

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE ROOM
FEBRUARY 4, 2013
5:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6) (arrived at 5:20 p.m.); Valencia A. Applewhite (District 7); Wade Fowler (District 8); James W. Arp, Jr. (District 9)

Others Present:

Ted Voorhees, City Manager
Kristoff Bauer, Assistant City Manager
Karen McDonald, City Attorney
Lisa Smith, Chief Financial Officer
John Kuhls, Human Resource Development Director
Tracie Davis, Communications Director
Rebecca Rogers-Carter, Strategic Planning Manager
Steven K. Blanchard, PWC CEO/General Manager
Leslie Mozingo, The Ferguson Group
Warren Miller, Fountainworks Consulting Firm
Julie Brenman, Fountainworks Consulting Firm
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Council Member Haire.

3.0 APPROVAL OF AGENDA

MOTION: Mayor Pro Tem Arp moved to approve the agenda with moving Item 4.2 after Item 4.5.

SECOND: Council Member Bates

VOTE: UNANIMOUS (9-0)

4.0 OTHER ITEMS OF BUSINESS

4.1 Calendar 2013 Draft Federal Legislative Agenda

Ms. Rebecca Rogers-Carter, Strategic Planning Manager, introduced Ms. Leslie Mozingo of The Ferguson Group. Ms. Mozingo explained the City of Fayetteville, Cumberland County, and the Fayetteville-Cumberland County Chamber of Commerce had partnered with The Ferguson Group to develop a community-wide federal legislative agenda for calendar year 2013. She stated the partners met December 12, 2012, in a series of meetings with City and County department heads to discuss community federal advocacy needs with The Ferguson Group lobbyists Debra Bryant and Sara Guy and during the day-long work shop, time was also allocated for City Council members and County Commissioners. As a result of the meetings, she stated The Ferguson Group developed a draft of the Calendar Year 2013 Federal Legislative Agenda for review and discussion. She explained the initiatives were not in priority order and the agenda was based on critical projects and legislative advocacy concerns which the partners had identified as priorities for the community and which the lobbyist felt could be successful. Similar to the 2012 federal agenda, she stated this year's agenda represented a major change from years past and instead of focusing on earmarks, it now focused on federal grant opportunities and legislative advocacy.

A brief discussion period ensued regarding the following issues on the Federal Legislative Agenda:

- Homeland Security, Emergency Response and Public Safety
- Veterans, Health and Human Services
- Transportation, Environment and Infrastructure
- Economic and Workforce Development

Consensus of Council was to bring this item for a formal vote at the February 11, 2013, City Council meeting.

4.3 PWC Consolidation Resolution

Mr. Ted Voorhees, City Manager, presented this item and stated the Council held discussions regarding the City's relationship with the PWC and the Fayetteville utilities managed thereby during the FY 2013 strategic planning retreat held one year ago. He stated while the history of the relationship was lengthy and varied, there was strong consensus from Council that opportunities to gain efficiencies through the consolidation and/or reorganization of support services should be explored in pursuit of lowering costs for both utility rate payers and City tax payers. He further stated the interest was discussed with the PWC and included in the goal setting process that they completed around the same time. He stated the PWC action item was, unfortunately, more vague than that established by the Council. Further, he stated two new PWC Commissioners had been appointed who had not participated in the dialogue that led to these two similar expressions of interest. He stated the action plan prepared by staff in pursuit of this objective included working with Council to clarify short- and long-term objectives. He stated this step would provide an opportunity for the Council to establish its expectations of both City staff and the PWC. He stated there was no intent to eliminate positions and if there was a need to "right size", this could be accomplished through attrition. A copy of a letter addressed to the Mayor and City Council from the Public Works Commissioners dated February 1, 2013, was provided to the Mayor and Council members.

Council Member Haire inquired who would handle the legal matters for PWC if they were in jeopardy of being sued. Ms. Karen McDonald, City Attorney, responded the PWC would hire legal counsel.

Council Member Hurst stated it was prudent and wise to acknowledge the opportunity to gain efficiencies and stated he approved of hiring a consultant as opposed to the PWC recommendation of an in-house study group.

Council Member Massey stated they needed to move in an effective way as they had not always kept up with the best practices and encouraged everyone to read the Charter.

Council Member Applewhite inquired of the City Attorney if the PWC could sue the City. Ms. McDonald responded the PWC was not a separate legal entity.

Council Member Crisp stated an in-house study group would be totally inappropriate and explained staff and elected and appointed officials were not qualified to conduct this time consuming and in-depth research. He stated they needed an independent outside agency to do this for them.

Mayor Pro Tem Arp agreed with Council Member Crisp that this type of research and analysis was beyond their purview.

Council Member Bates inquired if they could request a memorandum of understanding from the PWC prior to hiring a consultant. Mayor Chavonne explained that the letter that was earlier provided to Council stated cooperation and stated the process of looking for efficiencies would be open and transparent.

Council Member Davy inquired of the City Manager as to what timeline he envisioned for the study. Mr. Voorhees responded the first order of business was to hire the consultant and from the findings action could be taken.

Consensus of Council was to bring this item for a formal vote at the February 11, 2013, City Council meeting.

4.4 Sales Tax Distribution

Ms. Lisa Smith, Chief Financial Officer, presented this item with the aid of a power point presentation and stated staff presented background information at the January 7, 2013, City Council meeting regarding the City's interlocal agreement with Cumberland County for the

distribution of sales tax revenue. Since that time, she stated the Council received a letter from Cumberland County Commission Chair Jimmy Keefe which stated there was an interest on the County's part in increasing the percentage of sales tax diverted back to the County from 50 percent (provided by the expiring interlocal) to 60 percent. She explained staff was seeking input from Council regarding the desired outcome of the conversation with the County on sales tax distribution for which the recommended outcome would be a response letter from the Mayor to Chairman Keefe. She further explained the estimated impact of the policy proposed by Chairman Keefe was estimated to be an additional payment to the County in an amount between \$400,000.00 and \$500,000.99 in FY 14.

A brief discussion period ensued.

Consensus of the Council was to direct staff to develop sales tax distribution scenarios for consideration by the municipalities and County.

4.5 City Council Request(s):

(a) Council Member Haire - UDO

Council Member Haire presented this item and stated he had sent an e-mail to the Mayor and Council that detailed a list of questions and concerns regarding the Unified Development Ordinance (UDO) from area builders and developers. He further stated he had also been in contact with the Home Builders Association and advised there was a desire to set up a permanent review type committee.

Mr. Voorhees stated if Council's interest was to initiate a UDO Review Committee, staff would put together a proposal of how that committee would be comprised and operate. He further stated a meeting had already been scheduled for staff and area developers/builders to discuss options.

Council Member Massey stated the UDO was an ongoing document with reviews and revisions and it would be of benefit to all to have a group looking at the processes.

Mayor Chavonne stated the UDO was a dynamic document that was in continuation, and it was a good thing they now had a firm list of items to review from the stakeholders.

Council Member Applewhite stated a committee would be receiving constant feedback from stakeholders.

Council Member Haire stated the stakeholders would put forth names of individuals they recommended to serve on the proposed UDO Review Committee.

Council Member Crisp recommended the proposed committee be of an informal type.

Consensus of the Council was to direct the City Manager to proceed with putting together a proposal of how the UDO committee would be comprised and operate.

4.2 Community Visioning

Ms. Rebecca Rogers-Carter, Strategic Planning Manager, presented this item and stated the Council meets annually to refine the items that comprise the City's strategic plan. She explained the elements of the current strategic plan included a 15-year vision statement, a Mission Statement, Core Values, 5-year Goals, and a 1-year work plan with targets for action that guide policy and management agendas for the coming year. She further explained the strategic plan was a critical component of a larger system of planning for the organization's success, which included the annual budget process, CIP and ITP prioritization, and financial planning.

Throughout the year, she stated City management meets regularly in strategic planning sessions to monitor and evaluate action plans and report results to Council on a quarterly basis.

She further stated this year, in an effort to promote greater accountability for results and transparency, their process would include identification of specific objectives and performance measures for each target for action. She explained this cycle of continuous planning and evaluation allowed their organization to respond to changing environments.

Ms. Rogers-Carter introduced Mr. Warren Miller and Ms. Julie Brenman of Fountainworks Consulting Firm. Mr. Miller and Ms. Brenman organized the Mayor and Council members into teams for participation in a "brain storming" activity pertaining to creating the "ideal community".

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:40 p.m.