

**FAYETTEVILLE CITY COUNCIL**  
**WORK SESSION MINUTES**  
LAFAYETTE ROOM, CITY HALL  
APRIL 2, 2007  
**5:00 P.M.**

Present: Mayor Anthony G. Chavonne  
Council Members Keith A. Bates, Sr. (District 1); Council Charles E. Evans (District 2); Robert A. Massey, Jr. (District 3) (arrived at 7:00 p.m.); Darrell J. Haire (District 4); Lois A. Kirby (District 5); Paul Williams (District 6); Curtis Worthy (District 7); Juanita Gonzalez (District 8); Wesley A. Meredith (District 9)

Others Present: Dale E. Iman, City Manager

Kyle Sonnenberg, Assistant City Manager

Stanley Victrum, Assistant City Manager

Doug Hewett, Assistant City Manager

Karen M. McDonald, City Attorney

Jerry Dietzen, Solid Waste Management Director

Amanda Briggs, Assistant City Attorney

Victor Sharpe, Community Development Director

Jimmy Teal, Planning Director

Jennifer Sullivan, Cape Fear Botanical Gardens Resource Director

Bobby Hurst, Fayetteville Beautiful Committee Chairman

Carole Goforth, Fayetteville Beautiful Ordinance and Enforcement Subcommittee  
Co-Chair

Monica Luongo, Fayetteville Beautiful Ordinance and Enforcement  
Subcommittee Co-Chair

Candice H. White, City Clerk

Press

Mayor Chavonne called the meeting to order at 5:00 p.m. Council Member Haire offered the invocation.

**MOTION: Council Member Meredith moved to approve the agenda.**

**SECOND: Council Member Bates**

Council Member Evans asked that discussion regarding the Minimum Housing Code be added as Item 8.E.

**VOTE: UNANIMOUS (9-0)**  
**1. PRESENTATION BY CAPE FEAR BOTANICAL GARDEN**

Ms. Jennifer Sullivan, Cape Fear Botanical Garden Resource Director, provided a summary of the Cape Fear Botanical Garden's plans for expansion which included a review of prior year activities, expansion needs, funding priorities, the silent donor campaign, impact of expansion on the community and identification of funds for expansion. Ms. Sullivan asked the City to consider a \$500,000 contribution to the project with an option to pay over a five-year period. Mr. Dale E. Iman, City Manager, asked that consideration be given to an in-kind service contribution from the City. Mrs. Karen M. McDonald, City Attorney, asked that the land the City deeded to Friends of the Botanical Garden be considered as part of the City's contribution.

**2. PRESENTATION BY FAYETTEVILLE BEAUTIFUL**

Mayor Chavonne introduced Mrs. Amanda Briggs, Assistant City Attorney, and Ms. Carole Goforth and Ms. Monica Luongo, Fayetteville Beautiful Ordinance and Enforcement Subcommittee Co-Chairs. Ms. Goforth explained how the Fayetteville Beautiful Committee originated and spoke to the need for litter prevention and increased beautification efforts throughout the city. Ms. Goforth stated the Ordinance and Enforcement Subcommittee researched solid waste, graffiti and sign and advertising ordinances in other cities and developed ordinance amendments targeted at combating problems of litter and graffiti in the City of Fayetteville.

Mrs. Briggs provided information on the proposed ordinance amendments and stated the presentation by the Fayetteville Beautiful Committee was to gauge Council's interest in revising the ordinances. Mayor Chavonne asked if there had been discussion with law enforcement regarding enforceability of the ordinances. Mr. Bobby Hurst, Fayetteville Beautiful Committee Chairman, responded to questions posed by Council Members. Consensus of Council was to move forward with the ordinance amendments.

### **3. RECYCLING PRESENTATION**

Mr. Jerry Dietzen, Solid Waste Management Director, provided a presentation regarding recycling which included current recycling efforts, challenges associated with recycling, recycling efforts in comparable cities, options for recycling and the estimated cost of curbside recycling per household per year. Mr. Dietzen responded to questions regarding advantages to locating a recycling site within the city versus transporting recyclable materials to a collection center. Mr. Dietzen outlined efficiencies involved in single stream recycling. Mayor Chavonne asked whether citizen participation would be voluntary, if the per household cost would be included on property tax bills and whether other cities initiated recycling programs by City Council action or by referendum. Discussion ensued regarding costs and other considerations associated with the provision of recycling services, outsourcing recycling services and landfill issues. Consensus of Council was to collect additional information.

### **4. CONSIDERATION OF PROPOSED CHANGE TO SOLID WASTE COLLECTION SERVICE**

Mr. Jerry Dietzen, Solid Waste Management Director, provided a presentation regarding solid waste collection services in the western part of Fayetteville which covered contracts with five solid waste contractors, solicitation of bids from one contractor to serve the entire area, bid tabulation, incremental costs for Solid Waste Department staff to provide the service and cost savings to the City. Mr. Dietzen stated staffs' recommendation is to reject all bids submitted on March 6, 2007 and authorize the City Manager to finance the purchase of equipment in order for city staff to begin service delivery on March 1, 2008. Mr. Dietzen responded to questions posed by Council Members and a brief discussion ensued. Consensus of Council was to forward the proposed change to a regular meeting for further consideration and action.

### **5. CONSIDERATION OF PROPOSED SCREENING ORDINANCE**

Mr. Jimmy Teal, Planning Director, reviewed the proposed screening ordinance related to buffer requirements which would require new businesses to meet the guidelines before they can begin operation and would allow existing businesses three years to come into compliance. Mr. Teal also reviewed exceptions for properties zoned M2. Council Member Haire recommended that fencing, rather than vegetative buffers or earthworks, be required of all existing businesses and stated the three-year period for existing businesses to come into compliance should be shortened. Discussion ensued regarding the length of time allowed for existing businesses, exceptions for properties zoned M2, vegetative buffers and earthworks versus fencing, specific standards that need to be set in order for the courts to uphold the ordinance and materials from which fences could be constructed. Consensus of Council was that the ordinance amended be revised consistent with discussion and returned to the May 7, 2007 Work Session for further consideration.

### **6. CONSIDERATION OF THE 2007-2008 COMMUNITY DEVELOPMENT ANNUAL ACTION PLAN**

Mr. Victor Sharpe, Community Development Director, provided an overview of the 2007-2008 Community Development Annual Action Plan to include 2007—2008 funding sources and anticipated program income, estimated costs and expenditures and proposed programs and projects. Mr. Sharpe explained the role of Affordable Housing developers and nonprofit agencies in carrying out goals of the annual action plan and responded to questions posed by Council Members regarding public service activities, the community assistance participation process, North Carolina's annual counting of the homeless, collection efforts for delinquent accounts, promoting public awareness of affordable housing programs, national objectives and job creation loan program. A brief discussion ensued regarding possible solutions for older

deteriorating neighborhoods. Consensus of Council was to forward the Annual Action Plan to a regular meeting for further consideration and action.

## **7. STRATEGIC PLAN PROCESS OVERVIEW “WHERE DO WE GO FROM HERE”**

Mr. Iman reviewed the proposed process to accomplish projects identified in the City Council Strategic Plan and the Strategic Plan reporting cycle. Mr. Iman also reviewed the benefits associated with the proposed process which include increased organization performance, increased organizational accountability, increased organizational and community collaboration and increased monitoring and reporting. Mayor Chavonne asked how the proposed process tied the Boards and Commissions to the Strategic Plan and suggested that appointees to Boards and Commissions have a greater awareness of the objectives set by the City Council. Discussion ensued regarding possible ways City Council's intentions could be communicated to Boards and Commissions. Mr. Iman stated concurrent efforts will be used to accomplish many of the projects identified in the Strategic Plan and a quarterly progress report will be submitted to the City Council at the end of July 2007.

## **8. CITY COUNCIL REQUESTS**

Mayor Chavonne explained how items of interest and issues Council Members wanted to bring to the table for discussion would be addressed under a new Work Session agenda item. Proposed guidelines for the agenda item were discussed and developed. Consensus was that Council Members would have five minutes to discuss an item.

### **A. Discussion of request for planning staff review of Buffer Ordinance as it relates to non-residential zoned properties abutting residential zoned properties.**

Council Member Haire stated the matter had been discussed under Item 5 and no further discussion was required.

### **B. Discussion of a study from staff on one lot deep for commercial and professional zoning that abuts residential zoning and entrances/exits must be from major road or thoroughfares.**

Council Member Haire briefly reviewed the item and expressed concern about entrances and exits to businesses that are only one lot deep and abut residential neighborhoods. Council member Haire stated these entrances and exits should be from main thoroughfares and not from within neighborhoods. Council Member Haire asked that Council direct staff to study the matter and provide a report. Discussion ensued and there was no consensus to move forward with the item.

### **C. Discussion of River Park project development with residential, retail and greenspace.**

Council Member Bates reviewed the item and requested that the River Park property be considered for mixed-use development. Mr. Kyle Sonnenberg, Assistant City Manager, stated there are no options for the use of the property other than that of a park because it was purchased with bond money. Mr. Iman reminded Council of the directive given to staff regarding properties along the river and suggested that other parcels along the river be considered for purchase with something other than bond funds. Consensus of Council was that staff provide information regarding what can and cannot be done with bond fund money, how much bond fund money is available and what can be done with the property already purchased in the area of the River Park project.

### **D. Discussion of Fields Road Park state sanctioned softball field complex.**

Council Member Bates provided information on towns and cities that have privatized their Parks and Recreation softball fields and turned them into tournament complexes thereby generating a lot of money for the community. Council Member Bates asked that staff provide information on what can and cannot be done with the Fields Road property to determine if it could

offered for development as a private softball field complex. A brief discussion ensued and there was no consensus on moving forward on the item.

**E. Discussion of Minimum Housing Code.**

Council Member Evans asked Council Members to consider raising standards of the Minimum Housing Code because of problems associated with rental properties and the need to clean up neighborhoods. Mayor Chavonne asked Council Member Evans if he had identified specific areas of the Minimum Housing Code he felt were inadequate. Discussion ensued. Mrs. McDonald stated the Minimum Housing Code can be amended, but that staff needed direction on the revisions to be made. Consensus was that Council Member Evans and Mr. Iman work together to develop a strategy to raise standards of the Minimum Housing Code for rental properties.

**MOTION: Council Member Meredith moved to adjourn the meeting.**

**SECOND: Council Member Bates**

**VOTE: UNANIMOUS (10-0)**

There being no further business, the meeting adjourned at 9:00 p.m.