

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
AUGUST 12, 2013
7:00 P.M.**

Present: Mayor Anthony G. Chavonne
Kady-Ann Davy (District 2)(via telephone); 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); Wade Fowler (District 8); James W. Arp, Jr. (District 9)
Absent: Council Member Keith Bates, Sr. (District 1)
Others Present:

Theodore Voorhees, City Manager
Kristoff Bauer, Deputy City Manager
Rochelle Small-Toney, Deputy City Manager
Karen McDonald, City Attorney
Harold Medlock, Police Chief
Victor Sharpe, Community Development Director
Randy Hume, Transit Director
Patricia Bradley, Assistant City Attorney
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 Reverend Dollie Manigo, NAACP Chaplain.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Mayor and Council.

4.0 APPROVAL OF AGENDA

MOTION: Mayor Pro Tem Arp moved to approve the agenda.

SECOND: Council Member Fowler

VOTE: UNANIMOUS (9-0)

5.0 PUBLIC FORUM

Mr. Dennis Biddle, 3495 Thamesport Road, Fayetteville, NC 28311, requested Council waive a requirement that he voluntarily petition to have a 52-acre tract annexed into the city before he can get public water or sewer for his proposed development. He stated he would like to develop the tract under Cumberland County's less-stringent rules, which require less acreage to be set aside for open space. He further stated it is more conducive for his plan to be developed under the county. Mr. Biddle said he would pledge to have the site annexed into the city after it is fully developed under county rules.

Ms. Caretha Smith, 6333 Greycliff Drive, Fayetteville, NC 28314, stated concerns regarding excessive noise and disturbances in her neighborhood from the operation of multiple motorcycles.

6.0 CONSENT

MOTION: Council Member Hurst moved to approve the consent agenda.

SECOND: Council Member Fowler

VOTE: UNANIMOUS (9-0)

6.1 Approve Meeting Minutes:

July 22, 2013, Discussion of Agenda Items

July 22, 2013, Regular Meeting

6.2 Capital Project Ordinance Amendment 2014-17 (North Carolina Veterans Park)

The proposed ordinance amendment will appropriate an additional \$695,641 for the North Carolina Veterans Park project.

6.3 Approval of System-wide Transit Service Standards

RESOLUTION TO ADOPT STANDARD SERVICES AND POLICIES. RESOLUTION NO. R2013-040

6.4 Request from Mitchell Properties of Florence, Inc.

Council authorized the City Manager to execute documents to effectuate the release and reconveyance of an unused portion of a water and sewer easement located on the south side of US 401 South in order for the owner to more efficiently and productively develop the property.

6.5 Request from Bill Properties

Authorizes the City Manager to execute the necessary documents to authorize the plan to relocate, at the owner's expense, the easements in North View Plaza as outlined and release those parts of the existing easements as described to accept for the City the new easements conveyed by the owner within which to install the relocated utility line(s).

7.0 OTHER ITEMS OF BUSINESS

7.1 Consideration of Task Force to Respond to City Council Concerns: Crime Reduction

Harold Medlock, Police Chief, presented this item and stated currently the Fayetteville Police Department (FPD) is focusing on several projects that they believe will enhance the safety and security of the City of Fayetteville. The reorganization of the FPD includes the redeployment of officers, structuring the department into three patrol districts and the designation of nine lieutenants responsible for crime, quality of life and relationships with the community in the nine patrol sectors. This restructuring provides for enhancing the community policing philosophy and its problem-solving component for the FPD and for the City. The FPD has developed an Electronic Monitoring (EM) Program, which provides close supervision of the most prolific offenders in our City who are able to bond out of jail for felony arrests. This proven program is in effect in other major North Carolina cities and has proven very effective in reducing crime and offender recidivism. The FPD has previewed the program with the Cumberland County District and Superior Court judges, the Cumberland County District Attorney and all are willing to pilot the program. The EM Program will be formally presented to the Cumberland County Judicial System in September of this year with implementation of a pilot project following this fall. This pilot project will be funded with drug asset forfeiture funds. The FPD is beginning the implementation of a CCTV system that will serve as a force multiplier. The CCTV system will be installed in public rights of way to allow FPD to monitor large crowds in Festival Park and the Downtown Business District, as well as City owned parks and nearby problem locations such as nightclubs. Additionally the CCTV system will be monitored live for several hours each day by the Criminal Intelligence Unit in a newly created FPD Crime Information Center (CIC) located in FPD headquarters. The CCTV system will be recorded and operational 24/7. The system will be designed to allow the FPD to tie into existing private CCTV systems that will provide even more coverage across the city. This public/private partnership is a perfect example of City Council and the City Manager's vision for such partnerships. The initial CIC and cameras will be funded by a Justice Assistance Grant and by the Downtown Business Alliance. Many private enterprises are expressing great enthusiasm for partnering in this project. FPD is conducting research on additional technology such as license plate readers and gunshot detection systems for inclusion in the CIC. Over the past months, the FPD has identified that street level prostitution, and in some cases human trafficking, is plaguing many of our neighborhoods within our City. The FPD has reassigned a patrol officer to the Detective Bureau to begin an enforcement and treatment strategy to address the prostitution issue. The FPD is reaching out to service providers and churches to develop strategies to assist prostitutes in transitioning out of this lifestyle. FPD is in the very early stages of the work and will need the assistance of every service provider in the City to make an impact on this crime. The FPD, with the support of the Cumberland County Schools and in cooperation with the Cumberland County Sheriff's Office, secured a grant through the N.C. Governor's Crime Commission for a Gang Prevention Schools Project to reduce gang and gun violence. Officers of the Fayetteville Police Department will administer the program to middle school students for gun and gang education, awareness and prevention

during the 2013/2014 school term. FPD is currently involved in several educational and intervention strategies including the FPD Youth Academy, which provides middle school to high school age youth the opportunity to spend one week each summer to experience the role of a police officer. Each year, approximately twenty youth spend an intensive week with FPD officers who volunteer to serve as teachers and mentors. The FPD Citizens Academy provides adult members of our City with the opportunity to experience the training, operations and philosophy of our police officers and police instructors. This multi-week academy graduates many citizens who receive a better understanding of police work and usually serve as ambassadors for the department within the community. The first City Community Watch Coordinator Summit was held on August 1, 2013. This meeting provided for 93 community watch coordinators of the 131 community watch programs to come together to meet with City Senior Staff and to share experiences in an open forum. This successful summit will continue with two meetings each year to determine and facilitate best practices and lessons learned. Over the past several years, the FPD has been a recipient of the Cal Ripken Grant that has allowed for the organization of the baseball league. Hundreds of youth (boys and girls) participate in the league, which is fundamental in having children involved in a sports program with responsible adults and police officers serving as coaches. This is the only organized police sponsored program in the City. Chief Medlock stated crime prevention is the key to making Fayetteville the safest city in North Carolina. Any opportunity to develop and implement intervention strategies on a broad spectrum will prevent crime and improve the safety and perception of safety in our City. A Crime Prevention Task Force can be of invaluable assistance in developing and leading many of the intervention strategies that will prevent crime and help our youth focus on positive activities. Historically a police department leads the research, development and implementation of programs and activities of intervention strategies that assist in crime prevention. A Crime Prevention Task Force can take these programs and intervention strategies as their own, allowing the FPD to concentrate on its core business of community policing, problem solving and crime fighting, becoming one of the service providers on specific intervention strategies rather than taking each as its own.

A brief discussion ensued.

MOTION: Council Member Crisp moved to approve the concept of a Crime Prevention Task Force and to direct staff to further define specific goals and objectives.

Second: Mayor Pro Tem Arp

VOTE: UNANIMOUS (9-0)

7.2 Consideration of Task Force to Respond to City Council Concerns: Economic Development

Ms. Rochelle Small-Toney, Deputy City Manager, presented this item and stated at the July 22, 2013 City Council meeting the Council charged the City Manager with forming a task force for economic development. The City has a contractual agreement with The Alliance, a division of the Fayetteville Regional Chamber of Commerce, to provide certain economic development programs in the City. The Alliance's 2013-2014 Economic Development Program Focus Areas are closely aligned with the recommended scope of the work proposed for a task force (New Business Development, Existing Industry/Business Retention, Product Development, Entrepreneur/Economic Gardening and Investor Relations). Further, the Gardner Study prepared in May 2012, "Fayetteville – Cumberland County Chamber of Commerce - A Blueprint for Success: A Holistic Economic Development Strategy for Fayetteville and Cumberland County, N.C.," would be useful in guiding the work of the task force. The Alliance's 2013-2014 Work Plan could be expanded to include work in other areas of economic development such as job creation for youth, which is not a focus area at the present time. With The Alliance serving as the umbrella organization for the task force or subcommittees, this revised structure would eliminate duplication of City and community resources, as well as cross communications to the Council and the community relative to economic development program strategies and planning. A brief discussion ensued.

MOTION: Council Member Hurst moved to approve and to dedicate a Work Session for this item.

Second: Council Member Crisp

Council Member Crisp asked Council Member Hurst if he would consider amending his motion to include "to approve the concept." Council Member Hurst agreed to the amendment. Council Member Hurst re-stated his motion.

MOTION: Council Member Hurst moved to approve the concept of a Task Force on Economic Development and to direct staff to dedicate a Work Session for this item.

VOTE: UNANIMOUS (9-0)

8.0 ADMINISTRATIVE REPORTS

8.1 Settlement for Fiscal Year July 1, 2012, through June 30, 2013.

Charge:

Real & Personal Charge 2012	\$55,884,633.48
Storm Water Charge 2012	1,742,841.60
Fayetteville Storm Water Charge 2012	3,485,683.20
Vehicles Charge 2012	7,504,250.60
2005 Annexation in 2012 Charge	.00
Curbside Recycle Charge 2012	2,289,500.00
Added Charge Real & Personal 2012	6,468,969.27
Added Charge Storm Water 2012	2,154.00
Added Charge Fayetteville Storm Water 2012	4,685.00
Added Charge Vehicles 2012	34,456.47
Added Charge Annexation 2012	.00
Added Charge Curbside Recycle 2012	6,059.00
Fayetteville Gross Receipts Vehicle Tax Current Year 2012	499,686.81
Fayetteville Gross Receipts Vehicle Tax Current Year 2012 Penalty	.00
Fayetteville Heavy Equipment Gross Receipts 2012	90,420.91
Fayetteville Heavy Equipment Gross Receipts 2012 Penalty	.00
Total Interest Collected	<u>320,534.99</u>
Total Charge:	<u>\$78,333,875.33</u>

Credits:

Deposited with Finance Real & Personal 2012	\$55,918,008.07
Deposited with Finance Vehicles 2012	5,569,906.78
Deposited with Finance Annexation Taxes 2012	.00
Deposited with Finance Storm Water 2012	1,731,316.18
Deposited with Finance Fayetteville Storm Water 2012	3,462,998.88
Deposited with Finance Curbside Recycle 2012	2,268,868.16
Fayetteville Gross Receipts Vehicle Tax Current Year 2012 & Penalty	499,686.81
Fayetteville Heavy Equipment Gross Receipts 2012 & Penalty	90,420.91
Interest Deposited with Finance	320,534.99
Releases Real/Personal Allowed 2012	6,009,120.70
Releases Vehicles Allowed 2012	573,120.47
Storm Water Releases Allowed 2012	666.00
Fayetteville Storm Water Releases Allowed 2012	1,355.50
Annexation Releases Allowed 2012	.00
Curbside Recycle Releases Allowed 2012	1,117.50
Real/Personal Balance 2012	426,473.98
Vehicles Balance 2012	1,395,679.82
Storm Water Balance 2012	13,013.42
Fayetteville Storm Water Balance 2012	29,033.82

Annexation Balance 2012	.00
Curbside Recycle Balance 2012	25,573.34
Total Credits:	<u>\$78,333,875.33</u>
Charge:	
Real & Personal 2011	\$ 411,624.68
Vehicles 2011	1,279,355.12
2005 Annexation in 2011 Charge	.00
Storm Water 2011	14,738.47
Fayetteville Storm Water 2011	29,477.00
Curbside Recycle 2011	26,777.42
Real & Personal 2010	116,748.82
Vehicles 2010	304,417.25
2005 Annexation in 2010 Charge	35.50
Storm Water 2010	1,991.58
Fayetteville Storm Water 2010	3,983.15
Curbside Recycle 2010	5,023.05
Real & Personal 2009 & Prior	298,468.47
Vehicles 2009 & Prior	1,554,134.97
2005 Annexation in 2009 Charge	3,002.68
Storm Water 2009 & Prior	5,781.84
Fayetteville Storm Water 2009 & Prior	2,952.39
Curbside Recycle 2009 & Prior	3,676.79
Total Charge:	<u>\$4,062,189.18</u>
<u>Barred by Statute: 2002</u>	
Barred by Statute – Real/Personal	\$ 33,774.07
Barred by Statute - Vehicles	137,188.50
Barred by Statute - Storm Water	830.62
<u>171,793.19</u>	
Credits:	
Real & Personal Collections 2011	290,290.77
Vehicle Collections 2011	831,278.60
2005 Annexation in 2011 Charge Collections	.00
Storm Water 2011 Collections	9,793.27
Fayetteville Storm Water 2011 Collections	19,586.58
Curbside Recycle 2011 Collections	21,437.64
Real & Personal Collections 2010	38,477.83
Vehicle Collections 2010	35,123.19
2005 Annexation in 2010 Charge Collections	.00
Storm Water 2010 Collections	1,036.90
Fayetteville Storm Water 2010 Collections	2,073.79
Curbside Recycle 2010 Collections	2,772.10
Real & Personal 2009 & Prior Collections	29,494.07
Vehicle 2009 & Prior Collections	47,034.62
2005 Annexation in 2009 & Prior Collections	668.29
Storm Water 2009 & Prior Collections	1,124.66
Fayetteville Storm Water 2009 & Prior Collections	1,136.38
Curbside Recycle 2009 & Prior Collections	1,821.25
Real & Personal Releases Allowed 2011	2,351.72
Vehicles Releases Allowed 2011	122,246.18
2005 Annexation in 2011 Releases Allowed	.00
Storm Water Releases Allowed 2011	.00
Fayetteville Storm Water Releases Allowed 2011	.00
Curbside Recycle Releases Allowed 2011	38.00

Real & Personal Releases Allowed 2010	92.78
Vehicles Releases Allowed 2010	10,855.79
2005 Annexation in 2010 Releases Allowed	.00
Storm Water Releases Allowed 2010	.00
Fayetteville Storm Water Releases Allowed 2010	.00
Curbside Releases Allowed 2010	.00
Real & Personal Releases Allowed 2009 & Prior	13.41
Vehicles Releases Allowed 2009 & Prior	7,456.59
2005 Annexation in 2009 & Prior Releases Allowed	.00
Storm Water Releases Allowed 2009 & Prior	24.00
Fayetteville Storm Water Releases Allowed 2009 & Prior	0.00
Curbside Releases Allowed 2009 & Prior	0.00
Real & Personal Balance 2011	118,982.19
Vehicles Balance 2011	325,830.34
2005 Annexation in 2011 Balance	.00
Storm Water Balance 2011	4,945.20
Fayetteville Storm Water Balance 2011	9,890.42
Curbside Recycle Balance 2011	5,307.78
Real & Personal Balance 2010	78,178.21
Vehicles Balance 2010	258,438.27
2005 Annexation in 2010 Balance	35.50
Storm Water Balance 2010	954.68
Fayetteville Storm Water Balance 2010	1,909.36
Curbside Recycle Balance 2010	2,250.95
Real & Personal Balance 2009 & Prior	235,186.92
Vehicles Balance 2009 & Prior	1,362,422.26
2005 Annexation in 2009 & Prior Balance	2,334.39
Storm Water Balance 2009 & Prior	3,802.56
Fayetteville Storm Water Balance 2009 & Prior	1,816.01
Curbside Recycle Balance 2009 & Prior	<u>1,855.54</u>
Total:	<u>3,890,395.99</u>
Total Credits:	<u>\$4,062,189.18</u>

The following covered the verification of tax funds for fiscal year ended June 30, 2013:

	General Fund	CBDT	Annexation
1. Current Year Original			
Levy			
(Real and Personal)	12,217,908,182	125,788,170	
Total Property Valuation			
Tax Rate Per	0.456	0.100	0.397
Amount of the	55,713,661.31	125,788.17	
Levy			
Late Listings	44,920.03	263.97	
2. Discoveries and			
Releases			
Discoveries	1,398,706,818	156,500	
Total Property			
Valuation			
Tax Rate Per	0.456	0.10	0.397

Levy	Amount of the	6,378,103.09		156.50	
	Late Listings	90,690.86		18.82	
	Releases				
Valuation	Total Property	(1,312,201,535)		(195,130)	
100	Tax Rate Per	0.456		0.10	0.397
Levy	Amount of the	(5,983,639.00)		(195.13)	
	Late Listings	(25,253.72)		(32.85)	
3. Taxes remitted to the City					
for Tax Years:		55,795,021.13		122,986.94	
	2012				
	2011	289,717.77		573.00	
	2010	38,333.77		144.06	
Prior	2009 &	29,489.51		4.56	668.2
4. Interest		151,580.53		514.85	336.6
5. Balance due the City at					
June 30, 2012, for:		423,461.44		3,012.54	
	2012				
	2011	116,303.34		2,678.85	
	2010	77,460.11		718.10	35.5
Prior	2009 &	268,690.35		270.64	2,334.3
	General Fund		CBDT	Vehicle License	Transportation
	Vehicles		Vehicles	Tax	Fee
6. Current Year					
Original Levy					
(Vehicles)	1,344,918,441		5,882,510		
Total Property					
Valuation					
100	Tax Rate Per	0.456		0.10	
Levy	Amount of the	6,132,828.09		5,882.51	682,770.00
7. Discoveries and					
Releases					
Discoveries	6,658,217		0		
Total Property					
Valuation					
100	Tax Rate Per	0.456		0.10	
Levy	Amount of the	30,361.47		0	2,050.00
Releases					
Total Property	(112,342,037)		(235,780)	0	
Valuation					

100	Tax Rate Per	0.456	0.10		
Levy	Amount of the	(512,279.69)	(235.78)	30,305.00	30,300.00
3. Taxes remitted to					
the City for Tax Years:	4,548,480.89	5,281.47	508,072.12	508,072.30	
2012					
2011	644,846.52	239.98	93,096.07	93,096.00	
2010	22,946.54	4.21	6,086.21	6,086.20	
2009 &	35,023.10	0.28	8,138.82	3,872.40	
Prior					
4. Interest	129,849.61	29.58		14,827.60	
5. Balance due the					
City at June 30, 2012,	1,102,428.98	365.26	146,442.88	164,442.70	
or:					
2012					
2011	238,314.03	42.76	43,741.84	43,731.70	
2010	187,283.37	45.36	35,554.84	35,554.70	
2009 &	1,254,238.52	358.48	195,232.37	49,814.30	
Prior					
	Storm Water	Fayetteville	Curbside		
	Management	Storm Water	Recycling		
		Management			
1. Current Year Original					
Levy					
(Real and Personal)					
Total Property					
Valuation					
Tax Rate Per \$100					
Amount of the Levy	1,742,841.60	3,485,683.20	2,289,500.00		
2. Discoveries and					
Releases					
Discoveries					
Total Property					
Valuation					
Tax Rate Per \$100					
Amount of the Levy	2,154.00	4,685.00	6,059.00		
Releases					
Total Property					
Valuation					
Tax Rate Per \$100					
Amount of the Levy	(666.00)	(1,335.50)	(1,117.50)		
3. Taxes remitted to the City					
for Tax Years:	1,731,316.18	3,462,998.88	2,268,868.16		
2012					
2011	9,793.27	19,586.58	21,431.64		
2010	1,036.90	2,073.79	2,772.10		
2009 &	1,124.66	1,136.38	1,821.25		
Prior					
4. Interest	5,010.95	9,315.70	9,069.47		

5. Balance due the City at				
June 30, 2012, for:		13,013.42	26,033.82	25,573.34
2012				
2011		4,945.20	9,890.42	5,307.78
2010		954.68	1,909.36	2,250.95
2009 &		4,633.18	1,816.01	1,855.54
Prior				

The following summarized the 2002 real/personal and vehicle taxes to be barred:

	Vehicles	Personal	Real	Public Service	Fees	Total
County		81,118.37				
County Pets	432,011.64	804.12	21,661.00	21,661.33	0.00	556,457.33
Fayetteville						
Revit	118,456.65	19,545.97	1,802.03			152,218.85
Fayetteville	48.23	11.85	-	12,414.22	0.00	60.00
Vehicle Fee	18,68.62					18,683.62
Hope Mills					0.00	8,681.50
Hope Mills	7,399.74	1,281.83				
Vehicle Fee	1,716.73	25.00	-	-	0.00	1,716.73
Hope Mills Pets					0.00	25.00
Spring Lake	11,224.72	885.18	-	-	0.00	12,109.90
Stedman	408.41	-	-	-	0.00	408.41
Stedman						
Vehicle Fee	75.00	-	-	-	0.00	75.00
Godwin	33.06	-	-	-	0.00	75.00
Vade	159.38	9.51	4.70	-	0.00	173.59
Falcon	72.01	-	-	-	0.00	72.01
Winden	52.12	3.20	-	-	0.00	55.32
Eastover	-	-	-	-	0.00	0.00
Solid Waste						
User Fee	-	-	-	-	1,930.48	1,930.48
Storm Water						
Fee	-	-	-	-	830.62	830.62
Advertising Fee	-	-	-	-	1,040.65	1,040.65
Total	590,341.31	103,685.03	23,467.73	34,080.55	3,801.75	755,376.37
TA500 MR						
VEHICLES	590,341.31					
TA500 MR CC	130,954.51					
TA500 MR PS	34,080.55					
	755,376.37					

8.2 Levy for 2013-2014 Fiscal Year

City of Fayetteville:	No. of Accts.	Real Value	Personal Value	**Exempt Value	Taxable Value
Real Property with Personal	87,965	11,870,571,153	590,055,221	196,839,599	12,263,786,775
Public Service	0	0	0	0	0
Total:	87,965	11,870,571,153	590,055,221	196,839,599	12,263,786,775
Description:	Rate	Taxes	Late List	Total:	

Real Property with Personal	0.456	55,922,869.98	48,599.11	55,971,469.09	
Public Service		0.00	0.00	0.00	
Total:		55,922,869.98	48,599.11	55,971,469.09	
Revitalization	No. of Accts	Real Value	Personal Value	***Exempt Value	Taxable Value
Real Property with Personal	838	109,229,160	13,694,226	45,000	122,878,386
Public Service	0	0	0	0	0
Total:	838	109,229,160	13,694,226	45,000	122,878,386
	Rate	Taxes	Late List	Total	
Real Property with Personal	0.10	122,878.76	268.93	123,147.69	
Public Service		0.00	0.00	0.00	
Total:		122,878.76	268.93	123,147.69	

Exempt Value:			Revit Exempt Value:	
Real	195,745,648		Real	45,000
Personal	1,093,951		Personal	0
Total:	196,839,599		Total:	45,000
Fayetteville Storm Water:		3,513,091.20		
Fayetteville Recycling:		2,300,026.00		
Storm Water:		1,756,545.60		

9.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:25 p.m.