

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
CITY HALL COUNCIL CHAMBER  
MAY 9, 2011  
7:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1) (arrived during Item 5.0); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); 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)

Absent: Council Member Darrell J. Haire (District 4)

Others Present:

Dale E. Iman, City Manager  
Doug Hewett, Assistant City Manager  
Karen M. McDonald, City Attorney  
Renner Eberlein, Assistant City Attorney  
Lisa Smith, Chief Financial Officer  
Tracey Broyles, Budget and Evaluation Manager  
Victor Sharpe, Community Development Director  
Adolph Thomas, Community Relations Specialist  
Randy Hume, Transit Director  
Jeffery Brown, Engineering and Infrastructure Director  
John Kuhls, Human Resource Development Director  
Benjamin Majors, Interim Fire Chief  
Patricia Bradley, Police Attorney  
Nathan Walls, Public Information Specialist  
Members of the Press

### **1.0 CALL TO ORDER**

Mayor Chavonne called the meeting to order.

### **2.0 INVOCATION**

The invocation was offered by Pastor Sharon L. Thompson-Journigan, Integrity Ministries.

### **3.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the American Flag was led by Boy Scout Troop 6.

### **4.0 APPROVAL OF AGENDA**

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

**SECOND: Council Member Massey**

**VOTE: UNANIMOUS (9-0)**

### **5.0 ANNOUNCEMENTS AND RECOGNITIONS**

#### **5.1 Federal Emergency Management Agency (FEMA) Applicant Registration Summary**

Ms. Sandy Thomas, FEMA Intergovernmental Affairs Specialist, presented this item and provided a summary of the registration assistance available and contact information. She reviewed the sequence of events in delivering individual, public, or hazard mitigation assistance. She explained the categories the projects would fall under and provided information on the approval process. She introduced Mr. Jose Vejarano.

Mr. Jose Vejarano, Public Affairs Specialist with the Small Business Administration, provided a brief overview of the disaster assistance program in which the federal low-interest loans were opened up to homeowners, renters, and businesses of all sizes including nonprofit organizations. He provided contact information and explained the application process.

Council Members Chavonne and Davy, on behalf of the City Council, presented a Proclamation to Ms. Sue Byrd, Fayetteville Area Operation Inasmuch, Inc., proclaiming May 17, 2011, Project Homeless Connect Day. Ms. Byrd extended an invitation to Council to attend the event.

Council Members Chavonne and Bates, on behalf of the City Council, presented a Proclamation to Mr. Mark Nottingham, Transportation Planner with the Fayetteville Area Metropolitan Planning Organization, proclaiming May 2011 Air Quality Awareness Month. Mr. Nottingham thanked the

City Council.

## **6.0 PUBLIC FORUM**

Mr. Anthony P. Castillo, 106 Scott Avenue, Fayetteville, NC 28301, spoke regarding the need for a veterans' mental health facility to be built in Fayetteville.

Ms. Shawna Parker, 4640 Weaverhall Drive, Fayetteville, NC 28314, on behalf of St. Ann's Catholic School, expressed concern with the traffic issues at the school and spoke regarding the need for a crossing guard.

## **7.0 CONSENT**

**MOTION:** Council Member Massey moved to approve the consent agenda.

**SECOND:** Council Member Bates

**VOTE:** UNANIMOUS (9-0)

### **7.1 Approve Minutes**

- April 26, 2011 - Regular Meeting

**7.2 Approval of acceptance of a parcel located on Campbell Street (PIN # 0428-85-9983).**

**7.3 Authorization of Fire Chief Benny Nichols and Battalion Commander Brian Mims to act as agents on behalf of the City of Fayetteville.**

**RESOLUTION – DESIGNATION OF APPLICANT'S AGENT. RESOLUTION NO. R2011-024.**

**7.4 Consideration of an ordinance regulating open burning of debris within City limits.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 11, FIRE PROTECTION AND PREVENTION, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, BY CREATING PROVISIONS TO REGULATE OPEN BURNING WITHIN THE CITY LIMITS OF FAYETTEVILLE, NORTH CAROLINA, AND REQUIRING NOTICE PRIOR TO OPEN BURNING. ORDINANCE NO. S2011-006.**

## **8.0 PUBLIC HEARING**

**8.1 Public hearing on a proposed installment financing agreement in a principal amount not to exceed \$9,000,000.00 for the purpose of financing the acquisition of the Festival Park Plaza Office Building and site acquisition, construction and equipping of Fire Station 19.**

Ms. Lisa Smith, Chief Financial Officer, presented this item and stated the proposed agreement with Bank of America was to finance acquisition of the Festival Park Plaza office building and site acquisition, construction, and equipping of Fire Station 19 located on Walsh Parkway. She provided a brief overview of the financing and settlement terms as follows:

- Secured by a deed of trust on the property
- Principal amount not to exceed \$9,000,000.00
- Variable rate loan
  - Festival Park Plaza office building – LIBOR + .75%
  - Fire Station – 62.5% of LIBOR + .60%
    - Note: Ten-year average LIBOR rate is 2.4%
- Three-year initial term based on 15-year loan amortization
  - At conclusion of the three-year term, request renewal
- If not renewed:
  - Refinance the loan,
  - Pay off the debt, or
  - Pay the outstanding balance over three years based on the greater of: prime rate + 1.5%, Fed Funds Rate + 3%, or 7.5%

She stated the recommended action was to adopt the resolution wherein they would submit the financing application to the Local Government Commission for approval of the financing documents and planned to close the transaction no later than June 30, 2011. Mayor Chavonne inquired if there would be a prepayment penalty. Ms. Smith responded in the negative.

This is the advertised public hearing set for this date and time. There was no one present to speak and the public hearing was opened and closed.

**RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE FINANCING OF VARIOUS CAPITAL PROJECTS FOR THE CITY OF FAYETTEVILLE, NORTH CAROLINA, PURSUANT TO AN INSTALLMENT FINANCING AGREEMENT AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING ARRANGEMENT. RESOLUTION NO. R2011-025.**

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

**SECOND:** Council Member Applewhite

**VOTE:** UNANIMOUS (9-0)

**9.0 OTHER ITEMS OF BUSINESS**

**9.1 Presentation of the Fiscal Year 2011-2012 Recommended Budget.**

Mr. Dale Iman, City Manager, presented this item by reading the budget message provided to Council for Fiscal Year 2011-2012. He reviewed the tools used to help in the budget planning process and the budget goals and provided budget highlights as follows:

- Maintains and enhances levels of service without increasing the tax rate
  - Recommended tax rate remains 45.6 cents per \$100.00 taxable valuation
- Enhances transit services
  - Route 9 extension
  - Evening service on routes 8 and 15
  - 3 positions added and 5 intermittent positions upgraded to full-time to support enhancements
- Implements the Probationary Rental Occupancy Program (PROP)
- Funds police enhancements including:
  - Deployment of additional in-car camera systems
  - Upgrade a part-time forensic technician to full-time
- Provides for equipment and operating needs for North Carolina Veterans Park
- Includes funding for the police pay plan and performance pay plan for other eligible employees
- Reflects savings from efficiency improvements in areas including Environmental Services and Police Department
- Capital outlay includes:
  - Vehicle and Equipment Replacements

Police	\$1,016,500	29 units
Environmental Services	1,470,000	6 units

Fire	1,377,000	3 units
Parks, Recreation & Maintenance	413,500	21 units
Engineering & Infrastructure	<u>422,000</u>	<u>4 units</u>
	<b><u>\$4,699,000</u></b>	<b><u>63 units</u></b>

- Other Capital Items

Police In-Car Cameras \$150,000 25 units

Equipment for NC Veterans Park \$84,000 4 units

Energy efficient ball field lighting \$140,000

- Transfers to capital project funds for:

Street resurfacing, including Fort Bragg Road \$3.65M

Municipal agreement projects 1.19M

Building maintenance projects 818K

Computer replacement plan 311K

Sidewalk improvements 156K

Ramsey Streetproject 150K

Playground improvements 67K

Parking lot maintenance projects 53K

Wayfinding signage project 50K

**\$6.445M**

- Emergency Telephone System Fund

- Significant revenue reductions anticipated from changes in distribution formula by State (\$423,000.00 or 40%)

- Stormwater Fund

- Maintains combined \$3.00 per month fee

- Includes funding for debt service to support the issuance of \$10.6 million in debt for projects

- Recycling Fund

- No fee increase proposed

- Enhances services with holiday pickup for curbside recycling

- Transit Fund

- No fare increases proposed

- Expansion of route 9 and evening service on routes 8 and 15

- General Fund contribution increased by \$238,000.00 over FY 2011 original budget

Mr. Iman then provided a summary of the proposed budget as follows:

- General Fund Budget

- Total proposed budget - \$138.8 million

- 3.4% increase from the original budget for fiscal year 2011

- Budget for All Annual Funds

- Total proposed budget - \$179.5 million

- 3.3% increase from original budget for fiscal year 2011

Mr. Iman provided a timeline for the budget workshops, public hearing, and adoption of the budget.

Discussion ensued regarding the tax rate. Mr. Iman provided a brief history of the tax rate.

## **9.0 ADJOURNMENT**

### **9.1 Closed session**

Council reconvened the closed session that was recessed at 6:50 p.m.

There being no further business, the meeting adjourned.