

**FAYETTEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBER, CITY HALL
June 9, 2025
6:30 P.M.**

Present: Mayor Mitch Colvin;

Council Members Katherine K. Jensen (District 1); Malik Davis (District 2); Mario Benavente (District 3); D. J. Haire (District 4) (arrived at 6:44 p.m. via TEAMS); Lynne Greene (District 5); Derrick Thompson (District 6); Brenda McNair (District 7); Courtney Banks-McLaughlin (District 8); Deno Hondros (District 9)

Others Present: Douglas Hewett, City Manager
Lachelle Pulliam, City Attorney
Kelly Strickland, Assistant City Manager
Jeffrey Yates, Assistant City Manager
Jodi Phelps, Assistant City Manager
Todd Joyce, Interim Police Chief
Kevin Dove, Fire Chief
Gerald Newton, Development Services Director
Loren Bymer, Market and Communications Director
Kimberly Leonard, Budget & Evaluation Director
Tiffany Murray, Chief Financial Officer
Willie Johnson, Chief Information Officer
Brook Redding, Senior Assistant to the City Manager
Nichelle Gaines, Community Safety Manager
Craig Harmon, Senior Planner
Jennifer Ayre, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Colvin called the meeting to order at 6:37 p.m.

2.0 INVOCATION

The invocation was offered by Pastor Jamale Johnson, Mt. Sinai Missionary Baptist Church.

3.0 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Colvin and City Council.

4.0 ANNOUNCEMENTS AND RECOGNITIONS

Council Member Thompson presented a Certificate of Appreciation to Mr. David Council who served as the 1st block captain in the Wells Place neighborhood and continues to serve as a block captain at 97 years old.

Mayor Pro Tem Jensen recognized U.S. Army Veterans and spouses in honor of the Army's 250th Anniversary on June 15, 2025.

Council Member Greene announced on August 16, 2025, at 8:00 a.m., the State of North Carolina will issue a proclamation to the Airborne and Special Operations Museum Foundation, and a plaque will be posted at the Liberty Tree.

Mayor Colvin presented a proclamation in honor of National Homeownership Month to the Economic and Community Development Staff.

Council Member Benavente presented a proclamation in honor of Pride Month to Ms. Krystal Maddox and recognized Mr. Ethan Cavanaugh

for helping to ensure the safety of attendees while volunteering at a previous Pride Festival.

Senator Val Applewhite presented the Order of the Long Leaf Pine award to retired Deputy Fire Chief Moisbiel Alvarez.

Council Member McNair thanked everyone for supporting the Lake Rim Picnic in the Park that took place on June 8, 2025.

5.0 CITY MANAGER REPORT

Dr. Douglas Hewett, City Manager invited residents to join a community workshop to discuss the future of Blount and Gillespie Streets, on Wednesday, June 11, 2025, from 6:00 - 7:30 p.m. at J.S. Spivey Recreation Center, 500 Fisher Street, Fayetteville, NC.

Mayor Colvin stated tomorrow June 10, 2025, at 6:00 p.m. in the Council Chamber, 433 Hay Street, Fayetteville, NC, he will present the State of the City.

6.0 APPROVAL OF AGENDA

MOTION: Council Member Benavente moved to approve the agenda with switching 10.02 and 10.03.

SECOND: Council Member Jensen

VOTE: UNANIMOUS (10-0)

7.0 PUBLIC FORUM

Ms. Saundra Stanley, 641 Larkspur Dr., Fayetteville, NC, expressed concerns regarding the removal of bike lanes in the Country Club North neighborhood.

Mr. Sencedrick Barham, 636 Bessemer Cir., Fayetteville, NC, expressed concerns regarding gun violence.

Mr. Konchan Kamone, 206 Campbell Ave., Fayetteville NC, expressed concerns regarding one of his properties on the demolition list.

Ms. Carrol Olinger, 5338 Harding Dr., Hope Mills, NC., expressed concerns regarding the curfew.

Mr. Dennis Murphy, 462 Bayshore Dr., Fayetteville, NC, expressed concerns regarding Wal-Mart's alcohol policy.

Mr. Shaun McMillan, 6024 Goldenrain Dr., Fayetteville, NC, expressed concerns regarding the youth curfew.

Pastor Ryan Ford, Fayetteville, NC., expressed concerns regarding the FY2026 budget and youth crime prevention programs.

Ms. Angela Tatum, 404 Pilot Ave., Fayetteville, NC, expressed concerns regarding the youth curfew.

Ms. Arleen Fields, 5318 Hampton Rd., Fayetteville, NC, expressed concerns regarding a proposed gas station on Stacy Weaver Road.

Mr. Benjamin Hulquist, 801 Rim Rd., Fayetteville, NC, expressed concerns regarding the FY 2026 City Budget.

Mr. Shammond Virgil, 2062 Osceola Dr., Fayetteville, NC, expressed concerns regarding the youth and prison system.

Mr. Cheliko Hurst, 142 Wayside Dr., Fayetteville, NC expressed concerns regarding homelessness.

Mr. Dre'Shawn Spearman, 715-G Duggins Way, Fayetteville, NC, expressed concerns regarding the Nuisance Party Ordinance.

MOTION: Council Member Benavente moved to add nine minutes to the public forum.
SECOND: Council Member Davis
VOTE: PASSED by a vote of 7 in favor to 3 in opposition (Council members Jensen, Greene, and Thompson)

8.0A CONSENT AGENDA

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

8.0A1 Approval of Meeting Minutes:
May 21, 2025 - Agenda Brief
May 22, 2025 - Budget Work Session
May 27, 2025 - Discussion of Agenda Items
May 27, 2025 - Regular

8.0A2 City Council Policies Review Committee Recommendations

City Council approved the creation of two policies from 115.14-Economic Development Program. The new policies are 115.14A - Economic Development and 115.14B - Community Development. City Council approved amendments to City Council Policy 115.18 - Key to the City.

8.0A3 Adopt a Resolution of the City Council of the City of Fayetteville Confirming the Non-Inclusion of Hill Street in the City of Fayetteville Street Plan

City Council adopted a resolution confirming the non-inclusion of Hill Street in the City of Fayetteville Street Plan. The right of way known as Hill Street is depicted on a map entitled "Map of Bevill's Alfalfa Field" dated November 1922 and recorded in Plat Book 7, Page 98 of the Cumberland County Registry. The property was owned by the Bevill Estate. Hill Street is a "paper street" that has never been constructed or opened. The Petitioner has asked if the City has any interest in this street as a part of a future street plan and it has been determined that it is neither a part of the current street plan nor part of any future street plan.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE CONFIRMING NON-INCLUSION OF HILL STREET IN THE CITY OF FAYETTEVILLE STREET PLAN. RESOLUTION NO. R2025-021

8.0A4 Authorize the City Manager, upon legal approval, to amend the ground lease with the Airborne and Special Operations Museum Foundation

City Council authorized Dr. Douglas Hewett, City Manager, to amend the ground lease with the Airborne and Special Operations Museum (ASOM) Foundation. The City, starting in 2000, leases the land to the ASOM Foundation. As part of the lease agreement, and as consideration for rent, the ASOM Foundation pays 2 percent of the gross sales from operations, including from the gift shop, simulator, and theater, which amounts to about \$3,000.00 to \$5,000.00 annually. The ASOM Foundation has requested the City Council amend the lease and eliminate the two percent requirement, in an effort to reduce operating costs.

8.0A5 Adoption of the Recommended FY 2026 Strategic Plan

City Council adopted the Fiscal Year 2026 Strategic Plan that was created after a two-day strategic planning retreat to refine the City's strategic plan by reviewing goals, focusing on past accomplishments, and agreeing on five strategic priorities for FY 2026.

8.0B ITEMS PULLED FROM CONSENT

There were no items pulled from the consent agenda.

9.0 PUBLIC HEARINGS

9.01 P25-13: Notice of Appeal of a request to rezone from SF-10 to LC at 549 Stacy Weaver Drive (REID #0530028255000, and a portion of 0530120415000) owned by Paul Thompson Development Corp. (Appeal of a Zoning Commission Denial)

Mr. Craig Harmon, Senior Planner, presented this item with the aid of a PowerPoint presentation and stated this is a request for a rezoning that was denied by the Zoning Commission. The applicant has requested to rezone 2.1 acres located at 549 Stacy Weaver Drive, from Single Family 10 (SF-10) to Limited Commercial (LC). The Land Use Plan calls for the property to be Neighborhood Mixed Use. A section of the property has a single-family house that has been used as an office in the past. The proposed rezoning aligns with the future land use plan for a mixed-use neighborhood by introducing moderate-intensity commercial development.

The staff recommended approval, but the Zoning Commission denied the case due to the proposed zoning change is not consistent with the Future Land Use Plan (FLUP). because it does not encourage growth in the area well-served by infrastructure, and urban services, including roads, utilities, parks, schools, police, fire, and emergency services, because several gas stations are already in the area, and building another one would not help the community. It does not encourage intense uses, greater mix uses, and denser residential types in key focal areas, because although Fayetteville is 500 houses short, they are building a gas station. It does not meet goals #1 and #4 because building another gas station does not make the area attractive. It is inconsistent with the proposed land use and does not align with the Future Land Use Plan. The designation as requested would permit uses that are incongruous to those existing on adjacent tracts. And it does not align with the consistency and reasonable statements".

This is the advertised public hearing set for this date and time, the public hearing was opened.

Mr. Jonathan Charleston, 201 Hay St., Fayetteville, NC, spoke in favor of this item.

Ms. Victoria Clark-Curtis, 201 Hay St., Fayetteville, NC, yielded her time to Mr. Jonathan Charleston.

Mr. Patrick Budronis, 1646 W. Snow Ave. Suite 63, Tampa, FL, yielded his time to Mr. Jonathan Charleston.

Ms. Donna Johnson, 5059 Hampshire Dr., Fayetteville, NC, spoke in opposition of this item.

Ms. Twanda Peterson, 5027 Hampshire Dr., Fayetteville, NC, spoke in opposition of this item.

Mr. Jamie Davis, 458 Bayshore Dr., Fayetteville, NC, spoke in opposition of this item.

Mr. Carlos Hance, 5043 Chesapeake Rd., Fayetteville, NC, spoke in opposition of this item.

There being no one further to speak, the public hearing was closed.

Ms. Lachelle Pulliam, City Attorney, stated the options are to approve as submitted, approve it with a reduction of the area proposed to be rezoned, approve to a more restrictive base zone district, deny

it, or remand it back to the Zoning Commission for further consideration.

Mayor Pro Tem Jensen stated for this site to be developed work must be done on Stacy Weaver and MacArthur Road. Mr. Harmon stated it is not a conditional zoning so there is nothing that would tie the developer down to any conditions until site plan approval by the Technical Review Committee. Dr. Hewett stated if Council is inclined to approve it, the requested conditions are not allowed to be mandated, the rezoning permits it for what is permissible in the zoning district.

Mr. Harmon stated If the rezoning is denied the applicant cannot request to rezone for a year unless it is significantly different or they can appeal to Superior Court.

Council Member Benavente asked if there is technology that will be included that can address vapor and chemical concerns brought up by residents. Mr. Charleston stated the new technology includes specialized pumps that help contain the vapors and the new stations do not have the same risks as older stations.

If the application is withdrawn they would have to go back to zoning commission in July and back to Council in August.

MOTION: Council Member Jensen moved to table for a later date pending the withdrawal and resubmittal of the application.

SECOND: Council Member Hondros

VOTE: PASSED by a vote of 6 in favor to 4 in opposition (Council Members Benavente, Greene, McNair, and Banks-McLaughlin)

Mayor Colvin recessed the meeting at 9:08 p.m., and reconvened the meeting at 9:13 p.m.

9.02 Public Hearing to Award Round 1 Can Do Performance Financing Program Funding

Mr. Robert Van Geons, Fayetteville-Cumberland Economic Development Corporation (FCEDC) President and CEO presented this item with the aid of a PowerPoint presentation. FCEDC launched the Can Do Performance Financing Program in partnership with the City of Fayetteville and the Community Development Foundation (CDF) in January 2025, with \$5 million, \$2.5 million from the City of Fayetteville and \$2.5 million from the State of North Carolina. This program addresses historical barriers to capital that has limited the growth of sustainable businesses within Fayetteville's low- to moderate-income census tracts, especially those that are minority-, veteran-, and woman-owned. This program supports many of the City's goals, including supporting a diverse procurement pool and a viable economy. To qualify, businesses must have fifteen or fewer employees and demonstrate viable plans for job creation and capital uses. Additionally, priority consideration is extended to companies operating within the aerospace, technology, defense, and cybersecurity sectors.

Mr. Van Geons stated 111 unique businesses submitted interest forms requesting a total of \$11.96 million in funding. Eighteen non-qualifying applicants enrolled in FCEDC-sponsored program at the HUB. 61 candidates met the basic program criteria and were asked to complete a project form and 49 completed the form and scored enough. Sixteen projects were submitted to the Can Do Performance Financing Investment Committee for consideration with five were referred to CEED for vetting, and two met the minimum 70-point scoring requirement for awarding.

The two companies that qualified to receive funds from the Can Do Performance Financing Program in the initial application cycle were introduced. Ms. Ashley Johnson of A & A Holdings Corporation has requested \$125,000 to create five jobs. Ms. Latisha Perkins of

Maybridge Development LLC has requested \$300,000 to create twelve jobs in two phases.

This is the advertised public hearing set for this date and time, the public hearing was opened.

There being no speakers, the public hearing was closed.

MOTION: Council Member Thompson moved to approve Ashley Johnson of A & A Holdings Corporation and Latisha Perkins of Maybridge Development LLC for Can Do Performance Financing funding of \$125,000 and \$300,000, and authorize the CDF to release the funds, subject to the candidates entering into an incentive agreement

SECOND: Council Member Davis

VOTE: UNANIMOUS (10-0)

10.0 OTHER ITEMS OF BUSINESS

10.01 Proposed Nuisance Party Ordinance

Mr. Joshua Hall, Police Attorney, stated at the June 2, 2025, Work Session the nuisance party ordinance was introduced and tonight it is here for adoption.

MOTION: Council Member Benavente moved to allow for a public hearing on this ordinance to be scheduled and table the matter until after the public hearing is complete

The motion failed for lack of a second.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING CHAPTER 17, OFFENSES AND MISCELLANEOUS PROVISIONS, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA. ORDINANCE NO. S2025-012

MOTION: Council Member Jensen moved to adopt the proposed nuisance party ordinance

SECOND: Council Member Thompson

VOTE: PASSED by a vote of 9 in favor and 1 in opposition (Council Member Benavente)

10.02 Youth Protection Safety Ordinance - Implementation Strategy

Mr. Brook Redding, Senior Assistant to the City Manager, presented this item with the aid of a PowerPoint presentation and stated in the weeks since the May 5, 2025, special Council meeting the task force has worked to address the City Council's direction. The cross-department task force included the Department of Social Services (DSS), Department of Juvenile Justice (DJJ), Fayetteville Police Department (FPD), City Manager's Office (CMO), City Attorney's Office (CAO), Economic and Community Development (ECD), Parks and Recreation (P&R), Office of Community Safety (OCS), Budget and Evaluation, and Information Technology (IT). The recommended strategic rollout timeline was presented.

Ms. Nichelle Gaines, Community Safety Manager, stated this has been a coordinated effort with the objective for the late-night youth programing pilot to create safe and engaging late-night activities for youth ages 12-17 through mentorship, recreation, and community partnerships during curfew hours. There are three confirmed locations, June 28, 2025, Community Outreach Center, July 11, 2025, at College Lakes Recreation Center, and August 15, 2025, at the Cliffdale Recreation Center. The programs will run from 7:00-10:00 p.m. in coordination with the Police Department and P&R programing. There will be space for physical activities, smaller activities, and mentoring or group discussions. There will be officers and staff for supervision and engagement. The intake and registration protocols are being created. ECD has reached out to community partners and

nonprofits to work on the partnerships. The task force plans to begin by offering events quarterly with the expectation to expand it to monthly events by next summer.

There will be a measured approach for public education and outreach through a landing page on the website, social media posts, messaging through schools and nonprofits, information flyers at recreation centers, faith-based sites, libraries, events and FayTV. Messaging focuses is what the ordinance is and is not, how to access the youth programing, and emphasize safety and support.

Mr. Todd Joyce, Interim Police Chief, stated the objective is to ensure implementation is consistent, legal, and youth-center through officer training beginning June 10, 2025, interagency coordination, public engagement, prioritizing education, and discretion during the 30-day grace period. The grace period is from June 9-July 9, 2025, and no citations will be given at this time. Officers will receive targeted roll-call training on the Youth Protection Safety ordinance with PD attorneys assisting with interpretation and scenario guidance. Additional components of the training will consist of an overview of the ordinance requirements, enforcement protocols and officer judgement, response scenarios and referral paths, and coordination with DSS, DJJ, and community support resources. Frequently asked questions and what happens when a parental contact can or cannot establish contact were presented.

Discussion ensued criminal penalties to a juvenile in section F.1.

MOTION: Council Member Banks-McLaughlin moved to accept the staff report and implementation strategy for the Youth Protection Safety Ordinance as presented and amend the Youth Protection Safety Ordinance by striking Section F.1 from the ordinance.

SECOND: Council Member Jensen

VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Council Member Hondros)

10.03 Adoption of the Fiscal Year 2025-2026 Budget Ordinance, the FY 2025-2026 Fee Schedule, FY 2025-2026 Capital and Special Project Ordinances, Amendments, and Close-Outs

Mr. Jeffery Yates, Assistant City Manager, presented this item with the aid of a PowerPoint presentation and stated the parking lot items were added per the budget work session discussions. In order to balance the budget, the fund balance was taken to exactly twelve percent and the vacancy savings was increased.

MOTION: Council Member Benavente moved to include an additional \$500,000.00 to the Office of Community Safety.

SECOND: Council Member McNair

VOTE: FAILED by a vote of 3 in favor to 7 in opposition (Mayor Colvin, Council Members Jensen, Davis, Haire, Greene, Thompson, and Hondros)

MOTION: Council Member Thompson moved to adopt the FY 2026 Budget Ordinance documents including FY 2026 Budget Ordinance, Fiscal Year 2025-2026 Fee Schedule, FY26 Capital/Special Project Ordinances, Amendments, and Close-outs as presented.

SECOND: Council Member Haire

VOTE: PASSED by a vote of 9 in favor to 1 in opposition (Council Member Benavente)

11.0 ADJOURNMENT

There being no further business, the meeting adjourned at 10:46 p.m.

Respectfully submitted,

JENNIFER L. AYRE
City Clerk
060925

MITCH COLVIN
Mayor