

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
CITY HALL COUNCIL CHAMBER
JANUARY 3, 2011
5:00 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) (arrived at 5:07 p.m.); 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);
Designate James W. Arp, Jr. (District 9)
Others Present:

Dale E. Iman, City Manager
Kristoff Bauer, Assistant City Manager
Doug Hewett, Assistant City Manager
Karen M. McDonald, City Attorney
Jerry Dietzen, Environmental Services Director
Tom Bergamine, Chief of Police
Deborah Mintz, Arts Council
Rita Perry, City Clerk
Member of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Mayor Pro Tem Haire.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Bates moved to approve the agenda and to go into closed session for consultation with the attorney.

SECOND: Council Member Hurst

VOTE: UNANIMOUS (9-0)

Closed session for consultation with the attorney.

The regular session recessed at 5:03 p.m. The regular session reconvened at 5:33 p.m.

MOTION: Council Member Mohn moved to go into open session.

SECOND: Council Member Bates

VOTE: UNANIMOUS (10-0)

4.0 OTHER ITEMS OF BUSINESS

A. Introduction of Human Resource Development Director and Transit Director

Mr. Dale Iman, City Manager, introduced Mr. John Kuhls, Human Resource Development Director, to Council.

4.1 Multifamily and Commercial Recycling Update

Mr. Jerry Dietzen, Environmental Services Director, presented this item and stated the purpose of the ordinance was to ensure that all residents of multifamily communities in Fayetteville had access to convenient recycling. Mr. Dietzen reviewed the following elements:

Multifamily management would provide a sufficient number of carts or dumpsters for weekly recycling collection.

- The carts/dumpsters would be in convenient, safe, and well-lit areas, and screened as required with trash dumpsters.
- Draft ordinance.
- Developments would provide recycling information to their residents and post the recycling storage sites with information.
- Managers would contract with a reputable firm or collect and transport their own on a weekly basis.

- Storage sites must comply with ADA and be accessible to collection vehicles.
- Collection would take place after 7:00 a.m. and before 10:00 p.m.

A discussion period ensued regarding timeline, fees, process to address multiple fines, and holiday pickup.

Ms. Karen McDonald, City Attorney, stated the interest was to include Council direction and hold more community meetings prior to having a public hearing.

Mr. Doug Hewett, Assistant City Manager, added stakeholder input would be solicited prior to the public hearing.

Consensus of Council was to hold a public hearing at the February 28, 2011, meeting.

4.2 Consolidated E911 Center Update

Mr. Dale Iman, City Manager, presented this item and provided background information on the current E911 center operations. Mr. Iman stated he attended a seminar regarding consolidation of E911 centers that was presented by a center operator for Charleston County, South Carolina. He stated the City of Charleston and County of Charleston were going through a consolidation of the 911 centers and the process had taken a year and a half. He reviewed the following steps that were followed to accomplish the consolidation:

Step 1: Agreement to Explore

Step 2: Assessment

- Contract for an Assessment with an option for a Consolidation Plan
- Current Conditions Operations
- Current Conditions Technology
- Current Conditions Facility
- Current Conditions Budget/Funding

Step 3: Evaluate the Assessment

Step 4: Develop a Plan

Step 5: Implement the Plan

Mr. Iman responded to questions posed by Council regarding consultant needs, facilities, and employee status. Mr. Iman stated Charleston County recommended a full-time consultant. He explained that an existing facility would still be needed as a backup and the employees would be under the County.

For Informational/Update Purposes Only

4.3 Revision to the Proposed Purchasing Policy for Local Business Support

Ms. Karen McDonald, City Attorney, presented this item and stated this was as a result of Council's direction to establish a policy to help the City's local small business owners to receive a greater percentage of City contracts. Ms. McDonald informed Council that the Cumberland County Board of Commissioners revised their purchasing policy. She reviewed the revisions as follows and provided a copy of the revised policy adopted by the Cumberland County Board of Commissioners:

- County's policy was intended "to encourage the award of more contracts of less than \$30,000.00 to local vendors".
- County's policy provided a definition for "local vendor or supplier".

In response to questions posed by Council regarding the bidding and service contract processes, Ms. McDonald explained that bidding laws had to comply with specific requirements and contracts under \$30,000.00 would not fall under that purview and there were no requirements for service contracts.

Consensus of Council was to bring this item back to a future work session along with a purchasing agency representative for further discussion.

4.4 Probationary Rental Occupancy Permit (PROP) Update

Mr. Doug Hewett, Assistant City Manager, presented this item and summarized the history. Mr. Hewett stated the proposed PROP would operate under the following conditions:

- No current ability to track criminal activity (code violations only). Criminal citations not factored in.

- No resources from a rental registration program to fund the program.

Mr. Hewett responded in the negative to questions posed by Council as to whether the program would regulate repeat offenders who operated houses of prostitution and drug houses.

Discussion ensued regarding the need to address the criminal aspects. Mr. Hewett explained that tracking criminal elements would require additional resources.

Mr. Hewett reviewed the cost and revenue of the proposed PROP as follows:

Costs

- \$360,534.00 over a 4-year period
- Costs include:
 - \$52,600.00 in one-time costs or \$13,000.00 a year amortized over four years (could use fund balance appropriation). Includes vehicle, office set up, and initial educational and marketing costs.
 - \$77 K average annual reoccurring operating costs
- Assumptions:
 - Minimal education and marketing costs are included
 - No additional software is included
 - No indirect costs are associated
 - No legal or collection support costs included

Revenue (Fines from PROP)

- Revenue estimates include:
 - \$500.00 annual fine
 - Estimated 5 properties first year, average of 13 thereafter
 - Total reoccurring revenue for 13 properties = \$6,500.00
 - Total reoccurring expenditures \$77,000.00
 - Difference \$70,500.00
- Assumptions:
 - The \$500.00 fee is collected in full
 - Owners enrolled in PROP are kept to a minimum

Mr. Hewett stated the goal was to have no owners on PROP. He further explained that to be placed on PROP would require three convictions within a 24-month period.

Further discussion ensued regarding the criminal element.

Mayor Pro Tem Haire questioned the nuisance abatement process and how many calls had to be received. Ms. McDonald explained that the process was not dependent upon the number of calls but the type of calls.

Consensus of Council was for staff to revise the PROP with the inclusion of the criminal element aspect and to bring back to a future meeting.

4.5 2010 Redistricting and the 2011 Elections

Mr. Kristoff Bauer, Assistant City Manager, presented this item and reviewed the following aspects:

- The Issue (What has to be done)
- Timing Challenge
- Outcome Alternatives
- Process Options

Following a brief question and answer period, it was the consensus of Council to identify and procure an external service which would be ready to move forward when the new census data became available.

Ms. McDonald requested direction from Council regarding their preference regarding the process to identify consultants. Mayor Chavonne stated this would be discussed at the next dinner and discussion meeting.

4.6 Review of City Council Nonprofit Funding Policy No. 135.1

Mr. Dale Iman, City Manager, presented this item. Mr. Iman stated at the present time the City had not been soliciting requests for nonprofit funding and reviewed the following list of nonprofit funding:

- ASOM partnership
- Arts Council funded up to \$800,000.00 which has been met
- Child Advocacy center was funded without a line item service agreement for training (hosting 2011 conference)
- Friends of the Park
- Women's Center

Ms. Deborah Mintz, Arts Council, outlined the process by which the Council disbursed funds. A discussion period ensued regarding the availability of funds for new nonprofit organizations. Mr. Iman stated funds could be requested through the Community Development Department. Consensus of Council was to ensure the current policy was followed by accepting nonprofit funding requests and to bring the item back to a future work session.

ADJOURNMENT

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