

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
APRIL 24, 2017
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); James W. Arp, Jr. (District 9)

Absent: Theodore Mohn (District 8)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Jay Reinstein, Assistant City Manager
Cheryl Spivey, Chief Financial Officer
Kevin Arata, Corporate Communications Director
Rob Stone, Engineering and Infrastructure Director
Michael Gibson, Parks, Recreation and Maintenance Director
Michael Petti, Assistant Police Chief
David Nash, Senior Planner
Anthony Wade, Human Relations Director
Mark Brown, PWC Customer Relations
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 Captain Matt Trantham of the Salvation Army.

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

Mayor Robertson presented former Mayor Bill Hurley with the first "Lafayette Award" for his contribution and service over many years to improving the City of Fayetteville. A video to illustrate the many projects Mayor Hurley participated in was played. Mayor Hurley stated he had a spiritual calling to get involved with his community and thanked the Council for what they are doing now, for carrying the mantel; we are really on the move, we have come a long way through a lot of diversities, and we should always take pride in what we do.

Council Member McDougald, on behalf of Senator Ben Clark, presented the Order of the Long Leaf Pine to Ms. Cassandra McMillion for her many years of countless hours of volunteering with a multitude of charitable organizations. Council Member McDougald stated Ms. McMillion is a true ambassador for this State, and we are blessed to have her reside in our community. Ms. McMillion stated she gives God all of the glory.

Mr. Kevin Morgan, Assistant Fire Chief, presented the Fire Department Certificate of Excellence and the Fire Chief's Coin to five-year-old Kyle Jones for his call to 911, his heroic actions resulted in saving the life of another--his grandmother.

Mr. Kevin Morgan, Assistant Fire Chief, presented the Fire Department Certificate of Excellence and the Fire Chief's Coin to five-year-old Kaylin Jones for her call to 911, her heroic actions resulted in saving the life of another--her Mother.

Council Member Jensen presented a Certificate of Excellence to Army Captain Steven Marthy for achieving the first place win in the All American Marathon (26 miles) finishing with an official time of 2 hours and 40 minutes.

Mayor Robertson introduced Mr. Josh Jensen and stated he is representing the Fayetteville Cumberland Youth Commission (FCYC) this evening. Mr. Jensen recognized Ms. Lauren Lowe, also in attendance and representing FCYC. Mr. Jensen thanked the Council for their continued support of the FCYC.

Council Member Hurst announced the 35th Dogwood Festival will take place this coming weekend, beginning on Friday evening at Festival Park at 7:00 p.m. for the Opening Ceremonies.

5.0 APPROVAL OF AGENDA

MOTION: Council Member Arp moved to approve the agenda with the exception of Item 9.01 to be removed from the agenda and to approve an excused absence for Council Member Mohn.

SECOND: Council Member Wright

VOTE: UNANIMOUS (9-0)

6.0 CONSENT

MOTION: Council Member deViere moved to approve the consent agenda, with the exception of Item 6.013 to be placed on the May 1, 2017, City Council work session agenda.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (10-0)

6.01 Approval of Meeting Minutes: March 27, 2017 - Regular

6.02 P17-02F The rezoning of property from SF-6 Single-Family Residential Zoning to LC Light Commercial Zoning, located at 3211 Natal Street and being the property of OSALIE CROWE. (Zoning Commission, owner and staff have all agreed on a more restrictive NC Neighborhood Commercial Zoning District).

6.03 P17-05F The initial zoning of property from M(P) Manufacturing in Cumberland County's jurisdiction to CC Community Commercial Zoning District, located between the intersections of Glensford Drive and Cliffdale Road and Glensford Drive and Red Tip Road and being the property of Sharlene R. Williams Trustee.

6.04 Budget Ordinance Amendment 2017-20 to Amend the General Fund Budget Consistent with the City Charter Revisions Related to the Public Works Commission, and the Amended Operating Transfer and Phase V Annexation Water and Sanitary Sewer Funding Agreements

Budget Ordinance Amendment 2017-20 will appropriate \$482,930.00 of additional General Fund fund balance to supplement the remaining balance of \$517,070.00 from the PWC funding to provide for the \$1,000,000.00 General Fund upfront funding commitment for the stadium.

6.05 Budget Ordinance Amendment 2017-19 (Emergency Telephone System Fund)

Budget Ordinance Amendment 2017-19 will appropriate \$20,000.00 of Emergency Telephone Systems Fund fund balance for computer and office equipment to be used in the 911 Communications Center.

6.06 Adoption of Capital Project Ordinance 2017-49 for the Restoration of the North Carolina Veterans Park

Capital Project Ordinance 2017-49 will appropriate \$328,452.00 to fund costs associated with the restoration of North Carolina Veterans Park (NCVP) due to damages sustained during Hurricane Matthew. The park and building restoration, and building contents replacement, are expected to be funded through insurance proceeds (\$163,452.00), reimbursement from the Federal Emergency Management Agency (FEMA) (\$123,750.00), and reimbursement from the State of North Carolina, Department of Public Safety (NC DPS) (\$41,250.00).

6.07 Adoption of Capital Project Ordinances 2017-51 (Mirror Lake Dam Reconstruction) and 2017-52 (Devonwood Lower Dam Reconstruction)

Capital Project Ordinances 2017-51 and 2017-52 will appropriate anticipated funding from the Federal Emergency Management Agency (FEMA) and the North Carolina Department of Public Safety (NC DPS) to establish project funding for the reconstruction of Mirror Lake Dam (\$2,286,810.00) and Devonwood Lower Dam (\$3,279,200.00), respectively. Both dams sustained considerable damage during Hurricane Matthew.

6.08 Adoption of Capital Project Ordinance Amendment 2017-50 for the Downtown Skate Park (Parks and Recreation Bond Project)

Capital Project Ordinance 2017-50 will appropriate \$300,000.00 of initial funding for the Downtown Skate Park for costs associated with land acquisition and design. The appropriation for this project is to be funded from proceeds of the first Parks & Recreation bond issuance.

6.09 Request to award the contract for the purchase and installation of an ornamental steel fence at the Airport to Seegars Fence, the lowest, responsive responsible bidder, in the amount of \$97,036.00.

Formal bids for the purchase and installation of an ornamental steel fence at the Airport were received March 3, 2017. Bids were received as follows:

Seegars Fence	\$97,036.00
Frye Fence	\$102,400.00
Mary Bury Fence	\$112,076.00

6.10 Award Contract for the Resurface Various Streets 2017-Phase II to Barnhill Contracting Company, Fayetteville, NC, the lowest responsive, responsible bidder, in the total amount of \$1,522,518.30.

Resurface Various Streets-2017-Phase II consists of resurfacing 15 streets (approximately 3.55 miles) and milling and resurfacing 6 streets (approximately 1.42 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. The project was first advertised for bids to be opened on March 15, 2017; however, only two bids were received. Therefore, in accordance with North Carolina General Statutes, which require three bids in order to open the first advertisement, the project was re-advertised and bids were opened on March 23, 2017. Bids were received as follows:

Barnhill Contracting Company, Fayetteville, NC ...	\$1,522,518.30
Highland Paving, Co., LLC, Fayetteville, NC	\$1,655,355.60

6.11 Adoption of Budget Ordinance Amendment 2017-21 and Capital Project Ordinance 2017-53 for Downtown Redevelopment Site Infrastructure

The Downtown Redevelopment project includes three specific City funded elements--the stadium, a parking garage, and site infrastructure. Funding is needed to progress with the third element and Council is requested to approve Budget Ordinance Amendment 2017-21 to appropriate \$110,000.00 from General Fund fund balance and Capital Project Ordinance 2017-53 to authorize and track funding for this element of the project.

6.12 Truck Ordinance revisions on Boone Trail

AN ORDINANCE AMENDING CHAPTER 16, MOTOR VEHICLES, AND TRAFFIC, OF THE CITY OF FAYETTEVILLE CODE OF ORDINANCES. ORDINANCE NO. NS2017-008

6.13 City Sponsorship of Food Truck Events

This item was pulled from the consent agenda by Council Member deViere to be placed on the May 1, 2017, City Council agenda.

6.14 Limited Obligation Bonds to Finance City Hall Renovations and Certain Refundings

RESOLUTION CALLING A PUBLIC HEARING IN CONNECTION WITH THE FINANCING OF RENOVATIONS AND IMPROVEMENTS TO THE CITY HALL AND THE REFINANCING OF CERTAIN INSTALLMENT FINANCING AGREEMENTS. RESOLUTION NO. R2017-022

7.0 REPORTS FROM BOARDS AND COMMISSIONS

7.01 Linear Park - Reports from Boards and Commission

Mr. Harry Shaw, Linear Park Corporation Chair, presented the annual report. Mr. Shaw thanked the Council for their long-term commitment and devotion to the Linear Park and trail. Mr. Shaw thanked the Parks and Recreation staff and Senator Meredith for his assistance with securing the grant to providing funding for cleaning up the debris in the creek.

7.02 Annual Report of the Fayetteville-Cumberland Human Relations Commission

Ms. Shiela Cuffee, Fayetteville-Cumberland Human Relations Commission Chair, presented the annual report with the aid of a PowerPoint presentation, and provided an overview of the programs and services offered. Ms. Cuffee thanked the Council for strongly endorsing our mission.

7.03 Annual Report, Fayetteville-Cumberland Parks and Recreation Commission

Mr. William McNiell, Fayetteville-Cumberland Parks and Recreation Commission Chair, presented the annual report and also stated most of the members of the Commission are fairly new, and have been attending several training sessions. Commission members have been out in the community; showing support for the City parks bond to improve the quality of life in our communities. Mr. McNiell stated the Commission is working very hard on the ten-year master plan.

8.0 PUBLIC HEARINGS

8.01 Annexation of the Williams Property

Mr. David Nash, Senior Planner, presented this item and stated the property requested for annexation is owned by Sharlene R. Williams (as Trustee of the Sharlene R. Williams Revocable Trust). The property

is currently vacant, and it is completely surrounded by the City as shown on the vicinity map and legal description map. It is expected that the land will be developed in the future as commercial, but City staff is not sure of the type and timing of commercial development. PWC water and sewer will be needed for the future development. Since the property is in the Fayetteville MIA, annexation will be required, pursuant to Council Policy No. 150.2. On February 10, 2017, Ms. Williams submitted a request that the property be annexed as a contiguous area. The property consists of one tax parcel (PIN 0417-06-6874) having a size of about 5.34 acres. On April 11, 2017, the Zoning Commission held an initial zoning public hearing for this property.

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

Ms. Lori Epler, 1333 Morganton Road, Fayetteville, NC 28305, appeared in favor and stated she is representing the Williams family and is here to answer any questions Council may have.

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

Discussion ensued.

MOTION: Council Member Arp moved to adopt the annexation ordinance with an effective date of April 24, 2017, and include the approval of the final initial zoning action consistent with the prior action on the zoning presented in the consent agenda tonight.

SECOND: Council Member Wright

VOTE: UNANIMOUS (9-0)

9.0 OTHER ITEMS OF BUSINESS

9.01 Adoption of Capital Project Ordinance 2017-48 (Design Phase for the Airport Public Art Project)

This item was removed from the agenda by Council Member Arp.

9.02 Consideration of approval of the 2017-2018 Community Development Annual Action Plan

Mr. Victor Sharpe, Community Development Director, presented this item with the aid of a PowerPoint presentation and stated annually the Community Development Department prepares an Annual Action Plan for the use of the City's allocation of the Community Development Block Grant (CDBG) and the Home Investment Partnership Grant (HOME). The proposed 2017-2018 Annual Action Plan is the third year of the 2015-2019 Consolidated Plan. The proposed 2017-2018 Annual Action Plan is being presented to City Council for consideration of approval. The Community Development Department presented this item for discussion at the City Council work sessions on December 5, 2016, and April 3, 2017. The proposed projects for the upcoming year are explained in the plan. The Annual Action Plan is based on goals and objectives of the Consolidated Plan. The goals include Decent Affordable Housing, Suitable Living Environment, and Economic Opportunities. The proposed programs and activities have been designed and established to meet the objectives of these goals. The activities proposed for the upcoming year are similar to last year. The plan includes the Target Area Revitalization Program which was an interest of the Council last year. This program was postponed to address unmet housing repair needs due to damage caused by Hurricane Matthew. As adopted last year, the Target Area Revitalization Program will focus on the Bonnie Doone and B Street/Lincoln Drive areas. A program change included in the plan is to expand the department's in-house emergency home repair program. This will be accomplished by changing the Mobile Home Urgent Repair Program to the Emergency Home Repair Program and include all eligible residential emergency/urgent repairs. A portion of the funding that has previously been managed by Fayetteville Urban

Ministries would be utilized to fulfill this proposal. The Fayetteville Redevelopment Commission (FRC) held three meetings to include a public hearing to consider the plan and recommends approval of the plan that is being presented. The FRC's recommendation includes a revision to the budget that was presented by staff and previously presented to City Council. These revisions include recommending an increase of funding for CEED from \$60,000.00 to \$85,000.00 for small business consultation and an increase of funding to Veterans Empowering Veterans from \$15,000.00 to \$30,000.00 for the repair of four houses for transitional housing for veterans. The additional funding for these activities was taken from the Business Assistance Program in the amount of \$40,000.00. The FRC's changes have been incorporated into the budget being presented to City Council for approval.

Discussion ensued.

MOTION: Mayor Pro Tem Colvin moved to approve the 2017-2018 Community Development Annual Action Plan.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (9-0)

10.0 ADMINISTRATIVE REPORTS

10.01 Monthly Statement of Taxes - March 2017

2016 Taxes	653,568.34
2016 Vehicle	1509.11
2016 Taxes Revit	2,303.28
2016 Vehicle Revit	0.00
2016 FVT	0.00
2016 FTT	0.00
2016 Storm Water	74,396.13
2016 Fay Solid Waste Fee	43,442.05
2016 Annex	0.00
2015 Taxes	9,922.33
2015 Vehicle	0.00
2015 Taxes Revit	0.17
2015 Vehicle Revit	0.00
2015 FVT	0.00
2015 FTT	0.00
2015 Storm Water	299.80
2015 Fay Storm Water	599.59
2015 Fay Solid Waste Fee	882.79
2015 Annex	0.00
2014 Taxes	2,487.74
2014 Vehicle	0.00
2014 Taxes Revit	0.00
2014 Vehicle Revit	0.00
2014 FVT	0.00
2014 FTT	0.00
2014 Storm Water	119.89
2014 Fay Storm Water	215.82
2014 Fay S Waste Fee	319.72
2014 Annex	0.00
2013 Taxes	534.90
2013 Vehicle	655.06
2013 Taxes Revit	0.00
2013 Vehicle Revit	0.00
2013 FVT	90.16
2013 FTT	90.18
2013 Storm Water	6.95
2013 Fay Storm Water	13.02
2013 Fay S Waste Fee	20.62
2013 Annex	0.00

2012 and Prior Taxes	280.30
2012 and Prior Vehicle	1,223.05
2012 and Prior Taxes Revit	0.00
2012 and Prior Vehicle Revit	0.00
2012 and Prior FVT	325.12
2012 and Prior FTT	235.13
2012 and Prior Storm Water	0.00
2012 and Prior Fay Storm Water	0.00
2012 and Prior Fay S Waste Fee	0.00
2012 and Prior Annex	29.33
Interest	27,656.89
Revit Interest	62.40
Storm Water Interest	114.32
Fay Storm Water Interest	2,681.19
Annex Interest	7.04
Solid Waste Interest	1,670.66
Fay Transit Interest	141.06
Total Tax and Interest	\$825,903.70

This item was for information only, no action was taken.

10.02 Hurricane Matthew Reimbursements, Vehicle Replacements, Hazard Mitigation and Golden Leaf Update

Ms. Cheryl Spivey, Chief Financial Officer, presented this item with the aid of a PowerPoint presentation and stated more than 50 City projects have been identified as possibly eligible for FEMA reimbursement. Documentation, construction bids, and other cost estimates are required by FEMA submission. Fifteen projects totaling \$6.8 million have been submitted. Projects totaling \$19.2 million have been identified for possible FEMA reimbursement.

FEMA Hazard Mitigation Grant Program offers a choice of three options to homeowners (if determined eligible)--acquisition and demolition or "buyout", structure elevation or "housing raising", and mitigation reconstruction or "demolish and rebuild". An informational session was held on April 6, 2017, at the Cliffdale Recreation Center, with 65 residents attending.

The Golden Leaf Foundation Grants provided \$920,000.00 for the Rayconda subdivision access roadway, and \$300,000.00 for Cross Creek tree and debris removal. Staff attended a grant workshop on April 20, 2017. There are opportunities for applying for additional grants.

Discussion ensued.

Council Member Arp asked if staff had met all of the requirements for FEMA reimbursements. Ms. Spivey responded that we have to go through a process that includes a public bid package, selection process, Council authorization, and this process takes time.

Council Member Arp asked if staff has a timeline (matrix) to show the process for each project. Ms. Spivey responded that we do have a good estimated package completion date for each project.

Council Member Arp asked for the timeline to be made available to the public that shows citizens exactly where we are, with a level of detail for identifying the project, meeting the FEMA requirements, having the engineering estimate and date of the competitive bid going out. Ms. Spivey responded we can provide that level of detail, but it will take some days to put together.

Council Member Arp requested that the matrix be completed by the end of this week.

11.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:55 p.m.