

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
SEPTEMBER 12, 2011
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); James W. Arp, Jr. (District 9)

Others Present:

Dale E. Iman, City Manager
Kristof Bauer, Assistant City Manager
Doug Hewett, Assistant City Manager
Karen M. McDonald, City Attorney
Tom Bergamine, Chief of Police
Phil Cannady, Assistant Police Chief
Charles Kimble, Assistant Police Chief
Brad Chandler, Assistant Police Chief
Charles Hunter, Police Captain
Patricia Bradley, Police Attorney
Lisa Smith, Chief Financial Officer
John Kuhls, Human Resources Development Director
Wayne Moser, Parks Division Manager
Rusty Thompson, Interim Engineering and Infrastructure Director
Ron McElrath, Human Relations Director
Brad Whited, Airport Director
Dwight Miller, PWC Chief Finance Officer
Rebecca Rogers-Carter, Management Services Manager
Jennifer Lowe, Communications Officer
Nathan Walls, Public Information Specialist
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Bishop Larry Wright, President of the Fayetteville/Cumberland County Ministerial Council.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was recited by those in attendance.

4.0 APPROVAL OF AGENDA

MOTION: Council Member Bates moved to approve the agenda.

SECOND: Council Member Applewhite

VOTE: UNANIMOUS (10-0)

5.0 ANNOUNCEMENTS AND RECOGNITIONS

Mr. Dale Iman, City Manager, introduced the newly hired City Clerk, Pamela Megill, and stated she was a certified Municipal Clerk. Mayor Chavonne thanked Mr. Iman for the introduction and welcomed Ms. Megill to the team.

Mayor Chavonne presented a proclamation to Mr. Ron McElrath, Human Relations Director, proclaiming a "Diversity Day in September 2011". Mr. McElrath thanked the Mayor and Council members, and stated that the City of Fayetteville was one of the most diverse cities in America and stated the Fayetteville-Cumberland Human Relations Commission was honored to receive the proclamation. Also in attendance were additional members from the Commission: Mr. Clayborn Lowe, Monica Haynes, Sandra Mitchell, Annie Pope, Robert McRae, and Bishop Larry

Wright, President of the Ministerial Council.

Mayor Chavonne introduced SFC Clayborn Lowe, 583rd Forward Support Company, 18th Fire Brigade, 82nd Airborne Division. SFC Lowe, on behalf of the 583rd, thanked the City Council for their support during the deployment of 2009-2010. He presented a United States flag to Mrs. Joanne Chavonne for the care packages that were sent from "Fayetteville Cares". He presented a plaque to Mayor Pro Tem Haire and the representatives of the Kingdom Global Impact Ministries and thanked them for the Bibles and spiritual inspiration. He also presented a United States flag to Mayor Chavonne and the City Council.

6.0 PUBLIC FORUM

Ms. Charlotte Robinson, 814 Hope Mills Road, Fayetteville, NC 28304, stated she was the proud Team Mom of the "Fayetteville Stars" basketball team who were the National Champions from 2008 to 2011. She stated that all of the team players were exemplary honor students.

Mr. Andrew Early, no address was provided, stated he had provided an information packet that highlighted the T.J. Robinson Life Center. He stated the Fayetteville Stars were a part of the project. He announced a groundbreaking ceremony was scheduled for Thursday, September 15, 2011, at 12:00 noon in the Hope Mills area. He stated the focus of the program was to ensure that today's youth were allowed to develop into prominent and promising young men and women.

Ms. Joyce Malone, 516 Spaulding Street, Fayetteville, NC 28301, Director of the "His and Her's" performing arts theater, thanked everyone for supporting the arts. She stated the production, "Cindy in the Hood" that was recently held at Fayetteville State University was a complete success. She stated the theater had received a grant from the Arts Council in the amount of \$975.00 to pay for the rental space. Ms. Malone concluded by asking if there would be a police substation for the Broadell area.

Mr. Charlton Johnson, 334 Point Place, Apt. J, Fayetteville, NC 28301, expressed concern regarding the amount of trash that trucks were dropping onto the roads, and inquired if the Citizens on Patrol program could be a part of the solution to the problem.

Ms. Dana Murray, 2013 Forest Hills Drive, Fayetteville, NC 28303, expressed concern regarding speeding on her street. She stated there were children living on Forest Hills Drive that ride bicycles and skateboards. She stated the posted speed limit was 25 mph and a traffic study had shown there was a speeding problem. Ms. Murray requested the problem be resolved by installing speed bumps and stop signs.

7.0 CONSENT

MOTION: Council Member Bates moved to approve the consent agenda with the correction to Item 7.6, adopting the amended resolution referring to the proposed closing of Farmview Drive, and with the exception of Item 7.4.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (10-0)

7.1 Federal Aviation Administration (FAA) Grant Amendment and Capital Project Ordinance Amendment #2012-13 for Airport Improvement Project (AIP) #37, Rehabilitation of Taxiway A Pavement and Lighting.

7.2 2011 Airport Improvement Grant #38 and Capital Project Ordinance #2012-2 for the Design of Runway 4 area and Taxiway A, and Phase I reconstruction of airline terminal concrete apron.

7.3 Surplus 1989 Airport Rescue Fire Fighting (ARFF) truck to sell.

7.4 Pulled for discussion by Council Member Bates.

7.5 PWC - Phase V Annexation, Area 6 – Proposed assessment revision.

7.6 Adopt a resolution to set public hearing to consider closing a portion of Farmview Drive.

RESOLUTION CALLING A PUBLIC HEARING REGARDING THE PROPOSED CLOSING OF A PORTION OF FARMVIEW DRIVE AS A CITY STREET. RESOLUTION NO. R2011-042.

7.7 Approval of amendment to Memorandum of Understanding with Fayetteville State University for the demolition of the Washington Drive School.

7.4 Transfer of City-owned property located on Fisher Street adjacent Walker-Spivey School to Cumberland County School Board.

This item was pulled for discussion by Council Member Bates.

Mr. Dale Iman, City Manager, stated this was a request by City staff to transfer two surplus City-owned parcels to the Cumberland County Board of Education and provided background information. He stated it was adjacent to the child development center that was being developed through a \$5 million grant. He stated the funds would be transferred to the Board of Education and used as part of the child development center. He stated it was a cleanup of a remnant property that was in the area and would complement the Hope VI project but not be a commitment of the project.

Council Member Bates expressed concern that the City was donating land to the school system when the County was demanding a cash payment for an easement for the Cape Fear River Trail. Mr. Iman explained the City was negotiating to obtain an easement, not ownership, to construct a part of the River Trail Phase II near the County landfill. He stated in the past the County had granted property to the project for rights-of-way and easements, but this time the County was demanding a cash payment of \$38,000.00. He stated it was the County's opinion they could use the land where the easement was for the dirt on the property as daily cover for the landfill, and therefore valued it at approximately \$6.00 per cubic yard. Mr. Iman stated the issue would be on the September 20, 2011, County Commissioners meeting agenda, and inquired if the Council wanted to have the item pulled from that agenda and placed on the joint agenda.

Consensus of Council was to pull the item from the September 20, 2011, County meeting agenda and place on the joint meeting agenda.

RESOLUTION TO CONVEY REAL PROPERTY TO THE CUMBERLAND COUNTY BOARD OF EDUCATION. RESOLUTION NO. R2011-041.

MOTION: Council Member Bates moved to approve the land transfer located on Fisher Street adjacent to Walker-Spivey School to Cumberland County School Board.

SECOND: Council Member Davy

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

8.0 OTHER ITEMS OF BUSINESS

8.1 Amendment to Ordinance - Chapter 5, Alcoholic Beverages, and Chapter 18, Parks and Recreation.

Mr. Wayne Moser, Parks Division Manager, presented this item. Mr. Moser stated it was the Parks and Recreation's recommendation that Council amend Chapter 5, alcoholic beverages, and Chapter 18, parks and recreation, pertaining to the consumption, serving, and selling of alcoholic beverages on City facilities. He explained there were five locations in the current ordinance that were allowed to obtain permits to hold events that were recommended through the Special Events Committee to the City Manager for approval and not required to come before Council. He stated other locations not in the ordinance would have to go through a time-consuming process of going to the Council for approval, then from the Special Events Committee to the City Manager for approval. He stated staff was recommending the terminology be changed in the ordinance to change the locations and facilities.

Ms. Karen McDonald, City Attorney, clarified that when the events would come before Council, all they were doing was granting permission for them to serve alcohol. She stated the request would then go to the Special Events Committee for review as to security and street blocking. She stated the Special Events Committee was dealing with the logistical issues related to the event. She stated the intent of the proposal was to speed up the process by allowing the City Manager to make the decision that according to the ordinance was currently made by Council.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 5, ALCOHOLIC BEVERAGES, AND CHAPTER 18, PARKS AND RECREATION, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2011-009.

MOTION: Council Member Mohn moved to approve the amendment to ordinance Chapter 5, alcohol and beverages, and Chapter 18, parks in recreation.

SECOND: Council Member Massey

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

8.2 2011 Update on Community Wellness Plan

Mr. Tom Bergamine, Chief of Police, provided a power point presentation on the Community Wellness Plan. Mr. Bergamine stated there were several new initiatives for the plan wherein they would report to Mr. Iman and forward a report to the Mayor and City Council on a monthly basis. He provided an overview of the following:

- Veterans Court- Habilitate Justice Involved Veterans (JIV) by diverting them from traditional criminal justice and providing them with treatment and counseling needed to reintegrate them to the community. The program goals were to identify JIVs, assess their needs, manage their care, provide resolution of criminal cases, and reintegrate them into the community.
- Radio Show- Utilize for outreach to the members of the community who were not traditionally served by television or internet. A partnership with Klaus & Company show on 91.9 FM at the Fayetteville State University would choose topics which reflected current trends in crime and events in regards to what was going on in Fayetteville.
- Business Watch Groups- Successfully prevent and reduce crime and the perception of crime through a community-based problem-solving approach. A few years ago there were 64 community watch groups and there were currently over 160 sustainable community watch groups. A business watch group was being modeled after what was done with the community watch groups in the neighborhoods.
- Predictive Analysis or Risk-Based Analysis— A strategic placement of personnel, crime prevention, and special operations. Looking at past crime trends to include weather, time of the year, events that occurred in the City, anything that could contribute to crimes. Taking an overall look at crime in various areas of Fayetteville, not just one particular area, but the entire City. Looking at the risk, who was at risk, and how to prevent those risks from occurring.
- Juvenile Repeat Offenders- Identify serious or habitual juvenile offenders in Fayetteville through coordinated case management, improved public safety by holding these juveniles accountable, increasing supervision, and helping them become successful.
- Risk-Based Assessment, Burglary Task Force- A burglary task force was tried at various times throughout the Police Department throughout the years. Looking to reduce crime within specific target areas. This was a multifaceted approach to all crimes to develop criminal conspiracy cases for not only state prosecution but also federal.
- Homelessness- Accelerate the ten-year plan and reduce homelessness in Fayetteville. Homelessness in Fayetteville consisted of not having affordable housing.
- Partnerships Initiative— Currently lining up for Adopt a Cops with the elementary schools throughout Fayetteville. Last year there were 46 officers volunteering in 39 schools and were in the process of lining up the officers for that initiative again.

A question and answer period ensued regarding the presentation.

9.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:30 p.m.