

**FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
CITY HALL COUNCIL CHAMBER
OCTOBER 4, 2010
5:00 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); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8); Wesley A. Meredith (District 9)

Absent: Council Member William J. L. Crisp (District 6)

Others Present:

Dale E. Iman, City Manager
Doug Hewett, Assistant City Manager
Kristoff Bauer, Assistant City Manager
Karen M. McDonald, City Attorney
Jerry Dietzen, Environmental Services Director
Rich Garrity, RLS & Associates
Ron Macaluso, Transit Director
Ben Nichols, Fire Chief
Ben Majors, Assistant Fire Chief
Brian Mims, Battalion Commander
Rita Perry, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Council Member Meredith.

Mayor Chavonne explained the work session proceedings.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Bates moved to approve the agenda.

SECOND: council Member Meredith

VOTE: UNANIMOUS (9-0)

4.0 OTHER ITEMS OF BUSINESS

4.1 Residential Rental Property Programs Update

Mr. Doug Hewett, Assistant City Manager, presented this item and provided a summary of the issues, history, and stakeholder outreach efforts. Mr. Hewett outlined the Rental Registration Program benefits, key components, required resources, and fee structure. He also outlined the Probationary Rental Occupancy Permit (PROP) benefits, key components, violation factors, required resources, and fee structure.

Council Member Bates inquired whether rental agencies had a database to track renters. Mr. Hewett responded this was attempted by realtors and HUD with possible profiling concerns; however, a large property management firm could implement this within their agency.

Mayor Chavonne inquired on the initiative for owners to register their properties and the tracking method. Mr. Hewett explained the responsible landlords would register and noncompliance would be a violation. He stated tracking would be through utility services.

Council Member Mohn inquired on how many additional inspectors would be needed. Mr. Hewett responded the City had budget shortfalls; therefore the programs would have to pay for themselves. He explained the inspectors' roles would be to address problems and maintain databases which would support PROP, and the Housing Inspector would be the Rental Registration Coordinator.

Mayor Pro Tem Haire inquired whether fees could be waived for property owners who registered within a certain time period. Mr. Hewett responded that was not a consideration because the programs would be supported by fees.

Council Member Davy inquired on staff accessibility to meet with landlords on a case-by-case basis regarding violations. Mr. Hewett responded the proposed model included a very strong property owner education component.

Council Member Bates proposed a reward to waive fees should rental properties have no calls within a certain timeframe. Mr. Hewett stated waiving of future fees was not contemplated.

Council Member Massey stated PROP was the common factor between Fayetteville and Raleigh; however, Raleigh had no revenue source. Mr. Hewett stated there was a value to identifying rental property owners and owners would be required to obtain certification that the property meets minimal housing code regulations.

Council Member Applewhite inquired whether the City had a minimal housing code. Mr. Hewett responded in the affirmative. He explained violations were either cited by code enforcement or complaints were received.

Council Member Mohn stated these programs could not exist with funding sources. He requested staff provide a list of cuts needed to implement a program changing additional yearly fees, should Council place this as a higher priority. Mr. Hewett stated the programs had been a part of the strategic plan for a number of years. He stated Council's direction had been that the programs had to be self-supporting.

Council Member Applewhite inquired where the City would get funding should Council reprioritize. Mr. Dale Iman, City Manager, stated there was no increase in revenue; therefore elimination would be necessary if Council reprioritized. He stated reduction in services should not be an option and fees were needed to pay for services.

Council Member Applewhite inquired whether the PROP would punish responsible owners. Mr. Hewett responded in the negative.

Mayor Chavonne stated the registration would follow the property, not ownership, and suggested owners be monitored for repeat offenders. Mr. Hewett explained the interest was to specify the location and not allow the problem property to be passed onto family members.

Mayor Chavonne affirmed Council's concerns with problem properties and suggested the people creating the problems be defined by the implementation of higher fees for continuous violators.

Council Member Haire stated PROP would address the problems and requested discussion for one versus the other. Mr. Hewett explained the benefits of the Rental Registration Program in conjunction with PROP.

Council Member Bates inquired why landlords could not police their own properties. Mr. Hewett responded that the responsible landlords try; however, there were repeated problems on the same properties.

Council Member Bates inquired whether fees could be waived for good landlords. Mr. Hewett responded the fees would support the program.

Council Member Bates requested PROP be brought back to Council at a future work session to include a revised financial model which would provide incentives for landlords in compliance and higher fees for violators. Mr. Hewett clarified Council's direction had been to be self-supporting. He stated to have a successful PROP would require a registration program, and in order to track, educate, and certify code staff it was recommended both programs be adopted. He stated to split the financial model for PROP would be cumbersome.

The consensus of Council was to review the PROP program only.

4.2 Multifamily Recycling Program Update

Mr. Jerry Dietzen, Environmental Services Director, presented this item and provided a summary of the history. Mr. Dietzen provided an overview of relative current data, stakeholder input results, and benefits. He stated staff recommended the development of an ordinance requiring multifamily complexes to provide recycling services for the residents with a target start date of July 2011 which would include (1) recommended capacity to handle the volume for the number of units to be served, (2) weekly collection schedule, (3) compliance with Zoning/UDO regulations, (4) recommended postings and information, (5) easy resident access to the recycle area, and (6) compliance with existing solid waste ordinances. Mr. Dietzen reviewed the suggested timeline as follows:

- December 6, 2010 - Return to Council work session with draft ordinance.
- December 13, 2010 - Regular Council meeting – Adopt ordinance or set a public hearing.
- January–June 2011 - City staff to notify multifamily complexes and provide technical assistance.
- July 2011 - Program target start-up.

Following a question and answer period regarding notification signage, enforcement, contamination, incentives, and holiday pickup scheduling, the consensus of Council was to follow the recommended timeline.

4.3 RLS Presentation - City/County Consolidated Transportation Plan

Mr. Ron Macaluso, Transit Director, presented this item and provided a brief history and introduced Rich Garrity, RLS & Associates. Mr. Garrity reviewed the consolidated plan as follows:

Study Goals

- Provide Rider Benefits
- Provide the Most Efficient, Effective and Safe Countywide Transportation Services
- Create More Effective Mechanism to Address Countywide Problems
- Create Greater Opportunities for Creation of Local Dedicated Funding Sources for Transit
- Economies of Scale
- Develop Specialized Staff

Phase I and II Study Milestones

Work Program

- Phase I
- Inventory
- Feasibility Determination
- Phase II
- Organizational Structure
- Cost Sharing
- Five-Year Budget

Governance/Operational Models

- Overview of Three Operating Scenarios
- Option 1: Centralized Operation with all Public Transportation Services Consolidated Under the City
- Option 2: Decentralized Administrative Functions/Some Operations Functions Handled by the County
- Option 3: Decentralized Administrative Functions/Demand Response Operations for Both City and County Centralized Under the County
- Recommended Option 1

Interlocal Agreement Description

- Benefits to the City
- Introduction of New Cost Allocation Methodologies
- Reduced Administrative/Staff Expenses by Split Funding Between City and CCCTP Funds
- Reduced Administrative/Staff Expenses by Reclassification of Some Positions From 100% City Funded to 80% Federally Funded Under Mobility Management
- Consolidates Grant-Making to a Single Recipient
- Expansion of Passenger Base by Including Human Service Transportation
- Utilize Sections 5316 and 5317 Funds Without Additional City Outlay of Matching Funds
- Benefits to the County
- Reduced Staffing Costs
- Piggy-Back on City's Paratransit Software Purchase
- Unified Customer Call Center
- Seamless Experience for all Transit Consumers
- Enhanced Coordination of Service Delivery Through Mobility Management

- Coordination Consistent with NCDOT Objectives
- City/County Execution of Agreement Pursuant to N.C.G.S. § 160--A, Article 20
- Merger of CCCTP with Expanded FAST Mobility Services Unit, incorporating ADA Service, Human Service Agency Transportation, and Rural Public Transportation
- July 1, 2011 – Transition Milestone
- Key Factors in Decision-Making
- Efficiency in Administrative Structure
- Modest Administrative Efficiencies
- Creation of Seamless Customer Experience
- Enhanced use of Technology
- Opportunity to Maximize Federal and State Apportionments

A discussion period ensued regarding County transportation programs, FAST paratransit, County quality of service concerns, accounting mechanisms via NCDOT, employment elimination, County community transportation requirements.

The consensus of Council was to receive the report and draft a letter to the County expressing the City's interest to proceed.

4.4 Fayetteville Fire/Emergency Management Strategic Plan

Mr. Ben Nichols, Fire Chief, presented this item and **stated** approval of the Fayetteville Fire/Emergency Management Department's Strategic Plan and Standard of Response Cover would enable the department to continue with the accreditation process. He introduced Mr. Ben Majors, Assistant Fire Chief.

Mr. Majors presented the self-assessment, challenges, opportunities, weaknesses, and strengths aspects of the strategic plan and reviewed the mission statement. He introduced Mr. Brian Mims, Battalion Commander.

Mr. Mims outlined the standard of cover elements of the plan.

A question and answered period ensued regarding responses mechanisms, adjoining collaboration with Fort Bragg, and citizen awareness.

RESOLUTION ADOPTING FAYETTEVILLE FIRE/EMERGENCY MANAGEMENT DEPARTMENT'S STRATEGIC PLAN AND STANDARD OF RESPONSE COVER.
RESOLUTION NO. R2010-077.

MOTION: Council Member Massey moved to adopt the resolution approving the Fayetteville Fire/Emergency Management Department's Strategic Plan and Standard of Response Cover which would enable the department to continue with the accreditation process.

SECOND: Council Member Bates

VOTE: UNANIMOUS (9-0)

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 7:57 p.m.