

**FAYETTEVILLE CITY COUNCIL**  
**WORK SESSION MINUTES**  
**MAY 5, 2008**  
**5:00 P.M.**  
**LAFAYETTE ROOM**

Present: Mayor Anthony G. Chavonne  
Council Members Keith A. Bates, Sr. (District 1); Charles E. Evans (District 2); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7)(arrived 5:10 p.m.); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Absent: Council Member Robert A. Massey, Jr. (District 3)

Others Present: Dale E. Iman, City Manager  
Kyle Sonnenberg, Assistant City Manager  
Doug Hewett, Assistant City Manager  
Karen M. McDonald, City Attorney  
Jerry Dietzen, Solid Waste Manager  
Lisa Smith, Chief Financial Officer  
Tracey Broyles, Budget and Evaluation Manager

Jimmy Teal, Planning Director

Karen Hilton, Assistant Planning Director

Kyle Garner, Planner

Mark Strickland, Real Estate Officer

Jackie Tuckey, Communications Manager/PIO

Scott Lagueux, Consultant, LandDesign

Candice H. White, City Clerk

Press

### **CALL TO ORDER**

Mayor Chavonne called the meeting to order at 5:00 p.m.

### **INVOCATION**

Council Member Haire provided the invocation.

#### **1. APPROVAL OF AGENDA**

Mayor Chavonne stated Council traditionally does not take final action during work sessions, but assesses the interest in taking initiatives to their regular meetings for discussion and vote.

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

**SECOND: Council Member Bates**

**VOTE: UNANIMOUS (8-0)**

#### **2. DISCUSSION OF AMENDING THE SIGN ORDINANCE**

Jimmy Teal, Planning Director, stated Council had expressed an interest in reviewing the sign ordinance as part of the overall update of the zoning and subdivision ordinances. Mr. Teal provided a comparison of Fayetteville's sign ordinance with the Town of Cary's sign ordinance.

Mr. Teal responded to questions and discussion ensued regarding digital sign regulations, amortization options for non-conforming signs, permit costs, incentives, color limitations and neon signs, and the number of businesses that would be impacted by a more restrictive sign ordinance. Mr. Teal noted Mr. Iman had appointed a committee to secure the input of stakeholders and further develop the ordinance.

Consensus of Council was for the committee to move forward with substantive changes to Fayetteville's current sign ordinance.

#### **3. DISCUSSION OF AMENDING THE BILLBOARD ORDINANCE**

Mr. Teal stated the current ordinance allows billboards in C3 and M2 zoning districts but amending the ordinance as proposed would prohibit new billboards in any zoning district. Mr. Teal further stated the proposed amendment would keep the transfer billboard ordinance in effect to allow for the removal of billboards and reduce the number of billboards throughout the

City. Mr. Teal provided an overview of suggested changes and stated there is no specific reference in the sign ordinance to digital or tri-vision billboards therefore options include prohibiting digital and tri-vision billboards or placing regulations on these billboards. Mr. Teal stated staff recommendation is to amend the transfer billboard ordinance.

Mr. Teal and Karen M. McDonald, City Attorney, responded to questions. Mr. Teal stated the proposed ordinance amendment would go before the Planning Commission for a hearing on May 20, 2008. Mrs. McDonald advised the sixty-day moratorium on billboard transfers would soon expire and staff would need to return to Council prior to expiration of the moratorium for a decision.

Consensus of Council was for the Planning Commission to review the proposal as submitted.

#### **4. REVIEW OF NOTIFICATION REQUIREMENTS FOR REZONING AND VARIANCE CASES**

Mr. Teal provided an overview of current zoning and variance notification requirements as set by general statute and reviewed a map depicting a 500-foot and a 1,000-foot radius around a subject property. Mr. Teal stated staff recommendation is to keep zoning case notification at 500 feet and reduce the variance case notification to 300 feet as a variance does not affect the use of the property.

Mr. Teal responded to questions regarding increasing the zoning notification radius on a case-by-case basis, public hearing notification letters and public education regarding signage.

Consensus of Council was to expand the zoning notification requirement to 750 feet with signage, letters and variance notification requirements to remain the same. Council asked that staff work with the County to receive updated tax listings more quickly and to consider additional ideas to get the word out to citizens.

#### **5.**

#### **UPDATE FOR MURCHISON CORRIDOR LAND USE AND STRATEGIC ECONOMIC DEVELOPMENT PLAN - HIGHLIGHTS OF DRAFT PLAN**

Karen Hilton, Assistant Planning Director, introduced Scott Lagueux, Consultant with LandDesign, who provided an update of the land use and economic development plan process for the Murchison Road corridor. Mr. Lagueux outlined the study area long Murchison Road and stated the plan would provide guidance on development, preliminary ideas on transportation improvements and an action plan for economic development. Mr. Lagueux noted a number of outreach milestones had been met during the process and an additional open house had been scheduled for May 8, 2008 for further community feedback and dialogue.

Mr. Lagueux provided a synopsis of the retail and residential models derived from a comprehensive market analysis and a brief overview of the nine areas identified as catalyst sites. Mr. Lagueux stated the catalyst sites would provide a new identity for the area and solidify current positive efforts to stabilize the area.

Mr. Lagueux responded to questions and reviewed the next steps that would be taken prior to presentation of the final draft to Council at their June 9, 2008 meeting.

#### **6. AMEND TRAVEL POLICY**

Lisa Smith, Chief Financial Officer, reviewed concerns expressed by Council at their March work session regarding the travel policy and proposed modifications to City Council Policy No. 115.6. Mrs. Smith responded to questions related to the overall policy and proposed modifications and noted the policy was specific to out-of-town travel. Discussion ensued. Consensus of Council was to accept the proposed changes with direction to staff to locate funds to increase Council travel from \$3,000 to \$4,000 per year.

#### **7. CONDO AND TOWNHOME SOLID WASTE REIMBURSEMENT**

Jerry Dietzen, Solid Waste Management Director, provided a historical perspective of the city's reimbursement for garbage collection to townhomes and condominiums. Mr. Dietzen noted Council added the issue of reimbursement to condominium and townhomes to its 2007-2008 Strategic Plan because the costs for commercial garbage collection continued to rise due

spikes in fuel costs, more condominiums and townhomes were being built, and costs for the city continued to climb. Following Mr. Dietzen's outline of options available to Council, consensus of Council was to eliminate reimbursements immediately.

## **8. REVIEW OF REVISIONS TO CITY COUNCIL POLICY #155.6, LEASE OF CITY-OWNED REAL PROPERTY**

Mark Strickland, Real Estate Officer, reviewed proposed revisions to City Council Policy No. 155.6, Real Property-Lease, as directed by Council during their March work session.

Discussion ensued regarding the Airport Commission's latitude to approve leases for airport properties, lease reductions for properties located in airport buffer areas, marketing efforts for vacant properties, maintenance to be performed by the city, and the 3% to 12% discount in nonprofit lease rates.

Council requested that Mrs. McDonald explore the Airport Commission's latitude regarding leases of airport properties and that Mr. Iman develop strategies to address nonprofit rates. Consensus of Council was in support of the proposed revisions for residential properties and rents based on fair market rates.

## **9. REVIEW OF ORDINANCE AMENDMENT REQUIRING PROPER ABANDONMENT OF PRIVATE WASTEWATER DISPOSAL FACILITY (SEPTIC TANK)**

Kyle Sonnenberg, Assistant City Manager, stated sewer extensions throughout the City were increasing and although it had been the practice of the City to recommend to property owners to properly abandon their septic tanks, the City Code of Ordinances did not require such action. Mr. Sonnenberg reviewed the proposed ordinance amendment and stated the trigger point for property owners to properly abandon their septic tanks would be at the time of connection to City sewer.

## **10. OVERVIEW OF 2008-2009 CITY BUDGET**

Mr. Iman presented the 2008-2009 budget and provided budget highlights to include the following:

- o Maintain current level of service without increasing the tax rate;
- o Continue operating efficiency improvements to provide high quality, affordable services;
- o Incorporate local funding for capital improvement plans for projects and recurring maintenance;
- o Adequately fund street improvement projects;
- o Continue initiative to eliminate unpaved City streets;
- o Continue City stormwater improvement initiative;
- o Continue funding fleet replacements;
- o Upgrade technology to provide employees with necessary tools to be successful and improve citizen access to information;
- o Participate in efforts to attract/retain good jobs in Fayetteville.

Mr. Iman concluded with budget summaries for the general fund, annual fund and Capital Improvement Plan. Mr. Iman stated Council would hold budget work sessions on May 15, 2008 and May 21, 2008 followed by a public hearing on May 27, 2008 and adoption on June 9, 2008.

## **11. REVIEW OF OPERATING PROTOCOLS FOR CITY COUNCIL**

Doug Hewett, Assistant City Manager, provided a brief overview of protocols established by Council during their strategic planning retreat in February 2008. Mr. Hewett stated the protocols were also consistent with the City Council's Fayetteville Forward Pledge adopted in December 2007. A brief discussion followed. Consensus of Council was for staff to forward the operating protocols for adoption.

## **12. COUNCIL MEMBER REQUESTS**

### **A. ENERGY AUDIT**

Council Member Bates provided copies of an energy audit performed for Cumberland County by Johnson Controls, Inc. Council Member Bates spoke briefly to the energy and water saving benefits of such an audit.

Council Member Bates also provided copies of a handout by the North Carolina Cooperative Extension entitled “Tree Ordinance Language and Achieving Results”, an article from the UNC School of Government entitled “Forestry and Local Government Tree Protection”, and a handout from North Carolina State University entitled “Involving Stakeholders in Tree Ordinance Development”.

**B. CONSIDER EXTENSION OF PUBLIC FORUM FROM 15 MINUTES TO 30 MINUTES**

Mayor Chavonne presented this item. Consensus of Council was in support of the proposal that public forums could be extended to thirty minutes.

There being no further business, the meeting adjourned at 8:10 p.m.