

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
MARCH 14, 2011
7:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); 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)

Absent: Council Member Robert A. Massey, Jr. (District 3)

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
Karen Hilton, Planning and Zoning Division Manager
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 Father Michael Patrick Cassabon, Saint Patrick's Parochial Vicar.

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 Crisp

VOTE: UNANIMOUS (9-0)

5.0 ANNOUNCEMENTS AND RECOGNITIONS

Mayor Chavonne announced March was declared Women's History Month and recognized Postmaster Dean Fields who would be unveiling a stamp to honor a woman who had moved history forward through her intellect, talent, courage, and persistence.

Postmaster Dean Fields stated he would be unveiling a stamp of Barbara Jordan which would be available in September. He stated Ms. Jordan was one of the first African-American women to join the Texas State Legislature and be elected to the Texas Senate and U.S. House of Representatives. He stated she was well known for her speaking talents and traveled across country as a renowned national speaker. He stated she captured the attention and admiration of the nation with her intelligence, integrity, ardent patriotism, and steadfast dedication to public service. Mayor Chavonne and Postmaster Fields unveiled the postage stamp in honor of Barbara Jordan.

6.0 PUBLIC FORUM

Mr. Iman Eronomy Mohammed, 2700 Murchison Road, Fayetteville, NC 28303, spoke regarding BRAC, Fayetteville State University, and medical care.

7.0 CONSENT

MOTION: Council Member Mohn moved to approve the consent agenda with the exception of Item 7.2.

SECOND: Council Member Bates

VOTE: UNANIMOUS (9-0)

7.1 Special Sign Permit request for temporary event signs for the Southeastern North Carolina Asian Indian Association Indian Festival on April 9, 2011.

Staff recommended Council grant the special sign permit with a limit of 25 signs to be put out March 26, 2011, and removed by April 10, 2011.

7.2 Award contract for the purchase of signs for "Wayfinding Signs - Phase I" project.

This item was pulled for discussion by Council Member Mohn.

Ms. Karen Hilton, Planning and Zoning Division Manager, presented this item and briefly reviewed the background of Phase I of the project, the design of the signs, and the project funds to date. She stated staff recommended Council award the contract to Signs Etc., Charlotte, NC, in the amount of \$215,074.00. Bids were received on February 21, 2011, as follows:

Signs Etc. (Charlotte, NC).....	\$215,074.00
Rite Lite Signs (Concord, NC).....	\$256,181.00
Bunting Graphics, Inc. (Verona, PA).....	\$257,640.97
Architectural Signing Inc. (Norcross, GA).....	\$313,863.27
Geographics Industries, Inc. (Harrison, OH).....	\$347,901.00
Big Apple Visual Group (Fishers, IN).....	\$355,233.00
Color-Ad Inc. (Manassas, VA).....	\$359,031.00
Schlosser Signs, Inc. (Loveland, CO).....	\$386,111.00
Architectural Graphics Inc. (Virginia Beach, VA).....	\$419,451.00
Henry Inc. (Decatur, GA).....	\$457,614.97

A question and answer period ensued regarding local bidders not bidding on the projects and installation of the signs. Ms. Hilton explained significant effort was made to make sure all local sign companies were included in the process. She further explained they may not have received local submissions because wayfinding signs were different from the normal signs for business and have to meet a wide variety of DOT standards when used along the roadways. She stated there was a list of City-approved businesses for installation of signs.

MOTION: Council Member Mohn moved to deny authorization to execute the contract to Signs Etc., Charlotte, NC, in the amount of \$215,074.00 for the purchase of wayfinding signs.

The motion died due to lack of a second.

MOTION: Council Member Bates moved to approve the contract as recommended from staff.

SECOND: Council Member Hurst

VOTE: PASSED by a vote of 8 in favor to 1 in opposition (Council Member Mohn)

8.0 PUBLIC HEARING

8.1 LaGrange and Summerhill public hearing.

Mr. James Rose, PWC Chief Administrative Officer, presented this item and stated the public hearing was for the LaGrange and Summerhill annexation project to provide sanitary sewer service to Areas 6 and 7 of the Phase 5 annexation. He reviewed the site plan and provided the following project information:

Sanitary Sewer Cost

- Total project cost: \$5,376,374.00
- Number of parcels served: 454
- Average cost per parcel served: \$11,790.00
- Cost of mains: \$5,013,160.00
- Linear feet: 34,958
- Average per linear foot cost: \$143.00

Property Assessment

- Typical single-family residential lot: \$5,000.00
- For non-single family residential properties, a per front foot rate of \$55.56 with a 90 foot minimum plus the area average lateral charge of \$783.00.

Payment Options

- In full (no interest if paid within 30 days from notice)
- Financing Terms
- 10-year term
- 8% interest rate

- Annual or monthly installments

Mr. Rose stated the resolution confirming the assessment roll and levying assessments would come before Council on March 28, 2011, for adoption; the assessment notice to property owners would be mailed on March 30, 2011; and the notice would be published in the newspaper on April 18, 2011.

This is the advertised public hearing set for this date and time. The public hearing was opened. Ms. Christina Kole, 1935 Washington Street, Wilmington, NC 28401, appeared in opposition and stated she inherited a house at 232 Ramona Drive in LaGrange but did not live in Fayetteville. She expressed concern for the amount of the assessment and felt there should be other options for those who own property in Fayetteville but do not reside in Fayetteville.

Mrs. Gerda Hepner, 7579 Deerwood Drive, Fayetteville, NC 28303, appeared in opposition and expressed concern with the equipment being driven by her home causing severe dust issues. There being no one further to speak, the public hearing was closed.

No action was taken on this item.

9.0 OTHER ITEMS OF BUSINESS

9.1 Consider Adoption of Budget Ordinance Amendment 2011-8, Capital Project Ordinance 2011-10, Special Revenue Project Ordinance 2011-10 and Associated Resolutions Authorizing Grants (FY2011 Transit Capital and Planning Grants).

Mr. Randy Hume, Transit Director, presented this item and provided a brief overview of the grant. He reviewed the following information regarding the Federal Transit Capital Grant:

FTA Grant NC-90-X469

- Federal Transit Administration (FTA) - Formula Section 5307 Grant
- Approved by FTA and Grant Contract executed in December 2010
- State funding application submitted in December 2010 – If approved, would provide approximately 50 percent of required matching funds.

Vehicle Projects

- New Revenue Vehicles
- 3 Replacement Buses – Hybrid Electric
- 3 Replacement FAST *TRAC!* Vans
- Retrofit Vehicle Cooling Systems
- 8 Buses – Reduces Engine Temperatures

Other Capital Projects

- Parking Lot Replacement
- Concrete Bus Parking Area
- Asphalt Light Vehicle Areas
- Scheduling Software
- Bus Stop Improvements
- Shelters and Benches
- Sidewalk Projects

Planning Projects

- Service Planning
- Route Monitoring
- Civil Rights Programs
- EEO, DBE, Title VI
- Training and Staff Development

Grant Summary

• Vehicle Projects	\$2,195,000.00
• Other Capital Projects	661,131.00
• Planning Projects	235,147.00
• ADAand Maintenance*	<u>1,357,377.00</u>
• Total Grant Project	\$4,448,655.00

- Federal \$3,618,774.00
- Local (and State) \$829,881.00

*Note: Included in Operating Budget

Ms. Lisa Smith, Chief Financial Officer, then reviewed the budget items for consideration as follows:

- Capital Project Ordinance 2011-10 sets the \$2,856,131.00 budget for the buses, vans, renovations, shelters, sidewalks

Funding sources*:

Federal \$2,344,755.00
General Fund \$511,376.00

*No state funds currently awarded

- Special Revenue Project Ordinance 2011-10 sets the \$235,147.00 budget for planning projects

Funding sources*:

Federal \$188,118.00
General Fund \$47,029.00

*No state funds currently awarded

- Budget Ordinance Amendment 2011-8 increases General Fund contribution for Transit by \$197,490.00 to meet match requirements for capital and planning grants

- Two resolutions will authorize the City to enter into a state contract should grant match funding become available

A question and answer period ensued regarding the funding and lack of state support. Ms. Smith explained the original budget for planning and capital was approximately \$234,000.00 and to that \$126,000.00 remained from last year's budget. She stated they were proposing they use the \$234,000.00 that was in the original budget plus the \$126,000.00 that remained at year-end last year. She stated they would still need another \$197,000.00 and were requesting that Council approve the increase for the \$197,000.00.

RESOLUTION AUTHORIZING CITY OF FAYETTEVILLE TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (FY 2011 TRANSIT CAPITAL GRANT NC-90-X-0469). RESOLUTION NO. R2011-010.

RESOLUTION AUTHORIZING CITY OF FAYETTEVILLE TO ENTER INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (FY 2011 TRANSIT PLANNING GRANT NC-90-X-0469). RESOLUTION NO. R2011-011.

MOTION: Council Member Hurst moved to adopt Budget Ordinance Amendment 2011-8, Capital Project Ordinance 2011-10, Special Revenue Project Ordinance 2011-10, and the two accompanying state grant resolutions.

SECOND: Mayor Pro Tem Haire

VOTE: UNANIMOUS (9-0)

9.2 FY 2012 State Legislative Agenda Update

Ms. Rebecca Rogers-Carter, Management Services Manager, presented this item and stated the 2011-2012 biennium of the North Carolina General Assembly convened on January 26, 2011. She stated the Fayetteville's legislative delegation's support and advocacy was instrumental in assisting the City with acquiring the authority to establish certain programs and in securing community assets. She stated to ensure the delegation was aware of the City's needs and interests, a legislative agenda was prepared for review and action. She stated the following list represented the needs and interests identified for presentation to the delegation:

- Oppose legislation impacting municipal services which:
 - Balances the State budget using state collected local government revenues
 - Creates unfunded mandates for local governments
 - Limits the ability of municipalities to grow in a reasonable manner while providing quality municipal services

- Imposes a moratorium on local governments providing broadband services to their community
- Support legislation that enhances and protects municipal programs, specifically in public safety, transportation and sustainability
 - Creates parity of fines for speeding convictions in school zones and construction zones
 - Revises the nuisance abatement law
 - Establishes traffic light camera programs that improve safety in our community and protect municipal resources and interests
 - Appropriates additional funds to the State Fire Protection Grant
 - Provides additional funding for local transit systems
 - Provides additional funding to address local transportation infrastructure needs
 - Provides for funding of climate change adaptation plans and encourages energy efficiency audits for municipalities
- Endorse the 2011-2012 North Carolina League of Municipalities Advocacy Goals

She stated they were requesting adoption of the proposed state legislative agenda so that they could move forward in communicating the City’s interests to the elected representatives in Raleigh.

MOTION: Council Member Mohn moved to approve the 2011-2012 state legislative agenda for presentation in the form of a resolution to the City’s legislative delegation for their review and action.

SECOND: Mayor Pro Tem Haire

VOTE: PASSED by a vote of 8 in favor to 1 in opposition (Council Member Crisp)

10.0 ADMINISTRATIVE REPORTS

10.1 Monthly statement of taxes for February 2011.

2010 Taxes.....	\$1,224,642.50
2010 Vehicle Taxes.....	358,917.09
2010 Revit.....	3,444.39
2010 Vehicle Revit.....	273.08
2010 FVT.....	48,282.41
2010 Transit Tax.....	48,282.41
2010 Storm Water.....	54,035.40
2010 Fay Storm Water.....	108,070.95
2010 Recycle Fee.....	67,849.76
2010 Annex.....	0.00
2009 Taxes.....	8,015.55
2009 Vehicle Taxes.....	50,122.23
2009 Revit.....	0.71
2009 Vehicle Revit.....	3.48
2009 FVT.....	8,917.79
2009 Transit Tax.....	8,917.72
2009 Storm Water.....	119.34
2009 Fay Storm Water.....	238.65
2009 Recycle Fee.....	340.32
2009 Annex.....	0.00
2008 Taxes.....	1,572.90
2008 Vehicle	4,576.15
2008 Revit.....	0.00
2008 Vehicle Revit.....	0.00
2008 FVT.....	974.69
2008 Transit Tax.....	741.40
2008 Storm Water.....	74.76

2008 Fay Storm Water.....	73.42
2008 Recycle.....	128.49
2008 Annex.....	0.00
2007 Taxes.....	1,077.72
2007 Vehicle	1,981.34
2007 Revit.....	0.00
2007 Vehicle Revit.....	0.00
2007 FVT.....	436.82
2007 Storm Water.....	26.43
2007 Fay Storm Water.....	24.00
2007 Annex.....	0.00
2006 and Prior Taxes.....	1,094.69
2006 and Prior Vehicle.....	5,414.26
2006 and Prior Revit.....	0.00
2006 and Prior Vehicle Revit.....	0.00
2006 and Prior FVT.....	1,085.43
2006 and Prior Storm Water.....	29.30
2006 Annex.....	0.00
Interest.....	55,849.05
Revit Interest.....	88.47
Storm Water Interest.....	1,398.04
Fay Storm Water Interest.....	2,727.12
Annex Interest.....	0.00
Fay Recycle Interest.....	1,919.07
Total Tax and Interest.....	\$2,071,767.33

11.0 ADJOURNMENT

There being no further business, the meeting adjourned.