

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
JUNE 8, 2015
7:00 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); James W. Arp, Jr. (District 9)

Others Present:

Theodore Voorhees, City Manager

Karen McDonald, City Attorney

Kristoff Bauer, Deputy City Manager

Rochelle Small-Toney, Deputy City Manager

Jay Reinstein, Assistant City Manager

Ben Major, Fire Chief

Tracey Broyles, Budget and Evaluation Director

Randy Hume, Transit Director

Dwayne Campbell, Chief Information Officer

Kevin Arata, Corporate Communications Director

Lee Jernigan, Interim Engineering and Infrastructure Director

Barbara Hill, Human Resources Development Director

Bradley Chandler, Assistant Police Chief

Rebecca Rogers-Carter, Strategic Performance Analytics Director

Dwight Miller, PWC Chief Financial 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 Pastor David Camps, Mount Calvary Missionary Baptist Church.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 ANNOUNCEMENTS AND RECOGNITION

Ms. Tammy Lawrence, Executive Director for the Habitat for Humanity, stated on June 1, 2015, the Fayetteville Fire Department and the Fayetteville Police Department volunteered to raise the walls on two houses for habitat families. These men and women competed to see which department would finish first and thereby be declared the winner. I am incredibly proud I am to have had the opportunity to see what true character looks like. As the men and women worked in 90-degree weather, I saw the firefighters carrying water over to the police officers and sharing their misting fans. And when the competition was over with the firefighters finishing first, the police officers kept working. When I went over to tell them the competition was over, they responded, yes, ma'am, but we're not stopping until the job is done. I'm here this evening to say thank you for vetting, hiring, investing in and training these men and women who serve this City as a police officer or a firefighter.

Ms. Lisa Reid, 911 Communications Manager, and Mayor Pro Tem Davy presented a certificate of excellence, a City Coin, and a medal of honor to Ethan Corbin (seven years old) for calling 911 and reporting his father's life threatening medical emergency.

Ms. Lisa Reid, 911 Communications Manager, and Mayor Pro Tem Davy presented a certificate of excellence, a City Coin, and a medal of honor to Zion Howell for calling 911 and

reporting his grandmother's life threatening medical emergency.

5.0 APPROVAL OF AGENDA

MOTION: Council Member Crisp moved to approve the agenda and renumber the Public Forum from Item 9.0 to Item 7.0 and the Other Items of Business from Item 10.0 to Item 8.0.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

6.0 CONSENT

Council Member Colvin requested to pull Item 6.08 for discussion and a separate vote.

Council Member Crisp requested to amend Item 6.06. Mayor Robertson advised the amendments would be approved in the approval of the consent agenda. Council Member Crisp stated the Rent Commencement Date should be June 2016 and the word "sixty" should be deleted from the Term Expiration Date.

Council Member Jensen requested to pull Item 6.04 for discussion and a separate vote.

MOTION: Council Member Colvin moved to approve the consent agenda with the exception of Items 6.04 and 6.08 for discussion and a separate vote and approving Council Member Crisp's amendments to Item 6.06.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

6.01 Approval of Meeting Minutes

April 13, 2015 - Discussion of Agenda Items

April 27, 2015 - Discussion of Agenda Items

May 4, 2015 - Work Session

May 11, 2015 - Discussion of Agenda Items

May 11, 2015 - Regular Meeting

May 13, 2015 - Budget Work Session

May 14, 2015 - Special Meeting

May 20, 2015 - Agenda Briefing

6.02 Reject Bids for Alterations to the Fayetteville City Hall Third Floor

The Council was previously asked to approve award of, and authorize the execution of, a contract for alterations to the Fayetteville City Hall third floor. The lowest responsive, responsible bidder was PRO Construction of Jacksonville, NC. The Council considered the bids on April 13, 2015, and moved to table consideration for 90 days. The Council has since expressed an interest in revising the construction plans to create a suite of offices for use by the Mayor and Council. To facilitate this redesign, it is appropriate to reject the current bids, complete the plan revisions, obtain revised construction permits, and issue a bid notification based on the revised plans.

6.03 Budget Ordinance Amendment 2015-12 (PWC Fleet Maintenance Internal Service Fund)

The Fleet Maintenance Internal Service Fund (FMISF) Budget requires an amendment to complete the 2015 fiscal year. An additional \$650,000.00 is needed in the Equipment and Repair Parts increasing this cost type to \$3,650,000.00. Cost type 702, Administrative Fleet Overhead, will increase by \$52,000.00, totaling \$536,700.00. The proposed modifications will increase the overall FMISF by \$702,000.00 for a total fiscal year 2015 budget of \$9,816,300.00. Services to the City fleet are the main reason an increase is needed. The service ratios for the first nine months of the fiscal year are approximately 75 percent City and 25 percent PWC.

Therefore, we are projecting the total billings to the City of \$6,300,825.00 and PWC of \$2,100,275.00. For the same period, Revenues exceed Expenses by \$879,700.00.

6.04 Pulled for discussion and a separate vote by Council Member Jensen.

6.05 Budget Ordinance Amendment 2015-14 (Electric, Water and Wastewater Funds)

The purpose of this amendment is to increase budgeted revenues and expenditures by \$16.8 million. The majority of the increase in revenues is due to proceeds from the sale of 2014 Bonds of \$4.2 million deposited in the Electric and Water/Wastewater funds to cover expenses

associated with the bonds. Revenues also increased for the Wholesale Power Cost Adjustment (WPCA) in the amount of \$3.8 million with an offsetting increase to expenditures, for the Transfer to Electric Rate Stabilization Fund, for the WPCA. The Reserve for Renewable Energy Portfolio Standard (REPS) increased by \$1.5 million and it will cover the Transfer to LED Capital Project Fund. The Reserve for Electric Capital Projects increased by \$825,000.00 with an increase to expenditures in the same amount for equipment needed for the City of Fayetteville and PWC radio upgrade. There was an increase in rent received from the City for the Customer Call Center in the amount of \$11,700.00 and a decrease in the payment from the City for the lease of Fiber Revenue of \$204,600.00. The budgeted appropriation from Net Position will increase by \$6.7 million. The budgeted increase of expenditures includes an increase in Debt Interest Expense and Cost of Issuance for \$3.9 million due to the sale of 2014 Bonds. Reserves increased for Butler Warner Generation Plant (BWGP) Start Cost, Capital Interest and NC Department of Transportation (NCDOT) in the amount of \$5.9 million. The BWGP Start Cost billed to Duke Energy should be reserved to cover the future maintenance for which it was intended, the Capital Interest Reserve is interest received from the 2014 Bonds that will cover interest payments in 2016 and NCDOT contract payments are expected to exceed the current reserve value. It also includes \$5.4 million for Information Technology related issues that were included in the prior year budget but were delayed until this fiscal year. There has been an increase in Customer Charge-offs of \$746,800.00. Generation Plant expenses decreased by \$750,000.00 due to postponing the cleaning of fuel tanks after inspection. Water capital projects decreased by \$4 million due to delaying several projects until next year.

6.06 Approval of Three-Year Lease for Festival Park Plaza Suite to Media General Operations, Inc. d/b/a WNCN-TV

On June 17, 2011, the City of Fayetteville acquired the Festival Park Plaza Building and currently leases the building out to third parties. The building is approximately 41,414 square feet and the lease in question is for an office space approximately 681 square feet to WNCN-TV. The monthly rent will be \$1,191.75 for a total annual rental rate of \$14,301.00 for the first year and will increase to \$1,227.50 a month for the second year. The second year annual rental rate will be \$14,730.00. Year three will increase to \$1,264.33 monthly for an annual total of \$15,171.96.

6.07 Award Contract for Improvements of Yadkin Area Storm Drainage - Glen Canyon Drive

Formal bids for the project entitled "Improvements of Yadkin Area Storm Drainage - Glen Canyon Drive" were received May 26, 2015, as follows:

Sandy's Hauling & Backhoe Service, Inc., Roseboro, NC.....	\$980,863.50
Lanier Construction, Snow Hill, NC.....	\$1,040,091.28
TA Loving Company, Goldsboro, NC.....	\$1,550,386.00

Sandy's Hauling and Backhoe Service, Inc., will be utilizing minority subcontractors for 6 percent of the work on this project.

6.08 Pulled for discussion and a separate vote by Council Member Colvin.

6.04 Capital Project Fund Ordinance Amendments 2015-30 to 2015-36, 2016-1 and 2016-2, and Capital Reserve Fund Ordinance Amendments 2015-3 and 2016-1 for the Public Works Commission

Council Member Jensen pulled this item for discussion and a separate vote. No discussion was held.

MOTION: Council Member Jensen moved to approve.

SECOND: Council Member McDougald

VOTE: UNANIMOUS (10-0)

6.08 Economic Alliance FY 16 Contract

Council Member Colvin pulled this item for discussion and a separate vote. Council Member Colvin stated he wanted to amend the contract as pertaining to the agreement of services.

MOTION: Council Member Colvin moved to amend the contract by stating the NC Alliance will outsource the development and implementation of a branding strategy that

raises the profile of the City of Fayetteville and Cumberland County and unifies the community around one economic development marketing campaign.

SECOND: Council Member Mohn

VOTE: UNANIMOUS (10-0)

7.0 PUBLIC FORUM

Lt. Steven Shakeshaft, 534 Mallory Road, Lumber Bridge, NC 28327, stated he is a fire fighter with the City of Fayetteville Fire Department and expressed concerns on the proposed Fire Department Step Pay Plan.

Mr. Frank Kocsis, 144 Bellhaven Drive, Whispering Pines, NC 28327, stated he is a fire fighter with the City of Fayetteville Fire Department and expressed concerns on the proposed Fire Department Step Pay Plan.

County Commissioner Charles Evans, 926 Fleetwood Drive, Fayetteville, NC 28305, thanked Council for the vast improvements to transit, and requested Council provide funding for additional benches and shelters at the Fayetteville Area System of Transit (FAST) bus stops.

Mr. Jerry Reinoehl, 516 Deerpath Drive, Fayetteville, NC 28311, expressed concerns pertaining to the budget and non-general fund funding.

Mr. Larry Harvey, 4451 Jockey Whip Lane, Parkton, NC 28371, stated he is a fire fighter with the City of Fayetteville Fire Department and expressed concerns on the proposed Fire Department Step Pay Plan.

Mr. Roderick McKeithan, 137 John Street, Fayetteville, NC 28305, stated he is a retired fire fighter with City of Fayetteville, and further stated the Fire Department has been disrespected, and would like to think this will never happen again.

8.0 OTHER ITEMS OF BUSINESS

8.01 Fiscal Year 2015-2016 Budget Ordinance and Fee Schedule, Fiscal Years 2016-2020 Capital Improvement and Information Technology Plans, Capital Project Ordinances 2016-1 through 2016-7, and Capital Project Ordinance Amendments 2016-3 through 2016-18

MOTION: Council Member Jensen moved to implement the reduced transit fare fee schedule for Cumberland County Court Programs effective immediately (June 9, 2015) as opposed to July 1, 2015.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

Mr. Theodore Voorhees, City Manager, presented this item with the aid of a PowerPoint presentation and stated the City Manager's recommended budget and the Public Works Commission's recommended budget were presented to City Council on May 11, 2015. The budget documents have been available for public review in the office of the City Clerk. The City's budget document and a summary of the PWC budget have also been available on the City's website. A video of the City Manager's budget presentation is also available on the City's website. Feedback from the public was received at the May 26, 2015, budget public hearing and Council deliberated the budget at work sessions held on May 13, 20, and 27 and June 1, 2015. Council provided direction for changes to be made to the recommended budget on May 26 and June 1, 2015. The next step is for approval and adoption of the Fiscal Year 2015-16 Annual Budget Ordinance, Fiscal Year 2015-16 Fee Schedule, Fiscal Years 2016-2020 Capital Improvement and Information Technology Plans, and Capital Project Ordinances and Ordinance Amendments for the CIP and ITP projects.

Mr. Voorhees further stated the Community Investment Portfolio moves \$100,000.00 for the Affordable Housing Fund to the Community Development Department from the Economic and Business Development Department, reduces funding for the Dr. E.E. Smith House Restoration project by \$20,000.00 to fund signage installation for the Hope VI Business Park, removes \$25,000.00 from the Economic and Business Development Department that had been intended for website development, increases stormwater improvement project expenditures by \$740,000.00 to move the Spruce Street project forward from FY 2017 (offset by an equal reduction in miscellaneous expenditures). The Operations Portfolio adds \$25,000.00 to fund a

pilot program for Police Officers to be present at outdoor athletic facilities during evening hours, adds \$200,000.00 to fund improvements needed for temporary Fire Station 16, removes \$300,000.00 funded for the purchase of land for Fire Station 4 relocation due to deferral of this project to later fiscal years, and expansion of reduced fare agreements to provide day passes at \$0.25 or monthly passes at \$20.00 for any Cumberland County Court program. Changes to the Recommended Capital Improvement Plan include FY 2016 changes previously presented, Dr. E.E. Smith House Restoration Project, signage for the Hope VI Business Park, funding to open Temporary Fire Station 16, Spruce Street Stormwater Drainage Improvement Project, construction of permanent Fire Station 16 is accelerated, \$300,000.00 for land in fiscal year 2017, \$285,285.00 for design costs in fiscal year 2018, \$2,589,510.00 for construction in fiscal year 2019, Relocation of Fire Station 4 is deferred, \$400,000.00 identified for land in fiscal year 2018, and timing for construction of the station to be determined during the Fiscal Year 2017-2021 Capital Improvement Plan update.

Mr. Voorhees stated the Fire Department pay step plan will be a movement in the right direction, beginning in August we will pull the pay plan and further study to meet everyone's needs as best as we can, and make sure it is market competitive.

Council Member Crisp asked if a temporary station would be placed in the Station 16 area, and stated he thinks we should be able to get where we need to be with Fire Department pay within a three-year period, and have a concrete structured plan of where we need to go, and we need to start working on this pay plan beginning in August; this is an internationally accredited Fire Department.

Council Member Mohn stated he would like to see a Special Meeting called sometime in August to discuss the Fire Department pay step plan, and have this as a separate item for discussion at the Council Strategic Plan Retreat.

Mayor Pro Tem Davy asked when the marketing plan for recruitment for our public safety departments would be briefed to the Council. Mr. Voorhees replied he would have to check with both Chiefs, and suggested it may be something for discussion in August.

Council Member Arp stated he is not happy with this budget for a couple of reasons; the fire fighters pay, efficiencies should be reviewed to find savings, not taking the easy route of raising taxes, and secondly we need to look at Environmental Services, we need to pick up the pace, if we can't do the job we need to contract with someone who can do the job.

MOTION: Council Member Hurst moved to adopt the Fiscal Year 2015-2016 Budget Ordinance and Fee Schedule, Fiscal Years 2016-2020 Capital Improvement and Information Technology Plans, Capital Project Ordinances 2016-1 through 2016-7, and Capital Project Ordinance Amendments 2016-3 through 2016-18 with the following amendments:

- Litter Crews – Appropriate an additional \$90,944.00 from General Fund balance to provide for two additional litter crews for FY 2016 only for the Parks, Recreation and Maintenance Department.**
- Fire Department – Appropriate an additional \$101,653.00 from General Fund balance to provide at least a 2 percent increase in base pay as fire employees are placed into the new step pay plan, and to fund one-time bonuses from \$500.00 to \$1,000.00 as proposed for Fire Captains through Deputy Fire Chiefs.**

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

8.02 Multi-Modal Transit Center Lease with Greyhound

Mr. Randy Hume, Transit Director, presented this item and stated the City has two grants from Federal Transit Administration (FTA_) to construct a new Multi-Modal Transit Center (MMTC) to replace a temporary terminal it has been using for several years. During the project planning and design, Greyhound which provides intercity bus service to and from Fayetteville declined to participate. The new center will accommodate taxis, FAST's own FASTTRAC! ADA para-transit service and is located within one block of the Amtrak station. Since the project was developed, a new intercity carrier, MegaBus, has connected with FAST at the current transfer

center and will make curbside stops at the new center. After the construction began, Greyhound expressed new interest in moving from its Person Street station to the new center. Since that time, Staff met with Greyhound to better understand their needs and how the Greyhound passenger operation could be accommodated. Greyhound would not be allowed to fuel or perform maintenance at the new center. An estimate for the Greyhound improvements was completed and the potential was discussed with FTA to ensure compliance with all federal requirements. Staff provided a brief overview of the concept at Council's June 1, 2015, work session. Questions were raised about the impact on the transit center as well as the surrounding neighborhood. A lease with Greyhound would enhance the multi-modal concept as well as provide a revenue stream to support transit operational costs.

Council Member Colvin asked if Greyhound would have exclusivity. Mr. Hume responded they would not have an exclusive lease/contract.

Mr. Bradley Chandler, Assistant Police Chief, stated if Greyhound moves its business to the MMTC, the Police Department has projected it will bring with it initially a 48 percent increase in crime, however; we feel very confident the department will be able to reduce the crime significantly through zoning restrictions; to prohibit tobacco type stores, and with the technology in place be able to monitor more closely and we will have the resources to police.

Mayor Robertson asked if the FACT were in favor of this item. Mr. Hume replied FACT had received a briefing but they have not studied the item and have not taken a vote; we are at the beginning of this item.

Council Member Arp asked Chief Chandler if we have a comprehensive plan of how we would address crime if the Greyhound business moves to the MMTC. Chief Chandler replied in the affirmative, and stated Greyhound as part of the agreement will have to pay for security operations, the Police Department's recommendation is the Police Department will determine the level of security needed.

Mayor Pro Tem Davy stated this item is to basically allow leverage for staff to meet with Greyhound and have authority to make a proposal.

Council Member Colvin asked if Greyhound has disclosed what they would do with the current business property if they do relocate to the MMTC. Mr. Hume responded they have not addressed that issue.

Council Member Arp stated he is inclined to support this exploratory effort with Greyhound, but any kind of lease agreement comes back that does not include Greyhound paying for a level of security, he will not be in agreement.

MOTION: Council Member McDougald moved to authorize staff to proceed with negotiating a long-term lease with Greyhound for approval by City Council.

SECOND: Council Member Mohn

VOTE: UNANIMOUS (10-0)

9.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:15 p.m.