

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
CITY HALL COUNCIL CHAMBER
JUNE 1, 2009
5:00 P.M.**

Present: Mayor Anthony G. Chavonne
Council Members Keith A. Bates, Sr. (District 1); Charles E. Evans (District 2); 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); Wesley A. Meredith (District 9)

Others Present: Dale E. Iman, City Manager
Doug Hewett, Assistant City Manager
Karen M. McDonald, City Attorney
Stanley Victrum, Chief Information Officer
Lisa Smith, Chief Financial Officer
Tracey Broyles, Budget and Evaluation Manager
Rob Anderson, Chief Development Officer
Jimmy Teal, Planning Director
Jackie Tuckey, Communications Manager/Public Information Officer
Wilson Lacy, Public Works Commission
Terri Union, Public Works Commission
Luis J. Olivera, Public Works Commission
Steven K. Blanchard, PWC CEO/General Manager
Eva Hansen, Partnership for Children
Members of the Press

CALL TO ORDER

Mayor Chavonne called the meeting to order at 5:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Haire provided the invocation followed by the Pledge of Allegiance to the American Flag.

1. APPROVAL OF AGENDA

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

SECOND: Council Member Bates

VOTE: UNANIMOUS (10-0)

2. CLOSED SESSION

MOTION: Mayor Pro Tem Meredith moved to go into closed session for consultation with attorney.

SECOND: Council Member Bates

VOTE: UNANIMOUS (10-0)

The regular session recessed at 5:05 p.m.

MOTION: Council Member Applewhite moved to reconvene into open session.

SECOND: Mayor Pro Tem Meredith

VOTE: UNANIMOUS (10-0)

The regular session reconvened at 5:50 p.m.

3. Distribution of gross receipts taxes agreement.

Mr. Steven Blanchard, PWC CEO/General Manager, presented this item and explained they were evaluating whether PWC should continue with a partial requirements power supply agreement or go to full requirement to be effective 2012. He stated PWC power was currently being bought from Progress Energy for which PWC pays a gross receipts tax and 95 percent of those taxes were being rebated back to the City. He stated that PWC presently buys partial requirements with the balance of the power generated by the Butler-Warner Generation Plant. He stated a full requirements agreement would result in PWC paying a substantial increase in gross receipts taxes with the bulk of the power being furnished by a single

supplier. He stated the plant would operate under a separate agreement and be dispatched by the supplier not by PWC and the City of Fayetteville would still own, operate, and maintain the plant.

A question and answer period ensued regarding the power being generated from the plant with Mr. Blanchard explaining Progress Energy would pay a reservation charge to dispatch power from the plant when needed for the total system. He stated it would be Progress Energy's responsibility to provide for surges during hot days.

Mr. Blanchard stated they were also working on an agreement for Progress Energy to handle streetlights in the western part of the City. He provided information estimating the cost allocations that would occur under the new agreement and the taxes that would be paid.

Consensus of Council was to move this item forward to the June 8, 2009, City Council meeting.

4. Public safety CAD and RMS replacement project for FY09-10.

Mr. Stanley Victrum, Chief Information Officer, presented this item and stated it was recommended that Council pursuant to general statutes authorize a waiver of the normal procurement procedures of a sealed bid. He stated in the FY 2009-2010 Capital Improvement Plan (CIP), public safety CAD and police RMS hardware and software replacements had been approved by Council. He stated the current CAD and RMS applications were approximately ten years old and based on demands of a growing population, it was felt it was time to make a change. He stated the procurement software would provide the City an opportunity to allow tighter integration with the Fire Department's firehouse application, provide features and functions towards public safety service delivery improvements such as CAD mapping for better public safety unit tracking, AVL for closest unit dispatching, crime link analysis, and CAD-to-CAD transfer of EMS-related calls. He informed Council that having the same software as Cumberland County would also facilitate transfer of calls. He stated the purchase of this software was estimated at \$2.8 million, which would be consistent with the actual prices that were budgeted in the CIP. He stated there was also an opportunity for an additional \$50,000.00 discount if approved by June 10, 2009.

A question and answer period ensued regarding the availability of other compatible software with Mr. Victrum responding OSSI was the software provider and based upon research there was no one else other than OSSI to actually procure the software from.

Consensus of Council was to move this item forward to the June 8, 2009, City Council meeting.

5. Update on the proposed Airport Overlay District.

Council Member Crisp requested to recuse from discussion as he owned property in the overlay area.

Mr. Jimmy Teal, Planning Director, presented this item and showed a map of the proposed Airport Overlay District and surrounding areas. He stated Cumberland County and the Town of Hope Mills had adopted the Overlay District and had experienced no problems. He stated the Planning Commission held a public hearing and unanimously recommended approval. He stated they were recommending a public hearing be held on June 22, 2009, and informed Council there would be approximately 2,000 property owners notified of the public hearing. Consensus of Council was to move forward with the public hearing on June 22, 2009.

6. Update on the 2030 Growth Vision Plan.

Mr. Jimmy Teal, Planning Director, presented this item and stated this was an effort to develop a Growth Vision Plan for the entire county. He stated Council had referred this item to the Planning Commission to review the Plan with the County Planning Board for possible changes. He stated the County had suggested changes and the City Planning Commission was recommending endorsement of the changes. He stated Council's options were to adopt the plan as originally submitted by the 2030 Growth Vision Plan Advisory Committee, adopt the plan as amended by the County, or make changes to the plan. He explained the Plan would be comprehensive and not require a public hearing but staff's recommendation was that a public hearing be held to allow public input since this would affect all the citizens. He further clarified that future ordinances adopted would be based on these guidelines.

Consensus of Council was to move forward with the public hearing on June 22, 2009.

7. Review of the proposed daycare ordinance.

Mr. Jimmy Teal, Planning Director, presented this item and explained a special use permit was required if someone wanted to use a structure for a daycare without someone living there and an incidental home occupation was a permitted use where you could have a daycare in your home provided guidelines were met. He stated currently the incidental home occupation daycare would not allow someone from outside the home to be an employee. He stated the group dealing with home occupation for daycares had expressed concern on how difficult this guideline was for them and were requesting that an amendment be made that would allow an employee not living at the home to operate and work at the daycare in addition to the person living at the home.

Council Member Applewhite inquired of the City Attorney if there was anything that would prohibit considering some type of monitoring on properties that had children there. City Attorney Karen McDonald introduced Eva Hansen, Partnership for Children, who responded there was no problem with a city being more restrictive than the state guidelines in certain areas and would be glad to explore those. She stated the Partnership for Children was in support of the direction Council was going with the childcare centers and would like the opportunity to present suggestions before Council takes action.

Council Member Evans inquired if there was anything that would limit the number of daycares in a neighborhood. Mr. Teal responded in the negative but advised if Council desired this, it could be part of the provisions in the proposed ordinance.

Consensus of Council was to direct staff to draft an ordinance amendment to present to the Planning Commission for discussion and a public hearing and look into security cameras and limitation on daycares in neighborhoods.

8. Review of the proposed sign ordinance amendment.

Mr. Jimmy Teal, Planning Director, presented this item and provided background information. He presented a comparison of the proposed ordinance to the current ordinance as follows:

	Proposed	Current
Pole Signs	Commercial and Industrial Zoning	Commercial, Industrial, and Professional Zoning
Maximum Height for Pole Sign	20 feet	25 feet
Maximum Copy Area for Pole Sign	81 square feet	150 square feet
Minimum Setback from Right-of-Way for Pole Sign	5 feet	5 feet
Maximum Height for Ground Sign	8 feet	8 feet
Maximum Copy Area for Ground Sign	64 square feet	150 square feet
Minimum Setback from Right-of-Way for Ground Sign	10 feet	10 feet
Maximum Copy Area for Wall Signs	1 square foot for each foot of building frontage; 1.5 square foot for each foot of building frontage for buildings with five tenants or more	1 square foot for each foot of building frontage
Billboards	Not allowed	Allowed in C3 and M2 zoning
Digital Signs	Limit the brightness and require a certain period of time before changing message	None

Maximum Copy Area for Political Signs	16 square feet	32 square feet
Maximum Height for Political Signs	5 feet	8 feet
Maximum Number of Political Signs per Parcel	1	No restrictions
Special Event Signs	Limit maximum to 10 for the area of the activity for only nonprofit events requiring a \$200.00 deposit	Unlimited
Amortization	Two-year amortization for all nonconforming signs under the current sign ordinance	None

Mr. Teal suggested providing the above comparison to the Planning Commission for review and discussion.

Council Member Bates expressed concerns regarding the limit on the number of political signs. City Attorney Karen McDonald stated staff would research the permissibility of the proposed regulation as it pertains to political signs.

Consensus of Council was to move this item forward to the Planning Commission.

9. FY 2009-10 Strategic Plan and narrative description adoption.

Mr. Doug Hewett, Assistant City Manager, presented this item and provided an overview of the FY 2010 Strategic Plan, Policy Agenda, and Management Agenda. He explained that upon adoption by Council, the plan would become effective July 1, 2009, through June 30, 2010, with quarterly progress updates. He stated the Policy Agenda would cover items for which the City Council had significant policy decisions to make in order to advance those issues as follows:

Policy Agenda

Top Priority

- Unified Development Ordinance
- Murchison Road Corridor Redevelopment
- Parks and Recreation Service
- Annexation Policy
- Workforce Development
- Recycling Program for Multifamily and Commercial

High Priority

- County Jail Capacity
- Air Quality Non-Attainment
- Emergency Medical Transport Performance Report
- Tree Preservation Ordinance
- Building Demolition
- Property Revaluation and Tax Rate
- Legislative Agenda and Lobby Strategy

Council Member Haire requested clarification as to top priority items. Mr. Hewett clarified the top priority items received the most votes from the City Council during the retreat. Council Member Haire inquired if budget would be a consideration for top priority items. Mr. Hewett responded in the affirmative but also explained that budget would not need to be the main consideration because items could require multi-year commitment by Council.

Mr. Hewett responded to questions regarding items on the Policy Agenda and discussion ensued regarding removal of items. Mr. Hewett then proceeded to present the Management Agenda as follows:

Management Agenda

Top Priority

- Crime Reduction Strategy and Report
- FAST Improvements
- Community Report Card
- Community Watch Expansion
- Economic Development

High Priority

- Reclaiming Neighborhoods Strategy
- Police Staffing
- Non-Stop Air Service to Washington, D.C.
- Telling the City's Positive Story
- Northwest Gateway Project

Discussion ensued as to how the budget would impact the items with Mr. Hewett explaining that these items were directed to staff liaison to determine what levels of funding would be needed to accomplish the mission. He stated if funding were not available for an item, the narrative would change for that item but it would remain on the list as an interest. He informed Council that staff believed these items could be accomplished with existing resources.

Mr. Hewett stated they were requesting that Council adopt the Strategic Plan for FY 2009-2010 with staff providing quarterly updates to Council.

Consensus of Council was to move this item forward to the June 8, 2009, City Council meeting for adoption.

10. FY 2009-2010 budget wrap up.

City Manager Dale Iman presented this item and stated staff was requesting direction from Council on the Fiscal Year 2010 budget. He provided a brief history of the budget process, which included budget work sessions, public hearings, and the presentation of the budget. He stated staff had responded to more than 80 questions and the answers had been posted on the City web page for public review.

Mayor Chavonne provided an overview of the proposed budget which included suggested budget reductions of eliminating proposed salary increase; increasing budgeted vacancy rate to historic 4 percent; budgeting funding of 30 additional police officers (with future funding to 52 officers from Fund Balance); reducing street resurfacing to \$3.325 million; recognizing planned revenue from transit route enhancements; eliminating unidentified and miscellaneous expenses such as project consulting, economic development consulting, planning consulting, and Cumberland County Board of Elections costs; and delaying operating expenses such as citizens survey, Human Resources staff positions, and purchase of boom attachment. Council members offered comments on the recommended budget and thanked Mr. Iman and staff for their work during the budget process.

MOTION: Mayor Chavonne moved to accept the budget as presented for staff consideration and bring back to the next City Council meeting for formal discussion and vote.

SECOND: Council Member Meredith

VOTE: PASSED by a vote of 8 in favor to 2 in opposition (Council Members Haire and Applewhite)

11. Council member requests:

A. Discussion of no parking signs.

Council Member Evans presented this item and stated it had been brought to his attention that in order for police officers to be able to ticket individuals in violation of no parking signs on streets, an ordinance would have to be adopted by Council for the streets the no parking signs were on. He expressed his desire for staff to find out if a blanket ordinance could be created to cover all no parking signs in the City instead of having to come before Council for each street.

Majority of Council expressed interest on this item.

There being no further business, the meeting adjourned.