

FAYETTEVILLE CITY COUNCIL

MINUTES

JUNE 11, 2007

7:00 P.M.

CITY HALL COUNCIL CHAMBER

Present: Mayor Anthony G. Chavonne

Council Members Council Members Keith A. Bates, Sr. (District 1); Charles E. Evans (District 2); Darrell J. Haire (District 4); Lois A. Kirby (District 5); Paul Williams (District 6); Curtis Worthy (District 7); Juanita Gonzalez (District 8); Wesley A. Meredith (District 9)

Absent: Council Member Robert A. Massey, Jr. (District 3);

Others Present: Dale E. Iman, City Manager

Stanley Victrum, Assistant City Manager

Kyle Sonnenberg, Assistant City Manager

Doug Hewett, Assistant City Manager

Karen M. McDonald, City Attorney

Lisa Smith, Chief Financial Officer

Tracey Broyles, Budget and Evaluation Manager

Bobby Teague, Engineering and Infrastructure Director

Greg Caison, Stormwater Manager

Steve Blanchard, PWC CEO/General Manager

Wilson A. Lacy, PWC Commissioner

Michael G. Lallier, PWC Commissioner

Kenny Horne, PWC Purchasing Manager

Candice H. White, City Clerk

Members of the Press

INVOCATION - PLEDGE OF ALLEGIANCE

The invocation was offered by Elder Larry Bellamy I, Pastor and founder of Rhema Ministries Cogic, 372 Reilly Road, Fayetteville, NC followed by the Pledge of Allegiance to the American Flag.

1. APPROVAL OF AGENDA

Council Member Bates requested the addition of a closed session for personnel matters.

MOTION: Council Member Worthy moved to approve the agenda with the addition of a closed session for personnel matters.

SECOND: Council Member Kirby

VOTE: UNANIMOUS (9-0)

2. PUBLIC FORUM:

A. Announcements and Recognition

Council Member Bates presented a Proclamation to the Methodist University Women's Golf Team proclaiming Monday, June 11, 2007 as a Special Day of Recognition to acknowledge their outstanding accomplishments.

Council Member Worthy extended greetings to his granddaughter who was visiting from Charlotte, North Carolina.

Council Member Worthy recognized Steve Blanchard, PWC CEO/General Manager, and Wilson A. Lacy and Michael G. Lallier, PWC Commissioners, for receiving national recognition as a Diamond Level Reliable Public Power Provider. On behalf of PWC and the Commissioners, Mr. Lallier presented the RP3 plaque to the City of Fayetteville.

Council Member Meredith recognized the City of Fayetteville Finance Department for the Certificate of Achievement for Excellence in Financial Reporting awarded to them by the Government Finance Officers Association of the United States and Canada (GFOA) for their Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2006.

Council Member Evans recognized Ft. Bragg and those in our community serving abroad and stated his nephew, William Oscar Evans II, left to serve in Iraq.

B. Comment Period

Catherine VanSickle, 3931 Foster Drive, Fayetteville, NC 28311 presented a Resolution from the Joint Fayetteville/Cumberland County Senior Citizen's Advisory Commission endorsing the request by the Fayetteville/Cumberland County Parks and Recreation Department of the Fayetteville City Council to fund development plans and support construction of a Senior Center/Aquatic Center.

Richard King, 774 Buckland Drive, Fayetteville, NC 28304 stated Fayetteville needs the support of its business owners and leaders to retain the city's youth and attract other people to Fayetteville.

Ron Harrison, 1575 Mintz Avenue, Fayetteville, NC 28303 suggested Council consider appointing citizens to a transit task force.

Mark Ledger, 430 Lionshead Road, Fayetteville, NC 28311 referenced the public hearing held on June 7, 2007 and spoke to the responsiveness of Council.

3. CONSENT:

Council Member Gonzalez requested that Item 3.C. be pulled for discussion.

MOTION: Council Member Gonzalez moved to approve the consent agenda with the exception of Item 3.C.

SECOND: Council Member Worthy

VOTE: UNANIMOUS (9-0)

The following items were approved:

A. Approve Minutes:

- 1. Special Meeting held on May 10, 2007**
- 2. Regular Meeting held on May 14, 2007**
- 3. Special Meeting held on May 17, 2007**
- 4. Town Hall Meeting held on May 21, 2007**
- 5. Agenda Briefing Meeting held on May 24, 2007**

B. Bid Awards for Purchase of Underground Primary Power Cable

C. Pulled at the request of Council Member Gonzalez.

3.C. Approve sign/banner permit for the Lafayette 250 Committee of Arrangements

Council Member Gonzalez asked whether approval of the sign/banner permit would concurrently approve that the annual storage and installation costs would come from proceeds other than the City's general fund. Doug Hewett, Assistant City Manager, stated that would be consistent with staff's recommendation.

MOTION: Council Member Gonzalez moved to approve the sign/banner permit for the Lafayette 250 Committee of Arrangements.

SECOND: Council Member Worthy

VOTE: UNANIMOUS (9-0)

4. Consideration of Fiscal Year 2007-2008 Budget Matters

A. Technical amendments to the fees in the City Code

Karen M. McDonald, City Attorney, explained the proposed amendments would remove fees from the City Code and place them on the fee schedule, which would eliminate the need to amend and recodify the City Code each time a fee is changed.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 3-11 OF CHAPTER 3, AIRCRAFT AND AIRPORTS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. S2007-021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 4-6 OF CHAPTER 4, ALARM SYSTEMS REGULATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. S2007-022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SECTIONS OF CHAPTER 15, LICENSES, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. S2007-023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SECTIONS OF CHAPTER 24, STREETS AND SIDEWALKS, OF THE CODE OF

ORDINANCES OF THE CITY OF FAYETTEVILLE. S2007-024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 25-61 OF CHAPTER 25, SUBDIVISIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. S2007-025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SECTIONS OF CHAPTER 26, TAXICABS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. S2007-026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 28-23 OF CHAPTER 28, WATER AND SEWERS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. S2007-027

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 29-186 OF CHAPTER 29, WATER SUPPLY WATERSHED MANAGEMENT AND PROTECTION, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. S2007-028

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 30-263 OF CHAPTER 30, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. S2007-029

MOTION: Council Member Bates moved to approve the technical amendments to the fees in the City Code.

SECOND: Council Member Gonzalez

VOTE: UNANIMOUS (9-0)

B. Resolution Amending the Stormwater Ordinance and Inter-local Agreement with Cumberland County

RESOLUTION OF THE FAYETTEVILLE CITY COUNCIL AMENDING FAYETTEVILLE CITY CODE CHAPTER 23 IN ITS ENTIRETY INCLUDING REVISIONS WHICH AUTHORIZE THE CITY OF FAYETTEVILLE TO ADOPT AND LEVY THE BASE MONTHLY STORMWATER SERVICE FEE AND AN ADDITIONAL STORMWATER FEE TO FUND STORMWATER DRAINAGE IMPROVEMENTS WITHIN THE CITY OF FAYETTEVILLE. R2007-031

Mr. Dale E. Iman, City Manager, stated the request is to increase the stormwater utility fees by \$2 per month per equivalent service unit, which will generate sufficient revenues to provide for approximately \$40 million in stormwater improvements over the next several years.

MOTION: Council Member Gonzalez moved to approve the resolution amending the Stormwater Ordinance and Interlocal Agreement with Cumberland County.

SECOND: Council Member Worthy

VOTE: PASSED by a vote of 8 in favor to 1 in opposition (Council Member Williams)

Council Member Haire asked how priorities would be set for stormwater improvements. Mr. Iman responded that identified projects are being reviewed and prioritized by the Engineering Department and Stormwater Advisory Board and will be brought to Council with recommendations for approval.

C. Adoption of the Fiscal Year 2007-2008 Budget Ordinance

The recommended Fiscal Year 2007-2008 budget was presented to City Council on May 7, 2007. Several work sessions and two public hearings have been conducted on the recommended budget and proposed fees for transit services, curbside recycling and storm water system projects. Adoption of the budget ordinance will establish the budget for fiscal year 2007-2008 as well as set the tax rate and approve the fee schedule.

Mr. Iman stated the budget ordinance incorporated revisions to the recommended budget consistent with City Council direction. Mr. Iman reviewed highlights of funding provisions and stated taxes would not be increased and a strong healthy fund balance would be maintained. Mr. Iman commended Council on the numerous hours they put into reviewing the budget.

Council Member Evans asked what action had been taken regarding improved city services. Mr. Iman stated issues brought forward during the June 7, 2007 public hearings were

being analyzed to determine what could be done within the fiscal resources available.

MOTION: Council Member Evans moved to increase the bus fee to \$1, eliminate transfer fees and keep senior and disabled fares at the current rate.

SECOND: Council Member Worthy

Council Member Haire asked if the \$82,300 reduction in the Cumberland Council Business Council funding could be earmarked for transit.

Council Member Williams spoke to priorities and legitimate government expenditures.

VOTE: PASSED by a vote of 8 in favor to 1 in opposition (Council Member Williams)

MOTION: Council Member Bates moved to amend the budget ordinance and adopt as amended.

SECOND: Council Member Kirby

Council Members offered comments and thanked Mr. Iman and staff for working with them on an outcome focused budget process.

VOTE: PASSED by a vote of 6 in favor to 3 in opposition (Council Members Williams, Evans and Meredith)

5. BOARDS AND COMMISSIONS:

MOTION: Council Member Worthy moved to postpone appointments scheduled for the June 25, 2007 meeting until the July 9, 2007 meeting.

SECOND: Council Member Meredith

VOTE: UNANIMOUS (9-0)

NOMINATIONS – Second Week

AIRPORT COMMISSION – 3 vacancies – 0 nominations needed – 6 nominations made

Roy B. Goforth, Jr. and Patrick J. Wachtler were nominated by Council Member Gonzalez.

FAYETTEVILLE-CUMBERLAND HUMAN RELATIONS COMMISSION – 4 vacancies – 0 nominations needed – 8 nominations made

Catherine L. Ramos was nominated by Council Member Gonzalez.

PUBLIC WORKS COMMISSION – 1 vacancy – 0 nominations needed – 1 nomination made

No nominations were made.

PUBLIC WORKS COMMISSION RETIREMENT BOARD – 1 vacancy – 0 nominations needed – 1 nomination made

No nominations were made.

JOINT STORMWATER ADVISORY BOARD – 2 vacancies - 0 nominations needed – 2 nominations made

Charles A. Donnell and Don Stewart were nominated by Council Member Meredith.

James Jarvies was nominated by Council Member Gonzalez.

Council Member Evans withdrew the nomination of Willis Mitchell.

NOMINATIONS – Open and Close

BOARD OF ADJUSTMENT – 1 vacancy due to resignation of position expiring in August 2009 – 1 nomination needed – 0 nominations made

David Helms was nominated by Wesley Meredith.

Colleen F. Astrike was nominated by Council Member Gonzalez.

FAYETTEVILLE CITY PLANNING COMMISSION – 1 vacancy due to resignation of position expiring in July 2008 – 1 nomination needed – 0 nominations made

Warren Copenhaver was nominated by Council Member Kirby.

INFORMATION ONLY – No Action Needed

JOINT CITY AND COUNTY APPEARANCE COMMISSION – 2 vacancies

Bernadette R. Bogertey – First term expires. Eligible and interested in reappointment.

Tom Goetz – Second term expires. Not eligible for reappointment.

FAYETTEVILLE-CUMBERLAND PARKS AND RECREATION ADVISORY COMMISSION – 3 vacancies

Hank Debnam – First term expires. Eligible and interested in reappointment.

Dorothy Fielder – First term expires. Eligible and interested in reappointment.

Alan S. Campbell – First term expires. Eligible and interested in reappointment.

FAYETTEVILLE CITY PLANNING COMMISSION – 4 vacancies

J. Michael Harpe – First term expires. Eligible; not interested in reappointment.

David B. Gladney – Second term expires. Not eligible for reappointment.

Mikele Haywood – Second term expires. Not eligible for reappointment.

Martin James Hendrix – Second term expires. Not eligible for reappointment.

TAXICAB REVIEW BOARD – 3 vacancies

John C. Barrington – First term expires. Eligible and interested in reappointment.

Ronda Beattie – First term expires. Eligible and interested in reappointment.

Vacant Position – Taxi Industry Alternate

FAYETTEVILLE CITY ZONING COMMISSION – 2 vacancies

Culous Hayes – First term expires. Eligible and interested in reappointment.

Billy H. Manning – Second term expires. Not eligible for reappointment.

6. Consider Closed Session for personnel matters.

MOTION: Council Member Williams moved to go into closed session for personnel matters.

SECOND: Council Member Worthy

VOTE: UNANIMOUS (9-0)

The regular session recessed at 7:55 p.m.

MOTION: Council Member Worthy moved to reconvene in open session.

SECOND: Council Member Gonzalez

VOTE: UNANIMOUS (9-0)

The regular session reconvened at 8:20 p.m.

THERE WERE NO INFORMATION ITEMS.

There being no further business, the meeting adjourned at 8:21 p.m.