

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
MAY 12, 2014
7:00 P.M.**

Present: Mayor Nat Robertson

Council Members Kathy Jensen (District 1); Kady-Ann Davy (District 2)(via telephone); H. Mitchell Colvin, Jr. (District 3); Chalmers McDougald (District 4); Robert T. Hurst, Jr.(District 5); Larry O. Wright, Sr.,(District 7); Theodore Mohn (District 8); James W. Arp, Jr. (District 9)

Absent: William J. L. Crisp (District 6)

Others Present:

Theodore Voorhees, City Manager
Kristoff Bauer, Deputy City Manager
Rochelle Small-Toney, Deputy City Manager
Jay Reinstein, Assistant City Manager
Karen McDonald, City Attorney
Lisa Smith, Chief Financial Officer
Scott Shuford, Development Services Director
Rusty Thompson, Engineering and Infrastructure Director
Harold Medlock, Police Chief
Lee Jernigan, Traffic Engineer
Gloria Wrench, PWC Purchasing Manager
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 Minister Sigmund Johnson of Integrity Ministries, Fayetteville.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 APPROVAL OF AGENDA

MOTION: Council Member Hurst moved to approve the agenda.

SECOND: Council Member Wright

VOTE: UNANIMOUS (90-0)

5.0 RECOGNITION

Mr. Chris Mitchell, Chair of the Joint Appearance Commission, announced the 6th annual Community Appearance Awards Program and stated all nominations must be received by June 1, 2014.

Mayor Robertson presented a Certificate of Excellence to Eagle Scout, Ethan Lee Adkins

Mayor Robertson presented a Certificate of Excellence to the following students who have been elected to the leadership team of the North Carolina State Government Association: Kristel Black, Rachel Britten, Jake Peede, Jay Shah, Alex Shelley, and Dorian Wright.

Mayor Robertson presented a Proclamation for Public Service Recognition Week. Mr. Jay Reinstein, Assistant City Manager, accepted the proclamation on behalf of all City of Fayetteville employees.

Mayor Robertson presented an Air Quality Awareness Month Proclamation to present members of the Air Quality Stakeholders of Cumberland County.

Mr. Voorhees, City Manager, presented Certificates of Appreciation in recognition of City Employees for contributions to the success of the All American Marathon.

Mayor Robertson gave recognition to Mayor Pro Tem Davy for achieving her Master's Degree in Business Administration from Fayetteville State University.

Mayor Robertson gave recognition to Council Member Hurst for achieving the American Business Ethics Award from the Center for Entrepreneurship.

6.0 PUBLIC FORUM

Mr. & Mrs. Douglas Barnes, 1324 Fort Bragg Boulevard # 1, Fayetteville, stated they are the parents of the late Shaniqua Simmons who was slain in a double homicide at the Cambridge Arms Apartment complex on May 1, 2014., they requested the Cambridge Arms Apartment complex is closed down.

Mr. Jerry Reinoehl, 516 Deer Path, Fayetteville, stated concerns regarding inadequate collection of yard sales permit fees, and stated this practice results in lost revenue.

Ms. Diane Malloy, 6836 Mangrove Drive, Fayetteville, proposed a City Youth Day and said several citizens have already agreed to assist with the event. Ms. Malloy requested assistance from the Parks and Recreation and Police Departments and requested a proclamation to celebrate the event.

Ms. Sharmain Tober, 508 Hillsboro Street, Fayetteville, stated issues she has with the Police Department. Ms. Tober thanked the Fire Department for assistance they provided when her car was broken down.

Ms. Anita Simmons, 11C Cambridge Arms, Fayetteville, stated she is the sister of the late Shaniqua Simmons who was slain at the Cambridge Arms Apartment complex, and requested the Cambridge Arms Apartment complex is closed down.

Ms. Shanetria Rush, 11C Cambridge Arms, Fayetteville, stated she has received many noise complaints from the management of Cambridge Arms Apartment complex, and said the complex is not safe and requested Cambridge Arms Apartment complex is closed down.

Mr. Ravon Jordan, 11C Cambridge Arms, Fayetteville, stated there is a lack of security and caring at the Cambridge Arms Apartment complex and requested the Cambridge Arms Apartment complex is closed down.

7.0 CONSENT

MOTION: Council Member Hurst moved to approve the consent agenda

SECOND: Council Member McDougald

VOTE: UNANIMOUS (9-0)

7.01 Consideration of City Sponsorship for Run for the Wall 2014

7.02 Municipal Agreement with NCDOT for the Cape Fear River Trail

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE FOR CONSTRUCTION OF THE CAPE FEAR RIVER TRAIL. RESOLUTION NO. R2014-019

7.03 Adopt Resolution for Advertisement and Upset Bid Process for Disposal of City Owned Property

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE ACCEPTING AN OFFER TO PURCHASE CERTAIN CITY OWNED REAL PROPERTY AND AUTHORIZING THE ADVERTISEMENT FOR UPSET BIDS. RESOLUTION NO. R2014-020

7.04 Bid Award for Purchase of 24,000 feet of 750 MCM AL Underground Primary Distribution Cable to HD Power Supply Power Solutions, Wake Forest, NC, the lowest bidder in the amount of \$144,840.00

Bids were received as follows:

- HD Supply Power Solutions, Wake Forest, NC..... \$144,840.00
- WESCO Distribution, Inc., Raleigh, NC..... \$145,560.00
- Stuart C. Irby, Rocky Mount, NC..... \$164,280.00

**7.05 Tentative Award of Contract for Lobster House Sewer Relocation Project
RESOLUTION OF TENTATIVE AWARD - LOBSTER HOUSE SEWER RELOCATION.
RESOLUTION NO. R2014-021**

7.06 Bid Award for Installation of Carver Falls 69 to 15x25KV Substation to Sumter Utilities, Inc., Sumter, SC, the lowest responsive bidder in the amount of \$1,287,598.17

Bids were received as follows:

- Sumter Utilities, Inc., Sumter, SC \$1,287,598.17
- Lee Electrical Construction, Aberdeen, NC..... \$1,314,218.00

Mas Tec, Roxboro, NC..... \$1,386,048.00

Coastal Power & Electric, Wilmington, NC..... \$1,216,502.57

7.07 Approval of Meeting Minutes:

April 23, 2014 - Agenda Briefing

**7.08 Set a Public Hearing to order improvement for Phase 5 Annexation Areas 16 and 17
RESOLUTION AND ORDER TO FILE AND PUBLISH A PRELIMINARY ASSESSMENT
RESOLUTION FOR THE EXTENSION OF THE SANITARY SEWER COLLECTION SYSTEM
IN ALL OR A PORTION OF THE STREETS WITHIN AREAS 16 AND 17 OF THE PHASE 5
ANNEXATION LISTED ON EXHIBIT "A". RESOLUTION NO. R2014-023**

**7.09 Adopt Resolution Authorizing the Sale of Personal Property by Public Auction
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AUTHORIZING
THE SALE OF PERSONAL PROPERTY BY PUBLIC AUCTION. RESOLUTION NO. R2014-
022**

8.0 OTHER ITEMS OF BUSINESS

8.01 Presentation of Appointment Committee Recommendations for an Appointment to the Redevelopment Commission

Council Member Hurst, Appointment Committee Chair, presented this item and stated the Appointment Committee met on April 28, 2014, to review six applications for an appointment to the Redevelopment Commission, due to an unforeseen vacancy on the Commission.

Redevelopment Commission

Ms. Carlos Swinger (2nd Term) April 2014 – March 2019

MOTION: Council Member Hurst moved to approve the Appointment Committee recommendation to appoint Mr. Carlos Swinger to the Redevelopment Commission for a second term effective May 5, 2014 thru March 2019

SECOND: Council Member McDougald

VOTE: UNANIMOUS (9-0)

8.02 Presentation of the Recommended Fiscal Year 2014-2015 Budget and Setting of the Budget Public Hearing

Mr. Voorhees, City Manager, presented this item with the aid of a PowerPoint presentation and stated before recommending a tax increase, it is prudent to take a look at the history of Fayetteville's tax rates, the tax rates of our Cumberland County municipal governments, and the tax rates of our peer cities state-wide. As discussed at the Strategic Planning Retreat and Council orientation, Fayetteville has a relatively low tax base when compared to the ten largest cities in North Carolina and does not have the industrial property that these cities have. Average home values in Fayetteville are lower than our peer cities, though our commercial tax base makes up a similar proportion of total assessable property. This commercial property is not necessarily of high value, the net results in an unusually low property tax revenue stream per capita. Fayetteville generates \$288.24 per capita from property taxes, the lowest of the peer cities and falls outside of not just one, but two deviations below the mean of \$488.21. Any way you look at the data the property tax burden in Fayetteville on a per capita basis is dramatically lower than the other large cities in North Carolina. Therefore, the conclusion is that Fayetteville's unusually low tax burden per capita simply results in an underfunded municipal government and a City Council that is unable to direct resources to foster community change and meet community demands at the level desired. Mr. Voorhees gave an overview of what the recommended budget achieves and stated a recommended general tax rate of 49.8 cents, downtown Municipal Service District(MSD) tax rate of 10 cents, and Lake Valley Drive (LVD) (MSD) tax rate of 24.5 cents per \$100 value. It projects unassigned fund balance at 11%. It funds or advances Council's five strategic priorities. It funds the CIP/ITP. It transitions to a program budget with performance measures and continues to support best practice reviews of City support services. Mr. Voorhees provided a summary of the General Fund revenue and expenditure highlights. The presentation also covered the tax package, unassigned fund balance for general fund, CIP/ITP, Stormwater Utility fee, Environmental Services fund, transit fund, and the budget process.

MOTION: Council Member McDougald moved to set the public hearing to receive comments on the recommended budget for May 27, 2014.

SECOND: Council Member Wright

VOTE: UNANIMOUS (9-0)

11.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:25 p.m.