

**Fayetteville City Council
Regular Meeting
January 9, 2012**

Report: Angie Hedgepeth
Governmental Affairs Consultant FRAR/HBAF

Present: Full Council

What Happened: The following public hearing was voted on.

Consider a petition requesting annexation for a contiguous area known as Fairfield Farms (Sections 4, 5, and 6) The petition was submitted by Brolanco (Broadwell) Corporation. Staff recommends adoption of the annexation effective January 9, 2012.

Background: (from city memo) Fairfield Farms is a residential area located on the northern side of the City. It is on the western side of Ramsey Street, between McCloskey Road on the north and Andrews Road on the south. The existing developed parts of the subdivision are already inside the City of Fayetteville. Brolanco plans to develop three new sections. These new sections will be located at the end of West Summerchase Drive. Preliminary plans indicate that these three new sections will contain a total of 108 residential lots.

The reasons the petition was submitted are as follows.

- Policy 150.2 - If property is within City of Fayetteville MIA, and if PWC water and/or sewer are requested, owner must submit an annexation petition.
- Property is in Fayetteville MIA
- PWC water and sewer are available; developer will extend as area is developed.
- Date petition received; November 21, 2011

Budget Impact:

Revenues and costs for this area have been projected over a five year period. The projections are based on the assumption that the 108 housing units proposed for the area will be gradually built over a five-year period. It is expected that the fiscal impact of annexing this area will be positive.

Motion: A motion was made by Councilman Bates to approve the annexation and the motion PASSED unanimously.

What Was Said:

Councilman Bates - "If this was not approved for annexation tonight...for Dohn Broadwell what would his options be, could he build to county standards?"

David Nash (City Planner) - "He could..these regulations are only for city limits. They thought that this property was already annexed when they brought the petition in."

Bates - "I'm just trying to see tonight if it was disapproved would they still receive PWC?"

Councilman Crisp - "You spoke of sufficiency does that translate to ownership and the question is are we absolutely certain every parcel 4, 5 and 6 belongs to Brolanco?"

Nash - "The land has not been subdivided and that makes it easy and it was checked this afternoon."

Crisp - "Mr. Nash you said it would be built to city standards...does that mean current standards our UDO? In the existing portion of Fairfield Farms they do not have sidewalks."

Nash - "Um through their courtesy submitted to us before the UDO got adopted, so one could argue that they are approved to build to standards that were in effect then as opposed to the UDO."

Crisp - "Straighten me out here cause your confusing me here..this is a request for annexation you told me the housing would be built to city standards and if the building permits were approved before we adopted our UDO..."

Dale Iman (City Manager) - "Building permits have not been approved..a site plan has been approved through the Technical Review Committee and so it has been approved and it was prior to the adoption of the UDO."

Councilman Massey - "In the event this did not pass would it also mean...PWC rates would revert back from county to city?"

Iman - "The policy change that we are discussing to change as to whether or not the water and sewer would be available should the annexation NOT go through, that policy is slated for a work session with Council February 3rd and until such time we have an agreement with PWC that they will not issue a contract for installation of water and sewer until such time as Council acts on the petition. If the Council acts tonight to not accept the annexation..PWC will not issue a contract for installation of water and sewer."

Jimmy Kizer (Engineer) - "That's an interesting discussion on annexation. We really thought that this section of Fairfield Farms was in the City. We do have a sidewalk out there that was part of the previous standards..there will be sidewalks on this section, just like they are in section 3. What we have submitted up to this point meets all of the city standards. The UDO would have sidewalks on both sides so that really is the only difference. From the development standpoint it is meeting the city standards."

Massey - "Bottom line, with former Councilman Jimmy Kizer being a part of this process with this work out there at Fairfield Farms. I am positive that it will meet city standards and want to thank him and did work diligently on that UDO project and he is keenly aware and will make support a motion to annex that area."

Other Business:

Doug Hewitt (Assistant City Manager) gave a presentation regarding the proposed Rental Action Management Program. Over a lengthy discussion, it was determined that there were still some areas of the ordinance that need amending.

Motion: A motion was made by Councilman Arp to take **no action** but to direct the City staff to conduct additional research into the remaining inquiries and bring their findings back to Council on the 27th of February with an implementation schedule and total cost of the implementation of RAMP. Also included in the motion would be a consultation with the State Delegation that could give the City staff tools to help implement this ordinance. The motion PASSED with Council members Hurst, Applewhite and Bates voting against the motion.

What's Next:

January 23 - Regular City Council Meeting
February 3-4 City Council Strategic Meetings