

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
COUNCIL CHAMBER  
FEBRUARY 13, 2017  
7:00 P.M.**

Present: Mayor Nat Robertson (via telephone)

Council Members Katherine K. Jensen (District 1); Kirk deViere (District 2); H. Mitchell Colvin, Jr. (District 3); Chalmers McDougald (District 4); 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, Jr. (District 9)

Others Present: Douglas Hewett, City Manager  
Karen McDonald, City Attorney  
Kristoff Bauer, Deputy City Manager  
Jay Reinstein, Assistant City Manager  
Cheryl Spivey, Chief Financial Officer  
Kevin Arata, Corporate Communications Director  
Rob Stone, Engineering and Infrastructure Director  
Tracey Broyles, Budget and Evaluation Director  
Jim Palenick, Economic and Business Development Director  
Mark Brown, PWC Customer Relations  
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 Chaplain William McCoy.

**3.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the American Flag was led by Mayor Pro Tem Colvin and City Council.

**4.0 ANNOUNCEMENTS AND RECOGNITION**

Ms. Tracey Broyles, Budget and Evaluation Director, provided an overview of the Capital Project Ordinances and Budget Ordinance Amendment items listed on the consent agenda.

Mayor Pro Tem Colvin announced and welcomed the attendance of James Jensen representing the Cumberland-Fayetteville Youth Council.

**5.0 APPROVAL OF AGENDA**

**MOTION:** Council Member Wright moved to approve the agenda.  
**SECOND:** Council Member Hurst  
**VOTE:** UNANIMOUS (10-0)

**6.0 CONSENT**

**MOTION:** Council Member Crisp moved to approve the consent agenda.  
**SECOND:** Council Member McDougald  
**VOTE:** UNANIMOUS (10-0)

**6.01 Resolution to Abandon PWC Utility Easement - Downtown Lane Subdivision**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO ABANDON EXISTING PWC EASEMENT. RESOLUTION NO. R2017-003**

**6.02 Capital Project Ordinances 2017-23, 2017-24 and 2017-25 for Restoration of Infrastructure Damaged during Hurricane Matthew, including Shawcroft Road, Offing Drive, and N. Cool Springs Street**

Appropriates funding anticipated to be received from the Federal Emergency Management Agency (FEMA) and the North Carolina Department of Public Safety (NC DPS) to establish project funding for the restoration of Shawcroft Road (CPO 2017-23 - \$1,190,818.00), Offing Drive (CPO 2017-24 - \$938,232.00), and N. Cool Spring Street (CPO 2017-25 - \$2,366,028.00). All three roadways sustained considerable damage during Hurricane Matthew.

**6.03 Budget Ordinance Amendment 2017-13 to Appropriate Additional Funding for Hurricane Matthew Recovery**

Budget Ordinance Amendment 2017-13 (BOA 2017-13) will appropriate additional funding for Hurricane Matthew response and recovery expenditures. It is anticipated that the Federal Emergency Management Agency (FEMA) and the North Carolina Department of Public Safety (NC DPS) will provide 75 percent and 25 percent reimbursements respectively for eligible expenditures, although some local funding is expected to be required for replacement of vehicles damaged beyond repair.

**6.04 Capital Project Ordinance 2017-26 for the Restoration of the Alexander Street Buildings Damaged during Hurricane Matthew**

Capital Project Ordinance 2017-26 will appropriate \$290,000.00 to fund the costs associated with the restoration of City buildings at 333, 335, and 339 Alexander Street. These facilities sustained considerable flood damage during Hurricane Matthew and eligible repairs totaling \$252,500.00 are expected to be funded through reimbursements from the Federal Emergency Management Agency (FEMA), the North Carolina Department of Public Safety (NC DPS), and insurance coverage. Additional project costs totaling \$37,500.00 for required ADA accessibility modifications and ceiling painting and tile replacements will require funding from the General Fund fund balance.

**6.05 Capital Project Ordinance 2017-27 for Emergency Repairs to Siple Avenue damaged during Hurricane Matthew**

Capital Project Ordinance 2017-27 will appropriate \$593,375.00 in expected reimbursement from the Federal Emergency Management Agency (FEMA) and the North Carolina Department to Public Safety (NC DPS) to establish project funding for the emergency repairs completed at Siple Avenue. The roadway sustained considerable damage during Hurricane Matthew.

**6.06 Budget Ordinance Amendment 2017-14 to Appropriate Funding for FEMA Hazard Mitigation Grant Consulting Assistance and Un-Reimbursable Costs for the Restoration of Alexander Street Facilities**

Budget Ordinance Amendment 2017-14 (BOA 2017-14) will appropriate \$50,000.00 of additional expected reimbursements from the Federal Emergency Management Agency (FEMA) and the North Carolina Department of Public Safety (NC DPS) to allow for the execution of a contract with Tetra Tech for consulting assistance to seek Hazard Mitigation grant funding. In addition, BOA 2017-14 will appropriate \$37,500.00 from General Fund fund balance for the capital project to restore the Alexander Street facilities for costs not expected to be reimbursed by FEMA, NC DPS or insurance proceeds.

## **7.0 REPORTS FROM BOARDS AND COMMISSIONS**

### **7.01 Annual Report from the Joint Appearance Commission**

Mr. Johnny Lanthorn, Joint Appearance Commission Chair, provided the Joint Appearance Commission annual report, and stated the Commission met a total of ten times in the past year. The Commission has participated in the Gateway Overlay discussions, and partnered with Cumberland County Schools for the celebration of Arbor Day, this event helped towards the City maintaining its Tree City designation.

## **8.0 PUBLIC FORUM**

Mr. John Autry, 1813 Finnegan, Fayetteville, NC, expressed concerns regarding stormwater flooding at his home for the past 16 years.

Mr. Steve Harper, 5707 Bashford Court, Fayetteville, NC, expressed concerns regarding flooding issues in his neighborhood.

Mr. Jerry Reinhoel, 516 Deer Path Drive, Fayetteville, NC, expressed opposition to potential annexation of Shaw Heights.

Mr. Charles Matthews, 3618 Tindall Court, Fayetteville, NC, thanked Mr. Hewett, Ms. McDonald, Mr. Stone and Mr. Gibson for participating in a road trip to view stormwater and drainage problem areas.

Ms. Tisha Waddell, 1119 Lanau Road, Fayetteville, NC, read a statement pertaining to stormwater issues with Rose Lake and easement problem areas.

Mr. Robert Van Goens, President and CEO, FCEDC, thanked the community for the warm welcome he and his family members have received, and expressed his gratitude for the opportunity to serve the community.

## **9.0 OTHER ITEMS OF BUSINESS**

### **9.01 Stadium Construction Manager at Risk ("CM@R") Contract Award and Adoption of Capital Project Ordinance Amendment 2017-28**

Mr. Douglas Hewett, City Manager, presented this item and stated Council awarded the design contract to Populous on October 24, 2016, and approved the Operating Agreement with the Houston Astros on December 13, 2016. He stated the award of the Construction Manager at Risk (CM@R) is the item before Council this evening. The RFP was issued on January 3, 2017, and there was only one response, so a RFQ was issued on January 26, 2017, and four responses were received. Mr. Hewett provided a slide that depicted the timeline of the Baseball Stadium construction, with the play ball planned for the spring of 2019. The Baseball Committee unanimously voted to recommend the CM@R contract be awarded to Barton Malow.

Council Member Arp thanked the Baseball Committee, staff, and the three very capable vendors that presented to the Baseball Committee on February 9, 2017.

Mayor Pro Tem Colvin stated as Chair of the Baseball Committee he wants to thank the Baseball Committee members and staff for their hard and diligent work. As we agreed, my concern is that there is local and minority participation in this and all major projects that meets the Council's interest.

Council Member Wright stated he thinks Barton Malow will do a great job, and he will work to maximize local and minority as much as possible with this project.

**MOTION:** Council Member Arp moved to authorize the City Manager to negotiate a construction manager at risk contract with Barton Malow and adopt the Capital Project Ordinance Amendment 2017-28 as presented and that the construction manager at risk contract be presented to Council for final approval.

**SECOND:** Council Member Wright

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

#### **10.0 ADMINISTRATIVE REPORTS**

##### **10.01 Fiscal Year Ended June 30, 2016 Comprehensive Annual Financial Report and Audit Results**

Council Member Crisp stated the Internal Audit Committee is looking at this item very closely, we are a well-rounded Committee, and we are into the details. The Committee will be meeting soon to select a new internal auditor.

**MOTION:** Council Member Arp moved to accept the report as presented.

**SECOND:** Council Member McDougald

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

#### **11.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 8:00 p.m.