

**FAYETTEVILLE CITY COUNCIL**  
**MINUTES**  
**APRIL 13, 2009**  
**7:00 P.M.**  
**COLLEGE LAKES RECREATION CENTER**  
**4945 ROSEHILL ROAD**

Present: Mayor Anthony G. Chavonne  
Council Members Keith A. Bates, Sr. (District 1); Charles E. Evans (District 2); Robert A. Massey, Jr. (District 3)(arrived at 7:08 p.m.); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Others Present: Dale E. Iman, City Manager

Doug Hewett, Assistant City Manager

Jeffrey Powell, Assistant City Manager

Karen M. McDonald, City Attorney

B. E. (Benny) Nichols, Fire/Emergency Management Chief

Ben Major, Fire/Emergency Management Assistant Chief

Rob Anderson, Chief Development Officer

Jimmy Teal, Planning Director

Karen Hilton, Assistant Planning Director

Michael Gibson, Parks and Recreation Director

Victor Sharpe, Community Development Director

Rusty Thompson, City Traffic Engineer

Jackie Tuckey, Communications Manager/Public Information Officer

Joe Glass, PWC Engineering Manager

Joe Callis, PWC Business Planning Manager

Cheryl Jones, PWC Project Analyst

Candice H. White, City Clerk

Members of the Press

**INVOCATION - PLEDGE OF ALLEGIANCE**

The invocation was offered by Chaplain Darwyn Hudson, Fayetteville Police Department, followed by the Pledge of Allegiance to the American Flag.

**1. APPROVAL OF AGENDA**

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

**SECOND:** Council Member Haire

**VOTE:** UNANIMOUS (9-0)

**2. PUBLIC FORUM:**

**A. Announcements and Recognition**

Council Member Hurst encouraged citizens to participate in the third annual citywide cleanup that would commence at 9:00 a.m. on Saturday, April 18, 2009.

Council Member Haire invited citizens to Dancing with the Fayetteville Stars at 5:00 p.m. on Saturday, April 18, 2009 at the Women's Center.

Mayor Chavonne welcomed the return of Council Member Crisp following his brief absence.

Mayor Chavonne, on behalf of the City Council and City of Fayetteville, read a proclamation proclaiming the week of April 12, 2009 through April 18, 2009 as Community Development Week. Victor Sharpe, Community Development Director, spoke to local activities during the week and encouraged citizens to attend in order to obtain information related to the programs administered by the Community Development Department.

**B. Comment Period**

Mayor Chavonne opened the public comment period.

E. Rick Richards, 400 Andrews Road, Fayetteville, NC 28314 spoke regarding a Northwest Estates meeting, which was attended by some of the Council Members, and thanked City Council for their hard work.

Mark Ledger, 430 Lionshead Road, Fayetteville, NC 28311 spoke regarding the Fayetteville Police Department's efforts to reduce crime to include their work with community agencies.

Gwen York, 5703 Cypress Road, Fayetteville, NC 28304 spoke regarding domestic violence issues.

Carl Jones, 270 Ramona Drive, Fayetteville, NC 28303 spoke regarding the public transportation needs of his disabled spouse.

**3. CONSENT:**

**A. Approve Minutes:**

1. **City Council Meeting Held on March 9, 2009**
2. **Agenda Briefing Meeting Held on March 19, 2009**
3. **City Council Meeting Held On March 23, 2009**

**A. Adopt Capital Project Ordinance 2009-19 and a Reimbursement Resolution for the Financing of a Fire Station (Fire Station #19 - Andrews Road)**

This capital project ordinance will establish a \$235,000 budget for the design and associated preparation costs of Fire Station #19 on Andrews Road. Once the design is complete, Council will be asked to approve an ordinance amendment to appropriate funding for the construction of the fire station. Consistent with the City's adopted capital improvement plan, staff recommends using financing proceeds for the design, as well as future construction, of the fire station. The associated reimbursement resolution will allow the City to reimburse itself from the financing proceeds for any expenditures paid prior to the acquisition of the financing. The total amount expected to be financed for the fire station is \$2,974,600.

**B. Adopt Special Revenue Fund Project Ordinance Amendment 2009-10 (Community Gardens Project)**

This amendment will appropriate \$28,000 for the development of a community garden for the residents of the Old Wilmington Road Community. The source of funds for this project is a contribution from the Sandhills Area Land Trust. The funds will be used for water installation and a road within the garden.

**C. Approve Tax Refunds Greater Than \$100**

Name	Bill No.	Year	Basis	City Refund
Murphy, Katrina Yolanda	8956488	2006	Corrected Assessment	\$ 418.35
Davis, Sherman C.	8921064	2007	Double Billed	150.50
Liberty Square, LLC	0255434	2007	Clerical Error	<u>976.12</u>
TOTAL				\$1,293.94

**D. Waiver of Tent Permit Fees for the Dogwood Festival**

**F. Consider Adoption of Resolution Declaring Property Surplus**

**RESOLUTION DECLARING PROPERTY EXCESS TO CITY'S NEEDS AND QUITCLAIMING CITY TITLE IN THE PROPERTY TO CUMBERLAND COUNTY. RESOLUTION NO. R2009-023**

**G. Municipal Agreement with NCDOT for the Installation of Sidewalks on Reilly Road, Cliffdale Road and Ramsey Street**

**H. Approve Sign Permit for the Annual Dogwood Festival to be Held April 24th through April 26th**

**I. Approve Sign Permit for the La Leche League Baby Fair at the Holiday Inn – Bordeaux Center on Saturday, May 30th**

**J. Approve Sign Permit for the Crown Center for Upcoming Concert on April 24th**

**K. Local Proclamation to Support Air Quality Awareness Week; April 26 – May 2, 2009**

**RESOLUTION TO PROCLAIM THE WEEK OF APRIL 26 THROUGH MAY 2, 2009 AS "AIR QUALITY AWARENESS WEEK". RESOLUTION NO. R2009-024**

**L. Evaluation of City's Leased Properties**

**4. PUBLIC HEARING:**

**A. LaGrange and Summerhill (Phase 5 Annexation)**

Joe Callis, PWC Business Planning Manager, provided an overview of the project schedule to extend sanitary sewer to the LaGrange and Summerhill areas of the Phase 5 Annexation and outlined associated costs to property owners. Mr. Callis stated following the public hearing, the next step in the process would be to approve the Resolution Directing Project Be Undertaken, which was scheduled for Council's April 27, 2009 meeting.

Joe Glass, PWC Engineering Manager, responded to questions posed by Council Member Haire regarding street cuts and resurfacing as a result of the utility installation.

Dale E. Iman, City Manager, responded to questions regarding prepayment options, interest on prepayment balances, and interest rate and issuance costs. Discussion followed.

This is the advertised public hearing set for this date and time. The public hearing opened at 7:40 p.m.

No one appeared in favor.

Carl Jones, 270 Ramona Drive, Fayetteville, NC 28303 expressed concern for the assessment and additional out-of-pocket costs to property owners for connection to the sanitary sewer collection system.

There was no one further to speak and the public hearing closed at 7:43 p.m.

Council Member Evans inquired regarding options available to Council. Karen M. McDonald, City Attorney, explained the process involved with the assessment roll and levying of assessments.

**5. CHANGES TO THE CITY'S PROPERTY TAX GRANTBACK PROGRAM FOR THE CITY'S ECONOMIC DEVELOPMENT ZONE**

Rob Anderson, Chief Development Officer, reviewed highlights of the proposed text amendments to the Property Tax Grantback Program and map amendments to the Economic Development Zone as presented at the April 6, 2009 work session. Mr. Anderson then provided information regarding average daily traffic counts and analyses as well as current PWC water and sewer locations within the economic development zone and new proposed zone extensions. Mr. Anderson responded to questions related to incentive payments and requirements of grantees during the incentive payment period. A brief discussion followed regarding current usage of the program, ways in which the program could be expanded and ways in which to promote and market the program.

**MOTION: Council Member Meredith moved to approve changes to the Property Tax Grantback Program and the Economic Development Zone as presented by staff.**

SECOND: Council Member Haire

**VOTE: PASSED by a vote of 7 in favor to 3 in opposition (Council Members Mohn, Bates and Applewhite)**

**INFORMATION ITEMS:**

**1.Statement of Taxes Collected for the Month of March 2009 from the Cumberland County Tax Administrator**

2008 Taxes.....	692,167.75
2008 Vehicle Taxes.....	470,226.17
2008 Revit.....	1,197.42
2008 Vehicle Revit.....	289.94
2008 FVT.....	50,906.15
2008 Transit Fee.....	43,134.96
2008 Storm Water.....	36,166.78
2008 Fay Storm Water.....	41,179.04
2008 Recycle Fee.....	45,964.54
2008 Annex.....	58.72
2007 Taxes.....	8,649.03

2007 Vehicle Taxes.....	42,475.08
2007 Revit.....	0.00
2007 Vehicle Revit.....	39.12
2007 FVT.....	5,646.60
2007 Storm Water.....	409.70
2007 Fay Storm Water.....	345.87
2007 Annex.....	13.63
2006 Annex.....	8,777.59
2006 Taxes.....	2,545.11
2006 Vehicle Taxes.....	2,783.06
2006 Revit.....	0.00
200 Vehicle Revit.....	0.00
2006 FVT.....	590.00
2006 Storm Water.....	127.00
2005 Taxes.....	1,815.74
2005 Vehicle Taxes.....	1,782.69
2005 Revit.....	0.00
2005 Vehicle Revit.....	0.00
2005 FVT.....	393.88
2005 Storm Water.....	65.07
2004 and Prior Taxes.....	1,297.27
2004 and Prior Vehicle Taxes.....	3,778.70
2004 and Prior Revit and Prior.....	0.00
2004 and Prior Vehicle Revit and Prior.....	0.00
2004 and Prior Vehicle FVT and Prior..	641.37
2004 and Prior Stormwater.....	90.85
Interest.....	42,894.68
Interest (Revit).....	60.07
Interest (Storm Water).....	1,356.64
Interest (Fay Storm Water).....	1,424.84
Interest (Annex).....	504.20
Interest (Fay Recycling).....	1,650.10
Total Collections.....	\$1,511,449.36

**2. Tax Refunds Less Than \$100**

There being no further business, the meeting adjourned at 8:18 p.m.