

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
LAKE RIM RECREATION CENTER  
OCTOBER 12, 2009  
7:00 P.M.**

Present: Mayor Anthony G. Chavonne  
Council Members Keith A. Bates, Sr. (District 1); Charles E. Evans (District 2 – arrival time 7:08 p.m.); Robert A. Massey, Jr. (District 3 – arrival time 7:26 p.m.); Darrell J. Haire (District 4); Bobby Hurst (District 5); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8)  
Absent: Council Members William J. L. Crisp (District 6); Wesley A. Meredith (District 9)  
Others Present: Dale E. Iman, City Manager  
Doug Hewett, Assistant City Manager  
Kristoff Bauer, Assistant City Manager  
Karen M. McDonald, City Attorney  
Jerry Dietzen, Environmental Services Director  
Liz Burdock, Green Works Partner, LLC  
Jackie Tuckey, Communications Manager/Public Information Officer  
Nathan Walls, Public Information Specialist  
Rita Perry, City Clerk  
Members of the Press

**INVOCATION - PLEDGE OF ALLEGIANCE**

The invocation was offered by Dr. Allen S. McLauchlin, New Life Bible Church, followed by the Pledge of Allegiance to the American Flag.

**1. APPROVAL OF AGENDA**

**MOTION:** Council Member Haire moved to approve the agenda.  
**SECOND:** Council Member Bates  
**VOTE:** UNANIMOUS (7-0)

**2. PUBLIC FORUM:**

**A. Announcements and Recognition**

Mayor Chavonne and Council Member Hurst, on behalf of the City Council and City of Fayetteville, presented a proclamation to Mr. Hank Debnam, Cumberland County Mental Health, proclaiming the month of October 2009 to be Disability Awareness Month in honor of persons with disabilities.

**B. Comment Period**

The following persons appeared and spoke in favor of the Sustainability Master Plan:

John Mattox	2345 Rollinghill Road, Fayetteville, NC 28304
s. Melinda Harrington	1001 Brook Street, Fayetteville, NC 28305
John Poulos	4368 Ferncreek Drive, Fayetteville, NC 28310
s. Julie Love	118 Pennmark Place, Fayetteville, NC 28301
s. Terri Union	115 Parkview Avenue, Fayetteville, NC 28305
Don Stewart	312 Murray Hill Road, Fayetteville, NC 28303

**3. CONSENT:**

**MOTION:** Council Member Bates moved to approve the consent agenda.  
**SECOND:** Council Member Applewhite  
**VOTE:** UNANIMOUS (7-0)

**A. Engineering & Infrastructure - Award Contract for the Purchase of One (1) Six-Wheel Regenerative Air Street Sweeper**

The City needed to purchase one (1) six-wheel regenerative air street sweeper to replace Unit #99/3027. The budgeted amount for replacement of this unit is \$205,000.  
Formal bids were received September 10, 2009, as follows:  
Public Works Equipment & Supply, Monroe, NC..... \$177,644.00

Carolina Environmental Systems, Kernersville, NC..... \$179,242.00  
Twin States Equipment, Peachland, NC..... \$154,438.00

Staff recommended award to Public Works Equipment & Supply, Monroe, NC, the lowest bidder meeting specifications. The bid submitted by Twin States Equipment contained substantial exceptions to the specifications which staff feels would make the use of their unit more time consuming and labor intensive. Mainly, the hopper size on the unit is smaller than specified, which will require that it be dumped more often. In addition, the hopper does not dump as specified. Instead, the unit has a raker bar, which tends to allow debris to become lodged behind the raker bar, consequently requiring time consuming manual cleaning of the area to remove the debris.

**B. Finance - Budget Ordinance Amendment 2010-1 (Encumbrances, Designations, Police Grants and Transfer of Fire Alarm and Sprinkler Plan Review Responsibilities)**

This budget ordinance amendment reappropriates \$5,580,188 across several funds for purchase orders and contracts outstanding at the close of fiscal year 2008-2009, and \$1,142,973 in the General Fund and \$1,424,996 in the Stormwater Fund for specific items designated from the fiscal year 2008-2009 budget and for unspent donations. Funding for these expenditures was included or available in the fiscal year 2008-2009 budget, and is being reappropriated from fund balance or net assets for the various funds. In addition, the budget appropriation for the Police Department is being reduced by \$1,799,030 to remove funding included for anticipated grants that were not received or have been appropriated in the Federal and State Assistance Special Revenue Fund. Lastly, the budget ordinance amendment will transfer an expenditure appropriation of \$52,677 from the Inspections Department to the Fire Department due to the transfer of responsibility for fire alarm and sprinkler system plan reviews.

**C. Finance - Budget Ordinance Amendment 2010-2 (Bond Refunding)**

This budget ordinance amendment for the General Fund appropriates \$8,759,246 in proceeds from the Series 2009 General Obligation Refunding Bonds to be used to refund certain Series 1996, 1999 and 2000 General Obligation bonds and pay associated issuance costs.

**D. HOPE VI Project**

**(1) Community Development - Authorization Request for the City Manager to execute the Intergovernmental Infrastructure Agreement and any other documents and agreements pertaining to the City's commitments for the HOPE VI Project. The Fayetteville Metropolitan Housing Authority is ready to enter into an agreement for the infrastructure improvements for the HOPE VI project.**

***Resolution of the City Council of the City of Fayetteville, North Carolina Authorizing the City Manager to Execute Agreements and Documents Consistent with the City's Commitment of the 2007 HOPE VI Revitalization Grant Received by the Fayetteville Metropolitan Housing Authority –R2009-073***

**(2) Finance - Budget Ordinance Amendment 2010-3 & Capital Project Ordinance Amendment 2010-18 (HOPE VI Project)**

This budget ordinance amendment and capital project ordinance amendment appropriates the balance of the funding needed for the City's commitment to the HOPE VI project (\$2,576,050).

**E. Fire - Special Request to display 16 temporary event signs at fire stations between October 26<sup>th</sup> and November 1<sup>st</sup> for Change Your Clock, Change Your Battery Campaign**

**F. Planning - Special Request for up to 20 temporary event signs for the FireAntz, between October 13<sup>th</sup> and October 23<sup>rd</sup>**

**G. Planning - Special Request for up to 100 temporary event signs between October 24<sup>th</sup> and October 30<sup>th</sup> for the Annual Shriners' Fish Fries to be held Friday, October 29<sup>th</sup>.**

**H. Planning - Special Request for up to 50 temporary event signs between November 23<sup>rd</sup> and November 30<sup>th</sup> for the Annual Craftsmen's Christmas Festival**

**I. PWC - Bid Recommendation - One (1) 35,000 GVWR Cab and Chassis with Asphalt Body**

The Public Works Commission, during their meeting of September 23, 2009, approved the bid recommendation to award bid for the purchase of one (1) 35,000 GVWR cab and chassis with

asphalt body (with the option to purchase additional units within a one-year period upon the agreement of both parties) to Cooper Kenworth, Raleigh, NC, the lowest bidder meeting specifications in the total amount of \$147,883.75 and forward to City Council for approval. This is a budgeted item (budgeted amount of \$165,000) to replace Unit #341.

Bids were received September 10, 2009, as follows:

<u>BiddersTotal Cost</u>	
Cooper Kenworth, Raleigh, NC.....	\$147,883.75
*Public Works Equipment, Monroe, NC.....	\$145,330.00
Smith International, Fayetteville, NC.....	\$148,150.00
*Bid did not meet specifications	

**4.CONSIDERATION OF APPROVAL OF THE PROPOSED FAYETTEVILLE SUSTAINABILITY PLAN**

Mr. Gerald Dietzen, Director of Environmental Services, introduced Liz Burdock from the consulting firm of Green Works Partners. She briefed Council on the triple bottom line sustainability definition (People, Profit & Planet) and the process in drafting the plan. The process included research of programs already implemented in the City and stakeholder interviews at the local, regional, and state levels and public input. She summarized the goals, timeline, implementation and funding of the plan.

A question and answer period ensued.

**MOTION: Council Member Bates moved to approve the Fayetteville Sustainability Plan.**

**SECOND: Council Member Evans**

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

**5. NATIONAL LEAGUE OF CITIES VOTING DELEGATES**

Mr. Dale Iman, City Manager, requested Council to designate one voting delegate and one alternate voting delegate to represent the City of Fayetteville at the NLC Annual Business meeting.

**MOTION: Council Member Haire moved to designate Council Member Massey as the voting delegate.**

**SECOND: Council Member Applewhite**

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

**MOTION: Council Member Haire moved to designate Council Member Applewhite as the alternate voting delegate.**

**SECOND: Council Member Bates**

**VOTE: PASSED by a vote of 7 in favor to 1 in opposition (Council Member Evans)**

There being no further business, the meeting adjourned at 7:37 p.m.