

**FAYETTEVILLE CITY COUNCIL
WORK SESSION
CITY HALL COUNCIL CHAMBER**

February 5, 2007

5:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith A. Bates, Sr. (District 1); Council Charles E. Evans (District 2); Robert A. Massey, Jr. (District 3); Lois A. Kirby (District 5); Paul Williams (District 6); Curtis Worthy (District 7); Juanita Gonzalez (District 8); Wesley A. Meredith (District 9)

Absent: Darrell J. Haire (District 4)

Others Present: Dale E. Iman, City Manager

Kyle Sonnenberg, Assistant City Manager

Stanley Victrum, Assistant City Manager

Karen M. McDonald City Attorney

Lisa Smith, Chief Financial Officer

Jimmy Teal, Planning Director

Jerry Dietzen, Solid Waste Director

Doug Hewett, Management Services Director

Terrie Hutaff, Human Resource Development Director

B. E. Nichols, Fire and Emergency Management Chief

Faith Thompson, Customer Focus Director

Jerome Brown, Transit Director

Bobby Teague, Engineering and Infrastructure Director

Michael Reeves, Management Analyst

John Meroski, Convention and Visitors Bureau

Bob Bates, Lamar Advertising Manager

Candice H. White, City Clerk

Press

Mayor Pro Tem Massey called the meeting to order at 5:00 p.m. and offered the invocation.

1. DISCUSION OF BILLBOARD ORDINANCE POLICY

Mr. Teal presented this item and stated Lamar Advertising Company approached the City in 2006 with a proposal to remove billboards in the downtown area in exchange for upgrading non-conforming billboards in other parts of the city. Mr. Teal stated the initial proposal included upgrading two non-conforming billboards for every one billboard removed in the downtown area. Mr. Teal stated Council referred the request to the Planning Commission who reviewed the original proposal and recommended an ordinance amendment that would allow the removal of one billboard anywhere in the city in exchange for upgrading one non-conforming billboard. Mr. Teal stated the Planning Commission also recommended allowing some flexibility in the ordinance to address concerns expressed by Lamar Advertising about the standard size of billboards. Mr. Teal explained that in both proposals, the billboard company would have to go through the Planning Commission and receive approval from the City Council before removing or upgrading non-conforming billboards.

Mr. Bob Bates, Lamar Advertising Manager, stated his objective is to improve existing billboards and he had proposed remodeling two billboards because Lamar Advertising would experience a permanent lose of revenue on billboards that are removed. Discussion ensued regarding various billboard locations and whether the proposal should include removal citywide or limit removal to the downtown area. Mr. Teal explained the ordinance amendment could restrict removal to the downtown area and later be amended to include billboard removal citywide. Consensus of Council was to schedule a public hearing for the one-for-one citywide proposal submitted by the Planning Commission.

2. RECOMMENDATION REGARDING SOLID WASTE ORDINANCE REVISIONS AS IT RELATES TO BULKY ITEMS

Jerry Dietzen, Solid Waste Director, reviewed an ordinance amendment that would provide for a \$357.00 fee to be charged for bulk yard waste of twenty cubic yards or greater, ensure pick up services are provided to single family residents and curtail pick up of contractor generated yard waste. Mayor Chavonne asked if the \$357.00 fee was sufficient to cover the actual cost for pick up. Mr. Dietzen responded the fee represents actual costs plus an allowable 10% administrative fee. Discussion ensued regarding means of enforcement for the proposed ordinance amendment.

Council Member Gonzalez expressed the need for an adhoc committee and a meeting with commercial tree trimmers. Mayor Chavonne asked Karen M. McDonald, City Attorney, what the opportunities would be for public input. Mrs. McDonald stated although not required, Council could hold a public hearing on the proposed ordinance amendment for Phase I; however, a public hearing would be required for Phase II as it involved a zoning ordinance amendment. Consensus was to place the proposed ordinance amendment on Council's consent agenda.

3. RECOMMENDATION REGARDING FEES FOR WAIVER OF INSTALLATION OF SIDEWALKS FOR NEW DEVELOPMENT ALONG EXISTING STREETS

Mr. Bobby Teague, Engineering and Infrastructure Director, presented this item and stated the one-price-fits-all approach used for the \$22.00 per linear foot fee-in-lieu-of was reviewed at the request of Council. Mr. Teague presented a recommendation that the fee-in-lieu-of be based on the width of the sidewalk required for the specific site as follows and that the fees be automatically adjusted on January 1st each year based on the Construction Cost Index.

4' wide sidewalks, \$20.00 per linear foot

5' wide sidewalks, \$24.00 per linear foot

6' wide sidewalks, \$28.00 per linear foot

Council Member Gonzalez stated she would like to deter waiver requests and suggested adding an additional \$5.00 to each of the three fees-in-lieu. Council Member Worthy stated the intent of the ordinance is to foster compliance and install sidewalks and not put an undo burden on developers. Discussion ensued regarding whether to consider a one-price-fits-all average of \$26.00 and whether to add an additional \$5.00 per linear foot. Council Member Williams expressed opposition to increasing the fee-in-lieu-of.

Council Member Gonzalez asked whether the \$5.00 per linear foot charge for neighborhoods wanting to install sidewalks had been raised. Mrs. McDonald clarified the conditions under which the \$5.00 per linear foot standard assessment rate would apply. Mayor Pro Tem Massey suggested the standard assessment rate for neighborhoods be referred to the Policy Committee for review. General consensus of Council was in favor of referring the \$5.00 standard assessment rate to the Policy Committee, the fee increases as proposed with an additional \$5.00 added to each and an annual adjustment based on the Construction Cost Index.

4. DISCUSSION OF ISSUES RELATED TO THE NCLM CONVENTION TO BE HELD IN FAYETTEVILLE IN OCTOBER 12-16, 2007

B. E. Nichols, Fire and Emergency Management Chief, provided a review of funding needs for the North Carolina League of Municipalities (NCLM) conference being held in the city of Fayetteville and stated to date \$13,000.00 has been received from the Visitor's Bureau. Chief Nichols stated the total estimated cost for the function will be \$131,580.00, 51% of which represents costs associated with transportation, and stated the cost will be split between two fiscal years. Chief Nichols stated funding will be solicited from local businesses, although the effort has yielded little success in the past. John Meroski of the Convention and Visitors Bureau spoke to the economic impact of hosting the NCLM conference and the positive investment for the community therein.

Council Member Williams encouraged using available city personnel to assist with city clean up one week prior to the conference.

5. DISCUSSION OF THE FY2007 AUDIT CONTRACT

Mrs. Lisa Smith, Chief Financial Officer, reviewed the process utilized for the proposal for professional services for a firm to perform the FY2007 audit. Mrs. Smith stated due to the timing

of the upcoming utility bond issue in May, PWC staff has requested the FY2007 audit contract be awarded to Cherry, Bekeart and Holland. Mrs. Smith further stated Cherry, Bekeart and Holland has agreed to provide FY2007 audit services to the city and PWC for a total amount not to exceed \$95,500.00, which represents a \$4,550.00 increase over FY2006. Mrs. Smith stated the belief is that the increase in the fee amount is still competitive with other qualified firms. Mrs. Smith further stated staff's recommendation is to award the FY2007 audit contract to Cherry, Bekeart and Holland and conduct an RFP process for the FY2008-FY2010 audit contract with the option to renew for two additional years. Mrs. Smith responded to questions posed regarding the range of services provided by Cherry, Bekeart and Holland in addition to audit services. Consensus of Council was to approve staff's recommendation.

Mayor Chavonne apprised Council Members the delegation in Raleigh had requested the city's official position on the Eastover incorporation and he had drafted a reply because they were seeking an immediate response.

6. CLOSED SESSION TO DISCUSS PERSONNEL MATTERS

MOTION: Council Member Worthy moved to go into closed session regarding personnel matters.

SECOND: Council Member Bates

VOTE: UNANIMOUS (9-0)

The regular session recessed at 6:05 p.m.

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

SECOND: Council Member Kirby

VOTE: UNANIMOUS (9-0)

The regular session reconvened at 6:10 p.m.

MOTION: Council Member Meredith moved to adjourn the meeting.

SECOND: Council Member Worthy

VOTE: UNANIMOUS (9-0)

There being no further business, the meeting adjourned at 6:15 p.m.