

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER
NOVEMBER 13, 2018
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Daniel Culliton (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) (via telephone); James W. Arp, Jr. (District 9)

Others Present: Douglas Hewett, City Manager
Karen McDonald, City Attorney
Kristoff Bauer, Deputy City Manager
Telly Whitfield, Assistant City Manager
Barbara Hill, Interim Assistant City Manager
Gina Hawkins, Police Chief
Tracey Broyles, Budget and Evaluation Director
Sheila Thomas-Ambat, Interim Public Services Director
Jay Toland, Interim Chief Financial Officer
Kevin Arata, Corporate Communications Director
Cindy Blot, Community and Economic Development
Director
Michael Gibson, Parks, Recreation and Maintenance
Director
Brandon Christian, Police Attorney
Rebecca Jackson, Strategic Performance Analytics
Director
Kim Toon, Purchasing 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 Pastor Ed Robillard, Manna Church Microsite at the Fayetteville Dream Center.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Cub Scout Pack 756.

4. ANNOUNCEMENTS AND RECOGNITION

Council Member Jensen introduced Ms. Joyce Dipoume, President of the Fayetteville-Cumberland Youth Council (FCYC).

Council Member Dawkins stated he and Council Member Culliton attended the ribbon cutting for the new Care Clinic. He encouraged individuals in need of medical assistance that are either uninsured or underinsured to get assistance at the Care Clinic.

Council Member Jensen stated the 60th anniversary of the Greek Spaghetti Dinner is taking place November 14, 2018, at the Hellenic Center on Oakridge Avenue.

Mayor Colvin stated the Community Watch meetings are a great way to get involved in the community and further information can be found on the City website.

Mayor Colvin presented the International City/County Management Association (ICMA) Certificate of Excellence to Ms. Rebecca Jackson,

Strategic Planning Analytics Director, for exceeding the standards established by ICMA in the identification and public reporting of key outcome measures, surveying of both residents and employees, and the pervasiveness of performance management in the organization's culture.

5.0 APPROVAL OF AGENDA

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

6.0 CONSENT AGENDA

MOTION: Council Member Haire moved to approve the consent agenda, with the exception of Item 6.06, I-295 Landscape Maintenance Agreement at Murchison Road, Bragg Boulevard and Ramsey Street Interchanges, for discussion and separate vote.
SECOND: Council Member Dawkins
VOTE: UNANIMOUS (10-0)

6.01 Approval of Meeting Minutes: October 17, 2018 - Agenda Briefing

6.02 Adoption of Capital Project Ordinance Amendment 2019-21 and Award of Contract for Construction Services for Liberty Hills Drainage Improvements

Adoption of Capital Project Ordinance Amendment (CPOA) 2019-21 to appropriate \$610,517.00 of additional project funding for Liberty Hills Drainage Improvements and award the construction bid to the lowest responsive, responsible bidder, Lanier Construction Company from Snow Hill, NC.

6.03 Adoption of Capital Project Ordinance 2019-19 to Appropriate Grant Funding for a Portable Shelter System Hub

Capital Project Ordinance 2019-19 will appropriate a \$27,900.00 grant from the U.S. Department of Homeland Security, passed through the North Carolina Department of Public Safety, Division of Emergency Management, for the purchase of a portable shelter system hub to provide interconnectivity with existing portable shelters. There is no local match required for the grant.

6.04 Adoption of Special Revenue Fund Project Ordinance Amendment 2019-3 for 2018-2019 HOME Program Local Match

Special Revenue Fund Project Ordinance Amendment (SROA) 2019-3 will appropriate a local match of \$96,445.00 for the FY 2018-2019 HOME Program project. The local funding is to be provided by a transfer of \$74,853.00 from the General Fund and by \$21,592.00 that had previously been transferred to the Federal and State Assistance Fund.

6.05 Adoption of Budget Ordinance Amendment 2019-5 (Carryover of Encumbered, Assigned and Donated Funds from Fiscal Year 2018 and Other Items)

Budget Ordinance Amendment (BOA) 2019-5 will appropriate \$4,031,117.00 across several annually budgeted funds for outstanding purchase orders and contracts; \$17,508.00 in the General Fund for unspent donation proceeds; and \$1,770,854.00 for specific items for which funding was assigned (designated) at the close of FY 2017-2018 for the General Fund. Funding for these expenditures was included or available in the FY 2017-2018 budget. These appropriations will be funded by fund balance or net asset appropriations for the various funds. A portion of the funding assigned (designated) in the General Fund is for funding for Transit grant local match funding. Those funds (\$154,108.00) will be transferred to the Transit Operating Fund to flow to the project fund appropriations. Additional appropriations

are also proposed for two Hurricane Matthew recovery expenditures that were budgeted during FY 2017-2018 but were not completed. Those appropriations total \$24,523.00 for the General Fund and \$1,932.00 for the Environmental Services Fund and are to be funded by the Federal Emergency Management Agency (FEMA) and the State of North Carolina.

6.06 Pulled for discussion and separate vote.

6.07 Hurricane Florence Disaster Assistance Agreement

To establish an agreement between the State of North Carolina Division of Emergency Management and the City of Fayetteville to authorize Jay C. Toland, Interim Chief Financial Officer, as the primary agent and Kimberly Toon, Purchasing Manager, as the Secondary Agent to execute and file applications for State and Federal assistance on behalf of the City of Fayetteville. The above named agents will be authorized to act for the City in all matters with the State of North Carolina and the Federal Emergency Management Agency pertaining to disaster assistance.

6.08 Authorization to Apply for NCDOT Urban State Match Program Funding for Transit Capital Projects

FY 2020 RESOLUTION AUTHORIZING THE CITY OF FAYETTEVILLE TO APPLY FOR URBAN STATE MATCH PROGRAM FUNDING AND TO ENTER INTO AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION. RESOLUTION NO. R2018-066

6.09 Resolution Requesting Introduction of a Local Bill to Amend the Charter to Allow for Recall Elections

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE REQUESTING THE INTRODUCTION OF A LOCAL BILL AMENDING THE CITY CHARTER TO PROVIDE FOR RECALL ELECTIONS. RESOLUTION NO. R2018-067

6.10 Bid Recommendation - Cross Creek Water Reclamation Facility Screens Replacement to Crowder Construction Company, the lowest responsible, responsive bidder, in the total amount of \$2,134,386.00

Bids were received on September 24, 2018, as follows:

Crowder Construction Company, Apex, NC	\$2,134,386.00
State Utility Contractors, Inc., Monroe, NC	\$2,438,000.00
TA Loving Company, LLC, Alexandria, LA	\$2,541,977.00

6.11 Bid Recommendation - Annual Construction Services Contract for Overhead Distribution Construction to River City Construction, Inc., the lowest responsive, responsible bidder in the total amount of \$3,404,692.50

The Fayetteville Public Works Commission during their meeting on October 24, 2018, approved the bid recommendation to award the contract for the Annual Construction Service Contract Overhead Distribution Construction to River City Construction, Inc., Washington, NC, the lowest responsive, responsible bidder in the total amount of \$3,404,692.50 and to forward to City Council for approval. Bids were solicited on a compatible unit basis (assemblies). Evaluation was based upon unit pricing for the top 100 most frequently used units.

6.06 I-295 Landscape Maintenance Agreement at Murchison Road, Bragg Boulevard and Ramsey Street Interchanges

This item was pulled for discussion and a separate vote by Council Member Haire.

Mr. Michael Gibson, Parks, Recreation, and Maintenance Director, presented this item and stated the North Carolina Department of

Transportation (NCDOT) has proposed three municipal agreements to install plants and landscape at the I-295 interchanges. Initial installation and maintenance will be the responsibility of NCDOT. The municipal agreements outline the scopes of service for these landscape improvements and installation of plantings. The City is expected to assume responsibility for all maintenance and replacement of the landscape materials.

Discussion ensued.

MOTION: Council Member Haire moved to accept the report.

SECOND: Council Member Waddell

VOTE: UNANIMOUS (10-0)

7.0 REPORTS FROM BOARDS AND COMMISSIONS

7.01 Fayetteville-Cumberland Economic Development Corporation Annual Report

Mr. Andrew Pennick, Chairman of the FCEDC Board, presented the Fayetteville-Cumberland Economic Development Corporation (FCEDC) Annual Report with the aid of a PowerPoint presentation and stated in the fall of 2015, the City of Fayetteville and Cumberland County entered into an interlocal agreement creating the FCEDC. In the last 18 months, FCEDC has worked with new and existing industries to announce over 1,100 new jobs and \$56 million of new investment. In addition to providing an update on the activities of the FCEDC, the FCEDC Board of Directors are requesting amendments to the Bylaws that would increase the size of the Board, change the timing for the election of officers for the Board, and amend the address for the FCEDC's offices. The City Manager instituted that each board/commission will make an annual report to the City Council regarding the activities of their board/commission. The City appoints three voting members to FCEDC's Board (currently, Mayor Colvin, FCEDC Chairman Andrew Pennick, and Bobby Suggs), and one ex-officio member (City Manager Hewett). The FCEDC appreciates the opportunity to update the City Council regarding our current efforts and the results generated over the past year. Additionally, over the past year, the size of our Board, the ratio of appointments-to-funding and our operational calendar have been topics of pragmatic discussion. After considerable conversation and review, the FCEDC Board of Directors has adopted amendments to our Bylaws, which require your approval to become effective. The unanimously passed amendments can be summarized as follows:

1. The number of City of Fayetteville and Cumberland County appointments shall increase from three (each) to four (each). Effective December of 2018, the County will appoint four members (with the Chairman or his designee being one), the City will appoint four members (with the Mayor or his designee being one), and two members will continue to be appointed by the private sector. Our ex officio officers would remain the County Manager, City Manager, and Community College President.
2. Election of officers will now occur at the July meeting. This is a change from our current practice of electing officers at the December meeting.
3. Amendment to FCEDC address. The FCEDC Bylaws will now reflect our new office address of 201 Hay Street, Suite 401A, Fayetteville, NC 28301.

The Board of Directors believe this expansion will provide multiple operational benefits. Primarily, the appointment-to-funding ratio for our Board will more closely align with our operational resources. Currently, our funding is approximately 40 percent from Cumberland County, 40 percent from the City of Fayetteville, and 20 percent from other sources (private sector funding/grants/contracted

services). With this update, each appointed member will represent approximately 10 percent of our funding. Subsequently, it will also help us ensure quorum for our meetings. These amendments will allow us to tap a greater range of expertise, while also diversifying the industry sectors and perspectives represented by the Board. Most importantly, it ensures additional opportunities for the City and County to appoint members from the broader business community and expand our engagement with local business leaders and stakeholders. While Board member terms will remain as they currently are (December - November), we believe that moving the election of officers to July will provide newly appointed members time to acclimate themselves prior to being asked to serve as an officer (or support other Board members for an officer's position). Additionally, officer terms will now coincide with our fiscal year.

Discussion ensued.

MOTION: Council Member Dawkins moved to accept the FCEDC Annual report and the proposed amendments to the Bylaws, as stated.

SECOND: Council Member Haire

VOTE: UNANIMOUS (10-0)

8.0 STAFF REPORTS

8.01 Fayetteville Police Department 2018 - 3rd Quarter Review

Ms. Gina Hawkins, Police Chief, presented the 3rd Quarter Review with the aid of a PowerPoint presentation and provided a report on the following items: Uniform Crime Reporting (UCR), National Incident-Based Reporting System (NIBRS), Crimes Against Persons, Aggravated Assault, Property Crimes, Traffic Fatalities, Narcotics Unit, Gang Unit, Seized and Recovered Weapons, Community Engagement Affairs Unit, and Crime Fighting Strategies.

Discussion ensued.

MOTION: Council Member Arp moved to accept the Fayetteville Police Department 2018 3rd Quarter Review.

SECOND: Council Member Wright

VOTE: UNANIMOUS (10-0)

9.0 PUBLIC FORUM

Mr. Iman Eronomy Mohammad Smith, 1200 Murchison Road, Fayetteville, NC, addressed the state of the community.

Mr. Willie Williams, 1116 Simpson Street, Fayetteville, NC, spoke on efforts taking place to assist our homeless population.

Mr. Donald Bennett, 5844 Chason Ridge Drive, Fayetteville, NC, announced the forthcoming Toys for Tots event, and encouraged everyone to participate and get involved in this great program.

10.0 OTHER ITEMS OF BUSINESS

10.01 Bond Order Authorizing and Approving the Sale and Issuance of PWC Revenue Bonds, Series 2018

Mr. Jay Toland, Interim Chief Financial Officer, presented this item and stated the Fayetteville Public Works Commission, during their meeting on October 24, 2018, adopted Resolution PWC2018.15 and requests City Council adopt a similar resolution/bond order at their November 13, 2018, meeting.

BOND ORDER AUTHORIZING AND APPROVING THE SALE AND ISSUANCE UNDER THE PROVISIONS OF THE STATE AND LOCAL GOVERNMENT REVENUE BOND ACT, AS AMENDED, OF NOT TO EXCEED \$95,000,000 AGGREGATE PRINCIPAL AMOUNT OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, PUBLIC WORKS

COMMISSION REVENUE BONDS, SERIES 2018 TO PROVIDE FUNDS FOR THE
FINANCING AND REFINANCING OF VARIOUS ELECTRIC, WATER AND SANITARY
SEWER CAPITAL IMPROVEMENTS AND DIRECTING THE AUTHENTICATION AND
DELIVERY OF THE SERIES 2018 BONDS. RESOLUTION NO. R2018-068

MOTION: Council Member Haire moved to approve the bond order
authorizing and approving the sale and issuance of PWC
Revenue Bonds, Series 2018.
SECOND: Council Member Dawkins
VOTE: UNANIMOUS (10-0)

10.0 ADJOURNMENT

There being no further business, the meeting adjourned at
9:03 p.m.