

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
JANUARY 13, 2020
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Shakeyla Ingram (District 2); Tisha S. Waddell (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5); Chris Davis (District 6); Larry O. Wright, Sr. (District 7); Courtney Banks-McLaughlin (District 8); Yvonne Kinston (District 9)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Telly Whitfield, Assistant City Manager
Angel Wright-Lanier, Assistant City Manager
James Nolette, Assistant Police Chief
Mike Hill, Fire Chief
Kevin Arata, Corporate Communications Director
Sheila Thomas-Ambat, Public Services Director
Pamela Megill, City Clerk
Jennifer Ayre, Deputy City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 7:00 p.m.

2.0 INVOCATION

The invocation was offered by Pastor Jeff Eisenhower of Arran Lakes Baptist Church.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Colvin and City Council.

4.0 ANNOUNCEMENTS AND RECOGNITION

Mayor Pro Tem Jensen introduced Bobo Giordanna, E. E. Smith High School Senior, representing the Fayetteville-Cumberland Youth Council at tonight's meeting.

Council Member Davis presented a proclamation to Mr. Erick Redrick and staff members of the Cumberland County Veterans Services Department proclaiming January 13, 2020, to be in honor of the Cumberland County Veterans Services Department.

Mayor Colvin presented a proclamation to members of the Zeta Phi Beta Sorority proclaiming the week of January 12-18, 2020, Zeta Phi Beta Sorority, Incorporated Week.

Mayor Colvin presented a proclamation to Ms. Christine Michaels, CEO, Greater Fayetteville Chamber of Commerce and Mr. Robert Van Geons, CEO/President Fayetteville Cumberland Economic Development Corporation proclaiming the month of January Building Local Business Month.

5.0 APPROVAL OF AGENDA

MOTION: Council Member Wright moved to approve the agenda.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (10-0)

6.0 CONSENT AGENDA

MOTION: Council Member Waddell moved to approve the consent agenda with the exception of Item 6.010; pulled for presentation and separate vote.
SECOND: Council Member Banks-McLaughlin
VOTE: UNANIMOUS (10-0)

- 6.01 Approval of Meeting Minutes:
 - November 14, 2019 - Special
 - November 25, 2019 - Discussion of Agenda Items
 - November 25, 2019 - Regular
 - December 2, 2019 - Special - Inauguration
 - December 9, 2019 - Discussion of Agenda Items
 - December 9, 2019 - Regular

- 6.02 Award Contract for Sykes Pond Road Bridge Replacement to Smith Rowe, LLL, the lowest responsive, responsible bidder in the total amount of \$1,147,819.18

Bids were received as follows:

Smith Rowe, LLC, Mount Airy, NC	\$1,147,819.18
S&C Construction, LLC Wilmington, NC	\$1,150,588.74
Dane Construction, Inc. Mooresville, NC	\$1,253,646.50
National Bridge Builders, LLC Kernersville, NC ...	\$1,264,140.15
T.A. Loving Company, Goldsboro, NC	\$1,297,000.00
Reeves Construction Company, Duncan, SC	\$1,357,362.20
FSC II, LLC dba Fred Smith Company, Raleigh, NC ..	\$1,372,731.00

- 6.03 Bid Recommendation - HW401 N. Water Improv. Project Contract 2 Booster Pump Station to BridgePoint Civil, Goldsboro, NC, the lowest responsive, responsible bidder in the total amount of \$1,894,665.00.

Bids were received on November 26, 2019, as follows:

BridgePoint Civil, Goldsboro, NC	\$1,894,665.00
T.A. Loving Company, Fayetteville, NC	\$2,133,500.00
Pipeline Utilities Inc., Raleigh, NC	\$2,168,000.00

- 6.04 Bid Recommendation - Rehabilitation of Cross Creek Outfall, Blue Street to Gale Street to Insituform Technologies, LLC, Chesterfield, MO, the lowest responsive, responsible bidder in the total amount of \$2,593,848.20.

Bids were received on November 20, 2019, as follows:

Insituform Technologies, LLC, Chesterfield, MO ...	\$2,593,848.20
Tri-State Utilities Co., Chesapeake, VA	\$2,639,050.98
Sak Construction, LLVC, O'Fallon, MO	\$3,140,565.00
Ann-Liner East, Inc., Berryville, VA	\$3,492,939.50
Michels Corporation, Watertown, CT	\$4,460,778.00

- 6.05 Bid Recommendation - 2019 Annual Transformer Contract to National Transformer Sales for ERMCO, Raleigh, NC, for a total of \$550,992.00 and Anixter, Apex, NC, for a total of \$581,347.50.

Bids were received on October 9, 2019, as follows:

National Transformer Sales for ERMCO, Raleigh, NC ..	\$550,992.00
Anixter, Apex, NC	\$581,347.50
WEG, Washington, MO	\$402,041.00

- 6.06 Bid Recommendation - One (1) 18K Excavator to Cumberland Tractor Kubota, Fayetteville, NC, the lowest responsive, responsible bidder in the total amount of \$91,962.00.

Bids were received on November 21, 2019, as follows:

Cumberland Tractor Kubota, Fayetteville, NC\$91,962.00

NON-RESPONSIVE BIDDERS

Bobcat of Fayetteville, Fayetteville, NC\$84,382.06
Gregory Poole, Fayetteville, NC\$85,137.00
Company Wrench, Fayetteville, NC\$85,662.45
Ascendum Machinery, Garner, NC\$87,763.00
May/RHI, LLC, Clayton, NC\$89,932.00
Company Wrench, Fayetteville, NC\$91,030.00

6.07 Adoption of Capital Project Ordinance Amendments 2020-30 and 2020-31 to Transfer Grant Funding between the Project Appropriations for the Connector Trail between the Cape Fear River Trail and Linear Park Connector and the Cape Fear River Trail Phase II and to Appropriate Additional General Fund Transfer for the Connector Trail, and Award of the Construction Contract for Cape Fear River Trail Phase II - Part C as Re-Advertised

Adopt Capital Project Ordinance Amendments 2020-30 and 2020-31 as presented, and to approve the contract award and to authorize the City Manager to execute a contract for the construction of Cape Fear River Trail Phase II - Part C as re-advertised, with the lowest, responsive, responsible bidder FSC II, LLC dba Fred Smith Company, Raleigh, NC in the total amount of \$2,424,242.00.

6.08 Adoption of Clerical Correction for Capital Project Ordinance Amendment 2020-29 Adopted by Council on December 9, 2019

On December 9, 2019, Council adopted Capital Project Ordinance Amendment (CPOA) 2020-29 to appropriate \$32,066,100.00 for the Part II Airport Terminal Renovation Project. Through a clerical error, the CPOA appropriated total revenues \$100.00 less than intended and the ordinance was unbalanced. Adopting the corrected version of CPOA 2020-29 to appropriate the additional \$100.00 transfer from the Airport Operating Fund to balance the project ordinance appropriation as of the original adoption date.

6.09 Adoption of Special Revenue Fund Project Ordinance 2020-9 to Appropriate a Grant Award for Phase 1 of the Conservation Restoration Plan for Cross Creek Cemetery #1

The City has received notification of a \$65,000.00 grant award from the Cumberland Community Foundation. Funding from this grant will be used for site assessment, surveying, and design; initial monument restoration; and partial planting of indigenous flora for Cross Creek Cemetery #1. Authorization to accept the grant award and Council adoption of Special Revenue Fund Project Ordinance 2020-9 to appropriate the funding.

6.010 This item was pulled for presentation and separate vote.

6.011 Amendment of the Use and Operating Agreement with Fayetteville Baseball Club for Segra Stadium Regarding the Capital Repair, Maintenance and Improvements Schedule (Exhibit E), and Adoption of Capital Project Ordinance 2020-24 to Authorize Calendar Year 2020 Expenditures from the Capital Repair, Maintenance and Improvements Account

Authorizing the City Manager to execute an amendment of the Use and Operating Agreement to add the Capital Repair, Maintenance and Improvements Schedule provided as Exhibit E; and to adopt Capital Project Ordinance 2020-24 to authorize up to \$180,000.00 be expended from the Account for calendar year 2020 for concourse ceiling fans and the field netting.

6.012 Tax Refunds Greater Than \$100.00

<u>Name</u>	<u>Year</u>	<u>Basis</u>	<u>City Refund</u>
Haresign, Charles Leigh	2014-18	Illegal Tax	\$442.10
Total			<u>\$442.10</u>

6.010 Parks and Recreation Bond Spending Plan Approval and Adoption of Capital Project Ordinance 2020-23 Appropriating Funding for the Tennis Center Project

Mr. Kristoff Bauer, Deputy City Manager, presented this item and stated as projects are completed, Council direction regarding the adjustments to the Park Bond Spending Plan is needed. This plan was last updated in November of 2018. After Council discussion during the work session of January 6, 2020, the following actions are proposed:

- Adoption of the revised Park Bond Spending Plan
- Adoption of Capital Project Ordinance (CPO) 2020-23 to fund the Tennis Center

Discussion ensued.

MOTION: Council Member Dawkins moved to approve the Park Bond Funding Plan and adopt CPO 2020-23 appropriating \$6 million for the Tennis Center Project.

SECOND: Council Member Wright

VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Council Member Waddell)

7.0 PUBLIC FORUM

Mayor Colvin announced he is calling upon Council Member Wright to explain something that many in the audience have an interest in regarding the Remington subdivision.

Council Member Wright announced that of the 21 speakers signed up to speak this evening, 14 are wanting to speak on the connectivity issue regarding Southgate and Remington neighborhoods. Council Member Wright stated he was briefed on this item at 4:00 p.m. this afternoon, and the collective Council has not been briefed and no decisions have been made; I do not agree with this connectivity and I will recommend this item be dissolved, these neighborhoods have functioned well for many years. I have talked to staff and this issue has been resolved. Those that have signed up to speak on this issue are still welcome to do so, and if not, thank you to all for coming.

Mayor Colvin stated the City Attorney has advised that the current Council cannot bind a future Council's action, but it seems this current Council has no issue with this.

Mr. Lawrence Bowers, 1191 Derbyshire Road, Fayetteville, NC, spoke in opposition of the potential connectivity regarding the Remington neighborhood.

Mr. Steven Bishop, 6586 Barley Hill Court, Fayetteville, NC, spoke in opposition of the potential connectivity regarding the Remington neighborhood.

Ms. Theodora Campbell, 6556 Foxberry Road, Fayetteville, NC, spoke in opposition of the potential connectivity regarding the Remington neighborhood.

Dr. Joseph Johnson, 6520 Foxberry Road, Fayetteville, NC, spoke in opposition of the potential connectivity regarding the Remington neighborhood.

Ms. Kathleen Ruppert, 1162 Helmsley Drive, Fayetteville, NC, spoke in opposition of the potential connectivity regarding Remington neighborhood.

Mr. Lester McGuire, 520 Martin Road, Fayetteville, NC, spoke in favor of building a sports complex at the Fields Road site.

Ms. Mabel C. Smith, 1606 Deep Creek Road, Fayetteville, NC, spoke in favor of building a sports complex at the Fields Road site.

8.0 ADMINISTRATIVE REPORTS

8.01 Administrative Report on the Future Land Use Map and Plan - to provide information regarding the content in the Map and Plan. Three additional Administrative Reports will be provided to further overview the plan prior to a Public Hearing being scheduled.

This item was for information only, and was not presented.

9.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:57 p.m.