

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
CITY HALL COUNCIL CHAMBER  
NOVEMBER 8, 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); 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

Kristoff Bauer, Assistant City Manager

Karen M. McDonald, City Attorney

Doug Peters, Executive Director, Fayetteville-Cumberland County Chamber of Commerce

Rebecca Rogers-Carter, Management Services Manager

Members of the Press

### **1.0 CALL TO ORDER**

Mayor Chavonne called the meeting to order.

### **2.0 INVOCATION**

The invocation was offered by Mayor Pro Tem Haire.

### **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 Mohn moved to approve the agenda with the deferral of Items 8.2(a) and 8.2(b) to the November 22, 2010, meeting.**

**SECOND: Council Member Bates**

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

### **5.0 ANNOUNCEMENTS AND RECOGNITIONS**

Mayor Chavonne recognized and welcomed the Fayetteville State University Section of the National Council of Negro Women.

A proclamation and award was presented to Ms. Rachel Santillan in recognition of her courage and bravery by assisting her neighbors in evacuating a burning house on Oakridge Avenue on October 11, 2010.

A proclamation was presented proclaiming November 7-13, 2010, as Employ A Vet Week.

Council Member Meredith was recognized for his election to the North Carolina Senate and an announcement was made of plans to fill the District 9 vacancy.

### **6.0 PUBLIC FORUM**

Mr. Anthony Castillo, 106 Scott Avenue, Fayetteville, NC 28301, spoke regarding the benefits of the community watch program.

### **7.0 CONSENT**

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

**SECOND: Council Member Hurst**

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

#### **7.1 Approve minutes:**

- June 14, 2010 – Regular Meeting
- August 9, 2010 – Regular Meeting
- August 23, 2010 - Regular Meeting
- September 7, 2010 – Work Session Meeting

- September 13, 2010 – Dinner and Discussion Meeting

- September 27, 2010 – Dinner and Discussion Meeting

7.2 Approval of amendment to Military Business Park Participation agreement.

7.3 Approval of the acquisition of 811 Bedrock Drive.

7.4 Approval of the acquisition of 522 Moore Street.

7.5 Economic Development Initiative Grant Application for the Military Business Park.

RESOLUTION AUTHORIZING THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, TO APPLY FOR ECONOMIC DEVELOPMENT INITIATIVE FUNDS FROM THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE MILITARY BUSINESS PARK. RESOLUTION NO. R2010-079.

7.6 Proposed revisions to the Code of Ethics.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING ARTICLE IV, CODE OF ETHICS, OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE. ORDINANCE NO. S2010-011.

7.7 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. RESOLUTION NO. R2010-080.

7.8 Special Sign Permit request for temporary event signs for the 2010 Arts Council, A Dickens Holiday.

7.9 Special Sign Permit request for temporary event signs for the 2010 Heart of Christmas Show.

7.10 Resolution setting a public hearing on the Unified Development Ordinance.

A RESOLUTION SETTING A PUBLIC HEARING DATE REGARDING THE UNIFIED DEVELOPMENT ORDINANCE (PURSUANT TO N.C.G.S. 160A-58.2). RESOLUTION NO. R2010-081.

7.11 Consider adoption of resolution authorizing condemnation for the acquisition of right-of-way for the Ramsey Street Project.

A RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY (RIGHT OF WAY FOR ROAD IMPROVEMENTS, COMMONLY KNOWN AS THE RAMSEY STREET PROJECT). RESOLUTION NO. R2010-082.

7.12 Special Revenue Fund Project Ordinance 2011-6 (COPS Technology Grant).

7.13 Approve purchase of one surveillance and reconnaissance robotic vehicle for use by the City of Fayetteville Fire Department Hazardous Materials Regional Response Team.

7.14 Bid Recommendation - Purchase of various dump trucks.

The Public Works Commission approved the bid award for purchase of various dump trucks, with the option to purchase additional units within a three-year period. Bids were received September 22, 2010, as follows:

1. Piedmont Truck Center, Greensboro, NC, lowest bidder meeting bid requirements in the total amount of \$152,800.00 for the purchase of two 33,000 lb. GVWR cab and chassis with 5 cubic yard dump body. This was a budgeted item (\$95,000.00 each) for a total of \$190,000.00 to replace Units #318 and #326. Bids were solicited from 16 vendors with 8 responding as follows:

<u>Bidders</u>	<u>Unit Price</u>	<u>Total Cost</u>
Piedmont Truck Center (Greensboro, NC).....	\$76,400.00.....	\$152,800.00
Tri-PointTruck Center (Raleigh, NC).....	\$77,434.00.....	\$154,868.00
Smith International (Fayetteville, NC).....	\$77,900.00.....	\$155,800.00
LaFayette Ford (Fayetteville, NC).....	\$79,113.50.....	\$158,227.00
Charlotte Truck Center (Charlotte, NC).....	\$79,673.00.....	\$159,346.00
Cooper Kenworth (Raleigh, NC).....	\$84,485.00.....	\$168,970.00
Peterbilt of Dunn (Dunn, NC).....	\$89,997.00.....	\$179,994.00

Note: The apparent low bid was submitted by Advantage Truck Center, Charlotte, NC; however, their bid did not meet specifications. The bid specifications required that bids be submitted for the latest design and current production model. Advantage Truck Center submitted a bid on a 2009 unit.

2. Smith International, Fayetteville, NC, lowest bidder meeting bid requirements in the total amount of \$89,400.00 for the purchase of one 54,000 lb. GVWR cab and chassis with 12 cubic yard dump body. This was a budgeted item (\$105,000.00) to replace Unit #347. Bids were solicited from 16 vendors with 5 responding as follows:

<u>Bidders</u>	<u>Total Cost</u>
Smith International (Fayetteville, NC).....	\$89,400.00
Charlotte Truck Center (Charlotte, NC).....	\$91,225.00
Cooper Kenworth (Raleigh, NC).....	\$94,034.00
Peterbilt of Dunn (Dunn, NC).....	\$107,778.00

Note: The apparent low bid was submitted by Tri-Point Truck Center, Raleigh, NC; however, Tri-Point failed to submit all requested information, therefore their bid was determined to be non-responsive.

**7.15 Bid Recommendation - Purchase of one 35,000 lb. rubber tire loader.**

The Public Works Commission approved the bid award for purchase of one 35,000 lb. rubber tire loader, with the option to purchase additional units within a three-year period, to Rob's Hydraulics, Inc., Grimesland, NC, low bidder in the total amount of \$130,135.00. This was a budgeted item to replace Unit #761. Bids were received September 15, 2010, as follows:

Rob's Hydraulics, Inc. (Grimesland, NC).....	\$130,135.00
Interstate Equipment Co. (Cary, NC).....	\$134,897.00
R.W. Moore Equipment Co. (Garner, NC).....	\$139,000.00
Linder Industrial Machinery Co. (Raleigh, NC).....	\$148,400.00
Gregory Poole Equipment, Co. (Hope Mills, NC).....	\$161,314.00

Bids were solicited from five vendors with five responding. Rob's Hydraulics, Inc., is a woman-owned business enterprise.

**7.16 Bid Recommendation - Water and wastewater chemicals.**

The Public Works Commission approved the bid award for purchase of various dump trucks, with the option to purchase additional units within a three-year period. Bids were received September 22, 2010, as follows:

The Public Works Commission approved the bid awards for one-year contracts, with option to extend contract for additional periods, for the purchase of water and wastewater chemicals.

Bids were received September 30, 2010, as follows:

1. Southern Ionics, West Point, MS, low bidder in the amount of \$90,900.00 for the purchase of approximately 900,000 lbs. of sodium bisulfite. Bids were solicited from 20 bidders with 3 responding as follows:

Southern Ionics, Inc. (West Point, MS).....	\$90,900.00
JCI Jones Chemicals (Charlotte, NC).....	\$104,490.00
PVS Chemical Solutions (Detroit, MI).....	\$125,100.00

2. Colonial Chemical Solutions, Savannah, GA, low bidder in the amount of \$363,114.00 for the purchase of approximately 1800 tons of 50 percent caustic soda. Bids were solicited from 20 bidders with 4 responding as follows:

Colonial Chemical Solutions (Savannah, GA).....	\$363,114.00
JCI Jones Chemicals (Charlotte, NC).....	\$403,452.00
Basic Chemical Solutions (Morrisville, PA).....	\$432,630.00
Key Chemical (Waxhaw, NC).....	\$504,000.00

**7.17 Calling Series 2001 Revenue Bonds.**

**RESOLUTION OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA TO CALL \$7,680,000 PUBLIC WORKS COMMISSION REVENUE REFUNDING BONDS SERIES 2001 FOR OPTIONAL REDEMPTION ON THE FIRST OPTIONAL REDEMPTION DATE. RESOLUTION NO. R2010-083.**

**7.18 Resale of foreclosed property at 5333 Williamsburg Drive to the previous owner in accordance with N.C.G.S. § 105-376(c).**

**8.0 OTHER ITEMS OF BUSINESS**

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

BOARDS/COMMISSIONS	RECOMMENDATION	TERM
<b>Fayetteville Advisory Committee on Transit (FACT)</b>		
1 ADA Representation	Lillie Henderson	1st (2-year term)
1 Transportation Industry Representation	David Wendelken	1st (2-year term)
<b>Taxicab</b>		
2 fill-in Appointments	Joseph Robinson George Butterfly	Fill-in for term expiring Sept. 2011
Alternate Fill-in	Vanessa Trollinger	Alternate fill-in for term expiring Sept. 2011
<b>Fayetteville Planning Commission</b>		
1 fill-in Appointment	Jimmy Holland	Fill-in for term expiring Sept 2011

**MOTION: Council Member Hurst moved to approve Appointment Committee recommendations for appointments to various boards and commissions.**

**SECOND: Council Member Crisp**

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

**8.2(a) FY 2011 Strategic Plan Policy and Management Action Agenda 1st Quarter Update**

**8.2(b) Fayetteville Cumberland County Chamber of Commerce Quarterly Economic Development Report**

This item was deferred to the November 22, 2010, City Council meeting.

**9.0 ADMINISTRATIVE REPORTS**

**9.1 Monthly statement of taxes for September 2010.**

2010 Taxes.....	\$2,256,509.35
2010 Vehicle.....	318,818.83
2010 Revit.....	6,446.24
2010 Vehicle Revit.....	390.39
2010 FVT.....	41,354.81
2010 Transit.....	41,354.80
2010 Storm Water.....	91,750.46
2010 Fay Storm Water.....	183,500.43
2010 Fay Recycle Fee.....	116,004.85
2010 Annex.....	0.00
2009 Taxes.....	35,629.10
2009 Vehicle.....	71,895.07
2009 Revit.....	163.83
2009 Vehicle Revit.....	15.01
2009 FVT.....	10,431.97
2009 Transit.....	10,431.99
2009 Storm Water.....	787.78
2009 Fay Storm Water.....	1,575.47
2009 Fay Recycle Fee.....	2,184.74
2009 Annex.....	17.92
2008 Taxes.....	3,928.01
2008 Vehicle .....	4,317.26

2008 Revit.....	0.00
2008 Vehicle Revit.....	0.00
2008 FVT.....	879.56
2008 Transit.....	672.44
2008 Storm Water.....	144.56
2008 Fay Storm Water.....	156.47
2008 Fay Recycle Fee.....	273.82
2008 Annex.....	0.00
2007 Taxes.....	1,401.11
2007 Vehicle .....	1,555.29
2007 Revit.....	0.00
2007 Vehicle Revit.....	0.00
2007 FVT.....	378.08
2007 Storm Water.....	36.88
2007 Fay Storm Water.....	50.76
2007 Annex.....	0.00
2006 and Prior Taxes.....	1,069.64
2006 and Prior Vehicle.....	3,310.44
2006 and Prior Revit.....	0.00
2006 and Prior Vehicle Revit.....	0.00
2006 and Prior FVT.....	664.08
2006 and Prior Storm Water.....	17.63
2006 Annex.....	31.37
Interest.....	15,829.61
Revit Interest.....	4.80
Storm Water Interest.....	108.75
Fay Storm Water Interest.....	178.53
Annex Interest.....	10.94
Fay Recycle Interest.....	210.11
Total Tax and Interest.....	\$3,224,493.18

**9.2 Revenue and Expenditure Report for annually budgeted funds for the two-month period ended August 31, 2010 and 2009.**

**10.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 7:22 p.m.