

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
CITY HALL COUNCIL CHAMBER  
APRIL 22, 2013  
7:00 P.M.**

Present: Mayor Anthony G. Chavonne  
Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); 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)  
Absent: Council Member James W. Arp, Jr. (District 9)  
Others Present:

Ted Voorhees, City Manager  
Kristoff Bauer, Deputy City Manager  
Rochelle Small-Toney, Deputy City Manager  
Karen McDonald, City Attorney  
Brian Meyer, Assistant City Attorney  
Dana Clemons, Assistant City Attorney  
Lisa Smith, Chief Financial Officer  
Rusty Thompson, Engineering and Infrastructure Director  
Victor Sharpe, Community Development Director  
Scott Shuford, Development Services Director  
Benjamin Major, Fire Chief  
Tracie Davis, Corporate Communications Director  
Karen Hilton, Planning and Zoning Division Manager  
Craig Harmon, Planner II  
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 Minister Gary Norwood of the New Life Bible Church.

**3.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the American Flag was led by the Mayor and City Council.

**4.0 APPROVAL OF AGENDA**

**MOTION: Council Member Davy moved to approve the agenda.**

**SECOND: Council Member Haire**

**VOTE: UNANIMOUS (9-0)**

**5.0 CONSENT**

Council Member Applewhite requested Item 5.1 be pulled for a separate vote, Council Member Bates requested Item 5.6 be pulled for a separate vote, and Council Member Crisp requested Item 5.7 be pulled for a separate vote.

**MOTION: Mayor Chavonne moved to approve the consent agenda with the exception of Items 5.1, 5.6, and 5.7.**

**SECOND: Council Member Massey**

**VOTE: UNANIMOUS (9-0)**

**5.1 Pulled for a separate vote by Council Member Applewhite.**

**5.2 Community Development - Approve transfer of City-owned lot located at 1633 Rosebud Drive to Kingdom Community Development Corporation for the construction of affordable housing.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE APPROVING CONVEYANCE OF PROPERTY PURSUANT TO G.S. § 160A-279. RESOLUTION NO. R2013-021.**

**5.3 Community Development - Approval of transfer of two City-owned vacant lots located at 811 Bedrock Drive and 214 Grady Street to Fayetteville Area Habitat for Humanity for the construction of affordable housing.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE APPROVING CONVEYANCE OF PROPERTY PURSUANT TO G.S. § 160A-279. RESOLUTION NO. R2013-022.**

**5.4 Case No. P13-09F. Request to rezone property from SF-6 and SF-10 Single-Family Residential to CC Community Commercial or to a more restrictive district, located at 4735 Yadkin Road. Containing 0.69 acres more or less and being the property of Daniel and Miyoung Koceja.**

**5.5 Case No. P13-10F. Request to rezone property from CC Community Commercial, SF-6 and SF-10 Single-Family Residential, to CC/CZ Community Commercial Conditional Zoning or to a more restrictive district, located at 5869 Yadkin Road. Containing 9.2 acres more or less and being the property of Sperring Memorial Baptist Church. (OI/CZ Recommended by the Zoning Commission and staff).**

**5.6 Pulled for a separate vote by Council Member Bates.**

**5.7 Pulled for a separate vote by Council Member Crisp.**

**5.8 Award contract for the purchase of three 833KVA, 7.2 KV single phase voltage regulators to HD Power Solutions, c/o Cooper Power, Wake Forest, NC, lowest responsive bidder, in the amount of \$125,241.00.**

Bids were received as follows:

HD Power Solutions, c/o Cooper Power (Wake Forest, NC)... \$125,241.00

Siemens Energy, Inc. (Richland, MS)..... \$127,032.00

Stuart C. Irby (Rocky Mount, NC)..... \$81,846.00

**5.9 Veterans Website and Call Center - Capital Project Ordinance 2013-19 and Special Revenue Fund Project Ordinance 2013-9.**

The ordinances appropriated a total of \$54,460.00 for the development of a Veterans Transportation and Community Living Initiative (VTCLI) multiagency website and call center. Federal grants would provide \$46,680.00 to fund the project and a local match of \$7,780.00 would be required from the General Fund.

**5.1 Community Development – Approval of the 2013-2014 Annual Action Plan.**

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

Mr. Victor Sharpe, Community Development Director, presented this item and explained the 2013-2014 Annual Action Plan was based on priorities, goals, and objectives of the 2010-2015 Consolidated Plan. He further explained the plan was a comprehensive plan addressing the City's housing, homeless, community development, and economic development needs through 2015. He noted the plan was in the fourth year of the 2010-2015 Consolidated Plan. He stated 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, which were held in various locations throughout the City. He further stated a staff public hearing was held on March 7, 2013, and the Fayetteville Redevelopment Commission held the official public hearing on April 11, 2013. He advised a draft copy of the plan was made available in various locations for review and comments for 30 days from March 28 to April 30, 2013, and no comments had been received to date. He further advised the Fayetteville Redevelopment Commission voted to forward to City Council a recommendation of approval of the Annual Action Plan.

A brief question and answer period ensued.

**MOTION: Council Member Applewhite moved to approve the 2013-2014 Annual Action Plan.**

**SECOND: Council Member Massey**

**VOTE: UNANIMOUS (9-0)**

**5.6 Downtown Multi-Modal Transportation Center - Budget Ordinance Amendment 2013-13 and Capital Project Ordinance 2013-18.**

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

Capital Project Ordinance Amendment 2013-18 appropriated a total of \$10,018,750.00 to fund the first phase of construction of the downtown Multi-Modal Transportation Center. Funding sources included \$8,015,000.00 of federal grant proceeds and \$2,003,750.00 of local match funding to be transferred from the General Fund. The associated budget ordinance amendment appropriated \$1,342,000.00 from General Fund fund balance designated for capital in order to provide the balance of funding needed for the General Fund transfer.

**MOTION: Council Member Hurst moved to adopt Budget Ordinance Amendment 2013-13 and Capital Project Ordinance 2013-18.**

**SECOND: Council Member Massey**

**VOTE: PASSED by a vote of 6 in favor to 3 in opposition (Council Members Bates, Crisp, and Fowler)**

#### **5.7 Consider adoption of revised secondary fire zone.**

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

**MOTION: Council Member Crisp moved to set a public hearing for May 13, 2013.**

**SECOND: Council Member Fowler**

**VOTE: UNANIMOUS (9-0)**

### **6.0 OTHER ITEMS OF BUSINESS**

#### **6.1 Results of the Arts and Economic Prosperity IV Study.**

Mr. Wick Smith, Trustee, Arts and Economic Development Committee Chair, presented this item with the aid of a power point presentation. He stated the Arts Council of

Fayetteville/Cumberland County led the local not-for-profit cultural industry in a year-long national study entitled Arts and Economic Prosperity IV conducted by Americans for the Arts.

He further stated all 50 states and the District of Columbia participated in the study and national partners included the United States Conference of Mayors, National Association of Counties, National Conference of State Legislatures, National League of Cities, the National Lieutenant Governors Association, Business Civic Leadership Center, Committee Encouraging Corporate Philanthropy, Grants Makers in the Arts, Destination Marketing Association, and Conference Board. He announced that \$53.7 million were being spent a year in Cumberland County. He stated the Arts support 1,769 full-time equivalent jobs and \$5.4 million was being generated annually in local and state government revenue. He further stated nonprofit cultural arts organizations were spending \$32.2 million annually in Cumberland County and \$21.5 million a year in further spending by audiences. He concluded by stating the study demonstrated that an investment in the cultural arts created and supported jobs, generated government revenue, and drives tourism.

Mayor Chavonne and council members thanked Mr. Smith for an excellent presentation of valuable information. Mr. Smith responded that the City and County Cultural Arts still had lots of room for growth and something to aspire to. He advised the full report could be viewed at [www.TheArtsCouncil.com/impact.php](http://www.TheArtsCouncil.com/impact.php).

#### **6.2 Future Land Use Policies**

Mr. Scott Shuford, Development Services Director, presented this item with the aid of a power point presentation and advised the 2010 Future Land Use Plan adopted in 1996 would require updating. He noted that since the Plan was, in effect, a map, updating it should be driven by specific policies. He further noted staff was suggesting a strategic policy approach that would concentrate on two critical issues--an oversupply of commercially-zoned land and the revitalization of blighted neighborhoods and neighborhoods threatened by blight. He stated the plan would receive input from appointed boards and the community and the Future Land Use Policies would be brought before Council for adoption in early FY 2013-2014. He further stated the follow-up action of updating the Future Land Use Plan map would be scheduled for late FY 2013-2014 or early FY 2014-2015. He continued by stating Fayetteville had sufficient commercially-zoned land to accommodate a population many times its current size. He further stated the "oversupply" situation compromised the City's ability to promote quality development and redevelopment of commercial corridors and nodes and to direct commercial development

into areas of greater benefit to the City. He advised staff was suggesting addressing the situation through a comprehensive approach that would provide property owners with more options to develop and market their properties, utilizing existing corridor plans to direct land use decisions, and similar techniques. He noted that Fayetteville had many neighborhoods that were affected by blighting influences and were receiving much attention from the City but most of that attention was reactionary--enhanced crime enforcement and demolition of blighted structures. He advised staff was suggesting policies that bring proactivity to the table to reclaim the neighborhoods in an effective fashion.

Council Member Haire inquired if the amount of tobacco shops could be curtailed in some instances. Mr. Shuford responded if data supported that the tobacco stores (without gas stations) were contributing to crime related issues for the surrounding neighborhood, then the item could become a policy direction from Council.

Council Member Bates inquired if the North Pavilion Hospital overlay would be built into the Land Use Plan map. Mr. Shuford responded staff could add the item to the plan if Council so directed.

Council Member Applewhite stated she was encouraged by the presentation, particularly that of having discussion with property owners of the huge vacant commercial spaces on Raeford Road and other areas of the City.

Mr. Shuford stated staff was working on putting together a list of potential incentives for property owners willing to redevelop.

Council Member Fowler stated he was interested in seeing mixed use and stated the plan sounded like there would be more flexibility.

Council Member Hurst stated an interesting statistic showed that more than half of their commercially-zoned property was vacant and welcomed the open discussions with the builders and developers.

Mr. Shuford stated one of the goals was to increase more flexibility and therein broaden their economic base.

Council Member Massey stated they needed to keep their citizens involved and as they looked at flexibility they needed to consider "the brain drain" the City was experiencing.

**MOTION: Council Member Davy moved to authorize staff to proceed with developing strategic policies to guide future development for Council consideration using staff resources.**

**SECOND: Council Member Haire**

**VOTE: UNANIMOUS (9-0)**

## **7.0 ADMINISTRATIVE REPORTS**

### **7.1 Monthly statement of taxes for March 2013.**

2012 Taxes.....	\$593,794.79
2012 Vehicle.....	374,413.51
2012 Taxes Revit.....	1,274.98
2012 Vehicle Revit.....	252.18
2012 FVT.....	42,776.89
2012 Transit.....	42,776.89
2012 Storm Water.....	17,494.54
2012 Fay Storm Water.....	34,989.12
2012 Fay Recycle Fee.....	33,190.01
2012 Annex.....	0.00
2011 Taxes.....	12,482.67
2011 Vehicle.....	40,032.23
2011 Taxes Revit.....	1.13
2011 Vehicle Revit.....	1.60
2011 FVT.....	6,438.65
2011 Transit.....	6,438.37
2011 Storm Water.....	439.47

2011 Fay Storm Water.....	878.96
2011 Fay Recycle Fee.....	876.16
2011 Annex.....	0.00
2010 Taxes.....	4,010.08
2010 Vehicle.....	1,904.70
2010 Taxes Revit.....	0.00
2010 Vehicle Revit.....	0.00
2010 FVT.....	501.82
2010 Transit.....	501.84
2010 Storm Water.....	107.82
2010 Fay Storm Water.....	215.65
2010 Fay Recycle Fee.....	341.44
2010 Annex.....	0.00
2009 Taxes.....	850.02
2009 Vehicle.....	1,316.05
2009 Taxes Revit.....	0.00
2009 Vehicle Revit.....	0.00
2009 FVT.....	314.31
2009 Transit.....	314.31
2009 Storm Water.....	24.00
2009 Fay Storm Water.....	48.00
2009 Fay Recycle.....	76.00
2009 Annex.....	0.00
2008 and Prior Taxes.....	1,462.41
2008 and Prior Vehicle.....	3,716.63
2008 and Prior Taxes Revit.....	4.56
2008 and Prior Vehicle Revit.....	0.00
2008 and Prior FVT.....	799.26
2008 and Prior Transit.....	160.47
2008 and Prior Storm Water.....	91.65
2008 and Prior Fay Storm Water.....	63.29
2008 and Prior Fay Recycle Fee.....	68.76
2008 and Prior Annex.....	38.06
Interest.....	39,953.01
Revit Interest.....	51.10
Storm Water Interest.....	750.65
Fay Storm Water Interest.....	1,402.64
Annex Interest.....	6.56
Fay Recycle Interest.....	1,374.16
Fay Transit Interest.....	1,649.13
Total Tax and Interest.....	\$1,270,670.83

**9.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 8:27 p.m.