

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
CITY HALL COUNCIL CHAMBER  
JANUARY 11, 2010  
7:00 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); 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  
Kristoff Bauer, Assistant City Manager  
Karen M. McDonald, City Attorney  
Lisa Smith, Chief Financial Officer  
Jeffery Brown, Engineering & Infrastructure Director  
Rusty Thompson, City Traffic Engineer  
Craig Hampton, Special Projects Director  
Craig Harmon, Planner II  
Jackie Tuckey, Public Information Officer  
Rita Perry, City Clerk  
Members of the Press

**1.0 CALL TO ORDER**

Mayor Chavonne called the meeting to order at 7:00 p.m.

**2.0 INVOCATION**

The invocation was offered by Dr. Allan McLaughlin, President of the Fayetteville Cumberland County Ministerial Council, Inc.

**3.0 PLEDGE OF ALLEGIANCE**

Following the invocation, the audience was led in the Pledge of Allegiance to the American Flag.

**4.0 APPROVAL OF AGENDA**

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

**SECOND: Council Member Hurst**

**VOTE: UNANIMOUS (10-0)**

**5.0 PUBLIC FORUM**

NAME	ADDRESS	SUBJECT/CONCERN
Joel Smith	611 W. Russell Street Fayetteville, NC 28301	In opposition of the Multi-Modal Center
Jason Childers	2707 Huntington Road Fayetteville, NC 28303	In opposition of the Multi-Modal Center
Kelly Smith	611 W. Russell Street Fayetteville, NC 28301	In opposition of the Multi-Modal Center
Kay Gambill	1504 Swainey Ave Fayetteville, NC 28303	Concern regarding the <b>Kornbow Neighborhood Storm Water Project (Storm Water Management System)</b>
Louise C. McQueen	1518 Swainey Avenue Fayetteville, NC 28303	Concern regarding the <b>Kornbow Neighborhood Storm Water Project (Storm Water Management System)</b>

James Popp	101 Goodyear Avenue Fayetteville, NC 28303	Concern regarding the <b>Kornbow Neighborhood Storm Water Project (Storm Water Management System)</b>
Kenneth Pinto	5616 Thackeray Drive Fayetteville, NC 28306	Well wishes on governing in 2010
Dale Godwin	3829 Legion Road Hope Mills, NC 28348	Rental Housing Opposition
Michael Evans	1201 Simpson Street Fayetteville, NC 28305	Weatherization

**Mr. Dale Iman, City Manager, addressed Council regarding the Kornbow Neighborhood Storm Water Project (Storm Water Management System). He stated the City was committed to making the project as attractive and feasible as possible. He informed Council that the concrete piping was a great improvement over steel piping and the ditches were sod rather than seeded. He stated there would be four feet concrete pipe throughout the project which would widen the driveways; however, the entire ditch could not be enclosed.**

**A question and answer period ensued.**

**6.0 CONSENT**

Council Member Mohn requested to pull Item 6.6 for discussion. Council Member Crisp requested to pull Item 6.9 for discussion.

**MOTION: Council Member Massey moved to approve the consent agenda with the exception of Items 6.6 and 6.9.**

**SECOND: Council Member Mohn**

**VOTE: UNANIMOUS (10-0)**

**6.1 Community Development – Acceptance of a lot being donated to the City located at 601 Frink Street.**

The City approved and accepted the donation of the subject property from the current owner of 601 Frink Street. The house currently located on the subject property would be demolished through the City's Acquisition and Demolition Program. The lot would be used for future redevelopment purposes such as the construction of affordable housing.

**6.2 Community Development – Acquisition of lot located at 538 Frink Street.**

The City accepted an offer received by the Community Development Department to purchase lot located at 538 Frink Street through the City's Acquisition and Demolition Program. The structure on the property would be demolished through Acquisition and Demolition Program which was a grant program designed to acquire, demolish, and remove property abandoned, unsafe, or deteriorated beyond reasonable financial costs to effectively rehabilitate. The resulting lot(s) would be used for the construction of future affordable housing. In addition, the subject parcel would be added to the City's inventory of buildable residential lots that may be used for future redevelopment purposes such as the construction of affordable housing. Also, when feasible, the vacant lots could be made available to one of the City's Community Housing Development Organizations (CHDO) such as Habitat for Humanity, Kingdom Community Development Corporation, Cumberland Community Action Program, or the Women's Center of Fayetteville.

**6.3 Finance – Adopt Capital Project Ordinance Amendment 2010-26 (Design Work for Various Airport Improvement Projects).**

**6.4 Finance – Approve Tax Refunds Greater Than \$100.00.**

<u>Name</u>	<u>Year</u>	<u>Basis</u>	<u>City Refund</u>
Riddle, Joseph P., III	2008	Clerical Error	\$2,656.06
Women's Center of Fayetteville	2008	Clerical Error	<u>1,426.23</u>
<b>TOTAL</b>			<b><u>\$4,082.29</u></b>

**6.5 Finance – Capital Project Ordinance Closeout 2010-6 (Renovations and Improvements to the Atlantic Coast Line Depot – Amtrak Station).**

Annually the City closes out several projects that have been completed and that are no longer active. The Amtrak Station Project was completed as of June 2009, and the revenues and expenditures related to this project have been audited. The closeout letter from the North Carolina Department of Transportation was issued December 1, 2009. This Capital Project Ordinance Closeout details the budget and actual revenues and expenditures for the project.

**6.6 Pulled at the request of Council Member Mohn.**

**6.7 Planning – Voluntary Annexation Petition – River Landing Center, LLC, property on Andrews Road across from Rosebank Drive; setting public hearing.**

The River Landing Center, LLC, property on Andrews Road across from Rosebank Drive was contiguous to the City limits and the owners had requested water and sewer services from PWC; therefore, a petition for annexation was required. City Council must hold a public hearing prior to voting on the annexation petition. A public hearing had been set for January 25, 2010.

**A RESOLUTION FIXING A DATE FOR A PUBLIC HEARING FOR A PETITION-INITIATED CONTIGUOUS ANNEXATION AREA PURSUANT TO N.C.G.S. 160-31. RESOLUTION NO. R2010-002.**

**6.8 PWC – Resolution for Phase 5 Annexation assessment process.**

**RESOLUTION DECLARING COST AND ORDERING PREPARATION OF PRELIMINARY ASSESSMENT ROLL AND SETTING TIME AND PLACE FOR PUBLIC HEARING ON PRELIMINARY ASSESSMENT ROLL. RESOLUTION NO. R2010-003.**

**6.9 Pulled at the request of Council Member Crisp.**

**6.6 City Attorney/Real Estate – Adopt a resolution declaring real property owned jointly with Cumberland County surplus and authorizing a quitclaim of the City's title to the County in order to expedite sale of the land by Cumberland County.**

Council Member Mohn pulled this item for discussion. Mr. Dale Iman, City Manager, provided a summary of the resolution.

**RESOLUTION DECLARING PROPERTY EXCESS TO CITY'S NEEDS AND QUITCLAIMING CITY TITLE IN THE PROPERTY TO CUMBERLAND COUNTY. RESOLUTION NO. R2010-001.**

**MOTION: Council Member Mohn moved to adopt the resolution.**

**SECOND: Council Member Meredith**

**VOTE: UNANIMOUS (10-0)**

**6.9 Special Projects – Set public hearing for Multi-Modal Center.**

Council Member Crisp pulled this item for discussion. Consensus of Council was to take no action.

**7.0 OTHER ITEMS OF BUSINESS**

**7.1 Engineering & Infrastructure – Revisions to the Residential Traffic Management Program.**

Mr. Rusty Thompson, City Traffic Engineer, provided a brief summary of the policy revisions, which had been as a result of a previous Council member request.

**MOTION: Council Member Meredith moved to approve the revised policy reducing the petition requirements to 60 percent.**

**SECOND: Council Member Crisp**

**VOTE: UNANIMOUS (10-0)**

**7.2 Special Projects – Award of construction contract for Veterans Park - Phase 1.**

Mr. Craig Hampton, Special Projects Director, provided an overview of this item.

**MOTION: Council Member Meredith moved to approve the contract award as recommended and for Vanderwall & Associates to cease all work until properly licensed in North Carolina.**

**SECOND: Council Member Crisp**

**VOTE: UNANIMOUS (10-0)**

There being no further business, the meeting adjourned at 7:59 p.m.