

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
COUNCIL CHAMBER  
MARCH 14, 2016  
7:00 P.M.**

Present: Mayor Nat Robertson

Council Members Kathy Jensen (District 1); Kirk deViere (District 2); H. Mitchell Colvin, Jr. (District 3); Chalmers McDougald (District 4); Robert T. Hurst, Jr. (District 5); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp (District 9)

Others Present: Theodore Voorhees, City Manager  
Karen McDonald, City Attorney  
Kristoff Bauer, Deputy City Manager  
Rochelle Small-Toney, Deputy City Manager  
Jay Reinstein, Assistant City Manager  
Jim Palenick, Economic and Business Development Director  
Kevin Arata, Corporate Communications Director  
Rob Stone, Engineering and Infrastructure Director  
Lee Jernigan, Traffic Engineer  
Randy Hume, Transit Director  
Cheryl Spivey, Chief Financial Officer  
Tracey Broyles, Budget and Evaluation Director  
Kecia Parker, Real Estate Manager  
Jane Starling, Deputy City Clerk  
Pamela Megill, City Clerk  
Members of the Press

**1.0 CALL TO ORDER**

Mayor Robertson called the meeting to order.

**2.0 INVOCATION**

The invocation was offered by Dr. Michael Garrett, First Presbyterian Church.

**3.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the American Flag was led by Boy Scout Troop 746.

**4.0 ANNOUNCEMENTS AND RECOGNITION**

Council Member Hurst introduced and welcomed Miss Fayetteville Victoria Baskett and presented her with a City Coin. Miss Baskett announced her platform was "The Victoria Basket - Patient Safety".

Council Member Hurst introduced and welcomed Miss Fayetteville's Outstanding Teen, Whitley Naylor, and presented her with a City Coin. Miss Naylor announced her platform was "Crayons for Comfort".

Mayor Robertson announced the Budget and Evaluation Department has been awarded the Government Finance Officers Association Distinguished Budget Presentation Award, and presented the award to Ms. Tracey Broyles, Budget and Evaluation Director, and the department's staff.

Council Member Hurst announced the Fayetteville Beautiful Clean Up event would take place on April 2, 2016, and encouraged everyone to participate.

Mayor Pro Tem Colvin announced the Parks and Recreation Bond Referendum election day would be March 15, 2016, and encouraged

everyone to vote for the Parks and Recreation Bond, and be a part of our community.

## 5.0 APPROVAL OF AGENDA

MOTION: Council Member Arp moved to approve the agenda.  
SECOND: Council Member Wright  
VOTE: UNANIMOUS (10-0)

## 6.0 CONSENT AGENDA

MOTION: Mayor Pro Tem Colvin moved to approve the consent agenda.  
SECOND: Council Member McDougald  
VOTE: UNANIMOUS (10-0)

### 6.01 Approval of Meeting Minutes:

January 11, 2016 - Discussion of Agenda Items  
January 25, 2016 - Discussion of Agenda Items  
February 8, 2016 - Discussion of Agenda Items  
February 22, 2016 - Discussion of Agenda Items  
February 22, 2016 - Regular Meeting

6.02 P16-05F. The staff initiated rezoning of property from CC Community Commercial to SF-10 Single-Family Zoning District, to be located at 6211 and 6215 Millford Road, and being the properties of Annie Rogers Dear and Walter L. Cline and wife, Nancy G..

### 6.03 Capital Project Ordinance Amendment 2016-38 (Linear Park Project)

Capital Project Ordinance Amendment 2016-38 will appropriate \$26,250.00 in additional donations and \$197.00 in additional investment income for the Linear Park project. These additional funds will support improvements at adjacent park land on Maiden Lane, as well as other future Linear Park projects.

6.04 Resolution authorizing sale of Motorola Radio System surplus items to City of Greensboro.

RESOLUTION AUTHORIZING SALE OF MOTOROLA 4.1 RADIO SYSTEM SURPLUS ITEMS TO THE CITY OF GREENSBORO, NORTH CAROLINA. RESOLUTION NO. R2016-020

6.05 Approval of Municipal Agreement with NCDOT for Sidewalk Installation on Owen Drive and Adoption of Capital Project Ordinance Amendment 2016-37 and Capital Project Ordinance 2016-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE FOR CONSTRUCTION OF SIDEWALK AND BUS PADS ON THE EASTSIDE OF OWEN DRIVE FROM EASTERN BOULEVARD TO WALTER REED ROAD. RESOLUTION NO. R2016-021

6.06 Award Contract for Resurface Various Streets 2016, Phase II, to Barnhill Contracting Company, Fayetteville, NC, the lowest responsive, responsible bidder, in the amount of \$2,104,787.50

The Resurface Various Streets 2016, Phase II, consists of resurfacing 28 streets (approximately 7.16 miles) and milling and resurfacing 8 streets (approximately 2.44 miles). The work includes, but is not limited to, removing and replacing curb and gutter, installing and retrofitting handicap ramps, utility adjustments, milling, cutting out and patching areas, placing leveling and overlay courses, installation of traffic loops and resurfacing of an existing parking lot.

Bids were received April 12, 2016, as follows:

Barnhill Contracting Company, Fayetteville, NC ... \$2,104,787.50  
Highland Paving Co., LLC, Fayetteville, NC ..... \$2,427,069.15

## 7.0 PUBLIC FORUM

Ms. Emma Brown, Gilbert Theater Assistant Director, 116 Green Street, Fayetteville, NC 28301, thanked the City Council for the recent upgrades to the Gilbert Theater.

Ms. Doloris LeFlore, 2111 Coinjock Circle, Fayetteville, NC 28304, requested Council waive the \$5,000.00 assessment for sewer system connection.

Ms. Janie Fulcher, 4401 Atlantic Avenue, Fayetteville, NC 28306, addressed concerns pertaining to her sister being denied the opportunity to ride the disability bus by the Transit Department.

Ms. Terri Union, 115 Parkview Avenue, Fayetteville, NC 28305, invited Mayor Robertson and Council to attend the Rodin Exhibition, Portraits of a Lifetime, at Methodist University showing now through May 7, 2016.

Ms. Jennifer Fincher, 2545 Ravenhill Drive, Suite 101, Fayetteville, NC 28303, thanked Mayor Robertson and Council for their support of the Center for Economic Development and Empowerment Development (CEED); the center helps people to make their pipe dreams a reality.

Mr. Matthew M. Smith, Jr. (Co-Chair of Rotary Christmas Parade), 3101 Hyman Place, Fayetteville, NC 28303, expressed concerns pertaining to parking of Christmas Parade vehicles at the Prince Charles parking lot.

Mr. Iman Eronomy Mohammed Smith, 1200 Murchison, Fayetteville, NC 28301, spoke on the state of Fayetteville.

Mr. Jose' I. Cardona, 233 Addison Street, Fayetteville, NC 28314, spoke in favor of the Parks and Recreation bond package, and encouraged everyone to vote "yes".

## 8.0 OTHER ITEMS OF BUSINESS

Mr. Theodore Voorhees, City Manager, introduced and welcomed Mr. Jim Palenick, the new Economic and Business Development Director. Mr. Palenick stated he is honored and excited to be here in Fayetteville and said he is looking forward to great success here in Fayetteville.

### 8.01 Presentation of Appointment Committee Recommendations for Boards and Commissions Appointments

Council Member Hurst presented this item and thanked Appointment Committee members Mayor Robertson, Council Member Hurst, Council Member Crisp, Council Member Jensen, and Council Member McDougald for their participation in the process and thanked Council Member deViere for his attendance at the meeting. He also thanked Pamela Megill, City Clerk, and Jane Starling, Deputy City Clerk, and staff liaisons for their hard work on this item. He stated the Appointment Committee met on February 24, 2016, to review applications for appointments to boards and commissions. It is from that meeting the Appointment Committee presents the recommendations for appointments to the City of Fayetteville boards and commissions as follows:

#### Airport Commission

Mr. Patrick Wachtler (1st Term)	April 2016-March 2018
Mr. John W. "Jay" Wyatt III (2nd Term)	April 2016-March 2018

#### Ethics Commission

Ms. Dale Knowles (1st Term) (CPA)	April 2016-March 2019
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Fair Housing Board

Mr. Eric Anderson (1st Term)	April 2016-March 2018
Mr. Dale Young (1st Term) (Real Estate Representative)	April 2016-March 2018
Ms. Gwen Wright (2nd Term)	April 2016-March 2018

Fayetteville Advisory Committee on Transit (FACT)

Mr. Austin L. Campbell (2nd Term) (Local Business Representative)	April 2016-March 2018
Ms. Lillie Henderson (1st Term) (Within Service Area)	April 2016-March 2018
Mr. Warner D. Whitehead (2nd Term) (FAST Driver)	April 2016-March 2018
Mr. Kenneth Hicks (1st Term)	April 2016-March 2018

Fayetteville City Planning Commission

Mr. Clabon Lowe (1st Term) (Full member)	March 2016-Sept 2017
Mr. Michael Clark (Partial Term) (Alternate)	March 2016-Sept 2016
Mr. Marshall Isler (Partial Term) (Alternate)	March 2016-Sept 2017

Fayetteville-Cumberland Parks and Recreation Advisory Commission

Mr. Gary Weller (Partial Term)	Oct 2015-Sept 2017
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Fayetteville Finance Corporation

Ms. Cheryl Spivey (Term N/A) (Chief Financial Officer)	March 2016-Sept 2016
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Historic Resources Commission

Ms. Candace Williams (1st Term) (Category 4 - Building Designer)	April 2016-March 2018
Ms. Sana Moulder (1st Term) (Category 2 - Historian)	April 2016-March 2018
Mr. George Turner (1st Term) (Category 6 - At-Large)	April 2016-March 2018
Ms. Gina Jackson (1st Term) (Category 6 - At-Large)	April 2016-March 2018
Mr. Joshua Gray-Heim (1st Term) (Category 6 - At-Large)	April 2016-March 2018

Joint City and County Appearance Commission

Ms. Helen Haynes (Partial Term)	March 2016-Sept 2017
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Joint Fayetteville-Cumberland County Senior Citizens Advisory Commission

Ms. Gertrude Thompson (Partial Term)	March 2016-Sept 2017
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Linear Park, Inc.

Ms. Cheryl Spivey (Term NA) (Function of Job)	April 2016-March 2018
Mr. Theodore Voorhees (Term NA) (Function of Job)	April 2016-March 2018

Personnel Review Board

Mr. Grant A. Gabriel (2nd Term) (Supervisor/Manager)	April 2016-March 2018
Mr. Steve Harper (2nd Term)	April 2016-March 2018
Mr. Larry Goins (1st Term) (Supervisor/Manager)	April 2016-March 2018

Stormwater Advisory Board

Ms. Faith Chima (1st Term)	March 2016-Sept 2018
Mr. Len Brown (Partial Term)	March 2016-Sept 2017

Council Member Hurst noted typographical errors for the Fayetteville-Cumberland Human Relations Commission and stated the corrected item for the Human Relations Commission will be brought back to Council at the March 16, 2016, work session.

**MOTION:** Council Member Hurst moved to approve, with the exception of the appointments for the Fayetteville-Cumberland Human Relations Commission.

**SECOND:** Council Member Arp

**VOTE:** UNANIMOUS (10-0)

## **8.02 Memorandum of Understanding between the City of Fayetteville, NC, and PCH Development Co., LLC.**

Mr. Theodore Voorhees, City Manager, presented this item and stated PCH Development Co., LLC (PCH), has acquired the Prince Charles building and adjacent land and requests the execution of a Memorandum of Understanding (MOU) to establish a framework for working with the City and, perhaps, Cumberland County to explore the creation of a partnership to redevelop the surrounding area. PCH is in the process of renovating the building into a mixed use structure that will preserve its historic nature. The City owns significant land surrounding the Prince Charles building and has been seeking opportunities to redevelop that land to enhance downtown. The three key components of the proposed MOU are (1) authorization of the City Manager to negotiate on the City's behalf on related topics, (2) a commitment to work with PCH exclusively for a period of time, and (3) a commitment to keep limited proprietary information confidential. PCH understands limits regarding the City's ability to guarantee complete confidentiality, and is willing to work within these limitations.

**MOTION:** Mayor Pro Tem Colvin moved to approve the Memorandum of Understanding with PCH Development Co., LLC, with an exception in the form of an amendment to paragraph 9A. Paragraph 9A to read as follows: City is responsible for providing support and cooperation to Developer in the performance of its obligations hereunder. City shall designate a Representative who shall represent City and have the power to bind City to all matters pertaining to this MOU, subject to the approval of the City Council.

**SECOND:** Council Member deViere

**VOTE:** UNANIMOUS (10-0)

## **9.0 ADMINISTRATIVE REPORTS**

### **9.01 Monthly Statement of Taxes - February 2016**

2015 Taxes .....	1,567,538.39
2015 Vehicle .....	74.79
2015 Taxes Revit .....	5,142.85
2015 Vehicle Revit .....	0.00
2015 FVT .....	10.00
2015 FTT .....	10.00
2015 Storm Water .....	66,218.46
2015 Fay Storm Water .....	132,436.96
2015 Fay Solid Waste Fee .....	93,638.65
2015 Annex .....	0.00
2014 Taxes .....	17,510.84
2014 Vehicle .....	51.75
2014 Taxes Revit .....	20.40
2014 Vehicle Revit .....	0.00
2014 FVT .....	0.00
2014 FTT .....	0.00
2014 Storm Water .....	437.95
2014 Fay Storm Water .....	788.31
2014 Fay Solid Waste Fee .....	1,224.85
2014 Annex .....	0.00
2013 Taxes .....	3,818.88
2013 Vehicle .....	1,303.35
2013 Taxes Revit .....	0.00
2013 Vehicle Revit .....	0.00
2013 FVT .....	223.73
2013 FTT .....	223.72
2013 Storm Water .....	112.58
2013 Fay Storm Water .....	225.15
2013 Fay S Waste Fee .....	356.49
2013 Annex .....	0.00

2012 Taxes .....	1,143.00
2012 Vehicle .....	1,163.47
2012 Taxes Revit .....	0.00
2012 Vehicle Revit .....	0.00
2012 FVT .....	249.57
2012 FTT .....	249.58
2012 Storm Water .....	228.00
2012 Fay Storm Water .....	456.00
2012 Fay S Waste Fee .....	76.00
2012 Annex .....	0.00
2011 and Prior Taxes .....	1,250.78
2011 and Prior Vehicle .....	2,212.95
2011 and Prior Taxes Revit .....	0.00
2011 and Prior Vehicle Revit .....	0.00
2011 and Prior FVT .....	384.80
2011 and Prior FTT .....	209.82
2011 and Prior Storm Water .....	36.00
2011 and Prior Fay Storm Water .....	72.00
2011 and Prior Fay S Waste Fee .....	114.00
2011 and Prior Annex .....	0.00
Interest .....	52,128.95
Revit Interest .....	152.20
Storm Water Interest .....	1,888.22
Fay Storm Water Interest .....	3,784.34
Annex Interest .....	0.00
Solid Waste Interest .....	2,782.01
Fay Transit Interest .....	225.59
Total Tax and Interest .....	\$1,960,175.38

#### 10.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:50 p.m.