

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
CITY HALL COUNCIL CHAMBER  
SEPTEMBER 27, 2010  
7:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Theodore W. Mohn (District 8); Valencia A. Applewhite (District 7); Wesley A. Meredith (District 9)

Others Present:

Dale E. Iman, City Manager  
Doug Hewett, Assistant City Manager  
Karen M. McDonald, City Attorney  
Douglas S. Peters, FCCCC President  
Rusty Thompson, City Engineer  
Lisa Smith, Chief Financial Officer  
Rita Perry, City Clerk  
Members of the Press

**1.0 CALL TO ORDER**

Mayor Chavonne called the meeting to order at 7:00 p.m.

**2.0 INVOCATION**

The invocation was offered by Pastor Micah Royal of the Blessed Family of God Church.

**3.0 PLEDGE OF ALLEGIANCE**

Following the invocation, the Pledge of Allegiance to the American Flag was led by the audience.

**4.0 APPROVAL OF AGENDA**

**MOTION: Council Member Meredith moved to approve the agenda with the addition of Item 6.17, resolution setting a public hearing to consider economic development incentives for a proposed office space redevelopment project with Strategic Solutions Unlimited.**

**SECOND: Council Member Massey**

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

**5.0 Announcements and Recognitions**

Mayor Chavonne, on behalf of the City Council and City of Fayetteville, presented a proclamation to Mr. Roosevelt D. Odom, Jr., proclaiming September 27 through October 1, 2010, to be Deaf Awareness Week. Comments followed.

**6.0 Consent**

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

**SECOND: Council Member Massey**

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

**6.1 Adopt a resolution declaring jointly-owned real property surplus and authorizing a quitclaim of the City's interest in order to expedite Cumberland County's sale of property.**

RESOLUTION DECLARING PROPERTY EXCESS TO CITY'S NEEDS AND QUITCLAIMING CITY TITLE IN THE PROPERTY TO CUMBERLAND COUNTY (2313 Slater Avenue and 116 Phillips Street). RESOLUTION NO. R2010-073.

**6.2 Case No. P10-28F. The rezoning of 1.3 acres at 424 McArthur Road from C1P Commercial Shopping Center District to C1 Commercial District. Robert Michael Warren, owner.**

**6.3 Case No. P10-29F. The amendment of conditions on 1.67 acres of a 128.04 acre site for a fire station on the south side of Andrews Road across from Rosebank Drive to MU/CZ Mixed Use Conditional Zoning District. River Landing Center, LLC, owner.**

**6.4 Special sign permit request for temporary event signs for the Junior League's 2010 Holly Day Fair scheduled for November 4 to November 7, 2010.**

**6.5 Special sign permit request for temporary event signs for the 2010 Spaghetti Fundraiser by the Saints Constantine and Helen Greek Orthodox Church.**

**6.6 Special sign permit request for temporary event signs for the 2010 Home Builders Association of Fayetteville Parade of Homes scheduled for October 2 and 3, 2010, and October 9 and 10, 2010.**

**6.7 Supplemental agreement to existing municipal agreement with NCDOT for sidewalk construction.**

**6.8 Budget Ordinance Amendment 2011-2 (encumbrances, designations, street lighting, and environmental clean-up and remediation).**

**6.9 Capital Project Ordinance Amendment 2011-10 (Linear Park Project).**

**6.10 Special Revenue Fund Project Ordinance Amendment 2011-1 (appropriation of federal forfeiture and controlled substance tax funds for law enforcement purposes).**

**6.11 Special Revenue Fund Project Ordinance 2011-5 (FY 2010 Justice Assistance Grant Program).**

**6.12 Transfer ownership of 1996 International 4700/EVI rescue squad unit to Godwin-Falcon Volunteer Fire Department.**

A RESOLUTION AUTHORIZING THE CONVEYANCE OF PERSONAL PROPERTY ITEMS TO FIRE DEPARTMENTS/GOVERNMENTAL AGENCIES. RESOLUTION NO. R2010-074.

**6.13 Special request to display 16 temporary event signs at fire stations the week preceding the time change each spring and fall as part of the Change Your Clock, Change Your Battery Campaign.**

**6.14 Bid Recommendation - Installation of Arran Park and Crystal Springs substations.**

The Public Works Commission approved the award of a contract for installation of the Arran Park and Crystal Springs substations to Aubrey Silvey Enterprises, Carrollton, Georgia, the lowest responsive, responsible bidder, in the total amount of \$1,034,000.00 and forwarded to City Council for approval. This was a budgeted item. The amount budgeted per substation was \$550,000.00, for a total budgeted amount of \$1,100,000.00. Bids were received August 14, 2010, as follows:

Aubrey Silvey Enterprises (Carrollton, GA).....	\$1,034,000.00
E&R, Inc. (Kinston, NC).....	\$1,098,030.00
Pike Electric (Mt. Airy, NC).....	\$1,383,545.00
New River Electric (Cloverdale, VA).....	\$1,436,019.72

Bids were solicited from seven contractors with four contractors responding.

**6.15 Bid Recommendation - Contract for Annexation Phase V, Project III, Area 8 - LaGrange.**

The Public Works Commission approved to award contract for Annexation, Phase V, Project III, Billy Bill Grading Company, the lowest responsive, responsible bidder in the total amount of \$2,496,108.00 and forwarded to City Council for approval. This was a budgeted item (CIP WS-47) with a budgeted amount of \$3,100,000.00 for Area 8 - LaGrange. Bids were received August 18, 2010, as follows:

Billy Bill Grading Co. (Fayetteville, NC).....	\$2,496,108.00
T.A. Loving Co. (Goldsboro, NC).....	\$2,716,708.00
State Utility Contractors (Monroe, NC).....	\$2,728,026.70
ES&J Enterprises (Autryville, NC).....	\$2,813,050.90
R.H. Moore (Murrells Inlet, SC).....	\$3,827,513.00

Plans and specifications were requested by 15 contractors with 5 contractors submitting bids.

**6.16 Resolution to direct the filing of an application for a state loan under the N.C. Clean Water Revolving Loan and Grant Act of 1987.**

RESOLUTION OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, TO DIRECT THE FILING OF AN APPLICATION FOR A STATE LOAN UNDER THE NC CLEAN WATER REVOLVING LOAN AND GRANT ACT OF 1987. RESOLUTION NO. R2010-075.

**6.17 Resolution setting a public hearing to consider economic development incentives for a proposed office space redevelopment project with Strategic Solutions Unlimited.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE SETTING A PUBLIC HEARING TO CONSIDER ECONOMIC DEVELOPMENT INCENTIVES FOR A PROPOSED OFFICE SPACE REDEVELOPMENT PROJECT WITH STRATEGIC SOLUTIONS UNLIMITED. RESOLUTION NO. R2010-076.

**7.0 OTHER ITEMS OF BUSINESS**

**7.1 Presentation of Appointment Committee recommendations for boards and commissions appointments.**

Council Member Hurst, Appointment Committee Chair, provided highlights of the September 20, 2010, Appointment Committee meeting and presented the following appointment recommendations:

<b>Boards/Commission</b>	<b>Recommendation</b>
Fayetteville Advisory Committee on Transit (FACT)	Rick Heicksen - FAMPO Director/designee
Sharon Collins - ADA rider or representative	Mary Bunny English – Bus rider
Jeff Thompson – Citizen within service area	Scott Gibson - Citizen outside service area
Todd Lyden – Citizen outside service area	Warner Whitehead - FAST driver/operator
Fayetteville Planning Commission	William J. Fiden
Joint Fayetteville–Cumberland County Senior Citizens Advisory Commission	Frank R. Till
Fayetteville-Cumberland Human Relations Commission	William Moreno
Public Works Commission	Terri Union

Council Member Hurst announced the City was seeking additional applicants for the Fayetteville Advisory Committee on Transit (FACT) to fill positions designated for ADA and transportation industry representatives and applicants for the Taxicab Review Board to fill positions designated for taxi industry representatives.

Mayor Pro Tem Haire questioned the status of Mr. Davis as a recommendation. Ms. Rita Perry, City Clerk, explained it was the consensus of the Appointment Committee for the recommendation listed.

**MOTION: Council Member Mohn moved to approve the appointment recommendations with the exception of the PWC recommendation and to allow for a presentation regarding the appointment process.**

**SECOND: Council Member Applewhite**

**VOTE: PASSED by a vote of 8 in favor to 2 in opposition (Council Members Crisp and Massey)**

Mr. Doug Hewett, Assistant City Manager, provided a synopsis of the process utilized to address the September 2010 vacancies. He stated at the August 18, 2010, meeting the Appointment Committee requested re-advertisement for the PWC vacancy to include an extensive questionnaire. Mr. Hewett reviewed the PWC questionnaire, which included questions provided by PWC and Council.

A discussion period ensued regarding resume submittals, attendance calculations, and conference call meetings and possible policy amendment to address conference calls.

**MOTION: Council Member Applewhite moved to approve the appointment of Mr. Wick Smith to the Public Works Commission.**

**SECOND: Council Member Mohn**

Further discussion ensued regarding applicants' qualifications, application completion requirements and board/commission members' behavior. Ms. Rita Perry, City Clerk, explained the application intake/review process. Mr. Hewett further stated the rules of protocol as well as the City Council Fayetteville Forward would be an added component of the member orientation.

**VOTE: FAILED by a vote of 8 in opposition to 2 in favor (Council Members Applewhite and Mohn)**

**MOTION: Council Member Bates moved to approve the reappointment of Mrs. Terri Union to the Public Works Commission.**

**SECOND: Council Member Massey**

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

**7.2 National League of Cities voting delegates.**

Mr. Dale Iman, City Manager, presented this item.

**MOTION: Council Member Bates moved to designate Council Member Massey the alternate voting delegate and Council Member Bates the voting delegate.**

**SECOND: Council Member Meredith**

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

**7.3 NC League of Municipalities Annual League Business meeting voting delegates.**

Mr. Dale Iman, City Manager, presented this item.

**MOTION: Council Member Bates moved to designate Council Member Massey the alternate voting delegate and Council Member Hurst the voting delegate.**

**SECOND: Council Member Meredith**

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

**8.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 7:58 p.m.