

**FAYETTEVILLE CITY COUNCIL
SPECIAL MEETING MINUTES
LAFAYETTE ROOM
APRIL 11, 2011
5:00 P.M.**

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2) (arrived at 5:15 p.m.); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); William J. L. Crisp (District 6); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8)

Absent: Council Member James W. Arp, Jr. (District 9)

Others Present:

Dale E. Iman, City Manager
Doug Hewett, Assistant City Manager
Kristoff Bauer, Assistant City Manager
Karen M. McDonald, City Attorney
Jeffrey Brown, Engineering and Infrastructure Director
Karen Hilton, Planning and Zoning Division Manager
David Nash, Planner II
Deborah Stagner, Consultant, Tharrington Smith, LLP
Nathan Walls, Public Information Specialist
Members of the Press

Mayor Chavonne called the meeting to order.

MOTION: Council Member Mohn moved to approve the agenda.

SECOND: Council Member Massey

VOTE: UNANIMOUS (8-0)

The invocation was offered by Mayor Pro Tem Haire.

CONSENT

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

SECOND: Council Member Massey

VOTE: UNANIMOUS (8-0)

1.1 Special Sign Permit Request for temporary event signs for the Fayetteville Duck Derby to be held May 7, 2011, at Campbellton Landing.

Staff recommended Council grant the special sign permit with a limit of 25 signs to be put out April 23, 2011, and removed by May 9, 2011, with locations to be negotiated by staff.

1.2 Special event sign request for the La Leche League annual baby fair on May 14, 2011.

Staff recommended Council grant the special event sign request with a limit of 25 signs to be put out May 14, 2011, and removed by May 16, 2011, with locations to be negotiated by staff.

1.3 Set public hearing for revisions to Uniform Street and Thoroughfare Lighting Ordinance.

Staff recommended Council move to set the public hearing for April 25, 2011, to receive comments on the revisions.

1.4 Consideration of a resolution fixing a date for a public hearing on a resolution that will adopt a new redistricting map.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, FIXING A DATE FOR A PUBLIC HEARING ON A RESOLUTION THAT WILL ADOPT A NEW REDISTRICTING MAP. RESOLUTION NO. R2011-016.

1.5 Consideration of corrections to Resolution No. R2011-012 assigning 18 annexation areas to the current City Council election districts.

CORRECTED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE ACCOUNTING FOR EIGHTEEN ANNEXATIONS OF TERRITORY TO THE CITY OF FAYETTEVILLE. RESOLUTION NO. R2011-017.

2.0 OTHER ITEMS OF BUSINESS

2.1 Presentation of consideration of redistricting maps for proposed revisions to the electoral districts.

Ms. Deborah Stagner, Consultant with Tharrington Smith, LLP, presented this item and distributed handouts of the redistricting maps labeled Alternates 1 and 3 and a table containing population comparisons for the current districts and the proposed districts for Council's review. Council Member Applewhite inquired if there was any provision where a city would not have to redistrict such as opting out. Ms. Stagner responded if the members were elected at-large, there was no requirement to redistrict, however, she was not sure regarding opting out.

Ms. Stagner explained Council had requested that she prepare one plan that took the incumbent's residence into account and one plan that did not. She stated in Alternate 1 she had maintained the current shape of the districts as this was a priority of Council and maintained the African-American population as close to the current benchmark as possible to avoid any retrogression. She stated both plans split more precincts than the current plan, but Alternate 1 kept those to a minimum. She stated there were 28 whole precincts and 46 split precincts in the current plan, 22 whole precincts and 60 splits in Alternate 1, and 17 whole precincts and 71 splits in Alternate 3. She stated Alternate 3 was closer overall in keeping the districts to the ideal size and slightly increased the majority-minority percentage in three of the four districts, but expressed there were more splits. She explained if they were trying to avoid splitting precincts, they may not be able to maintain the majority-minority district. She reviewed the maps explaining the make up of the districts.

Council Member Applewhite inquired if any consideration was made to the voting age population. Ms. Stagner responded in the negative but explained it may be something to look at as far as retrogression. She stated she had not prepared those numbers but could take a look at them.

Ms. Stagner presented the Alternate 1 plan with an overlay of the current plan to show the move of the district lines from the current plan. Discussion ensued regarding the plan with Ms. Stagner responding to questions from Council.

Concerns were raised regarding the decrease in the minority percentage in three to four districts. Ms. Stagner explained she tried to keep minority percentage as high as possible but stated it was difficult bringing several of the precincts up in population without affecting minority percentage.

Council Member Massey inquired how many of the 60 splits were in the minority districts. Ms. Stagner reviewed the 60 splits on the map but did not have breakdown of number. She stated trying to move an entire precinct moves too many people out of a district into another district. She stated they could go back and look at that if there was a concern.

Ms. Stagner presented the Alternate 3 plan with an overlay of the current plan to show the move of the district lines and stated there were more changes with this plan but brought the districts closer to ideal sizes. Discussion ensued regarding the plan with Ms. Stagner responding to questions from Council.

Discussion ensued regarding the numbers across the board. Ms. Stagner stated the current plan was the benchmark and the goal was not to fall below the benchmark. Ms. Stagner stated the issue was trying to increase the overall total population.

Discussion ensued regarding the military population. Ms. Stagner explained Fort Bragg had a low voter turnout which was in District 3.

Council Member Massey requested that the districts remain as close to the current districts as possible to minimize confusion to voters. Ms. Stagner explained Alternate 1 maintains the current shape of the districts to a greater extent than Alternate 3.

Council Member Mohn inquired which plan would have a greater likelihood of approval by the Department of Justice. Ms. Stagner responded both plans were defensible as far as avoiding retrogression to the extent that they can.

A majority of Council expressed a preference for Alternate 3 with Council Members Massey and Haire requesting another meeting to review minor revisions regarding some of the streets and the maps.

Council Member Crisp expressed a preference for Alternate 1.

Ms. Stagner explained Alternate 3 had more changes to the existing districts. She advised Council that she would leave Alternate 3 as is and create an Alternate 3A plan with the tweaks for Council to review side by side and Council concurred.

Consensus of Council was to hold a special meeting Monday, April 18, 2011, at 5:00 p.m. in the Lafayette Room to review the revisions prior to the public hearing on April 26, 2011.

2.2 Closed Session

MOTION: Mayor Pro Tem Haire moved to go into closed session for consultation with the attorney.

SECOND: Council Member Bates

VOTE: UNANIMOUS (9-0)

The regular session recessed at 6:15 p.m. The regular session reconvened after the closed session.

MOTION: Council Member Applewhite moved to go into open session.

SECOND: Council Member Massey

VOTE: UNANIMOUS (9-0)

There being no further business, the meeting adjourned.