

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE ROOM
APRIL 2, 2012
5:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2) (arrived at 5:45 p.m.); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Wade Fowler (District 8); James W. Arp, Jr. (District 9)

Others Present:

Kristoff Bauer, Interim City Manager
Karen M. McDonald, City Attorney
Brian Meyer, Assistant City Attorney
Renner Eberlein, Assistant City Attorney
Patricia Bradley, Police Attorney
David McLaurin, Police Sergeant
Victor Sharpe, Community Development Director
Randy Hume, Transit Director
Rebecca Rogers-Carter, Management Services Manager
Deborah Martin-Mintz, Arts Council Executive Director
Jami McLaughlin, Downtown Developer Director
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Council Member Haire.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Hurst moved to approve the agenda with the addition of a closed session for consultation with attorney regarding litigation in the matter of *City of Fayetteville v. John Chen and 450hay, LLC*.

SECOND: Council Member Haire

VOTE: UNANIMOUS (10-0)

4.0 OTHER ITEMS OF BUSINESS

4.1 Art's Council Strategic Planning Priorities

Ms. Deborah Martin-Mintz, Arts Council Executive Director, presented this item with a power point presentation. She provided an overview of the creation of the Arts Council. She explained the Arts Council was providing direct support to organizations, schools, artists, and community celebrations and development that included the International Folk Festival, A Dickens Holiday, 4th Fridays Exhibits and Events, Public Art Projects, Festival and Veterans Park, and City Hall Art Exhibits. She stated the Arts Council building was a historic property and was a resource center and meeting area for nonprofit agencies, local governments, and community initiatives and open six days a week, 50 weeks per year. She provided highlights of the music festivals, events at the Crown Center, parks, walking trails, aquatics center, theatrical events, and museums. She pointed out that Fayetteville, North Carolina, was a great place to live, work, and grow up and a whole and healthy community. She informed the Council that the Arts Council strategic planning initiatives would be sent directly to each elected official for them to prioritize.

4.2 Community Development – Update on Downtown Fayetteville Renaissance Plan

Ms. Jami McLaughlin, Downtown Developer Director, presented this item with a power point presentation. She explained the Downtown Renaissance Plan was adopted in 2002, and since its adoption, over \$76 million had been invested with 341 building projects. She further

explained most of the goals and objectives of the Plan had been met and a majority of the projects outlined had been completed including Festival Park, the Transportation Museum, streetscape improvements to Person Street, Green Street and Franklin Street, the Franklin Street Parking Deck, and the Hope VI project. She reported downtown had new life, which was evident from its top attractions and festivals that were bringing thousands of visitors to Fayetteville each year, a good mix of businesses and services, and new options for residents to live downtown. She stated major projects such as NC Veterans Park and the 300 Block of Hay Street housing were not realized at the time of the adoption and had certainly changed the landscape as well as the recovering economy that stilted some projects right before they could fully lift off the ground. She further stated there was a need to prepare for the next phase of downtown's rebirth by incorporating the economic strategic actions and providing specific guidance to ensure continued vibrancy, quality design, and improved public spaces. She concluded by stating to better reflect the times, they should move forward to hire a consultant to further review the accomplishments that had been made over the last decade and update the plan based on a new landscape with new challenges and provided a suggested timeline to Council.

A brief discussion followed the presentation.

4.3 Community Development – Presentation of draft Community Development 2012-2013 Annual Action Plan

Mr. Victor Sharpe, Community Development Director, presented this item with a power point presentation. He stated the City of Fayetteville had updated its Consolidated Plan in 2010 and that it was a comprehensive plan addressing the City's housing, homeless, community development, and economic development needs for the five-year period of 2010-2015. He further stated the plan also contained goals, objectives, and implementing strategies for each of the plan's elements and described the activities to be funded or implemented. He reported the 2012-2013 Annual Action plan was in the third year of the 2010-2015 Consolidated Plan. He explained in an effort to provide citizens an opportunity to participate in the process of developing the Annual Action Plan, the Community Development staff held citizen participation meetings. He stated a staff public hearing was held on March 1, 2012, and the Fayetteville Redevelopment Commission would be holding the official public hearing on April 12, 2012. He announced a draft copy of the plan would be available for review and comments from March 30 through April 28, 2012. He briefly reviewed the issues and budget impact of the plan.

A brief question and answer period ensued.

4.4 Revisions to Article VII - Wrecker and Tow Service

Police Sergeant David McLaurin presented this item and stated at the November 9, 2009, City Council meeting, Sergeant Matthew Eric Dow, Police Department, presented information regarding a new management system that would aid citizens in the recovery of towed vehicles and the management of the City's wrecker rotation list. He further stated the proposed ordinance revisions necessary for the successful implementation of the new management system were presented to City Council and approved on March 8, 2010. He explained the City Wrecker Inspection Team along with the Wrecker Review Board had identified changes that were necessary for the practical application of the ordinance. He provided the Council with a handout containing the list of the proposed revisions.

A discussion period ensued.

Ms. Karen McDonald, City Attorney, stated in some instances some wrecker businesses had requested to be annexed.

Discussion ensued regarding the storage of vehicles, suspension or revocation of license, felony convictions, wrecker inspectors, County inspection check lists, and enforcement.

Consensus of Council was to approve the recommended changes and bring the item back to Council for approval as a consent item.

4.5 Revenue Potential from Commercial Advertising on Transit Buses

Mr. Randy Hume, Transit Director, and Ms. Renner Eberlein, Assistant City Attorney, presented this item with the aid of a power point presentation. Ms. Eberlein provided the Council with a

draft advertising policy. Mr. Hume showed examples of the various size and types of advertising. He also highlighted the peer transit systems and stated that most of them do advertise. He stated the ramp-up period was 18 to 24 months, and the estimated revenue to FAST after the ramp-up was \$80,000.00 to \$90,000.00 per year with a minimum revenue guarantee of \$30,000.00 to \$40,000.00 per year.

A discussion period ensued regarding acceptable advertising, prohibited advertising, political advertising, and the various sizes of the advertisements.

Council Member Bates stated he was opposed to any type of advertisements on the transit system buses.

Council Member Davy suggested further investigation into small size advertisements on only a certain percentage of the transit vehicles.

Further discussion followed.

Mayor Chavonne asked for a show of hands for those in favor of requesting Mr. Hume to return to the vendor and research numbers for advertising on a smaller scale. Mayor Chavonne announced there was not enough interest from the Council to pursue this item.

4.6 Manager's Report

Mr. Kristoff Bauer, Interim City Manager, announced he had spoken with Mr. Brad Whited, Airport Director, regarding him bringing 50 percent of his time into the City Manager's office. He stated Mr. Whited had an able and qualified second in command and had been with the City for over a decade. He also announced that he had conducted research on bringing in additional contract help for the City Manager's office during this interim period.

Mr. Bauer gave an overview of the forthcoming budget process and discussion ensued.

Consensus of Council was to hold a budget meeting on April 10, 2012, at 5:00 p.m., adjourn at 6:45 p.m., enter into the regular meeting at 7:00 p.m., and then re-enter into the budget meeting immediately following the adjournment of the regular meeting.

4.7 Closed Session

MOTION: Council Member Bates moved to go into closed session for consultation with the attorney for discussion of litigation in the matters of *Gates Four Homeowners Association v. City of Fayetteville*, *City of Fayetteville v. Bill and Sophia Agapion*, and *City of Fayetteville v. John Chen and 450Hay, LLC*, and a personnel matter.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (10-0)

The regular session recessed at 7:30 p.m. The regular session reconvened at 8:25 p.m.

MOTION: Council Member Bates moved to go into open session.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (10-0)

MOTION: Mayor Pro Tem Arp moved to authorize the Mayor to sign an agreement with the executive recruitment search firm.

SECOND: Council Member Bates

VOTE: UNANIMOUS (10-0)

Mayor Pro Tem Arp polled the Council as to their availability on April 11, 2012, as outlined in the proposal made by Colin Baenziger & Associates, however, there was no consensus as to a meeting time. He advised he would contact Mr. Colin Baenziger and be back in touch with the Council.

MOTION: Council Member Fowler moved to pay Interim City Manager Kristoff Bauer \$166,000.00.

SECOND: Council Member Hurst

VOTE: UNANIMOUS (10-0)

The Mayor reviewed the letter received from the NAACP regarding an education day and advised that he would respond back that the Council was interested in hearing more information.

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:28 p.m.