

FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
APRIL 12, 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
Karen M. McDonald, City Attorney
Jerry Dietzen, Environmental Services Director
Sgt. Matthew Dow, Police Department
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 Mayor Pro Tem Haire.

3.0 PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS AND RECOGNITION

Mayor Chavonne recognized NC Representative Rick Glazier who presented an Order of the Long Leaf Pine Award, North Carolina’s highest civilian honor, to Police Chief Tom Bergamine.

Mayor Chavonne and Council Member Davy, on behalf of the City Council and City of Fayetteville, presented a proclamation to the Fair Housing Board Chair, David Lucas, proclaiming April 2010 Fair Housing Month. Comments followed.

Mayor Chavonne and Council Member Bates, on behalf of the City of Fayetteville, presented a proclamation to FAMPO representative Ms. Maurizia Chapman, Transportation Planner, proclaiming the week of May 2, 2010, Quality Awareness Week. Comments followed.

4.0 APPROVAL OF AGENDA

Council Member Mohn requested to pull Item 6.3 for discussion. Council Member Bates requested to pull Item 6.19 for discussion.

MOTION: Council Member Meredith moved to approve the agenda with the exception of Items 6.3 and 6.19.

SECOND: Mayor Pro Tem Haire

VOTE: UNANIMOUS (10-0)

5.0 PUBLIC FORUM

NAME	ADDRESS	SUBJECT/CONCERN
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Christopher Mitchell, Joint Appearance Commission, Chair	7257 Beaver Run Drive Fayetteville, NC 28314	Community Appreciation Award Program
Doug Byrd, Governmental Affairs Officer	Chamber of Commerce	Introduction to Council

6.0 CONSENT

- MOTION: Council Member Bates moved to approve the consent agenda with the exception of Items 6.3 and 6.19.
- SECOND: Council Member Mohn
- VOTE: UNANIMOUS (10-0)
- 6.1 Approve Minutes:
- § February 11, 2010 – Appointment Committee Meeting
 - § February 26-27, 2010 – Strategic Planning Retreat Meeting
- 6.2 City Attorney - Request for Legal Representation in the Matter of *Mark Pinella v.City of Fayetteville, et al.*
- 6.3 Pulled at the request of Council Member Mohn.
- 6.4 Development Services (Planning & Zoning Division) - Special Sign Permit Request for Temporary Event Signs on April 16, 2010, for the Cumberland County Mental Health Auxiliary/Volunteer Service Fundraiser on April 16, 2010
- 6.5 Development Services (Planning & Zoning Division) - Special Sign Permit Request for Temporary Event Signs for the La Leche League Baby Fair on April 28 through May 1, 2010
- 6.6 Development Services (Planning & Zoning Division) - Special Sign Permit Request for Temporary Event Signs Between April 24 and May 1, 2010, for the Shriners’ Fish Fry on April 30, 2010
- 6.7 Development Services (Planning & Zoning Division) - Special Sign Permit Request for Temporary Event Signs for the Crime Stoppers BBQ on April 24, 2010
- 6.8 Development Services (Planning & Zoning Division) - Special Sign Permit Request for Temporary Event Signs for the Southeastern North Carolina Asian Indian Association Indian Festival on April 17 through May 1, 2010
- 6.9 Development Services (Planning & Zoning Division) - Special Sign Permit Request for Temporary Event Signs for the Fort Bragg Fair from April 19 through May 16, 2010
- 6.10 Development Services (Planning & Zoning Division) - Adopt Resolution Pursuant to N.C.G.S. 160A-31 Setting April 26, 2010, as a Date for a Public Hearing for a Petition-Initiated Contiguous Annexation Area (Avis Budget Car Wash – Located at 3261 Doc Bennett Road)
- A RESOLUTION FIXING A DATE FOR A PUBLIC HEARING FOR A PETITION-INITIATED CONTIGUOUS ANNEXATION AREA PURSUANT TO N.C.G.S.160A-31 (AVIS BUDGET CAR WASH – LOCATED AT 3261 DOC BENNETT ROAD). RESOLUTION NO. R2010-026.

6.11 Development Services (Planning & Zoning Division) - Adopt Resolution Pursuant to N.C.G.S. 160A-58.2 Setting April 26, 2010, as a Date for a Public Hearing for a Petition-Initiated Non-Contiguous Annexation Area (Watkins Property – Located at 1645 McArthur Road)

A RESOLUTION FIXING A DATE FOR A PUBLIC HEARING FOR A PETITION-INITIATED CONTIGUOUS ANNEXATION AREA PURSUANT TO N.C.G.S.160A-58.2 (WATKINS PROPERTY – LOCATED AT 1645 MCARTHUR ROAD). RESOLUTION NO. R2010-027.

6.12 Finance - Special Revenue Fund Project Ordinance Amendment 2010-4 (FY 2008 Operation Ceasefire Program)

6.13 Finance - Special Revenue Fund Project Ordinance Amendment 2010-5 (FY 2010 Operation Ceasefire Program)

6.14 Finance - Capital Project Ordinance Closeout 2010-14 (Airport 14 Unit T-Hangar Project)

6.15 Finance - Capital Project Ordinance Amendment 2010-29 (Airport Fire Fighting Training Facility Upgrade)

6.16 PWC - Bid Recommendation for Rehabilitation of the 54" Rockfish Creek Outfall

The Public Works Commission, during their meeting on March 24, 2010, approved to award bid contract for Rehabilitation of the 54" Rockfish Creek Outfall to Insituform Technologies, Chesterfield, MO, low bidder, in the total amount of \$742,785.60 and forward to City Council for approval. This item was budgeted as WS-65 in the CIP Budget (budgeted amount of \$900,000.00). Plans and specifications were requested from 16 contractors with 2 contractors responding. Bids were received February 10, 2010, as follows:

<u>BiddersTotal Cost</u>	
Insituform Technologies, (Chesterfield, MO).....	\$742,785.60
Reynolds Inlier, LLC, (Charlotte,NC)	\$875,429.00

6.17 PWC- Resolution to Amend the Electric Utility System Rate Stabilization Fund RESOLUTION TO AMEND THE ELECTRIC UTILITY SYSTEM RATE STABILIZATION FUND. RESOLUTION NO. R2010-028.

6.18 PWC- Bid Recommendation for Two (2) Four-Wheel Drive Backhoe Loaders
The Public Works Commission, during their meeting of March 24, 2010, approved to award bid for purchase of two Four-Wheel Drive Backhoe Loaders [with the option to purchase additional unit(s) within a one-year period if agreed upon by both parties] to Gregory Poole Equipment, Hope Mills, NC, low bidder, in the total amount of \$149,036.00 and forward to City Council for approval. Bids were solicited from eight vendors with two vendors responding. This is a budgeted item to replace Backhoes #979 and #737 (budgeted amount of \$165,000.00). Bids were received March 2, 2010, as follows:

<u>BiddersUnit PriceTotal Cost</u>	
Gregory Poole Equipment (Hope Mills, NC).....	\$74,518.00..... \$149,036.00
R. W. Moore (Raleigh, NC).....	\$75,426.91..... \$150,853.82

6.19 Pulled at the request of Council Member Bates.

6.3 City Manager’s Office – Consider Resolution to Adopt the City of Fayetteville FY 2010/2011 Budget Calendar

RESOLUTIONOF THE FAYETTEVILLE, NORTH CAROLINA CITY COUNCIL TO ADOPT THE CITY OF FAYETTEVILLE FY 2010/2011 BUDGET CALENDAR. RESOLUTION R2010-025.

MOTION: Council Member Mohn moved to approve with the addition that all meetings begin no earlier than 5:00 p.m., all Council members be present, and meetings be open to the public.

SECOND: Council Member Bates

VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Council Member Applewhite)

**6.19 Special Projects – Multi-Modal Center Environmental Assessment Public
Comment Period Call for Public Hearing**

MOTION: Council Member Bates moved to approve and clarify the 3 minutes per speaker (30 minutes total) and the environmental assessment review locations.

SECOND: Mayor Pro Tem Haire

VOTE: UNANIMOUS (10-0)

7.0 OTHER ITEMS OF BUSINESS

7.1 Keep America Beautiful (KAB) Certification Presentation

This presentation was presented for information purposes only.

Council Member Hurst introduced Ms. Brenda Ewadinger, KAB NC State Director, who provided a summary of the KAB certification process. Thereafter, Mayor of Gastonia Jennie Stultz, National Trainer for KAB, briefed Council on her experience with KAB and outlined the benefits of the program. She stated that Fayetteville was the 32nd affiliate and the State organization would be paying for Fayetteville's registration to the national organization.

A brief discussion ensued.

There being no further business, the meeting adjourned at 7:40 p.m.