

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
AUGUST 8, 2016
7:00 P.M.**

Present: Mayor Nat Robertson

Council Members Katherine K. Jensen (District 1); Kirk deViere (District 2); Robert T. Hurst, Jr. (District 5); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp (District 9)

Absent: Council Members H. Mitchell Colvin, Jr. (District 3); Chalmers McDougald (District 4)

Others Present: Doug Hewett, Interim City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Rochelle Small-Toney, Deputy City Manager
Jay Reinstein, Assistant City Manager
Kevin Arata, Corporate Communications Director
Tracey Broyles, Budget and Evaluation Director
Rob Stone, Engineering and Infrastructure Director
Elizabeth Somerindyke, Internal Audit Director
Scott Shuford, Planning and Code Enforcement Director
Cheryl Spivey, Chief Financial Officer
Ben Major, Fire Chief
Jim Palenick, Economic and Business Development
Director
Brad Whited, Airport Director
Craig Harmon, Senior Planner
Karen Hilton, Planning and Zoning Manager
Lee Jernigan, Traffic Engineer
David Nash, Planner II
Mark Brown, PWC Customer Relations Director
Jane Starling, Deputy City Clerk
Pamela Megill, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Robertson called the meeting to order.

2.0 INVOCATION

The invocation was offered by Pastor Carrie Cameron, Upper Room Family Church.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the American Flag was led by Mayor Robertson.

4.0 ANNOUNCEMENTS AND RECOGNITIONS

Ms. Tammy Laurence, Director of the Fayetteville Area Habitat for Humanity, presented gifts to Council Member Jensen and Mrs. Kim Robertson for their tireless efforts helping to build a home on Hedgepeth Street. Ms. Laurence stated Habitat for Humanity is always looking to expand its volunteer base.

Mayor Robertson presented a proclamation to Mrs. Coco Ramirez and Ms. Gabby Ramirez, the wife and daughter of the late SFC (Ret.) Julio Cesar Ramirez proclaiming August 14, 2016, in honor of Mr. Ramirez for his tireless community efforts, work in local charities, and running events.

Mr. Buck Wilson, Health Director for the Cumberland County Department of Public Health, and Mr. Daniel Ortiz, Environmental Health Director for the Cumberland County Department of Public Health, presented a PowerPoint presentation on the Zika Virus.

5.0 APPROVAL OF AGENDA

MOTION: Council Member Crisp moved to approve the agenda with the exception of Items 6.03 and 8.01; to be pulled and deferred to the September 12, 2016, City Council meeting.

SECOND: Council Member deViere

VOTE: UNANIMOUS (8-0)

6.0 CONSENT AGENDA

MOTION: Council Member Jensen moved to approve the consent agenda with the exception of Item 6.02; to be pulled and deferred to the September 12, 2016, City Council meeting as a public hearing item.

SECOND: Council Member Crisp

VOTE: UNANIMOUS (8-0)

6.01 Approval of Meeting Minutes:

June 6, 2016 - Work Session

June 13, 2016 - Regular

June 14, 2016 - Special (NC Civil War History Center)

June 20, 2016 - Special

June 22, 2016 - Agenda Briefing

June 27, 2016 - Regular

6.02 P16-15F. The rezoning of property from OI Office and Institutional to LC Limited Commercial, located at the northwest corner of Stacy Weaver Drive and McArthur Road, and being the property of Thomas R. and Elizabeth McLean Foundation Inc. [NC Neighborhood Commercial is Recommended].

This item was pulled from the agenda by Council Member Jensen and deferred to the September 12, 2016, City Council meeting as a public hearing item.

6.03 P16-16F. The initial zoning of property from RR Rural Residential (County) to OI Office and Institutional, located at 4240 Clinton Road, and being the property of Mohamad Shakir.

This item was pulled from the agenda by Council Member Crisp and deferred to the September 12, 2016, City Council meeting.

6.04 Approval of a Municipal Agreement with NCDOT for the Development of a Comprehensive Pedestrian Plan and Adoption of Capital Project Ordinance 2017-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO EXECUTE A MUNICIPAL AGREEMENT WITH NCDOT FOR A COMPREHENSIVE PEDESTRIAN PLAN. RESOLUTION NO. R2016-059

6.05 Qualified Energy Conservation Bond (QECCB)

RESOLUTION AUTHORIZING REALLOCATION OF THE CITY'S QUALIFIED ENERGY CONSERVATION BOND ALLOCATION TO THE STATE OF NORTH CAROLINA FOR USE BY THE NORTH CAROLINA AGRICULTURAL FINANCE AUTHORITY IN ITS GREEN COMMUNITY PROGRAM. RESOLUTION NO. 2016-060

6.06 Adopt Resolution Authorizing the Sale of Personal Property by Public Auction

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AUTHORIZING THE SALE OF PERSONAL PROPERTY BY PUBLIC AUCTION. RESOLUTION NO. 2016-061

6.07 Budget Ordinance Amendment 2017-2 to Appropriate \$250,000.00 of Available Fiscal Year 2016 Budgeted Funding for the Police Department

Budget Ordinance Amendment 2017-2 will appropriate \$250,000.00 for the Police Department to fund software and equipment purchases. Carryover of this budgeted funding was anticipated in fund balance projections reviewed with Council during budget deliberations. The \$250,000.00 will be reflected as assigned fund balance in the financial statements for the fiscal year ending June 30, 2016.

6.08 Authorize Service Contract with Mott MacDonald for Park Bond Program Project Management

The funding for this service will come from the Parks Bond CIP. These services are appropriate for capitalization as part of the construction of the bond projects. A Capital Project Ordinance has been placed on this agenda providing up to \$100,000.00 in appropriation to support the execution of this contract. The proposed contract is for a lump sum amount of \$91,500.00.

6.09 Gateway Committee Request to PWC - Irrigation for Median Projects

The FY 17 Budget contains a total of \$477,500.00 in CIP funds to support all costs associated with these median projects.

- FY 16 CIP - \$152,500.00
- FY 17 CIP - \$250,000.00
- FY 18 CIP - \$75,000.00

6.10 Adoption of Capital Project Fund Ordinance Amendment 2017-20 for the Downtown Parking Deck

This project was initially established in 2010 for the construction of the Downtown Parking Deck which has been completed. Capital Project Fund Ordinance Amendment 2017-20 will appropriate \$1,900.00 in remaining investment income earned on the debt proceeds to be used for related debt service payments, and will allow for future closeout of the project.

6.11 Interlocal Contract for Cooperative Purchasing

Through the Purchasing Department, Fayetteville Fire/Emergency Management will purchase a fire engine and a ladder truck in FY 17. Over the past six years the department has purchased fire apparatus through the Houston-Galveston Area Council (HGAC) cooperative contract. HGAC is a cooperative purchasing agency that has a competitive bidding process with manufacturers of fire apparatus. This request is to continue to purchase apparatus through the HGAC contract.

6.12 Capital Project Ordinance 2017-12 for Development of an Implementation and Funding Plan for the Parks & Recreation Bond Projects

Project management services are needed in order to develop a detailed implementation and funding plan for the Parks and Recreation Bond Projects. Capital Project Ordinance 2017-12 will appropriate \$100,000.00 of initial funding for the development of these plans. The recommended source of funding is the use of anticipated bond proceeds.

6.13 Bid recommendation to award the contract for structures and equipment for the Butler-Warner Generation Plant POD No. 2 Upgrade (Re-Bid) to Substation Enterprises, Inc., the lowest responsive, responsible bidder in the amount of \$398,418.00.

Bids were received on June 14, 2016, as follows:

Substation Enterprises, Inc., Alabaster, AL \$398,418.00
M.D. Henry Co., Inc., Pelham, AL \$311,360.00

6.14 Bid recommendation to award the contract for installation of the Butler-Warner Generation Plant POD No. 2 Upgrade to Coastal Power and Electric, the lowest responsive, responsible bidder in the amount of \$1,727,896.00.

Bids were received on June 3, 2016, as follows:

Coastal Power & Electric, Wilmington, NC \$1,727,896.00

6.15 Bid recommendation to award the contract for Rockfish Creek Water Reclamation Facility Aeration Improvements, Phase 2 - Residuals Handling, to T.A. Loving Company, the lowest, responsive, responsible bidder in the amount of \$1,303,000.00.

Bids were received on June 14, 2016, as follows:

T. A. Loving Company, Goldsboro, NC \$1,303,000.00
Turner Murphy Company, Inc., Rock Hill, SC \$1,336,703.00
State Utility Contractors, Inc., Monroe, NC \$1,726,000.00

6.16 Bid recommendation to award the contract for Coley Drive Water Main Replacement to Sandy's Hauling and Backhoe Service, the lowest, responsive, responsible bidder in the amount of \$790,296.75.

Bids were received on June 3, 2016, as follows:

Sandy's Hauling & Backhoe Service, Roseboro, NC \$790,296.75

6.17 Bid recommendation to award the purchase of one 35,000 GVWR Cab and Chassis with 6 Cubic Yard Dump Body to Smith International Truck Center, the lowest, responsive, responsible bidder in the amount of \$98,600.00.

Bids were received on July 12, 2016, as follows:

Smith International Truck Center, Fayetteville, NC .. \$98,600.00
Piedmont Truck Center, Greensboro, NC \$84,975.00
Transource, Inc., Raleigh, NC \$93,331.00

6.18 Bid recommendation to award the purchase of one 15' Four-Wheel Drive Backhoe Loader to James River Equipment, the lowest, responsive, responsible bidder in the amount of \$91,135.00.

Bids were received on July 6, 2016, as follows:

James River Equipment, Hope Mills, NC.....\$91,135.00
Gregory Poole Equipment Co., Hope Mills, NC.....\$102,986.00
(1) Vause Equipment Company, Inc., Fayetteville, NC
 (Model B95CLR).....\$78,698.00
(2) Vause Equipment Company, Inc., Fayetteville, NC
 (Model B110C).....\$87,235.00

6.19 Tax Refunds Greater Than \$100.00.

<u>Name</u>	<u>Year</u>	<u>Basis</u>	<u>City Refund</u>
Knight, James Elbert	2011-2013	Corrected Assessment	\$296.51
TOTAL			<u>\$296.51</u>

7.0 PUBLIC FORUM

Mr. Steve Harper, 5707 Bashford Court, Fayetteville, NC, stated he has standing water in front of his house that has been there since mid-May due to the drains being clogged and expressed concerns over mosquito breeding in the stagnant water.

Ms. Kylee Medeiros, 1103 Lake Mont Court, Fayetteville, NC, expressed concerns over the flooding of a storm drain located next to her home, and stated she and her husband are refusing to sign the settlement agreement with the City.

Mr. Iman Eronomy Smith, 2700 Murchison Road, Fayetteville, NC, commented on the state of Fayetteville.

Mr. Mauro Bazan, 1035 Liberty Lane, Fayetteville, NC, stated he purchased his home a year ago, and since then it has been flooded five times. He stated Corner Stone, the developer, is refusing to help. The home has no electricity, and he and his family are no longer able to live in the house due to the deplorable condition of the \$289,000.00 brand new house, and asked for help.

8.0 PUBLIC HEARINGS

8.01 Annexation of the Shakir Property - 4200 Block of Clinton Road

This item was pulled from the agenda by Council Member Crisp and deferred to the September 12, 2016, City Council meeting.

9.0 OTHER ITEMS OF BUSINESS

9.01 City Council Authorization to Amend NC Department of Transportation Grant #362344.27.13.1 for Secondary Runway 10/28 Rehabilitation and Lighting, Adoption of Capital Project Ordinance Amendment 2017-19 and Capital Project Ordinance Closeout 2017-1, and Authorization for the Interim City Manager to Execute a Construction Contract with Barnhill Construction Co.

Mr. Brad Whited, Airport Director, presented this item and stated the North Carolina Department of Transportation (NCDOT) has approved additional grant funding for the construction phase of the project to rehabilitate the secondary runway paving and replace runway lights. Staff requests that Council authorize execution of the grant amendment, when awarded, and adopt Capital Project Ordinance Amendment 2017-19 to appropriate \$3,493,847.00 in additional state grant funds and \$388,206.00 for the required local match. The total project budget will be increased to \$4,131,793.00, to include the construction phase along with the design, bid, and environmental assessment phases already funded and completed. Council is also asked to adopt Capital Project Ordinance Closeout 2017-1 to allow for the use of \$349,000.00 that had previously been appropriated for local match funding for future NCDOT grants for this project. Finally, Council is asked to authorize the City Manager to execute a contract for construction with Barnhill Contracting Co., the lowest responsible bidder at a total of \$3,595,954.50, with a DBE percentage of 6.7 percent.

MOTION: Council Member Crisp moved to authorize staff to execute the grant amendment for NCDOT grant project 362344.27.131, adopt Capital Project Ordinance Amendment 2017-19 and Capital Project Ordinance Closeout 2017-1, and authorize the Interim City Manager to execute the construction contract with Barnhill Contracting Co.

SECOND: Council Member Wright

VOTE: UNANIMOUS (8-0)

10.0 ADMINISTRATIVE REPORTS

10.01 Monthly Statement of Taxes - June 2016

2015 Taxes	140,821.67
2015 Vehicle	52.72
2015 Taxes Revit	299.62
2015 Vehicle Revit	0.00
2015 FVT	0.00
2015 FTT	0.00
2015 Storm Water	6,470.08

2015 Fay Storm Water	12,940.12
2015 Fay Solid Waste Fee	10,826.71
2015 Annex	0.00
2014 Taxes	9,812.50
2014 Vehicle	0.00
2014 Taxes Revit	0.00
2014 Vehicle Revit	0.00
2014 FVT	0.00
2014 FTT	0.00
2014 Storm Water	330.47
2014 Fay Storm Water	594.84
2014 Fay Solid Waste Fee	721.25
2014 Annex	0.00
2013 Taxes	1,853.23
2013 Vehicle	950.04
2013 Taxes Revit	0.00
2013 Vehicle Revit	0.00
2013 FVT	160.00
2013 FTT	160.00
2013 Storm Water	74.36
2013 Fay Storm Water	148.73
2013 Fay S Waste Fee	273.48
2013 Annex	0.00
2012 Taxes	830.58
2012 Vehicle	1,006.98
2012 Taxes Revit	0.00
2012 Vehicle Revit	0.00
2012 FVT	210.53
2012 FTT	210.53
2012 Storm Water	12.00
2012 Fay Storm Water	24.00
2012 Fay S Waste Fee	38.00
2012 Annex	0.00
2011 and Prior Taxes	806.42
2011 and Prior Vehicle	1,899.44
2011 and Prior Taxes Revit	0.00
2011 and Prior Vehicle Revit	0.00
2011 and Prior FVT	331.19
2011 and Prior FTT	201.20
2011 and Prior Storm Water	36.00
2011 and Prior Fay Storm Water	72.00
2011 and Prior Fay S Waste Fee	114.00
2011 and Prior Annex	0.00
Interest	12,021.57
Revit Interest	14.23
Storm Water Interest	460.12
Fay Storm Water Interest	890.05
Annex Interest	0.00
Solid Waste Interest	850.50
Fay Transit Interest	232.69
Total Tax and Interest	\$206,751.85

11.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:01 p.m.