

# DRAFT

**FAYETTEVILLE CITY COUNCIL  
WORK SESSION MINUTES  
LAFAYETTE ROOM  
MAY 7, 2018  
5:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1) (arrived at 5:10 p.m.); Tisha W. Waddell (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5); William J. L. Crisp (District 6); Larry O. Wright, Sr. (District 7) (arrived at 5:10 p.m.); Theodore Mohn (District 8); James W. Arp (District 9)

Others Present: Douglas Hewett, City Manager  
Karen McDonald, City Attorney  
Kristoff Bauer, Deputy City Manager  
Jay Reinstein, Assistant City Manager  
Gina Hawkins, Police Chief  
Rob Stone, Public Services Director  
John Larch, Assistant City Engineer  
Michael Gibson, Fayetteville-Cumberland Parks and Recreation Director  
Jerry Newton, Development Services Director  
Alicia Young, Assistant City Attorney  
Kecia Parker, Real Estate Manager  
Kevin Arata, Corporate Communications Director  
Cindy Blot, Economic and Community Development Director  
Tracey Broyles, Budget and Evaluation Director  
Bradley Whited, Airport Director  
Randy Hume, Transit Director  
Brandon Christian, Police Attorney  
Mark Brown, PWC Customer Services Director  
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 Crisp.

## **3.0 APPROVAL OF AGENDA**

**MOTION: Mayor Pro Tem Mohn moved to approve the agenda, with the addition of Item 4.18, District 2 Business.**

**SECOND: Council Member Arp**

**VOTE: UNANIMOUS (7-0)**

## **4.0 OTHER ITEMS OF BUSINESS**

### **4.01 NCDOT presentation on a proposed Cliffdale Road widening project between Morganton Road and McPherson Church Road**

Mr. Greg Burns, NCDOT, presented this item and stated NCDOT is proposing a Transportation Improvement Project, U-4404, to widen Cliffdale Road between Morganton Road and McPherson Church Road. Planning efforts for the project are beginning and the project is scheduled to begin right-of-way acquisition in 2022 and begin construction in 2024. A preliminary design public meeting will be scheduled in late summer/early fall of 2018. Cliffdale Road between Morganton Road and McPherson Church Road is currently a two lane roadway. A project has been identified to widen this section of Cliffdale Road through a joint planning effort by NCDOT and the Fayetteville Area Metropolitan Planning Organization. NCDOT is

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currently updating traffic counts and traffic projections, gathering field data and performing surveys for the project.

Discussion ensued.

## **4.02 Airport - Master Plan Update**

Mr. Brad Whited, Airport Director, introduced Mr. Nick Stefaniak, Mr. Steve Bright, and Mr. Eric Stumph, all with Talbert & Bright, Aviation Consultant updating the Master Plan.

Mr. Steve Bright presented this item with the aid of a PowerPoint presentation and stated this brief will provide an update on the draft Master Plan update and request questions and suggestions for the plan. Following input from the City Council, Airport Commission, and public, the draft report will be adjusted and a proposed "Final Draft" will be prepared. The final draft will be submitted to the Federal Aviation Administration for review and approval. To receive Federal Aviation Administration (FAA) funding, airport sponsors are required to develop and update a 20-year Master Plan document which is a comprehensive study that describes development plans to meet future aviation demand. This Airport Master Plan Update has been developed in accordance with FAA guidance contained in FAA Advisory Circular 150/5070-6B, Airport Master Plans, and includes the following elements:

- (1) Existing Conditions (Inventory of Facilities);
- (2) Aviation Demand Forecasts;
- (3) Facility Requirements (Based on FAA Airport Design standards and forecasted demand);
- (4) Airport Development Alternatives;
- (5) Facilities Implementation Plan (including cost opinions of the proposed improvements);
- (6) Financial Feasibility Analysis that describes the funding sources for the recommended projects; and
- (7) Airport Layout Plan Update that consists of a set of drawings that depict existing facilities and the recommended improvements. The drawing set includes:
  - (a) Title Sheet;
  - (b) Data Sheet;
  - (c) Existing Airport Layout Drawing;
  - (d) Airport Layout Plan Drawing;
  - (e) Terminal Area Plan Drawings;
  - (f) Airport Airspace Drawing;
  - (g) Inner Portion of Approach Surface Drawings;
  - (h) Runway Departure Surface Drawings;
  - (i) On-Airport Land Use Drawing;
  - (j) Off-Airport Land Use Drawing; and
  - (k) Airport Property Map.

Fayetteville updates its Master Plan every ten years; the last update was in 2006. The update provides the Airport with justification for facility improvements and helps to prioritize projects development. The Master Plan will provide planning for future projects that will be used to update the Local, Federal, and State Capital Improvement Plans for the Fayetteville Regional Airport.

Discussion ensued.

## **4.03 Update on Engineering Evaluations of Privately-Owned Dams Damaged During Hurricane Matthew**

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Mr. Rob Stone, Public Services Director, introduced Freese and Nichols Engineering Consultants Mr. David Webb, Associate, and Mr. Mike Wayts, Principal/Vice President.

Mr. David Webb presented this item with the aid of a PowerPoint presentation and stated in October 2016 Hurricane Matthew floodwaters damaged dams throughout the City. The Federal Emergency Management Agency (FEMA) agreed to provide public assistance funding to repair City-maintained dams, however, privately-owned dams were and are not eligible for FEMA funding. In an effort to help rebuild the community following Hurricane Matthew, City staff researched state law for mechanisms to assist. City staff found that under North Carolina General Statute 160A-216, the City could potentially assist in the repair of private dams as long as there was a public benefit (as a stormwater management facility) provided by the dam and/or lake. In April 2017, the City Council adopted City Council Policy No. 125.1 which is consistent with both state law and federal reimbursement guidelines. Policy 125.1 enables the City to fund the design and construction of dam repairs and then eventually recoup the funding through a special assessment levied on benefited property owners. In July 2017, per Council's direction, the City held a series of meetings to reach out to the neighborhoods affected by dams damaged from Hurricane Matthew. The City explained that helping repair private dams would be a multi-step process, beginning with an engineering evaluation of the dam, a determination of the repair costs, and a determination of whether a rebuilt dam would have (1) sufficient public benefit and (2) ascertainable benefitted residents who could be assessed. The City asked impacted Home Owners Associations (HOAs) to poll their members and see if there was support for moving forward with the process as delineated. If supported by their members, HOAs were instructed to submit a petition to the City by August 31, 2017. The City received petitions from the owners of seven private dams and Council authorized the engineering evaluation of four of those dams on November 13, 2017, and two additional dams on January 22, 2018, after additional community outreach. Engineering evaluations to date have revealed that there are at least three potential options for private dams impacted by Hurricane Matthew; each of the options presents considerable challenges within the framework of state law and federal policy. In order to move forward with the evaluation process, there needs to be an agreement on which property owners are benefitted by replacement of the dam with a structure or feature that provides a public purpose. An assessment calculation could then be done to determine the potential cost per property owner for construction of the public purpose structure. FEMA will not provide public assistance for the repair of private dams. The City Council Policy No. 125.1 allows the Council to choose to repair a private dam at the City's expense and recoup the funds through a special assessment only if a public asset is created to serve a public purpose. The amount of the assessment must be tied to the benefit conferred.

Discussion ensued.

**Consensus of Council was to direct staff to bring this item back for further discussion at the June 4, 2018, City Council work session and also directed staff to submit the mitigation request.**

#### **4.04 Pathways for Prosperity Comprehensive Action Plan Update**

Mr. Adam Svolto, Policy and Engagement Director, North Carolina Justice Center, presented this item with the aid of a PowerPoint presentation and stated the Comprehensive Action Plan offers ten objectives to move the community forward on its goal to improve economic mobility in the region. The objectives support local systems that impact workforce readiness, build on assets already present in the community, and represent an opportunity to bolster the local economy for the benefit of all residents. Budget impacts to this point have included the \$10,000.00 allocated to support the summit event and the staff time dedicated to supporting planning, logistics, coordination, and content development associated with the initiative.

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Three areas addressed in the Comprehensive Action Plan will require significant funding--Pre-Kindergarten Education (addressing childcare "deserts"; increasing Pre-K slots), Life Skills (replicating the Walker-Spivey model for parent engagement and education through Communities in Schools), and Affordable Housing (establishing a dedicated source of revenue/housing trust fund). The amount of funding needed is still to be determined for each of these areas. With so many organizations working together for collective impact, the initiative should be able to produce compelling applications for federal and foundation grants to support programming. The City can support by participating in the grant seeking process, offering, where appropriate, matching funds, and engaging with the Pathways for Prosperity initiative during FY 20 budget planning to explore local financing options to ensure sustainability. Mr. Svolto presented the Comprehensive Action Plan.

Discussion ensued.

**Consensus of Council was to endorse the Comprehensive Action Plan without any funding attached.**

## **4.05 Western Senior Center - Schematic Design Approval**

Mr. Michael Gibson, Fayetteville-Cumberland Parks and Recreation Director, presented this item with the aid of a PowerPoint presentation and stated the Parks and Recreation Bond Referendum included a Western Senior Center, for construction in FY 18. City staff identified a lake-front parcel along the bank of Lake Rim for potential placement of this project. The parcel, owned by the North Carolina Wildlife Resources Commission (NCWRC), has been leased to the City for 30 years. The schematic design for this facility was created by HH Architecture, in cooperation with City staff. Staff solicited input from various senior citizen clubs through meetings, from the Senior Citizens Advisory Commission, and from the City Council Parks and Recreation Bond Committee. MetCon Construction, the firm selected to serve as the Construction Manager at Risk for the project, has prepared cost estimates and value engineering options for alternative schematic designs developed.

Discussion ensued.

**Consensus of Council was to support the presented Schematic Design ("SD") for the Senior Center West project with an estimated cost of \$6,989,342.00. Support was conditioned on the project remaining within the provided estimate and continued efforts to reduce costs through value engineering and seeking partnerships to reduce costs or contribute to the cost of the project.**

## **4.06 Location of Sports Field Complex; Authorization to Seek State Funding**

Mr. Michael Gibson, Fayetteville-Cumberland Parks and Recreation Director, presented this item with the aid of a PowerPoint presentation and stated the Council considered this issue during a work session on May 1, 2017. Council consensus at that time was to have the two potential locations analyzed to determine if the planned park improvements could fit on the Military Business Park (MBP) site, and how the planned improvements could fit at the City-owned location on Fields Road. Moorman, Kizer and Reitzel (MKR) was hired to perform preliminary site analysis of these locations, to determine if the desired amenities would fit on each parcel identified. MKR provided preliminary site analysis of each location, based on information provided by staff regarding the components of the project. Analysis for the MBP location included five potential layouts. Analysis for the Fields Road location included three potential layouts, with options for Fire Department and Emergency Services facilities. Staff prepared the memorandum included in the agenda packet regarding the rezone and site plan revision processes in response to the Committee's request. The 2016 Parks and Recreation Bond Referendum included \$9

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million for the design and construction of a sports complex. The project budget included \$1 million for design and \$8 million for construction. At the time of the referendum, the sports complex was considered for placement on City-owned property located on Fields Road. No funding for the purchase of property was included in the bond funding plan.

Mr. Gibson stated the Fields Road facility would also be impacted by a need for stormwater and other infrastructure. Those costs have not been estimated. The Fields Road site analysis includes a number of options including acquiring additional acreage that would increase the cost of that option. The initial infrastructure development of the MBP was supported in part with grant funds provided to support economic development. The project received \$1.325 million in Housing and Urban Development Economic Development Initiative ("HUD EDI") grant funds through six separate grants awarded beginning in 2006. The purpose for these funds was to support the creation of military related jobs. Staff is researching whether the proposed public use and zone change would violate the grant agreements executed to secure these grants. An initial review did not identify any claw back provisions, so there does not seem to be a risk of financial liability.

Discussion ensued.

**Consensus of Council was to direct staff to perform due diligence on the Military Business Park location for the Sports Field Complex.**

### **4.07 Parks Bond Financial Plan Update**

**Consensus of Council was to table this item.**

### **4.08 Modification to City of Fayetteville's Fair Housing Ordinance**

Dr. Anthony Wade, Human Relations Director, presented this item and stated a review of the City's Fair Housing Ordinance has been ongoing since 2017 with assistance from the City Attorney's Office and the National Community Reinvestment Coalition (NCRC). The findings from that review show that presently the City of Fayetteville's Fair Housing Ordinance is not substantially equivalent to several similarly situated local governments in North Carolina. As such, this ordinance does not allow the Department to execute its operations with the same level of expediency as those cities, while simultaneously preventing the City from applying for the same level of federal grants as those city and county governments. Presently the City of Fayetteville's Fair Housing Ordinance is not substantially equivalent to the Federal Fair Housing Act. As such, the City cannot apply for the federal fair housing assistance program (FHAP) funds that the above stated municipalities receive for the same work the City presently performs under its current ordinance. The FHAP funds can be as much as \$100,000.00 plus per year for a minimum of three years to be spent for enforcement, capacity building, outreach, education and training, staff professional development and additional personnel. After the three-year period, additional funding can be received that can still reach or exceed \$100,000.00 annually including payment for individually processed cases ranging between \$2,600.00 and \$3,000.00 per case. In consultation with the City Attorney's Office and NCRC, a draft proposed ordinance believed to be substantially equivalent has been developed that retains the majority of the original ordinance with additional information that strengthens the City's position to be substantially equivalent with HUD and the state and local governments. The request for ordinance modification allows the City to provide services presently being provided under its existing ordinance, but not allows for the opportunity to receive federal funding designated for this exact purpose. On April 27, 2018, the City's Fair Housing Board unanimously confirmed that it supports the recommended revisions to the current ordinance. This individual action to modify the ordinance will not increase contributions from the General Fund. It is expected that, upon approval of the request to HUD for federal

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funding for an ordinance that is equivalent to federal law, Fayetteville would receive hundreds of thousands of dollars over the first three years of a contractual work-sharing agreement with HUD for enforcement responsibilities that it is already performing under the City's existing ordinance. Additionally, it would allow the City to have the same levels of protection from discrimination in housing presently being provided by local fair housing ordinances in Durham, Greensboro, Winston-Salem, Charlotte, and Orange County.

Discussion ensued.

**Consensus of Council was to direct staff to move this item to the May 29, 2018, City Council regular meeting agenda on consent.**

#### **4.09 Discussion on Condemnation of Right-of-Way Needed for Owen Drive Sidewalk Project**

Ms. Kecia Parker, Real Estate Manager, presented this item and stated the City of Fayetteville has designed a sidewalk project along Owen Drive from Eastern Boulevard to Walter Reed Road. The project is being funded through a grant from the North Carolina Department of Transportation. As a part of the City's contribution, easements had to be procured. Currently there is one easement that has not been able to be acquired due to issues with the landowner's financing company. The Federal and State requirements have been followed to date and the next step needed will be to file a condemnation proceeding to acquire the last easement needed. The owner was in favor of the easement but the City has not been able to reach an agreement with the lienholder who would need to release the small portion of the easement from their lien. If the City is unable to acquire this easement, the project as it stands will not be able to be completed. In April of 2017, Real Estate staff was given the easements to acquire for the Owen Drive sidewalk project. Staff did all research and prepared the required documentation to receive approval from NCDOT to move forward with the acquisitions. In May of 2017, the Real Estate staff contacted the property owner of the Cook Out on Owen Drive. A 3' x 30' strip of sidewalk easement is needed for the project. This strip is needed to ensure the sidewalk is contiguous and meets the ADA requirements. The value of the easement is \$477.62 due to the small size. The owner of the property was not opposed to the easement, however, the property has a Negative Pledge Agreement on record with the bank that would require the bank to sign off on the easement. For the past year, staff has been diligently trying to get the bank officials to agree to release the easement from the Negative Pledge Agreement on file. There seems to be information that we are not privy to that has not allowed them to do this. At this point the project has to move forward or will have to be redesigned and new approvals acquired from NCDOT. Federal and State requirements list the next step as condemnation so that the project can continue moving forward. The Owen Drive Sidewalk Project is funded and ready to be constructed. There is one easement that City staff has been unable to acquire due to a lienholder interest. This property would need to be condemned per the Federal and State requirements for the project to continue to move forward. If the condemnation is not approved, the project has to be redesigned and resubmitted for all approvals from NCDOT which will delay construction.

Discussion ensued.

**Consensus of Council was to direct staff to move this item forward to the May 14, 2018, City Council regular meeting consent agenda.**

#### **4.010 Discussion on Jointly-Owned Real Property Conveyance to Cumberland County**

Ms. Kecia Parker, Real Estate Manager, presented this item and stated Cumberland County has requested that the City of Fayetteville

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deed to them their interest in a parcel of land located off of Hay Street now being utilized by Highsmith Rainey Hospital as a portion of their parking lot. The County owns four of the other parcels that make up the parking lot and are conveying those parcels to Cape Fear Valley Hospital System. At the March 19, 2018, Board of Commissioners meeting, the County approved the resolution to request that the City deed the parcel owned by them to the County so that it may be included in the transfer. Cumberland County has requested that the City of Fayetteville convey a parcel to them so that they may transfer the property to Cape Fear Valley Hospital System. The City received the property in 1967 and it is currently a small portion of the parking lot utilized by Highsmith Rainey Hospital. The parking lot in question consists of six parcels. Cape Fear Valley Hospital System owns one of the parcels in which the County conveyed in a 2006 transfer. Four of the parcels are currently in the name of the County and they intend on transferring these to Cape Fear Valley Hospital System. One parcel is in City ownership. The County would like for the City to convey this parcel to them so that they can include it in the transfer to the Hospital system. This transaction is allowed by North Carolina General Statute and would then have the entire Highsmith Rainey parking lot in one ownership. On March 19, 2018, at the County Commissioners meeting, the County approved the resolution requesting that the City transfer the property. There is no significant impact to the budget; however, this will enable the property to be added back to the tax roll.

Discussion ensued.

**Consensus of Council was to direct staff to move this item forward to the May 14, 2018, City Council regular meeting agenda consent agenda.**

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

Ms. Giselle Rodriguez, City Engineer, presented this item and stated the street system is one of the City's largest assets impacting every citizen, employee, emergency service personnel, commuter, and visitor. At times, this asset provides a refuge for utilities serving our neighborhoods, including water and sewer. Such utilities are currently being installed and/or improved as a City Council and PWC Commission initiative for Phase V Annexation. In addition to the utility work, the resurfacing of the impacted streets has been included in the recent annexation projects and future projects moving forward. After thorough review and consideration, City and PWC staff recommend that the pavement overlay be removed from the annexation projects and added to the City's resurfacing contract under a financial reimbursement agreement. This change will provide a better quality product, increase longevity, and improve the efficiency of both projects. City Council is asked to adopt the text amendment presented for Chapter 24 to accommodate this initiative. Recent changes to the City/PWC Phase V Annexation agreement included a stipulation that PWC would be responsible for the cost of the pavement overlay for upcoming projects (Area 20 and beyond) which is currently included in the annexation contract. After thorough consideration and analysis, both City and PWC staff recommend that ample time be allowed for any pavement settlement to occur after the repaired streets have been subjected to vehicular traffic. The contractor will then be responsible for correcting any deficiencies for the warranty period of one year. Streets within the project area will be added to the next available City's Resurfacing Contract under a financial reimbursement agreement with PWC and then will be resurfaced within 12 to 18 months after completion of the utility installation project to allow any settlement of the temporary patch to occur. PWC currently has an effective communication plan to deliver information related to the utility installation projects in annexed areas. Partnering with PWC to include the message in the printed materials and at public meetings will keep the property owners aware of the process and the expected sequence of events. The City and PWC will have multiple opportunities

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to communicate the City's paving schedule to residents. Currently, PWC does five separate mailings, holds three meetings in the community, and has a portion of its website dedicated to annexation related projects. This proposal was discussed and accepted by Council at the work session on September 5, 2017. Staff was directed to incorporate the text amendments as needed in the code of ordinances to be considered by Council for adoption.

Discussion ensued.

**Consensus of Council was to direct staff to move this item forward to a City Council regular meeting agenda consent agenda.**

### **4.012 Overview of the Proposed Text Amendments**

Mr. Gerald Newton, Development Services Director, presented this item and stated the proposed seven text amendments included four housekeeping items of (1) an accessory structure size allowance in the AR district, (2) temporary homeless shelters at churches, (3) a one-way drive aisle width, and (4) a street design to include NCDOT reservation and dedication requirements and also included (5) an allowance for alternative building elevation plans through an administrative adjustment process, (6) an allowance for an alternative parking plan to increase and decrease parking in the Transition Design Standards, and (7) a revision of the site plan review process increasing plans that are considered Major Site Plans. Development Services has been asked to bring proposed text amendments to Council twice a year--spring and fall. Staff has prepared seven possible amendments and are bringing them forward to Council for information and direction. Prior to Council holding a public hearing on any amendment, the Planning Commission shall first hold a public hearing and make a recommendation to Council.

**Consensus of Council was to direct staff to move this item forward for consideration by the Planning Commission.**

### **4.013 Discussion on Proposed Ordinance Amendment pertaining to the Civil Penalty Appeal Process**

Ms. Alicia Young, Assistant City Attorney, presented this item and stated the City Council voted unanimously on April 28, 2003, that outstanding civil penalty citations will be forwarded to collections. However, there was no mention of this option in "Section 1-9. Appeal of Civil Penalties". Section 1-9 also did not include information as to what would happen once an individual either opted or declined to appeal a civil penalty. In 2001, the City Council created an appeals process for citations issued for solid waste and inspection violations, which included a hearing before an administrative officer who was not a City employee. Due, in part, to the success of the 2001 appeals process, on April 28, 2003, Council expanded the categories of citations for which an appeals process would apply. At the same time, Council also unanimously voted to allow the Finance Department's Collection Division to forward severely delinquent citations of 60 days or more to a collection agency.

Discussion ensued.

**Consensus of Council was to direct staff to move this item forward to a City Council regular meeting consent agenda.**

### **4.014 Discussion of Proposed Transit Fares for FY 2019 and setting a Public Hearing**

Mr. Randy Hume, Transit Director, presented this item and stated an increase in transit fares will be proposed for the FY 2019 Budget. Before a new fare structure can be approved, public notice and a public hearing is required by FAST's fare policy and Title VI program. To maximize the revenue impact for the budget, the process for implementing the proposed fare increase needs to begin as soon as possible. Timing of such actions are critical as it relates to



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overall budget adoption. Our policies require a minimum 14-day notice of the public hearing. Once City Council approves a fare change, our fare policy requires a minimum 30-day advertisement or notice of the coming change to our customers and general public. During the work session, staff will review the proposed fare structure changes, a comparison of fares to other peer cities, and an estimate of new revenues that would be generated by the changes.

Discussion ensued.

**Consensus of Council was to direct staff to move this item forward and hold a public hearing on May 29, 2018. Mayor Colvin was in opposition to the consensus.**

## **4.015 Fayetteville State University Funding for FAST Route 11**

Mr. Randy Hume, Transit Director, presented this item and stated Fayetteville State University has notified the City that it does not plan to renew the Fayetteville State University (FSU) Student pass agreement with the City and FAST. The FSU agreement provided funding that allowed FSU students to ride all FAST buses without fare payment and provided funding to support Route 11 that provides connections to Cross Creek Mall and to the Ramsey Street Corridor from FSU. This route also enabled FAST to add service to Country Club and Pamalee Drives that previously had little or no bus service. This service started in 2015. In order to offset at last part of the loss of the income from FSU in the FY 2019 budget, staff has developed a reduced service option for Route 11. This option would maintain all day service along Country Club and Pamalee Drives but eliminate service along Murchison Road to FSU. This portion of Murchison Road already has 30-minute bus service with Route 12. It would eliminate service along Langdon Street and Seabrook Road, although this segment of the route has very little ridership except for the stop at the FSU arena. FAST's service standards and Title VI program provides that any major reduction in service on a route be made after an opportunity for public comment and public hearing. Once a change is approved we are required to provide a 30-day notice before implementing the change. In addition, a route or schedule change requires significant time to redo printed materials and make changes to a number of technology features on our buses. Staff is seeking direction from Council as to whether it should begin the process to potentially reduce or eliminate service on Route 11.

Discussion ensued.

**Consensus of Council was to direct staff to move this item forward.**

## **4.016 Update on Four-Year Staggered Terms for City Council**

Ms. Karen McDonald, City Attorney, presented this item with the aid of a PowerPoint presentation and stated the purpose of this agenda item is to provide a timeline for implementation of four-year staggered terms and for the Council to consider and discuss recall provisions. Council previously discussed four-year staggered terms at the April work session. Consensus at that time was to research this item and recall provisions, create a timeline of events, and bring this item back to Council for further discussion at the May work session. Based on your direction, the following is a proposed timeline for implementation of four-year staggered terms:

Adopt Resolution of Intent	May 14, 2018
Hold Public Hearing	May 28, 2018
Adopt Ordinance Amending the Charter	June 11, 2018

Ms. McDonald further stated Council members also inquired about the recall provisions. She informed Council that Durham, Raleigh, Asheville, and Greensboro are several cities in North Carolina that have recall provisions.

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Discussion ensued.

**Consensus of Council was to direct staff to draft a resolution to allow for a vote on an even four-year term and bring back to Council on May 14, 2018, to call for a public hearing.**

## **4.017 Council Agenda Item Request - Resolution to Support an Essential Part of Resolving Our Opioid Crisis - Mayor Pro Tem Mohn**

Mayor Pro Tem Mohn presented this item and stated Ms. Jenn Alexander, Resident of District 8 and member of the National Organization of women and a volunteer with the League of Women's Voters' Health Care Legislative Action Team, has requested to present to City Council information on House Bill 662 (Carolina Cares). Ms. Alexander has also requested Council consideration of a resolution in support of the bill. Carolina Cares would bridge the gap in healthcare coverage for those who do not qualify for Medicaid but also do not qualify for Affordable Care Act subsidies. This includes 38,000 people in Cumberland County alone and 12,000 veterans in our state.

Discussion ensued.

**Consensus of Council was to direct staff to move this item forward to a City Council regular meeting agenda.**

## **4.018 District 2 Items**

Ms. Karen McDonald, City Attorney, presented this item and stated she has a couple of items that will require Council to suspend the rules.

**MOTION: Mayor Pro Tem Mohn moved to suspend the rules.**  
**SECOND: Council Member Wright**  
**VOTE: UNANIMOUS (9-0)**

**MOTION: Mayor Pro Tem Mohn moved to declare City Council Member District 2 vacant; due to the resignation of former Council Member Tyrone Williams, as of May 3, 2018.**  
**SECOND: Council Member Haire**  
**VOTE: UNANIMOUS (9-0)**

**MOTION: Mayor Pro Tem Mohn moved to withdraw the complaint filed with the Ethics Commission pertaining to former Council Member Tyrone Williams.**  
**SECOND: Council Member Dawkins**  
**VOTE: UNANIMOUS (9-0)**

Discussion ensued pertaining to the schedule of events for selecting a replacement for the Council Member District 2 vacancy.

Council Member Arp stated the candidates should be interviewed at City Hall and broadcast live.

Council Member Haire requested a public forum for the District 2 residents.

Council Member Dawkins asked how the application process will be advertised. Ms. McDonald responded the Corporate Communications Department will advertise and get the message out.

Council Member Crisp stated the public forum and candidate's interview should be held at City Hall.

**MOTION: Council Member Waddell moved to waive City Council Policy No. 115.11 to allow City Council 40 days for filling the City Council Member District 2 vacancy.**  
**SECOND: Council Member Arp**

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VOTE: UNANIMOUS (9-0)

MOTION: Mayor Pro Tem Mohn moved to approve the City Council District 2 Interest Form as provided in the agenda packet, and have the form also as a fillable electronic form to be made available to the public.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (9-0)

Discussion ensued.

MOTION: Council Member Waddell moved to table any further discussion on this item due to the lateness of the hour.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (9-0)

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 11:48 p.m.

Respectfully submitted,

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PAMELA J. MEGILL  
City Clerk

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MITCH COLVIN  
Mayor