

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

Present: Mayor Nat Robertson

Council Members Kirk deViere (District 2); Chalmers McDougald (District 4); Robert T. Hurst, Jr. (District 5); William J. L. Crisp (District 6); Theodore Mohn (District 8); James W. Arp, Jr. (District 9)

Absent: Council Members Katherine K. Jensen (District 1); H. Mitchell Colvin, Jr. (District 3); Larry O. Wright, Sr. (District 7)

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
Scott Shuford, Planning and Code Enforcement Director
Kevin Arata, Corporate Communications Director
Rob Stone, Engineering and Infrastructure Director
Tracey Broyles, Budget and Evaluation Director
Michael Gibson, Parks, Recreation and Maintenance Director
Michael Petti, Assistant Police Chief
Randy Hume, Transit Director
Victor Sharpe, Community Development Director
Mark Brown, PWC Customer Relations
Donald Kunish, Tetra Tech
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 Reverend Ted Smith, Sr., Executive Secretary of Union Missionary Baptist Association.

3.0 PLEDGE OF ALLEGIANCE

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

4.0 ANNOUNCEMENTS AND RECOGNITION

Mr. Donald Kunish, Tetra Tech, provided an update on the Hazard Mitigation with the aid of a PowerPoint presentation. Mr. Kunish stated at the February 6, 2017, work session, Council had reviewed four options, and selected Tier Four. Tetra Tech and City staff is prepared to begin the application process. Eligible homeowners will have the choice of one of three options: (1) Acquisition and demolition or buyout, (2) structure elevation or house raising, or (3) mitigation reconstruction or demolish and rebuild. Outreach will include mailing documents to all homeowners in a floodway or floodplain within the City. Over 600 properties have been identified. Homeowners will complete and return required supporting documentation. City staff and consultants will be available to assist homeowners preparing documents if requested. The City will complete and submit the Hazard Mitigation Grant Program application for the purpose of mitigating future flood risk. Mr. Kunish provided a timeline for upcoming events.

Council Member Hurst announced the 11th Annual Fayetteville Beautiful will take place April 2, 2017, and invited the public to join the event.

5.0 APPROVAL OF AGENDA

MOTION: Council Member Crisp moved to approve the agenda with the exception of Item 9.02 to be tabled to the March 27, 2017, City Council regular meeting agenda.

SECOND: Council Member McDougald

VOTE: UNANIMOUS (7-0)

MOTION: Council Member deViere moved to excuse Council Members Jensen, Colvin, and Wright from the meeting.

SECOND: Council Member Arp

VOTE: UNANIMOUS (7-0)

6.0 CONSENT

MOTION: Council Member Hurst moved to approve the consent agenda.

SECOND: Council Member Arp

VOTE: UNANIMOUS (7-0)

6.01 Approval of Meeting Minutes:

February 17, 2017 - Special

February 18- 2017 - Special

6.02 Call for Public Hearing Regarding Master Development Agreement with Prince Charles Holding ("PCH") and Extension of Memorandum of Understanding

Council authorized a public hearing regarding the proposed MDA on March 27, 2017, and authorized the City Manager to execute an extension to the MOU with PCH through March 31, 2017.

6.03 Approval of a Municipal Agreement with the North Carolina Department of Transportation to Install Landscaping and Irrigation in the Round-About at Camden and Cumberland Roads and Adoption of Capital Project Ordinance 2017-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE FOR THE INSTALLATION OF LANDSCAPE PLANTINGS AND IRRIGATION ON CAMDEN ROAD AT THE ROUND-ABOUT WITH CUMBERLAND ROAD. RESOLUTION NO. R2017-008

6.04 Approval of a Municipal Agreement with the North Carolina Department of Transportation to Install Landscaping and Irrigation on I-95 Business/US 301 (Eastern Boulevard) near the Cape Fear River and Adoption of Capital Project Ordinance 2017-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE FOR THE INSTALLATION OF LANDSCAPE PLANTINGS AND IRRIGATION ON I-95 BUSINESS/US 301 (EASTERN BOULEVARD) NEAR THE CAPE FEAR RIVER. RESOLUTION NO. 2017-009

6.05 Approval of an Ordinance for State System road closures for the All-American Marathon

AN ORDINANCE DECLARING ROAD CLOSURES FOR THE ALL-AMERICAN MARATHON. ORDINANCE NO. NS2017-007

6.06 Capital Project Ordinance 2017-41 to Appropriate the 2017 Fayetteville's Cyber Crime Project Grant for the Purchase of Computer Equipment and Supplies)

Capital Project Ordinance 2017-41 appropriated \$40,000.00 of state grant funds awarded by the North Carolina Department of Public Safety, Governor's Crime Commission for the 2017 Fayetteville's Cyber

Crime Project. The grant project funds the purchase of computer equipment and related supplies for use in the Cyber Crimes Unit.

6.07 Limited Obligation Bonds to Finance City Hall Renovations and Certain Refundings

RESOLUTION CALLING A PUBLIC HEARING IN CONNECTION WITH THE FINANCING OF RENOVATIONS AND IMPROVEMENTS TO THE CITY HALL AND THE REFINANCING OF CERTAIN INSTALLMENT FINANCING AGREEMENTS. RESOLUTION NO. R2017-010

6.08 Adoption of Capital Project Ordinance Amendment 2017-34 and Authorization to Accept Grant Funding for the Parks and Recreation Bond Project at Massey Hill Recreation Center

Council authorized the acceptance of the grant from the Baseball Tomorrow Fund and to adopt Capital Project Ordinance Amendment 2017-34 to appropriate the grant funding.

6.09 Adoption of Capital Project Ordinance 2017-45 to Appropriate the 2016-2017 Downtown Revitalization Grant from the North Carolina Department of Commerce, Rural Economic Development Division

Capital Project Ordinance 2017-45 appropriated \$94,340.00 awarded to the City by the North Carolina Department of Commerce, Rural Economic Development Division under its 2016-2017 Downtown Revitalization grant program. The funding will assist with expenses to install the pedestrian bridge and associated streetscape and landscaping along Ray Avenue at Cross Creek.

6.10 Adoption of Budget Ordinance Amendment 2017-17, Capital Project Ordinance Amendment 2017-23, Capital Project Ordinance 2017-44 and Capital Project Ordinance 2017-46 to Appropriate and Align Funding for Three Shawcroft Road Related Projects, and Bid Award for Shawcroft Road Temporary Culvert Repair

Budget Ordinance Amendment (BOA) 2017-17 and Capital Project Ordinance (CPO) 2017-46 appropriated \$238,700.00 from General Fund fund balance for this project. Awarding the contract for the construction of the Shawcroft Road temporary culvert to Sandy's Hauling, Roseboro, NC, the apparent lowest, responsible bidder, in the amount of \$217,000.00. In addition, on February 13, 2017, Council adopted CPO 2017-23 to appropriate \$1,190,818.00 for the Shawcroft restoration project, which included funding for the permanent restoration of the road and for the temporary access road at Cottage Way. Capital Project Ordinance Amendment (CPOA) 2017-33 and CPO 2017-44 are to separate the \$250,000.00 appropriated for the temporary access road into an additional CPO.

6.11 Transit Grant Subrecipient Agreements for Federal Transit Administration Section 5310, Enhanced Mobility of Seniors and Individuals with Disabilities

The City is the Designated Recipient for Federal Transit Administration (FTA) grant programs in the Fayetteville urbanized area. FTA has approved a grant under its Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310). The City/FAST submitted the application for this program based on the projects selected by FAMPO. The grant provides grant funding to Spring Lake, Mid-Carolina Council of Governments (MCCOG) and Cumberland Residential and Employment Services and Training Inc. (CREST). These will be grant sub-recipients to the City/FAST. Projects include a sidewalk accessibility project in Spring Lake, a taxi-voucher program within Cumberland County and vehicles and operating costs for CREST to provide door-to-door transit services for persons with disabilities to facilitate employment and vocational training.

6.12 Selection of Independent Auditor

Council approved the selection of RSM as recommended by the City's Audit Committee.

6.13 Adoption of Special Revenue Fund Project Ordinance 2017-6 to Appropriate Transit Grant NC-2016-014-00 for Fayetteville Urban Area Elderly and Disabled Projects for Sub-Recipients

The Federal Transit Administration (FTA) has awarded a \$621,699.00 grant to the City under its Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program. The projects funded under this grant are for the following sub-recipients: Town of Spring Lake, Mid-Carolina Council of Governments (MCCOG), and Cumberland Residential and Employment Services and Training, Inc. (CREST). The City receives \$21,277.00 in grant funding for administration of this grant. This Special Revenue Fund Project Ordinance (SRO 2017-6) will appropriate only the \$480,613.00 of federal funds for this grant as the \$141,086.00 of required local match is to be funded by the sub-recipients.

7.0 REPORTS FROM BOARDS AND COMMISSIONS

7.01 Annual Report from the Historic Resources Commission

Ms. Megan Maxwell, Historic Resources Commission Chair, presented the Historic Resources Commission Annual Report and stated the Fayetteville Historic Resources Commission's Statement of Purpose was to safeguard the heritage of the City of Fayetteville by preserving, in accordance with law, any property therein that embodies important elements of its cultural, social, economic, political, or architectural history, and to promote the use and conservation of such property for the education, pleasure, and enrichment of the residents of the City, County, and State as a whole. The Fayetteville Historic Resources Commission (HRC), a quasi-judicial body, was established by City Council in accordance with North Carolina General Statutes. On November 9, 1999, the City of Fayetteville's HRC was approved as a Certified Local Government by the National Park Service upon the recommendation of the State Historic Preservation Officer. As a Certified Local Government, the City of Fayetteville is required to file an annual report on the activities of the HRC to ensure that the standards required are being met. Each year the HRC has received a favorable review from the State Historic Preservation Office. The Commission works closely with project proponents of historic landmarks or properties in the historic districts to ensure compliance with the *Design Guidelines for Fayetteville's Historic Districts and Local Landmarks* while meeting the needs of the citizens. One of the requirements of a CLG is mandated annual historic preservation training. In order to meet that standard, two commissioners and one City staff member have the option to attend the annual statewide historic preservation conference which covers topics ranging from the legal process to design review. Another program requirement for a CLG is an active public education program. Every year students ranging from elementary school students to college students engage in special tours of Fayetteville's historic districts to learn about local history and architecture. Many other local groups receive the same type of guided tours. The HRC is also involved in the review and recommendation of new properties for the National Register of Historic Places and the Fayetteville Historic Districts and Local Landmarks program. With jurisdiction on all exterior features in the historic districts and on local landmarks, the Commission is responsible for the review of new construction, demolition, and changes to existing structures, sites, and streetscapes.

8.0 PUBLIC FORUM

Mr. Charles Matthews, 3618 Tindall Court, Fayetteville, NC, expressed concerns and his proposed solution to flooding in Fayetteville.

Mr. Alejandro Rosado, 115 Cochran Avenue, Fayetteville, NC, expressed concerns regarding an abandoned property located at 201 Cochran Avenue.

Mr. Willie L. William, 1165 Sand Hill Road, Hope Mills, NC, spoke in favor of the proposed Shaw Heights annexation.

Mr. Jerry Reinoehl, 516 Deerpath Drive, Fayetteville, NC, spoke in favor of the proposed Shaw Heights annexation on the condition that the County bring the area into compliance with the County code standards, prior to any annexation.

9.0 OTHER ITEMS OF BUSINESS

9.01 Presentation of Appointment Committee Recommendations for Boards and Commissions Appointments

MOTION: Council Member Hurst moved to approve the following appointments:

Airport Commission

Mr. John Lewis (2nd term)	April 2017-March 2019
Mr. Naynesh Mehta (2nd term)	April 2017-March 2019
Mr. Herbert Gene Vance (2nd term)	April 2017-March 2019
Ms. Dawn Gibson (1st term)	April 2017-March 2019
Ms. Katherine Marable (1st term)	April 2017-March 2019

Fair Housing Board

Ms. Loleta Wilkerson (2nd term)	April 2017-March 2019
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Fayetteville Advisory Committee on Transit

Ms. Sharon Collins (1st term bus rider)	April 2017-March 2019
Mr. Victor Glover (1st term outside service area)	April 2017-March 2019
Mr. Nerry "Tim" Wall (2nd term ADA rep.)	April 2017-March 2019
Ms. Margaret Johnson (Partial term)	April 2017-March 2018

Fayetteville City Zoning Commission

Ms. Sharon Toland (Partial term alternate)	April 2017-Sept. 2018
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Fayetteville Redevelopment Commission

Ms. Tisha Waddell (Partial term)	April 2017-March 2019
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Fayetteville-Cumberland Human Relations Commission

Mr. Wesley Fountain (Partial term)	April 2017-Sept. 2018
Ms. Georgiana Pinckney (Partial term)	April 2017-Sept. 2018

Historic Resources Commission

Mr. Christopher Frank (2nd term category 1)	April 2017-March 2019
Mr. Henry Tyson (1st term category 2)	April 2017-March 2019
Ms. Megan Maxwell (2nd term category 6)	April 2017-March 2019
Ms. Brittany Merchant (1st term category 2)	April 2017-March 2019
Mr. Dwight Palmer (2nd term category 6)	April 2017-March 2019
Mr. Bruce Arnold (1st term category 5)	April 2017-March 2019

Joint Fayetteville-Cumberland Senior Citizens Advisory Commission

Ms. Ashley Brown-Sow (1st term)	April 2017-Sept. 2019
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Linear Park, Inc.

Ms. Molly Arnold (5th term)	April 2017-March 2020
Mr. Robert Barefoot (3rd term)	April 2017-March 2020

NC Firemen's Relief Fund Board

Mr. Calvin Bishop (1st term)	April 2017-March 2019
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Personnel Review Board

Ms. Christa Leggette (2nd term)	April 2017-March 2019
Mr. Ernest Jones (1st term)	April 2017-March 2019

Ms. Edith Mclean (1st term) April 2017-March 2019

Public Arts Commission

Mr. Jimmy Plater (1st term) April 2017-March 2019

Ms. Socorro Hernandez-Hinek (2nd term) April 2017-March 2019

Mr. Tolulope Adeyemi (1st term) April 2017-March 2019

Stormwater Advisory Board

Mr. Dan Travieso (1st term) April 2017-Sept. 2019

SECOND: Council Member Crisp

VOTE: UNANIMOUS (7-0)

9.02 Council Resolutions-Legislative Priorities 2017 Long Session

This item was tabled to the City Council March 27, 2017, regular meeting agenda.

10.0 ADMINISTRATIVE REPORTS

10.01 Monthly Statement of Taxes - February 2017

2016 Taxes	1,336,391.95
2016 Vehicle	629.31
2016 Taxes Revit	7,631.63
2016 Vehicle Revit	0.00
2016 FVT	0.00
2016 FTT	0.00
2016 Storm Water	165,409.90
2016 Fay Solid Waste Fee	71,285.76
2016 Annex	0.00
2015 Taxes	12,347.89
2015 Vehicle	0.00
2015 Taxes Revit	2.16
2015 Vehicle Revit	0.00
2015 FVT	0.00
2015 FTT	0.00
2015 Storm Water	206.87
2015 Fay Storm Water	413.74
2015 Fay Solid Waste Fee	606.81
2015 Annex	0.00
2014 Taxes	3,775.28
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	90.00
2014 Fay Storm Water	162.00
2014 Fay S Waste Fee	240.00
2014 Annex	0.00
2013 Taxes	793.50
2013 Vehicle	595.37
2013 Taxes Revit	0.00
2013 Vehicle Revit	0.00
2013 FVT	55.15
2013 FTT	55.14
2013 Storm Water	17.49
2013 Fay Storm Water	34.98
2013 Fay S Waste Fee	55.38
2013 Annex	0.00
2012 and Prior Taxes	624.95
2012 and Prior Vehicle	954.45
2012 and Prior Taxes Revit	0.00
2012 and Prior Vehicle Revit	0.00

2012 and Prior FVT	187.79
2012 and Prior FTT	172.78
2012 and Prior Storm Water	24.00
2012 and Prior Fay Storm Water	24.00
2012 and Prior Fay S Waste Fee	0.00
2012 and Prior Annex	0.00

Interest	39,878.95
Revit Interest	219.75
Storm Water Interest	63.30
Fay Storm Water Interest	4,303.95
Annex Interest	0.00
Solid Waste Interest	2,044.09
Fay Transit Interest	115.09

Total Tax and Interest \$1,649,413.41
This item was for information only, no action was taken.

11.0 ADJOURNMENT

There being no further business, the meeting adjourned at
7:47 p.m.