

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
MARCH 24, 2014
7:00 P.M.**

Present: Mayor Nat Robertson

Council Members Kathy Jensen (District 1); Kady-Ann Davy (District 2); Mitchell Colvin (District 3); Chalmers McDougald (District 4); Robert T. Hurst, Jr. (District 5); William J. L. Crisp (District 6); Lawrence O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp, Jr. (District 9)

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
Harold Medlock, Police Chief
Lisa Smith, Chief Financial Officer
Scott Shuford, Development Services Director
Jerry Dietzen, Environmental Services Director
Randy Hume, Transit Director
Craig Hampton, Special Projects Director
Karen Hilton, Planning and Zoning 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 Reverend Wanda Johnson, Secretary of the Fayetteville Cumberland County Ministry Council.

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 McDougald

VOTE: UNANIMOUS (10-0)

5.0 RECOGNITION

Mr. Robert Hines of the United Way presented a plaque to the City of Fayetteville; 2013 Spirit of North Carolina Campaigning of Excellence Award to the City of Fayetteville under the category of City/County Municipality with 1,001-2,500 employees and stated the award program is an important statewide initiative that recognizes companies and employees for their outstanding support to the community by demonstrating excellence in their United Way campaign. A record number of 74 Spirit nominations were submitted, resulting in a total of 39 winners across various categories. Mr. Hines gave special recognition to Fire Department Battalion Commander, Scott Iverson, Campaign Manager, for his great efforts. Mr. Hines announced the City fundraising realized an 8.6% increase from last year to capture a net total of \$97,112.

6.0 PUBLIC FORUM

Mr. Orosz – 123 Early Street, Fayetteville, NC 28311; requested Council consider adopting a curfew for teenagers.

Mr. George Mitchell – 6609 Abbey Lane, Fayetteville, NC 28311; provided a handout to the Council that details the Miracle League of Cumberland County programs and provided an

outline of future plans of the Miracle League of Cumberland County.

Ms. Laressa Witt – 2125 Valley Gate Drive, Suite 101, Fayetteville, NC 28304; provided an overview of the programs available with “Family Endeavors,” a program to assist homeless veterans.

Mr. Albert Bryant – 325 Sugar Bush Lane, Fayetteville, NC 28311; requested Council consider appropriating funding for citizens in need of utility payment assistance.

Mr. Jerry Reinoehl – 516 Deerpath Drive, Fayetteville, NC 28311; stated his opposition of raising taxes in fiscal year 2014-15.

7.0 REPORTS FROM BOARDS AND COMMISSIONS

7.1 Historic Resources Commission - Annual Report

Mr. John Duval, Vice-Chair, provided the Historic Resources Commission annual report.

7.2 Metropolitan Housing Authority Annual Report

Ms. Dawn Driggers, Executive Director, provided the Metropolitan Housing Authority annual report.

7.3 Linear Park Annual Report

Mr. Harry Shaw, Cross Creek Linear Park Corporation President provided the Linear Park annual report.

7.0 CONSENT

MOTION: Council Member Wright moved to approve the consent agenda, with the exception of item 8.04 pulled to place the item as a Public Hearing item on the April 14 agenda. Council Member Crisp requested item 8.08 pulled for discussion and separate vote. Council Member Mohn requested item 8.10 pulled to recuse him from voting.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (10-0)

8.1 Special Revenue Fund Project Ordinance Closeouts, Partial Closeouts and Ordinance Amendments 2014-12 through 2014-21 (Community Development Block Grant and HOME Projects)

The closeouts, partial closeouts, and ordinance amendments are for various Community Development Block Grant and HOME Investment Partnership projects and activities funded by the U.S. Department of Housing and Urban Development, program income and General Fund resources. The projects referenced above have been completed or significant projects within the ordinances have been completed, in a previous fiscal year and the revenues and expenditures related to the projects have been audited.

8.2 P14-01F. The rezoning of property from SF-6 - Single Family Residential and CC - Community Commercial to CC – Community Commercial or to a more restrictive district, located at the intersection of Gillespie Street, Ferndale Lane, and West Jenkins Street, and being the property of Fadhl Alhobishi.

8.3 P14-02F. The rezoning of property from SF-10 - Single Family Residential to OI - Office and Institutional or to a more restrictive district, located at the 817 South McPherson Church Road, and being the property of Carolina College of Biblical Studies.

8.5 Budget Ordinance Amendment 2014-6 (Fares for Cumberland County Sobriety Court Program, Police Homeless Project and After School Activities Program)

8.6 Approve Meeting Minutes:

020714 - Strategic Planning

020814 - Strategic Planning

021014 - Discussion of Agenda Items

021814 - Federal Advocacy Program

021914 - Agenda Briefing

022414 - Discussion of Agenda Items

022414 - Regular Meeting

030314 - Work Session

8.7 POLICE - Apply for State Funds from the North Carolina Governor’s Highway Safety Program to hire four Traffic Officers

8.9 Approve Contract Award for Waste Collection Onboard Communication Systems

8.4 P14-03F. The rezoning of property from SF-10 and SF-6 – Single Family Residential and MR-5 Mixed Residential to CC/CZ – Community Commercial Conditional Zoning District or to a more restrictive district, located at the 600 Cordial Loop, and being the property of Don Wellons.

This item was pulled from consent at the request of Council Member Wright

MOTION: Council Member Wright moved to set a public hearing for this item for April 14, 2014.

SECOND: Council Member Crisp

VOTE: PASSED by a vote of 7 in favor to 3 in opposition (Council Members Hurst, Davy, and McDougald)

8.8 Capital Improvement Items: Budget Ordinance Amendment 2014-7, and Capital Project Ordinance Amendments 2014-23, 24 and 25

This item was pulled from consent at the request of Council Member Crisp

MOTION: Council Member Crisp moved to approve the revised budget ordinance amendment 2014-7 appropriating \$680,000 for an inter-fund loan for the Murchison Road project, Capital Project Ordinance Amendments 2014-24 and 25. Direct Capital Project Ordinance Amendment 2014-23 related to Cape Fear River Trail be placed on the April 7, 2014 Work Session.

SECOND: Council Member Mohn

VOTE: UNANIMOUS (10-0)

8.10 City Council Resolution Opposing the Deactivation of the 440th Airlift Wing

This item was pulled from consent at the request of Council Member Mohn

MOTION: Council Member Mohn moved to request he be recused from voting on this item, due to a conflict of interest.

SECOND: Council Member Colvin

VOTE: UNANIMOUS (10-0)

MOTION: Council Member Davy moved to pass the resolution opposing the deactivation of the 440th Airlift Wing.

SECOND: Council Member Arp

VOTE: UNANIMOUS (9-0) (Council Member Mohn was recused from voting on this item.)

9.0 PUBLIC HEARINGS

9.1 Public Hearing for Naming City Property

Mr. Craig Hampton, Special Projects Director, presented this item with the aid of a PowerPoint presentation and stated this item was presented at the March 03, 2014 workshop and approval was granted to conduct the required public hearing on this matter. The Airborne and Special Operations Museum Foundation Board of Directors has submitted the attached letter requesting the naming of portions of the connecting sidewalk between ASOM and the North Carolina Veterans Park in honor of Mr. Frederick A. "Fritz" Healy and Mr. John Koenig. Aerial maps showing the locations are attachments to this request. Both gentlemen were instrumental in the development and operations of the museum as stated in the letter of request. City Council Policy #155.4 requires that a public hearing be conducted on the request. Notice of this hearing was published in the Fayetteville Observer legal section on March 14, 2014. The Council may act on the request upon the close of the public hearing.

This is the advertised public hearing set for this date and time. The public hearing was opened.

General (Retired) James Lindsay, Chairman of the Airborne and Special Operations Museum Foundation spoke in favor on behalf of the Airborne and Special Operations Museum Foundation Members.

There being no one further to speak, the public hearing was closed.

Council Member Mohn thanked General Lindsay for all of his help with this project over the years.

Council Member Arp gave thanks to all the folks that worked so diligently on the ASOM; this is a very fitting and appropriate to honor Mr. Koenig and Mr. Healy by naming these sidewalks.

Council Member Wright stated he was prior 82nd Airborne, and said he is very proud to have this park here in Fayetteville and gave thanks to General Lindsay.

Council Member Crisp stated Mr. Koenig and Mr. Healy are most deserving of this honor

Mayor Robertson thanked General Lindsay and all others involved with this project for what they had done for the community.

MOTION: Council Member Crisp moved to approve the request for the section between the statue and NCVP to be named the Fritz Healy Memorial Walk and the section between the statue and the ASOM to be named the John Koenig Memorial Walk

SECOND: Council Member Arp

VOTE: UNANIMOUS (10-0)

10.0 OTHER ITEMS OF BUSINESS

10.01 Appointments to Boards and Commissions

Council Member Hurst, Appointment Committee Chair, presented this item and stated the Appointment Committee met on March 5, 2014 to review applications for appointments to boards and commissions. It is from that meeting the Appointment Committee presents the following recommendations for appointments:

Airport Commission

Ms. Susan J. Monroe (1st Term)	April 2014 – March 2016
Ms. Katherine Marable (2nd Term)	April 2014 – March 2016
Mr. John Wyatt III (1st Term)	April 2014 – March 2016

Board of Adjustment

Mr. George Turner (Fill-in Term)	April 2014 – Sept 2016
Mr. Terry Malmgren (Fill-in, Alternate)	April 2014 – Sept 2016

Fair Housing Board

Ms. Gwen Wright (1st Term)	April 2014 – March 2016
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Fayetteville Advisory Commission on Transit (FACT)

Mr. Austin Campbell (1st Term, Outside Service Area)	April 2014 – March 2016
Mr. Carlos Manuel (2nd Term, Outside Service Area)	April 2014 – March 2016
Mr. Jeff Thompson (2nd Term, In Service Area)	April 2014 – March 2016
Mr. Craig Williams (2nd Term, ADA Rider)	April 2014 - March 2016
Mr. Warner Whitehead (1st Term, FAST driver)	April 2014 – March 2016

Historic Resources Commission

Ms. Rachel Frederici (1st Term, At-Large)	April 2014 – March 2016
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Human Relations Commission

Ms. Ashley Pastorius (Fill-in Term)	April 2014 – Sept 2014
Rev. Floyd Johnson (Fill-in Term)	April 2014 – Sept 2015
Ms. Sheila Cuffee (Fill-in Term)	April 2014 – Sept 2014

Linear Park

Ms. Molly Arnold (4th Term)	April 2014 – March 2016
Mr. Robert Barefoot (2nd Term)	April 2014 – March 2016

Personnel Review Board

Mr. Grant Gabriel (1st Term, Supervisor)	April 2014 – March 2016
Ms. Edith McLean (1st Term, Supervisor)	April 2014 – March 2016
Mr. Steve Harper (1st Term)	April 2014 – March 2016

Public Arts Commission

Mr. Calvin Mims (1st Term)	April 2014 – March 2016
Ms. Tuyet Mai Sykes (1st Term)	April 2014 – March 2016
Ms. Noreda Hess (2nd Term)	April 2014 – March 2016

Redevelopment Commission

Ms. Cherry Hargrove (1st Term)	April 2014 – March 2016
Ms. Cereta Gibbons (1st Term)	April 2014 – March 2016

Mr. Alphonso Woodall II (1st Term) April 2014 – March 2016

Ms. Shansia Jones (1st Term) April 2014 – March 2016

Residential Rental Property Review Board

Mr. Chester Oehme (2nd Term) (Appointed by Mayor) April 2014 – March 2016

Ms. Yvette Sanders (2nd Term) April 2014 - March 2016

Mr. Lawrence Frawley (2nd Term) April 2014 – March 2016

Taxicab Review Board

Mr. George Butterfly (2nd Term) April 2014 – Sept 2015

MOTION: Council Member Hurst moved to approve the Appointment Committee recommendations for board and commission appointments, effective April 1, 2014.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (10-0)

9.2 Approval of Transit Development Plan Update

Mr. Randy Hume, Transit Director, presented this item with the aid of a PowerPoint presentation and provided the following information to the Council: A Transit Development Plan (TDP) is a planning tool used to analyze transit needs, evaluate the services that are provided and develop strategies to match resources and services to the identified needs. The TDP provides an implementable plan or roadmap to guide future improvements and investments that will best meet the public transit needs of our City. The current plan was prepared in 2008-2009 and approved by the City Council in December 2009. A consultant team led by Dan Boyle and Associates presented a draft plan update at the February 3, 2014 Council Work Session. This update considers the service improvements implemented over the past few years as well as changes in both development patterns and demographics that have occurred since 2009. The plan's recommendations are grouped into three categories: 1) Short-term (1 to 2 years); 2) Mid-term (3 to 5 years); and 3) Long-term (6 to 10 years). The short-term plan is primarily focused on: 1) implementing service enhancements already approved, including the new routes along Strickland Bridge Road and to Fort Bragg; 2) route alterations related to the new FAST Transit Center; 3) an express route to relieve crowded buses on Route 14 (Downtown-FTCC-Cross Creek Mall); and 4) a partnership arrangement with Fayetteville State. In the mid-term, FAST would: 1) implement Sunday services on selected routes; 2) add later evening services to more routes; 3) improve bus frequency from 60 minutes to 30 minutes on more routes; and 4) add new routes, including a route along Country Club-Pamalee and destinations such as the new VA Medical Center, airport, and Crown Center. The long-term plan would build on FAST's stronger routes, provide more services in west Fayetteville, introduce neighborhood circulators to connect with direct main corridor routes and potentially add service to developing areas around the new hospitals in eastern Hoke County. A major goal would be to improve bus frequencies to 30 minutes on most routes until 7:00 p.m.

MOTION: Council Member McDougald moved to approve the Transit Development Plan Update.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

10.3 Uninhabitable Structures Demolition Recommendations

Mr. Scott Shuford, Development Services Director, presented this item with the aid of a PowerPoint presentation and multiple photographs of the property. He stated staff recommends adoption of the ordinance authorizing the demolition of the structures. He reviewed the following demolition recommendation:

222 Nimocks Avenue

Mr. Shuford stated the structure is an vacant residential home that was inspected and condemned as a blighted structure on September 16, 2013. A hearing on the condition of the structure was conducted on October 2, 2013 in which one of the owners attended. A notice of the hearing was published in the Fayetteville Observer newspaper. A subsequent Hearing Order to repair or demolish the structure within 90 days was issued and mailed to the owners on October 3, 2013. The structure was also the subject of a fire on March 3, 2014 resulting in

extensive interior damage. To date there have been no repairs to the structure. The utilities to this structure have been disconnected since October 2006. In the past 24 months there have been 10 calls for 911 services to the property. There have been 8 code violation cases with a pending assessment of \$126.44. The low bid for demolition is \$4,550.00.

AN ORDINANCE OF THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA, REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY (222 Nimocks Avenue, PIN 0437-61-6747). ORDINANCE NO. NS2014-007

MOTION: Council Member Crisp moved to adopt the ordinance authorizing demolition of the structure

SECOND: Council Member Arp

VOTE: UNANIMOUS (10-0)

11.0 ADMINISTRATIVE REPORTS

11.1 Monthly Statement of Taxes - February 2014

2013 Taxes.....	\$1,149,594.64
2013 Vehicle.....	134,368.40
2013 Taxes Revit.....	3,853.54
2013 Vehicle Revit.....	71.05
2013 FVT.....	15,521.02
2013 FTT.....	15,521.06
2013 Storm Water.....	39,314.91
2013 Fay Storm Water.....	78,629.90
2013 Fay Solid Waste Fee.....	68,947.03
2013 Annex.....	0.00
2012 Taxes.....	12,760.47
2012 Vehicle.....	59,751.17
2012 Taxes Revit.....	0.00
2012 Vehicle Revit.....	0.00
2012 FVT.....	8,599.69
2012 FTT.....	8,599.69
2012 Storm Water.....	319.69
2012 Fay Storm Water.....	639.38
2012 Fay Recycle Fee.....	898.34
2012 Annex.....	0.00
2011 Taxes.....	2,813.77
2011 Vehicle.....	1,595.47
2011 Taxes Revit.....	3.95
2011 Vehicle Revit.....	0.00
2011 FVT.....	548.50
2011 FTT.....	548.48
2011 Storm Water.....	76.69
2011 Fay Storm Water.....	1,274.82
2011 Fay Recycle Fee.....	156.46
2011 Annex.....	0.00
2010 Taxes.....	725.69
2010 Vehicle.....	754.64
2010 Taxes Revit.....	0.00
2010 Vehicle Revit.....	0.00
2010 FVT.....	195.51
2010 FTT.....	195.51
2010 Storm Water.....	16.18
2010 Fay Storm Water.....	32.36

2010 Fay Recycle.....	51.24
2010 Annex.....	0.00
2009 and Prior Taxes.....	409.06
2009 and Prior Vehicle.....	2,127.40
2009 and Prior Taxes Revit.....	0.00
2009 and Prior Vehicle Revit.....	0.00
2009 and Prior FVT.....	433.88
2009 and Prior FTT.....	135.00
2009 and Prior Storm Water.....	12.00
2009 and Prior Fay Storm Water.....	0.00
2009 and Prior Fay Recycle Fee.....	0.00
2009 and Prior Annex.....	13.37
Interest.....	54,765.22
Revit Interest.....	120.31
Storm Water Interest.....	1,130.10
Fay Storm Water Interest.....	2,238.09
Annex Interest.....	0.74
Fay Recycle Interest.....	2,035.04
Fay Transit Interest.....	2,091.88
Total Tax and Interest.....	\$1,670,856.27

12.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:55 p.m.