

# DRAFT

**FAYETTEVILLE CITY COUNCIL  
REGULAR MEETING MINUTES  
COUNCIL CHAMBER  
DECEMBER 9, 2019  
7:00 P.M.**

Present: Mayor Mitch Colvin

Council Members Katherine K. Jensen (District 1); Shakeyla Ingram (District 2); Tisha S. Waddell (District 3); D. J. Haire (District 4); Johnny Dawkins (District 5); Chris Davis (District 6); Courtney Banks-McLaughlin (District 8); Yvonne Kinston (District 9)

Absent: Council Member Larry O. Wright, Sr. (District 7)

Others Present: Douglas Hewett, City Manager  
Karen McDonald, City Attorney  
Kristoff Bauer, Deputy City Manager  
Telly Whitfield, Assistant City Manager  
Angel Wright-Lanier, Assistant City Manager  
Gerald Newton, Development Services Director  
Gina Hawkins, Police Chief  
Mike Hill, Fire Chief  
Cynthia Blot, Economic and Community Development Director  
Kevin Arata, Corporate Communications Director  
Tracey Broyles, Budget and Evaluation Director  
Sheila Thomas-Ambat, Public Services Director  
Bradley Whited, Airport Director  
Taurus Freeman, Planning and Zoning Manager  
Pamela Megill, City Clerk  
Jennifer Ayre, Deputy City Clerk  
Members of the Press

## **1.0 CALL TO ORDER**

Mayor Colvin called the meeting to order at 7:00 p.m.

## **2.0 INVOCATION**

The invocation was offered by Pastor LaVern Hayden, Wesleyan Pentecostal.

## **3.0 PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Tristen from Boy Scout Troop 787. Scout Master Jay Rayco stated the troop is here working on their Citizenship to the Community Merritt Badge which requires the boys to have an understanding of how local government works.

## **4.0 ANNOUNCEMENTS AND RECOGNITION**

Mayor Pro Tem Jensen introduced Ms. Alexis Diana, Fayetteville-Cumberland Youth Council, Vice Chair, Junior at Cumberland County Polytechnic, representing the Youth Council at tonight's meeting.

Mayor Pro Tem Jensen congratulated Council Member Haire on receiving his Bachelors of Arts degree from North Carolina A&T.

Mayor Colvin asked everyone to keep Council Member Wright in their prayers as he is away on a family emergency.

Mr. Sean Groover, Interim Chair of the Police Foundation, provided an overview of the recent activities of the Fayetteville Police Foundation.

Mr. Chas Sampson, Chief Executive Officer at Seven Principles Corporation and GreenLeaf Financials, announced the forthcoming 2019

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Inaugural Mixer on December 17, 2019, at 5:30 p.m. hosted by the Arts Council and Greater Fayetteville Chamber of Commerce.

## 4.01 Reconsideration of Agenda Item - 1912 Murchison Road, PIN 0428-94-1938

MOTION: Council Member Haire moved to reconsider the November 25, 2019, agenda item - 1912 Murchison Road, PIN 0428-94-1938.  
SECOND: Council Member Dawkins  
VOTE: UNANIMOUS (9-0)

## 5.0 APPROVAL OF AGENDA

MOTION: Council Member Haire moved to approve the agenda with the addition of Item 9.02, reconsideration of agenda item - 1912 Murchison Road, PIN 0428-94-1938.  
SECOND: Council Member Dawkins  
VOTE: UNANIMOUS (9-0)

## 6.0 CONSENT AGENDA

MOTION: Council Member Waddell moved to approve the consent agenda with the exception of Item 6.07; pulled for discussion and separate vote.  
SECOND: Mayor Pro Tem Jensen  
VOTE: UNANIMOUS (9-0)

### 6.01 Approval of Meeting Minutes:

October 4, 2019 - Work Session  
October 14, 2019 - Discussion of Agenda Items  
October 14, 2019 - Regular  
October 23, 2019 - Agenda Briefing  
October 28, 2019 - Discussion of Agenda Items  
October 28, 2019 - Regular  
November 4, 2019 - Work Session  
November 12, 2019 - Discussion of Agenda Items  
November 12, 2019 - Regular

### 6.02 Certification of Results from the Cumberland County Board of Elections for the November 5, 2019, Municipal Election for Mayor and City Council Districts 1, 2, 3, 4, 5, 6, 7, 8, and 9.

### 6.03 P19-49F. Rezoning of two properties from Heavy Industrial (HI) to Community Commercial, located at 1530 and 1600 Clinton Road, (Tax Map Nos. 0447-51-2056 and 0447-51-3053) totaling .48± acres and being the properties of Fay and Billy Horne and Charles Horne, represented by Ben Stout.

### 6.04 P19-52F. Conditional Rezoning of a property from Limited Commercial (LC) to Limited Commercial/Conditional Zoning (LC/CZ), located at 301 Hope Mills Road (Tax Map No. 0416-29-0418) containing 0.97± acres and being the property of Shirley and Albert Norton, Jr., represented by Larry Fatone.

### 6.05 P19-53F. Rezoning of two properties from Community Commercial (CC) to Light Industrial (LI), located at 1713 and 1705 Gillespie Street (Tax Map Nos. 0436-24-6546 and 0436-24-3555) totaling 5.1± acres and being the properties of Clarence Eugene Pegram, Trustee.

### 6.06 P19-54F. Rezoning a portion of property from Limited Commercial (LC) to Community Commercial/Conditional (CC/CZ), located at 4058 Legend Avenue (Tax Map No. 0418-54-2435) near the intersection of Bragg Boulevard and Sycamore Dairy Road, containing 17.18± acres and being the property of Phillip Taylor, Trustee.

### 6.07 This item was pulled for discussion and separate vote.

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### **6.08 Adoption of Budget Ordinance Amendment 2020-7 (Emergency Telephone System Fund) to Provide Additional Funding for Replacement Generator and Uninterruptible Power Supply**

Budget Ordinance Amendment (BOA) 2020-7 will appropriate \$169,668.00 from the Emergency Telephone System Fund fund balance to provide additional funding for a replacement generator and uninterruptible power supply (UPS).

### **6.09 Adoption of Special Revenue Fund Project Ordinance 2020-8 to Appropriate the FY 2018 Project Safe Neighborhoods Grant**

Special Revenue Fund Project Ordinance 2020-8 will appropriate \$117,865.00 of federal grant funds passed through the North Carolina Gang Investigation Association for items including, but not limited to, the purchase of software, supplies, equipment, and community outreach for the Operation Ceasefire Program.

### **6.010 Authorize the City Manager to sign a Municipal Agreement with NCDOT Division of Aviation for Airport Runway and Apron Crack Sealing Project and Approve the Associated Resolution.**

NCDOT Division of Aviation will be expending \$438,284.00 from its Airport Preventative Maintenance Project funding and the Airport has obligated \$152,658.00 as a local share for reimbursement to NCDOT. NCDOT has provided the Municipal Agreement to perform the work. Council authorized the City Manager to sign this agreement, by resolution.

### **6.011 Resolution Authorizing the Abandonment of City Easements**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA AUTHORIZING THE ABANDONMENT OF CITY EASEMENTS. RESOLUTION NO. R2019-040**

### **6.012 Phase 5 Annexation Area 25 Preliminary Assessment Resolution to be Adopted and Public Hearing**

**RESOLUTION AND ORDER TO FILE AND PUBLISH A PRELIMINARY ASSESSMENT RESOLUTION FOR THE EXTENSION OF THE SANITARY SEWER COLLECTION SYSTEM IN ALL OR A PORTION OF THE STREETS WITHIN AREA 25 OF THE PHASE 5 ANNEXATION LISTED ON EXHIBIT "A". RESOLUTION NO. R2019-041**

### **6.07 Adoption of Capital Project Ordinance Amendment 2020-29, Award of Terminal Improvements Part II Construction Contract to Resolute Building Company, and Authorization for the City Manager to Execute the Contract**

Mr. Bradley Whited, Airport Director, presented this item and stated the funding sources proposed to be appropriated for the project include future Federal Aviation Administration grants for which funding commitments have already been received but for which grants have not yet been awarded (\$4,041,108.00); North Carolina Department of Transportation funding for which only one of two years of anticipated funding has been appropriated and grants for both years are yet to be awarded (\$5,371,414.00); and future collections of Passenger Facility Charges. While these funds have yet to be officially awarded or collected, staff is comfortable that the funding commitments are reliable and collections can reasonably be anticipated. At this time, an additional appropriation of Airport Net Assets of \$5,726,984.00 is necessary to provide the balance of funding required for the project. Additional grant funding of \$2,468,167 is anticipated from FAA discretionary fund as the balance of a planned commitment of \$10,000,000.00. As this anticipated funding is committed, or other grant funds received, the appropriation of Airport Net Assets will be offset and funds returned to the Operating Fund. There is no impact to the General Fund as the project appropriation is to be funded by dedicated Airport funding sources including

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accumulated operating fund net assets, restricted Passenger and Customer Facility Charges, and Federal Aviation Administration and North Carolina Department of Transportation grant funds.

**MOTION:** Council Member Waddell moved to adopt Capital Project Ordinance Amendment 2020-29 as presented; award the Part II Terminal Improvement construction contract to Resolute Building Company at 211 Cloister Court, Chapel Hill, NC 27514, in the total amount of \$27,566,100.00; and authorize the City Manager to execute the contract.

**SECOND:** Council Member Ingram

**VOTE:** UNANIMOUS (9-0)

### 7.0 STAFF REPORTS

#### 7.01 Fayetteville Police Department 2019 - 3rd Quarter Review

Ms. Gina Hawkins, Police Chief, presented the Police Department 3rd Quarter Review with the aid of a PowerPoint presentation. Chief Hawkins addressed the following items: Crime Statistics, Aggravated Assault Defined, Clearance Rate, Narcotics Unit, Response Times, Professional Standards, Staffing, Recruiting, Achievements, Gang Unit, Community Watch Groups, Community Engagement Trailer, Intern Program, Strategic Plan, National Night Out, Traffic Statistics, Human Trafficking.

Discussion ensued.

**MOTION:** Council Member Kinston moved to receive the Fayetteville Police Department 2019 3rd Quarter Review.

**SECOND:** Council Member Davis

**VOTE:** UNANIMOUS (9-0)

### 8.0 PUBLIC FORUM

Mr. Iman Eronomy Muhammed Smith, 1200 Murchison Road, Fayetteville, NC, spoke on the state of the City of Fayetteville.

Mr. Charles Hurst, 245 McHarry Drive, Fayetteville, NC, expressed concerns and displeasure regarding Christmas carols being sung at the Market House, downtown Fayetteville.

### 9.0 OTHER ITEMS OF BUSINESS

#### 9.01 Report by RSM US LLP of the Audit and Financial Results for the Year Ended June 30, 2019

Mr. Jay Toland, Chief Financial Officer, stated the City Council's audit firm, RSM US LLP, has completed their audit for the fiscal year ended June 30, 2019. A copy of the audited financial report has been provided to each Council member. Mr. Robbie Bittner, CPA, MBA, a senior manager with RSM US LLP, will present the auditor's report and financial results. The report was presented to and approved by the Audit Committee on November 25, 2019.

Mr. Robbie Bittner presented the report with the aid of a PowerPoint presentation.

**MOTION:** Council Member Dawkins moved to accept the Report by RSM US LLP of the Audit and Financial Results for the Year Ended June 30, 2019.

**SECOND:** Council Member Ingram

**VOTE:** UNANIMOUS (9-0)

#### 9.02 Reconsideration of Agenda Item - 1912 Murchison Road, PIN 0428-94-1938

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA REQUIRING THE CITY BUILDING INSPECTOR TO CORRECT

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CONDITIONS WITH RESPECT TO, OR TO DEMOLISH AND REMOVE A STRUCTURE PURSUANT TO THE DWELLINGS AND BUILDINGS MINIMUM STANDARDS CODE OF THE CITY. 1912 Murchison Road, PIN # 0428-94-1938.

MOTION: Council Member Haire moved to clarify that the demolition ordinance for 1912 Murchison Road be stayed for 90 days from November 25, 2019.

SECOND: Council Member Waddell

VOTE: UNANIMOUS (9-0)

## 10.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:40 p.m.

Respectfully submitted,

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PAMELA J. MEGILL  
City Clerk

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MITCH COLVIN  
Mayor

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