

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE ROOM
APRIL 4, 2011
5:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1) (departed at 7:00 p.m.); Kady-Ann Davy (District 2) (departed at 7:25 p.m.); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8) (departed at 6:40 p.m.); James W. Arp, Jr. (District 9) (arrived at 5:55 p.m.)

Others Present:

Dale E. Iman, City Manager
Doug Hewett, Assistant City Manager
Kristoff Bauer, Assistant City Manager
Karen M. McDonald, City Attorney
Tom Bergamine, Chief of Police
Patricia Bradley, Police Attorney
Charles Kimble, Assistant Police Chief
Bradley Chandler, Assistant Police Chief
Phil Cannady, Assistant Police Chief
Katherine Bryant, Assistant Police Chief
Robert Spatorico, Police Captain
Kenneth Eaker, Police Captain
Chris Davis, Police Lieutenant
Victor Sharpe, Community Development Director
Michelle Haire, Community Development Administrator
John Kuhls, Human Resource Development Director
Jerry Dietzen, Environmental Services Director
James Rhodes, Solid Waste Supervisor
Bart Swanson, Housing and Code Enforcement Division Manager
Marion Wilson, Code Enforcement Administrator
James Rose, PWC Chief Administrative Officer
Stanley Victrum, Chief Information Officer
Tracey Glover, Information Technology Manager
Information Technology Department Staff
Dr. Shannon Tufts, School of Government
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Mayor Pro Tem Haire.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Crisp moved to approve the agenda with the addition of a closed session for consultation with attorney.

SECOND: Council Member Massey

VOTE: UNANIMOUS (9-0)

4.0 OTHER ITEMS OF BUSINESS

4.1 Discussion of City of Fayetteville Information Technology Outsourcing Feasibility Study Report by RHJ Associates, Inc.

Mr. Kristoff Bauer, Assistant City Manager, presented this item and recognized Dr. Shannon Tufts from the UNC School of Government. He provided a brief history of the past studies conducted on the Information Technology (IT) functions and stated in 2006 Council requested staff move forward with a look at more efficient IT services and initiated the most current study

which was conducted in 2007.

Ms. Shannon Tufts, School of Government, then provided a presentation on the strategic IT plan. She stated it was decided to develop a plan assessing the current structure, the current staffing, and the skill sets needed. She stated there would be organizational changes in the IT Department in terms of fitting the best skill sets with the best staff currently in place or new hires. She stated the plan at this point was being reviewed by City staff and would be finalized by the second week of May for Council's review.

A question and answer period ensued regarding the process in writing the strategic IT plan with Ms. Tufts explaining they had interviewed the department heads, the users in the department, and IT staff to obtain different views of the IT needs.

Mr. Bauer stated in 2007 the City had 8 employees in IT and now were up to 20 with 16 of those being existing positions and 4 being new positions to serve approximately 1,700 employees, averaging 1 IT staff for every 85 employees. He stated in comparison, PWC had 30 employees in Information Systems (IS), averaging 1 IS staff for every 20 employees. He stated PWC had informed the City that the study no longer represented where they were today and would not be in the position to manage the City's IT function and the only way PWC could handle the City's IT function would be to outsource or hire additional personnel.

Mr. Iman explained the "Jacobstein" study went on for seven years and the IT Department was in limbo during that time. He stated the Council reviewed the final report and directed staff to keep IT internally and invest in it. He stated in 2009 they had to stop the investment because there was no money.

Mr. Bauer briefly reviewed the next step in the process and stated they would be identifying the level of service they could provide with the existing resources.

This presentation was provided for information purposes only. No action was taken on this item.

4.2 Traffic Stop Forum Action Plan

Mr. Tom Bergamine, Chief of Police, presented this item and provided a recap of the action plan regarding the racial profiling forum. He stated training would be coordinated with the Department of Justice for Fayetteville police officers and members of the community. He stated to date they had 26 cameras and hoped to purchase future cameras at a cost of \$6,000.00 per unit. He stated an operational change was being suggested to require officers to document reasons for traffic related searches. He stated the reason for the searches would be noted on the officer's citation and reviewed by the supervisors at the end of the shift. He stated they would be establishing a community liaison through the Human Relations Department for reviewing bias-based policing complaints and work with the Office of Professional Standards. Mayor Pro Tem Haire inquired how long the videos would be kept. Ms. Patricia Bradley, Police Attorney, responded the statute of limitations was three years from the date of the incident and they would keep the videos until the situation was resolved.

Council Member Applewhite inquired on the life expectancy of a camera and how many cars were not equipped with cameras. Mr. Bradley Chandler, Assistant Police Chief, responded the life expectancy was 10 to 12 years and they would have to outfit 160 cars. Mr. Bergamine further stated they were reviewing the possibility of grants for funding.

Discussion and a question and answer period ensued regarding probable cause and consent to search with Mr. Bergamine explaining it would be documented. Ms. Bradley further explained if there was consent to search, the officer would have the right to search without probable cause, but if there was no consent to search, the officer could not search unless there was probable cause.

Mayor Chavonne requested the quarterly report be submitted to the City Manager for review prior to coming to Council.

This presentation was provided for information purposes only. No action was taken on this item.

4.3 Taxicab Fare Rate Increase

Mr. Marion Wilson, Code Enforcement Administrator, presented this item and provided background information. He stated the last taxi rate increase was August 28, 2008. He stated a representative of the Fayetteville taxicab franchises submitted a written request to the City

Council for a fare increase as follows:

	<u>Current Rate</u>	<u>Proposed Rate</u>
Drop Fee	\$2.00	\$2.10
Per Mile Fee	\$2.10	\$2.40
Per Hour Wait Time Fee	\$15.00	\$18.00

He stated Council directed staff to conduct a survey and 47 licensed taxi franchise operators received the survey. He stated 30 operators responded with 26 of those in favor of the proposed increase.

Consensus of Council was to set a public hearing for April 26, 2011, on this item.

4.4 Threats Assessment for City Council/Public Meetings

Mr. Dale Iman, City Manager, presented this item and provided background information. He stated concern was raised regarding the security practices during City Council meetings. He stated Mr. Kenneth Eaker, Police Captain, was assigned the task of looking at the building and meeting formats and analyzing the data.

Mr. Kenneth Eaker, Police Captain, stated he conducted a threat assessment and explained the process of gathering intelligence information. He stated the City Council meetings were currently assigned two officers who have metal detectors and look for suspicious activity. He stated these officers would now be assigned to the work sessions also. He stated a study was conducted on the environmental design of city hall and they looked at access control, the type of locks, how the public was screened, the proxy card readers, the security at the front of the building, and what additional steps were taken to ensure the safety of everybody in the building. He stated there were changes that would need to be made to the surveillance cameras, such as the resolution, or the possibility of updating the cameras. He stated changes may also need to be made to the proxy card system and the outside perimeter of the building such as the bushes, lighting, and additional street signage. He stated PWC conducted a lighting study and found deficiencies and presented the recommendations. He stated it was suggested that Council be briefed through an annual survey as to the threat level, a safe room be designated, and training be provided. He stated they would need to budget for the improvements.

A question and answer period ensued regarding access through the rear of the building and the use of metal detectors.

This presentation was provided for information purposes only. No action was taken on this item.

4.5 Update on the 2011-2012 Annual Action Plan

Mr. Victor Sharpe, Community Development Director, presented this item and provided an overview of the 2011-2012 Annual Action Plan. He stated the goal was to submit the plan to HUD on May 5, 2011. He provided the funding sources and anticipated program income. He also provided the funding assumptions which included a 7.5 percent reduction in anticipation of the threats to the CDBG program. He stated adjustments would be made once the final allocations were announced.

Council Member Crisp inquired how they arrived at 7.5 percent. Mr. Sharpe responded it was based on the 2012 recommendation and discussions held with other municipalities and HUD.

Mr. Sharpe then reviewed the reductions and the proposed programs and projects and responded to questions posed by Council members regarding the projects and funding.

Council Member Applewhite requested a power point on the economic development activities.

Mr. Sharpe responded that could be included with the Consolidated Annual Performance Evaluation Report at the end of the year.

This presentation was provided for information purposes only and to be placed on the City Council's April 26, 2011, agenda for consideration.

4.6 Update on City-wide Remapping with Unified Development Ordinance (UDO) Zoning Districts

Ms. Karen S. Hilton, Planning and Zoning Division Manager, presented this item and provided an update on the community meetings on the remapping and reviewed the challenges.

This presentation was provided for information purposes only.

4.7 250th City Celebration

Mr. Doug Hewett, Assistant City Manager, presented this item and announced next year would represent the City’s 250th anniversary. He stated the proposal was to work with the Arts Council to develop a community-based committee that would identify activities as well as funding and partnership opportunities. He stated \$50,000.00 would be budgeted in next year’s budget to fund a position with the Arts Council to focus solely on the celebration. He stated the plan was to develop a proposal and come back to Council for guidance.

Mr. Dale Iman, City Manager, suggested adopting a theme for the celebration that would be used by other organizations such as the Dogwood Festival.

Discussion ensued regarding the location of the celebration.

No action was taken on this item.

4.8 Proposed Service Standards for Garbage Collection

Mr. Jerry Dietzen, Environmental Services Director, presented this item and reviewed the recent efficiency improvements which included cart lifter replacements on the back of trucks, purchasing route-smart software resulting in more efficient routes, a commercial scale opening at the landfill reducing wait time, replacement of trucks with larger capacity trucks resulting in less trips to landfill, and maintenance of tires being instituted on Wednesdays resulting in less tire problems during routes. He stated some driver positions were reclassified to collectors resulting in money savings. He reviewed the proposed collection standard changes to include household garbage only being collected from City carts issued to households because the one-arm machine only picks up standard carts, not the round carts bought at retail stores, and the City brown cart bought for yard waste being used as an overflow cart for household garbage. He stated bags or other items outside the cart would not be collected.

Discussion ensued regarding educating the public and the cost of the carts.

Mr. Dietzen then provided the guidelines for placement of the carts and stated they would be placed within one foot of curb or edge of pavement with a minimum of four feet from anything that would interfere with automated collection, such as parked cars, mailboxes, or other carts. Further discussion ensued regarding the proposed service standards.

Mr. Dietzen then reviewed the following proposed new fees:

<u>Proposed Fee</u>	
Collection of household generated construction debris such as construction debris	\$50.00
Set out fee (Renters move out without paying rent and large amounts of items are placed on curb)	\$100.00
Multiple pickup of bulky items within 90 days (Fee charged on every subsequent pickup after first one)	\$50.00

Discussion ensued regarding the proposed fees and the savings.

Council Member Crisp expressed concern on the bulky item fee and requested this be looked at before instituting. Discussion ensued regarding the bulky item fee and people dropping off bulky items elsewhere to avoid paying a fee.

Consensus of Council was to move forward with the following standards:

Proposed Garbage Collections Standards

- Trash will only be collected from City-issued carts. Should one cart not provide adequate capacity, one additional City brown cart may be used for excess trash.
- Bags or other items outside of the cart shall not be collected.
- Carts shall be placed within one foot of the curb or edge of the pavement and a minimum of four feet from anything that may interfere with automated collection.

Proposed New Fees

- Household generated construction debris will be collected by the City for a fee of \$50.00 or the homeowner may dispose of the debris themselves.

- A “set out” will result in a fee of \$100.00.
- Multiple bulky collection pickups within 90 days will result in a fee of \$50.00 for every subsequent pickup after the first one.

Proposed Yard Waste Collection Changes

- Maximum of 30 bags will be collected per household during loose leaf collection season.
- All yard waste must be placed within five feet of the curb or the edge of the pavement.

Discussion ensued regarding the use of clear bags during loose leaf collection. Consensus of Council was to phase in the recommendation to only use clear bags for yard waste.

4.9 Local Preference Policy

Mr. James Rose, PWC Chief Administrative Officer, presented this item and provided information on the survey. He stated they were finding there were more municipalities not having a local preference policy than those that do. He reviewed the trend for PWC local expenditures and City of Fayetteville local expenditures and explained they were spending more locally.

Consensus of Council was that staff monitor the local trends and share at another work session if trend goes to local preference policies.

4.10 Closed Session for Consultation with City Attorney

MOTION: Mayor Pro Tem Haire moved to go into closed session for consultation with the City Attorney.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (7-0)

The regular session recessed at 8:05 p.m. The regular session reconvened at 8:20 p.m.

MOTION: Mayor Pro Tem Haire moved to go into open session.

SECOND: Council Member Massey

VOTE: UNANIMOUS (7-0)

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:20 p.m.