

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
OCTOBER 23, 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); Theodore Mohn (District 8) James W. Arp, Jr. (District 9)

Others Present: Kristoff Bauer, Deputy City Manager
Karen McDonald, City Attorney
Telly Whitfield, Assistant City Manager
Jay Reinstein, Assistant City Manager
Chris Davis, Assistant Police Chief
Cheryl Spivey, Chief Financial Officer
Tracey Broyles, Budget and Evaluation Director
Kevin Arata, Corporate Communications Director
Kecia Parker, Real Estate Manager
Rob Stone, Public Services Director
Victor Sharpe, Community Development Director
Gerald Newton, Development Services Director
Elizabeth Somerindyke, Internal Audit Director
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 Pastor Josh Goodman, Cliffdale Christian Center.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Cub Scout Pack 771.

4.0 ANNOUNCEMENTS AND RECOGNITION

Mr. Jay Reinstein, Assistant City Manager, introduced Mr. Gerald Newton, the recently hired Development Services Director. Mr. Newton thanked the Mayor and City Council members for the opportunity to serve the elected officials and citizens of Fayetteville.

Mayor Robertson presented a proclamation to Ms. Tiffany Brisson, Call Center Representative, proclaiming October 2-6, 2017, "Customer Service Week".

Mayor Robertson presented a proclamation to Ms. Gladys Hill and Ms. Tyler Sutherland, Cape Fear Valley Health Foundation, Friends of the Cancer Center, proclaiming October 26, 2017, "Light Up Fayetteville in Pink Day". He announced the Light Up Fayetteville in Pink Day would take place on October 26, 2017, at 5:30 p.m. at the Fayetteville Market House.

Council Member Jensen introduced Ms. Harmony Granderson and Mr. Stephen Ferrand; both representing the Fayetteville-Cumberland Youth Council (FCYC).

Council Member Arp announced the World Series Baseball Tournament will begin this week, and the Houston Astros will be participating in the games.

5.0 APPROVAL OF AGENDA

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

6.0 CONSENT

MOTION: Council Member Arp moved to approve the consent agenda with the exception of Items 6.02 and 6.04; pulled for separate votes.
SECOND: Council Member deViere
VOTE: UNANIMOUS (10-0)

6.01 Approval of Meeting Minutes:
September 25, 2017 - Regular
October 2, 2017 - Work Session
October 9, 2017 - Discussion of Agenda Items
October 9, 2017 - Regular

6.02 Pulled for a separate vote.

6.03 P17-20F The rezoning of property from SF-10 Single-Family Residential to OI Office & Institutional, located 3518 Thomas Avenue and 3517 Thomas Avenue near the intersection of Thomas and Roxie Avenues and being the property of Cumberland County Hospital System, Inc., d/b/a Cape Fear Valley Health System.

6.04 Pulled for a separate vote.

6.05 Capital Project Ordinance Amendment 2018-26 to Appropriate NC Department of Commerce Grant for the Downtown Redevelopment Project

The City received notification of a grant award from the North Carolina Department of Commerce, Rural Economic Development Division, for the Downtown Redevelopment Project. Capital Project Ordinance Amendment (CPOA) 2018-26 will appropriate the \$250,000.00 of grant funds to be used in conjunction with previously appropriated funding for the Downtown Redevelopment Project to enhance the plaza between the stadium, Prince Charles Hotel, and the new residential and hotel project.

6.06 Adoption of Special Revenue Fund Project Ordinance 2018-6 (Downtown Urban Design Plan)

The City has received notification from the State of a grant award in the amount of \$100,000.00 to fund the preparation of a Downtown Urban Design Plan. Special Revenue Fund Project Ordinance (SRO) 2018-6 will appropriate \$100,000.00 from the NC Department of Commerce, Rural Economic Development Division, for professional services to prepare the plan.

6.07 Adoption of Special Revenue Project Ordinance 2018-7 and Budget Ordinance Amendment 2018-3 for the City of Fayetteville Parking Management Plan

The City of Fayetteville has been awarded a \$100,000.00 Rural Economic Development Grant from the North Carolina Department of Commerce to fund a parking management plan for the downtown area. Special Revenue Fund Project Ordinance (SRO) 2018-7 will appropriate the \$100,000.00 state award and Budget Ordinance Amendment (BOA) 2018-3 will reduce \$100,000.00 from the General Fund budget that had been set aside for the parking study in the event that the anticipated grant was not received.

6.08 Adoption of Budget Ordinance Amendment 2018-4 (Stormwater Management Fund) and Capital Project Ordinance Amendment 2018-25 to Appropriate Additional Funding for Fiscal Year 2017 Stormwater Drainage Improvement Projects

Budget Ordinance Amendment (BOA) 2018-4 will appropriate \$130,000.00 from Stormwater Management Fund net assets to transfer to the Fiscal Year 2017 Stormwater Drainage Improvement Project through Capital Project Ordinance Amendment (CPOA) 2018-25. The additional funding is needed in the capital project to supplement the original funding that was included for the Beaver Creek Watershed Study.

6.09 Adoption of Budget Ordinance Amendment 2018-5 (Stormwater Management Fund) and Capital Project Ordinance Amendment 2018-27 for the Person Street Innovative Stormwater Greenscape Project

Budget Ordinance Amendment (BOA) 2018-5 will appropriate \$18,283.00 from Stormwater Management Fund net assets to transfer to the Person Street Innovative Stormwater Greenscape project through Capital Project Ordinance Amendment (CPOA) 2018-27. There is a \$29,500.00 change order required to complete the project, and available project budget of only \$11,517.00.

6.010 Adoption of Budget Ordinance Amendment 2018-6 (General Fund) for the Downtown Development Agreement Second Amendment

The Council authorized the execution of the Downtown Development Agreement Second Amendment ("DDA II") on October 9, 2017. It included a provision to reimburse PCH for design costs of up to \$125,000.00 should the Council decide not to proceed with the next phase of the project. The City's Chief Financial Officer has decided that this contingent liability triggers the pre-audit obligation and, therefore, requires a budget ordinance amendment prior to its execution.

6.011 Adopt a Resolution Authorizing the Conveyance of an Easement of City-Owned Real Property to Parkview of Fayetteville Townhome Association, Inc., for a Traffic Turn-Around

A RESOLUTION AUTHORIZING THE CONVEYANCE OF AN EASEMENT TO THE PARKVIEW OF FAYETTEVILLE TOWNHOMES, INC., FOR A TRAFFIC TURN-AROUND. RESOLUTION NO. R2017-065

6.012 Adopt Resolution Authorizing the Sale of Personal Property by Public Auction - 2007 Crane Carrier Refuse Truck

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AUTHORIZING THE SALE OF PERSONAL PROPERTY BY PUBLIC AUCTION. RESOLUTION NO. R2017-066

6.013 Approval of Resolution to apply for a NCDOT Bicycle Planning Grant

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO APPLY FOR A NCDOT BICYCLE PLANNING GRANT. RESOLUTION NO. R2017-067

6.014 Resolution to Execute and File Applications for State Assistance through the Hazard Mitigation Grant Program (HMGP)

RESOLUTION - DESIGNATION OF APPLICANT'S AGENT - NORTH CAROLINA DIVISION OF EMERGENCY MANAGEMENT. RESOLUTION NO. R2017-068

6.015 Bid Recommendation to Sandy's Hauling and Backhoe Services, the lowest responsive, responsible bidder, for McGilvary Street Drainage Improvements and Waterline Relocation in the total amount of \$811,632.50

Bids were received on September 28, 2017, as follows:

Sandy's Hauling and Backhoe Service, Roseboro, NC .. \$811,632.50
T.A. Loving Company, Goldsboro, NC \$816,326.25
Lanier Construction Company, Snow Hill, NC \$1,028,593.00

6.016 Waiver of Fees for a Community Event

Approval of the requested waiver of fees for the Latino Community Connects Relief Effort event proposed for October 29, 2017, with the following: (1) The organizer provides a Certificate of Insurance showing a minimum of \$1,000,000.00 in General Liability coverage, listing the City of Fayetteville as additional insured; (2) the organizer is held responsible for returning the facility to pre-event condition at the immediate conclusion of the event; (3) the Police Department will schedule five officers to be onsite during the event; and (4) Traffic Services installs a single lane closure of Ray Avenue to be removed by the Police Department at the conclusion of the event.

6.017 Waiver of Fees for Veterans' Home Repairs

Approval of the requested waiver of building permit fees to allow the collaboration of three entities to repair homes of two veterans residing in the City of Fayetteville.

6.02 P17-19F The rezoning of property from SF10 Single-Family Residential to OI/CZ Office and Institutional Conditional Zoning, located at 3219 Cliffdale Road at the intersection of Cliffdale and McPherson Church Roads and being the property of Doris D. McArthur Trust.

This item was pulled for a separate vote by Council Member Arp.

MOTION: Council Member Arp moved to direct staff to schedule a public hearing for this item in November 2017.

SECOND: Council Member deViere

VOTE: UNANIMOUS (10-0)

6.04 P17-25F The rezoning of property from SF-15 Single-Family Residential to SF-10 Single-Family Residential, located 1500 Spotted Horse Lane near the intersection of Spotted Horse Lane and Raeford Road, containing 49.5 acres and being the property of Joyce H. McFadyen.

MOTION: Council Member Mohn moved to direct staff to schedule a public hearing for this item in November 2017.

SECOND: Council Member deViere

VOTE: UNANIMOUS (10-0)

7.0 REPORTS FROM BOARDS AND COMMISSIONS

7.01 Annual Report of the Audit Committee for Fiscal Year Ending June 30, 2017

Dr. Pamela Jackson, Audit Committee Vice-Chair, presented the annual report of the Audit Committee for fiscal year ending June 30, 2017. Dr. Jackson stated the Committee had met four times over the past fiscal year, in accordance with the guidelines set forth in the Audit Committee Charter.

MOTION: Council Member McDougald moved to accept the report.

SECOND: Council Member Hurst

VOTE: UNANIMOUS (10-0)

8.0 PUBLIC HEARINGS

8.01 Public Hearing to consider an economic development incentive for Project Nano 2.

Mr. Robert Van Geons, FCEDC, President and CEO, presented this item and stated this public hearing is being held to consider an economic development incentive package for Project Nano 2 (also referred to by the company as More Cowbell). The proposed project will create 140 new full-time jobs with an average salary of approximately \$32,371.00. The Company is also in talks with Cumberland County and the State of North Carolina regarding potential discretionary, infrastructure, training, and incentive grants, to support this project. The local incentive grant being requested includes a seven-year incentive grant equal to 75 percent of the new real and personal property taxes paid to the City. This grant would be subject to a performance-based incentive agreement. To receive the proposed incentives, the company would be required to meet performance benchmarks, including documenting the creation of 140 jobs, and reimburse the Company 25 percent of their building permit fees to be paid after completion of construction. As part of an incentive agreement, 140 jobs would have to be created and maintained in Fayetteville for the duration of the incentive agreement. Over ten years, the project would generate approximately \$1.3 million in fees and tax revenue. This would be in addition to the economic benefits associated with the construction, full-time jobs and ongoing operations.

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

Council Member McDougald asked what the living wage is for this area. Mr. Van Geons responded the median wage is \$15.54 per hour (annual salary \$32,329.00), the State requires we look at the median wage.

Council Member deViere stated the living wage for a family of four in this area is \$25.00 per hour (\$26,000.00 annual).

MOTION: Council Member Jensen moved to approve the economic development incentive package for Project Nano 2.

SECOND: Mayor Pro Tem Colvin

VOTE: UNANIMOUS (10-0)

9.0 ADMINISTRATIVE REPORTS

9.01 Monthly Statement of Taxes - September 2017

2017 Taxes	2,573,379.69
2017 Vehicle,	221.13
2017 Taxes Revit	13,381.89
2017 Vehicle Revit	0.00
2017 FVT	0.00
2017 FTT	0.00
2017 Storm Water	776,309.81
2017 Fay Solid Waste Fee	287,233.45
2017 Annex	0.00
2016 Taxes	32,456.86
2016 Vehicle	00.00
2016 Taxes Revit	12.33
2016 Vehicle Revit	0.00
2016 FVT	0.00
2016 FTT	0.00
2016 Storm Water	2,833.08
2016 Fay Solid Waste Fee	2,032.06
2016 Annex	0.00

2015 Taxes	4,364.99
2015 Vehicle	0.00
2015 Taxes Revit	0.00
2015 Vehicle Revit	0.00
2015 FVT	0.00
2015 FTT	0.00
2015 Storm Water	118.64
2015 Fay Storm Water	237.30
2015 Fay S Waste Fee	660.31
2015 Annex	0.00
2014 Taxes	1,201.91
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	58.06
2014 Fay Storm Water	104.52
2014 Fay S Waste Fee	274.84
2014 Annex	0.00
2013 and Prior Taxes	224.23
2013 and Prior Vehicle	2,264.05
2013 and Prior Taxes Revit	0.00
2013 and Prior Vehicle Revit	0.00
2013 and Prior FVT	403.66
2013 and Prior FTT	245.56
2013 and Prior Storm Water	41.54
2013 and Prior Fay Storm Water	83.10
2013 and Prior Fay S Waste Fee	0.00
2013 and Prior Annex	0.00
Interest	5,534.19
Revit Interest	0.19
Storm Water Interest	37.93
Fay Storm Water Interest prior	72.85
Fay Storm Water Interest 2017	0.00
Fay Storm Water Interest 2016	234.81
Annex Interest	0.00
Solid Waste Interest	364.21
Fay Transit Interest	139.63
Total Tax and Interest	\$3,704,526.79

10.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:43 p.m.