

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
MAY 13, 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) (via telephone); 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
Angel Wright-Lanier, 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
Randy Hume, Transit Director
Lee Jernigan, Traffic Engineer
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 Dr. Kathy Matthews, Senior Pastor of Well of Living Waters Ministry.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Ms. Katy Genova, Boy Scout of Pack 82.

4.0 ANNOUNCEMENTS AND RECOGNITION

Council Member Waddell introduced Ms. Ravielle Musser, representing the Fayetteville-Cumberland Youth Council.

Ms. Malia Allen, Executive Director of the Dogwood Festival, thanked the City for all of their hard work and dedication for making the Dogwood Festival a huge success, and further stated she could not have achieved that success without all of the efforts from the City.

Mayor Colvin presented a Certificate of Excellence to Mr. Wayna Brit for his heroic act of performing lifesaving CPR on a citizen until the paramedics arrived. Mr. Mike Hill, Interim Fire Chief, awarded Mr. Brit with a Certificate of Achievement and presented him with the City of Fayetteville Fire Department Coin.

Mayor Colvin presented a proclamation to Mr. Hannah M Carroll, Affiliate President of National Alliance on Mental Illness (NAMI), proclaiming May 31st, 2019, Mental Health Awareness and Community Inclusion Day.

5.0 APPROVAL OF AGENDA

MOTION: Council Member Arp moved to approve the agenda and renumber the public forum from Item 8 to Item 5.1 and add Item 7.02, Resolution to Adopt Legislative Priorities.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (10-0)

5.1 PUBLIC FORUM

Ms. Pat Wright, 221 Hay Street, Fayetteville, NC, expressed concerns regarding problems with parking downtown on Woodpecker baseball game times.

Mrs. Diane Parfitt, 112 Hay Street, Fayetteville, NC, expressed concerns regarding problems with parking downtown on Woodpecker baseball game times.

Mr. Hank Parfitt, 112 Hay Street, Fayetteville, NC, expressed concerns regarding problems with parking downtown on Woodpecker baseball game times.

Ms. Anna Rouse, 458 Waterbury Drive, Fayetteville, NC, expressed concerns regarding the PWC Solar Energy Program and requested the City assist low-income families with reduced signup fees.

Ms. Brittany Campbell, 212 Highland Avenue, Fayetteville, NC, expressed concerns regarding problems with parking downtown on Woodpecker baseball game times.

Ms. Brunilda Cordero, 5221 Pride Lane, Hope Mills, NC, announced Cape Fear Valley Hospital and Methodist University will be hosting the NC Diabetes Olympic Games at Methodist Campgrounds on May 16, 2019, at 10:00 a.m.

Mr. Imam Eronomy Mohammad, 1800 Murchison Road, Fayetteville, NC, provided an overview of the state of the City of Fayetteville.

Mr. Daniel Fair, 217 Hay Street, Fayetteville, NC, expressed concerns regarding problems with parking during baseball games.

Ms. Willie Smith, 4934 Fieldcrest Drive, Fayetteville, NC, expressed concerns regarding sidewalks and garbage dumping, and requested a recreational park for children in the Bonnie Doone area.

6.0 CONSENT AGENDA

MOTION: Council Member Arp moved to approve the consent agenda with the exception of Item 6.09; pulled for discussion and separate vote.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (10-0)

6.01 Approval of Meeting Minutes:

April 23, 2019 - Discussion of Agenda Items
April 23, 2019 - Regular

6.02 Adoption of Budget Ordinance Amendment 2019-13 and Capital Project Ordinance Amendment 2019-35 to Appropriate \$354,000.00 from General Fund Fund Balance for Replacement of Police Mobile Data Computers

Budget Ordinance Amendment 2019-13 and Capital Project Ordinance Amendment 2019-35 provides \$354,000.00 of additional funding needed for replacement of Police mobile data computers.

6.03 Adoption of Capital Project Ordinance 2019-32 and Special Revenue Fund Project Ordinance 2019-11 to Appropriate the 2019 Federal

Transit Administration Grant Award NC-2019-021-00 for Various Capital Items and Planning Activities

The Federal Transit Administration has awarded Transit Grant NC-2019-021-00 to provide federal funding for eligible projects in support of the City's transit activities. The grant includes \$2,603,000.00 in FTA grant funds to reimburse the City for preventive maintenance, a portion of ADA paratransit services and operating activities performed during FY 2019. These revenues were already appropriated as a part of the FY 2019 annual operating budget for the Transit Fund. In addition to the operating funding above, the grant includes \$764,600.00 for capital items including replacement paratransit and support vehicles, shelters and benches, construction of ADA accessible bus stops and related sidewalks, major bus maintenance components, and 4G-capable mobile data terminals for vehicles. Capital Project Ordinance 2019-32 will appropriate \$634,480.00 in grant funds from the FTA and a \$130,120.00 transfer from the Transit Operating Fund for these items. The grant includes \$86,000.00 for various transit planning activities and employee training, and Special Revenue Fund Project Ordinance (SRO) 2019-11 will appropriate \$68,800.00 in FTA grant funds and \$17,200.00 to be transferred from the Transit Operating Fund for these activities.

6.04 Approval of Installment Financing for Vehicles and Equipment from Bank of America

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INSTALLMENT FINANCING AGREEMENT, A SECURITY AGREEMENT AND RELATED DOCUMENTS IN CONNECTION WITH THE FINANCING OF VARIOUS VEHICLES FOR THE CITY OF FAYETTEVILLE, NORTH CAROLINA. RESOLUTION NO. R2019-020

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

The Council approved a CM@R contract with METCON Buildings & Infrastructure on June 25, 2018, to begin the "pre-construction" process. The second of three anticipated Guaranteed Maximum Price (GMP) amendments is presented for Council consideration. Construction bids were received and utilized in the creation of the proposed GMP Amendment #2. This is not the total cost of the project, but simply the second construction bid package.

6.06 Tax Refunds Greater than \$100.00

<u>Name</u>	<u>Year</u>	<u>Basis</u>	<u>City Refund</u>
Novare National Settlement Service, LLC	2017	Corrected Assessment	\$4,448.66
Pro Dry Cleaners 1 Inc.	2017	Illegal Tax Double Listed	118.78
LAL & Son	2015-2016	Corrected Assessment	130.93
South End Missionary Baptist Church	2008-2017	Corrected Assessment	132.78
Maurice Glenn Howard	2008-2009, 2016	Double Listed in Error	288.52
Jeffrey A. Herholz	2017	Salvage Condition	1,613.48
Williford High & Williford PTC	2017	Corrected Assessment	239.91
Patrick Dana, Bone	2017	Corrected Assessment	200.86
Charles A. Blanton	2013-2016	Illegal Tax	160.19
Petsmart	2016	Corrected Assessment	193.31
Ed's Auto Service and Salvage	2014-16	Illegal Tax	175.71
Total			<u>\$7,703.13</u>

6.07 Phase 5 Annexation Areas 18 and 19 - Resolution Confirming Assessment Roll and Levying Assessments

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS. RESOLUTION NO. R2019-021

6.08 Adopt Resolution Authorizing the Sale of Personal Property by Public Auction

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AUTHORIZING THE SALE OF PERSONAL PROPERTY BY PUBLIC AUCTION. RESOLUTION NO. R2019-022

6.09 Resolution Downtown Parking Temporary Delegation of Authority

This item was pulled from Consent for an explanation and separate vote.

Mayor Colvin introduced this item and stated Council has had a lot of conversation regarding the parking downtown during Woodpecker baseball games and special events.

Discussion ensued.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE REGARDING DOWNTOWN PARKING. RESOLUTION NO. R2019-023

MOTION: Council Member Culliton moved to adopt the resolution delegation of authority with the addition that the City instill a reduction in game day and special event parking for all City lots and parking spaces from \$10.00 to \$5.00, and for Council to revisit this item once the major construction is complete; parking deck and associated structures.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (10-0)

Mayor Colvin recessed the meeting at 8:21 p.m., and reconvened the meeting at 8:30 p.m.

7.0 REPORTS FROM BOARDS AND COMMISSIONS

7.01 Fayetteville Advisory Committee on Transit (FACT) Annual Report

Mr. Michael Worrell, Fayetteville Advisory Committee on Transit (FACT) Chair, presented the FACT Annual Report with the aid of a PowerPoint presentation.

Discussion ensued.

MOTION: Mayor Pro Tem Mohn moved to accept the FACT Annual Report.

SECOND: Council Member Culliton

VOTE: UNANIMOUS (10-0)

7.02 Consideration of a Resolution of the City Council of the City of Fayetteville requesting assistance with the City's legislative priorities

Dr. Telly Whitfield, Assistant City Manager, presented this item and stated the 2019 Legislative priorities includes the following:

1. The City of Fayetteville Requesting funding to support the development of a Stormwater Resilience Master Plan to study the impacts of stormwater on properties City-wide. The estimated cost for the plan is \$1 million.
2. The City of Fayetteville and several community partners are making efforts to development a Tier 1 Study/Action Plan to delineate how the City and its partners can best position the community to take advantage of the incentives provided for Tier 1 communities from the North Carolina Department of Commerce. The estimated cost of this plan is \$500,000.00.

3. The City of Fayetteville is seeking support for an Environmental Improvement Plan to study areas in and around the river. This study would seek the best solutions available to lessen the negative impacts on our citizens during storm events. The estimated cost of this plan is \$500,000.00.
4. The City of Fayetteville is seeking support to develop "Smart City" capacity through pursuing the installation of broadband across the City through funding support to do a connection study and implementation plan. The estimated cost of this plan is \$500,000.00.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE
REQUESTING ASSISTANCE WITH THE CITY'S LEGISLATIVE
PRIORITIES OUTLINED HEREIN. RESOLUTION NO. R2019-024**

MOTION: Council Member Haire moved to adopt the resolution; requesting assistance with the City's legislative priorities.

SECOND: Council Member Waddell

VOTE: UNANIMOUS (10-0)

9.0 OTHER ITEMS OF BUSINESS

**9.01 Approval of sale and issuance of Limited Obligation Bonds -
Baseball Stadium and Parking Deck Improvements and A New Pool**

Mr. Jay Toland, Chief Financial Officer, presented this item and stated Council is asked to consider the final approving resolution to authorize the City to sell an amount not to exceed \$7,300,000.00 in limited obligation bonds. The purpose is to finance one or more of the following projects: (a) certain additional costs relating to the acquisition, construction, and equipping of a baseball stadium; (b) certain additional costs relating to the acquisition, construction, and equipping of a parking deck; and (c) the cost of constructing and equipping a new pool at the Lake Rim Recreation Center. The current forecasts are \$2.5 million for the Baseball Stadium, \$3 million for the Lake Rim Pool, and \$1.5 million for the Parking Garage with a grand estimated total of \$7 million. Actual figures and issuance costs will be used for the application to the Local Government Commission.

Discussion ensued.

MOTION: Council Member Crisp moved to adopt the resolution approving and authorizing the Sale and Issuance of Limited Obligation Bonds and the Execution and Delivery of a Second Supplemental Trust Agreement, and Related Documents; with the exception of the \$1.5 million for the parking deck in Connection with the Financing improvements to the Baseball Stadium and a Pool.

SECOND: Council Member Haire

Discussion ensued.

Council Member Crisp withdrew his motion.

MOTION: Council Member Crisp moved to adopt the resolution approving and authorizing the Sale and Issuance of Limited Obligation Bonds and the Execution and Delivery of a Second Supplemental Trust Agreement, and Related Documents in Connection with the Financing improvements for the Parking Deck, the Baseball Stadium, and a Pool.

SECOND: Council Member Waddell

Discussion ensued.

Council Member Crisp withdrew his motion.

MOTION: Mayor Pro Tem Mohn moved to adopt the resolution approving and authorizing the Sale and Issuance of Limited Obligation Bonds and the Execution and Delivery of a Second Supplemental Trust Agreement, and Related Documents in Connection with the Financing improvements to the Baseball Stadium and Parking Deck and a Pool as presented tonight.

SECOND: Council Member Waddell

VOTE: FAILED by a vote of 4 in favor to 6 in opposition (Council Members Colvin, Jensen, Haire, Dawkins, Wright, and Arp)

Discussion ensued.

RESOLUTION APPROVING AND AUTHORIZING THE SALE AND ISSUANCE OF LIMITED OBLIGATION BONDS AND THE EXECUTION AND DELIVERY OF A SECOND SUPPLEMENTAL TRUST AGREEMENT AND RELATED DOCUMENTS IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF ADDITIONAL BASEBALL STADIUM IMPROVEMENTS AND A NEW POOL AT THE CITY'S LAKE RIM RECREATION CENTER. RESOLUTION NO. R2019-024A

MOTION: Council Member Dawkins moved to adopt the resolution approving and authorizing the Sale and Issuance of Limited Obligation Bonds and the Execution and Delivery of a Second Supplemental Trust Agreement, and Related Documents in Connection with the Financing improvements to the Baseball Stadium and a Pool.

SECOND: Council Member Arp

VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Mayor Pro Tem Mohn)

9.02 Presentation of the Recommended Fiscal Year 2019-2020 Budget and Setting of the Budget Public Hearing

Mr. Douglas Hewett, City Manager, presented this item with the aid of a PowerPoint presentation. Mr. Hewett thanked Ms. Tracey Broyles, Budget and Evaluation Director, and all of her staff and the City Manager's office for all of the hard work put into this project.

Mr. Hewett stated the proposed FY 2020 annual operating budget of \$228,814,977.00, excluding internal service funds, is \$13,445,607.00 more than the original budget for FY 2019, an increase of 6.2 percent. Excluding an increase of \$9,637,242.00 in transfers for capital projects, the year-over-year increase is \$3,808,365.00 or 1.8 percent. For the general fund in particular, the proposed budget is \$173,799,332.00, an increase of \$4,793,014.00 or 2.8 percent of the original adopted budget for the current fiscal year. The tax rate to support the general fund is recommended to remain at 49.95 cents per \$100.00 of assessed valuation.

Mr. Hewett provided an overview of the following topics: Cost of Quality Government Service, Expenditure Highlights, Goal 1: Safe & Secure Community, Goal 2: Diverse & Viable Economy, Goal 3: High Quality Built Environment, Goal 4: Desirable Place to Live, Work and Recreate, Goal 5: Sustainable Organizational Capacity, Goal 6: Citizen Engagement, Partnerships, and Revenue Highlights.

The Path Forward; the proposed budget focuses on maintaining a solid base of core services, advancing the City Council strategic goals, and timely completion of key capital projects that will continue to transform our community. Other than the changes highlighted herein, the budget provides the resources needed to stay on our current ambitious course. While this budget strikes a careful balance in maintaining our services as a major metropolitan area, it also ensures that we are ready to respond if the unexpected occurs.

MOTION: Council Member Crisp moved to set the public hearing to receive comments on the recommended budget for May 28, 2019.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (10-0)

10.0 ADMINISTRATIVE REPORTS

10.01 Tax Refunds Less Than \$100.00

<u>Name</u>	<u>Year</u>	<u>Basis</u>	<u>City Refund</u>
Ronald Allen White	2015-2016	Vehicle Double Taxed in Error	\$7.88
Total			<u>\$7.88</u>

11.0 ADJOURNMENT

There being no further business, the meeting adjourned at 9:55 p.m.