

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
MARCH 18, 2019
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Daniel Culliton (District 2) (via telephone); 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)

Absent: Council Member 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
Kevin Arata, Corporate Communications Director
Tracey Broyles, Budget and Evaluation Director
Jay Toland, Chief Financial Officer
Sheila Thomas-Ambat, Public Services Director
Michael Hill, Interim Fire Chief
Cynthia Blot, Economic and Community Development
Director
John Larch, Stormwater Manager
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 at 7:00 p.m.

2.0 INVOCATION

The invocation was offered by Pastor Gasper Rich of Saint James United Holy 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 Ms. Shelby McLamb, representing the Fayetteville-Cumberland Youth Council.

Mayor Colvin and Council Member Crisp presented a Certificate of Excellence to Mr. Justice Cochrane and family for returning a wallet containing a large amount of money he found in a parking lot. Ms. Victoria Huggins, Manager of Community and Media Relations for Fayetteville Woodpeckers, presented a set of opening game tickets and hat to Mr. Cochrane.

Mayor Colvin presented a proclamation to Imam Adam Beyha in honor of the mosques that were the focus of terrorist attacks in New Zealand.

5.0 APPROVAL OF AGENDA

MOTION: Council Member Wright moved to approve the agenda.
SECOND: Council Member Dawkins
VOTE: UNANIMOUS (9-0)

6.0 CONSENT AGENDA

MOTION: Council Member Waddell moved to approve the consent agenda.
SECOND: Council Member Jensen
VOTE: UANIMOUS (9-0)

6.01 Approval of Meeting Minutes:

February 4, 2019 - Work Session
February 20, 2019 - Agenda Briefing
February 25, 2019 - Discussion of Agenda Items
February 25, 2019 - Regular
February 28, 2019 - Special
March 4, 2019 - Work Session

6.02 Addition of Certain Streets to the City of Fayetteville System of Streets

Nine recently constructed streets have been inspected by staff and found to be acceptable for addition to the City of Fayetteville system of streets. The 0.73 mile addition will bring the City's street system total to 744.13 miles.

6.03 Resolution to Apply for Rural Housing Recovery Infrastructure Grant

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE APPROVING THE GRANT APPLICATION FOR THE NORTH CAROLINA DEPARTMENT OF COMMERCE RURAL HOUSING INFRASTRUCTURE RECOVERY GRANT. RESOLUTION NO. R2019-010

6.04 Adoption of Capital Project Ordinance Amendment 2019-31 to Appropriate a Grant Award from the Golden LEAF Foundation for Emergency Repairs to the Shoreline Drive Culvert

The Golden LEAF Foundation awarded the City of Fayetteville a grant of \$24,200.00 to reimburse for emergency culvert repair expenditures incurred due to Hurricane Florence. Capital Project Ordinance Amendment 2019-31 will appropriate the \$24,200.00 grant funding for emergency repairs to the Shoreline Drive Culvert.

6.05 Resolution to Adopt the Amended North Carolina General Records Schedule for Local Government Agencies Retention and Disposition Schedule

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE APPROVING THE NORTH CAROLINA GENERAL RECORDS SCHEDULE FOR LOCAL GOVERNMENT AGENCIES RECORDS RETENTION AND DISPOSITION SCHEDULE ISSUED MARCH 1, 2019. RESOLUTION NO. R2019-011

6.06 Senior Center East - Second Condemnation Resolution

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING THE CONDEMNATION ACTION ON PARCELS FOR THE JOINT FAYETTEVILLE STATE UNIVERSITY WELLNESS/SENIOR CENTER PROJECT. RESOLUTION NO. R2019-012

6.07 Resolution of the Council of the City of Fayetteville, NC, directing the City Manager to establish an open data program and supporting open data policy

A RESOLUTION OF THE COUNCIL OF THE CITY OF FAYETTEVILLE, NC DIRECTING THE CITY MANAGER TO ESTABLISH AN OPEN DATA PROGRAM AND SUPPORTING OPEN DATA POLICY. RESOLUTION NO. R2019-013

7.0 REPORTS FROM BOARDS AND COMMISSIONS

7.01 Stormwater Advisory Board Annual Report to City Council

Mr. Deno Hondros, Chair, Stormwater Advisory Board, presented the Stormwater Advisory Board Annual Report.

MOTION: Council Member Haire moved to accept the Stormwater Advisory Board Annual Report.
SECOND: Council Member Jensen
VOTE: UNANIMOUS (9-0)

7.02 Joint Fayetteville-Cumberland County Senior Citizens Advisory Commission (JFCCSCAC) Annual Report

Ms. Edna Cogdell, JFCCSCAC Chair, presented the Joint Fayetteville-Cumberland County Senior Citizens Advisory Commission Annual Report. Col. (Ret.) Willie Wright, JFCCSCAS Commission member, stated the Commission has revised the By-Laws.

MOTION: Council Member Crisp moved to accept the JFCCSCAC Annual Report.
SECOND: Council Member Dawkins
VOTE: UNANIMOUS (9-0)

7.03 Board of Appeals Annual Report

Mr. Roland Fairley, Board of Appeals Chair, presented the Board of Appeals Annual Report.

MOTION: Council Member Waddell moved to accept the Board of Appeals Annual Report.
SECOND: Mayor Pro Tem Mohn
VOTE: UNANIMOUS (9-0)

8.0 PUBLIC FORUM

Mr. Omar Calim, 1205 Bombay Drive, Fayetteville, NC, expressed concerns regarding flooding in the Cedar Falls subdivision.

Mr. Iman Eronomy Mohammed Smith, 1200 Murchison Road, Fayetteville, NC, presented on the state of Fayetteville.

9.0 PUBLIC HEARINGS

9.01 Phase 5 Annexation Utility Improvement Project Areas 22 and 23 Preliminary Assessment Resolution Public Hearing

Mr. Mark Brown, PWC Senior Customer Service Programs Director, presented this item with the aid of a PowerPoint presentation and stated holding a public hearing to receive public comment for the annexation areas is part of the statutory requirement process. City Council approved the preliminary assessment resolution at their January 28, 2019, meeting for Areas 22 and 23 of the Phase 5 Annexation Utility Improvement Project. The resolution set the date of the public hearing for March 18, 2019, to hear public comment. A notice was published in The Fayetteville Observer on March 1, 2019, regarding the public hearing and the preliminary assessment letters were mailed on February 8, 2019, informing the property owners of the public hearing date. After the public hearing, the next step in the process is to approve the resolution directing project be undertaken. This is scheduled for March 25, 2019. Mr. Brown further stated no action is required by Council on this item tonight.

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

Mr. Rudolf Jones, 1963 Merrimac Drive, Fayetteville, NC, appeared in favor and stated he welcomes the modern sewage system in his neighborhood.

Mr. Derrick Thompson, 2066 Loganberry Drive, Fayetteville, NC, appeared in favor and stated he is the President of the Rayconda Home Owners Association.

Mr. Chet Ohme, 2105 Pinewood Terrace, Fayetteville, NC, appeared in favor and stated he has waited 14 years for PWC services.

Ms. Michelle L. Shortsleeve-Garcia, 2107 Bedloe Street, Fayetteville, appeared in favor.

Mr. Brian Broadway, 1526 Grassy Branch Drive, Fayetteville, NC, appeared in favor.

Mr. Dennis Whaley, 2009 Rayconda Road, Fayetteville, NC, appeared in opposition, and stated the road he lives on is not getting PWC sewer.

Mr. Donald Stevens, 6881 Raeford Road, Fayetteville, NC, appeared in opposition and stated he and his wife own three properties on Raeford Road, and stated there should be a credit towards the cost of the assessment from the amount of taxes they have paid.

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

Discussion ensued.

No action was taken on this item.

10.0 OTHER ITEMS OF BUSINESS

10.01 Presentation of Appointment Committee Recommendations for Boards and Commissions Appointments

Council Member Crisp presented this item and stated the Appointment Committee unanimously approved the following appointments:

<u>Airport Commission</u>	
Dawn Gibson (Travel Agent)	April 1, 2019-March 31, 2021
John J. Wyatt	April 1, 2019-March 31, 2021
Judy Dawkins	April 1, 2019-March 31, 2021
Sandy Ammons	April 1, 2019-March 31, 2021
Mark Lynch	April 1, 2019-March 31, 2021
<u>Joint City and County Appearance Commission</u>	
No appointments scheduled for re-advertisement	
<u>Audit Committee</u>	
Amy Samperton (Partial)	April 1, 2019-March 31, 2020
<u>Ethics Commission</u>	
Dale Knowles (Member of the Sandhills Chapter of Certified Public Accountants)	April 1, 2019-March 31, 2022
Tracey Henderson (Member of the Cumberland County Bar Association)	April 1, 2019-March 31, 2022
<u>Fayetteville Advisory Committee on Transit (FACT)</u>	
Corey Hannibal (Bus Rider)	April 1, 2019-March 31, 2021
Marsha Jones (ADA Representative)	April 1, 2019-March 31, 2021
Michelle Clark (Out of Area FAST Service)	April 1, 2019-March 31, 2021
Joanna Quick	April 1, 2019-March 31, 2021
<u>Fair Housing Commission</u>	
Eduardo Jordan	April 1, 2019-March 31, 2021
<u>Fayetteville-Cumberland Economic Development Commission Board</u>	
Bobby Suggs	April 1, 2019-March 31, 2022
Michael McCollum	April 1, 2019-March 31, 2020
<u>North Carolina Firefighter's Relief Fund Board of Trustees</u>	
Calvin Bishop	April 1, 2019-March 31, 2021

Historic Resources Commission

Bruce Arnold (Historical District Property Owner)	April 1, 2019-March 31, 2021
Gordon Johnson (Licensed/Registered Architect)	April 1, 2019-March 31, 2021
Henry Tyson (Realtor/Developer/General Contractor)	April 1, 2019-March 31, 2021
Jeremy Fiebig (Historic Preservationist/Cultural or Social Historian)	April 1, 2019-March 31, 2021
Thomas Batson (Building Designer or Land Use Design Professional) (Partial)	April 1, 2019-March 31, 2020
William Bass (Partial)	April 1, 2019-March 31, 2020
Tiffany Katchem	April 1, 2019-March 31, 2021
Kennon Jackson	April 1, 2019-March 31, 2021

Human Relations Commission

William Milton (Partial)	April 1, 2019-March 31, 2020
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Scheduled for re-advertisement for two partial appointments

Linear Park, Inc.

Charmetri Wrice-Bulluck	April 1, 2019-March 31, 2022
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Personnel Review Board

LaTanya Stewart	April 1, 2019-March 31, 2021
Debra Slaughter	April 1, 2019-March 31, 2021
Donna Nolde	April 1, 2019-March 31, 2021

Public Arts Commission

Kelley Sullivan	April 1, 2019-March 31, 2021
Amanda Mitchell	April 1, 2019-March 31, 2021

Redevelopment Commission

Romnick Capapas	April 1, 2019-March 31, 2024
Wilbert Stokes	April 1, 2019-March 31, 2024
Devon Newton	April 1, 2019-March 31, 2024
Raven McKoy	April 1, 2019-March 31, 2024

MOTION: Council Member Crisp moved to approve the recommended appointments.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (9-0)

Council Member Crisp stated he e-mailed the draft Millennial Advisory Commission Bylaws to Council last week, and had asked Council to review and provide feedback. This item will formally establish the Millennial Advisory Commission. We will need a Council liaison and a staff liaison. We need to move forward on this item in order for citizens to be able to apply to serve on this Commission.

Discussion ensued.

MOTION: Council Member Crisp moved to approve the Millennial Advisory Commission Bylaws.

SECOND: Council Member Wright

Discussion ensued.

AMENDED MOTION:

Council Member Crisp moved to approve the Millennial Advisory Commission Bylaws and staff support will be provided by the City Manager or designee.

SECOND: Council Member Wright

VOTE: UNANIMOUS (9-0)

10.02 Refunding the outstanding maturities of General Obligation Public Improvement Bonds, Series 2005 maturing June 1, 2020 through June 1, 2025. Adopt Preliminary Resolution / Bond Order (Refunding); File Sworn Statement of Debt / Statement of Estimated Interest

Mr. Jay Toland, Chief Financial Officer, presented this item and stated the City plans to issue the first of three issuances of Parks and Recreation General Obligation Bonds in May of 2019. With this first issuance is an opportunity to refund (refinance) General Obligation Public Improvement Bonds, Series 2005, to realize lower interest cost. The cash flow savings are as follows:

2019 -	\$290.00
2020 -	\$24,998.00
2021 -	\$25,288.00
2022 -	\$28,663.00
2023 -	\$25,313.00
2024 -	\$27,000.00
2025 -	\$28,688.00
Total -	\$160,238.00
Net Present Value -	\$145,103.00

Mr. Toland stated an analysis of current market rates indicates that the City is able to realize debt service savings by refunding the outstanding maturities of its General Obligation Public Improvement Bonds, Series 2005 maturing June 1, 2020 through June 1, 2025, inclusive. As provided in the analysis, based on an estimated interest rate, the City would be able to realize net present value savings of \$145,103.00 or 5.80 percent of the refunded per amount. First Tryon Advisors is serving as Financial Advisor to the City. Womble Bond Dickinson (US) LLP and the Charleston Group are serving as Co-Bond Counsel. The City is planning on selling the General Obligation Refunding Bonds, Series 2019, in the public market in conjunction with a series of new money General Obligation Bonds. The City is scheduled to sell Bonds on May 7, 2019.

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS AND AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION IN CONNECTION WITH THE PROPOSED ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS OF THE CITY. RESOLUTION NO. R2019-014

MOTION: Council Member Crisp moved to adopt the resolution.
SECOND: Council Member Haire
VOTE: UNANIMOUS (9-0)

ORDER AUTHORIZING \$2,600,000.00 GENERAL OBLIGATION REFUNDING BONDS

MOTION: Council Member Wright moved to approve the Order Authorizing \$2,600,000.00 General Obligation Refunding Bonds
SECOND: Council Member Crisp
VOTE: UNANIMOUS (9-0)

11.0 ADMINISTRATIVE REPORTS

11.01 Revenue and Expenditure Reports for the Annual Funds for the Six-Month Period Ended December 31, 2018 with Comparative Information for the Six-Month Period Ended December, 2017, and Revenue and Expenditure Reports for the Multi-Year Funds from Inception and for the Six-Month Period Ended December 31, 2018.

11.02 Monthly Statement of Taxes for February 2019

2018 Taxes	1,217,639.22
2018 Vehicle,	9,297.77
2018 Taxes Revit	10,725.94
2018 Vehicle Revit	0.00
2018 FVT	6650.00
2018 FTT	650.00
2018 Storm Water	265,401.18
2018 Fay Solid Waste Fee	330,890.71
2018 Annex	0.00

2017 Taxes	11,457.77
2017 Vehicle	6,995.03
2017 Taxes Revit	0.00
2017 Vehicle Revit	3.99
2017 FVT	425.00
2017 FTT	425.00
2017 Storm Water	1,994.68
2017 Fay Solid Waste Fee	2,668.31
2017 Annex	0.00
2016 Taxes	4,692.37
2016 Vehicle	0.00
2016 Taxes Revit	0.00
2016 Vehicle Revit	0.00
2016 FVT	0.00
2016 FTT	0.00
2016 Storm Water	1,409.77
2016 Fay Storm Water	0.00
2016 Fay S Waste Fee	83.36
2016 Annex	0.00
2015 Taxes	279.24
2015 Vehicle	0.00
2015 Taxes Revit	1.88
2015 Vehicle Revit	0.00
2015 FVT	0.00
2015 FTT	0.00
2015 Storm Water	324.02
2015 Fay Storm Water	468.05
2015 Fay S Waste Fee	26.47
2015 Annex	0.00
2014 and Prior Taxes	486.38
2014 and Prior Vehicle	796.44
2014 and Prior Taxes Revit	0.00
2014 and Prior Vehicle Revit	0.00
2014 and Prior FVT	188.51
2014 and Prior FTT	183.52
2014 and Prior Storm Water	15.00
2014 and Prior Fay Storm Water	27.00
2014 and Prior Fay S Waste Fee	40.00
2014 and Prior Annex	0.00
Interest	38,203.12
Revit Interest	305.04
Storm Water Interest prior	75.91
Fay Storm Water Interest 2015 and prior	150.65
Storm Water Interest 2016 and Forward	7,725.12
Annex Interest	0.00
Solid Waste Interest	9,457.26
FTT Interest	156.88
Total Tax and Interest	\$1,924,230.59

12.0 ADJOURNMENT

There being no further business, the meeting adjourned at 9:43 p.m.