

# DRAFT

FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
COUNCIL CHAMBER  
MAY 14, 2018  
7:00 P.M.

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Tisha S. Waddell (District 3); Johnny Dawkins (District 5); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7); Theodore Mohn (District 8); James W. Arp, Jr. (District 9)

Absent: Council Member D. J. Haire (District 4)

Others Present: Douglas Hewett, City Manager  
Karen McDonald, City Attorney  
Kristoff Bauer, Deputy City Manager  
Jay Reinstein, Assistant City Manager  
Telly Whitfield, Assistant City Manager  
Gina Hawkins, Police Chief  
Tracey Broyles, Budget and Evaluation Director  
Rob Stone, Public Services Director  
Randy Hume, Transit Director  
Brad Whited, Airport Director  
Cindy Blot, Economic and Community Development  
Director  
Cheryl Spivey, Chief Financial Officer  
Jay Toland, Special Assistant to the City Manager  
Kevin Arata, Corporate Communications Director  
Kecia Parker, Real Estate Manager  
Mark Brown, PWC Customer Relations Manager  
Pamela Megill, City Clerk  
Members of the Press

## 1.0 CALL TO ORDER

Mayor Colvin called the meeting to order.

## 2.0 INVOCATION

The invocation was offered by Council Member Wright.

## 3.0 PLEDGE OF ALLEGIANCE

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

## 4.0 ANNOUNCEMENTS AND RECOGNITION

### Announcements:

Mayor Colvin presented a Resolution in recognition of the Child Abuse Prevention Plan to Ms. Mary McCoy.

Mayor Colvin presented a Resolution in recognition of support of HB662 Carolina Cares to Ms. Jenn Alexander.

Mayor Colvin presented a Proclamation to Mr. Rob Stone, Public Services Director, proclaiming the week of May 21-27, 2018, as National Public Works Week.

Mayor Colvin presented Certificates of Appreciation for Project Homeless Connect to Gaaron Goldsmith, Morgan Shelton, Maritza Goldsmith, Jeffery Ziegler for Heal the Land Ministries, Ursula Brooks Shaw, Kourtney Brooks, Kelleigh Paul, Kennedy Brooks, and Teresa Anthony.

# DRAFT

Mayor Colvin presented a Certificate of Appreciation to the wife, Mrs. Benny White, of deceased CSM Marion White.

Council Member Dawkins announced a Better Business Rally will take place on May 22, 2018, at FTCC Horace Sisk Building from 3:00 until 7:00 p.m.

Council Member Arp announced the Fort Bragg 82nd Airborne Division All American Week will begin next week on Fort Bragg.

Council Member Jensen introduced Fayetteville-Cumberland Youth Committee Member Demetrius Black, Senior, Greys Creek High School.

Mayor Colvin announced a District 2 Community meeting is scheduled for 7:00 p.m. on May 15, 2018, at the Second Missionary Baptist Church, Fayetteville.

Mayor Colvin announced Council Member Haire is absent due to a family illness.

## 5.0 APPROVAL OF AGENDA

**MOTION:** Council Member Wright moved to approve the agenda.

**SECOND:** Council Member Dawkins

**VOTE:** UNANIMOUS (8-0)

## 6.0 CONSENT AGENDA

**MOTION:** Mayor Pro Tem Mohn moved to approve the consent agenda.

**SECOND:** Council Member Dawkins

**VOTE:** PASSED by a vote of 7 in favor to 1 in opposition (Council Member Arp)

### 6.01 Resolution to Set a Public Hearing to Consider Closing a Portion of Shenandoah Drive

A RESOLUTION AUTHORIZING A PUBLIC HEARING REGARDING THE PROPOSED CLOSING OF A PORTION OF SHENANDOAH DRIVE. RESOLUTION NO. R2018-025

### 6.02 Resolution Authorizing Conveyance of City-Owned Property to County

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO DECLARE CITY PROPERTY SURPLUS AND CONVEY THE CITY PROPERTY TO CUMBERLAND COUNTY. RESOLUTION NO. R2018-026

### 6.03 Adoption of a Resolution Authorizing Condemnation of Easement, and Capital Project Ordinance Amendments 2018-54 and 2018-55 to Transfer Funding for the Owen Drive Sidewalk Project

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING THE CONDEMNATION ACTION FOR THE SIDEWALK EASEMENT NEEDED FOR THE OWEN DRIVE SIDEWALK PROJECT. RESOLUTION NO. R2018-027

### 6.04 Approval of Municipal Certificate with NCDOT for speed limit reduction on Morganton Road between Cliffdale and McPherson Church Roads

CERTIFICATION OF MUNICIPAL DECLARATION TO REPEAL SPEED LIMITS AND REQUEST FOR CONCURRENCE: SR1404 (MORGANTON ROAD) FROM McPHERSON CHURCH ROAD, EASTWARD TO SR1400 (CLIFFDALE ROAD). ORDINANCE NO. NS2018-010

### 6.05 Capital Project Ordinance Amendments 2018-56 and 2018-60 to Provide Additional Funding for the Godfrey Outfall Drainage Improvements

## **DRAFT**

Capital Project Ordinance Amendment (CPOA) 2018-56 will reduce the project appropriation for Spruce Street drainage improvements included in the FY 2016 stormwater project ordinance by \$287,818.00 to provide a source of funds for CPOA 2018-60 to increase the appropriation for the Godfrey Outfall drainage improvement project included in the FY 2015 stormwater project ordinance. Both projects are funded by transfers from the Stormwater Operating Fund, thus allowing flexibility for Council to redirect the funds. Additional funding is needed for the Godfrey Outfall drainage project due to unforeseen conditions identified in the field during construction.

### **6.06 Adoption of a Resolution Authorizing a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for the Development of a Comprehensive Bicycle Plan and Adoption of Capital Project Ordinance 2018-35**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO EXECUTE A MUNICIPAL AGREEMENT WITH NCDOT FOR A COMPREHENSIVE BICYCLE PLAN. RESOLUTION NO. R2018-028**

### **6.07 Adopt a Resolution Declaring Jointly-Owned Real Property Surplus and Authorizing a Quitclaim Deed of the City's Title to the County**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE TO DECLARE CITY PROPERTY SURPLUS AND QUITCLAIM CITY'S INTEREST IN JOINTLY-HELD PROPERTY TO CUMBERLAND COUNTY. RESOLUTION NO. R2018-029**

### **6.08 Adoption of Capital Project Ordinance Amendments 2018-57 for Transit Grant NC-2016-030, 2018-58 for Transit Grant NC-90-X567 and 2018-59 for Transit Grant NC-90-X592**

The Federal Transit Administration (FTA) has approved grant budget revisions that will enable the City to expend remaining grant funds and proceed toward closing out the following grants: NC-2016-030, NC-90-X592 and NC-90-X567. Three Capital Project Ordinance Amendments (CPOAs) are necessary to adjust local grant match funding sources due to transfers from grant line items for which the federal funding shares were 83 to 85 percent to new line items for which the federal funding share is 80 percent, and also to line items for which matching funds from the North Carolina Department of Transportation (NCDOT) have not been approved. In total, the CPOAs will appropriate an additional \$1,627.00 in City funds for grant matches, while the total federal amount remains the same.

### **6.09 Resolution Terminating Utility Easement**

**RESOLUTION TERMINATING UTILITY EASEMENT. RESOLUTION NO. R2018-030**

### **6.010 Resolution to Appoint Jay C. Toland as Acting Finance Officer**

**RESOLUTION APPOINTING JAY C. TOLAND ACTING FINANCE OFFICER. RESOLUTION NO. R2018-031**

### **6.011 Resolution Authorizing the Conveyance of Tangible Personal Property to FTCC**

**RESOLUTION AUTHORIZING THE CONVEYANCE OF TANGIBLE PERSONAL PROPERTY TO FAYETTEVILLE TECHNICAL COMMUNITY COLLEGE. RESOLUTION NO. R2018-032**

### **6.012 Resolution Authorizing the Conveyance of Right of Way to NCDOT**

**RESOLUTION AUTHORIZING THE CONVEYANCE OF RIGHT OF WAY TO NORTH CAROLINA DEPARTMENT OF TRANSPORTATION. RESOLUTION NO. R2018-033**

### **6.013 Adoption of Proposed Resolution of Intent - Four-Year Terms**

# DRAFT

CITY OF FAYETTEVILLE RESOLUTION OF INTENT TO AMEND THE CITY CHARTER TO CHANGE THE MODE OF ELECTING CITY COUNCIL. RESOLUTION NO. R2018-034

## 6.014 Resolution to Support an Essential Part of Resolving Our Opioid Crisis

RESOLUTION TO SUPPORT AN ESSENTIAL PART OF RESOLVING OUR OPIOID CRISIS: MAKING HEALTH CARE COVERAGE AVAILABLE FOR LOW INCOME NORTH CAROLINIANS. RESOLUTION NO. R2018-035

## 6.015 Adoption of Ordinance Amendment Pertaining to the Civil Penalty Appeal Process

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING SECTION 1-9, APPEAL OF CIVIL PENALTIES, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2018-011

## 6.016 Text Amendment to Chapter 24 to Accommodate Phase V Annexation Pavement Overlay Process Change

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SECTIONS UNDER CHAPTER 24, STREETS AND SIDEWALKS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2018-012

## 7.0 REPORTS FROM BOARDS AND COMMISSIONS

### 7.01 Airport Commission 2017 Annual Report to City Council

Mr. Gene Vance, Airport Commission, Vice Chair, presented the Airport Commission Annual Report for 2017.

### 7.02 Annual Report from the Joint Appearance Commission

Mr. Johnny Lanthorn, Joint Appearance Commission, Chair, presented the Joint Appearance Commission Annual Report.

**MOTION:** Council Member Arp moved to accept the Airport Commission Annual Report and the Joint Appearance Commission Annual Report.

**SECOND:** Council Member Dawkins

**VOTE:** UNANIMOUS (8-0)

## 8.0 PUBLIC FORUM

Ms. Ann Kittinger, 205 Fairfield Drive, Fayetteville, NC, appeared in opposition of NCDOT's proposed widening of Cliffdale Road.

Ms. Nancy Perry, 506 Eaton Street, Fayetteville, NC, expressed concerns regarding lack of parking for the Subway located next to Amtrak.

Dr. Shari Del-Do, 3300 Cliffdale Road, Fayetteville NC, appeared in opposition of NCDOT's proposed widening of Cliffdale Road.

Ms. Stephanie Green, 3316 Cliffdale Road, Fayetteville, NC, appeared in opposition of NCDOT's proposed widening of Cliffdale Road.

Ms. Marjorie Auten, 3203 Cliffdale Road, Fayetteville, NC, appeared in opposition of NCDOT's proposed widening of Cliffdale Road.

Mr. Cliff Brisson, 3125 Cliffdale Road, Fayetteville, NC, appeared in opposition of NCDOT's proposed widening of Cliffdale Road.

Mr. Rick McDowell, 1610 Redbud Drive, Fayetteville, NC, announced a "Run for the Wall" event will take place May 16-25, 2018.

## **DRAFT**

Mr. Douglas and Carol White, 3002 Cliffdale Road, Fayetteville, NC, appeared in opposition of NCDOT's proposed widening of Cliffdale Road.

Mr. Bob Cogswell, 409 Overton Place, Fayetteville, NC, appeared in opposition of NCDOT's proposed widening of Cliffdale Road.

Mr. Lester Bussey, 673 Stoneykirk Drive, Fayetteville, NC, announced his support for District 2 candidate, Ms. Patricia Bradley, and further stated the person selected should be a Democrat and minority.

Mr. Charles McKeller, 313 Wareham Court, Fayetteville, NC, spoke in favor of the candidate selection process for District 2, and further stated the person selected should be a Democrat and minority.

Ms. Gail Ariki, 4704 N. Gails Circle, Fayetteville, NC, stated "Pavers Unlimited" are proud sponsors of the Vision Resource Center and thanked the City Council for allowing them to meet with Mr. Jay Reinstein, Assistant City Manager, to discuss their concerns.

Ms. Quince Langford, 714 Emerald Drive, Fayetteville, NC, stated he is representing the Vision Resource Center, and thanked the Engineering Department for installing "chirping bird" light signals at multiple locations with more to follow.

Mr. Lester McGuire, 513 Martin Road, Fayetteville, NC, stated the candidate that will be selected for District 2 needs to agree in writing to vote for and support keeping the multi-sports complex on Fields Road, and further stated residents of District 2 would like to interview the candidates.

Mayor Colvin announced a District 2 Community meeting will take place May 15, 2018, at 7:00 p.m. at the Second Missionary Baptist Church.

Mayor Colvin announced applications for Council Member District 2 are to be submitted to the City Clerk's office no later than 5:00 p.m. on May 18, 2018.

### **9.0 OTHER ITEMS OF BUSINESS**

#### **9.01 Approval of the Comprehensive Pedestrian Plan**

Mr. Scott Lane, Consultant, Stantec, presented this item with the aid of a PowerPoint presentation and stated the Comprehensive Pedestrian Plan will be an integral part of developing and executing a more complete pedestrian transportation system and will guide local and state efforts to improve conditions for pedestrians and other users of our transportation network. The recommendations will assist the City to develop construction project priorities, recommend positive changes to local policies and guidelines, develop awareness initiatives, and identify opportunities for the implementation of education, enforcement and safety programs. As identified in the project scope, the plan identified high-activity pedestrian focus areas utilizing "Opportunities and Constraints" evaluations to suggest detailed improvements in those areas. From this analysis, the plan developed a list of projects that include sidewalk construction/maintenance projects and intersection improvements. This list includes projects near schools, connectivity projects to link existing sidewalks together, and projects to improve pedestrian crossings. The plan also identifies projects that should be integrated into the MPO transportation plan, and potential projects eligible for alternate funding sources. High level cost estimates and preliminary priorities are provided for projects, based on criteria such as potential pedestrian use, safety, and proximity to major attractors such as shopping centers, schools, and parks.

Discussion ensued.

**DRAFT**

**MOTION:** Council Member Arp moved to adopt the Comprehensive Pedestrian Plan.  
**SECOND:** Council Member Wright  
**VOTE:** UNANIMOUS (8-0)

**9.02 Presentation of the Recommended Fiscal Year 2018-2019 Budget and Setting of the Budget Public Hearing**

Mr. Douglas Hewett, City Manager, presented the item with the aid of a PowerPoint presentation. Mr. Hewett presented an overview of the recommended annual operating budget for fiscal year 2018-2019, and asked Council to set the required public hearing on the budget for May 29, 2018. Mr. Hewett stated the Local Government Budget and Fiscal Control Act (LGBFCA) requires submission of a balanced, recommended budget for the upcoming fiscal year to the governing board not later than June 1 each year. The LGBFCA also requires that the governing board hold a public hearing on the budget prior to adopting the budget ordinance. Issues will be discussed and deliberated during scheduled budget workshops on three consecutive Thursdays--May 10, 17, and 24, 2018.

Mayor Colvin thanked Mr. Hewett for his presentation.

**MOTION:** Mayor Pro Tem Mohn moved to set the public hearing to receive comments on the recommended budget for May 29, 2018.  
**SECOND:** Council Member Waddell  
**VOTE:** UNANIMOUS (8-0)

**10.0 ADMINISTRATIVE REPORTS**

**10.01 Revenue and Expenditure Reports for the Annual and Multi-Year Funds for the Nine-Month Period Ending March 31, 2018**

This item was for information only.

**10.02 Homelessness Initiative Grant Award Report**

This item was for information only.

**10.03 Monthly Statement of Taxes for April 2018**

2017 Taxes .....	401,939.76
2017 Vehicle, .....	1,307.37
2017 Taxes Revit .....	1,216.33
2017 Vehicle Revit .....	0.00
2017 FVT .....	76.39
2017 FTT .....	76.39
2017 Storm Water .....	62,629.71
2017 Fay Solid Waste Fee .....	61,677.86
2017 Annex .....	0.00
2016 Taxes .....	15,681.52
2016 Vehicle .....	18.86
2016 Taxes Revit .....	0.00
2016 Vehicle Revit .....	0.00
2016 FVT .....	0.00
2016 FTT .....	0.00
2016 Storm Water .....	4,254.48
2016 Fay Solid Waste Fee .....	1,180.48
2016 Annex .....	0.00
2015 Taxes .....	3,296.16
2015 Vehicle .....	0.00
2015 Taxes Revit .....	0.00
2015 Vehicle Revit .....	0.00
2015 FVT .....	0.00
2015 FTT .....	0.00

**DRAFT**

2015 Storm Water .....	55.59
2015 Fay Storm Water .....	111.18
2015 Fay S Waste Fee .....	168.06
2015 Annex .....	0.00
2014 Taxes .....	3,672.32
2014 Vehicle .....	0.00
2014 Taxes Revit .....	1.11
2014 Vehicle Revit .....	0.00
2014 FVT .....	0.00
2014 FTT .....	0.00
2014 Storm Water .....	120.00
2014 Fay Storm Water .....	216.00
2014 Fay S Waste Fee .....	320.00
2014 Annex .....	0.00
2013 and Prior Taxes .....	3,043.95
2013 and Prior Vehicle .....	3,577.15
2013 and Prior Taxes Revit .....	1.36
2013 and Prior Vehicle Revit .....	0.00
2013 and Prior FVT .....	636.87
2013 and Prior FTT .....	511.37
2013 and Prior Storm Water .....	72.00
2013 and Prior Fay Storm Water .....	144.00
2013 and Prior Fay S Waste Fee .....	228.00
2013 and Prior Annex .....	0.00
Interest .....	25,286.13
Revit Interest .....	28.97
Storm Water Interest .....	79.00
Fay Storm Water Interest prior .....	150.45
Fay Storm Water Interest 2017 .....	2,552.36
Fay Storm Water Interest 2016 .....	349.18
Annex Interest .....	0.00
Solid Waste Interest .....	2,904.62
FTT Interest .....	346.10
Total Tax and Interest .....	\$597,931.08

**10.0 ADJOURNMENT**

There being no further business, the meeting adjourned at 9:13 p.m.

Respectfully submitted,

\_\_\_\_\_  
PAMELA J. MEGILL  
City Clerk

\_\_\_\_\_  
MITCH COLVIN  
Mayor

051418