

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE ROOM
NOVEMBER 3, 2014
5:00 P.M.**

Present: Mayor Nat Robertson

Council Members Kathy Jensen (District 1); Kady-Ann Davy (District 2); H. Mitchell Colvin, Jr. (District 3); Chalmers McDougald (District 4); Robert T. Hurst, Jr. (District 5); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8)

Absent: Council Member James W. Arp (District 9)

Others Present:

Theodore L. Voorhees, City Manager

Kristoff Bauer, Deputy City Manager

Rochelle Small-Toney, Deputy City Manager

Jay Reinstein, Assistant City Manager

Karen McDonald, City Attorney

Rusty Thompson, Engineering and Infrastructure Director

Doug Peterson, Chamber of Commerce, President/CEO

Russ Rogerson, The Alliance, Executive Director

Carolyn Justice-Hinson, FPWC Communications and Community Relations Officer

Pamela Megill, City Clerk

Members of the Press

1.0 CALL TO ORDER

Mayor Robertson called the meeting to order.

2.0 INVOCATION

The invocation was offered by Council Member McDougald.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Hurst moved to approve the agenda.

SECOND: Council Member Mohn

VOTE: UNANIMOUS (9-0)

4.0 OTHER ITEMS OF BUSINESS

4.1 Renewal of Memorandum of Agreement between the City of Fayetteville and Fayetteville-Cumberland County Chamber of Commerce for Economic Development Services for the Remainder of FY 2015

Ms. Rochelle Small-Toney, Deputy City Manager, presented this item and stated at the October 6, 2014, work session City Council authorized the renewal of an agreement between the City of Fayetteville and the Fayetteville-Cumberland County Chamber of Commerce for economic development services and the first two quarterly payments of \$50,000.00 from the City of Fayetteville and \$157,000.00 from the Public Works Commission. The agreement provides for the remaining two quarterly payments for FY 2015, if authorized by City Council.

The services that are to be provided to the City by the Chamber of Commerce through its division, The Alliance, are found in Exhibit A of the agreement. The City of Fayetteville has contracted with the Fayetteville-Cumberland County Chamber of Commerce for economic development services since 2009. In 2012 the Fayetteville-Cumberland County Chamber of Commerce established The North Carolina Alliance as its economic development division. The Alliance, in partnership with the City of Fayetteville, Cumberland County, and the Chamber of Commerce, work collaboratively and diligently to maximize our local talents and resources to promote opportunities for new industries and businesses to locate or expand in our community. The City of Fayetteville financially supports the mission of The Alliance and allocates funding in its General Fund and its Public Works Commission budget. On October 6, 2014, the City Council authorized the renewal of an agreement for the first two quarters of FY 2015 and the payment of \$50,000.00 from the General Fund and \$157,000.00 from the Public Works Commission. The current agreement will expire on December 31, 2014. The remaining funding

for FY 2015 is available; however, a renewal of the agreement is required for services from January 1 through June 30, 2015. As previously directed by City Council, the proposed agreement does not include an automatic annual renewal clause for an additional two years, as in previous agreements. The level of funding and services to be provided will be considered each year by City Council. The remaining funds are budgeted and available in FY 2015 in the amount of \$50,000.00 from the City of Fayetteville's General Fund and \$157,000.00 from the Public Works Commission to support The Alliance's economic development initiatives and to provide services to the City of Fayetteville.

Discussion ensued.

Consensus of Council was to discuss this item further at the end of the agenda briefing meeting scheduled for November 19, 2014, and in the meantime send all questions to Ms. Small-Toney with courtesy copy to Council.

4.2 Parks and Recreation - Proposed Smoking Ordinance

Mr. Michael Gibson, Parks, Recreation, and Maintenance Director, presented this item and stated the current smoking ordinance under Section –2-121 authorizes the City Manager to adopt regulations regulating smoking in or upon (1) any real or personal property or a building owned, leased or occupied by the City and (2) any vehicle owned or leased by the City. The proposed ordinance would allow the Parks and Recreation Department to designate specific areas to permit smoking in an unenclosed Parks and Recreation facility. This will include any building, structure, parcel, park, ball field or complex of fields, tennis court, basketball court, playground, gym, athletic complex, swimming pool or other real estate that is designed for recreational use and owned, leased, operated, maintained or managed, directly or indirectly, by the Fayetteville-Cumberland Parks and Recreation Department. This will allow for the implementation of consistent policies regarding smoking throughout the parks system. The intent is to restrict smoking to designated areas in order to reduce conflict over secondhand smoke and to provide facilities to reduce litter and the fire risk associated with this activity. Staff reviewed the proposed ordinance with Council during the September 2, 2014, work session.

The Council discussed this proposed smoking regulation ordinance in contrast to a total ban on smoking in park facilities. The majority expressed a preference for the recommended regulation. Staff presented the proposed ordinance to the Council during the September 22, 2014, regular meeting and Council voted to table the item to the November 3, 2014, work session for discussion regarding the location of smoking areas in Festival Park.

Discussion ensued.

Consensus of Council was to direct staff to move this item to the November 10, 2014, regular meeting; the item to be placed on consent.

4.3 Consideration of Logo for Fayetteville PWC in accordance with City Council Resolution No. R2013-052

Ms. Carolyn Justice-Hinson, FPWC Communications and Community Relations Officer, presented this item and stated in response to the Fayetteville City Council's request in City Council Resolution No. R2013-052, the Fayetteville Public Works Commission discussed and reviewed logo/branding options, as well as estimated costs for the logo replacement for Fayetteville Public Works Commission during meetings of September 24, October 8, and October 22, 2014. During their meeting on October 22, 2014, the Commission selected the logo/style of "PWC, *Fayetteville's* Hometown Utility" as the approved FPWC logo.

Council Member Colvin stated he would like to review the supporting documents pertaining to the \$800,000.00 estimates.

Mayor Pro Tem Davy stated she would like to see the logo more consistent with City department logos.

Council Member McDougald stated the logo needs to reflect the City's ownership of the Fayetteville Public Works Commission, and said we need to move away from the "hometown"; we are a City, the sixth largest City in the state, not a town.

Council Member Mohn expressed concerns regarding the expense of this project.

Council Member Wright stated “the City of Fayetteville” should be prominent on the logo.

Mayor Pro Tem Davy stated if the FPWC Commissioners were concerned that ratepayers may be confused with the logo change, the Commissioners should send a letter to their ratepayers, as they did when FPWC filed the lawsuit, to explain the change.

Council Member Crisp stated he would like to see the logo read “City of Fayetteville, North Carolina, Public Works Commission”.

Mayor Robertson stated Council does not need to micromanage the FPWC.

Council Member Mohn asked who in Fayetteville does not already know that PWC is part of the City.

Council Member Wright stated the use of “hometown” reflects negativity to Fayetteville residents that were not born and raised here.

Council Member Jensen stated the logo should be implemented all at the same time; marketing 101.

Consensus of Council was to direct staff to revise the proposed logo in order for it to mirror the logos of City departments, and for it to read “City of Fayetteville, North Carolina, Public Works Commission”.

4.4 Street repair policy for new utility installations

Mr. Rusty Thompson, Engineering and Infrastructure Director, presented this item and stated our City streets are one of our most important assets. The current conditions of our roads do not meet our benchmark of 85 percent of the roads to be rated at 85 or better. The current allowed method to use a patch for utility installations does not bring us closer to meeting the benchmark. The recent customer satisfaction survey showed that residents have expressed a level of dissatisfaction of the roadway conditions in the current and future areas for new utilities. To meet our citizen expectations, staff is proposing a new policy that would require the streets to be completely paved after utility work for new utilities has occurred within the City of Fayetteville's street system. The new policy would state roadway excavation for the installation of new utilities within the City of Fayetteville street system shall be repaired using full asphalt overlay for the applicable street section, as determined by the City Engineering and Infrastructure Director. Mr. Thompson stated he had met with Mr. Steven Blanchard, PWC General Manager/CEO, and Mr. Mike Lallier, PWC Chair, to discuss the proposed street repair policy and the bidding process.

Mayor Robertson stated he would like to see this as a temporary policy for a year and then re-evaluate. He also stated the City should follow the same standards the State requires so as not to confuse developers.

Mr. Voorhees stated the intent is to give a good road to the citizens; we set a standard for a project and that becomes part of the cost as the City has a very limited street surfacing budget.

MOTION: Council Member Colvin moved to adopt the Policy and raise the standards with a sunset date of June 30, 2016.

SECOND: Mayor Pro Tem Davy

VOTE: PASSED by a vote of 5 in favor to 4 in opposition (Council Members Robertson, Crisp, Jensen, and McDougald)

Consensus of Council was to bring this item back for further consideration and possible action at the November 24, 2014, regular meeting.

4.5 City Council Member Colvin - Agenda Item Request – Local Bills and Local Delegation

Council Member Colvin presented this item and stated he is requesting Council consider directing staff to prepare a resolution requesting that all local bills be presented to the City Council for a public hearing before being submitted to the legislature for consideration. Further that the resolution shall be placed on the November 10, 2014, agenda for consideration and provided to the local delegation if passed.

Council Member Crisp stated he was not in favor of adopting a resolution.

Council Member Hurst suggested sending a letter to the delegates.

Mayor Robertson suggested setting up another meeting with the delegation similar to what was held earlier this year.

Consensus of Council was to direct the City Manager to set up a joint meeting with the local delegates.

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 6:55 p.m.