

**FAYETTEVILLE CITY COUNCIL**

**WORK SESSION MINUTES**

**LAFAYETTE ROOM**

**MAY 4, 2015**

**5:00 P.M.**

Present: Council Members Kathy Jensen (District 1) (arrived at 5:15 p.m.); Kady-Ann Davy (District 2); H. Mitchell Colvin, Jr. (District 3); Chalmers McDougald (District 4);

Robert T. Hurst, Jr. (District 5); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp (District 9)

Absent: Mayor Nat Robertson

Others Present:

Theodore Voorhees, City Manager

Kristoff Bauer, Deputy City Manager

Rochelle Small-Toney, Deputy City Manager

Jay Reinstein, Assistant City Manager

Karen McDonald, City Attorney

Ben Major, Fire Chief

Gerald Dietzen, Environmental Services Director

Victor Sharpe, Community Development Director

Scott Shuford, Development Services Director

Jacques Howard, Economic Development Director

Barbara Hill, Human Resources Development Director

Mark Brown, PWC Utility Services Director

Pamela Megill, City Clerk

Dr. Victoria McGrath, McGrath Human Resources Group

Mr. Bob Brickner, Executive Vice President, GBB Solid Waste Management

Consultants

Members of the Press

**1.0 CALL TO ORDER**

Mayor Pro Tem Davy called the meeting to order.

**2.0 INVOCATION**

The invocation was offered by Council Member McDougald.

**3.0 APPROVAL OF AGENDA**

**MOTION: Council Member Crisp moved to approve the agenda.**

**SECOND: Council Member Hurst**

**VOTE: UNANIMOUS (8-0)**

**4.0 OTHER ITEMS OF BUSINESS**

**5.1 Public Safety Compensation Study**

Mr. Kristoff Bauer, Deputy City Manager, introduced this item and stated the City of Fayetteville contracted for the services of McGrath Consulting Group, Inc., to analyze the City's current compensation structures and practices as they apply to the public safety departments, to include Fire, Police, and Communications, excluding non-sworn, administrative, and clerical positions. After conducting an external market survey and study of similar positions in peer cities and departments, McGrath Consulting Group, Inc., developed a proposal to address to some extent parity in compensation structures between the public safety departments, alignment with external markets, and other compensation issues and concerns. Mr. Bauer introduced Dr. Victoria McGrath, McGrath Human Resources Group.

Dr. McGrath presented this item with the aid of a PowerPoint presentation and stated the Police, Communications, and Fire/Emergency Management Departments are considered to be public safety departments within the City. However, departmental challenges in recruitment and operational needs have resulted in compensation structures that differ between each department, with each creating their own set of challenges. It has resulted with the Police Department implementing a step program for officers that excludes the upper ranks. The

system has contributed to compression between ranks and less enticement for personnel to promote to upper ranks moving outside of the step plan. However, fiscal challenges are associated with maintaining the program as currently funded. In 1998 the Fire/Emergency Management Department implemented a career development plan to incentivize personnel to obtain various certifications to help ensure the department's capacity to meet various operational needs. The program has remained in place over the past 15 years with changes to requirements as needed to address revisions in state and local response standards. The flat rate compensation aspect of the program has remained the same over the 15-year time span, while at the same time staffing and operational needs have resulted in less training being approved on duty, requiring more personnel to complete training during off-duty hours. The Communications Division of the Police Department, as well as the Fire/Emergency Management Department, fell under the City's compensation plan for general employees. The concern for Communication personnel hinges on the scope of training and responsibility required of the City as compared with peer dispatching agencies and a challenge of addressing high turnover rates within the department. Each department is faced with similar challenges as well as some that are unique to the specific department. Each has positions that have been identified as being either below the minimum average market rate or at the lower end of the market rate. The issue creates marketing challenges as each strives to attract quality candidates and maintain trained personnel in which resources and time have been invested. Resulting vacancies can impact service delivery as each department strives to meet the City of Fayetteville's mission and goals. Internally, each department subscribes to a different compensation system, yet all are considered public safety departments.

Council Member Crisp stated now was not the time to revise the Police Department pay plan due to current national climate. He further stated the police officers were doing the job.

Council Member Arp asked Dr. McGrath to define market rate. Dr. McGrath responded it was the average of the comparables that she was asked to look at.

Council Member Colvin asked who decided which cities would be surveyed. Dr. McGrath responded the Chiefs selected cities that had similarities to the City of Fayetteville. Chief Major further responded he had looked at cities with close proximity to a military base.

Council Member McDougald asked if diversity was a factor included in the survey. Dr. McGrath responded diversity was not a consideration in the survey.

Council Member Crisp stated the City Council recognizes the recommendation to do something now.

**Consensus of Council was to accept the Public Safety Compensation Study Report, and to create options for implementing a pay plan with options (one year, two year, and three year).**

## **5.2 Comprehensive Solid Waste Study Report**

Mr. Gerald Dietzen, Environmental Services Director, introduced Mr. Bob Brickner, Executive Vice President, GBB Solid Waste Management Consultants (GBB). Mr. Bricker gave an overview of GBB and presented the report to the City of Fayetteville for a Comprehensive Solid Waste Study with the aid of a PowerPoint presentation. Mr. Brickner stated the extensive report has been provided to the Council and was included in the agenda packet. Mr. Bricker stated in Part I of the project, we conducted an analysis comparing the City's current waste hauling services with neighboring municipal solid waste services and regional private waste hauling services. The analysis included operational and equipment costs, services, efficiencies, and customer service such as call-backs. We also assessed the value-added aspects of municipal services, the benefits and limitations of solid waste workers as City forces versus private-sector employees, and evaluated the software and on-board communications tools used by the City.

We then used this information and comparative analysis to provide a series of recommendations concerning the direction of the City's solid waste management with recommendations addressing the following:

- Benefit of initiating synergistic waste disposal partnerships;

- Fiscal cost-benefit of outsourcing solid waste collection operations;
- Operational adjustments to optimize current resource utilization; and
- Modifications to increase efficiency and cost-effectiveness of recycling and material recovery.

A significant task in Part I, which was actually the first task to be completed, was a waste characterization study, also called a waste sort. GBB proposed a single-season, one-week “snapshot” study that identified both the components of the waste sent for disposal, as well as the materials source-separated by residents for recycling. This approach will allow the City to gain as much value as possible from the study in an economical manner.

Part II of the project called for GBB to review potential regional waste programs, including regional costs and institutional issues related to developing a Waste-to-Energy (WTE) project with Fort Bragg. GBB also was contracted by the City to include the consideration of a mixed waste processing facility (MWPF), which could serve to glean further recyclables from the “garbage”, while potentially preparing a higher heating value (HHV) fuel for a WTE facility. Upon completion, the comparative analysis and series of recommendations from the project are intended to provide the City of Fayetteville with the requisite background, research, and technical understanding to make informed planning decisions regarding future solid waste programs, partnerships, and operations. A review of staff resources and costs for each of the key waste-related activities provided as services to the citizens of the City was conducted. The review consisted of allocation of equipment, labor, set out requirements, and procedures for managing the solid waste collected. Environmental Services Department provides collection for single-family of up to seven households in a building. The programs include curbside residential collection of trash, recyclables, bulky item pick up, and yard waste and include special services such as dead animal pick up and cart maintenance and delivery. The department is authorized to use 75 full-time and seven temporary employees to provide solid waste collection services and average 148-164 weekly routes. The department uses 67 vehicles maintained by PWC’s Fleet Services. Automated side-load collection trucks are used for weekly trash service. Yard waste collection uses rear-load packers and workers must rip and tear bags when yard waste is not containerized in carts or homeowner cans. Trash collection consists of 32 total front-line vehicles of these, 22 vehicles are listed as routed trucks, with 10 vehicles identified as spares. The spare factor for the frontline collection equipment, minus any supervisory trucks, is 45 percent. Trash collecting trucks cost an average of \$15,000.00/year. Additionally, spare trash truck maintenance costs the City approximately \$150,000.00 annually. The average ASL trash load of approximately 9 tons is for the 24 cubic yard Heil packer truck body is well within capacity for compacted MSW. Our review indicates that the ASL trash trucks are currently averaging 1.2 disposal loads per day. The trucks are utilized as designed, considering limitations of collection hours available due to the operating hours at the county landfill and start times. GBB notes approximately 33 percent of the ASL loads in CY 2014 were above the average with 50 percent of those loads between 9 and 11 tons and the other 50 percent between 11 and 13 tons. Until the recent installation of FleetMind, reliable metrics or historic numbers at the daily and route level were not available to provide more details on the truck disposal times versus loads and productivity findings. This report used four weeks over four seasons for a high level evaluation of productivity statistics. GBB noted a high number of spare front line collecting trucks illustrated in Table 1.2. Spare trash trucks make up 45 percent of the front line collecting trucks, compared to industry standards of 10- to 15 percent. GBB recommends that the Environmental Services Department and Fleet Services work in partnership to reduce spare trash trucks to three for a spare factor of 12 percent, reducing trash maintenance expense by approximately \$100,000.00 annually. In addition, reduce yard waste spare trucks by one to an 11 percent spare factor (2 spares), could also reduce yard waste maintenance almost \$20,000.00. Utilizing FleetMind for real-time route productivity and customer service analysis will allow the department to make route adjustments sooner to further reduce costs and to complement customer service initiatives. GBB recommends that the department personnel fully implement FleetMind as soon as possible, and to have this technology on each front line collection vehicle.

A discussion period ensued.

**Consensus of Council was to place the truck purchase agenda item (that was placed on hold in February 2015) on the May 11, 2015, City Council regular meeting agenda. Council Members Crisp and Arp in opposition.**

### **5.3 Consideration to Participate in a Task Force on Synthetic Fields**

Mr. Michael Gibson, Parks, Recreation and Maintenance Director, introduced this item with the aid of a PowerPoint presentation and stated on March 12, 2015, Council Member Arp presented in detail the use of modern synthetic materials on running tracks and sports fields as an alternative to materials currently used. This presentation was made to the City-County Liaison Committee with a recommendation to establish a formal Joint Synthetic Track and Field Task Force and comprise the Task Force of community leaders, City of Fayetteville, Cumberland County, and Cumberland County School staff with a direct connection to current high school fields. The proposal is to create a Joint Synthetic Track and Field Task Force to be tasked with:

- Making recommendations on use and access policies that ensure fair and equitable utilization of these proposed facilities for all areas of the County;
- Developing alternative funding plans;
- Identifying and prioritizing project scope and locations; and
- Providing a formal report on findings and recommendations to the Fayetteville City Council, Cumberland County Commissioners, and Cumberland County School Board for collective review and action by November 2015.

Mr. Gibson further stated at the time of that presentation, Mayor Robertson moved for committee members to seek the interest of their boards in forming the task force to analyze all aspects of synthetic fields, to include participation of the schools. The expenses are estimated at \$1.5 to \$2 million per Synthetic Track and Field, with funding contributions to be determined from all invested parties.

Council Member Arp provided Council with two handouts: "Synthetic Turf Task Force Overview, Findings and Recommendations" from Fairfax County, VA, and "Synthetic Track and Field Surface Initiative".

Mayor Pro Tem Davy stated it is good to continue discussion on this item and suggested this item could be included in a "parks and recreation package".

Council Member Colvin asked what the proposed funding source for this project is, and what the percentage allocation between the City, County, and School District would be. Council Member Arp replied the intent is to let the Task Force take this information and come back with a proposal. If you use existing fields and make them available, there are no land purchase costs.

Council Member Wright stated there are a lot of projects we want to do for parks and recreation, and asked the City Manager how a bond package for a number of these projects would work. Mr. Ted Voorhees, City Manager, replied there are proposals for tennis, soccer complex, skateboard park, multi-sport complex, swimming facility, and river front facility and it would be for Council to decide what package would be the right fit for this community and benefit the most people. We could have a bond referendum.

Council Member McDougald commented this is a great idea, but in a bigger picture there is a segment of our population that is left out of our recreation, our racial make-up of our community dictates we need to build basketball parks.

Council Member Hurst stated he likes the project and would like to know if the County and School Board have an interest, and if so, would the shared cost include security and supervision. Council Member Arp responded it would. Council Member Hurst stated he thinks our citizens are ready for a bond package.

Council Member Crisp stated if we do a bond referendum it needs to be all encompassed, it needs to be reasonable and palatable to the citizens. He also stated the chemical make-up of synthetic fields needs more study.

Council Member Mohn stated the previously proposed bond referendum would have taken place this past February, and so a lot of the ground work has already been done, and asked the City Manager to include \$200,000.00 in the budget for the cost of a referendum.

Council Member Colvin stated the one commonality we are talking about is enhanced parks and recreation for this City. The package needs to reflect the overall interests of the City residents.

Council Member Arp stated we have a lot of facilities that are not being utilized (they sit vacant every weekend), and this idea is also to give a facelift. This is a way to phase in quality of life.

Council Member Jensen stated the Pine Forest gym is packed every weekend.

**Consensus of Council was to bring this item back to the August 3, 2015, City Council work session, and to determine if the County and School District has an interest in this item.**

#### **5.4 Annexation Utility Area**

Mr. Scott Shuford, Development Services Director, presented this item and stated our legislative delegation has proposed an amendment to a bill that would reconstitute PWC as an independent authority. This amendment would enable the City to require annexation for areas served by PWC sewer, but not water. The delegation has given the City 30 days to respond to this new concept.

Extensive discussion ensued.

**Unanimous consensus of Council was to request the Cumberland County Delegation to consider the following amendment:**

**"§ 6A.10. Sale of utility services. The Commission is hereby authorized and empowered to extend its electric system, sewerage system, and any other utility service system authorized in this Chapter and to sell electricity, sewer service, and any other authorized utility service in any geographical area permitted in G.S. 160A-312. The City Council shall not directly or indirectly require any individual, group, or developer to request annexation of its property by the City in order to receive utility service from a utility under the management and control of the Commission. An exception will apply to the areas within a three-mile limit (sewer and water) of the City of Fayetteville or any agreed upon inter-local Agreement executed by the City of Fayetteville, the Commission and Cumberland County dated after July 1, 2015 (sewer), whichever is greater. The Commission may adopt schedules of rents, rates, fees, charges, and penalties that vary according to classes of service, and different schedules may be adopted for services provided outside the corporate limits of the City.**

#### **5.5 Direction on trailer and RV regulation**

Mr. Scott Shuford, Development Services Director, presented this item with the aid of PowerPoint presentation and stated regulation of trailers and RVs has been an issue of City Council focus. Staff is seeking direction from Council about how these vehicles should be regulated. Mr. Shuford solicited input from Council that will help provide direction as to where and on what surfaces these vehicles should be stored, how many vehicles should be allowed, and what types and sizes of vehicles should be allowed to be stored in front and corner side yards. Existing regulations, located in three different chapters of the City Code have been provided to Council for reference. A table comparing our regulations with several "peer" communities has also been provided.

Discussion ensued.

**Consensus of Council was to bring this item back for further discussion and consideration at the City Council May 11, 2015, regular meeting, and Mr. Shuford will provide information on what peer cities regulate regarding trailer and recreation vehicle parking.**

#### **5.6 City Council Agenda Item Request - Transit Stop Requirements in the Unified Development Ordinance (UDO)**

This item was submitted by Mayor Robertson. Mayor Robertson was not in attendance to present.

**Consensus of Council was to direct staff to tweak the ordinance and start the ordinance amendment process with the Planning Commission.**

#### **5.7 City Council Agenda Item Request - Chestnut Hill water drainage**

Council Member Wright presented this item and stated homes at the back of the Chestnut Hill neighborhood suffer flooding after heavy rains. He stated he has met with the residents several times and would like to know when the culvert will be cleaned out, it has been determined that beavers are not the cause of the flooding. Mr. Voorhees stated the homes that are being impacted are located in a flood way; the flooding could be less when NCDOT corrects the culvert, and if beavers do cause a problem we have a contract to have them removed.

#### **5.8 City Council Agenda Item Request - Discussion on Homelessness**

Council Member Wright presented this item and stated the City needs a one-stop shop to address homelessness; we need to bring all agencies under the continuum of care. Ms. Rochelle Small-Toney, Deputy City Manager, stated the duplication and overlap of services to the homeless is a typical problem in a number of communities. Council Member Wright said he would like to see all of these agencies under one umbrella. A tour has been organized to view the "Good Shepherd" organization in Wilmington, to try to grasp an understanding of how their program works. Council Member Wright stated there are some great programs going on across North Carolina.

#### **5.9 City Council Agenda Item Request - Discussion of Sign Ordinance Relating to Digital Signs**

This item was submitted by Mayor Robertson. Mayor Robertson was not in attendance to present.

Discussion ensued.

**Consensus of Council was to direct staff to review the sign ordinance as related to digital signs and report back to Council.**

#### **6.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 9:45 p.m.