake, NC..	\$1,544,322.00

6.03 Consideration of a Resolution Regarding the Incorporation of the Proposed Town of Rockfish

This item was tabled.

6.04 Phase 5 Annexation Utility Improvement Project Area 22 and Area 23 Resolution Directing Project be Undertaken Adopted

RESOLUTION DIRECTING CONSTRUCTION OF AREAS 22 AND 23 OF THE PHASE 5 ANNEXATION UTILITY IMPROVEMENT PROJECT BE UNDERTAKEN.
RESOLUTION NO. R2019-015

7.0 PUBLIC HEARINGS

7.01 P19-05F. The issuance of a Special Use Permit to allow outdoor storage and display in a Community Commercial Zoning District (CC) on property located at 929 Bragg Boulevard (Tax Map # 0437-17-2966) near the intersection of Bragg Boulevard and Blue Street, and being the property of Peter B and John P Stewart.

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated this property is currently a used car lot and auto repair garage. The owners of this property began setting up and selling storage buildings prior to receiving their Special Use Permit (SUP). They were notified by the City's Code Enforcement of the need to receive an SUP for this type of use. The requested SUP would limit the area of outdoor storage to where the applicant currently has the barn/sheds on display.

The owner of this property wishes to allow the display and sales of utility buildings/storage barns on this property. Barn like buildings are to be sold to the public on the lot. According to the owner, they will be open from 8:00 a.m. to 7:00 p.m. Monday through Saturday and all of their customers will be walk-ins. The owner wishes to line the outskirts of the dealership lot, on the west side

of the property, just as they are being displayed now. This way these barns will not block incoming traffic. The units are stationary and require no maintenance or power. A SUP shall be approved only upon a finding that all of the following standards are met:

- (1) The special use will comply with all applicable standards in Section 30-4.C, Use-Specific Standards;
- (2) The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
- (3) The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration;
- (4) The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands;
- (5) The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
- (6) The special use maintains safe ingress and egress onto the site and safe road conditions around the site;
- (7) The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and
- (8) The special use complies with all other relevant City, State, and Federal laws and regulations.

Mr. Harmon stated this SUP must comply with any and all City, State, and Federal laws and regulations to remain in business.

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

Mr. Mario Garner, 929 Bragg Boulevard, Fayetteville, NC, appeared in favor and stated he is the tenant of the property, and the property owners had instructed him to attend this public hearing.

Discussion ensued.

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

MOTION: Council Member Culliton moved to approve the Special Use Permit (SUP) to allow outdoor display and storage on the portion of the subject property that is depicted on the site map, as presented by staff, based on the standards of the City's development code and the evidence presented. That the application is consistent with applicable plans because (1) the development is located in a Community Commercial district, (2) this use complies with the findings, and (3) the proposed permit is in the public interest because the proposed SUP does fit with the character of the area. All eight findings of fact have been met. This SUP shall become effective ten days after its approval by the City Council, which is April 4, 2019. The SUP shall expire one year from its effective date if a building permit is not issued within that time.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

8.0 ADJOURNMENT

There being no further business, the meeting adjourned at
8:00 p.m.