



FAYETTEVILLE CITY COUNCIL
AGENDA
MARCH 12, 2012
7:00 P.M.
City Hall Council Chambers

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 APPROVAL OF AGENDA

5.0 PUBLIC FORUM

~~Each~~ Each speaker shall have up to 2 minutes to address Council on issues related to the City of Fayetteville. No time will be yielded to any speaker by another speaker. The Public Forum shall last no longer than 15 minutes. The Mayor shall have the discretion to extend the Public Forum up to 30 minutes.

6.0 CONSENT

6.1 Compensation Study Implementation

6.2 Award of the contract to the lowest responsible responsive bidder for Fort Bragg Road rehabilitation .

6.3 PWC - Bid Recommendation - Relay and Control Switchboards and SCADA Switchboards

6.4 PWC - Bid Recommendation - 230kV Circuit with Optional Revenue Metering CT's

6.5 Community Street Banners for FTCC 50th Anniversary

6.6 Special Revenue Fund Project Ordinance 2012-14 (Project Safe Neighborhoods - Law Enforcement Training Consortium - Additional Funding)

6.7 Braddy Road Speed Reduction Ordinance

7.0 OTHER ITEMS OF BUSINESS

7.1 Consideration of National Organization of Black Law Enforcement Executives (NOBLE) findings regarding allegations of biased-based policing by the Fayetteville Police Department.

Presenter(s): Dale Iman, City Manager and Chief Jimmy Wilson of the NOBLE Consulting Firm.

8.0 ADMINISTRATIVE REPORTS

8.1 Tax Refunds of Less Than \$100

9.0 ADJOURNMENT

CLOSING REMARKS

POLICY REGARDING NON-PUBLIC HEARING AGENDA ITEMS

Anyone desiring to address the Council on an item that is not a public hearing must present a written request to the City Manager by 10:00 a.m. on the Wednesday preceding the Monday meeting date.

POLICY REGARDING PUBLIC HEARING AGENDA ITEMS

Individuals wishing to speak at a public hearing must register in advance with the City Clerk. The Clerk's Office is located in the Executive Offices, Second Floor, City Hall, 433 Hay Street, and is open during normal business hours. Citizens may also register to speak immediately before the public hearing by signing in with the City Clerk in the Council Chamber between 6:30 p.m. and 7:00 p.m.

POLICY REGARDING CITY COUNCIL MEETING PROCEDURES SPEAKING ON A PUBLIC AND NON-PUBLIC HEARING ITEM

Individuals who have not made a written request to speak on a non-public hearing item may submit written materials to the City Council on the subject matter by providing twenty (20) copies of the written materials to the Office of the City Manager before 5:00 p.m. on the day of the Council meeting at which the item is scheduled to be discussed.

COUNCIL MEETING WILL BE AIRED

**March 12, 2012 - 7:00 PM
COMMUNITY CHANNEL 7**

COUNCIL MEETING WILL BE RE-AIRED

**March 14, 2012 - 10:00 PM
COMMUNITY CHANNEL 7**

Notice Under the Americans with Disabilities Act (ADA): The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City's services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City's programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Any person who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in any City program, service, or activity, should contact the office of Ron McElrath, ADA Coordinator, at rmcelrath@ci.fay.nc.us, 910-433-1696, or the Office of the City Clerk at cityclerk@ci.fay.nc.us, 910-433-1989, as soon as possible but no later than 72 hours before the scheduled event.

CITY COUNCIL ACTION MEMO

TO:

FROM:

DATE: March 12, 2012

RE: Each speaker shall have up to 2 minutes to address Council on issues related to the City of Fayetteville. No time will be yielded to any speaker by another speaker. The Public Forum shall last no longer than 15 minutes. The Mayor shall have the discretion to extend the Public Forum up to 30 minutes.

THE QUESTION:

RELATIONSHIP TO STRATEGIC PLAN:

BACKGROUND:

ISSUES:

BUDGET IMPACT:

OPTIONS:

RECOMMENDED ACTION:

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: John Kuhls, Human Resource Development Director
DATE: March 12, 2012
RE: **Compensation Study Implementation**

THE QUESTION:

This is a follow up item to move forward with recommendations from the City's comprehensive compensation and classification study, as reviewed at Council's March work session.

RELATIONSHIP TO STRATEGIC PLAN:

This study is a Priority Policy Agenda item in the City's FY12 Strategic Plan. The project also relates to Goal 3 - More Efficient City Government - Cost-Effective Service Delivery and supporting opportunities for recruiting and retaining a top quality workforce.

BACKGROUND:

Our consultants recently completed the market salary survey and reviewed results and recommendations with Council during the March work session. Recommendations and proposed actions to support fair and equitable pay structures will be implemented.

ISSUES:

The City desires to successfully attract, recruit, and retain talent for City employment across all Departments to provide efficient, high quality, customer-focussed services for all citizens. Ensuring we have competitive pay and benefits is a critical foundation for employee morale and productivity.

BUDGET IMPACT:

Funding for this study was approved by City Council as part of the FY12 Budget. Preliminary cost information was reviewed with Council at the March work session, and will be submitted as part of the City budget for FY13. We would do best to fund the implementation based on the fiscal constraints and overall goals of the City.

OPTIONS:

1. Move forward with implementing recommendations from the study.
2. Do not move forward with implementing recommendations from the study.

RECOMMENDED ACTION:

1. Move forward with implementing recommendations from the study.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Rusty Thompson, PE, Engineering and Infrastructure Director
DATE: March 12, 2012
RE: **Award of the contract to the lowest responsible responsive bidder for Fort Bragg Road rehabilitation .**

THE QUESTION:

Whether Council wants to award a contract to Highland Construction in the amount of \$ 557,026.36

RELATIONSHIP TO STRATEGIC PLAN:

Growing City, Livable Neighborhoods, A Great Place to Live

BACKGROUND:

The City plans to rehabilitate a section of Fort Bragg Road from Bragg Boulevard southward to Churchill Drive. The roadway will be milled from Bragg Boulevard to Churchill Drive but will only be resurfaced to Barrington Cross. The section from Barrington Cross to Churchill Drive will be resurfaced after a drainage project has been completed.

ISSUES:

- Fort Bragg Road was last resurfaced in 1984 and is a concrete road with an asphalt overlay.
- The road currently is rated very poorly with section that have failed and are buckling.
- The roadway will be milled and then the concrete will be repaired or replaced as needed.

BUDGET IMPACT:

The contract amount for the project is \$ 557, 026.36 which is below the city engineers estimate.

OPTIONS:

Award the Contract to the low bidder

Do not award the contract to the low bidder and re-advertise.

RECOMMENDED ACTION:

Staff recommends that Council move to award the Contract to the low bidder, Highland Construction, in the amount of \$557,026.36.

ATTACHMENTS:

presentation

Live. Thrive. Prosper.



City of
Fayetteville
North Carolina

Fort Bragg Road Rehabilitation Project



www.cityoffayetteville.org

www.facebook.com/cityoffayetteville www.twitter.com/CityOfFayNC



Background



- The roadway hasn't been resurfaced since the early 80's.
- It is a 7" thick concrete road with 5 inches of asphalt over it.
- The concrete is causing the asphalt to buckle at joints and utility cut locations.

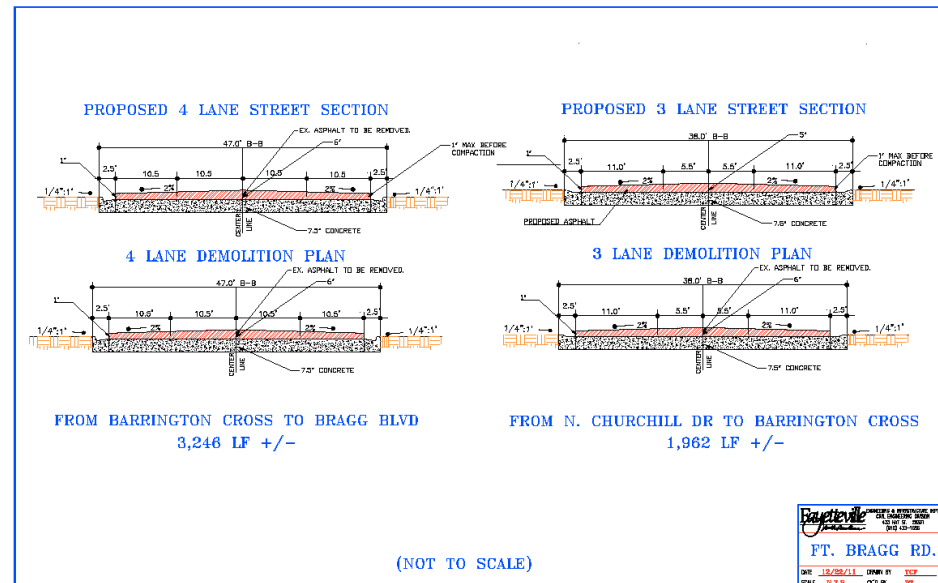




Contract Proposal

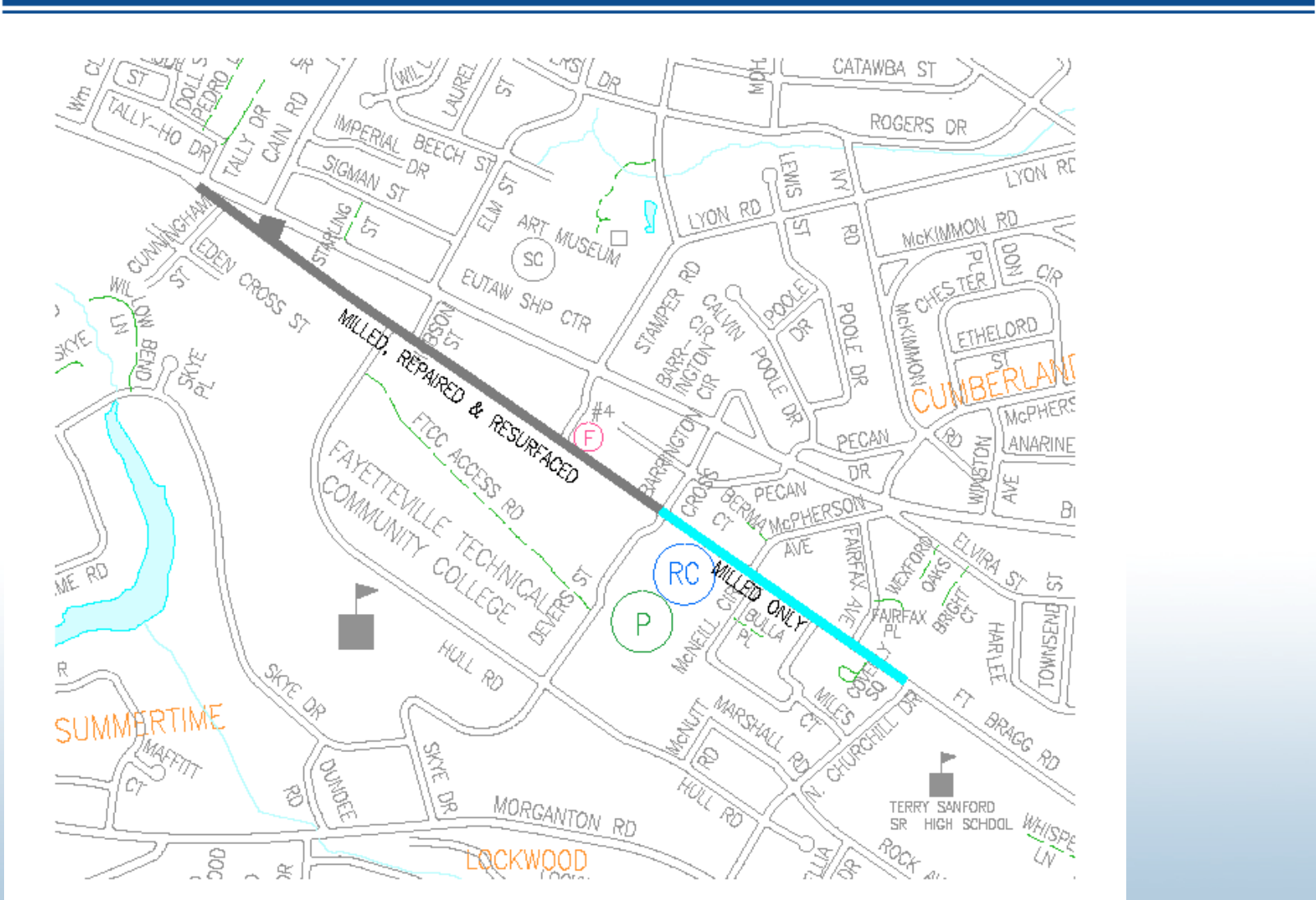


- The project limit is from Bragg Boulevard southward to Churchill Drive for a distance of approximately 1.1 miles.
- The construction period is for 104 calendar days.
- The work involves milling the entire roadway to the concrete, repairing the concrete, adjusting utility boxes, resurfacing in 2-3 lifts and installing thermoplastic markings.
- The low bid from Highland Paving is \$ 557,026.36





Project Limits





Examples of buckling





Examples of utility cuts





Curb built into slab





Coordination Efforts



- We have coordinated our work with PWC so the underground utilities have been renewed.
- Additional efforts have been made to coordinate this project with the McNeil Drive drainage project.
- Our communications plan includes: Electronic Message boards placed two weeks prior to the work, hangtags that will notify individual business owners, Facebook postings, twitter postings and media releases.
- Any Questions or Comments should be directed to 433-1FAY

Questions?



www.cityoffayetteville.org

www.facebook.com/cityoffayetteville www.twitter.com/CityOfFayNC

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of Council
FROM: Steven K. Blanchard, PWC CEO/General Manager
DATE: March 12, 2012
RE: **PWC - Bid Recommendation - Relay and Control Switchboards and SCADA Switchboards**

THE QUESTION:

The Public Works Commission of the City of Fayetteville requests Council approve bid recommendation for purchase of Relay and Control Switchboards and SCADA Switchboards for PWC 69 to 15 x 25kV Substations.

RELATIONSHIP TO STRATEGIC PLAN:

Quality utility services.

BACKGROUND:

The Public Works Commission, during their meeting of February 22, 2012 approved bid recommendation to award bid for purchase of Relay and Control Switchboards and SCADA Switchboards for PWC 69 to 15 x 25kV Substations to Schweitzer Engineering Laboratories, Pullman, WA, lowest bidder in the total amount of \$197,540.00 and forward to City Council for approval. This is a budgeted item in the CIP Budget – EL33 –T/D Sub Differential and Back-up Overcurrent Relay Replacement (budgeted amount of \$200,000). Bids were received January 18, 2012 as follows:

Bidders	Total Cost
Schweitzer Engineering Laboratories, Pullman, WA	\$197,540
Birmingham Control Systems, Birmingham, AL	\$243,960
Electrical Power Products, Des Moines, IA	\$250,432
Kemco Industries, Sanford, FL	\$256,092

ISSUES:

Schweitzer Engineering Laboratories is not classified as a DBE, minority, or woman-owned business.

BUDGET IMPACT:

PWC Budgeted Item

OPTIONS:

N/A

RECOMMENDED ACTION:

PWC Staff recommend that Council move to award bid to Schweitzer Engineering Laboratories in the amount of \$197,540.

ATTACHMENTS:

Bid Recommendation
Bid History

**PUBLIC WORKS COMMISSION
ACTION REQUEST FORM**

TO: Steve Blanchard, CEO/General Manager **DATE:** February 14, 2012

FROM: Gloria Wrench, Purchasing Manager

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ACTION REQUESTED: Award bid for the purchase of Relay and Control Switchboards and SCADA Switchboards for PWC 69 to 15 x 25kV Substations

BID/PROJECT NAME: Relay and Control Switchboards and SCADA Switchboards for PWC 69 to 15 x 25kV Substations

BID DATE: January 18, 2012 **DEPARTMENT:** Electric Substations

BUDGET INFORMATION: \$200,000 – CIP EL33 - T/D Sub Differential and Back-up Overcurrent Relay Replacement

BIDDERS	TOTAL COST
<u>Schweitzer Engineering Laboratories, Pullman, WA</u>	<u>\$197,540.00</u>
<u>Birmingham Control Systems, Birmingham, AL</u>	<u>\$243,960.00</u>
<u>Electrical Power Products, Des Moines, IA</u>	<u>\$250,432.00</u>
<u>Kemco Industries, Sanford, FL</u>	<u>\$256,092.00</u>

.....
AWARD RECOMMENDED TO: Schweitzer Engineering Laboratories, Pullman, WA

BASIS OF AWARD: Lowest bidder

AWARD RECOMMENDED BY: Joel Brown, John Sidebotham and Gloria Wrench

COMMENTS: Bids were solicited from seven (7) vendors with four (4) vendors responding. The lowest bidder is recommended.

ACTION BY COMMISSION

APPROVED _____ **REJECTED** _____
DATE _____

ACTION BY COUNCIL

APPROVED _____ **REJECTED** _____
DATE _____

BID HISTORY

RELAY AND CONTROL SWITCHBOARDS AND SCADA SWITCHBOARDS FOR PWC 69 TO 15 X 25 KV SUBSTATIONS

BID DATE: JANUARY 18, 2012

Advertisement

1. Public Works Commission Website 12/20/11 through 01/10/12

List of Organizations Notified of Bid

1. NAACP Fayetteville Branch, Fayetteville, NC
2. NAWIC, Fayetteville, NC
3. N.C. Institute of Minority Economic Development, Durham, NC
4. SEBEDP, Fayetteville, NC
5. Fayetteville Business & Professional League, Fayetteville, NC
6. SBTDC, Fayetteville, NC
7. FTCC Small Business Center, Fayetteville, NC
8. The Women's Center of Fayetteville, Fayetteville, NC
9. Fayetteville Area Chamber of Commerce, Fayetteville, NC

List of Prospective Bidders

1. Birmingham Control Systems, Birmingham, AL
2. Kemco Industries, Inc., Sanford, FL
3. Tarheel Electric Membership Corporation, Raleigh, NC
4. Utility Resource Associates, Dalzell, SC
5. WESCO, Raleigh, NC
6. Electrical Power Products, Des Moines, IA
7. Schweitzer Engineering Laboratories, Inc., Pullman, WA

DBE/MWBE Participation

Schweitzer Engineering Laboratories is not classified as a DBE, minority, or woman-owned business.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of Council
FROM: Steven K. Blanchard, PWC CEO/General Manager
DATE: March 12, 2012
RE: **PWC - Bid Recommendation - 230kV Circuit with Optional Revenue Metering CT's**

THE QUESTION:

The Public Works Commission of the City of Fayetteville requests Council approve bid recommendation for purchase of one (1) 230kV Circuit Breaker with optional Revenue Metering CT's for P.O.D. No. 1.

RELATIONSHIP TO STRATEGIC PLAN:

Quality Utility Services

BACKGROUND:

The Public Works Commission, during their meeting of February 22, 2012 approved bid recommendation to award bid for purchase of one (1) 230kV Circuit Breaker with optional Revenue Metering CT's for P.O.D. No. 1 to Siemens Energy c/o National Transformer Sales, Raleigh, NC, lowest bidder in the total amount of \$91,100.00 and forward to City Council for approval. This is a budgeted item in the CIP Budget – EL45- FY2013 (budgeted amount of \$225,000). Delivery of the unit is 18 to 20 weeks after receipt of an order, therefore, it is anticipated that the unit will be received in FY 2013. Bids were received January 26, 2012 as follows:

<u>Bidders</u>	<u>Total Cost</u>
Siemens Energy c/o National Transformer Sales, Raleigh, NC	\$91,100.00
HVB AE Power Systems, Inc., Suwanee, GA	\$91,650.00
ABB c/o Utility Service Agency, Wake Forest, NC	\$97,235.00
*Alstom Grid, Inc., Charleroi, PA	\$87,440.00
*Pennsylvania Breaker, LLC, Canonsburg, PA	\$90,620.00

NOTE: The low bid submitted by Alstom Grid, Inc. was found to be non-compliant with PWC specifications. The second low bidder, Pennsylvania Breaker, is relatively new to the circuit breaker market and has experienced notable problems with their first generation of breakers. Additionally, the purchase of this equipment is made up of (2) components: (1) the 230kV Circuit Breaker; and (2) Revenue Metering CT's. Progress Energy will be reimbursing PWC for the cost of the Revenue Metering CT's. Due to the cost breakdown of the bids, by awarding the bid to Siemens, PWC will actually be paying less for the circuit breaker, than if the bid was awarded to Pennsylvania Breaker.

ISSUES:

Siemens Energy is not classified as a DBE, minority, or woman-owned business.

BUDGET IMPACT:

PWC Budgeted Item

OPTIONS:

N/A

RECOMMENDED ACTION:

PWC Staff recommends that Council move to award bid to Siemens Energy c/o National Transformer Sales, Raleigh, NC

ATTACHMENTS:

Bid Recommendation

Bid History

Bid tab

**PUBLIC WORKS COMMISSION
ACTION REQUEST FORM**

TO: Steve Blanchard, CEO/General Manager DATE: February 15, 2012

FROM: Gloria Wrench, Purchasing Manager

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ACTION REQUESTED: Award bid for the purchase of one (1) 230kV Circuit Breaker with optional Revenue Metering CT's for P.O.D. No. 1

BID/PROJECT NAME: 230kV Circuit Breaker for P.O.D. No. 1

BID DATE: January 26, 2012 **DEPARTMENT:** Electric Substations

BUDGET INFORMATION: \$225,000 – CIP EL45 – FY2013 – Delivery of the unit is 18 to 20 weeks after receipt of an order, therefore, it is anticipated that the unit will be received in FY2013.

.....

BIDDERS	TOTAL COST
<u>Siemens Energy c/o National Transformer Sales, Raleigh, NC</u>	<u>\$91,100.00</u>
<u>HVB AE Power Systems, Inc., Suwanee, GA</u>	<u>\$91,650.00</u>
<u>ABB c/o Utility Service Agency, Wake Forest, NC</u>	<u>\$97,235.00</u>
<u>*Alstom Grid, Inc., Charleroi, PA</u>	<u>\$87,440.00</u>
<u>*Pennsylvania Breaker, LLC, Canonsburg, PA</u>	<u>\$90,620.00</u>

**See comments below for bids marked with an asterisk.*

.....

AWARD RECOMMENDED TO: Siemens Energy c/o National Transformer Sales, Raleigh, NC

BASIS OF AWARD: Lowest bidder

AWARD RECOMMENDED BY: Joel Brown, John Sidebotham and Gloria Wrench

.....

COMMENTS: Bids were solicited from six (6) vendors with five (5) vendors responding. Staff is recommending award to Siemens Energy c/o National Transformer Sales. The low bid submitted by Alstom Grid, Inc. was found to be non-compliant with our specifications. The second low bidder, Pennsylvania Breaker, is relatively new to the circuit breaker market and has experienced notable problems with their first generation of breakers. Although, they have addressed many of the problems, PWC staff feels there is not adequate history on their equipment to determine whether or not they are equal to breakers by other manufacturers that PWC has purchased from in the past. Additionally, the purchase of this equipment is made up of (2) components: (1) the 230kV Circuit Breaker; and (2) Revenue Metering CT's. Progress Energy will be reimbursing PWC for the cost of the Revenue Metering CT's. Due to the cost breakdown of the bids, by awarding the bid to Siemens, PWC will actually be paying less for the circuit breaker, than if the bid was awarded to Pennsylvania Breaker. For reference, a cost breakdown by component is attached.

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ACTION BY COMMISSION

APPROVED _____ REJECTED _____
DATE _____

ACTION BY COUNCIL

APPROVED _____ REJECTED _____
DATE _____

BID HISTORY

ONE (1) 230KV CIRCUIT BREAKER FOR POD #1

BID DATE: JANUARY 26, 2012

Advertisement

1. Public Works Commission Website 01/10/12 through 01/26/12

List of Organizations Notified of Bid

1. NAACP Fayetteville Branch, Fayetteville, NC
2. NAWIC, Fayetteville, NC
3. N.C. Institute of Minority Economic Development, Durham, NC
4. SEBEDP, Fayetteville, NC
5. Fayetteville Business & Professional League, Fayetteville, NC
6. SBTDC, Fayetteville, NC
7. FTCC Small Business Center, Fayetteville, NC
8. The Women's Center of Fayetteville, Fayetteville, NC
9. Fayetteville Area Chamber of Commerce, Fayetteville, NC

List of Prospective Bidders

1. ABB Kuhlman, Wake Forest, NC
2. HVB AE Power Systems, Inc., Suwanee, GA
3. Alstom Grid, Charleroi, PA
4. Mitsubishi Electric Power Products, Charlotte, NC
5. National Transformer Sales, Inc., Raleigh, NC
6. Pennsylvania Breaker, Canonsburg, PA

DBE/MWBE Participation

Siemens Energy is not classified as a DBE, minority, or woman-owned business.

**ONE (1) 230KV CIRCUIT BREAKER FOR POD # 1
COST BREAKDOWN**

	ALSTOM GRID	PENNSYLVANIA BREAKER	SIEMENS ENERGY C/O NATIONAL TRANSFORMER SALES	HVB AE POWER SYSTEMS	ABB C/O UTILITY SERVICE AGENCY
230KV CIRCUIT BREAKER	\$86,890.00	\$89,120.00	\$88,100.00	\$89,600.00	\$97,235
REVENUE METERING CT'S	\$550.00	\$1,500.00	\$3,000.00	\$2,050.00	included in cost of breaker
TOTAL BID	\$87,440.00	\$90,620.00	\$91,100.00	\$91,650.00	\$97,235

CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Karen Hilton, Planning & Zoning Division Manager
DATE: March 12, 2012
RE: **Community Street Banners for FTCC 50th Anniversary**

THE QUESTION:

Whether or not to approve the special request for Community Street banners for FTCC.

RELATIONSHIP TO STRATEGIC PLAN:

Partnership of Citizens.

BACKGROUND:

The Code of Ordinances contains a provision, Section 30-5L10(c), allowing special permits for temporary community event banners. The Ordinance requires the banners be up for at least 90 days, but no more than 180 days and be 2 feet by 6 feet. The request is subject to the approval of City Council who may limit the number.

The banners depict the College's 50th Anniversary logo and are limited by Ordinance to 24 inches wide by 72 inches high. The original request was approved by City Council in September 2011, authorizing FTCC to attach a total of 36 banners to utility poles on the FTCC campus and the Botanical Gardens location on Eastern Blvd. The applicant has coordinated with PWC for approval to attach the banners to the utility poles.

ISSUES:

FTCC has requested a 90 day extension to the approval of 180 days expiring on March 12, 2012 so the banners can remain up during the spring graduation. The City Council has approved similar requests for similar events in the past.

BUDGET IMPACT:

No direct impact.

OPTIONS:

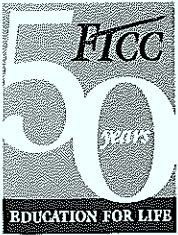
1. Grant the special request for up to 36 community street banners for the FTCC 50th anniversary from March 12, 2012 through June 12, 2012 (recommended).
2. Grant the special sign permit with a different limit on the number of banners and time frame.
3. Deny the special request.

RECOMMENDED ACTION:

Staff recommend that Council move to approve the special request for up to 36 community street banners for the FTCC 50th anniversary from March 12, 2012 through June 12, 2012.

ATTACHMENTS:

2012FTCCRequest
Photos - FTCC banner



Fayetteville Technical
Community College
P.O. Box 35236
2201 Hull Road
Fayetteville, NC
28303-0236

Dr. J. Larry Keen
President

February 24, 2012

Mr. David Steinmetz
Senior Code Enforcement Administrator
Planning and Development Department
City of Fayetteville
Fayetteville, NC 28301

Dear Dave:

Thank you for your direction yesterday in our telephone call concerning the request that needs to be filed with your office seeking an extension to the existing variance of the Fayetteville Technical Community College 50th Anniversary Celebration banners.

We are requesting a variance extension to the existing variance, which currently ends on March 12, 2012. The College's 50th Anniversary Celebration concludes on Thursday, May 17, 2012 with our annual commencement exercise, and we will remove the banners at that time.

I have attached for your reference the original request dated June 1, 2011, and the City Council Action Memo dated July 25, 2011. If you need any additional information, please contact me by telephone at 910-678-8209 or by electronic mail at michaelb@faytechcc.edu or by fax at 910-678-8590.

We thank you in advance for your consideration for this important event for the College, the City of Fayetteville and Cumberland County.

Sincerely,

Brent Michaels, MBA
Vice President for Institutional Advancement

Enclosures (3)

- Board of Trustees
- Board Chair
- Mr. William S. Wellons, Jr.
- Vice-Chair
- Dr. Dallas M. Freeman
- Secretary
- Mrs. Sheryl J. Lewis
- Members
- Dr. Bearden Blackwell
- Mr. Ronald C. Crosby, Jr.
- Mr. Charles J. Harrell
- Dr. Marye J. Jeffries
- Mr. Charles E. Koonce
- Mr. John A. Lennon
- Mr. David McCune
- Mrs. Susie S. Pugh
- Mrs. Esther R. Thompson

Fayetteville Campus
Phone (910) 678-8400
Fax (910) 484-6600
Spring Lake Campus
Phone (910) 678-1000
Fax (910) 436-5184
www.faytechcc.edu

An Equal Opportunity
Institution

FTCC special request
March 12, 2012

90-day (extension) to display 36 banners celebrating the 50th anniversary.



CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: March 12, 2012
RE: **Special Revenue Fund Project Ordinance 2012-14 (Project Safe Neighborhoods - Law Enforcement Training Consortium - Additional Funding)**

THE QUESTION:

This ordinance appropriates \$2,492 for the Police Department's Law Enforcement Training Consortium for fiscal year 2012.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 3: GROWING CITY, LIVABLE NEIGHBORHOODS - A GREAT PLACE TO LIVE
Objective 1: Consistent improvement in reducing crime rates.

BACKGROUND:

- The funding source for this program is a \$2,492 federal grant award passed through the Division of Governor's Crime Commission of the NC Department of Crime Control and Public Safety. There is no local match requirement.
- This ordinance will appropriate the additional funds needed to facilitate a three-day training conference for law enforcement officers, providing the necessary training for law enforcement officers to effectively identify various threats and determine those that pose the greatest danger.

ISSUES:

None.

BUDGET IMPACT:

None.

OPTIONS:

- 1) Adopt Special Revenue Fund Project Ordinance 2012-14.
- 2) Do not adopt Special Revenue Fund Project Ordinance 2012-14.

RECOMMENDED ACTION:

Adopt Special Revenue Fund Project Ordinance 2012-14.

ATTACHMENTS:

SRO 2012-14 (PSN - Law Enforcement Training Consortium - Additional

SPECIAL REVENUE FUND PROJECT ORDINANCE
ORD 2012-14

BE IT ORDAINED by the City Council of the City of Fayetteville, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following special revenue project ordinance is hereby adopted:

Section 1. The authorized project is for funding of the Police Department's Law Enforcement Training Consortium from the Project Safe Neighborhoods Grant awarded by the NC Dept. of Crime Control and Public Safety, Division of Governor's Crime Commission.

Section 2. The project director is hereby directed to proceed with the project within the terms of the various agreements executed and within the funds appropriated herein.

Section 3. The following revenues are anticipated to be available to the City to complete the project:

Federal Grant passed through the NC Governor's Crime Commission	<u>\$ 2,492</u>
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Section 4. The following amounts are appropriated for the project:

Project Expenditures	<u>\$ 2,492</u>
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Section 5. Copies of this special revenue project ordinance shall be made available to the budget officer and the finance officer for direction in carrying out this project.

Adopted this 12th day of March, 2012.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Neil L. Perry, PE, PTOE, PTP, Interim City Traffic Engineer
DATE: March 12, 2012
RE: **Braddy Road Speed Reduction Ordinance**

THE QUESTION:

Does the City Council concur with NCDOT's request to enact municipal speed limit ordinances on NCDOT maintained streets?

RELATIONSHIP TO STRATEGIC PLAN:

Growing City, Livable Neighborhoods - A Great Place To Live

BACKGROUND:

A citizen's request was made to NCDOT to reduce the speed limit on SR 1111 (Braddy Rd), between SR 1108 (King Rd) and SR 1112 (Stoney Point Rd). NCDOT performed an investigation and found that development had increased to nearly 75 percent along this section of Braddy Rd. As a result NCDOT has recommended a speed reduction from 55 mph to 45 mph. Additionally, NCDOT will be replacing a vandalized curve warning sign in the southbound direction.

ISSUES:

If NCDOT and the City cannot agree on modifying the speed limit for a particular street the existing speed limit will remain in place.

BUDGET IMPACT:

The adoption of these ordinances will not have an impact on the budget. If approved, NCDOT will responsible for signing these changes.

OPTIONS:

- Adopt ordinances as recommended.
- Reject the ordinances.
- Reject specific ordinances until NCDOT has studied for further reduction.

RECOMMENDED ACTION:

Adopt the attached speed ordinances for concurrence for NCDOT.

ATTACHMENTS:

Braddy Rd Speed Ordinance



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

February 10, 2012

Mr. Neil Perry
Interim City Traffic Engineer
City of Fayetteville
339 Alexander Street
Fayetteville, North Carolina 28301

Dear Mr. Perry,

This letter is in reference to a citizen's request made from Ms. Nellye Croft to reduce the speed limit on SR 1111 (Braddy Road), between SR 1108 (King Road) and SR 1112 (Stoney Point Road), in Cumberland County. Our staff has recently completed a traffic engineering investigation.

During this investigation, the existing conditions were reviewed along SR 1111 (Braddy Road). The roadway consisted of a two-lane, two-way pavement structure 0.95 mile in length. The pavement cross-section consisted of 21 feet with one horizontal curve. Grass shoulder widths varied from 6 to 12 feet. Painted pavement markings delineated the travel lanes. Residential development was nearing 75 percent. As a result of these conditions and prior studies performed on SR 1111 (Braddy Road), it was recommended to reduce the speed limit from 55 mph to 45 mph. In addition, it was recommended to replace a vandalized advance curve warning sign in the southbound direction.

Please present our recommendations to your City Council for their consideration and for the rescission and enactment of the appropriate ordinances. Upon completion, please execute the original certificate forms and return the original forms to Mr. W. L. Jernigan, Jr., P.E., Division Traffic Engineer, P.O. Box 1150, Fayetteville, North Carolina, 28302.

If further information is requested, or you have any questions, please feel free to contact me at (910) 486-1452.

Yours very truly,


W. L. Jernigan, Jr., PE
Division Traffic Engineer

WLJ:pjh
Attachments

cc: G. W. Burns, P.E., Division Engineer
L. R. Hines, Jr., P.E., District Engineer
L. K. Langdon, Assistant Division Traffic Engineer
D. B. Phipps, P.E., Sandhills Regional Traffic Engineer
Nellye Croft, Requestor

**Certification of Municipal Declaration
To Repeal Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1055950

Division: 6 County: CUMBERLAND

Municipality: FAYETTEVILLE

Type: Municipal Speed Zones

Road: SR 1111

Car: 55 MPH

Truck: 55 MPH

Description: From SR 1112 to SR 1108.

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20_____, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance/Resolution Number: _____

In witness whereof, I have hereunto set my hand and the municipal seal this _____ day of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____

**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1063896

Division: 6 County: CUMBERLAND

Municipality: FAYETTEVILLE

Type: Municipal Speed Zones

Road: SR 1111

Car: 45 MPH

Truck: 45 MPH

Description: Between SR 1112 and SR 1108.

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20_____, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance/Resolution Number: _____

In witness whereof, I have hereunto set my
hand and the municipal seal this _____ day
of _____, 20_____.

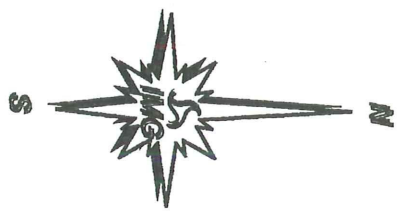
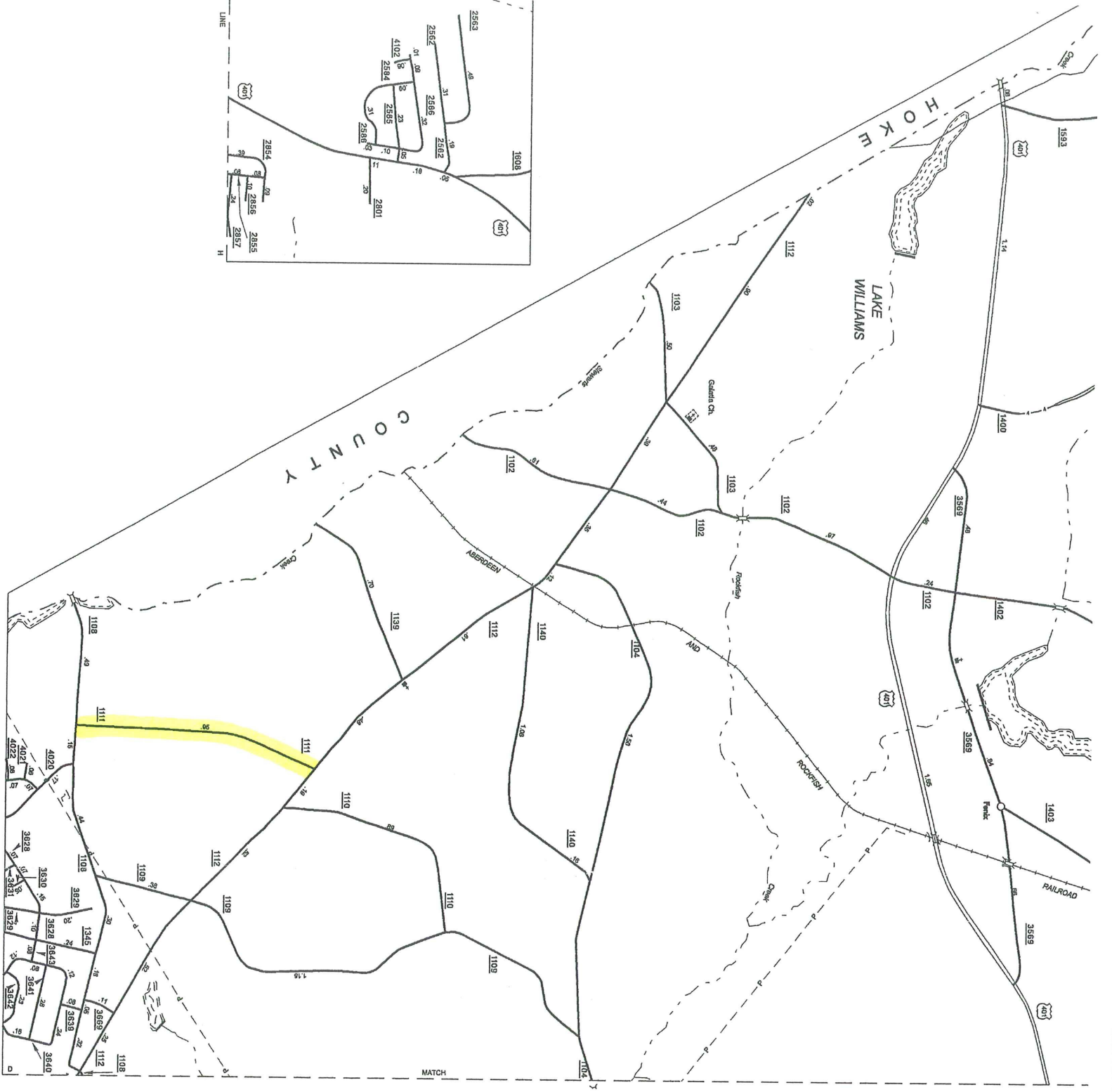
(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____



CITY COUNCIL ACTION MEMO

TO: Mayor and City Council
FROM: Dale Iman, City Manager
DATE: March 12, 2012
RE: **Consideration of National Organization of Black Law Enforcement Executives (NOBLE) findings regarding allegations of biased-based policing by the Fayetteville Police Department.**

THE QUESTION:

Does City Council want to accept the findings and recommendations of NOBLE?

RELATIONSHIP TO STRATEGIC PLAN:

Goal 2 - Growing City, Livable Neighborhoods - A Great Place to Live

BACKGROUND:

At the City Council's January 23, 2012 meeting, City Council adopted a 120-day moratorium on vehicular consent searches. As part of that process City Council instructed the City Manager to implement four steps during the moratorium. Step 1 was to identify an organization external to the Police Department to review all traffic stop policies, procedures, and standards of conduct. Review the Police Department accreditation process to identify training areas. Review audit findings and determine if the issues identified were also identified in the audit for corrective action. Review and analyze all data collected to determine if biased-based policing has occurred and if so, determine if it is a departmental problem or the result of individual officers. Immediately implement acceptable CALEA Accreditation training standards and identify specific and measurable goals to ensure the conduct of traffic stops (self-assessment and external assessment) meet the standards.

On January 24, 2012 NOBLE was contracted to perform the study.

Chief Jimmy Wilson, Lead Consultant with NOBLE will present those findings and recommendations.

ISSUES:

None identified at this time.

BUDGET IMPACT:

None identified at this time.

OPTIONS:

- Accept NOBLE's findings and recommendations
- Do not accept NOBLE's findings and recommendations

RECOMMENDED ACTION:

Accept NOBLE's findings and recommendations and direct the implementation of same.

CITY COUNCIL ACTION MEMO

TO: Mayor and Members of City Council
FROM: Lisa Smith, Chief Financial Officer
DATE: March 12, 2012
RE: **Tax Refunds of Less Than \$100**

THE QUESTION:

The attached memorandum outlines tax refunds of less than \$100 approved in February 2012.

RELATIONSHIP TO STRATEGIC PLAN:

Core Value: Stewardship

BACKGROUND:

The attached list of tax refunds was approved by the Cumberland County Special Board of Equalization for the month of February, 2012.

ISSUES:

None.

BUDGET IMPACT:

The total budget impact is \$34.66.

OPTIONS:

No council action required. Information report only.

RECOMMENDED ACTION:

Not applicable.

ATTACHMENTS:

Tax Refunds of Less Than \$100



City of
Fayetteville
North Carolina
**FINANCE
DEPARTMENT**

March 12, 2012

TO: Lisa Smith, Chief Financial Officer *LSmith*

FROM: Nancy Peters, Accounts Payable *NP*

RE: Tax Refunds of Less Than \$100

The tax refunds listed below for less than \$100 were approved by the Cumberland County Special Board of Equalization for the month of February, 2012.

NAME	BILL NO.	YEAR	BASIS	CITY REFUND
Wheeler, Donald E.	LR 8946262	2009-2010	Incorrectly Listed	9.12
Wheeler, Donald E.	LR 2127309	2006-2010	Incorrectly Listed	25.54
TOTAL				\$34.66

P.O. Drawer D
433 Hay Street
Fayetteville, NC 28302-1746
FAX (910) 433-1680