

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
CITY HALL COUNCIL CHAMBER
JUNE 22, 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:

Kristoff Bauer, Deputy City Manager
Jay Reinstein, Assistant City Manager
Karen McDonald, City Attorney
Brian Meyer, Assistant City Attorney
Lisa Smith, Chief Financial Officer
Michael Gibson, Parks, Recreation and Maintenance Director
Scott Shuford, Development Services Director
Kevin Arata, Corporate Communications Director
Randy Hume, Transit Director
Tracey Broyles, Budget and Evaluation Director
Elizabeth Somerindyke, Internal Audit Director
Lee Jernigan, Interim Engineering and Infrastructure Director
Craig Harmon, Senior Planner
Tony Coleman, Deputy Airport Director
Gloria Wrench, PWC Purchasing Manager
William J. Fiden, Planning Commission Chair
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 Arthur L. Coleman, Jr., 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

Council Member Hurst announced applications for vacancies on 11 boards and commissions would be accepted through the City Clerk's office through July 31, 2015, and encouraged citizens to get involved in the community.

Mr. Kristoff Bauer, Deputy City Manager, announced the City crews' work schedules for removing storm debris, and stated he is thankful for staff's quick reaction time to ensure our residents could move safely and freely around the City.

Mayor Robertson announced the Government Finance Officers Association of the United States and Canada awarded the City of Fayetteville the Certificate of Achievement for Excellence in Financial Reporting for its Fiscal Year 2014 Comprehensive Annual Financial Report (CAFR). He presented the award to Ms. Lisa Smith, Chief Financial Officer, and Ms. Elizabeth Somerindyke, Internal Audit Director.

Mayor Robertson and Fire Chief Ben Major recognized and commended Mr. Christian Elliott and Mr. Joshua Daniel for their bravery in rescuing a disabled neighbor from his house fire; they are truly hometown heroes. Mayor Robertson and Chief Major presented a Certificate of Excellence and City Coin to both young men.

5.0 APPROVAL OF AGENDA

MOTION: Council Member Mohn moved to approve the agenda.

SECOND: Council Member McDougald

VOTE: UNANIMOUS (10-0)

6.0 CONSENT

MOTION: Council Member Mohn moved to approve the consent agenda.

SECOND: Council Member Hurst

VOTE: UNANIMOUS (10-0)

6.01 Approval of Meeting Minutes:

May 20, 2015 - Budget Work Session

May 26, 2015 - Discussion of Agenda Items

May 26, 2015 - Regular

June 4, 2015 - Special

June 8, 2015 - Discussion of Agenda Items

June 8, 2015 - Regular

6.02 P15-15F. The initial zoning of property from M(P) County Manufacturing with a Plan Zoning District to HI Heavy Industrial Zoning District, or a more restrictive district, located at 1191 Wilmington Highway, and being the property of Tracie De Carlo.

6.03 P15-12F. The rezoning of property from SF-10 Single-Family Residential District to CC Community Commercial Zoning District, or to a more restrictive district, located at 836 South Reilly Road, and being the property of Pam Wood Investments LLC.

6.04 P15-14F. The rezoning of property from NC Neighborhood Commercial District to LC Limited Commercial Zoning District, or to a more restrictive district, located at 933 and 1005 Hope Mills Road, and being the property of Gary S. Langdon.

6.05 Budget Ordinance Amendment 2015-15 (General Fund)

An additional appropriation of \$118,000.00 is needed to fund expenditures for a judgment and settlement that were not included with the preparation of the year-end budget ordinance amendment. There has also been an increased level of activity on several legal cases which requires an additional appropriation of \$175,000.00 for contracted legal services. The increased appropriation can be funded by appropriating \$293,000.00 in additional intergovernmental revenues from utility tax distributions which are expected to exceed the current budget.

6.06 Runway 10/28 Rehabilitation - North Carolina Department of Transportation Grant and Capital Project Ordinance Amendment 2015-37

RESOLUTION. RESOLUTION NO. R2015-044

6.07 Airport - Amendment to Ordinance Regulating Smoking on City Property

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 2, ARTICLE V. - PUBLIC PROPERTY, SEC. 2-121.- REGULATION OF SMOKING ON CITY PROPERTY AND IN CITY VEHICLES, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2015-007

6.08 Adopt Resolution to fund the construction of the Connector Phase of Linear Park Trail to Cape Fear River Trail - Phase 2, Part A

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE FOR CONSTRUCTION OF THE CONNECTOR PHASE OF LINEAR PARK TRAIL TO CAPE FEAR RIVER TRAIL – PHASE 2 PART A. RESOLUTION NO. R2015-038

6.09 Transit DBE Program Goal Approval

A RESOLUTION AUTHORIZING FAYETTEVILLE AREA SYSTEM OF TRANSIT TO ESTABLISH AND SUBMIT THE 2016-2018 DISADVANTAGED BUSINESS ENTERPRISE PROGRAM AND GOAL TO THE FEDERAL TRANSIT ADMINISTRATION. RESOLUTION NO. R2015-039

6.010 Resolution to Set Public Hearing to Consider Closing a Portion of Chance Street

A RESOLUTION CALLING A PUBLIC HEARING REGARDING THE PROPOSED CLOSING OF A PORTION OF CHANCE STREET. RESOLUTION NO. R2015-040

6.011 Uninhabitable Structures Demolition Recommendations

514 Link Street, District 2

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 (514 Link Street, PIN # 0437-93-8615). ORDINANCE NO. NS2015-019

615 North Street, District 2

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 (615 North Street, PIN # 0437-67-9553). ORDINANCE NO. NS 2015-020

619 North Street, District 2

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 (619 North Street, PIN # 0437-67-9558). ORDINANCE NO. NS 2015-021

6.012 Rescind Demolition Ordinance

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE RESCINDING DEMOLITION ORDINANCE NO. NS2015-026. RESOLUTION NO. R2015-041

6.013 North Carolina Clean Water Management Trust Fund Grant for Person Street Innovative Stormwater Greenscape, Capital Project Ordinance Amendment 2015-39, and Capital Project Ordinance 2015-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO ACCEPT THE CLEAN WATER MANAGEMENT TRUST FUND GRANT FOR PERSON STREET INNOVATIVE STORMWATER GREENSCAPE AND OBLIGATE THE CITY TO THE TERMS OF THE GRANT. RESOLUTION NO. R2015-042

6.014 Award contract for Resurface Various Streets 2016, Phase I, to Highland Paving Co., LLC, in the amount of \$1,904,073.80.

The project was first advertised for bids to be opened on May 26, 2015; however, only one bid was received. Therefore, in accordance with North Carolina General Statutes, which requires three bids in order to open on the first advertisement, the project was re-advertised and bids were opened on June 3, 2015. Bids received are as follows:

- Highland Paving Co., LLC, Fayetteville, NC..... \$1,904,073.80
- Barnhill Contracting Company, Fayetteville, NC..... \$1,979,432.80

6.015 Award contract for the purchase of two 37-passenger buses from the lowest responsive, responsible bidder, Interstate Transportation Sales & Service, Inc., High Point, NC, for a total cost of \$259,282.00, with one bus to be purchased from FY 2015 funds and one bus to be purchased in July 2015 out of FY 2016 funds.

Formal bids for the purchase of one 37-passenger bus were received June 9, 2015, as follows:

- Interstate Transportation Sales & Service, Inc., High Point, NC \$129,641.00
- Alliance Bus Group, Inc., College Park, GA..... \$137,950.00
- Transportation Equipment Sales Corporation, Oregon, OH \$146,284.00

6.016 Tax Refunds Greater Than \$100.00

<u>Name</u>	<u>Year</u>	<u>Basis</u>	<u>City Refund</u>
Charles Morgan	2010-13	Clerical Error	\$204.32
Total			<u>\$204.32</u>

7.0 REPORTS FROM BOARDS AND COMMISSIONS

7.01 Annual Report of the Fayetteville Planning Commission

Dr. William J. Fiden, Planning Commission Chair, presented the annual Planning Commission report and stated the Commission is active in two main arenas--development standards and long-range plans, both of which impact economic development and the quality of life for residents. To encourage economic development, the Commission helped staff create a toolbox of incentives and new tools such as the Large Development Alternative Signage Plan and neighborhood compatibility permits. Ten signage plans have now been approved, including the package for Cross Creek Mall and four other shopping areas, the Methodist University signs and banners along Ramsey Street, and four church campuses. During 2014 the Commission approved the last of the changes to resolve 29 points of concern presented by the HomeBuilders' Association. The number and magnitude of change in the amendments now has slowed; a manageable baker's dozen over the fiscal year. It is important to take care of problems and to incorporate new tools, the more stable the document becomes, the easier it is for staff and developers alike to understand and apply the standards. EnCode, now widely available, is a big step in making the standards easier to use and more easily kept current. In terms of longer range plans, the Commission has a key role in implementation strategies. Last year you approved both the Suburban Activity Center Overlay and the Regional Activity Center Overlay. These overlays were modeled after Ramsey Corridor recommendations to facilitate redevelopment at a denser, more urban scale. The Planning Commission is excited about the new position authorized by the City Council, a comprehensive planner, to lead efforts for a new Comprehensive Plan to replace the 2010 Plan. At our meeting in May we heard a summary of the strategic action program getting underway by the Downtown Alliance, and last week we received the first portion of that program, a revision to the Downtown sign standards. We also have met with Mr. Will Deaton as he begins work on the comprehensive plan, with the downtown and the riverfront as initial focal points. Dr. Fiden concluded his report by stating the Commission anticipates a full, active year ahead, possibly including some joint meetings with City Council as the comprehensive planning gets underway.

8.0 PUBLIC HEARINGS

8.01 15-10F. The issuing of a Special Use Permit to allow for Self-Service Storage (Mini-warehouse) to be located at 6232 Bragg Boulevard, and being the property of Albert F. Metzger.

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated this property has three abandoned buildings. The applicant proposes converting the existing buildings into indoor self-storage facilities. There will be three employees at the facility and the applicant may also rent moving trucks from this location as well. An auto rental facility is an allowed use in the CC District. The following conditions of approval were presented:

1. The site plan.
2. Upgrade landscaping to meet UDO standards.
3. Repair severely damaged parking lot.
4. Limit signage to what is allowed under the UDO.

It was also advised all Self-Service Storage Facilities (mini-warehouse) must also meet the Use-Specific Standards found in section 30-4.C.4.j of the UDO.

Mr. Harmon stated the Special Use Permit must meet the following findings of fact:

1. The special use complies with all applicable standards in Section 30-4.C, Use-Specific Standards;
2. The special use is compatible with the character of surrounding lands and the uses permitted in the zoning district(s) of surrounding lands;
3. The special use avoids significant adverse impact on surrounding lands regarding service delivery, parking, loading, odors, noise, glare, and vibration;
4. The special use is configured to minimize adverse effects, including visual impacts of the proposed use on adjacent lands;
5. The special use avoids significant deterioration of water and air resources, wildlife habitat, scenic resources, and other natural resources;

6. The special use maintains safe ingress and egress onto the site and safe road conditions around the site;
7. The special use allows for the protection of property values and the ability of neighboring lands to develop the uses permitted in the zoning district; and
8. The special use complies with all other relevant City, State, and Federal laws and regulations.

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

Mr. Greg Spears, 2829 Briarcreek Place, Fayetteville, NC, appeared in favor and stated this will be a first-class operation. Mr. Spears stated he would be spending approximately \$200,000.00 on the landscaping, parking lot repairs, roof repair, new electrical, shingled roof will be cloroxed, and the inside will be pristine.

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

Council Member Crisp asked if cars will be stored on the facility, and if so, what is the operating hours of the business. Mr. Spears responded cars would be stored, and the operating hours are 9:00 a.m. to 6:00 p.m. Monday through Saturday, and from 10:00 a.m. to 4:00 p.m. on Sunday.

MOTION: Council Member McDougald moved to approve the Special Use Permit for Self-Service Storage (Mini-warehouse), with the conditions as listed by staff and meeting all Use-Specific Standards for such uses, as presented by staff. And that the permit is consistent with applicable plans because (1) the City's Land Use Plan calls for an activity node for I-295 and the Bragg Boulevard Corridor Plan calls for Commercial activity on this property, (2) that the SUP will fit with the other uses allowed in the CC District, and (3) the SUP is reasonable and in the public interest because the proposed use fits with the character of the area.

SECOND: Council Member Crisp

VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Council Member Hurst)

8.02 P14-45F. The rezoning of property from SF-10 Single-Family Residential District to LC Limited Commercial Zoning District, or to a more restrictive district, located at 1037 71st School Road, and being the property of J. Vernon Peterson. (Valid Protest Petition filed on this case)

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated this property was originally built as a church. In June of 2007 the owners applied for a rezoning from R10 to C1/CZ for a funeral home. This request was denied by the City Council by a vote of 4 in favor to 6 in opposition in September of that same year.

The main objections of Council centered around overflow parking and buffer requirements. The current use on this property is that of funeral services, but it is not a funeral home. Services are all that are held here; no body preparations currently take place on the site. The building is operated by Unity Funeral Services, which does operate a funeral home on South Reilly Road.

The City's Land Use Plan calls for single-family residential on this property and those to the north, south, and east. On May 12, 2015, the Zoning Commission held a public hearing regarding this case. There was one speaker in favor and two in opposition to this issue. Those in opposition spoke to their concerns regarding increased congestion/traffic, continued encroachment of commercial properties into a residential area, and the safety of school children waiting for and getting off busses. The Commission voted 3 to 2 to recommend approval. On May 20, 2015, the City Clerk's office received a Protest Petition which was subsequently validated by the City's staff. There were five property owners that signed the petition. Four of those were found to be valid owners of property within 100 feet of the subject site. When staff calculated how much of the 100 foot buffer's area was owned by the signers, it was found that the signers own 5.9 percent of the required area. By state law, 5 percent or more is needed for a valid petition. With a valid protest petition, there must be a supermajority vote of no less than eight Council members to approve this request. The Zoning Commission recommends approval of the proposed rezoning based on (1) part of the business is already operating at this location

and (2) additional parking is available next door to this site at the Kingdom Hall directly to the north. The City staff recommends denial of the proposed rezoning based on the following:

1. The City's Land Use Plan calls for low-density residential on this property.
2. The City Council has denied a similar request on this property in the past.
3. The current rezoning request is for straight rezoning and anything allowed in the LC District could be built and operated if this rezoning is approved.
4. Staff concerns over traffic volumes and capacity on 71st School Road

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

Mr. J. Vernon Peterson, 908 Carver Street, Fayetteville, NC 28301, appeared in favor and stated he, his brother, and his brother's wife own the property and stated the request is for the grieving families they serve, and further stated the operation of the business has not disrupted traffic or the tranquility of the community.

Ms. Sue Jordan, 6884 Family Street, Fayetteville, NC 28314, appeared in opposition and expressed concerns regarding parking, and stated this was a bad investment for the owners that purchased the church.

Mr. Kenneth Jones, 6461 Bingham Place, Fayetteville, NC 28304, appeared in opposition and stated if the property is rezoned to Limited Commercial Zoning District there would be 89 additional uses for the property.

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

Council Member Crisp asked Mr. Peterson why he did not request a Special Use Permit instead of a blanket rezoning request. Mr. Peterson replied that he only intends to stay in the funeral business.

Council Member Mohn suggested Mr. Peterson apply for a Special Use Permit, and stated Council could waive the application fee.

Mr. Craig Harmon replied that a conditional rezoning would be the way to proceed.

MOTION: Council Member Wright moved to deny the request for rezoning the property.

SECOND: Council Member Crisp

VOTE: PASSED by a vote of 8 in favor to 2 in opposition (Council Members Mohn and McDougald)

8.3 Annexation of the Tracie De Carlo Property

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated the Tracie De Carlo property is located in the Fayetteville Municipal Influence Area (MIA), along the eastern side of Wilmington Highway, south of Belt Boulevard.

The property has an address of 1191 Wilmington Highway. The property is currently vacant.

Ms. De Carlo plans to construct a warehouse building on the property; she then plans to open a business dealing with flooring materials. As shown in the Vicinity Map, a PWC water line is in Wilmington Highway, in front of the property. Ms. De Carlo wants to connect to the PWC water line when she constructs the new building. The nearest PWC sewer line is approximately 675 feet away, so Ms. De Carlo does not propose to extend sewer to her property. Instead, it is assumed she will use a septic tank.

Mr. Harmon further stated because the property is in the Fayetteville MIA, and because Ms. De Carlo wishes to connect to PWC water, Ms. De Carlo is required to have the property annexed, pursuant to City Council Policy No. 150.2. As shown on Vicinity Map 1, the De Carlo Property is separated from the City by a parcel owned by A&R Railroad. It is the City's position that even though the parcel does not currently touch the primary corporate limits of the City, it meets the definition of a contiguous area, because it is separated from the municipal boundary by the right-of-way of a railroad. On March 31, 2015, Mr. Bob Bennett, engineer for Ms. De Carlo, submitted the petition for annexation of a contiguous area. The petition requests annexation of one parcel (PIN 0436-95-1173) consisting of 2.40 acres. On May 12, 2015, the Zoning Commission held an initial zoning public hearing for this area.

This is the advertised public hearing set for this date and time. There was no one present to speak and the public hearing was opened and closed.

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. TRACIE DE CARLO PROPERTY, PIN 0436-95-1173. ANNEXATION ORDINANCE NO. 2015-06-562

MOTION: Council Member Colvin moved to adopt the proposed ordinance annexing the area effective June 30, 2015, and establish the initial zoning consistent with the prior action on the zoning case.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

9.01 Establishment of a Purchasing Office

Ms. Lisa Smith, Chief Financial Officer, presented this item with the aid of a PowerPoint presentation and stated the City formally established a consolidated purchasing office with its Public Works Commission in March 2005. The consolidated purchasing office was tasked with overseeing procurement activities of the City, implementing an electronic requisitions process in the City's financial system, and formalizing the City's requisition and contract administration processes as well as overseeing the procurement activities for the Public Works Commission (PWC). In recent years, City Council has expressed a growing interest to focus on local procurement initiatives. In response, the City Manager stated during the budget process that his intent was to re-establish a separate City purchasing office during FY 2016. This office will be responsible for overseeing all procurement activities of the City (excluding the City's PWC), as well as reporting to City Council on local business participation. To proceed with this plan, City staff reviewed peer data provided by Asheville, Cary, Durham, Greensboro, and High Point.

The data included staffing size, number of annual purchase orders, annual operating budget, and purchase order threshold. City staff also requested feedback from the PWC purchasing manager on staffing requirements. Based on this information, the City proposes to establish a City purchasing office of five staff members. While there will be transitional and start-up costs, it appears that the City's incremental annual cost to operate a separate purchasing function will be less than the current amount charged by the City's PWC. The City Manager plans to establish a City purchasing office during FY 2016 unless Council provides different guidance. The City has \$387,200.00 in the FY 2016 adopted budget for the City's share of the consolidated purchasing function. The annualized incremental cost to establish a separate City purchasing function is estimated at \$325,782.00. The City would also incur one-time costs for furniture and equipment (\$31,200.00) and a transition payment to PWC since new purchasing staff members will require some level of training before the new office can be solely responsible for managing the City's procurement activities. The transition cost will be determined once new staff members are identified and a transition calendar has been established with the PWC.

Council Member Colvin stated that in order to bring this function back in-house we are required to give PWC a year's notice. Ms. Smith confirmed that the statement was correct.

MOTION: Council Member Colvin moved to approve moving forward with this item, to include giving notice to PWC by June 30, 2015.

SECOND: Council Member Hurst

VOTE: UNANIMOUS (10-0)

9.02 Federal Aviation Administration Airport Improvement Program Grant Approval, Capital Project Ordinance Amendment 2015-38, and Budget Ordinance Amendment 2015-16

Mr. Kristoff Bauer, Deputy City Manager, presented this item and stated FAA Airport Improvement Grant #3-37-0021-43-2015 is expected to be awarded in July 2015. The following two project elements are included in this grant:

1. Airport Master Plan Update - Part 2 - \$600,000.00
2. Airline Terminal Improvements - Environmental Documentation, Design & Bidding (Airside Improvements, Landside Improvements and Terminal Building Improvements) - \$3,330,603.00

Mr. Bauer continued that the FAA AIP 43 grant will fund \$2,050,594.00 of the total project cost of \$3,930,603.00. The majority of the costs for these services are eligible for grant funding through the FAA; however, sufficient grant funds will not become available until 2016 and 2017.

As such, the Airport will be required to advance fund the remaining \$1,880,009.00 to ensure that design is started now and the project is ready to bid in June/July of 2016. The architectural team assembled for the terminal building improvements includes over 50 percent local participation, including Gordon Johnson Architecture, Fleming & Associates (structural engineering), Larry Butler (construction cost projections), and B JL Construction (promotion of local and DBE participation in project construction). Additionally, a local landscape architecture firm, Crawford Design, will participate in the project. The DBE goal is 3.7 percent and the actual participation is expected to be 4.3 percent. Given the amount of the consultant design work authorization, the City Manager is requesting City Council concurrence to execute these agreements. Capital Project Ordinance 2015-23 was approved by City Council on April 13, 2015, to allow the Airport to proceed with the preliminary environmental assessments required for this project. Capital Project Ordinance Amendment 2015-38 will expand the scope of the project to encompass all of the elements of AIP 43 grant and appropriate the grant proceeds and an additional \$1,825,009.00 for the local share of the project funding. Budget Ordinance Amendment 2015-16 will appropriate \$1,000,000.00 from Airport Fund net assets to transfer to the project fund to be used with available funding within the project fund for the local share. There are sufficient funds available in Airport Fund net assets to provide advanced funding for these project costs pending receipt of a future FAA grant to recover the additional eligible FAA share.

Council Member McDougald asked if this action would authorize the City Manager to approve the plan. Mr. Bauer responded staff is asking for approval of the following four steps:

1. Authorize the Mayor to execute acceptance of AIP 43 grant upon receipt.
2. Authorize the City Manager to execute the project design contracts.
3. Adopt Capital Project Ordinance Amendment 2015-38.
4. Adopt Budget Ordinance Amendment 2015-16.

MOTION: Council Member Hurst moved to authorize the Mayor to execute acceptance of AIP 43 grant upon receipt, authorize the City Manager to execute the project design contracts, adopt Capital Project Ordinance Amendment 2015-38, and adopt Budget Ordinance Amendment 2015-16.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

9.03 Recommendation for FY16 Pool Location

Mr. Michael Gibson, Parks, Recreation and Maintenance Director, presented this item with the aid of a PowerPoint presentation and stated on June 1, 2015, during a regular meeting of the City Council, it was requested that input be sought from the Fayetteville-Cumberland Parks and Recreation's Advisory Commission in regard to the location of a new pool. The pool is planned for construction in FY 16. During the June 2, 2015, meeting of the Fayetteville-Cumberland Parks and Recreation's Advisory Commission, a recommendation was made to select the location for the FY 16 pool. The recommended location for this pool was College Lakes Park, located at 4846 Tranquil Drive, Fayetteville. In addition to the recommendation of the College Lakes Park for the FY 16 pool, the Advisory Commission also recommended a second and third location, respectively, of JW Coon Elementary School and Lake Rim Park for FY 18. Information was provided to them from the initial bond project in 2012. The locations selected at the time of the bond project were determined based on the 2010 U.S. Census figures for population within Cumberland County, with consideration given for age groups within the population. Recommendations of the Advisory Commission, in order of installation, are as follows: College Lakes Park (FY 16), JW Coon Elementary School, and Lake Rim Park. Mr. Gibson stated the Parks and Recreation Advisory Board is very happy that Council budgeted for another pool.

Council Member Wright asked why the Lake Rim location was listed last, and stated he would like to see a pool in the west. Mr. Gibson responded the Commission based their recommendation on the prior bond package.

Council Member Crisp stated there is no bus service in the Lake Rim vicinity; this would pose a danger to kids walking on Raeford Road.

Council Member Colvin asked for the demographics report for the College Lakes area, and asked how the Commission determined the location of the pool on the property. Mr. Gibson responded it is based on the best bang for the buck, for example, parking, pool size, and accessibility.

Mayor Robertson asked what the benefit is for placing the pool in an empty field as opposed to directly behind the recreation center. Mr. Gibson responded the College Lakes recreation center sits on school property, and so we would have to have a conversation with the school officials.

Council Member McDougald stated Hoke County does have a connector transit bus service that operates by Lake Rim.

Council Member Jensen stated she is in agreement with the Mayor and would like to see the pool placed adjacent to the recreation center as we have at Westover. Mr. Gibson stated he would have a conversation with the school officials.

Mayor Robertson stated he would be happy to facilitate that conversation.

Council Member Arp stated he would not be inclined to support additional pools on an individual basis; we need a comprehensive plan for Parks and Recreation; the placement of pools is becoming politicalized.

Council Member Wright stated we have not discussed Fuller's Recreation Center, and stated they are willing to work with us as long as the City assumed liability.

Council Member Crisp stated he agrees with Council Member Arp; and stated we need to start considering a bond package.

Mayor Pro Tem Davy stated the Parks and Recreation bond package will be discussed at the August 3, 2015, City Council work session.

MOTION: Council Member Colvin moved to approve the acceptance of College Lakes vicinity for the pool location.

SECOND: Council Member Arp

VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Council Member Wright)

9.04 City Sponsorship for the Latino Community Connections Event Appointment Committee Recommendations of Appointments to Board and Commissions

Mayor Robertson introduced this item.

Council Member Colvin asked if there was a presentation for this item. Mr. Bauer responded there is no presentation for this item.

Council Member McDougald expressed concerns about doing for one, that you don't do for others.

Council Member Colvin asked if we currently sponsor other events where we waive fees and provide in-kind services. Mr. Bauer responded we do, for example "Run for the Wall". Mr. Bauer stated staff does not have the authority to waive fees; this is something the Council has to determine.

Council Member Mohn stated the request was reviewed by City Council on June 1, 2015, during the work session for standard City Special Event Fees to be waived for the Latino Community Connections Event. Council indicated interest in supporting this event as a City Sponsored Program, consensus was to reduce revenues and estimated police support costs are projected to be \$4,864.00 for Fiscal Year 2016, for a one-time, one-year only, to see how it goes, with a \$5,000.00 cap.

Council Member Wright stated his understanding is this is a waiver of fees, with no hard cash being donated.

Council Member Jensen stated she is in favor of waiving the fees for a one-time, this gives organizations an opportunity to grow in our City; this is a win-win.

Mayor Pro Tem Davy asked Mr. Bauer to explain the process for seeking a waiver. Mr. Bauer explained this would have to come from the Council as an agenda item request at a work session. These types of request need to come way in advance of the event. We do have a

Special Events Committee, which has an approval process.

Council Member Crisp stated with the growth of our Latino community we need to take a chance and approve this request.

MOTION: Council Member Colvin moved to approve a one-time, not to exceed \$5,000.00, waiver of fees for the Latino Community Connection Event.

SECOND: Council Member McDougald

VOTE: UNANIMOUS (10-0)

9.05 Appointment Committee Recommendations of Appointments to Board and Commissions

Council Member Hurst presented this item and stated the Appointment Committee met on May 29, 2015, to review applications for the appointments to boards and commissions. It is from that meeting the Appointment Committee presents the following recommendations for appointments to the City of Fayetteville boards and commissions.

Board of Appeals on Dwellings and Buildings

Ms. Kori House (1st Term) June 2015–Sept 2015

Mr. Roland Fairley (1st Term) June 2015–Sept 2015

Fair Housing Board

Mr. William Tally (1st Term Attorney) June 2015–March 2017

Fayetteville Advisory Committee on Transit (FACT)

Mr. "Tim" Wall (1st Term ADA Representative) June 2015–March 2017

Ms. Sharon Hackett (1st Term Rider) June 2015–March 2017

Fayetteville City Zoning Commission

Mr. Mr. Alex Keith (Partial Term) June 2015–Sept 2016

Historic Resources Commission

Mr. Tim Jackson (1st Term, Realtor, Developer, or General Contractor) June 2015–March 2017

Mr. Christopher Frank (1st Term Architect) June 2015–March 2017

Personnel Review Board

Christa Leggette (1st Term) June 2015–March 2017

Ashley Bruton (1st Term) June 2015–March 2017

Taxicab Review Board

Nicholas Conley (1st Term) June 2015–Sept 2015

Animal Control Board Recommendation (County Board)

George Butterfly Sept 2015–Sept 2018

Council Member McDougald stated it would be nice to meet the newly appointed members prior to the appointment. Ms. Karen McDonald, City Attorney, stated the current policy does not permit conversations between applicants and elected officials.

Council Member Crisp stated he strongly believes we need five members on the Appointment Committee, and encouraged all Council members to attend Appointment Committee meetings, and stated the appointment binder that contains the applications and resumes of all applicants are posted on our City's website by the City Clerk's office; we need more Council involvement on this Committee.

Council Member Wright stated once the board members have been appointed could we meet them here at the Council meeting. Ms. McDonald clarified that would be permissible.

Council Member Hurst asked Ms. Pamela Megill, City Clerk, to invite the entire City Council to future Boards and Commissions orientation sessions.

Council Member McDougald stated he had asked to be appointed to the Appointment Committee, and further stated he has received comments from citizens that have applied to be placed on various boards or committees and have not been appointed.

Council Member Crisp responded that some applicants only select one Board and do not provide a second or third choice; the Committee does not appoint applicants to Boards they have not selected. Some boards have an abundance of applicants where as some boards have very few applicants.

MOTION: Council Member Hurst moved to approve the recommended appointments.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (10-0)

9.06 Resolution in Support of the Connect NC Initiative

Mayor Robertson introduced this item.

A RESOLUTION IN SUPPORT OF THE CONNECT NC BOND INITIATIVE. RESOLUTION NO. R2015-043

MOTION: Council Member McDougald moved to adopt the Resolution in Support of the Connect NC Bond Initiative

SECOND: Mayor Pro Tem Davy

VOTE: UNANIMOUS (10-0)

8.0 ADMINISTRATIVE REPORTS

8.01 Monthly Statement of Taxes - May 2015

2014 Taxes.....	185,235.05
2014 Vehicle.....	19.43
2014 Taxes Revit.....	232.10
2014 Vehicle Revit.....	0.00
2014 FVT.....	5.00
2014 FTT.....	5.00
2014 Storm Water.....	6,502.76
2014 Fay Storm Water.....	11,704.92
2014 Fay Solid Waste Fee.....	10,700.77
2014 Annex.....	0.00
2013 Taxes.....	5,049.24
2013 Vehicle.....	4,279.51
2013 Taxes Revit.....	00.00
2013 Vehicle Revit.....	00.00
2013 FVT.....	487.59
2013 FTT.....	487.58
2013 Storm Water.....	207.54
2013 Fay Storm Water.....	415.09
2013 Fay Recycle Fee.....	652.94
2013 Annex.....	0.00
2012 Taxes.....	1,912.46
2012 Vehicle.....	1,495.56
2012 Taxes Revit.....	0.00
2012 Vehicle Revit.....	0.00
2012 FVT.....	265.41
2012 FTT.....	265.41
2012 Storm Water.....	32.56
2012 Fay Storm Water.....	65.15
2012 Fay Recycle Fee.....	103.13
2012 Annex.....	0.00
2011 Taxes.....	665.45
2011 Vehicle.....	385.05
2011 Taxes Revit.....	0.00
2011 Vehicle Revit.....	0.00
2011 FVT.....	100.00
2011 FTT.....	100.00
2011 Storm Water.....	17.18
2011 Fay Storm Water.....	34.36
2011 Fay Recycle.....	54.40
2011 Annex.....	0.00

2010 and Prior Taxes.....	306.10
2010 and Prior Vehicle.....	1,964.35
2010 and Prior Taxes Revit.....	0.00
2010 and Prior Vehicle Revit.....	0.00
2010 and Prior FVT.....	272.95
2010 and Prior FTT.....	99.10
2010 and Prior Storm Water.....	42.48
2010 and Prior Fay Storm Water.....	0.00
2010 and Prior Fay Recycle Fee.....	0.00
2010 and Prior Annex.....	0.00
Interest.....	12,483.49
Revit Interest.....	1.77
Storm Water Interest.....	379.31
Fay Storm Water Interest.....	632.18
Annex Interest.....	0.00
Fay Recycle Interest.....	620.26
Fay Transit Interest.....	247.64
Total Tax and Interest.....	\$248,530.27

9.0 ADJOURNMENT

There being no further business, the meeting adjourned at 9:21 p.m.