

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE ROOM
October 7, 2013
5:00 P.M.**

Present: Mayor Anthony G. Chavonne
Council Members Keith Bates, Sr. (District 1)(departed at 7:12 p.m.); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7)(arrived at 5:45 p.m.); Wade Fowler (District 8); James W. Arp, Jr. (District 9)(arrived at 5:17 p.m.)

Absent: Darrell J. Haire (District 4)

Others Present:

Theodore Voorhees, City Manager
Kristoff Bauer, Deputy City Manager
Rochelle Small-Toney, Deputy City Manager
Karen McDonald, City Attorney
Lisa Smith, Chief Financial Officer
Brian Meyer, Assistant City Attorney
Scott Shuford, Development Services Director
Rusty Thompson, Engineering and Infrastructure Director
Victor Sharpe, Community Development Director
Brad Chandler, Assistant Police Chief
Karen Hilton, Planning and Zoning Manager
Dwight Miller, PWC Chief Financial Officer
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 Fowler.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Fowler moved to approve the agenda with the addition of Item 4.8 Closed Session (Economic Development).

SECOND: Council Member Bates

VOTE: UNANIMOUS (7-0)

4.0 OTHER ITEMS OF BUSINESS

4.1 Redevelopment Toolbox

Mr. Scott Shuford, Development Services Director, presented this item with the aid of a PowerPoint presentation and stated the Community Investment portfolio headed by Deputy City Manager Rochelle Small-Toney is tasked with promoting community redevelopment. The Development Services Department's chief purpose is to protect and enhance the built environment of the City of Fayetteville. The "Redevelopment Toolbox" that is the subject of today's presentation is a collection of potential zoning ordinance text amendments that support these goals and objectives. The presentation is intended to generate Council discussion and any desired direction.

Mr. Shuford stated the Community Redevelopment and Reinvestment Program (CRIP) develops a coordinated response to redevelopment and reinvestment needs. It leverages private investment using City funding, capital improvement programming, federal and state grants, and promotes development of investment in priority areas and projects. Mr. Shuford provided illustrations of zoning tools: Cottage Developments, Regional Activity Centers, Small Subdivision Alternative Standards, Residential Density in Commercial Districts, Adaptive Reuse, Live-Work Units, Neighborhood Conservation Districts, Urban Agriculture and Research and Technology Production Uses.

There were no comments or discussion. Mayor Chavonne thanked Mr. Shuford for his excellent presentation.

4.2 Stormwater Projects Update

Mr. Rusty Thompson, PE, Engineering and Infrastructure Director, presented this item with the aid of a PowerPoint presentation and stated staff will present items on current expenditures, completed projects and future projects. Mr. Thompson stated in some areas the City identifies and prioritizes a stormwater project by way of completing a watershed or neighborhood study to understand how to treat it. In other areas, staff is able to do the study and propose a solution that will reduce flooding potential. If the cost is more than \$50,000 the City places the item in the Capital Improvement Program (CIP) and ranks it with other projects based on a variety of criteria. A total of 44 storm drainage projects have been completed since 2009, 14 future projects are in design or have been funded and there is an average of 796 maintenance work orders completed annually. Mr. Thompson provided information on the projects in the five-year CIP and listed the budget year, project and location and the estimated cost. Mr. Thompson concluded by stating all of the information presented this evening is available on the City website.

Mayor Pro Tem Arp stated the projects were all positive impacts for our City. Mayor Chavonne thanked Mr. Thompson for his presentation.

4.3 Community Development - Request for additional funding to acquire land in Catalyst Site 1 of the Murchison Road Redevelopment Plan Area.

Mr. Victor Sharpe, Community Development Director, presented this item and stated on January 28, 2013, City Council adopted a resolution authorizing the City Manager to execute documents pertaining to the acquisition of property in Catalyst Site 1 of the Murchison Road Redevelopment Plan Area. Since that time, City staff has been successful in acquiring parcels in the subject area. The acquisition of land in Catalyst Site 1 of the Murchison Road Redevelopment Plan area has been approved by City Council. Funding is currently recommended in the Capital Improvement Plan (CIP) and has been funded in last year's and this year's budget in the amount of \$380,000. Catalyst Site 1 contains 73 parcels. To date the City has expended \$149,498 to acquire seven (7) parcels. There are 13 parcels scheduled to close in the next two weeks totaling \$99,582. After the City closes on the 13 parcels, \$130,920 will be available. City staff is currently in negotiation with the owners of 23 additional parcels. The acquisition of the 23 parcels exceeds the remaining amount available to spend this fiscal year. There are 2 parcels owned jointly by the City and the County. We have requested those parcels from the County. There are three (3) parcels owned by the NC Department of Transportation and staff has plans to request those properties also. To date \$380,000 has been budgeted in the CIP for the acquisition of land in Catalyst Site 1. Additional funding is needed to further the acquisition portion of the plan. Mr. Sharpe concluded by stating this request is to fund the acquisition of land in Catalyst Site 1 of the Murchison Road Redevelopment Plan area with an additional \$500,000.

Consensus of Council was to place this item on City Council's October 28, 2013, meeting agenda for consideration of an appropriation of \$500,000 for the acquisition of land in Catalyst Site 1 of the Murchison Road Redevelopment Plan area.

4.4 Hire Fayetteville First & City/Cumberland County/Cumberland County Schools Cooperative Purchasing Update

Ms. Gloria Wrench, Purchasing Manager, presented this item with the aid of a PowerPoint presentation. Ms. Wrench stated on July 9, 2012, Council adopted Policy 135.02 - "Hire Fayetteville First Jobs Creation Policy." On February 11, 2013, Council approved 8-Steps to be used by staff towards meeting the objectives of the Policy. On May 6, 2013, Council was provided an update as to staff's work plan to achieve the 8-Steps. As a result of a discussion with the Mayor in July, staff was asked to work with purchasing staff from Cumberland County and the Cumberland County Schools to discuss and develop joint purchasing initiatives. This discussion is intended to inform Council of the measures being taken by staff to meet the objectives of Hire Fayetteville First and towards the establishment of cooperative efforts by the City, Cumberland County and the Cumberland County Schools to increase awareness and

participation in contracts by local vendors. Ms. Wrench provided an update of the 8 Steps: Steps 1 and 2 – No action required and already being supported by staff. Step 3 – The Center for Economic Empowerment and Development (CEED) is on the list of organizations receiving notices of City and FPWC bid opportunities. Step 4 – Notice for the purchase of apparatus, materials and supplies, as well as construction and repair work are being posted on the FPWC website and Matchforce.org for a minimum of five (5) working days. A total of 49 notices have been posted to Matchforce to date. The City's website links have been updated to point to PWC's purchasing page. Step 5 – Staff anticipates that vendor update requests will be mailed out in mid-October. Timing will be more in line with go-live FPWC's Oracle E-Business Suite. Updating Oracle will save time as all vendor data will not be migrated from the current system. Step 6 – FPWC will be using purchasing category codes in Oracle. Preliminary codes have been identified. Codes can be added to or updated as needed. Further investigation will be made regarding the feasibility of using NAICS codes. Step 7 – Matchforce is being used to post solicitations of \$30,000 or more. A NAIC code is identified and used when posting the solicitation and when searching the Matchforce database for vendors. Step 8 - The DBE Compliance Officer served as guest speaker at CEED's "Doing Business with your Local Government" workshop in May 2013. The DBE Compliance Officer is currently working with CEED to develop a workshop to increase awareness of upcoming City and FPWC Capital Improvement Projects. The DBE Compliance Officer is planning to attend the North Carolina MWBE Coordinator's Annual Conference this fiscal year.

Ms. Wrench concluded her presentation by stating City staff, FPWC, Cumberland County and Cumberland County schools staff met and discussed purchasing procedures and vendor outreach. This group plans to meet again in November.

A brief discussion ensued. Mayor Chavonne and Council Members thanked Ms. Wrench for a great presentation.

4.5 Permit Requirements for Alarm System Solicitors

Ms. Lisa Smith, Chief Financial Officer, presented this item with the aid of a PowerPoint presentation and stated in recent months, the City has received inquiries regarding the required frequency to renew a solicitor's permit for alarm company representatives as well as the City's process for ensuring that alarm company representatives are properly licensed by the State. The purpose of the presentation will be to provide an overview of the City's current solicitor's permit process, information from several of our municipal peers, as well as seek Council feedback on the proposal to extend the duration of the solicitor's permit for alarm company representatives from three months up to one year. In addition, the City recently began requiring alarm company representatives to present a copy of their state license or application prior to accepting a city solicitor's permit application. Since this is not in the ordinance, the City Attorney's Office has also recommended an ordinance amendment to explicitly authorize the City to require additional information as appropriate, such as evidence of any required federal or state license, prior to issuing a solicitor's permit. The current local ordinance is governed by City Code Section 15-16. An individual must obtain a city permit to solicit in or upon public property, private residence or premises (includes contractors soliciting for alarm companies). The permit process involves filing an application with the Collections Division of the Finance Department. The application includes applicant information, nature of business, a photo and fingerprint card. Applicants are subject to a criminal history background check by the Police Department. The Police Department denies the solicitors permit if the applicant has within the last five years been convicted of a felony or misdemeanor, convicted of violating certain statutes or ordinances such as the NC Controlled Substances Act, convicted of violating the City's Code of Ordinances – Chapter 15 (Licenses), and moving violations. The Solicitor's permit is valid for three months, and may be renewed for additional three-month periods if renewed before expiration of the original permit. The permit fee is \$25 for the original application and \$5 for the renewal fee. Exemptions exist for charitable organizations and certain fresh vegetable and produce stands. The solicitor may not impede traffic.

Council Member Bates cautioned that citizens should always require door-to-door sales persons to show their license; and if they do not have one, the citizen should inform the police.

Mayor Pro Tem Arp stated with the current ordinance a solicitor that wanted to operate for a one-year period would have to visit City Hall four times over that one-year period. Mayor Pro Tem Arp expressed concerns over businesses that operate illegally within the city and made reference to roofing companies offering services in the wake of the hurricane that hit Fayetteville in 2011.

Mr. Voorhees stated staff will draft an amended ordinance that will accommodate the State licensing requirement.

Consensus of Council was to bring this item forward to a future regular Council meeting.

4.6 Property Tax Report

Ms. Lisa Smith, Chief Financial Officer, presented this item with the aid of a PowerPoint presentation. Ms. Smith provided a slide that detailed the FY2013 taxable property base per capita for the cities of Fayetteville, Charlotte, Raleigh, Durham, Greensboro, Winston-Salem, Cary, Wilmington, High Point and Asheville. Ms. Smith gave an overview of the breakdown of percentages for the FY2013 property tax base composition and highlighted Residential Real estate at 59.3% and Commercial Real-Estate at 24.6%. The composition of the property tax base was compared to the previously listed peer cities. Ms. Smith provided a chart that detailed the property value, rate and levy history. Ms. Smith stated the North Carolina's vehicle Tag and Tax Together program collects vehicle property taxes along with registration renewals; this became effective for vehicle registrations on September 1, 2013.

Mr. Voorhees stated this presentation contained very noteworthy and positive information to build on.

4.7 City Council Request (a) Council Member Wade Fowler - Road Resurfacing

Council Member Fowler stated he proposes the Council restore funding from the reserve fund for road resurfacing to bring better traffic condition for economic development. Council Member Fowler stated this item was one of the top three Strategic Plan for Action items and the City does have the funding available for a one-time expense to significantly improve our streets without utilizing the general fund of requiring a tax increase. This is a quality of life item.

Council Member Crisp asked Mr. Thompson, Engineering and Infrastructure Engineer, if the Council waits on this item, will the cost increase. Mr. Thompson confirmed the cost would increase. Council Member Applewhite stated there were several items set aside during the budget deliberations and said she would prefer all of the items set aside be reconsidered for funding.

Mr. Voorhees stated that the City is currently in audit; after the conclusion of the audit, excess funds that were not earmarked for certain items can be identified and discussed at a later date.

MOTION: Mayor Chavonne moved to go into closed session for consultation with the attorney for an attorney-client privileged matter.

SECOND: Council Member Davy

VOTE: UNANIMOUS (8-0)

The regular session recessed at 7:25 p.m. The regular session reconvened at 7:35 p.m.

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

SECOND: Council Member Massey

VOTE: UNANIMOUS (8-0)

MOTION: Council Member Massey moved to suspend the rules.

SECOND: Mayor Pro Tem Arp

VOTE: UNANIMOUS (8-0)

RESOLUTION AUTHORIZING THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA TO APPLY FOR FUNDING THROUGH THE ONE NORTH CAROLINA FUND. RESOLUTION NO. R2013-53

MOTION: Mayor Pro Tem Arp moved to pass the Resolution authorizing an agreement with the Fayetteville Regional Chamber of Commerce for the match required and for the submission of an application to the One North Carolina fund in the amount of \$64,000

and authorize the City Manager to execute the necessary documents

SECOND: Council Member Fowler

VOTE: UNANIMOUS (8-0)

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:40 p.m.