

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
MARCH 19, 2018
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Tyrone Williams (District 2); Tisha S. Waddell (District 3); D. J. Haire (District 4); 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)

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
Cindy Blot, Economic and Community Development
Director
Jay Toland, Special Assistant to the City Manager
Kevin Arata, Corporate Communications Director
Mark Brown, PWC Customer Relations Manager
Jordan Jones, PCH
Rory Dowling, PCH
David Lane, Fayetteville Baseball
Mark Zartha, Fayetteville Baseball
Roslyn Henderson, Barton Malow
Charlie Lewis, Barton Malow
David Bower, Populous
Steve Caudle, Populous
Aaron Noll, Populous
Lyman Wray, Financial Advisor, Stevens, Inc.
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 Pastor CC of Upper Room Family Fellowship.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Deloris Travis, Booster Club for New Life Christian Academy.

4.0 ANNOUNCEMENTS AND RECOGNITION

Mayor Colvin presented a Certificate of Excellence to the New Life Christian Academy Basketball Team for their accomplishments on winning the 2018 State Basketball Championship at the Carolina Athletic Association for Schools of Choice Conference and the National Basketball Championship at the National Association of Christian Athletes.

Mayor Colvin presented a Proclamation to Mr. Randy Hume, Transit Director, proclaiming March 16, 2018, "Transit Driver Appreciation Day".

Mayor Colvin presented the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award to Ms. Tracey Broyles, Budget and Evaluation Director, and staff for the Department's Annual Budget.

Council Member Dawkins thanked "Better Block Fayetteville" team for the event they held on March 10, 2018, and stated the team would be presenting on the event at an upcoming City Council meeting.

Council Member Jenkins announced the "Mike to Mike" marathon event taking place on March 25, 2018.

Mr. Douglas Hewett, City Manager, announced the City Manager's office has a team to participate in the "Mike to Mike" marathon event.

5.0 APPROVAL OF AGENDA

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

6.0 CONSENT AGENDA

MOTION: Council Member Dawkins moved to approve the consent agenda.
SECOND: Council Member Haire
VOTE: UNANIMOUS (10-0)

6.01 Proposed Amendment to Section 24-223 of the City Code

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE MAKING A TECHNICAL CORRECTION TO SECTION 24-223 OF THE CODE OF THE CITY OF FAYETTEVILLE. ORDINANCE NO. S2018-003

6.02 Special Revenue Fund Project Ordinance 2018-15 (Homeland Security Grant Program - Water Rescue and Urban Search and Rescue Training)

Special Revenue Fund Project Ordinance 2018-15 will appropriate a \$30,000.00 grant from the U.S. Department of Homeland Security, passed through the North Carolina Department of Public Safety, Division of Emergency Management, for training opportunities in water rescue and urban search and rescue for the City of Fayetteville Fire and Emergency Management Department's Urban Search and Rescue (USAR) Task Force 9 team.

6.03 Phase 5 Area 16 and 17 Resolution Confirming Assessment Roll and Levying Assessments

RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS. RESOLUTION NO. R2018-013

6.04 Bid Recommendation - Lafayette Village Substation to award the contract for the installation of the Lafayette Village 69 to 15 x 25kV Substation to Aubrey Silvey Enterprises, Inc., Carrollton, GA, the lowest responsive, responsible bidder in the total amount of \$2,358,000.00.

Bids were received on November 7, 2017, as follows:

Aubrey Silvey Enterprises, Inc., Carrollton, GA ..	\$2,358,000.00
Service Electric Company, Chattanooga, TN	\$2,413,820.00
The Ryan Company, Norton, MA	\$2,549,500.00
Vaughn Industries, Carey, OH	\$3,226,306.04

6.05 Adoption of Budget Ordinance Amendment 2018-21 and Capital Project Ordinance 2018-34 for the Repair of Reid Ross Classical School Track

Budget Ordinance Amendment 2018-21 will appropriate \$35,000.00 into the General Fund from fund balance restricted for the County Recreation District to fund a share of the costs required for normal wear and tear repairs at the Reid Ross Classical School track and field facility. The City's fiscal year 2018 operating budget for the Parks and Recreation Department included a \$35,000.00 appropriation for this project. Capital Project Ordinance 2018-34 will increase that appropriation to provide a \$70,000.00 capital project budget.

6.06 Adopt Resolution to Accept a Report of Unpaid Taxes from Cumberland County and Direct the Advertisement of Tax Liens

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE ACCEPTING THE REPORT OF UNPAID TAXES AND DIRECTING THE ADVERTISEMENT OF TAX LIENS. RESOLUTION NO. R2018-014

6.07 Adopt a Resolution Declaring Jointly Owned Real Property Surplus and Authorizing a Quitclaim Deed for 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 TO CUMBERLAND COUNTY. RESOLUTION NO. R2018-015

7.0 PUBLIC FORUM

Mr. Shondre Fort, 45 Sundry Court, Fayetteville, NC, expressed his interest in presenting a CyberSecurity Exposition, and asked to meet with the Mayor or Council members to discuss further.

Mr. Richard Varn, 1717 Calista Circle, Fayetteville, NC, expressed safety concerns regarding motorists coming into and out of the intersection at the Food Lion on Bailey Lake Road.

Mr. Rick Houpp, 2717 Fort Bragg Road, Fayetteville, NC, gave an overview of the work the YMCA has performed at community swimming pools, and announced the YMCA is operating a swim lesson voucher program for any parent that earns less than \$25,000.00 per year.

Ms. Pam Samuels, (no address provided), announced Goodyear has employment opportunities and is hiring through contractors and that interested persons should contact the Human Resources Department.

Ms. Evelyn Wheatley, 3008 Hickory Hill Road, Fayetteville, NC, expressed concerns regarding the elimination of the City bus service in her neighborhood, and asked for the service to be resumed.

Mr. Chillenko Hurst, 230 Lincoln Drive, Fayetteville, NC, asked if any action is being taken against PWC for misleading residents and Council regarding utility billing. He also raised concerns regarding Hope IV homes, and Transit bus stops.

8.0 OTHER ITEMS OF BUSINESS

8.01 Presentation of Appointment Committee Recommendations for Boards and Commissions Appointments

Council Member Crisp presented this item and stated the Appointment Committee met on February 21, 2018, to review applications for appointments to boards and commissions. It is from that meeting the Appointment Committee presents the recommendations for appointments to the City of Fayetteville boards and commissions. The Appointment Committee recommends the following appointments to be effective April 1, 2018:

Airport Commission

Mr. Hector Ray (1st term) April 2018-March 2020
Mr. Victor Carnevale (1st term) April 2018-March 2020

Animal Control Board

Mr. David P. McGillivray (1st term) 3-year term date to be
determined by County
Commissioners

Audit Committee

Dr. Pamela Jackson (2nd term) April 2018-March 2020

Ethics Commission

Mr. Joseph W. Levister (2nd term) April 2018-March 2021
Mr. Stanley Dodson (2nd term) April 2018-March 2021
Dr. Carol Jones (2nd term) April 2018-March 2021

Fair Housing Board

Mr. Eric Anderson (2nd term April 2018-March 2020
Real Estate Representative)
Mr. Daniel DiMaria (Partial term April 2018-March 2019
Attorney)
Ms. Mary John Williams (1st term) April 2018-March 2020
Ms. Ella Knox (Partial term) April 2018-March 2019

Fayetteville Advisory Committee on Transit

Ms. Lillie Henderson (2nd term within April 2018-March 2020
service area)
Mr. Kenneth Hicks (2nd term ADA rep.) April 2018-March 2020
Ms. Kelly Jones (2nd term Driver/Operator April 2018-March 2020

Fayetteville City Planning Commission

Ms. Barbara James (1st term alternate) April 2018-Sept. 2020

Fayetteville-Cumberland Parks and Recreation Advisory Commission

Mr. Mark Wilderman (Partial term alternate) April 2018-Sept. 2019

Fayetteville Redevelopment Commission

Mr. Wilbert Stokes (Partial term) April 2018-March 2019

Historic Resources Commission

Mr. Joshua Gray-Heim (2nd term Category 6) April 2018-March 2020
Dr. Mary J. Ferguson (1st term Category 6) April 2018-March 2020
Mr. George E. Turner (2nd term Category 6) April 2018-March 2020
Ms. Liz M. Varnedoe Raynor (1st term April 2018-March 2020
Category 6)
Dr. Tamara Brothers (1st term Category 4) April 2018-March 2020

Linear Park, Inc.

Mr. James Bowser (4th term) April 2018-March 2021
Mr. Harry Shaw (6th term) April 2018-March 2021

Personnel Review Board

Mr. Travon McNeill (1st term) April 2018-March 2020
Mr. Ocie Stroud-Melvin (1st term) April 2018-March 2020

Public Arts Commission

Ms. Kathy Greggs (2nd term) April 2018-March 2020
Ms. Soni Martin (1st term-Arts Council April 2018-March 2020
Appointment)
Mr. Vilas Tonape (1st term-Arts Council April 2018-March 2020
Appointment)

MOTION: Council Member Crisp moved to approve the Appointment
Committee recommendations for board and commission
appointments, effective April 1, 2018.

SECOND: Council Member Dawkins

VOTE: UNANIMOUS (10-0)

8.02 Adoption of Budget Ordinance Amendment (BOA) 2018-20 (General Fund) and Capital Project Amendments (CPOA's) 2018-46, 2018-47, 2018-48 and 2018-49 to Provide Funding for Design and Project Management Contracts for the Devonwood Lower Dam Reconstruction

Mr. Rob Stone, Public Service Director, presented this item and stated the contracts for design and initial project management costs for the repair and reconstruction of Devonwood Lower Dam are projected to total \$318,989.00. To provide initial funding for these contracts, staff recommends that Council adopt Budget Ordinance Amendment (BOA) 2018-20 to appropriate \$145,329.00 from General Fund fund balance, and Capital Project Amendments (CPOAs) 2018-46, 2018-47 and 2018-48 to release a total of \$173,660.00 from available balances from existing projects for resurfacing and downtown streetscape projects. These amendments will provide the source of funds for CPOA 2018-49 to fund the design and initial project management costs for Devonwood Lower Dam from local funds. Staff is still seeking funds from the Federal Emergency Management Agency and the North Carolina Department of Public Safety, but the project has not been accepted yet an alternate funding source must be identified until that approval is received.

Discussion ensued.

MOTION: Council Member Arp moved to adopt BOA 2018-20 and CPOAs 2018-46, 2018-47, 2018-48 and 2018-49 for initial project management and design of the Devonwood Lower Dam as presented.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

8.03 Stadium Construction Manager at Risk ("CM@R") Contract with Barton Malow Fourth Amendment, Capital Project Ordinance Amendment 2018-50

Mr. Kristoff Bauer, Deputy City Manager, presented this item with the aid of a PowerPoint presentation and stated the actions needed on this item are approval of the Final Guaranteed Maximum Price (GMP) amendment with Barton Malow and approval of Capital Project Ordinance Amendment (CPOA) 2019-50. Mr. Bauer provided a history of the baseball stadium project, the Prince Charles Memorandum of Understanding, the Baseball Feasibility Study and the Houston Astros purchase of a team. Mr. Bauer provided an overview of the cost history and the proposed budget, concluding with a total appropriation of \$37,885,102.00. Mr. Bauer stated several factors that were cost drivers: market conditions, site constraints, site conditions, North Carolina bidding requirements, construction (site work, concrete, MEPF), owner's preference, and soft costs. Mr. Bauer provided an overview of the Economic Development Analysis, and also provided an overview of the Local/SDBE Performance; reporting that currently a total of 56 percent of the construction contracts have been awarded to either local or SDBE. Mr. Bauer stated the construction of the stadium is to be complete by April 2019.

Discussion ensued.

MOTION: Council Member Arp moved to authorize the City Manager to execute the fourth Guaranteed Maximum Price amendment with Barton Malow substantially in the form attached and approve CPOA 2018-50.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

9.0 ADMINISTRATIVE REPORTS

9.01 Revenue and Expenditure Reports for the Annual and Multi-Year Funds for the six-month period ending December 31, 2017

This item was for information only.

9.02 Monthly Statement of Taxes for February 2018

2017 Taxes	1,137,247.69
2017 Vehicle,	1,459.64
2017 Taxes Revit	6,734.29
2017 Vehicle Revit	0.00
2017 FVT	75.00
2017 FTT	75.00
2017 Storm Water	173,165.89
2017 Fay Solid Waste Fee	180,433.70
2017 Annex	0.00
2016 Taxes	13,693.47
2016 Vehicle	50.36
2016 Taxes Revit	18.79
2016 Vehicle Revit	0.00
2016 FVT	0.00
2016 FTT	0.00
2016 Storm Water	1,134.45
2016 Fay Solid Waste Fee	1,272.71
2016 Annex	0.00
2015 Taxes	3,279.32
2015 Vehicle	0.00
2015 Taxes Revit	0.00
2015 Vehicle Revit	0.00
2015 FVT	0.00
2015 FTT	0.00
2015 Storm Water	79.86
2015 Fay Storm Water	159.73
2015 Fay S Waste Fee	241.40
2015 Annex	0.00
2014 Taxes	1,651.75
2014 Vehicle	1.97
2014 Taxes Revit	0.00
2014 Vehicle Revit	0.00
2014 FVT	5.00
2014 FTT	5.00
2014 Storm Water	61.94
2014 Fay Storm Water	111.48
2014 Fay S Waste Fee	205.16
2014 Annex	0.00
2013 and Prior Taxes	2,488.96
2013 and Prior Vehicle	271.91
2013 and Prior Taxes Revit	0.00
2013 and Prior Vehicle Revit	0.00
2013 and Prior FVT	86.77
2013 and Prior FTT	52.03
2013 and Prior Storm Water	144.00
2013 and Prior Fay Storm Water	288.00
2013 and Prior Fay S Waste Fee	304.00
2013 and Prior Annex	0.00
Interest	39,381.67
Revit Interest	208.22
Storm Water Interest	103.00
Fay Storm Water Interest prior	201.74
Fay Storm Water Interest 2017	4,534.37
Fay Storm Water Interest 2016	340.03
Annex Interest	0.00
Solid Waste Interest	5,199.41
FTT Interest	41.14
Total Tax and Interest	\$1,574,808.85

10.0 ADJOURNMENT

There being no further business, the meeting adjourned at
8:25 p.m.