

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
MARCH 29, 2016
7:00 P.M.**

Present: Mayor Nat Robertson

Council Members Katherine K. 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, Jr. (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
Cheryl Spivey, Chief Financial Officer
Scott Shuford, Planning and Code Enforcement Services Director
Craig Harmon, Senior Planner
Kevin Arata, Corporate Communications Director
Tracey Broyles, Budget and Evaluation Director
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 Pastor Jeremy Wright with As One Fellowship church. Pastor Wright invited the public to participate in the As One Prayer Walk beginning at 10:00 a.m. on April 9, 2016, at Festival Park.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Mayor Robertson and City Council.

4.0 ANNOUNCEMENTS AND RECOGNITION

Council Member Hurst announced the City-wide Fayetteville Beautiful Clean-Up event would take place on April 2, 2016, the distribution site to pick up bags and gloves will be open from 8:00 to 9:30 a.m. and is located at the entrance to Cross Creek Park on Green Street.

Mr. Murray Duggins, President of the Fayetteville Police Foundation, and Ms. Sandy McCormick announced the Police Ball would take place on April 29, 2016, at the Highland Country Club; a fundraiser to purchase a weapon identification system for the Police Department.

Mr. Robert Hines, President and CEO of United Way of Cumberland County, presented the first time Loaned Executive Award to Mr. Chris McMillan; the Loaned Executive Award honors the volunteer who demonstrates extraordinary leadership, initiative, and management of their assigned company campaigns.

Mr. Robert Hines, President and CEO of United Way of Cumberland County, presented Mayor Robertson and Mr. Ted Voorhees, City Manager, with the United Way Spirit of North Carolina Award; the Spirit of North Carolina Awards for Campaign Excellence is sponsored annually by

the United Way of North Carolina. The Spirit awards provide statewide recognition for outstanding commitment and support to communities through local United Way involvement. The Spirit Awards were developed to recognize companies and their employees that demonstrate campaign excellence and community commitment.

5.0 APPROVAL OF AGENDA

MOTION: Council Member Wright moved to approve the agenda.

SECOND: Mayor Pro Tem Colvin

VOTE: UNANIMOUS (10-0)

6.0 CONSENT

MOTION: Mayor Pro Tem Colvin moved to approve the consent agenda with the exception of Item 6.03 for discussion and a separate vote, moving Item 6.010 to Other Items of Business and renumbering to Item 9.010A, moving Item 6.011 to Other Items of Business and renumbering to 9.010B, and correcting the fifth paragraph in the Resolution of Intent in Item 6.012 to read "WHEREAS, thereafter the Mayor and four Council members will be elected to four-year staggered terms of the City Council; and".

SECOND: Council Member deViere

VOTE: UNANIMOUS (9-0)

6.01 Approval of City Council Meeting Minutes:

February 1, 2016 - Work Session

February 19, 2016 - Strategic Planning Retreat

February 20, 2016 - Strategic Planning Retreat

March 11, 2016 - Special Meeting

March 14, 2016 - Discussion of Agenda Items

March 14, 2016 - Regular Meeting

March 16, 2016 - Agenda Briefing

6.02 Budget Ordinance Amendment 2016-9 (General Fund and City of Fayetteville Finance Corporation)

Budget Ordinance Amendment 2016-9 will appropriate \$1,623,000.00 in the General Fund to pay to the City of Fayetteville Finance Corporation to fund the early retirement of the Series 2005 Refunding Certificate of Participation financing.

6.03 Pulled for discussion and separate vote by Mayor Pro Tem Colvin.

6.04 Budget Ordinance Amendment 2016-10 (Stormwater Management and Risk Management Funds)

Budget Ordinance Amendment 2016-10 will appropriate \$825,000.00 in the Risk Management Fund to provide increased funding for workers' compensation claim settlements, liability claims, and property damage expenses and \$150,000.00 in the Stormwater Management Fund to fund the stormwater share of the Risk Management expenditures.

6.05 Capital Project Fund Ordinance Closeouts 2016-8 through 2016-14 and 2016-16 and Special Revenue Fund Project Ordinance Closeouts 2016-12 through 2016-15

Capital Project Ordinance Closeouts 2016-8 through 2016-14 and 2016-16 are for various Airport projects such as renovations and rehabilitation of different areas at the Airport and upgrade of the parking and revenue control system. The Special Revenue Fund Project Ordinance Closeouts 2016-12 through 2016-15 are for different Police projects, such as homeless children back to school supplies, and projects to keep our neighborhoods safe. The projects were completed in a previous fiscal year, audited by the City's external auditors as a part of the annual audit process, and are ready for closure. Each closeout provides a brief description of the project or grant, the

year the project ordinance was adopted, and the final revenue and expenditure budgets and actuals that are being closed.

6.06 Award Contract for the Purchase of Two 14,000 GVW Crew Cab Pickup Trucks to Performance Chrysler Jeep Dodge Ram, the lowest responsive, responsible bidder, in the amount of \$96,283.10.

Bids were received February 26, 2016, as follows:

Performance CJDR, Clinton, NC	\$96,283.10
Ilderton CDJ LLC, High Point, NC	\$105,562.00

6.07 Bid recommendation for award of contract for 750 MCM Underground Primary Distribution Cable to Irby Utilities, lowest responsive, responsible bidder, in the amount of \$161,070.00.

Bids were received on January 26, 2016, as follows:

Irby Utilities, Rocky Mount, NC	\$161,070.00
WESCO Distribution Inc., Raleigh, NC	\$161,100.00
Anixter, Inc., Wake Forest, NC	\$162,240.00

6.08 Bid recommendation for award of contract for Hydrogen Sulfide Control to Cape Fear Water Solutions, Inc., the lowest responsive, responsible bidder, in the amount of \$324,274.62.

Bids were received on February 11, 2016, as follows:

Nitrate Solution Application

Cape Fear Water Solutions, Inc., Dublin, NC.....	\$122,879.81
Evoqua Water Technologies, Sarasota, FL.....	\$177,625.26
Evoqua Water Technologies, Sarasota, FL (alt bid).....	\$148,579.62

Iron Salt Solution Application

Cape Fear Water Solutions, Inc., Dublin, NC.....	\$201,394.81
Evoqua Water Technologies, Sarasota, FL.....	\$292,752.00
Evoqua Water Technologies, Sarasota, FL (alt bid).....	\$207,152.00

Total Contract Award (Nitrate Solution + Iron Salt Solution).....	\$324,274.62
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6.09 Phase 5 Annexation, Areas 18 and 19 Preliminary Assessment Resolution

RESOLUTION AND ORDER TO FILE AND PUBLISH A PRELIMINARY ASSESSMENT RESOLUTION FOR THE EXTENSION OF THE SANITARY SEWER COLLECTION SYSTEM IN ALL OR A PORTION OF THE STREETS WITHIN AREAS 18 AND 19 OF THE PHASE 5 ANNEXATION LISTED ON EXHIBIT "A". RESOLUTION NO. R2016-022

6.10 Resolution Making Certain Findings and Determinations, Authorizing the Filing of an Application with the Local Government Commission, Requesting the Local Government Commission to Sell Bonds at a Competitive Sale and Approving the Financing Team All in Connection with the Issuance of Revenue Bonds by the City of Fayetteville, North Carolina

This item was moved to Other Items of Business and renumbered to Item 9.01A by Mayor Pro Tem Colvin.

6.11 Approval of Downtown Parking Services RFP Recommendation and Revised Parking Ordinances

This item was moved to Other Items of Business and renumbered to Item 9.01B by Council Member deViere.

6.12 Four-Year Staggered Terms - Adoption of Resolution of Intent

As requested by the City Attorney, the fifth paragraph in this resolution was corrected by Mayor Pro Tem Colvin to read "WHEREAS,

thereafter the Mayor and four Council members will be elected to four-year staggered terms by the City Council; and".

CITY OF FAYETTEVILLE RESOLUTION OF INTENT TO AMEND THE CITY CHARTER TO CHANGE THE MODE OF ELECTING THE CITY COUNCIL. RESOLUTION NO. R2016-023

6.13 Adopt Revised Audit Committee Charter

6.14 Rescind Demolition Ordinances

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE RESCINDING DEMOLITION ORDINANCE NO. NS2015-030. RESOLUTION NO. R2016-024

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE RESCINDING DEMOLITION ORDINANCE NO. NS2015-034. RESOLUTION NO. R2016-025

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE RESCINDING DEMOLITION ORDINANCE NO. NS2015-035. RESOLUTION NO. R2016-026

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE RESCINDING DEMOLITION ORDINANCE NO. NS2015-038. RESOLUTION NO. R2016-027

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE RESCINDING DEMOLITION ORDINANCE NO. NS2016-004. RESOLUTION NO. R2016-028

6.15 Uninhabitable Structures Demolition Recommendations

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY. 834 E. Orange Street, PIN # 0437-59-8574. ORDINANCE NO. NS2016-008

6.03 Fiscal Year 2017 Budget Development Guidelines

This item was pulled from the consent agenda for discussion and a separate vote by Mayor Pro Tem Colvin.

MOTION: Mayor Pro Tem Colvin moved to approve the budget guidelines.

SECOND: Council Member Arp

VOTE: FAILED by a vote of 5 in favor to 5 in opposition (Council Members Robertson, Jensen, Colvin, Crisp and Arp)

7.0 REPORTS FROM BOARDS AND COMMISSIONS

7.01 Linear Park - Reports from Boards and Commission

Mr. Harry Shaw, Linear Park Corporation President, presented the Linear Park Annual Report. Mr. Shaw thanked Mayor Robertson and Council for their leadership and vision with the passing of the Parks and Recreation Bond Referendum.

7.02 Fayetteville - Cumberland Parks and Recreation Annual Report

Mr. Robert Lints, Cumberland Parks and Recreation Commission President, presented the Cumberland Parks and Recreation Commission Annual Report.

8.0 PUBLIC HEARINGS

8.01 P16-04F. The issuing of a Special Use Permit to operate a STEM middle school in an SF-10 Single-Family Residential District, to be located at 1507 Morganton Road and being the property of Albert Stewart, Jr., and wife.

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated the owners of First Impressions Academy wish to expand their current school, which includes grades K-5 with an academic preschool located at 6965 Nexus Court just off of Raeford Road, to include a middle school with grades 6-8. The owners of First Impressions wish to locate this new middle school at 1507 Morganton Road at the intersection of Morganton Road and East and West Dobbin Avenue. The home at 1507 Morganton Road, also known as Fair Oaks, would not undergo any exterior changes. The outside of the home would, however, be refurbished. Interior renovations would be required to meet the current commercial building codes. The applicant does intend to eliminate a barn located on the property, which is currently painted red. In place of this barn the applicant would place a parking lot as shown on the site plans options. As detailed under the Technical Review Committee comments, the major concern of the City's staff is the access to this site. Neither Dobbin Avenue nor Lilly Drive currently meet the City's requirements for commercial access. Dobbin Avenue has curb and guttering, but Lilly Drive does not. Both streets are only 18 feet wide. The most current traffic counts by the Department of Transportation for this area are included in the packet. There are no current counts for Dobbin Avenue. It is staff's opinion that the proposed use could be an appropriate adaptive reuse of an historic structure, if the issues of access can be overcome. While the City's Land Use Plan does call for low-density residential uses on this property, schools are allowed and often times encouraged building in neighborhoods through the Special Use Permit (SUP) process. A neighborhood school is not unprecedented in this area along Morganton Road. Less than one half mile from this site to the west along the north side of Morganton Road, a private school was operated for many years. Mr. Harmon stated the SUP must meet the following findings of fact:

1. The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards;
2. The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
3. The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration;
4. The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands;
5. The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
6. The special use maintains safe ingress and egress onto the site and safe road conditions around the site;
7. The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and
8. The special use complies with all other relevant City, State, and Federal laws and regulations.

This is the advertised public hearing set for this time and date.
The public hearing was opened.

Ms. Teresa Clayton, 1309 Raybrooke Place, Fayetteville, NC 28314,
spoke in favor.

Ms. Christy Pettit, 6965 Nexus Court, Fayetteville, NC 28304,
spoke in favor.

Ms. Meredith Norton, 820 Carolina Avenue, Fayetteville, NC 28301,
spoke in favor.

Mr. Jonathan Charleston, 201 Hay Street, Suite 2000,
Fayetteville, NC 28301, attorney representing several homeowners in
the neighborhood, spoke in opposition.

General (Retired) Dan McNeill, 127 Dobbin Avenue, Fayetteville,
NC 28305, spoke in opposition.

Mr. Pitt Dickey 123 Dobbin Avenue, Fayetteville, NC 28305, spoke
in opposition.

Mr. James Mclean, 118 Dobbin Avenue, Fayetteville, NC 28305,
spoke in opposition.

Mr. Harry Harrocks, 111 Dobbin Avenue, Fayetteville, NC 28305,
spoke in opposition.

Ms. Patricia Eddy, 221 Broadfoot Road, Fayetteville, NC 28305,
spoke in opposition.

Mr. Travis Hibler, 1515 Morganton Road, Fayetteville, NC 28305,
spoke in opposition.

Mr. Jim Kyle, 112 Dobbin Avenue, Fayetteville, NC 28305, spoke in
opposition.

Mr. Hunter Olive, 114 Dobbin Avenue, Fayetteville, NC 28305,
spoke in opposition.

Ms. Mary Erwin-Olive, 114 Dobbin Avenue, Fayetteville, NC 28305,
spoke in opposition.

Ms. Caren Payne, 1431 Raeford Road, Fayetteville, NC 28305, spoke
in opposition.

Ms. Edwina Kyle, 112 Dobbin Avenue, Fayetteville, NC 28305, spoke
in opposition.

Ms. Linda Anderson, 128 Magnolia Avenue, Fayetteville, NC 28305,
spoke in opposition.

Ms. Sarah Mooreman, 1425 Raeford Road, Fayetteville, NC 28305,
spoke in opposition.

Mr. Phil Huggins, 1425 Morganton Road, Fayetteville, NC 28305,
spoke in opposition.

Mr. Frank Mooreman, 1425 Raeford Road, Fayetteville, NC 28305,
spoke in opposition.

Ms. Leigh Anne Mclean, 118 Dobbin Avenue, Fayetteville, NC 28305,
spoke in opposition.

Mr. Javen Stein, 105 Dobbin Avenue, Fayetteville, NC 28305, spoke
in opposition.

Ms. Cindy Garris, 105 Dobbin Avenue, Fayetteville, NC 28305,
spoke in opposition.

Mr. Jim Keener, 1521 Morganton Road, Fayetteville, NC 28305, spoke in opposition.

There being no one further to speak, the public hearing was closed.

Mayor Pro Tem Colvin asked what the recommended width of a road is for emergency vehicles. Mr. Scott Shuford, Planning and Code Enforcement Services Director, responded the width is 20 feet; this is called for in the State Building Code.

Council Member Hurst thanked Ms. Petit for her love of children and their education.

Mayor Pro Tem Colvin stated he is a fan of STEM (Science, Technology, Engineering and Math) and appreciates what Ms. Petit is doing for her students.

MOTION: Council Member Hurst moved to deny the Special Use Permit for a middle school in a single-family zoned district as presented by staff, based on currently available evidence and not meeting the eight findings of fact.

SECOND: Council Member deViere

VOTE: UNANIMOUS (10-0)

8.02 P16-02F. The issuing of a Special Use Permit to allow a community center in an SF-15 zoning district for a non-profit to operate on the grounds of Fayetteville Christian to be located at 4308 Rosehill Road, and being the property of Fayetteville Christian Church.

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated the owners of Fayetteville Christian Church on Rosehill Road wish to allow a nonprofit group to operate a community center in one of their existing buildings. The nonprofit group would provide cross training facilities to the community. No additional buildings or parking will be required. All of the facilities are already in existence. This Special Use Permit (SUP) will allow for better use of the church's facilities and will provide a place for neighborhood residents to get exercise. Mr. Harmon stated the (SUP) must meet the following findings of fact:

1. The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards;
2. The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
3. The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration;
4. The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands;
5. The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;
6. The special use maintains safe ingress and egress onto the site and safe road conditions around the site;
7. The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and

8. The special use complies with all other relevant City, State, and Federal laws and regulations.

This is the advertised public hearing set for this time and date. The public hearing was opened.

Mr. Robert Plotts, 6613 Juliard Drive, Fayetteville, NC 28311, spoke in favor.

Mr. Jim Dougherty, 3813 Clearwater Drive, Fayetteville, NC 28311, spoke in favor.

There being no one further to speak, the public hearing was closed.

MOTION: Mayor Pro Tem Colvin moved to approve the Special Use Permit for a community center in a SF-15 zoning district, as presented by staff, based on currently available evidence and meeting the eight findings of fact.

SECOND: Council Member Arp

VOTE: UNANIMOUS (10-0)

8.03 Public Hearing: Resolution Approving ADA Paratransit Policy

Mr. Randy Hume, Transit Director, presented this item and stated the American with Disabilities Act of 1990 (ADA) requires FAST to provide complementary paratransit service to persons with disabilities who are unable to understand, navigate, or use its fixed route bus system. Origin to destination advanced reservation service is required to be provided on the same days, during the same hours, and in the same areas that fixed route buses are scheduled. FTA does not allow transit operators to limit or constrain ADA trips based on available capacity or to have a pattern of denying ADA trips. FAST has been operating under a plan and policies originally approved in 1992. Since that time, FAST services have expanded significantly and FTA has issued new interpretations and guidance concerning the requirements related to ADA paratransit service. Staff presented the proposed ADA Paratransit Plan and policies at the March 16, 2016, Council work session. The proposed plan reflects strategies to reduce the number of no-show and late trip cancellations. It establishes a progressive corrective action plan that discourages these disruptive and costly activities that also affect the availability of service to other eligible riders. The proposed plan also establishes an equitable process for allocating subscription trips (i.e., standing reservations). The new policy also clarifies the appeals process related to eligibility determinations and provides a more detailed complaint process. Staff has held nine meetings plus participated in a Facebook town hall meeting in order to give the public an opportunity to review, discuss, and comment on the proposed changes. This includes a joint meeting held with the Fayetteville-Cumberland Advisory Council for People with Disabilities. The plan has also been reviewed by the Fayetteville Advisory Committee on Transit (FACT). FTA requires a public hearing prior to adoption of the policy and submission to FTA.

This is the advertised public hearing set for this time and date. The public hearing was opened.

Ms. Sherry Young, 846 Stoneykirk Drive, Fayetteville, NC 28314, spoke in favor and stated she was representing several visually impaired (including herself) citizens in the audience this evening.

There being no one further to speak, the public hearing was closed.

RESOLUTION OF THE CITY COUNCIL, CITY OF FAYETTEVILLE, NORTH CAROLINA TO APPROVE THE AMERICAN WITH DISABILITIES ACT (ADA) PARATRANSIT PLAN UPDATE. RESOLUTION NO. R2016-029

MOTION: Council Member Mohn moved to adopt the resolution approving the ADA Paratransit plan and policies.
SECOND: Council Member Wright
VOTE: UNANIMOUS (10-0)

8.04 Public Hearing - Renaming of the College Lakes Pool in Honor of Keith Bates

Council Member Crisp presented this item and stated Mr. Keith Bates was a former City Council member serving District 1 from 2005 to 2013. Council Member Crisp recommended naming the College Lakes Pool, currently slated to open for operation in June 2016, after Mr. Bates. The Parks and Recreation Advisory Commission met on February 2, 2016. After discussion of City Council's request, the Commission determined they would fully endorse the naming of the College Lakes Aquatic Center in honor of Mr. Keith Andrew Bates, Sr.

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

MOTION: Council Member Crisp moved to name the College Lakes Aquatic Center in honor of Mr. Keith Andrew Bates, Sr.
SECOND: Council Member Arp
VOTE: UNANIMOUS (10-0)

9.0 OTHER ITEMS OF BUSINESS

9.01 Selection of Co-Bond Counsel

Ms. Cheryl Spivey, Chief Financial Officer, presented this item and stated on January 28, 2016, on behalf of the City, Womble Carlyle distributed a Request for Proposals (RFP) to serve as local co-bond counsel to the City. The RFP was sent to the firms of (1) Rand & Gregory, P.A. and (2) The Charleston Group. Both of these firms were pre-selected by the City based on the City's criteria that such firms be located within Cumberland County and have historical experience serving as bond counsel or co-bond counsel on North Carolina public finance transactions. Both firms provided responses to the RFP by the stated deadline of February 4, 2016. Womble Carlyle has indicated that both firms timely responded to the RFP and generally provided information responsive to the RFP. Womble Carlyle further indicated that they believe that both firms are capable and committed to serve as local co-bond counsel to the City, and they would be happy to work with either firm in connection with the City's financing matters. Based on the responses submitted, Womble Carlyle suggests initially allocating bond counsel fees on an 85 percent/15 percent basis between primary bond counsel and local co-bond counsel for all matters in which local co-bond counsel may be engaged.

Council Member Wright stated The Charleston Group is noted in the "red book", and it is a minority run business; one of our objectives is to hire minority businesses.

Mayor Pro Tem Colvin stated he is glad the Council is building on our local endeavors; this is a highly qualified firm.

MOTION: Council Member McDougald moved to select The Charleston Group as co-bond counsel.
SECOND: Council Member Wright
VOTE: PASSED by a vote of 8 in favor to 2 in opposition (Council Members Hurst and Crisp)

9.01A Resolution Making Certain Findings and Determinations, Authorizing the Filing of an Application with the Local Government Commission, Requesting the Local Government Commission to Sell Bonds at a Competitive Sale and Approving the Financing Team All in Connection with the Issuance of Revenue Bonds by the City of Fayetteville, North Carolina

This item was moved to Other Items of Business and renumbered to Item 9.01A by Mayor Pro Tem Colvin.

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS, AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION, REQUESTING THE LOCAL GOVERNMENT COMMISSION TO SELL BONDS AT A COMPETITIVE SALE AND APPROVING THE FINANCING TEAM ALL IN CONNECTION WITH THE ISSUANCE OF REVENUE BONDS BY THE CITY OF FAYETTEVILLE, NORTH CAROLINA, WITH THE CHARLESTON GROUP AS CO-BOND COUNSEL. RESOLUTION NO. R2016-030

MOTION: Council Member Wright moved to adopt the resolution Making Certain Findings and Determinations, Authorizing the Filing of an Application with the Local Government Commission, Requesting the Local Government Commission to Sell Bonds at a Competitive Sale and Approving the Financing Team All in Connection with the Issuance of Revenue Bonds by the City of Fayetteville, North Carolina, with The Charleston Group as co-bond counsel.

SECOND: Council Member McDougald

VOTE: UNANIMOUS (10-0)

9.01B Approval of Downtown Parking Services RFP Recommendation and Revised Parking Ordinances

This item was moved to Other Items of Business by Council Member DeViere. He stated he had requested this item be pulled as he would like to have the parking contract separated from the downtown parking ordinances, and stated he would only ask the parking contract be voted on this evening; allowing time for further input from the Downtown Alliance and the forthcoming information from the Market Street Study to address the parking issue. We need to move very gently before making any changes to our downtown parking ordinances.

Mayor Pro Tem Colvin stated we need to look at all the options, the contract is costing us \$250,000.00 per year, free parking in the downtown area has been a luxury in this community, I do not want to affect the downtown business owners in any negative way, but we need to make sure all the taxpayers money is being spent appropriately. He further stated he was in agreement with Council Member DeViere to separate the two issues (contract approval and downtown parking ordinances).

MOTION: Council Member DeViere moved to accept the committee's recommendation, authorize the City Manager to execute a parking contract with McLaurin Parking Service through June 30, 2017, and table any changes to downtown parking ordinances until such time as Council receives an update from staff based on Downtown Stakeholders input and the Downtown Alliance Main Street Market Study being conducted this year.

SECOND: Council Member McDougald

VOTE: UNANIMOUS (10-0)

9.02 Consider Adoption of a Prequalification Policy for Construction and Repair Work

MOTION: Council Member McDougald moved to table this item to the April 4, 2016, City Council work session.

SECOND: Mayor Pro Tem Colvin

VOTE: UNANIMOUS (10-0)

9.03 Interlocal Agreement Amendment - Hoke County

Mr. Mark Brown, PWC Customer Service Director, presented this item and stated the Fayetteville Public Works Commission, during their meeting of March 9, 2016, approved the Amendment to the existing Interlocal Agreement to increase the maximum amount of water that Hoke County may purchase from the Commission to 24 million gallons per month. The current purchase amount will be increased by 6 million gallons bringing their current total purchases to 18 million gallons per month. Hoke County will pay a Facility Investment Fee of \$353,096.00 for this increased capability.

Mayor Pro Tem Colvin asked if this increased demand will affect the Cumberland County demand for service. Mr. Brown stated the same level of service will continue for Cumberland County, there will not be any adverse effects from this increase, PWC has plenty of capacity.

MOTION: Council Member McDougald moved to approve the amendment to the Interlocal Agreement with Hoke County.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

10.0 ADJOURNMENT

There being no further business, the meeting adjourned at 9:28 p.m.